

COMMISSIONERS COURT DOCKET
SEPTEMBER 13, 2016
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 13th day of September, 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 4 | Jim Clark |
| Also County Clerk's Office | Amber Twiddy |

ABSENT:

| | |
|--------------------------|-------------|
| Commissioner, Precinct 3 | James Noack |
|--------------------------|-------------|

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 Meador, seconded by Commissioner Riley, to approve Commissioners Court Agenda for discussion and necessary action. Motion carried.

2. RESOLUTION APPROVED – POWER UP AT YOUR LIBRARY

Motion by Commissioner Meador, seconded by Commissioner Clark, to proclaim September 15, 2016 as Power up at Your Library Day and encourage all residents to visit the library. Motion carried.

AGENDA ITEM 7B – EMPLOYEE COMMITTEE RECOGNITION WAS ADDRESSED
AFTER MOTION #7.

3. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Clark, seconded by Commissioner Meador, to approve the Minutes from Regular Session of Commissioners Court dated August 23, 2016. Motion carried.

4. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the Minutes from Regular Session of Commissioners Court dated August 31, 2016. Motion carried.

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

Motion by Commissioner Meador, 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 9A1-3

- A1. PAYMENT OF ACCOUNTS APPROVED, as submitted by the County Auditor.
- A2. BUDGET AMENDMENTS FY 2016 APPROVED:
 - a. Various: To correct transfers.
 - b. Adult Probation-Basic Supervision: To set up FY 17 budget.
 - c. Adult Probation-Community Corrections: To set up FY 17 Community Corrections Budget.
 - d. Adult Probation-Mental Impairments: To set up FY 17 Mental Impairments Budget.
 - e. Animal Control: To adjust line items.
 - f. Building Maintenance: To adjust line items.
 - g. Commissioner Precinct 1: To adjust line items and fund new position 612-2900-8 as approved M34/08.23.16.
 - h. Commissioner Precinct 2: To fund three new positions as approved M36/08.23.16.
 - i. Commissioner Precinct 3: To reverse budget amendment, adjust line items, and recognize and allocate revenue.
 - j. Commissioner Precinct 4: To adjust line items.
 - k. Constable Precinct 1: To adjust line items.
 - l. Constable Precinct 2: To recognize and allocate revenue.
 - m. Constable Precinct 3: To fund the purchase of three vehicles and equipment for the three new positions awarded for the FY 2017 budget year as approved M10/08.23.16, recognize and allocate revenue, and recognize and allocate revenue for M18/04.07.14.
 - n. Constable Precinct 3-MUD 94 Unit: To adjust budget lines for year end FY16.
 - o. Constable Precinct 4: To recognize and allocate revenue, fund purchase of vehicle, equipment and fuel due to removal of vehicle stipend as approved M13/08.23.16.
 - p. Constable Precinct 5: To return swept salary and benefit funds as approved M14/08.23.16, fund promotion of deputy to sergeant as approved m16/08.23.16, fund purchase of vehicle, equipment and fuel due to removal of vehicle stipend as approved M17/08.23.16, fund the purchase of one vehicle and equipment for one new position awarded for the FY 2017 budget year as approved M18/08.23.16 and fund purchase of two VPN tokens.
 - q. County Auditor: To adjust line items.

- r. County/District Court Technology Fund: To fund purchase of eight Ipads as approved M5/08.31.16
- s. County Engineer: To fund increase to position 600-6902-1 as approved M33/08.23.16.
- t. County Judge-Low Income Repair Assistance Program: To recognize and allocate FY 2017 LIRAP Grant.
- u. Court Guardianship: To recognize and allocate revenue.
- v. Court Reporter Service Fund: To adjust line items and recognize and allocate revenue.
- w. Custodial Services: To adjust line items.
- x. Debt Service: To adjust line items and adjust line items accounting for changes in Debt Service, as related to a new issue and a refunding.
- y. DA/Domestic Violence Grant FY 16: To correct match adjustment for FY16 DVP Grant.
- z. Emergency Management: To fund damage assessments on residential properties flooded during the 2016 flood disasters as approved M10/06.28.16.
- aa. Fire Marshal: To adjust line items.
- bb. Forensic Services: To adjust line items.
- cc. Historical Commission: To recognize and allocate revenues.
- dd. Human Resources: To adjust line items.
- ee. Information Technology: To adjust line items.
- ff. Juvenile: To adjust line items.
- gg. JUV Probation-Detention: To adjust line items.
- hh. MCCD: To recognize and allocate PI received for Willis Building (PI-1.1), Lonestar Building (PI-1.2), Magnolia Building (PI-2.1), Mag Medical Building (PI-2.2), and Splendora Building (PI-4.1) and adjust line items.
- ii. Non-Departmental: To fund TCDRS contribution M23/08.23.16.
- jj. Purchasing Agent: To adjust line items.
- kk. Sheriff: To recognize and allocate revenue.
- ll. Sheriff-JAG FY 16: To set-up JAG FY16 Local Solicitation Grant from USDOJ M7/08.23.16.
- mm. Sheriff- Jail: To recognize and allocate revenue.
- nn. Sheriff-SO/SAVNS: To recognize and allocate renewal of SAVNS Grant as awarded by OAG M8/08.23.16.

- A3. REQUEST APPROVED for Justice of the Peace Precinct 3 to use \$156.51 from the Justice of the Peace Technology Fund for the purchase of 1 VPN Token.

TAX ASSESSOR/COLLECTOR – AGENDA ITEMS 9B1-3

- B1. REFUND APPROVED for Account 00.7121.04.04600 pursuant to Section 31.11, (c-1) of the Texas Property Tax Code due to overpayment.
- B2. REFUND APPROVED for Account 00.5390.03.08700 pursuant to Section 31.11, (c-1) of the Texas Property Tax Code due to overpayment.
- B3. AGREEMENT APPROVED for Assessment and Collection Services between Montgomery County and Roman Forest Public Utility District #3. Judge Doyal is authorized to sign on behalf of Montgomery County.

PURCHASING – AGENDA ITEMS 9C1-12

C1. RENEWALS AWARDED:

- a. Products and related services through the Texas Department of Information Resources (DIR) Contract #DIR-TSO-2634 with EMC Corporation, dba System Peripherals, Inc. and include Amendment #1 to the existing contract for Various Departments. (Exercising the first of two renewal options)
- b. Debris removal/disposal with Woodlands Landscaping & Maintenance, Inc. and include the name change to Woodlands Landscaping, LLC for Precinct 3. (Exercising the first of three renewal options)
- c. Medical services for inmates of the Montgomery County Jail with Correctional Healthcare Companies, Inc. with an increase of 3.6% effective 10/01/16 and the name change to Correctional Healthcare Companies, LLC effective 12/28/15 for Sheriff's Office. (Exercising the third of five renewal options)
- d. Legal advertising with 1013 Star Communications, LLC dba Houston Community Newspapers and include the name change to Hearst Newspapers, LLC dba Houston Community Newspapers for Various Departments. (Exercising the fifth of five renewal options)
- e. HVAC equipment, supplies & installation of HVAC equipment through the Interlocal Agreement with Buyboard Contract #458-14 with each of the following vendors: Carrier Corporation and Carrier Commercial Service as authorized by Local Government Code §271.102 for Various Departments. (Exercising the third of three renewal options)
- f. Tires & tubes with each of the following vendors: American Tire Distributors, Inc. dba Grays Wholesale Tire and Bridgestone Americas, Inc. dba GCR Tires & Service with price changes on miscellaneous items for Various Departments. (Exercising the fourth of four renewal options)
- g. Wavetronix products with Twincrest, Inc. Db a Twincrest Technologies for Various Departments. (Exercising annual renewal options)
- h. Global positioning systems (GPS) through the Texas Department Of Criminal Justice (TDCJ) Contract #696-pd-15-16-c033 with 3m Electronic Monitoring, Inc. for Adult Probation effective 09/01/16. (Exercising the first of two renewal options)

- C2. DISCRETIONARY EXEMPTIONS APPROVED for an item that can only be obtained from one source as authorized by Local Government Code § 262.024 (a)(7) for the following:

- a. Local telephone lines and miscellaneous services from each of the following vendors: Central Telephone Co. of Texas dba Centurylink and Frontier Communications for Various Departments.
 - b. Eslate voting equipment, parts and supplies with Hart Intercivic, Inc. for Elections
- C3. DISCRETIONARY EXEMPTIONS APPROVED for personal or professional service as authorized by Local Government Code §262.024 (a)(4) for the following:
- a. Residential services from each of the following vendors: 4M Youth Services, Inc. dba Rockdale Regional Juvenile Justice Center, Montgomery County Youth Services, Grayson County Department of Juvenile Services and G4S Youth Services, LLC for Juvenile.
 - b. Polygraph services from Thomas Polygraph Services for Juvenile.
- C4. ADVERTISING APPROVED for the following bids/proposals:
- a. Replacement doors including installation at the Montgomery County Mental Health Treatment Facility for Purchasing.
- C5. AWARD APPROVED to Rebel Contractors, Inc. for clearing, grubbing and mass grading for Various Departments.
- C6. CHANGE ORDERS APPROVED:
- a. CO #1 to AMG Printing & Mailing, Inc. for printing of election forms and related services to include the new voter registration application for use by volunteer deputies to existing contract for Elections.
 - b. CO #6 to Bryant, Shona dba Bryant's Signs for vehicle striping kits and installation to add unit number to patrol unit kits and K9 graphics and installation for all K9 units to the existing contract for Various Departments.
 - c. CO #1 to Agustin Gutierrez, MA, LPC, PC dba Forensic Counseling for adult counseling services (substance abuse services) to add drug education classes in the amount of \$50.00 per class for Adult Probation.
- C7. CONTRACTS APPROVED for the following:
- a. Products and related services through the State of Texas Department of Information Resources (DIR) Contract #DIR-TSO-3334 with Centre Technologies, Inc. effective 09/13/16 - 09/11/17 with two one year renewals for Various Departments.
 - b. Products and related services through the State of Texas Department of Information Resources (DIR) Contract #DIR-SDD-2035 with Carahsoft Technology Corporation reseller Centre Technologies, Inc. effective 09/13/16 - 05/03/17 for Various Departments.
- C8. MISCELLANEOUS ITEMS APPROVED for the next online auction with Rene Bates Auctioneers, Inc. for Various Departments.
- C9. REQUEST APPROVED to replace original tabulation sheet with corrected tabulation sheet for service for supplying audio visual materials for Library. The Vendors are Midwest Tape; Baker & Taylor; Ingram; Blackstone Audio, AV Café, and Recorded Books. This was previously approved on July 25, 2016.
- C10. REQUEST APPROVED to declare miscellaneous items as salvage as authorized by Local Government Code §263.152 for Various Departments.

C11. PURCHASES APPROVED as authorized by Local Government Code §271.102 through the Interlocal Agreement with BuyBoard Contract #430-13 for the following:

- a. One (1) 2017 Chevrolet 3500 Express Cutaway with box CG33903 from Caldwell Country Chevrolet in the amount of \$34,728.00 with a Buyboard fee of \$400.00 for a total amount of \$35,128.00 for Custodial Services.
- b. One (1) 2016 Chevrolet 2500 HD Silverado 4x2 Crew Cab SWB CC25743 from Caldwell Country Chevrolet in the amount of \$29,598.00 with a Buyboard fee of \$400.00 less trade in \$7,500.00 for a total amount of \$22,498.00 for Constable 1.

C12. VENDOR SHOW APPROVED sponsored by Hitouchbusinessproducts dba Myofficeproducts to be held on November 10, 2016 from 11:00 a.m. to 1:30 p.m. on the 4th floor of the Alan B. Sadler Commissioners Court Building for Purchasing.

RISK MANAGEMENT – AGENDA ITEM 9D1

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

| <u>BOND</u> | <u>NAME/DEPT</u> | <u>AMOUNT</u> | <u>ACTION</u> |
|-------------|--------------------------------------|---------------|-----------------|
| 24808977 | Luly, Mickey/Const. Pct. 1 | \$5,000 | Renew/Cont Cert |
| 61452205 | Atkins, Michael/Const. Pct. 3 | \$5,000 | Renew/Cont Cert |
| 14382031 | Gladden Jr, Willie Lee/Const. Pct. 2 | \$5,000 | Renew/Cont Cert |
| 61145302 | Walling, Chad Y/Const. Pct. 5 | \$5,000 | Renew/Cont Cert |
| 61149212 | Harvey, Helen/Elections | \$5,000 | Renew/Cont Cert |
| 62173012 | Mayo, Edward/Library | \$3,000 | Renew/Cont Cert |
| 61466049 | Skero, Bryan A/Const. Pct. 4 | \$5,000 | Renew/Cont Cert |
| 14454530 | Biernesser, George/Const. Pct. 3 | \$5,000 | Renew/Cont Cert |

COMMISSIONERS – AGENDA ITEMS 9E1-2

E1. PRECINCT 1

- a. FUNDING ACCEPTED from HGAC for North Montgomery County BOPA/Recycle Facility FY 17 in the amount of \$16,147.00. Grant application was approved in Commissioners Court on October 13, 2015.

E2. PRECINCT 4

- a. CHECK ACCEPTED in the amount of \$1,127.03 from Montgomery County ESD No. 7 for the purchase of fuel. This will be deposited into line item no. 615-735411. Check has been forwarded to the Auditor for further processing.
- b. USE AGREEMENT APPROVED with Texas Tigers to use the baseball fields at Ipes Park for practices as scheduled through December 31, 2016.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9F1-3

F1. PRECINCT 1

- a. FINAL PLAT APPROVED of Point Aquarius MUD Waste Water Treatment Plant; 6.9774 acres; Timothy Cude Survey, A-12.

F2. PRECINCT 3

- a. PUBLIC HEARING DATE SET for October 11, 2016 to change the name of Noble Grove Lane to Nobel Grove Lane in Meadows at Imperial Oaks, Section 4.
- b. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Imperial Oaks Park, Section 12; total length of roads 4,906.14 linear feet and bond is released.
- c. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Imperial Oaks Park, Section 12-A; total length of roads 2,363.85 linear feet and bond is released.
- d. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Imperial Oaks Park, Section 14; total length of roads 3,089.63 linear feet and bond is released.
- e. FINAL PLAT APPROVED of Harmony RPM4M Central Partial Replat No. 2; 8.730 acres; Montgomery County School Land Survey, A-351.
- f. FINAL PLAT APPROVED OF Springmont, Section 2; 15.0091 acres; R.O.W. McManus Survey, A-346.
- g. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Rayford Road at Birnham Woods Drive Street Dedication; total length of roads 3,573.28 linear feet and bond is released.
- h. FINAL PLAT APPROVED of Grogans Gate; 2.40 acres; Walker County School Land Survey, A-599.

F3. PRECINCT 4

- a. REQUEST APPROVED from Denbury Onshore, LLC to install a saltwater pipeline within the right of way of Albert Moorehead Road.
- b. REQUEST APPROVED to acknowledge that the roads in Harper's Preserve, Section 4 have been built to county standards. The roads have completed the one year maintenance period effective September 1, 2016 and the bond is released. These roads are private and will not be maintained by Montgomery County.
- c. REQUEST APPROVED to acknowledge that the roads in Harper's Preserve, Section 5 have been built to county standards. The roads have completed the one year maintenance period effective September 1, 2016 and the bond is released. These roads are private and will not be maintained by Montgomery County.
- d. REQUEST APPROVED to acknowledge that the roads in Harper's Preserve, Section 6 have been built to county standards. The roads have completed the one year maintenance period effective September 1, 2016 and the bond is released. These roads are private and will not be maintained by Montgomery County.
- e. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Azalea District, Section 3; total length of roads 1,853.91 linear feet to be effective September 13, 2016.
- f. FINAL PLAT APPROVED of Montgomery Creek Ranch, Section 19; 12.586 acres; Richard Vince Survey, A-583.

- g. FINAL PLAT APPROVED of Eagles Run Drive Street Dedication, Section 1; 0.45 acres; William Massey Survey, A-387.
- h. FINAL PLAT APPROVED of Spartan Battle Way Street Dedication, Section 1; 0.40 acres; William Massey Survey, A-387
- i. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Eagles Run Drive Street Dedication, Section 1; total length of roads 316.12 linear feet to be effective September 13, 2016.
- j. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Spartan Battle Way Street Dedication, Section 1; total length of roads 283.44 linear feet to be effective September 13, 2016.

HUMAN RESOURCES – AGENDA ITEM 9G1

G1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of 284th 2nd Administrative Judicial to increase salary of Rebecca Brite, Administrative Assistant II, salary increase is funded 100% through Interlocal agreement between 2nd Region and Montgomery County, effective September 1, 2016.

Request of 284th 2nd Administrative Judicial to increase salary of Melanie Sipes, Administrative Assistant II, salary increase is funded 100% through Interlocal agreement between 2nd Region and Montgomery County, effective September 1, 2016.

Request of Airport to accept the retirement of Joseph W. Stolte, Airport Operations Specialist, effective September 6, 2016. [No benefits due]

Request of Animal Shelter to discharge Cheyenne Barnett, Kennel Technician, effective August 30, 2016. [No benefits due]

Request of Animal Shelter to place Holli Hankamer, Vet Technician, on payroll as replacement for Matthew Segari, effective September 1, 2016.

Request of Animal Shelter to place Rylee Isbell, Kennel Technician, on payroll, effective August 27, 2016.

Request of Animal Shelter to place Skye Kurtz, Kennel Technician, on payroll as replacement for Kyle Moorhead, effective August 27, 2016.

Request of Animal Shelter to change status of Kyle Moorhead, Kennel Technician, from Full-time to Part-time, effective August 27, 2016.

Request of Commissioner Precinct 2 to place Wyatt Albert, Laborer, on payroll as replacement for Tyler Thornbrough, effective September 6, 2016.

Request of Commissioner Precinct 4 to place Luis Angel Perez, Operator I, on Unpaid FMLA/Disability Leave, effective August 25, 2016.

Request of Constable Precinct 3 to accept the resignation of Andrew J. Noel, Deputy-Constable, effective September 6, 2016. [80.72 hours or balance vacation; 8.5 hours or balance compensatory; 47.00 hours or balance holiday]

Request of Constable Precinct 4 to place James Coldiron, Deputy Constable, on payroll as replacement for Paul Cassidy Jr., effective September 6, 2016.

Request of Constable Precinct 5 to place Jonothan Charles Aldridge, Sergeant-Constable, on payroll, effective August 27, 2016.

Request of Constable Precinct 5 to place Ryan Douglas Johnston, Sergeant-Constable, on payroll as replacement for Chad Walling, effective August 27, 2016.

Request of Constable Precinct 5 to promote William R. Masden, Captain-Constable, as replacement for Glen Arnold, effective August 27, 2016. [61.25 hours or balance compensatory]

Request of Constable Precinct 5 to promote Chad Yates Walling, Lieutenant-Constable, as replacement for William Masden, effective August 27, 2016.

Request of County Auditor to accept the resignation of Amber Avila, Part-time Clerk, effective August 25, 2016. [No benefits due]

Request of County Clerk to place Amanda L. Daigle, Court Clerk II, on payroll, as replacement for Aimee Stevens, effective September 6, 2016.

Request of County Court at Law 2 to correct effective date on PCR of Aimee Stevens, Assistant Court Coordinator, as replacement for Juliana Petani, effective August 27, 2016.

Request of Engineering to place Jay M. Chapman, Engineer II, on payroll, effective August 27, 2016.

Request of District Attorney to place Christopher Carlton, Court Clerk IV, on payroll as replacement for Tami Hall, effective September 6, 2016.

Request of Elections to place Carole Kennedy, Voter Clerk, on payroll, effective September 10, 2016.

Request of Elections to place Richard M. Midler, Voter Clerk, on payroll, effective September 10, 2016.

Request of Elections to place Linda Moore, Voter Clerk, on payroll, effective September 10, 2016.

Request of Elections to place Jerral Pearson, Voter Clerk, on payroll, effective September 10, 2016.

Request of Elections to place Reginald Smith, Voter Clerk, on payroll, effective September 10, 2016.

Request of Justice of the Peace Precinct 3 to accept the resignation of Stephanie Lopez, Court Clerk II, effective August 27, 2016. [3.08 hours or balance vacation; 51.03 hours or balance compensatory]

Request of Juvenile to increase salary of Juan Jose Aguirre, Juvenile Probation Officer, due to 3% COLA approved by Commissioners Court FY 2017, effective October 8, 2016.

Request of Juvenile to increase salary of Susan Carol Badger, Supervisor-Clinical, due to 3% COLA approved by Commissioners Court FY 2017, effective October 8, 2016.

Request of Juvenile to place Sara Joyce Betts, Juvenile Supervision Officer Substitute, on payroll, effective August 29, 2016.

Request of Juvenile to increase salary of Joanna Comer, Supervisor-Probation, due to 3% COLA approved by Commissioners Court FY 2017, effective October 8, 2016.

Request of Juvenile to increase salary of Amy Lynn Cullen, Supervisor-Probation, due to 3% COLA approved by Commissioners Court FY 2017, effective October 8, 2016.

Request of Juvenile to increase salary of Dolores De La Torre, Juvenile Probation Officer, due to 3% COLA approved by Commissioners Court FY 2017, effective October 8, 2016.

Request of Juvenile to increase salary of Kara Lee Evans, Admin Manager 1, due to 3% COLA approved by Commissioners Court FY 2017, effective October 8, 2016.

Request of Juvenile to increase salary of Erick Demond Hogg, Juvenile Supervision Officer-JJAEP, due to 3% COLA approved by Commissioners Court FY 2017, effective October 8, 2016.

Request of Juvenile to increase salary of Joseph Pryor Ingram, Counselor, due to 3% COLA approved by Commissioners Court FY 2017 and additional funds approved by Juvenile Board on 8/5/2016, effective October 8, 2016.

Request of Juvenile to increase salary of Shawn Marie Keith, Counselor, due to 3% COLA approved by Commissioners Court FY 2017, effective October 8, 2016.

Request of Juvenile to increase salary of James Edward Lawrence, Shift Supervisor-Juvenile, due to 3% COLA approved by Commissioners Court FY 2017, effective October 8, 2016.

Request of Juvenile to increase salary of Erick Ivan Marquez, Juvenile Probation Officer Assistant, due to 3% COLA approved by Commissioners Court FY 2017, effective October 8, 2016.

Request of Juvenile to increase salary of Micaella Mona Mitchell, Counselor, due to 3% COLA approved by Commissioners Court FY 2017, effective October 8, 2016.

Request of Juvenile to increase salary of Gilberto Vasquez Pedraza, Juvenile Probation Officer Assistant, due to 3% COLA approved by Commissioners Court FY 2017, effective October 8, 2016.

Request of Juvenile to increase salary of Stefanie Ann Perez, Juvenile Probation Officer, due to 3% COLA approved by Commissioners Court FY 2017, effective October 8, 2016.

Request of Juvenile to increase salary of Jessica Marie Rios, Clerk III, due to 3% COLA approved by Commissioners Court FY 2017, effective October 8, 2016.

Request of Juvenile to increase salary of Miguel Sanchez, Juvenile Probation Officer, due to 3% COLA approved by Commissioners Court FY 2017, effective October 8, 2016.

Request of Juvenile to place Tre Anthony Scott, Juvenile Supervisor Officer Substitute, on payroll, effective August 29, 2016.

Request of Juvenile to increase salary of John Richard Sutton, Training Coordinator-Juvenile, due to 3% COLA approved by Commissioners Court FY 2017 and additional funds approved by Juvenile Board on 8/5/2016, effective October 8, 2016.

Request of Juvenile to increase salary of Destiny Lynn Swatzel, Juvenile Probation Officer, due to 3% COLA approved by Commissioners Court FY 2017, effective October 8, 2016.

Request of Juvenile to increase salary of Avery L. Thompson, Juvenile Probation Officer, due to 3% COLA approved by Commissioners Court FY 2017, effective October 8, 2016.

Request of Juvenile to increase salary of Carrie Jacobs Yanez, Supervisor-Probation, due to 3% COLA approved by Commissioners Court FY 2017, effective October 8, 2016.

Request of Library to place Karen Hiarker, Library Assistant II, on payroll as replacement for Francisca Kilgore, effective September 6, 2016. [Retain additional funds in position for potential end of probation increase]

Request of Library to place Tina Mol, Library Assistant II, on payroll as replacement for Ruby Castro, effective September 6, 2016.

Request of Permits to transfer Pamela Jo Kelley, Clerk IV, from County Clerk as replacement for Tiffany Gaunce, effective September 10, 2016.

Request of Recycle Station Precinct 3 to place Kerstin Alander, Operator I, on payroll as replacement for Steven McQuagge, effective August 22, 2016.

Request of Sheriff to accept the resignation of Meagan Henry, Dispatcher, effective August 23, 2016. [24.39 hours or balance vacation; 14.26 hours or balance compensatory]

Request of Sheriff to transfer Michael David Lee, Deputy Patrol District 1, from Deputy Patrol District IV, as replacement for Kenneth Wakefield, effective September 10, 2016.

Request of Sheriff to transfer Tony Madison, Deputy Patrol District IV, from Constable 3 RMUD Sub Unit, as replacement for Michael Lee, effective September 10, 2016.

Request of Sheriff to correct longevity pay of Alexis Montes, Deputy Detention, effective August 27, 2016.

Request of Sheriff to place Kollin Parker, Officer Civilian Detention on payroll, as replacement for Marisa Allen, effective September 3, 2016.

Request of Juvenile Probation to promote Bruce David Gusler, Director Juvenile Probation, as replacement for Ron Leach, effective September 2, 2016.

ENVIRONMENTAL HEALTH – AGENDA ITEMS 9H1-2

- H1. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 26847 FM 2090, Splendora, Texas 77372.
- H2. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 26080 Cambridge Blvd, New Caney, Texas 77357.

COUNTY JUDGE – AGENDA ITEM 9I1

- II. 2017 COMMISSIONERS COURT MEETING DATES AND COUNTY HOLIDAY SCHEDULE APPROVED.

SHERIFF – AGENDA ITEMS 9J1-3

- J1. DONATION ACCEPTED in the amount of \$3,259.98 on behalf of the MCSO K9 Division from The Next Door Neighbors Grand Harbor. These funds will be allocated to the Sheriff's K9 budget line 5601731-73573 and the balance will be carried over into FY 2017. Check has been forwarded to the Auditor for further processing.
- J2. FUNDING ACCEPTED for the FY2017 Speed Step Grant in the amount of \$71,077.12. The grant application was approved in Commissioners Court on December 8, 2015
- J3. ACCEPTANCE APPROVED of the HGAC Grant Application #3020301 award for the fiscal year 2017. Commissioner Meador is authorized to accept the award for the grant. The funds are from the HGAC grant titled "Sex Offender Identification Assistance Program." This grant application was approved in

Commissioner's Court on February 23, 2016 with no county match. The award is \$27,500 for the purchase of an Automated Fingerprint Identification System (AFIS) with software, maintenance, and technical support to be utilized by the Montgomery County Sheriff's Office.

COUNTY ATTORNEY – REAL PROPERTY - AGENDA ITEMS 9K1-3

K1. PRECINCT 2

- a. AGREEMENT APPROVED regarding improvements to be constructed within right-of-way and/or use of non-standard construction materials for roadways and streets between Montgomery County, Pulte Homes of Texas, L.P. and Del-Webb The Woodlands Homeowners Association, Inc.

K2. PRECINCT 3

- a. RESOLUTION AND ORDER TO PAY APPROVED for the funding of the fixed payment in lieu of moving expense in connection with the acquisition of Parcel 4 of the expansion of Rayford Road from Harp Car Wash Services, LLC in the amount of \$40,000.00. The County Auditor and Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to Harp Car Wash Services, LLC in the amount stated above.
- b. RESOLUTION AND ORDER TO PAY APPROVED for payment of actual moving expenses in connection with the acquisition of Parcel 40 for the expansion of Rayford Road to Rebecca Calmes in the amount of \$108.99. The County Auditor and Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to Rebecca Calmes in the amount stated above.
- c. RESOLUTION AND ORDER TO PAY APPROVED for the funding of fixed moving expenses in connection with the acquisition of Parcel 41 of the expansion of Rayford Road from Kevin Boney in the amount of \$2,500.00. The County Auditor and Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to Kevin Boney in the amount stated above.
- d. RESOLUTION AND ORDER TO PAY APPROVED for the funding of Replacement Housing Supplement in connection with the purchase of a replacement dwelling relating to the acquisition of Parcel 43 of the expansion of Rayford Road from Walter and Linda Davis in the amount of \$11,712.50. The County Auditor and Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to Capital Title for the benefit of Walter and Linda Davis in the amount stated above.
- e. RESOLUTION AND ORDER TO PAY APPROVED for the funding of Incidental Expenses relating to the acquisition of Parcel 44 of the expansion of Rayford Road from Matt and Stacy Olinger in the amount of \$5,387.71. The County Auditor and Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to Matt and Stacy Olinger in the amount stated above.
- f. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 24 of the expansion of Rayford Road from Faith United Methodist Church of Spring, Texas in the amount of \$40,136.52. The Memorandum of Agreement is approved and Judge Doyal and/or B.D. Griffin are authorized to approve the deed and execute the Closing Statement and all other documents necessary. The County Auditor and Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to WFG National Title Co.

for the benefit of Faith United Methodist Church of Spring, Texas in the amount stated above.

- g. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 55 of the expansion of Rayford Road from Wal-Mart Real Estate Business Trust in the amount of \$12,652.26. The Memorandum of Agreement is approved and Judge Doyal and/or B.D. Griffin are authorized to approve the deed and execute the Closing Statement and all other documents necessary. The County Auditor and Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to WFG National Title Co. for the benefit of Wal-Mart Real Estate Business Trust in the amount stated above.
- h. ORDER APPROVED declaring the existence of a public necessity and authorizing eminent domain proceedings for Parcel No. 14 being 0.01 acre (260 sq. ft) parcel situated in the Montgomery County School Land Survey, A-350 for the Rayford Road Expansion Project.

K3. PRECINCT 4

- a. RELEASE OF REVERTER APPROVED AND ACCEPTED from Donald Enloe and J.E. McNorton regarding 12.00 acres of land in the William Wills Survey, A-594 (Splendora Ball Park).

COUNTY ATTORNEY – AGENDA ITEMS 9L1-2

- L1. PUBLIC SERVICE CONTRACTS APPROVED for the 2016-2017 Fiscal year as follows:
 - a. Access Builds Children
 - b. Montgomery County Children's Advocacy Center, Inc. dba Children's Safe Harbor
 - c. Crisis Assistance Center
 - d. Heritage Museum of Montgomery County
 - e. Montgomery County Committee on Aging, Inc. dba Meals on Wheels Montgomery County
 - f. Montgomery County Women's Center
 - g. Montgomery County Youth Services
 - h. Tri-County Behavioral Healthcare
- L2. RESOLUTION APPROVED certifying the County's FY 2017 budgeted funding for the Montgomery County Committee on Aging Inc., dba Meals on Wheels for home-delivered meals for purposes of the application for grant funding from the Texas Department of Agriculture. Judge Doyal is authorized to sign the Resolution authorizing County Grant.

COUNTY ATTORNEY – MENTAL HEALTH TREATMENT FACILITY – AGENDA ITEMS 9M1-2

- M1. MINUTES ACCEPTED of the July 19, 2016 Montgomery County Mental Health Treatment Facility (MCMHTF) Advisory Board Meeting.
- M2. MONTHLY PERFORMANCE INDICATOR REPORT ACCEPTED for July 2016 as recommended by Montgomery County Mental Health Treatment Facility Advisory Board.

DISTRICT ATTORNEY – AGENDA ITEM 9N1

- N1. FUNDING ACCEPTED from TxDot for the No Refusal Grant for FY 17 for the District Attorney's Office in the amount of \$139,132.50 with a match of \$93,514.40. The application was approved in Commissioners Court December 22, 2015.

COMMUNITY DEVELOPMENT – AGENDA ITEM 9O1

- O1. REQUEST APPROVED to accept the Environmental Assessment and a Finding of No Significant Impact (FONSI) for the Walker Montgomery Community Development Low Income Owner Occupied Housing Project. Judge Doyal is authorized to sign all related paperwork.

OFFICE OF COURT ADMINISTRATION – AGENDA ITEM 9P1

- P1. TECHSHARE.INDIGENT DEFENSE IMPLEMENTATION PROJECT ADDENDA APPROVED to the Master Interlocal Agreement between Conference of Urban Counties and Montgomery County for the implementation of grant funded Techshare.Indigent Defense. Judge Doyal is authorized to sign agreement on behalf of Montgomery County.

Motion carried.

END OF CONSENT AGENDA

CITIZENS – AGENDA ITEM 10

John Elliot addressed the court concerning the budget of the Animal Shelter. He asked why are funds carried over is the shelter is underfunded.

6. REQUEST APPROVED – TRAVEL PAYMENT REIMBURSEMENT – COUNTY COURT AT LAW 2

Motion by Commissioner Riley, seconded by Commissioner Clark, to approve the request for a variance to the County's policy for Meals Per Diem Rate. The requisition of Martha Koomar will be paid at actual cost for 3 of the travel days and at the amount set by the County's policy for one of the days. This will be funded with budget line 4279-7425 as authorized by the OCA Director. Commissioner Meador voted "No". Motion carried.

7. FUNDING SOURCE APPROVED – TRUCK PURCHASE – LONE STAR CONVENTION CENTER

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve Civic Center User fees as the funding source to purchase a 2017 Ford F-150 Crew Cab Truck through the County's Texas Smart Buy Contract. This will not exceed \$32,000. Motion carried.

AGENDA ITEM 7B – TERRI STROZIER WAS PRESENTED A 35 YEAR PIN FOR HER YEARS OF SERVICE WITH MONTGOMERY COUNTY.

8. REQUEST APPROVED – NEW POSITION – CONSTABLE PRECINCT 3

Motion by Commission Clark, seconded by Commissioner Meador, to approve a new 9-Year Sergeant Constable position to be utilized by Commissioner Precinct 3 and fully funded from 614.7598 each fiscal year beginning FY 2017. Motion carried.

9. REQUEST APPROVED – CARRYOVER OF FUNDS – CONROE-NORTH HOUSTON REGIONAL AIRPORT

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the carryover of the remaining FY 2016 funds in 6291-7573, Acquisition of Aircraft Rescue and Firefighting Vehicle and Equipment to 6291-7573 in FY 2017 Budget in the amount of \$76,121.60. Motion carried.

10. REQUEST APPROVED – CARRYOVER OF FUNDS – ANIMAL SHELTER

Motion by Commissioner Clark, seconded by Commissioner Meador, to approve the carryover of all funds remaining in line 6331-7401 (medical/professional services) to Fiscal Year 2017 budget to reduce the backlog of adopted or fostered animals that are unaltered. This will be placed in professional services. Motion carried.

11. REQUEST APPROVED – CARRYOVER OF FUNDS – ANIMAL SHELTER

Motion by Commissioner Clark, seconded by Commissioner Meador, to approve the carryover of any revenue remaining from the Animal Shelter fees and contributions into fiscal year 2017 budget line 6331-7396 (Medical Supplies). Motion carried.

12. AWARD APPROVED – NORTH MONTGOMERY COUNTY RECYCLING FACILITY – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the award for RFQ-Design-build of the North Montgomery County Recycling Facility to Fairweather Group, LLC for Precinct 1.

13. DISCRETIONARY EXEMPTIONS APPROVED – PERSONAL OR PROFESSIONAL SERVICE – PRECINCT 1 AND PRECINCT 4

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

- a. Engineering services for Lone Star Bend & Bois D'Arc Road from Jones & Carter, Inc. for a total maximum sum of \$141,000.00 for Precinct 1.
- b. Engineering services for Lone Star Parkway from Jones & Carter, Inc. for a total maximum sum of \$82,500.00 for Precinct 1.
- c. Surveying services for Old Houston Road from SH 242 to FM 1485/3083 from Arborleaf Engineering & Surveying, Inc. for a total maximum sum of \$159,250.00 for Precinct 4.
- d. Surveying services for Sorters Road from 1,000 feet south of Northpark Drive to FM 1314 from Landtech, Inc. for a total maximum sum of \$271,472.00 for Precinct 4.
- e. Surveying services for Gene Campbell Road from 1,000 feet west of the west Wal Mart entrance to 1,000 feet east of East Industrial Parkway from Landtech, Inc. for a total maximum sum of \$39,551.00 for Precinct 4.
- f. Geotechnical investigation services for bridge replacement at Shepard Hill Road at Shepard Branch from Geotest Engineering, Inc. for a total maximum sum of \$13,206.00 for Precinct 1.

- g. Geotechnical investigation services for box culvert replacement for Mount Mariah Road at Rock Creek Crossing from Geotest Engineering, Inc. for a total maximum sum of \$9,596.00 for Precinct 1.
- h. Geotechnical investigation services for bridge replacement at Calvary Road at Shepard Branch from Geotest Engineering, Inc. for a total maximum sum of \$13,206.00 for Precinct 1.
- i. Geotechnical investigation services for airport perimeter road from Geotest Engineering, Inc. for a total maximum sum of \$10,519.00 for Precinct 1.
- j. Geotechnical investigation services for box culvert replacement at Bays Chapel Road at unnamed tributary to Lake Creek from Geotest Engineering, Inc. for a total maximum sum of \$9,596.00 for Precinct 1.
- k. Design services for bridge structure on Sorters Road from FM 1314 to 1000 feet south of Northpark Drive from Aguirre & Fields, LP for a total maximum amount of \$69,785.00 for Precinct 4.
- l. Geotechnical services for the design of Old Houston Road - SH 242 to FM 3083 from HTS, Inc. Consultants for a total maximum sum of \$3,497.00 for Precinct 4.

Motion carried.

14. REQUEST APPROVED – CONTRACT NEGOTIATION PROCESS – VARIOUS DEPARTMENTS

Motion by Commissioner Clark, seconded by Commissioner Meador, to approve the contract negotiation process with Anderson Pollution Control Inc. for RFP-Hazardous and Non-Hazardous material handling (Clean up/disposal) for Various Departments. Motion carried.

15. ORDER APPROVED – POSSUM TROT – COUNTY ATTORNEY – REAL PROPERTY – PRECINCT 4

Motion by Commissioner Clark, seconded by Commissioner Riley, to approve an Order accepting Possum Trot into the Montgomery County Road maintenance System upon finding of prescriptive right based on public use. Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 18A1: CONSIDER AND APPROVE PARTIAL REVISION TO LOTS 4 AND 5, BLOCK 2 OF THE ESTATES, TO BE KNOWN AS THE ESTATES, PARTIAL REPLAT NO. 1.

AGENDA ITEM 18A2: CONSIDER AND APPROVE ORDER ABANDONING A PORTION OF COUNTY ROAD RIGHT OF WAY KNOWN AS OLD RIVER ROAD.

MARK CREIGHTON PRESENTED THE PETITION OF STEVE JACKSON. HE SUMMARIZED COURT PROCEEDINGS AND ACTIONS THAT LED TO THE REQUEST TO ABANDON A PORTION OF THE RIGHT OF WAY.

JAY BARROW ADDRESSED THE COURT CONCERNING THE ABANDONMENT OF A PORTION OF OLD RIVER ROAD. HE STATED THAT THE FACTS HAVE BEEN MISREPRESENTED.

AGENDA ITEM 18B1: CONSIDER AND APPROVE PLACING "NO PARKING" SIGNS ON CLUB HOUSE CIRCLE.

AGENDA ITEM 18C1: CONSIDER AND APPROVE ESTABLISHING ALL-WAY STOP CONTROL AT THE WALKER ROAD AND MOOREHEAD ROAD INTERSECTION.

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

16. ORDER APPROVED – ABANDONING RIGHT OF WAY – PUBLIC HEARING – COMMISSIONER PRECINCT 1

REQUEST APPROVED – NO PARKING SIGNS – PUBLIC HEARING – COMMISSIONER PRECINCT 2

REQUEST APPROVED – ALL-WAY STOP CONTROL – PUBLIC HEARING – COMMISSIONER PRECINCT 4

FINAL PLAT APPROVED – THE ESTATES PARTIAL REPLAT NO. 1 – COUNTY ENGINEER

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

- a. Order approved abandoning right-of-way described as a portion of Old River Road in Precinct One.
- b. Request approved to place “No Parking” signs on Club House Circle.
- c. Request approved to establish All-way Stop Control at the Walker Road and Moorehead Road Intersection.
- d. Final Plat approved of The Estates Partial Replat No. 1; 2.7102 acres; Neil Martin Survey, A-26.

Motion carried.

17. INTERLOCAL AGREEMENT APPROVED – EXPANSION OF FM 2854 – COMMISSIONER PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve an Interlocal Agreement between City of Conroe and Montgomery County for right of way cost participation and utility adjustments for FM 2854 Construction Project. Commissioner Meador is authorized to sign the agreement. Motion carried.

18. ORDINANCE ADOPTED – BOW AND ARROW HUNTING – COMMISSIONER PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Meador, to adopt an Ordinance regulating hunting with a bow and arrow in subdivisions. Motion carried.

19. REQUEST APPROVED – TRAVEL PAYMENT – COMMISSIONER PRECINCT 4

Motion by Commissioner Clark, seconded by Commissioner Riley, to approve the travel payment requisition of Jennifer Hayden for the travel dates of March 2-June 1, 2016. This request was submitted to Auditor outside the 60 days of completion of travel. Motion carried.

CITIZENS – AGENDA ITEM 21

Eric Yollick addressed the court concerning the salary of a county employee. He presented a “Golden Hammer” to Commissioner Mike Meador.

Tracey Fentem addressed the court concerning the Animal Shelter. She passed out information to the County Judge and Commissioners and addressed three points including management, lack of respect, and animal abuse.

COMMISSIONER MEADOR LEFT THE COURTROOM.

Jacqueline Beaton also addressed the court concerning the Animal Shelter. She stated that there have been no improvements, still no volunteer or foster programs, and no orientation. She also brought up other problems she has noticed at the Shelter.

AGENDA ITEM 22- MISCELLANEOUS - NO OTHER ITEMS LISTED

20. COURT ADJOURNS

Motion by Commissioner Riley, 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

