

COMMISSIONERS COURT DOCKET  
September 27, 2016  
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 27<sup>th</sup> day of September, 2016, 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	Craig Doyal
Commissioner, Precinct 1	Mike Meador
Commissioner, Precinct 2	Charlie Riley
Commissioner, Precinct 3	James Noack
Commissioner, Precinct 4	Jim Clark
Also County Clerk's Office	Amber Twiddy

INVOCATION GIVEN BY Tracey Fentem

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 Clark, to approve Commissioners Court Agenda for discussion and necessary action. Motion carried.

AGENDA ITEM 7A – MONTGOMERY COUNTY EMPLOYEES COMMITTEE – EMPLOYEE  
OF THE MONTH

DARLOU ZENOR PRESENTED PAM TARAS, SENIOR BUYER WITH PURCHASING, WITH  
EMPLOYEE OF THE MONTH FOR SEPTEMBER, 2016.

THE MEMBERS OF COURT WERE PRESENTED BASKETS FROM THE 4-H YOUTH  
DEVELOPMENT PROGRAM OF THE TEXAS A&M AGRILIFE EXTENSION SERVICE.

2. PROCLAMATION APPROVED – NATIONAL 4-H WEEK

Motion by Commissioner Meador, seconded by Commissioner Noack, to designate October  
2-8, 2016 as National 4-H Week in Texas and commend the 4-H Youth Development  
Program of the Texas A&M AgriLife Extension Service. Motion carried.

3. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the  
Minutes from Special Session of Commissioners Court dated September 6, 2016. Motion  
carried.

4. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Clark, seconded by Commissioner Meador, to approve the  
Minutes from Regular Session of Commissioners Court dated September 13, 2016.  
Motion carried.

5. RESOLUTION AND ORDER APPROVED – CONSENT AGENDA – AGENDA ITEMS 9A-P

Motion by Commissioner Noack, seconded by Commissioner Clark, 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, as follows:

COUNTY AUDITOR – AGENDA ITEMS 9A1-3

A1. PAYMENT OF ACCOUNTS APPROVED, as submitted by the County Auditor.

A2. MONTHLY UNAUDITED FINANCIAL REPORT ACCEPTED for month ended August 31, 2016.

A3. BUDGET AMENDMENTS FY 2016 APPROVED:

- a. 9<sup>th</sup> District Court: To transfer funds for purchase of VPN tokens and adjust line items.
- b. 284<sup>th</sup> District Court: To adjust line items.
- c. 435<sup>th</sup> District Court: To adjust line items.
- d. Animal Shelter: To reallocate recognized revenue and recognize and allocate revenue.
- e. Building Maintenance: To adjust line items.
- f. Child Welfare: To recognize and allocate Revenue FY 15 Q1, FY 15 Q2, FY 15, Q3, FY 15 Q4, FY 16 Q1, and FY 16 Q2.
- g. Civic Center Complex: To recognize and allocate revenue to fund purchase of 2017 Ford F-150 Crew Cab Truck as approved M7/09.13.16.
- h. Commissioner Precinct 1: To recognize and allocate lease revenue M3/12.8.15, adjust line items, and transfer funds for airfare to conference.
- i. Commissioner Precinct 1-BOPA Facility Grant: To set up grant North MoCo Facility grant from TCEQ/HGAC M9E1a/09.13.16.
- j. Commissioner Precinct 1-North MoCo Recycling Center: To set up additional grant M13/08.31.16.
- k. Commissioner Precinct 2: To adjust line items.
- l. Commissioner Precinct 3: To adjust line items and fund vehicle and equipment for new sergeant for Constable Pct 5 as approved M8/09.13.16
- m. Constable Precinct 1: To recognize and allocate revenue and adjust line items.
- n. Constable Precinct 2: To recognize and allocate revenue.
- o. Constable Precinct 3: To recognize and allocate revenue.
- p. Constable Precinct 4: To adjust line items.
- q. Constable Precinct 5: To transfer funds for fuel, transfer funds for materials and building of cabinets for office, and adjust line items.

- r. County Court at Law #1: To adjust line items.
- s. County Court at Law #3: To transfer funds for new glass for courtroom doors.
- t. County Court at Law #4: To transfer funds for materials and construction of a media cabinet for CCL4 courtroom.
- u. County Engineer: To adjust line items.
- v. Court Reporter Services Fund: To recognize and allocate revenue and adjust line items.
- w. Drug Court: To adjust line items.
- x. DWI Court: To adjust line items.
- y. Emergency Management: To adjust line items.
- z. FEMA-DR-4269-TX: To set up April Severe Weather Budget.
- aa. FEMA-DR-4272-TX: To set-up Crowder Gulf budget for May Severe Weather and to set-up Tetra Tech budget for May Severe Weather.
- bb. Information Technology: To adjust line items.
- cc. Justice of the Peace Precinct 1: To adjust line items.
- dd. Juv Probation-NSLP 16-17: To recognize and allocate reimbursement received National School Lunch Program for Aug/16.
- ee. MCCD-CDBG: To adjust line items.
- ff. Memorial Library: To adjust line items.
- gg. Mental Health: To adjust line items.
- hh. Risk Management: To adjust line items.
- ii. Sheriff: To adjust line items.
- jj. Sheriff-Auto Theft Task Force: To recognize and allocate revenue.
- kk. Sheriff-Commissary: To recognize and allocate revenue.
- ll. SO-OCDETF: To de-obligate remaining OCDETF-Blood 103 Jump St funds M3/07.25.16 and de-obligate remaining OCDETF-Delta Link funds M3/07.25.16.
- mm. Sheriff-Town Center Sub Unit: To recognize and allocate revenue.

**TAX ASSESSOR/COLLECTOR – AGENDA ITEMS 9B1-3**

- B1. MONTHLY TAX COLLECTION REPORT ACCEPTED for month ending August 31, 2016.
- B2. REQUEST APPROVED to acknowledge acceptance of Continuation Certificate of Surety Bond #105329863 for AAA Texas LLC in the amount of \$25,000.00. Montgomery County has no responsibility for payment of this bond.

- B3. COUNTY BOAT AGENT AGREEMENT APPROVED with Texas Parks and Wildlife Department authorizing the Montgomery County Tax Office to issue boat titles, registration and renewals. County Judge is authorized to execute the agreement on behalf of Montgomery County and Tax Assessor-Collector is authorized to add bank account information to the agreement before submission to TPWD.

PURCHASING – AGENDA ITEMS 9C1-12

- C1. ADVERTISING APPROVED for the following:
- a. Replacement of existing DX HVAC system for Building Maintenance/Animal Shelter.
  - b. Forensic and miscellaneous medical supplies for Various Departments.
  - c. Mobility improvements for Birnham Woods Drive for Precinct 3.
- C2. RENEWALS AWARDED:
- a. Single family housing replacement program with American Homestar Corporation for MCCD. (Exercising the second of four renewal options)
  - b. Drug/alcohol screening services with Redwood Toxicology Lab, Inc. for a month to month extension pending award of new contract for Various Departments.
  - c. ERR (Electronic Return Receipt) services through the Interlocal Agreement with Buyboard Contract #407-12 with Pitney Bowes, Inc. for IT. (Exercising the second of three renewal options)
  - d. Property, casualty, liability, workers compensation and third party claims administration with Arthur J. Gallagher Risk Management Services, Inc. with 2016/2017 decreased premiums from the previous year for Risk Management.
  - e. Disaster recovery management services (debris) with Crowdergulf, LLC on a month to month basis for Emergency Management.
  - f. Bulk fuel with J.A.M. Distributing Company on a month to month basis for Various Departments.
  - g. Hardware IBM maintenance and software (AIX) with Strategy 7 Corporation with changes in quantities of licenses for IT Department. (Exercising the third of five renewal options)
- C3. CONTRACTS APPROVED for the following:
- a. Products and related services through the State of Texas Department of Information Resources (DIR) contract #DIR-TSO-3356 with Synergy Electronics, Inc. and their approved reseller Compu-Data International, LLC effective 09/27/16 - 12/22/17 with two one year renewal options for Elections.
  - b. Hardware software and services for wireless voice and data, bundled service packages through the Texas Department of Information Resources (DIR) Contract #DIR-TSO-3420 with AT&T Corp. effective 09/27/16 - 06/10/18 with two one year renewal options for Various Departments.
- C4. CHANGE ORDERS APPROVED:

- a. CO #5 to AT&T Mobility National Accounts, LLC for products & related services/hardware, software & services for wireless voice, data, pagers & mobile satellite voice to cancel the existing month to month contract for Various Departments.
  - b. CO #2 to Global Waste Services, LLC for paper recycling to cancel the existing month to month contract for Various Departments.
  - c. CO #4 to Ecosource Pest Control, Inc. dba Pestmaster Services of North Houston for exterminating/pest services to change treatment services from quarterly interior services to monthly interior services for Various Departments.
  - d. CO #5 to HuffCo Services, Inc. for Montgomery County Lone Star Executive Airport Federal Inspection Station to add one (1) additional rain chain to the north side of the canopy in the amount of \$2,472.50 and CO #6 to install a private water meter and ground box in the amount of \$1,911.30 For Conroe-North Houston Regional Airport.
- C5. DISCRETIONARY EXEMPTIONS APPROVED for an item that can only be obtained from one source as authorized by Local Government Code §262.024 (a)(7):
- a. Midwest Tape Librarians #1 Media Source from Midwest Tape, LLC for Library.
  - b. Local telephone lines and miscellaneous services from each of the following vendors: Consolidated Communications of Texas and AT&T, Inc. for Various Departments.
- C6. ESLATE WARRANTY, SUPPORT AND LICENSE AGREEMENT OPTIONS APPROVED with Hart Intercivic, Inc. for Elections.
- C7. EXISTING CONTRACT WITH APPENDIX A AND APPENDIX B APPROVED for residential services with Montgomery County Youth Services for Juvenile. This was previously approved in Commissioners Court 09/13/16.
- C8. DISCRETIONARY EXEMPTIONS APPROVED for a personal or professional service as authorized by Local Government Code §262.024 (a)(4):
- a. Residential Services from Nueces County Juvenile Department for Juvenile.
- C9. REQUEST APPROVED to declare miscellaneous items as salvage as authorized by Local Government Code §263.152 for Various Departments.
- C10. SOFTWARE AGREEMENT APPROVED with Democracy Live, Inc. in the amount of \$11,950.00 for Elections.
- C11. PURCHASE APPROVED of one new 2016 Chevrolet Tahoe PPV CC15706 from Caldwell Country Chevrolet through the Interlocal Agreement with Buyboard Contract #430-13 in the amount of \$34,725.00 with a Buyboard fee of \$400.00 for a total amount of \$35,125.00 for Constable 3.
- C12. PAYMENT AND PERFORMANCE BOND APPROVED for design-build of the North Montgomery County Recycling Facility from Fairweather Group, LLC for Precinct 1.

RISK MANAGEMENT – AGENDA ITEMS 9D1-2

- D1. CHANGES, ADDITIONS AND RELEASES APPROVED for the following:

<u>BOND</u>	<u>NAME/DEPT</u>	<u>AMOUNT</u>	<u>ACTION</u>
15345310	McRae, Tammy/Tax Assessor	\$100,000	Renew/Cont Cert
61424436	Gable, Ryan/Const. Pct. 3	\$5,000	Renew/Cont Cert
61424436	Gable, Ryan/Const. Pct. 3		Rider/Chg Elected To Appointed Position
15486568	Smith Jr, Don G/Const. Pct. 4	\$5,000	Renew/Cont Cert
61176069	Mast, Eileen/Tax Assessor	\$50,000	Renew/Cont Cert
15223608	Etheredge, Carolyn/Tax Assessor	\$100,000	Renew/Cont Cert
62191190	Espinosa, Roberto/Const. Pct. 3	\$5,000	Renew/Cont Cert
15487498	Madison, Tony/Const. Pct. 3	\$5,000	Renew/Cont Cert
16041473	Welch, Barry/Const. Pct. 4	\$5,000	Renew/Cont Cert
61491346	Weis, David W/Const. Pct. 3	\$5,000	Renew/Cont Cert
61499182	Jaimes, Michael/Const. Pct. 4	\$5,000	Renew/Cont Cert
62184334	Potter, Trevor/Const. Pct. 4	\$5,000	Renew/Cont Cert

- D2. REQUEST APPROVED to authorize the transfer of funds to correct Cobra Dental Plan option in the amount of \$335.52 from budget line 402-7419.

COMMISSIONERS – AGENDA ITEMS 9E1-3

E1. PRECINCT 1

- a. USE AGREEMENT APPROVED with Willis Wildkats Select Baseball to use the baseball fields at Charles Traylor Memorial Park for practices as scheduled by WYAA 9/9/2016-9/9/2017.
- b. USE AGREEMENT APPROVED with Nemesis Select Baseball Team to use the baseball fields at the Charles Traylor Memorial Park for practices as scheduled by W.Y.A.A from 8/1/2016-8/1/2017.

E2. PRECINCT 2

- a. ASSIGNMENT OF NUMBER 154 APPROVED for The Montgomery County Municipal District to be reserved in the name of Schwartz, Page & Harding, L.L.P.

E3. PRECINCT 4

- a. CHECKS ACCEPTED in the amount of \$3,009.33 from the City of Roman Forest for the purchase of fuel. This will be deposited into line item no. 615-735411. Check has been forwarded to the Auditor for further processing.

- b. CHECK ACCEPTED in the amount of \$1,008.31 from Montgomery County ESD No. 7 for the purchase of fuel. This will be deposited into line item no. 615-735411. Check has been forwarded to the Auditor for further processing.
- c. CHECK ACCEPTED in the amount of \$2,031.29 from Montgomery County Committee on Aging, Inc. for the purchase of fuel. This will be deposited into line item no. 615-735411. Check has been forwarded to the Auditor for further processing.
- d. CHECK ACCEPTED in the amount of \$9,296.00 from Mission Northeast, Inc. for reimbursement of hauling road materials. This will be deposited into line item no. 615-7907. Check has been forwarded to the Auditor for further processing.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9F1-3

F1. PRECINCT 2

- a. REQUEST APPROVED from Aqua Texas, Inc. to install a water line within the right of way of West Lane.
- b. REQUEST APPROVED from Clovercreek MUD to install a water line within the right of way of Cloverwood Drive.
- c. REQUEST APPROVED to acknowledge that the roads in Oak Estates at Jacob's Reserve, Section 2 have been built to county standards. The roads have completed the one year maintenance period and the bond is released. These roads are private and will not be maintained by Montgomery County.
- d. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Woodforest, Section 65; total length of roads 1,510.80 linear feet, to be effective September 27, 2016.
- e. FINAL PLAT APPROVED of Del Webb The Woodlands Stonebridge Church Drive Street Dedication; 0.9266 acres; Thomas Taylor Survey, A-546.
- f. REQUEST APPROVED from Phonoscope Light Wave, Inc. to install utility poles and fiber optic lines within the right of way of Various Roads.

F2. PRECINCT 3

- a. REQUEST APPROVED from City of Oak Ridge North to install a 12 inch water line within the right of way of Hanna Road.
- b. REQUEST APPROVED from Phonoscope Light Wave, Inc. to install a fiber optic line within the right of way of Grogans Mill Road.
- c. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Lexington Boulevard Street Dedication; total length of roads 2,876.07 linear feet and bond is released.
- d. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Lexington Boulevard & Woodsons Reserve Parkway; total length of roads 1,956.99 linear feet and bond is released.
- e. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Falls at Imperial Oaks, Section 20; total length of roads 4,712.76 linear feet, to be effective September 27, 2016.

F3. PRECINCT 4

- a. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Valley Ranch, Section 11; total length of roads 994.66 linear feet and bond is released.
- b. FINAL PLAT APPROVED of Woodridge Forest, Section 11; 10.180 acres; Mary Owens Survey, A-405.
- c. FINAL PLAT APPROVED of Grafton Drive Street Dedication, Section 1; 0.44 acres; William Massey Survey, A-387.
- d. FINAL PLAT APPROVED of Cascading Oaks Drive Street Dedication, Section 1; 0.44 acres; William Massey Survey, A-387.
- e. FINAL PLAT APPROVED of Glen Trout Gardens; 1.7492 acres; Mary Owens Survey, A-405.
- f. FINAL PLAT APPROVED of Splendor Farms, Section 3 Partial Replat No. 1; 2.983 acres; William Barker Survey, A-82.

#### HUMAN RESOURCES – AGENDA ITEM 9G1

##### G1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of Animal Shelter to correct pay of Michael Barnes, Kennel Technician, effective August 20, 2016.

Request of Animal Shelter to increase salary of Michael Barnes, Kennel Technician, due to 3% COLA, effective October 8, 2016.

Request of Animal Shelter to place Amber Curran, Kennel Technician, on payroll as replacement for pooled employee, effective September 21, 2016.

Request of Animal Shelter to increase salary of Amber Curran, Kennel Technician, due to 3% COLA, effective October 8, 2016.

Request of Animal Shelter to place Kelly Duprey, Kennel Technician, on payroll as replacement for pooled employee, effective September 19, 2016.

Request of Animal Shelter to increase salary of Kelly Duprey, Kennel Technician, due to 3% COLA, effective October 8, 2016.

Request of Animal Shelter to place Jordan Gentry, Chief Veterinarian, on payroll, effective September 20, 2016.

Request of Animal Shelter to increase salary of Jordan Gentry, Chief Veterinarian, due to 3% COLA, effective October 8, 2016.

Request of Animal Shelter to place Dalin Hamm, Kennel Technician, on payroll as replacement for pooled position, effective September 21, 2016.

Request of Animal Shelter to increase salary of Dalin Hamm, Kennel Technician, due to 3% COLA, effective October 8, 2016.

Request of Animal Shelter to change status of Rylee Isbell, Kennel Technician, from Part-time to Full-time as replacement for Cheyenne Barnett, effective September 10, 2016.

Request of Animal Shelter to increase salary of Rylee Isbell, Kennel Technician, due to 3% COLA, effective October 8, 2016.

Request of Animal Shelter to discharge Kelly Wilson, Kennel Technician, effective September 13, 2016. [No benefits due]

Request of Commissioner Precinct 1 to increase salary of Dale McDonald, Operator 1, due to completion of probationary period, effective October 18, 2016.

Request of Commissioner Precinct 3 to promote James R. Johnson, Foreman, as replacement for Ray Stevenson, effective September 12, 2016.

Request of Commissioner Precinct 3 to increase salary of James R. Johnson, Foreman, to allocate COLA due to timing of Salary Schedule, effective October 8, 2016.

Request of Constable Precinct 4 to promote Joshua Brown, Investigator I, effective October 1, 2016.

Request of Constable Precinct 4 to increase salary of Joshua Brown, Investigator I, to add the 3% COLA, effective October 8, 2016.

Request of Constable Precinct 4 to place Pedro Rodriguez, Deputy, on payroll as replacement for Joshua Brown, effective October 1, 2016.

Request of Constable Precinct 4 to increase salary of Pedro Rodriguez, Deputy, to add the 3% COLA, effective October 8, 2016.

Request of County Auditor to discharge Dana L. Moe, General Ledger Assnt, effective September 19, 2016. [No benefits due]

Request of County Clerk to place Joseph Monreal, Clerk II, on payroll as replacement for Pamela Jo Kelley, effective September 19, 2016.

Request of County Clerk to increase salary of Joseph Monreal, Clerk II, due to 3% COLA, effective October 8, 2016.

Request of District Attorney to place Shannon Jackson, Court Clerk IV, on payroll, effective October 3, 2016.

Request of District Attorney to increase salary of Shannon Jackson, Court Clerk IV, due to 3% COLA, effective October 8, 2016.

Request of District Clerk to change status of Beth Gillett, Court Clerk II, from Part-time to Full-time as replacement for Linda Haywood, effective September 10, 2016.

Request of District Clerk to increase salary of Beth Gillett, Court Clerk II, due to 3% COLA raise, effective October 8, 2016.

Request of District Clerk to promote Linda Haywood, Court Clerk IV, as replacement for Alexandra Martin, effective September 10, 2016.

Request of District Clerk to increase salary of Linda Haywood, Court Clerk IV, due to 3% COLA increase, effective October 8, 2016.

Request of Elections to increase salary of Karen A. Brewer, Voter Clerk, due to increase of responsibilities, effective October 8, 2016.

Request of Elections to place Darla R. Brooks, Voter Clerk, on payroll, effective September 19, 2016.

Request of Elections to place Cody Day, Voter Clerk, on payroll effective September 16, 2016.

Request of Elections to increase salary of Cody Day, Voter Clerk, due to 3% COLA increase, effective October 8, 2016.

Request of Elections to place Chariss A. Dinwiddie, Voter Clerk, on payroll, effective September 19, 2016.

Request of Elections to place Robert Mahle, Voter Clerk, on payroll effective September 24, 2016.

Request of Justice of the Peace Precinct 3 to place Judy E. Lisea, Court Clerk II, on payroll as replacement for Stephanie Lopez, effective September 10, 2016.

Request of Juvenile to change status of Mary Margaret Fisher, Juvenile Supervision Officer-Substitue, from Full-time to Part-time, effective September 24, 2016.

Request of Juvenile to increase salary of Mary Margaret Fisher, Juvenile Supervision Officer-Substitue, due to 3% COLA increase, effective October 8, 2016.

Request of Juvenile to accept the resignation of Maria Elena Zavala, Counselor, effective September 2, 2016. Is eligible for re-hire. [6.16 hours or balance vacation]

Request of Library to remove Kimberly Ann Jones, Shelving Clerk I, from payroll due to job abandonment, effective September 8, 2016. [No benefits due.]

Request of Library to place Imelda Navarro-Pena, Library Assistant II, on payroll as replacement for Teresa Bergman, effective September 13, 2016.

Request of Library to increase salary of Imelda Navarro-Pena, Library Assistant II, due to 3% COLA increase, effective October 8, 2016.

Request of Library to place Shawna L. Smith, Library Assistant II, on payroll as replacement for Eva Rains, effective September 20, 2016.

Request of Library to increase salary of Shawna L. Smith, Library Assistant II, due to 3% COLA increase, effective October 8, 2016.

Request of Sheriff to place Catherine Eaves, Clerk IV-Records, on payroll as replacement for Shauntell Harder, effective September 17, 2016.

Request of Sheriff to increase salary of Catherine Eaves, Clerk IV-Records, due to 3% COLA increase, effective October 8, 2016.

Request of Sheriff to place Stanley Jolly, Deputy Patrol District II, on payroll as replacement for Bolin, effective September 24, 2016.

Request of Sheriff to increase salary of Stanley Jolly, Deputy Patrol District II, due to 3% COLA increase and Masters Cert not included in salary upload, effective October 8, 2016.

Request of Sheriff to place Brandon McLarty, Civilian Detention Officer, on payroll as replacement for Robert Harralson, effective September 10, 2016.

Request of Sheriff to accept the resignation of Kevin Rubio, Officer Civilian Detention, effective September 23, 2016. [24.75 hours or balance vacation; 360.61 hours or balance compensatory; 12.25 hours or balance holiday]

Request of Sheriff to demote April Veith, Dispatcher, due to voluntary demotion requested by employee as replacement for Megan Henry, effective September 24, 2016.

Request of Sheriff to increase salary of April Veith, Dispatcher, due to 3% COLA increase, effective October 8, 2016.

Request of Sheriff to place Joshua Wright, Officer Civilian Detention, on payroll, as replacement for Tristan Aleksick, effective September 17, 2016.

Request of Sheriff to increase salary of Joshua Wright, Officer Civilian Detention, due to 3% COLA increase, effective October 8, 2016.

Request of Tax Assessor-Collector to accept the resignation of Lee Higley, Mail Clerk Courier, effective September 20, 2016. [No benefits due]

Request of District Clerk to place Karen Cantrell, Court Clerk II, on payroll as replacement for Patsy Fletcher, effective September 26, 2016.

Request of District Clerk to increase salary of Karen Cantrell, Court Clerk II, due to 3% COLA increase, effective October 8, 2016.

Request of District Clerk to place Elizabeth Casso, Part-time Clerk, on payroll as replacement for Beth Gillett, effective September 26, 2016.

Request of District Clerk to increase salary of Elizabeth Casso, Part-time Clerk, due to 3% COLA increase, effective October 8, 2016.

Request of District Clerk to place Dixie Webb, Part-time Clerk, on payroll as replacement for Linda Ray, effective September 26, 2016.

Request of District Clerk to increase salary of Dixie Webb, Part-time Clerk, due to 3% COLA increase, effective October 8, 2016.

#### ENVIRONMENTAL HEALTH – AGENDA ITEMS 9H1-3

- H1. REQUEST APPROVED for the Order Assessing Cost of Abating Nuisance and Notice of Lien to be filed in Real Property Records to recover cost to the county for demolition for abate nuisance for the property located at 2346 Hickory Hollow Ln, Spring, Texas 77386.
- H2. REQUEST APPROVED for the Order Assessing Cost of Abating Nuisance and Notice of Lien to be filed in Real Property Records to recover cost to the county for demolition for abate nuisance for the property located at 11055 Royal Circle, Cleveland, Texas 77328.
- H3. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 3615 Red Oak Drive, Montgomery, Texas 77316.

#### SHERIFF – AGENDA ITEMS 9I1-3

- I1. DONATION ACCEPTED in the amount of \$1,000.00 on behalf of the MCSO K9 Division from the American Legion Auxiliary Unit No. 618. These funds will be allocated to the Sheriff's K9 Budget Line 5601731-73573 and carryover the balance into FY 2017. Check has been forwarded to the Auditor for further processing.
- I2. REQUEST APPROVED to purchase coffee and supplies from the 2017 MCSO Academy Budget line 56018-7390 for students attending training classes at the MCSO Academy.
- I3. REQUEST APPROVED to continue the budget allowance of \$175.00 per retiree at the MCSO through September 2017. The amount includes refreshments and a retirement gift. This was originally approved in Commissioners Court December 28, 2000 and the Purchasing Department requests annual authorization.

#### COUNTY ATTORNEY – REAL PROPERTY - AGENDA ITEMS 9J1-3

J1. PRECINCT 1

- a. PARTIAL RELEASE OF ASSESSMENT LIEN APPROVED for Lot 5, Block 4, Lake Conroe Heights, Section 3. Check was accepted in the amount of \$520.34 and has been forwarded to the Auditor for further processing.
- b. INTERLOCAL AGREEMENT APPROVED with City of Willis for improvement and reconstruction of portions of Paddock Road and Rogers Road with County Contribution not to exceed \$250,000 from Precinct 1 Operating Budget.

J2. PRECINCT 2

- a. ORDER APPROVED authorizing notice of public hearing under Local Government Code 232.009(c-1) for the revision to subdivision lots/plats known as all of Reserve "H" and a portion of Reserve "D" of the Replat of Clovercreek Section 1 to be known as The Lakes at Clovercreek Replat and Extension. The public hearing will be held November 8, 2016.

J3. PRECINCT 3

- a. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 2 A & B of the expansion of Rayford Road from Dolgencorp of Texas, Inc. for the total sum of \$1,448,683.25. The Memorandum of Agreement is approved and Judge Doyal and/or B.D. Griffin are authorized to approve the deed and execute the Closing Statement and all other documents necessary. The County Auditor and Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to WFG National Title Co. for the benefit of Dolgencorp of Texas, Inc. in the amount stated above.
- b. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 53 of the expansion of Rayford Road from Life Storage, LP for the total sum of \$67,643.26. The Memorandum of Agreement is approved and Judge Doyal and/or B.D. Griffin are authorized to approve the deed and execute the Closing Statement and all other documents necessary. The County Auditor and Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to WFG National Title Co. for the benefit of Life Storage, LP in the amount stated above.
- c. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 59 of the expansion of Rayford Road from DCI of Conroe, Inc. for the total sum of \$62,009.51. The Memorandum of Agreement is approved and Judge Doyal and/or B.D. Griffin are authorized to approve the deed and execute the Closing Statement and all other documents necessary. The County Auditor and Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to WFG National Title Co. for the benefit of DCI of Conroe, Inc. in the amount stated above.
- d. RESOLUTION AND ORDER TO PAY APPROVED for funding of rental assistance relating to the acquisition of Parcel 5, Lot 1 of the expansion of Rayford Road payable to Claudia Navarrete in the amount of \$2,390.00. The County Auditor and Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to Claudia Navarrete in the amount stated above.

- e. RESOLUTION AND ORDER TO PAY APPROVED for funding of rental assistance relating to the acquisition of Parcel 5, Lot 18 of the expansion of Rayford Road payable to James and Marilyn Sulzer in the amount of \$40,140.00. The County Auditor and Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to James and Marilyn Sulzer in the amount stated above.
- f. RESOLUTION AND ORDER TO PAY APPROVED for funding of fixed moving expenses in connection with the acquisition of Parcel 38 of the expansion of Rayford Road from Sean and Courtney Heckathorn in the amount of \$2,050.00. The County Auditor and Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to Sean and Courtney Heckathorn in the amount stated above.
- g. RESOLUTION AND ORDER TO PAY APPROVED for funding of Incidental Expenses relating to the acquisition of Parcel 45 from Wayne and Betty James in the amount \$5,390.06. The County Auditor and Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to Wayne and Betty James in the amount stated above.
- h. RESOLUTION AND ORDER TO PAY APPROVED for funding of Replacement Housing Supplement in connection with the purchase of a replacement dwelling relating to the acquisition of Parcel 45 of the expansion of Rayford Road from Wayne M. James and Betty Dobson James in the amount of \$38,936.75. The County Auditor and Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to Wayne and Betty James in the amount stated above.
- i. ORDER APPROVED declaring the existence of a public necessity and authorizing the institution of eminent domain proceedings for the Rayford Road Expansion Project for Parcel 6 being 1.75 acre (76,303 sq. ft.) parcel situated in the Montgomery County School Land Survey, A-350.
- j. ORDER APPROVED declaring the existence of a public necessity and authorizing the institution of eminent domain proceedings for the Rayford Road Expansion Project for Parcel 25 being 0.03 acre (1,372sq. ft.) parcel situated in the Montgomery County School Land Survey, A-350.
- k. ORDER APPROVED declaring the existence of a public necessity and authorizing the institution of eminent domain proceedings for the Rayford Road Expansion Project for Parcel 26 being 0.49 acre (21,527 sq. ft.) parcel situated in the Montgomery County School Land Survey, A-350.
- l. ORDER APPROVED declaring the existence of a public necessity and authorizing the institution of eminent domain proceedings for the Rayford Road Expansion Project for Parcel 27 being 0.08 acre (3,671sq. ft.) parcel situated in the Montgomery County School Land Survey, A-350.

COUNTY CLERK – AGENDA ITEM 9K1

- K1. 2017 SHERIFFS' AND CONSTABLES' FEES SET as required by Texas Local Government Code 118.131.

AIRPORT – AGENDA ITEMS 9L1-3

- L1. ASSIGNMENT OF LAND LEASE AGREEMENT WITH CONSENT OF LESSOR APPROVED from Charles R. Ballard to Douglas N. Derr and Dawn P. Derr for 0.175 acres (Building 53) in Conroe-North Houston Regional Airport.

- L2. RESOLUTION AND ORDER APPROVED of the grant request application and grant for Routine Airport Maintenance Program Grant in the amount of \$50,000.00 from TxDOT-Aviation with County match in the amount of \$50,000.00 funded from Airport Capital Projects. County Judge and/or Airport Director are authorized to execute the Agreement on behalf of Montgomery County.
- L3. RESOLUTION AND ORDER APPROVED to permit NextGen to use the County Airport for the 2017 Modaero NextGen Aviation Festival on May 19-21, 2017. The Airport Director is authorized to condition such use on the satisfaction of any prerequisites he deems appropriate and in the best interest of Montgomery County.

OFFICE OF COURT ADMINISTRATION – AGENDA ITEMS 9M1-3

- M1. REQUEST APPROVED to accept funding from the Governor's Office for Veterans Treatment Court in the amount of \$159,340.00. This application was approved in Commissioners Court on February 23, 2016.
- M2. TECHSHARE.INDIGENT DEFENSE RESOURCE SHARING ADDENDUM APPROVED to the Master Interlocal Agreement between Conference of Urban Counties and Montgomery County for bridging grant funded fair indigent defense online to Techshare.Indigent Defense. Judge Doyal is authorized to sign agreement on behalf of Montgomery County.
- M3. REQUEST APPROVED to use the District/County Court Technology Fund in the amount of \$881.60. This will be used to move audio equipment in the County Court at Law #4.

EMERGENCY MANAGEMENT – AGENDA ITEMS 9N1-2

- N1. REQUEST APPROVED to transfer funds not to exceed \$1,681.85 from account 406-7425 (travel) to 406-7997 (carryover) and allow carryover of UASI Auction Funds to Fiscal Year 2017.
- N2. REQUEST APPROVED to transfer funds not to exceed \$2,285.39 from account 406-7390 (supplies/other) to 406-7997 (carryover) and allow carryover of UASI Auction Funds to Fiscal Year 2017.

COUNTY JUDGE – AGENDA ITEMS 9O1-2

- O1. REQUEST APPROVED from Friends of Conroe Inc. to use County properties before and during the Catfish Festival as follows:
- Notice of road closures beginning Thursday, October 13, 2016 at 5:00 p.m. include Main Street at Davis to Pacific; Thompson from Davis to Metcalf; San Jacinto from Davis to Metcalf; Metcalf from San Jacinto to Pacific; Simonton from Frazier to Pacific and Newton from Davis to Simonton.
- Use of courthouse square including courthouse steps, lawn area, curbs and plaza beginning Thursday, October 13th at 5:00 p.m. through Sunday, October 16th at 12:00 midnight. However, nothing will impede pedestrian traffic into the courthouse until Friday, October 14th at 5:00 p.m.
- All vehicles to exit garage on Simonton Street by 4:00 p.m. Friday, October 14th via Simonton and travel west to San Jacinto and south to Metcalf.
- O2. REQUEST APPROVED to authorize Montgomery County Employees' Committee to use and manage the parking facilities on Simonton Street in Conroe

during the 2016 Conroe Catfish Festival and collect a fee for public parking of no more than \$10.00 per vehicle during the event.

**LIBRARY – AGENDA ITEM 9P1**

- P1. REQUEST APPROVED to authorize closing the Library System Facilities on the following Saturdays during 2017: April 15, November 11, November 25 and December 23 and to close at 5PM on Wednesday November 22, 2017.

Motion carried.

**END OF CONSENT AGENDA**

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**CITIZENS – AGENDA ITEM 10**

Eric Yollick presented the “Golden Hammer” award to Animal Control. He also spoke to the court on problems at the Animal Shelter and animal abuse.

Many other citizens addressed the Court with their concerns regarding the Animal Shelter including but not limited to the humane treatment of animals, the shelter becoming a “No Kill” shelter, locked doors at the shelter, a broken volunteer program, spay/neuter back log, and the shelter needing a change in management as well as having Commissioner Clark removed from overseeing the shelter.

Nathan Arrazate thanked the court for use County property during the Conroe Cajun Catfish Festival.

Bev Pierce Coyne addressed the court concerning the Animal Shelter. She stated that she had recently toured the shelter and found that many kennels were empty due to an adoption event, other kennels were clean, and a friendly staff.

Nathan Arrazate spoke again and asked people to think and to not be a part of the lies and bullying at the Animal Shelter.

Commissioner Meador left the courtroom briefly, but returned before Citizens Comments were over.

**6. ADDENDUM APPROVED – SUPPLEMENTAL SECURITY INCOME CLAIMS - SHERIFF**

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the addendum to the contract between Justice Benefits, Inc. (JBI) and Montgomery County. The addendum allows JBI to submit monthly Supplemental Security Income claims to the Social Security Administration on behalf of the MCSO Jail. JBI will collect an 18% commission on all claims received. The net proceeds will be allocated to fund 40016-C/P Jail Project 13-14. Motion carried.

**7. REQUEST APPROVED – CARRYOVER BALANCE – BUILDING MAINTENANCE**

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the carry-over of remaining balances after all expenditures in line items 510-73518, 510-7501 and 510-7570 into FY17. These are ongoing projects that are not completed. Motion carried.

**8. REQUEST APPROVED – AIR DUCTS AND AIR HANDLERS – BUILDING MAINTENANCE**

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the request for \$100,665.00 to have the air ducts and air handlers cleaned on the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> floors of the Alan B. Sadler Commissioners Court Building. This will be funded with Capital Projects. Motion carried.

9. REQUEST APPROVED – CARRYOVER BALANCE – BUILDING MAINTENANCE

Motion by Commissioner Clark, seconded by Commissioner Meador, to approve the carry-over of remaining balances after all expenditures in line items 510-735411, 510-7390, and 510-73517 into FY 17. These balances should be transferred to 510-73517 to help in funding the HVAC project at the Montgomery County Animal Shelter. Motion carried.

10. ENGAGEMENT LETTER APPROVED – WEAVER AND TIDWELL LLP – COUNTY AUDITOR

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve an engagement letter with County's independent audit firm of Weaver and Tidwell LLP. County Judge, Commissioners, and County Auditor are authorized to sign. Motion carried.

11. SALARY SCHEDULE ADOPTED – FY 2017 – COUNTY AUDITOR

Motion by Commissioner Noack, seconded by Commissioner Meador, to adopt the FY 2017 Salary Schedules to be effective 10/08/2016. Motion carried.

12. AWARD APPROVED – TRAFFIC SIGNAL INSTALLATION – PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the award for traffic signal installation to Third Coast Services, LLC in the amount of \$119,134.48 for Fish Creek Thoroughfare at Woodforest Parkway South for Precinct 2. Motion carried.

13. AWARD APPROVED – PAPER RECYCLING AND DESTRUCTION – VARIOUS DEPARTMENTS

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the award for RFP - paper recycling and document destruction services to Texas Shred Solutions, LLC for document destruction and Global Waste Services, LLC for paper recycling services for Various Departments. Motion carried.

14. REQUEST APPROVED – CONTRACT NEGOTIATION PROCESS – MCCD

Motion by Commissioner Clark, seconded by Commissioner Meador to approve the contract negotiation process with Nash Industry, Inc. for the CSP-Empowerment Resource Center-remodel warehouse for MCCD. Motion carried.

15. DISCRETIONARY EXEMPTIONS APPROVED – PERSONAL OR PROFESSIONAL SERVICE – PRECINCT 1 AND PRECINCT 2

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve granting a discretionary exemption for a personal or professional service as authorized by Local Government Code §262.024 (a)(4) for the following:

- a. Engineering design services for Mount Mariah Road Rock Creek Crossing replacement with box culvert from Dannenbaum Engineering Corporation for a total maximum sum of \$190,956.00 for Precinct 1.
- b. Engineering design services for Bays Chapel Road Lake Creek Crossing replacement with box culvert from Dannenbaum Engineering Corporation for a total maximum sum of \$177,634.00 for Precinct 1.

- c. Environmental wetland permitting services for Copperhead Road from Klotz Associates, Inc. Dba Rps Klotz Associates for a total maximum sum of \$9,848.00 for Precinct 2.
- d. Engineering services for Fish Creek Thoroughfare Bridge at FM 2854 from Brown & Gay Engineers, Inc. for a total maximum sum of \$103,800.00 for Precinct 2.
- e. Surveying services for Fish Creek Thoroughfare - Lake Creek Bridge from Landtech, Inc. for a total maximum sum of \$55,704.00 for Precinct 2.
- f. Design services for Fish Creek Thoroughfare Bridge over Lake Creek from Aguirre & Fields, LP for a total maximum sum of \$69,280.00 for Precinct 2.

Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 15A1: CONSIDER AND APPROVE THE PARTIAL REVISION TO LOTS 1 THROUGH 14, BLOCK 1; LOTS 5 THROUGH 12, BLOCK 3; AND LOTS 1 THROUGH 4, BLOCK 4 OF GLEN OAKS SECTION FOUR, REPLAT NO. 1, TO BE KNOWN AS GLEN OAKS SECTION FOUR, REPLAT NO. 2.

AGENDA ITEM 15B1: CONSIDER AND APPROVE POSTING A 30 MPH SPEED LIMIT ON CAMBRIDGE BOULEVARD BETWEEN RUTLAND STREET AND COVENTRY COURT.

AGENDA ITEM 15B2: CONSIDER AND APPROVE THE PARTIAL REVISION TO TRACT 14 OF THE SECURITY SUBDIVISION, TO BE KNOWN AS CEARLEY ACRES.

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

16. REQUEST APPROVED – POSTING OF A SPEED LIMIT – PRECINCT 4

Motion by Commissioner Clark, seconded by Commissioner Noack, to approve posting a 30 MPH Speed limit on Cambridge Boulevard between Rutland Street and Coventry Court. Motion carried.

AGENDA ITEM 16A1 – DR. TODD HAYDEN ADDRESSED THE COURT CONCERNING THE ANIMAL SHELTER.

COMMISSIONER CLARK ALSO ADDRESSED THE COURT CONCERNING THE ANIMAL SHELTER.

MANY TOPICS WERE DISCUSSED BY JUDGE DOYAL AND THE COMMISSIONERS.

COMMISSIONER RILEY BROUGHT UP THE IDEA OF HAVING A WORKSHOP TO DISCUSS THE ANIMAL SHELTER SO THAT MORE QUESTIONS MAY BE ANSWERED.

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

17. MOTION FAILED – MANAGEMENT AND OVERSIGHT OF ANIMAL SHELTER – COMMISSIONER PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Riley, to place the oversight of Montgomery County Animal Shelter under Commissioner's Court as a whole. Commissioner Noack voted "aye" all others voted "no". Motion failed.

18. REQUEST APPROVED – HIRING OF NEW DIRECTOR – ANIMAL SHELTER – COMMISSIONER PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Riley, to allow anything having to do with the hiring of a New Director for the Animal Shelter to come before the court for a decision not an individual. Motion carried.

**THE COURT RECESSED FOR SESSION OF THE MONTGOMERY COUNTY TOLL ROAD AUTHORITY.**

19. REPORTS APPROVED – FRANCHISE TAX REPORT AND PUBLIC INFORMATION REPORT – MONTGOMERY COUNTY TOLL ROAD AUTHORITY

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve Franchise Tax Report and Public Information Report for 2016 report year. Judge Doyal is authorized to sign these reports for filing with the Texas Comptroller of Public Account and authorize payment of any and all fees associated therewith. 500001.7419 will be used as a funding source. Motion carried. (The County Clerk's office did not receive any paperwork for this Agenda Item.

**MONTGOMERY COUNTY TOLL ROAD AUTHORITY ADJOURNED AND COMMISSIONERS COURT RECONVENED.**

**THE COURT RECESSED FOR EXECUTIVE SESSION PURSUANT TO ONE OR MORE OF THE FOLLOWING PROVISIONS OF THE TEXAS GOVERNMENT CODE, TO WIT: CHAPTER 551, SUB-CHAPTER D, ARTICLE 551.074.**

EXECUTIVE SESSION – AGENDA ITEM 18A: DISCUSS AND DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION AND DUTIES OF SELECTED PUBLIC EMPLOYEES.

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

AGENDA ITEM 19 – NO ACTION NECESSARY ON THE ITEM DISCUSSED IN EXECUTIVE SESSION.

**CITIZENS – AGENDA ITEM 20**

Felicia Wilson discussed the need of a Library Branch on the East side of I-45 in the Woodlands.

Stella Scott discussed her concerns with Tisdale Road in Dobbin. She would like the road mowed on a regular basis. She also stated that the road is sinking in spots and there are craters. She also stated that Ella Brown Road has tall weeds.

**AGENDA ITEM 21 – MISCELLANEOUS**

JUDGE DOYAL CONGRATULATED SCOTT SMITH (HE HAD ALREADY LEFT COURT) ON THE GRAND OPENING OF THE CUSTOMS FACILITY AT THE AIRPORT AND ENCOURAGED PEOPLE TO GET OUT AND SEE THE FACILITY.

20. COURT ADJOURNS

Motion by Commissioner Meador, seconded by Commissioner Clark, 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

*Craig Doyle*

COUNTY JUDGE

