

#4 gn
JAN 14 2020

COMMISSIONERS COURT DOCKET
DECEMBER 10, 2019
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 10th day of December, 2019, the Honorable Commissioners Court of Montgomery County, Texas, was duly convened in a Regular Session in the Commissioners Courtroom of the Alan B. Sadler Commissioners Court Building, 501 North Thompson, Conroe, Texas, with the following members of the Court present:

County Judge	Mark Keough
Commissioner, Precinct 1	Mike Meador
Commissioner, Precinct 2	Charlie Riley
Commissioner, Precinct 3	James Noack
Commissioner, Precinct 4	James Metts
Also County Clerk's Office	Amber Twiddy

INVOCATION GIVEN BY 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 Noack, seconded by Commissioner Riley, to approve Commissioners Court Agenda for discussion and necessary action. Motion carried.

2. RESOLUTION APPROVED – FM 1774

Motion by Riley, seconded by Commissioner Meador, to support the re-designation of the existing SH249 to FM 1774. Motion carried.

AGENDA ITEM 7B – TEXAS A&M AGRILIFE EXTENSION PRESENTED THEIR ANNUAL INTERPRETATION MAKING A DIFFERENCE IN MONTGOMERY COUNTY.

AGENDA ITEM 7C – LELAND DUSHKIN WITH THE MONTGOMERY COUNTY CPS BOARD GAVE A BRIEF UPDATE ABOUT VARIOUS THINGS HAPPENING WITH THE BOARD.

3. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Noack, seconded by Commissioner Metts, to approve the Minutes from Regular Session of Commissioners Court dated November 12, 2019, Special Session dated November 15, 2019, and Regular Session dated November 19, 2019. Motion carried.

AGENDA ITEM 9E6 WAS MOVED TO THE OPEN AGENDA. SEE MOTION #5 FOR COURT ACTION.

AGENDA ITEM 9O3i WAS DEFERRED.

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

Motion by Commissioner Noack, 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. REPORT ACCEPTED that complies with Local Government Code Section 114.024
- A2. REPORTS ACCEPTED of Chapter 59 Asset Forfeitures.
- A3. REQUEST APPROVED from Justice of the Peace Precinct 3 to use \$116.50 from the Justice of the Peace Technology Fund.

TREASURER – AGENDA ITEM 9B1-3

- B1. DONATION ACCEPTED in the amount of \$7,491.76, to the Animal Shelter from The Humane Society of the United States to be deposited into line item 63311.4364.
- B2. DONATION ACCEPTED in the amount of \$1,753.12, to the Animal Shelter from The Humane Society of the United States to be deposited into line item 63311.4364.
- B3. APPROVED BROKER/DEALER LIST ACCEPTED for investments.

TAX ASSESSOR/COLLECTOR – AGENDA ITEMS 9C1-3

- C1. MONTHLY TAX COLLECTION REPORT ACCEPTED for month ending October 2019.

- C2. TAX ASSESSOR-COLLECTOR’S COMPLIANCE REPORT ACKNOWLEDGED with SB546 reporting requirements pursuant to Texas Property Tax Code §6.23(d).
- C3. FULLY EXECUTED TAX ABATEMENT AGREEMENT ACCEPTED AND RECORDED between Montgomery County and Buske Lines, Inc.

PURCHASING – AGENDA ITEMS 9D1-3

- D1. AWARD APPROVED for the following:
 - a. Project #20-07 Mosquito Spraying Services for various precincts.
 - b. Project #18-33 Decedent Transport Services, Storage Services and the Disposition of Bodies of Deceased Paupers for various departments.
- D2. CHANGE ORDERS APPROVED:
 - a. CO #1 to VariVerge, LLC., for Project #19-43 Processing, Printing and Mailing of Tax Statements to add additional items for Tax Office.
 - b. CO #2 to Motorola Solutions, Inc., for Montgomery County AWARE, Conroe Tower and Conroe Radio Tower Site Replacement to move scheduled completion date for Sheriff's Office.
 - c. CO #6 to Smith & Company for Project# 2017-0024 Rayford Road Widening and Railroad Grade Separation from Richards Road to SH 99 to add additional items at no additional cost and twenty (20) additional days for Commissioner Precinct 3.
 - d. Amendment #1 to Worxtime, LLC for ACA Tracking and Reporting Service for Risk Management.
- D3. RENEWALS OPTIONS APPROVED:
 - a. Inmate Dental Service and add items with Gayle Fletcher, DDS, PA for Sheriff's Office/Jail (exercising the first of five renewal options).

RISK MANAGEMENT – AGENDA ITEMS 9E1-6

- E1. CHANGES, ADDITIONS AND RELEASES APPROVED for the following:

<u>BOND</u>	<u>NAME/DEPT</u>	<u>AMOUNT</u>	<u>ACTION</u>
64813175	Mathew, Shobin/Tax Office	\$100,000	New
64807491	Thiem, Mikka/Tax Office	\$100,000	New

64807491 Thiem, Mikka/Tax Office Rider to correct job
Title
72194578 Tree clearing Permit bond/County Clerk \$10,000 New

- E2. RENEWAL APPROVED of Basic Group Term Life Insurance, Basic Accidental Death and Dismemberment, Additional Life and Dependent Life With The Standard Insurance Company for the year beginning January 1, 2020. Director or assistant director of Risk Management are authorized to sign all necessary documents on behalf of Montgomery County.
- E3. AUTO-RENEWAL APPROVED of the Tenant Users Liability Insurance Policy (TULIP) and authorize the director or assistant director of Risk Management to sign all related documents on behalf of Montgomery County.
- E4. FIFTH AMENDMENT APPROVED to Pharmacy Services Agreement.
- E5. RESOLUTION AND ORDER APPROVED to authorize the County Attorney and Director of Risk Management to settle claims, both for and against the County in an amount not to exceed \$25,000 per claim and sign any necessary forms, including a release of liability. The County Auditor is authorized to make payment on claims that have been settled in an amount not to exceed \$25,000 per claim.
- E6. AGENDA ITEM 9E6 WAS MOVED TO THE OPEN AGENDA. SEE MOTION 5 FOR COURT ACTION.

COMMISSIONERS – AGENDA ITEMS 9F1-5

- F1. PRECINCT 1
 - a. REAPPOINTMENT APPROVED Of Kim Parrish and Mike Mason to the Montgomery County Emergency Service District (MCESD) #2 Board of Commissioners for a two-year term ending December 31, 2021.
- F2. PRECINCT 2
 - a. REQUEST APPROVED to acknowledge the naming of a private road by Magnolia Independent School District to be known as Bulldog Blvd.
 - b. DESIGNATION APPROVED of Pct. 5 Constable Lieutenant Michael Silvio, Pct. 5 Constable Sergeant Duane Burrell, Pct. 3 Constable Sergeant Chris Hoffmeyer, and Pct. 3 Constable Sergeant Ken Washington as weight

enforcement officers in Montgomery County as prescribed by and in accordance with Transportation code 621.4015.

- c. REAPPOINTMENT APPROVED of Sean McElroy and John Acree to the Montgomery County Emergency Service District (MCESD) #3 Board of Commissioners for a two-year term ending December 31, 2021.
- d. REAPPOINTMENT APPROVED of Bob Buschardt and Scott Wall to the Montgomery County Emergency Service District (MCESD) #10 Board of Commissioners for a two-year term ending December 31, 2021.

F3. PRECINCT 3

- a. REAPPOINTMENT APPROVED of Alan Dreeson, Shirley Grandjean and Danny Olsen to the Montgomery County Emergency Service District (MCESD) #14 Board of Commissioners for a two-year term ending December 31, 2021.

F4. PRECINCT 4

- a. CHECK ACCEPTED from Meals on Wheels Montgomery County in the amount of \$607.21 for the purchase of fuel for October 2019. This will be deposited into line item number 615-7926. This check has been forwarded to the Auditor for further processing.
- b. REAPPOINTMENT APPROVED of Theryln Cook, John Kelley and David Miller to the Montgomery County Emergency Service District (MCESD) #6 Board of Commissioners for a two-year term ending December 31, 2021.
- c. REAPPOINTMENT APPROVED of Wanda James, Jan Peterson and Jacqui Vat to the Montgomery County Emergency Service District (MCESD) #7 Board of Commissioners for a two-year term ending December 31, 2021.

F5. PRECINCTS 2 AND 4

- a. REAPPOINTMENT APPROVED of Michael Zepeda and Scott Guillote to the Montgomery County Emergency Service District (MCESD) #9 Board of Commissioners for a two-year term ending December 31, 2021.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9G1-5

G1. PRECINCT 1

- a. REQUEST APPROVED to accepting an additional 360 feet of Pearson Lane into the Montgomery County road maintenance system upon finding of prescriptive right based on public use.

G2. PRECINCT 2

- a. RESOLUTION AND ORDER APPROVED to approve the agreement for a local on-system improvement project between TxDOT and Montgomery County for SH 242 from Gosling Road to Honor Roll Drive with Texas Department of Transportation and Commissioner Charlie Riley is authorized to sign all related paperwork with no local match required.
- b. FINAL PLAT APPROVED for Triple J Farms; 3.993 acres in the Raleigh Rogers Survey, A-33,
- c. FINAL PLAT APPROVED of Fairwater, Section 1; 4.380 acres; Thomas Catham Survey, A-127.
- d. FINAL PLAT APPROVED of Fairwater, Section 2; 8.327 acres; Thomas Catham Survey, A-127.
- e. FINAL PLAT APPROVED of Fairwater, Section 3; 13.838 acres; Thomas Catham Survey, A-127.
- f. FINAL PLAT APPROVED of Woodforest, Section 103; 7.56 acres; James Hodge Survey, A-19.
- g. FINAL PLAT APPROVED of Woodforest, Section 77; 19.87 acres; James Pevehouse Survey, A-29.

G3. PRECINCT 3

- a. PUBLIC HEARING DATE SET for January 14, 2020 to establish a multiway (all way) stop sign control at the Cochran's Crossing Drive and Bay Branch Drive intersection.
- b. PUBLIC HEARING DATE SET for January 14, 2020 to post a 35-mph speed limit on Rayford Road between Birnham Woods Drive and S. Lazy Meadow Way.

G4. PRECINCT 4

- a. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Speed Street Street Dedication and bond is released.
- b. FINAL PLAT APPROVED of Humble ISD North Transportation Facility; 11.830 acres; M.H. Short Survey, A-535.

G5. ALL PRECINCTS

- a. REQUEST APPROVED from Park Construction to move heavy equipment across various county roads. This permit will expire April 9, 2020. Bond on file expires May 1, 2020.

HUMAN RESOURCES – AGENDA ITEM 9H1

H1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of Custodial to accept the resignation of Sariah Berger, Custodian, effective November 22, 2019. [No benefits due]

Request of Custodial to increase salary of Jonathan Carbajal, Custodian, due to completion of probationary period, effective December 15, 2019.

Request of Custodial to accept the resignation of Elisabeth Torrez De Morris, Custodian I, effective December 2, 2019. [72.17 hours or balance vacation; 6.25 hours or balance compensatory time; 16.00 hours or balance holiday]

Request of Custodial to increase salary of Bianey Lozano Madrid, Custodian I, due to completion of probationary period, effective December 8, 2019.

Request of Custodial to place Alfredo Martinez III, Custodian, on payroll as replacement for Irma Moya, effective November 25, 2019.

Request of Custodial to increase salary of Caleb Pomales, Custodian, due to completion of probationary period, effective December 22, 2019.

Request of Custodial to accept the resignation of Nora Rangel Ramos, Custodian, effective November 14, 2019. [No benefits due]

Request of Custodial to increase salary of Alma Rincon Rodriguez, Custodian, due to completion of probationary period, effective December 15, 2019.

Request of Custodial to discharge Kaylynn Marie Sackberger, Custodian, effective December 2, 2019. [5.72 hours or balance vacation; 16.00 hours or balance holiday]

Request of Custodial to increase salary of Priscilla Ann Trevino, Custodian, due to completion of probationary period, effective December 8, 2019.

Request of Custodial to increase salary of Edde Jose Velazquez, Custodian I, correction due to salary upload, effective October 5, 2019.

Request of Commissioner Precinct 1 to accept the resignation of Travis D. Ross, Laborer, effective December 6, 2019. [17.60 hours or balance vacation; 240.00 hours or balance compensatory time; 16.00 hours or balance holiday]

Request of Commissioner Precinct 1 to discharge Jason Alexander Montgomery, Park Attendant, effective November 18, 2019. [No benefits due]

Request of Commissioner Precinct 4 to place Penny Cone, Operator I, on payroll, as replacement for Homer Oatis, effective November 18, 2019.

Request of Commissioner Precinct 4 to correct salary rate of Joel Sanchez Salas, Projects & Logistics Coord, effective November 4, 2019. [91.5650 hours or balance compensatory time]

Request of Constable Precinct 5 to accept the resignation of Tanna Marino, Deputy Constable, effective November 22, 2019. [9.24 hours or balance vacation; 0.25 hours or balance compensatory time; 24.00 hours or balance holiday time]

Request of County Attorney to change status of Julie Stewart, Attorney III, from part time to full time, effective December 10, 2019.

Request of County Clerk to place Gwendalynn A. Camarena, Clerk II, on payroll as replacement for Anna Sanchez, effective December 2, 2019.

Request of County Clerk to transfer Anna Sanchez, Clerk II, as replacement for Candelaria S. Arias, effective November 30, 2019.

Request of Collections to promote Alicia Cuevas, Collection Spec I, as replacement for Corey Collins, effective December 16, 2019.

Request of Collections to place Laura Fincher, Clerk III, on payroll as replacement for Alicia Cuevas, effective December 16, 2019.

Request of Elections to increase salary of Wendy Kay Gardner, Voter Clerk, due to increase of duties, effective November 30, 2019.

Request of Elections to promote Wendy Kay Gardner, Clerk III, as replacement for Rhonda Vaught, effective December 31, 2019.

Request of Extension Agents to correct PCR of Jennifer Derks, 4-H Coordinator, effective November 12, 2019.

Request of Justice of the Peace Pct 3 to promote Tiffany Hartin, Admin Assistant II, as replacement for Tina Ramirez, effective November 22, 2019.

Request of Justice of the Peace Pct 3 to place Tina Ramirez, Admin Assistant II, on unpaid FMLA/disability leave, effective November 5, 2019.

Request of Justice of the Peace Pct 3 to accept the resignation of Tina Ramirez, Admin Assistant II, effective November 22, 2019.

Request of Justice of the Peace Pct 4 to accept the retirement of Gina Schwintz Comeaux, Court Clerk III, effective December 31, 2019. [214.74 hours or balance vacation; 134.75 hours or balance compensatory time; 8.00 hours or balance holiday]

Request of Juvenile to accept the resignation of Kirsty Rachelle Douglass, Juvenile Supervision Officer, effective November 22, 2019. [25.88 hours or balance vacation; 3.00 hours or balance compensatory time; 17.00 hours or balance holiday]

Request of Library to place Tori N. Broadus, Library Assistant II, on payroll, effective December 10, 2019.

Request of Purchasing to promote Ashley Patranella, Buyer IV, as replacement for Mireya Sanchez, effective November 16, 2019.

Request of Purchasing to demote Mireya Sanchez, Buyer III, as replacement for Ashley Patranella, effective November 16, 2019.

Request of Sheriff to accept the resignation of Dakota K. Bagwell, Officer Civilian Deten, effective December 4, 2019. [60.28 hours or balance vacation; 56.69 hours or balance compensatory time; 24.00 hours or balance holiday time]

Request of Sheriff to accept the resignation of Haley Daniele Crenwelge, Dispatcher, effective December 5, 2019. [76.72 hours or balance vacation; 75.89 hours or balance compensatory time; 24.00 hours or balance holiday]

Request of Sheriff to transfer Terry Lee Davis, Deputy, as replacement for Malissa Marie Westerfield, effective November 30, 2019.

Request of Sheriff to correct position number on PCR of Michael Ford, Officer Civilian Deten, effective November 16, 2019.

Request of Sheriff to place Catherine Gwosdz, Officer Civilian Deten, on payroll as replacement for Morgan Paige Eason, effective November 30, 2019.

Request of Sheriff to transfer Zane Christopher Hoffmeyer, Deputy Patrol, as replacement for Terry Lee Davis, effective November 30, 2019.

Request of Sheriff to increase salary of Stephanie Dawn Holman, Specialist, due to step increase, effective November 30, 2019.

Request of Sheriff to accept the resignation of Rodney W. Jaco, Officer Civilian Deten, effective November 27, 2019. [No benefits due]

Request of Sheriff to correct PCR of Barbara Annette Jenkins, Officer Civil Det II, due to completion of certifications requirements, effective November 16, 2019.

Request of Sheriff to place Jeremy Lee Johnson, Officer Civilian Deten, on payroll due to reinstatement to job, effective September 9, 2019.

Request of Sheriff to increase salary of Jeremy Lee Johnson, Officer Civilian Deten, due to completion of certification requirements, effective October 5, 2019.

Request of Sheriff to accept the resignation of Kayla D. Killingsworth, Deputy, effective November 15, 2019. [6.84 hours or balance vacation; 40.00 hours or balance holiday]

Request of Sheriff to increase salary of Henry Langston Jr., Deputy Patrol, due to step increase, effective November 30, 2019.

Request of Sheriff to increase salary of Teraz Bernard McCray, Officer Civil Det II, due to completion of certification requirements, effective November 30, 2019.

Request of Sheriff to promote Courtney B. Moore, Office Supervisor I, effective November 30, 2019.

Request of Sheriff to place Deena Renee Owen, Officer Civilian Deten, on unpaid FMLA/disability leave, effective October 9, 2019.

Request of Sheriff to transfer Jason Matthew Poorman, Deputy Detention, as replacement for Jennifer M. Horvath, effective November 30, 2019.

Request of Sheriff to place Sarah Michelle Rose, Deputy Patrol, on unpaid FMLA/disability leave, effective August 30, 2019.

Request of Sheriff to place Sarah Michelle Rose, Deputy Patrol, on payroll due to return from unpaid leave of absence, effective November 14, 2019.

Request of Sheriff to place Sarah Michelle Rose, Deputy Detention, on unpaid leave of absence, effective November 21, 2019.

Request of Sheriff to correct PCR of Dianna H. Smith, Officer Civil Det II, due to completion of certification requirements, effective November 16, 2019.

Request of Sheriff to increase salary of Mackenzie Joel Smith, Deputy Detention, due to step increase, effective November 30, 2019.

Request of Sheriff to transfer Michael Victor Stoyanov, Deputy Detention, as replacement for David L. Snider, effective November 30, 2019.

Request of Sheriff to transfer Kyle Douglas Sullivan, Deputy Patrol, as replacement for Tony Eric Madison, effective November 30, 2019.

Request of Sheriff to transfer Riley R Zapf, Detective, as replacement for Anthony Nico Frisina, effective November 30, 2019.

Request of Tax Assessor-Collector to place Vickey Ort, Deputy Specialist IV, on unpaid leave of absence, effective December 12, 2019.

ADULT PROBATION – AGENDA ITEM 9I1

- I1. STATEMENT OF FINANCIAL POSITION ACCEPTED pursuant to Local Government Code, Section 140.004.

LIBRARY – AGENDA ITEM 9J1

- J1. APPOINTMENTS APPROVED of Cathy Williamson, Stacy Denison and Dr. Stacy Strehlow as well as the reappointment of Dorothy Woodall to the MCMLS Reconsideration Committee with the length of each appointment to be determined by the drawing of lots.

DISTRICT ATTORNEY – AGENDA ITEM 9K1

- K1. REQUEST APPROVED to return the canine donation Sumi, to Service Dogs, Inc. due to the retirement of the handler.

ENVIRONMENTAL HEALTH – AGENDA ITEMS 9L1-6

- L1. ORDER APPROVED to release lien and acknowledge receipt of check in the amount of \$7,322.13 as payment in full of assessment lien to recover cost to county for demolition of a public nuisance. The total cost of lien has been met for property located at 11055 Royal Circle, Cleveland, Texas 77328. Check has been forwarded to the Auditor for further processing.
- L2. ORDER APPROVED to abate a public nuisance and approve a request for demolition on the following property that is abandoned, deemed unsafe, or unlivable Precinct 4 188 Aquarius, Conroe, Texas 77306 estimated total cost \$3,500 funded by CDBG.
- L3. ORDER APPROVED to abate a public nuisance and approve a request for demolition on the following property that is abandoned, deemed unsafe, or unlivable Precinct 4 150 Carmen Blvd. Conroe, Texas 77306 estimated total cost \$3,500 funded by CDBG.

- L4. ORDER APPROVED to abate a public nuisance and approve a request for demolition on the following property that is abandoned, deemed unsafe, or unlivable Precinct 4 16560 E. Emerson, Conroe, Texas 77306 estimated total cost \$3,500 funded by CDBG.
- L5. ORDER APPROVED to abate a public nuisance and approve a request for demolition on the following property that is abandoned, deemed unsafe, or unlivable Precinct 4 16522 E. Emerson, Conroe, Texas 77306 estimated total cost \$4,500 funded by CDBG.
- L6. ORDER APPROVED to abate a public nuisance and approve a request for demolition on the following property that is abandoned, deemed unsafe, or unlivable Precinct 4 16576 E. Emerson, Conroe, Texas 77306 estimated total cost \$3,500 funded by CDBG.

ELECTIONS – AGENDA ITEM 9M1

- M1. RESOLUTION APPROVED for the 2020 Joint Primary Election.

SHERIFF – AGENDA ITEMS 9N1-2

- N1. DONATION ACCEPTED in the amount of \$3,100 from Lawson and Sharon Merritt. The donation is on behalf of the MCSO K9 Division. The funds will be allocated to budget line 560150-73573. Check has been forwarded to the Auditor for further processing.
- N2. MONTGOMERY COUNTY SHERIFF'S OFFICE EQUITABLE SHARING AGREEMENT AND CERTIFICATION ACCEPTED for fiscal year 2019.

COUNTY ATTORNEY – AGENDA ITEMS 9O1-4

- O1. PRECINCT 1
 - a. RESOLUTION AND ORDER TO PAY APPROVED to approve the Possession and Use Agreement and authorize funding of the agreement for Parcel 102 of the FM 1097 Project between Montgomery County and Duane Corley. County Judge is authorized to execute the agreement on behalf of Montgomery County and County Auditor and Treasurer are authorized and ordered to issue payment from line item 6124017.7598582 and project code RD100011 to McFarland PLLC for the benefit of Duane Corley in the amount of \$146,192.80.
 - b. RESOLUTION AND ORDER APPROVED for the independent consideration for the possession and use of grantor's property for parcel 102 between Montgomery County and Duane Corley. County Judge is authorized to execute the agreement on behalf of Montgomery County and County Auditor and

Treasurer are authorized and ordered to issue payment from line item 6124017.7598582 and project code RD100011 to McFarland PLLC for the benefit of Duane Corley in the amount of \$18,274.10.

- c. ORDER APPROVED authorizing payment of Special Commissioners Award and payment of Specials Commissioners fees for parcel 109 of the FM 1097 Road Project.
- d. ORDER APPROVED authorizing notice of public hearing on January 14, 2019 for partial revision to subdivision lots/plats being described as partial replat of Martinez Place to be known as Martinez Place Replat No. 1.

O2. PRECINCT 2

- a. ORDER APPROVED authorizing notice of public hearing on January 14, 2019 for partial revision to subdivision lots/plats being described as partial replat of the plat Woodforest Central Pine Street Extension (Ditch 4P to WF77) to be known as Woodforest Section 90.
- b. ORDER APPROVED authorizing notice of public hearing on January 14, 2019 for partial revision to subdivision lots/plats being described as replat of Lot 1, Block 1 of Walden Ridge to be known as Replat of Walden Ridge.
- c. AGREEMENT APPROVED authorizing placement of improvements within right-of-way between Montgomery County Texas and Montgomery County Municipal Utility District No. 112.

O3. PRECINCT 4

- a. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 2B for the widening of Sorters Road from Carla A. and Rhonda L. Tobias for the total sum of \$67,188.65 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 4 for the widening of Sorters Road from Jason P. White and Karen L. White for the total sum of \$7,367.50 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 8 for the widening of Sorters Road from Charles Meadows and Candace Meadows for the total sum of \$2,423.25 and to accept the executed or to be executed deed.

- d. RESOLUTION AND ORDER APPROVED for the funding of cost to secure replacement home in connection with the acquisition of Parcel 32-R1 of the expansion of Sorters Road payable to Wanda Deville in the amount of \$1,750.00.
- e. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 36 for the widening of Sorters Road from W.R. Sallas, Jesse Franklin Pitts: Nancy Lasetta Pitts Young for the total sum of \$15,476.50 and to accept the executed or to be executed deed.
- f. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 45 for the widening of Sorters Road from Miguel Mandujano for the total sum of \$14,790.00 and to accept the executed or to be executed deed.
- g. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 50 for the widening of Sorters Road from Jerry Dale Kindley and Mary Kindley for the total sum of \$15,404.25 and to accept the executed or to be executed deed.
- h. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 59 for the widening of Sorters Road from Helen F. Rice for the total sum of \$10,130.20 and to accept the executed or to be executed deed.
- i. AGENDA ITEM 903i – APPROVE GRANT OF WATER AND SANITARY EASEMENT WAS DEFERRED.
- j. GRANT OF WATER AND SANITARY SEWER EASEMENT APPROVED from Montgomery County to New Caney Municipal Utility District through, under and across a 0.0092 acre tract in the W. Massey Survey, A 387. County Judge is authorized to sign the easement.

O4. 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 Cause No. 4:19-CV-4259 and styled Joshua Herridge vs. Montgomery County, Texas and Jimmy Williams, Claim No. D-19-0096. The County Attorney is authorized to incur expenses 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. SECOND AMENDED 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 19CV2492 and styled Keith Alexander Lamb, Jr. vs Deputy Michael Berry, et al Claim No. B-19-0121. The County Attorney is authorized to incur expenses 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. A:19-CV-1097LY and styled Robert Collins vs. Texas Forensic Science Commission General Counsel Lynn Robitaille Garcia, et al., Claim No. D-19-0203. The County Attorney is authorized to incur expenses necessary for the proper defense and negotiation of said case with funding from the Risk Management budget with the approval of the Director of Risk Management or designee.

COUNTY CLERK – AGENDA ITEM 9P1

- P1. DEPUTATION ACKNOWLEDGED of Gwendalynn Camarena, Deputy County Clerk.

DISTRICT CLERK – AGENDA ITEM 9Q1

- Q1. DEPUTATION ACKNOWLEDGED of Kayla Adams with the District Clerk's office.

COMMUNITY DEVELOPMENT – AGENDA ITEM 9R1

- R1. FY2019 HESG AND CDBG GRANT AGREEMENTS APPROVED and County Judge is authorized to execute agreements between Montgomery County and the following non-profit agencies;

Emergency Solutions Grants Program (HESG)

- Montgomery County Youth Services
- Family Promise of Montgomery County
- The Salvation Army

Community Development Block Program

- Angel Reach
- Society of Saint Vincent De Paul

- Keep Us Fed Montgomery County
- Society of Samaritans
- Educational Outcomes
- Children's Safe Harbor
- Meals on Wheels

Motion carried.

END OF CONSENT AGENDA

5. AMENDMENT APPROVED – BOON CHAPMAN – RISK MANAGEMENT

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve Third Amendment to Agreement for Third Party Claims Administrations Services pursuant to RFP 18-55, including exhibit (A)(1)(b). Commissioner Noack voted “No”. Motion carried.

6. THOROUGHFARE PLAN ACCEPTED – BGE – COMMISSIONER PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Metts, to move forward on the Major Thoroughfare Plan proposal by BGE. Motion carried.

7. PAYMENT OF ACCOUNTS APPROVED – COUNTY AUDITOR

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

8. CONTRACT APPROVED – BLEYL ENGINEERING – COMMISSIONER PRECINCT 4

Motion by Commissioner Metts, seconded by Commissioner Riley, to approve the contract with Bleyl Engineering per Government Code Chapter 2254: Engineering Services for the Sallas Park Improvements project in the amount of \$101,925 for MCCD/Commissioner Precinct 4. Motion carried.

9. DISCRETIONARY EXEMPTION APPROVED – VXS IMAGING, INC. – RISK MANAGEMENT

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve granting a discretionary exemption for AMRAD FRS System and installation as an item that can be obtained from only one source from VXS Imaging, Inc., in the amount of \$60,523 (and the

sale of existing x-ray equipment) for Risk Management. Local Government Code §262.024(a)(7)(A). Motion carried.

10. AWARD APPROVED – RECORDS REPOSITORY – COUNTY CLERK

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the award for project #19-03 CSP - Montgomery County Clerk's Office Records Repository to Huffco Services, Inc. for County Clerk. Motion carried

11. AGREEMENT APPROVED – FRONTAGE ROAD – COUNTY ATTORNEY – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the Road Development Agreement between Montgomery County, Texas and MRSS Partners, Ltd. acting on behalf of both Montgomery County MUD No. 176 and Montgomery County MUD no. 177 for development of frontage road connected to I-45 North. Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 15A1: CONSIDER AND APPROVE POSTING A 25-MPH SPEED LIMIT IN KIPLING OAKS SUBDIVISION.

AGENDA ITEM 15A2: CONSIDER AND APPROVE POSTING A 20-MPH SPEED LIMIT IN RANCH CREST SUBDIVISION SECTION 3 AND SECTION 4.

AGENDA ITEM 15B1: CONSIDER AND APPROVE POSTING A 40-MPH SPEED LIMIT ON PRUITT ROAD FROM THE IH-45 SOUTHBOUND SERVICE ROAD TO BUDDE ROAD.

AGENDA ITEM 15C1: CONSIDER AND APPROVE ESTABLISHING MULTIWAY (ALL WAY) STOP SIGN CONTROL AT THE NEEDHAM ROAD AND RIVER OAKS DRIVE INTERSECTION.

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

12. REQUEST APPROVED – SPEED LIMIT – COMMISSIONER PRECINCT 2

REQUEST APPROVED – SPEED LIMIT – COMMISSIONER PRECINCT 2

REQUEST APPROVED – SPEED LIMIT – COMMISSIONER PRECINCT 3

REQUEST APPROVED – ALL WAY STOP – COMMISSIONER PRECINCT

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve the following:

- a. 25 mph speed limit approved in Kipling Oaks Subdivision
- b. 20 mph speed limit approved in Ranch Crest Subdivision Section 3 and Section 4
- c. 40 mph speed limit approved on Pruitt Road from the IH 45 Southbound Service Road to Budde Road.
- d. Multiway (all way) stop sign control approved at the Needham Road and Rivers Oaks Drive Intersection.

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, ARTICLES 551.071, 551.072, and 551.074.

EXECUTIVE SESSION – AGENDA ITEM 16A: CONSULTATION WITH COUNTY ATTORNEY REGARDING RESOLUTION AND ORDER TO SETTLE CLAIM NO. D-15-0139; DATE OF INCIDENT 4/13/15. (SECTION 551.071)

EXECUTIVE SESSION – AGENDA ITEM 16B: CONSIDER AND DISCUSS MONTGOMERY COUNTY LAND AND BUILDING SALES AND/OR PURCHASES. (SECTION 551.072)

EXECUTIVE SESSION – AGENDA ITEM 16C: DISCUSS AND DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION AND REASSIGNMENT OF DUTIES, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE - FLOOD PLAIN ADMINISTRATOR. (SECTION 551.074)

EXECUTIVE SESSION – AGENDA ITEM 16D: CONSULTATION WITH COUNTY ATTORNEY REGARDING COURT OF APPEALS #03-17-00499-CV MONTGOMERY COUNTY V. TEXCOM GULF DISPOSAL, LLC. (SECTION 551.071)

COMMISSIONERS COURT RECONVENED WITH ALL MEMBERS PRESENT.

13. RESOLUTION AND ORDER APPROVED – CLAIM D-15-0139 – EXECUTIVE SESSION

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the settlement offer of \$160,000.00 to be paid to the Plaintiff in exchange for a full release of all claims in the lawsuit filed under 4:17-cv-01040 and styled Alyssa Wade v Montgomery County, Texas, Claim No. D-15-0139. The County Auditor is ordered to issue a check in accordance with the settlement offer contingent upon receipt of a full release of all claims with funding from contingency. Motion carried.

CITIZENS – AGENDA ITEM 18

Paul Crowson addressed the court over a recent contract approved for drainage work in Allendale. He stated the improvements are not going to solve the drainage issue.

Billy Graff read a letter from the Office of the Governor concerning the Tree of Angels and inviting those who have been affected by violent crime to place an angel ornament on the Tree of Angels.

Lorena Perez Miguel read a thank you letter to Commissioner Metts concerning efforts to eliminate street flooding.

MISCELLANEOUS – AGENDA ITEM 19 – NO OTHER ITEMS LISTED

14. 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.

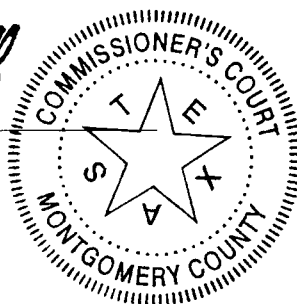
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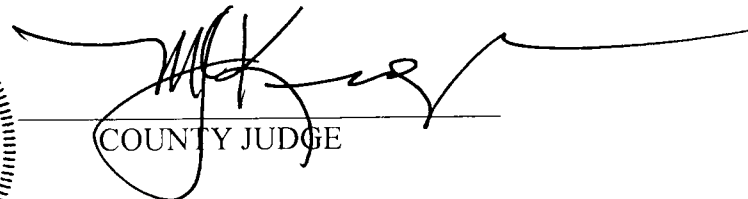
Mark Turnbull, County Clerk
Ex-Officio Clerk - Commissioners' Court
Montgomery County, Texas

BY:



COUNTY CLERK





COUNTY JUDGE