

SEP 13 2016

COMMISSIONERS COURT DOCKET
AUGUST 31, 2016
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 31st day of August, 2016, the Honorable Commissioners Court of Montgomery County, Texas, was duly convened in a Regular Session in the Commissioners Courtroom of the Alan B. Sadler Commissioners Court Building, 501 North Thompson, Conroe, Texas, with the following members of the Court present:

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

INVOCATION GIVEN BY Tracey Fentem

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. CORRECTION OF MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Clark, seconded by Commissioner Meador, to approve the Correction to Minutes from Regular Session of Commissioners Court dated April 26, 2016 as follows:

Human Resources - Agenda Item 8G1
Minutes did read " Request of Animal Shelter to discharge Jacqueline Beaton, Clerk IV, effective April 6, 2016 [No benefits due]
Minutes should read: "Request of Animal Shelter to accept the resignation of Jacqueline Beaton, Clerk IV, effective April 6,2016 [No benefits due]"

Motion carried.

3. RESOLUTION AND ORDER APPROVED – CONSENT AGENDA – AGENDA ITEMS A-K

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, as follows:

COUNTY AUDITOR – AGENDA ITEMS 8A1-3

- A1. PAYMENT OF ACCOUNTS APPROVED, as submitted by the County Auditor.
- A2. BUDGET AMENDMENTS FY16 APPROVED:

- a. 221st District Court: To adjust line items.
- b. Building Maintenance: To recognize and allocate revenues M18/05.05.14.
- c. Commissioner Precinct 3: To adjust line items.
- d. Commissioner Precinct 4: To adjust line items.
- e. Constable Precinct 1: To adjust line items
- f. Constable Precinct 1-WISD: To recognize and allocate revenue.
- g. Constable Precinct 4: To adjust line items.
- h. Constable Precinct 5: To adjust line items and recognize and allocate revenue.
- i. County Clerk: To transfer funds for materials and building of frame for a donated U.S. Flag.
- j. County Engineer: To transfer funds for new computer and monitor and transfer funds for office remodel.
- k. Court Guardianship: To recognize and allocate revenue.
- l. Court Reporter Services Fund: To recognize and allocate revenue.
- m. District Attorney-Domestic Violence Grant FY17: To set up DA Domestic Violence Prosecutor Grant as awarded by CJD application approved in CCT M14/02.23.16.
- n. District Attorney-Forfeitures: To adjust budget lines M12 & M13/06.14.16 and adjust budget lines.
- o. District Attorney-State Funds: To adjust budget lines.
- p. Information Technology: To transfer funds for IT remodel.
- q. Law Library Fund: To adjust line items.
- r. Memorial Library: To adjust line items.
- s. Non-Departmental Civic Center Improvements: To transfer capital improvement funding for flooring and partitions in the Lone Star Convention Center as approved M9/08.09.16.
- t. Sheriff: To adjust line items.
- u. Sheriff-Auto Theft: To adjust line items for Amend #1.
- v. Sheriff-Jail: To recognize and allocate revenue.

A3. INTERIM ARBITRAGE REBATE ANALYSIS ACCEPTED for Montgomery County, Texas Unlimited Tax Adjustable Rate Road Bonds, Series 2006B.

PURCHASING – AGENDA ITEMS 8B1-10

B1. RENEWALS AWARDED:

- a. Custodial supplies & equipment through the Interlocal Agreement with Buyboard contract #490-15 with Staples Facility Solutions as authorized by Local Government Code §271.102 for Various Departments. (Exercising the first of two renewal options)
 - b. Customer credit card payment service with Official Payments Corporation effective 08/21/16 for Various Departments. (Exercising the fifth of five renewal options)
- B2. CHANGE ORDERS APPROVED:
- a. CO #1 to Mark W. Todd Architects, Inc. for architectural services for the Empowerment Resource Center for additional architectural services in the amount of \$4,404.74 for MCCD.
- B3. REQUEST APPROVED as authorized by Local Government Code §263.152 to declare miscellaneous items as salvage for Various Departments.
- B4. MISCELLANEOUS ITEMS APPROVED for the next online auction with Rene Bates Auctioneers, Inc. for Various Departments.
- B5. REQUEST APPROVED of the name change of Public Agency Training Council to Aegean, LLC dba Public Agency Training Council effective 04/11/16 for Various Departments.
- B6. PAYMENT AND PERFORMANCE BOND APPROVED from Nash Industries, Inc. Bond No. CNB-22370-00, in the amount of \$126,602.54 for demolition and site clearing of homes for Precinct 3.
- B7. REQUEST APPROVED to rescind permission to advertise for RFP-Plumbing Services for Various Departments.
- B8. ADVERTISING APPROVED for the following bids/proposals:
- a. Folding panel partitions including installation for Lone Star Convention and Expo Center.
 - b. RFP - Bulk fuel for Various Departments.
- B9. CORRECTION APPROVED to the contract approval for products and related services through the Interlocal Agreement with DIR contract #DIR-TSO-2520 with Panasonic System Communications Company of North America as authorized by Local Government Code §271.083(b) for Various Departments. Previously approved in Commissioners' Court 08/23/16 as follows:
- Did read with Panasonic Systems Communications Company of North America
 - Should read with Panasonic System Communications Company of North America reseller Portable Computer Systems, Inc.
- B10. DISCRETIONARY EXEMPTIONS APPROVED for a professional service as authorized by Local Government Code §262.024 (a)(4) for construction materials testing for Rayford Road from Geoscience Engineering and Testing, Inc. not to exceed \$7,400.00 for Precinct 3.

- C1. PAYMENT ACKNOWLEDGED AND RECORDED INTO THE MINUTES to Vicki McHenry in the amount of \$2,281.40 in reference to Claim #A-16-0089. Date of incident 08/04/16.
- C2. PAYMENT ACKNOWLEDGED AND RECORDED INTO THE MINUTES to Hope and Joshua Zuniga in the amount of \$830.54 in reference to Claim #B-16-0062. Date of incident 07/04/16.
- C3. CHANGES, ADDITIONS AND RELEASES APPROVED for the following:

<u>BOND</u>	<u>NAME/DEPT</u>	<u>AMOUNT</u>	<u>ACTION</u>
62527174	Kipness, Mary Copeland/Const. Pct. 2	\$5,000	Reserve/Cont Cert
61134607	Arnold, Cory Hoyt/Const. Pct. 4	\$5,000	Renew/Cont Cert
61136884	Higley, Lee/Tax Assessor	\$50,000	Renew/Cont Cert
14883210	Morrow, Dwayne/Const. Pct. 4	\$5,000	Renew/Cont Cert
18135748	Harrison, Lonnie Bruce/Const. Pct. 5	\$5,000	Renew/Cont Cert
61789505	Robichaux, Pamela/Treasurer	\$25,000	Renew/Cont Cert

HUMAN RESOURCES – AGENDA ITEMS 8D1-2

D1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of Animal Shelter to place Michael Barnes, Kennel Technician, on payroll as replacement for Jacob Luce, effective August 20, 2016.

Request of Animal Shelter to place Sara Fairchild, Kennel Technician, on payroll as replacement for Robert Von Kamp, effective August 20, 2016.

Request of Animal Shelter to accept the resignation of Robert Von Kamp Jr., Kennel Technician, effective August 6, 2016. [No benefits due]

Request of Commissioner Precinct 1 to discharge Porfirio Hinojosa Jr., Laborer, effective August 17, 2016. [No benefits due]

Request of Commissioner Precinct 2 to remove Daniel Dewayne Shields, Operator I, from payroll due to job abandonment, effective August 11, 2016. [No benefits due]

Request of Commissioner Precinct 3 to place William Cody Grimes, Operator I, on payroll, effective August 22, 2016.

Request of Constable Precinct 1 to accept the retirement of James D. Wrentz, Deputy Constable, effective October 3, 2016. [154.96 hours or balance vacation; 3.75 hours or balance compensatory]

Request of Constable Precinct 2 to place Patrick L. Sweat, Deputy, on payroll as replacement for Tilton Ray Cunningham Jr., effective August 20, 2016.

Request of County Clerk to lay off Kennedy Dalane Gay, Clerk II, effective August 19, 2016. [No benefits due]

Request of District Attorney to transfer Kyle Matthew Crawl, Attorney II, as replacement for George Matthew Napier, effective September 19, 2016.

Request of District Attorney to change position of Philip Spencer Harris, Attorney I, as replacement for Wesley James Le Rouax, effective September 19, 2016.

Request of District Attorney to place Samantha Jarvis, Attorney I, on payroll as replacement for Philip Spencer Harris, effective September 19, 2016.

Request of District Attorney to promote Wesley James Le Rouax, Attorney II, as replacement for Kyle Matthew Crowl, effective September 19, 2016.

Request of District Attorney to change position of Adam Cole McLane, Attorney III, as replacement for Vincenzo J. Santini, effective September 19, 2016.

Request of District Attorney to change position of George Alexander Napier, Attorney II, as replacement for Amy Sharon Waddle, effective September 19, 2016.

Request of District Attorney to promote Vincenzo J. Santini, Chief Prosecutor, as replacement for Kristi Nicole Czajkoski, effective September 19, 2016.

Request of District Attorney to promote Amy Sharon Waddle, Attorney III, as replacement for Adam Cole McLane, effective September 19, 2016.

Request of District Clerk to accept the retirement of Patsy Fletcher, Court Clerk II, effective August 31, 2016. [175.735 hours or balance vacation]

Request of District Clerk to accept the resignation of Alexandra Martin, Court Clerk IV, effective August 26, 2016. [73.33 hours or balance vacation]

Request of Elections to place Michael Bean, Voter Clerk, on payroll, effective August 27, 2016.

Request of Elections to accept the resignation of Alice Freeman, Voter Clerk, effective August 27, 2016. [No benefits due]

Request of Elections to place Dava King, Voter Clerk, on payroll, effective August 27, 2016.

Request of Elections to remove Sue Sims, Voter Clerk, from payroll (deceased), effective February 20, 2016. [No benefits due]

Request of Elections to accept the resignation of Marjorie Smith, Voter Clerk, effective August 27, 2016. [No benefits due]

Request of Elections to place Cherilyn Williams, Voter Clerk, on payroll, effective August 27, 2016.

Request of Juvenile to place April Denise Meador, Juvenile Supervision Officer, on Unpaid FMLA/Disability Leave, effective August 11, 2016.

Request of Permits to increase salary of Tiffany Renea Gaunce, Clerk IV, per department as replacement for Bailey Gillespie, effective August 22, 2016.

Request of Sheriff to transfer Anthony Cammarata, Mechanic I, as replacement for Christopher Cammarata, effective August 20, 2016.

Request of Sheriff to place Austin Duboise, Officer Civilian Detention, on payroll as replacement for Tyler Head, effective August 27, 2016.

Request of Sheriff to discharge Nicholas Gilsdorf, Mechanic III, effective August 22, 2016. [No benefits due]

Request of Sheriff to place Jennifer Hathaway, Officer Civilian Detention, on payroll as replacement for Patrick Guidry, effective September 3, 2016.

Request of Sheriff to place Logan Schneider, Officer Civilian Detention, on Unpaid Leave of Absence due to Military Leave, effective September 10, 2016.

Request of Sheriff to accept the resignation of Hugo Yanez, Officer Civilian Detention, effective August 28, 2016. [15.40 hours or balance vacation; 40.88 hours or balance compensatory; 8.00 hours or balance holiday]

Request of Animal Shelter to place Charley Michael Lee, Kennel Tech, on payroll as replacement for William Baker, effective August 10, 2016.

Request of Sheriff to place Thomas Matchett, Deputy Bailiff (Part-time), on payroll, effective August 29, 2016.

D2. REVISIONS APPROVED to the Overtime and Compensatory Time Policy in Section 5.1 of the Montgomery County Employee Policy Manual.

ENVIRONMENTAL HEALTH – AGENDA ITEMS 8E1-2

E1. ORDER APPROVED rescinding and vacating order to abate a public nuisance for 20897 Liberty St., New Caney, Texas 77357. This property has been brought into compliance without County involvement of funds.

E2. ORDER APPROVED rescinding and vacating order to abate a public nuisance for Lot 25, Block 10 of Lake Bonanza, Section 1. This property has been brought into compliance without County involvement of funds.

SHERIFF – AGENDA ITEM 8F1

F1. INTERLOCAL AGREEMENT ACCEPTED AND ACKNOWLEDGED regarding donation of microwave equipment with Harris County. This was previously approved 07/25/16.

COUNTY ATTORNEY – REAL PROPERTY - AGENDA ITEMS 8G1

G1. PRECINCT 3

a. ORDER APPROVED acknowledging receipt of check no. 2040 in the amount of \$20.00 from Walter E. Vars for lease of real property described as 1.330 acres known as Lot 7 Skylight Timbers, Montgomery County Texas, Precinct 3. Check has been forwarded to the Auditor for further processing.

b. RESOLUTION AND ORDER TO PAY APPROVED for funding of Incidental Expenses relating to the acquisition of Parcel 5, Lot 15 of the expansion of Rayford Road from Ana Ortiz in the amount of \$2,650.00. County Auditor and County Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to Ana Ortiz in the amount listed above.

c. RESOLUTION AND ORDER TO PAY APPROVED for the funding of Incidental Expenses relating to the acquisition of Parcel 37 of the expansion of Rayford Road from Michael and Rebecca James in the amount of \$3,413.55. County Auditor and Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to Michael and Rebecca James in the amount listed above.

d. RESOLUTION AND ORDER TO PAY APPROVED for the funding of Increased Interest Payment in connection with the purchase of a replacement dwelling relating to the acquisition of Parcel 37 of the expansion of Rayford Road from Michael and Rebecca James in the amount of \$1,135.96. County Auditor and Treasurer are authorized to issue payment from line item

6144014-75985827 and project code RD300018 to Michael and Rebecca James in the amount listed above.

- e. RESOLUTION AND ORDER TO PAY APPROVED for the funding of Replacement Housing Supplement relating to the acquisition of Parcel 37 of the expansion of Rayford Road from Michael Wayne James and Rebecca Leigh James in the amount of \$2,775.00. County Auditor and Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to Michael Wayne James and Rebecca Leigh James in the amount listed above.
- f. RESOLUTION AND ORDER TO PAY APPROVED for the funding of Incidental Expenses relating to the acquisition of Parcel 41 of the expansion of Rayford Road from Kevin Boney in the amount of \$5,676.61. County Auditor and Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to Kevin Boney in the amount listed above.
- g. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 21 of the expansion of Rayford Road from SPG Chandler Properties, LP in the amount \$6,842.78. County Auditor and Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to WFG National Title CO. for the benefit of SPG Chandler Properties, LP in the amount listed above.

COUNTY CLERK – AGENDA ITEM 8H1

- H1. DEPUTATION APPROVED of Deana Faircloth Deputy County Clerk.

BUILDING MAINTENANCE – AGENDA ITEM 8I1

- I1. GAS SALES CONTRACT APPROVED with Centerpoint Energy for discounted natural gas delivery to the Montgomery County Jail Facility and Judge Doyal is authorized to execute the document.

CONROE-NORTH HOUSTON REGIONAL AIRPORT – AGENDA ITEM 8J1

- J1. EASEMENT AGREEMENT APPROVED between Entergy Texas, Inc. and Montgomery County for utility pole relocation at the Airport Entrance.

MENTAL HEALTH COURT SERVICES – AGENDA ITEM 8K1

- K1. REQUEST APPROVED for the addition of Clarise Watson, Representative of National Alliance on Mental Illness (NAMI) to the Advisory Board for the Mental Health Treatment Court.

Motion carried.

END OF CONSENT AGENDA

CITIZENS – AGENDA ITEM 9

Eric Yollick addressed the Court concerning the purchase of new iPads for Judges. He believes they are too expensive and would have upgrades that are not necessary.

Adrian Heath addressed the Court concerning rules for elections. He would like to know why can a person have a homestead exemption at one location, but be registered to vote at a different location.

AGENDA ITEM 10A – CONSIDER AND APPROVE AN ADDITIONAL \$507,500.00 IN FUNDS FOR THE CONSTRUCTION OF THE SHERIFF’S DISTRICT 2 SUBSTATION WAS REMOVED.

4. REQUEST ACCEPTED - UNFUNDED GRANT PROGRAM DECISION – DWI AND DRUG COURT

Motion by Commissioner Clark, seconded by Commissioner Riley, to accept the unfunded grant program decision from CJD for the Montgomery County Drug and DWI Court for FY 17. Motion carried.

5. REQUEST APPROVED – PURCHASE OF IPADS – OFFICE OF COURT ADMINISTRATION

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the use of the District and County Court Technology Fund in the amount of \$8,280.00 for updating Judges’ iPads used for warrants and legal research. Motion carried.

6. ORDER APPROVED – ELECTION DAY POLLING LOCATION – ELECTIONS

Motion by Commissioner Clark, seconded by Commissioner Meador, to approve an Order Changing Election Day Polling Locations in voting precincts 11, 56, and 57. Motion carried.

7. INTERLOCAL AGREEMENT APPROVED – POLLING PLACE – ELECTIONS

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve an Interlocal Polling Place Agreement between Montgomery County and The Woodlands Township for use of the Emergency Training Center located at 16135 IH-45 South, The Woodlands, Texas 77385 as a polling place for Precinct 56. Motion carried.

8. REQUEST APPROVED – APPOINTMENTS/DESIGNATION OF LOCATIONS – ELECTIONS

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the Appointment of Election Officials and Designation of Montgomery County Polling Locations. Motion carried.

9. REQUEST APPROVED – PURCHASE OF VEHICLES – CONSTABLE 3, 4 AND 5

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the purchase as authorized by Local Government Code §271.102 of the following:

- Six (6) new 2016 Chevrolet Tahoes PPV CC 15706 through the Interlocal Agreement with Buyboard contract #430-13 from Caldwell Country Chevrolet each in the amount of \$34,725.00 with a one-time Buyboard fee of \$400.00 for a combined total of \$208,750.00 for Constable 3, 4, and 5.

Motion carried.

10. DISCRETIONARY EXEMPTION APPROVED – PROFESSIONAL SERVICE – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve granting a Discretionary Exemption for a professional service as authorized by Local Government Code §262.024(a)(4) for the following:

- a. Engineering services for airport perimeter road in the amount of \$187,047.00 from LJA Engineering, Inc. for Precinct 1.
- b. Appraisal review services for FM 1097 (from Anderson Rd. to IH 45) in the amount of \$36,000.00 from RRES, LLC dba Rutherford Real Estate for Precinct 1.

Motion carried.

11. CONTRACT APPROVED – ABERDEEN, LLC – INFORMATION TECHNOLOGY

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the contract for general purpose commercial information technology equipment, software and services with the purchase of storage, server and workstation hardware with maintenance and support through schedule #70 of the General Services Administration (GSA) contract #GS-35F-0849R from Aberdeen, LLC in the amount of \$76,442.00 for IT. Motion carried.

12. NEGOTIATIONS TERMINATED – SHERIFF'S SUBSTATION – SHERIFF

Motion by Commissioner Noack, seconded by Commissioner Clark, to terminate the negotiation with GTT, Inc. and rejects all proposals for CSP-Montgomery County Sheriff's Substation for Sheriff's Office. Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 15A: CONSIDER AND APPROVE ORDER PARTIAL REVISION OF LOT 54 OF SPLENDORA FARMS SECTION 3, TO BE KNOWN AS SPLENDORA FARMS SECTION 3, PARTIAL REPLAT NO. 1

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

NO ACTION NECESSARY ON THE ITEMS ADDRESSED DURING THE PUBLIC HEARING.

13. CONTRACT CHANGE ORDER APPROVED – RECYCLING FACILITY GRANT – COMMISSIONER PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve the contract change order increase and extend contract to June 30, 2017 from HGAC for the North Montgomery County Recycling Facility Grant in the amount of \$36,749.00 and Commissioner Meador is authorized to execute all paperwork. Motion carried.

CITIZENS – AGENDA ITEM 17

Eric Yollick addressed the Court concerning the Animal Shelter. He would like to see the shelter to move forward with a united community.

Laurie Elliot also addressed the Court concerning the Animal Shelter. She thanked the court for the job posting for a new director at the Animal Shelter and spoke to many problems at the shelter.

Tracey Fentem also addressed the Court concerning the Animal Shelter. She was pleased with the job posting, but would like a committee to help with the choosing of a new director. She also stated that she would bring a presentation back to court showing how a shelter should be ran and built.

Bill O'Sullivan also addressed the Court concerning the Animal Shelter. He would like the problems addressed upfront and would like a plan in place for the Shelter.

Lisa Watkins also addressed the Court concerning the Animal Shelter. She would like a new director with no other businesses or jobs.

Adrian Heath addressed the court concerning voting. He would like to know why people are registered to vote using the Courthouse and Sadler Building as their addresses.

AGENDA ITEM 18 – MISCELLANEOUS – NO OTHER ITEMS LISTED

14. COURT ADJOURNS

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

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

ATTEST:

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

BY: Mark Turnbull
COUNTY CLERK

Craig Dwyer
COUNTY JUDGE

