

COMMISSIONERS COURT DOCKET
April 24, 2018
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 24th day of April, 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 Dale Fessenden

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 Clark, to approve Commissioners Court Agenda for discussion and necessary action. Motion carried.

MONTGOMERY COUNTY EMPLOYEES COMMITTEE – EMPLOYEE OF THE MONTH

EMPLOYEE OF THE MONTH WAS PRESENTED TO BRITTANY VINSON, WITH JUSTICE OF THE PEACE PRECINCT 3 OFFICE FOR APRIL 2018.

2. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the Minutes from Regular Session of Commissioners Court dated April 10, 2018. Motion carried.

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

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 save and except the items removed from the consent agenda, as follows:

COUNTY AUDITOR – AGENDA ITEMS 9A1-7

- A1. PAYMENT OF ACCOUNTS APPROVED, as submitted by the County Auditor.
- A2. REQUEST APPROVED from Justice of the Peace Precinct 2 to use \$1,678.09 from Justice of the Peace Technology Fund.

- A3. REQUEST APPROVED from Justice of the Peace Precinct 4 to use \$650.00 from Justice of the Peace Technology Fund.
- A4. TIMESHEET AND CASH COUNT AUDITS ACCEPTED for the following:
Timesheet Audits: Justice of the Peace Precinct 4 and Sheriff Office; and Cash Count Audit Memos: 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; Constable Precinct 3; Constable Precinct 4; Constable Precinct 5; County Clerk; 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 2; 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. MONTHLY UNAUDITED FINANCIAL REPORT ACCEPTED for the months of November/December 2017 and January/February 2018.
- A6. BUDGET AMENDMENTS FY2018 APPROVED:
- a. 435th District Court: To adjust line items.
 - b. Animal Shelter: To recognize and allocate revenue M20/08.22.17.
 - c. Building Maintenance: To adjust line items.
 - d. CDBG Yr 19 New Danville: To adjust line items.
 - e. Commissioner Pct 2: To advance funds for Grand Pines project awarded M10/03.27.18.
 - f. Commissioner Pct 3: To recognize and allocate revenue.
 - g. Constable Pct. 2: To recognize and allocate revenues.
 - h. Constable Pct 3: To recognize and allocate revenue M16/04.10.18 and amend grant budget as notified by the NRA foundation M8/04.10.18.
 - i. Constable Pct 4: To recognize and allocate revenue and adjust line items.
 - j. Elections: To adjust line items.
 - k. FEMA-DR 4332: To increase budget for Hurricane Harvey Cat A and Cat G.
 - l. Justice Court Technology: To recognize and allocate revenue M4/03.27.18 and M8/04.10.18.
 - m. Juvenile Probation: To recognize and allocate reimbursement received National School Lunch Program for Mar/18.
 - n. MCTRA: To recognize and allocate toll revenue Mar 2018.
 - o. Non-Departmental: To fund M16/03.27.18.
 - p. Sheriff: To correct reorg amendment, adjust line items, and recognize and allocate revenue MUD 113/WMPID.
 - q. Tax Assessor/Collector: To transfer funds from Tax Office to Bldg Maint.

- A7. RESOLUTION APPROVED expressing intent to finance expenditures to be incurred with respect to the acquisition, construction, reconstruction or renovation of various road projects.

THE AGENDA DID NOT HAVE A SECTION FOR "B". IT WENT FROM "A" TO "C".

TREASURER – AGENDA ITEMS 9C1-5

- C1. QUARTERLY INVESTMENT REPORT APPROVED for quarter ended March 31, 2018.
- C2. MONTHLY STATEMENT OF BALANCES APPROVED for February 2018.
- C3. WEEKLY INVESTMENTS PURCHASED REPORT APPROVED for weeks ending 3/23/18 and 3/30/18.
- C4. PLEDGED SECURITIES REPORT APPROVED for March 2018.
- C5. PLEDGES AND/OR RELEASES OF COLLATERAL REPORT APPROVED.

TAX ASSESSOR/COLLECTOR – AGENDA ITEM 9D1

- D1. MONTHLY TAX COLLECTION REPORT APPROVED for month ending March 31, 2018.

PURCHASING – AGENDA ITEMS 9E1-10

- E1. CHANGE ORDERS APPROVED:
- a. CO #1 to Zarinkelk Engineering Services, Inc. for engineering design services for design modifications to the Calvary Road bridge in the amount of \$11,772.00 for Precinct 1.
 - b. CO #2 to Northwest Interiors, Inc. dba Color Interiors for floor covering and installation to add additional flooring items in the amount of \$248.62 per box to existing contract for Various Departments.
 - c. CO #2 to Landtech, Inc. for surveying services for Gene Campbell Road to add additional surveying services in the amount of \$2,735.00 for Precinct 4.
 - d. CO #6 to Corrections Software Solutions, LP for probation tracking system software to include addendum to existing contract for Adult Probation.
- E2. REQUEST APPROVED to reject and readvertise- remote administration of IBM AIX Unix System for IT.
- E3. RENEWAL OPTIONS APPROVED for the following:
- a. Project #2017-0033 printing of miscellaneous forms with Shakun Solutions dba Precision Printing/Alphagraphics for Various Departments. (Exercising the first of three renewal options)
 - b. Project #2013-0032 raising and undersealing concrete slabs and roads with Uretek USA, Inc. for Various Departments. (Exercising the fifth of five renewal options)
- E4. ADVERTISING APPROVED for the following:
- a. Project #18-46 Airport Road Parking lot construction for Precinct 1.
- E5. LIST OF ITEMS SOLD AND CHECK ACCEPTED for items sold through the Montgomery County Online Auction from Rene Bates Auctioneers, Inc. in the amount of \$56,241.55. This includes total sales of \$60,801.68 less auctioneer's

fee of \$4,560.13 for Various Departments. Check has been forwarded to the Auditor for further processing.

E6. UTILIZATION APPROVED for the following contracts:

- a. Public safety & firehouse supplies & equipment through the Interlocal Agreement with Buyboard Contract #524-17 from Precision Delta Corporation for Various Departments. Local Gov't Code §271.102
- b. Products and related services through the State of Texas Department of Information Resources Contract #DIR-TSO-3825 from Secure Data Solutions, Inc. for IT. Local Gov't Code §271.083
- c. Correctional & detention facility equipment & supplies through the Interlocal Agreement with Buyboard Contract #506-16 from ICS Jail Supplies, Inc. for Various Departments. Local Gov't Code §271.102
- d. Products and related services through the State of Texas Department of Information Resources Contract #DIR-TSO-3761 from Idemia Identity & Security USA, LLC for Various Departments. Local Gov't Code §271.083
- e. Tires, tubes, supplies and equipment through the Interlocal Agreement with Buyboard contract #553-18 from Tire and Wheel Connection, LP for Various Departments. Local Gov't Code §271.102.

E7. DISCRETIONARY EXEMPTIONS APPROVED:

- a. Counseling Services to the jail population as a personal or professional service from Refuge Trauma & Counseling Center for Sheriff's Office. Local Gov't Code section 262.024(a)(4).

E8. CONTRACT(s) APPROVED with the following highly qualified provider per Government Code Chapter 2254:

- a. Engineering services for road bond projects with John C. Holzwarth for Various Departments.

THERE WAS NOT ANYTHING LISTED FOR E9 ON THE AGENDA.

E10. CONTRACT RECORDED for project #18-09, RFP-Sheriff's Office technology system. (The County Clerk did not receive any paperwork for this item.)

RISK MANAGEMENT – AGENDA ITEMS 9F1-3

- F1. PAYMENT ACKNOWLEDGED to Enterprise DBA EAN Holdings in the amount of \$1,804.36 in reference to Claim #A-17-0114 DOL 12.06.17.
- F2. PAYMENT ACKNOWLEDGED to Regina Gildon in the amount of \$1,980.15 in reference to Claim #A-17-0096 DOL 10.16.17.
- F3. CHANGES, ADDITIONS AND RELEASES APPROVED for the following:

<u>BOND</u>	<u>NAME/DEPT</u>	<u>AMOUNT</u>	<u>ACTION</u>
14952797	Gage, Ollie/Const Pct 1	\$5,000	Reserve/Cont Cert
63306888	Eakman, Jon/Const Pct 2		Rider/Chg Obligee
63306888	Eakman, Jon/Const Pct 2	\$5,000	Reserve/New
63519468	Aguillon, David/Const Pct 4		Rider/Chg Obligee
63445434	Rawley, Wayne/Const Pct 2		Rider/Chg Description

14512838	Arnold, Glen/Const Pct 3		Rider/Chg Description
63190861	Rodriguez, Josue/Tax Assessor		Rider/Chg Description
62265010	Diehl, Deborah/Const Pct 2	\$5,000	Reserve/Cont Cert

COMMISSIONERS – AGENDA ITEMS 9G1-3

G1. PRECINCT 1

- a. USE AGREEMENT APPROVED with Willis Rampage to use the baseball fields at Charles Traylor Sports Park for practices as scheduled by W.Y.A.A. now through December 31, 2018.
- b. USE AGREEMENT APPROVED with Montgomery Girls Sports Association Inc. to use the softball fields at West Montgomery Park now through December 31, 2018.
- c. USE AGREEMENT APPROVED with Diamond Defenders to use the baseball fields at Charles Traylor Sports Park as scheduled by W.Y.A.A. now through December 31, 2018.

G2. PRECINCT 2

- a. ASSIGNMENT APPROVED of number 166 for the Montgomery County Municipal Utility District to be released in the name of Muller Law Group.
- b. USE AGREEMENT APPROVED with Magnolia Baseball Association to use the fields at Magnolia Sports Park through December 31, 2018.
- c. ASSIGNMENT APPROVED of number 167 for the Montgomery County Municipal Utility District to be reserved in the name of SK Law LLP.
- d. RESOLUTION AND ORDER APPROVED accepting Forest Hills Drive (in Pct 2) into the County Road Maintenance System upon finding of prescriptive right and accepting donation in the amount of \$12,500.00 for the repair and maintenance of Forest Hills Drive. This will be allocated to budget line 613-7340. Checks have been forwarded to the Auditor for further processing.

G3. PRECINCT 4

- a. CHECK ACCEPTED from the City of Roman Forest in the amount of \$1,616.99 for the purchase of fuel. This will be deposited into line item number 615-7926. Check has been forwarded to the Auditor for further processing.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9H1-3

H1. PRECINCT 2

- a. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Bonterra at Woodforest, Section 5.
- b. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Woodtrace, Section 8-B.

H2. PRECINCT 3

- a. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEMS in Cathedral Lakes and bond is released.

- b. ACCEPTANCE APPROVED of High Timbers Drive from Lake Front Circle to Grogans Mill into the County Road Maintenance System.

H3. PRECINCT 4

- a. FINAL PLAT APPROVED of Northpark, Section 1; 2.8767 acres; Mary Owens Survey, A-405.
- b. AGREEMENT TO CONTRIBUTE RIGHT OF WAY FUNDS APPROVED for right of way improvements to SH 242 at FM 1314 with Texas Department of Transportation and County Judge is authorized to sign all related paperwork. The funding source will be 6154014.7598582.RD400121.
- c. FINAL PLAT APPROVED of Tavola, Section 18; 11.367 acres; A.P. Frederick Survey, A-211.
- d. FINAL PLAT APPROVED of Tavola, Section 32; 23.675 acres; A.P. Frederick Survey, A-211.
- e. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Montgomery Creek Ranch, Section 18 and bond is released.

HUMAN RESOURCES – AGENDA ITEM 9I1

II. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of 284th -2nd Administrative Judicial to accept the resignation of Rebecca Brite, Administrative Assistant II, effective April 3, 2018. [138.68 hours or balance vacation]

Request of Animal Shelter to accept the resignation of Cristalle Boyle, Veterinarian, effective May 1, 2018. [62.5658 hours or balance vacation; 6.50 hours or balance holiday]

Request of Animal Shelter to discharge Jacob Hajek, Kennel Technician, effective April 12, 2018. [27.72 hours or balance vacation; 25.25 hours or balance holiday]

Request of Animal Shelter to place Jordan Munoz, Kennel Technician, on payroll, as replacement for Joshua Collins, effective April 7, 2018.

Request of Animal Shelter to accept the resignation of Katie Voitier Crabbe, Veterinarian, effective April 3, 2018. [97.05 hours or balance vacation]

Request of Custodial to promote Helen Castillo Martinez, Custodian II, as replacement for Alan Mendoza Alcacer, effective April 23, 2018.

Request of Custodial to accept the resignation of Laura M. Garcia, Custodial Supervisor, effective April 12, 2018. [47.56 hours or balance vacation]

Request of Custodial to rescind PCR approved in CC on April 10, 2018 for Israel Gomez, Custodian II, effective April 9, 2018. [No benefits due]

Request of Custodial to change status of Israel Hinojosa, Custodian, as replacement for Maria Reyes, effective April 23, 2018.

Request of Building Maintenance to accept the retirement of Paul Case, Maintenance Director, effective May 31, 2018. [239.60 hours or balance vacation]

Request of Building Maintenance to promote German Cruz-Leal, Maint Tech II, as replacement for Rocky Dillard, effective April 7, 2018.

Request of Building Maintenance to accept the resignation of Rocky Dillard, Maint Tech II, effective April 3, 2018. [3.08 hours or balance vacation]

Request of Building Maintenance to promote Clarence Vinson, Maint Tech I, as replacement for German Cruz-Leal, effective April 7, 2018.

Request of Commissioner Precinct 4 to place Dalton LeBlanc, Operator I, on payroll as replacement for Jessie Lolley, effective April 9, 2018.

Request of Constable Precinct 1 to promote Billy Beavers, Sergeant-Constable, as replacement for Mickey Brian Luly, effective April 10, 2018.

Request of Constable Precinct 3 to transfer Marisela De Jesus Diaz, Deputy-Constable, as replacement for Bradley Mixon, effective April 7, 2018.

Request of Constable Precinct 3 to place Glen E. Fulcher, Jr., Deputy-Constable, on payroll as replacement for Marisela Diaz, effective April 14 2018.

Request of Constable Precinct 3 to accept the resignation of Christopher Carolan, Deputy-Constable, effective March 28, 2018. [55.24 hours or balance vacation; 13.25 hours or balance compensatory time; 16.00 hours or balance holiday]

Request of Constable Precinct 4 to accept the resignation of Robert Burns III, Deputy-Constable, effective April 20, 2018. [40.04 hours or balance vacation; 3.00 hours or balance compensatory time; 32.00 hours or balance holiday]

Request of Constable Precinct 5 to transfer Jeremy Park, Deputy-Constable, as replacement for Aaron Mannisto, effective April 7, 2018.

Request of Constable Precinct 5 to transfer Aaron Mannisto, Deputy-Constable, as replacement for Jeremy Park, effective April 7, 2018. [40.04 hours or balance vacation; 38.00 hours or balance holiday]

Request of Auditor to remove Ray Armstead Jr., Financial Systems Specialist, from payroll, effective April 2, 2018. (Deceased) [110.60 hours or balance vacation]

Request of Auditor to accept the resignation of Carol M. Lyon, Part-time Clerk, effective March 2, 2018. [No benefits due]

Request of Auditor to place Amanda Vance, Grants Reporting Accountant, on payroll due to return from unpaid FMLA/disability leave, effective April 11 2018.

Request of County Clerk to accept the retirement of Laura R. Necessary, Court Clerk II, effective June 30, 2018. [42.005 hours or balance vacation]

Request of IT to place Nicholas D. Humphrey, GIS Analyst, on payroll as replacement for Gerardo Garcia, effective April 21, 2018.

Request of Justice of the Peace, Precinct 2 to discharge Yolanda Lewis, Court Clerk II, effective April 10, 2018. [15.40 hours or balance vacation; 8.00 hours or balance holiday]

Request of Juvenile to accept the resignation of Nathan Curtis Dunmire, Juvenile Probation Officer, effective April 20, 2018. Is eligible for re-hire. [57.3966 hours or balance vacation; 1.005 hours or balance compensatory time]

Request of Juvenile to change status of Reynalda Elizabeth Rodriguez, Juvenile Supervision Officer, as replacement for Rosely Toledo, effective April 21, 2018.

Request of Juvenile to promote Rosely Toledo, Juvenile Probation Officer Assistant, as replacement for Gilberto Vazquez, effective April 21, 2018.

Request of Library to place Diana Andrade, Shelving Clerk I, on payroll as replacement for Shannon Schoppe, effective April 17, 2018.

Request of Library to accept the resignation of Melissa A. Baker, Marketing & Programs Coordinator, effective April 10, 2018. [81.42 hours or balance vacation]

Request of Library to accept the resignation of Catherine Elisabeth Marshall, Library Assistant II, effective June 22, 2018. [25.30 hours or balance vacation]

Request of Library to accept the resignation of Crystal Gayle Swimmer, Librarian I-Young Adult, effective April 25, 2018. [41.37 hours or balance vacation]

Request of Risk Management to accept the resignation of Curtis Fitzgerald, Safety Officer, effective May 2, 2018. [177.02 hours or balance vacation]

Request of Risk Management to promote Roddy A. Martin II, Safety Officer, as replacement for Curtis Fitzgerald, effective May 3, 2018.

Request of Sheriff to increase salary of Christopher H. Azwell, Deputy, due to step increase, effective April 7, 2018.

Request of Sheriff to place Trevor Barringer, Officer-Civilian Deten, on payroll, as replacement for Benjamin W. Davis, effective April 7, 2018.

Request of Sheriff to transfer John N. Blue III, Deputy-Patrol, as replacement for Devin X. Mayes, effective April 7, 2018.

Request of Sheriff to increase salary of Felix Cantu Jr., Detective, due to step increase, effective April 7, 2018.

Request of Sheriff to increase salary of Craig Allen Carney, Deputy-Detention, due to step increase, effective April 7, 2018.

Request of Sheriff to increase salary of Clinton Edward Clifton, Deputy-Detention, due to step increase, effective April 7, 2018.

Request of Sheriff to accept the resignation of Salina H. Crane, Officer-Civilian Detention, effective April 15, 2018. [77.00 hours or balance vacation; 12.00 hours or balance compensatory time; 20.00 hours or balance holiday]

Request of Sheriff to increase salary of Clifford A. Finley Jr., Deputy-Detention, due to step increase, effective April 7, 2018.

Request of Sheriff to increase salary of Jeremy J. Freeman, Deputy-Detention, due to step increase, effective April 7, 2018.

Request of Sheriff to increase salary of Patrick Gallagher, Sergeant, due to step increase, effective April 7, 2018.

Request of Sheriff to increase salary of Richard James Hickey, Deputy-Detention, due to step increase, effective April 7, 2018.

Request of Sheriff to increase salary of Lauren Ashley Homeyer, Deputy-Detention, due to step increase, effective April 7, 2018.

Request of Sheriff to increase salary of Curtis Ray Johnson Jr., Deputy-Patrol, due to step increase, effective April 7, 2018.

Request of Sheriff to correct name on PCR of Allen Kulhanek Jr., as approved in Commissioners Court 03.27.18, effective March 24, 2018.

Request of Sheriff to increase salary of Nurahda D. Manning, Deputy, due to step increase, effective April 7, 2018.

Request of Sheriff to transfer Devin X. Mayes, Deputy (D2), as replacement for John N. Blue III, effective April 7, 2018.

Request of Sheriff to increase salary of Todd Alan McCoy, Detective, due to step increase, effective April 7, 2018.

Request of Sheriff to place Jacob Moore, Officer-Civilian Deten, on payroll as replacement for Stephen J. Mitchell, effective April 7, 2018.

Request of Sheriff to place Nancy Moyers, Dispatcher, on payroll as replacement for Nicole Lynn Keltch, effective April 7, 2018.

Request of Sheriff to correct name on PCR of Ricky T. Newton, Deputy Trainee (Cadet), as approved in Commissioners Court 03.27.18, effective March 24, 2018.

Request of Sheriff to accept the resignation of Ricky T. Newton, Deputy Trainee (Cadet), effective April 2, 2018. [No benefits due]

Request of Sheriff to accept the resignation of Jason Bradley Redditt, Officer-Civilian Deten, effective April 12, 2018. [92.40 hours or balance vacation; 100.32 hours or balance compensatory time; 20.50 hours or balance holiday]

Request of Sheriff to increase salary of Daniel Dustin Savage, Sergeant, due to step increase, effective April 7, 2018.

Request of Sheriff to place William Southern, Officer-Civilian Deten, on payroll as replacement for Austin Samuel Porter, effective April 7, 2018.

Request of Sheriff to place Bryce Stockton, Officer-Civilian Deten, on payroll as replacement for Mayra Rodriguez, effective April 7, 2018.

Request of Sheriff to increase salary of Dominic Trevino, Deputy-Patrol, due to step increase, effective April 7, 2018.

Request of Sheriff to change status of Tracy V. Wade, Deputy-Detention, from part-time to full-time Bailiff, as replacement for Christopher S. Buehl, effective April 7, 2018.

Request of Sheriff to transfer Adam Patrick Wright, Deputy (D2), as replacement for Jonathan Nathanael Wychopen, effective April 7, 2018.

Request of Sheriff to transfer Jonathan Nathanael Wychopen, Deputy-Patrol, as replacement for Adam Patrick Wright, effective April 7, 2018.

Request of Tax Assessor-Collector to promote Stephanie Black, Deputy Specialist II, due to completion of education and tenure requirements, effective April 7, 2018.

Request of Tax Assessor-Collector to promote Lorena Garcia, Deputy Specialist II, due to completion of education and tenure requirements, effective April 7, 2018.

Request of Tax Assessor-Collector to promote Alexa Rae McKenzie, Deputy Specialist II, due to completion of education and tenure requirements, effective April 7, 2018.

Request of Tax Assessor-Collector to promote Joni M. Stanley, Deputy Specialist II, due to completion of education and tenure requirements, effective April 7, 2018.

Request of Tax Assessor-Collector to promote Elizabeth Ellison, Deputy Specialist II, due to completion of education and tenure requirements, effective April 7, 2018.

Request of Tax Assessor-Collector to promote Elizabeth Solis, Deputy Specialist II, due to completion of education and tenure requirements, effective April 7, 2018.

Request of Tax Assessor-Collector to promote Julie Urevig, Deputy Specialist II, due to completion of education and tenure requirements, effective April 7, 2018.

ENVIRONMENTAL HEALTH – AGENDA ITEMS 9J1-5

J1. ORDER APPROVED AND CHECK ACCEPTED in the amount of \$16,912.00 as payment in full of assessment lien to recover cost to the county for demolition of a public nuisance. Total cost of lien has been met for the following property:

- 16695 Ardmore Street Conroe, Texas 77302

Check has been forwarded to auditor for further processing.

J2. ORDER APPROVED AND CHECK ACCEPTED in the amount of \$3,818.00 as payment in full of assessment lien to recover cost to the county for demolition of a public nuisance. Total cost of lien has been met for the following property:

- 16698 Ardmore Street Conroe, Texas 77302

Check has been forwarded to auditor for further processing.

J3. ORDER APPROVED to abate a public nuisance on the following property that is abandoned, deemed unsafe, or unlivable: 17513 Woods Drive, New Caney, Texas 77357. The estimated total cost is \$7,500.00 and will be funded by CDBG.

J4. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 10901 Ehlers Road Conroe, TX 77302.

J5. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 25103 Decker Prairie Rosehill Magnolia, TX 77355.

COUNTY JUDGE – AGENDA ITEMS 9K1-4

K1. MODIFICATION APPROVED to change the per diem rate and hourly rate for on call guard services to reflect the impact of the new CBA with International Union Security Police and Fire Professionals of America and the service provider.

K2. REAPPOINTMENT APPROVED of Terri Jaggers to the Child Welfare Board for a 3 year term effective April 2018.

K3. UPDATED TARGETED EMPLOYMENT AREA CERTIFICATION LETTER APPROVED for a project located at approximately 17943 I-45, Shenandoah, TX 77385 along the northbound service road adjacent to the existing Sam Moon Trading Company Retail Shopping Center.

K4. RESOLUTION APPROVED from the Westwood Magnolia Parkway Improvement District to increase the size of the Board of Directors from 5 to 7 Board Members.

COUNTY ATTORNEY – REAL PROPERTY - AGENDA ITEMS 9L1-3

L1. PRECINCT 1

a. ORDER APPROVED allowing partial lot conveyance without a replat for a portion of Lot 17, Block 3 of Bentwater Section 12.

- b. RESOLUTION AND ORDER APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 74 of the expansion of FM 1097 from Suburban Propane, LP for the total sum of \$69,828.50 and to accept the executed or to be executed deed.
- c. ORDER APPROVED allowing partial lot conveyance without a replat for a portion of Lot 9 of Rancho Escondido Section 2 and a perpetual easement consisting of 0.058 acres.
- d. SANITARY CONTROL EASEMENT APPROVED between Montgomery County and Monarch Utilities I L.P.

L2. PRECINCT 3

- a. ORDER APPROVED authorizing notice of public hearing on June 12, 2018 for partial revision of subdivision lots/plats being described as Black Oak Section 1 to be known as Black Oak Section 1, Partial Replat No. 1.
- b. AGREEMENT APPROVED authorizing placement of improvements within right-of-way in Spring Trails Subdivision between Montgomery County, Spring Trails Community Association, Inc. and Montgomery County Municipal Utility District No. 94.

L3. PRECINCT 4

- a. ORDER APPROVED authorizing notice of public hearing on June 12, 2018 for partial revision of subdivision lots/plats being described as Lot 20, Block 2 of Peach Creek Plantation Section 1 to be known as Peach Creek Plantation Section 1 Partial Replat No. 2.

COUNTY ATTORNEY – AGENDA ITEM 9M1

- M1. ADDITIONAL FUNDING APPROVED for Cause No. 03-17-00499-CV, Denbury Onshore, LLC et al v. TCEQ, et al(The Texcom Litigation) in the amount of \$125,000.00 to Kemp Smith. This will be funded with Contingency.

CONSTABLE PRECINCT 3 – AGENDA ITEMS 9N1-2

- N1. SALE APPROVED of surplus property vehicle cameras to San Jacinto County.
- N2. MEMORANDUM OF UNDERSTANDING APPROVED between Montgomery County and Sam Houston State University for the sharing of Crime Statistics. The agreement requires no funding source and will have no impact on the FY 2018 Budget.

GRANTS – AGENDA ITEMS 9O1-O2

- O1. GRANT APPLICATION APPROVED for the State Criminal Alien Assistance Program (SCAPP) Grant for fiscal year 2017. Lieutenant Richards is authorized to submit and accept the grant once awarded on behalf of Montgomery County.
- O2. GRANT APPLICATION APPROVED for the Crisis Intervention Training Grant to Bureau of Justice Assistance Department for Constable Precinct 1 Office.

BUILDING MAINTENANCE – AGENDA ITEM 9P1

- P1. REPORT AND INCENTIVE CHECK ACCEPTED in the amount of \$5,251.90 from the Entergy Texas CitySmart Program for Juvenile Services and the Lone Star Convention and Expo Center.

BUDGET – AGENDA ITEM 9O1

O1. FY 2019 BUDGET CALENDAR APPROVED.

Motion carried.

END OF CONSENT AGENDA

CITIZENS – AGENDA ITEM 10

Bob Floyd addressed the court concerning flooding in McDade Estates. The Judge asked him to speak later since this specific item was not on the Agenda.

Dale Fessenden read a portion of a letter written on behalf of Texas Conservative Grassroots Coalition opposing Toll Roads.

Dennis Tibbs addressed the court concerning his opposition to toll roads. He would like the toll roads halted.

Paul Mendes addressed the court concerning 249. He spoke to the advances on 249 and does not want the project delayed.

Carl Aubrey addressed the court concerning toll roads. He stated the political class has an agenda that is in opposition to what the citizens want.

Larry Rogers addressed the court concerning toll roads. He is opposed to toll roads and would like the court to vote no on the county lending \$5 million to MCTRA.

Bill O'Sullivan addressed the court in opposition to toll roads. He would like the motion tabled and listed what he would like done.

John Wertz addressed the court in opposition to toll roads. He spoke to public information requests that he had made and he listed ways the court has defied the citizens.

John O'Der spoke in opposition to the 249 toll road. He would like the current crossovers to remain so citizens are not forced to take the toll road.

Ginger Russell spoke in opposition to the toll road. She stated that she has only asked for this item to be put on a ballot for the people to vote.

Calvin Russell spoke in opposition to the toll road. He stated the public would like a vote on the toll road.

Reagan Reed was escorted out of the courtroom.

Rich Muller and Terrell Palmer made a presentation concerning the First Amendment to Reimbursement Agreement between Montgomery County and Montgomery County Toll Road Authority.

The Members of Court discussed this matter at length.

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

4. RESOLUTION AND ORDER APPROVED – REIMBURSEMENT AGREEMENT – COUNTY JUDGE

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the First Amendment to Reimbursement Agreement between Montgomery County and Montgomery County Toll Road Authority. County Judge is authorized to execute the

Agreement on behalf of Montgomery County. Commissioner Noack and Commissioner Clark voted "No". Motion carried.

5. RESOLUTION AND ORDER APPROVED – INTERLOCAL AGREEMENT – SHERIFF

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the Interlocal Agreement between Montgomery County, Montgomery County Hospital District, and the City of Conroe for the Magnolia Communications Tower located at 14583 FM 1488 Magnolia, Texas 77354. This is revised from contract approved on April 10, 2018 for the installation and operation of certain communications equipment for the Montgomery County Sheriff's Office. County Judge is authorized to execute the Agreement on behalf of Montgomery County in multiple counterparts. Motion carried.

6. RESOLUTION AND ORDER APPROVED – FIRST AMENDMENT – SHERIFF

RESOLUTION AND ORDER APPROVED – FIRST AMENDMENT – SHERIFF

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve the following items:

- a. Sheriff Rand Henderson is approved and ordered to execute the First Amendment to License Agreement subject to approval by the County Attorney of the contract terms to the tower lease and equipment located at 14703 FM 1488 Magnolia, TX 77354; and
- b. Sheriff Rand Henderson is approved and ordered to execute the First Amendment to License Agreement subject to approval by the County Attorney of the contract terms to the tower lease and equipment located at the Conroe #1A, TX tower site, Conroe, TX 77302.

Motion carried.

7. REVISIONS APPROVED – STEP PLAN – CONSTABLE PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the following revisions to the Montgomery County STEP plan for the Constables in Montgomery County:

- a. Remove all exempt, commissioned personnel from the Step plan with salary adjusted to 16 year if necessary
- b. Adjust all MCSO commissioned personnel salaries based on Texas Commission on Law Enforcement (TCOLE) active duty years of service.
- c. Authorize elected officials to slot new commissioned employees in the Step plan based on TCOLE active duty years of service.

This will be funded with Contingency. (This motion originally covered item (a) but was quickly amended to include all three items.) Motion carried.

8. REQUEST APPROVED – POSITION CHANGES – CONSTABLE PRECINCT 4

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the following position changes: Close position 5541-7820-2 Investigator I and open Position 5541-5975-1 Corporal and transfer \$57,493.80. The Corporal position is slotted at the same level as Investigator I and there is no change to the FY18 Budget. Motion carried.

9. REQUEST APPROVED – REIMBURSEMENT – CONSTABLE PRECINCT 4

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve a reimbursement of related expenses in the amount of \$33.78 regarding Internet Crimes Against Children (ICAC) Operations. Commissioner Meador voted "No". Motion carried.

10. PURCHASE APPROVED – PHASE II HVAC PROJECT – JUVENILE

Motion by Commissioner Clark, seconded by Commissioner Noack, to approve the purchase of Phase II of the Juvenile HVAC Project. This was approved by the Montgomery County Juvenile Board on April 6, 2018. Phase II consists of the replacement for 10 HVAC units in the amount of \$140,762.00 utilizing the existing contract with TAS Mechanical, Inc. dba Total Air Service and will be funded with Capital Improvement Funds. Motion carried.

11. ACTION DEFERRED – ULTRA HIGH PERFORMANCE CONTROL – INFORMATION TECHNOLOGY

Motion by Commissioner Meador, seconded to Commissioner Riley, to defer action on the utilization of the contract for products and related services through the Department of Information Resources for the purchase of two ultra high performance control and application. Motion carried.

12. AGREEMENT APPROVED – WELLNESS CLINIC – RISK MANAGEMENT

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the agreement with Next Level Urgent Care for RFP-Project #18-29 Employee Health and Wellness Clinical Services for Risk Management. Motion carried.

13. GRANT APPLICATION APPROVED – CLICK IT OR TICKET – CONSTABLE PRECINCT 5

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve the application for the Click It or Ticket Grant from Texas Department of Transportation in the amount of \$4,990.86 for Constable Precinct 5. There is no match required and Michael Silvio is authorized to submit electronically and accept any award on behalf of Montgomery County. Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 17A1: CONSIDER AND APPROVE POSTING A 20 MPH SPEED LIMIT FOR ALL STREETS IN WALDEN LAKE CONROE SECTION ELEVEN SUBDIVISION.

AGENDA ITEM 17B1: CONSIDER THE PARTIAL REVISION OF LOT 118, WOODLANE FOREST SECTION 1, TO BE KNOWN AS WOODLANE FOREST REPLAT NO. 2.

AGENDA ITEM 17B2: CONSIDER THE PARTIAL REVISION OF LOT 25, MAGNOLIA WEST, TO BE KNOWN AS MAGNOLIA WEST REPLAT NO. 1.

AGENDA ITEM 17B3: CONSIDER THE PARTIAL REVISION OF LOT 6, BLOCK 2, EMMETT ESTATES SECTION 1, TO BE KNOWN AS EMMETT ESTATES SECTION 1, PARTIAL REPLAT NO. 1.

COUNTY ATTORNEYS OFFICE STATED THAT AGENDA ITEM 17B3 HAD BEEN WITHDRAWN SO A PUBLIC HEARING WAS NOT NECESSARY FOR THIS ITEM.

AGENDA ITEM 17C1: CONSIDER AND APPROVE ESTABLISHING A NO PARKING ZONE AND PLACING OF "NO PARKING ANYTIME" SIGNS ON BOTH SIDES OF RED BAY CIRCLE FROM 580 FEET WEST OF SWEETGUM ROAD TO 480 FEET EAST OF SWEETGUM ROAD AND ON BOTH SIDES OF SWEETGUM ROAD FROM RED BAY CIRCLE TO 580 FEET SOUTH OF RED BAY CIRCLE.

David Cannon addressed the issue of the gym located on Sweetgum Road. He told the court of numerous safety issues with the parking, traffic, and would like No Parking Signs put up.

Carl Cannon addressed the court on the issues on Sweetgum Road. He stated cars were parked on the easement and in the road. He also stated there were environmental issues and the septic is in the easement.

Deanna Jenson also addressed the court concerning the issues on Sweetgum Road. She stated that drivers do not stop at the stop signs. She also stated that there is suspicious activities that go on out there.

AGENDA ITEM 17D1: CONSIDER AND APPROVE ESTABLISHING A NO PARKING ZONE IN THE MEDIAN OF PINWOOD VILLAGE DRIVE AT F.M. 1314.

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

14. REQUEST APPROVED – SPEED LIMIT – PRECINCT 1

PLAT APPROVED – WOODLANE FOREST REPLAT NO. 2 – PRECINCT 2

PLAT APPROVED – MAGNOLIA WEST REPLAT NO. 1 – PRECINCT 2

REQUEST APPROVED – NO PARKING SIGNS – PRECINCT 3

REQUEST APPROVED – NO PARKING SIGNS – PRECINCT 4

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the following items discussed in the public hearing:

- a. The posting of a 20 mph speed limit for all streets in Walden Lake Conroe Section 11 Subdivision.
- b. Plat approved for Woodlane Forest Replat No. 2; 5.000 acres; Ezra Read Survey, A-457
- c. Plat approved for Magnolia West Replat No. 1; 3.248 acres; William Hillhouse Survey, A-260
- d. The establishment of a No Parking Zone and placement of "No Parking Anytime" signs on both sides of Red Bay Circle from 580 feet west of Sweetgum Road to 480 feet east of Sweetgum Road and on both sides of Sweetgum Road from Red Bay Circle to 580 feet south of Red Bay Circle.
- e. The establishment of a No Parking Zone in the median of Pinewood Village drive at F.M. 1314.

Motion carried.

AGENDA ITEMS 18A AND 18B WERE APPROVED IN MOTION 14.

15. MOTION FAILED – SH 249 – COMMISSIONER PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Clark, to terminate the 249 construction, operation and maintenance agreement between Montgomery County and TxDOT dated April 13, 2015 (ratified and approved by Montgomery County on April 21, 2015). Judge Doyal, Commissioner Meador, and Commissioner Riley voted "No." Motion failed.

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 551.074.

EXECUTIVE SESSION – AGENDA ITEM 20A: DISCUSS AND DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT DUTIES, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE-VETERANS SERVICES DIRECTOR.

COMMISSIONERS COURT RECONVENED WITH ALL MEMBERS PRESENT.

NO ACTION NECESSARY ON THE ITEM DISCUSSED IN EXECUTIVE SESSION.

CITIZENS – AGENDA ITEM 22

Eric Yollick addressed the court concerning problems within County government. He stated that it is a closed secret and anti citizen society. He gave a golden hammer to Commissioner Meador and Commissioner Riley.

Sherry Shorten addressed the court concerning the county policy for meal reimbursement. She said an employer can provide meals to employee if that employee is needed in the normal course of their work. She would like the county to review the policy.

Reagan Reed addressed the court concerning actions earlier in court. He thanked the Sheriff's department for their professionalism in the way they handled it and thanked Commissioner Noack for his support. He asked the court to listen to the people and take into consideration what the citizens have to say.

Calvin Russell addressed the court concerning the toll road. He asked if the court would vote to have the tolls taken off so that they would not have to deal with new court members at a future date.

MISCELLANEOUS – AGENDA ITEM 23 – NO OTHER ITEMS LISTED

16. COURT ADJOURNS

Motion by Commissioner Noack, seconded by Commissioner Meador, 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

