

COMMISSIONERS COURT DOCKET
April 9, 2019
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 9th day of April, 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	Beverley Hinds

INVOCATION GIVEN BY Ginger Russell

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. PROCLAMATION APPROVED – SHERIFF'S OFFICE CRIME LAB

Motion by Commissioner Meador, seconded by Commissioner Riley, to recognize the Montgomery County Sheriff's Crime Lab for their accreditation by the American National Standards Institute-National Accreditation Board (ANAB). Motion carried.

3. PROCLAMATION APPROVED – SHERIFF'S OFFICE COMMUNICATION DIVISION

Motion by Commissioner Noack, seconded by Commissioner Riley, to proclaim that the week of April 14-20, 2019 is hereby declared Montgomery County Telecommunicators Week. Motion carried.

4. PROCLAMATION APPROVED – NATIONAL CRIME VICTIMS’ RIGHTS

Motion by Commissioner Noack, seconded by Commissioner Meador, to proclaim the week of April 7-13, 2019 as Crime Victims’ Rights Week. Motion carried.

5. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the Minutes from Regular Session of Commissioners Court dated March 19, 2019 and March 26, 2019. Motion carried.

AGENDA ITEM 9B5 WAS MOVED TO THE OPEN SESSION. SEE MOTION 7 FOR COURT ACTION.

AGENDA ITEM 9D5a WAS DEFERRED.

AGENDA ITEM 9G1 #15 WAS DEFERRED.

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

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. REPORT ACCEPTED that complies with Local Government Code Section 114.024.
- A2. FINAL ARBITRAGE REBATE ANALYSIS ACCEPTED for the following:
 - a. Montgomery County, Texas Unlimited Tax Adjustable Rate Road Bonds, Series 2006B
 - b. Montgomery County, Texas Unlimited Tax Adjustable Rate Road Bonds, Series 2008B
 - c. Montgomery County, Texas Unlimited Tax Refunding Bonds, Series 2010
 - d. Montgomery County, Texas Pass-Through Toll Revenue and Limited Tax Bonds, Series 2010
- A3. COMPLETED AUDITS ACCEPTED for the Sheriff’s Office Jail Commissary Audit FY 2018.

BUDGET OFFICE – AGENDA ITEMS 9B1-6

- B1. TRANSFER, ADJUSTMENTS, AND AMENDMENTS APPROVED AND AUTHORIZED for Special Revenue Departments.
- B2. LINE ITEM TRANSFERS AND ADJUSTMENTS APPROVED AND AUTHORIZED for FY2019 budget according to budget policy.
- B3. PREVIOUS ACTIONS TAKEN MEMORIALIZED on changes to the Fiscal Year 2019 in prior Commissioners Court meetings.
- B4. ADJUSTMENTS AND AMENDMENTS APPROVED AND AUTHORIZED for grant departments.
- B5. AGENDA ITEM 9B5 WAS MOVED TO THE OPEN SESSION. SEE MOTION 7 FOR COURT ACTION.
- B6. BUDGET CALENDAR APPROVED for FY 2020 Budget preparation.

TREASURER – AGENDA ITEMS 9C1-3

- C1. DEPUTATION APPROVED of the following County Treasurer employee:
 - a. Brittany Vinson
- C2. LETTER OF CREDIT ACCEPTED from Federal Home Loan Bank of Dallas on behalf of Woodforest National Bank in the amount of \$450,000,000 as approved by Commissioners Court on March 19, 2019.
- C3. RELEASE OF COLLATERAL REPORT ACCEPTED for 03/29/19.

PURCHASING – AGENDA ITEMS 9D1-6

- D1. RENEWAL OPTIONS APPROVED:
 - a. Project #18-37 Pavement Striping with Stripes & Stops Company, Inc. and Texas Lone Star Pavement Services dba Lone Star Pavement Services for Various Departments (Exercising the first of four renewal options).
 - b. Project #2014-0016 Collection of Urine Samples with Davis Investigation Services, LLC for Various Departments. (Exercising a 30-day extension)
 - c. Project #2017-0041 Security Guard Services with North Atlantic Security Company for Various Departments (Exercising the second of six renewal options).
 - d. Project #2015-0019 Cement Stabilized Sand with Cherry Crushed Concrete for Precinct #3 (Exercising the fourth of five renewal options).

- D2. REQUEST APPROVED to correct the referenced Local Gov't Code from Local Gov't Code §271.102 to Local Gov't Code §271.083(b) for police equipment and accessories with Axon Enterprise, Inc. through the Texas SmartBuy Contract #680-A1 previously approved in Commissioners Court on March 19, 2019.
- D3. DISCRETIONARY EXEMPTIONS APPROVED for Lease of Tower as an item to be obtained from only one source in the amount of \$400 per month from James G. Bergman for Sheriff's Office. Local Gov't Code §262.024(a)(7)(C).
- D4. UTILIZATION APPROVED of the following contracts: Public safety and firehouse supplies and equipment through the interlocal agreement with BuyBoard contract #524-17 from Precision Delta Corp for Various Departments. Local Gov't Code §271.102.
- D5. ADVERTISING APPROVED for the following:
 - a. AGENDA ITEM 9D5a WAS DEFERRED.
 - b. Project #19-36 Improvements to Peach Creek Plantation for Precinct 4.
- D6. CHANGE ORDERS APPROVED:
 - a. CO #1 to Angel Brothers Enterprises, LTD. for Project #18-49 Elan Boulevard Widening to add soil retention blankets and riprap in the amount of \$2,772.90 for Precinct 3.

COMMISSIONERS – AGENDA ITEMS 9E1-3

- E1. PRECINCT 1
 - a. USE AGREEMENT APPROVED with Montgomery Youth Sport Association to use the baseball fields at West Montgomery County Park through December 31, 2019.
- E2. PRECINCT 3
 - a. INTERLOCAL AGREEMENT APPROVED between Montgomery County and Harris County to complete a four lane concrete boulevard between Creekside Forest Drive and Gatewood Reserve Lane. Commissioner James Noack and County Attorney B.D. Griffin are authorized to execute any and all agreements necessary to effectuate the same.
 - b. REQUEST APPROVED to add Ronda Trow to the CDBG MCCD Advisory Committee to replace Paul Mendes.

E3. PRECINCT 4

- a. CHECK ACCEPTED from Montgomery County, Texas Clerk Court Fees in the amount of \$540.00 for restitution in Cause No. 18-331274. This check will be deposited into line item number 615-7914. Check has been forwarded to the Auditor for further processing.
- b. CHECK ACCEPTED from Montgomery County Committee on Aging, Inc. d/b/a Meals on Wheels in the amount of \$406.28 for the purchase of fuel. This check will be deposited into line item number 615-7926. Check has been forwarded to the Auditor for further processing.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9F1-3

F1. PRECINCT 2

- a. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in High Meadow Estates, Section 2 and bond is released.
- b. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in High Meadow Estates, Section 3 and bond is released.

F2. PRECINCT 3

- a. FINAL PLAT APPROVED for Northgrove, Section 12; 17.95 acres; James Brown Survey, A-78.

F3. PRECINCT 4

- a. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Ricewood Drive Street Dedication, Section 1 and bond is released.
- b. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Crockett Trace Estates, Section 4 and bond is released.
- c. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Crockett Trace Estates, Section 5 and bond is released.
- d. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Porters Mill, Section 2.

- e. FINAL PLAT APPROVED for Woodridge Village, Section 1; 27.145 acres; H.T. & B.R.R. Co Survey, A-282 and A-283; Thomas Foster Survey, A-718; Richard Williams Survey, A-660.
- f. FINAL PLAT APPROVED for River Oaks Estates, Section 1 Partial Replat No. 1; 6.021 acres; Mary Owens Survey, A-405.
- g. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Country Colony, Section 6.
- h. FINAL PLAT APPROVED for Crockett Trace Estates, Section 7; 48.201 acres; J.E. Lewis Survey, A-665 and Bennett Blake Survey, A-4.

HUMAN RESOURCES – AGENDA ITEM 9G1

G1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of Animal Shelter to accept the resignation of Sydney Daubendiek, Animal Care Technician, effective March 6, 2019. [No benefits due]

Request of Animal Shelter to place Alyssa Fanguy, Animal Care Technician, on payroll as replacement for Allison Hubbard, effective April 1, 2019.

Request of Animal Shelter to discharge Alexis Marie Jones Blacksher, Animal Care Technician, effective March 11, 2019. [No benefits due.]

Request of Animal Shelter to accept the resignation of Morgan Roe, Clerk III, effective April 12, 2019. [No benefits due.]

Request of Custodial to increase salary of Esmeralda Banuelos Avalos, Custodian, due to completion of probationary period, effective April 14, 2019.

Request of Custodial to place April Box, Custodian, on payroll as replacement for Elizabeth Martinez De Moreno, effective April 1, 2019.

Request of Custodial to increase salary of Marco Cantu Jr., Custodian, due to completion of probationary period, effective April 7, 2019.

Request of Custodial to promote Naomi Mateos, Custodian I, as replacement for Ludivina Mateos, effective April 1, 2019.

Request of Custodial to place Kaylynn Marie Sackberger, Custodian, on payroll as replacement for Tevin Williams, effective April 1, 2019.

Request of Custodial to promote Tevin Williams, Custodian II, as replacement for Selva Mendoza, effective April 1, 2019.

Request of Commissioner Precinct 3 to increase salary of Juan Correa, Operator I, due to completion of probationary period, effective March 26, 2019.

Request of Constable Precinct 1 (SJRA) to increase salary of Ashton Childers, Deputy, due to step increase, effective April 20, 2019.

Request of Constable Precinct 3 to place Kelby Diaz-Jackson, Deputy-Constable, on payroll as replacement for Brad Kennelly, effective March 23, 2019.

Request of County Clerk to increase salary of Tina D. Durrenberger, Clerk III, due to partial completion of probationary period, effective April 6, 2019.

PCR No. 15 was deferred.

Request of County Clerk to increase salary of Anna Sanchez, Clerk II, due to completion of probationary period, effective April 6, 2019.

Request of County Clerk to increase salary of Rebecca S. Templet, Court Clerk II, due to completion of probationary period, effective April 6, 2019.

Request of District Attorney to accept the resignation of Kristina Marie Pekkala, Attorney II, effective April 10, 2019. [74.96 hours or balance vacation; 8.00 hours or balance holiday].

Request of District Clerk to discharge Morgan Alexander, Court Clerk II, effective March 25, 2019. [49.52 hours or balance vacation].

Request of Elections to place Jorge T. Clarence, Voter Clerk, on payroll, effective April 8, 2019.

Request of Elections to place Lois J. Morgan-Hickey, Voter Clerk, on payroll, effective April 8, 2019.

Request of Elections to adjust pay of Betty Revis, Voter Clerk, due to job re-evaluation, effective April 1, 2019.

Request of Elections to place Jessica Robledo, Voter Clerk, on payroll, effective April 1, 2019.

Request of Elections to accept the resignation of Margarita Villarreal, Voter Clerk, effective March 28, 2019. [No benefits due].

Request of Elections to place Mary D. Warren, Voter Clerk, on payroll, effective April 8, 2019.

Request of Elections to place John H. Wertz, Voter Clerk, on payroll, effective April 8, 2019.

Request of Elections to place Carola White-Clarence, Voter Clerk, on payroll, effective April 8, 2019.

Request of Environmental Health to accept the retirement of Lera Barker, Clerk IV, effective May 31, 2019. [236.21 hours or balance vacation].

Request of Environmental Health to accept the retirement of Sherry L. Kincer, Registered Sanitarian II, effective May 31, 2019. [236.93 hours or balance vacation].

Request of Information Technology to place Michael C. Holbrook, Network Ops Asst. Mgr., on Unpaid FMLA/Disability Leave, effective March 25, 2019.

Request of Juvenile to accept the resignation of Lisa Noble Buller, Juvenile Supervision Officer Substitute, effective March 26, 2019. [No benefits due].

Request of Juvenile to discharge Megan Rae Comstock, Juvenile Supervision Officer Substitute, effective March 29, 2019. [No benefits due].

Request of Juvenile to discharge John A. Milo III, Juvenile Probation Officer, effective April 1, 2019. [73.99 hours or balance vacation; 1.875 hours or balance compensatory].

Request of Library to place Chelsea N. Bollom, Library Assistant II, on payroll as replacement for Sheila Seay, effective April 9, 2019.

Request of Library to place Kara L. Mathis, Library Assistant II, on payroll as replacement for Amber Nicole Cathey, effective April 9, 2019.

Request of Library to place Christine Weber, Library Assistant II, on payroll as replacement for Yesica Cabrera, effective March 26, 2019.

Request of Recycle Station Pct 3 to increase salary of Mark Wayne Estelle Jr., Operator I, due to completion of probationary period, effective March 2, 2019.

Request of Sheriff to promote Joshua G. Averitt, Deputy, as replacement for Michael Charles Burnett, effective April 6, 2019.

Request of Sheriff to demote Geena Ellen Bartley, Dispatcher, voluntarily, as replacement for Mercedes Pittmon, effective April 6, 2019.

Request of Sheriff to promote Caleb J. Brand, Deputy, as replacement for Robert Chase Self, effective April 6, 2019.

Request of Sheriff to accept the resignation of Mayra Castillo, Deputy, effective March 27, 2019. [28.16 hours or balance vacation; 50.93 hours or balance compensatory].

Request of Sheriff to transfer David W. Coker, Deputy-Patrol, as replacement for Jordan Morris Pankratz, effective April 6, 2019.

Request of Sheriff to promote Caleb Tyler Cole, Deputy, as replacement for Brandon J. Evans, effective April 6, 2019.

Request of Sheriff to promote Clayton Webster Colson, Deputy, as replacement for Christopher A. Irvine, effective April 6, 2019.

Request of Sheriff to transfer James L. Francis, Deputy-Detention, as replacement for Clinton Edward Clifton, effective March 23, 2019.

Request of Sheriff to transfer Robert Keith Funderburk, Lieutenant, as replacement for Michael J. Landrum, effective April 6, 2019.

Request of Sheriff to promote Bradley E. Gober, Deputy, as replacement for Vindell Marvin Freeney, effective April 6, 2019.

Request of Sheriff to promote Bryan Nicolas Gomez, Deputy, as replacement for James L. Francis, effective April 6, 2019.

Request of Sheriff to promote Samuel Roy Heaton, Deputy, as replacement for Karen A. Martinez, effective April 6, 2019.

Request of Sheriff to promote Cesar Fernando Hernandez Luevano, Deputy, as replacement for Riley R. Zapf, effective April 6, 2019.

Request of Sheriff to promote Marquis Jerrod Hines, Deputy, as replacement for Jeremiah Bourne, effective April 6, 2019.

Request of Sheriff to promote Zane Christopher Hoffmeyer, Deputy, as replacement for Brad D. Crandell, effective April 6, 2019.

Request of Sheriff to promote Lillian Al Jimenez, Deputy, as replacement for Eric P. Wagner, effective April 6, 2019.

Request of Sheriff to transfer Stanley D. Jolly, Specialist, as replacement for Johnathan Wayne Jordan, effective March 23, 2019.

Request of Sheriff to transfer Michael J. Landrum, Lieutenant, as replacement for Tim W. Cannon, effective March 23, 2019.

Request of Sheriff to promote Kirsten E. Olowinski, Deputy, effective April 6, 2019.

Request of Sheriff to promote Breanna Ortega, Deputy, as replacement for Stanley D. Jolly, effective April 6, 2019.

Request of Sheriff to increase salary of Justin W. Painter, Deputy, due to step increase, effective March 23, 2019.

Request of Sheriff to transfer Jordan Morris Pankratz, Deputy-Patrol, as replacement for Chad Bowers, effective April 6, 2019.

Request of Sheriff to transfer Mercedes Pittmon, Dispatcher, as replacement for Lyndia Gunter Ramsey, effective April 6, 2019.

Request of Sheriff to increase salary of Kenneth Joseph Provenzano, Deputy, due to step increase, effective March 23, 2019.

Request of Sheriff to promote Adam Scott Robertson, Deputy, as replacement for Tyler Wayne Meadows, effective April 6, 2019.

Request of Sheriff to promote Austin Jay Roper, Deputy, as replacement for Michael Christopher Yow, effective April 6, 2019.

Request of Sheriff to promote David B. Sallee Jr., Deputy, as replacement for Andrew Lawrence Senn, effective April 6, 2019.

Request of Sheriff to transfer Philip W. E. Schumpe, Lieutenant, as replacement for Daniel Q. Norris, effective March 23, 2019.

Request of Sheriff to promote Teresa Ann Marie Stone, Crime Analyst I, as replacement for Karen M. Fortanelli, effective April 6, 2019.

Request of Sheriff to transfer Melissa Vela, Adm Assistant II, effective April 6, 2019.

Request of Sheriff to bridge time of Tracy V. Wade, Deputy-Bailiff, for a revised leave date of November 5, 1994, effective April 6, 2019.

Request of Sheriff to accept the resignation of Eric P. Wagner, Deputy, effective March 8, 2019. [156.445 hours or balance vacation; 186.90 hours or balance compensatory; 36.00 hours or balance holiday].

Request of Sheriff to accept the resignation of Justin Kirk Walters, Deputy-Patrol, effective April 16, 2019. [6.82 hours or balance vacation; 8.00 hours or balance holiday].

Request of Sheriff to place Mikayla Ward, Dispatcher, on payroll as replacement for Lorena F. Hearn, effective March 23, 2019.

Request of Sheriff to promote Christopher Levi Wofford, Deputy, as replacement for Jeffery Durrenberger, effective April 6, 2019.

Request of Sheriff to promote Matthew Kaleb Wyatt, Deputy, as replacement for Jacob J. Eisenmenger, effective April 6, 2019.

Request of Tax Assessor to accept the resignation of Cindy Friedrich, Deputy Specialist I, effective April 4, 2019. [66.00 hours or balance vacation; 8.79 hours or balance compensatory].

Request of Tax Assessor to accept the retirement of Jodelle N. Henderson, Research Analyst, effective April 30, 2019. [86.365 hours or balance vacation].

ENVIRONMENTAL HEALTH – AGENDA ITEM 9H1

H1. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 26749 Lazy Lane Magnolia, TX 77355. Woodland Lakes Sec 5 Block 2, Lot 7.

COUNTY JUDGE – AGENDA ITEM 9I1

I1. USE AGREEMENT APPROVED with Montgomery County Women’s Center to use the courthouse steps April 12, 2019 to hold a public awareness event in recognition of Sexual Assault Awareness Month.

SHERIFF – AGENDA ITEMS 9J1-2

J1. DONATION ACCEPTED in the amount of \$800.00 from the Conroe Kennel Club. The donation is on behalf of the MCSO K9 Division. These funds will be allocated to budget line 560150-73573. Check has been forwarded to the Auditor for further processing.

J2. FULLY EXECUTED TOWER LICENSE AGREEMENT ACCEPTED AND RECORDED between the County and American Towers, LLC. This was previously approved on February 12, 2019 for lease of the Conroe/League Line Rd #1 Tower Facility located at 8696 Longmire Road Conroe, TX 77304.

COUNTY ATTORNEY – REAL PROPERTY - AGENDA ITEMS 9K1-3

K1. PRECINCT 1

- a. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 206 of the expansion of FM 1097 from Woodrow and Cheryl Dunn for the total sum of \$67,964.00 and to accept the executed or to be executed deed.
- b. ORDER APPROVED authorizing payment of special commissioners fees for parcel 81 of the FM 1097 project for cause no. 18-03-03409 payable to individuals and in the amounts set out in the order on file.
- c. FULLY EXECUTED TAX ABATEMENT AGREEMENT ACCEPTED AND RECORDED between Montgomery County and Pipeline Packaging Corp. approved on February 26, 2019 session.
- d. RESOLUTION AND ORDER APPROVED to pay closing costs relating to the acquisition of Parcel 55 of the expansion of FM 1097 in the amount of \$52.46 to Charter Title Company.
- e. ORDER APPROVED declaring the existence of a public necessity and authorizing the institution of eminent domain proceedings for the FM 1097 Road Expansion Project for Parcel 102 being a 1.160 parcel of land out of the Neal Martin Survey, A-26.

K2. PRECINCT 2

- a. ORDER APPROVED authorizing payment of special commissioners fees for parcel 30A of the McCaleb Road project in cause no. 18-10-14422 payable to individuals and in the amounts set out in the order on file.
- b. ORDER APPROVED authorizing the public project described as Mansions Way Road Project and decree of public necessity and convenience and authorizing and directing acquisition and payment of compensation.

K3. PRECINCT 4

- a. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 28 for the widening of Old Houston Road from Ramiro Garcia Chavez and wife Gudelia Chavez for the total sum of \$36,790.36 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 31 for the widening of Old

Houston Road from Jerald Bartlett and Kathy Bartlett for the total sum of \$5,763.36 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 51 for the widening of Sorters Road from Maria Flores for the total sum of \$6,061.25 and to accept the executed or to be executed deed.
- d. ORDER APPROVED authorizing the public project described as Old Houston Road Project and decree of public necessity and convenience and authorizing and directing acquisition and payment of compensation.
- e. ORDER APPROVED authorizing the public project described as Sorters Road Project and decree of public necessity and convenience and authorizing and directing acquisition and payment of compensation.
- f. ORDER APPROVED declaring the existence of public necessity and authorizing the institution of eminent domain proceedings for Parcel 6 of the Old Houston Road Project on property described as being 0.005 acres in the Texas and New Orleans Railroad Company Survey, A-570 also being out of Lot 2, Block 2, Western Hill Estates Section 1.
- g. ORDER APPROVED declaring the existence of public necessity and authorizing the institution of eminent domain proceedings for Parcel 11 of the Old Houston Road Project on property described as being 0.037 acres in the Texas and New Orleans Railroad Company Survey, A-570 also being out of Lot 1, Block 14, Country West.
- h. ORDER APPROVED declaring the existence of public necessity and authorizing the institution of eminent domain proceedings for Parcel 17 of the Old Houston Road Project on property described as being 0.136 acres in the J. Springfield Survey, A-749 also being a portion of Lot 17, Block 2, Pioneer Trails Section 1.

COUNTY ATTORNEY– AGENDA ITEMS 9L1-3

- L1. RESOLUTION AND ORDER APPROVED for the settlement agreement between Montgomery County and Herbert Dickson regarding file number PY2018-04338-A. Montgomery County will receive \$625.87 of settlement of its medical expense claims lien in exchange for executing a full and final release of Herbert Dickson. The County Judge is authorized to sign the agreement on behalf of Montgomery County.

- L2. RESOLUTION AND ORDER APPROVED for the settlement of \$14,325.00 payable to Bailey & Gaylen and Jeannine Falcon and payment of \$6,675.00 payable to HCA Houston Healthcare Tomball in exchange for a full release of all claims in connection with the demand letter provided under Claim No. A-17-0102. The County Auditor is ordered to issue checks in accordance with the settlement offer contingent upon receipt of full release of all claims with funding from 40220 74883.
- L3. RESOLUTION AND ORDER APPROVED for the payment of \$5,463.76 payable to Victor Manuel Chapa in exchange for a full release of all property claims in connection with the demand letter provided under Claim No. A-19-0019. The County Auditor is ordered to issue a check with funding from 40220 748383.

AIRPORT – AGENDA ITEM 9M1

- M1. PARTIAL ASSIGNMENT OF LAND LEASE WITH CONSENT OF LESSOR from Greatland Holdings, LLC to Xylon Aviation, LLC for .239 acre of land (Hangar 17-A) and .279 acre of land (Hangar 17-C) at the Conroe North Houston Regional Airport.

COMMUNITY DEVELOPMENT – AGENDA ITEM 9N1

- N1. CHECK ACCEPTED in the amount of \$14,500.00 from Chicago Title of Texas, LLC for the payoff and release of lien for property located at 13771 Running Bear Dr. Willis, TX 77378. This Property was part of the HOME Down Payment Assistance Program (IDIS #483) and the loan is now satisfied.

GRANTS – AGENDA ITEMS 9O1-3

- O1. HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) GRANT APPLICATION APPROVED for fiscal year 2019 in the amount of \$83,400 for the Sheriff's Office. There will be a fringe match that will come from the Sheriff's Office budget. Match will be determined at time of the award. Rebecca Ansley is authorized to submit on behalf of Montgomery County.
- O2. DEOBLIGATION APPROVED of G17HN0017A High Intensity Drug Trafficking Area (HIDTA) grant funds in the amount of \$8,798.42 for the Sheriff's Office.
- O3. NATIONAL RIFLE ASSOCIATION FOUNDATION (NRA) GRANT ACCEPTED in the amount of \$2,978 for Constable Precinct 4 office. Sergeant McHugh is authorized to accept the grant electronically on behalf of Montgomery County.

EMERGENCY MANAGEMENT – AGENDA ITEM 9P1

- P1. DE-OBLIGATION OF FUNDS APPROVED from the Office of the Governor for the HSGP 2016 Montgomery County Public Safety Video Initiative Grant in the amount of \$1.33, for the HSGP 2016 Montgomery County EOC Sustainment Grant in the amount of \$290.12 and for the HSGP 2016 Montgomery County Regional Hazmat Team Sustainment Grant in the amount of \$1,082.96.

Motion carried.

END OF CONSENT AGENDA

7. SALARY SCHEDULE ACCEPTED – BUDGET OFFICE

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve and accept the salary schedule as of 4/3/2019. Motion carried.

CITIZENS – AGENDA ITEM 10

Bill O’Sullivan addressed the court concerning the removal of tolls on the 242 flyovers. He supports the removal because the flyovers are paid for, there is a safety issue concerning the service road at 242 and 45, and the appraisals.

Winston Heron addressed the court concerning a complaint he originally filed in JP1 to obtain access to books and records for the Point Aquarius Property Owners Association. He stated he has been denied due process for his pleas to investigate Point Aquarius Board of Directors, their attorney in fact and management company because they have been ignored.

8. DONATION ACCEPTED –FURNITURE AND EQUIPMENT– 284TH DISTRICT COURT

Motion by Commissioner Noack, seconded by Commissioner Meador, to accept the donation of various items of furniture and equipment to Montgomery County for use in the 284th District Court. Motion carried.

9. MOTION FAILS – TOLL REMOVAL ON SH 242 – COUNTY JUDGE

Motion by Judge Keough, seconded by Commissioner Noack, to remove tolls on both flyovers at Highway 242. Commissioner Meador voted “No”. Commissioner Riley voted “No”. Judge Keough voted “Yes”. Commissioner Noack voted “Yes”. Commissioner Metts voted “No”. Motion failed 3-2.

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

AGENDA ITEM 12A – THE BUDGET OFFICE PRESENTED AN UPDATE ON THE 2019 CAPITAL IMPROVEMENT PLAN.

10. LAND LEASE AGREEMENT APPROVED – DCR DEVELOPMENT – AIRPORT

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve and execute a land lease agreement between Montgomery County and DCR Development, LLC for approximately 1.696 acres of land located at the Conroe North Houston Regional Airport for hangar development. This was awarded through RFP 2016-0011. Motion carried.

11. PAYMENT OF ACCOUNTS APPROVED – COUNTY AUDITOR

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

12. CHANGE ORDER APPROVED – BLEYL INTERESTS, INC – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Metts, to approve the following Change Order (CO): Amendment #2 to Bleyl Interests, Inc. dba Bleyl Engineering for engineering services for Walden Road Widening for additional engineering services in the amount of \$165,000.00 for Commissioner Precinct 1. Motion carried.

13. REQUEST APPROVED – GROUND MAINTENANCE EQUIPMENT – PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Metts, to approve utilizing the contract for Ground Maintenance Equipment, Irrigation Parts, Supplies & Installation through the inter-local agreement with BuyBoard contract #529-17 and the purchase is authorized of M6S-111SHDC Tractor in the amount of \$58,542.46 & KB2200 Boom Mower with Rotary Cutter in the amount of \$68,323.85 for a total of \$126,866.31 from Lansdowne-Moody Company, an authorized dealer of Kubota Tractor Corp & Terrain King Corporation for Commissioner Precinct 2. Local Gov't Code §271.102. Motion carried.

14. AWARD APPROVED – FIREHOUSE ROAD RECONSTRUCTION – PRECINCT 4

Motion by Commissioner Metts, seconded by Commissioner Meador, to approve the award for Project #19-21 Firehouse Road Reconstruction and Widening to WadeCon, LLC for Commissioner Precinct 4. Commissioner Noack abstained from the vote. Motion carried.

15. AWARD APPROVED – POWER WASHING AND CLEANING SERVICES –
PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the award for Project #19-13 RFP - Power Washing and Cleaning Services for Sports Complex, Horse Arena, Recycling Center, Community Buildings, and other Public Buildings to EPIC Powerwash for Commissioner Precinct 2. Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 17A1: CONSIDER THE PARTIAL REVISION OF LOT 5 THROUGH LOT 7, WESTERN HILLS COMMERCIAL DEVELOPMENT SECTION II, AND LOT 1, BLOCK 1, MONTGOMERY BUSINESS PARK, TO BE KNOWN AS MONTGOMERY SELF STORAGE SH 105 REPLAT.

Vicki Lambert and Linda Lindberg addressed the court concerning the replat. They requested a copy of the proposed replat and all documents pertaining to it so they can study the water runoff issues.

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

16. REQUEST APPROVED – NEW POSITION – COMMISSIONER PRECINCT
3

Motion by Commissioner Noack, seconded by Commissioner Metts, to approve opening position 614-4213-1, Admin. Assistant I. Annualized salary will be \$45,630 and will be funded from operating account 614.7997. Motion carried.

17. REQUEST APPROVED – FACILITIES COMMITTEE – COMMISSIONER
PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Riley, to add the following individuals to the Facilities Committee: Commissioner James Noack, Commissioner Charlie Riley, Evan Besong, Bruce Berger, Gilbert Jalomo, Amanda Carter, Tim Stewart and Charles Cobb. Motion carried.

18. REQUEST APPROVED – POSITION CHANGES – COMMISSIONER
PRECINCT 4

Motion by Commissioner Metts, seconded by Commissioner Meador, to approve closing position 615-4030-500, Part-time Clerk, and opening position 615-3940-7, Clerk IV. Annualized salary will be \$46,530 and will be funded from funding position 615-9999-999. Motion carried.

AGENDA ITEM 19B WAS MOVED UP IN THE AGENDA.

19. RESOLUTION AND ORDER APPROVED – NEW POSITION – INFORMATION TECHNOLOGY

Motion by Commissioner Noack seconded by Commissioner Riley, to approve opening position 503-5417-1, IT-Public Safety Manager. The annualized salary will be \$98,914.66. An additional amount of \$62,968.11 to fund salary and benefits as well as \$41,750 for vehicle and applicable maintenance for a total of \$104,718.11 is needed, but a funding source was not named. (The motion was amended after executive session to add Contingency as the funding source. See motion 20 for court action.) 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 and 551.074

EXECUTIVE SESSION – AGENDA ITEM 19A: CONSIDER AND DISCUSS POTENTIAL CLAIMS RELATED TO EMPLOYEE #011885. (SECTION 551.071)

EXECUTIVE SESSION – AGENDA ITEM 19B: DISCUSS AND DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION AND REASSIGNMENT DUTIES, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE – INFORMATION TECHNOLOGY DEPARTMENT. (SECTION 551.074) This item was addressed earlier. See motion 19 and 20.

EXECUTIVE SESSION – AGENDA ITEM 19C: CONSIDER AND DISCUSS CLAIM NO. B-18-0051, DATE OF INCIDENT 07/29/18. (SECTION 551.071)

EXECUTIVE SESSION – AGENDA ITEM 19D: DISCUSS AND DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION AND REASSIGNMENT OF DUTIES, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE-PERMITS DEPARTMENT. (SECTION 551.074)

COMMISSIONERS COURT RECONVENED WITH ALL MEMBERS PRESENT.

20. FUNDING SOURCE NAMED – MOTION 19 – INFORMATION TECHNOLOGY

Motion by Commissioner Noack, seconded by Commissioner Riley, to add Contingency as the funding source for the additional amount of \$62,968.11 to fund salary and benefits

as well as \$41,750 for vehicle and applicable maintenance for a total of \$104,718.11 for the position that was approved in Motion 19. Motion carried.

CITIZENS – AGENDA ITEM 21

Dennis Tibbs addressed the court concerning the tolls on the 242 flyover. He stated he has never seen a toll leave. He stated that the vote today is an example of how the government will not let go of your money.

Ginger Russell also addressed the court concerning the tolls. She stated the court had the same discussion months ago and nothing has changed. She gave a golden hammer to Commissioner Riley because of the loan for a traffic study the toll road got from the county with no interest paid.

Calvin Russell also addressed the court concerning the tolls. He stated that the vote is always 3-2. He stated that the court needs to figure out their questions so everything can get answered and the court can move forward.

MISCELLANEOUS – AGENDA ITEM 22

Commissioner Noack wants the court to get information and track the cost of Illegal Immigration in Montgomery County.

21. COURT ADJOURNS

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

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

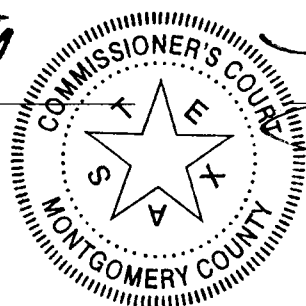
ATTEST:

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

BY:



COUNTY CLERK





COUNTY JUDGE