

COMMISSIONERS COURT DOCKET
January 23, 2018
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 23rd day of January, 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 a citizen in attendance.

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.

AGENDA ITEM 7A – LARRY FOERSTER, WITH THE MONTGOMERY COUNTY HISTORICAL COMMISSIONER PRESENTED SONDRÁ HERNANDEZ WITH THE WILLIAM HARLEY GANDY DISTINGUISHED SERVICE AWARD.

2. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve the Minutes from Regular Session of Commissioners Court dated January 9, 2018. Motion carried.

AGENDA ITEM 9G1a WAS MOVED TO THE OPEN SESSION. SEE MOTION 17 FOR COURT ACTION.

AGENDA ITEM 9D4 4TH BULLET POINT WAS MOVED TO THE OPEN SESSION. SEE MOTION 4 FOR COURT ACTION.

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

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

COUNTY AUDITOR – AGENDA ITEMS 9A1-7

A1. BUDGET AMENDMENTS FY2017 APPROVED:

- a. Commissioner Precinct 3: To correct budget amendment, transfer funds for insurance for Comm Pct. 3 and record acquisition of equipment for Lease "L".
 - b. Court Operations: To carryover funds for Urban Counties Techshare Program Grant.
 - c. Elections Administration: To recognize revenue for Contract Elections Service.
 - d. FEMA-DR-4332-TX: To set-up budget for Hurricane Harvey Cat A DR, Hurricane Harvey Cat B EM, Hurricane Harvey Cat C PW, Hurricane Harvey Cat G Parks, Hurricane Harvey Cat B EM, Hurricane Harvey Cat A, Hurricane Harvey Cat B EM, Hurricane Harvey Cat C, Hurricane Harvey DAC, and Hurricane Harvey Cat G.
- A2. PAYMENT OF ACCOUNTS APPROVED, as submitted by the County Auditor.
- A3. BUDGET AMENDMENTS FY2018 APPROVED:
- a. Animal Control: To adjust line items.
 - b. Animal Shelter: To recognize and allocate revenue.
 - c. Building Maintenance: To adjust line items.
 - d. Commissioner Precinct 1: To adjust line items.
 - e. Commissioner Precinct 3: To recognize and allocate revenue.
 - f. Commissioner Precinct 4: To adjust line items M16/11.28.17.
 - g. Constable Precinct 1: To adjust line items M9/01.09.18.
 - h. Court Reporter Service Fund: To recognize and allocate revenue.
 - i. District Attorney: To adjust budget lines and adjust line items.
 - j. Emergency Management: To adjust line items M5/01.09.18 and M7/10.10.17 and adjust line items.
 - k. FEMA-DR-4332-TX: To set-up budget for Hurricane Harvey Cat A DR, Hurricane Harvey Cat B EM, Hurricane Harvey Cat C PW, Hurricane Harvey Cat G Parks, Hurricane Harvey Cat C, Hurricane Harvey Cat A, and Hurricane Harvey DAC.
 - l. Forensics: To recognize and allocate Forensic Services Dept Accreditation Grant FY 18 as awarded by USDOJ M7/10.10.17.
 - m. Juvenile Probation: To recognize and allocate reimbursement received National School Lunch Program for Nov/17.
 - n. Memorial Library: To recognize and allocate revenue.
- A4. REPORT ACCEPTED of Cash Count Findings-(Q1 FY 18) for the following:
- Airport, Animal Control, Animal Shelter, Commissioner Precinct 1, Commissioner Precinct 2, Commissioner Precinct 3, Commissioner Precinct 4, Constable Precinct 1, Constable Precinct 2, Constable Precinct 3, Constable Precinct 4, Constable Precinct 5, County Clerk, District Attorney Pre-Trial,

District Clerk, 284th District Court, 359th District Court , Drug Court, Elections, Fire Marshal, Forensics, Justice of the Peace Precinct 1, Justice of the Peace Precinct 3, Justice of the Peace Precinct 4, Justice of the Peace Precinct 5, Juvenile Justice Center, Law Library, Lone Star Convention Center, Memorial Library System, Mental Health Court Services, Permits Division, Sheriff's Office, Tax Office, and Treasurer.

- A5. REQUEST APPROVED by Justice of the Peace Pct. 4 to use \$5,000.00 from the Justice of the Peace Technology Fund.
- A6. FINAL ARBITRAGE REBATE ANALYSIS ACCEPTED for the following:
 - Montgomery County, Texas
Certificates of Obligation, Series 2007
- A7. PAYMENT APPROVED to the Joint Commission for annual fee for accreditation/certification program participation as required by the agreement between the County and the Texas Department of State Health Services.

TREASURER – AGENDA ITEMS 9B1-3

- B1. MONTHLY INVESTMENT REPORT APPROVED for December 2017.
- B2. QUARTERLY INVESTMENT REPORT APPROVED for Quarter end December 31, 2017.
- B3. MONTHLY PLEDGED SECURITIES REPORT APPROVED for December 2017.

TAX ASSESSOR/COLLECTOR – AGENDA ITEMS 9C1-2

- C1. MONTHLY TAX COLLECTION REPORT ACCEPTED for the month ending December 31, 2017.
- C2. ANNUAL COUNTY COLLECTION REPORT ACCEPTED for October 1, 2016-September 30, 2017.

PURCHASING – AGENDA ITEMS 9D1-5

- D1. RENEWALS AWARDED:
 - a. Project #2013-0058 for programming/technical resource services with Image Software, Inc. for Various Departments. (Exercising the fourth of five renewal options)
 - b. Project #2017-0010 for bulk oil, lubricants and related items with Petrochoice Dynamo LLC dba Universal Lubricants for Various Departments. (Exercising first and only renewal option)
 - c. Project #2015-0018 for traffic foundation services with Third Coast Services, LLC for Various Departments. (Exercising the third of three renewal options)
 - d. Project #2013-0010 for vending machine services with Hometown Vending Services, Inc. for Various Departments. (Exercising the fifth of five renewal options).
- D2. DISCRETIONARY EXEMPTIONS APPROVED for an item that can be obtained from only one source for UMI Newspapers in microform and print indexes, Heritagequest Platform/Heritagequest Online, Proquest Platform/Proquest Research Library and E-Resources and Access Management Services from Proquest, LLC for Library as authorized by Local Gov't Code §262.024(a)(7)(A).

D3. ACTION TAKEN on the following contract(s):

- a. Office supplies from Office Depot, Inc. through the Cooperative Purchasing Network contract #R141703 for Various Departments. Local Gov't Code §271.102
- b. Tires, tubes, automotive parts, supplies & equipment from Southern Tire Mart, LLC through Buyboard contract #470-14 for Various Departments. Local Gov't Code §271.102
- c. Signal cabinets, signal controllers and software purchases from McCain, Inc. through the Interlocal Agreement with City of Cedar Park, Texas IFB #12-004-216-SH-181 for Various Departments. Local Gov't Code §271.102
- d. Construction, road/bridge, ditching, trenching, utility & other equipment from Mustang Cat for rental equipment only through Buyboard contract #515-16 for Various Departments. Local Gov't Code §271.102
- e. Failure to appear program from Omnibase Services of Texas, LP through the Interlocal Agreement with Department of Public Information for Various Departments. Local Gov't Code §271.102

D4. CHANGE ORDERS APPROVED:

- a. CO #1 to Triple B Services, LLP for project #2017-0063 Woodlands Parkway widening - Grogans Mill Road to IH 45 for a deduct in the amount of \$48,009.50 for Precinct 3.
- b. CO #5 to Conroe Door and Hardware, Inc. for project #2014-0036 hardwood, lumber supplies and miscellaneous items for an increase of price on line item #5 from \$41.50 to \$50.99 for Building Maintenance.
- c. CO #5 to Diamond Commercial Construction, Inc. for project #2016-0032 CSP - empowerment resource center - remodel of warehouse in the amount of \$1,321.00 for MCCD.
- d. This item was removed from the consent agenda. See motion 4 for court action.
- e. CO #1 to Harrisonkornberg Architects, LLC for project #2017-0029 architectural services for records storage building to add data center addition in the amount of \$43,060.00 for County Clerk.

D5. ADVERTISING APPROVED for the following bids/proposals:

- a. Project #18-30 RFP - All hazards preparedness, planning, consulting and recovery services for Emergency Management.
- b. Project #18-31 Grand Pines Road construction for Precinct 2.
- c. Project #18-32 Fish Creek Thoroughfare: Lake Creek Bridge II for Precinct 2.

RISK MANAGEMENT – AGENDA ITEMS 9E1-3

E1. CHANGES, ADDITIONS AND RELEASES APPROVED for the following:

<u>BOND</u>	<u>NAME/DEPT</u>	<u>AMOUNT</u>	<u>ACTION</u>
63439435	Bane, Erica/Tax Assessor	\$100,000	New
63007113	Cash, Philip/Const Pct 1	\$10,000	Renew
61240294	Palmer, James/Const Pct. 4	\$5,000	Reserve/Cont Cert
63001018	Carroll, Johnny E./Const Pct 5	\$5,000	Reserve/Cont Cert

62306563	Ferrell, Brandon/Fire Marshal	\$5,000	Renew/Cont Cert
62306534	Bagwell, James/Fire Marshal	\$5,000	Renew/Cont Cert
14934419	Johnston, Ryan D./Const Pct 5	\$5,000	Renew/Cont Cert
15454713	Welch, Gordon/Const Pct 5	\$5,000	Renew/Cont Cert
61944535	Bennett, Carolyn/Treasurer	\$25,000	Renew/Cont Cert
61244059	Bullinger, Jesse R./Const Pct 4	\$5,000	Renew/Cont Cert
61237970	Prado, Eric/Const Pct 4	\$5,000	Renew/Cont Cert
62296623	Bridges, Sean/Const Pct 3	\$5,000	Renew/Cont Cert
14795895	Dubose, Bryan/Const Pct 1	\$5,000	Renew/Cont Cert
15486587	Roper, Steve/Const Pct 2	\$5,000	Renew/Cont Cert
16072460	Crabtree, Boyd/Const Pct 1	\$5,000	Renew/Cont Cert

- E2. PAYMENT ACKNOWLEDGED to Enterprise in the amount of \$304.25 in reference to Claim #G-17-0115 DOL 08.07.17.
- E3. PAYMENT ACKNOWLEDGED to Enterprise in the amount of \$175.00 in reference to Claim #G-17-0117 DOL 03.16.17.
- E4. PAYMENT ACKNOWLEDGED to Enterprise in the amount of \$200.00 in reference to Claim #G-17-0116 DOL 06.07.17.

COMMISSIONERS – AGENDA ITEMS 9F1

F1. PRECINCT 4

- a. REQUEST APPROVED to transfer \$3,286.40 unused funds from Operator II position 615-3202-5 to Operator II position 615-3202-4. This will not affect the fiscal year 2018 budget.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9G1-4

G1. PRECINCT 1

- a. This item was removed from the consent agenda. See motion 17 for court action.

G2. PRECINCT 2

- a. REQUEST APPROVED to acknowledge that the roads in Woodforest, Section 63 have been built to county standards and have completed the one year maintenance period. The bond is released. The roads are private and will not be maintained by Montgomery County.
- b. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in High Meadow Estates, Section 2.
- c. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in High Meadow Estates, Section 3.

G3. PRECINCT 3

- B. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Falls at Imperial Oaks, Section 23.
- a. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Northgrove, Section 3 and bond is released.

G4. PRECINCT 4

- a. FINAL PLAT APPROVED for Patel Farris Green Road Development; 1.8704 acres; William Beardslee Survey, A-104.

HUMAN RESOURCES – AGENDA ITEM 9H1

H1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of Airport to promote Evan Mazharian, Clerk II, as replacement for Brenda Martinez Gallaga, effective January 18, 2018.

Request of Commissioner Precinct 4 to promote Thomas T. Faulkner, Operator II, as replacement for Cade Lowery, effective January 13, 2018.

Request of Commissioner Precinct 4 to transfer Raymond Dale George, Mechanic I, as replacement for Billy Kelly, effective January 13, 2018.

Request of Commissioner Precinct 4 to promote Jessie Clyde Lolley, Operator II, as replacement for Raymond George, effective January 13, 2018.

Request of Constable Precinct 1 to transfer Michael S. Alexander, Deputy-Constable, as replacement for Everett McClendon III, effective January 13, 2018.

Request of Constable Precinct 1 to transfer Everett McClendon III, Deputy-Constable, as replacement for Michael Alexander, effective January 13, 2018.

Request of Constable Precinct 2 to increase salary of Bobby Monroe Smalley Jr., Deputy-Constable, due to Step increase, effective January 27, 2018.

Request of County Attorney to place Jennifer Fox, Attorney III, on payroll as replacement for Kendra Suhling, effective January 16, 2018.

Request of District Attorney to accept the resignation of Kyle Matthew Crowl, Attorney II, effective February 2, 2018.[100.46 hours or balance vacation]

Request of District Clerk to promote Clayton Ingrando, Jury/Storage Supervisor, as replacement for Ray Stokes, effective February 12, 2018.

Request of Elections to place Joseph Charles Donahue, Voter Clerk, on payroll, effective January 13, 2018.

Request of Elections to place Shaun Lee Donahue, Voter Clerk, on payroll, effective January 13, 2018.

Request of Elections to place Thomas G. Gruidl, Voter Clerk, on payroll, effective January 13, 2018.

Request of Elections to increase salary of Randy Quinton Lay, Voter Clerk, due to increase of responsibility, effective January 13, 2018.

Request of Elections to place Romeo V. Michael, Voter Clerk, on payroll, effective January 13, 2018.

Request of Elections to place Janis C. Miller, Voter Clerk, on payroll, effective January 13, 2018.

Request of Elections to place Judy Jacks Trosvig, Voter Clerk, on payroll, effective January 13, 2018.

Request of Elections to place Margarita Villarreal, Voter Clerk, on payroll, effective January 13, 2018.

Request of Fire Marshal to remove salary supplement from George S. Burlin, Senior Fire Inspector/Plans Examiner, due to employee driving a county vehicle, effective December 30, 2017.

Request of Information Technology to accept the resignation of Michael Najera, Lead Bus Sys Coord III, effective January 5, 2018. [29.88 hours or balance vacation]

Request of Information Technology to promote Robert Powell Jr., Asst Director IT, as replacement for Rhonda Hovater, effective January 13, 2018.

Request of Information Technology to promote Mark Ruenes, Network/OPS Div Mgr, as replacement for Robert Powell Jr., effective January 13, 2018.

Request of Juvenile to accept the resignation of Celia Isaura Contreras, Juvenile Probation Officer, effective December 29, 2017. [9.25 hours or balance vacation]

Request of Juvenile to place April Denise Howard, Juvenile Supervision Officer Substitute, on payroll, effective January 4, 2018.

Request of Juvenile to accept the resignation of Shawn Marie Keith, Counselor, effective January 4, 2018. Is eligible for re-hire. [88.34 hours or balance vacation]

Request of Juvenile to place Oscar Eduardo Lopez, Juvenile Supervision Officer Substitute, on payroll, effective January 4, 2018.

Request of Juvenile to change status of Christopher McKelvey, Juvenile Supervision Officer Substitute, from full-time to part-time per employee's request, effective January 13, 2018. [151.43 hours or balance vacation; 18.745 hours or balance compensatory time; 30.00 hours or balance holiday]

Request of Juvenile to place Eldher Azarel Ramirez Anaya, Juvenile Supervision Officer Substitute, on payroll, effective January 4, 2018.

Request of Juvenile to place Carol Rossana Robinson, Juvenile Supervision Officer Substitute, on payroll, effective January 4, 2018.

Request of Juvenile to place Reynalda Elizabeth Rodriguez, Juvenile Supervision Officer Substitute, on payroll, effective January 4, 2018.

Request of Juvenile to transfer Sergio Manuel Salinas, Juvenile Probation Officer, as replacement for Celia Contreras, effective January 13, 2018.

Request of Juvenile to accept the resignation of Ivory Williams III, Juvenile Supervision Officer-JJAEP, effective January 2, 2018. Is eligible for re-hire.[34.47 hours or balance vacation; 7.875 hours or balance compensatory time]

Request of Juvenile to place Kordele James Young, Juvenile Supervision Officer Substitute, on payroll, effective January 4, 2018.

Request of Library to accept the resignation of Andrea L. Huffman, Library Assistant II, effective January 26, 2018. [54.56 hours or balance vacation]

Request of Purchasing to promote Susan Marie Lamendola, Senior Contract Admin, as replacement for Pamela Taras, effective January 23, 2018.

Request of Purchasing to promote Melanie Sue Tadlock, Senior Buyer, as replacement for Susan Lamendola, effective January 23, 2018.

Request of Sheriff to increase salary of Alfredo Aguirre, Deputy, due to step increase, effective January 13, 2018.

Request of Sheriff to increase salary of Nicholas Tyler Cooke, Deputy, due to step increase, effective December 30, 2017.

Request of Sheriff to increase salary of Terry Lee Davis, Deputy, due to step increase, effective January 13, 2018.

Request of Sheriff to place Brady Farr, Deputy (D4) on payroll as replacement for Ryan John Stanhope, effective January 13, 2018.

Request of Sheriff to place Maria Ferri, Dispatcher, on payroll as replacement for Mary C. Connelly, effective January 13, 2018.

Request of Sheriff to increase salary of Tina Louise Harvey, Deputy, due to step increase, effective January 13, 2018.

Request of Sheriff to increase salary of James Buchanan Hinkel, Deputy, due to step increase, effective January 13, 2018.

Request of Sheriff to increase salary of Steven Earl McDonald Jr., Deputy-Patrol, due to step increase, effective January 13, 2018.

Request of Sheriff to place Tyler Meadows, Deputy (D1), on payroll as replacement for William Wayne Rollins, effective January 13, 2018.

Request of Sheriff to increase salary of Eric James Medina, Deputy-Patrol, due to step increase, effective January 13, 2018.

Request of Sheriff to increase salary of Michael R. Page, Sergeant-Detention, due to step increase, effective January 13, 2018.

Request of Sheriff to correct department number of PCR of Jason Matthew Poorman, Deputy, that was approved in Commissioners Court on 01/09/18, effective December 30, 2017.

Request of Sheriff to increase salary of Thomas Joseph Porter III, Deputy, due to step increase, effective January 13, 2018.

Request of Sheriff to accept the resignation of Ryan Wayne Rape, Officer Civilian Deten, effective January 4, 2018. [106.05 hours or balance vacation; 176.11 hours or balance compensatory time; 62.11 hours or balance holiday]

Request of Sheriff to transfer Edward Bryan Robinson Jr., Deputy (D3), as replacement for Felix Cantu Jr., effective January 13, 2018.

Request of Sheriff to correct name of Duane Rohde, Deputy (D2), on PCR approved in Commissioners Court on 01/09/18, effective January 6, 2018.

Request of Sheriff to increase salary of Richard Allen Stein, Deputy, due to step increase, effective January 13, 2018.

Request of Sheriff to accept the retirement of Gary Lynn Welch, Lieutenant, effective January 31, 2018. [227.39 hours or balance vacation; 225.63 hours or balance compensatory time; 2.00 hours or balance holiday]

Request of Sheriff to increase salary of Amber Rae Wilson, Deputy-Detention, due to step increase, effective January 13, 2018.

Request of Sheriff to increase salary of Alexander Robert Wroski, Deputy-Patrol, due to step increase, effective January 13, 2018.

Request of Tax Assessor-Collector to place Benjamin Williams, Deputy Specialist I, on payroll as replacement for Marcos Tavaréz, effective January 16, 2018.

Request of Custodial to accept the resignation of Esmeralda Banuelos Avalos, Custodian, effective January 12, 2018. [No benefits due]

Request of Custodial to place Naomi Ursula Mateos, Custodian I, on payroll as replacement for Maria Luisa Duck, effective January 22, 2018.

Request of Custodial to place Debra Lajuan Thomas, Custodian, on payroll as replacement for Esperanza Lopez, effective January 22, 2018.

Request of Risk Management to discharge Maria Patton, Assistant Director, effective January 12, 2018. [37.94 hours or balance vacation]

ENVIRONMENTAL HEALTH – AGENDA ITEMS 9I1-3

- I1. ORDER APPROVED to release lien and acknowledge receipt of check in the amount of \$3,683.67 as payment in full of assessment lien to recover cost to the County for demolition of a public nuisance for property located at 10246 Royal Ramsey, Conroe, Texas 77303. Check has been forwarded to the Auditor for further processing.
- I2. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 19490 Wells Road Conroe, TX 77306.
- I3. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 20575 Big Oak Drive Montgomery, TX 77356.

SHERIFF – AGENDA ITEM 9J1-3

- J1. MEMORANDUM OF UNDERSTANDING APPROVED between Montgomery County and Tri-County Behavioral Healthcare for the Montgomery County Jail Veterans Embracing the Tools for Success (“V.E.T.S”) Program. This agreement requires no funding and will have no impact on the FY2018 budget.
- J2. DE-OBLIGATION APPROVED of the remaining award of \$2.00 for the Sex Offender Identification Assistance Program Grant.
- J3. MEMORANDUM OF UNDERSTANDING ACCEPTED between the U.S. Immigration and Customs Enforcement HSI Joint Operations Program and the Montgomery County Sheriff’s Office. The overtime funding is for FY2018 and as listed: Gang Investigation (560120) \$13,000.00; MOCONET Task Force (56015) \$22,000.00. All benefits will be funded from Sheriff’s budget 5601.

COUNTY ATTORNEY – REAL PROPERTY - AGENDA ITEM 9K1

- K1. PRECINCT 1
 - a. ORDER APPROVED authorizing notice of public hearing on February 27, 2018 for partial revision to lots/plats being described as Unrestricted Reserves “A” and “B”, Sterling Acres, Section 1 to be known as Sterling Acres Section 1, Replat No. 1.

COUNTY ATTORNEY – AGENDA ITEMS 9L1-4

- L1. REQUEST APPROVED to close position 4751.7912.1 (Attorney III) and Open position 4751.7905.1 (Attorney II) with an annual salary of \$79,888.64 and transfer salary of \$84,008.34 from 4751.7912.1 to new position 4751.7905.1 with an effective date of 1/27/18. This is a reclassification of a position and will not affect the 2018 budget.
- L2. RESOLUTION AND ORDER APPROVED to approve the settlement offer of \$13,574.56 to be paid by Geico Insurance in exchange for a full release of all claims in connection with the property damage provided under Claim No. U170043.
- L3. RESOLUTION AND ORDER APPROVED to approve the settlement offer of \$758.00 to be paid to CenterPoint Energy in exchange for a full release of all claims in connection with the property damage provided under Claim No.G-17-0098.
- L4. ORDER APPROVED authorizing filing of suit against Gregory Abshire, Individually and dba Spring Creek Motor Coach Resort on Decker Prairie Rosehill and/or Spring Creek Motor Coach Resort LLC.

CONSTABLE PRECINCT 4 – AGENDA ITEM 9M1

- M1. APPOINTMENTS APPROVED of the following Reserve Deputy Constables for Montgomery County Constable Precinct 4:
 - Nathanael Dains
 - Jeremy Stepp
 - Jacobo Pena IV
 - David Aguillon

BUILDING MAINTENANCE – AGENDA ITEM 9N1

- N1. REPORT AND INCENTIVE CHECK ACCEPTED for the Lone Star Convention & Expo Center. The check is from Entergy Texas CitySmart Program in the amount of \$1,207.51. Check has been forwarded to the Auditor for further processing.

EMERGENCY MANAGEMENT – AGENDA ITEMS 9O1-2

- O1. SUPPLEMENTAL GRANT AWARD APPROVED from the Texas Office of the Governor Homeland Security Grants Division to the Montgomery County Office of Homeland Security & Emergency Management in the amount of \$19,612.77. This amount supplements funds assigned to 2015 UASI Emergency Operations Center Sustainment Project. Darren Hess is authorized to execute acceptance as the authorized official.
- O2. DE-OBLIGATION APPROVED of funds from the office of the Governor for the HSGP 15-Generator for County Fire Marshal's Office Grant in the amount of \$369.22.

GRANTS – AGENDA ITEM 9P1

- P1. GRANT FUNDS ACCEPTED from the Governor's Office in the amount of \$187,885.75 for the Rifle Resistant Body Armor Project for Sheriff's Office, Constables 1-5 and Fire Marshal's Office. The application was approved in Commissioners Court on August 22, 2017.

Motion carried.

END OF CONSENT AGENDA

4. CHANGE ORDER APPROVED – CARAHSOFT TECHNOLOGY AND DATAVOX – VARIOUS DEPARTMENTS

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve Change Order No. 1 (CO#1) to each of the following vendors: Carahsoft Technology Corporation and Datavox, Inc. for products and related services through Department of Information Resources contract #DIR-TSO-2660 to add amendments #1 and #2 for Various Departments as authorized by Local Gov't Code §271.083. Motion carried.

CITIZENS – AGENDA ITEM 10

No citizens addressed the court at this time.

5. REPORT ACCEPTED – HISTORICAL COMMISSION ANNUAL REPORT – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Riley, to accept the 2017 Historical Commission Annual Report to the Montgomery County Commissioners Court as presented by Larry Foerster, Chairman. Motion carried.

6. REQUEST APPROVED – CONTINUING ACCREDITATION TRAINING – VETERANS SERVICE

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve funding for continuing accreditation training and testing through the National Association of County Veteran Service Officers for 3 employees in the amount of \$5,500.00 with \$4,600.00 being allocated to line item 405-7425 travel expenses and \$900.00 being allocated to line item 405-7418 professional development. This will be funded with Contingency. Motion carried.

7. REQUEST APPROVED – POSITION CHANGES – CONSTABLE PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve closing position 5521-5910-500 (part-time deputy constable) and opening full time position 5521-5910-7 (Full time Deputy Constable) to be effective 02/03/18. The additional funding in the amount of \$4,992.62 will be funded with Contingency. Commissioner Noack and Judge Doyal voted “No”. Motion carried.

8. VEHICLE USE APPROVED – NEW POSITION – CONSTABLE PRECINCT 2

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve allowing the new position awarded in motion 7, position 5521-5910-7, to use the county vehicle assigned to the deputy on FMLA. Motion carried.

9. REQUEST APPROVED – POSITION ASSIGNMENT – CONSTABLE PRECINCT 3

Motion by Commissioner Meador, seconded by Commissioner Clark, to allow Constable Pct. 3 to assign the detective to be promoted to sergeant position 5531-6010-3 at a 12 year sergeant on the current step plan due to experience. This will be funded with attrition and will not increase the fiscal year 2018 budget. Motion carried.

10. REQUEST APPROVED – VEHICLE PURCHASE – CONSTABLE PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve the purchase of one new fully equipped patrol vehicle to be assigned to the employee replacing a recently vacated position which included a vehicle stipend. The amount remaining in vehicle stipend line item will be moved to 5531.7573 to be used toward the

purchase of the vehicle with the remaining balance to be funded with Contingency. Motion carried.

11. REQUEST APPROVED – SALARY INCREASE – CONSTABLE PRECINCT 3

Motion by Commissioner Clark, seconded by Commissioner Noack, to approve increasing salary for position 5531-8550-1 to \$58,479.98. This motion was amended to add the funding source of line item 5531-7390. Motion carried.

12. REQUEST APPROVED – TEMPORARY POSITION – DISTRICT ATTORNEY

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve re-opening temporary position 4351-3991-700 (part time intern) at a rate of \$17.73 per hour with an effective date of 1/24/2018 and an end date of 5/11/2018 in the amount of \$7,185.47 (salary and fringe benefits). This will be funded by the District Attorney Asset Forfeiture Funds. Motion carried.

COMMISSIONER MEADOR LEFT THE COURTROOM.

AGENDA ITEM 16A – AARON JOHNSON, ANIMAL SHELTER DIRECTOR GAVE AN UPDATE ON THE ANIMAL SHELTER.

COMMISSIONER MEADOR RETURNED TO THE COURTROOM.

13. REQUEST APPROVED – POSITION CHANGES – ANIMAL SHELTER

Motion by Commissioner Clark, seconded by Commissioner Riley, to approve the following position:

- Upgrade Lead Clinic Tech To Supervisor- Clinic Vet Tech

Close Position 6331-2719-1/Lead Clinic Tech
Open Position 6331-2725-1/ Supervisor- Clinic Vet Tech
Transfer \$35,360 From 6331-2719-1 To 6331-2725-1
Transfer \$8,320 From 6331-9538-1 To 6331-2725-1

- Upgrade Clerk IV to Supervisor-Customer Serv

Close Position 6331-3940-1/Clerk IV
Open Position 6331-2724-1/Supervisor-Customer Serv
Transfer \$31,054.40 from 6331-3940-1 to 6331-2724-1
Transfer \$ 5,345.60 from 6331-9538-1 to 6331-2724-1

This will not have an effect on the FY 18 budget. Commissioner Noack voted “No”. Motion carried.

14. REQUEST APPROVED – CELL PHONE ALLOWANCE – ANIMAL SHELTER

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve adding a cell phone allowance to position 6331-8933-1 (Asst Director Animal Shelter) effective January 27, 2018. The total amount will be \$1,007.39 which includes benefits with the funding to come from 6331-9538-1. This will not affect the 2018 budget. Motion carried.

15. CHANGE ORDERS APPROVED – FORDE CONSTRUCTION – PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the following change orders to Forde Construction Company, Inc. for Project #2017-0062 Roadway and traffic signal intersection improvements-Hardin Store Road and Dobbins Huffsmith Road:

- CO #1 for additional clearing of right of ways for utility relocations in the amount of \$7,423.50.
- CO #2 to add temporary light poles in the amount of \$1,060.50.
- CO #3 to add additional quantities for pavement item overruns and subgrade stabilization with tree removal in the amount of \$66,017.00

Motion carried.

16. AWARD APPROVED – ANIMAL CAGES/KENNELS – ANIMAL SHELTER

Motion by Commissioner Clark, seconded by Commissioner Noack, to approve the award to Schroer Manufacturing Company dba Shor-Line in the amount of \$234,866.50 for Project #18-17 Animal Cages/Kennels for Animal Shelter. Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 18A1: APPROVE THE PARTIAL REVISION OF UNRESTRICTED RESERVE "A", BLOCK 1, OF MAX ALLEY AT FM 1484, TO BE KNOWN AS MAX ALLEY AT FM 1484 PARTIAL REPLAT NO. 1.

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

17. FINAL PLAT APPROVED – MAX ALLEY AT FM 1484 – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the final plat of Max Alley at FM 1484 Partial Replat No. 1; 3.0838 acres; Johnathan Pitts Survey, A-28. Motion carried.

18. USE AGREEMENT APPROVED – SPLENDORA AREA SOFTBALL ASSOCIATION – PRECINCT 4

Motion by Commissioner Clark, seconded by Commissioner Noack, to approve the Use Agreement with Splendora Area Softball Association to use softball fields at Ipes Park for practices scheduled now through December 31, 2018. Motion carried.

19. CHECK ACCEPTED – CITY OF ROMAN FOREST – PRECINCT 4

Motion by Commissioner Clark, seconded by Commissioner Noack, to accept the check in the amount of \$1,250.12 from The City of Roman Forest for fuel reimbursement. This will be deposited into line item no. 615-7926. Check has been forwarded to the Auditor for further processing. Motion carried.

20. PAYROLL CHANGE REQUEST FORMS APPROVED – HUMAN RESOURCES

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the following payroll change request forms:

Request of Commissioner Precinct 4 to increase salary of Tamon Lloyd Nesbitt, Operator II, due to completion of probationary period, effective January 13, 2018.

THE COURT RECESSED FOR EXECUTIVE SESSION PURSUANT TO ONE OR MORE OF THE FOLLOWING PROVISIONS OF THE TEXAS GOVERNMENT CODE, TO WIT: CHAPTER 551, SUB-CHAPTER D, ARTICLE 551.071.

EXECUTIVE SESSION – AGENDA ITEM 21A: CONSIDER AND APPROVE A RESOLUTION AND ORDER TO SETTLE CLAIM NO. A-17-0056, DATE OF INCIDENT 07/07/17 (SECTION 551.071).

EXECUTIVE SESSION – AGENDA ITEM 21B: CONSIDER AND APPROVE
A RESOLUTION AND ORDER TO SETTLE CLAIM NO. A-15-0039, DATE
OF INCIDENT 03/29/15 (SECTION 551.071).

COMMISSIONERS COURT RECONVENED WITH ALL MEMBERS PRESENT.

21. RESOLUTION AND ORDER APPROVED – CLAIM NO. A-17-0056

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the settlement offer of \$4,733.54 to be paid to USAA in exchange for a full release of Claim No. A-17-0056. The County Auditor is ordered to issue a check in accordance with the settlement offer contingent upon receipt of a full release of all claims. This will be funded from 55317657. Motion carried.

22. RESOLUTION AND ORDER APPROVED – CLAIM NO. A-15-0039

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the settlement offer of \$14,000.00 payable to Audrey Delia and The Chandler Law Firm and \$19,000.00 payable to Cassidy Delia and The Chandler Law Firm in exchange for a full release of Claim No. A-15-0039 and lawsuit Cause No. 17-03-04008. The County Auditor is ordered to issue checks in accordance with the settlement offer contingent upon receipt of a full release of all claims with funding from 460171-7657. Motion carried.

CITIZENS – AGENDA ITEM 23

Eric Yollick addressed the court concerning the power of the commissioners court spending, the power to build The Woodlands Parkway Extension and the power to build the toll road while ignoring the citizens' concerns.

Mark Turnbull, County Clerk, addressed the court concerning agenda item 9D4 fifth bullet point. He clarified the need for the change order for Project#2017-0029 for architectural services for Record Storage Building.

Bill O'Sullivan addressed the court concerning the need for a full time medical examiner. He believes this will be a great service to the county.

MISCELLANEOUS – AGENDA ITEM 24 – NO OTHER ITEMS LISTED

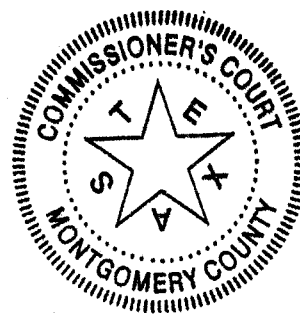
COURT ADJOURNS – AGENDA ITEM 25

Judge Doyal adjourned this session of Commissioner's Court.

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: _____

COUNTY CLERK

Gary Doyal

COUNTY JUDGE