

COMMISSIONERS COURT DOCKET  
JANUARY 8, 2019  
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 8<sup>th</sup> day of January, 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 Judge Keough.

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

2. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the Minutes from Regular Session of Commissioners Court dated December 11, 2018 and December 18, 2018. Motion carried.

AGENDA ITEM 8D3 1<sup>ST</sup> BULLET POINT WAS DEFERRED.

AGENDA ITEM 8G3a WAS DEFERRED.

AGENDA ITEM 8J1 WAS MOVED TO THE OPEN SESSION. SEE MOTION 5 FOR COURT ACTION.

COMMISSIONER MEADOR MADE A MOTION TO APPROVE THE CONSENT AGENDA WITH COMMISSIONER RILEY SECONDING IT. COMMISSIONER NOACK OPPOSED THE VOTE (4-1), THEREFORE THE VOTE WAS NOT UNANIMOUS AND CONSENT DID NOT PASS. (THE VOTE FOR THE CONSENT AGENDA MUST BE UNANIMOUS). THE MATTER WAS DISCUSSED AND AGENDA ITEM 8A1 WAS MOVED TO THE OPEN SESSION AND THE CONSENT AGENDA PASSED AS MODIFIED WITH MOTION 3. FOR AGENDA ITEM 8A1 SEE MOTION 4 FOR COURT ACTION.

3. RESOLUTION AND ORDER APPROVED – CONSENT AGENDA – AGENDA ITEMS 9A-P

Motion by Commissioner Meador, seconded by Commissioner Riley, 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 8A1-3

- A1. AGENDA ITEM 8A1 WAS MOVED TO THE OPEN SESSION. SEE MOTION 4 FOR COURT ACTION.
- A2. BUDGET AMENDMENTS FY2018 APPROVED:
  - a. Adult Probation: To adjust budget per CJAD.
  - b. County Attorney: To adjust budget lines for FY18.
  - c. Elections: To recognize and allocate revenue for FY18.
- A3. REPORTS ACCEPTED that comply with Local Government Code Chapter 114, Section 024.

BUDGET OFFICE – AGENDA ITEMS 8B1-4

- B1. LINE ITEM TRANSFERS AND ADJUSTMENTS APPROVED AND AUTHORIZED for Fiscal Year 2019, according to Budget Policy, as submitted.
- B2. ADJUSTMENTS AND AMENDMENTS AUTHORIZED AND APPROVED for Grant Departments, as submitted.
- B3. AMENDMENTS APPROVED AND AUTHORIZED for Special Revenue Departments, as submitted.
- B4. PREVIOUS ACTIONS MEMORIALIZED for actions taken on changes to the Fiscal Year 2019 Budget in prior Commissioners Court Meetings, as submitted.

TREASURER – AGENDA ITEM 8C1

- C1. DEPUTATIONS APPROVED of the following County Treasurer Employees:
  - a. Janice Avery
  - b. Teri Logue
  - c. Patricia Reaves
  - d. Deneen Shreve
  - e. Lara Pena
  - f. Carolyn Bennett

PURCHASING – AGENDA ITEMS 8D1-6

- D1. RENEWAL OPTIONS APPROVED:
  - a. Project #2015-0015 paper recycling services with Tascon, Inc dba Tascon Industries, Inc. for Various Departments. (Exercising the first (1st) of three renewal options)
  - b. Project #2012-0021 Medical Clinic Operations Magnolia TX with PCP for Life - Lakewood Family Practice for Community Development (Exercising the first (1st) of two renewal options)
  - c. Liability and workers compensation coverage for property and casualty for a ninety day extension with York Risk Services, Inc. for Risk Management.
- D2. DISCRETIONARY EXEMPTIONS APPROVED:
  - a. UMI newspapers in microform as an item that can be obtained from only one source from Proquest for Library. Local Gov't Code §262.024(a)(7)(A)

D3. CHANGE ORDERS APPROVED:

- a. CO # 4 to Smith & Company for project #2017-0024 Rayford Road widening and railroad grade separation from Richards Road to SH 99 for additional storm sewer installation for Precinct 3 – DEFERRED.
- b. Amendment #1 to Whitney & Associates for row appraisal services for Sorters Road for additional appraisal services in the amount of \$6,500.00 for Precinct 4.
- c. CO #1 to Hagerty Consulting, Inc. for project #18-30 all hazards preparedness, planning, consulting and recovery services for amendment #1 to add Texas Water Development Board clauses for Emergency Management.

D4. ADVERTISING APPROVED for the following bids/proposals:

- a. Project #19-15 collection of urine samples for Drug/DWI Court.
- b. Project #19-16 electrical items & miscellaneous supplies for Various Departments.

D5. UTILIZATION APPROVED of the following contracts:

- a. Partnership to assist with the implementation of the failure to appear program through the Interlocal Agreement with Texas Department of Public Safety with Omnibase Services of Texas, LP for Various Departments. Local Gov't Code §271.102.

D6. REQUEST APPROVED to approve the cancellation of autopsy services with Dr. Sparks P. Veasey III for Forensics.

RISK MANAGEMENT – AGENDA ITEMS 8E1-4

- E1. PAYMENT ACKNOWLEDGED to Hodges Collision Repair in the amount of \$1,525.74 plus any supplements and payments to Enterprise Rental in the amount of \$185.90 plus any additional days in reference to Claim #A-18-0094.
- E2. PAYMENT ACCEPTED in the amount of \$5,868.00 from State Farm Mutual Automobile Insurance Company for Claim #U-18-0067. The Director of Risk Management is authorized to settle on behalf of Montgomery County.
- E3. PAYMENT ACKNOWLEDGED to Fortino A. Garcia in the amount of \$2,376.53 in reference to Claim #A-18-0118.
- E4. FOURTH AMENDMENT APPROVED to Pharmacy Services Agreement between MaxorPlus Ltd. and Montgomery County.

COMMISSIONERS – AGENDA ITEMS 9F1-2

F1. PRECINCT 2

- a. REQUEST APPROVED for the assignment of Wood Trace Municipal Utility District No. 4, No. 5, No. 6, and No. 7, Wood Trace Water Control and Improvement District and Wood Trace Management District of Montgomery County to be reserved in the name of Schwartz, Page, and Harding, LLP.

F2. PRECINCT 4

- a. RECEIPT OF CHECK ACKNOWLEDGED in the amount of \$220.00 from the Montgomery County Clerk Court Fees Account for restitution in Cause #18-331274. The check will be deposited and credited to line item #615-7914. Check has been forwarded to the Auditor for further processing.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 8G1-4

- G1. PUBLIC HEARING DATE SET for February 12, 2019 to consider and approve establishing a 55 MPH Speed Limit on Jackson Road.
- G2. PRECINCT 1
  - a. FINAL PLAT APPROVED of Point Aquarius, Section 2 Replat No. 1; 0.356 acres; Timothy Cude Survey, A-12.
- G3. PRECINCT 2
  - a. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in The Ranches of Autumnwood – DEFERRED.
  - b. FINAL PLAT APPROVED of Mostyn Manor, Section 8; 34.9246 acres; Cyrus Wickson Survey, A-600.
  - c. PUBLIC HEARING DATE SET for February 12, 2019 to consider and approve establishing a 20 MPH speed limit in the Decker Oaks Estates, Section 4 Subdivision.
- G4. PRECINCT 3
  - a. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Black Oak, Section 1.
  - b. FINAL PLAT APPROVED of Falls at Imperial Oaks, Section 26; 9.154 acres; Samuel Ward Survey, A-607.
- G5. PRECINCT 4
  - a. PUBLIC HEARING DATE SET for February 12, 2019 to consider and approve changing the name of Mid Lane to Midlane Street in the Eastwood Subdivision, Section 1.
  - b. FINAL PLAT APPROVED of Security Plaza Subdivision; 1.1512 acres; Edward Wrentmore Survey, A-595.
  - c. FINAL PLAT APPROVED of Park Lake View Drive Street Dedication: 1.154 acres; William Massey Survey, A-387.

HUMAN RESOURCES – AGENDA ITEM 8H1

H1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of 284<sup>th</sup> District Court to lay off Lindsey Karm, Court Coordinator II, effective January 1, 2019. [109.42 hours or balance vacation; 16.00 hours or balance holiday]

Request of Animal Shelter to accept the resignation of Chloe Arrendondo, Animal Care Technician, effective January 1, 2019. [52.36 hours or balance vacation; 4.125 hours compensatory time; 38.70 hours or balance holiday]

Request of Custodial to place Marco Cantu, Jr., Custodian, on payroll as replacement for Ercilia Vasquez, effective January 7, 2019.

Request of Custodial to discharge Ann Marie Cheatham, Custodian I, effective December 18, 2018. [16.00 hours or balance holiday]

Request of Custodial to place Tevin Williams, Custodian, on payroll as replacement for Luz Gonzalez, effective January 7, 2019.

Request of Commissioner Precinct 2 to promote Allen Fleming Jr., SR Foreman, effective December 15, 2018.

Request of Commissioner Precinct 2 to promote Thomas Nagy, Sign Technician, as replacement for Kent Fowler, effective December 15, 2018.

Request of Commissioner Precinct 3 to correct effective date on PCR of Gavin Hoffmeyer, Operator I, as replacement for Catarino Figueroa, approved 12/18/18, to be effective January 2, 2019.

Request of Commissioner Precinct 3 to accept the resignation of Adrian Infante, Operator I, effective December 18, 2018. [7.18 hours or balance vacation; 16.00 hours or balance holiday]

Request of Commissioner Precinct 4 to place Steve Hartwig, Manager-Field Operations, on payroll as replacement for Tracy Willett, effective January 2, 2019.

Request of Commissioner Precinct 4 to place Gregory P. Long, Foreman, on payroll as replacement for Michael K. McKay, effective January 1, 2019.

Request of Commissioner Precinct 4 to transfer Dianne L. Rogers, Admin Manager II, as replacement for Matthew D. Nelson, effective January 1, 2019.

Request of Constable Precinct 3 to increase salary of John Lawless, Deputy Constable, due to step increase, effective February 9, 2019.

Request of Constable Precinct 3 to accept the resignation of Perry Midyett, Deputy Constable, effective December 3, 2018. [103.60 hours or balance vacation; 123.75 hours or balance compensatory time; 45.00 hours or balance holiday]

Request of Constable Precinct 3 to increase salary of Robert Moody, Sergeant Constable, due to step increase, effective April 20, 2019.

Request of constable Precinct 3 to increase salary of Steven Sprague, Sergeant Constable, due to step increase, effective January 26, 2019.

Request of Constable Precinct 3 to increase salary of Jomo Kenyatta Washington, Sergeant Detectives, due to step increase, effective November 3, 2018.

Request of County Attorney to place David Scott Davis, Investigator II, on payroll as replacement for Randy Lewis, effective December 31, 2018.

Request of County Attorney to place Anna L. Emmons, Attorney III, on payroll as replacement for Stuart Hughes, effective December 31, 2018.

Request of County Attorney to accept the resignation of Stuart Hughes, Attorney III, effective December 31, 2018. [21.06 hours or balance vacation; 8.00 hours or balance holiday]

Request of County Auditor to place Rakesh Pandey, County Auditor, on payroll as replacement for Phyllis Martin, effective January 1, 2019.

Request of County Clerk to transfer Rebecca S. Templet, Court Clerk II, as replacement for Betty J. Sanders McCollough, effective December 29, 2018.

Request of County Judge to adjust salary of Mark Keough, County Judge, effective January 8, 2019.

Request of Court Collections to change position of Sewanda Straughter, Collections Spec I, as replacement for Regina Baines, effective December 29, 2018.

Request of District Attorney to place Lianne Baldrige, Attorney I, on payroll, as replacement for Luis S. Baez, effective January 11, 2019.

Request of District Attorney to accept the resignation of Anthony R. Franklyn, Attorney II, effective January 4, 2019. [155.96 hours or balance vacation; 28.00 hours or balance holiday time]

Request of District Attorney to place Joe E. Nichols Jr., Investigator II, on payroll, effective January 7, 2019.

Request of District Attorney to place Raphael M. Ortega, Attorney I, on payroll as replacement for Lydia Diane Murphy, effective January 23, 2019.

Request of District Attorney to promote Kristina S. Schulz, Legal Assistant II, as replacement for Erin Michelle Femea, effective January 7, 2019.

Request of District Attorney to promote Victoria L. Swenceski, Legal Assistant I, as replacement for Kristina S. Schulz, effective January 7, 2019.

Request of District Clerk to transfer Meredith Dunaway, Part time Clerk, effective January 1, 2019.

Request of District Clerk to accept the resignation of Rose Menefee, Court Clerk II, effective December 31, 2018. [163.48 hours or balance vacation; 16.00 hours or balance holiday time]

Request of Fire Marshal to place Gregory Carleton, Investigator Arson, on payroll, effective January 2, 2019.

Request of Justice of the Peace Precinct 3 to transfer Dee Blair, Adm Assistant II, effective January 1, 2019.

Request of Juvenile to accept the resignation of Justin Marquie Bray, Juvenile Supervision Officer Substitute, effective December 5, 2018. [No benefits due]

Request of Juvenile to change status of Michael Andrew Louis Britt, Juvenile Supervision Officer, from part-time to full-time, effective December 29, 2018.

Request of Library to place Yesica Cabrera, Library Assistant II, on payroll as replacement for Rita Allen, effective January 8, 2019.

Request of Library to place Amber Nichole Cathey, Library Assistant II, on unpaid FMLA/Disability Leave, effective December 10, 2018.

Request of Library to change status of Lynda Kay Collins, Shelving Clerk I, as replacement for Natalia Martakova, effective January 8, 2019.

Request of Library to change status of Kasey M. Hudspeth, Shelving Clerk I, as replacement for Morgan Vaughn, effective January 8, 2019.

Request of Library to promote Natalia I. Martakova, Library Assistant II, as replacement for Sheryl Nelson, effective January 8, 2019.

Request of Library to accept the resignation of Tara Gayle Velasquez, Library Assistant II, effective December 20, 2018. [10.02 hours or balance vacation; 24.00 hours or balance holiday]

Request of Sheriff to increase salary of Shawn Michael Beatty, Deputy Patrol, due to step increase, effective December 29, 2018.

Request of Sheriff to transfer Joshua Herbert Boone, Deputy Patrol, as replacement for Elizabeth A. Hollan, effective December 29, 2018.

Request of Sheriff to accept the resignation of Eric Joseph Hensley, Sergeant Detention, effective December 24, 2018. [113.62 hours or balance vacation; 227.92 hours or balance compensatory time; 12.25 hours or balance holiday time]

Request of Sheriff to transfer Elizabeth A. Hollan, Deputy, as replacement for Joshua Herbert Boone, effective December 29, 2018.

Request of Sheriff to correct department number on PCR approved 12/18/18 for Alexis Elias Montes, Deputy, effective December 15, 2018.

Request of Sheriff to place Rex Morris, Officer Civilian Deten, on payroll as replacement for Emily Nicole Grimshaw, effective December 29, 2018.

Request of Sheriff to increase salary of Alton Earl Neeley, Detective, due to step increase, effective December 29, 2018.

Request of Sheriff to increase salary of Teri A. Ross, Detective, due to step increase, effective December 29, 2018.

Request of Sheriff to accept the resignation of Robert Chase Self, Deputy, effective December 17, 2018. [111.68 hours or balance vacation; 7.39 hours or balance compensatory time]

Request of Sheriff to increase salary of Denny Rex Simpson, Deputy-Bailiff, due to step increase, effective December 29, 2018.

Request of Sheriff to increase salary of Christopher Lee Tristan, Deputy-Detention, due to step increase, effective December 29, 2018.

Request of Sheriff to place Patrik Wright, Officer-Civilian Deten, on payroll as replacement for Caleb Copeland, effective December 29, 2018.

#### ENVIRONMENTAL HEALTH – AGENDA ITEMS 8I1-3

11. REQUEST APPROVED to install an aerobic on-site system in the 100 year flood plain located at 30663 Moore Road, Magnolia, TX 77354. Being 15 AC O/O 19.506 AC in CF #9824389.
12. REQUEST APPROVED to install an aerobic on-site system in the 100 year flood plain located at 28301 Foxwood, Pinehurst, TX 77362. Foxwood Sec 1 Blk 1 Lot 20.
13. REQUEST APPROVED to install an aerobic on-site system in the 100 year flood plain located at 28303 Foxwood, Pinehurst, TX 77362. Foxwood Sec 1, Blk 1 Lot 39.

#### COUNTY JUDGE – AGENDA ITEM 8J1

- J1. AGENDA ITEM 8J1 WAS MOVED TO THE OPEN SESSION. SEE MOTION 5 FOR COURT ACTION.

#### COUNTY ATTORNEY – REAL PROPERTY - AGENDA ITEMS 8K1-3

- K1. AMENDMENT ACCEPTED AND RECORDED to lease between Montgomery County and Conroe Symphony Orchestra. This item was previously approved by Montgomery County on November 13, 2018.
- K2. PRECINCT 2

- a. ORDER APPROVED authorizing notice of public hearing on February 12, 2019 for partial revision to subdivision lots/plats being described as partial replat of all of Reserve B, D, E and F, Block 1, The Meadows at Jacobs Reserve Section 6 to be known as The Meadows at Jacobs Reserve Section 6, Partial Replat No. 1.

AGENDA ITEM 8K3a AND 8K3b WERE LISTED ON THE AGENDA IN PRECINCT 4, BUT THEY SHOULD HAVE BEEN LISTED UNDER PRECINCT 2. THIS WAS CORRECTED BEFORE THE CONSENT AGENDA WAS APPROVED AND MOVED TO PRECINCT 2. THEY ARE LISTED BELOW.

K3. PRECINCT 4

- a. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 7-Mansions Way Project from Nolan Wayne Guillot and Freda Terrill Guillot for the total sum of \$41,610.75. The executed or to be executed deed is accepted.
- b. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 8-Mansions Way Project from Nolan Wayne Guillot and Freda Terrill Guillot for the total sum of \$52,395.75. The executed or to be executed deed is accepted.
- c. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 3 for the widening of Old Houston Road from Antonio A. Castro and Juan Vasquez-Nino for the total sum of \$5,071.86. The executed or to be executed deed is accepted.
- d. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 5 for the widening of Sorters Road from New Caney Independent School District for the total sum of \$55,680.25. The executed or to be executed deed is accepted.
- e. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 12 for the widening of Sorters Road from Alejandro Vasquez and Ana Vasquez for the total sum of \$16,347.25. The executed or to be executed deed is accepted.
- f. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 18 for the widening of Sorters Road from Joseph A. Ceal for the total sum of \$16,428.25. The executed or to be executed deed is accepted.
- g. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 31 for the widening of Sorters Road from Bethesda Romanian Baptist Church for the total sum of \$1,998.75. The executed or to be executed deed is accepted.
- h. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 44 for the widening of Sorters Road from Isaias Hernandez and Anna Maria Hernandez for the total sum of \$6,423.25. The executed or to be executed deed is accepted.
- i. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 55 for the widening of Sorters Road from James R. Beamon for the total sum of \$7,254.25. The executed or to be executed deed is accepted.



- j. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 66 for the widening of Sorters Road from Margaret Sorter Murray a/k/a Margaret Murray for the total sum of \$8,707.70. The executed or to be executed deed is accepted.
- k. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 67 for the widening of Sorters Road from Margaret Sorter Murray a/k/a Margaret Sorter Speed for the total sum of \$10,168.70. The executed or to be executed deed is accepted.
- l. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 69 for the widening of Sorters Road from William Orville O'Quinn for the total sum of \$17,271.20. The executed or to be executed deed is accepted.
- m. BUS TURNAROUND EASEMENT APPROVED for Splendora ISD on Bowdoin Road in Splendora, Texas in Precinct 4.

DISTRICT CLERK – AGENDA ITEM 8L1

- L1. REQUEST APPROVED for the following non-profit organizations to receive Juror donations in the year 2019: Crime Victim's Compensation Fund; Local Child Welfare Fund; Veterans Treatment Court; Heritage Museum of Montgomery County; Meals on Wheels Montgomery County; and Operation Pets Alive.

AIRPORT – AGENDA ITEMS 8M1-2

- M1. REQUEST APPROVED to authorize signing of Lessor Estoppel Certificate for John Burden Dba Burden Construction Land Lease entered into May 22, 2018.
- M2. PARTIAL ASSIGNMENT OF LAND LEASE AGREEMENT WITH CONSENT OF LESSOR APPROVED from HBD Hangars, LLC to Craig S. Hutain for 0.120 acres of land and hangar 1, Building B at the Conroe-North Houston Regional Airport.

CONSTABLE PRECINCT 4 – AGENDA ITEM 8N1

- N1. MEMORANDUM OF UNDERSTANDING ACCEPTED 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 2019 in the amount of \$2,000.00.

COMMUNITY DEVELOPMENT – AGENDA ITEM 8O1

- O1. CHECK ACCEPTED in the amount of \$1,875.00 from Stewart Title of Montgomery County, Inc. for the payoff and release of lien for property located at 202 Forest Drive, Willis, Texas 77378. The property was part of the home down payment assistance program (IDIS #388) and the loan is now satisfied. Check has been forwarded to the County Auditor for further processing.

JUSTICE OF THE PEACE PCT 4 – AGENDA ITEM 8P1

- P1. REQUEST APPROVED to use the Justice of the Peace Technology Fund in an amount not to exceed \$3,600.00.

Motion carried.

**END OF CONSENT AGENDA**

4. PAYMENT OF ACCOUNTS ACCEPTED – COUNTY AUDITOR

Motion by Commissioner Meador, seconded by Commissioner Noack, to accept the payment of accounts from the County Auditor as submitted. Motion carried.

CITIZENS – AGENDA ITEM 10

Reagan Reed addressed the court and congratulated the members of court on being elected. He also spoke in support of lowering the County Judge's salary and urged the court to appoint members of the public to the Toll Road Authority Board.

John Wertz congratulated the new members of Commissioners Court. He asked the Judge to listen to the will of the people and spoke of a public information request submitted the previous year. He also spoke in support of the lowering of the salary of the Judge and Chief of Staff.

5. REQUEST APPROVED – SALARY ADJUSTMENT – COUNTY JUDGE

Motion by Judge Keough, seconded by Commissioner Metts, to approve decreasing the salary for position 400.9901.1. The annualized salary will be \$154,774.36. The reduction of \$15,319.89 in salary, \$1,171.97 in FICA, and \$1,879.75 in retirement for a total of \$18,371.61 will be transferred to 615.7340 asphalt budget for Commissioner Precinct 4. Motion carried.

6. REQUEST APPROVED – SALARY ADJUSTMENT – COUNTY JUDGE

Motion by Judge Keough, seconded by Commissioner Metts, to approve decreasing the salary of position 400.4246.1. The annualized salary will be \$108,959.82. The reduction of \$9,327.47 in salary, \$713.55 in FICA, and \$1,144.48 for a total of \$11,185.50 will be transferred to 615.7340 asphalt budget for Commissioner Precinct 4. Motion carried.

7. REQUEST APPROVED – SALARY INCREASE – COUNTY JUDGE

Motion by Judge Keough, seconded by Commissioner Metts, to approve increasing the salary for position 400-4229-1. The annualized salary will be \$66,481.00. An additional \$2,869.76 in salary, an additional \$219.54 in FICA, and an additional \$352.12 in retirement for a total amount of \$3,441.42 will be funded from 400.7390. Motion carried.

AGENDA ITEM 11-1 – THE BUDGET OFFICER AND MEMBERS OF COMMISSIONERS COURT DISCUSSED THE PAYROLL CHANGE REQUEST FORMS DEADLINE. IT WAS STATED THAT THE DEADLINE IS 8 DAYS PRIOR TO COURT. SHE ALSO STATED THAT A VACANCY ANALYSIS HAS BEEN COMPLETED FOR THE FIRST TWO MONTHS. SHE ALSO REMINDED ALL THAT MOVING AMOUNTS FROM SALARY TO OPERATING WOULD NEED PRIOR APPROVAL OF COMMISSIONERS COURT. SHE ALSO STATED THAT SHE WOULD BE BRINGING A VACANCY ANALYSIS REPORT TO THE NEXT COURT FOR THE FIRST QUARTER.

THEY ALSO DISCUSSED THE USE OF THE EXCESS SALARY FUNDS FOR LAW ENFORCEMENT AND HOW THOSE FUNDS SHOULD BE USED. THAT ITEM WILL BE BROUGHT BACK TO COURT.

THE COUNTY ATTORNEY'S OFFICE DISCUSSED RETROACTIVE PAY AND THE PROBLEMS CREATED WHEN THE RAISES ARE NOT PROCESSED TIMELY.

8. REQUEST APPROVED – PAYOUT OF ACCRUED BENEFITS – JUSTICE OF THE PEACE PRECINCT 4

Motion by Commissioner Metts, seconded by Commissioner Riley, to approve the payout for positions 458-4213-1 and 458-4132-1 in the amounts of \$13,160.57 and \$11,278.01 respectively, plus benefits. Both of these employees retired on 12/31/2018. This will be funded with contingency. Judge Keough and Commissioner Noack voted No. Motion carried.

9. REQUEST APPROVED – PAYOUT FOR RETIRED EMPLOYEE – JUSTICE OF THE PEACE PRECINCT 5

Motion by Commissioner Riley, seconded by Commissioner Metts, to approve the payout after the retirement of employee in position 459-4128-1 Collections Specialist II in the amount of \$3,583.22. This will be funded with contingency. Judge Keough and Commissioner Noack voted “No”. Motion carried.

10. DISCRETIONARY EXEMPTION APPROVED – SAM HOUSTON STATE UNIVERSITY – DISTRICT ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve granting a discretionary exemption for professional services as a personal or professional service from Sam Houston State University in the amount of \$72,000.00 for District Attorney as authorized by Local Government Code §262.024(a)(4). Motion carried.

11. CHANGE ORDER APPROVED – CUDE CEMETERY – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve amendment #1 to Smith & Company for project #18-35 Cude Cemetery reconstruct Valley Drive to FM 830 South to add additional items and quantities needed to construct the project for price increase of \$115,519.39 and an increase of 20 days for Precinct 1. Motion carried.

12. CHANGE ORDER APPROVED – LONGSTREET ROAD – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Metts, to approve CO #2 to Smith & Company for project #2017-0038 Longstreet Road widen and reconstruct to add 1,300 tons of type “D” asphalt to bid quantity for price increase of \$105,300.00 for Precinct 1. Motion carried.

13. GRANT APPLICATION APPROVED – STEP COMP GRANT – SHERIFF – GRANTS

GRANT APPLICATION APPROVED – STEP COMP GRANT – CONSTABLE PCT 5 – GRANTS

GRANT APPLICATION APPROVED – STEP COMP GRANT – CONSTABLE PCT 1 – GRANTS

GRANT APPLICATION APPROVED – STEP COMP GRANT – CONSTABLE PCT 4 – GRANTS

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the following grant applications:

- a. Fiscal year 2020 STEP Comp Grant Application from Texas Department of Transportation (TxDOT) for the Sheriff’s Office in the amount of \$115,516.50 with a match of \$29,415.80 from the Sheriff’s fiscal year 2020 budget. Rebecca Ansley is authorized to submit electronically on behalf of Montgomery County.
- b. Fiscal year 2020 STEP Comp Grant Application from Texas Department of Transportation (TxDOT) for the Constable Precinct 5 Office in the amount of \$12,018.80 with a match of \$3,030.05 from the Constable Precinct 5’s fiscal year 2020 budget. Michael Silvio is authorized to submit grant electronically on behalf of Montgomery County.
- c. Fiscal year 2020 STEP Comp Grant Application from Texas Department of Transportation (TxDOT) for the Constable Precinct 1 Office in the amount of \$11,912.80 with a match of \$3,201.22 from the Constable Precinct 1’s fiscal year

2020 budget. Rebecca Ansley is authorized to submit electronically on behalf of Montgomery County.

- d. Fiscal year 2020 STEP Comp Grant Application from Texas Department of Transportation (TxDOT) for the Constable Precinct 4 Office in the amount of \$11,977.44 with a match of \$3,171.64 from the Constable Precinct 4's fiscal year 2020 budget. Rebecca Ansley is authorized to submit electronically on behalf of Montgomery County.

Motion carried.

14. APPOINTMENTS APPROVED – DIRECTORS OF MCTRA – COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the confirmation and appointment of the following persons as Directors of the Montgomery County Toll Road Authority:

- a. Mark J. Keough with a term expiring December 31, 2022
- b. Mike Meador with a term expiring December 31, 2020
- c. Charlie Riley with a term expiring December 31, 2022
- d. James Noack with a term expiring December 31, 2020
- e. James Metts with a term expiring December 31, 2022

Motion carried.

AGENDA ITEM 16A – THE APPOINTMENT OF THE OFFICERS TO MCTRA WAS DISCUSSED AT LENGTH. THE MOTION WAS PASSED AS FOLLOWS WITH MOTION 15.

15. APPOINTMENTS APPROVED – OFFICERS OF MCTRA – COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the confirmation and appointment of the following persons as Officers of the Montgomery County Toll Road Authority:

- a. Charlie Riley as Chairman with a term expiring December 31, 2022
- b. Mike Meador as Vice Chairman with a term expiring December 31, 2020
- c. Mark J. Keough as Secretary with a term expiring December 31, 2022
- d. James Metts as Treasurer with a term expiring December 31, 2022

Judge Keough voted "No". Motion carried.

NOTE: DISCUSSION CAN BE HEARD ON AUDIO OF MINUTES ON THE COUNTY WEBSITE.

16. REQUEST APPROVED – SALARY INCREASE – COMMISSIONER PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve an increase to the salary for position 613-8902-3 by \$389.54. The annualized salary will be \$58,739.00. The additional \$467.14 for salaries and benefits to be transferred from operation account 613-7340. Motion carried.

17. PAYROLL CHANGE REQUEST FORMS APPROVED – HUMAN RESOURCES

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the following Payroll Change Request Forms:

Request of Commissioner Precinct 2 to promote Allen Fleming Jr, Sr Foreman, effective January 8, 2019.

Request of County Judge to adjust salary of Jason Millsaps, Chief of Staff, effective January 8, 2019.

Request of County Judge to adjust salary of Amanda Whittington, Adm Assistant II, effective January 8, 2019.

Request of Justice of the Peace Pct 5 to transfer Karen L. Cantrell, Collection Spec II, as replacement for Mary Gilbreath, effective January 10, 2019.

Motion carried.

#### MISCELLANEOUS – AGENDA ITEM 20

Commissioner Noack addressed the court concerning the attendance of employees and directors in Commissioners Court and urged them not to attend if they did not have business before the court.

#### CITIZENS – AGENDA ITEM 19

David Smith addressed the court concerning transportation on the HGAC Transportation Policy Council. He urged the County Judge to exercise his right to immediately join the HGAC Transportation Policy Council.

Sherry Shorten addressed the court concerning the return of asphalt fund to Precinct 4. She stated that she had received messages from citizens that were thankful for that action.

Commissioner Riley asked if the HGAC Transportation Council could be discussed at this time. The County Attorney stated they can talk about putting it on the next agenda and it was agreed that the topic will be placed on the next agenda.

#### 18. COURT ADJOURNS

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

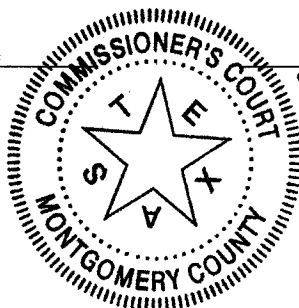
The above and foregoing minutes were read and approved by the Court.

ATTEST:

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

BY: \_\_\_\_\_

COUNTY CLERK



\_\_\_\_\_ COUNTY JUDGE