

COMMISSIONERS COURT DOCKET
FEBRUARY 11, 2020
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 11th day of February, 2020, the Honorable Commissioners Court of Montgomery County, Texas, was duly convened in a Regular Session in the Commissioners Courtroom of the Alan B. Sadler Commissioners Court Building, 501 North Thompson, Conroe, Texas, with the following members of the Court present:

County Judge	Mark Keough
Commissioner, Precinct 2	Charlie Riley
Commissioner, Precinct 3	James Noack
Commissioner, Precinct 4	James Metts
Also County Clerk's Office	Amber Twiddy

ABSENT:

Commissioner, Precinct 1 Mike Meador

INVOCATION GIVEN BY BILLY GRAFF

THE PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA
RECITED.

THE PLEDGE OF ALLEGIANCE TO THE TEXAS STATE FLAG RECITED.

1. COMMISSIONERS COURT AGENDA APPROVED.

Motion by Commissioner Noack, seconded by Commissioner Metts, to approve Commissioners Court Agenda for discussion and necessary action. Motion carried.

CITIZENS – AGENDA ITEM 7

NO CITIZENS ADDRESSED THE COURT AT THIS TIME.

MONTGOMERY COUNTY EMPLOYEES COMMITTEE – EMPLOYEE OF THE MONTH

THE MONTGOMERY COUNTY EMPLOYEES COMMITTEE PRESENTED EMPLOYEE OF THE MONTH TO THERESA FLENN, WITH MENTAL HEALTH COURT SERVICES FOR JANUARY 2020 AND TO LEE ROMERO WITH THE DISTRICT ATTORNEY'S OFFICE FOR FEBRUARY 2020.

2. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Noack, seconded by Commissioner Metts, to approve the Minutes from Regular Session of Commissioners Court dated January 28, 2020. Motion carried.

AGENDA ITEM 10L3b WAS DEFERRED.

AGENDA ITEM 10O1 WAS DEFERRED.

AGENDA ITEM 10H1 WAS MOVED TO THE OPEN SESSION. SEE MOTION 4 FOR COURT ACTION.

3. RESOLUTION AND ORDER APPROVED – CONSENT AGENDA – AGENDA ITEMS 10A-Q

Motion by Commissioner Noack, seconded by Commissioner Metts, to unanimously approve all actions, items, resolutions and authorizations shown on the Consent Agenda and County Judge is appointed and authorized to sign any contracts, approvals and other documents in connection with any items shown on the Consent Agenda save and except the items removed from the consent agenda, as follows:

COUNTY AUDITOR – AGENDA ITEMS 10A1-4

- A1. REQUEST APPROVED from Justice of the Peace Pct 2 to use \$4,308.58 from the Justice of the Peace Technology Fund.
- A2. REPORT ACCEPTED that complies with Local Government Code Section 114.024.
- A3. COMPLETED AUDIT ACCEPTED for Constable Pct. 5-3rd Quarter Compliance Audit.
- A4. TRANSFER OF FUNDS APPROVED pertaining to the Joe Corley Facility from the General Fund account into the Joe Corley Agency Fund account in the amount of \$1,193,270.19. This is the total amount received on behalf of the Joe Corley Facility since transfer request made for 01/28/2020 Commissioners Court. Joe Corley Facility is now to be managed as an agency fund.

BUDGET OFFICE – AGENDA ITEMS 10B1-5

- B1. TRANSFER, ADJUSTMENTS AND AMENDMENTS APPROVED AND AUTHORIZED for special revenue departments and general fund departments for fiscal year 2020.

- B2. ADJUSTMENTS AND AMENDMENTS APPROVED AND AUTHORIZED for Grant Departments for fiscal year 2020.
- B3. PREVIOUS ACTIONS TAKEN MEMORIALIZED from prior Commissioners Court Meetings on changes to the Fiscal Year 2020 Budget.
- B4. LINE ITEM TRANSFERS AND ADJUSTMENTS APPROVED AND AUTHORIZED for FY 2020 Budget according to Budget Policy.
- B5. REQUEST APPROVED to close position 642040-8034-1, Senior Case Manager and open position 642040-8310-1, Coordinator - Grants, annualized salary is \$50,107.20. At this time it is only a title change, no change in pay for the employee, funding source remains the same.

TREASURER – AGENDA ITEMS 10C1-2

- C1. REPORT OF INVESTMENTS PURCHASED APPROVED for week ending January 24, 2020.
- C2. INVESTMENTS MATURED REPORT ACCEPTED for week ending January 31, 2020.

PURCHASING – AGENDA ITEMS 10D1-6

- D1. ADVERTISING APPROVED for the following:
 - a. Internet Protocol Telephony (VoIP) Services for Information Technology.
 - b. Replacement Security Doors Including Installation for Montgomery County Mental Health Treatment Facility.
- D2. AWARD APPROVED for:
 - a. To VIS Houston LLC Project #20-03 RFP - Maintenance and Upgrade of Existing Audio/Visual System and/or New Installations for Information Technology.
- D3. CHANGE ORDERS APPROVED:
 - a. Amendment #4 to Whitney & Associates for Appraisal Services for Sorters Road for additional appraisal services in the amount of \$7,500 for Commissioner Precinct 4.
- D4. REBATE CHECK ACCEPTED from BuyBoard in the amount of \$46,912 to recognize Montgomery County's participation in the Cooperative for the 2018-

2019 fiscal year from The Local Government Purchasing Cooperative. Allocate revenue to account 110-436930. Check has been forwarded to the Auditor for further processing.

D5. DISCRETIONARY EXEMPTIONS APPROVED:

- a. Environmental Consulting Services as a personal or professional service on an as needed basis from Bay Environmental, Inc., for various departments. Local Government Code §262.024(a)(4).

D6. RENEWALS OPTIONS APPROVED:

- a. Project #2016-0030 Automotive and Heavy Truck Body Repair Service with Milstead Collision, LLC., and Tommy's Paint and Body, Inc., for Risk Management (exercising the fourth of four renewals).

DISTRICT ATTORNEY – AGENDA ITEMS 10E1-2

- E1. CONTRACT APPROVED between Immigration and Customs Enforcement for the reimbursement of joint operating expenses from the Treasury Forfeiture Fund. This agreement is for FY 2020 and associated benefits will be funded from 4351-75985. Montgomery County District Attorney Brett Ligon is designated as the authorized official to sign and execute any and all related documents.
- E2. EXEMPTION APPROVED to Montgomery County Policy #5.1-18 authorizing overtime payment at a rate of time and a half to exempt employees working on the joint operations contract from Immigration and Customs Enforcement. Overtime payment to be paid out of contract funds.

COMMISSIONERS – AGENDA ITEMS 10F1-3

F1. PRECINCT 1

- a. USE AGREEMENT APPROVED with Willis Youth Athletic Association to use the baseball fields at Charles Traylor Sports Park through December 31, 2020.
- b. USE AGREEMENT APPROVED with Montgomery Little League to use the baseball fields at West Montgomery County Park through December 31, 2020.

F2. PRECINCT 2

- a. USE AGREEMENT APPROVED with Magnolia Lacrosse Association to use the fields at Magnolia Sports Park through December 31, 2020.

- b. APPOINTMENT APPROVED of Robert Key to the Montgomery County Emergency Service District (MCESD) #3. Robert Key will replace Marjanna Russell whose current term expires 12/31/20.

F3. PRECINCT 3

- a. APPOINTMENT APPROVED of Lynn O'Sullivan to the Animal Shelter Advisory Board.
- b. SETTLEMENT AND PAYMENT APPROVED under Claim # 460-2019-04877C in the amount of \$12,500. Evan Besong is authorized to execute any and all documents necessary to effectuate same. 614-7598 is authorized as the funding source.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 10G1-4

G1. PRECINCT 1

- a. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Vintage Oaks Subdivision, Section 3.
- b. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Crescent Cove, Section 3 Replat No. 1.
- c. FINAL PLAT APPROVED of The Refuge in Willis, Section 1; 19.985 acres; Jackson Crouch Survey, A-130.
- d. PUBLIC HEARING DATE SET for February 25, 2020 to consider and approve posting a 20 mph speed limit in the Paradise Cove Subdivision.

G2. PRECINCT 2

- a. REQUEST APPROVED to acknowledge that the roads in Del Webb The Woodlands, Section 6 have been built to county standards and have completed the one-year maintenance period. The bond is released at this time. These roads are private and will not be maintained by Montgomery County.
- b. FINAL PLAT APPROVED of Mill Creek North, Section 1; 14.30 acres; Joseph Miller Survey, A-27.
- c. FINAL PLAT APPROVED of Mill Creek South, Section 1; 13.22 acres; Joseph Miller Survey, A-27.

G3. PRECINCT 3

- a. REQUEST APPROVED TO ACCEPT 322 feet of Abby Lane in the Aaron's Place Subdivision, Precinct 3 into the Montgomery County Road Maintenance system upon finding of prescriptive right based on public use.

G4. PRECINCT 4

- a. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Porters Mill, Section 6.

HUMAN RESOURCES – AGENDA ITEM 10H1

- H1. AGENDA ITEM 10H1 WAS MOVED TO THE OPEN AGENDA. SEE MOTION 4 FOR COURT ACTION.

INFORMATION TECHNOLOGY – AGENDA ITEM 10I1

- I1. INTERLOCAL AGREEMENT APPROVED between The Woodlands Township and Montgomery County for the furnishing, installation and maintenance of traffic signal preemption equipment.

ENVIRONMENTAL HEALTH - AGENDA ITEMS 10J1-2

- J1. ORDER APPROVED assessing cost of abating nuisance and notice of lien to be filed in real property records to recover cost to the County for demolition for abate nuisance for 14177 Shadow Bay Drive Willis, Texas 77378.
- J2. ORDER APPROVED assessing cost of abating nuisance and notice of lien to be filed in real property records to recover cost to the County for demolition for abate nuisance for 25694 Pine Drive New Caney, Texas 77357.

SHERIFF – AGENDA ITEMS 10K1-4

- K1. FY2019 CHAPTER 59 FILING APPROVED for Montgomery County Sheriff's Office.
- K2. DONATION ACCEPTED in the amount of \$500 from Aftermath Services LLC. The donation is on behalf of the MCSO K9 Division. Allocate funds to budget line 560150-73573. Check has forwarded to the Auditor for further processing.
- K3. MEMORANDUM OF UNDERSTANDING ACCEPTED between the U.S. Immigration and Customs Enforcement HSI Joint Operations program and the Montgomery County Sheriff's Office. The overtime funding is for FY 2020 and as listed below. All benefits will be funded from Sheriff's budget 5601-75985.

- Gang Investigation \$15,000
- MOCONET Task Force \$ 8,000
- Human Trafficking \$ 3,000

K4. FULLY EXECUTED AGREEMENT RECORDED by and between Montgomery County Sheriff's Office and City of Conroe, previously approved on January 14, 2020.

COUNTY ATTORNEY – REAL PROPERTY - AGENDA ITEMS 10L1-4

L1. PRECINCT 1

- a. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 217 of the expansion of FM 1097 from Point Aquarius Property Owners Association, Inc. for the total sum of \$57,639.00 and to accept the executed or to be executed deed.
- b. RESOLUTION AND ORDER APPROVED to acquire a Temporary Easement for the Shepard Hill Road Right of Way Acquisition project from Texas New Community Alliance, a Texas nonprofit corporation dba New Danville for the total sum of \$9,000.00 and to accept the temporary easement executed by owner.
- c. INTERLOCAL AGREEMENT APPROVED between City of Conroe and Montgomery County for design & construction for Bois D' Arc Bend drainage and traffic signal.
- d. ORDER APPROVED authorizing and directing to make payment to the Special Commissioners in cause no. 19-11-15738 for Parcel 39 of the FM 1097 project payable to the individuals and in the amounts set out in the Award of Special Commissioners and Court Order Conditionally Granting Writ of Possession attached to order on file.
- e. LICENSE AGREEMENT APPROVED between Montgomery County and Peterson Heirs, LLC regarding County's use of driveway connected to Cochran St. in the City of Willis.
- f. ORDER APPROVED authorizing Notice of Public Hearing on March 17, 2020 for Revision of Plat being described as partial replat of Lots 10 & 11, Block 2, Walden Road Business Park to be known as Walden Road Business Park Partial Replat No. 2.
- g. ORDER APPROVED authorizing Notice of Public Hearing of March 17, 2020 for partial revision to subdivision lots/plats being described as partial replat of

lots 1-4 and lot 61, Block 1, Lot 1, Block 2, Reserves “A”, “B”, and “D” of Lake Breeze Section 3 to be known as Lake Breeze Section 3 Partial Replat No. 1.

L2. PRECINCT 2

- a. AGREEMENT APPROVED regarding improvements to be constructed within right-of-way and/or use of non-standard construction materials for roadways and streets with LGI Homes, LLC for a mixed used development for “Williams Trace Subdivision, Section 1” and “Williams Trace Subdivision, Section 2”.
- b. RESOLUTION AND ORDER TO PAY APPROVED for the purchase and funding of the purchase price and closing costs for the acquisition of property located at 131 S. Trade Center Parkway, Conroe, Texas 77385 for the total sum of \$1,289,773.38 and to accept the deed executed or to be executed by Bradbury Brothers Investments, LLC to Montgomery County.

L3. PRECINCT 3

- a. FIRST AMENDMENT TO TAX ABATEMENT AGREEMENT ACCEPTED AND RECORDED between Montgomery County, Texas and Anadarko Realty, LLC. This was previously approved on December 17, 2019.
- b. AGENDA ITEM 10L3b – APPROVE ORDER AUTHORIZING AGREEMENT BETWEEN MONTGOMERY COUNTY AND THE ESTATES OF LEGENDS RANCH HOMEOWNERS ASSOCIATION, ONC WAS DEFERRED.

L4. PRECINCT 4

- a. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 96 for the widening of Sorters Road from Antonio Ramirez and Balbina L. Ramirez for the total sum of \$9,293.40 and to accept the executed or to be executed deed.
- b. ORDER APPROVED acknowledging receipt of check no. 1088 in the amount of \$2.00 from Tracy Lirette for lease of real property described as Tract 18F, being 5 acres in the William Bridges Survey, A-73. Check has been forwarded to the Auditor for further processing.
- c. ORDER APPROVED authorizing and directing to make payment to the Special Commissioners in cause no. 19-09-13100 for Parcel 11 of the Old Houston Road Project payable to the individuals and in the amounts set out in the Award of Special Commissioners and Court Order Conditionally Granting Writ of Possession attached to order on file.

DISTRICT CLERK – AGENDA ITEM 10M1

- M1. DEPUTATION ACKNOWLEDGED for Charlotte Forbes as a new Deputy Clerk with the District Clerk's Office.

CONSTABLE PRECINCT 1 – AGENDA ITEM 10N1

- N1. FUNDING ALLOTMENT ACCEPTED for fiscal year 2020 for state and local overtime in the amount of \$500.00 from U.S Immigration and Customs Enforcement (ICAC). Budget line 5511-75985 will cover the benefits associated with this amount.

CONSTABLE PRECINCT 3 – AGENDA ITEMS 10O1-2

- O1. AGENDA ITEM 10O1 – CONSIDER AND APPROVED AMENDED INTERLOCAL AGREEMENT WAS DEFERRED.
- O2. AMENDMENT TO INTERLOCAL AGREEMENT APPROVED by and between Montgomery County and Rayford Road Municipal Utility District.

CONSTABLE PRECINCT 4 – AGENDA ITEMS 10P1-3

- P1. MEMORANDUM OF UNDERSTANDING APPROVED between the U.S. Immigration and Customs enforcement HSI Joint Operations program and the Montgomery County Constable Precinct 4 office. The overtime funding is for FY 2020 in the amount of \$4,500.
- P2. DONATION APPROVED of 12 tactical vests from the Texas Department of Public Safety- New Caney Highway Patrol.
- P3. MEMORANDUM OF UNDERSTANDING APPROVED between Montgomery County Constable Pct. 4 and LoJack. All required equipment will be provided by LoJack at no cost.

GRANTS – AGENDA ITEMS 10Q1-4

- Q1. PET RETENTION GRANT DEOBLIGATION APPROVED from Petsmart Charities in the amount of \$18,879.64.
- Q2. HOUSTON HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) GN18HN00178A MODIFICATION #6 DECREASE APPROVED in the amount of \$37,294.88 for the Sheriff's Office. Judge Mark J. Keough is authorized to sign all related paperwork.

- Q3. HOUSTON HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) GN19HN0017A MODIFICATION #1 INCREASE ACCEPTED in the amount of \$9,500 for the Sheriff's Office. Judge Mark J. Keough is authorized to sign all related paperwork.
- Q4. HOUSTON-GALVESTON AREA COUNCIL (HGAC) GRANT APPROVED for proposal PS-CJ-LETP-2019-11 and intent to award for the Sheriff's Office Training Academy. No match required. Sheriff Rand Henderson is authorized to execute any and all required documents. Rebecca Ansley is authorized to submit on behalf of Montgomery County.

Motion carried.

END OF CONSENT AGENDA

THE COURT RECESSED FOR EXECUTIVE SESSION PURSUANT TO ONE OR MORE OF THE FOLLOWING PROVISIONS OF THE TEXAS GOVERNMENT CODE, TO WIT: CHAPTER 551, SUB-CHAPTER D.

COMMISSIONERS COURT RECONVENED WITH ALL MEMBERS PRESENT WITH THE EXCEPTION OF COMMISSIONER MIKE MEADOR.

4. RESOLUTION AND ORDER APPROVED – PAYROLL CHANGE REQUEST FORMS – HUMAN RESOURCES

Motion by Judge Keough, seconded by Commissioner Riley, to approve all payroll change request forms as follows:

Request of Animal Services to accept the resignation of Shyanne Nicole Loftin, Animal Care Technician, effective January 27, 2020. [No benefits due]

Request of Animal Services to place Bailey Mayfield, Animal Care Technician, on payroll as replacement for Janela Tan, effective February 1, 2020.

Request of Custodial to accept the resignation of Alfredo Martinez III, Custodian, effective January 22, 2020. [No benefits due]

Request of Custodial to increase the salary of Maria Guadalupe Rangel, Custodian, due to completion of probationary period, effective February 10, 2020.

Request of Custodial to place Evan Conley, Custodian, on payroll as replacement for Caleb Pomales, effective February 3, 2020.

Request of Custodial to place Dalila Martinez, Custodian I, on payroll as replacement for Bianey Madrid, effective February 3, 2020.

Request of Custodial to remove Darla McBee, Custodian I, from payroll due to job abandonment, effective January 23, 2020. [45.16 hours or balance vacation]

Request of Custodial to place Vasni Woodley, Custodian, on payroll as replacement for April Box, effective February 3, 2020.

Request of Building Maintenance to increase salary of Leonard W. Patton, Maint Tech III, due to completion of probationary period, effective January 25, 2020.

Request of Commissioner Precinct 1 to discharge William Riley Sallas, Park Attendant, effective January 28, 2020. [87.48 hours or balance vacation; 152.25 hours or balance compensatory time; 16.00 hours or balance holiday]

Request of Commissioner Precinct 2 to place Ian Jensen, Operator I, on payroll as replacement for Campbell Van Winkle, effective February 3, 2020.

Request of Commissioner Precinct 2 to place Nancy Medlin, Manager Recycling Center, on unpaid leave of absence, effective January 16, 2020.

Request of Commissioner Precinct 2 to place Nancy Medlin, Manager Recycling Center, on payroll due to return from unpaid leave of absence, effective January 22, 2020.

Request of Commissioner Precinct 3 to increase salary of Juan Correa, Operator I, due to merit increase, effective January 25, 2020.

Request of Commissioner Precinct 3 to increase salary of Heriberto Rangel Trejo, Operator I, due to job re-evaluation, effective January 25, 2020.

Request of Commissioner Precinct 4 to place Eddie Pierson, Operator II, on payroll, effective February 3, 2020.

Request of Constable Precinct 3 to correct PCR of Michael Fulton, Deputy Constable, to correct department number, effective January 25, 2020.

Request of Constable Precinct 3 to accept the resignation of Kelby Diaz-Jackson, Deputy Constable, effective February 7, 2020. [47.76 hours or balance vacation; 19.625 hours or balance compensatory; 16.00 hours or balance holiday]

Request of Constable Precinct 3 to place Daniel L. Lynch, Deputy Constable, on payroll as replacement for Kelby Diaz-Jackson, effective February 8, 2020.

Request of Constable Precinct 3 to transfer Colin Pritz, Deputy Constable, as replacement for Sarah Cruz, effective January 25, 2020.

Request of Constable Precinct 3 to transfer Sarah (Martinez) Cruz, Deputy Constable, as replacement for Colin Pritz, effective January 25, 2020.

Request of Constable Precinct 3 to accept the resignation of Jason Aaron Martinez, Sergeant Detectives, effective January 24, 2020. [205.12 hours or balance vacation; 132.75 hours or balance compensatory time; 8.00 hours or balance holiday]

Request of Constable Precinct 3 to promote Joshua Orr, Sergeant Detectives, as replacement for Jason Martinez, effective February 8, 2020.

Request of Constable Precinct 5 to increase salary of Mark Stepanski, Deputy Constable, due to step increase, effective February 3, 2020.

Request of County Engineering to correct PCR of Lucas Hvasta, Engineer 1, to have an effective date of 01-28-2020, effective February 18, 2020.

Request of County Judge to promote Jason Millsaps, Chief of Staff/Executive Dir OEM, effective February 8, 2020.

Request of Collections to place Elizabeth Herrera, Clerk III, on payroll as replacement for Laura Fincher, effective February 10, 2020.

Request of District Attorney to place Erica K. Jankowski, Court Clerk IV, on payroll as replacement for Kaylyn N. Glenn, effective February 18, 2020.

Request of District Attorney to place Brooke L. Ross-Hogg, Avert Coordinator-LMSW, on payroll, effective February 10, 2020.

Request of District Clerk to demote Brenda Schank, Office Supervisor I, as replacement for Pegge Mayes, effective February 8, 2020.

Request of Elections to place Dalanie Afill, Voter Clerk, on payroll, effective February 8, 2020.

Request of Elections to place Janet Batchelor, Voter Clerk, on payroll, effective February 8, 2020.

Request of Elections to place Gail Beale, Voter Clerk, on payroll, effective February 8, 2020.

Request of Elections to increase salary of Deborah Kay Bledsoe, Voter Clerk, due to increase in responsibilities, effective February 8, 2020.

Request of Elections to place John W. Brandon IV, Voter Clerk, on payroll, effective February 8, 2020.

Request of Elections to place Elvira M. Brandon, Voter Clerk, on payroll, effective February 8, 2020.

Request of Elections to place Laverne Branson, Voter Clerk, on payroll, effective February 8, 2020.

Request of Elections to place Marcia Budge, Voter Clerk, on payroll, effective February 8, 2020.

Request of Elections to place Connie J. Curry, Voter Clerk, on payroll, effective February 8, 2020.

Request of Elections to increase salary of Sonia Leticia Deleon, Voter Clerk, due to increase of responsibilities, effective February 8, 2020.

Request of Elections to place Brian Diggle, Voter Clerk, on payroll, effective February 8, 2020.

Request of Elections to place Kathleen Ellison, Voter Clerk, on payroll, effective February 8, 2020.

Request of Elections to place Theresa Fennessey, Voter Clerk, on payroll, effective February 8, 2020.

Request of Elections to remove Edward Alan Fritsche, Voter Clerk, from payroll due to lay off, effective January 27, 2020. [No benefits due]

Request of Elections to place Annie Graves, Voter Clerk, on payroll, effective February 8, 2020.

Request of Elections to place Ernest G. Halsell, Voter Clerk, on payroll, effective February 8, 2020.

Request of Elections to place Suzanne Henderson, Voter Clerk, on payroll, effective February 8, 2020.

Request of Elections to place Lola Ingram, Voter Clerk, on payroll, effective February 8, 2020.

Request of Elections to place Michael Kelly, Voter Clerk, on payroll, effective February 8, 2020.

Request of Elections to place Fonda Lee, Voter Clerk, on payroll, effective February 8, 2020.

Request of Elections to place Jeanette Matthews, Voter Clerk, on payroll, effective February 8, 2020.

Request of Elections to place Franklin McAnally, Voter Clerk, on payroll, effective February 8, 2020.

Request of Elections to place Dixie Mitchell, Voter Clerk, on payroll, effective February 8, 2020.

Request of Elections to place Lisa Pickering, Voter Clerk, on payroll, effective February 8, 2020.

Request of Elections to increase salary of Jennifer Leigh Pitts, Voter Clerk, due to increase in responsibilities, effective February 8, 2020.

Request of Elections to place Patricia Rohde, Voter Clerk, on payroll, effective February 8, 2020.

Request of Elections to place Thomas Seifert, Voter Clerk, on payroll, effective February 8, 2020.

Request of Elections to place Elizabeth Simmer, Voter Clerk, on payroll, effective February 8, 2020.

Request of Elections to place Mary Stark, Voter Clerk, on payroll, effective February 8, 2020.

Request of Elections to place Ebeth Trevino, Voter Clerk, on payroll, effective February 8, 2020.

Request of Elections to place Claretna Vaxter, Voter Clerk, on payroll, effective February 8, 2020.

Request of Elections to place Shaquille Vaxter, Voter Clerk, on payroll, effective February 8, 2020.

Request of Juvenile to place Steven Anderson Jr. Juvenile Supervision Officer, on payroll as replacement for Joseph Edwards, effective February 10, 2020.

Request of Juvenile to place Brian Edward Arthur, Juvenile Supervision Officer, on payroll as replacement for Robert Generes Jr., effective February 10, 2020.

Request of Juvenile to place Chandra Michelle Chatman, Juvenile Supervision Officer Substitute, on payroll, effective February 10, 2020.

Request of Juvenile to transfer Robert Richmond Generes Jr., Juvenile Supervision Officer JJAEP, as replacement for Carlos Davila, effective February 8, 2020.

Request of Juvenile to place Destiney Nicole Landers, Juvenile Supervision Officer Substitute, on payroll, effective February 10, 2020.

Request of Juvenile to place Keith Bernard Lee, Juvenile Supervision Officer, on payroll as replacement for Truman O'Dowd, effective February 10, 2020.

Request of Juvenile place Patrick Leonard Minott, Juvenile Supervision Officer, on payroll as replacement for Tierney Reddic, effective February 10, 2020.

Request of Juvenile to change status of Truman Monroe O'Dowd, Juvenile Supervision Officer Substitute, effective February 8, 2020.[14.21 hours or balance vacation; 5.25 hours or balance compensatory time; 30.75 hours or balance holiday]

Request of Juvenile to promote Tierney Denisha Reddic, Juvenile Probation Officer, as replacement for Oscar Lopez, effective February 8, 2020.

Request of Juvenile to place Gabriela Leambria Denise Singleton, Juvenile Supervision Officer JJAEP, as replacement for Devyn Low, effective February 10, 2020.

Request of Library to promote Molly L. Bullard, Reference Librarian, as replacement for Emily Osburn, effective February 4, 2020.

Request of Library to place Keri Stanley, Library Assistant II, on payroll as replacement for Brandilyn Pocevic, effective February 4, 2020.

Request of Library to promote Deana M. Willerth, Reference Librarian, as replacement for Raye Morello, effective February 8, 2020.

Request of Library to place Ebonique Rose Willis, Shelving Clerk I, on payroll as replacement for Debra Gomez, effective February 4, 2020.

Request of Office of Court Administration to place Camara McWashington, Administrative Assistant I, on payroll effective February 27, 2020.

Request of Permits to place Britni Dietz, Clerk IV, on unpaid FMLA/Disability Leave, effective January 17, 2020.

Request of Recycle Station Precinct 1 to add cell phone allowance to Clifford J. Szymczak, Recycle Technician, effective February 8, 2020.

Request of Sheriff to place Randall Anderson, Deputy, on payroll as replacement for Zane Christopher Hoffmeyer, effective January 25, 2020.

Request of Sheriff to accept the resignation of Lora Marie Bass, Dispatcher, effective January 29, 2020. [No benefits due]

Request of Sheriff to transfer Joneatta Ann Brown, Deputy, as replacement for Ryan Donald Jones, effective January 25, 2020.

Request of Sheriff to place Terri Conklin, Dispatcher, on payroll, effective January 25, 2020.

Request of Sheriff to transfer Daniel Craig Cox, Officer Civilian Deten, on payroll as replacement for Justin Alan Rhodes, February 22, 2020.

Request of Sheriff to place Jose Cruz, Officer Civilian Deten, on payroll as replacement for Stacy Marie Saldivar, effective February 22, 2020.

Request of Sheriff to increase salary of Michael Darrell Evans, Sergeant, due to step increase, effective February 8, 2020.

Request of Sheriff to accept the resignation of Vindell Marvin Freeney, Deputy Patrol, effective January 24, 2020. [71.16 hours or balance vacation; 36.00 hours or balance holiday]

Request of Sheriff to transfer Miranda Kay Hahs, Coord Victim Assist, effective February 5, 2020.

Request of Sheriff to increase salary of Jason Earl Hammons , Detective, due to step increase, effective February 8, 2020.

Request of Sheriff to place Christopher Hodge, Officer Civilian Deten, on payroll, as replacement Joseph Vastine Butler, effective February 22, 2020.

Request of Sheriff to increase salary of Christopher A. Irvine, Deputy Detention, due to step increase, effective February 8, 2020.

Request of Sheriff to accept the resignation of Joshua Talor Jones, Officer Civilian Deten, effective February 12, 2020. [18.48 hours or balance vacation; 24.00 hours or balance vacation]

Request of Sheriff to transfer Brandon Lee Kooi, Deputy Detention, as replacement for Sarah Michelle Rose, effective February 8, 2020.

Request of Sheriff to increase salary of Kyle Thomas Koonce, Detective, due to step increase, effective February 8, 2020.

Request of Sheriff to place Collin Lankford, Deputy, on payroll as replacement for Marius Pular, effective January 25, 2020.

Request of Sheriff to accept the retirement of Jacqueline Ann Lunsford, Adm Assistant I, effective March 31, 2020. [61.56 hours or balance vacation; 15.01 hours or balance compensatory time]

Request of Sheriff to transfer Coby Lee Maddox, Deputy Patrol, as replacement for Vindell Marvin Freeney, effective January 25, 2020.

Request of Sheriff to place Michael Madsen, Records Specialist I, on payroll as replacement for Donna Vallie, effective January 25, 2020.

Request of Sheriff to increase salary of Cody A. McKee, Deputy Patrol, due to step increase, effective February 8, 2020.

Request of Sheriff to increase salary of Prudencio Ochoa III, Deputy, due to step increase, effective February 8, 2020.

Request of Sheriff to place Brian D. Olsen, Deputy Patrol, on payroll as replacement for Joe Angel Thomason, effective January 25, 2020.

Request of Sheriff to place Lucas Paige, Deputy, on payroll as replacement for Kayla D. Killingsworth, effective January 25, 2020.

Request of Sheriff to increase salary of Daniel Pena, Specialist, due to step increase, effective February 8, 2020.

Request of Sheriff to place Paul Schmidt, Maintenance Tech III, on payroll as replacement for Michael A. Manning, effective January 25, 2020.

Request of Sheriff to place Caitlyn Tambunga, Records Specialist I, on payroll as replacement for Patricia Ann Harbin, effective January 25, 2020.

Request of Sheriff to transfer Joe Angel Thomason, Deputy, as replacement for Burdette Winfield Taylor, effective January 25, 2020.

Request of Sheriff to place Ryan S. Yount, Deputy Patrol, on payroll as replacement for Joneatta Ann Brown, effective January 25, 2020.

Request of Spring Creek Greenway Nature Center to increase salary of Owen Dubois, Laborer, due to job re-evaluation, effective January 25, 2020.

Request of Spring Creek Greenway Nature Center to remove George Goloby III, Community Center Assistant, from payroll due to lay off, effective January 29, 2020. [92.51 hour or balance vacation]

Request of Tax Assessor Collector to place Raquel Hedges, Deputy Specialist I, on payroll as replacement for Robert Previti Jr., effective February 10, 2020.

Request of Tax Assessor Collector to accept the retirement of Vickey Ort, Deputy Specialist IV, effective January 31, 2020. [No benefits due]

5. REQUEST APPROVED – HUD FORMS – COMMUNITY DEVELOPMENT

Motion by Commissioner Noack, seconded by Commissioner Metts, to approve the following HUD Forms for the Lead Hazard Control Grant Program: Verification of Administration Costs Forms and Form HUD-1044. County Judge is authorized to sign related paperwork. Motion carried.

6. ORDER APPROVED – POLLING LOCATIONS – ELECTIONS

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve changing election day polling location for Montgomery County Precinct 84. Motion carried.

7. PAYMENT OF ACCOUNTS APPROVED – COUNTY AUDITOR

Motion by Commissioner Noack, seconded by Commissioner Metts, to approve the payment of accounts. Motion carried.

8. PURCHASE APPROVED – DELL EMC HARDWARE – INFORMATION TECHNOLOGY

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve the purchase of the following: Dell EMC Hardware through the State of Texas Department of Information Resources (DIR) Contract #DIR-TSO-4299 and DIR-TSO-3763 from Dell Marketing, LP., reseller Centre Technologies in the amount of \$359,496.36 for five (5) years with an effective interest rate of 3.9% for a grand total amount of \$1,665,337.30 for Information Technology. Local Government Code §271.083. Motion carried.

9. GRANT APPLICATION APPROVED – DISTRICT ATTORNEY – GRANTS

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve the Fiscal Year 2021 Domestic Violence Investigator grant application to the Governor's Office of Texas for the District Attorney's office in the amount of \$75,277.03 with a match of \$38,700.97 from the District Attorney's Office budget. Rebecca Ansley is the authorized official of this grant and will submit grant application electronically on behalf of Montgomery County. Motion carried.

10. GRANT APPLICATION APPROVED – DISTRICT ATTORNEY – GRANTS

Motion by Commissioner Riley, seconded by Commissioner Noack, to approve the Fiscal Year 2021 Overdose Investigator grant application to the Governor's Office in the amount of \$125,000 for the District Attorney's Office. No match required. Rebecca Ansley is the authorized official of this grant and will submit grant electronically on behalf of Montgomery County. Motion carried.

11. RESOLUTION AND ORDER APPROVED – PURCHASE AND SALE AGREEMENT – COUNTY ATTORNEY – REAL PROPERTY PCT 4

Motion by Commissioner Metts and seconded by Commissioner Noack, to approve the Purchase and Sale Agreement between Montgomery County, Texas and EJVS Enterprises, Inc. for the improved property described as 6.15185 acres and located at 21130 Legion Rd, New Caney, Texas 77357. Issuance of check is approved for escrow deposit in the amount of \$10,000. This will be funded with capital project fund. Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 17A: CONSIDER AND APPROVE SETTING NO PARKING ZONES AND PLACEMENT OF "NO PARKING, ANY TIME" SIGNS AS FOLLOWS:

- a. ON BOTH SIDES OF EAST SHORE DRIVE FROM SHELL PORT SQUARE WEST 200 FEET;
- b. AND ON BOTH SIDES OF SHELL PORT SQUARE FROM EAST SHORE DRIVE SOUTH 200 FEET.

AGENDA ITEM 17B: DISCUSS ABANDONMENT OF A PORTION OF COUNTY OWNED RIGHT-OF-WAY KNOWN AS RIO GRANDE DRIVE.

THERE BEING NO COMMENTS FROM THE PUBLIC, THE PUBLIC HEARING WAS CONCLUDED AND COMMISSIONERS COURT RECONVENED.

12. REQUEST APPROVED – NO PARKING ZONES – COMMISSIONER PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Metts, to approve setting no parking zones and placement of "No Parking, Any Time" signs as follows:

- a. on both sides of East Shore Drive from Shell Port Square west 200 feet;
- b. and on both sides of Shell Port Square from East Shore Drive south 200 feet.

Motion carried.

13. ORDER APPROVED – RIO GRANDE DRIVE – COMMISSIONER PRECINCT 4

Motion by Commissioner Metts, seconded by Commissioner Noack, to order that the portion of Rio Grande Drive shown on exhibit “a” on file is hereby closed, abandoned, and vacated subject to any existing public utility easements pursuant to Texas Transportation Code §251.051 and 251.058(b) and to order that title to the portion of approximately 1278 feet in length and 20 feet width of Rio Grande Drive right-of-way hereby closed, abandoned, and vacated. Motion carried.

THE COURT RECESSED FOR EXECUTIVE SESSION PURSUANT TO ONE OR MORE OF THE FOLLOWING PROVISIONS OF THE TEXAS GOVERNMENT CODE, TO WIT: CHAPTER 551, SUB-CHAPTER D, ARTICLE 551.071.

EXECUTIVE SESSION – AGENDA ITEM 18A: Consultation with County Attorney concerning settling claim no. B-18-0051, Heirs of the Estate of Michael G. Phoenix, Sr., deceased; date of incident 07/29/18. (Section 551.071).

COMMISSIONERS COURT RECONVENED WITH ALL MEMBERS PRESENT WITH THE EXCEPTION OF COMMISSIONER MEADOR AND COMMISSIONER NOACK.

14. RESOLUTION AND ORDER APPROVED – CLAIM NO. B-18-0051 – EXECUTIVE SESSION

Motion by Judge Keough, seconded by Commissioner Riley, to approve the settlement offer of \$100,000 to be paid to Mashundria K. Phoenix, Michael Phoenix Jr., Lakeira Phoenix, Jasmine Hatchett, Megan Bellard, Gabrielle M. Phoenix, James Brantley, Nora Oliphant, Keith V. Branch and Smith & Hassler Law firm for settlement disbursement as a result of accidental death in exchange for a full release of all claims in connection with the demand letter provided under Claim No. B-18-0051. County Auditor is authorized to issue checks in accordance with the settlement offers contingent upon receipt of full release of all claims with funding from budget 40220 line item 76573. Motion carried.

CITIZENS – AGENDA ITEM 20

Paul Crowson addressed the court concerning flooding in Allendale Subdivision and eminent domain to place a gorge in the neighborhood.

Jorge Gamboa also addressed the court on flooding in Allendale Subdivision and eminent domain.

MISCELLANEOUS – AGENDA ITEM 21 – NO OTHER ITEMS LISTED

15. COURT ADJOURNS

Motion by Commissioner Riley, seconded by Commissioner Metts, to adjourn this session of Court. Motion carried.

The above and foregoing minutes were read and approved by the Court.

ATTEST:

Mark Turnbull, County Clerk
Ex-Officio Clerk - Commissioners' Court
Montgomery County, Texas

BY: _____
COUNTY CLERK

COUNTY JUDGE