

State of Texas	§	Court Order
Collin County	§	2020-1147-11-16
Commissioners Court	§	

An order of the Commissioners Court approving the filing of the October 26, 2020 minutes.

On Monday, October 26, 2020 the Commissioners Court of Collin County, Texas, met in Regular Session in the Commissioners Courtroom, Jack Hatchell Collin County Administration Building, 4th Floor, 2300 Bloomdale Road, City of McKinney, Texas, with the following members present, and participating, to wit:

Commissioner Susan Fletcher, Precinct 1
 Commissioner Darrell Hale, Precinct 3
 Commissioner Duncan Webb, Precinct 4

Absent: Judge Chris Hill and Commissioner Chery Williams, Precinct 2

Commissioner Webb led the invocation
 Commissioner Fletcher led the Pledge of Allegiance
 Commissioner Hale led the Pledge of Allegiance to the Texas Flag

1. Commissioner Webb called to order the meeting of the Collin County Commissioners Court at 1:30 p.m. and recessed the meeting at 2:17 p.m. The Commissioner reconvened the meeting at 2:18 p.m. and immediately recessed into Executive Session. Commissioner Webb reconvened Commissioners Court at 2:36 p.m. and adjourned at 2:37 p.m.

Trustee Webb called to order the meeting of the Collin County Health Care Foundation at 2:17 p.m. and adjourned the meeting at 2:17 p.m.

Trustee Webb called to order the meeting of the Collin County Housing Finance Corporation at 2:18 p.m. and adjourned the meeting at 2:18 p.m.

DECISIONS MANDATED BY LEGAL ENTITIES OUTSIDE OF COMMISSIONERS COURT AUTHORITY:

1. AI-49296 Interlocal Agreement between Collin County Community Supervision and Corrections Department and Dallas County Community Supervision and Corrections Department for use of offender specimen collection services per Contract No. 2018-179, Adult Probation.

FYI NOTIFICATION

1. **AI-49278** P-card disbursements, Auditor.
2. **AI-49308** Intra-County account transfers transmitted on October 8, 2020, Auditor.
3. **AI-49326** Change Order No. 2 to Construction, Roof Replacement, Collin County Central Plant (IFB No. 2020-132) with Nations Roof Central, LLC to change flue flashing to hot stick flashing, Construction & Projects.
4. **AI-49313** Addendum No. 1 to Construction, Collin County Sheriff's Office Computer Room Air Conditioning Replacement (IFB No. 2020-346) to make various changes to the Invitation for Bid, Purchasing.

2. Public Comments

Andie Gonzales said 99.9% of the people with COVID-19 survive and asked why we still have a declaration of an emergency. Ms. Gonzales would like to see what kind of guidance this administration will put into action to remove the declaration. The decision to close down businesses will account for more than 85% of small businesses declaring bankruptcy by January 2021. The medical industry and its establishments have made great errors, and 9.5% of every hospitalization ends in medical error or death. The WHO (World Health Organization) and the CDC (Center for Disease Control) are the primary sources of science which dictate guidelines to medical institutions, media and governments. How can we expect accountability with these organizations if the liability is limited and the oversight is minimal. We must have medical freedom including, but not limited to, wearing masks. Ms. Gonzales asked the Court to consider a motion to end all the executive orders especially for mandated vaccinations.

Serena Ashcroft, McKinney, asked why we continue to contact trace if people are not complying. There is only 30% compliance, and we are spending a lot of time and money. The CDC said they are not tracking the flu data for 2020 through 2021. John Hellerstedt, Commissioner of the Texas Department of State Health Services, has continually declared a public health emergency since March. The code specifically states he can only do it once for thirty days and only have one renewal. Every thirty days he issues a new one for COVID-19, and this is fraud. The County Health Department is issuing the schools the guidance of wearing face masks. However, they may not be aware that the Texas Education Code 37.0023 prohibits placing a face covering over the mouth or face because it causes emotional and physical harm, discomfort or pain. This is being done in our schools, and it is against the law. Ms. Ashcroft said the Health Department needs to make a statement saying they can no longer recommend face masks because it is against the code.

Jim Garrison, McKinney, said there were many inaccurate comments in regards to facts in the presentation from the Collin County Health Department during last week's meeting. According to Candy Blair, Healthcare, the number of alleged epidemiologists Denton, Tarrant and Dallas Counties have is hundreds. Mr. Garrison said, during the meeting, he called Juan Rodriguez, Chief Epidemiologist Denton County, and confirmed Denton

County has five epidemiologists with forty clerical workers. Mr. Garrison said he ran into Ms. Blair and challenged her on the number she quoted. Ms. Blair stood firm on her number. This is information the Court was given last week and nobody challenged her. The presentation was propaganda to ensure this body keeps the tabulating of data in the hands of the State as opposed to making this Health Department do the work. Mr. Garrison said the Court needs to bring back the vote, and get it back in Collin County.

Marisa Williams, McKinney, is working to try to get Texas to open up. It was clear in last Monday's Commissioners Court Meeting that Judge Hill and Commissioner Williams were going to question the head of the Collin County Health Department. Ms. Williams said more and more people are realizing that people are not dying and are actually recovering. A lot of the mandates being enforced are not positive. People are starting to wake up and question what we are doing to kids, teachers, and staff by having them wear masks for long hours. Ms. Williams said her challenge to the Court is to be as transparent as possible and to show people that Texas is the best place to live.

Commissioner Fletcher said this is an item on the agenda and would like to have a discussion on this topic. It is important to be able to talk about these concerns that keep coming up each week. First of all, everyone needs to realize there is no mask mandate coming from Collin County. Also, any kind of executive order is done by the County Judge alone, and currently there are no executive orders in place. One of the comments today was regarding vaccines, and that is not something coming from Collin County. The emergency declaration allows the County to receive money from the federal government and spend it. The money has been used for testing, rent assistance, mortgage assistance and utility assistance in response to COVID-19. If the emergency declaration is not in place, the County would not be able to spend those funds.

The emergency powers the Governor has will supersede the Texas Education Code regarding the masks in schools. Commissioner Fletcher said she will look into the concerns brought up by Mr. Garrison regarding the Collin County Health Care Department. The epidemiologist team had temporary employees assigned to help with contact tracing. All Court members had their own opinions regarding contact tracing when the vote was taken to transfer the task to the State. However, the Court knew the County did not have the capacity to handle it. The employees that were doing contact tracing eventually returned to their original jobs. Commissioner Fletcher said she voted to have the State take over contact tracing because the County did not have the capacity. Also, the federal funds would have been used to hire people, get them trained, purchase equipment, and provide a place for these employees. Using the federal funds to save businesses, cities, and to help individuals who lost their jobs was much more important than hiring a team to do the same exact work the State was doing. As a County, we are the lowest level of State government and do not get to choose how to respond to this. The Commissioner said she appreciates the public coming in to express their concerns, and her door is always open.

Commissioner Hale said we are all equally frustrated with the way the State has handled things. Initially, everyone started off not knowing exactly what we were dealing with. There were crazy projections like having half a million deaths in Texas by the middle of summer. None of that came to fruition. The County was tasked with collecting

data, and nothing like this has ever been done for any other widespread disease. The Commissioner said, once it was time to open the County and send employees back to their regular jobs, he was in support of the State taking over contact tracing. The County would have been spending money on what would have been a duplicate effort if it didn't have the State take over. When this vote was taken, there was no kind of procedure in place stating, if a county was under a certain amount of cases, they would be allowed to open up. Now, the Governor has started to make hospitalization percentages something more measurable. Commissioner Hale said he has sent a letter to the Governor asking him to either let his orders lapse or to modify them to make the criteria equivalent between counties. You cannot have a million person county and only allow twenty new cases in order to open up.

One of the Commissioners in Dallas County said, once they come to December 30, 2020, they will no longer do contact tracing. Tarrant County didn't even know they had the option to turn over contact tracing to the State, but have also confirmed they will no longer do it after December 30, 2020. The State mandates placed on the counties to track cases is not feasible. The County only has one health emergency declaration in place. Judge Hill spoke about it during last week's meeting and said it was in place in order to keep using CARES (Coronavirus Aid, Relief, and Economic Security) Act funds. We saved millions of dollars when the tracing decision was made.

Commissioner Webb said he is very supportive of the decision to hand contact tracing over to the State. The funds were ultimately used to help with housing, utilities, small businesses, food pantries and supporting local cities. When the CARES Act money concludes on December 30, 2020, and if contact tracing continues, everyone will have to tender the tracing to the State. The State will need to make a decision because they are the ones mandating tracing. Commissioner Webb said he stands with his decisions to have the State do contact tracing. We do need to continue to do what we can to be safe, but we also need to keep our economy up and running. (Time: 2:05 p.m.)

3. Presentation/Recognition.

4. Consent agenda to approve: Commissioner Webb pulled item 4f4 and then asked for comments on the consent agenda. Hearing no comments, a motion was made to approve the remainder of the consent agenda. (Time 2:05 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Darrell Hale

Vote: 3 – 0 Passed

a. **AI-49305** Disbursements for the period ending October 20, 2020, Auditor.

COURT ORDER NO. 2020-1041-10-26

b. AI-49306 Indigent Defense Disbursements, Auditor.

COURT ORDER NO. 2020-1042-10-26

c. **Advertisement(s):**

1. AI-49274 Construction, Road: Collin County Outer Loop Access Road from East of SH 289 to FM 2478 (IFB No. 2020-258), Special Projects.

COURT ORDER NO. 2020-1043-10-26

d. **Award(s):**

1. AI-49307 Vehicle, PI SUV for Constable 2 (Contract No. 2021-003) to Silsbee Ford, Inc. through Goodbuy Cooperative Contract No. 20-8F000, Public Works.

COURT ORDER NO. 2020-1044-10-26

2. AI-49327 Vehicles, F150 First Responders for Sheriff's Office (Contract No. 2021-061) to Silsbee Ford, Inc. through Buyboard Cooperative Contract No. 601-19, Public Works.

COURT ORDER NO. 2020-1045-10-26

3. AI-49324 Oracle PeopleSoft License Increment (Contract No. 2021-064) to Mythics, Inc. through DIR Contract DIR-TSO-4158, Human Resources.

COURT ORDER NO. 2020-1046-10-26

e. **Agreement(s):**

1. AI-49329 Interlocal Agreement with the Town of Northlake, Purchasing.

COURT ORDER NO. 2020-1047-10-26

2. AI-49322 Memorandum of Understanding between Collin County Sheriff's Office and the Partner Agencies of the County Child Sex Trafficking Team, Sheriff.

COURT ORDER NO. 2020-1048-10-26

3. AI-49275 License Agreement with Mario Sinacola & Sons Excavating, Inc. for use of land to construct a temporary field office, parking, and staging of related materials, temporary water line and extension of overhead electrical service, and further authorize the Purchasing Agent to finalize and execute, Special Projects.

COURT ORDER NO. 2020-1049-10-26

f. **Amendment(s):**

1. **AI-49309** No. 1 to Interlocal Agreement for Dispatch Services (Agreement No. 2020-318) with Lavon Fire Department to extend the contract for one (1) year through and including September 30, 2021, make various changes to the contract, and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

COURT ORDER NO. 2020-1050-10-26

2. **AI-49310** No. 1 to Interlocal Agreement for Dispatch Services (Agreement No. 2020-048) with City of Lavon to extend the contract for one (1) year through and including September 30, 2021, make various changes to the contract, and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

COURT ORDER NO. 2020-1051-10-26

3. **AI-49323** No. 1 to Interlocal Agreement for Dispatch Services (Agreement No. 2019-391) with Blue Ridge Volunteer Fire Department to extend the contract for one (1) year through and including September 30, 2021, make various changes to the contract, and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

COURT ORDER NO. 2020-1052-10-26

4. **AI-49281** No. 2 to Amended and Restated Lease Agreement (Agreement No. 2020-181) with the City of Frisco for property located at 6161 Frisco Square Blvd, Suite 2000, Frisco, Texas to increase the common area maintenance fee by \$0.28 per square foot, and extend the lease for one (1) year through and including December 31, 2021, Construction & Projects.

Commissioner Webb pulled this amendment because the square footage numbers were incorrect. (Time: 2:06 p.m.)

PULLED

5. **AI-49325** No. 3 to Interlocal Agreement for Law Enforcement Services (Agreement No. 2017-353) with McKinney Municipal Utility No. 1 and No. 2 of Collin County (Trinity Falls) to extend the contract for one (1) year through and including September 30, 2021, and further authorize the Purchasing Agent to finalize and execute same, Sheriff.

COURT ORDER NO. 2020-1053-10-26

g. Filing of the Minute(s), County Clerk:

1. **AI-49292** October 5, 2020.

COURT ORDER NO. 2020-1054-10-26

h. Miscellaneous

1. **AI-49283** Grant application and resolution for the FY 2021 Indigent Defense Formula Grant Program, Auditor.

COURT ORDER NO. 2020-1055-10-26

2. AI-49314 Deposit the net proceeds totaling \$551,745.05 from the Collin County Online Auction held on September 21, 2020 per Local Government Code 263.156, Purchasing.

COURT ORDER NO. 2020-1056-10-26

3. AI-49297 Return cash drawer balance for Sheriff's Office employee pre-paid meals and inmate services to be deposited into general fund revenues, Sheriff's Office.

COURT ORDER NO. 2020-1057-10-26

4. AI-49333 Personnel Appointments, Human Resources.

COURT ORDER NO. 2020-1058-10-26

5. AI-49334 Personnel Changes, Human Resources.

COURT ORDER NO. 2020-1059-10-26

GENERAL DISCUSSION

5. AI-49282 Public Hearing - Placement of regulatory signs on various County Roads, Public Works.

Bill Bilyeu, County Administrator, said there are seven areas of the County where Public Works has completed studies for various signs. Public notices have been given as well as notices to residents. Feedback has been received, and it has been favorable to the posting.

Commissioner Webb opened the public hearing at 2:08 p.m. and asked for comments. Hearing none, Commissioner Webb closed the hearing at 2:08 p.m.

A motion was made to approve this item. (Time: 2:08 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Darrell Hale

Vote: 3 – 0 Passed

COURT ORDER NO. 2020-1060-10-26

6. AI-49328 Public Hearing - Consideration and any action for the issuance of a mass gathering permit for Vintage Market Days on November 20-22, 2020 at Myers Park & Event Center in accordance to Health and Safety Code Chapter 751, Special Projects.

Judy Moody, Myers Park, said the mass gathering application was sent out to all the departments and received positive feedback. Ms. Moody is asking permission to hold the Vintage Market Days in November.

Commissioner Webb opened the public hearing at 2:09 p.m. and asked for comments. Hearing none, Commissioner Webb closed the public hearing at 2:10 p.m.

A motion was made to approve this item. (Time: 2:10 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Darrell Hale

Vote: 3 – 0 Passed

COURT ORDER NO. 2020-1061-10-26

7. **AI-48410** COVID-19 Update, Administrative Services.

Bill Bilyeu, County Administrator, said the County continues to purchase supplies. Mr. Bilyeu said he has no other current updates.

Commissioner Fletcher said, since the dashboard is scheduled to go down soon and the Court was scheduled to have another discussion, she made a motion to keep the dashboard in place indefinitely until the full Court is able to participate in the discussion. It would be inappropriate to have the discussion and make a decision without two colleagues.

Commissioner Webb said he was not part of the discussion when the decision was made to remove the dashboard, and he would like to keep the dashboard up until there is a discussion with all five members of the Court. (Time: 2:10 p.m.)

Motion by: Commissioner Susan Fletcher

Second by: Commissioner Duncan Webb

Vote: 2 – 1 Passed

Nay: Commissioner Darrell Hale

COURT ORDER NO. 2020-1062-10-26

8. **AI-48414** Utilization of CARES funding, Commissioners Court.

Bill Bilyeu, County Administrator, said in today's disbursements there was another payment to the National Development Council. The Small Business Grant Program is moving along and an additional four people were hired. Last week, the Zoom Grants program was overloaded and moving slowly. The vendor made changes over the weekend, and it is now moving along. The Court will have to discuss pantry expenditures because there have been large requests that have come close to outspending the budget. Notice was given to the organizations that

applications for reimbursements will not be taken after December. The Court held \$22 million in reserves and is looking at options on how to utilize these funds. Many states are sitting on funds hoping congress will allow the money to rollover. Commissioner Fletcher said she would like to know what the Court could do for volunteer fire departments and others that have COVID-19 response needs that haven't been addressed yet. (Time: 2:16 p.m.)

NO ACTION

9. **AI-38983** North Central Texas Council of Governments (NCTCOG) Executive Board monthly update, County Judge.

Bill Bilyeu, County Administrator, said Judge Hill asked for this item to be held. (Time: 2:16 p.m.)

HELD

Commissioner Webb recessed Commissioners Court at 2:17 p.m. and called to order the Health Care Foundation and Housing Finance Corporation meetings. Commissioner Webb reconvened Commissioners Court at 2:18 p.m.

EXECUTIVE SESSION

Commissioner Webb recessed into Executive Session at 2:18 p.m. under Chapter 551.072 of the Local Government Code to discuss real estate.

Commissioner Webb reconvened Commissioners Court at 2:36 p.m.

AI-49294 Settlement Agreement for the purchase of Frontier Parkway, Parcel 12 right-of-way and Drainage Easement, Special Projects.

As it relates to right-of-way acquisition for Frontier Parkway, Parcel 12, Commissioner Hale moved to accept the settlement agreement further authorizing Judge Hill to execute any related documents on the County's behalf. (Time: 2:36 p.m.)

Motion by: Commissioner Darrell Hale

Second by: Commissioner Susan Fletcher

Vote: 3 – 0 Passed

COURT ORDER NO. 2020-1063-10-26

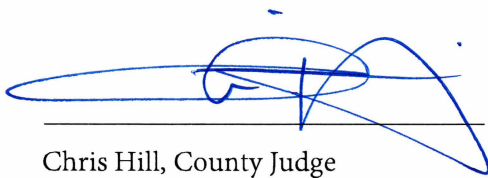
AI-49312 Acquisition Agreement for the purchase of right-of-way for the Outer Loop, Parcels 55, 55A, and 56, Special Projects.

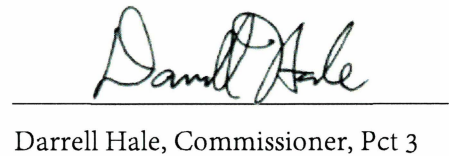
Commissioner Hale made a motion to approve the acquisitions agreement as it relates to the right-of-way acquisition for Collin County Outer Loop, Parcels 55, 55A and 56 and further authorizing Judge Hill to execute any related documents on the County's behalf. (Time: 2:37 p.m.)

Motion by: Commissioner Darrell Hale
Second by: Commissioner Susan Fletcher
Vote: 3 – 0 Passed

COURT ORDER NO. 2020-1064-10-26

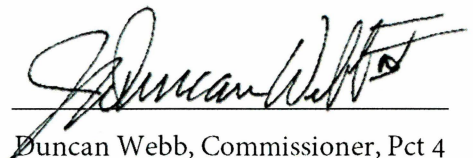
There being no further business of the Court, Commissioner Webb adjourned the meeting at 2:37 p.m.


Chris Hill, County Judge


Darrell Hale, Commissioner, Pct 3


Susan Fletcher, Commissioner, Pct 1




Duncan Webb, Commissioner, Pct 4

Not Present
Cheryl Williams, Commissioner, Pct 2


ATTEST: Stacey Kemp, County Clerk