

COMMISSIONERS COURT DOCKET
SEPTEMBER 10, 2019
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 10th day of September, 2019, 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 1 | Mike Meador |
| Commissioner, Precinct 2 | Charlie Riley |
| Commissioner, Precinct 3 | James Noack |
| Commissioner, Precinct 4 | James Metts |
| Also County Clerk's Office | Amber Twiddy |

INVOCATION GIVEN BY Captain Don Fullen.

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 Meador, to approve Commissioners Court Agenda for discussion and necessary action. Motion carried.

AGENDA ITEM 7A – THE MONTGOMERY COUNTY EMPLOYEES COMMITTEE PRESENTED EMPLOYEE OF THE MONTH TO GEOVANY MATAMOROS, WITH JUVENILE PROBATION FOR THE MONTH OF SEPTEMBER, 2019.

2. CORRECTION APPROVED – MINUTES AUGUST 13, 2019 – COUNTY CLERK

Motion by Commissioner Noack, seconded by Commissioner Meador to approve a correction to the August 13, 2019 Commissioners Court Minutes as follows:

DID READ:

11. REQUEST APPROVED – DATE AND TIME SET – ELECTIONS

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the date of November 5, 2019 at 8:00 a.m. to conduct the canvass of the November 5, 2019 Constitutional Amendment Election. Motion carried.

SHOULD READ:

11. REQUEST APPROVED – DATE AND TIME SET – ELECTIONS

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the date of November 15, 2019 at 8:00 a.m. to conduct the canvass of the November 5, 2019 Constitutional Amendment Election. Motion carried

3. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the Minutes from Regular Session of Commissioners Court dated August 27, 2019. Motion carried.

AGENDA ITEM 9A1 WAS MOVED TO THE OPEN SESSION. SEE MOTION 6 FOR COURT ACTION.

AGENDA ITEM 9L1 WAS MOVED TO THE OPEN SESSION. SEE MOTION 5 FOR COURT ACTION.

4. RESOLUTION AND ORDER APPROVED – CONSENT AGENDA – AGENDA ITEMS 9A-N

Motion by Commissioner Noack, seconded by Commissioner Meador, 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 9A1-3

- A1. AGENDA ITEM 9A1 – CONSIDER AND ACCEPT THE REPORT THAT COMPLIES WITH LGC §114.024 WAS MOVED TO THE OPEN SESSION. SEE MOTION 6 FOR COURT ACTION.
- A2. REPORT OF OFFICIALS' FEES ACCEPTED as audited for January, February and March 2019.
- A3. REPORT ACCEPTED that complies with Local Government Code Section 114.023.

BUDGET – AGENDA ITEMS 9B1-4

- B1. PREVIOUS ACTIONS TAKEN MEMORIALIZED from prior Commissioners Court Meetings on changes to the Fiscal Year 2019 Budget.
- B2. TRANSFER, ADJUSTMENTS AND AMENDMENTS APPROVED AND AUTHORIZED for special revenue departments and general fund departments.
- B3. LINE ITEM TRANSFERS AND ADJUSTMENTS APPROVED AND AUTHORIZED for FY 2019 Budget according to Budget Policy.
- B4. ADJUSTMENTS AND AMENDMENTS APPROVED AND AUTHORIZED for Grant Departments.

TREASURER – AGENDA ITEMS 9C1-3

- C1. INVESTMENTS MATURED REPORT ACCEPTED for 08-30-19.
- C2. INVESTMENTS PURCHASED REPORT ACCEPTED for 08-30-19.
- C3. REQUEST APPROVED for a remodeling project for County Treasurer's Office, to move a wall to create more usable space. Building maintenance already has supplies and materials, therefore no additional costs are required. No change to the FY 2019 or FY 2020 budget.

PURCHASING – AGENDA ITEMS 9D1-4

- D1. DISCRETIONARY EXEMPTIONS APPROVED:
 - a. For Dark Fiber & Gigabit Ethernet Maintenance as an item that can be obtained from only one source from Wavemedia, Inc. for various departments. Local Gov't Code §262.024(a)(7)(A).
- D2. CHANGE ORDERS APPROVED:
 - a. CO #2 to Angel Brothers Enterprises, LTD. for Project# 18-49 Elan Boulevard Widening for final project quantities in the amount of \$7,817.25 for Commissioner Precinct 3.
- D3. ADVERTISING APPROVED for the following:
 - a. Paving and Traffic Signal Improvements along SH 242 from Gosling Road to Honor Roll Drive for Commissioner Precinct 2.
- D4. RENEWALS OPTIONS APPROVED:

- a. Project #18-62 Bulk Road Materials with Vulcan Materials Company and Century Asphalt LTD for various precincts. (exercising the first of four renewal options).
- b. Project #2009-0111 Operation/Management Services of a Secure Forensic Mental Health Treatment Facility with Wellpath Recovery Solutions, LLC, f/k/a Correct Care, LLC d/b/a CCRS of Texas, LLC and approve 3rd Amendment to said agreement for purposes of legal name change.

COMMISSIONERS – AGENDA ITEMS 9E1

E1. PRECINCT 4

- a. CHECK ACCEPTED from Meals on Wheels Montgomery County in the amount of \$611.20 for the purchase of fuel for July 2019. This will be deposited into line item number 615-7926. Check has been forwarded to the Auditor for further processing.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9F1-4

F1. PRECINCT 1

- a. PUBLIC HEARING DATE SET for October 8, 2019 to consider and approve posting a 50 mph speed limit on Longstreet Road from the IH-45 Southbound Service Road to Snow Lane.
- b. FINAL PLAT APPROVED of Emerald Lakes, Section 3 Partial Replat No. 1; 3.103 acres; George W. Lions Survey, A-313

F2. PRECINCT 2

- a. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Woodforest Deerbourne Ridge Drive Extension & Taylor Crossing Street Dedication and bond is released.
- b. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Woodforest, Section 66 and bond is released.
- c. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Woodforest, Section 99 and bond is released.
- d. FINAL PLAT APPROVED of High Meadow Estates, Section 7; 109.415 acres; Joseph B. Artoff Survey, A-56, Lorenzo Jones Survey, A-294, Henry J. Stansbury Survey, A-518 and Jacob Eyler Survey, A-192.

- e. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Mostyn Springs Subdivision, Section 2.
- f. PUBLIC HEARING DATE SET for October 8, 2019 to consider and approve changing the street name Black Oak Drive to Black Oak Lane in Valleywood Acres Subdivision.
- g. FINAL PLAT APPROVED for Pine Market at Woodforest, Section 1; 6.444 acres; Thomas Curry Survey, A-136.

F3. PRECINCT 3

- a. FINAL PLAT APPROVED of Harmony Village, Section 2; 11.79 acres; Montgomery County School Land Survey, A-599

F4. PRECINCT 4

- a. AGREEMENT TO CONTRIBUTE RIGHT OF WAY FUNDS APPROVED for right of way improvements to Hwy 105 from FM 1484 to San Jacinto County line with Texas Department of Transportation and Judge Mark Keough is authorized to sign all related paperwork. Funding source will be 6154015-7598582-RD400117.
- b. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Speed Street Street Dedication.
- c. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Brookwood Forest, Section 6 and bond is released.
- d. PUBLIC HEARING DATE SET for October 8, 2019 to consider and approve posting a 30 mph speed limit on roads in the Heritage Oaks Subdivision.
- e. FINAL PLAT APPROVED of Northpark Woods Recreation Center; 1.507 acres; William Birch Survey, A-74.
- f. FINAL PLAT APPROVED of Northpark Woods, Section 1; 32.38 acres; William Birch Survey, A-74.

HUMAN RESOURCES – AGENDA ITEM 9G1

G1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of Animal Shelter to correct PCR of Ryann Moore, Animal Care Technician, effective July 28, 2019.

Request of Custodial to increase salary of Kyle Allen Blunk, Custodian, due to completion of probationary period, effective September 15, 2019.

Request of Custodial to increase salary of Karla Cortina, Custodian, due to completion of probationary period, effective September 15, 2019.

Request of Custodial to place Yamilet Herrera Abarca, Custodian, on payroll as replacement for Natalia Mancha, effective September 3, 2019.

Request of Commissioner Precinct 1 to accept the resignation of Thane W. Bodak, Seasonal Worker, effective August 20, 2019. [No benefits due]

Request of Commissioner Precinct 2 to increase salary of William Bankhead, Operator I, due to merit increase, effective September 7, 2019.

Request of Commissioner Precinct 2 to increase salary of Douglas Hosford, Operator I, due to merit increase, effective September 7, 2019.

Request of Commissioner Precinct 2 to increase salary of James Luna, Operator I, due to merit increase, effective September 7, 2019.

Request of Commissioner Precinct 3 to transfer Luisa Bowers, Admin Assistant II, as replacement for Dee Blair, effective September 5, 2019.

Request of Constable Precinct 3 to increase salary of Jason Alvarez, Deputy Constable, due to step increase, effective September 21, 2019.

Request of Constable Precinct 4 to increase salary of James Coldiron, Deputy Constable, due to step increase, effective September 21, 2019.

Request of Elections to place Derrick Reisdorf, Systems Administrator Assistant, on payroll, effective August 26, 2019.

Request of County Auditor to place Melissa Oughton, Financial Analyst, on unpaid FMLA/Disability Leave, effective August 5, 2019.

Request of County Clerk to increase salary of Joseph P. Monreal, Computer Analyst III, due to completion of certification, effective August 26, 2019.

Request of County Clerk to promote Tracy Lynn Wendt, Court Clerk IV, as replacement for Donna Walters, effective August 26, 2019.

Request of Court Operations to place James D. Squier, Visiting Judge, on payroll, effective January 1, 2019.

Request of District Attorney to transfer Shannon Marie Acosta, Investigator II, as replacement for Michael Earl Wright, effective September 2, 2019.

Request of District Attorney to replace PCR of Raphael M. Ortega, Jr., Attorney I, that was approved in CC on 08/27/19, effective September 6, 2019

Request of District Attorney to accept the retirement of Mary E. Osborn, Court Clerk IV, effective November 30, 2019. [196.6450 hours or balance vacation]

Request of District Attorney to transfer Michael Earl Wright, Investigator II, as replacement for Shannon Marie Acosta, effective September 2, 2019.

Request of District Clerk to increase salary of Jeff Fiore Jr., Court Clerk II, due to completion of probationary period, effective August 26, 2019.

Request of Elections to correct name on PCR of San Juanita Cavazos, Voter Clerk, previously approved in Commissioners Court on 08/27/2019, effective August 26, 2019.

Request of Elections to place Trudy L. Ferrugia, Voter Clerk, on payroll, effective September 9, 2019.

Request of Elections to place Donald Stewart, Voter Clerk, on payroll, effective September 9, 2019.

Request of Elections to place Janet B. Stewart, Voter Clerk, on payroll, effective September 9, 2019.

Request of Emergency Management to increase salary of Meghan Ballard, Administrative Assistant I, due to completion of probationary period, effective August 24, 2019.

Request of Office of Indigent Defense to place Maritza Garcia, Jail Liaison, on payroll due to return from unpaid FMLA/Disability leave, effective August 12, 2019.

Request of Information Technology to place Gregory Janke, VMS Technician, on payroll, effective August 30, 2019.

Request of Justice of the Peace Precinct 4 to place Cassandra Gilbert, Court Clerk II, on payroll as replacement for Nicole Thomson, effective September 3, 2019.

Request of Juvenile to place Jamar Dijon Andrews, Juvenile Supervision Officer Substitute, on payroll, effective August 31, 2019.

Request of Juvenile to place Stefanie Ann Kestler, Juvenile Probation Officer, on payroll due to return from unpaid FMLA/Disability Leave, effective August 12, 2019.

Request of Juvenile to accept the resignation of Dion Terrell McKinney, Juvenile Supervision Officer, effective August 24, 2019. [18.48 hours or balance vacation; 9.00 hours or balance holiday]

Request of Juvenile to change status of Ronnie Glenn Nicks Jr., Juvenile Supervision Officer, from part time to full time as replacement for Dion McKinney, effective September 7, 2019.

Request of Juvenile to discharge Rebecca Elizabeth Owen, Juvenile Probation Officer, effective August 29, 2019. Is not eligible for re-hire.[164.84 hours or balance vacation; 2.50 hours or balance compensatory time; 8.00 hours or balance holiday time]

Request of Juvenile to accept the resignation of Allison Perez Carranza, Juvenile Supervision Officer Substitute, effective August 29, 2019. [No benefits due]

Request of Law Library to place JoAnn Smith, Clerk II, on payroll as replacement for Dana Arthur Cook, effective September 9, 2019.

Request of Library to transfer Chelsea Nicole Bollom. Library Assistant II, as replacement for Kathy G. Hartley, effective August 24, 2019.

Request of Library to promote Lacye Renee Lawhon, Library Assistant II, as replacement for Yesica Cabrera, effective September 7, 2019.

Request of Library to promote Raye L. Morello, Librarian III, as replacement for Myra Emmons, effective September 7, 2019.

Request of Library to accept the resignation of Katarina Robbins, Library Assistant II, effective September 6, 2019. [43.16 hours or balance vacation]

Request of Library to place Megan E. Young, Librarian II, on payroll as replacement for Sophia Pham, effective September 12, 2019.

Request of Sheriff to place Lindsey Boze, Records Specialist I, on payroll as replacement for Clay Owen Tardy, effective August 24, 2019.

Request of Sheriff to place Robert Camacho, Officer Civilian Deten, on payroll as replacement for Susana Ochoa, effective August 24, 2019.

Request of Sheriff to increase salary of Sean M. Cyr, Deputy Patrol, due to step increase, effective September 7, 2019.

Request of Sheriff to place Amber Kathleen Gifford, Officer Civilian Deten, on unpaid FMLA/Disability Leave, effective August 10, 2019.

Request of Sheriff to place Donna Lynn Greenan, Records Specialist I, on unpaid FMLA/Disability Leave, effective August 10, 2019.

Request of Sheriff to place Kelsey Paige Greer, Officer Civilian Deten, on payroll as replacement for Bobby Lee Horn Jr., effective August 24, 2019.

Request of Sheriff to increase salary of Christopher Arron Gutierrez, Deputy Patrol, due to step increase, effective September 7, 2019.

Request of Sheriff to place Nicole Homman, Dispatcher, on payroll as replacement for Brandy Bice Collins, effective August 24, 2019.

Request of Sheriff to place Zachary Johnson, Officer Civilian Deten, on payroll as replacement for Autumn Renee Trott, effective August 24, 2019.

Request of Sheriff to place Brandon Kooi, Officer Civilian Deten, on payroll as replacement for Dawn Lynnette Lara, effective August 24, 2019.

Request of Sheriff to place Hailey Marie Leasure, Officer Civilian Deten, on payroll due to return from unpaid Leave of Absence, effective August 21, 2019.

Request of Sheriff to increase salary of Robert Lee Martin, Sergeant Detention, due to step increase, effective September 7, 2019.

Request of Sheriff to accept the resignation of Hunter Adam McDaniel-Calhoun, Officer Civilian Deten, effective August 18, 2019. [30.80 hours or balance vacation; 16.00 hours or balance holiday]

Request of Sheriff to accept the resignation of Johanna Pinto Morales, Supervisor-Dispatch, effective September 20, 2019. [112.0850 hours or balance vacation; 121.70 hours or balance compensatory time; 9.00 hours or balance holiday]

Request of Sheriff to accept the resignation of Michael Clark Pinson, Officer Civilian Deten, effective August 27, 2019. [17.39 hours or balance vacation; 235.66 hours or balance compensatory time; 8.00 hours or balance holiday]

Request of Sheriff to place Nicholas Scinicariello, Officer Civilian Deten, on payroll as replacement for Bobby Dean Baker III, effective August 24, 2019.

Request of Sheriff to increase salary of Jeremy Caleb Smith, Deputy Patrol, due to step increase, effective September 7, 2019.

Request of Sheriff to place Tyler Smith, Officer Civilian Deten, on payroll as replacement for James Michael Coggins, effective August 24, 2019.

Request of Sheriff to increase salary of Dana Eileen Vailes, Sergeant Detention, due to step increase, effective September 7, 2019.

Request of Sheriff to place Jaquela S. Walker, Officer Civilian Deten, on payroll due to return from unpaid FMLA/Disability Leave, effective August 14, 2019.

Request of Sheriff to place Larry Wilson, Officer Civilian Deten, on payroll as replacement for Courtney R. Robinson, effective August 24, 2019.

Request of Sheriff to transfer Christopher Levi Wofford, Deputy Detention, as replacement for Michael W. Burns, effective August 24, 2019.

Request of Tax Assessor-Collector to promote Amy Crowson, Branch Manager, as replacement for Karena DeVille, effective September 1, 2019.

Request of Tax Assessor Collector to promote Ashley Dement, Deputy Specialist II, due to completion of education and tenure requirements, effective September 7, 2019.

Request of Tax Assessor Collector to promote Lourdes Etanislado, Deputy Specialist III, due to completion of education and tenure requirements, effective September 7, 2019.

Request of Tax Assessor Collector to promote Amy Garcia, Deputy Specialist III, due to completion of education and tenure requirements, effective September 7, 2019.

Request of Tax Assessor Collector to promote Jo Anne Gavrilos, Deputy Specialist III, due to completion of education and tenure requirements, effective September 7, 2019.

Request of Tax Assessor Collector to increase salary of Cindy Gonzalez, Deputy Specialist I, due to completion of probationary period, effective September 7, 2019.

Request of Tax Assessor Collector to increase salary of Michelle Hall, Deputy Specialist I, due to completion of probationary period, effective September 7, 2019.

Request of Tax Assessor Collector to promote Amanda Heine, Deputy Specialist II, due to completion of education and tenure requirements, effective September 7, 2019.

Request of Tax Assessor Collector to accept the retirement of Leslie Kozub, Assistant Branch Manager, effective September 30, 2019. [185.275 hours or balance vacation; 8.00 hours or balance holiday]

Request of Tax Assessor Collector to promote Kenneth Martin III, Deputy Specialist III, due to completion of education and tenure requirements, effective September 7, 2019.

Request of Tax Assessor Collector to promote Rebecca McWhirter, Deputy Specialist II, due to completion of education and tenure requirements, effective September 7, 2019.

Request of Tax Assessor Collector to promote Bethany Nagle, Deputy Specialist II, due to completion of education and tenure requirements, effective September 7, 2019.

Request of Tax Assessor Collector to promote Joni Stanley, Deputy Specialist III, due to completion of education and tenure requirements, effective September 7, 2019.

Request of Tax Assessor Collector to increase salary of Amy Ubonoske, Deputy Specialist I, due to completion of probationary period, effective September 7, 2019.

Request of Commissioner Precinct 3 to increase salary of Nicole Gentz, Admin Assistant I, due to completion of probationary period, effective September 7, 2019.

ENVIRONMENTAL HEALTH – AGENDA ITEMS 9H1-4

- H1. 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 at 16627 Eastchase St. Montgomery, Tx 77316.
- H2. ORDER APPROVED to abate a public nuisance and approve a request for demolition on the following property that is abandoned, deemed unsafe, or unlivable Precinct 2 18702 Turtle Creek Lane, Magnolia, Texas 77355 estimated total cost \$4,200 funded by CDBG.
- H3. ORDER APPROVED to abate a public nuisance and approve a request for demolition on the following property that is abandoned, deemed unsafe, or unlivable Precinct 2 16106 S. Ravenwood Dr. Magnolia, TX 77354 estimated total cost \$3,800 funded by CDBG.
- H4. ORDER APPROVED to abate a public nuisance and approve a request for demolition on the following property that is abandoned, deemed unsafe, or unlivable Precinct 1 11990 Nelwood St., Willis, Texas 77318 estimated total cost \$3,600 funded by CDBG.

COUNTY JUDGE – AGENDA ITEM 9I1

- I1. APPOINTMENTS APPROVED of Steven Earl, Rebecca Smith, Leland Dushkin, Jessica Jones, and Jerry Nash to the CPS Board. These appointments will bring the total board membership to 11 members. This action will complete the board with a full membership of board members.

FIRE MARSHAL – AGENDA ITEM 9J1

- J1. MEMORANDUM OF AGREEMENT APPROVED between the Bureau of Alcohol, Tobacco, Firearms and Explosives and Montgomery County Fire Marshal's Office for reimbursement of overtime salary costs associated with ATF

Task Force. Jimmy Williams is authorized to sign on behalf of Montgomery County.

COUNTY ATTORNEY – AGENDA ITEMS 9K1-3

K1. PRECINCT 1

- a. REQUEST APPROVED to accept the fully executed Interlocal Agreement between Montgomery County Municipal Utility District No. 9 of Montgomery County, Texas and Montgomery County, Texas for the widening of Walden Road previously approved in court on April 23, 2019.
- b. RESOLUTION AND ORDER TO PAY APPROVED for the settlement of the eminent domain proceedings in Cause No. 18-09-11828 styled Montgomery County, Texas vs. DCCI Corporation and Wells Fargo Bank, National Association for the total sum of \$604,186.00 with due credit being given for the previous Special Commissioners ward in the amount of \$1,108,314.00.
- c. RESOLUTION AND ORDER TO PAY APPROVED for the funding of actual moving expenses in connection with the acquisition and relocation for Parcel 79-R05 (T) of the expansion of FM 1097 payable to Midway Fast Foods, LP dba Subway in the amount of \$48,230.00.
- d. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 214a of the expansion of FM 1097 from Depado Partners, Ltd. for the total sum of \$74,424.00 and to accept the executed or to be executed deed.

K2. PRECINCT 2

- a. RESOLUTION AND ORDER APPROVED for the funding of Title Policy Fees for the Denina Parcels, Alphro, Inc. A Texas Corporation –SH 249 Project in the amount of \$917.36.
- b. RESOLUTION AND ORDER APPROVED for the funding of Title Policy Fees for the Denina Parcels, Co Fam, LLC–SH 249 Project in the amount of \$1,068.36.
- c. RESOLUTION AND ORDER APPROVED for the funding of Title Policy Fees for the Denina Parcels,PIT 249 LLC–SH 249 Project in the amount of \$831.36.
- d. ORDER APPROVED to release lien and acknowledge receipt of check in the amount of \$5,865.25 from Stewart Title of Montgomery County, Inc. for

payment of the assessment lien. Check has been forwarded to the Auditor for further processing.

- e. RESOLUTION AND ORDER APPROVED accepting roads in River Plantation as follows: Manassas Ct., Richmond Ct., Augusta Park, Peach Tree Park, Appomattox Drive, Atlanta Park, Oakland Lane, and South Carolina Park in River Plantation Subdivision into the County Maintenance System upon finding of Prescriptive Right. Agreement for Road Acceptance and Repair is also approved and Donation accepted for Road Repair in the amount of \$25,471.52 is accepted. Check has been forwarded to the Auditor for further processing.

K3. PRECINCT 4

- a. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 91 for the widening of Sorters Road from Timothy Somers, as Trustee under the Testamentary Trust for the benefit of Robert Dalton Somers, created in the Will of Robert Somers, Deceased; ad Timothy Somers as Trustee under the Testamentary Trust for the benefit of Caitlin May Sommers, created in the Will of Robert Somers, Deceased for the total sum of \$26,763.09 and to accept the executed or to be executed deed.
- b. ORDER APPROVED accepting Sheila Street into the County Maintenance System Based upon Finding of Prescriptive Right based on public use.
- c. REQUEST APPROVED to rescind January 29, 2019 approval of the Royal Brook at Kingwood Section 15 plat. County Clerk is authorized to release all mylars and Bond with Surety No. 1073169 to the Montgomery County Attorney's Office.

COUNTY ATTORNEY – MENTAL HEALTH TREATMENT FACILITY – AGENDA ITEM 9L1

- L1. AGENDA ITEM 9L1 – APPROVED AMENDMENT NO. 3 TO HHSC CONTRACT WAS MOVED TO THE OPEN SESSION. SEE MOTION 5 FOR COURT ACTION.

COMMUNITY DEVELOPMENT – AGENDA ITEM 9M1

- M1. CHECK ACCEPTED in the amount of \$3,519.23 from Providence Title Company for the payoff and release of lien for property located at 19940 Northstar Drive, Porter, TX 77365. Property was part of the HOME Down

Payment Assistance Program (IDIS # 477) and the loan is now satisfied. Check has been forwarded to the Auditor for further processing.

GRANTS – AGENDA ITEM 9N1

- N1. GRANT DEOBLIGATION APPROVED FOR THE Fund for Veterans Assistance (FVA) grant in the amount of \$781.70 for Veterans Treatment Court Fiscal Year 2018-2019.

Motion carried.

END OF CONSENT AGENDA

5. AMENDMENT APPROVED – HHSC CONTRACT – COUNTY ATTORNEY

Motion by Commissioner Riley, seconded by Commissioner Meador to approve Amendment No. 3 to HHSC Contract No. 2016-048567-001 providing for biennial appropriation from the State of Texas. B. D. Griffin is authorized and/or ratified to execute the amendment on behalf of Montgomery County through DocuSign or other means of electronic execution of documents. Commissioner Noack voted “No”. Motion carried.

THE COUNTY AUDITOR INFORMED THE COURT OF AN ANTICIPATED SHORTFALL IN THE COURT OPERATIONS BUDGET AND THE NEED TO ADDRESS THIS DURING THE NEXT SESSION OF COMMISSIONERS COURT.

6. REPORT ACCEPTED – LGC §114.024 – COUNTY AUDITOR

Motion by Commissioner Noack, seconded by Commissioner Meador, to accept the report that complies with Local Government Code Section 114.024. Motion carried.

CITIZENS – AGENDA ITEM 10

NO CITIZENS ADDRESSED THE COURT AT THIS TIME.

7. REQUEST APPROVED – BINGO PRIZE FEE COLLECTION – COUNTY JUDGE

Motion by Judge Keough, seconded by Commissioner Meador, to approve Montgomery County’s continuation of Bingo Prize Fee collections in compliance with H.B. 914. Judge Keough is authorized to sign compliance forms, vote verification documents, and any and all related documents to effectuate same. Motion carried.

8. ORDER APPROVED – BURN BAN – FIRE MARSHAL

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve an order prohibiting outdoor burning in unincorporated areas of Montgomery County in accordance with Local Government code 352.081. Motion carried.

9. PAYMENT OF ACCOUNTS APPROVED – AUDITOR

Motion by Commissioner Meador, seconded by Commissioner Metts, to approve the payment of Accounts. Motion carried.

10. CHANGE ORDER APPROVED – PROJECT #19-17 – COMMUNITY DEVELOPMENT

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve CO #1 to Total Team Construction, LLC. for Project #19-17 Montgomery County Youth Services Buildings Renovation for additional items for an increase of \$119,310 for Montgomery County Community Development. Motion carried.

11. CONTRACT APPROVED – PROJECT #18-64 – FORENSICS

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the contract for Professional Design Services with PGAL, Inc. for the Montgomery County Forensic Center in the amount of \$1,140,900 and Reimbursable Expenses not-to-exceed \$50,000 pursuant to Project# 18-64 previously approved in Commissioners Court on 10/23/2018. Motion carried.

12. CONTRACT APPROVED – SHERIFF’S SUBSTATION – SHERIFF

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve the contract with the following highly qualified provider per Government Code Chapter 2254 for Architectural and Engineering Design Services for the Montgomery County Sheriff's Substation from PGAL, Inc. in the amount of \$280,000 and specified additional services not-to-exceed \$77,500 for Sheriff's Office. 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 15A: CONSIDER AND DISCUSS CASE NO. 4:19-CV-02733.

COMMISSIONERS COURT RECONVENED WITH ALL MEMBERS PRESENT.

13. RESOLUTION AND ORDER APPROVED – CLAIM NO. D-19-0155 – COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve supporting the need for the Montgomery County Attorney to defend on behalf of Montgomery County, the lawsuit filed under Civil Action NO. 19CV2733 and styled Elmer Louise Lindley, Individually and As Administrator of the Estate of Phillip Tucker vs. Montgomery County, Texas, et al Claim No. D-19-0155. The County Attorney is authorized to incur expenses as necessary for the proper defense and negotiation of said case with funding from the Risk Management budget with the approval of the Director of Risk Management or designee.

CITIZENS – AGENDA ITEM 17

Paul Crowson addressed the court concerning man made flooding. He requested to speak to Commissioner Metts concerning flooding on his street.

MISCELLANEOUS – AGENDA ITEM 18 – NO OTHER ITEMS LISTED

14. COURT ADJOURNS

Motion by Commissioner Meador, seconded by Commissioner Noack, to adjourn this session of Court. Motion carried.

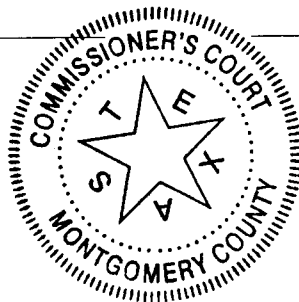
The above and foregoing minutes were read and approved by the Court.

ATTEST:

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

BY:

COUNTY CLERK



COUNTY JUDGE

Mark Turnbull

[Handwritten signature]