

JAN 28 2020

COMMISSIONERS COURT DOCKET  
JANUARY 14, 2020  
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 14<sup>th</sup> day of January, 2020, 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 Commissioner Charlie Riley

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.

CITIZENS – AGENDA ITEM 7

Daryl Palmer addressed the court concerning the lowering of the water level on Lake Conroe. He would like the lake lowered to help control flooding issues.

2. RESOLUTION – LOWERING OF LAKE CONROE

Motion by Commissioner Meador, seconded by Commissioner Noack, to oppose the water level reduction strategy and call upon the SJRA to immediately halt further releases pursuant to this strategy. Commissioner Riley and Commissioner Metts voted "No". Motion carried.

3. ANNUAL REPORT ACCEPTED – MONTGOMERY COUNTY HISTORICAL COMMISSION

Motion by Commissioner Riley, seconded by Commissioner Meador, to accept the annual report from the Montgomery County Historical Commission. Motion carried.

4. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve the Minutes from Regular Session of Commissioners Court dated December 10, 2019 and December 17, 2019. Motion carried.

AGENDA ITEM 10J4a WAS DEFERRED.

5. RESOLUTION AND ORDER APPROVED – CONSENT AGENDA – AGENDA ITEMS 10A-M

Motion by Commissioner Noack, seconded by Commissioner Meador, to unanimously approve all actions, items, resolutions and authorizations shown on the Consent Agenda and County Judge is appointed and authorized to sign any contracts, approvals and other documents in connection with any items shown on the Consent Agenda save and except the items removed from the consent agenda, as follows:

COUNTY AUDITOR – AGENDA ITEMS 10A1-7

- A1. REQUEST APPROVED from Justice of the Peace Precinct 5 to use \$2,800 from the Justice Court Technology Fund.
- A2. COMPLETED AUDITS ACCEPTED for the following:
  - a. Airport-1<sup>st</sup> and 2<sup>nd</sup> Quarter Compliance Audit
  - b. Commissioner Pct. 1- 1<sup>st</sup> and 2<sup>nd</sup> Quarter Compliance Audit
  - c. Commissioner Pct 2- 1<sup>st</sup> and 2<sup>nd</sup> Quarter Compliance Audit
  - d. Commissioner Pct 4- 1<sup>st</sup> and 2<sup>nd</sup> quarter Compliance Audit
- A3. REPORT ACCEPTED of cash count and deposit finding-(Q1 FY2020) for the following: Adult Probation; Airport; Animal Services; Commissioner Precinct 1; Commissioner Precinct 2; Commissioner Precinct 3; Commissioner Precinct 4; Constable Precinct 1; Constable Precinct 2; Constable Precinct 3; Constable Precinct 4; Constable Precinct 5; County Clerk; District Attorney; District Clerk; District Court 359<sup>th</sup> ; Drug Court; Elections; Fire Marshal; Forensics; Justice of the Peace, Precinct 1; Justice of the Peace, Precinct 2; Justice of the Peace,

Precinct 3; Justice of the Peace, Precinct 4; Justice of the Peace, Precinct 5; Juvenile Justice Center; Law Library; Lone Star Convention Center; Memorial Library System; Permits Division; Sheriff's Office; Tax Office; Treasurer.

- A4. REPORT ACCEPTED that complies with Local Government Code §114.024.
- A5. REPORT OF OFFICIALS' FEES ACCEPTED as audited for August, 2019.
- A6. REPORT ACCEPTED that complies with Local Government Code §114.023.
- A7. PAYMENT APPROVED to the Joint Commission for annual fee for accreditation/certification program participation as required by the Agreement between Montgomery County and the Texas Department of State Health Services.

BUDGET OFFICE – AGENDA ITEMS 10B1-6

- B1. ADJUSTMENTS AND AMENDMENTS APPROVED AND AUTHORIZED for Grant Departments for fiscal year 2019.
- B2. ADJUSTMENTS AND AMENDMENTS APPROVED AND AUTHORIZED for Grant Departments for fiscal year 2020.
- B3. LINE ITEM TRANSFERS AND ADJUSTMENTS APPROVED AND AUTHORIZED for FY 2020 Budget according to Budget Policy.
- B4. PREVIOUS ACTIONS TAKEN MEMORIALIZED from prior Commissioners Court Meetings on changes to the Fiscal Year 2020 Budget.
- B5. LINE ITEM TRANSFERS AND ADJUSTMENTS APPROVED AND AUTHORIZED for FY 2019 Budget according to Budget Policy.
- B6. TRANSFER, ADJUSTMENTS AND AMENDMENTS APPROVED AND AUTHORIZED for special revenue departments and general fund departments for fiscal year 2020.

TREASURER – AGENDA ITEMS 10C1-4

- C1. DONATION ACCEPTED of \$1315.18 to the Animal Shelter from Klein FFA Booster to be deposited into line item 63311.4364.
- C2. DONATION ACCEPTED of \$3500 to the Animal Shelter from Linda and James Stegeman to be deposited into line item 63311.4364.

- C3. DONATION ACCEPTED of \$2500 to the Animal Shelter from James and Kelley Wolf to be deposited into line item 63311.4364.
- C4. DONATION ACCEPTED of \$1372 to the Animal Shelter from Cypress Creek Air Conditioning and Heating Co., to be deposited into line item 63311.4364.

TAX ASSESSOR/COLLECTOR – AGENDA ITEM 10D1

- D1. MONTHLY TAX COLLECTION REPORT ACCEPTED for the month ending December 2019.

PURCHASING – AGENDA ITEMS 10E1-5

- E1. ADVERTISING APPROVED for the following:
  - a. West County Community Development Center Expansion for MCCD/Commissioner Precinct 2.
  - b. Environmental Study Services for Commissioner Precinct 4.
- E2. RENEWALS OPTIONS APPROVED:
  - a. Project # 2017-0019 Crack Seal Service with Texas Lone Star Pavement Services for various departments (exercising the 3rd of 3 renewal options).
  - b. Project #2015-0019 Cement Stabilized Sand with Cherry Crushed Concrete for Precinct 3 (exercising the 5th of 5 renewal options).
  - c. Project #19-07 Vending Machine Services with Hometown Vending Services for various departments (exercising the 1st of 3 renewal options).
  - d. Project #2015-0023 Exterminating/Pest Control Services with GNJ Preferred Solutions, LLC., dba Branded Pest Defense, LLC., for various departments (exercising the 5th of 5 renewal options).
  - e. Project #2016-0007 Containerized Commercial Solid Waste Disposal Service with Sprint Waste Services, LP for various departments (exercising the 4th of 4 renewal options).
  - f. Project #2016-0007 Containerized Commercial Solid Waste Disposal Service with Santek Waste Services, LLC dba Waste Services of Texas, LLC for various departments (exercising the 1st of 1 renewal options).
- E3. DISCRETIONARY EXEMPTIONS APPROVED:

- a. Replacement Parts for Gradall Industries, Inc., products as an item that can be obtained from only one source for captive replacement parts or components from Associated Supply Company, Inc., for various departments. Local Gov't Code §262.024(a)(7)(D).
- b. Mack Truck Parts as an item that can be obtained from only one source for captive replacement parts or components from Cleveland Mack Sales, Inc., dba Performance Truck for various departments. Local Gov't Code §262.024(a)(7)(D).

E4. CHANGE ORDERS APPROVED:

- a. CO #5 and CO #6 to Triple B Services, LP., for Project# 2017-0063 Woodlands Parkway Widening - Grogan's Mill Road to IH-45 to compensate contractor for force account work and balances final quantities and correct an error in CO#5 for an increase of \$318,264.87. A manual check is authorized for invoice/estimate No. 18 for Commissioner Precinct 3.

E5. AWARD APPROVED for:

- a. Project #20-08 - Widening of Lake Woodlands Drive (Project "A") and IH-45 Woodlands Parkway Traffic Signalization and Robinson Road Widening (Project "B") to Main Lane Industries, Ltd for Commissioner Precinct 3.

LONE STAR CONVENTION CENTER – AGENDA ITEMS 10F1

- F1. CONSENT AND LICENSE AGREEMENT-STAGING APPROVED between Montgomery County and Entergy Texas, Inc. for use of Lone Star Convention Center, Fairgrounds and associated facilities in emergencies.

COMMISSIONERS – AGENDA ITEMS 10G1-2

G1. PRECINCTS 1 AND 4

- a. REAPPOINTMENTS APPROVED of J. Steven Weisinger, Sharene Carr and David Cooper to the MCESD #1 Board of Commissioners for a 2-year term ending December 31, 2021.

G2. PRECINCT 4

- a. DONATION APPROVED from the Splendor Youth Baseball Association of batting cages and batting cage improvements. The batting cages and improvements will be constructed at Ipes Park and are valued at \$15,000.

- b. CHECK ACCEPTED from Meals On Wheels Montgomery County in the amount of \$463.75 for the purchase of fuel for November 2019. This will be deposited into line number 615-7926. Check has been forwarded to the Auditor for further processing.
- c. CHECK ACCEPTED from Montgomery County ESD #7 in the amount of \$709.66 for the purchase of fuel for October 2019. This will be deposited into line number 615-7926. Check has been forwarded to the Auditor for further processing.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 10H1-4

H1. PRECINCT 1

- a. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD, in Villas at White Oak Ranch, Section 1.
- b. RENAMING ACKNOWLEDGED of a private road known as La Torretta Blvd to be changed to Margaritaville Parkway by the Del-Lago Board of Directors.

H2. PRECINCT 2

- a. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Fosters Ridge, Section 11 and bond is released.
- b. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Foster's Ridge, Section 8 and bond is released.
- c. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Bonterra at Woodforest, Section 6 and bond is released.
- d. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Woodforest, Section 73 and bond is released.
- e. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Woodforest, Section 93 and bond is released.
- f. GENERAL PLANS ACKNOWLEDGED for Tract Site 4 and Tract Site 6 of the Audubon development.
- g. FINAL PLAT APPROVED of The Woodlands FM 2978 Commercial Tract; 30.18 acres; Ezra Read Survey, A-458 and James Brown Survey, A-78.
- h. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Atascosa Trail, Wichita Trail, and Lavaca Trail Street Dedication.

- i. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Ranch Crest, Section 4.

H3. PRECINCT 3

- a. PUBLIC HEARING DATE SET for February 11, 2020 to approve setting no parking zones and placement of "No Parking, Any Time" signs as follows:
  - 1. on both sides of East Shore Drive from Shell Port Square west 200 feet; and
  - 2. on both sides of Shell Port Square from East Shore Drive south 200 feet.
- b. FINAL PLAT APPROVED of Woodson's Reserve, Section 19; 9.21 acres; Montgomery County School Land Survey, A-351.

H4. PRECINCT 4

- a. FINAL PLAT APPROVED of Pinewood Ranch; 9.5152 acres; William Bridges Survey, A-73.
- b. FINAL PLAT APPROVED of Ponderosa Pines, Section 3; 46.508 acres; Richard Peebles Survey, A-414.
- c. FINAL PLAT APPROVED of Woodridge Forest, Section 8; 40.708 acres; Mary Owens Survey, A-405 and the H.T. & B.R.R. Co. Survey, A-283.

HUMAN RESOURCES – AGENDA ITEM 10I1

II. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of Animal Services to change status of Josiah Preston Cox, Animal Care Technician, from full time to part time, effective December 28, 2019. [27.72 hours or balance vacation; 51.00 hours or balance holiday]

Request of Animal Services to place Felechia Goodman, Animal Care Technician, on unpaid FMLA/disability Leave, effective December 20, 2019.

Request of Animal Services to place Maegan Hudson, Animal Care Technician, on payroll as replacement for Ryann Baylee Moore, effective December 21, 2019.

Request of Animal Services to change status of Shyanne Nicole Loftin, Animal Care Technician, from full time to part time, effective December 28, 2019. [18.48 hours or balance vacation; 8.50 hours or balance holiday]

Request of Animal Services to place Samantha Patterson, Animal Care Technician, on payroll as replacement for Tristen T. Wright, effective January 4, 2020.

Request of Animal Services to correct position number of Janela Lian Tan, Animal Care Technician, effective December 28, 2019.

Request of Custodial to correct salary of Kyle Allen Blunk, Custodian I, to round up to match others in similar positions, effective December 26, 2019.

Request of Custodial to accept the resignation of April Box, Custodian, effective December 27, 2019. [No benefits due]

Request of Custodial to promote Thomas Dearman, Supervisor Custodial, as replacement for Alejandra Risney, effective January 13, 2020.

Request of Custodial to discharge Jennifer Ferguson, Custodian, effective December 13, 2019. [No benefits due]

Request of Custodial to increase salary of Claudia Garcia, Custodian, due to completion of probationary period, effective January 12, 2020.

Request of Custodial to place Luerinzo Jones, Custodian, on payroll as replacement for Karla Cortina, effective January 6, 2020.

Request of Custodial to change status of Bianey Madrid, Custodian I, from part time to full time as replacement for Elisabeth De Morris, effective January 11, 2020.

Request of Custodial to place Jessica Pickering, Custodian, on payroll as replacement for Brent Larry, effective December 16, 2019.

Request of Custodial to change status of Caleb Aaron Pomales, Custodian II, from part time to full time as replacement for Thomas Dearman, effective January 13, 2020.

Request of Custodial to correct PCR of Kaylynn Marie Sackberger, Custodian I, effective December 2, 2019.

Request of Custodial to demote Iris C. Zetino, Custodian, as replacement for Nora Rangel Ramos, effective January 11, 2020.

Request of Commissioner Precinct 1 to place Cory Donel Fay, Laborer, on unpaid leave of absence, effective January 9, 2020.

Request of Commissioner Precinct 4 to transfer William Davis Jr., Operator I, as replacement for Adam Arnold, effective December 10, 2019.



Request of Commissioner Precinct 4 to transfer Macey Hardin, Clerk III, effective December 30, 2019.

Request of Commissioner Precinct 4 to accept the resignation of Tamon Nesbitt, Operator III, effective November 13, 2019. [58.52 hours or balance vacation; 62.86 hours or balance compensatory time; 18.25 hours or balance holiday time]

Request of Constable Precinct 4 to place Chadwick Keasling, Deputy Constable, on payroll, effective January 11, 2020.

Request of Constable Precinct 5 to place Jacob Hayden, Deputy Constable, on payroll, as replacement for Tanna Marino, effective January 12, 2020.

Request of Constable Precinct 5 to increase salary of Joshua Carley, Sergeant Constable, due to step increase, effective December 28, 2019.

Request of Constable Precinct 5 to increase salary of Calvin Johnson Jr., Deputy Constable, due to step increase, effective December 28, 2019.

Request of Constable Precinct 4 to place Christopher Huestis, Deputy Constable, on payroll, effective January 11, 2020.

Request of Constable Precinct 5 to increase salary of Tamara Hanks, Deputy Constable, due to step increase, effective December 28, 2019.

Request of Constable Precinct 5 to increase salary of Jeremy Park, Deputy Constable, due to step increase, effective December 28, 2019.

Request of Constable Precinct 5 to increase salary of Ronald Raborn, Sergeant Constable, due to step increase, effective December 28, 2019.

Request of Constable Precinct 5 to increase salary of Mark Stepanski, Deputy Constable, due to step increase, effective December 28, 2019.

Request of County Auditor to accept the resignation of Alex Silvas, Internal Audit Assistant, effective January 3, 2020. [75.4158 hours or balance vacation; 16.00 hours or balance holiday]

Request of County Clerk to increase salary of Shari Lynn Taylor, Court Clerk IV, due to completion of probationary period, effective January 11, 2020.

Request of County Clerk to accept the retirement of Sharon K. Wilson, Administrative Manager I, effective February 29, 2020. [167.6784 hours or balance vacation; 16.00 hours or balance holiday]

Request of Court Collections to accept the resignation of Laura Fincher, Clerk III, effective December 20, 2019. [No benefits due]

Request of District Attorney to place Timothy C. Greer, Court Clerk IV, on payroll, as replacement for Casey Barringer, effective December 30, 2019.

Request of District Clerk to accept the resignation of Megan Capps, Court Clerk II, effective January 2, 2020. [25.16 hours or balance vacation]

Request of District Clerk to bridge time of Rachel Johnson, Court Clerk II, to have a revised anniversary date of 03/21/2013, effective January 6, 2020.

Request of District Clerk to accept the retirement of Pegge Mayes, Office Supervisor I, effective January 3, 2020. [146.75 hours or balance vacation; 8.00 hours or balance holiday]

Request of Information Technology to accept the retirement of Larry Lowry, Lead Bus Sys Coord III, effective December 31, 2019. [316.26 hours or balance vacation; 16.00 hours or balance holiday]

Request of Justice of the Peace Pct 3 to place Ileana Barnett, Court Clerk II, on payroll as replacement for Vanessa Villalobos, effective January 6, 2020.

Request of Justice of the Peace Pct 3 to promote Yullie Bello Quintero, Court Clerk III, effective January 11, 2020.

Request of Justice of the Peace Precinct 3 to transfer Vanessa Villalobos, Court Clerk II, as replacement for Yullie Bello Quintero, effective January 11, 2020.

Request of Justice of the Peace Precinct 4 to place Angela Carter, Court Clerk IV, on payroll, as replacement for Amber McNamara, effective January 7, 2020.

Request of Justice of the Peace Precinct 4 to demote Amber McNamara, Court Clerk III, as replacement for Gina Comeaux, effective December 28, 2019

Request of Juvenile to increase salary of Jeffery Davis Andrews, Juvenile Probation Officer, effective January 11, 2020.

Request of Juvenile to correct PCR of Reginald Dawayne Bernard, Juvenile Supervision Officer Substitute, to have as effective date of December 14, 2019.

Request of Juvenile to change status of Cassidy Cadieux, Juvenile Supervision Officer, from part time to full time as replacement for Kirsty Douglass, effective December 28, 2019.

Request of Juvenile to discharge Dedrick De'Andre Carter, Juvenile Supervision Officer, effective December 9, 2019. Is not eligible for re-hire. [15.75 hours or balance vacation; 4.625 hours or balance compensatory time; 25.75 hours or balance holiday]

Request of Juvenile to place Vincient Alan Crawford, Nurse (LVN), on payroll, as replacement for Rosemary Bennette Bonner, effective January 13, 2020.

Request of Juvenile to accept the resignation of Carlos Samuel Davila, Juvenile Supervision Officer-JJAEP, effective December 27, 2019. [76.82 hours or balance vacation; 55.875 hours or balance compensatory time]

Request of Juvenile to accept the resignation of Joseph Jose Edwards, Juvenile Supervision Officer, effective January 2, 2020. [30.80 hours or balance vacation; 58.1250 hours or balance compensatory time; 40.00 hours or balance holiday time.]

Request of Juvenile to promote Nathan Bailey Fletcher, Juvenile Probation Officer, as replacement for Reginald Bernard, effective January 11, 2020.

Request of Juvenile to accept the resignation of Erick Demond Hogg, Juvenile Supervision Officer-JJAEP, effective January 10, 2020 Is eligible for re-hire. [39.83 hours or balance vacation; 0.375 hours or balance compensatory time; 8.00 hours or balance holiday.]

Request of Juvenile to change status of Phillip Nathan Patton, Juvenile Supervision Officer, from part time to full time, as replacement for Dedrick Carter, effective January 11, 2020.

Request of Juvenile to accept the resignation of Miguel Sanchez, Juvenile Probation Officer, effective January 10, 2020. [75.090 hours or balance vacation; 23.25 hours or balance compensatory time; 8.00 hours or balance holiday]

Request of Library to promote Christina Leteff Cross, Library Assistant II, as replacement for Marianne Potter, effective January 2, 2020.

Request of Library to place Victoria A. Garcia, Library Assistant II, on payroll as replacement for Victoria Allums, effective January 7, 2020.

Request of Library to accept the retirement of Emily S. Osburn, Reference Librarian, effective February 3, 2020. [141.1550 hours or balance vacation]

Request of Montgomery County Pct 4 Parks to transfer Adam Arnold, Operator I, as replacement for William Davis Jr., effective December 10, 2019.

Request of Permits to place Jamie Roberson, Clerk IV, on unpaid FMLA/Disability Leave, effective December 10, 2019.

Request of Risk Management to promote Dana Moreno, Safety Officer, as replacement for Roddy Martin II, effective December 30, 2019.

Request of Risk Management to discharge Michael Williams, Coordinator Safety, effective December 16, 2019. [38.84 hours or balance vacation; 24.00 hours or balance holiday]

Request of Sheriff to place Lora Bass, Dispatcher, on payroll as replacement for Keith LaShawn Brown, effective January 4, 2020.

Request of Sheriff to accept the resignation of Thomas Joe Burke, Mechanic III, effective January 3, 2020. [76.00 hours or balance vacation; 3.880 hours or balance compensatory time; 16.00 hours or balance holiday]

Request of Sheriff to increase salary of Adam B. Calhoun, Deputy, due to step increase, effective December 28, 2019.

Request of Sheriff to increase salary of Nicholas Tyler Cooke, Deputy, due to step increase, effective December 28, 2019.

Request of Sheriff to accept the resignation of Tyler J. Cranston, Officer Civilian Deten, effective December 11, 2019. [79.13 hours or balance vacation; 86.41 hours or balance compensatory time; 80.00 hours or balance holiday]

Request of Sheriff to transfer Kristopher Wayne Dossey, Deputy Patrol, as replacement for Lucille Nyeba Saah, effective December 28, 2019.

Request of Sheriff to increase salary of Phillip Edward Frey, Deputy, due to step increase, effective December 28, 2019.

Request of Sheriff to increase salary of Anthony Nico Frisina, Detective, due to step increase, effective December 28, 2019

Request of Sheriff to transfer Max James Fruchtnicht, Detective, as replacement for Riley R. Zapf, effective January 11, 2020.

Request of Sheriff to increase salary of Angelica Marie Galczynski, Investigator Cr Scene, due to step increase, effective December 28, 2019.

Request of Sheriff to place Patricia Harbin, Records Specialist I, on payroll as replacement for Shauntell M. Harder, effective December 14, 2019.

Request of Sheriff to increase salary of Harry E. Holman Jr., Deputy Patrol, due to step increase, effective December 28, 2019

Request of Sheriff to place Stacey Jackson, Dispatcher, on payroll as replacement for Haley Daniele Crenwelge, effective January 4, 2020.

Request of Sheriff to place Mandy Jimenez, Dispatcher, on payroll as replacement for Krista Jewel Erwin, effective January 4, 2020.

Request of Sheriff to correct PCR of Jeremy Lee Johnson, Officer Civilian Deten, effective September 18, 2019.

Request of Sheriff to place Robin Kelly, Officer Civilian Deten, on payroll as replacement for Bryan D. McFarland, effective January 4, 2020.

Request of Sheriff to bridge time of Robert E. Layman Jr., Deputy, to have a leave anniversary date of January 7, 2006, effective December 28, 2019.

Request of Sheriff to place Lacey Lehmann, Records Specialist I, on payroll as replacement for Angelique Hollier, effective January 11, 2020.

Request of Sheriff to place America Leon, Officer Civilian Deten, on payroll as replacement for Alyssa Nicole McCaffrey, effective January 4, 2020.

Request of Sheriff to transfer Johnathan Severo Logan, Deputy Patrol, as replacement for Sarah Michelle Rose, effective January 11, 2020.

Request of Sheriff to increase salary of Cody Reid Lowery, Deputy, due to step increase, effective December 28, 2019.

Request of Sheriff to accept the resignation of Matthew Allen Lynch, Tech I/ Property Evidence, effective December 27, 2019. [201.090 hours or balance vacation; 95.50 hours or balance compensatory time; 16.00 hours or balance holiday.

Request of Sheriff to increase salary of Ryan James McClintock, Deputy, due to step increase, effective December 28, 2019.

Request of Sheriff to place Veronika Mueller, Dispatcher, on payroll effective January 11, 2020.

Request of Sheriff to accept the retirement of Deena Renee Owen, Officer Civilian Deten, effective December 30, 2019. [8.00 hours or balance holiday time]

Request of Sheriff to increase salary of Jason Matthew Poorman, Deputy Detention, due to step increase, effective December 28, 2019

Request of Sheriff to place Clifton Porter II, Officer Civilian Deten, on payroll as replacement for Ethan A. Kappmeyer, effective January 4, 2020.

Request of Sheriff to increase salary of Dustin Wayne Pugh, Specialist, due to step increase, effective December 28, 2019.

Request of Sheriff to accept the resignation of Justin Alan Rhodes, Officer Civilian Deten, effective December 6, 2019. [No benefits due]

Request of Sheriff to transfer Lucille Nyebe Saah, Deputy, as replacement for Kristopher Wayne Dossey, effective December 28, 2019.

Request of Sheriff to accept the retirement of Ovidio Salinas, Deputy Bailiff, effective January 31, 2020. [189.3550 hours or balance vacation; 237.25 hours or balance compensatory time; 8.00 hours or balance holiday]

Request of Sheriff to increase salary of Michael Emory Sparks, Deputy, due to step increase, effective December 28, 2019

Request of Sheriff to transfer Jennifer Rose Stringer, Tech I/ Property Evidence, as replacement for Matthew Allen Lynch, effective January 11, 2020.

Request of Sheriff to place Allison Torres, Dispatcher, on payroll as replacement for Zachary R. Udkler, effective January 11, 2020.

Request of Sheriff to transfer Christopher Lee Tristan, Deputy Patrol, effective January 11, 2020.

Request of Sheriff to transfer Zachary R. Udkler, Records Specialist II, as replacement for Courtney B. Moore, effective December 28, 2019.

Request of Sheriff to place Kirby Walker, Comm Spec/Radio Tech II, on payroll, effective December 14, 2019.

Request of Sheriff to increase salary of Jonathan Nathanael Wychopen, Deputy, due to step increase, effective December 28, 2019

Request of IT Traffic OPS to discharge John Bowen, Foreman, effective January 10, 2020. [53.9778 hours or balance vacation; 8.00 hours or balance holiday]

#### COUNTY ATTORNEY – AGENDA ITEMS 10J1-4

##### J1. PRECINCT 1

- a. ORDER APPROVED authorizing payment of special commissioners fees for parcel 213 of the FM 1097 project.

- b. ORDER APPROVED authorizing payment of special commissioners fees for Parcel 219 of the FM 1097 project.
- c. RESOLUTION AND ORDER APPROVED to pay closing costs for Parcel 109 of the expansion of FM 1097 in the amount of \$1,508.00.
- d. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 203 of the expansion of FM 1097 from Lakewood on Lake Conroe Property Owners Association, Inc. for the total sum of \$187,805.00 and to accept the executed or to be executed deed.
- e. RESOLUTION AND ORDER APPROVED to pay actual moving expenses in connection with the acquisition and relocation for Parcel 71-R01 (O) of the expansion of FM 1097 payable to Buehler Transfer and Storage in the amount of \$20,892.75.
- f. RESOLUTION AND ORDER APPROVED to pay fixed moving expenses in connection with the acquisition and relocation for Parcel 79-R02 (T) of the expansion of FM 1097 payable to D & L Tailor in the amount of \$40,000.00.
- g. RESOLUTION AND ORDER APPROVED to pay fixed moving expenses in connection with the acquisition and relocation for Parcel 79-R06 (T) of the expansion of FM 1097 payable to Buehler Transfer & Storage in the amount of \$150.00.
- h. LOCAL ADVANCE FUNDING AGREEMENT APPROVED for locally funded project between Montgomery County and TxDOT for I45 Frontage Road Project.
- i. 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 Tiaras Cove, LTD. 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 Michael C. Beller for the benefit of Tiaras Cove, LTD in the amount of \$146,192.80.
- j. RESOLUTION AND ORDER APPROVED for the independent consideration for the possession and use of grantor's property for parcel 102 between Montgomery County and Tiaras Cove, LTD. 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 Michael C. Beller for the benefit of Tiaras Cove, LTD in the amount of \$18,274.10.

- k. FULLY EXECUTED TAX ABATEMENT AGREEMENT APPROVED between Montgomery County and Texas Tissue Converting, LLC and Conroe BTS, LLC. This was previously approved on November 12, 2019.
- l. ORDER APPROVED allowing partial lot conveyance without a replat for lots 10-14, Block 17 of Everett Addition.
- m. PUBLIC HEARING DATE SET for February 11, 2020 for abandonment of a portion of County Owned right-of-way known as Rio Grande Drive.

J2. PRECINCT 2

- a. INTERLOCAL AGREEMENT APPROVED for the financing and construction of Mill Creek Road realignment between Montgomery County and Montgomery County Municipal Utility District (MUD) No. 131.
- b. ORDER APPROVED authorizing notice of public hearing on February 25, 2020 for partial revision to subdivision lots/plats being described as Lots 18, 19, and 20 in Block 1, High Meadow Ranch Section 10 to be known as High Meadow Ranch Section 10 Replat #1.
- c. PUBLIC HEARING DATE SET for February 25, 2020 for cancellation of Veranda Oaks Estates Section 2 filed by Veranda Oaks Estates LLC. Notice is authorized in accordance with Local Government Code §232.008.

J3. PRECINCT 4

- a. ORDER APPROVED declaring the existence of a public necessity and authorizing the institution of eminent domain proceedings for Parcel 26 of the Sorters Road Expansion Project, owned by Thomas Ray Franklin and Emma Elizabeth Franklin.
- b. ORDER APPROVED declaring the existence of a public necessity and authorizing the institution of eminent domain proceedings for Parcel 27 of the Sorters Road Expansion Project, owned by Thomas Ray Franklin and Emma Elizabeth Franklin.
- c. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 27 for the widening of Old Houston Road from Zelda M. Cegielski for the total sum of \$6,712.40 and to accept the executed or to be executed deed.



- d. BUS TURNAROUND EASEMENT APPROVED with Charles and Bobby Cotton on Adcock Acres Dr.

J4. ALL PRECINCTS

- a. AGENDA ITEM 10J4a WAS DEFERRED.
- b. ENGAGEMENT APPROVED of Alexander Dubose & Jefferson as additional appellate counsel in Case no. 03-17-00499-CV styled Nicky E. Dyer, et al and Montgomery County, Texas v. Texas Commission on Environmental Quality, et al and TexCom Gulf Disposal, LLC in the Third Court of Appeals for the State of Texas. B. D. Griffin, County Attorney is authorized to execute the engagement letter on behalf of Montgomery County.

SHERIFF– AGENDA ITEM 10K1

- K1. AGREEMENT APPROVED by and between Montgomery County Sheriff's Office and City of Conroe related to transit access near 1 Criminal Justice Drive. Sheriff Rand Henderson is authorized to sign the agreement.

DISTRICT CLERK – AGENDA ITEM 10L1

- L1. NON PROFIT ORGANIZATIONS APPROVED to receive Juror donations in the year 2020 as follows:
  - a. Local Child Welfare Fund
  - b. Veterans Treatment Court
  - c. Crime Victim's Compensation Fund
  - d. Meals on Wheels Montgomery County
  - e. Community Assistance Center
  - f. Mental Health Treatment
  - g. Montgomery County Historical Commission
  - h. Heritage Museum of Montgomery County
  - i. Operation Pets Alive!
  - j. Montgomery County Drug & DWI Court Care Program

CONSTABLE PRECINCT 4 – AGENDA ITEM 10M1

- M1. RETIREMENT APPROVED of canine Hashish at the recommendation of the Texas A&M Veterinary Medical Teaching Hospital and acknowledge his years of service and allow him to live out his life with Deputy Rai Duenas.

Motion carried.

**END OF CONSENT AGENDA**

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AGENDA ITEM 11A – CONSIDER AND DISCUSS APPOINTING MEMBERS OF THE ANIMAL SHELTER ADVISORY BOARD. THE JUDGE GAVE NOTICE THAT APPOINTMENTS WILL BE MADE AT THE JANUARY 28, 2020 MEETINGS.

6. ORDER APPROVED – POLLING LOCATIONS – ELECTIONS

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve an order changing the East Montgomery County polling location and the Election Day polling locations for County Election Precincts 26, 82, 90, 93, and 94. Motion carried.

7. ORDER APPROVED – EARLY VOTING POLLING LOCATIONS AND TIMES – ELECTIONS

Motion by Commissioner Riley, seconded by Commissioner Metts, to approve the Early Voting Locations and Times for the March 3, 2020 Primary Election and the May 2, 2020 Joint Election. Motion carried.

8. PAYMENT OF ACCOUNTS APPROVED – AUDITOR

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

9. CHANGE ORDER APPROVED – PROJECT #19-17 – COMMUNITY DEVELOPMENT

Motion by Commissioner Meador, seconded by Commissioner Metts, to approve CO #3 to Total Team Construction, LLC., for Project# 19-17 Montgomery County Youth Services Buildings Renovation for additional items and additional 28 days for an increase of \$97,162 for Montgomery County Community Development. Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 15A1: CONSIDER THE PARTIAL REVISION OF MARTINEZ PLACE, TO BE KNOWN AS MARTINEZ PLACE PARTIAL REPLAT NO. 1.

AGENDA ITEM 15B1: CONSIDER THE PARTIAL REVISION OF WOODFOREST CENTRAL PINE STREET EXTENSION (DITCH 4P TO WF77) TO BE KNOWN AS WOODFOREST SECTION 90.

A citizen came up to speak, but did not address the court nor identify themselves. He needed clarification on the notice he received as it was in English and he did not understand it. The County Attorney's office spoke to him after court.

AGENDA ITEM 15B2: CONSIDER THE PARTIAL REVISION OF LOT 1, BLOCK 1 OF WALDEN RIDGE, TO BE KNOWN AS REPLAT OF WALDEN RIDGE.

AGENDA ITEM 15C1: CONSIDER AND APPROVE ESTABLISHING MULTIWAY (ALL WAY) STOP SIGN CONTROL AT THE COCHRAN'S CROSSING DRIVE AND BAY BRANCH DRIVE INTERSECTION.

AGENDA ITEM 15C2: CONSIDER AND APPROVE POSTING A 35-MPH SPEED LIMIT ON RAYFORD ROAD BETWEEN BIRNHAM WOODS DRIVE AND S. LAZY MEADOW WAY.

AGENDA ITEM 15C3: CONSIDER AND APPROVE ESTABLISHING A NO PARKING ZONE AND PLACEMENT OF "NO PARKING, STANDING, STOPPING" "7:15 - 8:30 AM 2:45 - 3:45 PM" "MON-FRI" SIGNS ON THE NORTH SIDE OF INTERFAITH WAY BETWEEN WEST PANTHER CREEK DRIVE AND HOLLY CREEK COURT.

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

10. REQUEST APPROVED – ALL WAY STOP – PRECINCT 3

REQUEST APPROVED – SPEED LIMIT CHANGE – PRECINCT 3

REQUEST APPROVED – NO PARKING ZONE – PRECINCT 3

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

- a. multiway (all way) stop sign control established at the Cochran's Crossing Drive and Bay Branch Drive intersection.
- b. 35-mph speed limit posted on Rayford Road between Birnham Woods Drive and S. Lazy Meadow Way.
- c. no parking zone established and placement of "No Parking, Standing, Stopping" "7:15 - 8:30 AM 2:45 - 3:45 PM" "Mon-Fri" signs on the north side of Interfaith Way between West Panther Creek Drive and Holly Creek Court.

Motion carried.

11. FINAL PLAT APPROVED – MARTINEZ PLACE – ENGINEER – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the final plat of Martinez Place; 0.578 acres; Jose M. De La Garza Survey, A-15. Motion carried.

12. FINAL PLAT APPROVED - REPLAT OF WALDEN RIDGE – ENGINEER – PRECINCT 2

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the final plat of Replat of Walden Ridge; 3.5 acres; Raleigh Rogers Survey, A-33. Motion carried.

13. REQUEST APPROVED – FACILITIES COMMITTEE – COMMISSIONER PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Metts, to approve adding Judge Kathleen Hamilton and Judge Keith Stewart to the Facilities Committee. Motion carried.

14. APPOINTMENTS APPROVED – CIVIL SERVICE COMMISSIONERS – HUMAN RESOURCES

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve the appointments of Brent Everson and Curt Joslin to the Civil Service Commission. 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 19A: CONSULTATION WITH ATTORNEY CONCERNING POTENTIAL LITIGATION RELATED TO EMPLOYEE MATTERS, INCLUDING OTHER POST EMPLOYEE BENEFITS. (SECTION 551.071).

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

EXECUTIVE SESSION – AGENDA ITEM 19C: CONSIDER AND DISCUSS MONTGOMERY COUNTY LAND AND BUILDING SALES AND/OR PURCHASE. (SECTION 551.072).

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

15. REPLACEMENT NAMED – LONE STAR CONVENTION CENTER

Motion by Commissioner Meador, seconded by Commissioner Riley, to name Terri Strozier as replacement for Don Carpenter upon his retirement, as Director of the Lone Star Convention Center. Motion carried.

16. RESOLUTION AND ORDER APPROVED – PURCHASE AND SALE AGREEMENT  
– EXECUTIVE SESSION

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve the Purchase and Sale Agreement for the real property and improvements located at 131 S. Trade Center Parkway, Conroe, Texas 77385. County Judge is authorized to execute the Agreement on behalf of Montgomery County. Motion carried.

17. FUNDING SOURCE NAMED – PURCHASE OF PROPERTY – EXECUTIVE  
SESSION

Motion by Commissioner Noack, seconded by Commissioner Riley, to name fund 40016 as the funding source for the property located at 131 S. Trade Center Parkway, Conroe, Texas, 77385 in an amount not to exceed \$1.5 million. Motion carried.

CITIZENS – AGENDA ITEM 21

Mike Fink addressed the court concerning flooding at his fiancé's property in Porter, Texas. He gave the court a brief history of the flooding and actions taken to prevent the flooding at the property. He asked the county for help to alleviate this issue.

MISCELLANEOUS – AGENDA ITEM 22

Commissioner Metts thanked the court for their help and service during the past year.

18. COURT ADJOURNS

Motion by Commissioner Noack, seconded by Commissioner Metts, 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

