

COMMISSIONERS COURT DOCKET  
November 22, 2016  
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 22<sup>nd</sup> day of November, 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 Jerilyn Williams

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 ITEMS 7A AND 7B – PROCLAMATIONS/RESOLUTIONS

MONTGOMERY COUNTY EMPLOYEES COMMITTEE – EMPLOYEE OF THE MONTH

JUDGE PATRICE MCDONALD PRESENTED EMPLOYEE OF THE MONTH FOR NOVEMBER TO LINDA NEWLIN WITH COUNTY COURT AT LAW #3.

AUNDREA LINDSEY PRESENTED EMPLOYEE OF THE MONTH FOR DECEMBER TO JUDY RACHEL WITH THE PERMIT OFFICE.

2. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the Minutes from Regular Session of Commissioners Court dated November 8, 2016. Motion carried.

3. RESOLUTION AND ORDER APPROVED – CONSENT AGENDA – AGENDA ITEMS 9A-I

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 9A1-4

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

A2. MONTHLY UNAUDITED FINANCIAL REPORT ACCEPTED for the month of September, 2016.

A3. BUDGET AMENDMENTS FY2016 APPROVED:

- a. Various: To perform salary sweep #3.
- b. Capital Projects-Jail Project 13-14: To allocate net proceeds for FY 2016 SCAAP grant to Jail Expansion Project M13/10.25.16
- c. Commissioner Precinct 3: To recognize and allocate revenue.
- d. Commissioner Precinct 4: To allocate proceeds from 09/20/16 auction.
- e. Constable Precinct 1: To adjust line items and recognize and allocate revenue.
- f. Constable Precinct 3: To adjust line items and adjust budget lines.
- g. DA No Refusal Grant: To return unused match funds.
- h. Emergency Management: To adjust line items.
- i. Information Technology: To adjust line items and transfer funds for the Door Control Proposal IH01137.
- j. MCCD: To recognize and allocate PI received for Willis Building (PI-1.1), Lonestar Building (PI-1.2), Magnolia Building (PI-2.1), Splendora Building (PI-4.1) and Magnolia Medical Clinic (PI-2.2).
- k. Non-Departmental: To adjust restricted.
- l. Sheriff: To adjust line items and recognize and allocate revenue.
- m. Sheriff-Auto Theft: To carryover program income.
- n. Sheriff-Jail: To allocate August revenue.
- o. Sheriff-ICE-Homeland Sec Invest: To de-obligate unused SO ICE-Gang Contract Funds.
- p. SO-MOCONET: To de-obligate unspent funds.
- q. SO-OCDETF-Blood 103 Jump St: To de-obligate unused SO OCDETF-Blood 103 contract funds.
- r. SO-OCDETF-Rising Tide: To de-obligate unused SO OCDETF-Rising Tide contract funds.
- s. SO-OCDETF-Speed Limit: To de-obligate unused SO OCDETF- Speed Limit funds.
- t. SO-OCDETF-Witch Hazel: To de-obligate unused SO OCDETF-Witch Hazel contract funds.

A4. BUDGET AMENDMENTS FY17 APPROVED:

- a. Various-Capital Project: To transfer capital improvement funding for projects approved for FY 2017 budget.

- b. Adult Probation-Basic Supervision FY17: To adjust line items.
- c. Conroe-North Houston Regional Airport: To fund increase to position 6291.8504.1 as approved M12/11.08.16.
- d. Animal Shelter: To adjust line items.
- e. Capital Projects Jail Project 13-14: To allocate FY 2017 budget to Jail Project as directed by Commissioners Court during the FY 2016 budget workshops.
- f. Commissioner Precinct 1: To adjust line items.
- g. Commissioner Precinct 2: To adjust line items and transfer funds for position changes as approved M25/11.08.16.
- h. Commissioner Precinct 3: To adjust line items, recognize and allocate revenue and carryover \$3,000,000 in unspent funds from 2016 budget for Commissioner Precinct 3.
- i. Commissioner Precinct 4: To fund equity increases for various positions as approved M37/10.25.16.
- j. Constable Precinct 1: To recognize and allocate revenue.
- k. Constable Precinct 3: To remove vehicle stipends from positions 5531-5910-10 and 5531-5910-13 as approved M3/11.08.16, fund purchase of two new fully equipped Tahoes as approved M3/11.08.16, fund payoff associated with position 5531-6010-2 as approved M11/11.08.16, and adjusts line items.
- l. Constable Precinct 4: To recognize and allocate FY 2017 STEP-IDM Grant from H-GAC M3/10.25.16, transfer fund for VPN token, and recognize and allocate revenue.
- m. County/District Court Technology Fund: To adjust line items and recognize and allocate funds to move audio equipment in County Court at Law Number 2 and fund technology improvements for language access in the courts as approved M3/11.08.16.
- n. District Attorney: To transfer funds for VPN token.
- o. Information Technology: To transfer funds to cover cost for domains purchased.
- p. Justice Court Technology Fund: To recognize and allocate revenue to fund monitor, printers, iPad dataConnect, and professional development for Justice of the Peace, Pct 1 as approved M3/11.08.16.
- q. Juvenile Probation –NSLP: To recognize and allocate reimbursement received National School Lunch Program for Oct/16.
- r. Mental Health Court Services: To adjust line items.
- s. Records Management County: To recognize and allocate revenues.
- t. Sheriff: To transfer funds for fire arms examiner lab, adjust line items, recognize and allocate revenue M3/10.25.16, set up S.O. OCDETF-Pathfinder M5/11.08.16, and set upFY17 FBI-JTTF contract M4/11.08.16.

- u. Sheriff-MUD 113: To reverse budget adjustment for Sheriff to comply with county policy and LGC 130.908 limiting expenditures to 25% of FY 2017 budget M31/01.14.13.
- v. Veterans Service: To fund accreditation Training for Veterans Service as approved M10/10.25.16.

TREASURER – AGENDA ITEMS 9B1-4

- B1. QUARTERLY INVESTMENT REPORT APPROVED for quarter ended September 30, 2016.
- B2. MONTHLY INVESTMENT REPORT APPROVED for month ended October 31, 2016.
- B3. MONTHLY PLEDGED SECURITIES REPORT APPROVED for month ended October 31, 2016.
- B4. PLEDGES AND/OR RELEASES OF DEPOSITORY COLLATERAL REPORT APPROVED.

TAX ASSESSOR/COLLECTOR – AGENDA ITEM 9C1

- C1. MONTHLY TAX COLLECTION REPORT APPROVED for the month ending October 31, 2016.

PURCHASING – AGENDA ITEMS 9D1-9

- D1. RENEWALS AWARDED as follows:
  - a. Plumbing items and miscellaneous supplies with each of the following vendors: Coburn Supply Co., Inc. and Morrison Supply Company, LLC for Various Departments. (Exercising the fourth of five renewal options)
  - b. Preservation and scanning of historical documents with Kofile Preservation, Inc. and include the name change to Kofile Technologies, Inc. for Various Departments. (Exercising the fifth of five renewal options)
  - c. Service for supplying library books with each of the following vendors: BTAC Acquisition Corp. dba Baker and Taylor, LLC and Bound To Stay Bound Books, Inc. on a month to month basis for Library.
  - d. New uniforms with Miller Uniforms & Emblems, Inc. for Various Law Enforcement. (Exercising the third of five renewal options)
  - e. HVAC equipment, installation, service and related products from Trane Co. through its distributor Hunton Distribution Group through the interlocal agreement with Region 4 Education Service Center/TCPN Contract #R150502 and include the name change to HVAC Mechanical Services of Texas, LTD dba Hunton Distribution Group for Various Departments. (Exercising the first of four renewal options)
  - f. Cement stabilized sand with Cherry Crushed Concrete for Precinct 3. (Exercising the second of five renewal options)
- D2. REQUEST APPROVED to change the title of permission to advertise for project #2017-0011 from folding panel partitions and installation to RFP-Folding Panel Partitions and Installation for Lone Star Convention and Expo Center.

- D3. ADVERTISING APPROVED for the following:
- a. RFP - immunoassay type laboratory analysis of urine samples for Various Departments.
  - b. RFP - five (5) phase treatment services for Drug/Dwi Courts.
  - c. Used passenger bus for Precinct 2.
- D4. REQUEST APPROVED to declare miscellaneous items as salvage for Various Departments as authorized by Local Government Code §263.152.
- D5. CHANGE ORDERS APPROVED:
- a. CO #4 to Wavemedia, Inc. for internet service provider to increase 40mbps at a monthly fee of \$1,150.00 to 1gbps at a new monthly fee of \$2,350.00 for Various Departments.
- D6. AWARD APPROVED for the following:
- a. XL Parts, LLC (as the recommended alternate vendor) for miscellaneous auto parts picked up/delivered for Precinct 4.
  - b. Gullo Ford for new vehicles and include the purchase of one 2016 F150 4x4 model W1E from recommended vendor in the amount of \$38,419.07 for Precinct 4.
- D7. CONTRACTS APPROVED for the following:
- a. Products and related services through the Interlocal Agreement with the Department Of Information Resources Contract #DIR-TSO-3393 and Solutions-II, Inc. effective 11/22/16 through 05/20/17 with three one year renewal options for IT.
- D8. REQUEST APPROVED of the name change of Team Forensic Services, PLLC to Holly Ann Miller dba Team Forensic Services, PLLC for Adult Probation.
- D9. DISCRETIONARY EXEMPTIONS APPROVED as authorized by Local Government Code §262.024(a)(4):
- a. Residential services with each of the following vendors: Gulf Coast Trades Center and Woodward Academy for Juvenile Department.
  - b. Non-residential services with Neurocounseling & Consulting Service, PLLC (NCS) for Juvenile Department.
  - c. Secure long-term and short-term residential services with Hays County Juvenile Board for Juvenile Department.
  - d. Forensic pathologist services with Sparks P. Veasey, III and Tracey Dyer M.D. for Forensic Services Department.

COMMISSIONERS – AGENDA ITEMS 9E1-2

E1. PRECINCT 1

- a. REQUEST APPROVED to transfer \$1,300.00 salary from line item 612-7340 to position 612-2900-8 (Laborer).

E2. PRECINCT 4

- a. REQUEST APPROVED to close position 615-3201-7 (Operator 1), open position 615-3202-13 (Operator II) and transfer salary of \$38,251.20 plus benefits from position 615-3201-7 to position 615-3202-13. Also close position 615-3201-20 (Operator 1), open position 615-3202-14 (Operator II) and transfer salary of \$38,251.20 plus benefits from position 615-3201-20 to position 615-3202-14. This will have no effect on the budget for fiscal year 2017.
- b. CHECKS ACCEPTED in the amount of \$2,936.45 from the City of Roman Forest for the purchase of fuel. This is to be deposited into line item no. 615-7926. Check has been forwarded to the Auditor for further processing.
- c. CHECKS ACCEPTED in the amount of \$1,638.27 from Montgomery County Committee on Aging, Inc. for the purchase of fuel. This is to be deposited into line item no. 615-7926. Check has been forwarded to the Auditor for further processing.
- d. USE AGREEMENT APPROVED with Texas Strike Force Elite to use the softball (baseball or softball) fields at Ipes Sports Park Softball Field for practices as scheduled by SASA through December 31, 2017.
- e. USE AGREEMENT APPROVED with Angels Elite 12 U Fastpitch to use the softball (baseball or softball) fields at Ipes Sports Park Softball Field for practices as scheduled by SASA through December 31, 2017.
- f. REQUEST APPROVED to open position 615-4816-1 (Supervisor-Sign) effective November 19, 2016, transfer prorated salary and benefits of \$59,787.88 from line item no. 615-7340. This will not increase the budget for fiscal year 2017.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9F1-4

F1. PRECINCT 1

- a. REQUEST APPROVED from Consolidated Communications to install a fiber optic switch cabinet and line within the right of way of Bethel Road.

F2. PRECINCT 2

- a. FINAL PLAT APPROVED of The Lakes at Clover Creek Replat and Extension; 6.1215 acres; Thomas Bailey Survey, A-84

F3. PRECINCT 3

- a. REQUEST APPROVED from Crown Castle NG, to place a 1 node small cell network line within the right of way of Richards Road.
- b. REQUEST APPROVED from Crown Castle to install 6 small cell nodes within the rights of way of Six Pines Drive, Grogan's Mill Road, Lake Front Circle, Lake Woodlands Drive, and Woodloch Forest Drive.

F4. PRECINCT 4

- a. REQUEST APPROVED from Crown Castle to install 2 small node cell network lines within the rights of way of Oak Ridge School Road and Chateau Woods Parkway Drive.
- b. REQUEST APPROVED from Centerpoint Energy to install 2" IP PLA gas line within the right of way of Waukegan Road.

- c. REQUEST APPROVED from Centerpoint Energy to install 2" IP PLA gas line within the right of way of Kings Mill Park Drive.
- d. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Woodridge Forest, section 4 and bond is released.
- e. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Woodridge Forest Soaring Woods and bond is released.
- f. REQUEST APPROVED to acknowledge that the roads in Harpers Trace have been built to County Standards and have completed the one year maintenance period effective October 25, 2016. The bond is released. Harpers Trace is public from SH 242 to Harpers School Road and will be maintained by Montgomery County while the remainder of the road is private and will not be maintained by the County.
- g. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Deer Trail Two, Section 1 and the bond and letter of credit are released.
- h. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Deer Trail Two, Section 2 and the bond and letter of credit are released.

#### HUMAN RESOURCES – AGENDA ITEM 9G1

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

Request of 359<sup>th</sup> District Court to correct PCRF of Phyllis Rainey, Court Administrator, due to job re-evaluation, effective October 25, 2016.

Request of 410<sup>th</sup> District Court to accept the retirement of Robin Cooksey, Official Court Reporter, effective December 31, 2016. [174.825 hours or balance vacation]

Request of 410<sup>th</sup> District Court to accept the retirement of R. Michael Mayes, District Court Judge, effective December 31, 2016. [No benefits due]

Request of Animal Shelter to increase salary of Jessica Laguna, Clinic Technician, due to job re-evaluation, effective October 8, 2016.

Request of Custodial to place Valeria Mendez, Custodian, on payroll as replacement for Emerita Ruiz, effective November 21, 2016.

Request of Custodial to promote Emerita Ruiz, Custodian I, as replacement for R. Hernandez, effective November 21, 2016.

Request of Building Maintenance to accept the retirement of Antonio Beltran, Supervisor, effective November 30, 2016. [197.16 hours or balance vacation; 3.88 hours or balance compensatory]

Request of Commissioner Precinct 1 to accept the retirement of Bonnie L. Houser, Admin Manager II, effective December 31, 2016. [263.58 hours or balance vacation; 240.00 hours or balance compensatory time]

Request of Commissioner Precinct 3 to increase salary of Benjamin Osterhage, Operator I, due to equality adjustment, effective November 7, 2016.

Request of Commissioner Precinct 3 to place Walter Rodriguez, Operator I, on payroll, effective November 7, 2016.

Request of Commissioner Precinct 4 to place Luis Angel Perez, Operator I, on payroll due to Return from unpaid FMLA/Disability leave, effective November 21, 2016.

Request of Commissioner Precinct 4 to change status of Eddie Gene Staruska, Operator II, effective November 19, 2016.

Request of Commissioner Precinct 4 to change status of Walter George Thorpe, Operator II, effective November 19, 2016.

Request of Constable Precinct 3 to promote Michelle Baker, Sergeant-Detective, as replacement for David Weis, effective November 19, 2016.

Request of Constable Precinct 3 to accept the resignation of Jimmy Aaron Denton III, Deputy Constable, effective November 13, 2016. [61.60 hours or balance vacation; 70.13 hours or balance compensatory; 17.00 hours or balance Holiday]

Request of Constable Precinct 3 to place Jessica Epperson, Deputy Constable, on payroll, effective November 5, 2016.

Request of Constable Precinct 3 to accept the resignation of Ronny G. Keener Jr., Sergeant, effective November 4, 2016. [171.92 hours or balance vacation; 151.75 hours or balance compensatory; 21.00 hours or balance holiday]

Request of Constable Precinct 3 to promote John Lawless, Corporal Constable, as replacement for Richard Vogel, effective November 19, 2016.

Request of Constable Precinct 3 to transfer Yalexia Martinez, Deputy Constable, from MUD 94 Sub Unit to RRMUD Sub Unit, as replacement for Pedro Valerio IV, effective November 10, 2016.

Request of Constable Precinct 3 to place Patrick S. Patterson, Deputy Constable, on payroll as replacement for John Lawless, effective November 19, 2016.

Request of Constable Precinct 3 to correct certification pay of Steven Terrell, Deputy Constable, effective October 8, 2016.

Request of Constable Precinct 3 to transfer Pedro Valerio IV, Deputy Constable, as replacement for Yalexia Martinez, effective November 10, 2016.

Request of Constable Precinct 3 to transfer Richard Vogel, Corporal Constable, from Constable Precinct 3 to RRMUD Sub Unit as replacement for Michelle Baker, effective November 19, 2016.

Request of Constable Precinct 3 to transfer David Weis, Deputy Constable, from RRMUD Sub Unit to Constable Precinct 3 as replacement for Richard Currie, effective November 19, 2016.

Request of County Attorney to place Susan M. Fisher, Attorney II, on payroll as replacement for Amanda Jean Hill, effective November 14, 2016.

Request of County Attorney to accept the resignation of Amanda Jean Hill, Attorney II, effective November 4, 2016. [18.21 hours or balance vacation]

Request of County Clerk to increase salary of Deana L. Faircloth, Clerk II, due to completion of probationary period, effective November 19, 2016.

Request of County Clerk to bridge time of Sandy Ann Faight, Court Clerk II, to have a revised leave anniversary of 6/11/2007, effective November 9, 2016.

Request of County Clerk to increase salary of Jennifer N. Howell, Clerk II, due to completion of probationary period, effective November 19, 2016.



Request of County Clerk to transfer Paula Tate, Clerk III, from County Clerk to Cty Clk/Records Management as replacement for Eden Stewart, effective November 19, 2016.

Request of County Treasurer to accept the retirement of Pamela M. Robichaux, Bail Bond Asst/Dep Treas, effective November 30, 2016.[173.105 hours or balance vacation]

Request of District Attorney to promote Brent David Chapell, Attorney II, effective October 31, 2016.

Request of District Attorney to increase salary of Neel Kapur, Attorney I, due to position change as replacement for Brent David Chapell, effective October 31, 2016.

Request of District Clerk to place Jennifer Carlton, Court Clerk IV, on Unpaid FMLA/Disability Leave, effective November 2, 2016.

Request of District Clerk to increase salary of Alyssa Drake, Part time Clerk, due to completion of probationary period, effective November 7, 2016.

Request of Elections to place Jimmy Satterwhite, Voter Clerk, on payroll, effective November 7, 2016.

Request of Forensic Services to promote Taylor Nichols, Medicolegal Death Investigator, effective November 5, 2016.

Request of Information Technology to place Rosa Contello, Clerk III, on payroll as replacement for Belinda Faulkner, effective November 28, 2016.

Request of Information Technology to increase salary of Belinda Lou Faulkner, Clerk III, due to job re-evaluation as replacement for Doe Yvonne White, effective November 21, 2016.

Request of Justice of the Peace Pct. 3 to place Lauren M. Marquis, Court Clerk II, on payroll as replacement for Yullie Bello, effective November 12, 2016.

Request of Juvenile to promote Irving Fernando Gonzales, Shift Supervisor-Juvenile, as replacement for Derek Henderson, effective November 19, 2016.

Request of Juvenile to transfer Derek Craig Henderson, Supervisor-Juvenile, as replacement for Joanna Comer, effective November 19, 2016.

Request of Juvenile to accept the resignation of Monica Keener, Juvenile Probation Officer, effective November 3, 2016. [8.48 hours or balance vacation]

Request of Library to accept the resignation of Hong Du, Shelving Clerk, effective November 8, 2016. [No benefits due]

Request of Library to place Kathy Hartley, Library Assistant II, on payroll as replacement for Imelda Navarro-Pena, effective November 8, 2016.

Request of Library to accept the resignation of Francisca M. Kilgore, Library Assistant II, effective December 3, 2016. [24.64 hours or balance vacation]

Request of Library to place Abigail Stricker, Shelving Clerk, on payroll as replacement for Kimberly Jones, effective November 15, 2016.

Request of Mental Health Services to place Demetrica Dement, Counselor, on payroll, effective November 28, 2016.

Request of Sheriff to place Kendrick Castillo, Officer Civilian Detention, on payroll as replacement for Kevin Rubio, effective November 19, 2016.

Request of Sheriff to transfer Larry Clements, Officer Civilian Detention, from Jail to Town Center Sub Unit, as replacement for Robert Meeks, effective November 5, 2016.

Request of Sheriff to accept the resignation of Jessica Davis, Officer Civilian Detention, effective October 24, 2016. [No benefits due]

Request of Sheriff to correct salary Richard Durbin, Sergeant Patrol, due to certificate pay increase not being included in salary schedule due to TCOLE reporting, effective November 19, 2016.

Request of Sheriff to accept the retirement of David "Van" Edwards, Officer Civilian Detention, effective December 31, 2016. [330.73 hours or balance vacation; 454.00 hours or balance compensatory; 56.00 hours or balance Holiday]

Request of Sheriff to accept the retirement of Margie Kindle, Clerk IV, effective December 31, 2016. [163.375 hours or balance vacation; 160.85 hours or balance compensatory; 8.00 hours or balance holiday]

Request of Sheriff to accept the retirement of Michael Manning, Maintenance Tech III, effective December 31, 2016. [182.43 hours or balance vacation; 27.75 hours or balance compensatory]

Request of Sheriff to accept the retirement of Johnny C. Myrick, Lieutenant-Detention, effective December 31, 2016. [64.295 hours or balance vacation; 445.12 hours or balance compensatory; 1.25 hours or balance holiday]

Request of Sheriff to remove Zakiya S. Ramos, Clerk IV, from payroll due to job abandonment, effective October 31, 2016. [87.28 hours or balance vacation; 10.50 hours or balance compensatory time; 39.5 hours or balance holiday]

Request of Sheriff to accept the resignation of Noe Torres, Officer Civilian Detention, effective November 3, 2016. [40.04 hours or balance vacation; 67.00 hours or balance compensatory time; 16.00 hours or balance holiday]

Request of Sheriff to place Clifford Wood, Officer Civilian Detention, on payroll as replacement for Connie Williams, effective November 19, 2016.

Request of Tax-Assessor Collector to place Tammy Helms, Deputy Specialist I, on payroll, effective November 14, 2016.

#### ENVIRONMENTAL HEALTH – AGENDA ITEMS 9H1-4

- H1. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 3 West Lake Forest Court, Conroe, Texas 77384.
- H2. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 30004 Elm Lane, Magnolia, Texas 77354.
- H3. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 20103 Sapphire Circle, Magnolia, Texas 77355.
- H4. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 11593 Kirsten's Court, Montgomery, Texas 77316.

#### COUNTY ATTORNEY – REAL PROPERTY - AGENDA ITEMS 9I1-2

##### II. PRECINCT 1

- a. AGREEMENT APPROVED for right of way acquisition between Montgomery County and TxDOT for FM 1097 right of way expansion and improvement from Blueberry Hills to Lake Conroe Hills.

- b. AGREEMENT APPROVED for right of way acquisition between Montgomery County and TxDOT for FM 1097 right of way expansion and improvement from Lake Conroe Hills to Anderson Road.

I2. PRECINCT 3

- a. RESOLUTION AND ORDER TO PAY APPROVED for payment of actual moving expenses in connection with the acquisition of Parcel 5, Lot 1 of the expansion of Rayford Road to Johnson Storage & Moving Co. in the amount of \$4,283.84. County Auditor and County Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to Johnson Storage & Moving Co. in the amount listed above.
- b. RESOLUTION AND ORDER TO PAY APPROVED for payment of actual moving expenses in connection with the acquisition of Parcel 5, Lot 18 of the expansion of Rayford Road to Johnson Storage & Moving Co. in the amount of \$7,199.11. County Auditor and County Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to Johnson Storage & Moving Co. in the amount listed above.
- c. RESOLUTION AND ORDER TO PAY APPROVED for payment of actual moving expenses in connection with the acquisition of Parcel 5, Lot 30 of the expansion of Rayford Road to Johnson Storage & Moving Co. in the amount of \$6,815.27. County Auditor and County Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to Johnson Storage & Moving Co. in the amount listed above.
- d. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 61 of the expansion of Rayford Road from Four Seasons Business Park II, Ltd. for the total sum of \$6,030.26. 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 Four Seasons Business Park II, Ltd. in the amount stated above.

Motion carried.

**END OF CONSENT AGENDA**

---

CITIZENS – AGENDA ITEM 10

Bill O'Sullivan addressed the court on various topics concerning the Animal Shelter. He would like a No-Kill Philosophy at the shelter, a trust to begin to finance it, and a plan to accomplish this within 24 months.

4. APPOINTMENT APPROVED – H-GAC GENERAL ASSEMBLY & BOARD OF DIRECTORS – COUNTY JUDGE

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the appointment of Charlie Riley as Representative to the Houston-Galveston Area Council and as Delegate to the Houston-Galveston Area Council Board of Directors for 2017. Motion carried.

5. APPOINTMENT APPROVED – H-GAC GENERAL ASSEMBLY & BOARD OF DIRECTORS – COUNTY JUDGE

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the appointment of Craig Doyal as Representative to the Houston-Galveston Area Council and as Alternate to the Houston-Galveston Area Council Board of Directors for 2017. Motion carried.

6. APPOINTMENT APPROVED – H-GAC GENERAL ASSEMBLY & BOARD OF DIRECTORS – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve the appointments of Mike Meador and James Noack as Alternates to the Houston-Galveston Area Council General Assembly for 2017. Motion carried.

7. RESOLUTION AND ORDER APPROVED – ADMINISTRATIVE PUBLIC HEALTH BOARD – COUNTY JUDGE

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve a Resolution and Order adopting recitals as findings of fact as incorporated into the Order, selecting Judge Doyal to serve as representative on the Administrative Public Health Board of the Montgomery County Public Health District for a two-year term commencing on January 1, 2017, and to acknowledge that the meeting in which this Order was passed was in compliance with the Texas Open Meetings Act. Motion carried.

8. REQUEST APPROVED – LETTER OF SUPPORT – COUNTY JUDGE

Motion by Commissioner Noack, seconded by Commissioner Meador, to support the proposal by Texas Department of Transportation to rename Grand Parkway to the Mayor Bob Lanier Memorial Parkway. The support will be stated in a letter from Judge Doyal to the Texas Department of Transportation. Motion carried.

9. REQUEST APPROVED – IMPROVEMENTS TO THE OVERFLOW COURTROOM – OFFICE OF COURT ADMINISTRATION

REQUEST APPROVED – POSITION CHANGES – OFFICE OF COURT ADMINISTRATION

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the following items:

- a. An expenditure of \$5,775.00 for improvements to the overflow courtroom in preparation for the move of the 410<sup>th</sup> District Court into courtroom and attached offices. This will be funded with Contingency and
- b. Position changes to create New Position 436-7926-1 (Staff Attorney) by transferring \$15,587.52 and associated benefits from 436-7500-1 (Court Reporter) to 436-7926-1, \$15,010.06 and associated benefits from 436-8410-1 (Court Administrator) to 436-7926-1, \$15,055.38 and associated benefits (Court Coordinator II) to 436-7926-1, and \$9,361.56 and associated benefits from 441-8413-1 (418<sup>th</sup> Associate Judge-Family Law) to 436-7926-1. Judge Gilbert has authorized use of his courts budget for this purpose. The remaining balance of \$44,985.48 in salary and associated benefits will be funded with Contingency. This position will have a total salary of \$100,000.00.

Motion carried.

10. REQUEST APPROVED – AFTER HOURS SECURITY – FORENSIC SERVICES

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the transfer of \$35,000.00 from vacant salary line 6303-2608-1 to contract services for after-hours security. Motion carried.

11. DISCRETIONARY EXEMPTION APPROVED – EMERGENCY BACK UP SYSTEM – EMERGENCY MANAGEMENT

Motion by Commissioner Clark, seconded by Commissioner Noack, to approve granting a Discretionary Exemption for an item necessary to preserve or protect the public health or safety for the emergency repairs of the emergency backup system located at Montgomery County Office of Emergency Management for an estimated amount not to exceed \$120,000.00, including materials, labor and installation, as authorized by Local Government Code §262.024(a)(2). This will be funded with capital improvement funds. Motion carried.

AGENDA ITEM 15A – CONSIDER APPROVE AND AUTHORIZE JUDGE DOYAL TO EXECUTE THE FY2014 HOME GRANT AGREEMENT WAS DEFERRED.

12. RESOLUTION AND ORDER APPROVED – TAX ABATEMENT AGREEMENT – TAX ASSESSOR/COLLECTOR

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the Tax Abatement Agreement between Montgomery County, Texas and Galdisa USA, Inc. and County Judge is authorized to execute the agreement on behalf of Montgomery County. Motion carried.

13. REQUEST APPROVED – POSITION CHANGES – CONSTABLE PRECINCT 5

Motion by Commissioner Riley, seconded by Commissioner Clark, to approve closing position 5551-3940-1 (Clerk IV), opening position 5551-8550-1 (Admin Manager 1) and set salary to \$58,000.00. \$43,582.31 will be transferred from 5551-3940-1 to 5551-8550-1 and the remaining balance of \$14,417.69 salary plus benefits will be funded through attrition for FY17. Motion carried.

14. AWARD ACCEPTED – TEXAS STATE LIBRARY – LIBRARY

Motion by Commissioner Noack, seconded by Commissioner Meador, to accept the award from the Texas State Library and Archives Commission for \$6,000.00 to be used to create a family place libraries space and learning environment at the Mitchell Library. County Judge is authorized to sign all related documents. Motion carried.

15. REQUEST APPROVED – PURCHASE OF COFFEE MAKER – LIBRARY

Motion by Commissioner Meador, seconded by Commissioner Riley, to authorize the purchase of a coffee maker for use in the meeting room at the R. F. Meador Branch Library in the approximate amount of \$15.00 using the procurement card invoice. Motion carried.

16. ORDER APPROVED – CANVASS RETURNS AND DECLARE RESULTS – ELECTIONS

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve an Order to canvass returns and declare results of the November 8, 2016 General Election. Motion carried. (The returns were not attached to the Order)

17. PURCHASE APPROVED – BRUSHHAWG – PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the purchase of one new 2017 Kenworth T370 Brushhawk from Cleveland Mack Sales, Inc. dba Performance Truck through the Interlocal Agreement with Buyboard contract #430-13 for a total amount of \$175,348.76 to be paid in full at time of delivery for Precinct 2. Motion carried.

18. CHANGE ORDERS APPROVED – VARIOUS PROJECTS – PRECINCT 2

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

- a. CO #1 to Weisser Engineering Co., Inc. for engineering services for Keenan Cutoff Road to include 20 additional parcels to ROW map at \$1,500.00 each for a total amount of \$30,000.00 for Precinct 2,
- b. CO #1 to Gray & Pape, Inc. for archeological surveying services for Copperhead Road to include additional services in the amount of \$6,890.00 for Precinct 2, and
- c. CO #1 to LJA Engineering, Inc. for engineering services to include additional public utility efforts inside project area in the amount of \$20,000.00 for Precinct 2.

Motion carried.

19. AWARD APPROVED – BRIDGE REHABILITATION – PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the award to Rebel Contractors in the amount of \$465,500.00 for Precinct 3 Bridge Rehabilitation for Precinct 3. Motion carried.

20. AWARDS APPROVED – MINOR CONSTRUCTION – VARIOUS DEPARTMENTS

Motion by Commissioner Noack, seconded by Commissioner Meador to approve the awards to Nash Industries, Inc., Total Air Services, Horizon International Group, LLC and Gowan, Inc. for CSP-JOC for Minor Construction Trades for Various Departments. Motion carried.

21. DISCRETIONARY EXEMPTIONS APPROVED – PERSONAL OR PROFESSIONAL SERVICE – VARIOUS PRECINCTS

Motion by Commissioner Noack, seconded by Commissioner Meador, 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 the reconstruction of Community Drive from I-69 to Loop 494 from Dannenbaum Engineering Corporation for a total maximum sum of \$153,601.00 for Precinct 4.
- b. Construction management services for Rayford Road widening from Richards Road to SH 99 from Klotz Associates, Inc. Db a RPS Klotz Associates for a total maximum sum of \$2,743,600.00 for Precinct 3. (As per the Montgomery County Commissioners' Court resolution and order, this contract has been approved by a Contract Review Committee)
- c. Engineering design services for the reconstruction of Sorters Road from 1,000 feet south of North Park Drive to FM 1314 from Isani Consultants for a total maximum sum of \$750,423.00 for Precinct 4. (As per The Montgomery County Commissioners' Court resolution and order, this contract has been approved by a Contract Review Committee)
- d. Surveying services from ESOR Consulting Engineers, Inc. for each of the following locations: Bays Chapel Rd. at Lake Tributary No. 28 and No. 29, Shepard Hill Rd. at Shepard Branch, Mt. Mariah Road at Rocky Creek and Calvary Road at Shepard Branch for a total maximum sum of \$7,160.00 each location for Precinct 1.

22. ORDER APPROVED – DRAW ON MAINTENANCE BOND – COUNTY ATTORNEY – REAL PROPERTY – PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve an Order authorizing and directing the County Judge to sign a demand for a draw against the

Maintenance Bonds with Surety for Wood Creek Estates because the Developer, its successors, assigns and/or agents have failed to comply with the Montgomery County Subdivision Rules and Regulations. Motion carried.

23. INTERLOCAL AGREEMENT APPROVED – PURCHASE OF ROW – COUNTY ATTORNEY – REAL PROPERTY – PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve an Interlocal Agreement between Montgomery County and the San Jacinto River Authority relating to the purchase of ROW for McCaleb Road Project. This will be funded from line item 61301-7487. Motion carried.

24. REQUEST APPROVED – EXCHANGE OF PROPERTY – COUNTY ATTORNEY – REAL PROPERTY – PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the request for action on proposed exchange of property relating to parcel no. 26 of Rayford Road Project. The County Attorney is authorized to take all steps to process and complete the exchange. Motion carried.

AGENDA ITEM 21C1 – CONSIDER AND APPROVE ORDER AUTHORIZING COUNTY JUDGE TO SIGN DRAW ON DEER TRAIL TWO SECTION 1 WAS REMOVED.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 22A1: CONSIDER AND APPROVE POSTING “NO U-TURN” SIGNS ON W. ALDEN BRIDGE DRIVE IN FRONT OF BUCKALEW ELEMENTARY SCHOOL.

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

25. REQUEST APPROVED – NO U-TURN SIGNS – PUBLIC HEARING – PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Noack, to approve the posting of “No U-Turn” signs on W. Alden Bridge Drive in front of Buckalew Elementary School. Motion carried.

AGENDA ITEM 23A WAS DEFERRED UNTIL THE AFTER THE HEARING FOR THE MONTGOMERY COUNTY TOLL ROAD AUTHORITY.

THE COURT RECESSED FOR A SESSION OF THE MONTGOMERY COUNTY TOLL ROAD AUTHORITY

26. AGREEMENT APPROVED – TOMBALL TOLLWAY – MONTGOMERY COUNTY TOLL ROAD AUTHORITY

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve an agreement between Harris County, Montgomery County, and the Montgomery County Toll Road Authority for the construction and maintenance of Tomball Parkway. Motion carried.

MONTGOMERY COUNTY TOLL ROAD AUTHORITY ADJOURNED AND COMMISSIONERS COURT RECONVENED.

27. AGREEMENT APPROVED – TOMBALL TOLLWAY – COUNTY ATTORNEY

Motion by Commissioner Clark, seconded by Commissioner Riley, to approve an agreement between Harris County, Montgomery County, and the Montgomery County

Toll Road Authority for the construction and maintenance of Tomball Parkway. Motion carried.

28. PAYROLL CHANGE REQUEST FORMS APPROVED – HUMAN RESOURCES

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the following Payroll Change Request Forms:

Request of Commissioner Precinct 1 to increase salary of David E. Wiggins Jr., Laborer I, due to completion of probationary period, effective November 15, 2016.

Request of Commissioner Precinct 4 to promote Thomas Kevin Ivey, Supervisor-Signs, effective November 19, 2016.

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, ARTICLE 551.076 and 551.074.**

EXECUTIVE SESSION – AGENDA ITEM 26A: CONSIDER AND DISCUSS IMPLEMENTATION OF SECURITY DEVICES AND SECURITY PERSONNEL. (SECTION 551.076)

EXECUTIVE SESSION – AGENDA ITEM 1 (FROM THE SUPPLEMENT TO REGULAR SESSION AGENDA): DISCUSS AND DELIBERATE THE EMPLOYMENT AND DUTIES OF SELECTED PUBLIC EMPLOYEES INCLUDING POTENTIAL ANIMAL SHELTER DIRECTOR. (SECTION 551.074)

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

29. REPLACEMENT HIRED – ANIMAL SHELTER DIRECTOR – EXECUTIVE SESSION

Motion by Commissioner Noack, seconded by Commissioner Meador, to hire a new Director for the Animal Shelter. Charles Jackson was hired. Motion carried.

ALSO IT WAS ANNOUNCED THAT THE ANIMAL SHELTER WILL NOW REPORT TO THE ENTIRE COMMISSIONERS COURT.

CITIZENS – AGENDA ITEM 28

Eric Yollick addressed the court concerning the firing of Melissa Goetz in 2012 and presented a “Golden Hammer” to Judge Doyal.

Walter Boyd addressed the court on various topics including but not limited to the salaries of Judges, Tea Party, Open Meetings Law, and the Presidential Election.

AGENDA ITEM 29 – MISCELLANEOUS – NO OTHER ITEMS LISTED

30. COURT ADJOURNS

Motion by Commissioner Noack, 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

