

COMMISSIONERS COURT DOCKET
November 14, 2017
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 14th day of November, 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 Wildish

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 – MONTGOMERY COUNTY ADOPTION DAY

Motion by Commissioner Noack, seconded by Commissioner Meador, to proclaim November 15, 2017 as Montgomery County Adoption Day. Motion carried.

3. PROCLAMATION APPROVED – MONTGOMERY COUNTY ADOPTION MONTH

Motion by Commissioner Noack, seconded by Commissioner Meador, to proclaim Texas Adoption Month in the State of Texas and request that all Texas Counties select a date within November as their County's Adoption Day. Motion carried.

AGENDA ITEM 7C – MONTGOMERY COUNTY EMPLOYEES COMMITTEE

JUDY LISEA, WITH JUSTICE OF THE PEACE PRECINCT 3 WAS PRESENTED WITH EMPLOYEE OF THE MONTH FOR NOVEMBER 2017.

EUGENE COLE, WITH THE LIBRARY, WAS PRESENTED WITH EMPLOYEE OF THE MONTH FOR DECEMBER 2017.

4. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the Minutes from Regular Session of Commissioners Court dated October 24, 2017. Motion carried.

AGENDA ITEM 9L1a WAS MOVED TO THE OPEN SESSION. SEE MOTION 6 FOR COURT ACTION.

AGENDA ITEM 9R1 WAS MOVED TO THE OPEN SESSION. SEE MOTION 7 FOR COURT ACTION.

5. RESOLUTION AND ORDER APPROVED – CONSENT AGENDA – AGENDA ITEMS

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

COUNTY AUDITOR – AGENDA ITEMS 9A1-5

A1. BUDGET AMENDMENTS FY2017 APPROVED:

- a. Various: To adjust line items for P/R.
- b. 284th Second Judicial Region: To adjust line items for payroll accrual 10.13.17.
- c. 435th District Court: To adjust line items.
- d. Adult Probation: To adjust line items per CJAD.
- e. Alternate Dispute Resolution: To recognize and allocate revenues.
- f. Building Maintenance: To adjust line items.
- g. Commissioner Pct 2: To adjust line items.
- h. Constable Pct. 1: To adjust line items and recognize and allocate revenue.
- i. Constable Pct. 3: To adjust budget lines.
- j. Constable Pct. 4: To adjust line items, correct prior budget amendment, and adjust budgeted line items.
- k. County Auditor: To adjust line items.
- l. Court Operations: To adjust line items, and adjust line items-Salary Sweep Court Ops.
- m. District Attorney: To adjust line items and recognize and allocate revenue.
- n. Fire Marshal: To setup budget line.
- o. Information Technology: To adjust line items.
- p. Justice of the Peace Pct 3: To adjust line items for payroll accrual 10.13.17.
- q. Juvenile Probation: To recognize and allocate reimbursement received for National School Lunch Program for Sept/17.
- r. MCTRA: To recognize and allocate toll revenue August 2017 and September 2017.
- s. Memorial Library: To recognize and allocate revenue.
- t. Non-Departmental: To allocate restricted FY17 utilities.

- u. Sheriff: To adjust line items.
- v. Sheriff-Auto Theft yr 23: To adjust line items for BA#3.
- w. Sheriff-Jail-Corley: To recognize and allocate revenue for Joe Corley Facility.

A2. BUDGET AMENDMENTS FY2018 APPROVED:

- a. Animal Shelter: To adjust line items.
- b. Building Maintenance: To adjust line items.
- c. Commissioner Pct 1: To adjust line items.
- d. Commissioner Pct 3: To adjust line items and recognize and allocate revenue.
- e. Constable Pct 1: To adjust line items CCT 10.24.17 M3 and adjust line items.
- f. Constable Pct 2: To recognize and allocate revenue.
- g. Constable Pct 3: To recognize and allocate revenue.
- h. Constable Pct 4: To recognize and allocate revenue.
- i. Constable Pct 5: To adjust line items M9/10.24.17.
- j. District Attorney: To adjust line items and set up DA Domestic Violence Investigator Grant as awarded by CJD M3/09.12.17.
- k. Emergency Management: To set up supplemental award funds from CJD M7/10.10.17.
- l. Juvenile Probation: To recognize and allocate reimbursement received National School Lunch Program for Aug/17.
- m. LIRAP Local Initiat Grant: To set up "ATCC Traffic Cabinet Upgrade" Project for the LIP Grant from TCEQ M3/10.24.17.
- n. Memorial Library: To adjust line items.
- o. Sheriff: To adjust line items, recognize revenue, and set up FY 18FBI-JTTF contract M16/10.10.17.
- p. Sheriff-FBI-JTTF: To adjust line items.
- q. Sheriff-HPD-HTRA Task Force Yr1: To allocate funds for the HPD Human Trafficking Rescue Alliance Grant M4/09.26.17.
- r. Sheriff-OCDETF-Pathfinder: To set up SO FY 18 OCDETF-Pathfinder M3/10.24.17.

A3. COMPLETED AUDITS ACCEPTED for Justice of the Peace Precinct 4-Monthly Compliance Audit.

A4. PAYMENT OF ACCOUNTS APPROVED, as submitted by the County Auditor.

A5. REPORT OF OFFICIALS' FEES ACCEPTED as audited for September 2017.

- B1. WEEKLY REPORTS OF INVESTMENTS PURCHASED APPROVED.
- B2. MONTHLY PLEDGED SECURITIES REPORT APPROVED for September 2017.
- B3. PLEDGES AND/OR RELEASES OF DEPOSITORY COLLATERAL REPORT APPROVED.
- B4. MONTHLY STATEMENT OF BALANCES REPORT APPROVED for September, 2017.
- B5. MONTHLY INVESTMENT REPORT APPROVED for October, 2017.
- B6. QUARTERLY INVESTMENT REPORT APPROVED for QTR ended 09/30/17.

PURCHASING – AGENDA ITEMS 9C1-6

C1. RENEWALS AWARDED:

- a. Project #2017-0025 for mowing of right-of-ways with Triple B Ag, LLC for Precinct 1. (Exercising the first of three renewal options)
- b. Project #2016-0004 for moving of voting equipment with East End Transfer & Storage, Inc. for Elections. (Exercising the second of three renewal options)
- c. Project #2014-0068 for posts and related hardware for traffic signs with each of the following vendors: Pathmark Traffic Products of Texas, Inc., Allied Tube and Conduit Corporation and Trantex Transportation Products of Texas, Inc. for Various Departments. (Exercising the third of four renewal options)
- d. National Joint Powers Alliance (NJPA) contract #113011 for licensed software and implementation and professional services with Tyler Technologies, Inc. for IT. Gov't Code §791.025

C2. CHANGE ORDERS APPROVED:

- a. CO #4 to Conroe Door and Hardware, Inc. for project # 2014-0036 hardwood, lumber supplies and miscellaneous items for Building Maintenance.
- b. CO #1 to Branded Pest Defense, LLC for project #2015-0023 exterminating/pest control services for Various Departments.
- c. CO #1 to Smith and Company for project #2017-0039 Bois D'Arc Road widening and reconstruction for Precinct 1.

C3. DISCRETIONARY EXEMPTIONS APPROVED:

- a. Digital Library Source, "HOOPLA" as an item that can be obtained from only one source from Midwest Tape, LLC for Library. Local Gov't Code §262.024(a)(7)(a)

C4. ADVERTISING APPROVED for the following bids/proposals:

- a. Project #18-11 for traffic signal installation - Honea Egypt at Durango Creek - Mahogany Way for Precinct 2.
- b. Project #18-14 for towing services for Various Departments.
- c. Project #18-16 for Gene Campbell Boulevard reconstruction and widening for Precinct 4.
- d. Project #18-17 for Old Houston Road construction for Precinct 4.

- e. Project #18-18 for Sorters Road reconstruction and widening for Precinct 4.
 - f. Project #18-19 for Community Drive pavement widening and drainage improvements for Precinct 4.
 - g. Project #18-21 for the repair of hot mix asphalt parking lots for Precinct 3.
 - h. Project #18-20 for RFP - operation of Montgomery County Employee Wellness Center.
- C5. REJECTION OF ALL BIDS APPROVED for:
- a. Project #2017-0061 for installation of aerobic septic system(s) and residential water well(s) and re-advertise with new Project #18-15 for MCCD.
 - b. Project #18-07 for construction of airport entry and re-advertise with new Project #18-23 for Precinct 1.
- C6. ACTION TAKEN on the following contract(s):
- a. Energy saving lighting products from Voss Lighting Buyboard contract #527-17 for Various Departments. Local Gov't Code 271.102
 - b. Instructional materials, classroom/teaching supplies & equipment from Brodart Company Buyboard contract #487-15 for Library. Local Gov't Code 271.102.

RISK MANAGEMENT – AGENDA ITEMS 9D1-4

- D1. REQUEST APPROVED for Montgomery County to participate in the 2018 TAC Silver Choice Retiree Medical Program. The Director or Assistant Director of Risk Management is authorized to sign all necessary documents on behalf of Montgomery County. The County does not contribute to this program.
- D2. PAYMENT ACKNOWLEDGED to Moises Ali Ayala in the amount of \$3,805.17 in reference to claim #A-17-0092 DOL 08.24.17.
- D3. PAYMENT ACKNOWLEDGED to Glass & Mirror of The Woodlands, Inc. in the amount of \$289.00 in reference to claim #A170091 DOL 10.06.17.
- D4. PAYMENT ACKNOWLEDGED to Farmers Insurance as Subrogee for Joseph Pope in the amount of \$3,608.01 in reference to claim #A170071 DOL 07.14.17.

COMMISSIONERS – AGENDA ITEMS 9E1-2

- E1. PRECINCT 3
 - a. CANCELLATION APPROVED of ATV Use Agreement with Kevin Sapp.
- E2. PRECINCT 4
 - a. CHECK ACCEPTED in the amount of \$658.17 from Montgomery County Emergency Services District No. 7 for fuel reimbursement. This will be deposited into line item no. 615-7926. Check has been forwarded to the Auditor for further processing.
 - b. CHECK ACCEPTED in the amount of \$1,425.20 from City of Roman Forest for fuel reimbursement. This 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. REQUEST APPROVED to accept Denali Wilderness Parkway from North Cascade Lane to Beartooth Bend Trail in the Thunder Basin Parkway Dedication plat into the one year maintenance period.
- b. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Bonterra at Woodforest, Section 3 and bond is released.
- c. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Woodforest Central Pine Street (Woodforest Boulevard to Woodforest 65) and bond is released.
- d. LETTER OF CREDIT RELEASED for Lake Conroe Business Park Section 5.
- e. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Fosters Ridge, Section 7.
- f. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Mostyn Springs Subdivision, Section 1.

F2. PRECINCT 3

- a. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Northgrove, Section 1 and bond is released.
- b. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Northgrove, Section 2 and bond is released.
- c. REQUEST APPROVED to acknowledge the roads in Northgrove, Section 4 have been built to County standards and completed the one year maintenance period. The bond is released. These roads are private and will not be maintained by Montgomery County.
- d. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Northgrove, Section 5 and bond is released.
- e. REQUEST APPROVED to acknowledge the roads in Benders Landing Estates, Sec 2 Partial Replat No. 1 have been built to County standards and completed the one year maintenance period. The bond is released. These roads are private and will not be maintained by Montgomery County.
- f. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Wrights Landing at Legends Trace, Section 2 and bond is released.

F3. PRECINCT 4

- a. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in West Lake Houston Parkway Street Dedication, Section 5.
- b. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Deerwood, Section 6 and bond is released.

F4. ALL PRECINCTS

- a. REQUEST APPROVED from Park Construction to move heavy equipment across various county roads. This permit will expire February 23, 2018.

G1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of Animal Shelter to accept the resignation of Gunter Arnold, Kennel Technician, effective November 9, 2017. [51.52 hours or balance vacation; 2.00 hours or balance compensatory time]

Request of Animal Shelter to place Joshua Collins, Kennel Technician, on payroll as replacement for Alexandra Rorick, effective October 27, 2017.

Request of Animal Shelter to place Amber Curran, Clerk III, on Unpaid FMLA/Disability Leave, effective October 6, 2017.

Request of Animal Shelter to place Amber Curran, Clerk III, on payroll due to Return from Unpaid FMLA/Disability Leave, effective October 31, 2017.

Request of Animal Shelter to accept the resignation of Chelsea Harden, Clinic/Vet Technician, effective November 1, 2017. [21.85 hours or balance vacation; 8.25 hours or balance compensatory time; 11.50 hours or balance holiday time]

Request of Animal Shelter to place Laura Tripp, Kennel Technician, on payroll as replacement for Michael Barnes, effective November 1, 2017.

Request of Animal Shelter to accept the resignation of Amy Withrow, Kennel Technician, effective November 5, 2017. [15.39 hours or balance vacation; 12.375 hours or balance compensatory time]

Request of Custodial to promote Ramiro Garcia, Custodian II, as replacement for Barbara Martin, effective October 23, 2017.

Request of Custodial to discharge Chad Willcot, Custodian I, effective October 19, 2017. [No benefits due]

Request of Building Maintenance to increase salary of Raul Elizarraras Rava, Facility/Grounds Worker, due to completion of probationary period, effective November 6, 2017.

Request of Commissioner Precinct 1 to place Dennis Ray Simmons, Operator I, on payroll as replacement for Thomas Belinoski, effective October 24, 2017.

Request of Commissioner Precinct 4 to place Diane Miller, Administrative Manager II, on payroll as replacement for Juanita Marie Moore, effective November 6, 2017.

Request of Commissioner Precinct 4 to place Joe Hugo Sanchez, Asst Proj &Logist Coord., on payroll, effective November 6, 2017.

Request of Commissioner Precinct 4 to discharge Brent Thatcher, Operator I, effective October 30, 2017. [21.56 hours or balance vacation; 2.76 hours or balance compensatory time]

Request of Constable Precinct 1 to add stipend for Billy T. Beavers, Deputy Constable, for cell phone allowance, effective October 24, 2017.

Request of Constable Precinct 1 to increase salary of Richard Faught, Deputy Constable, due to Step increase, effective December 10, 2017.

Request of Constable Precinct 1 to transfer Elizabeth Hollan, Deputy Constable, from Sheriff to Constable Pct. 1, effective November 1, 2017.

Request of Constable Precinct 1 to add stipend for Everett McClendon III, Deputy Constable, for cell phone allowance, effective October 24, 2017.

Request of Constable Precinct 2 to change status of Thomas A. Wolff, Deputy-Constable, due to employee no longer being a Contract Employee. Employee is now eligible to receive Certification and Longevity pay, effective November 4, 2017.

Request of Constable Precinct 3 to place Justin Bratton, Deputy-Constable, on payroll, effective November 18, 2017.

Request of Constable Precinct 3 to place Marisela DeJesus Diaz, Deputy Constable, on payroll, effective November 18, 2017.

Request of Constable Precinct 3 to transfer Roberto Espinosa, Detective, as replacement for Jessica Epperson, effective November 18, 2017.

Request of Constable Precinct 3 to place Bradley Warren Mixon, Deputy Constable, on payroll as replacement for Steven Terrell, effective November 18, 2017.

Request of Constable Precinct 3 to promote Steven Terrell, Corporal Constable, as replacement for Roberto Espinosa, effective November 18, 2017.

Request of Constable Precinct 3 to add certification pay to Ray Weikel, Deputy Constable, due to certification pay being omitted from original PCR(original date of hire was 8/19/17), effective October 7, 2017.

Request of Constable Precinct 3 to promote Jomo Kenyatta Washington, Sergeant Detectives, as replacement for Michelle Baker, effective November 18, 2017.

Request of Constable Precinct 3 to transfer Michelle Baker, Sergeant-Detectives, from Constable Pct 3 RMUD to Constable Pct 3 Spring CRK UD, effective November 18, 2017.

Request of Constable Precinct 3 to transfer Jessica Epperson, Investigator II, as replacement for Jason Martinez, effective October 7, 2017.

Request of Constable Precinct 4 to add certification pay of Eric Prado, Investigator I, effective October 21, 2017.

Request of Constable Precinct 4 to correct effective date of PCR of Ricky Dwayne Warwick, Sergeant Constable, effective October 21, 2017.

Request of County Auditor to discharge Valenie Stewart, Acct Payable Asst, effective October 24, 2017. [65.00 hours or balance vacation]

Request of County Clerk to accept the resignation of Jennifer Nicole Jeude, Clerk II, effective November 9, 2017. [35.50 hours or balance vacation]

Request of County Clerk to transfer Pamela Jo Kelley, Clerk II, as replacement for Joseph P. Monreal, effective November 18, 2017.

Request of County Clerk to transfer Joseph P. Monreal, Computer Analyst III, as replacement for James Curtis II, effective November 6, 2017.

Request of District Attorney to place Nathan Wesley Alsbrooks, Attorney I, on payroll as replacement for Sydni Linn Connell, effective October 23, 2017.

Request of District Attorney to promote Echo Estelle Coleman, Attorney III, as replacement for Monica A. Cooper, effective October 21, 2017.

Request of District Attorney to change position of Sydni Linn Connell, Attorney I, as replacement for Taylor Erinn Stoechner, effective October 21, 2017.

Request of District Attorney to promote Sara Michelle Corradi, Attorney II, as replacement for Brittany Elaine Litaker, effective November 11, 2017.

Request of District Attorney to change position of Anthony R. Franklyn, Attorney I, as replacement for Sara Michelle Corradi, effective November 11, 2017.

Request of District Attorney to place Michael Halston Ghutzman, Attorney I, on payroll as replacement for Neel Kapur, effective November 20, 2017.

Request of District Attorney to promote Neel Kapur, Attorney II, as replacement for Philip Andrew Teissier, effective November 4, 2017.

Request of District Attorney to change position of Brittany Elaine Litaker, Attorney II, as replacement for George Alexander Napier, effective November 11, 2017.

Request of District Attorney to place Gabrielle Adriana Munoz, Attorney I, on payroll as replacement for Anthony R. Franklyn, effective November 13, 2017.

Request of District Attorney to accept the resignation of Jordyn D. Siecko, Legal Assistant I, effective November 6, 2017. [11.72 hours or balance vacation]

Request of District Attorney to promote Taylor Erinn Stoechner, Attorney II, as replacement for Echo Estelle Coleman, effective October 21, 2017.

Request of District Attorney to place Victoria L. Swenceski, Court Clerk IV, on payroll as replacement for Kelsey Marie Abbrat, effective November 6, 2017.

Request of District Attorney to change position of Philip Andrew Teissier, Attorney II, as replacement for Bradlee Hines Thornton, effective November 4, 2017.

Request of District Attorney to accept the resignation of Bradlee Hines Thornton, Attorney II, effective November 3, 2017. [170.17 hours or balance vacation; 8.00 hours or balance holiday]

Request of Elections to increase salary of Barbara Jean Ray, Voter Clerk, due to increased responsibility, effective October 21, 2017.

Request of Fire Marshal to accept the resignation of Brandon Ferrell, Part Time Fire Investigator, effective November 1, 2017. [No benefits due]

Request of Justice of the Peace Pct 1 to discharge Rosa Cabrera, Court Clerk IV, effective October 25, 2017. [No benefits due]

Request of Juvenile Probation to place Mary Margaret Fisher, Juvenile Probation Officer, on payroll due to Return from Unpaid FMLA/Disability Leave, effective October 28, 2017.

Request of Library to place Kristi K. Eppright, Catalog Technician, on Unpaid FMLA/Disability Leave, effective October 8, 2017.

Request of Sheriff to transfer Kyle W. Albritton, Specialist, due to Sheriff Reorg, effective October 21, 2017.

Request of Sheriff to transfer Brian Edward Bagwell, Sergeant Patrol, as replacement for Steven Clay Swilling, effective November 18, 2017.

Request of Sheriff to increase salary of Amy Nicole Blackwelder, Deputy, due to Step increase, effective November 4, 2017.

Request of Sheriff to transfer Timothy J. Boerema, Specialist, due to Sheriff Reorg, effective October 21, 2017.

Request of Sheriff to increase salary of Corey V. Brummett, Deputy, due to Step increase, effective November 4, 2017.

Request of Sheriff to transfer Justin Tyler Burk, Specialist, due to Sheriff Reorg, effective October 21, 2017.

Request of Sheriff to transfer Jonathan Chase Combs, Specialist, due to Sheriff Reorg, effective October 21, 2017.

Request of Sheriff to transfer Jeremy M. Davis, Specialist, due to Sheriff Reorg, effective October 21, 2017.

Request of Sheriff to increase salary of Robert C. Dowell Jr., Deputy, due to Step increase, effective November 4, 2017.

Request of Sheriff to transfer T. Phillip Epperson, Specialist, effective October 21, 2017.

Request of Sheriff to transfer Daniel Preston Garner, Detective, as replacement for Shannon Marie Acosta, effective November 18, 2017.

Request of Sheriff to transfer Jason Earl Hammons, Detective, as replacement for Christopher Ansley, effective November 18, 2017.

Request of Sheriff to transfer Jason Wayne Henson, Specialist, due to Sheriff Reorg, effective October 21, 2017.

Request of Sheriff to transfer Brett J. Logan, Specialist, due to Sheriff Reorg, effective October 21, 2017.

Request of Sheriff to transfer Luis Macias, Specialist, due to Sheriff Reorg, effective October 21, 2017.

Request of Sheriff to correct PCR of Alicia Madsen, Records Specialist I, to correct name on PCR, effective October 21, 2017.

Request of Sheriff to place Breanna Ortega, Officer Civilian Deten, on payroll as replacement for Benigno H. Gonzales III, effective November 4, 2017.

Request of Sheriff to transfer Saul Ortiz, Specialist, due to Sheriff Reorg, effective October 21, 2017.

Request of Sheriff to transfer Steven Ortiz, Specialist, due to Sheriff Reorg, effective October 21, 2017.

Request of Sheriff to place Deena Renee Owen, Officer Civilian Deten, on Unpaid FMLA/Disability Leave, effective October 23, 2017.

Request of Sheriff to transfer Daniel Pena, Specialist, due to Sheriff Reorg, effective October 21, 2017.

Request of Sheriff to transfer Dustin Wayne Pugh, Specialist, due to Sheriff Reorg, effective October 21, 2017.

Request of Sheriff to increase certification pay of Christina Marie Roberts, Dispatcher, due to certificate pay not being included in salary upload due to TCOLE delays, effective November 4, 2017.

Request of Sheriff to transfer William Wayne Rollins, Specialist, effective October 21, 2017.

Request of Sheriff to transfer Margarito Rosales Jr., Specialist, due to Sheriff Reorg, effective October 21, 2017.

Request of Sheriff to increase salary of Danell Sangster, Deputy-Detention, due to Step increase, effective November 4, 2017.

Request of Sheriff to accept the resignation of Austin Dean Schluter, Officer Civilian Deten, effective October 27, 2017. [209.19 hours or balance vacation; 268.82 hours or balance compensatory time; 56.00 hours or balance holiday]

Request of Sheriff to promote William Joseph Sharman II, Sergeant, as replacement for Brian Edward Bagwell, effective November 18, 2017.

Request of Sheriff to accept the resignation of Montrel Lorenzo Smith, Officer Civilian Deten, effective November 11, 2017. [149.02 hours or balance vacation; 261.78 hours or balance compensatory time; 2.00 hours or balance holiday]

Request of Sheriff to transfer Steven Wade Squier, Specialist, due to Sheriff Reorg, effective October 21, 2017.

Request of Sheriff to transfer Brian Curtis Treille, Specialist, due to Sheriff Reorg, effective October 21, 2017.

Request of Sheriff to place Scott Vautrain, Officer Civilian Deten, on payroll as replacement for Austin Cody Stanford, effective November 4, 2017.

Request of Sheriff to transfer Eric Keefe Ward, Specialist, due to Sheriff Reorg, effective October 21, 2017.

Request of Tax Assessor-Collector to promote Erica Bane, Quality Control Manager, as replacement for Deborah Lee, effective November 4, 2017.

Request of Tax Assessor-Collector to place Veronica Heredia, Deputy Specialist I, on Unpaid FMLA/Disability Leave, effective November 3, 2017.

Request of Tax Assessor-Collector to promote Deborah Lee, Accounting Manager, as replacement for Patricia Moody, effective November 4, 2017.

Request of Tax Assessor-Collector to place Deborah Lee, Accounting Manager, on payroll due to Return from Unpaid FMLA/Disability Leave, effective November 8, 2017.

Request of Tax Assessor-Collector to accept the resignation of Lacey Lilley, Deputy Specialist I, effective October 19, 2017. [3.08 hours or balance vacation]

Request of Tax Assessor-Collector to accept the resignation of Patricia Moody, Accounting Manager, effective November 3, 2017. [85.04 hours or balance vacation]

ENVIRONMENTAL HEALTH – AGENDA ITEMS 9H1-3

- H1. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 1700 King Richard's Court Montgomery, TX 77316.
- H2. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 11789 Calvary Road Willis, TX 77318.
- H3. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 7506 Lake Creek Circle Montgomery, TX 77316.

COUNTY JUDGE – AGENDA ITEMS 9I1-4

- I1. APPOINTMENT APPROVED of Danielle Scheiner to the Board of Houston-Galveston Area Council Gulf Coast Workforce with a term ending December 31, 2019. She will replace Fred Welch who has submitted his resignation to the board as an Economic Development Representative.
- I2. REAPPOINTMENT APPROVED of Gil Staley as the County Representative to HGAC Gulf Coast Economic Development District Advisory Committee with a term expiring May 2019.
- I3. REAPPOINTMENT APPROVED of Gil Staley to the Board of Houston-Galveston Area Council Gulf Coast Workforce Board with a term expiring December 31, 2019.
- I4. REAPPOINTMENT APPROVED of Doug Karr to the Board of Houston-Galveston Area Council Gulf Coast Workforce Board with a term expiring December 31, 2019.

EMERGENCY MANAGEMENT – AGENDA ITEMS 9J1-2

- J1. GRANT CONTRACT APPROVED between The Texas Water Development Board and Montgomery County, Contract #1600012123. This contract will allow Montgomery County to begin property acquisitions affected by the 2016 floods. The grant application and authorization of Tetra Tech to administer the program was previously approved in Commissioners Court. County Judge is authorized to sign and execute.
- J2. REQUEST APPROVED for the carryover of remaining emergency funds previously authorized for use by MCOHSEM, for Hurricane Harvey related expenses, from FY17 to FY18. Furthermore authorize MCOHSEM access to these funds until all invoices and expenses are paid and completed.

SHERIFF – AGENDA ITEMS 9K1-2

- K1. THE MCSO FY17 CHAPTER 59 ASSET FORFEITURE REPORT ACCEPTED.
- K2. SHERIFF'S FY17 EQUITABLE SHARING AGREEMENT AND CERTIFICATION ACCEPTED.

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

- L1. PRECINCT 1
 - a. AGENDA ITEM 9L1a WAS MOVED TO THE OPEN SESSION. SEE MOTION 6 FOR COURT ACTION.
 - b. RESOLUTION AND ORDER TO PAY APPROVED for the funding of survey and estimate expenses in connection with the acquisition and relocation for Parcel 59 of the expansion of FM 1097 to Buehler Transfer and Storage in the amount of \$100.00.
 - c. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 57 of the expansion of FM 1097 from Stephanie Paske dba Pinto Paske Insurance for the total sum of \$2,683.52 and the executed or to be executed deed is accepted.
 - d. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 64 of the expansion of FM 1097 from Riley Smith Memorial Park, Inc. for the total sum of \$804,203.78 and the executed or to be executed deed is accepted.

- e. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 76 of the expansion of FM 1097 from Laningham Partners LLC for the total sum of \$232,080.52 and the executed or to be executed deed is accepted.

L2. PRECINCT 2

- a. ORDER APPROVED authorizing notice of public hearing for partial revision to subdivision lots/plats being described as lots 23 and 24, block 7 of Thousand Oaks Section 4 to be known as Partial Replat No. 1 of Thousand Oaks Section Four.
- b. ORDER APPROVED declaring the existence of a public necessity and authorizing the institution of eminent domain proceedings for Parcel 52 of the Keenan Cutoff Road Expansion.

L3. PRECINCT 3

- a. RESOLUTION AND ORDER APPROVED to approve the Interlocal Agreement between Montgomery County and Montgomery County Municipal Utility District No. 119 for the expansion and improvement of Rayford Road. County Judge is authorized to execute the agreement on behalf of Montgomery County.
- b. AGREEMENT APPROVED between Montgomery County and Conroe Independent School District authorizing placement of improvements within county owned right of way described as Grogan's Mill Road.

L4. PRECINCT 4

- a. REQUEST APPROVED to appoint the following Persons as trained volunteers pursuant to Article IX of the "Bandit Sign" Ordinance (ordinance prohibiting the placement of signs on a right-of-way of public roads and imposing criminal prosecution for violations dated October 8, 2007): John McKinney, Craig Mallia, Ted Stanley, Johanne Stanley, Belinda Mulberry, Dave Mulberry, Seth Bienek, Keith Lincoln, Vanessa Lincoln, Douglas Fitzpatrick, Debra Fitzpatrick and Kenneth Morris.

COUNTY ATTORNEY –AGENDA ITEMS 9M1-2

- M1. RESOLUTION AND ORDER APPROVED supporting the need for the Montgomery County Attorney to defend on behalf of the Montgomery County a lawsuit filed under Cause No. 4:17-cv-03384 and styled Edward Cruthird v. Montgomery County, Texas and Sheriff Rand Henderson. The Montgomery County Attorney is authorized to incur expenses as necessary for the proper defense and negotiation of said case. The funding of said expenses will come from the Risk Management budget with the approval of the Director of Risk Management or designee.
- M2. INTERLOCAL AGREEMENT APPROVED between Montgomery County and The Woodlands Township for 2018 Interim Funding of Montgomery County Sheriff's Office and Montgomery County Constable Precinct 3 (Law Enforcement Investigative Services-Crime Against Children/Safe Harbor).

COUNTY CLERK – AGENDA ITEM 9N1

- N1. REQUEST APPROVED to transfer \$5,500.00 from the County Clerk's Records Management Fund to line item 40311-7419 Professional Services. The money

will be used to pay for the site analysis and surveying of the property where the County Clerk's Record Repository Building will be constructed.

CONSTABLE PRECINCT 2 – AGENDA ITEM 9O1

O1. APPOINTMENT APPROVED of the following Reserve Deputies for Constable Pct. 2:

- Mike Cross
- Andrew Dunn
- Casey Cillis
- Bobby Bodden
- Wayne Rawley

CONSTABLE PRECINCT 3 – AGENDA ITEM 9P1

P1. INTERLOCAL AGREEMENT APPROVED between Montgomery County and The Woodlands Township for 2018 Interim Funding of Constable Precinct 3.

JUSTICE OF THE PEACE PCT. 3 – AGENDA ITEM 9Q1

Q1. INTERLOCAL AGREEMENT APPROVED between Montgomery County and The Woodlands Township for 2018 Interim Funding of Justice of the Peace, Precinct 3.

JUVENILE PROBATION – AGENDA ITEM 9R1

R1. AGENDA ITEM 9R1 WAS MOVED TO THE OPEN SESSION. SEE MOTION 7 FOR COURT ACTION.

COMMUNITY DEVELOPMENT – AGENDA ITEM 9S1

S1. 2017 FUNDING GRANT AGREEMENT APPROVED between HUD and Montgomery County that incorporates the CDBG Entitlement Agreement, The Home Investment Partnerships Agreement, The Emergency Solution Grant, and the funding approvals for the CDBG Form HUD-7082, Home Form HUD 40093, and ESG Form. County Judge is authorized to sign the related documents.

DISTRICT ATTORNEY – AGENDA ITEM 9T1

T1. REQUEST APPROVED to carryover all available funds from 4351-7570 for FY17 to FY18.

Motion carried.

END OF CONSENT AGENDA

6. INTERLOCAL AGREEMENT APPROVED – 2854 CONNECTOR – COUNTY ATTORNEY – REAL PROPERTY – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve an Interlocal agreement between Montgomery County and City of Conroe to improve access and parking for the proposed Veteran's Park. Motion carried.

7. DONATION ACCEPTED – SPECIAL PROJECTS AND DONATION – JUVENILE PROBATION

Motion by Commissioner Meador, seconded by Commissioner Noack, to accept the donation in the amount of \$16,000.00 on behalf of the Juvenile Probation Department

from Lonnie Wright. These funds will be allocated to budget line 5711.74971 Special Projects and donations. The County Clerk's office did not receive a check for this item. Motion carried.

CITIZENS – AGENDA ITEM 10

Citizens will be heard at the time the Agenda item is presented.

8. APPOINTMENT APPROVED – HGAC GENERAL ASSEMBLY – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the appointment of Commissioner Charlie Riley as a Representative to the Houston-Galveston Area Council General Assembly and Delegate to Board of Directors for Year 2018.

9. APPOINTMENT APPROVED – HGAC GENERAL ASSEMBLY – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the appointment of Commissioner James Noack as Representative, General Assembly and Alternate to Board of Directors for Year 2018. Motion carried.

10. APPOINTMENT APPROVED – HGAC GENERAL ASSEMBLY – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Noack, to appoint Mark Mooney as Alternate to the Houston Galveston Area Council General Assembly for Year 2018. Motion carried.

11. APPOINTMENT APPROVED – HGAC GENERAL ASSEMBLY – COUNTY JUDGE

Motion by Commissioner Noack, seconded by Commissioner Clark, to appoint Jeff Johnson as Alternate to the Houston Galveston Area Council General Assembly for Year 2018. Motion carried.

Ginger Russell addressed the court concerning the vote allocation for MCAD. She recommended Peggy Hausman and Eric Yollick. She also stated that Commissioners should not set on the board.

Kelli Cook addressed the court concerning the vote allocation for MCAD. She recommended Gregory Parked and Eric Yollick.

Sherri Shorten addressed the court concerning the vote allocation for MCAD. She read a letter from her husband concerning the nomination of Eric Yollick, which they opposed.

Bill O'Sullivan addressed the court concerning the vote allocation for MCAD. He stated any one currently serving on the board should not serve due to the dissatisfaction of the citizens. He further stated that members of Commissioners Court should not be on the Appraisal District Board of Directors.

Missy Ringo addressed the court concerning the vote allocation for MCAD. She opposed the nomination of Eric Yollick to the Appraisal District Board of Directors or any position that involves decisions regarding the County.

12. MOTION FAILED – VOTE ALLOCATION FOR MCAD – COUNTY JUDGE

Motion by Commissioner Noack, seconded by Commissioner Clark, to allocate the 1037 votes for candidates for the election of Montgomery Central Appraisal District Board of Directors for the 2018/2019 term as follows: 500 votes for Guy Hancock and 537 for Peggy Hausman. Commissioner Noack and Commissioner Clark voted "YES". Commissioner Meador, Commissioner Riley, and Judge Doyal voted "NO". Motion failed.

13. MOTION FAILED – VOTE ALLOCATION FOR MCAD – COUNTY JUDGE

Motion by Commissioner Noack, seconded by Commissioner Clark, to allocate the 1037 votes for candidates for the election of Montgomery Central Appraisal District Board of Directors for the 2018/2019 term as follows: 537 votes for Guy Hancock and 500 for Peggy Hausman. Commissioner Noack and Commissioner Clark voted "YES". Commissioner Meador, Commissioner Riley, and Judge Doyal voted "NO". Motion failed.

14. VOTES ALLOCATED – MONTGOMERY CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS – COUNTY JUDGE

Motion by Judge Doyal, seconded by Commissioner Meador, to split the 1037 votes between Bob Casey and Barry Blanton. Commissioner Meador, Commissioner Riley, and Judge Doyal voted "Yes" and Commissioner Noack and Commissioner Clark voted "No". Motion carried.

15. VOTES ALLOCATED – MONTGOMERY CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS – COUNTY JUDGE

Motion by Judge Doyal, seconded by Commissioner Riley, to allocate the 1037 votes for candidates for the election of Montgomery Central Appraisal District Board of Directors for the 2018/2019 term as follows: 519 votes for Bob Casey and 518 votes for Barry Blanton. Motion carried.

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

16. REQUEST APPROVED – COURTROOM SPACE – COUNTY COURT AT LAW 3

Motion by Commissioner Clark, seconded by Commissioner Noack, to approve moving Associate Judge Amy Atkinson to courtroom space and offices recently vacated by 435th District Court. Motion carried.

17. REQUEST APPROVED – PILOT PROGRAM – COUNTY COURT AT LAW 4

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the creation of a contract Ad-litem 1 year Pilot Program for the Mental Health Commitment Docket. Commissioner Noack voted "NO". Motion carried.

18. REQUEST APPROVED – POSITION CHANGE – CONSTABLE PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve Constable Precinct 3 to slot the deputy hired for position 5531-5910-6 as a 12 YR Deputy on the current Step Plan due to experience. The increase will be funded from attrition and will not increase the fiscal year 2018 budget. Motion carried.

Commissioner Meador left the courtroom during the discussion for motion 18.

19. REQUEST APPROVED – NEW VEHICLE – CONSTABLE PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the funding of one new fully equipped detective vehicle not to exceed \$45,000.00. The vehicle will be assigned to the employee replacing a recently vacated position 55313-7801-1(Investigator II), which included a vehicle stipend. The costs associated with the vehicle purchase shall be reimbursed to the County by The Woodlands Township. Motion carried.

AGENDA ITEM 15A – CONSIDER AND APPROVE CONDITIONAL GIFT BY JESSE SLAUGHTER OF HIS CANINE ITAI WAS REMOVED.

AGENDA ITEM 15B – CONSIDER AND APPROVE THE K9 STIPEND FOR DEPUTY JESSE SLAUGHTER WAS REMOVED.

20. ORDER APPROVED – NOVEMBER 7, 2017 ELECTION – ELECTIONS

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve an Order Canvassing the Returns and Declaring the Results of the November 7, 2017 Constitutional Amendment Election. Motion carried.

Commissioner Meador returned to the courtroom.

21. ORDER APPROVED – NOVEMBER 7, 2017 LOCAL OPTION ELECTION – ELECTIONS

Motion by Commissioner Clark, seconded by Commissioner Noack, to approve an Order Canvassing the Returns and Declaring the Results of the November 7, 2017 Justice of the Peace Precinct 4 Local Option Election to Legalize the Sale of All Alcoholic Beverages Including Mixed Beverages. Motion carried.

22. SETTLEMENT AGREEMENT APPROVED – XEROX CORPORATION – INFORMATION TECHNOLOGY

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the Settlement Agreement with Xerox Corporation regarding purported balance due and payment for full and final satisfaction. County Judge is authorized to sign on behalf of Montgomery County and this will be funded by Carry-Over of FY 2017 funds in the amount of \$8,564.25. Motion carried.

23. REQUEST APPROVED – CONTRACT UTILIZATION – PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Noack, to approve utilizing the BuyBoard contract #521-16 for vehicles, heavy duty trucks, police motorcycles, parts and service labor with Freightliner of Austin and include the purchase of one 2018 Freightliner M2106 in the amount of \$154,957.00 for Precinct 2. Local Gov't Code §271.102. Motion carried.

24. AWARD APPROVED – NEW DANVILLE PHASE II – MCCD

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the award to Sitecon Services, Inc. for a total award amount of \$768,053.00 for Project #2017-0065 New Danville Phase II Water Tank, Waterline and Sanitary Sewer Line for MCCD. Motion carried.

25. AWARD APPROVED – NEW VEHICLES – VARIOUS DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the award to the following: Caldwell Country Chevrolet; Buckalew Chevrolet LP; Caldwell Country Ford; Gullo Ford of Conroe; and Grapevine Chrysler Jeep Dodge. Bids for vehicles 8 and 12 were rejected. Motion carried.

AGENDA ITEM 18B FIRST BULLET POINT – TAKE ALL APPROPRIATE ACTION TO APPROVE THE AWARD FOR PROJECT #18-05 NEW POLICE MOTORCYCLES FOR VARIOUS DEPARTMENTS WAS DEFERRED.

26. CONTRACT APPROVED – UTILITY COORDINATION FM 1097 – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the contract with the following highly qualified provider per Gov't Code Chapter 2254 for utility coordination for FM 1097 Project from Blueberry Road to IH 45 from Binkley and Barfield, Inc. for a total maximum sum of \$324,138.00 for Precinct 1. Motion carried.

27. PURCHASE APPROVED – ASPHALT PAVER – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the purchase of one BOMAG CR352L Asphalt Paver through BuyBoard Contract #515-16 purchase of construction, road bridge, and other equipment from R. B. Everett & Co. in the amount of \$322,245.00 for Precinct 1 as authorized by Local Gov't Code 271.102. Motion carried.

28. GRANT APPLICATION APPROVED – TEXAS INDIGENT DEFENSE – INDIGENT DEFENSE

Motion by Commissioner Clark, seconded by Commissioner Meador, to approve the fiscal year 2018 grant application to Texas Indigent Defense Commission (TIDC) for Indigent Defense. There is no match required. Motion carried.

29. GRANT APPLICATION APPROVED – NRA FOUNDATION – SHERIFF

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the Grant Application to the National Rifle Association (NRA) Foundation for the training equipment project in the amount of \$5,685.95 for the Sheriff's Office. There is no match required. Sergeant Wilkerson is authorized to submit on behalf of Montgomery County Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 19A1: CONSIDER AND DISCUSS THE PARTIAL REVISION OF LOT 49, BLOCK 2 OF PEACH CREEK PLANTATION SECTION 1, TO BE KNOWN AS PEACH CREEK PLANTATION SECTION 1, PARTIAL REPLAT NO. 1.

Jason Jones voiced his concerns on the lots in Peach Creek Plantation being subdivided.

THERE BEING NO FURTHER COMMENTS FROM THE PUBLIC, THE PUBLIC HEARING WAS CONCLUDED 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 551.076.

EXECUTIVE SESSION – AGENDA ITEM 20A: CONSIDER AND DISCUSS IMPLEMENTATION OF SECURITY DEVICES AND SECURITY PERSONNEL. (SECTION 551.076)

COMMISSIONERS COURT RECONVENED WITH ALL MEMBERS PRESENT.

AGENDA ITEM 21 – NO ACTION NECESSARY ON MATTERS DISCUSSED IN EXECUTIVE SESSION.

CITIZENS – AGENDA ITEM 22

John Wertz addressed the court concerning the flooding on River Oaks Drive. He brought a citizen that lives on River Oaks Drive.

Calvin Russell addressed the court concerning personal attacks. He believes the court should stop personal attacks.

Eric Yollick addressed the court on contracting. He stated the secrecy imposed on the contract process is harming Commissioners Court and the Citizens. He stated that the back up was not

available for agenda items 17A and the item for the change order for the Toll Road. He gave a golden hammer to Craig Doyal, Jim Fredricks, and Sylvia Olszowy.

Bill O'Sullivan addressed the court on the rolling over of carry overs. He stated the budget should not be increased due to the carryovers. He also stated that the forum should not be used to spew attacks.

Suzanne Oehring addressed the court concerning the Animal Shelter. She stated the shelter is not changing for the better.

MISCELLANEOUS – AGENDA ITEM 23

Judge Doyal addressed the attacks on the court and asked everyone to be respectful in the future.

30. COURT ADJOURNS

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

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

ATTEST:

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

BY:

Mark Turnbull

COUNTY CLERK

Craig Doyal
COUNTY JUDGE

