

COMMISSIONERS COURT DOCKET  
May 28, 2019  
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 28<sup>th</sup> day of May, 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 (arrived after motion 3)
Commissioner, Precinct 4	James Metts
Also County Clerk's Office	Amber Twiddy

INVOCATION GIVEN BY Calvin 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.

THE MONTGOMERY COUNTY EMPLOYEES COMMITTEE PRESENTED THE 2019 MONTGOMERY COUNTY EMPLOYEES COMMITTEE SCHOLARSHIPS TO THE FOLLOWING INDIVIDUALS: MIRIAM AURIOLES (\$1,000), DEREK HENDERSON (\$500.00), AMY RESSLER(\$500.00), ASHLYN STAFFORD(\$1,000), JASLYN VAZQUEZ (\$500.00), AND TRACE HAMLIN (\$500.00).

THE MONTGOMERY COUNTY EMPLOYEES COMMITTEE PRESENTED EMPLOYEE OF THE MONTH TO CAROLYN BENNETT WITH THE COUNTY TREASURERS OFFICE.

2. RESOLUTION APPROVED – RECOGNITION OF APPRECIATION

Motion by Meador, seconded by Commissioner Riley, to recognize Mark Mooney for his many years of service to Montgomery County. Motion carried.

3. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the Minutes from Regular Session of Commissioners Court dated May 14, 2019. Motion carried.

AGENDA ITEM 9E5 WAS DEFERRED.

AGENDA ITEM 9K3 WAS DEFERRED.

AGENDA ITEM 9L14 HAD A CORRECTION MADE TO THE CHECK NUMBER. READ CHECK NUMBER 8261 AND SHOULD READ CHECK NUMBER 8278.

AGENDA ITEM 9K2 WAS MOVED TO THE OPEN SESSION. SEE MOTION 5 FOR COURT ACTION.

COMMISSIONER NOACK ENTERED THE COURTROOM AFTER MOTION 3.

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

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 9A1-3

- A1. REQUEST APPROVED from Justice of the Peace Pct 1 to use \$3,980.03 from the Justice of the Peace Technology Fund.
- A2. REPORT ACCEPTED that complies with Local Government Code Section 114.024.
- A3. REPORT ACCEPTED that complies with Local Government Code Section 114.025.

BUDGET OFFICE – AGENDA ITEMS 9B1-4

- B1. LINE ITEM TRANSFERS AND ADJUSTMENTS APPROVED AND AUTHORIZED for FY2019 budget according to budget policy.

- B2. ADJUSTMENT AND AMENDMENTS APPROVED AND AUTHORIZED for grant departments.
- B3. PREVIOUS ACTIONS TAKEN MEMORIALIZED from prior Commissioners Court Meetings on changes to the Fiscal Year 2019 Budget.
- B4. TRANSFER, ADJUSTMENTS AND AMENDMENTS APPROVED AND AUTHORIZED for special revenue departments.

TREASURER – AGENDA ITEMS 9C1-5

- C1. MONTHLY INVESTMENT REPORT APPROVED for April 2019.
- C2. CHECK ACCEPTED for Animal Shelter in the amount of \$206.55 for class action settlement. The County Clerk did not receive a check for this item.
- C3. DEPUTATION ACKNOWLEDGED for Tessa Early, Treasurer Employee.
- C4. INVESTMENTS MATURED REPORT ACCEPTED for 5-24-19.
- C5. STATEMENT OF BALANCES REPORT APPROVED for April 2019.

DISTRICT ATTORNEY – AGENDA ITEM 9D1

- D1. REQUEST APPROVED to set compensation for position 4351-7808-1, Asst Chief Investigator at \$108,500 plus certification and for position 4351-7809-1, Chief Investigator at \$118,450 plus certification, effective June 1, 2019. An additional \$9,227.81 is needed for salaries and benefits for remainder of FY 2019 and will be funded with the District Attorney Forfeiture for the remainder of FY 2019. The funding will be moved out of District Attorney's General Fund budget for FY 2020.

PURCHASING – AGENDA ITEMS 9E1-7

- E1. RENEWALS OPTIONS APPROVED:
  - a. Project #2017-0033 Printing of Miscellaneous Forms with Shakun Solutions, LLC., dba Precision Printing for Various Departments (exercising the second of three renewal options).
  - b. Project #2016-0033 Disaster Recovery (Debris) Management Services with Crowder Gulf, LLC., and Ceres Environmental Services, Inc. for Various Departments (exercising the second of five renewal options).
  - c. Project #2014-0027 Automated Teller Machine Services with Woodforest National Bank for Various Departments (exercising the fifth of five renewal options).

- d. Project #2017-0001 Private Contract Defender for Indigent Juvenile Defense with Law Office of William Pattillo for Various Courts. (exercising the first of one renewal options).
- e. Project #2012-0059 Coin Operated Copy Machines and Computer Printer Services with Coin Copiers for Various Departments. (60 day extension).
- f. Project #2016-0030 Automotive and Heavy Truck Body Repair Service with Milstead Collision, LLC., with a 6.67% price increase for Risk Management (exercising the third of four renewals).
- g. Project #2014-0032 Lease of Space with Chaparral Library, Inc., for Precinct 2. (on a month-to-month basis).

E2. DISCRETIONARY EXEMPTIONS APPROVED:

- a. Laboratory Testing Services as a professional service from National Medical Services, Inc. for Various Departments. Local Gov't Code §262.024(a)(4)
- b. GeoTracker Professional GIS Software and GeoPro Data Center as an item that can be obtained from only one source from ADAPCO, LLC., in the amount of \$7,365.00 for Commissioner Precinct 3. Local Gov't Code §262.024(a)(7.A)

E3. AWARD APPROVED for Project #19-33 Collection of Urine Samples to Davis Investigation Services, LLC for Drug/DWI Court.

E4. DISCRETIONARY EXEMPTION APPROVED for bloodstain pattern analysis casework and testimony services as a professional service with Stuart H. James dba James and Associates Forensic Consultants, Inc. for Sheriff's Office/Crime Lab. Local Gov't Code §262.024(a)(4).

E5. AGENDA ITEM 9E5 – CONSIDER AND APPROVE MUTUAL AGREEMENT TO CANCEL MASTER SERVICES AGREEMENT WITH TELIGISTICS, INC WAS DEFERRED.

E6. ADVERTISING APPROVED for the following:

- a. Project #19-45 Diamond Interchange and Woodlands Parkway at I-45 and the Lake Woodlands widening construction project for Commissioner Precinct 3.

E7. CHANGE ORDERS APPROVED:

- a. CO#3 to Lone Star Pavement Services for Crack Seal Services to add additional items for Various Departments.

F1. PRECINCT 1

- a. USE AGREEMENT APPROVED with Magnolia Lacrosse Association to use the fields at Magnolia Sports Park through December 31, 2019.
- b. USE AGREEMENT APPROVED with Magnolia Baseball Association to use the fields at Magnolia Sports Park through December 31, 2019.

F2. PRECINCT 4

- a. CHECK ACCEPTED from City of Roman Forest in the amount of \$1,928.74 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 ACCEPTED from Montgomery County Committee on Aging, Inc. in the amount of \$359.05 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 9G1-4

G1. PRECINCT 1

- a. FINAL PLAT APPROVED for The Reserve on Lake Conroe, Section One; 61.87 acres; John Corner Survey, A-8.
- b. FINAL PLAT APPROVED for Crescent Cove Section 3 Replat No. 1; 1.610 acres; John Corner Survey, A-8.

G2. PRECINCT 2

- a. FINAL PLAT APPROVED for Del Webb The Woodlands, Section 7; 10.541 acres; John N. Thomas Survey, A-549.

G3. PRECINCT 3

- a. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Allegro at Harmony, Section 3 and bond is released.
- b. FINAL PLAT APPROVED of The Woodlands Village of Grogan's Mill Lake Woodlands East Shore, Section 20; 6.521 acres; John Taylor Survey, A-547.
- c. FINAL PLAT APPROVED of Woodson's Reserve, Section 15; 25.91 acres; Montgomery County School Land Survey, A-351.

G4. PRECINCT 4

- a. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE SYSTEM in Tavola, Section 14.
- b. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE SYSTEM in Tavola, Section 18.
- c. FINAL PLAT APPROVED for Porter DTP Addition; 1.637 acres; William Beardsley Survey, A-104.

HUMAN RESOURCES – AGENDA ITEM 9H1

H1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of 221<sup>st</sup> District Court to transfer Katrina Blunk, Court Coordinator I, as replacement for Tonnie Whitney, effective May 20, 2019.

Request of 221<sup>st</sup> District Court to discharge Natalie Stelly, Court Administrator, effective May 10, 2019. [12.92 hours or balance vacation]

Request of 221<sup>st</sup> District Court to promote Tonnie Whitney, Court Administrator, as replacement for N. Stelly, effective May 20, 2019.

Request of 284<sup>th</sup> District Court to increase salary of Amber Park, Court Administrator, as replacement for Amanda Whittington, effective June 1, 2019.

Request of Custodial to increase salary of Nelson Bonilla Gavarrete, Custodian, due to completion of probationary period, effective May 26, 2019.

Request of Custodial to accept the resignation of Luz Gonzalez, Supervisor Custodian, effective May 16, 2019. [30.80 hours or balance vacation; 49.26 hours or balance compensatory time]

Request of Custodial to increase salary of Brent Larry, Custodian, due to completion of probationary period, effective May 26, 2019.

Request of Custodial to place Iris Zetino, Custodian I, on payroll due to return from unpaid FMLA/Disability Leave, effective April 22, 2019.

Request of Commissioner Precinct 1 to place Cory Donel Fay, Laborer, on payroll as replacement for Ryan Sockwell, effective May 20, 2019.

Request of Commissioner Precinct 3 to correct employee pay of Theron Harrison Jr., Operator I, on PCR approved 5/14/2019, effective May 6, 2019.

Request of Commissioner Precinct 3 to place Victor Silva Santiago, Operator I, on payroll as replacement for Tomislav Carevic, effective May 20, 2019.

Request of Commissioner Precinct 4 to accept the resignation of Joshua Matthews, Operator III, effective May 23, 2019. [59.54 hours or balance vacation; 20.895 hours or balance compensatory time; 8.00 hours or balance holiday]

Request of Constable Precinct 3 to place Kenton Ford, Deputy Bailiff, on payroll, effective May 4, 2019.

Request of Constable Precinct 3 to place Michael T. Fulton, Deputy-Constable, on payroll as replacement for John Lawless, effective May 4, 2019.

Request of Constable Precinct 3 to accept the resignation of Richard Vogel, Deputy Constable, effective April 12, 2019.

Request of Constable Precinct 3 to place Jason Alvarez, Deputy Constable, on payroll, effective May 4, 2019.

Request of Constable Precinct 3 to place Christian Offord, Deputy Constable, on payroll, effective May 4, 2019.

Request of Constable Precinct 4 to remove auto allowance for Richard Ford, Deputy Constable, effective June 1, 2019.

Request of Constable Precinct 4 to increase salary of Nicolas Lalli, Deputy Constable, due to step increase, effective June 1, 2019.

Request of Constable Precinct 4 to add stipend for Dwayne Morrow, Deputy Constable, due to job re-evaluation, effective May 18, 2019.

Request of constable Precinct 4 to promote Tonia Theriot, Administrative Manager I, effective May 14, 2019.

Request of Constable Precinct 4 to remove auto allowance for Ronald Willingham, Sergeant Constable, effective June 1, 2019.

Request of Constable Precinct 5 to increase salary of Ashton Hedrick ,Invesigator II, due to step increase, effective June 1, 2019.

Request of County Attorney to place Julie Stewart, Attorney III, on payroll, effective May 20, 2019.

Request of County Auditor to place Janet Miller, Manager Internal Audit, on payroll as replacement for Ying Ye, effective June 3, 2019.

Request of County Clerk to increase salary of Alyssa Ellen-Avery Drake, Court Clerk II, due to partial probationary increase, effective June 1, 2019.

Request of Treasurer to place Tiffany B. Dupree, Admin Assistant I, on payroll, effective June 17, 2019.

Request of Treasurer to place Tessa Early, Accounting Clerk, on payroll, effective May 15, 2019.

Request of Treasurer to transfer Judy E. Wall, Accounting Clerk, as replacement for Teri Logue, effective June 3, 2019.

Request of District Attorney to change position of Luis S. Baez, Attorney II, as replacement for Jacqueline Marston Bello, effective June 10, 2019.

Request of District Attorney to change position of Jacqueline Marston Bello, Attorney II, as replacement for Justin Michael Fowles, effective June 10, 2019.

Request of District Attorney to promote Alyssa Marie Fortner, Legal Asst I, as replacement for Shannon E. Jackson, effective June 3, 2019.

Request of District Attorney to accept the resignation of Justin Michael Fowles, Attorney II, effective May 24, 2019. [95.45 hours or balance vacation]

Request of District Attorney to accept the resignation of Shannon E. Jackson, Legal Asst I, effective May 31, 2019. [16.69 hours or balance vacation; 0.25 hours or balance compensatory time]

Request of District Attorney to place Carmen R. Morales, Attorney I, on payroll as replacement for Raphael M. Ortega, Jr., effective June 10, 2019.

Request of District Attorney to promote Lydia Diane Murphy, Attorney II, as replacement for Luis S. Baez, effective June 10, 2019.

Request of District Attorney to change position of Raphael M. Ortega Jr., Attorney I, as replacement for Lydia Diane Murphy, effective June 10, 2019.

Request of Elections to place Lorena Canales, Voter Clerk, on payroll, effective May 20, 2019.

Request of Elections to accept the resignation of Jerry Taylor, Voter Clerk, effective February 28, 2019. [No benefits due]

Request of Justice of the Peace Pct 1 to place Celeste Mendez, Court Clerk II, on payroll as replacement for Leticia Arellano Gomez, effective May 20, 2019.



Request of Justice of the Peace Pct 3 to transfer Ethan A. Kappmeyer, Court Clerk III, as replacement for Lauren Pain, effective May 27, 2019.

Request of Justice of the Peace Pct 3 to accept the resignation of Lauren Pain, Court Clerk III, effective May 15, 2019. [24.70 hours or balance vacation; 1.39 hours or balance compensatory]

Request of Juvenile to change status of Jamar Dijon Andrews, Juvenile Supervision Officer, from part time to full time as replacement for Walter Parlins III, effective June 1, 2019.

Request of Juvenile to discharge Earnest Charles Carrington III, Juvenile Supervision Officer, effective May 13, 2019. [10.00 hours or balance compensatory time]

Request of Juvenile to accept the resignation of Alex Avila Flores Jr., Juvenile Probation Officer, effective May 17, 2019. [50.98 hours or balance vacation; 11.995 hours or balance compensatory time]

Request of Juvenile to change status of John Roland Kinser, Juvenile Supervision Officer, from part time to full time as replacement for Dion McKinney, effective June 1, 2019.

Request of Juvenile to change status of Kimberly Renae Ramirez, Juvenile Probation Officer, from part time to full time as replacement for Alex Flores Jr., effective June 1, 2019.

Request of Library to place Lauren Yates, Librarian II, on payroll, effective June 3, 2019.

Request of Risk Management to increase salary of Michael Howard, Assistant Director-Risk Management, due to completion of probationary period, effective May 18, 2019.

Request of Sheriff to accept the retirement of Michael W. Burns, Deputy Detention, effective June 30, 2019. [172.95 hours or balance vacation; 235.50 hours or balance compensatory time; 8.00 hours or balance holiday]

Request of Sheriff to demote Kellie Anne Christiansen, Deputy, as replacement for Bradley E. Gober due to voluntary demotion, effective May 18, 2019.

Request of Sheriff to place Sebastian Cimino, Officer Civilian Deten, on payroll as replacement for Jonathan Ross Leon, effective May 18, 2019

Request of Sheriff to accept the resignation of James Michael Coggins, Officer Civilian Deten, effective May 16, 2019. [No benefits due]

Request of Sheriff to increase salary of Anson O. Drake, Deputy, due to step increase, effective May 18, 2019.

Request of Sheriff to transfer Bradley E. Gober, Deputy Patrol, as replacement for Justin Ray Lappin, effective May 18, 2019.

Request of Sheriff to accept the resignation of Bobby Lee Horn, Jr., Officer Civilian Deten, effective May 19, 2019. [95.29 hours or balance vacation; 84.36 hours or balance compensatory time; 64.00 hours or balance holiday]

Request of Sheriff to transfer Nurahda D. Manning, Specialist, as replacement for Jeremy M. Davis, effective May 18, 2019.

Request of Sheriff to place Dustin Novak, Officer Civilian Deten, on payroll as replacement for Lino Ernesto Vargas Jr., Effective May 18, 2019.

Request of Sheriff to place Trevor Powers, Officer Civilian Deten, on payroll, as replacement for Luis Jimenez, effective May 18, 2019.

Request of Sheriff to increase salary of Fadi M. Rizk, Detective, due to step increase, effective May 18, 2019.

Request of Sheriff to place Daniel Salisbury, Officer Civilian Deten, on payroll as replacement for Trevor A. Barringer, effective June 1, 2019.

Request of Sheriff to increase salary of Riley Schuster Jr., Deputy Patrol, due to step increase, effective May 18, 2019.

Request of Sheriff to accept the retirement of Lisa R. Shanahan, Deputy Bailiff, effective May 31, 2019. [168.465 hours or balance vacation; 71.51 hours or balance compensatory time; 4.00 hours or balance holiday]

Request of Sheriff to place Lauren Elizabeth Mock Sikes, Records Specialist II, on unpaid leave of absence, effective May 8, 2019.

Request of Sheriff to increase salary of Aaron Sumrall, Sergeant Patrol, due to step increase, effective May 18, 2019.

Request of Sheriff to accept the resignation of Corinne Asuncion Tilley, Dispatcher, effective May 31, 2019. [169.16 hours or balance vacation; 201.50 hours or balance compensatory time; 8.00 hours or balance holiday]

Request of Tax Assessor Collector to promote Lisa Doremus, Research Analyst, as replacement for Jodelle Henderson, effective June 1, 2019.

Request of Tax Assessor Collector to increase salary of Veronica Heredia, Deputy Specialist I, due to completion of probationary period, effective June 1, 2019.

Request of Tax Assessor Collector to increase salary of Joni Marie Parker Deputy Specialist I, due to completion of probationary period, effective June 1, 2019.

Request of Tax Assessor Collector to place Edlecia Pierson Arias, Deputy Specialist II, on unpaid FMLA/disability leave, effective May 20, 2019.

#### ENVIRONMENTAL HEALTH – AGENDA ITEMS 9I1-4

11. VARIANCE REQUEST APPROVED to install an aerobic on-site system in the 100-year flood plain located at 18137 Old Hwy 105 Cleveland, TX 77328. 1.754 ac o/o 16 ac Vol 77 Pg 418. Tract 70.
12. ORDER APPROVED to release lien and acknowledge receipt of check in the amount of \$7,963.50 as payment in full of assessment lien to recover cost to the county for demolition of a public nuisance. The total cost of lien has been met for property located at 24918 Hickory Hill Road Spring, TX 77380. Check has been forwarded to the Auditor for further processing.
13. VARIANCE REQUEST APPROVED to install an aerobic on-site system in the 100-year flood plain located at 13510 Lyric Road Conroe, TX 77302. J.O.H. Bennette Lot 103.
14. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100-year flood plain located at 14420 Tommy Smith Road Conroe, TX 77306. Being 1.0639 ac k/a 1.060 ac MCF#2006-094207.

#### COUNTY JUDGE – AGENDA ITEMS 9J1-2

- J1. ANNUAL FINANCIAL REPORT ACCEPTED for Montgomery County Emergency Services District No. 8 (ESD #8) for the fiscal year ending September 30, 2018.
- J2. REQUEST APPROVED for a thirty (30) day extension pursuant to Section 775.082 Texas Health and Safety Code, for the following Montgomery County Emergency Services Districts:
  - Montgomery County ESD No. 1
  - Montgomery County ESD No. 2
  - Montgomery County ESD No. 6
  - Montgomery County ESD No. 7
  - Montgomery County ESD No. 10

SHERIFF – AGENDA ITEMS 9K1-2

- K1. DONATION ACCEPTED of a 1990 Army 6X6 LLC truck on behalf of the Montgomery County Sheriff's Office by Dion Podgurny. In addition to displaying the Montgomery County Sheriff's Office emblem, the truck doors will display 'DONATED BY F-1 FIREARMS'.
- K2. AGENDA ITEM 9K2 WAS MOVED TO THE OPEN SESSION. SEE MOTION 5 FOR COURT ACTION.

COUNTY ATTORNEY – AGENDA ITEMS 9L1-15

- L1. RESOLUTION AND ORDER APPROVED to defend claim no. B-16-0151; Cause No. 18-11-15268; Ronald Mitchell vs. Montgomery County and Montgomery County Sheriff's Office. 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.
- L2. RESOLUTION AND ORDER APPROVED to defend claim no. B-16-0152; Cause No. 19-05-06469; and styled Triple B Services, LLP vs. Montgomery County. 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.
- L3. AGENDA ITEM 9L3 – Consider and approve a Resolution and Order to defend Claim No. B-15-0142; Civil Action No. H-19-1357; Kathleen Elaina Hoffman vs. Ronald Leach, Director, Montgomery County Community Supervision and Corrections Department was deferred.
- L4. RESOLUTION AND ORDER APPROVED for the payment of \$15,925.43 payable to Foremost Insurance group. The County Auditor is authorized to issue a check in accordance with Claim No. B-18-0051 and ordered to issue a check in with funding from 40220 748383.
- L5. PUBLIC HEARING DATE SET for July 9, 2019 for Cancellation of a portion of Lonestar Parkway Section One, a subdivision in Montgomery, County, Texas, filed by Carwile Family Partners, L.P., and Notice is authorized in accordance with Local Government Code Section 232.008.
- L6. PUBLIC HEARING DATE SET for July 9, 2019 for Cancellation of a portion of Lonestar Parkway Section Two, a subdivision in Montgomery, County, Texas,

filed by Carwile Family Partners, L.P., and Notice is authorized in accordance with Local Government Code Section 232.008.

- L7. ORDER APPROVED authorizing notice of public hearing on July 9, 2019 for partial revision to subdivision lots/plats being described as partial replat of Reserve "B", Summer Place Replat, Lots 23, 24, 25 and R-7, Block 1, Harbor Point, and Lot 1, Block 2, Harbor Point Partial Replat "A", to be known as Old River Road Storage.
- L8. ORDER APPROVED authorizing payment of Special Commissioners Fees for Parcel Co-Fam, LLC of the S.H. 249 Project in the amounts set out in the Award of Special Commissioners and Court Order Conditionally Granting Writ of Possession on file.
- L9. ORDER APPROVED authorizing payment of Special Commissioners Fees for Parcel PIT 249 of the S.H. 249 Project in the amounts set out in the Award of Special Commissioners and Court Order Conditionally Granting Writ of Possession on file.
- L10. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 3 for the widening of Sorters Road from Bruno Chavez Painting, Inc. for the total sum of \$3,354.30 and to accept the executed or to be executed deed.
- L11. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 16 for the widening of Sorters Road from Dennis Wayne Stephens for the total sum of \$59,337.65 and to accept the executed or to be executed deed.
- L12. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 19 for the widening of Sorters Road from Lokahi Café, LLC for the total sum of \$4,544.50 and to accept the executed or to be executed deed.
- L13. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 53 for the widening of Sorters Road from Konstantin Nikolaidis for the total sum of \$3,427.25 and to accept the executed or to be executed deed.
- L14. ORDER APPROVED acknowledging receipt of check no. 8278 in the amount of \$20.00 from Solveig Matek for lease of real property described as 5.190 acres known as Tract 92 out of the Archibald Hodge Survey, A-18.

COUNTY ATTORNEY – MENTAL HEALTH TREATMENT FACILITY – AGENDA ITEMS  
9M1-3

- M1. QUARTERLY MINUTES ACCEPTED for the January 24, 2019 Montgomery County Mental Health Treatment Facility (MCMHTF) Advisory Board Meeting.
- M2. MONTHLY PERFORMANCE IMPROVEMENT REPORT ACCEPTED for March 2019 as recommended by Montgomery County Mental Health Treatment Facility (MCMHTF) Advisory Board.
- M3. MANAGEMENT PLANS ACCEPTED for Fiscal Year 2019 Emergency Operations Plan, Performance Improvement Plan, and Training and Staff Development Plan as recommended by Montgomery County Mental Health Treatment Facility (MCMHTF) Advisory Board.

AIRPORT – AGENDA ITEM 9N1

- N1. PARTIAL ASSIGNMENT OF LAND LEASE AGREEMENT WITH CONSENT OF LESSOR APPROVED from Keven Dowell to Charles Scott Davis for .033 acres of land (Hangar 44C-3) at the Conroe North Houston Regional Airport.

COMMUNITY DEVELOPMENT – AGENDA ITEM 9O1

- O1. CHECK ACCEPTED in the amount of \$14,500.00 from OSN Texas, LLC for the payoff and release of lien for property located at 25714 Richards Road, Spring, Texas 77386. This property was part of the HOME Down Payment Assistance Program (IDIS #481) and the loan is now satisfied.

GRANTS – AGENDA ITEMS 9P1-2

- P1. G19HN0017A HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) GRANT ACCEPTED in the amount of \$83,400 for the Sheriff's Office. Judge Keough is authorized to sign any related paperwork.
- P2. FISCAL YEAR 2019 STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP) GRANT APPLICATION SUBMISSION APPROVED for the Sheriff's Office, timely submitted by May 23, 2019 with no match required. Judge Keough is authorized to execute any related documents and Lieutenant Richards is authorized to take all appropriate action to accept grant upon approval, electronically or otherwise, as applicable.

Motion carried.

**END OF CONSENT AGENDA**

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5. MULTIPLE USE AGREEMENT APPROVED – LICENSE PLATE READER – SHERIFF

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the Multiple Use Agreement with the Texas Department of Transportation regarding the installation of a fixed license plate reader. Judge Keough voted “No”. Motion carried.

CITIZENS – AGENDA ITEM 10

Reagan Reed read a resolution from the Republican Party Executive Committee concerning tolls roads. He would like the tolls removed from the 242 flyovers.

Bill O’Sullivan addressed the court on the removal of tolls. He would like the tolls removed from the 242 flyovers.

6. NOMINATION ACCEPTED – ADVISORY BOARD MEMBERSHIP – COUNTY ATTORNEY – MENTAL HEALTH TREATMENT FACILITY

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the acceptance of the nomination of Genna Brisson as a candidate for membership to the MCMHTF’s Advisory Board and replacing board member George Gintoli who resigned January 24, 2019. The candidate was presented and approved by the MCMHTF Advisory Board members on April 17, 2019 as a viable nominee to be submitted to the Commissioners Court for disposition. Motion carried.

7. REQUEST APPROVED – POSITION CHANGES – 284<sup>TH</sup> DISTRICT COURT

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve closing position 438-2308-500, Jury Shepherd, transfer \$10,000 from position 438-2308-500 to position 438-7926-1, Staff Attorney, transfer \$2,000 from position 438-2308-500 to position 438-8560-1, Court Coordinator II. Move \$21,276.08 plus benefits to operating account 695-7695 (Contingency). Budget Office is authorized to transfer funds between positions and accounts as necessary, no additional budget dollars are requested for FY 2019. Motion carried.

8. REQUEST APPROVED – POSITION CHANGES – JUSTICE OF THE PEACE PCT 3

Motion by Commissioner Meador, seconded by Commissioner Metts, to transfer Justice of the Peace Precinct 3 position 457-8550-1 Admin Manager I and its associated salary and benefits to County Attorney as position 4751-7706-6, Legal Assistant III, effective June 1, 2019 and transfer County Attorney position 4751-8555-1, Admin Manager II and its associated salary and benefits to Justice of the Peace Precinct 3 as position 457-8555-

1, Admin Manager II, effective June 1, 2019. Commissioner Riley and Commissioner Noack, voted "No". Motion carried.

9. REQUEST APPROVED – TRANSFER OF FUNDS – BUDGET

Motion by Commissioner Meador, seconded by Judge Keough, to approve the transfer of \$11,543.56 from County Judge operating account 400-7390 to County Judge salary and benefits accounts to allow an employee to start before a retiree payout is complete. Commissioner Noack voted "No". Motion carried.

10. AGREEMENT APPROVED – TAX ASSESSMENT AND COLLECTION SERVICES – TAX ASSESSOR & COLLECTOR

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve agreement for tax assessment and collection services between Montgomery County, Texas and Magnolia East Municipal Utility District and Judge Mark Keough is authorized to sign on behalf of Montgomery County. Motion carried.

11. REQUEST APPROVED – GEARN OFFSHORE – TAX ASSESSOR & COLLECTOR

Motion by Commissioner Meador, seconded by Commissioner Metts to approve the request from Gearn Offshore, Inc. to terminate their tax abatement agreement. Judge Keough and Commissioner Noack voted "No". Motion carried.

12. PAYMENT OF ACCOUNTS APPROVED – AUDITOR

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

13. CONTRACT APPROVED – ENGINEERING SERVICES – COMMISSIONER PCT 4

Motion by Commissioner Metts, seconded by Commissioner Riley, to approve the contract with the following highly qualified provider per Government Code Chapter 2254 for Engineering Services for David Memorial Extension from Bleyl Engineering in the amount of \$396,509.80 for Commissioner Precinct 4. Motion carried.

AGENDA ITEM 17B – TAKE ALL APPROPRIATE ACTION TO APPROVE THE AWARD FOR PROJECT #19-32 RFP WIRELESS MOVE-ADD-CHANGE-DISCONNECTION (MACD) SERVICES WAS DEFERRED.

14. SYSTEM PURCHASE AGREEMENT APPROVED – MOTOROLA SOLUTIONS – SHERIFF

Motion by Commissioner Riley, seconded by Commissioner Metts, to approve the system purchase agreement between Montgomery County, Texas and Motorola



Solutions, Inc. for the purchase and installation of radio communications equipment in the amount of \$929,064.52 through interlocal agreement with H-GAC contract #RA05-18 and Sheriff Rand Henderson is authorized to sign all necessary documents. Motion carried.

15. GRANT APPLICATION APPROVED – AUTO THEFT TASK FORCE – GRANTS

Motion by Commissioner Riley, seconded by Commissioner Metts, to approve the Fiscal Year 2020 Auto Theft Task Force grant application and resolution in the amount of \$603,250 with a match of \$165,852 from the Sheriff's Office and \$100,282 from other entities participating in the program. Rebecca Ansley is authorized to submit grant electronically on behalf of Montgomery County. Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 19A: Consider the partial revision of Lots 14 and 15, Block 4, Montgomery Trace Section 5, to be known as Montgomery Trace Section 5, Partial Replat No. 2.

AGENDA ITEM 19B1: Consider the partial revision of Woodforest Estates, to be known as Woodforest Estates, Replat No. 1.

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

16. REQUEST APPROVED – REMOVAL OF TOLLS – COMMISSIONER PCT 2

Motion by Commissioner Riley, seconded by Commissioner Noack, to approve the removal of the tolls today on both SH 242 flyovers. Motion carried.

17. PAYROLL CHANGE REQUEST FORMS APPROVED – HUMAN RESOURCES

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

Request of 284<sup>th</sup> District Court to increase salary of Patricia Freeman, Court Coordinator II, due to job re-evaluation, effective June 1, 2019.

Request of 284<sup>th</sup> District Court to increase salary of Rayborn Johnson Jr., Staff Attorney, effective June 1, 2019.

Request of County Judge to transfer Jamie Meinkowsky, Administrative Assistant II, as replacement for Amanda Whittington, effective June 1, 2019.

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 22A: Consider and discuss Claim No. A-18-0084, date of incident 10/24/18.

EXECUTIVE SESSION – AGENDA ITEM 22B: Discuss and deliberate the appointment, employment, evaluation and reassignment of duties, discipline or dismissal of a public officer or employee – County Engineer. (Section 551.074)

EXECUTIVE SESSION – AGENDA ITEM 22C: Consider and discuss Cause No. 03-17-00499-CV.

**COMMISSIONERS COURT RECONVENED WITH ALL MEMBERS PRESENT WITH THE EXCEPTION OF COMMISSIONER JAMES NOACK.**

18. APPOINTMENT APPROVED – COUNTY ENGINEER – EXECUTIVE SESSION

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the appointment of Jeff Johnson as County Engineer, effective June 1, 2019. Motion carried.

CITIZENS – AGENDA ITEM 24

Bill O’Sullivan addressed the court concerning surplus in budgets. He would like the surplus to be given back to the people. He also brought up the time limits for citizens and would like each citizens comments section to have its own time limit and not be shared between the two.

COMMISSIONER MEADOR LEFT THE COURTROOM.

Eric Yollick thanked the court for their leadership on the issues that were passed in the 86<sup>th</sup> Legislative Session.

Linda Harper thanked the court for removing the tolls on the 242 flyovers.

Walter Boyd addressed the court on various topics.

MISCELLANEOUS – AGENDA ITEM 25 – NO OTHER ITEMS LISTED

19. COURT ADJOURNS

Motion by Commissioner Riley, seconded by Commissioner Meador, 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: Mark Turnbull  
COUNTY CLERK

[Signature]  
COUNTY JUDGE

