

COMMISSIONERS COURT DOCKET  
February 12, 2019  
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 12<sup>th</sup> day of February, 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 Rob Eissler

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 Noack, seconded by Commissioner Riley, to approve the Minutes from Regular Session of Commissioners Court dated January 29, 2019. Motion carried.

AGENDA ITEM 8A1 WAS MOVED TO THE OPEN SESSION. SEE MOTION 4 FOR COURT ACTION.

3. RESOLUTION AND ORDER APPROVED – CONSENT AGENDA – AGENDA ITEMS 8A-S

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 JUDGE – AGENDA ITEMS 8A1-3

A1. AGENDA ITEM 8A1 WAS MOVED TO THE OPEN SESSION. SE MOTION 4 FOR COURT ACTION.

A2. APPOINTMENTS APPROVED of the primary voting member and the alternate voting member to the Transportation Advisory Committee for the Houston-Galveston Area Council for the term ending December 31, 2019 as follows:

- a. Reappoint County Transportation Director Jeff Johnson as the primary voting member, and
  - b. Appoint County Engineer III Brian Clark as the alternate voting member.
- A3. REAPPOINTMENTS APPROVED of the Montgomery County Historical Commission Members for the 2019-2020 term of service.

COUNTY AUDITOR – AGENDA ITEMS 8B1-3

- B1. COMPLETED CASH COUNT AUDIT MEMOS ACCEPTED for 1<sup>st</sup> Quarter FY 2019.
- B2. REPORT ACCEPTED that complies with Local Government Code Section 114.023.
- B3. REPORT ACCEPTED that complies with Local Government Code Section 114.024.

BUDGET OFFICE – AGENDA ITEMS 8C1-5

- C1. LINE ITEM TRANSFERS AND ADJUSTMENTS AUTHORIZED AND APPROVED for FY 2019 Budget according to Budget Policy.
- C2. LIST APPROVED of employees with current salary supplement also known as car allowance. These employees on this list are not eligible for mileage reimbursement, to drive a county owned vehicle, and/or to fuel up using county operating funds.
- C3. ADJUSTMENTS AND AMENDMENTS APPROVED AND AUTHORIZED for Grant Department.
- C4. PREVIOUS ACTIONS MEMORIALIZED on changes to the Fiscal Year 2019 Budget in prior Commissioners Court meetings.
- C5. TRANSFER, ADJUSTMENT, AND AMENDMENTS APPROVED AND AUTHORIZED for Special Revenue Departments.

TREASURER – AGENDA ITEMS 8D1-4

- D1. INVESTMENTS MATURED REPORTS ACCEPTED for 02-01-19.
- D2. INVESTMENTS PURCHASED REPORT ACCEPTED for 02-01-19.
- D3. PLEDGES AND/OR RELEASES OF COLLATERAL REPORT ACCEPTED for 01-24-19.
- D4. PLEDGES AND/OR RELEASES OF COLLATERAL REPORT ACCEPTED for 01-29-19.

PURCHASING – AGENDA ITEMS 8E1-8

- E1. ADVERTISING APPROVED for the following:
  - a. Project #19-18 RFP Preventative Maintenance on Standby Generators for various departments.
  - b. Project #19-19 RFP Land Surveying Services for Emergency Management.
  - c. Project #19-20 RFP Real Property Appraisal Services for Emergency Management.
  - d. Project #19-21 Firehouse Road Reconstruction and Widening for Precinct 4.

E2. RENEWALS OPTIONS APPROVED:

- a. Project #2013-0058 Programming/Technical Resource Services with 1 Image Software, Inc. for various departments (exercising the fifth of five renewal options).
- b. Project #2017-0019 Crack Seal Service with Texas Lone Star Pavement Services dba Lone Star Pavement Services for various departments (exercising the second of three renewal options).
- c. Project #2017-0025 Mowing of right-of-ways with Triple B AG, LLC for Precinct 1 (exercising the second of three renewal options).

E3. CHANGE ORDERS APPROVED:

- a. CO #2 to Northwest Interiors Inc. dba Color Interiors for Project #18-52 floor covering and installation to add additional items and quantities needed for various departments.
- b. CO #1 to RC Smith Companies dba Smith & Company for Project #18-13 McCaleb Road Widening to add additional items and quantities needed in the amount of \$41,282.94 and an increase of twenty (20) days for Precinct 2.
- c. CO #1 to IDS Engineering Group for Engineering Services for Birnham Woods Drive Widening from Waterbend Cove to Rayford Road to add engineering services for traffic signal design and intersection revisions in the amount of \$42,240.00 for Precinct 3.

E4. DISCRETIONARY EXEMPTION GRANTED for reference books and multimedia as an item that can be obtained from only one source; films, manuscripts or books from World Book, Inc. for Library. Local Gov't Code §262.024(a)(7)(B).

E5. UTILIZATION APPROVED of the following contracts:

- a. Building Maintenance, Repair and Operations Supplies and Equipment through the interlocal agreement with BuyBoard Contract #577-18 from MB Dustless Air Filter Company LLC dba Dustless Air Filter Company for Various Departments. Local Gov't Code §271.102.
- b. Office Supplies through the Region 4 Education Service Center National IPA Contract #R141703 from Office Depot, Inc. for Various Departments. Local Gov't Code §271.102.

E6. REQUEST APPROVED to reject and re-advertise Project #19-04 RFP Animal feed and supplies for Animal Shelter.

E7. AWARD APPROVED for Project #19-16 Electrical Items and Miscellaneous Supplies to Consolidated Electric Distributors for Various Departments.

E8. REBATE CHECK ACKNOWLEDGED in the amount of \$10,472.52 for annual rebate according to BuyBoard membership agreement with Staples Contract and Commercial, Inc. for Various Departments. The County Clerk's office did not receive a check for this item.

RISK MANAGEMENT – AGENDA ITEMS 8F1-3

F1. CHANGES, ADDITIONS AND RELEASES APPROVED for the following:

<u>BOND</u>	<u>NAME/DEPT</u>	<u>AMOUNT</u>	<u>ACTION</u>
63001018	Carroll, Johnny E./Const Pct 5	\$5,000	Reserve/ Cont Cert
69881076	Dietrich, Michael R./Const Pct 5	\$5,000	Reserve/ Cont Cert

14952797	Gage, Ollie Nell/Const Pct 1	\$5,000	Reserve/ Cont Cert
61601188	McGalliard, Warren/Const Pct 1	\$5,000	Reserve/ Cont Cert
63735596	Bodden, Robert/Const Pct 5		Rider/Change to Active Deputy

- F2. PAYMENT ACKNOWLEDGED to Cara Earl in the amount of \$1,169.98 in reference to claim #B-18-0124 DOL 11-17-18.
- F3. PAYMENT ACKNOWLEDGED to Michael J. Noworyta in the amount of \$1,639.24 in reference to claim #A-18-0122 DOL 12-14-18.

COMMISSIONERS – AGENDA ITEMS 8G1-2

G1. PRECINCT 1

- a. USE AGREEMENT APPROVED with Montgomery Soccer Club to use the football/soccer fields at the West Montgomery County Park for games and practices as scheduled by N.C.F.L through June 1, 2019.
- b. USE AGREEMENT APPROVED with Willis Youth Athletic Association to use the baseball fields at Charles Traylor Memorial Park through December 31, 2019.
- c. REQUEST APPROVED to reserve the name of Montgomery County Municipal Utility District No. 178 for the use by the law firm of Allen Boone Humphries Robinson LLP.

G2. PRECINCT 4

- a. CHECK APPROVED from Montgomery County Committee on Aging Inc. in the amount of \$502.16 for the purchase of fuel. This will be deposited into line item number 615-7926. Check has been forwarded to the auditor for further processing.
- b. CHECK APPROVED from Montgomery County Texas Clerk Court Fees in the amount of \$515.00 for restitution for cause 18-331274. This will be deposited into line item number 615-7914. Check has been forwarded to the auditor for further processing.
- c. CHECK APPROVED from Montgomery County Committee on Aging Inc. in the amount of \$263.35 for the purchase of fuel. 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 8H1-3

H1. PRECINCT 2

- a. FINAL PLAT APPROVED of Country Place Acres Replat No. 1; 6.974 acres; Leander Westcott Survey, A-618.
- b. FINAL PLAT APPROVED of Ridgewood Subdivision Replat No. 1; 5.00 acres; John Dorsey Survey, A-169.
- c. FINAL PLAT APPROVED of Kasper and Rigby Veterinary Associates; 4.024 acres; Joseph Miller Survey, A-27.
- d. FINAL PLAT APPROVED of Fosters Ridge, Section 4 Partial Replat No. 1; 1.0725 acres; James Hodge Survey, A-19.

H2. PRECINCT 3

- a. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Forest Village, Section 10.
- b. FINAL PLAT APPROVED of Waterbend Cove Street Dedication; 1.356 acres; Montgomery County School Land Survey, A-350.

H3. PRECINCT 4

- a. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Harpers School Road and bond is released.

HUMAN RESOURCES – AGENDA ITEM 811

II. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of 284<sup>th</sup> District Court to increase salary of Laurie Watson, Court Coordinator I, due to job re-evaluation, effective February 9, 2019.

Request of 435<sup>th</sup> District Court to place Tavis Jacks, Court Reporter, on payroll as replacement for Marion Grey Cheney, effective January 28, 2019.

Request of 435<sup>th</sup> District Court to increase salary of Christopher Rivera, Court Coordinator 1, due to incentive increase, effective January 29, 2019.

Request of Animal Shelter to place Cheyenne Figge, Clerk III, on unpaid FMLA/Disability Leave, effective January 24, 2019.

Request of Animal Shelter to place Samantha Root, Clinic/Vet Technician, on payroll as replacement for Ashlee Hynes, effective February 8, 2019.

Request of Custodial to place Orlando Jair Funez Ruiz, Custodian, on payroll as replacement for Darla McBee, effective February 4, 2019.

Request of County Court at Law 2 to place Randi Easterling, Coordinator-Probate, on payroll, effective January 14, 2019.

Request of Commissioner Precinct 2 to discharge Leland Muehr, Operator I, effective January 31, 2019. [22.64 hours or balance vacation]

Request of Commissioner Precinct 2 to place William Bankhead, Operator I, on payroll as replacement for Thomas Nagy, effective January 29, 2019.

Request of Commissioner Precinct 4 to place Philip Goines, Operator I, on payroll as replacement for Nelson Haley, effective February 6, 2019.

Request of Commissioner Precinct 4 to place Richard Hruzek, Operator II, on payroll as replacement for Tamon Nesbitt, effective February 5, 2019.

Request of Commissioner Precinct 4 to place Kenneth Kobobel, Operator II, on payroll as replacement for Billy Kelly, effective February 5, 2019.

Request of Constable Precinct 1 to increase salary of Eric Cisneros, Deputy Constable, due to step increase, effective January 29, 2019.

Request of Constable Precinct 2 to promote Charles Michael White, Chief Deputy Constable, as replacement for Charles Roper, effective February 16, 2019.

Request of Constable Precinct 3 to place Dustin Cole, Deputy Constable, on payroll as replacement for Perry Midyett, effective January 26, 2019.

Request of Constable Precinct 3 to promote Brad Kennelly, Corporal Constable, as replacement for Jarod Tunstall, effective January 26, 2019.

Request of Constable Precinct 3 to transfer Colin Pritz, Deputy Constable, as replacement for Brad Kennelly, effective January 26, 2019.

Request of Constable Precinct 3 to correct longevity pay for Daniel Zientek, Captain Constable, effective January 26, 2019.

Request of Constable Precinct 3 to accept the resignation of David William Swetnam, Deputy Constable, effective February 4, 2019. [191.86 hours or balance vacation; 137.88 hours or balance compensatory time; 28.00 hours or balance holiday]

Request of County Auditor to accept the resignation of Margaret Powers, General Ledger Assnt, effective January 22, 2019. [78.985 hours or balance vacation]

Request of County Clerk to place Alyssa E. Drake, Court Clerk II, on payroll as replacement for Cathy Ansley, effective February 6, 2019.

Request of County Clerk to transfer Marshall R. Shirley, Clerk IV, as replacement for Melisa Miller, effective February 12, 2019.

Request of District Attorney to promote Nathan Wesley Alsbrooks, Attorney II, as replacement for Anthony R. Franklyn, effective February 4, 2019.

Request of County Attorney to accept the resignation of Scott Davis, Investigator II, effective January 30, 2019. [No benefits due]

Request of District Attorney to change position of Taylor S. Edwards-Vanegas, Attorney I, as replacement for Nathan Wesley Alsbrooks, effective February 4, 2019.

Request of District Attorney to place Leah Martine Fiedler, Attorney I, on payroll as replacement for Taylor S. Edwards-Vanegas, effective March 4, 2019.

Request of District Attorney to correct PCRF of Raphael M. Ortega Jr., Attorney I, to add "Jr.", effective January 23, 2019.

Request of District Clerk to promote Kathleen Foote, Court Clerk IV, effective February 12, 2019.

Request of Elections to accept the resignation of Nathan Dean Hipkins, Voter Clerk, effective January 31, 2019. [No benefits due]

Request of Elections to accept the resignation of Laverne Yvonne Lawson, Voter Clerk, effective January 23, 2019. [No benefits due]

Request of Elections to accept the resignation of Jo Anne Littleton, Voter Clerk, effective January 18, 2019. [No benefits due]

Request of Forensic Services to place Tamara Ciaciura, Medicolegal Death Investigator I, on payroll, effective February 19, 2019.

Request of Justice of the Peace Precinct 1 to place Sheila Dodson, Court Clerk II, on unpaid FMLA/disability leave, effective February 12, 2019.

Request of Justice of the Peace Precinct 2 to place Meghan Pierron, Court Clerk II, on payroll as replacement for Adriana Rebollar, effective February 6, 2019.

Request of Justice of the Peace Precinct 2 to promote Adriana Rebollar, Court Clerk II, as replacement for Monique Parsons, effective February 6, 2019.

Request of Justice of the Peace Precinct 4 to promote Victoria Thornton, Administrative Assistant I, as replacement for Jerry Hayden, effective January 26, 2019.

Request of Juvenile to place Kathleen Marie Appelbaum, Juvenile Supervision Officer Substitute, on payroll, effective January 30, 2019.

Request of Juvenile to place Earnest Charles Carrington III, Juvenile Supervision Officer Substitute, on payroll, effective January 30, 2019.

Request of Juvenile to place Byron Elvis Mitchell Jr., Juvenile Supervision Officer Substitute, on payroll, effective January 30, 2019.

Request of Juvenile to place Kimberly Renae Ramirez, Juvenile Supervision Officer Substitute, on payroll, effective January 30, 2019.

Request of Juvenile to place Mark Joseph Spence, Juvenile Supervision Officer Substitute, on payroll, effective January 30, 2019.

Request of Juvenile to place Lillian Kamrhea Sullivan, Juvenile Supervision Officer Substitute, on payroll, effective January 30, 2019.

Request of Library to place Myra Anne Emmons, Librarian III, on payroll as replacement for Paul Lothman, effective February 5, 2019.

Request of Library to place Deborah E. Jackson, Shelving Clerk I, on payroll as replacement for Alicia Cuevas, effective February 12, 2019.

Request of Library to place Sabrina Martin, Shelving Clerk I, on payroll as replacement for Patricia Robson, effective February 12, 2019.

Request of Library to place Rachel Snoe, Shelving Clerk I, on payroll as replacement for Kelly Gallo, effective February 5, 2019.

Request of Risk Management to place Michael Howard, Assistant Director-Risk Management, on payroll as replacement for Tara Castaneda, effective January 28, 2019.

Request of Sheriff to increase salary of Brian Christopher Aguilar, Deputy-Patrol, due to step increase, effective January 26, 2019.

Request of Sheriff to place Bobby Dean Baker III, Officer Civilian Deten, on payroll, as replacement for Kaylee Michaela Castanon, effective February 9, 2019.

Request of Sheriff to place Benjamin Ballard, Officer Civilian Deten, on payroll as replacement for David B. Sallee Jr., effective January 26, 2019.

Request of Sheriff to discharge Glenda Diane Baskett, Dispatcher, effective January 28, 2019. [13.72 hours or balance vacation; 6.38 hours or balance compensatory time; 8.75 hours or balance holiday]

Request of Sheriff to increase salary of David Joseph Borchardt, Sergeant, due to step increase, effective February 9, 2019.

Request of Sheriff to place Stacy Cieslewicz, Officer Civilian Deten, on payroll as replacement for Joshua G. Averitt, effective January 26, 2019.

Request of Sheriff to transfer Clinton Edward Clifton, Deputy Bailiff, as replacement for Jennifer M. Horvath, effective February 2, 2019.

Request of Sheriff to increase salary of Steven Cranston, Deputy Patrol, due to step increase, effective January 26, 2019.

Request of Sheriff to place Mallory Curtner, Officer Civilian Deten, on payroll as replacement for Mike Mock, effective February 9, 2019.

Request of Sheriff to transfer Jacob J. Eisenmenger, Deputy, as replacement for George Franklin V, effective January 26, 2019.

Request of Sheriff to accept the resignation of Brandon J. Evans, Deputy, effective February 3, 2019. [196.70 hours or balance vacation; 268.88 hours or balance compensatory time; 48.00 hours or balance holiday]

Request of Sheriff to increase the salary of Michael Darrell Evans, Sergeant Patrol, due to step increase, effective February 9, 2019.

Request of Sheriff to transfer Craig William Favorat, Corporal, as replacement for Errett C. Leck, effective January 26, 2019.

Request of Sheriff to transfer Vindell Marvin Freaney, Deputy Patrol, as replacement for Robert E. Layman Jr., effective January 26, 2019.

Request of Sheriff to increase salary of Gary Alan Fruge Jr., Deputy, due to step increase, effective February 9, 2019.

Request of Sheriff to increase salary of Jeffrey Herman, Detective, due to step increase, effective February 9, 2019.

Request of Sheriff to increase salary of David L. Holden, Investigator Cr Scene, due to step increase, effective January 26, 2019.

Request of Sheriff to increase salary of Michael Ray Jones, Deputy-Bailiff, due to step increase, effective February 9, 2019.

Request of Sheriff to increase salary of Kyle Thomas Koonce, Detective, due to step increase, effective January 26, 2019.

Request of Sheriff to transfer Robert E. Layman Jr., Deputy, as replacement for Bryan Douglas Mittag, effective January 26, 2019.

Request of Sheriff to transfer Randy G. Lewis, Deputy Bailiff, as replacement for Billy H. Stover, effective February 2, 2019.

Request of Sheriff to increase salary of Paul A. Lopez-Carpenter, Deputy, due to step increase, effective January 26, 2019.

Request of Sheriff to place Jason Neal II, Officer Civilian Deten, on payroll as replacement for Tyler R. Shanahan, effective January 26, 2019.

Request of Sheriff to increase salary of Elvinas Polatovas, Deputy Detention, due to step increase, effective January 26, 2019.

Request of Sheriff to place Michael Quiser, Officer Civilian Deten, on payroll as replacement for Desiree A. Pleasant, effective January 26, 2019.

Request of Sheriff to place Forrest Richardson, Dispatcher, on payroll as replacement for Caleb J. Brand, effective January 26, 2019.

Request of Sheriff to increase salary of Charles Rivette, Deputy Detention, due to step increase, effective January 26, 2019.

Request of Sheriff to place Christopher Rogers, Officer Civilian Deten, on payroll as replacement for Norma Porter, effective February 9, 2019.

Request of Sheriff to increase salary of Randall Scott Salazar, Deputy Patrol, due to step increase, effective January 26, 2019.

Request of Sheriff to increase salary of James E. Sprayberry, Deputy Patrol, due to step increase, effective February 9, 2019.

Request of Sheriff to place Jennifer Rose Stringer, Dispatcher, on unpaid FMLA/Disability Leave, effective January 23, 2019.

Request of Sheriff to place Hayden Valenzuela, Officer Civilian Deten, on payroll as replacement for Jacoby D. Limbrick, effective February 9, 2019.

Request of Sheriff to place Landon White, Officer Civilian Deten, on payroll as replacement for Colin Edward Pritz, effective February 9, 2019.

Request of Sheriff to promote Michael Christopher Lyn Yow, Detective, as replacement for Craig William Favorat, effective January 26, 2019.

Request of Tax Assessor Collector to accept resignation of Cassie Hill, Deputy Specialist I, effective February 1, 2019. [56.68 hours or balance vacation; 0.01 hours or balance compensatory time]

Request of Traffic Operations to adjust salary of Paul D. Lightfoot, Signal Technician I, due to equity adjustment, effective January 26, 2019.

#### ENVIRONMENTAL HEALTH – AGENDA ITEMS 8J1-3

- J1. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 20177 Ranch Estates Drive, New Caney, TX 77357. Oak Grove Lot 128.
- J2. REQUEST APPROVED for the Order 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 the property located at 10709 E. Hammon Montgomery, TX 77316.
- J3. REQUEST APPROVED for the Order 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 the property located at 31434 Ashlyn Timbers Ct., Magnolia, Texas 77355.

#### SHERIFF – AGENDA ITEM 8K1-2

- K1. ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCES FY 2019 AGREEMENT, SI-SW-010-18 NATIONAL GANG SI, APPROVED between the Department of Homeland Security and the Montgomery County Sheriff's Office. The \$60,000 overtime agreement is for FY2019 and associated benefits, will be funded by 5601.75985.
- K2. TOWER LICENSE AGREEMENT APPROVED between Montgomery County and American Towers, LLC for the lease of a communications tower facility located at 8696 Longmire Road, Conroe, Texas 77304, and order authorizing Sheriff Rand Henderson to execute the license agreement.

#### COUNTY ATTORNEY – REAL PROPERTY - AGENDA ITEMS 8L1-4

- L1. PRECINCT 1
  - a. ORDER APPROVED authorizing payment of Special Commissioners Fees in Cause No. 18-08-11313 for Parcel 82 of the FM 1097 Project.

- b. ORDER APPROVED authorizing payment of Special Commissioners Fees in Cause No. 18-09-11828 for Parcel 79 of the FM 1097 Project.

L2. PRECINCT 2

- a. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 5-Mansions Way Road Project from Darwin Reid Herring and Kay Marie Herring for the total sum of \$3,327.25 and to accept the executed or to be executed deed.
- b. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 6-Mansions Way Road Project from Brian P. Ellis and Nora Louise Ellis for the total sum of \$203,479.25 and to accept the executed or to be executed deed.

L3. PRECINCT 3

- a. AGREEMENT APPROVED authorizing placement of improvements within right-of-way between Montgomery County and The Woodlands Land Development Company, L.P. for replacement and additional monument sign on Research Forest Dr. and Grogans Mill Rd near Metro Center 47.

L4. PRECINCT 4

- a. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 25 for the widening of Old Houston Road from Imelda Fernandez and Mosesto Mora for the total sum of \$25,506.40 and to accept the executed or to be executed deed.
- b. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 29 for the widening of Sorters Road from Brenda Ceal Farhi for the total sum of \$9,819.75 and to accept the executed or to be executed deed.
- c. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 33 for the widening of Sorters Road from Larry C. Beckler Jr. and Irma P. Beckler for the total sum of \$31,771.96 and to accept the executed or to be executed deed.
- d. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 42 for the widening of Sorters Road from JB & JB Properties, LLC for the total sum of \$7,766.50 and to accept the executed or to be executed deed.
- e. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 73 for the widening of Sorters Road from Heyber F. Sanabria for the total sum of \$1,675.20 and to accept the executed or to be executed deed.
- f. ORDER APPROVED authorizing Notice of Public Hearing on March 19, 2019 for the partial revision to subdivision lots/plats being described as a portion of Restricted Reserve "A", Block 1, Rolling Hill Estates to be known as Frog Retreat Section 1.

COUNTY ATTORNEY – AGENDA ITEMS 8M1-2

- M1. RESOLUTION AND ORDER APPROVED to agree and accept the terms and conditions of the settlement agreement between Montgomery County and James Hinkel regarding file number PY2018-012788-A. The County Judge is authorized to sign the agreement on behalf of Montgomery County.

- M2. RESOLUTION AND ORDER APPROVED supporting the need for the Montgomery County Attorney to defend on behalf of Montgomery County the lawsuit filed under Cause No. 4:19-cv-337 and styled Mark E. Johnston vs. Nicole Czajkoski, et al. 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.

COUNTY ATTORNEY – MENTAL HEALTH TREATMENT FACILITY – AGENDA ITEMS 8N1-3

- N1. QUARTERLY MINUTES ACCEPTED of the September 26, 2018 Montgomery County Mental Health Treatment Facility (MCMHTF) Advisory Board Meeting.
- N2. MONTHLY PERFORMANCE IMPROVEMENT REPORT ACCEPTED for December 2018 as recommended by the Montgomery County Mental Health Treatment Facility (MCMHTF) Advisory Board.
- N3. MANAGEMENT PLAN ACCEPTED for Fiscal Year 2019 Scope of Services Plan as recommended by the Montgomery County Mental Health Treatment Facility (MCMHTF) Advisory Board.

DISTRICT CLERK – AGENDA ITEM 8O1-2

- O1. DISTRICT CLERK'S 2019 DEPUTATIONS ACKNOWLEDGED for 62 deputy clerks.
- O2. DISTRICT CLERK'S DECLARATION OF COMPLIANCE AND RECORDS MANAGEMENT POLICY STATEMENT ACKNOWLEDGED designating Melisa Miller as the Official Records Management Officer for the District Clerk's Office.

AIRPORT – AGENDA ITEMS 8P1-2

- P1. PARTIAL ASSIGNMENT OF LAND LEASE WITH CONSENT OF LESSOR APPROVED from HBD Hangers, LLC to James S. Morrical and Jane M. Morrical for .038 acres of land and Hanger 2, Building B at the Conroe-North Houston Regional Airport.
- P2. PARTIAL ASSIGNMENT OF LAND LEASE WITH CONSENT OF LESSOR APPROVED from HBD Hangers, LLC to Regina Wheeler and Ricky Lee Brown for .073 acres of land and Hanger 3, Building A at the Conroe-North Houston Regional Airport.

GRANTS – AGENDA ITEM 8Q1

- Q1. 2016 FLOOD INFRASTRUCTURE GRANT APPLICATION BUDGET INCREASE APPROVED to the General Land Office to reflect the amount of \$3,047,804.00. County Judge is authorized to sign form. This application was previously approved in Commissioners Court on 03/27/18.

OFFICE OF COURT ADMINISTRATION – AGENDA ITEM 8R1

- R1. REQUEST APPROVED for the use of the District/County Court Technology Fund in the amount of \$969.72. These funds will be used to purchase iPad tablets for Indigent Defense screening process.

ELECTIONS – AGENDA ITEM 8S1

- S1. EARLY VOTING POLLING LOCATIONS AND TIMES APPROVED for the May 4, 2019 Joint Election.

Motion carried.

#### **END OF CONSENT AGENDA**

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4. APPOINTMENTS APPROVED – TRANSPORTATION POLICY COUNCIL –  
COUNTY JUDGE

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the appointment of a member of Commissioners Court as the primary voting member and the alternate voting member to the Transportation Policy Council for the Houston-Galveston Area Council representing Montgomery County for the term ending December 31, 2019 as follows:

- a. Appoint Commissioner Charlie Riley as the primary voting member, and
- b. Appoint County Judge Mark J. Keough as the alternate voting member.

Motion carried.

AGENDA ITEM 11D – GORDY BUNCH, CHAIRMAN OF THE WOODLANDS TOWNSHIP BOARD OF DIRECTORS, GAVE A PRESENTATION CONCERNING THE POTENTIAL INCORPORATION OF THE WOODLANDS AND RELATED ISSUES.

THE MEMBERS OF COMMISSIONERS COURT ASKED MANY QUESTIONS CONCERNING THE PRESENTATION.

COMMISSIONER NOACK SUGGESTED HOLDING A WORKSHOP IN SOUTH COUNTY SO THE WOODLANDS RESIDENTS WOULD BE IN ATTENDANCE TO ASK AND HEAR ANSWERS TO THE QUESTIONS.

COMMISSIONER MEADOR QUESTIONED IF THE COUNTY COULD PROVIDE THE SERVICES REQUESTED DURING THE PROCESS AND ASKED IF IT WOULD SET A PRECEDENT.

COMMISSIONER RILEY ASKED TO HAVE THE STUDIES SENT TO HIM.

THE COMMISSIONERS DISCUSSED THE CONCRETE ROADS IN THE WOODLANDS.

JUDGE KEOUGH STATED THAT THERE WERE ISSUES IN TREATING THIS LIKE ANY OTHER CITY. THE WOODLANDS WAS UNIQUE IN ITS GROWTH AND THE SIZE OF THE TOWNSHIP. HE STATED THAT THE COURT WOULD DISCUSS SOME OF THE ISSUES DURING EXECUTIVE SESSION.

COMMISSIONER MEADOR LEFT THE COURTROOM DURING THE PRESENTATION, BUT RETURNED BEFORE IT WAS COMPLETED.

GORDY BUNCH DISCUSSED STUDIES AND TRANSITION PLANS.

COMMISSIONER NOACK ASKED THE CHAIRMAN TO ALLOW THE WOODLANDS TO MOVE FORWARD IN THEIR PLANS AND LEAVE THE COUNTY OUT OF IT AND THEN COME UP WITH THE COST OF INCORPORATION WITHOUT THE COUNTY'S INVOLVEMENT.

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

#### **CITIZENS – AGENDA ITEM 10**

Amy Hamrick addressed the court over the incorporation of The Woodlands. She would like there to be more transparency and questioned why the studies conducted are different.

Jennifer Baca also addressed the court over the incorporation of The Woodlands. She wanted assurance that it would not increase taxes, asked about political motivations, and questioned the use of fear tactics. She does not want the community to change.

5. RESOLUTION APPROVED – NEW DISTRICT COURT – OFFICE OF COURT ADMINISTRATION

Motion by Commissioner Noack, seconded by Commissioner Meador, to support the creation of a new District Court for Montgomery County, Texas in the 86<sup>th</sup> Legislature. Motion carried.

AGENDA ITEM 11A – LARRY FOERSTER, CHAIRMAN OF THE MONTGOMERY COUNTY HISTORICAL COMMISSION, PRESENTED THE 2018 MONTGOMERY COUNTY HISTORICAL COMMISSION ANNUAL REPORT.

6. REQUEST APPROVED – POSITION CLOSURES – COUNTY JUDGE

Motion by Commissioner Noack, seconded by Judge Keough, to approve the closure of positions that have been vacant over 90 days as of January 25, 2019, as per memo on file. The IT AV Sys Support position, Animal Control Officer Supervisor position, and Treasurer Deputy Treasurer position on the list will remain open. Commissioner Meador voted "No". Motion carried.

AGENDA ITEM 11C – CONSIDER AND DISCUSS A PRESENTATION FROM BGE WAS REMOVED.

7. REQUEST APPROVED – POSITION CHANGES – JUSTICE OF THE PEACE PRECINCT 4

Motion by Commissioner Metts, seconded by Commissioner Noack, to approve closing positions 458-3972-2, 458-3972-5, and 458-4132-1 and opening positions 458-3990-3, 458-3995-3, and 458-3995-4. Increase salary for position 458-3972-1 by \$1,366.15, to be funded from variance in position 458-4132-1, annualized salary for 458-3972-1 to be \$33,000.00. Move all funds from position 458-3972-5 to position 458-3990-3, move \$1,000 plus benefits from position 458-4132-1 to position 458-3990-3, annualized salary for 458-3990-3 to be \$33,079.76. Move all funds from position 458-3972-2 to position 458-3995-3, move variance of \$3,456.71 plus benefits from position 458-3990-2 to position 458-3995-3, move variance of \$4,002.85 plus benefits from position 458-4132-1 to 458-3995-3, move variance of \$4,800.00 plus benefits from holding account 458-9997-9 to position 459-3995-3, annualized salary to be \$44,581.00. Increase salary for position 458-3995-2 by \$1,276.99, to be funded from variance in position 458-4132-1, annualized salary will be 42,140.18. Move remaining funds of \$36,419.97 plus benefits from position 458-4132-1 to position 458-3995-4, annualized salary for position 458-3995-4 to be \$36,419.97 no additional funding needed. No additional budget dollars are needed for the reorganization. Motion carried.

8. REQUEST APPROVED – POSITION CHANGES – INFORMATION TECHNOLOGY  
REQUEST APPROVED – POSITION CHANGES – INFORMATION TECHNOLOGY

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve closing positions 6147-6904-1, Traffic Operations Manager, 503-8950-1, Assistant Director-IT, and 503-9505-1, Director of IT and open positions 6147-9542-1, Director-IT Traffic Operations and 503-9541-1, Director-IT Operations. The annualized salary for 6147-9542-1 will be \$128,000.08 and annualized salary for 503-9541-1 will be \$128,000.08. All salary and benefits will be transferred from position 6147-6904-1 to position 6147-9542-1 with an additional \$13,273.91 in salaries and benefits needed for the remainder of the fiscal year, to be funded out of position 503-9505-1. All salary and benefits will be transferred from position 503-8950-1 to position 503-9541-1 with an additional \$11,993.77 in salaries and benefits needed for the remainder of the fiscal year, to be

funded out of position 503-9505-1. A total of \$92,516.11 of salary and benefits will be transferred from closed position to operating account 695-7695. Additionally, close position 503-5530-1, AV System Support Engineer, and open position 503-5511-8, Operations Specialist III, and position 503-5416-1, Law Enforcement Technician III. The annualized salary for 503-5511-8 will be \$48,080 and annualized salary for 503-5416-1 will be \$48,080. Transfer \$44,441.36 in salaries and benefits from position 503-5530-1 to position 503-5511-8 for the remainder of the fiscal year. Transfer \$44,441.36 in salaries and benefits from position 503-5530-1 to position 503-5416-1 for the remainder of the fiscal year. No additional funds outside of the IT salaries and benefits budget are needed for the remainder of the year. Motion carried.

9. REQUEST APPROVED – POSITION CHANGES – DISTRICT CLERK

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve closing positions 450-3972-10, Court Clerk II, and 450-4030-500, Part-time Clerk, and opening position 450-8038-1, Chief Deputy- District Clerk. Annualized salary will be \$67,312. Transfer all salary and benefits from 450-3972-10 and 450-4030-500 to the new 450-8038-1 position, totaling \$54,102.08 with an additional \$1,002.16 to be transferred from a partial variance from 450-3995-8. No new funds are being requested. Motion carried.

10. REQUEST APPROVED – PAYOUT – CONSTABLE PRECINCT 5

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the payout for retired employee previously in position 5551-7815-1, Captain, in the amount of \$17,561.23 plus benefits, for a total of \$21,059.43. Payout will be partially funded by vacancy savings from Q1 of \$4,816.05, and YTD Q2 vacancy savings of \$9,498.78, an additional \$6,744.60 will be funded with Contingency with an effective date of February 23, 2019. Judge Keough voted “No”. Motion carried.

AGENDA ITEM 16A – CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED TAX ABATEMENT WAS DEFERRED.

11. REQUEST APPROVED – ELECTRONIC SIGNATURE – ELECTIONS

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the conversion of the signature of County Judge Mark Keough to digital form and approve the use of that electronic signature on election documents. Motion carried.

12. ORDER APPROVED – POLLING LOCATIONS – ELECTIONS

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the change to Montgomery County Precinct 41 polling location from Splendora Junior High to the Splendora Independent School District Administration Building. Motion carried.

13. PAYMENT OF ACCOUNTS APPROVED – COUNTY AUDITOR

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve the Payment of Accounts. Motion carried.

14. AWARD APPROVED – PROJECT #19-07 – VARIOUS DEPARTMENTS

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve the award for Project #19-07 RFP Vending Machine Services to Hometown Vending Services for Various Departments. Motion carried.

15. AWARD APPROVED – PROJECT #19-10 – SHERIFF’S OFFICE

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the award for Project #19-10 RFP Prisoner Extradition Services to USC Internal Merger Co LLC dba US Corrections LLC for Sheriff’s Office. Motion carried.

16. REQUEST APPROVED – PERMISSION TO NEGOTIATE – PURCHASING

Motion by Commissioner Noack, seconded by Commissioner Meador to approve the permission to negotiate with the highly qualified vendor per Government Code Chapter 2254 for County Facilities Master Plan from PGAL, Inc. Commissioner Noack added that Judge Keough head up the Facilities Master Plan Project for Montgomery County. Motion carried.

17. REQUEST APPROVED – PERMISSION TO NEGOTIATE – PURCHASING

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the permission to negotiate with the highest evaluated vendor for Project #19-08 RFP Property, Casualty, and Workers' Compensation Third Party Administration Services to AS&G for Risk Management. Motion carried.

18. GRANT APPLICATION APPROVED – DOMESTIC VIOLENCE INVESTIGATOR – GRANTS

GRANT APPLICATION APPROVED – CHILD VICTIM COORDINATOR– GRANTS

GRANT APPLICATION APPROVED – CHILD SEX TRAFFICKING SOCIAL WORKER– GRANTS

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

- a. Fiscal Year 2020 Domestic Violence Investigator grant application and resolution to the Governors Office of Texas in the amount of \$75,277.03, with a match of \$30,875.89 from the District Attorney's Office Fiscal Year 2020 budget
- b. Fiscal Year 2020 Child Victim Coordinator grant application and resolution to the Governor's Office of Texas in the amount of \$163,766.20, with a match of \$42,000 from the District Attorney's Fiscal Year 2020 budget.
- c. Fiscal Year 2020 Child Sex Trafficking Social Worker grant application and resolution to the Governor's Office of Texas in the amount of \$91,174.36, no match required.

Rebecca Ansley is the authorized official for these grants. Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 21A1: Consider and approve establishing a 55 mph speed limit on Jackson Road.

AGENDA ITEM 21B1: Consider and approve establishing a 20 mph speed limit in the Decker Oaks Estates, Section 4 Subdivision.

AGENDA ITEM 21B2: Consider the partial revision 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 21C1: Consider and approve changing the name of Mid Lane to Midlane Street in the Eastwood Subdivision Section 1.

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

19. REQUEST APPROVED – JACKSON ROAD – PRECINCTS 1 & 2

REQUEST APPROVED –DECKER OAKS ESTATES SECTION 4–  
PRECINCT 2

FINAL PLAT APPROVED – THE MEADOWS AT JACOBS RESERVE  
SECTION 6 PARTIAL REPLAT NO. 1 – PRECINCT 2

REQUEST APPROVED – STREET NAME CHANGE – PRECINCT 4

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the following items discussed during the public hearing:

- a. Speed limit of 55mph established on Jackson Road.
- b. Speed limit of 20 mph established in the Decker Oaks Estates, Section 4 subdivision
- c. Final Plat approved of The Meadows at Jacobs Reserve, Section 6 Partial Replat No. 1; 3.8719 acres; James Hodge Survey, A-19
- d. Request approved to change the name of Mid Lane to Midlane Street in the Eastwood Subdivision Section 1.

Motion carried.

20. RESOLUTION APPROVED – PROPERTY TAX REFORM AND RELIEF –  
COMMISSIONER PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the resolution supporting efforts by the Texas Legislature to pass the Property Tax Reform and Relief Act of 2019. Motion carried.

21. MEMBERSHIP CANCELLED – THE CONFERENCE OF URBAN  
COUNTIES – COMMISSIONER PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the cancellation of Montgomery County's membership to The Conference of Urban Counties. This will save the county the yearly dues in the amount of \$17,723. Motion carried.

22. PAYROLL CHANGE REQUEST FORMS APPROVED – HUMAN RESOURCES

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

Request of District Clerk to promote Bobbye Miller, Office Supervisor I, as replacement for Kelsey Padgett, effective February 12, 2019.

Request of District Clerk to promote Kelsey Padgett, Chief Deputy, effective February 12, 2019.

Request of Information Technology to promote Robert Vaughn Powell Jr., Director IT Operations, effective February 12, 2019.

Request of Justice of the Peace Precinct 4 to promote Gina Comeaux, Court Clerk III, as replacement for Kimberly Jessup, effective February 12, 2019.

Request of Justice of the Peace Precinct 4 to increase salary of Syble Eaves, due to job re-evaluation, effective February 12, 2019.

Request of Justice of the Peace Precinct 4 to increase salary of Dora Garcia, Court Clerk IV, due to job re-evaluation, effective February 12, 2019.

Request of Justice of the Peace Precinct 4 to promote Kimberly Jessup, Court Clerk IV, effective February 12, 2019.

Request of Justice of the Peace Precinct 4 to promote Joy Smith, Court Clerk III, effective February 12, 2019.

Request of Traffic Operations to promote Charles Wayne Cobb, Director-IT Traffic Ops, effective February 12, 2019.

**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 and 551.072.**

EXECUTIVE SESSION – AGENDA ITEM 25A: Consultation with County Attorney regarding potential liability associated with salary structure plans.

EXECUTIVE SESSION – AGENDA ITEM 25B: Consultation with County Attorney regarding legal issues and limitations of a transition of governmental services in the event of incorporation of The Woodlands Township.

**COMMISSIONERS COURT RECONVENED WITH ALL MEMBERS PRESENT.**

NO ACTION NECESSARY ON THE ITEMS DISCUSSED DURING EXECUTIVE SESSION.

CITIZENS – AGENDA ITEM 27

Dave Smith addressed the court concerning the Transportation Policy Council. He stated that Commissioner Riley only attended 3 meetings according the minutes of the Transportation Policy Council. He does not feel Commissioner Riley deserves reappointment. He also stated that he did see where the Commissioners have any say on who gets appointed. He stated the CEO of the County is the one who appoints the members.

Mike Bass addressed the court concerning the current study on The Woodlands incorporation. He said he was actively watching and stated that there is no way to know if the decisions made by the current board will have the support from future boards or courts.

Eric Yollick presented a golden hammer to Commissioner Riley, Commissioner Noack, and Commissioner Meador concerning their vote to spend \$200,000 on flood mitigation study with SJRA. He also addressed a statement made by the SJRA concerning the dam and the amount of unencumbered funds SJRA has on hand. He would like the court to refrain from spending any more money on something that SJRA has the money and statutory duty to do.

MISCELLANEOUS – AGENDA ITEM 28 – NO OTHER ITEMS LISTED

23. COURT ADJOURNS

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

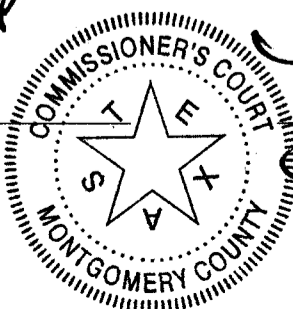
The above and foregoing minutes were read and approved by the Court.

ATTEST:

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

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

COUNTY CLERK



COUNTY JUDGE