

COMMISSIONERS COURT DOCKET
October 11, 2016
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 11th day of October, 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
Also County Clerk's Office	Amber Twiddy

ABSENT:

Commissioner, Precinct 4	Jim Clark
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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 Meador, to approve Commissioners Court Agenda for discussion and necessary action. Motion carried.

2. RESOLUTION – TEEN SAFE DRIVER

Motion by Commissioner Riley, seconded by Commissioner Noack, to recognize Blake Roberson in appreciation of his support for being a safe teen driver in Montgomery County and for receiving the Garison Steele Safe Driver Elite Award. Motion carried.

3. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the Minutes from Regular Session of Commissioners Court dated September 27, 2016. Motion carried.

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

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

COUNTY AUDITOR – AGENDA ITEMS 9A1-4

- A1. PAYMENT OF ACCOUNTS APPROVED, as submitted by the County Auditor.
- A2. BUDGET AMENDMENTS FY 2016 APPROVED:

- a. 284th District Court: To recognize and allocate revenue.
- b. Various Departments: To correct salary sweep.
- c. Adult Probation: To recognize and allocate revenue.
- d. Adult Probation-Anti-DWI Proj: To recognize and allocate revenue.
- e. Adult Probation-Community Corrections: To adjust budget lines.
- f. Airport-RAMP Grant: To recognize and allocate grant award for RAMP Project-FY 2017 (M5/09.27.16)
- g. Alternate Dispute Resolution: To recognize and allocate revenues.
- h. Animal Control: To transfer funds for VPN token.
- i. Animal Shelter: To adjust line items.
- j. Civic Center Complex: To adjust line items.
- k. Commissioner Precinct 1: To adjust line items, transfer funds for flagpole for Airport South Entrance and recognize and allocate revenue.
- l. Commissioner Precinct 2: To transfer funds for traffic signal work.
- m. Commissioner Precinct 3: To adjust line items and recognize and allocate revenue.
- n. Commissioner Precinct 4: To adjust line items.
- o. Constable Precinct 1: To close project, adjust line items, and transfer funds for VPN token.
- p. Constable Precinct 2: To recognize and allocate revenue.
- q. Constable Precinct 3: To recognize and allocate revenue, adjust line items, and transfer funds for VPN token.
- r. Constable Precinct 4: To allocate revenue and adjust line items.
- s. Constable Precinct 5-Forfeiture: To adjust budget lines.
- t. County Attorney: To recognize and allocate revenues.
- u. County Attorney Title IV-E GRN: To transfer funds for Title IV-E grant for County Attorney for QTR ending 06/30/16.
- v. County Clerk: To transfer funds for VPN token.
- w. County/District Court Technology Fund: To recognize and allocate revenue and recognize and allocate revenue to fund moving audio equipment in County Court at Law Number 4 as approved M5/09.27.16.
- x. County Extension: To recognize and allocate revenues and adjust line items.
- y. Court Reporter Service Fund: To adjust line items and recognize and allocate revenue.

- z. DA/Domestic Violence Grant FY16: To correct match adjustment for FY16 DVP Grant.
- aa. DA/Domestic Violence Grant FY17: To set up DA Domestic Violence Prosecutor Match in FY 16.
- bb. Drug Court: To adjust line items.
- cc. Elections: To adjust line items.
- dd. Emergency Management: To adjust line items and transfer funds to carryover to FY 2017 as approved M5/09.27.16.
- ee. Fire Marshal: To adjust line items and transfer funds for FM desk.
- ff. Indigent Defense: To adjust line items.
- gg. Justice Court Technology Fund: To recognize and allocate revenue to fund purchase of network equipment and voice over internet protocol (VOIP) desktop phones for all five Justice of the Peace departments as approved M23/11.24.15 and recognize and allocate revenue to purchase VPN token.
- hh. JUV Probation/State Aid-A/16: To adjust line items for BAR and adjust line items.
- ii. MCCD: To recognize and allocate PI received for Willis Building (PI-1.1), Lonestar Building (PI-1.2), Magnolia Building (PI-2.1), and Splendora Building (PI-4.1) and adjust line items.
- jj. Mental Health Court Services: To adjust line items.
- kk. Non-Departmental: To adjust line items.
- ll. Sheriff: To adjust line items and recognize and allocate revenue M5/09.13.16.
- mm. Sheriff-Auto Theft: To adjust line items.
- nn. Sheriff-Commissary: To recognize and allocate revenue.
- oo. Sheriff-Fleet Ops: To close project.
- pp. Sheriff-Jail: To correct budget amendment for 8/31/16 and recognize and allocate revenue.

A3. BUDGET AMENDMENTS FY 2017 APPROVED:

- a. Adult Probation Bond Supervision FY17: To set up FY 17 Bond Supervision Budget.
- b. Airport RAMP Grant: To recognize and allocate match funds for RAMP Project-FY 2017 M5/09.27.16.
- c. Constable Precinct 1: To adjust budget for Constable Precinct 1 to comply with county policy and LGC 130.908 limiting expenditures to 25% of FY 2017 budget M31/01.14.13.
- d. Contingency: To correct budget upload error.

- e. DA/Domestic Violence Grant FY 17: To adjust budget to include matching funds that were budgeted in FY 17.
- f. Sheriff: To adjust budget for Sheriff to comply with county policy and LGC 130.908 limiting expenditures to 25% of FY 2017 budget M31/01.14.13.
- g. Sheriff-Auto Theft YR 23: To set up match portion of FY17 Auto Theft Year 23 Grant M3/07.25.16.
- h. Sheriff-STEP Speed: To recognize and allocate Speed Step Grant FY 17 as awarded by TxDOT M5/09.13.15.

A4. REPORT OF OFFICIALS' FEES ACCEPTED as audited for July, 2016.

TREASURER – AGENDA ITEMS 9B1-4

- B1. MONTHLY STATEMENT OF BALANCES REPORT APPROVED for August 2016.
- B2. MONTHLY INVESTMENT REPORT APPROVED for August 2016.
- B3. PLEDGES AND/OR RELEASES OF DEPOSITORY COLLATERAL APPROVED for the month of September 2016.
- B4. PLEDGED SECURITIES REPORT APPROVED for the month of August 2016.

TAX ASSESSOR/COLLECTOR – AGENDA ITEMS 9C1

- C1. REFUND APPROVED due to overpayment for Account 00.2160.08.07400 pursuant to Section 31.11, (c-1) of the Texas Property Tax Code.

PURCHASING – AGENDA ITEMS 9D1-7

- D1. FINANCING APPROVED for lease schedule no. 1000141934 of new equipment in the amount of \$516,641.00 with an interest rate of 1.7560% for three (3) annual payments of \$175,579.01 with the first payment scheduled for 11/30/16 and the closing scheduled for 10/18/16 with J.P. Morgan Chase Bank, N.A. for Precinct 3. This was previously approved in Commissioners Court 08/23/16.
- D2. RENEWALS AWARDED:
 - a. Crushed concrete with each of the following vendors: Century Asphalt LTD and Pavers Supply Company for Various Precincts. (Exercising the second of five renewal options)
 - b. Parking lot(s) layout and striping with each of the following vendors: Texas Lone Star Pavement Services, LLC and Stripes & Stops Company, Inc. for Various Departments. (Exercising the second of five renewal options)
 - c. Coin operated copy machines and computer printer services with Coin Copiers, Inc. for Various Departments. (Exercising the fourth of five renewal options)
 - d. Library automation resources with Lone Star College System for Library. (Exercising annual renewal options)
 - e. Mosquito spraying service with Northwest Pest Patrol, Inc. for Various Precincts. (Exercising the first of three renewal options)
 - f. Unmanned aerial vehicle system with Aeryon Labs, Inc. for Emergency Management/Sheriff's Office. (Exercising the second of two renewal options)

- g. Vehicle transmission rebuilds with Cypress Creek Automotive Services, Inc. dba A Plus Transmission Specialists - Magnolia for Various Departments. (Exercising the second of four renewal options)
- h. Additional tree and tree limb removal from right-of-ways, county roads and county buildings in Montgomery County with the following vendors: All Around Tree Service, Inc., Trero, Malcolm E dba Maxie's Professional Tree Service, and Rothco Tree Service, LLC for Various Precincts/Departments. (Exercising the fourth of five renewal options)
- i. Elevator equipment, service, repair and related services through Region 4 Education Service Center/TCPN contract #r150801 with Thyssenkrupp Elevator, Corp. for Various Departments. (Exercising the first of four renewal options)
- j. Disaster recovery management services (debris removal) for each of the following vendors: DRC Emergency Services, LLC and J.B. Coxwell Contracting, Inc. on a month to month basis for Emergency Management.

D3. DISCRETIONARY EXEMPTIONS APPROVED:

- a. Non-Residential services from each of the following vendors: W&A Schmidt, Catalina Eljure, M.A. and Sandy Dunnuck for Juvenile.
- b. Physician services from Conroe Family Medicine for Juvenile.
- c. Physician services from Team Forensic Services, PLLC for Adult Probation.
- d. Residential services from Pegasus Schools, Inc. for Juvenile.

D4. CHECK AND LIST OF ITEMS SOLD ACCEPTED from Rene' Bates Auctioneers, Inc. for items sold through the Montgomery County Online Auction held 09/30/16 in the amount of \$38,146.02, which includes total sales of \$41,238.34 less auctioneers fee of \$3,092.92. Items SUI2 and SUI3 retained from original list due to non-payment for Various Departments. Check has been forwarded to the Auditor for further processing.

D5. REQUEST APPROVED to declare miscellaneous items as salvage as authorized by Local Government Code §263.152 for Various Departments.

D6. MASTER SUBSCRIPTION AND SERVICE AGREEMENT APPROVED for grant software from ECIVIS, Inc. for an annual fee of \$4,200.00 concluding 10/13/19 for Purchasing.

D7. CHANGE ORDERS APPROVED:

- a. CO #1 to American Tire Distributors, Inc. dba Gray's Wholesale Tire for tires and tubes to include two additional tire options to existing contract item #195/60R for 57.00 each and item #11R24.5 at \$364.98 each for Various Departments.
- b. CO #1 to Strategy 7 Corporation for hardware IBM maintenance and software (Aix) support for price changes to existing contract effective 10/01/16 for IT.
- c. CO #13 to Redwood Toxicology Lab, Inc. for immunoassay type laboratory analysis of urine samples services to change the using department to Various Departments from DWI and Drug Courts for Various Departments.

RISK MANAGEMENT – AGENDA ITEMS 9E1-5

- E1. PAYMENT ACKNOWLEDGED AND RECORDED INTO THE MINUTES to David and Christopher Ingram in the amount of \$3,186.20 in reference to Claim #A-16-0108. Date of accident 09/13/2016.
- E2. ADDITIONAL PAYMENT ACCEPTED in the amount of \$10,327.12 from Safeco Insurance for Claim #U-16-0070. The Director of Risk Management is authorized to settle on behalf of Montgomery County.
- E3. PAYMENT ACKNOWLEDGED AND RECORDED INTO THE MINUTES to Mr. Nilesh Kadam and Mrs. Suruchi Pradhan in the amount of \$7,721.02 in reference to Claim #G-16-0107. Date of accident 09/12/2016.
- E4. CHANGES, ADDITIONS AND RELEASES APPROVED for the following:
- | <u>BOND</u> | <u>NAME/DEPT</u> | <u>AMOUNT</u> | <u>ACTION</u> |
|-------------|-------------------------------|---------------|-------------------|
| 62890146 | Ferrell, Julianne/Const Pct 2 | \$5,000 | Reserve/Cont Cert |
- E5. ANNUAL ELECTION APPROVED that allows Montgomery County Employee Benefit Plan to be exempt from sections of the “Health Insurance Portability and Accountability Act” (HIPPA) as allowed by Federal Law for the plan year beginning January 1, 2017 and ending December 31, 2017 and authorize the director of Risk Management to process, sign, and submit electronically through the Health Insurance Oversight System Services (HIOS) to Department of Health and Human Services/Centers for Medicare and Medicaid Service (CMS)/Center for Consumer Information and Insurance Oversight (CIIO) all necessary documents on behalf of Montgomery County.

COMMISSIONERS – AGENDA ITEMS 9F1

- F1. PRECINCT 1
- a. USE AGREEMENT APPROVED with Texas Driller 7U Select Team to use fields at the West Montgomery County Park from September 2016-August 2017 as scheduled through Montgomery Little League.
- b. USE AGREEMENT APPROVED with Texas Driller 9U Select Team to use fields at the West Montgomery County Park from September 2016-August 2017 as scheduled through Montgomery Little League.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9G1-4

- G1. PRECINCT 1
- a. FINAL PLAT APPROVED of Point Aquarius MUD Water Plant; 2.1720 acres; Timothy Cude Survey, A-11.
- G2. PRECINCT 2
- a. PUBLIC HEARING DATE SET for November 8, 2016 to post a 25 MPH speed limit on Hope Road, Mail Route Road, Northline Oaks Subdivision and Tamina Manor Subdivision Road.
- b. PUBLIC HEARING DATE SET for November 8, 2016 to approve the following street name revisions in Woodforest, Section 62:
1. Change the name of Pilazzo Street to Kingsley Grove Street
 2. Change the name of Kinglsey Grove Street to Pilazzo Street.

- c. FINAL PLAT APPROVED of Providence Kuykendahl Court Apartments; 13.46 acres; John Thomas Survey, A-549.
- d. FINAL PLAT APPROVED of Glen Oaks, Section Four Replat No. 2; 8.705 acres; Cyrus T. Ward Survey, A-612.
- e. FINAL PLAT APPROVED of Del Webb The Woodlands Del Webb Boulevard Street Dedication; 2.712 acres; John N. Thomas Survey, A-549.
- f. FINAL PLAT APPROVED of Del Webb The Woodlands, Section 4; 37.45 acres; John N. Thomas Survey, A-549.

G3. PRECINCT 3

- a. REQUEST APPROVED from Spring Creek Utility District to install a water and sanitary line within the right of way of Aldine Westfield, Spring Forest Drive and Heather Rose Drive.
- b. REQUEST APPROVED from Montgomery County MUD 119 to install a six inch water line within the right of way of Waterbend Cove Drive.
- c. REQUEST APPROVED from Level 3 Communications, Inc. to install a fiber and conduit line within the right of way of Technology Forest Boulevard.
- d. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in The Woodlands Village of Sterling Ridge, Section 100.

G4. PRECINCT 4

- a. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Deer Trail Two, Section 3.
- b. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Grafton Drive Street Dedication, Section 1.
- c. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Cascading Oaks Drive Street Dedication, Section 1.
- d. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD for Friendswood Development Commercial Reserve A Right Turn Lane.
- e. REQUEST APPROVED from New Caney MUD to install a sanitary force main within the right of way of Pine Forest Drive and Carpenter Bee Drive.
- f. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Tavola, Section 4 and bond is released.
- g. FINAL PLAT APPROVED of Valley Ranch Town Center East Market Place; 6.576 acres; William Massey Survey, A-387 and William Smith Survey, A-540.

HUMAN RESOURCES – AGENDA ITEM 9H1

H1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of Animal Shelter to place Gunter Arnold, Kennel Technician, on payroll as replacement for a pooled position, effective September 27, 2016.

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

Request of Animal Shelter to change status of Kelly Duprey, Kennel Technician, from Part-time to Full-time as replacement for Kelly Wilson, effective September 26, 2016.

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

Request of Animal Shelter to accept the resignation of Dalin Hamm, Kennel Technician, effective September 27, 2016. [No benefits due]

Request of Animal Shelter to place Cristalle Martin, Veterinarian, on payroll, effective October 1, 2016.

Request of Animal Shelter to increase salary of Cristalle Martin, Veterinarian, due to 3% COLA, effective October 8, 2016.

Request of Animal Shelter to place Peter McVey, Kennel Technician, on payroll as replacement for Kelly Duprey, effective September 27, 2016.

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

Request of Animal Shelter to place Katie Voiter Crabbe, Veterinarian, on payroll, effective October 1, 2016.

Request of Animal Shelter to increase salary of Katie Voiter Crabbe, Veterinarian, due to 3% COLA, effective October 8, 2016.

Request of Building Maintenance to accept the resignation of Jeffery Swindall, Maint Tech III, effective October 4, 2016. [40.68 hours or balance vacation; 78.75 hours or balance compensatory]

Request of County Court at Law 2 to discharge Jacqueline Ullom-Boutte, Probate Investigator, effective September 29, 2016. [54.82 hours or balance vacation]

Request of Commissioner Precinct 4 to increase salary of Thomas T. Faulkner, Operator I, due to completion of probationary period, effective October 22, 2016.

Request of Commissioner Precinct 4 to increase salary of Devin C. Underwood, Operator I, due to completion of probationary period, effective October 22, 2016.

Request of Constable Precinct 3 to accept the retirement of Richard A. Currie, Deputy-Constable, effective September 30, 2016. [288.90 hours or balance vacation; 3.00 hours or balance compensatory]

Request of Constable Precinct 4 to accept the retirement of James Cox, Deputy, effective September 30, 2016. [52.60 hours or balance vacation; 0.25 hours or balance compensatory]

Request of Constable Precinct 4 to promote Eric Prado, Investigator I, effective October 22, 2016.

Request of Constable Precinct 5 to accept the resignation of Shelby Arnold, Clerk IV, effective September 10, 2016. [165.80 hours or balance vacation]

Request of Constable Precinct 5 to transfer Joshua Carley, Deputy, effective October 1, 2016.

Request of Constable Precinct 5 to increase salary of Joshua Carley, Deputy, due to 3% COLA, effective October 8, 2016.

Request of Constable Precinct 5 to place Mark Stepanski, Deputy, on payroll as replacement for Joshua Carley, effective October 1, 2016.

Request of Constable Precinct 5 to increase salary of Mark Stepanski, Deputy, due to 2% COLA, effective October 8, 2016.

Request of County Clerk to place Ashley Ann Langston McMullen, Clerk III, on Unpaid FMLA/Disability Leave, effective September 24, 2016.

Request of Court Operations to place John Stephen Phillips, Visiting Judge, on payroll, effective January 1, 2016.

Request of District Clerk to increase salary of Carmen Keeton, Court Clerk II, due to completion of probationary period, effective October 8, 2016.

Request of District Clerk to increase salary of Christopher Russo, Court Clerk II, due to completion of probationary period, effective October 8, 2016.

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

Request of Elections to increase salary of Linda Crawford, Voter Clerk, due to increase of additional job duties/ responsibilities (the increase reflects rate after 3% COLA), effective October 8, 2016.

Request of Elections to increase salary of Dusty Day, Voter Clerk, due to increase of additional job duties/ responsibilities (the increase reflects rate after 3% COLA), effective October 8, 2016.

Request of Elections to place Karen Kuti, Voter Clerk, on payroll, effective September 26, 2016.

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

Request of Elections to place Katelyn Stanley, Voter Clerk, on payroll, effective October 11, 2016. This includes the 3% COLA.

Request of Elections to increase salary of Melinda Way, Voter Clerk, due to increase of additional job duties/ responsibilities (the increase reflects rate after 3% COLA), effective October 8, 2016.

Request of Forensic Services to place Alex John, Forensic Assistant Director, on payroll as replacement for Lucile Tennant, effective October 4, 2016.

Request of Forensic Services to increase salary of Alex John, Assistant Director, due to 3%COLA raise, effective October 8, 2016.

Request of Juvenile to accept the resignation of Elias LaFrance, Juvenile Supervision Officer, effective September 16, 2016. Is eligible for re-hire.[9.24 hours or balance vacation; 0.75 hours or balance compensatory]

Request of Library to place Jennifer Giele, Reference Librarian, on payroll as replacement for Amber N. Fritschel-Manolovitz, effective October 3, 2016.

Request of Library to increase salary of Jennifer Giele, Reference Librarian, due to 3% COLA, effective October 8, 2016.

Request of Library to place Raye L. Morello, Reference Librarian, on payroll as replacement for Sophia Pham, effective September 27, 2016.

Request of Library to increase salary of Raye L. Morello, Reference Librarian, due to 3% COLA, effective October 8, 2016.

Request of Sheriff to accept the resignation of Megan Beckham, Officer Civilian Detention, effective October 7, 2016. [43.17 hours or balance vacation; 29.20 hours or balance compensatory; 0.25 hours or balance holiday]

Request of Sheriff to demote Jarrod Bruce, Deputy Patrol District 1, due to HR-12 Locator Code 34/PT as replacement for Shelby Ford, effective September 29, 2016.

Request of Sheriff to increase salary of Jarrod Bruce, Deputy Patrol District 1, due to 3% COLA, effective October 8, 2016.

Request of Sheriff to place Adrian Carranza, Officer Civilian Detention, on payroll as replacement for Hugo Yanez, effective October 8, 2016.

Request of Sheriff to accept the resignation of Lauren Funderburk, Officer Civilian Detention, effective October 4, 2016. [81.52 hours or balance vacation; 210.42 hours or balance compensatory; 16.00 hours or balance holiday]

Request of Sheriff to place Stephanie Luehr, Firearms Examiner, on payroll, effective October 22, 2016.

Request of Sheriff to place Devin Mayes, Officer Civilian Detention, on payroll as replacement for Walker Lindemann, effective October 15, 2016.

Request of Sheriff to increase salary of Teresa Peterson, Deputy Detention, due to certificate pay not included in salary upload, effective October 8, 2016.

Request of Sheriff to increase salary of Gary Richardson II, Deputy Detention, due to certificate pay not included in salary upload, effective October 8, 2016.

Request of Sheriff to increase salary of Riley Zapf, Deputy Detention, due to certificate pay not included in salary upload, effective October 8, 2016.

Request of Tax Assessor/Collector to promote Jo Anne Gavrilos, Deputy Specialist II, due to completion of education requirements for promotion, effective October 8, 2016.

Request of Tax Assessor/Collector to accept the resignation of Catherine Lachance, Deputy Specialist I, effective October 7, 2016. [24.64 hours or balance vacation]

ENVIRONMENTAL HEALTH – AGENDA ITEM 9I1

- II. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 19803 Holly Glen, New Caney, TX 77357.

COUNTY JUDGE – AGENDA ITEM 9J1

- J1. REQUEST APPROVED to allow a two hour lunch, 11:30 a.m. to 1:30 p.m., on Tuesday, December 6, 2016 for County Employees to attend the Annual County Christmas Luncheon at the Lone Star Convention Center.

SHERIFF – AGENDA ITEMS 9K1-3

- K1. PURCHASE APPROVED of a commercial grade ice machine for the Sheriff's District 6 office located in The Woodlands. All expenses associated with the purchase will be reimbursed to the County by The Woodlands Township.
- K2. RESOLUTION APPROVED for the submission of the grant application for the FY 2017-CJD Sex Offender Identification Assistance Program Project to the Office of the Governor, Criminal Justice Division.

- K3. INTERLOCAL AGREEMENT APPROVED between Montgomery County and Municipal Utility District #113 for patrol services.

COUNTY ATTORNEY – REAL PROPERTY - AGENDA ITEMS 9L1-2

L1. PRECINCT 1

- a. EASEMENT GRANTED to Entergy across a portion of 9.245 acre tract in the John L. Cross Survey, A-153.

L2. PRECINCT 3

- a. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 11 of the expansion of Rayford Road from Kadiwal Investments, L.P. for the total sum of \$5,317.52. 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 Kadiwal Investments, L.P. in the amount stated above.
- b. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 50 of the expansion of Rayford Road from Fox Run Maintenance Association, Inc. for the total sum of \$5,966.26. 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 Fox Run Maintenance Association, Inc. in the amount stated above.
- c. 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 52 being 0.001 acre (60 sq. ft.) parcel situated in the Montgomery County School Land Survey, A-350.
- d. CONSENT TO AERIAL ENCROACHMENTS APPROVED between Montgomery County and Waterway Hotel Holdings, LLC.
- e. CONSENT TO AERIAL ENCROACHMENTS APPROVED between Montgomery County and HL Retail Row, LLC.
- f. CONSENT TO AERIAL ENCROACHMENTS APPROVED between Montgomery County and HL Multi-Family Holdings, LLC.
- g. CONSENT TO AERIAL ENCROACHMENTS APPROVED between Montgomery County and HL Restaurant Row, LLC.

COUNTY ATTORNEY – AGENDA ITEMS 9M1-2

- M1. RESOLUTION AND ORDER APPROVED supporting the need for the Montgomery County Attorney to defend on behalf of the Honorable Wayne Mack, the lawsuit filed under Cause No. 16-29677 and styled XSV Industries, LLC v The Honorable Wayne Mack, Chad Myers, and Holly Myers; In the County Court at Law No. 2. The County Attorney is authorized to incur expenses as necessary for the proper defense and negotiation of said case and funding of said expenses are authorized from the Risk Management budget with the approval of the Director of Risk Management or designee.

- M2. PERFORMANCE BOND APPROVED for Restoration Systems, LLC, Bond No. 22BSBHC3719 in the amount of \$1,400,000.00. This is for securing performance of environmental mitigation agreement for SH 249 Tollway.

COUNTY CLERK – AGENDA ITEM 9N1

- N1. DEPUTATIONS APPROVED for the following:
- a. Amanda L. Daigle, Deputy County Clerk
 - b. Joseph Monreal, Deputy County Clerk.

DISTRICT CLERK – AGENDA ITEM 9O1

- O1. DEPUTATIONS APPROVED for the following District Clerk Employees:
- a. Karen Cantrell
 - b. Elizabeth Casso
 - c. Dixie Webb

CONSTABLE PRECINCT 2 – AGENDA ITEM 9P1

- P1. AGREEMENT FOR LAW ENFORCEMENT SERVICES APPROVED between Montgomery Trace Property Owners' Association and Montgomery County for law enforcement services to be performed by the Precinct 2 Constable's Deputies.

CONSTABLE PRECINCT 3 – AGENDA ITEM 9Q1

- Q1. REQUEST APPROVED to move employee currently in position 55312-6000-1 to position 5531-5910-2. This is due to a retirement and the salary and benefits for the positions will not change.

CONSTABLE PRECINCT 4 – AGENDA ITEM 9R1

- R1. APPOINTMENT APPROVED of the following Reserve Deputy Constable for Montgomery Constable Precinct 4:
- a. Taylor Lisk

Motion carried.

END OF CONSENT AGENDA

CITIZENS – AGENDA ITEM 10

Eric Yollick addressed the court on the Animal Shelter and county spending. He passed a handout to the Judge and Commissioners explaining a rating system, how they should vote, the scoring for the meeting, and the basic rules for the rating system.

Bill O'Sullivan also addressed the Animal Shelter. He wants a mission statement for the Animal Shelter, a new director, and a skilled marketing person to move the shelter in the right direction. He also would like the Court to use Nathan Winograd in the hiring process for a new director for the Animal Shelter.

Paul Mendes with the City of Magnolia addressed the Court concerning the Lone Star Groundwater Conservation District. He stated that the directors of the district should be elected positions not appointed positions.

Duke Coon Councilman for the City of Conroe also addressed the Court concerning the Lone Star Groundwater Conservation District. He also would like the board to be elected.

Tracey Fentem addressed the Court concerning the Animal Shelter. She questioned the locked door in the lavender room at the shelter.

Tracy Dupre also addressed the Court concerning the Animal Shelter. She stated that there still were no name tags for employees and volunteers are being turned away.

Barbara Bates also addressed the Court concerning the Animal Shelter. She did not agree with Commissioner Noack's emergency meeting at the shelter.

Tina Quinn also addressed the Court concerning the Animal Shelter. She stated the shelter was better than it had been previously. She did not like Commissioner Noack's comments toward the Volunteer Coordinator during the workshop.

Nathan Arrazate addressed the Court concerning the Animal Shelter. He said he has seen less negativity on social media. He wanted a callout to people to stop making the situation so vicious.

Bev Coyne Pierce also addressed the Court concerning the Animal Shelter. She applauded the Court for the positive workshop. She did not agree with Commissioner Noack's comments that were directed at the Volunteer Coordinator during the workshop.

5. RESOLUTION APPROVED – TRANSMISSION LINE – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Riley, to proclaim that Commissioners Court does not believe it to be in the best interests of the county to support a transmission line crossing Lake Conroe and instead believes routes north of the lake should be among the preferred options. Motion carried.

AGENDA ITEM 11B – DISCUSS THE COUNTY'S DEBT POSITION AND FUTURE BOND ISSUES. JOHN ROBUCK MADE A PRESENTATION TO THE COURT ON THIS MATTER. HE DISCUSSED MANY TOPICS INCLUDING SUMMARIZING SAVINGS FROM PAST REFUNDING PROGRAMS, CREDIT RATINGS, COMPARISON TO SIMILAR SIZED COUNTIES AND FUTURE BOND ISSUES.

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

6. INTERLOCAL AGREEMENT APPROVED – WALKER COUNTY – FORENSIC SERVICES

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the Interlocal Agreement for performance of postmortem examinations by Montgomery County with Walker County. Motion carried.

7. REQUEST APPROVED – EXCEPTION TO POLICY – SHERIFF

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve an exception to the 25% maximum budget expenditure of non-returning elected officials for copier leases to Lease Servicing Center, Inc. for the period of 10/01/2016 to 09/30/2017. These expenses occur in various cost centers within the Sheriff's Department. Motion carried.

8. REQUEST APPROVED – EXCEPTION TO POLICY – CONSTABLE PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve an exception to the 25% maximum budget expenditure of non-returning elected official for the following:

- a. \$3,131.16 line item 5511-7462 (Equipment Lease) to Lease Servicing Center, Inc. for annual copier lease for 10/1/2016 to 09/30/2017
- b. \$23,458.00 line item 5511.7573 (Capital Outlay-Vehicles) to purchase new vehicle for mental health as approved during 2017 budget hearings
- c. \$3,599.00 line item 5511.7390 (Supplies & Other) to purchase the equipment needed for the new vehicle as approved during 2017 budget hearings.

Motion carried.

9. DONATION APPROVED – DIVE EQUIPMENT – CONSTABLE PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the donation of the following dive equipment by Lake Conroe Association: 2 Guardian Full Face Masks with buddy phone setup valued at \$2,500.00; 1 portable communications surface unit valued at \$2,100.00; and 1 headset with boom mic option of both ear or single ear setup valued at \$375.00, to Constable Precinct 1 Marine Division. Motion carried.

COMMISSIONER MEADOR LEFT THE COURTROOM.

10. REQUEST APPROVED – VEHICLE PURCHASE – CONSTABLE PRECINCT 4

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve the purchase of a 2016 Chevrolet Tahoe PPV for \$35,125.00, emergency equipment, radio, and graphics for \$23,947.00, \$6,000.00 for fuel and preventative maintenance. This will replace a personal PPV of a former deputy. This will be funded through salary savings flowed through contingency and will not to exceed \$65,072.00. Motion carried.

11. REQUEST APPROVED – VEHICLE STIPEND – FIRE MARSHAL

Motion by Commissioner Riley, seconded by Commissioner Noack, to approve the reinstatement of vehicle stipend for position 5434.6407.1 (Sr. Inspector/Plans Examiner) for a period not to exceed 90 days beginning October 8, 2016. The stipend will be removed upon the arrival of the new vehicle for this position. Contingency was named as a funding source, but the motion was amended with Motion 24 to name permit fees as the funding source. Motion carried.

AGENDA ITEM 17A – CONSIDER AND APPROVE \$2,184.92 INCREASE FOR NEW POSITION WAS DEFERRED.

12. REQUEST APPROVED – CARRYOVER – DISTRICT ATTORNEY

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve the carryover of line 4351-74029 (Forensic Services-Restricted) from FY16 budget to FY17 budget. The current balance of line item is \$3,936.20. Motion carried.

13. RESOLUTION AND ORDER APPROVED – GUIDELINES AND CRITERIA FOR TAX ABATEMENT – TAX ASSESSOR/COLLECTOR

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve and adopt the Guidelines & Criteria for Tax Abatement and appoint and authorize Tammy McRae to prepare written procedures and application forms in conformity with the Guidelines & Criteria for Tax Abatement. Motion carried.

COMMISSIONER MEADOR RETURNED TO THE COURTROOM.

14. REQUEST APPROVED – POSITION INCREASE – TAX ASSESSOR-COLLECTOR

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve an increase to position #499-4071-2 (Assistant Branch Manager) in the amount of \$3,175.57

plus \$632.57 in benefits (annual amount) to meet FLSA requirements. This will be funded with Contingency. Motion carried.

15. REQUEST APPROVED – TRANSFER OF FUNDS FOR STAFF – RISK MANAGEMENT

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the transfer of funds to the following positions for staff that has acquired additional licenses, certifications, education and responsibilities:

- Transfer \$4,365.68 from 402-8403-2 (Risk Analyst) to 402.8955.1 (Assistant Director) for annual salary \$83,559.50
- Transfer \$2,605.72 from 402.8403.2 (Risk Analyst) to 402.8331.1 (Safety Officer) for annual salary \$85,364.49
- Transfer \$730.98 from 402.8403.2 (Risk Analyst) to 402.8332.1 (Assistant Safety) for annual salary \$51,052.48
- Transfer \$1,270.01 from 402.8403.2 (Risk Analyst) to 402.8403.3 (Risk Analyst) for annual salary \$53,788.00
- Transfer \$2,967.50 from 402.8403.2 (Risk Analyst) to 402.8403.4 (Risk Analyst) for annual salary \$51,867.78
- Transfer \$3,252.27 from 402.8403.2 (Risk Analyst) to 402.8403.1 (Risk Analyst) for annual salary \$53,788.00

This will not increase the 402 Risk Management budget for fiscal year 2017. Motion carried.

16. DISCRETIONARY EXEMPTIONS APPROVED – PERSONAL OR PROFESSIONAL SERVICE – PRECINCT 2 AND PRECINCT 4

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 services to design the widening of Gene Campbell Road from 1,000 feet west of Walmart Drive to 1,000 feet east of East Industrial Parkway from R.G. Miller Engineers, Inc. For a total maximum sum of \$150,897.00 for Precinct 4.
- b. Engineering, surveying and related design services for traffic signal improvements at Dobbin-Hufsmith Road and Hardin Store Road from Amani Engineering, Inc. For a total maximum sum of \$91,000.00 for Precinct 2.
- c. Professional services to construct the extension of Old Houston Road from SH 242 to FM 3083 as a four lane roadway with roadside ditch from Brown & Gay Engineers, Inc. For a total maximum sum of \$258,600.00 for Precinct 4.

Motion carried.

17. AWARD APPROVED – CATERING AND CONCESSIONS – LONE STAR CONVENTION CENTER

CSP-EMPOWERMENT RESOURCE CENTER DEFERRED – REMODEL OF WAREHOUSE - MCCD

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the award to Facility Concession Services, Inc. dba Spectrum for RFP-Catering and concessions for the Lone Star Convention and Expo Center and defer CSP-Empowerment Resource Center-Remodel of Warehouse for MCCD. Motion carried.

18. PURCHASE APPROVED – MOTOR GRADER – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the purchase of one new 2015 140M3 Motor Grader with attachments from Mustang Machinery Co., LTD dba Mustang CAT through the Interlocal Agreement with BuyBoard contract #424.13 in the amount of \$288,602.58 as authorized by Local Government Code §271.102 for Precinct 1.

19. RESOLUTION AND ORDER APPROVED – INTERLOCAL AGREEMENT – COUNTY ATTORNEY – REAL PROPERTY – PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the Interlocal Agreement between Montgomery County and The Woodlands Township relating to the real property located at 9200 Grogans Mill Road owned by Montgomery County. County Judge is authorized to execute the Agreement on behalf of Montgomery County. Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 22A1: CONSIDER AND APPROVE THE PARTIAL REVISION TO PHASE 1A BLUEJACK NATIONAL TO BE KNOWN AS PHASE 1A BLUEJACK NATIONAL PARTIAL REPLAT NO. 1.

A REPRESENTATIVE FROM BLUE JACK NATIONAL ADDRESSED THE COURT AND EXPLAINED THE REPLAT.

AGENDA ITEM 22B1: CONSIDER AND APPROVE CHANGING THE NAME OF NOBLE GROVE LANE TO NOBEL GROVE LANE IN MEADOWS AT IMPERIAL OAKS, SECTION 4.

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

20. REQUEST APPROVED – STREET NAME CHANGE – PUBLIC HEARING – PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve changing the name of Noble Grove Lane to Nobel Grove Lane in Meadows at Imperial Oaks, Section 4. Motion carried.

21. FINAL PLAT APPROVED – BLUEJACK NATIONAL PARTIAL REPLAT NO.1 – COUNTY ENGINEER – PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the partial revision to Phase 1A Bluejack National to be known as Phase 1A Bluejack National Partial Replat No. 1; 353.259 acres; Noah Griffith Survey, A-16, Thomas C. Bradberry Survey, A-91, William Miller Survey, A-384, and Ambrose Tinney Survey, A-551. Motion carried.

22. REQUEST APPROVED – MUNICIPAL UTILITY DISTRICT – COMMISSIONER PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Noack, to reserve Municipal Utility District No. 156 in the name of Schwartz, Page, & Harding for the creation and naming of the next Montgomery County Utility District, as per request on file. Motion carried.

AGENDA ITEM 24B1 – DISCUSS AND TAKE ACTION REGARDING COUNTY POLICY TO REGULATE CROSSINGS OF COUNTY RIGHTS OF WAY BY HIGH SPEED RAIL WAS DEFERRED.

DR. HAYDEN ADDRESSED THE COURT CONCERNING THE ACTION PLAN AT THE ANIMAL SHELTER. HE STATED THAT THE WHOLE COURT NEEDS TO BE INVOLVED SO HE BELIEVED IT WOULD BE BEST TO WAIT UNTIL EVERYONE IS IN ATTENDANCE.

AGENDA ITEM 24B2 – CONSIDER DISCUSS AND TAKE APPROPRIATE ACTION ON THE MONTGOMERY COUNTY ANIMAL SHELTER 30 DAY PLAN WAS DEFERRED.

23. RESOLUTION AND ORDER APPROVED – EAST MONTGOMERY COUNTY IMPROVEMENT GRANT – COMMISSIONER PRECINCT 4

Motion by Commissioner Meador, seconded by Commissioner Riley, to authorize Commissioner Precinct 4 Office to apply for a grant through the East Montgomery County Improvement District for the purchase of electronic equipment for the Friendship Center. Motion carried.

CITIZENS – AGENDA ITEM 25

Simon Sequeira with Quadvest Water Company addressed the court concerning the Lone Star Groundwater Conservation District. He stated that due to recent votes the citizens water bills have doubled. He would like the people to have a voice and would like Richard Tramm and Greg Hope removed from the board.

Webb Melder, former Mayor for City of Conroe, also addressed the court concerning the Lone Star Groundwater Conservation District. He supports the comments of Simon Sequeira.

Judge Doyal asked B.D. Griffin of the County Attorney's Office to look into the lawsuits going on with the Lone Star Groundwater Conservation District and see what impact that will have as well as additional information.

24. MOTION AMENDED – VEHICLE STIPEND – FIRE MARSHAL

Motion by Commissioner Riley, seconded by Commissioner Noack, to amend Motion 11 to change the funding source from Contingency to Permit Fees. Motion carried.

Duane Ham, Councilman for City of Conroe, also addressed the court concerning the Lone Star Groundwater Conservation District. He would like a Resolution passed to asking the elected officials at the State level to move the Lone Star Groundwater Conservation District to elected spots.

AGENDA ITEM 26 – MISCELLANEOUS – NO OTHER ITEMS LISTED

25. COURT ADJOURNS

Motion by Commissioner Meador, seconded by Commissioner Noack, to adjourn this session of Court. Motion carried.

The above and foregoing minutes were read and approved by the Court.

ATTEST:

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

BY:

Mark Turnbull

COUNTY CLERK

Craig Dwyer

COUNTY JUDGE

