

COMMISSIONERS COURT DOCKET  
SEPTEMBER 25, 2018  
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 25<sup>th</sup> day of September, 2018, 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 Rob Eissler

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 – MENTAL ILLNESS AWARENESS WEEK

Motion by Commissioner Clark, seconded by Commissioner Meador, to proclaim the week of October 7-13, 2018 as Mental Illness Awareness Week in Montgomery County. Motion carried.

3. PROCLAMATION APPROVED – NATIONAL 4-H WEEK

Motion by Commissioner Noack, seconded by Commissioner Meador, to designate October 7-14, 2018 as National 4-H Week in Texas. Motion carried.

AGENDA ITEM 7C – MONTGOMERY COUNTY EMPLOYEES COMMITTEE

Denise Johnson, with the County Attorney's Office, was selected Employee of the month for September, 2018.

4. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the Minutes from Regular Session of Commissioners Court dated September 5, 2018, Special Session dated September 5, 2018 and Regular Session dated September 11, 2018. Motion carried.

Dustin Darkenwald addressed the court on a septic variance request in Peach Creek Plantation. He requested the court to reject or delay this item until the Property Owners Association can get into contact with the owners and/or septic company.

AGENDA ITEM 9K4 WAS REMOVED FROM THE CONSENT AGENDA AND DEFERRED.

5. RESOLUTION AND ORDER APPROVED – CONSENT AGENDA – AGENDA ITEMS 9A-P

Motion by Commissioner Noack, seconded by Commissioner Riley, 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 9A1-4

- A1. PAYMENT OF ACCOUNTS APPROVED, as submitted by the County Auditor.
- A2. REQUEST APPROVED from Justice of the Peace Pct. 1 to use \$735.00 from the Justice of the Peace Technology Fund.
- A3. REPORT OF OFFICIALS' FEES ACCEPTED as audited for June, 2018.
- A4. BUDGET AMENDMENTS FY2018 APPROVED:
  - a. Various: To allocate utilities for remainder of FY, to allocate restricted lines to pay claims, to allocate line to pay claims, and to adjust restricted.
  - b. 9<sup>th</sup> District Court: To transfer funds 9<sup>th</sup> District Court.
  - c. 284<sup>th</sup> District Court: To adjust line items.
  - d. Adult Probation: To set up FY19 Community Corrections Budget, Basic Supervision Budget, In-House Counselor Budget, Mental Impairments Budget, and Pretrial Diversion Budget.
  - e. Airport: To allocate line items as requested and recognize and allocate FY19RAMP grant funds M14/09.11.18.
  - f. Animal Shelter: To adjust line items, recognize and allocate revenue, adjust line items and recognize revenue Aug 2018.
  - g. Building Maintenance: To adjust line items.
  - h. Child Welfare: To adjust line items.
  - i. Commissioner Precinct 3: To adjust line items, allocate revenue and adjust lines, and transfer line items as requested for Commissioner Precinct 3.
  - j. Commissioner Precinct 4: To recognize revenue.
  - k. Constable Precinct 3: To adjust line items out of carry over.
  - l. Constable Precinct 4: To recognize an allocate revenue.
  - m. Convention Center: To allocate line items to pay claims.
  - n. County Auditor: To adjust line items.
  - o. County Clerk: To recognize revenue.
  - p. County/District Court Technology: To transfer funds.
  - q. County Engineer: To adjust line items.

- r. County Extension: To recognize and allocate revenues.
- s. County Judge: Adjust restricted.
- t. Court Reporter Service Fund: To recognize and allocate revenue.
- u. District Clerk: To adjust line items.
- v. DWI & Drug Court: To adjust line items.
- w. Elections: To re-allocate lines as requested.
- x. Emergency Management: To adjust line items for Reg Hazmat Team, Sustainment and adjust line items.
- y. FEMA-DR-4332-TX: To correct prev budget adjustment for Harvey Cat B and set-up budget for Hurricane Harvey Cat B.
- z. Fire Marshal: To adjust line items and adjust lines as requested.
- aa. Historical Commission: To recognize and allocate revenues.
- bb. JP Collections: To recognize and allocate revenue-JP Collections Aug 18 and Sept 18.
- cc. Juvenile Probation: To recognize and allocate reimbursement received National School Lunch Program for July/18 and August/18, adjust line items for contract deputies, and set up budget for 18-D0295 for Juvenile RDA Program.
- dd. Library: To adjust line items as requested.
- ee. Non-Departmental: To transfer funds.
- ff. Purchasing: To adjust line items.
- gg. Risk Management: To adjust line items.
- hh. Sheriff: To recognize and allocate revenue and adjust line items, adjust lines to cover payroll, and adjust line items as requested.
- ii. Sheriff-Homeland Sec: To adjust line items as requested.
- jj. Sheriff-SAVNS: To recognize and allocate renewal of SAVNS Grant as awarded by OAG M3/08.14.18.

**EMERGENCY MANAGEMENT – AGENDA ITEMS 9B1-2**

- B1. INTERLOCAL AGREEMENT APPROVED between Fort Bend County and Montgomery County for the use of a Jetty Software Sublicense for MCOHSEM's website usage.
- B2. RESOLUTION APPROVED for the adoption of the Montgomery County Hazard Mitigation Plan as approved through FEMA.

**OFFICE OF COURT ADMINISTRATION – AGENDA ITEM 9C1**

- C1. REQUEST APPROVED for use of District/County Court Technology Fund in the amount of \$818.92. This will fund a Jury Room TV monitor in the 410<sup>th</sup> District Court.

TREASURER – AGENDA ITEMS 9D1-3

- D1. MONTHLY INVESTMENT REPORT APPROVED for August 2018.
- D2. REPORT OF INVESTMENTS PURCHASED APPROVED for week of September 7, 2018.
- D3. PLEDGED SECURITIES APPROVED for August 2018.

TAX ASSESSOR/COLLECTOR – AGENDA ITEM 9E1

- E1. MONTHLY TAX COLLECTION REPORT ACCEPTED for month ending August 2018.

PURCHASING – AGENDA ITEMS 9F1-4

F1. RENEWALS AWARDED:

- a. Inmate telephone system maintenance with Kenneth Rollins dba TD&S/Telephone Data & Sound for the Sheriff's Office. (Exercising the first of three renewal options)
- b. Inmate Health Care Services for the Montgomery County Jail with Southwest Correctional Medical Group and include amendment with price changes for Sheriff's Office. (Exercising the first of five renewal options)
- c. Mosquito spraying services with Northwest Pest Patrol, Inc. for Various Precincts. (Exercising the third of three renewal options)

F2. CHANGE ORDERS APPROVED:

- a. CO #1 to Veritas AEC, Inc. for Architectural Services to add additional rendering of site plan, exterior eye level view of Administration Building and exterior eye level view of Boarding Building in the amount of \$5,160.00 for MCCD.
- b. CO #7 to Conroe Door and Hardware, Inc. for hardwood, lumber supplies, and miscellaneous items to add additional items with price changes for Building Maintenance.

F3. UTILIZATION APPROVED of the following contracts:

- a. Products and related services through the State of Texas Department of Information Resources (DIR) contract #DIR-TSO-3957 from Ford Audio-Video Systems, LLC for IT. Local Gov't Code §271.083.
- b. Products and related services through the State of Texas Department of Information Resources (DIR) Contract #DIR-TSO-3334 from Centre Technologies, Inc. for Various Departments. Local Gov't Code §271.083.
- c. Products and related services through the State of Texas Department of Information Resources (DIR) contract #DIR-TSO-3632 from Preferred Technologies, LLC adding amendments #1 and #2 for Various Departments. Local Gov't Code §271.083.

F4. LIST APPROVED of items sold through the online auction and CHECK ACCEPTED from Rene Bates Auctioneers, Inc. in the amount of \$16,448.16 which includes sales of \$17,781.80 less auctioneer's fee of \$1,333.64 for Various Departments and approve items that received no bids to be disposed of by salvage or donation. Check has been forwarded to Auditor for further processing.

# RISK MANAGEMENT – AGENDA ITEMS 9G1-3

- G1. PAYMENT ACCEPTED in the amount of \$630.00 from State Farm Mutual Automobile Insurance for Claim #W-18-0052 and Director of Risk Management is authorized to settle on behalf of Montgomery County.
- G2. PAYMENT ACCEPTED in the amount of \$6,688.12 from Allstate for Claim #U-18-0015 and Director of Risk Management is authorized to settle on behalf of Montgomery County.
- G3. PAYMENT ACCEPTED in the amount of \$5,505.58 from GEICO County Mutual Insurance for Claim #U-18-0040 and Director of Risk Management is authorized to settle on behalf of Montgomery County.

# COMMISSIONERS – AGENDA ITEM 9H1

## H1. PRECINCT 4

- a. CHECK ACCEPTED from the City of Roman Forest in the amount of \$2,036.50 for the purchase of fuel. This will be deposited into line item number 615-7926. Check has been forwarded to the Auditor for further processing.

# COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9I1-3

## I1. PRECINCT 2

- a. SUPPLEMENT APPROVED to the Advanced Funding Agreement with TxDOT approved in court 7/10/2018 (9F1a). The project is for construction of signal work on FM 2978 from FM 1488 to South of Dry Creek.
- b. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Del Webb The Woodlands, Section 6.
- c. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Del Webb The Woodlands Stonebridge Church Street Dedication.
- d. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Del Webb The Woodlands Boulevard Street Dedication, Section 2.
- e. FINAL PLAT APPROVED of Foster Commercial Park, Section One; 5.158 acres; Mary Corner Survey, A-9.
- f. FINAL PLAT APPROVED of Big Tree Center; 3.3965 acres; John N. Thomas Survey, A-549.
- g. FINAL PLAT APPROVED of Meadow Point; 6.054 acres; Joseph House Survey, A-20.
- h. FINAL PLAT APPROVED of Toba Farms; 15.441 acres; Bryan Stephen Survey, A-70.
- i. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Magnolia Reserve, Section 1.

## I2. PRECINCT 3

- a. PUBLIC HEARING DATE SET for October 23, 2018 to install “No Parking, No Stopping, No Standing, Monday-Friday, 7:15 a.m.-8:30 a.m., 2:45 p.m.-3:45 p.m.” signs at the intersection of Spring Trails Park Drive and Andrew

Springs Lane, 80 feet from the center of the intersection on both sides of the streets.

- b. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Lake Front Circle Extension and bond is released.

I3. PRECINCT 4

- a. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Montgomery Creek Ranch, Section 20.
- b. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Woodridge Forest, Section 17.
- c. FINAL PLAT APPROVED of Harper's Preserve, Section 12; 11.89 acres; Montgomery County School Land Survey, A-350.
- d. FINAL PLAT APPROVED of Walshak Estates; 1.9978 acres; J.H. Stewart Survey, A-668.
- e. FINAL PLAT APPROVED of Stetson; 11.9159 acres; Finley McNaughton Survey, A-392.

HUMAN RESOURCES – AGENDA ITEM 9J1

J1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of Animal Shelter to place Andrew Fenley, Kennel Technician, on payroll as replacement for Christian J. Hutchins, effective September 15, 2018.

Request of Animal Shelter to place Rebecca Russell, Kennel Technician, on payroll as replacement for Dustin Craig Siders, effective September 19, 2018.

Request of Custodial to place Natalia Mancha, Custodian, on payroll as replacement for Guillermo Hernandez, effective September 24, 2018.

Request of Building Maintenance to place David Rangel, Facility/Grounds Worker, on payroll as replacement for Jonathan Alcantar, effective October 1, 2018.

Request of Building Maintenance to place Jeremiah Zastrow, Maint Tech III, on payroll as replacement for Mark Fullen, Jr., effective September 17, 2018.

Request of Commissioner Precinct 1 to increase salary of Travis D. Ross, Laborer, due to completion of probationary period, effective September 8, 2018.

Request of Commissioner Precinct 1 to increase salary of Rocio Salinas-Carranza, Operator I, due to completion of probationary period, effective September 22, 2018.

Request of Commissioner Precinct 1 to accept the resignation of Ryan Austin Sockwell, Operator II, effective September 21, 2018. [22.59 hours or balance vacation; 52.41 hours or balance compensatory time]

Request of Commissioner Precinct 4 to place Emmitt D. Burns, Operator II, on payroll as replacement for Scott Brogan, effective September 10, 2018.

Request of Commissioner Precinct 4 to place Nelson L. "Butch" Haley, Jr., Operator I, on payroll as replacement for Curtis Smith, effective September 8, 2018.

Request of Commissioner Precinct 4 to place Darrell Jones, Operator III, on payroll due to Return from unpaid FMLA/Disability Leave, effective August 25, 2018.

Request of Commissioner Precinct 4 to promote Curtis M. Smith, Operator II, as replacement for Kim Smith, effective September 8, 2018.

Request of Constable Precinct 1 to place Joey R. Ashton, Deputy-Constable, on payroll as replacement for Matthew Wiese, effective September 17, 2018.

Request of Constable Precinct 1 to transfer Ashton Childers, Deputy Constable, from Jail to Constable Pct 1, effective September 22, 2018.

Request of Constable Precinct 3 to demote Michelle Baker, Corporal Constable, due to employee request, effective September 8, 2018.

Request of Constable Precinct 3 to accept the resignation of Arquimides Canizalez, Deputy Constable, effective September 12, 2018. [95.48 hours or balance vacation; 100.00 hours or balance compensatory time; 42.00 hours or balance holiday]

Request of Constable Precinct 3 to promote Steven Terrell, Sergeant Detectives, as replacement for Michelle Baker, effective September 8, 2018.

Request of Constable Precinct 5 to accept the retirement of David Hill, Constable, effective September 30, 2018. [No benefits due]

Request of Constable Precinct 5 to transfer Michael V. Silvio, Deputy, effective September 22, 2018.

Request of County Clerk to promote Tina D. Durrenberger, Clerk III, effective September 15, 2018.

Request of County Clerk to accept the resignation of Maria Del Rosario Morrison, Clerk II, effective September 22, 2018. [No benefits due]

Request of County Clerk to place Stephanie T. Norris, Clerk II, on payroll as replacement for Tina D. Durrenberger, effective September 18, 2018.

Request of County Clerk to accept the resignation of Tracey Wallbank, Clerk II, effective September 30, 2018. [No benefits due]

Request of District Attorney to place Kevin M. Bratcher, Attorney I, on payroll as replacement for Modesto E. Rosales, effective September 24, 2018.

Request of District Attorney to place Taylor S. Edwards-Vanegas, Attorney I, on payroll as replacement for Gabrielle Munoz, effective September 17, 2018.

Request of Elections to increase salary of Karen Brewer, Voter Clerk, due to increase of responsibilities, effective October 1, 2018.

Request of Elections to increase salary of Darla Brooks, Voter Clerk, due to increase of responsibilities, effective October 1, 2018.

Request of Elections to place Brenda Carroll, Voter Clerk, on payroll, effective September 10, 2018.

Request of Elections to place Donald Carroll, Voter Clerk, on payroll, effective September 10, 2018.

Request of Elections to place Jack A. Edwards, Voter Clerk, on payroll, effective September 24, 2018.

Request of Elections to place Brenda S. Moore, Voter Clerk, on payroll, effective September 24, 2018.

Request of Juvenile to remove Shawn William Arnold, Juvenile Supervision Officer, from payroll due to job abandonment, effective September 1, 2018. Not eligible for re-hire. [3.375 hours or balance compensatory time]

Request of Juvenile to accept the resignation of Palmer Eetion Ouzeene, Juvenile Supervision Officer, effective August 31, 2018. Is eligible for re-hire. [104.72 hours or balance vacation; 38.375 hours or balance compensatory time; 0.25 hours or balance holiday]

Request of Juvenile to accept the resignation of Torian Jay Wyatt, Juvenile Supervision Officer, effective August 29, 2018. Is eligible for re-hire. [24.29 hours or balance vacation; 4.125 hours or balance compensatory time]

Request of Library to accept the resignation of Mardell K. Ward, Library Assistant II, effective September 25, 2018. [No benefits due]

Request of Purchasing to promote Ann Bartley, Software Specialist, as replacement for Lauren Lovelady, effective September 24, 2018.

Request of Purchasing to accept resignation of Lauren Lovelady, Software Specialist, effective September 21, 2018. [7.15 hours or balance vacation]

Request of Sheriff to place Brian Edward Bagwell, Lieutenant, on Unpaid FMLA/Disability Leave, effective September 11, 2018.

Request of Sheriff to place Brian Edward Bagwell, Lieutenant, on payroll due to Return from FMLA/Disability Leave and sick pool contribution, effective September 15, 2018.

Request of Sheriff to place Glenda Baskett, Dispatcher, on payroll as replacement for Jennifer A. Kettler, effective September 22, 2018.

Request of Sheriff to transfer Nathan T. Hall, Deputy-Patrol, as replacement for Brian D. Olsen, effective September 22, 2018.

Request of Sheriff to accept the resignation of Jacob Landrum Lewis, Deputy, effective September 15, 2018. [137.80 hours or balance vacation; 249.79 hours or balance compensatory time; 51.00 hours or balance holiday]

Request of Sheriff to place Talon Alexander McKinney, Officer Civilian Deten, on unpaid leave of absence due to military leave, effective July 18, 2018.

Request of Sheriff to accept the resignation of Brian D. Olsen, Deputy-Patrol, effective September 13, 2018. [14.06 hours or balance vacation; 1.63 hours or balance compensatory time; 16.00 hours or balance holiday]

Request of South County Comm Center to promote Rani Duncan, Comm Facilities Worker, as replacement for Jolene Rhodes, effective September 22, 2018.

Request of South County Comm Center to accept the resignation of Jolene Rhodes, Comm Facilities Worker, effective September 21, 2018. [No benefits due]

Request of Tax Assessor-Collector to promote Lisa Doremus, Deputy Specialist IV, due to completion of mandatory educational and tenure requirements, effective September 22, 2018.

Request of Tax Assessor-Collector to promote Joanna Turrubiarres, Deputy Specialist IV, due to completion of mandatory educational and tenure requirements, effective September 22, 2018.



- K1. ORDER APPROVED to release lien and acknowledge receipt of check in the amount of \$6,963.82 as payment in full of assessment lien to recover cost to the County for demolition of a public nuisance for property located at 30419 Davis Street, Magnolia, Texas 77355. Check has been forwarded to the Auditor for further processing.
- K2. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 20093 Spring Hill Lane, Porter, Texas 77365. Rolling Hills Estates Sec 2, Block 1, Lot 15.
- K3. ORDER APPROVED to release lien and acknowledge receipt of check in the amount of \$5,453.14 as payment in full of assessment lien to recover cost to the County for demolition of a public nuisance for property located 29803 Denton St., Magnolia, Texas 77354. Check has been forwarded to the Auditor for further processing.
- K4. AGENDA ITEM 9K4 – VARIANCE REQUEST to install an aerobic on site system in the 100 year flood plain located at 4594 N. Duck Creek Road Cleveland, TX 77328 was REMOVED FROM CONSENT AGENDA AND DEFERRED.

COUNTY JUDGE – AGENDA ITEM 9L1-3

- L1. MODIFICATION NO. 14 APPROVED of Intergovernmental Agreement (IGA) with the United States Marshals Service for the Joe Corley Detention Facility. The purpose of this modification is to adjust the current per diem rate of \$63.55 to \$64.18 and the guard/ transportation rate of \$36.01 to \$36.78 to the collective bargaining agreement, effective dates July 1, 2018 – June 30, 2021.
- L2. SCHEDULE ADOPTED for the 2019 Commissioners Court Meetings and Holiday Calendar Schedule.
- L3. REQUEST APPROVED from the Friends of Conroe, Inc. to use the following County Properties before and during the Catfish Festival as follows:
  - Notice of road closures beginning Thursday, October 11, 2018, at 5 p.m. include Main Street at Davis to Pacific Streets; Thompson from Davis to Metcalf; Metcalf from San Jacinto to Pacific; Simonton from Frazier to Pacific and Newton from Davis to Simonton.
  - Use Of courthouse square including Courthouse Steps, lawn area, curbs and plaza beginning Thursday, October 11 at 5 p.m. through Sunday, October 14 at 12 midnight. However, nothing will impede pedestrian traffic into the courthouse until Friday, October 12 at 5 p.m.
  - All vehicles must exit garage on Simonton Street by 4 p.m. Friday, October 12 via Simonton and travel west to San Jacinto and south to Metcalf.

COUNTY ATTORNEY – REAL PROPERTY - AGENDA ITEMS 9M1-3

- M1. PRECINCT 1
  - a. RESOLUTION AND ORDER TO PAY APPROVED for actual moving costs relating to the acquisition of Parcel 59 for the expansion of FM 1097 payable to Curves in the amount of \$2,500.00.
  - b. RESOLUTION AND ORDER TO PAY APPROVED for actual moving costs relating to the acquisition of Parcel 59-R13(T) for the expansion of FM 1097 payable to Russell Humphrey and Letitia Humphrey in the amount of \$3,006.00.

- c. PUBLIC HEARING DATE SET for November 13, 2018 to consider closing, abandoning and vacating all or a portion of High Oaks Drive Right-of-Way.
- d. REQUEST APPROVED to acknowledge the naming of private road Outrigger Point Drive by Harbor Town Club Association.

M2. PRECINCT 2

- a. ORDER APPROVED authorizing Notice of Public Hearing on November 13, 2018 for partial revision to subdivision lots/plats being described as Lots 83 and 84 Block 1, Westwood Section One to be known as Replat Westwood Section 1 Replat No. 1.
- b. REQUEST APPROVED to accept, record and sign Resolution and Order granting variance to minimum lot size for 28752 Lake Side Green, Magnolia, Texas 77355. This was previously approved in Commissioners Court on August 28, 2018.
- c. RESOLUTION AND ORDER APPROVED to accept the agreement between Precinct 2, Montgomery County and Westwood N. Water Supply Corp for the purpose of repairing the roadway at the intersection of Shadberry and Sugar Bush Drive and to accept the donation check in the amount of \$2,100.00 for those road repairs. County Judge is authorized to sign on behalf of Montgomery County. Check has been forwarded to the Auditor for further processing.

M3. PRECINCT 4

- a. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 2 for the widening of Old Houston Road from Clyde Gerald Vick and Raynelle Vaughn for the total sum of \$2,851.86 and accept the executed or to be executed deed.
- b. ADVANCED FUNDING AGREEMENT APPROVED between Montgomery County and Texas Department of Transportation for SH 242 widening from FM 1314 to SH 69.
- c. ORDER APPROVED authorizing Notice of Public Hearing on November 13, 2018 for partial revision to subdivision lots/plats being described as Lots 22 and 23 Dogwood Forest Section One to be known as Harpers Preserve Marketplace.
- d. ORDER APPROVED authorizing Notice of Public Hearing on November 13, 2018 for partial revision to subdivision lots/plats being described as Lot 19 Block 1, Crockett Trace Estates Section 5 to be known as Crockett Trace Estates Section 5 Replat No. 1.

COUNTY ATTORNEY- AGENDA ITEMS 9N1-2

- N1. RESOLUTION AND ORDER APPROVED to support the need for the Montgomery County Attorney to defend on behalf of Montgomery County the lawsuit filed under Cause No. 18-06-08380 and styled Sandra Dang v. Montgomery County, Texas. The County Attorney is authorized to incur expenses as necessary for the proper defense of said case with funding of said expenses from the Risk Management Budget with the approval of the Director of Risk Management or designee.
- N2. PUBLIC SERVICE CONTRACTS APPROVED for the 2018-2019 fiscal year as follows: Access Builds Children; Montgomery County Children's Advocacy Center dba Children's Safe Harbor; Crisis Assistance Center; Heritage Museum

of Montgomery County; Montgomery County Committee on Aging dba Meals on Wheels; Montgomery County Veterans Memorial Commission; Montgomery County Women's Center; Montgomery County Youth Services; Tri-County Behavioral Healthcare; and Texas Parks and Wildlife.

COUNTY CLERK – AGENDA ITEMS 901-2

- O1. DEPUTATIONS APPROVED for the following County Clerk employees:
- a. Anna Sanchez
  - b. Tina Durrenberger
- O2. SHERIFFS' AND CONSTABLES' FEES SET in accordance with Texas Local Government Code, Section 118.131. This is the fees that are charged for civil services provided by the respective offices and will be effective January 1, 2019. There is no change in the fees that were previously approved for the current calendar year.

GRANTS – AGENDA ITEM 9P1

- P1. AMENDMENT APPROVED to the Vector Control Grant Application amount. The amount should be \$685,219.00. This grant application was approved in Commissioners Court on September 11, 2018.

Motion carried.

**END OF CONSENT AGENDA**

---

CITIZENS – AGENDA ITEM 10

Citizens will address the court at the time the agenda item is presented.

AGENDA ITEM 17A1 WAS MOVED FORWARD ON THE AGENDA.

Brian Clack addressed the court concerning the retirement of Constable Precinct 5. He asked the court to consider appointing him to the position.

The court discussed the retirement of Constable Precinct 5 David Hill. Constable Hill was invited to speak before the court and recommended Chief Deputy Chris Jones to replace him.

6. APPOINTMENT APPROVED – CONSTABLE PRECINCT 5 – COMMISSIONER PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Meador, to appoint Chris Jones as Constable Precinct 5 pursuant to section 87.041 of the Texas Local Government Code effective October 1, 2018. Motion carried.

AGENDA ITEM 11A – NANCY HEINTZ REPRESENTING THE WAY HOME LED BY THE COALITION FOR THE HOMELESS IN HOUSTON MADE A PRESENTATION TO THE COURT CONCERNING THE MONTGOMERY COUNTY HOMELESS COALITION.

7. ORDER APPROVED – UNLIMITED TAX ROAD BONDS – COUNTY JUDGE

ORDER APPROVED – UNLIMITED TAX REFUNDING BONDS – COUNTY JUDGE

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

- a. An Order authorizing the issuance of Montgomery County, Texas Unlimited Tax Road Bonds, Series 2018B; delegating authority to approve final pricing terms of the bonds and to execute final agreements; authorizing the preparation and distribution of an official statement; and matters incident thereto; and
- b. An Order authorizing the issuance of Montgomery County, Texas Unlimited Tax Refunding Bonds, Series 2018; delegating authority to approve final pricing terms of the bonds and to execute final agreements; authorizing the preparation and distribution of an official statement; and matters incident thereto.

Motion carried.

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

8. APPOINTMENT APPROVED – COMMISSIONER HOUSING AUTHORITY – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the appointment of Robert Walker as Commissioner to the Housing Authority of Montgomery County, Texas. Motion carried.

AGENDA ITEM 12A – CONSIDER AND APPROVE ORDER APPROVING LICENSES AGREEMENT WITH AMERICAN TOWERS, LLC WAS DEFERRED.

Bill O’Sullivan addressed the court concerning the Tax Abatement Policy. He stated that location is everything and he would like a “were not for” considered in the process such as were not for this tax abatement I gave they would not come here and bring the jobs. He would like that to be looked at when considering the abatement.

AGENDA ITEM 13A – MEMBERS OF COURT, TAX ASSESSOR AND COUNTY ATTORNEY’S OFFICE DISCUSSED POTENTIAL CHANGES TO MONTGOMERY COUNTY GUIDELINES AND CRITERIA FOR TAX ABATEMENT. THEY ASKED FOR GUIDANCE FROM THE COURT TO DRAFT THE GUIDELINES. COMMISSIONER MEADOR AND COMMISSIONER RILEY WILL WORK WITH THEM ON THIS ISSUE. THE GUIDELINES WILL BE BROUGHT BACK TO COURT.

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

9. ADJUSTMENTS APPROVED – AUDITOR’S BUDGET – BUDGET OFFICE

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve adjustments to County Auditor’s Budget for FY2019 budget to be effective October 1, 2018. Motion carried.

Eric Yollick addressed the court concerning the Salary Schedule. He stated that the salary schedule should not be considered, accepted or approved due to secrecy, the percentage of the payroll, and because the County government is ran worse that Washington. He stated department 612 is a total mess. He presented a golden hammer to Dodi Shaw and Amanda Carter due to the salary schedule.

10. SALARY SCHEDULE APPROVED – FY2019 – BUDGET OFFICE

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the Salary Schedule for FY2019, effective October 6, 2018. Motion carried.

11. BUDGET POLICIES APPROVED – FY2019 – BUDGET OFFICE

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the Budget Policies for FY2019. Motion carried.

12. BUDGET TRANSFERS APPROVED – PRE-FUNDING VEHICLES – BUDGET OFFICE

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the Budget Transfers from Various Departments Salary Line Items to Contingency for the use of Pre-Funding vehicles for FY2019. When the money is replenished on October 1, 2018 \$550,000 will be placed in Capital Improvements and \$550,000 will be used for vehicles to replace the salary stipends that are ending. Motion carried.

13. CONTRACTS APPROVED – VARIOUS – PRECINCT 2 AND PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the contracts with the following highly qualified providers per Government Code Chapter 2254:

- a. Engineering and Inspection Services for Elan Blvd and Birnham Woods Drive from PTP Transportation in the amount of \$169,425.00 for Precinct 3 and
- b. Construction materials testing services for Fish Creek Thoroughfare at Lake Creek Bridge II from Terracon Consultants, Inc. in the amount of \$73,177.00 for Precinct 2.

Motion carried.

Bill O'Sullivan addressed the court concerning the IT purchases and questioned as to whether or not it was pre-planned. He stated that money used for the prefunding of vehicles should be set aside for a new courthouse and not used for Contingency. He would like the money rolled into Capital Improvement fund for that project.

14. PURCHASES APPROVED – VARIOUS – INFORMATION TECHNOLOGY

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the following purchases:

- a. IT hardware, software and licensing through the State of Texas Department of Information Resources (DIR) contract #DIR-TSO-2668 from Extreme Networks, Inc. reseller Enterprise Systems Corporation in the amount of \$283,285.97 for IT. Local Gov't Code §271.083
- b. IT hardware, software and licensing in the amount of \$328,346.54 through The Interlocal Purchasing System (TIPS) contract #180306 from Enterprise System Corporation for IT. Local Gov't Code §271.102
- c. IT hardware, software and licensing of 297 Dell Computers through the State of Texas Department of Information Resources (DIR) contract #DIR-TSO-3763 from Dell Marketing LP in the amount of \$207,401.04 for IT. Local Gov't Code §271.083
- d. IT hardware, software and licensing through the State of Texas Department of Information Resources (DIR) contract #DIR-TSO-2696 from Secure Data Solutions in the amount of \$102,991.15 for IT. Local Gov't Code §271.083

Motion carried.

15. PROPOSAL ACCEPTED – HAGERTY CONSULTING INC – EMERGENCY MANAGEMENT

Motion by Commissioner Noack, seconded by Commissioner Riley, to accept the cost proposal from Hagerty Consulting, Inc. for Flood Mitigation Assistance (FMA) in the amount of \$432,048.00 pending review from the County Attorney's office. Contract was previously approved in Commissioners Court on 07/10/18 for Emergency Management. Motion carried.

16. AWARD APPROVED – BULK ROAD MATERIALS – VARIOUS DEPARTMENTS

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve the award for Project #18-68 Bulk Road Materials to Vulcan Construction, Inc. and Century Asphalt. Motion carried.

17. AWARD APPROVED – PROJECT 18-33 – VARIOUS DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the award for Project #18-33 RFP Decedent Transport Services, Storage Services and the disposition of bodies of deceased paupers to Darst Funeral Home and Eickenhorst Funeral Services for Various Departments. Motion carried.

AGENDA ITEM 15E – TAKE APPROPRIATE ACTION TO APPROVE THE CONTRACT FOR PROJECT #18-41 ARMORED TRANSPORTATION SERVICE AND INTELLIGENT SAFE TECHNOLOGY WAS DEFERRED.

18. LEASE APPROVED – MAIL MACHINE – TAX OFFICE

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the lease of Mail Machine in the amount of \$1,140.00 per month for 60 months for a total of \$68,400.00 through the Buyboard contract #496-15 from Pitney Bowes as authorized by Local Gov't Code §271.102 for Tax Office. Motion carried.

19. PURCHASE APPROVED – VEHICLES – CONSTABLE PRECINCT 4

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the purchase of two Chevrolet Tahoe PPV from Lake Country Chevrolet in an amount not to exceed \$65,000.00. This will be funded through Risk Management and Contingency, but the total needed from each was not known at this time. Motion carried.

20. REQUEST APPROVED – POSITION TRANSFER – PURCHASING

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the transfer of Building Maintenance Position 510-4230-1 Construction Proj Coordinator and its associated salary and benefits to Purchasing Agent as Position 407-4230-1 Construction Proj Coordinator. This will be effective October 6, 2018. Motion Carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 16A1: CONSIDER THE PARTIAL REVISION OF LOTS 38, 39, 40 AND 41, BLOCK 14, POINT AQUARIUS SECTION 1, TO BE KNOWN AS LINNEHAN REPLAT.

AGENDA ITEM 16B1: CONSIDER CLOSING AND ABANDONING ALL OR A PORTION OF OLD HARDIN STORE ROAD BEGINNING AT ITS INTERSECTION WITH HARDIN STORE ROAD AND TERMINATING AT ITS INTERSECTION WITH RAILROAD RIGHT-OF-WAY.

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

21. ORDER APPROVED – OLD HARDIN STORE ROAD – PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve an Order Closing, Abandoning, and Vacating approximately 383 feet of Old Hardin Store Road right-of-way between Post Oak Forest Dr. and Hardin Store Road. The title to that portion is hereby vested in the owners of property abutting said portion of Hardin Store Road as follows: Decker Prairie Church of Christ is conveyed the south 383 feet to the centerline of the abandoned segment and Ronald C. and Virginia A. Hawley are conveyed the north 383 feet to the centerline of the abandoned segment. Motion carried.

Jean Teague addressed the court concerning the underpass project for Grogans Mill and Research Forest. She opposed the underpass project. She asked many questions directed to Commissioner Noack and brought up citizen's concerns.

Janeu Houston also addressed the court concerning the underpass project for Grogans Mill and Research Forest. She opposes the underpass project. She stated the projected traffic at Grogans Mills and Lake Woodlands is higher. She also asked many questions directed at Commissioner Noack.

Alex Warmath also addressed the court concerning the proposed mobility plan. He would like money put into intersection at I-45 and Research Forest and I-45 and Lake Woodlands Drive because traffic is stopped during peak hours. He also asked questions directed to Commissioner Noack.

Mayor Ritch Wheeler addressed the court on the mobility plan. He stated the citizens he has spoke to have shown support for the project. He also spoke to a Resolution of Support to keep Grogans Mill a two lane road and stated that the underpass will help direct the traffic.

Commissioner Noack discussed the packet presented in the back up materials. He discussed some of the concerns that were presented. He stated that he and Commissioner Riley supported the request to keep Grogans Mill a 2 lane road.

Commissioner Riley also discussed some problems with mobility. He stated Shenandoah has a tough time because it lies in 3 different Precincts. He would like to go to TxDOT for help with the mobility problems.

Mayor Ritch Wheeler discussed some ongoing projects that had been discussed for I-45 and Research Forest Drive.

Commissioner Clark discussed the traffic problems at I-45 and Research Forest Drive.

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

**22. RESOLUTION APPROVED – TIP SUBMITTALS – COMMISSIONER PRECINCT 3**

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the resolution of Support and Sponsorship of the Research Forest Drive and Grogans Mill Road underpass through the Houston-Galveston Area Council Transportation Improvement Program. 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, ARTICLES 551.071, 551.072, AND 551.074.**

EXECUTIVE SESSION – AGENDA ITEM 18A: DISCUSS AND DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT DUTIES, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE.

EXECUTIVE SESSION – AGENDA ITEM 18B: DISCUSSION WITH COUNTY ATTORNEY REGARDING POTENTIAL LIABILITIES AND LEGAL IMPLICATIONS RELATED TO THE INCORPORATION PROCESS OF THE WOODLANDS TOWNSHIP

EXECUTIVE SESSION – AGENDA ITEM 18C: DISCUSS THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY.

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

In regards to Agenda Item 18B Commissioner Noack stated that the County Attorney's Office will reach out to The Woodlands Township Attorney to make sure all parties are on the same page for services and fees.

CITIZENS – AGENDA ITEM 20

Bill O'Sullivan addressed the court concerning the Animal Shelter. He stated they have improved their outplacement with the efforts of Roseanna Russell.

MISCELLANEOUS – AGENDA ITEM 21 – NO OTHER ITEMS LISTED.

23. COURT ADJOURNS

Motion by Commissioner Clark, 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

