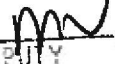


**NOTICE OF WORKSHOP MEETING
KAUFMAN COUNTY COMMISSIONERS' COURT**



FILED FOR RECORD
KAUFMAN CO TEXAS
2019 MAR 29 PM 3:06

LAURA A. HUGHES
COUNTY CLERK
BY:  DEPUTY

Notice is hereby given that a workshop meeting of the Kaufman County Commissioners' Court will be held on **Wednesday, April 3, 2019 at 9:00 a.m., in the Commissioners' Court Meeting Room located in the Courthouse Annex 100 North Washington Street, Kaufman, Texas**, at which time the commissioners' court will consider the following items for discussion, and possible action, to wit:

INVOCATION;

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG;

PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG;

REMARKS FROM VISITORS; (Any member of the public that wishes to speak on an item that is on this agenda will need to sign in, complete a Public Participation Form, and present to County Clerk prior to court. Speakers will be restricted to a three minute presentation.)

1. **ROUTINE CORRESPONDENCE.**
2. **CONSENT AGENDA**
 - A. **Discuss/Accept** Commissioners Education Certificate of Completion for Commissioners Mike Hunt.
 - B. **Discuss/Accept** Certificate of Achievement for County Investment Academy for County Treasurer Chuck Mohnkern.
 - C. **Discuss/Consider** accepting Commissioners Court Meeting Minutes for March 27, 2019.
3. **Discuss/Consider** approving proclamation to proclaim the month of April as Child Abuse Prevention and Awareness Month.
4. **Ben Stovall, Conaway Homes;** Discuss request received for a variance of lot size for a 3 home subdivision to build in Pct. 3.
5. **Tyler Hendrickson;** Presentation/Introduction of Velvin & Weeks Consulting Engineering Services for Kaufman County.
6. **Discuss** appointing a Commissioners Court representative to participate in Children's Shelter Director hiring process.
7. **Mary Westbrook;** Discuss/Consider a Personnel Policy Manual update in regards to Exempt Employee Time Sheets.
8. **Commissioner Hunt;** Discuss/Consider accepting donation of road materials to assist with road improvements and maintenance of county road 261; pursuant to Tex. Transp. Sect. 251.019(a).
9. **Commissioner Hunt;** Discuss/Consider approving release and waiver of liability for road materials donation regarding county road 261; pursuant to Tex. Transp. Sect. 251.019(c).
10. **Commissioner Hunt;** Discuss/Consider accepting Waiver of Claims regarding roadway abandonment of Bengé Lane in Pct. 1.

11. **Commissioner Hunt;** Discuss/Consider approving roadway abandonment of Bengé Lane in Pct. 1; pursuant to Tex. Transp. Code Sect. 251.051.
12. **Discuss** changing the rehire policy for retirees from six months to a lesser time.
13. **Raylan Smith;** Discuss annual proposals and Contracts for Various Maintenance/Service Contracts.
14. **To Discuss** roof repairs for the County Courthouse.
15. **To Discuss** the regional animal shelter.
16. **To Discuss** painting, repairs and improvements to the Courthouse Annex.
17. **Discuss/Consider** approving payroll and benefits.
18. **Discuss/Consider** line item transfers.
19. **Discuss/Consider** claims for payment.
20. **Discuss/Consider** exiting workshop meeting and entering into executive session.
21. **Executive Session:** Pursuant to Section 551.074 of the Texas Government Code, the Commissioners Court will meet in closed session to discuss the Information Technology Director Position.
22. **Discuss/Consider** exiting executive session and entering back into workshop meeting.
23. **Discuss/Consider** taking any action needed as a result of executive session.
24. **Adjourn Workshop Meeting.**

If, during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting, the Commissioners' Court will conduct a closed meeting in accordance with the Texas Open Meetings Act and the Government Code, Chapter 551, Subchapter D and E; as noted below

<i>Attorney Consultation</i>	<i>Gov't Code §551.071</i>
<i>Real Property</i>	<i>Gov't Code §551.072</i>
<i>Contract being negotiated</i>	<i>Gov't Code §551.0725</i>
<i>Prospective gifts or donations</i>	<i>Gov't Code §551.073</i>
<i>Personnel Matters</i>	<i>Gov't Code §551.074</i>
<i>County Advisory Body deliberations</i>	<i>Gov't Code §551.0745</i>
<i>Security Devices or Security Audits</i>	<i>Gov't Code §551.076</i>
<i>Economic Development negotiations</i>	<i>Gov't Code §551.087</i>

Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. Should any final action, final decision, or final vote be required in the opinion of the Commissioners' Court with regards to any matter considered in such closed or executive meeting or session, then the final action, final decision, or final vote shall be either:

- (a) in the open meeting covered by the notice upon the reconvening of the public meetings; or*
- (b) at a subsequent open public meeting of the Commissioners' Court upon notice thereof; as the Commissioners' Court shall determine.*

Signed this the 29th day of March, 2019.

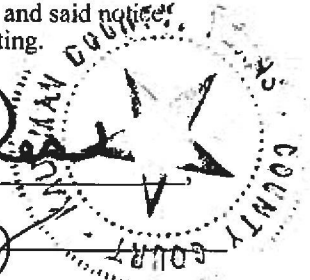

 Hal Richards, Kaufman County Judge

I, the undersigned, County Clerk of the Kaufman County Commissioners' Court do hereby certify that the above notice of meeting of the Kaufman County Commissioners' Court is a true and correct copy of said notice, that I received said Notice, and it was posted on the bulletin board at the courthouse door of Kaufman County, Texas at a place readily accessible to the general public at all times on the 29th day of March, 2019, and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Laura Hughes, County Clerk

By: Laura Hughes

Deputy M. Vaguer



ANYONE WHO HAS IMPAIRMENTS REQUESTING AID AT THE COMMISSIONERS' COURT OR ANY PUBLIC MEETING MUST CALL THE COUNTY CLERK AT LEAST 72 HOURS PRIOR TO THE MEETING.

COUNTY JUDGES & COMMISSIONERS ASSOCIATION OF TEXAS



COMMISSIONERS EDUCATION CERTIFICATE OF COMPLETION

This is to certify that

Michael Hunt
Kaufman County Commissioner

*has successfully completed the continuing education
provisions of Article 81.0025 of the
Texas Local Government Code*

2018



Debbie Gonzales Ingalsbe, Chair
Commissioners Education Committee

Robert Johnston, President
County Judge and Commissioners
Association of Texas



Emmett & Miriam
McCoy
College of Business Administration

Texas Association of Counties

Certificate of Achievement

County Investment Academy

This certifies that

Hon. Chuck Mohnkern

Successfully completed the Basics of County Investments Course offering investment education that satisfies Section 2256.008 of the Texas Public Funds Investment Act and demonstrated a thorough understanding of Texas laws governing the investment of public funds. This and the ongoing commitment to continuing education provide maximum benefit to

Kaufman County

Issued by the Texas Association of Counties on the 13 day of March A.D., 2019

The County Investment Academy is a partnership between the Texas Association of Counties and the McCoy College of Business Administration at Texas State University.

Hon. Larry Gallardo, President

Ms. Susan M. Redford, Executive Director

**COMMISSIONERS COURT
REGULAR MEETING
MARCH 27, 2019**

BE IT REMEMBERED that on this day, the Commissioners Court of Kaufman County, Texas met in a Regular Meeting in the Kaufman County Courthouse Annex, Commissioners Courtroom, Kaufman Texas with the following members present: **Hal Richards**, County Judge; **Mike Hunt**, Commissioner Precinct No. 1: Absent; **Skeet Phillips**, Commissioner Precinct No. 2; **Terry Barber**, Commissioner Precinct No. 3; **Ken Cates**, Commissioner Precinct No. 4; **Laura Hughes**, County Clerk.

**INVOCATION;
PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG;
PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG;
REMARKS FROM VISITORS;**

ROUTINE CORRESPONDENCE

MOTION TO APPROVE CONSENT AGENDA

2. There came on to be a motion to approve the Consent Agenda.

2A. Approve appointment of Sonny Gilcrease and Joseph Reese as Board Members for Emergency Services District #7 to fill vacancies for terms expiring December 31, 2020.

2B. Accept Commissioners Court Meeting Minutes for March 20, 2019.

Motion was made by Commissioner Skeet Phillips and seconded by Commissioner Terry Barber.

Motion was put to a vote. Motion carried and is so ordered.

PRESENTATION OF REPORT

3. There came on to be a Presentation of the Texas A&M Ag Extension Office Quarterly Report.

MOTION TO APPROVE AGREEMENT

4. There came on to be a motion to approve an Interlocal Agreement between Kaufman County and Guadalupe County for the sale of three (3) Enduro Plat Cabinets, per Texas Government Code §791.001.

Motion was made by Commissioner Terry Barber and seconded by Commissioner Skeet Phillips.

Motion was put to a vote. Motion carried and is so ordered.

MOTION TO ACCEPT DONATION

5. There came on to be a motion to approve a donation of \$5,000 from Terrell Sand Pit to assist with improvements of County Road 243 (CR 243).

Motion was made by Commissioner Terry Barber and seconded by Commissioner Ken Cates.

Motion was put to a vote. Motion carried and is so ordered.

MOTION TO APPROVE AGREEMENT

6. There came on to be a motion to approve an Interlocal Agreement between Kaufman County and the City of Cottonwood for road work projects in Precinct 4.

Motion was made by Commissioner Ken Cates and seconded by Commissioner Skeet Phillips.

Motion was put to a vote. Motion carried and is so ordered.

MOTION TO APPROVE AGREEMENT

7. There came on to be a motion to approve an Interlocal Agreement between Kaufman County and the City of Cottonwood for road work on County Road 4084 (CR 4084), County Road 4083 (CR 4083) and 500 feet of County Road 4083A (CR 4083A) in Precinct 4.

Motion was made by Commissioner Ken Cates and seconded by Commissioner Terry Barber.

Motion was put to a vote. Motion carried and is so ordered.

MOTION TO APPROVE RESOLUTION

8. There came on to be a motion to approve a Resolution for Violence against Women Justice and Training Grant Application for a Family Violence Prosecutor; County to provide \$86,059 in kind match and grant to provide \$100,000.

Motion was made by Commissioner Skeet Phillips and seconded by Commissioner Terry Barber.

Motion was put to a vote. Motion carried and is so ordered.

MOTION TO APPROVE DISPOSAL OF ASSETS

9. There came on to be a motion to approve receipt, transfer, and disposal of County owned assets.

Motion was made by Commissioner Ken Cates and seconded by Commissioner Skeet Phillips.

Motion was put to a vote. Motion carried and is so ordered.

MOTION TO APPROVE AWARDING OF CONTRACT

10. There came on to be a motion to approve awarding of Contract for RFQ 19-10 to Velvin & Weeks; Consulting Engineering Services.

Motion was made by Commissioner Terry Barber and seconded by Commissioner Ken Cates.

Motion was put to a vote. Motion carried and is so ordered.

MOTION TO APPROVE SOLICITATION FOR BIDS

11. There came on to be a motion to approve soliciting of IFB 19-11; Annual Contract for Fuel.

Motion was made by Commissioner Skeet Phillips and seconded by Commissioner Terry Barber.

Motion was put to a vote. Motion carried and is so ordered.

MOTION TO APPROVE INSTALLATION OF CAMERA

12. There came on to be a motion to approve utilizing Courthouse Security funds, in the amount of \$12,371.18, to allow Terrell Alarm Systems, L.L.C. to install security cameras at the Kaufman County Juvenile Probation Center, 300 W. Mulberry Street, Kaufman, TX.

Motion was made by Commissioner Ken Cates and seconded by Commissioner Terry Barber.

Motion was put to a vote. Motion carried and is so ordered.

MOTION TO APPROVE PURCHASE

13. There came on to be a motion to approve the purchase of one (1) 2016 Dynapac CP1200 69" 9-Wheel Pneumatic Roller, in the amount of \$49,800, from Bane Machinery Inc., utilizing Buyboard Contract #565-18 for Precinct 4.

Motion was made by Commissioner Ken Cates and seconded by Commissioner Skeet Phillips.

Motion was put to a vote. Motion carried and is so ordered.

MOTION TO ACCEPT REPORT

14. There came on to be a motion to accept the Sheriff's Department Monthly Report for February 2019.

Motion was made by Commissioner Terry Barber and seconded by Commissioner Skeet Phillips.

Motion was put to a vote. Motion carried and is so ordered.

MOTION TO ACCEPT REPORT

15. There came on to be a motion to accept the Treasurer's Monthly Report for February 2019.

Motion was made by Commissioner Skeet Phillips and seconded by Commissioner Ken Cates.

Motion was put to a vote. Motion carried and is so ordered.

MOTION TO APPROVE PETTY CASH ACCOUNT

16. There came on to be a motion to approve establishing a petty cash account, in the amount of \$500, to be used for County Court at Law 2's Diversion Court.

Motion was made by Commissioner Terry Barber and seconded by Commissioner Ken Cates.

Motion was put to a vote. Motion carried and is so ordered.

MOTION TO APPROVE LINE ITEM TRANSFERS

17. There came on to be a motion to approve Line Item Transfers.

Motion was made by Commissioner Ken Cates and seconded by Commissioner Skeet Phillips.

Motion was put to a vote. Motion carried and is so ordered.

MOTION TO APPROVE CLAIMS FOR PAYMENT

18. There came on to be a motion to approve Claims for Payment for \$383,371.62.

Motion was made by Commissioner Skeet Phillips and seconded by Commissioner Terry Barber.

Motion was put to a vote. Motion carried and is so ordered.

MOTION TO ADJOURN

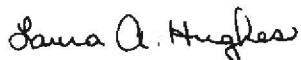
19. There came on to be a motion to adjourn.

Motion was made by Commissioner Terry Barber and seconded by Commissioner Skeet Phillips.

Motion was put to a vote. Motion carried and is so ordered.

I, Laura Hughes, County Clerk of Kaufman County, Texas, do hereby certify that the above Commissioner Court Minutes are a true and correct record of the proceedings from the Commissioners Court Meeting.

ATTEST:

A handwritten signature in cursive script that reads "Laura A. Hughes".

Laura Hughes, County Clerk

PROCLAMATION

WHEREAS, The County of Kaufman prides itself on giving back to the community, contributing to the quality of life among our citizens; and

WHEREAS, Lone Star CASA, Inc., in association with the National Court Appointed Special Advocate (CASA) Association, speaks for the best interest of abused and neglected children who are involved in the juvenile courts; and

WHEREAS, More than 400 children in the Kaufman County area suffer from some form of abuse or neglect each year; and

WHEREAS, Through a national effort, Kaufman County community members are encouraged to join together to raise awareness for those children fallen victim to abuse and neglect throughout the month of April; and

WHEREAS, This effort will give abused and neglected children in our community, and around the country, a chance for a safe and positive future.

NOW, THEREFORE, BE IT RESOLVED, that the Kaufman County Commissioners Court, do hereby proclaim April as

CHILD ABUSE PREVENTION AND AWARENESS MONTH

In Kaufman County, and in doing so, urge all citizens to join in a national effort to raise awareness and help prevent child abuse and neglect.

SIGNED, this day of April 3, 2019

Hal Richards

Kaufman County Judge

Mike Hunt, Comm. Pct. 1

Terry Barber, Comm. Pct. 3

Skeet Phillips, Comm. Pct. 2

Ken Cates, Comm. Pct. 4

**Kaufman County
Personnel Policy Manual
Adopted July 1, 2013
LAST UPDATED July 25, 2016**

TIME SHEETS EXEMPT

The following rules apply to time sheets for exempt (not covered by FLSA) employees:

- a) Employees are required to clock in/out using NOVAtime each day, excluding Department Heads. Department Heads are only required to clock in each day. Exempt employees are still required to account for the hours they work.
- b) If leave is used during the pay period, the employee must request leave using NOVAtime scheduler. Only whole day absences are required to be reported.
- c) Time sheets must be submitted to Payroll in the County Auditor's on the day designated. The designated day is every Monday of pay week by 10:00 am.

Employees are not permitted to clock in/out from any unauthorized computer, unless approved by their supervisor. Supervisors may authorize an employee to have the ability to clock in/out using a smart phone or tablet. This authorization must be received by the IT department in writing from the employee's supervisor. Once authorized the employee must keep the GPS activated at the time of clocking in/out.

Kaufman County makes every effort to pay its employees correctly. It is the sole responsibility of the employee to review their pay stub every pay period to insure the proper deductions were taken out and the proper hours were paid. If the employee has questions or concerns regarding their pay check, they must notify the County Auditor's Office in the pay period after the issuance of the check to avoid further issues.

Clocking in/out for another employee or falsifying a time sheet will be grounds for discipline up to and including discharge. Time sheets are governmental documents and as such require accurate and truthful information and are subject to Texas Penal Code 37.10. Falsifying a time sheet, a governmental record is a Class "A" Misdemeanor, and the individual may face prosecution.

Time sheets will be retained by the County Auditor for three (3) years and are subject to audit by various Federal Agencies.

TAC Sample County Employee Handbook Verbiage

A. EMPLOYEE PAYROLL

2A-1 FAIR LABOR STANDARDS ACT SAFE HARBOR

If you are classified as an exempt salaried employee, you will receive a salary which is intended to compensate you for all hours worked for the County. This salary will be established at the time of hire or when you become classified as an exempt employee. While it may be subject to review and modification from time to time, the salary will be a pre-determined amount that will not be subject to deductions for variations in the quantity or quality of the work you perform.

For exempt employees, your salary may also be reduced for certain types of deductions such as your portion of health, dental or life premiums; state, federal or local taxes, social security, retirement; or, voluntary contributions to a deferred compensation plan. In any workweek in which you performed any work, your wages may be reduced for any of the following reasons: 1) absence from work for one or more full days for personal reasons, other than sickness or disability; or 2) full day disciplinary suspensions for infractions of our written policies and procedures; or 3) full day for violating safety rules of a major significance; or 4) Family and Medical Leave or Military Leave absences; or 5) to offset amounts received as payment for jury and witness fees or military pay; or 6) the first or last week of employment in the event you work less than a full week.

If you are an exempt employee, in any workweek in which you performed any work, your salary will not be reduced for any of the following reasons: 1) partial day absences for personal reasons, sickness or disability; or 2) your absence because the facility is closed on a scheduled work day; or 3) your absence because of the County's operating requirements; or 4) absences for jury duty, attendance as a witness, or military leave in any week in which you have performed any work; or 5) any other deductions prohibited by state or federal law.

Please note: it is not an improper deduction to reduce an employee's accrued vacation, personal or other forms of paid time off for full or partial day absences for personal reasons, sickness or disability.

If you have questions about deductions from your pay, please immediately contact your supervisor. If you believe you have been subject to any improper deductions or your pay does not accurately reflect your hours worked, you should immediately report the matter to _____ (position, office, address and phone number). If you are unsure of who to contact or if you have not received a satisfactory response within five business days after reporting the incident, please immediately contact the County Attorney (include address and phone number). Every report will be fully investigated and corrective action will be taken where appropriate, up to and including discharge for any employee(s) who violates this policy. In addition, the County will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the County's investigation of such reports. Retaliation is unacceptable, and any form of retaliation in violation of this policy may result in disciplinary action, up to and including termination.

Bill/Food/Medical Assistance

- The Center
400 S. Terrell Hwy.
Kaufman, TX 75142
Richard Dunn – 972-932-8866 rdunn@thecenterkaufman.org
- Share Center – 103 West Jones St. Terrell, TX 972-551-1729
Wednesday 8:00-11:30 Thursday 8-3:30
- Kaufman County - Desiree Pool 972-932-0287 indigenthealth@kaufmancounty.net
- Carevide 101 N. Houston Street Kaufman, TX 972-932-7001
- Get Cap Assistance

Foster Care Information

- Texas Department of Family and Protective Services 817-304-1272
- REACH Tammy Pargoud reach.cpa.tx@gmail.com
- Children's Hope Dana Bailey Foster Care Specialist 903-454-2627

Guardianship

- Margaret Webster County Court at Law II 469-376-4753

Housing Assistance

- North Texas Behavioral Health Authority : Tenant-Based Rental Assistance
Email housing@ntbha.org
Eric McCarty – Housing Resources Manager 469-607-7440 emccarty@ntbha.org

Training/Job Assistance

- Workforce Solutions – Terrell, TX 972-563-7271
- Training Academy 4 U, LLC- Ferris, TX
Dental Assistant, Medical Assistant, Massage Assistant, Medical Secretary
972-842-2999 www.ta4u.org

Mental Health

- North Texas Behavior Health Authority
Director Nancy Blum 469-290-2956 nblum@ntbha.org
Care Coordinators for Kaufman County
Kristy Brashear 469-290-2115 kbrashear@ntbha.org
Michelle Blank 469-290-2097 mblank@ntbha.org
Myesha Dixon 469-299-9362 mdixon@ntbha.org
- Outreach Screening Assessment and Referral OSAR
- National Alliance on Mental Illness NAMI 972-962-3784 namikaufmancounty@yahoo.com
- Adapt Mobile Crisis 24/7 866-260-8000
- Child and Family Guidance Center (Kaufman) 877-932-4157 Open M-W 8-5
- IPS Behavioral Services (Kaufman) 469-376-4718 Call ahead
- Lakes Regional (Terrell) 972-524-4159 Open M-F 8-5

Substance Abuse

- Referral Help 844-275-0600 M-F 8-5
- Access 2 Recovery 972-210-7504

Training/Job Assistance

- Workforce Solutions – Terrell, TX 972-563-7271
- Training Academy 4 U, LLC- Ferris, TX
Dental Assistant, Medical Assistant, Massage Assistant, Medical Secretary
972-842-2999 www.ta4u.org

Transportation

- Star Transit 877-631-5278 www.STARtransit.org
- Greyhound Bus Hwy 34 at Moore Ave, Terrell (Cowboys Convenience Store) 972-563-7566

Victims of Domestic Violence/Sexual Assault Assistance

- Family Peace Project 469-410-1337
- Forever Families 903-498-1076
- Genesis Center of Kaufman 972-932-4351

TEXAS MOBILE & MODULAR SPECIALISTS, INC.

11423 C F HAWN FREEWAY, DALLAS, TEXAS 75253

March 22, 2019

County Commissioner's Court

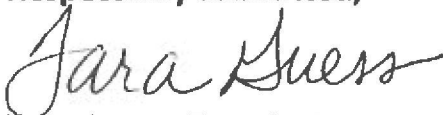
Kaufman County, Texas

RE: In kind donation of gravel for County Road 261

Dear County Commissioners,

Please accept this letter as our in kind donation regarding gravel to be placed out on County Road 261. We would like to place approximate 120 yards of a 4 inch rock with a base that has been mixed in of gravel on County Road 261. The location on County Road 261 will be starting at the corner of Farm to Market Road 2932 and will go up County Road 261 approximately 300 feet. We are trying to provide a better access road for the home located at 9955 County Road 261 Crandall, Texas 75114. The value of this donation will be approximately \$4,000.00. Should this donation be accepted we would like to have the material delivered as soon as possible. Should you have any questions please feel free to contact our office at 972-557-8000 and ask for Tara Guess.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Tara Guess".

Tara Guess, Exec Assistant

Texas Mobile & Modular Specialists, Inc.

**IN THE COMMISSIONERS COURT
OF KAUFMAN COUNTY, TEXAS**

DONATION OF MATERIALS FOR ROADS IN KAUFMAN COUNTY, TEXAS

BE IT REMEMBERED, that on the 29th day of March, 2019, came on to be considered the donation of materials, in the amount of \$4,000.00, to Kaufman County, Texas, by Texas Mobile & Modular Specialists, Inc, hereinafter referred to as the Donor. After careful consideration, the Commissioners Court of Kaufman County, Texas, has determined that the donation, described as follows: "Materials to assist improvements of county road 261" is suitable to aid road building or maintenance of county road 261 and would improve the all-weather capabilities of said road; thereby serving a public benefit.

BE IT THEREFORE ORDERED, ADJUDGED and DECREED, that the donated item has a reasonable cash market value of \$4,000.00. (Donations valued at more than \$500.00 will be reported by Kaufman County to the IRS on form 8282. Donors should report such donations on IRS form 1040, Schedule A, or IRS Form 8283.)

In return for the donation of materials by the Donor named above, Kaufman County, Texas, has executed a release of liability pursuant to Texas Transportation Code Sec. 251.019.

The use of the donated materials shall only be used to assist in the maintenance of public roads maintained by the County, specifically county road 261.

Executed this 29th day of March, 2019.

APPROVED BY DONOR:

Jara Guess
Donor

Accepted by:

Kaufman County Judge

Attest:

Kaufman County Clerk

MUTUAL WAIVER OF LIABILITY, RELEASE, AND

INDEMNIFICATION AGREEMENT

This Waiver of Liability, Release, and Indemnification and Hold Harmless Agreement (the "Release") executed on (date) the 29th day of March, 2019 by Texas Mobile & Modular Specialists Inc (the "Donor") releases Kaufman County, Texas (the "Donee"), a public political entity existing under the laws of the State of Texas and each of its elected officials, employees, and agents. The Donor desires to provide "materials to assist with improvements to county road 261."

Donor understands that the scope of Donor's relationship with Kaufman County is limited to a donor/volunteer position and that no money is expected in return for the money ("donation") provided by Donor.

This Agreement is entered into pursuant to Sec. 251.019 (c) of the Texas Transportation Code.

1. Waiver and Release of County (Donee). Donor hereby releases and forever discharges and holds harmless Kaufman County from any and all liability, claims, and demands of whatever kind or nature, whether in law or in equity, which arise or may hereafter arise from the donation that Donor provides to Kaufman County. Donor understands and acknowledges that this Release discharges Kaufman County from any liability or claim that it may have against Kaufman County with respect to bodily injury, personal injury, illness, death, or property damage that may result from the donation that it provides to Kaufman County.
2. Waiver and Release of _____ (Donor). Kaufman County hereby releases and forever discharges and holds harmless Donor from any and all liability, claims, and demands of whatever kind or nature, whether in law or in equity, which arise or may hereafter arise from the donation that Donor provides to Kaufman County. Kaufman County understands and acknowledges that this Release discharges Donor from any liability or claim that Kaufman County may have against Donor with respect to bodily injury, personal injury, illness, death, or property damage that may result from the donation that Donor provides to Kaufman County.
3. Insurance. Further, Donor understands that Kaufman County does not assume any responsibility for or obligation to provide Donor with financial or other assistance, including but not limited to medical, health or disability benefits or insurance of any nature in the event of an injury, illness, death or damage to Donor's property. Donor expressly waives any such claim for compensation or liability on the part of Kaufman County beyond what may be offered freely by Kaufman County in the event of such injury or medical expenses incurred by Donor.

4. Other. Donor and Donee expressly agree that this Release is intended to be as broad and inclusive as permitted by the laws of the State of Texas and that this Release shall be governed by and interpreted in accordance with the laws of the State of Texas. Donor and Donee further agree that in the event that any clause or provision of this Release is deemed invalid, the enforceability of the remaining provisions of this Release shall not be affected.

By signing below, Donor and Donee express their understanding and intent to enter into this Release and Waiver of Liability willingly and voluntarily.

Tara Guess
Donor—Tara Guess
Texas Mobile & Modular Specialists Inc

3-29-19
Date

Donee—Kaufman County, Texas

Date

ACKNOWLEDGMENT

STATE OF Texas

§

COUNTY OF Dallas

§

§

Before me, 3-29-19, on this day personally appeared Tara Guess, known to me (or proved to me through description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 29 day of March, 2019.

Brittany Hammer
Notary Public, State of Texas



WAIVER OF ALL CLAIMS RESULTING FROM ABANDONMENT OF PUBLIC ROAD

STATE OF TEXAS

§
§
§

KNOW ALL BY THESE PRESENTS:

COUNTY OF KAUFMAN

I, Tanya Graves, hereby state that I understand that a portion of a Kaufman County Road known as Benge Lane is under consideration for abandonment pursuant to Article 251.051 and Article 251.058 of the Texas Transportation Code. I understand that the County is considering abandonment of [1050 ft.] located [starting at intersection of CR 133 and ends 1050 ft stopping prior to driveway of barn], upon the request of the abutting landowner.

I am a property owner who may be affected by the abandonment of Benge lane, located in Kaufman County, Texas, as described above. However, I am satisfied that the abandonment of the road in question does not adversely affect my rights, either my property rights or my individual rights, and I hereby freely and voluntarily execute this document, having determined that my interests in real property located near or upon the road will not be adversely impaired by any abandonment of the road adopted by Kaufman County, Texas. I hereby execute this waiver as recordable evidence of my intent to release, relinquish, waive and abandon any and all claims that I might assert against Kaufman County, Texas under applicable law as a result and consequence of the abandonment of Benge Lane located [starting at intersection of CR 133 and ends 1050 ft stopping prior to driveway of barn]. I state and affirm that:

1. I am in excess of eighteen years of age, of sound mind, and competent to execute this Waiver.
2. I understand that any right I might have, if any, will be compromised and released by the execution of this waiver.
3. I do not wish to exercise my right, if any, to claim damages or to seek injunctive relief, and I consent to the abandonment of Benge Lane located [starting at intersection of CR 133 and ends 1050 ft stopping prior to driveway of barn].
4. I waive my right to file litigation against Kaufman County related to the abandonment of the road identified in this document, as described herein.
5. This waiver does not affect, negate or otherwise limit any private access easement I may have or claim that will continue to permit me to access my property.
6. I have made a full inquiry, and I am satisfied that if the road is abandoned by Kaufman County, I will continue to have a means of access to my property, and I will not subsequently seek to have Kaufman County provide me with access.

7. All matters stated herein are true and correct, and I have freely, voluntarily and knowingly executed this Waiver of my own free will, and without duress or pressure from any source.

Signature: Tanya Graves
Printed Name: Tanya Graves
Address: 9150 Benge Lane
City: Kaufman Tx 75142
Phone: 972 515 0585

STATE OF TEXAS §
 §
COUNTY OF KAUFMAN §

SUBSCRIBED and SWORN before me, the undersigned authority, to witness my hand and seal this 28 day of March, 2019.



Felicia Marie West
Notary Public, State of Texas
Printed Name: Felicia Marie West
Commission Expires: 10-11-2022

WAIVER OF ALL CLAIMS RESULTING FROM ABANDONMENT OF PUBLIC ROAD

STATE OF TEXAS

§
§
§

KNOW ALL BY THESE PRESENTS:

COUNTY OF KAUFMAN

I, Tanya Graves, hereby state that I understand that a portion of a Kaufman County Road known as Benge Lane is under consideration for abandonment pursuant to Article 251.051 and Article 251.058 of the Texas Transportation Code. I understand that the County is considering abandonment of [1050 ft.] located [starting at intersection of CR 133 and ends 1050 ft stopping prior to driveway of barn], upon the request of the abutting landowner.

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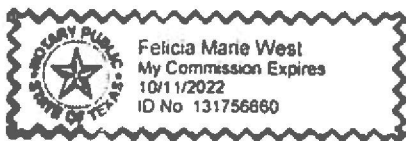
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2. I understand that any right I might have, if any, will be compromised and released by the execution of this waiver.
3. I do not wish to exercise my right, if any, to claim damages or to seek injunctive relief, and I consent to the abandonment of Benge Lane located [starting at intersection of CR 133 and ends 1050 ft stopping prior to driveway of barn].
4. I waive my right to file litigation against Kaufman County related to the abandonment of the road identified in this document, as described herein.
5. This waiver does not affect, negate or otherwise limit any private access easement I may have or claim that will continue to permit me to access my property.
6. I have made a full inquiry, and I am satisfied that if the road is abandoned by Kaufman County, I will continue to have a means of access to my property, and I will not subsequently seek to have Kaufman County provide me with access.

7. All matters stated herein are true and correct, and I have freely, voluntarily and knowingly executed this Waiver of my own free will, and without duress or pressure from any source.

Signature: [Signature]
Printed Name: Tanya Graves
Address: 9152 Benz Ln
City: Kaufman Tx 75142
Phone: 972 515 0585

STATE OF TEXAS §
 §
COUNTY OF KAUFMAN §

SUBSCRIBED and SWORN before me, the undersigned authority, to witness my hand and seal this 28 day of March, 2019.



[Signature]
Notary Public, State of Texas
Printed Name: Felicia Marie West
Commission Expires: 10-11-2022

COURT ORDER ABANDONING BENGE LANE

ORDER NO. _____

DATE: _____

STATE OF TEXAS §
COUNTY OF KAUFMAN §

BE IT REMEMBERED, at a regular meeting of the Commissioners Court of Kaufman County, Texas, held on the _____, on motion made by Commissioner _____, seconded by Commissioner _____, and said motion was put to vote and motion carried by an unanimous vote of the Commissioners Court, the following Order was adopted:

WHEREAS, notice of this meeting was duly posted pursuant to Chapter 551 of the Texas Government Code, and;

WHEREAS, pursuant to Section 251.058 of the Texas Transportation Code, a Commissioners Court may, on its own initiative, close, abandon and vacate a public road, and

WHEREAS, the Court has determined that it is in the best interest of the County to abandon any interest the County and/or the public may have in Benge Lane.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Commissioners Court of Kaufman County, Texas:

The County of Kaufman, Texas, hereby abandons and quitclaims in favor of the abutting property owner, Tanya Graves, the portion of Benge Lane as described in Exhibit "A" attached hereto and made a part hereof for all purposes.

Pursuant to Section 251.058, Texas Transportation Code, the Court finds that the following is true and correct:

1. The following property owner is the owner of the real property which abuts the portion of the abandoned road:

Ms. Tanya Graves

9150 Bengel Lane

Kaufman TX, 75142

2. The dimensions of the abandoned right-of-way vesting in Tanya Graves is as described in Exhibit "A," attached hereto. Specifically, Bengel Lane to be abandoned consists of 1050 feet in length with a width of 16 feet.

3. That the County be shown as the Grantor in the Kaufman County Official Records and that Ms. Tanya Graves be shown as Grantee in said Official Records, pursuant to the dictates of Section 251.058(3) of the Texas Transportation Code.

APPROVED this the _____ day of _____, 2019.

Hal Richards, County Judge

ATTEST:

Laura Hughes, County Clerk

ACKNOWLEDGMENT

STATE OF TEXAS §

COUNTY OF KAUFMAN §

This instrument is acknowledged before me on this the ____ day of _____, 2019, by Hal Richards, as County Judge of Kaufman County, Texas.

Notary Public, State of Texas

COURT ORDER ABANDONING BENGE LANE

ORDER NO. _____

DATE: _____

STATE OF TEXAS §

COUNTY OF KAUFMAN §

BE IT REMEMBERED, at a regular meeting of the Commissioners Court of Kaufman County, Texas, held on the _____, on motion made by Commissioner _____, seconded by Commissioner _____, and said motion was put to vote and motion carried by an unanimous vote of the Commissioners Court, the following Order was adopted:

WHEREAS, notice of this meeting was duly posted pursuant to Chapter 551 of the Texas Government Code, and;

WHEREAS, pursuant to Section 251.058 of the Texas Transportation Code, a Commissioners Court may, on its own initiative, close, abandon and vacate a public road, and

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9152 Bengel Lane

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APPROVED this the _____ day of _____, 2019.

Hal Richards, County Judge

ATTEST:

Laura Hughes, County Clerk

ACKNOWLEDGMENT

STATE OF TEXAS §
COUNTY OF KAUFMAN §

This instrument is acknowledged before me on this the ____ day of _____, 2019, by Hal Richards, as County Judge of Kaufman County, Texas.

Notary Public, State of Texas