

JAN 10 2017

COMMISSIONERS COURT DOCKET  
December 13, 2016  
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the day of December 13, 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: A MOMENT OF SILENCE WAS OBSERVED IN HONOR OF GRANT MILTON, A FOOTBALL PLAYER FROM THE WOODLANDS THAT WAS INJURED.

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 – RETIREMENT OF K-9 BOWIE

Motion by Commissioner Noack, seconded by Commissioner Clark, to recognize and honor Bowie for his years of service and allow Bowie to live out his life with Detective Mike Uber. Motion carried.

3. PROCLAMATION APPROVED – JIM AND NELDA BLAIR

Motion by Commissioner Meador, seconded by Commissioner Clark, to recognize and show appreciation to Jim and Nelda Blair for the dedication and contribution to Montgomery County United Way, Montgomery County Employees, and the citizens of our community. Motion carried.

AGENDA ITEM 7C – REPRESENTATIVES FROM THE UNITED WAY MADE A PRESENTATION. MONTGOMERY COUNTY EMPLOYEES RAISED AN EXCESS OF \$46,000.00. VARIOUS DEPARTMENTS RECEIVED AWARDS FOR THEIR PARTICIPATION. INDIVIDUAL EMPLOYEES ALSO RECEIVED VARIOUS PRIZES FOR THEIR DONATIONS TO THE UNITED WAY.

AGENDA ITEM 7D - TEXAS A&M AGRILIFE EXTENSION PRESENTED THEIR ANNUAL MAKING A DIFFERENCE IN MONTGOMERY COUNTY 2016 EXECUTIVE SUMMARY.

4. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the Minutes from Special Session of Commissioners Court dated November 18, 2016. Motion carried.

5. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the Minutes from Regular Session of Commissioners Court dated November 22, 2016. Motion carried.

AGENDA ITEM 9C9 THE LAST BULLET POINT WAS MOVED TO THE OPEN AGENDA. SEE MOTION #7 FOR COURT ACTION.

AGENDA ITEM 9F2d WAS MOVED TO THE OPEN AGENDA. SEE MOTION #8 FOR COURT ACTION.

AGENDA ITEM 9K1a-APPROVE PURCHASE AND SALE AGREEMENT BETWEEN MONTGOMERY COUNTY AND GRANDVIEW WAS DEFERRED.

AGENDA ITEM 9K1b- APPROVE RESOLUTION AND ORDER TO PAY \$38,000 FOR ACQUISITION OF 0.0367 ACRE OF LAND WAS DEFERRED.

AGENDA ITEM 9K3n- APPROVE SANITARY CONTROL EASEMENT AGREEMENT BETWEEN MONTGOMERY COUNTY AND MONTGOMERY COUNTY MUD 99 WAS DEFERRED.

6. RESOLUTION AND ORDER APPROVED – CONSENT AGENDA – AGENDA ITEMS 9A-S

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, with the exception of Agenda Items 9C9 (last bullet point only) and Agenda Item 9F2d, which were moved to the Open Agenda and Agenda Items 9K1a, 9K1b, and 9K3n which were deferred, as follows:

COUNTY AUDITOR – AGENDA ITEMS 9A1-11

A1. BUDGET AMENDMENTS FY16 APPROVED:

- a. Various: To recognize and allocate revenues for failure to appear fees for quarter ending 9/30/16.
- b. Airport Maintenance: To adjust line items for additional grant funds for 1212CONRO M30/02.09.15.
- c. Commissioner Precinct 3: To recognize and allocate 0912-37-140 grant revenue from TxDOT for FY16.
- d. Constable Precinct 1: To recognize and allocate revenue.
- e. FEMA-DR-4269-TX: To set-up budget for Labor for 4269 Cat-A (CAT-A-DR), DAC for 4269 Cat-A (CAT-A-DR), Labor for 4269 Cat-B (CAT-B-DR), DAC for 4269 Cat-B (CAT-B-DR), Labor for 4269 Cat-C (CAT-C-DR), and DAC for 4269 Cat-C (CAT-C-DR).
- f. FEMA-DR-4272-TX: To set-up budget for Cat C PW contracts (CAT-C-PW), Cat C PW materials (CAT-C-PW), Cat B EM (CAT-B-EM), Cat A DR services (CAT-A-DR).

- g. MCCD: To recognize and allocate PI for HOME Yr 10 Draw 26.
- h. Sheriff: To recognize and allocate revenue.
- i. Sheriff-Auto Theft Yr 22: To de-obligate a portion of Walker Co Match.
- j. Sheriff-Jail: To allocate September revenue.
- k. Sheriff-OCDETF-Rising Tide: To adjust line items for OCDETF-Rising Tide contract revenue not reimbursed and adjust line items for OCDETF-Rising Tide contract.
- l. Sheriff/STEP IDM(DWI): To de-obligate unspent funds for FY 2016 STEP-IDM Grant from TxDOT M3/11.08.16.
- m. Sheriff-STEP Speed: To de-obligate unspent funds for FY16 Speed Grant as awarded by Tx DOT M3/11.08.16

A2. BUDGET AMENDMENTS FY17 APPROVED:

- a. Various: To fund position changes as approved M9/11.22.16.
- b. Various-Capital Project: To transfer capital improvement funding for the Emergency Management Back Up System project as approved M11/11.22.16.
- c. Capital Projects-FY2016: To transfer funds to pay for property taxes at 402 W. Phillips purchase agreement M34/04.26.16.
- d. Commissioner Precinct 1: To fund salary increase to position 612-2900-8 as approved M3/11.22.16.
- e. Commissioner Precinct 3: To adjust line items and allocate funds for payment of lease "L" JP Morgan Chase M4/10.11.16.
- f. Commissioner Precinct 4: To fund new position 615-4816-1 as approved M3/11.22.16 and transfer funds to purchase mounted camera.
- g. Constable Precinct 1: To remove vehicle stipend from position 5511-5910-13 as approved M3/08.31.16 and recognize and allocate revenue.
- h. Constable Precinct 4: To recognize and allocate revenue.
- i. Contingency: To fund courtroom improvements for the 410<sup>th</sup> District Court as approved M9/11.22.16.
- j. County/District Court Technology Fund: To adjust line items.
- k. District Attorney: To recognize and allocate revenues M3/11.08.16 and adjust budget lines.
- l. Forensic Services: To transfer \$35,000 salary(plus benefits) out of position 6303-2608-1 and into contract services as approved M10/11.22.16.
- m. Law Library: To adjust line items.
- n. Sheriff: To adjust line items due to exception to the 25% maximum budget expenditure of non-returning elected officials for copier leases to Lease Servicing Center, Inc. as approved M7/10.11.16 and to adjust line items due to

exception to the 25% maximum budget expenditure of non-returning elected officials.

o. Sheriff-JTTF: To adjust line items.

- A3. REPORT OF OFFICIALS' FEES ACCEPTED as audited for August and September 2016.
- A4. PAYMENT OF ACCOUNTS APPROVED, as submitted by the County Auditor.
- A5. LISTING ACKNOWLEDGED, per department, the number of approved positions that have been assigned a canine stipend for fiscal year 2017.
- A6. VISUAL INSPECTION OF CAPITAL ASSETS ACCEPTED as presented.
- A7. REPORTS OF CHAPTER 59 ASSET FORFEITURES ACCEPTED.
- A8. REQUEST APPROVED by Justice of the Peace Precinct 4 to use \$374.99 from the Justice of the Peace Technology Fund for reimbursement for a new fax machine.
- A9. REQUEST APPROVED by Justice of the Peace Precinct 2 to use \$1,424.75 from the Justice of the Peace Technology Fund for reimbursement for a new printer and scanner.
- A10. PAYMENT APPROVED to the Texas Department of State Health Services for renewal of license to operate psychiatric hospital. County Judge is authorized to sign renewal notice as set forth in paperwork on file.
- A11. INTERIM ARBITRAGE REBATE ANALYSIS ACCEPTED as follows:
  - a. Montgomery County, Texas  
Certificates Of Obligation, Series 2010A
  - b. Montgomery County, Texas  
Unlimited Tax Road Bonds, Series 2008A
  - c. Montgomery County, Texas  
Certificates Of Obligation, Series 2012A
  - d. Montgomery County, Texas  
Certificates Of Obligation, Taxable Series 2010B
  - e. Montgomery County, Texas  
Certificates Of Obligation, Series 2008
  - f. Montgomery County, Texas  
Pass-Through Toll Revenue & Limited Tax Bonds, Series 2010
  - g. Montgomery County, Texas  
Unlimited Tax Adjustable Rate Road Bonds, Series 2008B
  - h. Montgomery County, Texas  
Limited Tax Refunding Bonds, Series 2007
  - i. Montgomery County, Texas  
Unlimited Tax Refunding Bonds, Series 2010
  - j. Montgomery County, Texas  
Certificates Of Obligation, Series 2012 & Limited Tax Refunding Bonds, Series 2012
  - k. Montgomery County, Texas  
Unlimited Tax Road Bonds, Series 2016 & Limited Tax Refunding Bonds, Series 2016
  - l. Montgomery County, Texas  
Limited Tax Refunding Bonds, Series 2014A

- B1. ANNUAL COUNTY COLLECTION REPORT ACCEPTED for October 1, 2015- September 30, 2016.

PURCHASING – AGENDA ITEMS 9C1-13

C1. CHANGE ORDERS APPROVED:

- a. CO #3 to Silversand Services, Inc. for lawn maintenance services to include location of Airport Customs 2975 Hawthorne Drive Conroe, Texas to existing contract for a fee of \$136.00 each visit for the Conroe-North Houston Regional Airport.
- b. CO # 5 to Ecosource Pest Control, Inc. dba Pestmaster Services of N. Houston for exterminating/pest control services to include various interior and exterior services at District Patrol 1 and Animal Shelter for Various Departments.

C2. PAYMENT AND PERFORMANCE BONDS APPROVED FOR:

- a. Replacement doors including installation at the Montgomery County Mental Health Treatment Center from R & S Corporation for Purchasing.
- b. Precinct 3 bridge rehabilitation project from Rebel Contractors, Inc. for Precinct 3.

C3. DISCRETIONARY EXEMPTIONS APPROVED for a personal or professional service as authorized by Local Government Code §262.024(a)(4) for:

- a. Secure long-term residential services with Victoria County Juvenile Services for Juvenile Department.
- b. Autopsy assistant services on an as-needed basis with Jiro Kawai for Forensic Services Department.

C4. CHECK AND LIST OF ITEMS SOLD ACCPETED from Rene Bates Auctioneers, Inc. for items sold through the Montgomery County Online Auction held 11/18/16 in the amount of \$104,728.57, which includes total sales of \$113,220.08 less auctioneers fee of \$8,491.51 for Various Departments. Check has been forwarded to the Auditor for further processing.

C5. REQUEST APPROVED to exercise the optional services listed in the contracts previously approved in Commissioners Court 08/23/16 for the following:

- a. Drainage study for Allendale Area in the amount of \$10,000.00 from Binkley & Barfield, Inc. for Precinct 4.
- b. Drainage study for Tamina and Chateau Woods area in the amount of \$25,000.00 from Binkley & Barfield, Inc. for Precinct 4.

C6. REQUEST APPROVED to declare miscellaneous items as salvage as authorized by Local Government Code 263.152 for Various Departments.

C7. REQUEST APPROVED rescinding the permission to advertise for RFP-Immunoassay type laboratory analysis of urine samples services for Various Departments. (This was previously approved in Commissioners Court 11/22/16)

C8. DISCRETIONARY EXEMPTIONS APPROVED for an item that can be obtained from only one source as authorized by Local Government Code §262.024 (a)(7) for:

- a. OCLC Services from OCLC Online Computer Library Center, Inc. for Library.

C9. RENEWALS AWARDED:

- a. Containerized commercial solid waste disposal services with Jet Waste Services and include the name change to Sprint Waste Services, LP effective 11/01/16 for Various Departments.
- b. Products and related services through the Interlocal Agreement with Department of Information Resources contract #DIR-TSO-2529 with Icaught Incorporated for Various Departments. (Exercising the second of two renewal options)
- c. Veterinary supplies with Butler Animal Health Supply, LLC dba Henry Schein Animal Health for Animal Shelter. (Exercising the first of three renewal options)
- d. Animal tests and vaccines with Butler Animal Health Supply, LLC dba Henry Schein Animal Health for Animal Shelter. (Exercising the first of three renewal options)
- e. Remote administration of IBM AIX Systems with Nohup Corporation for IT. (Exercising the fifth of five renewal options)
- f. Forensic services medical and miscellaneous supplies with Southland Medical, LLC on a month to month basis for Various Departments.
- g. Licensed software implementation and professional services with Tyler Technologies, Inc. and add amendment #5 which removes the business intelligence cubes software from the original agreement for a total credit to Montgomery County in the amount of \$113,156.13. Additional licensed software and professional services associated with Enotices will be added to the agreement in the amount of \$40,862.00 leaving a credit balance of \$72,294.13. This addition will increase the annual maintenance and support by \$7,140.00 for IT. (Exercising annual renewal options)
- h. Bulk oil, lubricants and related items with Sun Coast Resources, Inc. on a month to month basis effective 12/06/16 for Various Departments.
- i. Programming/technical resource services with Image Software, Inc. for Various Departments. (Exercising the third of five renewal options)
- j. Pavement striping for Lonestar Pavement Services, Inc. and add 18" white line airfield painting at \$1.00 per lin. ft. and Stripes and Stops Company, Inc. and add the furnish and install of white glass bead airfield painting at \$0.35 per sq. ft. for Various Departments.
- k. Heavy/light equipment rental from each of the following vendors: United Rentals, Inc., Sunbelt Rentals, Inc. and Mustang Rental Service, Inc. with the name change to Mustang Rental Services of Texas, LTD. for Various Departments. (Exercising the fifth of five renewal options)
- l. Five (5) phase treatment with Heath, Peggy dba Mental Health Resource Center on a month to month basis for Drug and DWI Court.
- m. Posts and related hardware for traffic signs with each of the following vendors: with Allied Tube & Conduit Corp., Trantex Transportation Products of Texas, Inc. and Pathmark Traffic Products of Texas, Inc. and add an 18% price increase on items 001, 002, 003, 004, 011, and 012 for Various Departments. (Exercising the second of four renewal options)
- n. This item was moved to the Open Agenda. See motion #7 for Court Action.

C10. CONTRACTS APPROVED as authorized by Local Government Code §271.102 for the following:

- a. First aid and athletic training supplies and equipment through the Interlocal Agreement with Buy Board Contract #448-14 with Sterlington Medical MDD Marketing, Inc. for Various Departments.

- b. Prescription drugs with related goods and services through the Interlocal Agreement with National Joint Powers Alliance contract #011713-RTL with Redwood Toxicology Laboratory, Inc. effective through 03/19/18 for Various Departments.
  - c. Construction equipment, road and bridge equipment, ditching, trenching, utility and other equipment through the Interlocal Agreement with Buyboard contract #515-16 with Sunbelt Industrial Trucks effective 12/01/16 with two one year renewal options and include the purchase of one (1) new Doosan forklift model BC25S 36 volt including options in the amount of \$29,627.37 this price includes the trade in value of \$500.00 for Hyster E50XL-33 forklift for Lonestar Convention and Expo Center.
- C11. CONTRACTS APPROVED as authorized by Local Government Code §271.083 for the following:
- a. Products and related services through the Interlocal Agreement with the State of Texas Department of Information Resources contract #DIR-TSO-2660 with Carahsoft Technology Corporation effective through 11/18/18 for IT.
- C12. ADVERTISING APPROVED for the following bids/proposals:
- a. Rayford road widening and railroad grade separation from Richard Road to SH 99 for Precinct 3.
- C13. REQUEST APPROVED to take all appropriate action to approve items necessary to preserve or protect the public health or safety of the residents of the county for emergency repairs to the emergency backup power system located at Montgomery County Office of Emergency Management for one (1) transfer switch including installation and start up in the amount of \$49,248.50 and one (1) ups battery back up system including start up in the amount of \$70,441.49 for a total amount of \$119,689.99 from Total Energy Solutions Company, LLC for Emergency Management. Funding previously approved in Commissioners' Court 11/22/16.

#### RISK MANAGEMENT – AGENDA ITEMS 9D1-4

- D1. PAYMENT ACKNOWLEDGED AND RECORDED INTO THE MINUTES to Allstate as subrogate for Kandace Borden, in the amount of \$6,042.26 in reference to claim #A-15-0014.
- D2. PAYMENT ACKNOWLEDGED AND RECORDED INTO THE MINUTES to Signature Collision in the amount of \$4,706.07 and payment to Robert W. Castleberry in the amount of \$329.99 in reference to claim #A-16-0119. DOL 10.23.16.
- D3. CHANGES, ADDITIONS AND RELEASES APPROVED for the following:

<u>BOND</u>	<u>NAME/DEPT</u>	<u>AMOUNT</u>	<u>ACTION</u>
15200605	Stewart, Keith/Ccl 5	\$5,000	Renew/Cont Cert
61204467	Zenor, Darlou/Purchasing	\$5,000	Renew/Cont Cert
61204467	Zenor, Darlou/Purchasing		Rider/Title Change
15233713	Morgan, Roland/Fire Marshal	\$5,000	Renew/Cont Cert
14468470	Williams, Jeff/Fire Marshal	\$5,000	Renew/Cont Cert
61541121	Lee Jr, David/Fire Marshal	\$5,000	Renew/Cont Cert
61533843	Alford, Kellie/Tax Assessor	\$100,000	Renew/Cont Cert
62619275	Barnett, Kenneth Eugene/Const Pct 4	\$5,000	Reserve/Cont Cert

- D4. PAYMENT ACKNOWLEDGED AND RECORDED INTO THE MINUTES to Karin Brunfelt-Frye and Christopher Frye in the amount of \$448.98 in reference to Claim #B-16-0127.

COMMISSIONERS – AGENDA ITEMS 9E1-2

E1. PRECINCT 2

- a. REAPPOINTMENT APPROVED of Rene Hancock to another term as Housing Commissioner for the Montgomery County Housing Authority.

E2. PRECINCT 4

- a. CHECK ACCEPTED in the amount of \$702.92 from Montgomery County Committee on Aging, Inc. for the purchase of fuel. This check will be deposited into line item 615-7926. Check has been forwarded to the Auditor for further processing.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9F1-5

F1. PRECINCT 1

- a. FINAL PLAT APPROVED of Walden on Lake Conroe, Section 15 Replat #2; 0.414 acres; Thomas Corner Survey, A-10.

F2. PRECINCT 2

- a. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Cimarron Creek, Section 6, to be effective December 13, 2016.
- b. PUBLIC HEARING DATE SET for January 10, 2017 to establish a No Parking Zone on both sides of Greenfield Forest Drive from FM 1488 to 1000 feet south of FM 1488.
- c. REQUEST APPROVED from Wavemedia, Inc. to install a fiber optic line within the right of way of Nichols Sawmill, Butera, Walnut Creek, Stagecoach, Decker Prairie, and Hardin Store Roads.
- d. This item was moved to the open Agenda. See Motion #8 for court action.
- e. FINAL PLAT APPROVED of Grand Lake Estates, Section 12; 6.540 acres; Archibald Hodge Survey, A-18.
- f. FINAL PLAT APPROVED of Magnolia Ranch Estates; 60.197 acres; David W. Weir Survey, A-609.

F3. PRECINCT 3

- a. REQUEST APPROVED from Centerpoint Energy, Gas Facilities to install a 2" IP PLA gas line within the right of way of Lexington Boulevard.
- b. REQUEST APPROVED from Montgomery County WCID No. 1 to install an 8" sanitary sewer line within the right of way of Sawdust Road.
- c. FINAL PLAT APPROVED of The Woodlands Village of Grogans Mill Lake Woodlands East Shore, Section 18; 5.227 acres; John Taylor Survey, A-547.
- d. FINAL PLAT APPROVED of The Woodlands Village of Sterling Ridge, Section 89; 45.968 acres; James Brown Survey, A-78.

F4. PRECINCT 4



- a. STREETS ACCEPTED INTO THE COUNTY MAINTENANCE SYSTEM in Brookwood Forest, Section 1 and bond is released.
- b. STREETS ACCEPTED INTO THE COUNTY MAINTENANCE SYSTEM in Brookwood Forest, Section 2 and bond is released.
- c. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Montgomery Creek Ranch, Section 19, effective December 13, 2016.
- d. PUBLIC HEARING DATE SET for January 10, 2017 to establish All-Way Stop Control at the Triangle Ridge Drive and Woodridge Parkway Intersection.
- e. FINAL PLAT APPROVED of Crockett Trace Estates, Section 6; 8.632 acres; William B. Bridges Survey, A-73.
- f. FINAL PLAT APPROVED of Salamanca; 14.603 acres; James Taylor Survey, A-553.
- g. FINAL PLAT APPROVED of Cearley Acres; 5.008 acres; L.F. Amelong Survey, A-48.

F5. ALL PRECINCTS

- a. REQUEST APPROVED to authorize the County Engineer on behalf of Commissioners Court to provide approvals for public utilities in County Road Rights of Way.

HUMAN RESOURCES – AGENDA ITEM 9G1

G1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of 435<sup>th</sup> District Court to place Christopher J. Rivera, Court Coordinator I, on payroll, effective November 28, 2016.

Request of Airport to promote Mary Wilson, Office Supervisor II, effective November 19, 2016.

Request of Animal Shelter to discharge Sara Fairchild, Kennel Technician, effective December 5, 2016. [No benefits due]

Request of Animal Shelter to increase salary of Rylee Isbell, Kennel Technician, due to completion of probationary period, effective December 3, 2016.

Request of Animal Shelter to increase salary of Skye Kurtz, Kennel Technician, due to completion of probationary period, effective December 3, 2016.

Request of Animal Shelter to place Danielle Pittman, Kennel Technician, on payroll as replacement for pooled position, effective November 29, 2016.

Request of Building Maintenance to transfer Edward Grayson Jr., Maint Tech III, from Commissioner Precinct 1 as replacement for Jeffrey Swindall, effective December 5, 2016.

Request of Commissioner Precinct 3 to demote James R. Johnson, Operator II, effective December 5, 2016.

Request of Commissioner Precinct 3 to remove Benjamin Osterhage, Operator I, from payroll, effective November 29, 2016. (Deceased) [No benefits due]

Request of Constable Precinct 1 to accept the retirement of Donnie O. Chumley, Constable, effective December 31, 2016. [No benefits due]

Request of Constable Precinct 1 to accept the retirement of Russell B. Fincher, Captain-Constable, effective December 31, 2016. [98.7650 hours or balance vacation]

Request of Constable Precinct 1 to accept the retirement of Mike A. Hatcher, Chief Deputy Constable, effective December 31, 2016. [152.375 hours or balance vacation]

Request of Constable Precinct 3 to transfer Michael Traylor, Sergeant, from Sheriff as replacement for Ronny Keener Jr., effective December 3, 2016.

Request of Contract Elections to increase salary of Cynthia Norum, Contract Election, due to 3% COLA, effective November 19, 2016.

Request of Contract Elections to increase salary of Joy Sellers, Contract Election Clerk, due to 3% COLA, effective November 19, 2016.

Request of County Attorney to accept the resignation of Michelle Smith, Attorney II, effective November 19, 2016. [26.48 hours or balance vacation; 8.00 hours or balance holiday]

Request of County Auditor to accept the resignation of Kevin Berger, Part-time Clerk, effective November 30, 2016. [No benefits due]

Request of County Auditor to place Tammy Guthrie, Part-time Clerk, on payroll, effective November 21, 2016.

Request of County Clerk to accept the resignation of Amanda L. Daigle, Court Clerk II, from payroll, effective November 23, 2016. [No benefits due]

Request of District Attorney to accept the retirement of Vanessa L. Atkinson, Legal Assistant II, effective November 30, 2016. [177.22 hours or balance vacation; 0.12 hours or balance compensatory]

Request of District Attorney to accept the retirement of Jennifer D. Ellisor, Court Clerk IV, effective January 31, 2017. [113.425 hours or balance vacation]

Request of District Clerk to place Thomas Hollingsworth, Court Clerk II, on Unpaid FMLA/Disability Leave, effective November 14, 2016.

Request of Elections to accept the resignation of Dana Abernathy, Voter Clerk, effective November 22, 2016. [No benefits due]

Request of Environmental Health to place Dawn Dorsey, Registered Sanitarian II, on Unpaid FMLA/Disability Leave, effective December 2, 2016.

Request of Environmental Health to place Dawn Dorsey, Registered Sanitarian II, on payroll due to Return from unpaid FMLA/Disability Leave, effective December 5, 2016.

Request of Juvenile to place Celia Isaura Contreras, Juvenile Probation Officer, on payroll as replacement for Thomas Kaden, effective December 5, 2016.

Request of Juvenile to promote Alonzo S. Humphrey, Assistant Supervisor-Juvenile Prob, as replacement for Irving Gonzales, effective November 19, 2016.

Request of Juvenile to accept the resignation of Thomas James Kaden, Juvenile Probation Officer, effective November 18, 2016. [68.11 hours or balance vacation; 0.50 hours or balance compensatory]

Request of Juvenile to place Rebecca Renee Kiefer, Juvenile Probation Officer, on payroll due to Return from FMLA/Disability leave, effective November 11, 2016.

Request of Juvenile to place Josh Eric Orozco, Juvenile Probation –Adm, on payroll as replacement for Monica Keener, effective December 5, 2016.

Request of Juvenile to promote Rebecca Elizabeth Owen, Juvenile Probation Officer, as replacement for Alonzo Humphrey, effective December 3, 2016.

Request of Juvenile to place Alyssa Ann Vidal, Clerk III, on payroll as replacement for Margaret Powers, effective November 21, 2016.

Request of Library to accept the retirement of Carole Anderson Blossom, Librarian I-Young Adult, effective December 31, 2016. [178.14 hours or balance vacation]

Request of Library to change status of Erin Leigh Denbina, Library Assistant II, as replacement for Francisca Kilgore, effective December 5, 2016.

Request of Library to place Stephanie Pauley, Shelving Clerk, on payroll as replacement for Thomas Pena, effective November 22, 2016.

Request of Purchasing to accept the retirement of Darlou Zenor, Director of Purchasing, effective December 31, 2016. [215.5187 hours or balance vacation]

Request of Recycle Station Pct 3 to increase the salary of Donald Peacock, Recycle Technician, due to equity adjustment, effective November 19, 2016.

Request of Risk Management to accept the resignation of Gary Gamble, Coordinator Safety, effective December 1, 2016.[3.08 hours or balance vacation]

Request of Sheriff to promote Brandon Bartoskewitz, Detective, as replacement for Paul Hahs, effective December 3, 2016.

Request of Sheriff to promote Frederico Cano, Detective SIU (MOCONET), effective November 21, 2016.

Request of Sheriff to place Nathan Hall, Officer Civilian Detention, on payroll as replacement for Adrian Carranza, effective December 3, 2016.

Request of Sheriff to place Bobby Horn Jr., Officer Civilian Detention, on payroll as replacement for Jessica Davis, effective December 3, 2016.

Request of Sheriff to rescind Retirement PCR approved in Court on 11/22/16 for Margie Kindle, Clerk IV, effective December 31, 2016.

Request of Sheriff to accept the resignation of Rhonie Long, Clerk IV Records, effective December 9, 2016. [37.00 hours or balance vacation; 9.88 hours or balance compensatory]

Request of Sheriff to increase salary of Brandon McLarty, Officer Civilian Detention, due to 3% COLA increase not included in salary schedule upload, effective November 19, 2016.

Request of Sheriff to accept the retirement of Lisa M. Pickering, Detective-FBITF, effective January 31, 2017. [87.955 hours or balance vacation; 236.80 hours or balance compensatory; 3.00 hours or balance holiday]

Request of Sheriff to accept the resignation of Theo Quintin Pternitis, Deputy Motorcycle, effective January 6, 2017. [281.70 hours or balance vacation; 73.13 hours or balance compensatory; 18.00 hours or balance holiday]

Request of Sheriff to promote Dana Smark, Detective, as replacement for Larry Williams, effective December 3, 2016.

Request of Sheriff to promote Michael Uber, Detective SIU (MOCONET), effective November 19, 2016.

Request of Tax Assessor/Collector to place Stephanie Black, Deputy Specialist I, on payroll effective November 28, 2016.

Request of Tax Assessor/Collector to accept the retirement of Carolyn L. Etheredge, Chief Deputy-Admin, effective December 31, 2016. [193.375 hours or balance vacation]

Request of Tax Assessor/Collector to promote Amy M. Garcia, Deputy Specialist II, due to meeting education and tenure requirements for promotion, effective December 17, 2016.

Request of Tax Assessor/Collector to increase salary of Kimberly R. Roe, Chief Deputy Operations, due to completion of mandated educational courses, effective December 3, 2016.

Request of Traffic Operations to increase salary of Ryan Allen, Signal Technician I, due to equity adjustment, effective December 3, 2016.

Request of Traffic Operations to increase salary of Paul Dupre, Signal Technician I, due to equity adjustment, effective December 3, 2016.

Request of Traffic Operations to increase salary of Daniel Howell, Signal Technician I, due to equity adjustment, effective December 3, 2016.

Request of Treasurer to promote Patricia Reaves, Bail Bond Asst/Deputy Treasurer, as replacement for Pamela Robichaux, effective December 3, 2016.

#### ENVIRONMENTAL HEALTH – AGENDA ITEMS 9H1-5

- H1. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 27410 Timber Circle Magnolia, Texas 77354.
- H2. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 17680 Linda Lane Conroe, Texas 77306.
- H3. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 1651 Park Street Cleveland, Texas 77328.
- H4. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 7518 Pin Oak Road Montgomery, Texas 77316.
- H5. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 24396 FM 2090 Splendora, Texas 77372.

#### COUNTY JUDGE – AGENDA ITEMS 9I1-8

- I1. MEMBERSHIP DUES APPROVED to Houston-Galveston Area Council for January 1-December 31, 2017 in the amount of \$18,229.84. This amount is computed at \$0.04 per capita in accordance with Article VIII of the HGAC Bylaws adopted on February 19, 2002, on the basis of the official 2010 census counts published by the U.S. Department of Commerce or \$200.00, whichever is greater. Montgomery population is listed at 455,746.
- I2. REAPPOINTMENT APPROVED of Craig Doyal as the County's representative on the Gulf Coast Rail District's Board of Directors for a two year term beginning January 23, 2017.

- I3. REMITTANCE APPROVED of \$5,000.00 for 2017 annual dues for general purpose fund payable to Gulf Coast Rail District.
- I4. REAPPOINTMENTS APPROVED to the County Historical Commission for the 2017-2018 term of service of the following: Larry Foerster, CHC Chair; Sharon Russell, Marker Chair; Robin Bartholet; Brenda Beaven; Mark Canada; Carolyn A. Carroll; Lonnie Clover; Jeremiah Dancy; Barkley Dominey; Patricia Easley; Victoria A. Endsley; David Frame; Celeste Graves; Frank Johnson; Marie Banos Jordan; Robin Montgomery; Heather Montgomery; Sue Ann Powell; Missy Ringo; Ron Saikowski; Anna Sheppard; Austin Smith; Gertie Spencer; Beverly H. Tucker; James (Jim) Walker; Jo Dell Whitehead and J.T. Wilkerson.
- I5. REAPPOINTMENT APPROVED of Jeff Johnson as a primary voting member to serve on the Technical Advisory Committee Council for the Houston-Galveston Area Council for year 2017 representing Montgomery County.
- I6. REAPPOINTMENT APPROVED of Ross McCall as an alternate voting member to serve on the Technical Advisory Committee Council for the Houston-Galveston Area Council for year 2017 representing Montgomery County.
- I7. REAPPOINTMENT APPROVED of Charlie Riley as primary voting member to the Transportation Policy Council for Houston-Galveston Area Council for Year 2017 representing Montgomery County.
- I8. REAPPOINTMENT APPROVED of Craig Doyal as alternate voting member to the Transportation Policy Council for Houston-Galveston Area Council for Year 2017 representing Montgomery County.

SHERIFF – AGENDA ITEMS 9J1-5

- J1. MCSO FY16 CHAPTER 59 ASSET FORFEITURE REPORT ACCEPTED.
- J2. INTERLOCAL AGREEMENT ACCEPTED between Montgomery County and The Woodlands Township for the provision of law enforcement services.
- J3. DE-OBLIGATION APPROVED of \$600.31 pertaining to the HIDTA 15 Grant G15HN0017A.
- J4. INTERLOCAL AGREEMENT ACCEPTED between Montgomery County and The Woodlands Township for Law Enforcement Investigative Services-Crimes Against Children/Safe Harbor.
- J5. DONATION ACCEPTED in the amount of \$5,000.00 to the Montgomery County Sheriff's office from the Cunningham Family Endowment Fund. This will be deposited into line item 5601-4364. Check has been forwarded to the Auditor for further processing.

COUNTY ATTORNEY – REAL PROPERTY - AGENDA ITEMS 9K1-4

K1. PRECINCT 1

- a. Agenda item 9K1a- Approve purchase and sale agreement between Montgomery County and Grandview Property Owners Association, Inc. was deferred.
- b. Agenda item 9K1b- Approve resolution and order to pay \$38,000.00 for acquisition of 0.0367 acre of land was deferred.

K2. PRECINCT 2

- a. RESOLUTION AND ORDER TO PAY APPROVED for the funding of closing costs relating to the acquisition of Parcel 26 of the expansion of McCaleb Road from Herbert A. R. Collins and Annie Lois Collins in the amount of \$3,458.36. The County Auditor and County Treasurer are authorized to issue payment from line item 61301-7487 to Old Republic Title Company of Conroe for the benefit of Herbert A. R. Collins and Annie Lois Collins.
- b. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase, and funding of the acquisition of Parcel 10A of the expansion of McCaleb Road from Fish Creek Storage, LTD for the total sum of \$133,283.36. 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 61301-7487 to Old Republic Title for the benefit of Fish Creek Storage, LTD.
- c. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase, and funding of the acquisition of Parcel 10B of the expansion of McCaleb Road from Fish Creek Storage, LTD for the total sum of \$117,450.00. 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 61301-7487 to Old Republic Title for the benefit of Fish Creek Storage, LTD.
- d. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase, and funding of the acquisition of Parcel 28 of the expansion of McCaleb Road from Marsha Lou Muse and Rebecca McKnight Muse for the total sum of \$133,310.36. 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 61301-7487 to Old Republic Title for the benefit of Marsha Lou Muse and Rebecca McKnight Muse.
- e. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase, and funding of the acquisition of Parcels T1.044, T1.045, T1.047, T3.005, and T3.007 and related easements pertaining to the expansion of McCaleb Road from the San Jacinto River Authority for the total sum of \$58,684.00. The County Auditor and Treasurer are authorized to issue payment from line item 61301-7487 to San Jacinto River Authority.
- f. 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 Steven Barrier Minor Plat to be known as Steven Barrier Replat No. 1. The public hearing is set for January 24, 2017.

K3. PRECINCT 3

- a. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 23 of the expansion of Rayford Road from Rayford Retail Partners, LP for the total sum of \$40,259.25. 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 Rayford Retail Partners, LP in the amount stated 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 James and Marilyn Sulzer in the amount of \$60.80. County Auditor and County Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to James and Marilyn Sulzer in the amount listed above.
- c. RESOLUTION AND ORDER TO PAY APPROVED for payment of fixed moving expenses in connection with the acquisition of Parcel 5 Lot 4 of the expansion of Rayford Road to Luis Diaz in the amount of \$1,400.00. County Auditor and County Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to Luis Diaz in the amount listed above.
- d. RESOLUTION AND ORDER TO PAY APPROVED for payment of fixed moving expenses in connection with the acquisition of Parcel 5 Lot 7 of the expansion of Rayford Road to Carlos Nunez and Guadalupe Ramirez in the amount of \$1,600.00. County Auditor and County Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to Carlos Nunez and Guadalupe Ramirez in the amount listed above.
- e. RESOLUTION AND ORDER TO PAY APPROVED for payment of fixed moving expenses in connection with the acquisition of Parcel 5 Lot 8 of the expansion of Rayford Road to David Lindquist in the amount of \$1,600.00. County Auditor and County Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to David Lindquist in the amount listed above.
- f. RESOLUTION AND ORDER TO PAY APPROVED for payment of fixed moving expenses in connection with the acquisition of Parcel 5 Lot 11 of the expansion of Rayford Road to Sandy Vasquez in the amount of \$1,400.00. County Auditor and County Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to Sandy Vasquez in the amount listed above.
- g. RESOLUTION AND ORDER TO PAY APPROVED for payment of fixed moving expenses in connection with the acquisition of Parcel 5 Lot 14 of the expansion of Rayford Road to Maria Tilayatzin in the amount of \$1,400.00. County Auditor and County Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to Maria Tilayatzin in the amount listed above.
- h. RESOLUTION AND ORDER TO PAY APPROVED for payment of fixed moving expenses in connection with the acquisition of Parcel 5 Lot 15 of the expansion of Rayford Road to Ana Ortiz in the amount of \$1,600.00. County Auditor and County Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to Ana Ortiz in the amount listed above.
- i. RESOLUTION AND ORDER TO PAY APPROVED for payment of fixed moving expenses in connection with the acquisition of Parcel 5 Lot 16 of the expansion of Rayford Road to Darwin Mendez in the amount of \$1,600.00. County Auditor and County Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 Darwin Mendez in the amount listed above.
- j. RESOLUTION AND ORDER TO PAY APPROVED for payment of fixed moving expenses in connection with the acquisition of Parcel 5 Lot 19 of the

expansion of Rayford Road to Marina Sanchez in the amount of \$1,600.00. County Auditor and County Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to Maria Sanchez in the amount listed above.

- k. RESOLUTION AND ORDER TO PAY APPROVED for payment of fixed moving expenses in connection with the acquisition of Parcel 5 Lot 22 of the expansion of Rayford Road to Nicolasa Moreno and Jose Paz Mendez in the amount of \$1,600.00. County Auditor and County Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to Nicolasa Moreno and Jose Paz Mendez in the amount listed above.
- l. RESOLUTION AND ORDER TO PAY APPROVED for payment of fixed moving expenses in connection with the acquisition of Parcel 48 of the expansion of Rayford Road to Santos Argueta in the amount of \$1,900.00. County Auditor and County Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to Santos Argueta in the amount listed above.
- m. RESOLUTION AND ORDER TO PAY APPROVED for funding of Replacement Housing Supplement relating to the acquisition of Parcel 5 Lot 15 of the expansion of Rayford Road from Ana Ortiz in the amount of \$10,734.14. County Auditor and Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to Ana Ortiz in the amount listed above.
- n. Agenda item 9K3n – Approve Sanitary Control Easement Agreement between Montgomery County and Montgomery County MUD 99 was deferred.
- o. AERIAL EASEMENT APPROVED from Montgomery County to Centerpoint Energy Houston Electric, LLC for aerial easement on, over and across Restricted Reserve “F” of Spring Trails, Section 17 and 5.771 acres in the H. Decrow Survey, A-165.
- p. AMENDATORY EASEMENT AGREEMENT AND GRANT OF AERIAL EASEMENT APPROVED between Montgomery County and Centerpoint Energy Houston Electric, LLC on 13.076 acres in the H. Decrow Survey, A-165.

K4. ALL PRECINCTS

- a. INTERLOCAL AGREEMENT ACCEPTED AND RECORDED between Montgomery County and City of Houston regarding Texas Enterprise Zone Project Nomination.
- b. RESOLUTION AND ORDER APPROVED for approval of Interlocal Agreement for the Flood Protection Planning Project Grant from the Texas Water Development Board between Montgomery County, Texas, City of Conroe, Texas and the San Jacinto River Authority. County Judge is authorized to execute the agreement on behalf of Montgomery County.

COUNTY ATTORNEY – AGENDA ITEM 9L1

- L1. MODIFICATION #P00017 APPROVED relating to wage determination to contract #DROIGSA-08-0030A with Immigration and Customs Enforcement.

COUNTY ATTORNEY – MENTAL HEALTH TREATMENT FACILITY – AGENDA ITEMS 9M1-3



- M1. MINUTES ACCEPTED of the October 18, 2016 Montgomery County Mental Health Treatment Facility Advisory Board Meeting.
- M2. PROPOSED MEDICAL STAFF BYLAWS REVISIONS APPROVED as approved by Advisory Board on November 15, 2016 per attachment on file.
- M3. MONTHLY PERFORMANCE INDICATOR REPORT ACCEPTED for October 2016 as recommended by Montgomery County Mental Health Treatment Facility Advisory Board.

COUNTY CLERK – AGENDA ITEM 9N1

- N1. DEPUTATION APPROVED Darin Bailey, Deputy County Clerk.

CONSTABLE PRECINCT 3 – AGENDA ITEM 9O1

- O1. RENEWAL APPROVED of the Interlocal Agreement between Montgomery County, Texas and The Woodlands Township for Law Enforcement Services. This will not affect the 2017 budget.

CONSTABLE PRECINCT 4 – AGENDA ITEM 9P1

- P1. DONATION ACCEPTED from Paul and Vickie McGhee in the amount of \$200.00. These funds will be placed in 5541.7390. Check has been forwarded to the Auditor for further processing.

ADULT PROBATION – AGENDA ITEMS 9Q1-2

- Q1. REQUEST APPROVED to use the County Citi Credit Card for the purchase of food and beverages to be used for Adult Probation Training Classes to be funded from Account 5721.7390 in an amount not to exceed \$2,000.00 for Fiscal Year 2017.
- Q2. REQUEST APPROVED to use the County Citi Credit Card for the purchase of food and beverages to be used for Community Service Workers to be funded from the State funded Adult Probation Supplies Account 7390 in an amount not to exceed \$600.00 for Fiscal Year 2017.

JUSTICE OF THE PEACE PRECINCT 3 – AGENDA ITEM 9R1

- R1. REQUEST APPROVED of funds in the amount of \$3,343.04 from Justice Court Technology Fund for various items.

DISTRICT ATTORNEY – AGENDA ITEM 9S1

- S1. POSITION CHANGES APPROVED as follows:
  - Close position 4351-7704-6 (Legal Assistant II)
  - Open position 4351-3995-11 (Court Clerk IV) at salary of \$39,176.28
  - Transfer \$39,176.28 and associated benefits from 4351-7704-6 to 4351-3995-11 (Court Clerk IV)
  - Transfer \$5,142.30 and associated benefits from 4351-7704-6 to 4351-3995-8 (Court Clerk IV)
  - Transfer \$5,142.23 and associated benefits from 4351-7704-6 to 4351-3995-10 (Court Clerk IV)

These changes will not increase the budget.

Motion carried.

## **END OF CONSENT AGENDA**

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7. RENEWAL APPROVED – INTERLOCAL AGREEMENT BUYBOARD - PURCHASING – VARIOUS DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the renewal for building maintenance, repair & operations supplies & equipment through the Interlocal Agreement with Buy Board contract #501-15 with Carrier Enterprise, LLC and Grainger effective 12/01/16 for Various Departments. (Exercising the first of two renewal options) Commissioner Noack abstained from the vote. Motion carried.

8. REQUEST APPROVED – UNIVERSAL NATURAL GAS INC – COMMISSIONERS-COUNTY ENGINEER – PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve a REQUEST from Universal Natural Gas Inc. to install a gas line within the right of way of Fish Creek Thoroughfare. Judge Doyal abstained from the vote. Motion carried.

### **CITIZENS – AGENDA ITEM 10**

Eric Yollick presented the citizens of Montgomery County a “golden hammer”. He also addressed the approval of the minutes of the last session of Commissioners Court as well as “Boss of Year” and “Department of the Year” that were awarded at the County Christmas Luncheon.

Bill O’Sullivan addressed the court concerning the retirement of debt and the importance of it. He stated that it was important to retire the debt because interest rates will soon rise.

9. REQUEST APPROVED – TRANSPORTATION ADVOCACY GROUP – COUNTY JUDGE

Motion by Commissioner Riley, seconded by Commissioner Meador, to join Transportation Advocacy Group. The annual membership dues for 2017 for the County are \$5,000.00 and will be funded with Contingency. Motion carried.

JOHN ROBUCK GAVE A PRESENTATION ON LIMITED TAX REFUNDING BONDS, SERIES 2016A, UNLIMITED TAX ROAD BONDS, SERIES 2016A, AND DEFEASANCE OF OUTSTANDING PASS THROUGH TOLL REVENUE BONDS.

JUDGE DOYAL DIRECTED THE COUNTY AUDITOR TO WORK ON A COUNTY DEBT POLICY AND COUNTY CAPITAL IMPROVEMENT PLAN.

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

10. ORDER APPROVED – DEFEASANCE AND REDEMPTION OF CERTAIN OUTSTANDING OBLIGATIONS – COUNTY JUDGE

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve an Order authorizing defeasance and redemption of certain outstanding obligations of Montgomery County. The County Judge is authorized to approve the amount and maturities of obligations to be defeased and redeemed and an Escrow Agreement and Notices of Redemption are approved and executed as well as other matters contained related thereto. Motion carried.

11. REQUEST APPROVED – POSITION CHANGES – COUNTY COURT AT LAW 2

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve closing position 427-7811-1 (Court Investigator), moving budgeted salary into and creating staff attorney position with a salary of \$100,000.00. The additional funding necessary for the position in the amount of \$36,220.22 will be funded by Contingency. Motion carried.

COMMISSIONER MEADOR LEFT THE COURTROOM.

12. APPLICATION APPROVED – IMPAIRED DRIVING MOBILIZATION STEP GRANT – SHERIFF

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve the Montgomery County Sheriff's Office application to TxDOT for the Impaired Driving Mobilization STEP Grant and accept funding from TxDOT in the amount of \$19,815.66. The funds were made available to the Sheriff's Office pre-application. Matching funds of \$6,462.07 will be funded from the Sheriff's budget 5601-75985. Individuals participating in the grant will be paid at a rate of time and half while working the program. Motion carried.

13. MEMORANDUM OF UNDERSTANDING ACCEPTED – US MARSHALL'S SERVICE – SHERIFF

Motion by Commissioner Clark, seconded by Commissioner Noack, to accept the FY2017 Memorandum of Understanding between the Montgomery County Sheriff's Office and the US Marshall's Service in the amount of \$60,000.00. Funding is for overtime with benefits funded from 5601-75985. Motion carried.

COMMISSIONER MEADOR RETURNED TO THE COURTROOM.

14. GRANT APPLICATION APPROVED – NO REFUSAL GRANT – DISTRICT ATTORNEY

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve the TxDOT No Refusal Grant Application for the District Attorney's Office in the amount of \$143,603.07 with a match of \$95,048.27 for a total amount of \$238,651.34 as well as an exemption to Montgomery County Policy 5.1-7 and 5.1-9 authorizing payment to exempt employees and program eligible employees in reference to the "No Refusal" TxDOT grant allowing for overtime payment for employees working no refusal weekends at a rate of \$55.00/hour for Paralegal/Investigators and \$80.00/hour for Assistant District Attorney to be paid out of grant funds. The match will come from the District Attorney's Office. Tyler Dunman is authorized to electronically apply on behalf of Montgomery County. Motion carried.

COMMISSIONER RILEY LEFT THE COURTROOM.

15. REQUEST APPROVED – FUND CARRYOVER – CONROE-NORTH HOUSTON REGIONAL AIRPORT

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve the carryover of \$30,000.00 from the remaining FY 2016 funds in 629141-7419 (Customs-Professional Services) to 629141-7419 FY2017 for estimated overtime charges in FY2017 by U.S. Customs and Border Protection pursuant to the Memorandum of Agreement dated 04/16/2016. Motion carried.

16. REQUEST APPROVED – FY2016 CDBG GRANT AGREEMENT – COMMUNITY DEVELOPMENT

Motion by Commissioner Clark, seconded by Commissioner Meador, to authorize County Judge to execute the FY2016 CDBG Grant Agreement between Montgomery County and Society of Samaritans, Inc. and the FY2016 Home Grant Agreement between Montgomery County and Walker Montgomery Community Development Corporation. Motion carried.

COMMISSIONER RILEY RETURNED TO THE COURTROOM.

17. REPRESENTATIVES APPOINTED – FINANCE SYSTEM SELECTION COMMITTEE – COUNTY AUDITOR

Motion by Commissioner Riley, seconded by Commissioner Clark, to appoint Judge Doyal and Commissioner Meador as Representatives from the Commissioners Court to the Finance System Selection Committee. Motion carried.

18. REQUEST APPROVED – PURCHASE OF VEHICLES – SHERIFF

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the purchase of two 2017 Dodge Charger PPV with options through the Interlocal Agreement with BuyBoard Contract #430-13 with Grapevine DCJ, LLC for a total amount of \$51,980.00 with a \$400.00 BuyBoard fee included as authorized by Local Government Code §271.102 for Sheriff's Office.

19. AWARDS APPROVED – VARIOUS AWARDS – VARIOUS DEPARTMENTS

AWARD APPROVED – DRUG/ALCOHOL SCREENING – ADULT PROBATION/JUVENILE PROBATION

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

- a. Replacement of existing DX HVAC system to TAS Mechanical, Inc. dba Total Air Service in the amount of \$578,750.00 for Building Maintenance/Animal Shelter
- b. Mobility improvements for Birnham Woods Drive to Angel Brothers Enterprises, Ltd. in the amount of \$1,296,845.36 for Precinct 3
- c. RFP-Drug/Alcohol screening services to Avertest for a term contract for Adult Probation/Juvenile Probation.

Motion carried.

20. DISCRETIONARY EXEMPTION APPROVED – PERSONAL OR PROFESSIONAL SERVICE – PRECINCT 3

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 engineering services for widening of Woodlands Parkway and left turn lane extension on Kuykendahl Road in the amount of \$98,000.00 from Fisher & Arnold, Inc. for Precinct 3. Motion carried.

21. CHANGE ORDER APPROVED – TRIPLE B SERVICES – PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve Change Order #1 to Triple B Services, LLP for Rayford Road at IH 45 intersection improvements for additional traffic control items in the amount of \$66,655.23 and increase the contract time of two days for Precinct 3. Motion carried.

COMMISSIONER NOACK ASKED ABOUT FUNDING FOR BIRNHAM WOODS DRIVE PROJECT (PORTION OF MOTION 19). THE COUNTY AUDITOR ANSWERED THE QUESTIONS AND THEY WILL DISCUSS THE ISSUE OVER THE COURSE OF THE NEXT MONTH TO SEE HOW THE EXPENDITURES COME OUT OF THE BOND PROJECTS AND SEE WHAT DIRECTION TO PURSUE.

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

22. REQUEST APPROVED – END NEGOTIATIONS – MCCD

Motion by Commissioner Clark, seconded by Commissioner Meador, to approve ending negotiations with highest evaluated vendor and begin negotiations with the second

highest evaluated vendor for CSP-Empowerment Resource Center-Remodel Warehouse for MCCD. Motion carried.

23. RESOLUTION AND ORDER APPROVED – INTERLOCAL AGREEMENT – COUNTY ATTORNEY – REAL PROPERTY – PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Noack, to approve the Interlocal Agreement for the repair and replacement of Rosehill-Decker Prairie Road Bridge (also known as Decker Prairie-Rosehill Road Bridge) between Montgomery County and Harris County. County Judge is authorized to execute the agreement on behalf of Montgomery County. The County Attorney stated that Montgomery County's portion is approximately \$73,257.67 and Motion carried.

COUNTY ATTORNEY STATED THAT HE DID NOT KNOW IF THIS ITEM NEEDED A FUNDING SOURCE AND COMMISSIONER RILEY STATED THAT IT WOULD BE FUNDED FROM THE PRECINCT 2 BUDGET.

24. AMENDMENT APPROVED – WESTWOOD MAGNOLIA PARKWAY – COUNTY ATTORNEY – REAL PROPERTY – PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the First Amendment to Interlocal Agreement for regional road improvements between Montgomery County and Westwood Magnolia Parkway Improvement District regarding Honea Egypt Lane. Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 20A1: CONSIDER AND APPROVE THE PARTIAL REVISION TO LOTS 229 AND 230, BLOCK 69, OF WALDEN ON LAKE CONROE SECTION FIFTEEN, TO BE KNOWN AS WALDEN ON LAKE CONROE SECTION 15, REPLAT #2.

AGENDA ITEM 20B1: CONSIDER AND APPROVE THE PARTIAL REVISION TO ALL OF UNRESTRICTED RESERVE "B", GRAND LAKE ESTATES SECTION 3, AMENDING PLAT, AND ALL OF UNRESTRICTED RESERVE "A", GRAND LAKE ESTATES SECTION 4, AMENDING PLAT, TO BE KNOWN AS GRAND LAKE ESTATES SECTION 12.

AGENDA ITEM 20B2: CONSIDER AND APPROVE THE PARTIAL REVISION TO ALL OF A 20.3926 ACRE TRACT, AND ALL OF A 0.1274 ACRE TRACT IN THE A.W. SPRINGER SURVEY, A-490, ALSO BEING A PARTIAL REPLAT OF A PORTION OF LOTS 27, 28 AND 35, AND ALL OF LOTS 29-34, BLOCK 2, AND A PORTION OF LOTS 60 AND 61, BLOCK 3, AND A PORTION OF WHITE OAK DRIVE AND OAK ARBOR DRIVE IN LAKEWOOD ESTATES, SECTION ONE, TO BE KNOWN AS THE FOUNTAINS AT JACOBS RESERVE SECTION TWO.

THE PUBLIC HEARING ON ITEM 20B2 WAS RECESSED UNTIL A LATER DATE BECAUSE THE HOA HAS NOT RESPONDED AT THIS TIME.

AGENDA ITEM 20C1: CONSIDER AND APPROVE CHANGING THE NAME OF LAKE SHADOWS DRIVE TO BLOOMING FIELD LANE NORTH OF KENDAL RIDGE LANE IN MEADOWS AT IMPERIAL OAKS RECREATIONAL RESERVE.

THERE BEING NO COMMENTS FROM THE PUBLIC, THE PUBLIC HEARING ON AGENDA ITEMS 20A1, 20B1, AND 20C1 WAS CONCLUDED AND THE PUBLIC HEARING FOR AGENDA ITEM 20B2 WAS RECESSED UNTIL A LATER DATE. COMMISSIONERS COURT RECONVENED.

25. REQUEST APPROVED – STREET NAME CHANGE – COMMISSIONER PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve the name change of Lake Shadows Drive to Blooming Field Lane north of Kendal Ridge Lane in Meadows at Imperial Oaks Recreational Reserve. Motion carried.

26. REQUEST APPROVED – POSITION CHANGES – COMMISSIONER PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the following position changes:

- Close Position 613-4213-3 Admin. Assist. I  
Open Position 613-8550-1 Administrative Manager I At \$53,366/Annual  
Transfer all funding and benefits from 613-4213-3 to 613-8550-1  
Transfer additional \$7470.17 salary (plus associated benefits) from 613-7340 to 613-8550-1
- Close Position 613-4213-2 Admin. Assist. I  
Open Position 613-4229-1 Admin Assist II at \$48,000/Annual  
Transfer all funding and benefits from 613-4213-2 to 613-4229-1  
Transfer additional \$ 7175.76 salary (plus associated benefits) from 613-7340 to 613-4229-1
- Open Position 613-3404-1 Superintendent At \$ 52,366/Annual  
Transfer \$52,366 salary (plus associated benefits) from 613-7340 to 613-3404-1
- Transfer \$5360.50 salary (plus associated benefits) from 613-7340 to Position 613-3107-1 Recycle Tech I

Motion carried.

27. GRANT ACCEPTED – LIP GRANT – COMMISSIONER PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Meador, to accept the 2016-2017 Intelligent Transportation System Network Upgrade LIP Grant for Commissioner Precinct 3. FY16 funds in the amount of \$10,017.57 and FY 17 funds in the amount of \$75,481.68 for a total amount of \$85,499.25. Motion carried.

AGENDA ITEM 21B2 – A PRESENTATION WAS MADE CONCERNING THE ANIMAL SHELTER. CHARLES JACKSON, ANIMAL SHELTER DIRECTOR , WAS INTRODUCED AND HE WENT OVER THE MISSION, VISION, AND CORE VALUES OF THE SHELTER.

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

28. REQUEST APPROVED – VACATION PAY – COMMISSIONER PRECINCT 4

Motion by Commissioner Clark, seconded by Commissioner Meador, to approve the vacation pay as follows:

- 17 hours vacation pay for employee #08575.
- 50 hours vacation pay for employee #08716.
- 75 hours vacation pay for employee #09446.
- 75 hours vacation pay for employee #03756.
- 135 hours vacation pay for employee #02053.

Funding for these salary payoffs and associated benefits will be from 615-7340 to appropriate salary line items. Motion carried.

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

29. RESOLUTION AND ORDER APPROVED – CHANGE ORDER/SUPPLEMENT – MONTGOMERY COUNTY TOLL ROAD AUTHORITY

Motion by Director Meador, seconded by Director Riley, to approve Change Order No. 1 to the Agreement and PO no. 2016265 between Montgomery County Toll Road Authority and The Muller Group to increase the scope of work under the agreement to provide additional services outside of the initial scope of work of the contract. Motion carried.

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 551.071 and 551.072.**

EXECUTIVE SESSION – AGENDA ITEM 23A: CONSIDER AND DISCUSS A PROPERTY SETTLEMENT AGREEMENT RELATING TO CLAIM NO. A-16-0039. (SECTION 551.071)

EXECUTIVE SESSION – AGENDA ITEM 23B: CONSIDER AND DISCUSS CASE NO. 1:16-CV-1181 (USDC - E.D.TEX.) LARRY RAY SWEARINGEN v. SHARON KELLER, ET AL. (SECTION 551.071)

EXECUTIVE SESSION – AGENDA ITEM 23C: CONSIDER AND DISCUSS CASE NO. 4:16-CV-3357 (USDC - S.D.TEX.) BRIAN ORTIZ v. MONTGOMERY COUNTY, ET AL. (SECTION 551.071)

EXECUTIVE SESSION – AGENDA ITEM 23D: CONSIDER AND DISCUSS PURCHASE, EXCHANGE, LEASE OR VALUE OF CERTAIN REAL PROPERTY (SECTION 551.072).

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

30. RESOLUTION AND ORDER APPROVED – CLAIM NO. A-16-0039 – EXECUTIVE SESSION

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the settlement of the claim AmTrust North America-Dallas as agent for Security National Insurance Company. Montgomery County will pay \$10,535.00 in exchange for a full and final release of claims for property damage. A funding source was not named at this time. Motion carried.

31. RESOLUTION AND ORDER APPROVED – CLAIM NO. C-16-0134 – EXECUTIVE SESSION

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve a Resolution and Order supporting the need for the Montgomery County Attorney's Office to defend Barbara Adamik and Tommy Gage only in the lawsuit filed under Cause No. 1:16-cv-1181 and styled Larry Ray Swearingen v. Keller, et al in the United States District Court for the Western District of Texas-Austin Division. The County Attorney is authorized to incur expenses as necessary for the proper defense and negotiation of said case with funding of said expenses from the Risk Management budget with approval of the Director of Risk Management or designee. Motion carried.

32. RESOLUTION AND ORDER APPROVED – CLAIM NO. C13-0109 – EXECUTIVE SESSION

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve a Resolution and Order supporting the need for the Montgomery County Attorney's Office to defend Brett Ligon, Phil Grant, Tiana Sanford and Montgomery County, Texas in lawsuit filed under Cause No. 4:16-cv-3357 and styled Brian Ortiz v. Montgomery County, Texas, Brett Ligon, Phil Grant, and Tiana Sanford in the United States District Court for the Southern District of Texas-Houston Division. The County Attorney is authorized to incur expenses as necessary for the proper defense and negotiation of said case with funding of said expenses from the Risk Management budget with approval of the Director of Risk Management or designee. Motion carried.

CITIZENS – AGENDA ITEM 25

No citizens addressed the court at this time.

AGENDA ITEM 26 – MISCELLANEOUS

COMMISSIONER NOACK ANNOUNCED THAT ANY OTHER ELECTED OFFICIALS THAT HAVE VACATION PAYOUT REQUESTS SHOULD BRING THEM TO COMMISSIONERS COURT ON DECEMBER 20.

COMMISSIONER NOACK ANNOUNCED THAT THE WOODLANDS HIGH SCHOOL FOOTBALL TEAM WOULD BE PLAYING IN THE STATE PLAY OFFS ON SATURDAY AT 8:00 P.M.

COMMISSIONER CLARK ANNOUNCED THAT SUNDANCE HEAD WAS PERFORMING IN THE FINALS OF THE VOICE AND ENCOURAGED EVERYONE TO SUPPORT HIM.

JUDGE DOYAL WISHED EVERYONE A MERRY CHRISTMAS AND ANNOUNCED THAT THERE WOULD BE ONE MORE COMMISSIONERS COURT SESSION THIS YEAR. HE ALSO SAID ANY GOOD NEWS WOULD BE WELCOMED.

AGENDA ITEM 27 – COURT ADJOURNS

JUDGE DOYAL ADJOURNED THE COURT AT THIS TIME.

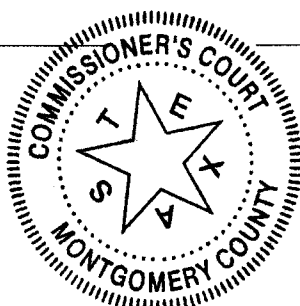
The above and foregoing minutes were read and approved by the Court.

ATTEST:

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

*Mark Turnbull*

BY: \_\_\_\_\_  
COUNTY CLERK



*Greg Doyal*  
\_\_\_\_\_  
COUNTY JUDGE