

COMMISSIONERS COURT DOCKET

January 10, 2017
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 10th day of January, 2017, the Honorable Commissioners Court of Montgomery County, Texas, was duly convened in a Regular Session in the Commissioners Courtroom of the Alan B. Sadler Commissioners Court Building, 501 North Thompson, Conroe, Texas, with the following members of the Court present:

County Judge	Craig Doyal
Commissioner, Precinct 1	Mike Meador
Commissioner, Precinct 2	Charlie Riley
Commissioner, Precinct 3	James Noack
Commissioner, Precinct 4	Jim Clark
Also County Clerk's Office	Amber Twiddy

INVOCATION GIVEN BY Don Fullen

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.

AGENDA ITEM 7A – MONTGOMERY COUNTY EMPLOYEES COMMITTEE

BRUCE GUSLER PRESENTED MIGUEL SANCHEZ WITH JUVENILE PROBATION
EMPLOYEE OF THE MONTH FOR JANUARY 2017.

2. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the Minutes from Regular Session of Commissioners Court dated December 13, 2016. 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 December 20, 2016. Motion carried.

4. RESOLUTION AND ORDER APPROVED – CONSENT AGENDA – AGENDA ITEMS
9A-O

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

COUNTY AUDITOR – AGENDA ITEMS 9A1-3

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

A2. BUDGET AMENDMENTS FY16 APPROVED:

- a. Adult Probation: To adjust line items.
- b. County Attorney Title IVE Grant: To transfer funds for Title IV-E grant for County Attorney for QRT ending 9/30/16.
- c. FEMA-DR-4272-TX: To set-up budget for labor for 4272 Cat-C (CAT-C-DR), set-up budget for DAC for 4272 Cat-C(CAT-C-DR), set-up budget for labor for 4272 Cat-A(CAT-A-DR), set-up budget for DAC for 4272 Cat-A (CAT-A-DR), set-up budget for labor for 4272 Cat-B(CAT-B-DR), set-up budget for DAC for 4272 Cat-B (CAT-B-DR), set-up budget for Sawdust Bridge (Cat-C-PW), set-up additional budget for Cat C PW materials (CAT-C-PW), and adjust line items.
- d. Juvenile Foster Care Title IV-E/16: To adjust line items.
- e. MCTRA: To recognize and allocate toll revenue April 2016, May 2016, June 2016, July 2016, August 2016, and September 2016.
- f. Mental Health: To adjust line items.
- g. Sheriff-Auto Theft YR 23: To adjust line items and adjust line items for additional Walker County match.
- h. Sheriff-PSAP Telecom: To de-obligate unspent PSAP Improvement funding awarded by MCECD and recognize and allocate PSAP Improvement match funding.

A3. BUDGET AMENDMENTS FY17 APPROVED:

- a. 410th District Court: To reverse budget adjustment for 410th District Court to comply with county policy and LGC 130.908 limiting expenditures to 25% of FY 2017 budget M31/01.14.13.
- b. Airport: To transfer funds for purchase of laptop and wireless service as approved M9/12.20.16.
- c. Animal Shelter-Petco Grant: To record and allocate Fy17 grant as awarded by the Petco Foundation M12/12.20.16.
- d. Commissioner Precinct 2: To fund position changes as approved M26/12.13.16 and fund work at the recycle center.
- e. Commissioner Precinct 3: To adjust line items and transfer two positions from Commissioner Precinct 3 to the Sheriff's Department as approved M2/12.20.16.
- f. Commissioner Precinct 4: To fund vacation payoffs as approved M28/12.13.16 and allocate funds for the Friendship Center Equipment Grant as awarded by EMCID M2/12.20.16.
- g. Constable Precinct 1: To recognize and allocate revenue and reverse budget adjustment for Constable Precinct 1 to comply with the county policy and LGC 130.908 limiting expenditures to 25% of FY 2017 budget M31/01.14.13.
- h. Constable Precinct 2: To purchase VPN token.

- i. Constable Precinct 3: To purchase VPN tokens, fund new position 5531.6022.3 as approved M7/12.20.16 and recognize and allocate revenue.
- j. Constable Precinct 4: To allocate funds for the Inflatable Boat Motor Grant as awarded by EMCID M8/12.20.16, allocate funds for the 1981 Explorer Boat Motor Grant as awarded by EMCID M8/12.20.16, recognize and allocate revenue, and transfer funds for two livestock deputies transferred from Constable Pct. 4 to the Sheriff's Department as approved M6/12.20.16.
- k. Constable Precinct 5: To transfer positions and funds for two livestock deputies transferred from Constable Pct. 5 to the Sheriff's department as approved M6/12.20.16.
- l. County Auditor: To transfer funds for build.
- m. County Clerk: To adjust line items.
- n. County Court at Law No. 2: To fund position change as approved M11/12.13.16.
- o. County Extension: To recognize and allocate revenues.
- p. County Judge: To adjust line items, recognize and allocate FY17 grant application with TCEQ for LIRAP Local Initiative Project (M9/10.13.15) and set-up "Intelligent Transportation Network Upgrade" Project for the LIP Grant from TCEQ M27/12.13.16.
- q. FEMA-DR-4272-TX: To set-up budget for DAC for 4272 Cat-C (CAT-C-DR), set-up budget for DAC for 4272 Cat-B(CAT-B-DR), and set-up budget for DAC for 4272 Cat-A (CAT-A-DR).
- r. Justice Court Technology Fund: To recognize and allocate revenue to fund technology purchases for Justice of the Peace Pct 3 as approved M6/12.13.16, recognize and allocate revenue to fund purchase of fax machine for Justice of the Peace Pct 4 as approved M6/12.13.16, and recognize and allocate revenue to fund purchase of printer and scanner for Justice of the Peace Pct 2 as approved M6/12.13.16.
- s. MCTRA: To recognize and allocate April 2016 Third Party Fees, May 2016 Third Party Fees, June 2016 Third Party Fees, July 2016 Third Party Fees, August 2016 Third Party fees, September 2016 Third Party Fees, and adjust line items.
- t. Memorial Library: To set up Family Place Libraries grant from TSLAC M14/11.22.16 and adjust line items.
- u. Sheriff: To adjust line items, recognize and allocate revenue, and reverse budget adjustment for Sheriff to comply with county policy and LGC 130.908 limiting expenditures to 25% of FY 2017 budget M31/01.14.13.
- v. Sheriff-Auto Theft YR 23: To adjust line items.
- w. Sheriff-US Marshals-JLEO: To set up US Marshalls-JLEO contract as approved by CCT M13/12.13.16.

TREASURER – AGENDA ITEMS 9B1-4

B1. MONTHLY INVESTMENT REPORT APPROVED for December 2016.

- B2. THE PLEDGES AND/OR RELEASES OF COLLATERAL REPORT APPROVED.
- B3. WEEKLY INVESTMENTS REPORT APPROVED for the weeks ending December 23, 2016 and December 30, 2016.
- B4. STATEMENT OF BALANCES REPORT APPROVED for November 2016.

PURCHASING – AGENDA ITEMS 9C1-9

- C1. REQUEST APPROVED to rescind the renewal for remote administration of IBM AIX Systems with NoHup Corporation for IT. This was previously approved in Commissioners Court on 12/13/16.
- C2. RENEWALS AWARDED:
 - a. Autopsy transport services, storage services and the disposition of bodies of deceased paupers with Eickenhorst Funeral Services, LLC and McNutt-Brock Family Corporation for Various Departments. (Exercising the fifth of five renewal options)
 - b. Printing of letterhead stationary, envelopes and business cards with Bailey, Edward dba Montgomery County Printers for Various Departments. (Exercising the fifth of five renewal options)
 - c. Exterminating/pest control services with A All Animal Control for Various Departments. (Exercising the second of five renewal options)
 - d. Products and related services through the Interlocal Agreement with the Department Of Information Resources contract #DIR-TSO-2520 with Panasonic System Communications Company of North America and their reseller CDW Government, LLC and add amendment #4 for Various Departments. (Exercising the first of one renewal option)
 - e. Energy services with Choice Energy Services Retail, LP for Purchasing. (Exercising annual renewal options)
 - f. Moving of voting equipment with East End Transfer & Storage, Inc. for Elections. (Exercising the first of three renewal options)
 - g. Copying reproducibles with Arc Document Solutions, LLC for Various Departments. (Exercising the fifth of five renewal options)
- C3. CHANGE ORDERS APPROVED:
 - a. CO #1 to BSC Management, LTD for Copperhead Road clearing and grubbing for the lowering of overhead power lines to allow machinery access to job site in the amount of \$1,132.30 per prior county official approval for Precinct 2.
 - b. CO #1 to Nash Industries, Inc. for demolition of homes to add the point count of ACM on the first five houses and the remaining houses and for the removal and disposal of sink with asbestos containing material at 3022 in the amount of \$1,480.00 for Precinct 3.
- C4. DISCRETIONARY EXEMPTIONS APPROVED for a personal or professional service as authorized by Local Government Code §262.024(a)(4) as follows:
 - a. Addressing and GIS consulting services with LJA Engineering & Surveying, Inc. for IT.
- C5. PURCHASE APPROVED as authorized by Local Government Code §271.102 of one new Doosan G25P-5 LP Forklift with options including aluminum propane

tank from Associated Supply Company, Inc. through the Interlocal Agreement with BuyBoard contract #515-16 in the amount of \$23,448.27 for Precinct 2.

- C6. REQUEST APPROVED as authorized by Local Government Code §263.152 to declare miscellaneous items as salvage for Various Departments.
- C7. CONTRACT APPROVED as authorized by Local Government Code § 271.083 for products and related services through the State of Texas Department of Information Resources DIR contract #DIR-SDD-2210 with Anixter, Inc. effective through 09/10/17 with no renewal options for Various Departments.
- C8. PAYMENT AND PERFORMANCE BOND APPROVED from TAS Mechanical, Inc. dba Total Air Service, bond no. 4399304 in the amount of \$578,750.00, for replacement of existing DX HVAC system for Building Maintenance/Animal Shelter.
- C9. REQUEST APPROVED to transfer \$20,000.00 from the department head salary line to contract services for Purchasing.

RISK MANAGEMENT – AGENDA ITEM 9D1

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

<u>BOND</u>	<u>NAME/DEPT</u>	<u>AMOUNT</u>	<u>ACTION</u>
61237970	Prado, Eric L/Const Pct 4	\$5,000	Renew/Cont Cert
61244059	Bullinger, Jesse/Const Pct 4	\$5,000	Renew/Cont Cert
62306534	Bagwell, James/Fire Marshal	\$5,000	Renew/ Cont Cert
16072460	Crabtree, Boyd/Const Pct 1	\$5,000	Renew/Cont Cert
61944535	Bennett, Carolyn/Treasurer	\$25,000	Renew/Cont Cert
62296623	Bridges, Sean/Const Pct 3	\$5,000	Renew/Cont Cert
14795895	Dubose, Bryan/Const Pct 1	\$5,000	Renew/Cont Cert
15229663	Hedrick, Ashton/Const Pct 5	\$5,000	Renew/Cont Cert
61891606	Hanks, Tamara/Const Pct 5	\$5,000	Renew/Cont Cert
15486587	Roper, Steve/Const Pct 2	\$5,000	Renew/Cont Cert
15486584	Deforest, Gene/Const Pct 2	\$10,000	Renew
15230155	Ligon, Brett/District Attorney	\$5,000	Renew
15230226	Hayden, Kenneth/Const Pct 4	\$5,000	Renew
18047219	Hill, David/Const Pct 5	\$10,000	Renew
61541258	Lambright, J.D./County Attorney	\$5,000	Renew
61541238	Noack, James/Road & Bridge Comm Pct 3	\$5,000	Renew
61541219	Noack, James/Comm Pct 3	\$5,000	Renew
63001044	Henderson, Rand/Sheriff	\$30,000	New
61424436	Gable, Ryan/Const Pct 3	\$10,000	Rider/Bond Amount Increase
15345310	McRae, Tammy/Tax Assessor		Rider/Elected Position
15200605	Stewart, Keith/CCL 5		Rider/Elected Position
13741864	Meador, Mike/Comm Pct 1		Rider/Elected Position
13741863	Meador, Mike/Comm Pct 1		Rider/Elected Position
63007113	Cash, Philip/Const Pct 1	\$10,000	New

COMMISSIONERS – AGENDA ITEMS 9E1-2

E1. PRECINCT 3

- a. REQUEST APPROVED for use of the South Regional Library and South County Community Center for a community blood drive by the Gulf Coast Regional Blood Center on January 13, 2017 and future dates as authorized by the Commissioner Precinct 3.

E2. PRECINCT 4

- a. CHECK ACCEPTED in the amount of \$1,104.31 from Montgomery County Emergency Services District No. 7 for the purchase of fuel. This will be deposited into line item no. 615-7926. Check has been forwarded to the Auditor for further processing.
- b. USE AGREEMENT APPROVED with Kingwood Alliance Soccer Club to use the soccer fields at Bull Sallas Park for practices as scheduled by EMCSA through December 31, 2017.
- c. USE AGREEMENT APPROVED with Texas Strike Force to use the softball and baseball fields at Bull Sallas Park and Ipes Road Park for practices as scheduled by EMCSA through December 31, 2017.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9F1-2

F1. PRECINCT 2

- a. REQUEST APPROVED to acknowledge the correct spelling of Keehan Road in the Hideaway Estates Subdivision.
- b. STREET ACCEPTED INTO THE COUNTY MAINTENANCE SYSTEM as follows: Sandra Dee Road from F.M. 1486 to 1,100 feet west.

F2. PRECINCT 3

- a. STREET ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM as follows: Gosling Road Southbound Lanes from Flintridge to Village of Indian Springs, Section 31.
- b. STREET ACCEPTED INTO THE ONE YEAR MAINTENANCE SYSTEM as follows: High Timbers Drive from Lake Front Circle to Grogan's Mill Road.
- c. FINAL PLAT APPROVED of Falls at Imperial Oaks, Section 22; 46.555 acres; Timothy O'Neil Survey, A-406.
- d. FINAL PLAT APPROVED of Spring Forest Section 2 Partial Replat No. 1; 2.125 acres; Montgomery County School Land Survey, A-350.
- e. FINAL PLAT APPROVED of Aldine Westfield Self Storage, Section 2; 10.10 acres; Montgomery County School Land Survey, A-350.
- f. FINAL PLAT APPROVED of Spring Forest, Section 1 Partial Replat No. 1; 1.3430 acres; Montgomery County School Land Survey, A-350.

HUMAN RESOURCES – AGENDA ITEM 9G1

G1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of 418th District Court to place Kathryn Davis Aaron, Court Reporter, on payroll as replacement for Jill Driscoll, effective January 1, 2017.

Request of 418th to place Scharlene Overstreet, Associate Judge Family Law, on payroll as replacement for Jennifer Robin, effective January 1, 2017.

Request of Animal Shelter to increase salary of Amber Curran, Kennel Technician, due to completion of probationary period, effective December 31, 2016.

Request of Animal Shelter to increase salary of Kelly Duprey, Kennel Technician, due to completion of probationary period, effective December 31, 2016.

Request of Animal Shelter to discharge Gerald Friedsam, Kennel Technician, effective December 23, 2016. [3.00 hours or balance compensatory time]

Request of Animal Shelter to change status of Felechia Goodman, Kennel Technician, from part-time to full-time as replacement for Sara Fairchild, effective December 31, 2016.

Request of Animal Shelter to discharge Rylee Isbell, Kennel Technician, effective December 27, 2016. [No benefits due]

Request of Animal Shelter to accept the resignation of Skye Kurtz, Kennel Technician, effective December 20, 2016. [No benefits due]

Request of Animal Shelter to change status of Trevonte Pratt, Kennel Technician, from part-time to full-time as replacement for Gerald Friedsam, effective December 31, 2016.

Request of Animal Shelter to place Donna Wilson, Kennel Technician, on payroll as replacement for Rylee Isbell, effective December 31, 2016.

Request of Commissioner Precinct 1 to accept the resignation of Michael G. Mock, Operator I, effective January 11, 2017. [61.60 hours or balance vacation]

Request of Commissioner Precinct 1 to discharge Michael Thomas Wiese, Laborer, effective December 16, 2016. [3.08 hours or balance vacation]

Request of Commissioner Precinct 2 to promote JoAnne Moore, Administrative Manager I, effective December 17, 2016.

Request of Commissioner Precinct 2 to transfer Paige Pangarakis, Administrative Assistant II, from Sheriff, effective January 1, 2017.

Request of Commissioner Precinct 3 to discharge Brent Brown, Operator I, effective December 29, 2016. [42.56 hours or balance vacation]

Request of Constable Precinct 1 to place Philip Cash, Constable, on payroll as replacement for Donnie O. Chumley, effective January 1, 2017.

Request of County Attorney to place Kendra Suhling, Attorney III, on payroll as replacement for M. Brumberger, effective January 2, 2017.

Request of County Clerk to accept the retirement of Johnny C. Deavours, Clerk IV, effective February 28, 2017. [213.225 hours or balance vacation]

Request of District Attorney to increase salary of Christopher G. Carlton, Court Clerk IV, due to job re-evaluation, effective January 14, 2017.

Request of District Attorney to place Sydni Connell, Attorney I, on payroll as replacement for Neel Kapur, effective January 3, 2017.

Request of District Attorney to increase salary of Shannon E. Jackson, Court Clerk IV, as approved in Commissioners Court 12/13/2016, effective January 14, 2017.

Request of District Clerk to increase salary of Karen Cantrell, Court Clerk II, due to completion of probationary period, effective January 9, 2017.

Request of District Clerk to increase salary of Elizabeth Casso, Part-time Clerk, due to completion of probationary period, effective January 9, 2017.

Request of District Clerk to increase salary of Beth Gillett, Court Clerk II, due to completion of probationary period, effective December 19, 2016.

Request of District Clerk to place Amanda Hernandez, Court Clerk II, on Unpaid FMLA/Disability Leave, effective December 21, 2016.

Request of District Clerk to accept the resignation of Thomas Hollingsworth, Court Clerk II, effective December 7, 2016.[No benefits due]

Request of District Clerk to change status of Dixie Webb, Court Clerk II, from part-time to full-time as replacement for Thomas Hollingsworth, effective December 19, 2016.

Request of Juvenile to place Nikki Marie Blackburn, Juvenile Probation Officer, on Unpaid FMLA/Disability Leave, effective December 16, 2016.

Request of Juvenile to promote Alex Avila Flores Jr., Juvenile Probation Officer, as replacement for Jessica Jerrell, effective January 14, 2017.

Request of Juvenile to discharge Creisha Wynette Lewis-Cotton, Juvenile Supervision Officer, effective January 13, 2016. Is not eligible for re-hire.[No benefits due]

Request of Library to place Evette Lamont, Library Assistant II, on payroll as replacement for Erin Denbina, effective January 3, 2017.

Request of Library to place Charity Martin, PT Reference Librarian, on payroll as replacement for Lisa Cammack, effective January 3, 2017.

Request of Sheriff to promote Allison Allen, Captain-Sheriff, effective January 1, 2017.

Request of Sheriff to promote Richard K. Anderson, Lieutenant-Crime Lab, as replacement for Damon Hall, effective January 1, 2017.

Request of Sheriff to promote Jack Armstrong, Sergeant-Detectives, as replacement for Jeffrey Scott Spencer, effective January 1, 2017.

Request of Sheriff to promote Jody M. Armstrong, Sergeant-Patrol, as replacement for Johnathan Edd West, effective January 1, 2017.

Request of Sheriff to transfer David Joseph Borchardt, Corporal-Patrol, from Corporal-Training, effective January 1, 2017.

Request of Sheriff to place Timothy Cannon, Lieutenant-SIU, on payroll as replacement for Philip Cash, effective January 1, 2017.

Request of Sheriff to place Aaron Bryan Carlisle, Captain-Sheriff, on payroll as replacement for Ronnie Dean Silvio, effective January 1, 2017.

Request of Sheriff to accept the resignation of Philip George Cash, Lieutenant-SIU, effective December 31, 2016. [31.64 hours or balance vacation; 480.00 hours or balance compensatory time]

Request of Sheriff to promote Oliver R. Coward, Captain-Sheriff, as replacement for David T. Moore Jr., effective January 1, 2017.

Request of Sheriff to increase salary of Burdette Leroy Deyo Jr., Mechanic III, due to job re-evaluation, effective January 1, 2017.

Request of Sheriff to transfer David Dottei, Lieutenant, from Town Center Sub Unit to Sheriff, effective January 1, 2017.

Request of Sheriff to promote Elizabeth Anne Dunlap, Adm Assistant 2, effective January 1, 2017.

Request of Sheriff to promote Kenneth H. Dunlap, Sergeant-Patrol, as replacement for Felicia Webb, effective January 1, 2017.

Request of Sheriff to transfer Randal Eaves, Lieutenant Patrol, from Sheriff to Autotheft YR 23 as replacement for Joseph Sclider, effective January 1, 2017.

Request of Sheriff to promote Michael Darrell Evans, Corporal-Patrol, effective January 1, 2017.

Request of Sheriff to promote Cornelia Fain, Telecom Records Specialist, effective January 1, 2017.

Request of Sheriff to promote Leslie A. Fields, Coordinator-Payroll, effective January 1, 2017.

Request of Sheriff to promote Melvin W. Franklin, Captain-Sheriff, as replacement for Rand M. Henderson, effective January 1, 2017.

Request of Sheriff to promote Donald R. Golsby, Sergeant-Academy, as replacement for James Hook, effective January 1, 2017.

Request of Sheriff to promote Michelle K. Green-Wallace, Admin Manager 1, as replacement for Paige Pangarakis, effective January 1, 2017.

Request of Sheriff to transfer Jerry Guion, Sergeant-Patrol, effective January 1, 2017.

Request of Sheriff to increase salary of Jennifer Renee Heimer, Asst Finance Manager, due to job re-evaluation, effective January 1, 2017.

Request of Sheriff to accept the resignation of Rand M. Henderson, Captain-Sheriff, effective December 31, 2016.[108.445 hours or balance vacation]

Request of Sheriff to place Rand M. Henderson, Sheriff, on payroll as replacement for Thomas Gage, effective January 1, 2017.

Request of Sheriff to promote Timothy Bryan Holifield, Lieutenant-Patrol, effective January 1, 2017.

Request of Sheriff to promote Gwendolynn Holmes, Office Supervisor 1, effective January 1, 2017.

Request of Sheriff to promote James Hook, Lieutenant-Academy, as replacement for Kenneth Culbreath, effective January 1, 2017.

Request of Sheriff to place James Hulse, Corporal-Training, on payroll as replacement for Donald Golsby, effective January 7, 2017.

Request of Sheriff to promote Jamie E. Hurt, Finance Assistant, effective January 1, 2017.

Request of Sheriff to accept the resignation of Tosha Hyde, Clerk IV-Detectives, effective December 30, 2016. [28.5 hours or balance vacation; 4.88 hours or balance compensatory time]

Request of Sheriff to transfer Jermaine Dashion Jenkins, Sergeant-DIU, from Town Center Sub-Unit to Sheriff, as replacement for Philip Schumpe, effective January 1, 2017.

Request of Sheriff to promote Denise Ann Jimenez, Manager-Communications, effective January 1, 2017.

Request of Sheriff to promote Billy J. Jordan, Sergeant-Detention, effective January 1, 2017.

Request of Sheriff to accept the resignation of Robert E. Layman, Deputy Patrol, effective December 31, 2016. [360.00 hours or balance vacation; 452.50 hours or balance compensatory]

Request of Sheriff to increase salary of Larry G. Lowry, Radio Systems Manager, due to job re-evaluation, effective January 1, 2017.

Request of Sheriff to correct salary of Jimmy Malmay, Lieutenant Detention, due to 2017 salary upload being incorrect, effective October 8, 2016.

Request of Sheriff to promote Jimmy Edgar Malmay, Captain-Sheriff, as replacement for Bruce A. Zenor, effective January 1, 2017.

Request of Sheriff to promote Leslie M. McCauley, Sergeant-CSI, as replacement for Richard Anderson, effective January 1, 2017.

Request of Sheriff to place Langston McKelvy, Sergeant-Patrol, on payroll as replacement for Andrew Swank, effective January 1, 2017.

Request of Sheriff to promote Camara Denise McWashington, Adm Addistant 1, as replacement for Melissa Vela, effective January 1, 2017.

Request of Sheriff to promote Ashley M. Mellon, Corporal-Recruiting, effective January 1, 2017.

Request of Sheriff to accept the resignation of Michael Moote, Officer Civilian Detention, effective December 31, 2016. [96.36 hours or balance vacation; 200.13 hours or balance compensatory time]

Request of Sheriff to place Khyla Moreland, Officer Civilian Detention, on payroll as replacement for Carl Blanton III, effective December 31, 2016.

Request of Sheriff to transfer Stephen L. Mullis, Detective-SIU, as replacement for Jack Armstrong, effective January 1, 2017.

Request of Sheriff to promote Jonathan Kevin Ray, Captain-Sheriff, effective January 1, 2017.

Request of Sheriff to promote Bethany Kay Rivera, Office Supervisor 1, effective January 1, 2017.

Request of Sheriff to increase salary of James Anthony Russell, Adm Assistant I, due to job re-evaluation, effective January 1, 2017.

Request of Sheriff to increase salary of Kimberly Ann Schuessler, HR Specialist II, due to job re-evaluation, effective January 1, 2017.

Request of Sheriff to promote Philip W E Schumpe, Lieutenant-Detention, effective January 1, 2017.

Request of Sheriff to transfer Joseph Sclider, Lietenant-CID, from Autotheft YR 23 to Sheriff, as replacement for Melvin Franklin, effective January 1, 2017.

Request of Sheriff to promote Jeffrey "Scott" Spencer, Lieutenant, as replacement for Jonathan Ray, effective January 1, 2017.

Request of Sheriff to promote Kerri Lynn Stowe, Sergeant-Detention, as replacement for Ollie Coward, effective January 1, 2017.

Request of Sheriff to accept the resignation of Cassandra Strong, Officer Civilian Detention, effective January 2, 2017. [No benefits due]

Request of Sheriff to increase salary of John Morris Taylor, Maintenance Tech III, due to job re-evaluation, effective January 1, 2017.

Request of Sheriff to increase salary of Carol Ann Thompson, Manager-Finance, due to job re-evaluation and equity adjustment, effective January 1, 2017.

Request of Sheriff to promote Kimberly Cheri Toal, Finance Assistant, effective January 1, 2017.

Request of Sheriff to promote Meghan Van Ham, Adm Assistant I, effective January 1, 2017.

Request of Sheriff to promote Melissa Vela, Adm Assistant 2, effective January 1, 2017.

Request of Sheriff to promote Felicia Lyn Webb, Lieutenant-Detention, as replacement for Jimmy Malmay, effective January 1, 2017.

Request of Sheriff to transfer Gary Welch, Lieutenant, from Walden Sub Unit to Sheriff, effective January 1, 2017.

Request of Sheriff to transfer Johnathan Edd West, Sergeant-Patrol, from Town Center Sub-Unit to Sheriff as replacement for Timothy Holifield, effective January 1, 2017.

Request of Sheriff to promote Jessica Dawn Wright, Supervisor-Property & Evidence, effective January 1, 2017.

Request of Sheriff to accept the retirement of Bruce Zenor, Captain Sheriff, effective December 31, 2016. [224.685 hours or balance vacation]

Request of Tax Assessor-Collector to remove Traci A. Carr, Deputy Specialist I, from payroll due to job abandonment, effective December 22, 2016.[No benefits due]

Request of Tax Assessor-Collector to accept the resignation of Rachel Rae Stewart, Deputy Specialist I, effective December 22, 2016. Is eligible for rehire. [36.96 hours or balance vacation; 0.39 hours or balance compensatory time]

Request of Traffic Operations to accept the resignation of Paul Dupre, Signal Technician I, effective January 3, 2017. [3.67 hours or balance vacation]

- H1. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year floodplain located at 11581 Kirsten's Court Montgomery, Texas 77316.
- H2. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year floodplain located at 2849 Old Dobbin Road Montgomery, Texas 77316.
- H3. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year floodplain located at 16250 Westwood Drive Conroe, Texas 77302.

COUNTY ATTORNEY – AGENDA ITEM 9I1

- I1. RESOLUTION AND ORDER APPROVED supporting the need for the Montgomery County Attorney to defend, the lawsuit filed under Cause No. 4:16-CV-3479 and styled Trevor Pinder v. Brian Skero and Montgomery County, Texas. 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.

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

J1. PRECINCT 1

- a. RESOLUTION APPROVED requesting the Texas Department of Transportation to remove a portion of FM 830 in Montgomery County from the State Highway system and grant to Montgomery County to continue to operate as a non-tolled, non-fee public area.

J2. PRECINCT 2

- a. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase, and funding of the acquisition of Parcel 1 of the expansion of McCaleb Road from Carl T. Whaley for the total sum of \$10,531.36. 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 6134014.75985827.RD 2000010 to Old Republic Title for the benefit of Carl T. Whaley in the amount stated above.
- b. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase, and funding of the acquisition of Parcel 30C of the expansion of McCaleb Road from Robert E. Truly and Kaye K. Truly as trustees of the Robert E. Truly and Kaye K. Truly Revocable Living Trust for the total sum of \$207,328.36. 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 Robert E. Truly and Kaye K. Truly as trustees of the Robert E. Truly and Kaye K. Truly Truly Revocable Living Trust in the amount stated above.
- c. ORDER APPROVED authorizing notice of public hearing under Local Government Code 232.009 (c-1) for the revision to subdivision lots/plats known as 2.096 acres situated in the Thomas Taylor Survey, A-546, Precinct 2, also being out of a called 37 acre tract (Tract 1), a called 2 acre tract (Tract 4), a called 50 acre tract (Tract 9) and the remainder of Lots 1, 2, and 3 and all of Lots 60 and 61, Block 12, Westwood Three to be known as Aldi Magnolia. The purpose of the proposed replat is to create an Unrestricted Reserve. The public hearing is set for February 14, 2017.

- d. ADVANCE FUNDING AGREEMENT AMENDMENT #2 APPROVED between Montgomery County and Texas Department of Transportation for Wetlands and Stream Mitigation of SH 249.

J3. PRECINCT 3

- a. RESOLUTION AND ORDER TO PAY APPROVED for payment of fixed moving expenses in connection with the acquisition of Parcel 5 Lot 17 of the expansion of Rayford Road from Odilia Hernandez 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 Odilia Hernandez in the amount listed above.
- b. RESOLUTION AND ORDER TO PAY APPROVED for payment of fixed moving expenses in connection with the acquisition of Parcel 5 Lot 28 of the expansion of Rayford Road to Francisco Javier Vences Prado 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 Francisco Javier Vences Prado in the amount listed above.
- c. RESOLUTION AND ORDER TO PAY APPROVED for funding of rental assistance relating to the acquisition of Parcel 38 of the expansion of Rayford Road payable to Sean and Courtney Heckathorn in the amount of \$13,650.00. County Auditor and County Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to Sean and Courtney Heckathorn in the amount listed above.
- d. 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 60 being 0.03 acre (1,201 sq. ft.) parcel situated in the John Williams Survey, A-641.

COUNTY ATTORNEY – MENTAL HEALTH TREATMENT FACILITY – AGENDA ITEMS 9K1-3

- K1. MINUTES ACCEPTED of the November 15, 2016 Advisory Board Meeting.
- K2. QUARTERLY PERFORMANCE INDICATOR REPORT ACCEPTED for November 2016 as recommended by Montgomery County Mental Health Treatment Facility (MCMHTF) Advisory Board.
- K3. REQUEST APPROVED for the appointment of the following six radiologists as consultant medical staff which was reviewed by the Medical Executive Committee and approved by the Advisory Board:
 - a. Dr. John Nichols, Consultant Medical Staff Radiology for a 2 year appointment period.
 - b. Dr. Micheal Johnson, Consultant Medical Staff Radiology for a 2 year appointment period.
 - c. Dr. Reono Bertagnolli, Consultant Medical Staff Radiology for a 2 year appointment period.
 - d. Dr. Mark Merrymann, Consultant Medical Staff Radiology for a 2 year appointment period.
 - e. Dr. Anne Glaser, Consultant Medical Staff Radiology for a 2 year appointment period.
 - f. Dr. Pratul Patel, Consultant Medical Staff Radiology for a 2 year appointment period.

COUNTY CLERK – AGENDA ITEM 9L1

- L1. AMENDED RESOLUTION AND ORDER APPROVED stating that the January 7, 1985, January 14, 1985, and August 26, 1985 resolutions and orders are amended and modified to reflect the appointment of the Montgomery County Clerk, including any and all successors, as the Local Registrar of Births and Deaths for Justices of the Peace Precinct 1, 2, 3, 4, and 5 Registration Districts, in addition to the City of Conroe and all other qualified municipalities who adopt resolutions pursuant to section 191.023 of the Texas Health and Safety Code (or any amendment thereto).

DISTRICT CLERK – AGENDA ITEM 9M1

- M1. REQUEST APPROVED to allow the following non-profit organizations to receive juror donations in the year of 2017:
1. Local Child Welfare Fund
 2. Veterans Treatment Court
 3. Crime Victim's Compensation Fund
 4. New Danville
 5. Heritage Museum of Montgomery County
 6. Montgomery County Historical Commission
 7. Montgomery County Youth Services
 8. Operation Pets Alive!

EMERGENCY MANAGEMENT – AGENDA ITEM 9N1

- N1. APPLICATION APPROVED from Montgomery County to the Office of Governor (OOG) for the 2017 HSGP UASI Program, Various Projects. Darren Hess will be named as the authorized official for these grants through the OOG related to the Homeland Security Grants Program.

MENTAL HEALTH COURT SERVICES – AGENDA ITEM 9O1

- O1. MEMORANDUM OF UNDERSTANDING APPROVED between Montgomery County and Tri-County Behavioral Healthcare regarding Mental Health Court Services. This will not affect the FY2017 Budget.

Motion carried.

END OF CONSENT AGENDA

CITIZENS – AGENDA ITEM 10

Adrian Heath addressed the court concerning MUD 128. He does not want the MUD divided up into MUD 128a, 128b, and 128c.

AGENDA ITEM 11A – JUDGE DOYAL STATED THAT RICHARD TRAMM'S TERM ON THE LONE STAR GROUNDWATER CONSERVATION DISTRICT IS EXPIRING JANUARY 31, 2017 AND ASKED THE COMMISSIONERS TO BRING NAMES OF INDIVIDUALS THEY WISHED TO BE CONSIDERED FOR THE POSITION TO THE NEXT COMMISSIONERS COURT MEETING.

5. REQUEST APPROVED – POSITIONS CHANGES – CONSTABLE PRECINCT 1

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve closing position 5511.8910.1 Chief Deputy-Constable and opening position 5511.8555.1

Administrative Manager II with a salary of \$58,000.00 per year and a cell phone allowance of \$479.96. Motion carried.

6. REQUEST APPROVED –FUND TRANSFER– CONSTABLE PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Noack, to transfer \$10,485.67 salary and benefits from position 5511.8910.1 Chief Deputy-Constable to position 5511.7815.1 Captain-Constable. Motion carried.

7. REQUEST APPROVED – FUND TRANSFER – CONSTABLE PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Noack, to transfer \$58,000.00 salary and benefits and \$479.96 cell allowance from 5511.8910.1 Chief Deputy Constable to 5511.8555.1 Administrative Manager. Motion carried.

8. REQUEST APPROVED – FUNDS ON HOLD – CONSTABLE PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Noack, to hold the remaining funds of \$48,401.00 in line 5511.7102 and associated benefits until a review has been conducted of staffing needs. Motion carried.

9. REBATE CHECK ACCEPTED – BUYBOARD – PURCHASING

Motion by Commissioner Clark, seconded by Commissioner Meador, to accept the rebate check from the local government cooperative BuyBoard in the amount of \$35,107.06 to recognize Montgomery County's participation during the Fiscal Years 2015-2016 for Purchasing Department. This will be deposited into Contingency. County Clerk did not receive a check for this item. Motion carried.

10. DISCRETIONARY EXEMPTION APPROVED – PERSONAL OR PROFESSIONAL SERVICE – VARIOUS PRECINCTS

Motion by Commissioner Riley, 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. Geotechnical services for storm drainage and roadway on Community Drive with HTS, Inc. Consultants in the amount of \$3,951.00 for Precinct 4.
- b. Land surveying services for Mansions Way from FM 2978 West to Dobbin Huffsmith Road with Arborleaf Engineering and Surveying, Inc. in the amount of \$264,855.00 for Precinct 2.
- c. Engineering services for Mansions Way from FM 2978 to Dobbin Huffsmith Road with R.G. Miller Engineers, Inc. in the amount of \$264,477.00 for Precinct 2.

Motion carried.

AGENDA ITEM 13C – CONSIDER, DISCUSS AND TAKE APPROPRIATE ACTION ON THE IMPLEMENTATION OF AN INTERNAL ETHICS AND COMPLIANCE PROGRAM AS REQUESTED BY GRANTORS TO MEET REQUIREMENT FOR EXISTING AND PENDING GRANTS.

THE COURT DISCUSSED THIS ITEM, BUT NO ACTION WAS TAKEN AT THIS TIME. COUNTY JUDGE DIRECTED THE COUNTY ATTORNEY TO WORK WITH THE GRANTS ADMINISTRATOR TO GET A POLICY PUT TOGETHER TO BRING BACK TO THE NEXT COURT SESSION.

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

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 14A1: CONSIDER AND APPROVE ESTABLISHING A NO PARKING ZONE ON BOTH SIDES OF GREENFIELD FOREST DRIVE FROM FM 1488 TO 1000 FEET SOUTH OF FM 1488.

AMANDA VAN DYKE ADDRESSED THE COURT CONCERNING THE SAFETY ISSUES CAUSED BY THOSE PARKING ON THE SIDE ON THE ROAD.

AGENDA ITEM 14A2: CONSIDER AND APPROVE ORDER CLOSING, ABANDONING, AND VACATING A PORTION OF FIRST STREET RIGHT-OF-WAY.

AGENDA ITEM 14B1: CONSIDER AND APPROVE ESTABLISHING ALL-WAY STOP CONTROL AT THE TRIANGLE RIDGE DRIVE AND WOODRIDGE PARKWAY INTERSECTION.

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

11. REQUEST APPROVED – NO PARKING ZONE –PRECINCT 2

ORDER APPROVED – FIRST STREET RIGHT OF WAY – PRECINCT 2

REQUEST APPROVED – ALL WAY STOP CONTROL – PRECINCT 4

Motion by Commissioner Riley, seconded by Commissioner Clark, to approve the following items from the public hearing:

- a. “No Parking Zone” established on both sides of Greenfield Forest Drive from FM 1488 to 1000 feet south of FM 1488;
- b. Order approved closing, abandoning, and vacating a portion of First Street right-of-way; and
- c. “All Way Stop Control” established at the Triangle Ridge Drive and Woodridge Parkway Intersection.

Motion carried.

12. REQUEST APPROVED – DIVISION OF MUD NO. 128 – COMMISSIONER – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve a request from Schwartz, Page, and Harding for the division of Montgomery County Municipal Utility District No. 128 and the creation of the following:

- a. Montgomery County Municipal Utility District No. 128a,
- b. Montgomery County Municipal Utility District No. 128b, and
- c. Montgomery County Municipal Utility District No. 128c

Motion carried.

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

EXECUTIVE SESSION – AGENDA ITEM 16A: DISCUSS AND DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION AND DUTIES OF SELECTED PUBLIC EMPLOYEES.

COMMISSIONERS COURT RECONVENED WITH ALL MEMBERS PRESENT.

NO ACTION NECESSARY ON THE ITEMS FROM EXECUTIVE SESSION

CITIZENS – AGENDA ITEM 18

Paul Crowson addressed the court concerning drainage issues in the Allendale subdivision. He would like to know the progress that has been made.

Adrian Heath addressed the court on ethics. He passed out a book to the members of court titled “You Have the Right to Remain Innocent” and said a person should never be ashamed to use the 5th Amendment.

Eric Yollick presented a “golden hammer” to County Engineer Mark Mooney for the use of John Holzworth. He stated that John Holzworth is duplicating the job of the county engineer.

AGENDA ITEM19– MISCELLANEOUS – NO OTHER ITEMS LISTED

13. 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

