

SEP 12 2017

COMMISSIONERS COURT DOCKET
August 22, 2017
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 22nd day of August, 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.

2. PROCLAMATION APPROVED – AMERICAN PAYROLL ASSOCIATION

Motion by Commissioner Meador, seconded by Commissioner Riley, to proclaim the first full week of September 2017 as National Payroll Week in Montgomery County. Motion carried.

3. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the Minutes from Regular Session of Commissioners Court dated August 8, 2017. Motion carried.

4. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the Minutes from Public Hearing dated August 8, 2017. Motion carried.

AGENDA ITEM 9M2 WAS MOVED TO THE OPEN SESSION. SEE MOTION 6 FOR COURT ACTION.

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

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

COUNTY AUDITOR – AGENDA ITEMS 9A1-5

- A1. PAYMENT OF ACCOUNTS APPROVED, as submitted by the County Auditor.
- A2. BUDGET AMENDMENTS FY2017 APPROVED:
 - a. 9th District Court: To adjust line items.
 - b. 410th District Court: To adjust line items.
 - c. Animal Shelter: To adjust line items M11/07.25.17.
 - d. Building Maintenance: To adjust line items for help desk licenses.
 - e. Child Welfare: To adjust line items.
 - f. Commissioner Precinct 1: To adjust line items.
 - g. Commissioner Precinct 2: To adjust line items.
 - h. Commissioner Precinct 3: To adjust line items and recognize and allocate revenue.
 - i. Commissioner Precinct 4: To recognize and allocate revenue for Tram Road Park upgrade.
 - j. Constable Precinct 1: To adjust line items.
 - k. Constable Precinct 4: To recognize and allocate revenue and adjust line items.
 - l. Constable Precinct 5: To adjust line items and recognize and allocate revenue.
 - m. Contingency: To adjust line items for M14/07.25.17, M9/08.08.17, M10/08.08.17, M12/08.08.17, M13/08.08.17, and M14/08.08.17.
 - n. County Clerk: To adjust line items for M5/07.25.17.
 - o. Court Reporter: To adjust line items.
 - p. District Attorney: To adjust budget lines and recognize and allocate revenues M3/08.08.17.
 - q. Drug Court: To adjust line items.
 - r. Emergency Management: To adjust line items, adjust line items for 7/24/17 BA and correct initial budget.
 - s. Extension Agents: To adjust line items.
 - t. Forensics: To adjust line items.
 - u. Information Technology: To adjust line items.
 - v. J Corley Detention Facility: To recognize and allocate revenue for Joe Corley Detention Facility.
 - w. Justice of the Peace Precinct 1: To adjust line items.
 - x. Juvenile Probation: To set up "W" Grant as awarded by TJJD.

- y. Law Library: To adjust line items.
- z. MCCC: To adjust line items, and recognize and allocate PI received for Willis Building (PI-1.1), Lonestar Building (PI-1.2), Magnolia Building (PI-2.1), Mag Medical Building (PI-2.2), and Splendora Building (PI-4.1).
- aa. Mental Health Court Services: To adjust line items.
- bb. Office of Court Administration: To adjust line items.
- cc. Permits: To transfer funds for build.
- dd. Sheriff: To adjust line items for the purchase of a laptop for Sheriff, adjust line items, and recognize and allocate revenue.
- ee. Sheriff-Auto Theft: To recognize and allocate revenue.
- A3. MONTHLY UNAUDITED FINANCIAL REPORT ACCEPTED for the month of July, 2017.
- A4. COMPLETED AIRPORT EXIT AUDIT ACCEPTED.
- A5. COMPLETED VISUAL INSPECTION AUDIT ACCEPTED for Various Departments.

TAX ASSESSOR/COLLECTOR – AGENDA ITEMS 9B1-2

- B1. MONTHLY TAX COLLECTION REPORT ACCEPTED for month ending July 31, 2017.
- B2. ACCEPTANCE ACKNOWLEDGED of Rider for Surety Bond #2196213 for Kroger Texas LP, increasing bond from \$275,000.00 to 300,000.00. Montgomery County has no responsibility for payment of this bond.

PURCHASING – AGENDA ITEMS 9C1-11

- C1. CHANGE ORDERS APPROVED:
 - a. CO #5 to A All Animal Control of North Houston, LLC for project #2015-0023 exterminating/pest control services to add call out services for \$35.00 per treatment for Various Departments.
 - b. CO #1 to Nestle Waters North America dba Ready Refresh for project #2014-0064 drinking water and purification systems to add Ozarka Natural Spring Water 8 oz. bottles 48 count for \$9.59 per case for Various Departments.
 - c. CO #5 to Spillman Technologies, Inc. for CAD/RMS/ancillary software and service through the State of Texas Department of Information Resources contract #DIR-SDD-1623 to add a civil enhancement module in the amount of \$83,945.00 with a second year of maintenance in the amount of \$9,806.00 for IT. Local Gov't Code §271.083(b)
 - d. CO #1 to Halff Associates, Inc. for right-of-way acquisitions, relocation and reimbursement services for FM 1097 to add amendment for the relocation of seven (7) businesses at \$7,900.00 each and seven (7) personal properties at \$2,000.00 each for a total amount of \$69,300.00 for Precinct 1.
- C2. ADVERTISING APPROVED for the following:
 - a. Project #2017-0063 Woodlands Parkway widening (I-45 to Grogans Mill Road) for Precinct 3.

- b. Project #2018-0001 new vehicles for Various Departments.

C3. REQUEST APPROVED of the name changes for the following:

- a. Draeger Safety Diagnostics, Inc. to Draeger, Inc. for Various Departments.
- b. Great Southern Stabilized, LLC to Alleyton Resource Company, LLC dba Great Southern for Various Departments.

C4. RENEWALS AWARDED:

- a. Project #2015-0051 asphaltic concrete materials picked up & delivered with Pavers Supply Company for Various Precincts. (Exercising the second of two renewal options)
- b. Project #2014-0038 crime lab supplies with Lynn Peavey Company and add a price increase to various items for Various Departments. (Exercising the third of five renewal options)
- c. Project #2013-0052 emulsified asphalt for in place recycling and dust control with Cleveland Asphalt Products, Inc. for Various Precincts. (Exercising the fourth of four renewal options)
- d. Project #2014-0066 general signage - alternate vendor with Farz, Inc. dba Fastsigns and add a 4% increase for miscellaneous items for Various Departments. (Exercising the third of five renewal options)
- e. Project #2014-0045 DNA testing with Bode Cellmark Forensics, Inc. and add 15% price increase for each affected line item and 25% increase for each expedited line item that requires the use of new kits for Various Departments. (Exercising the third of five renewal options)
- f. Project #2016-0059 book leasing with Brodart, Co. for Library. (Exercising the first of three renewal options)
- g. Buyboard contract #491-15 fire apparatus with Siddons-Martin Emergency Group for Various Departments. (Exercising the second of two renewal options).

C5. UTILIZATION APPROVED for the following contracts:

- a. Library books, used textbooks and other books through the Interlocal Agreement with Buyboard contract #531-17 from Bound to Stay Bound Books, Inc. effective 06/01/17 through 05/31/18 offering two one year renewal options for Library. Local Gov't Code §271.102(a)

C6. DISCRETIONARY EXEMPTIONS APPROVED:

- a. Storm water management program and assistance as a personal or professional service from LJA Engineering, Inc. for Environmental Health. Local Gov't Code §262.024(a)(4)
- b. Wavetronix products as an item that can be obtained from only one source for Captive Replacement Parts or components from Twincrest, Inc. dba Twincrest Technologies for Various Departments. Local Gov't Code §262.024(a)(7)(D)
- c. Local land lines and miscellaneous services as an item that can be obtained from only one source for electric power, gas, water, and other utility services from each of the following vendors: AT&T Corporation and Central Telephone Company of Texas dba Centurylink Communications, LLC for Various Departments. Local Gov't Code §262.024(a)(7)(C)
- d. Physician services as a personal or professional service from Team Forensic Services, PLLC for Adult Probation. Local Gov't Code §262.024(a)(4).

- C7. REQUEST APPROVED to reject and re-advertise project #2017-0046 automotive original equipment manufactured parts for Various Departments.
- C8. REQUEST APPROVED for the cancellation of the month to month contract for uniform rental and services with Unifirst Corporation for Various Departments.
- C9. AWARD APPROVED for the following:
- a. Project#2017-0053 to Mary Lou Matheson dba Adandy Cabling for labor for telephone/data cabling for IT.
 - b. Project #2017-0051 to CKS Hydro Services, Inc. for runway surface washing for Conroe-North Houston Regional Airport.
- C10. CONTRACT NEGOTIATION PROCESS APPROVED with the highest evaluated respondent for project #2017-0048 RFP- External Assessment of Sheriff's Office facilities for Sheriff's Office.
- C11. PURCHASE APPROVED of one Broce CRT350 broom through the Interlocal Agreement with Buyboard contract #515-16 construction equipment, road and bridge equipment, ditching, trenching utility and other equipment from R.B. Everett & Company in the amount of \$52,538.40 for Precinct 2. Local Gov't Code §271.102(a).

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>
61176069	Mast, Eileen/Tax Assessor	From \$50,000 to \$100,000	Rider-Increase Bond Amount
63305251	Lee, Deborah/Tax Assessor	\$100,000	New
63305251	Lee, Deborah/Tax Assessor	Bound unto Commissioners Court	Rider-Correction
62050237	Willis, Vicki Coon/Tax Assessor	\$50,000	Renew Bond Cert
62050237	Willis, Vicki Coon/Tax Assessor	From \$50,000 to \$100,000	Rider-Increase Bond Amount
62050169	Deville, Karena Lynette/Tax Assessor	\$50,000	Renew Bond Cert
62050169	Deville, Karena Lynette/Tax Assessor	From \$50,000 to \$100,000	Rider-Increase Bond Amount
62442537	Jackson, Tina Marie/Tax Assessor	From \$50,000 to \$100,000	Rider-Increase Bond Amount

COMMISSIONERS – AGENDA ITEMS 9E1-3

E1. PRECINCT 1

- a. USE AGREEMENT APPROVED with Texas Drillers to use the baseball fields at the West Montgomery Park for practices as scheduled by M.L.L. now through December 31, 2017.
- b. USE AGREEMENT APPROVED with North County Football League to use the football fields at Charles Traylor Sports Park and the West Montgomery Park through December 31, 2017.

E2. PRECINCT 2

- a. APPOINTMENT APPROVED of Tate Robinson to Montgomery County Emergency Service District #10 with term of office ending 12-31-2018.

E3. PRECINCT 4

- a. APPOINTMENT APPROVED of Jared Smith to serve on the Conroe North Houston Regional Airport Advisory Board.
- b. CHECK ACCEPTED in the amount of \$1,503.41 from City of Roman Forest for fuel reimbursement. This check will be deposited into line item No. 615-7926. Check has been forwarded to the Auditor for further processing.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9F1-4

F1. PRECINCT 2

- a. FINAL PLAT APPROVED of The Ranches of Autumnwood Amending Plat; 74.88 acres; Cyrus Dikeman Survey, A-178

F2. PRECINCT 3

- a. FINAL PLAT APPROVED of Harmony RPM4M Ventures Commons Replat No. 1; 18.85 acres; Montgomery County School Land Survey, A-351.
- b. FINAL PLAT APPROVED of Falls at Imperial Oaks, Section 8; 7.413 acres; Samuel Ward Survey, A-607.

F3. PRECINCT 4

- a. REQUEST APPROVED to authorize a correction to the Montgomery County Road Log to reflect that Appian Way from Whispering Pines to Dogwood Lane is within the City Limits of Roman Forest and it is to be removed from the County Road Maintenance System.
- b. FINAL PLAT APPROVED of Waukegan Way, Section 2; 10.442 acres; William B. Bridges Survey, A-73.
- c. FINAL PLAT APPROVED of Valley Ranch, Section 7; 14.104 acres; William Massey Survey, A-387.
- d. FINAL PLAT APPROVED of Valley Ranch Section 4 Partial Replat No. 1 and Extension; 1.748 acres; William Massey Survey, A-387.

F4. ALL PRECINCTS

- a. REQUEST APPROVED from Park Construction to move heavy equipment across various county roads. These permits will expire November 22, 2017.

HUMAN RESOURCES – AGENDA ITEM 9G1

G1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of Animal Shelter to promote Michael Barnes, Supervisor-Kennel, as replacement for Matthew Segari, effective August 12, 2017.

Request of Animal Shelter to accept the resignation of Alexandra Rorick, Kennel Technician, effective August 13, 2017. [30.75 hours or balance compensatory time]

Request of Custodial to demote Gamaliel Agosto Arvelo, Custodian, as replacement for Louis Alcoser, Jr., effective August 7, 2017.

Request of Custodial to promote Ramiro Garcia, Custodian, as replacement for Bobbie Acreman, effective August 7, 2017. [3.00 hours or balance compensatory time]

Request of Custodial to accept the resignation of Ronald Riley, Custodian I, effective August 4, 2017. [264.635 hours or balance vacation; 85.15 hours or balance compensatory time]

Request of Custodial to accept the resignation of Autumn R. Trott, Custodian, effective August 14, 2017. [No benefits due]

Request of Building Maintenance to place Raul Elizarraras Raya, Facility/Grounds, on payroll as replacement for Joseph Milan, effective August 7, 2017.

Request of Commissioner Precinct 2 to place John W. Isam, Operator II, on payroll, as replacement for Joshua Matthews, effective August 12, 2017.

Request of Commissioner Precinct 4 to accept the resignation of Shannon E. Hopson, Operator II, effective August 4, 2017. [13.60 hours or balance vacation; 5.18 hours or balance compensatory time]

Request of Commissioner Precinct 4 to increase salary of Joshua Ryan Matthews, Operator III, due to completion of probationary period, effective September 2, 2017.

Request of Commissioner Precinct 4 to accept the retirement of Thomas D. Tobias, Foreman, effective September 30, 2017. [59.241 hours or balance vacation; 6.55 hours or balance compensatory time; 0.10 hours or balance holiday time]

Request of Constable Precinct 1 to transfer Jarrod W. Bruce, Deputy, from Sheriff as replacement for William Guy, effective August 19, 2017.

Request of Constable Precinct 1 to transfer Christopher Buehl, Deputy, from Sheriff, effective August 19, 2017.

Request of Constable Precinct 3 to place Ray Weikel, Deputy Constable, on payroll as replacement for Jason Costa, effective August 19, 2017.

Request of County Attorney to accept the resignation of Sonia Vazquez, effective August 3, 2017. [No benefits due]

Request of County Auditor to place Amanda Ivers, Part-time Clerk, on payroll as replacement for Emily Kloesel, effective August 14, 2017.

Request of District Attorney to accept the resignation of Todd G. Lehn, Attorney I, effective October 6, 2017. [37.00 hours or balance vacation]

Request of District Attorney to promote Leah Renee Manske, Legal Assistant III, as replacement for Jacquelyn Rodriguez, effective August 7, 2017.

Request of District Attorney to demote Jacquelyn Bernice Rodriguez, Court Clerk IV, as replacement for Leah Renee Manske, effective August 7, 2017.

Request of District Attorney to transfer Michael Earl Wright, Investigator II, from Sheriff as replacement for Tara L. Oliphant, effective August 12, 2017.

Request of District Clerk to accept the resignation of Alyssa Drake, Part-time Clerk, effective July 28, 2017. [No benefits due]

Request of District Clerk to accept the resignation of Elizabeth Hamblin, Accounting Assistant, effective August 11, 2017. [129.48 hours or balance vacation]

Request of District Clerk to place Deven Maropis, Court Clerk II, on payroll as replacement for Kristan Tiller, effective August 14, 2017.

Request of District Clerk to place Delcy Parker, Court Clerk II, on payroll as replacement for Kayla Pinson, effective August 7, 2017.

Request of District Clerk to accept the resignation of Kayla Pinson, Court Clerk II, effective July 31, 2017. [90.24 hours or balance vacation]

Request of District Clerk to promote Kristan Tiller, Accounting Assistant, as replacement for Elizabeth Hamblin, effective August 14, 2017.

Request of Information Technology to place Michael M. Najera, Lead Business System Coordinator III, on payroll as replacement for Marianna Lambrecht, effective August 14, 2017.

Request of Juvenile to place Gladys Jaqueline Cabello, Juvenile Supervision Officer Substitute, on payroll, effective August 9, 2017.

Request of Juvenile to place Megan Rae Comstock, Juvenile Supervision Officer Substitute, effective August 9, 2017.

Request of Juvenile to place Herbert Alberto Lopez, Juvenile Supervision Officer Substitute, effective August 9, 2017.

Request of Juvenile to place Tierney Denisha Reddic, Juvenile Supervision Officer Substitute, on payroll, effective August 9, 2017.

Request of Juvenile to place Kristin Leigh Simonson, Juvenile Supervision Officer Substitute, on payroll, effective August 9, 2017.

Request of Juvenile to accept the resignation of Karen Michelle Weeks, Counselor, effective July 28, 2017. [No benefits due]

Request of Library to place Kimberly J. Kelly, Library Assistant II-Childrens, on payroll as replacement for Ramona Smidt, effective August 8, 2017.

Request of Library to accept the resignation of Charity K. Martin, Reference Librarian I, effective September 22, 2017. [24.64 hours or balance vacation]

Request of Library to promote Marjorie Jo Ann Maske, Library Assistant II, as replacement for Beverly Tucker, effective August 5, 2017.

Request of Library to place Sheryl Nelson, Library Assistant II, on payroll as replacement for Evette Lamont, effective August 14, 2017.

Request of Library to accept the resignation of Catherine E. Pells, Branch Manager, effective August 9, 2017. [33.32 hours of balance vacation]

Request of Library to correct PCR of Jaqueline Santamaria, Library Assistant II, to correct spelling of name, effective August 8, 2017.

Request of Purchasing to transfer Gilbert Jalomo Jr., Purchasing Agent, effective July 29, 2017.

Request of Recycle Station Pct. 3 to accept the resignation of Marisa Grubb, Driver (Mosquito), effective August 11, 2017. [No benefits due]

Request of Recycle Center Pct.3 to accept the resignation of Kendall Kruchten, Driver (Mosquito), effective August 4, 2017. [No benefits due]

Request of Sheriff to promote Scott E. Altemus, Lieutenant (D2), as replacement for James Carroll Fleming, effective August 12, 2017.

Request of Sheriff to place Brian Boatman, Officer-Civilian Deten, on payroll as replacement for Jennifer R. Hathaway, effective August 12, 2017.

Request of Sheriff to place Mary Coleen Connelly, Dispatcher, on payroll, effective August 12, 2017.

Request of Sheriff to place Dalton Fields, Officer-Civilian Deten, on payroll as replacement for Donald Justin Rooney, effective August 12, 2017.

Request of Sheriff to place Donna Greenan, Records Specialist I, on payroll as replacement for Gayla Willis, effective August 5, 2017.

Request of Sheriff to discharge Jennifer R. Hathaway, Officer-Civilian Deten, effective August 3, 2017. [No benefits due]

Request of Sheriff to place Nicholas Kallaher, Officer-Civilian Deten, on payroll as replacement for Jordan Silvertooth Dugas, effective August 12, 2017.

Request of Sheriff to transfer Kyle Jonathan Ray, Mechanic II, effective August 12, 2017.

Request of Sheriff to discharge Donald Justin Rooney, Officer-Civilian Deten, effective August 3, 2017. [No benefits due]

Request of Sheriff to place Steven Saenz, Officer-Civilian Deten, on payroll as replacement for Gladys Cristina Acosta, effective August 12, 2017.

Request of Sheriff to place Milton Terry, Comm Spec/Radio Tech I, on payroll, effective August 12, 2017.

Request of Tax Assessor-Collector to correct PCR of Amy Atkinson Crowson, Deputy Specialist III, to correct position number, effective July 29, 2017.

Request of Tax Assessor-Collector to place Laura Crowson, Deputy Specialist I, on payroll as replacement for Cari Thornton, effective August 21, 2017.

Request of Commissioner Precinct 3 to place Ryan Allen, Signal Technician I, on Unpaid FMLA/Disability Leave, effective August 4, 2017.

Request of 284th DC-2nd Administrative Judicial to increase salary of Rebecca Brite, Administrative Assistant II, effective September 1, 2017. (The salary increase will be reimbursed 100% through Interlocal Agreement between 2nd Region and Montgomery County)

Request of Animal Shelter to change status of Cheyenne Figge, Clerk III, as replacement for Mariela Rivera, effective August 12, 2017.

Request of Animal Shelter to accept the resignation of Debra Sims, Kennel Technician, effective August 11, 2017. [No benefits due]

Request of Information Technology to add cell phone allowance for Robert Powell Jr., Network and Operations Division Manager, effective August 12, 2017.

Request of Sheriff to transfer Jason Ray Buckner, Detective, from Autotheft YR 23 to Sheriff Patrol East as replacement for Todd A. McCoy, effective August 12, 2017.

ENVIRONMENTAL HEALTH – AGENDA ITEMS 9H1-6

- H1. ORDER APPROVED to abate a public nuisance on the following property that is abandoned, deemed unsafe, or unlivable: 10246 Royal Ramsey, Conroe, Texas 77303. The estimated total cost is \$4,000.00 and will be funded by CDBG.
- H2. ORDER APPROVED to abate a public nuisance on the following property that is abandoned, deemed unsafe, or unlivable: 2545 Jeffcote Rd., Conroe, Texas 77303. The estimated total cost is \$4,300.00 and will be funded by CDBG.
- H3. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 1502 Frankfort Drive Conroe, TX 77385.
- H4. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 143 Camwood Street Magnolia, TX 77355.
- H5. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 1503 Indigo Drive Conroe, TX 77385.
- H6. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 3607 Red Oak Drive Montgomery, TX 77316

LIBRARY – AGENDA ITEM 9I1

- I1. REQUEST APPROVED to close the R.B. Tullis Library at 5 p.m. on September 12, 2017 as a safety measure during the back to school bash.

COUNTY JUDGE – AGENDA ITEM 9J1

- J1. REQUEST APPROVED authorizing Montgomery County Employees' Committee to use and manage the parking facilities on Simonton Street in Conroe during the 2017 Conroe Catfish Festival and to collect a fee for public parking of no more than \$10.00 per vehicle during the Conroe Catfish Festival 2017 Event.

SHERIFF – AGENDA ITEMS 9K1-2

- K1. UPDATED APPLICATION ACCEPTED to the Texas LESO Program for the Montgomery County Sheriff's Office and County Judge will sign as the authorized representative for Montgomery County.
- K2. 2018 AUTOMOBILE BURGLARY AND THEFT PREVENTION (ABTPA) GRANT APPROVED. The application for the grant was approved on May 23, 2017. Sheriff Henderson is authorized to approve any modifications.

COUNTY ATTORNEY – REAL PROPERTY - AGENDA ITEMS 9L1-4

- L1. PRECINCT 1
 - a. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 55 of the expansion of FM 1097 from BW 1097 Real Estate Investors, LLC for the total sum of \$177,226.04 and accept the Deed executed or to be executed by the owner.
 - b. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 70 of the expansion of FM

1097 from Dickerson Scardino and Melinda Scardino for the total sum of \$176,147.04 and accept the Quit Claim executed or to be executed by the owner.

- c. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 70 of the expansion of FM 1097 from Clear Channel Outdoor, Inc. for the total sum of \$75,735.00 and accept the Deed executed or to be executed by the owner.
- d. ORDER APPROVED accepting Debbie Lane into Montgomery County Road Maintenance System upon finding of Prescriptive Right based on Public Use.
- e. ORDER APPROVED accepting Willys Road into Montgomery County Road Maintenance System upon finding of Prescriptive Right based on Public Use.
- f. ORDER APPROVED accepting Gable Drive into Montgomery County Road Maintenance System upon finding of Prescriptive Right based on Public Use.
- g. ORDER APPROVED accepting Dobraski Road as shown on exhibit "A" attached to order into Montgomery County Road Maintenance System upon finding of Prescriptive Right based on Public Use.

L2. PRECINCT 2

- a. AGREEMENT APPROVED for improvements within right of way between Montgomery County and Montgomery County Municipal Utility District No. 112.
- b. RESOLUTION AND ORDER TO PAY APPROVED for funding of rent supplement in connection with the acquisition of Parcel 19 of the expansion of McCaleb Road (Project RD200010) payable to Andres and Olga Flores in the amount of \$12,516.00.

L3. PRECINCT 3

- a. ORDER APPROVED authorizing payment of Special Commissioners Award entered in Cause no. 16-11-13381 for Parcel 6 of the Rayford Road Project.

L4. PRECINCT 4

- a. RIGHT OF ENTRY AGREEMENT APPROVED allowing TxDOT contractors to enter 2.393 acres in the M.H. Short Survey, A-509 relating to segment H & I-1 of the Grand Parkway and B.D. Griffin is authorized to sign the agreement on behalf of Montgomery County.
- b. GRANT OF WATER AND SANITARY SEWER EASEMENT APPROVED to New Caney Municipal Utility District for easement across 0.0673 acre out of a 0.518 tract of land in the F. McNaughton Survey, A-392.
- c. GRANT OF WATER AND SANITARY SEWER EASEMENT APPROVED to New Caney Municipal Utility District for easement across 0.5287 acre out of a 32.645 acres tract of land in the F. McNaughton Survey, A-392.
- d. ORDER APPROVED authorizing filing of suit against Jose A. Navarro and all other potentially responsible parties seeking penalties and other enforcement of flood plain violations with regard to property located a 22017 Pinebrook Drive aka lot 18 Pinebrook Village.

- M1. RESOLUTION AND ORDER APPROVED of the certification and designation of the EB-5 Targeted Employment Area described in the form of Certification Letter on file. County Judge is authorized to execute the Certification Letter in multiple counterparts as may be required on behalf of Montgomery County.
- M2. AGENDA ITEM 9M2 WAS MOVED TO THE OPEN AGENDA. SEE MOTION 6 FOR COURT ACTION.

COUNTY CLERK – AGENDA ITEM 9N1

- N1. TRANSFER APPROVED of \$330,000.00 from the County Clerk's Records Management Fund to line item 40311-7419 Professional Services. These funds will be used to pay the architectural and engineering services associated with RFQ# 2017-0029, a records storage building for the Montgomery County Clerks Office.

DISTRICT CLERK – AGENDA ITEM 9O1

- O1. DEPUTATION APPROVED of Delcy Parker, District Clerk Employee.

ANIMAL SHELTER – AGENDA ITEM 9P1

- P1. RESOLUTION AND ORDER APPROVED appointing the following individuals to the Montgomery County Animal Shelter Advisory Board:

- Dr. Jordan Gentry with a term ending December 31, 2019
- Robbie Benson with a term ending December 31, 2020
- Commissioner Jim Clark with a term ending December 31, 2020

The following current members will remain with the respective terms

- Kathy Joslin with a term ending December 31, 2019
- Shirley Cusack with a term ending December 31, 2017
- Stephanie Gayter, Alternate member with a term ending December 31, 2019

Motion carried.

END OF CONSENT AGENDA

6. REVISIONS APPROVED – CODE OF ETHICS – COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve revisions to section XVII of the Montgomery County Code of Ethics that require certain steps to be taken after an ethics violation to prevent future violations and non-compliance. Motion carried.

7. RESOLUTION AND ORDER APPROVED – TAX ABATEMENT – TAX ASSESSOR/COLLECTOR

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve to grant Bauer Manufacturing LLC d/b/a/ NEORig a tax abatement for new improvements and fixed personal property to be constructed and installed on 79.144 acres in Conroe Park North owned by Bauer Manufacturing, LLC and approve the Tax abatement agreement between NEORig and Montgomery County. County Judge is authorized to sign the Tax Abatement Agreement. Motion carried.

CITIZENS – AGENDA ITEM 10

Todd Galbraith spoke to the court concerning positive things happening at the animal shelter. He thanked the County for the support given to the shelter.

Troy Ita also addressed the court concerning the animal shelter. He gave an update on the Clear the Shelter event that occurred the previous weekend and thanked the court for their support.

Lynn O'Sullivan addressed the court in support of the animal shelter and supported their request for the additional funds for their budget.

Ginger Russell addressed the court concerning repairs to Egypt Lane.

Eric Yollick addressed the court concerning MCTRA. He awarded a golden hammer to Judge Doyal and Commissioner Riley for the engineering study that CDM Smith is doing for the 249 toll road.

Bill O'Sullivan addressed the court concerning the 249 toll road. He stated the revenue bonds will take many years to pay off and would like the voters to decide on new toll roads.

John Wertz addressed the court concerning the 249 toll road. He stated that the road is costing more than the average for that type of road. He would like the issue to be voted on also.

Reagan Reed also addressed the court on the 249 toll road. He questioned paying CDM Smith twice for engineering studies. He also would like the issue to be voted on. He stated that the support of toll roads is in violation of the Republican Party Platform.

8. REQUEST APPROVED – SECOND ADMINISTRATIVE JUDICIAL REGION OF TEXAS PAYMENT – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve Montgomery County's proportionate share of expense payable to Second Administrative Judicial Region of Texas for 2017/18 term in the amount of \$62,955.46. The amount approved in the budget was \$50,000.00 the remaining balance will be funded with Contingency. Motion carried.

9. REQUEST APPROVED – TRANSFER OF FUNDS – FORENSIC SERVICES

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the transfer of \$80,000.00 from 7102 (salary other) with \$50,000.00 allocated to 7441 (Contract Services) and \$30,000.00 allocated to 7426 (Transportation). Motion carried.

10. REQUEST APPROVED – PURCHASE OF VEHICLE – FORENSIC SERVICES

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the purchase of a 2017 Tahoe in the amount of \$36,874.00 to be used by the department including Forensics' Medicolegal Death Investigators on scenes. This will be funded with Contingency. Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 13A: CONDUCT A PUBLIC HEARING ON FILING THE APPLICATION FOR THE EDWARD BYRNE MEMORIAL JUSTICE GRANT (JAG) PROGRAM, FY 2017 LOCAL SOLICITATION THROUGH THE U.S. DEPARTMENT OF JUSTICE, PURSUANT TO PUBLIC HEARING NOTICE PUBLISHED AUGUST 17, 2017.

GRANT TITLED: PORTABLE LED INFORMATION AND WARNING SIGNS PROJECT
FY 17

IN THE AMOUNT OF \$47,491.66

NO MATCHING FUNDS REQUIRED

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

11. REQUEST APPROVED – EDWARD BYRNE MEMORIAL JUSTICE GRANT – SHERIFF

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve filing the grant application for The Edward Byrne Memorial Justice Assistance Grant (JAG) FY201 and Lieutenant Brady Fitzgerald is authorized to submit the grant on behalf of the Sheriff's Office electronically through the grant management system. The application is for \$47,491.66 in funding with no County match required. County Judge is authorized to sign all necessary documents. Motion carried.

12. REQUEST APPROVED – POSITION CHANGES – INFORMATION TECHNOLOGY

Motion by Commissioner Clark, seconded by Commissioner Noack, to approve closing position 503-5512-3 (Systems Administrator III), opening 503-5528-1 (Network and Operations Assistant Manager), and transfer all salary and benefit amounts to the new position effective 08/26/2017. This is a title change only. Motion carried.

13. REQUEST APPROVED – VEHICLE PURCHASE – CONSTABLE PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the immediate purchase of four vehicles and equipment recommended for the 2018 budget year. This will be funded with contingency. Motion carried.

14. REQUEST APPROVED – REMOVE VEHICLE ALLOWANCE – CONSTABLE PRECINCT 2

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the removal of vehicle allowance for position 5521.6010.1 for remainder of fiscal year 2017. The prorated amount of \$436.35 will be used towards the purchase of new fully equipped county vehicle and the remaining balance will be funded with contingency. Motion carried.

15. REQUEST APPROVED – VEHICLE PURCHASE – CONSTABLE PRECINCT 5

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve funding the immediate purchase of 3 vehicles and equipment for the positions/vehicles recommended for the 2018 budget year. This will be funded with contingency. Motion carried.

16. REQUEST APPROVED – POSITION CHANGES – AIRPORT

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve closing position 6291-8914-1 (Assistant Airport Director) and transfer \$58,000.00 to position 6291-5529-1 (Supervisor Airport Ops and Maintenance) to be effective 8/26/2017. The remaining funds will be returned to contingency. Motion carried.

17. ORDER APPROVED – ELECTION DAY POLLING LOCATIONS – ELECTIONS

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve changing Election Day polling locations for Montgomery County Elections. Motion carried.

18. ORDER APPROVED – CONSOLIDATE ELECTION PRECINCTS – ELECTIONS

Motion by Commissioner Clark, seconded by Commissioner Meador, to consolidate county election precincts for the November 7, 2017 Election. Motion carried.

AGENDA ITEM 21A – THE COUNTY AUDITOR DISCUSSED THE ALLOCATION OF FUNDS FOR THE CREATION OF A BUDGET OFFICE.

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

19. RESOLUTION AND ORDER APPROVED – TRANSFER OF FUNDS – ANIMAL SHELTER

Motion by Commissioner Noack, seconded by Commissioner Riley, to authorize the transfer of funds between budget line items 7100, 7200, 7300, and 7400 as needed to fund the operations of the animal shelter. This authorization is valid until revoked by Commissioners Court for the annual budget ending September 30, 2018. Motion carried.

20. REQUEST APPROVED – RECOGNIZE REVENUE – ANIMAL SHELTER

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve the Animal Shelter's ability to recognize revenue monthly into line item 6331.7997 and to use the revenue to fund the operations of the Animal Shelter effective FY18. Motion carried.

21. REQUEST APPROVED – TRANSFER OF FUNDS – ANIMAL SHELTER

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the transfer of \$95,000.00 from 6331.735732 (Spay/Neuter Program Expense) to 6331.7396 (Medical Supplies). Motion carried.

22. REQUEST APPROVED – SPAY/NEUTER GRANT – ANIMAL SHELTER

Motion by Commissioner Clark, seconded by Commissioner Noack, to allow the Animal Shelter to apply for a spay/neuter grant from Petsmart Charities. Motion carried.

23. REQUEST APPROVED – RELEASE OF FUNDS – ANIMAL SHELTER

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the release of the remaining \$606,000.00 of funds held back in the fiscal year 2017 Animal Shelter Budget that was approved by the Commissioners Court on September 6, 2016 with motion 8. Motion carried.

24. AWARD APPROVED – WILLIS-WAUKEGAN ROAD – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the award for project #2017-0037 Willis-Waukegan Road widen and reconstruct to RC Smith Companies dba Smith & Company for Precinct 1. Motion carried.

25. AWARD APPROVED – ARCHITECTURAL SERVICES – COUNTY CLERK

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve award for project #2017-0029 RFQ-Architectural Services for a records storage building to Harrison Kornberg Architects for County Clerk. Motion carried.

26. AWARD APPROVED – LONGSTREET ROAD – PRECINCT 1

Motion by Commissioner Meador, seconded Commissioner Noack, to approve award for project #2017-0038 Longstreet Road widen and reconstruct to RC Smith Companies dba Smith & Company for Precinct 1. Motion carried.

27. GRANT APPLICATION APPROVED – RIFLE RESISTANT BODY ARMOR – CONSTABLE PRECINCTS1-5 AND FIRE MARSHAL

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the grant application for Rifle Resistant Body Armor Project to the Office of the Governor, Criminal Justice Division. No match is required and Commissioner Meador is authorized to act as authorized official. Motion carried.

28. REQUEST APPROVED – SUBMISSION OF PURCHASING RELATED ITEMS – PURCHASING

Motion by Commissioner Noack, seconded by Commissioner Riley, to allow the submission of certain items to be placed under the Purchasing Agents agenda item for approval instead of the individual departments submitting the items. This will expedite the process, ensure that the items are being purchased the proper way and give the court the comfort that Purchasing has reviewed the items. Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 24A1: CONSIDER AND APPROVE THE PARTIAL REVISION OF A 0.454 ACRE TRACT OF LAND IN WALDEN ON LAKE CONROE SECTION 15A, TO BE KNOWN AS WALDEN ON LAKE CONROE SECTION 15A, REPLAT NO. 1.

AGENDA ITEM 24B1: CONSIDER AND APPROVE ESTABLISHING A NO PARKING ZONE ON THE NORTHWEST SIDE OF IVY GARDEN STREET AND TO MAKE IVY GARDEN STREET A ONE-WAY STREET WITH THE DIRECTION OF TRAVEL FROM TRELLIS GATE TO LATTICE GATE.

Steve Leakey addressed the court in favor of the changes to Ivy Garden Street.

Jackie O'Connor addressed the court in opposition to the changes to Ivy Garden Street.

Joe Templet addressed the court in opposition to the changes to Ivy Garden Street. He stated that the residents did not get much information on this item.

Amy Paull addressed the court in support of the changes to Ivy Garden Street.

Steve Leakey addressed the court again concerning the correspondence with the residents for the changes to Ivy Garden Street.

Carolyn Templet addressed the court concerning the lack of information given to residents concerning this matter. She said the information prior to the email was not given to the residents.

Sheriff Henderson stated that the streets in the neighborhood are unique. He stated that the one-way street could cause problems also and stated that he did not have much information on the matter.

Audrey Bitty addressed the court concerning the correspondence with the residents. She stated that letters were sent out, posts were made to Facebook pages and email was sent out.

AGENDA ITEM 24B2: CONSIDER AND APPROVE THE PARTIAL REVISION TO LOTS 4 AND 5, BLOCK 4, RIDGELAKE SHORES SECTION 2, AMENDING PLAT NO. 1, TO BE KNOWN AS REPLAT OF LOTS 4 AND 5 RIDGELAKE SHORES SECTION TWO, AMENDING PLAT NO. 1.

AGENDA ITEM 24B3: CONSIDER AND APPROVE THE PARTIAL REVISION OF RESERVE "B" OF FOSTERS RIDGE SECTION 9, TO BE KNOWN AS FOSTERS RIDGE SECTION 9, PARTIAL REPLAT NO. 1.

AGENDA ITEM 24C1: CONSIDER AND APPROVE POSTING A 20 MPH SPEED LIMIT ON ACORN OAK DRIVE.

AGENDA ITEM 24C2: CONSIDER AND APPROVE NAMING A DRIVEWAY RAYFORD BEND AND A PROPOSED SPUR OFF OF THIS DRIVEWAY RAYFORD PARK ROAD AS REQUESTED BY THE MONTGOMERY COUNTY EMERGENCY COMMUNICATION DISTRICT.

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

29. FINAL PLAT APPROVED – WALDEN ON LAKE CONROE SECTION 15A REPLAT NO. 1 – PRECINCT 1

REQUEST APPROVED – IVY GARDEN STREET – PRECINCT 2

FINAL PLAT APPROVED – RIDGELAKE SHORES SECTION 2 AMENDING PLAT NO. 1 – PRECINCT 2

REQUEST APPROVED – ACORN OAK DRIVE – PRECINCT 3

REQUEST APPROVED STREET NAME CHANGE – PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve the following items that were addressed during public hearing:

- a. Final plat of Walden on Lake Conroe, Section 15A Replat No. 1; 0.454 acres; Thomas Corner Survey, A-10
- b. No parking zone established on the northwest side of Ivy Garden Street and Ivy Garden Street will be a one-way street with the direction of travel from Trellis Gate to Lattice Gate,
- c. Final plat of Replat of Lots 4 and 5 Ridgelake Shores Section Two Amending Plat No. 1; 2.39 acres; James Pevehouse Survey, A-29,
- d. 20 mph speed limit on Acorn Oak Drive, and
- e. Naming a driveway Rayford Bend and a proposed spur off of this driveway Rayford Park Road as requested by The Montgomery County Emergency Communication District.

Motion carried.

AGENDA ITEMS 25A1 AND 25B1 WERE ADDRESSED IN MOTION 29.

30. GRANT APPLICATION APPROVED – ATC TRAFFIC CABINET UPGRADE LIP GRANT – PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the grant application to Texas Commission on Environmental Quality (TCEQ) for the ATC Traffic Cabinet Upgrade LIP Grant in the amount of \$76,250.32 with a match of \$90,370.68 from Precinct 3 budget. Motion carried.

31. REQUEST APPROVED – NON CONSENT TOWING PROPOSAL – PRECINCT 4

Motion by Commissioner Clark, seconded by Commissioner Noack, to request Sheriff Henderson to prepare a proposal for Non-Consent Towing Policy and Rules and Regulations to present to Commissioners' Court for consideration at a future date. Motion carried.

CITIZENS – AGENDA ITEM 27

James Nelson addressed the court concerning honesty, integrity, and how the county is run.

Bill O'Sullivan addressed the court concerning the budget office. He does not think that the office should be an additional expense and the budget should fall under the County Treasurer. He also commended the Animal Shelter.

MISCELLANEOUS – AGENDA ITEM 28 – NO OTHER ITEMS LISTED

32. 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

Raymond

COUNTY JUDGE

