

COMMISSIONERS COURT DOCKET
SEPTEMBER 24, 2019
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 24th day of September, 2019, the Honorable Commissioners Court of Montgomery County, Texas, was duly convened in a Regular Session in the Commissioners Courtroom of the Alan B. Sadler Commissioners Court Building, 501 North Thompson, Conroe, Texas, with the following members of the Court present:

County Judge	Mark Keough
Commissioner, Precinct 1	Mike Meador
Commissioner, Precinct 2	Charlie Riley
Commissioner, Precinct 3	James Noack (entered during the discussion of motion #10)
Commissioner, Precinct 4	James Metts
Also County Clerk's Office	Amber Twiddy

JUDGE KEOUGH DISCUSSED THE RECENT FLOODING DUE TO TROPICAL STORM IMELDA.

COMMISSIONER MEADOR SPOKE ON THE PASSING OF BUSTER BOWERS.

INVOCATION GIVEN BY BILLY GRAFF.

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 – NATIONAL 4-H WEEK

Motion by Commissioner Meador, seconded by Commissioner Riley, to designate October 6-12, 2019 as National 4-H Week in Texas. Motion carried.

3. PROCLAMATION APPROVED – MENTAL ILLNESS AWARENESS WEEK

Motion by Commissioner Meador, seconded by Commissioner Riley, to proclaim the week of October 6-12, 2019 as Mental Illness Awareness Week in Montgomery County. Motion carried.

4. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the Minutes from Special Session of Commissioners Court dated September 4, 2019. Motion carried.

5. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the Minutes from Regular Session of Commissioners Court dated September 10, 2019. Motion carried.

AGENDA ITEM 9L2 - Consider and approve the acceptance of Supplemental Awards to the following HSGD 2017 UASI grants and amounts WAS DEFERRED.

6. 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 9A1-4

- A1. REPORT ACCEPTED that complies with Local Government Code Section 114.024.
- A2. REPORT ACCEPTED that complies with Local Government Code Section 114.025.
- A3. REQUEST APPROVED to close the following capital project funds:
Certificates of Obligation, Series 2012A.
- A4. COMPLETED AUDITS ACCEPTED for the following: Justice of the Peace Pct. 2-1st Qtr Compliance Audit; Justice of the Peace Pct. 3-1st Qtr Compliance Audit; Justice of the Peace Pct. 4-1st Qtr Compliance Audit; Justice of the Peace Pct. 5-1st Qtr Compliance Audit.

BUDGET OFFICE – AGENDA ITEMS 9B1-4

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

COUNTY JUDGE – AGENDA ITEM 9C1

- C1. REQUEST APPROVED to ratify amendment/modification No. P00010 to the Amendment of Solicitation/Modification of Contract 70CDCR18DIG000013, 70CDCR18FIGR00319, between Montgomery County and Immigration and Customs Enforcement-Office of Acquisitions Management to extend period of performance of task order through March 6, 2020; adding funding for detention services, transportation services, volunteer wages, and stationary guards.

TREASURER – AGENDA ITEMS 9D1-3

- D1. MONTHLY INVESTMENT REPORT APPROVED for 8-31-19.
- D2. STATEMENT OF BALANCES REPORT APPROVED for August 2019.
- D3. DONATION ACCEPTED of \$1,375 to Animal Shelter from Best Friends Animal Society. This will be deposited into line item 63311.4364. County Clerk did not receive the check for this item.

TAX ASSESSOR/COLLECTOR – AGENDA ITEMS 9E1-2

- E1. MONTHLY TAX COLLECTION REPORT ACCEPTED for month ending August 2019.
- E2. REQUEST APPROVED to accept Surety Bond #022224818 for Northside Lexus in the amount of \$200,000. Montgomery County has no responsibility for payment of this bond.

PURCHASING – AGENDA ITEMS 9F1-6

- F1. ADVERTISING APPROVED for the following:
 - a. Demolition and Site Clearing for various departments.

b. Calvary Road and Shepard Hill Road bridge for Commissioner Precinct 1.

F2. CHANGE ORDERS APPROVED:

a. CO #2 to Angel Brothers Enterprises, Ltd., for Project #18-50 Birnham Woods Drive Widening to add riprap and revised plan sheet for an increase in the amount of \$6,045 for Commissioner Precinct 3.

F3. RENEWALS OPTIONS APPROVED:

- a. Inmate Telephone System Maintenance with Kenneth D. Rollins dba TD&S/Telephone Data & Sound for Sheriff's Office/Jail. (exercising the second of three renewal options)
- b. Project #18-33 Decedent Transport Services, Storage Services and the Disposition of Bodies with Eickenhorst Funeral Services, LLC for various departments. (exercising the first of four renewals)
- c. Project #2016-0015 Document Destruction Services with Texas Shred Solutions, LLC with a price increase for various departments. (exercising the third of three renewal options)

F4. DISCRETIONARY EXEMPTIONS APPROVED for the following:

a. Wavetronix products as an item that can be obtained from only one source from Twincrest, Inc. dba Twincrest Technologies for various departments. Local Gov't Code §262.024(a)(7)(D)

F5. REQUEST APPROVED for the cancellation of month-to-month contract for Electronic Monitoring Equipment & Services with Sentinel Offender Services, LLC effective 09/30/2019 for various departments.

F6. REQUEST APPROVED to utilize the contract for Electronic Monitoring Equipment & Services with Sentinel Offender Services, LLC through the interlocal agreement with Harris County, TX contract 19/0031 for Juvenile. Local Gov't Code §271.102(b).

RISK MANAGEMENT – AGENDA ITEMS 9G1-6

G1. PAYMENT ACKNOWLEDGED to Safeco Insurance Company as subrogee for Rafael Ramirez in the amount of \$5,263.77 in reference to claim #A-19-0130, DOL 04/16/19.

G2. PAYMENT ACKNOWLEDGED to Claudia Laird in the amount of \$1,329.93 in reference to claim #A-19-0143, DOL 08/22/19.

- G3. PAYMENT ACKNOWLEDGED to Melissa Meeks in the amount of \$1,853.08 in reference to claim #B-19-0128, DOL 06/19/19.
- G4. PARTICIPATION APPROVED in the 2020 TAC Medicare CountyChoice Silver Retiree Medical Program Package 1. The director or assistant director of Risk Management is authorized to sign all necessary documents on behalf of Montgomery County. The county does not contribute to this program.
- G5. CHANGES, ADDITIONS AND RELEASES APPROVED for the following:
- | <u>BOND</u> | <u>NAME/DEPT</u> | <u>AMOUNT</u> | <u>ACTION</u> |
|-------------|---------------------------------|---------------|--------------------|
| 63769728 | Perkins, Teresa/Const Pct 5 | \$5,000 | Cont Cert |
| 14382031 | Gladden Jr., Willie/Const Pct 2 | \$5000 | Cont Cert |
| 61145302 | Walling, Chad/Const Pct 5 | \$5000 | Cont Cert |
| 64663976 | Crowson, Amy/Tax Office | | Rider-Title Change |
| 64767106 | Oelsner, Robert/Const Pct 4 | \$5000 | New |
| 64767124 | Gonzalez, Andrew/Const Pct 3 | \$5000 | New |
- G6. ANNUAL ELECTION APPROVED that allows the Montgomery County Employee Benefit Plan to be exempt from sections of the Health Insurance Portability and Accountability Act (HIPAA) as allowed by the federal law for plan year beginning January 1, 2020 and ending December 31, 2020. The director of Risk Management is authorized to process, sign and submit electronically through the Health Insurance Oversight System Services (HIOS) to Department of Health and Human Services/Centers for Medicare and Medicaid Service (CMS)/Center For Consumer Information and Insurance Oversight (CIIO) all necessary documents on behalf of Montgomery County.

COMMISSIONERS – AGENDA ITEM 9H1

- H1. PRECINCT 4
- a. CHECK ACCEPTED from Montgomery County ESD #7 in the amount of \$980.71 for the purchase of fuel for July 2019. This will be deposited into line number 615-7926. Check has been forwarded to Auditor for further processing.
 - b. CHECK ACCEPTED from City of Roman Forest in the amount of \$1,780.12 for the purchase of fuel for August 2019. This will be deposited into line item

number 615-7926. This check has been forwarded to the Auditor for further processing.

- c. CHECK ACCEPTED from Meals on Wheels Montgomery County in the amount of \$477.46 for the purchase of fuel for August 2019. This will be deposited into line item number 615-7926. Check has been forwarded to Auditor for further processing.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9I1-3

11. PRECINCT 2

- a. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Woodforest at Pine Market Tract 3B-1.
- b. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in West Denali Wilderness Parkway Phase 1.
- c. FINAL PLAT APPROVED of Woodlane Forest Partial Replat No. 1; 8.243 acres; Ezra Reed Survey, A-458.
- d. FINAL PLAT APPROVED of Pin Oaks Plaza; 9.111 acres; John N. Thomas Survey, A-549.

12. PRECINCT 3

- a. FINAL PLAT APPROVED of The Woodlands Metro Center Millennium Apartments; 1.882 acres; Walker County School Land Survey, A-599.
- b. FINAL PLAT APPROVED of Oak Ridge North, Section 1 Partial Replat No. 2; 1.585 acres; Charles Eisterwall Survey, A-191.
- c. FINAL PLAT APPROVED of Papas and Saw Angel Oaks; 4.5539 acres; Charles Eisterwall Survey, A-191.
- d. FINAL PLAT APPROVED of Broadstone Woodmill Creek; 8.6528 acres; John Taylor Survey, A-547.

13. PRECINCT 4

- a. FULLY EXECUTED AGREEMENT TO CONTRIBUTE RIGHT-OF-WAY FUNDS ACKNOWLEDGED for right of way improvements to Hwy 105 from SL 336 to FM 1484 with Texas Department of Transportation approved in Commissioners Court on July 30, 2019 (8L5a). Payment is authorized in

the amount of \$1,384,900 from funding source 6154015 - 7598582 - RD400117.

- b. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Porters Mill, Section 3.
- c. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Woodridge Forest, Section 13 and bond is released.
- d. FINAL PLAT APPROVED of Montgomery Creek Ranch, Section 21; 11.259 acres; Richard Vince Survey, A-583.

HUMAN RESOURCES – AGENDA ITEM 9J1

J1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of Animal Shelter to place Jill Becker, Volunteer Coordinator, on payroll, as replacement for Macheal Ita, effective September 14, 2019.

Request of Animal Shelter to discharge Jemal Lett, Animal Care Technician, effective September 14, 2019. [27.72 hours or balance vacation]

Request of Animal Shelter to change status of Shyanne Loftin, Animal Care Technician, from part time to full time, effective September 7, 2019.

Request of Custodial to place Sariah Berger, Custodian, on unpaid FMLA/disability Leave, effective September 9, 2019.

Request of Custodial to place Jonathan Carbajal, Custodian, on payroll, as replacement for DeMarco Horace, effective September 16, 2019.

Request of Custodial to place Nayeli Hernandez Diaz, Custodian, on payroll, effective September 9, 2019.

Request of Custodial to place Bianey Madrid, Custodian I, on payroll as replacement for Andrea Vasquez, effective September 9, 2019.

Request of Custodial to accept the resignation of Amparo Martinez, Custodian, effective September 5, 2019. [No benefits due]

Request of Custodial to place Alma Rincon Rodriguez, Custodian, on payroll as replacement for Maria Castaneda, effective September 16, 2019.

Request of Custodial to accept the resignation of Juan J. Rios Rapia, Custodian I, effective September 10, 2019. [100.07 hours or balance vacation]

Request of Custodial to place Priscilla Ann Trevino, Custodian, on payroll as replacement for Christian Batalla, effective September 9, 2019.

Request of Commissioner Precinct 2 to bridge time of James Luna, Operator I, to have a revised leave anniversary date of 11/29/2009, effective July 19, 2019.

Request of Commissioner Precinct 4 to discharge William Corder, Operator I, effective September 11, 2019. [No benefits due]

Request of Commissioner Precinct 4 to remove Amber Wooley, Operator I, from payroll due to job abandonment, effective September 11, 2019. [11.80 hours or balance vacation; 0.090 hours or balance compensatory time]

Request of County Attorney to place Shannon Perkins, Attorney I, on unpaid FMLA/disability leave, effective August 26, 2019.

Request of County Auditor to discharge Alicia Higgins, Accounts Payable Assistant, effective September 13, 2019. [36.10 hours or balance vacation]

Request of District Attorney to change position of Leah Martine Fiedler, Attorney I, as replacement for Raphael M. Ortega Jr., effective September 21, 2019.

Request of District Attorney to place Millicent Elaine Lierman, Attorney I, on payroll as replacement for Leah Martine Fiedler, effective October 1, 2019.

Request of District Attorney to place Shelby F. Saefke, Intern, on payroll as replacement for Renee Danielle Rhinefort, effective September 16, 2019.

Request of District Clerk to accept the resignation of Carmen Keeton, Accounting Assistant, effective September 17, 2019. [No benefits due]

Request of Elections to place David D. Aguilar, Voter Clerk, on payroll, effective September 23, 2019.

Request of Elections to place Charlene H. Ascarrunz, Voter Clerk, on payroll, effective September 23, 2019.

Request of Elections to place Diana C. Ochoa, Voter Clerk, on payroll, effective September 23, 2019.

Request of Elections to place Victoria G. Rockitter Pittman, Voter Clerk, on payroll, effective September 23, 2019.

Request of Emergency Management to correct PCR of Mark Seals, Deputy Director, approved in Commissioners Court on 08/27/19, effective August 28, 2019.

Request of Juvenile to place Stephanie Allyn Chavez, Counselor, on payroll, as replacement for Micaella Mona Mitchell, effective September 30, 2019.

Request of Juvenile to place Kirsty Rachelle Douglass, Juvenile Supervision Officer, on unpaid leave of absence, effective July 22, 2019.

Request of Juvenile to place Cory Scott LeBlanc, Juvenile Supervision Officer Substitute, on payroll, effective September 17, 2019.

Request of Juvenile to place George David Plowman, Juvenile Supervision Officer Substitute, on payroll, effective September 17, 2019.

Request of Law Library to accept the resignation of Dana A. Cook, Clerk II, effective September 6, 2019. [No benefits due]

Request of Library to place Kristi Eppright, Reference Librarian, on payroll due to return from unpaid FMLA/disability leave, effective September 16, 2019.

Request of Library to place Leslie L. Shelton, Library Assistant II, on payroll as replacement for Katarina Robbins, effective September 24, 2019.

Request of Sheriff to transfer Samantha Theresa Alvarez, Deputy, as replacement for Steven Wayne Campos, effective September 7, 2019.

Request of Sheriff to promote David S. Aragon, Deputy, effective September 21, 2019.

Request of Sheriff to increase salary of Christopher Todd Arnold, Deputy Patrol, due to step increase, effective September 21, 2019.

Request of Sheriff to promote Anthony Alexander Ashley, Deputy, effective September 21, 2019.

Request of Sheriff to promote Bobby Dean Baker III, Deputy, effective September 21, 2019.

Request of Sheriff to promote Kevin Austin Barnes, Deputy, effective September 21, 2019.

Request of Sheriff to place Calvin Blake Jr., Officer Civilian Deten, on payroll as replacement for Danielle Gonzalez, effective September 7, 2019.

Request of Sheriff to accept the resignation of Keith Lashawn Brown, Dispatcher, effective September 14, 2019. [136.40 hours or balance vacation; 162.50 hours or balance compensatory time; 8.00 hours or balance holiday]

Request of Sheriff to promote Mark D. Cendejas Jr., Deputy, effective September 21, 2019.

Request of Sheriff to promote John William Craig, Deputy, effective September 21, 2019.

Request of Sheriff to promote Corbi Daniele Davis, Deputy, effective September 21, 2019.

Request of Sheriff to promote Dalton Shane Fields, Deputy, effective September 21, 2019.

Request of Sheriff to promote Brandon C. Franklin, Deputy, effective September 21, 2019.

Request of Sheriff to promote Tiffany Marie Fry, Deputy, effective September 21, 2019

Request of Sheriff to discharge Rudy Garza II, Dispatcher II, effective September 5, 2019. [225.24 hours or balance vacation; 240.00 hours or balance compensatory time; 46.00 hours or balance holiday]

Request of Sheriff to place Amber Kathleen Gifford, Officer Civilian Deten, on payroll due to return from unpaid leave of absence, effective September 4, 2019.

Request of Sheriff to place Donna Lynn Greenan, Records Specialist I, on payroll due to return from unpaid FMLA/disability leave, effective August 29, 2019.

Request of Sheriff to increase salary of John Christopher Gregory, Deputy Detention, due to step increase, effective September 21, 2019.

Request of Sheriff to increase salary of Jennifer M Horvath, Deputy Detention, due to step increase, effective September 21, 2019.

Request of Sheriff to promote Luis Jimenez, Deputy, effective September 21, 2019.

Request of Sheriff to promote Melanie N. Lester, Deputy, effective September 21, 2019.

Request of Sheriff to promote Clayton Cordell Lewis, Deputy, effective September 21, 2019.

Request of Sheriff to increase salary of Brett J. Logan, Specialist, due to step increase, effective September 21, 2019.

Request of Sheriff to place Justin McAlpin, Officer Civilian Deten, on payroll as replacement for Tyler Ray Mayhugh, effective September 7, 2019.

Request of Sheriff to increase salary of Bryan Douglas Mittag, Detective, due to step increase, effective September 21, 2019.

Request of Sheriff to promote Susana Ochoa, Deputy, effective September 21, 2019.

Request of Sheriff to promote Payton McKinney Palmer, Deputy, effective September 21, 2019.

Request of Sheriff to promote Zachary Zane Rice, Deputy, effective September 21, 2019.

Request of Sheriff to promote Timothy John Silva, Deputy, effective September 21, 2019.

Request of Sheriff to promote Christina Rose Stewart, Adm Assistant I, effective September 7, 2019.

Request of Sheriff to increase salary of Vicente Rafael Suarez, Deputy Patrol, due to step increase, effective September 21, 2019.

Request of Sheriff to promote Donna Vallie, Adm Assistant I, as replacement for Flora Italia Ramirez, effective September 7, 2019.

Request of Sheriff to promote Michael Dewayne Wetuski, Deputy, effective September 21, 2019.

Request of Sheriff to promote Sterling A. Willis, Deputy, effective September 21, 2019.

Request of Sheriff to promote Joshua L. Wright, Deputy, effective September 21, 2019.

Request of Commissioner Pct 3 to place Owen Dubois, Laborer, on payroll, effective September 16, 2019.

Request of Commissioner Precinct 3 to place Ryan Dulfer, Nature Center Assistant, on payroll as replacement for Cory Foster, effective September 20, 2019.

Request of Tax Assessor Collector to place Federico Ollivier, Deputy Specialist I, on payroll as replacement for Rebecca McWhirter, effective September 17, 2019.

Request of Tax Assessor Collector to increase salary of Edlecia Pierson Arias, Deputy Specialist III, due to completion of education and tenure requirements, effective September 7, 2019.

Request of Tax Assessor Collector to promote Mikka Thiem, Accounting Analyst, as replacement for Hannah Gesford, effective September 7, 2019

FIRE MARSHAL – AGENDA ITEM 9K1

- K1. REQUEST APPROVED to remove the burn ban order enacted on September 10, 2019 due to recent rainfall and reduction in drought conditions for Montgomery County.

EMERGENCY MANAGEMENT – AGENDA ITEMS 9L1-3

- L1. INTERLOCAL AGREEMENT APPROVED between Montgomery County and Conroe ISD regarding fuel.
- L2. AGENDA ITEM 9L2 - Consider and approve the acceptance of Supplemental Awards to the following HSGD 2017 UASI grants and amounts WAS DEFERRED.
- L3. REQUEST APPROVED to deobligate the remaining funds from HSGD 2017 UASI M & A project 2986503 in the amount of \$59,126.52. These funds will be moved to support first responder projects.

COUNTY ATTORNEY – AGENDA ITEMS 9M1-4

M1. PRECINCT 1

- a. ORDER APPROVED authorizing notice of public hearing on October 22, 2019 for partial revision to subdivision lots/plats being described as Reserve W, of Phase 1A Bluejack National Partial Replat No. 1, to be known as Phase 1B Bluejack National and Partial Replat of Reserve “W” Bluejack National Phase 1A Partial Replat No 1.
- b. ORDER APPROVED authorizing Commissioner Mike Meador to Execute Temporary Easements for the Calvary Road and Shepard Hill Bridge Replacement Project.
- c. ORDER APPROVED to authorize the granting of a 0.915 acre Easement to Entergy Texas, Inc. Commissioner Mike Meador is authorized to sign the conveyance documents on behalf of the county.
- d. ORDER APPROVED to authorize the granting of a 1.431 acre Easement to Entergy Texas, Inc. Commissioner Mike Meador is authorized to sign the conveyance documents on behalf of the county.

M2. PRECINCT 2

- a. ORDER APPROVED authorizing notice of public hearing on November 12, 2019 for partial revision to subdivision lots/plats being described as Lot 8,

Block 3, High Meadow Estates Section 2 to be known as High Meadow Estates Section Two, Partial Replat No. 2.

M3. PRECINCT 4

- a. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 26 for the widening of Sorters Road from Donald Poole and Carolyn Poole for the total sum of \$10,045.13 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 27 for the widening of Sorters Road from Donald Poole and Carolyn Poole for the total sum of \$21,976.10 and to accept the executed or to be executed deed.
- c. ORDER APPROVED declaring the existence of a public necessity and authorizing eminent domain proceedings for Parcel 37 owned by Sorters Property, Inc. for the Sorters Road expansion project.
- d. ORDER APPROVED declaring the existence of a public necessity and authorizing eminent domain proceedings for Parcel 38 owned by Cesar Ivan Hernandez for the Sorters Road expansion project.
- e. ORDER APPROVED declaring the existence of a public necessity and authorizing eminent domain proceedings for Parcel 79 owned by Landrey Realty, LLC for the Sorters Road expansion project.
- f. ORDER APPROVED authorizing access authorization agreement to be granted to Red Oak Pipeline, LLC. Commissioner Metts is authorized and directed to sign any papers and authorized and directed to sign the Access Authorization Agreement.

M4. ALL PRECINCTS

- a. RESOLUTION AND ORDER APPROVED supporting the need for the Montgomery County Attorney to defend on behalf of Montgomery County the lawsuit filed under Civil Action No. 4:19-cv-01294 and styled David Gilbert 253526, Montgomery County Jail vs. Brett Ligon-Montgomery County DA's Office, Montgomery County Constable's Office, Precinct 4, East County and Montgomery County Jail, Claim No. D-19-0156. 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.

- b. RESOLUTION AND ORDER APPROVED supporting the need for the Montgomery County Attorney to defend on behalf of former Montgomery County employee Deputy Richard Rulong, Jr. the lawsuit filed under Cause No. 2019-60238 and styled Jace Langley vs. Richard Rulong Jr., Claim No. B-16-0151. 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.
- c. 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. 19-07-09455 and styled Jose Velasquez Sosa vs Ludivina Mateos and Montgomery County, Claim No. A-17-0124. 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.
- d. AMENDED RESOLUTION AND ORDER APPROVED supporting the need for the Montgomery County Attorney to defend on behalf of Montgomery County; Deputy Michael Berry; Assistant District Attorney Gordon Dudley; Sheriff Rand Henderson; Judge Phil Grant; Paul Damico; Brett Ligon in the lawsuit filed under Civil Action 19CV2492 and styled Keith Alexander Lamb Jr., vs Deputy Michael Berry, Asst. District Attorney Gordon Dudley, Sheriff Rand Henderson, Unknown Magistrate, Brett Ligon and Attorney General Ken Paxton, Claim No. B-19-0121. 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.
- e. PUBLIC SERVICE CONTRACTS APPROVED for the 2019-2020 fiscal year as follows: Access Builds Children; Children's Safe Harbor; Committee on Aging; Crisis Assistance Center; Heritage Museum; Montgomery County Women's Center; Montgomery County Youth Services; Texas Parks and Wildlife; Tri County Behavioral Service; and Veterans Memorial Commission.

COUNTY ATTORNEY – MENTAL HEALTH TREATMENT FACILITY – AGENDA ITEM
9N1

- N1. AMENDMENT NO. 3 RATIFIED, ACCEPTED AND RECORDED to HHSC Contract No. 2016-048567-001 providing for biennial appropriation from the State of Texas. County Attorney B. D. Griffin is authorized to execute or ratify

the amendment on behalf of Montgomery County through DocuSign or other means of electronic execution of documents.

COUNTY CLERK – AGENDA ITEM 901

- O1. FEES SET in accordance with Texas Local Government Code, Section 118.131 for civil service by sheriff deputies and constable deputies.

CONSTABLE PRECINCT 4 – AGENDA ITEM 9P1

- P1. INCREASE APPROVED of the previously approved grant contract amount between the U.S Immigration and Customs Enforcement HSI joint operations and the Montgomery County Constable Pct 4 Office. The amount is increased by \$1,000.
- P2. LEASE AGREEMENT APPROVED with East Montgomery County Improvement District (EMCID) for office space.

GRANTS – AGENDA ITEMS 9Q1-4

- Q1. FISCAL YEAR 2020 DOMESTIC VIOLENCE INVESTIGATOR GRANT ACCEPTED from the Office of the Governor Criminal Justice Division for the District Attorney's Office in the amount of \$75,277.03 with a match of \$30,875.89 from District Attorney's Office Budget. Grant application was approved on February 12, 2019.
- Q2. GRANT FUNDING ACCEPTED for the Fiscal Year 2020 Routine Airport Maintenance Program (RAMP) grant from Texas Department of Transportation-Aviation in the amount of \$50,000 with a match of \$50,000 from the Airport Maintenance Budget. James Brown is authorized to be the authorized official of this grant and to submit and accept grant electronically on behalf of Montgomery County.
- Q3. UPDATED INTERNAL COMPLIANCE PROGRAM FORM APPROVED from Texas Department of Transportation. This form was accepted in Commissioners Court on 1/24/2017.
- Q4. REQUEST APPROVED to Texas Department of Family and Protective Services for funding for the County to provide legal and child welfare services necessary for child protection for fiscal year 2020. County Judge Mark Keough is authorized to execute appropriate documents related to the same.

Motion carried.

END OF CONSENT AGENDA

CITIZENS – AGENDA ITEM 10

NO CITIZENS ADDRESSED THE COURT AT THIS TIME.

AGENDA ITEM 11A – MEMBERS OF THE BOARD OF JUDGES DISCUSSED THE FY 2019 COURT OPERATIONS BUDGET.

THE JUDGES, MEMBERS OF THE COURT, THE BUDGET OFFICE, AND THE AUDITOR ALL EXPRESSED THE WILLINGNESS TO WORK TOGETHER CONCERNING MATTERS WITH THE BUDGET.

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

7. REQUEST APPROVED – BUDGET – OFFICE OF COURT ADMINISTRATION

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the budget transfers, adjustments and an amendment for Court Operations in FY 2019 as per modifications on file. Motion carried.

8. REQUEST APPROVED – MANUAL PAYMENTS – OFFICE OF COURT ADMINISTRATION

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve additional manual payments for Court Operations as per claims on file. Motion carried.

9. SALARY SCHEDULE APPROVED – FY2020 – BUDGET OFFICE

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the Salary Schedule for FY2020, effective October 5, 2019. Motion carried.

10. BUDGET POLICY APPROVED – FY2020 – BUDGET OFFICE

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the Budget Policies for FY2020. Motion carried.

Commissioner Noack entered the courtroom during the discussion for motion 10, but did not start voting until motion 11.

11. PAYMENT OF ACCOUNTS APPROVED – COUNTY AUDITOR

Motion by Commissioner Riley, seconded by Commissioner Metts, to approve the payment of accounts. Motion carried.

12. AGREEMENT APPROVED – ENGINEERING SERVICES – PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve on-call engineering services with RPS Infrastructure, Inc. for Commissioner Precinct 3. Motion carried.

13. DISCRETIONARY EXEMPTION APPROVED – MOTOROLA SOLUTIONS – INFORMATION TECHNOLOGY

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve granting a Discretionary Exemption for Data Conversion and Monitoring Services as an item that can be obtained from only one source from Motorola Solutions Company in the amount of \$243,744 for Information Technology as authorized by Local Government Code §262.024(a)(7)(A). Motion carried.

14. CHANGE ORDER APPROVED – BINKLEY & BARFIELD – COMMISSIONER PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve change order (CO) #1 to Binkley & Barfield, Inc. for Utility Coordination Services for FM 1097 from Blueberry Hill Road to IH-45 for additional utility coordination services for an increase of \$294,611 for Commissioner Precinct 1. Motion carried.

15. AWARD APPROVED – PROJECT 19-56 – INFORMATION TECHNOLOGY

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the award to VIS Houston, LLC for Project 19-56 RFP Audio/Visual Systems and Installation for Information Technology. Motion carried.

16. AGREEMENT APPROVED – PROFESSIONAL SERVICES – PURCHASING

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the Professional Services Agreement with Weaver and Tidwell, L.L.P. per Government Code 2254 for External Auditor Services in the amount of \$60,000. Motion carried.

17. PAYROLL CHANGES APPROVED – TREASURER

Motion by Commissioner Riley, seconded by Commissioner Noack, to accept the changes to payroll deduction cycle and pay methods. Commissioner Meador and Commissioner Metts voted “No.” Motion carried.

18. ORDER APPROVED – LOCAL DISASTER – EMERGENCY MANAGEMENT

Motion by Commissioner Metts, seconded by Commissioner Riley, to renew and extend the Declaration of Local Disaster issued for Tropical Storm Imelda and the related flooding the County for a period of thirty days. Motion carried.

19. RESOLUTION AND ORDER APPROVED – TROPICAL STORM IMELDA – EMERGENCY MANAGEMENT

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve and ratify prior decisions and take action related to Tropical Storm Imelda and the severe weather as follows:

- a. Closure of all county facilities for September 19, 2019, inclusive, to certain personnel and authorization of the use of code 032 on timesheets for those employees not reporting to work on that day; and
- b. Regular and overtime hours worked by all employees reporting to work during the period from September 19, 2019 through September 26, 2019, in accordance with Employee Policy Manual Section 4.14 - Disaster Policy; and
- c. Designating Fund Balance as a funding source for any County match, if necessary, and expenditures deemed ineligible by FEMA related to Tropical Storm Imelda; and
- d. Authorization of the utilization of employees to perform County functions at the direction of an authorized party, including the County Judge or Homeland Security Office and Emergency Management (HSOEM) Director, which may include duties outside of their normal capacity and department; and
- e. Authorization of the County Judge and HSOEM Director to incur expenses related to Tropical Storm Imelda relief and recovery efforts, in an amount not to exceed \$150,000.00, with Contingency as a funding source.

Motion carried.

20. RESOLUTION AND ORDER APPROVED – NOTICE TO PROCEED – EMERGENCY MANAGEMENT

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the issuance of the Notice to proceed with Crowdergulf, LLC for mobilization of equipment, personnel and supplies to assist with debris removal with an initial estimated cost not to exceed the amount of \$1,250,000.00 with funding to be from fund balance. Motion carried.

21. RESOLUTION AND ORDER APPROVED – NOTICE TO PROCEED – EMERGENCY MANAGEMENT

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the issuance of Notice to Proceed with Hagerty Consulting through October 8, 2019, unless otherwise extended, for mobilization of personnel to assist county staff with debris

monitoring, damage site data collection and reimbursement assistance with an initial estimated cost not to exceed \$750,000 with funding to be from fund balance. Motion carried.

22. RESOLUTION AND ORDER APPROVED – NOTICE TO PROCEED – EMERGENCY MANAGEMENT

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the issuance of Notice to Proceed with Hagerty Consulting beginning October 9, 2019, lasting through November 5, 2019, unless otherwise extended, with safety assessments and data collection to be conducted in the damaged portions of Montgomery County with an initial estimated cost not to exceed \$1,200,000.00 with funding to be from fund balance. Motion carried.

23. GRANT APPLICATION APPROVED – LIFESAVING IMPACT – GRANTS

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the fiscal year 2020 Lifesaving Impact grant application to Petco Foundation in the amount of \$150,000 for the Animal Shelter with no match required. Animal Shelter Assistant Director Mark Wysocki 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 19A1: CONSIDER THE PARTIAL REVISION OF LOTS 2, 3 AND 4, BLOCK 1, POINT AQUARIUS SECTION 1, TO BE KNOWN AS POINT AQUARIUS SECTION 1, PARTIAL REPLAT NO. 1.

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

CITIZENS – AGENDA ITEM 20

Bobbie Bates addressed the court concerning the flooding events caused from Tropical Storm Imelda. She asked the court what help is going to be available to them and what can be done to prevent this in the future.

MISCELLANEOUS – AGENDA ITEM 21 – NO OTHER ITEMS LISTED

24. COURT ADJOURNS

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

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

ATTEST:

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

BY: Mark Turnbull
COUNTY CLERK

[Signature]
COUNTY JUDGE

