

COMMISSIONERS COURT DOCKET  
June 26, 2018  
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 26<sup>th</sup> day of June, 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 (arrived after Motion #1)
Also County Clerk's Office	Amber Twiddy

INVOCATION GIVEN BY Jerilyn Williams.

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.

TEXAS A&M AGRILIFE EXTENSION AGENCY MADE A BRIEF PRESENTATION CONCERNING THE PARTICIPTION IN THE MONTGOMERY COUNTY WALK ACROSS TEXAS COMMUNITY CHALLENGE.

JUDGE DOYAL PRESENTED THE 2017 DISTINGUISHED SERVICE AWARD FROM THE TEXAS HISTORICAL COMMISSION TO THE MONTGOMERY COUNTY HISTORICAL COMMISSION.

COMMISSIONER CLARK ENTERED THE COURTROOM DURING THE PRESENTATION TO THE MONTGOMERY COUNTY HISTORICAL COMMISSION.

COMMISSIONER NOACK BRIEFLY LEFT THE COURT ROOM, BUT REENTERED BEFORE THE VOTE ON MOTION 2.

2. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the Minutes from Regular Session of Commissioners Court dated June 12, 2018. Motion carried.

AGENDA ITEMS REMOVED FROM THE CONSENT AGENDA: 9B2, 9D3 1<sup>ST</sup> BULLET POINT, 9J1, 9J4, 9M3, AND 9O2.

AGENDA ITEM 9J1 WAS REMOVED FROM THE AGENDA. AGENDA ITEMS 9B2 (SEE MOTION 4 FOR COURT ACTION), 9D3 1<sup>ST</sup> BULLET POINT (THIS ITEM WAS LATER DEFERRED), 9M3 (SEE MOTION 5 FOR COURT ACTION) AND 9O2 (SEE MOTION 8 FOR COURT ACTION) WERE MOVED TO THE OPEN SESSION FOR DISCUSSION. AGENDA

ITEM 9J4 WAS INITIALLY APPROVED IN MOTION 3, BUT MOTION 6 WAS MADE TO RECONSIDER AND IT WAS APPROVED IN MOTION 7.

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

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

COUNTY AUDITOR – AGENDA ITEMS 9A1-3

- A1. PAYMENT OF ACCOUNTS APPROVED, as submitted by the County Auditor.
- A2. BUDGET AMENDMENTS FY2018 APPROVED:
  - a. Various: To adjust line items- Step Plan CCT04.24.18/M7.
  - b. 359<sup>th</sup> District Court: To set up Veteran's Treatment Court as awarded by Texas Veterans Commission M3/06.12.18.
  - c. 435<sup>th</sup> District Court: To adjust line items.
  - d. Adult Probation: To adjust line items.
  - e. Animal Shelter: To reverse budget amendment from 01.23.18, recognize and allocate revenue and recognize and allocate revenue CCT08.22.17/M20.
  - f. Building Maintenance: To adjust line item for extension office project.
  - g. Civic Center Complex: To transfer funds to IT for equipment.
  - h. Commissioner Precinct 1: To adjust line items.
  - i. Commissioner Precinct 3: To recognize and allocate revenue and adjust line items.
  - j. Commissioner Precinct 4: To adjust line items.
  - k. Constable Precinct 1: To adjust line items CCT06.12.18/M5.
  - l. Constable Precinct 2: To recognize and allocate revenue.
  - m. Constable Precinct 3: To adjust budget lines.
  - n. Constable Precinct 4: To recognize and allocate revenue.
  - o. County Attorney: To transfer funds for Title IV-E grant for County Attorney for QTR ending 03/31/2018.
  - p. County Court of Law 3: To adjust line items.
  - q. County/District Court Tech Fund: To reverse 03.29.18 BA, allocate M3/03.20.18 and M3/06.12.18.
  - r. District Attorney: To allocate M8/11.28.17, M12/01.23.18, M9/05.08.18, set up DAFY18 ICE contract M9/06.12.18, and adjust line items.

- s. District Clerk: To adjust line items.
  - t. FEMA-DR-4332-TX: To set-up budget for Hurricane Harvey Cat C and set-up budget for Hurricane Harvey DAC.
  - u. MCCD: To carryover encumbrance/Release #520537.
  - v. MCTRA: To recognize and allocate toll revenue May 2018.
  - w. Memorial Library: To recognize and allocate revenue.
  - x. Purchasing: To adjust line items.
  - y. Road Bonds 2018: To record issuance of Road Bonds 2018.
  - z. Sheriff's Office: To transfer funds to Building Maintenance to build out cabinets.
  - aa. Sheriff-Auto Theft-YR 24: To adjust line items for Walker County matching funds.
  - bb. Sheriff-East Patrol: To transfer funds to Building Maintenance for repair.
  - cc. Sheriff-OCDETF-Pathfinder: To de-obligate M8/04.10.18.
- A3. INTERIM ARBITRAGE REBATE COMPLIANCE SERVICES ADDENDUM ACCEPTED and County Judge is authorized to sign for the following:
- a. Montgomery County, Texas  
Unlimited Tax Road Bonds, Series 2008.

TREASURER – AGENDA ITEMS 9B1-2

- B1. MONTHLY INVESTMENT REPORT APPROVED for May 2018.
- B2. AGENDA ITEM 9B2 – CONSIDER AND APPROVE CHANGES TO PAYMET SYSTEM WAS MOVED TO THE OPEN AGENDA. SEE MOTION 4 FOR COURT ACTION.

TAX ASSESSOR/COLLECTOR – AGENDA ITEM 9C1

- C1. MONTHLY TAX COLLECTION REPORT ACCEPTED for month ending May, 2018.

PURCHASING – AGENDA ITEMS 9D1-4

- D1. EXTENSION OF CONTRACT APPROVED for:
  - a. Project #2015-0056 armored transportation services with Dunbar Armored, Inc. for an additional 90 days for Various Departments.
  - b. Project #2012-0025 autopsy transport services and the disposition of bodies of deceased paupers with each of the following vendors: Eickenhorst Funeral Services, LLC and McNutt-Brock Family Corporation for an additional 90 days for Various Departments.
- D2. UTILIZATION APPROVED of the following contracts:
  - a. Electronic monitoring equipment and services through the Interlocal Agreement with Harris County contract #12/0047 with Sentinel Offender Services, LLC for Various Departments. Local Gov't Code §271.102

- b. Online marketplace for the purchasing of products and services through the Interlocal Agreement with Prince William County Public Schools contract # R-TC-17006 with Amazon Services, LLC dba Amazon Business for Various Departments. Local Gov't Code §271.102
- c. Building controls and related items through Choice Facility Partners a division of Harris County Department of Education contract #16/044JN with Automated Logic-Houston for Various Departments. Local Gov't Code §271.102.

D3. CHANGE ORDERS APPROVED:

- a. CO #1 to Larry Young Paving, Inc. was deferred.
- b. CO #1 to the Goodman Corporation for project assessment for funding suit to add amendment #1 for the pursuit of discretionary funding for Tamina Road in the amount of \$17,000.00 for Precinct 4.

D4. RENEWALS AWARDED:

- a. Project #2015-0046 roads/concrete repair with each of the following vendors: JM Sales & Service and Rebel Contractors, Inc. for Various Precincts. (Exercising the third of three renewal options)
- b. Project #2014-0036 hardwood, lumber supplies and miscellaneous items with each of the following vendors: Clark's Hardware Lumber Co. and Conroe Door and Hardware, Inc. for Building Maintenance. (Exercising the fourth of four renewal options)
- c. Project #2013-0040 new pews and installation with Hall Furniture, LTD for Building Maintenance. (Exercising the fifth of five renewal options).

RISK MANAGEMENT – AGENDA ITEMS 9E1-2

- E1. PAYMENT ACKNOWLEDGED to Allstate as subrogee for Crystal Sanchez in the amount of \$1,588.27 in reference to Claim #A-18-0002 DOL 01.18.18.
- E2. CHANGES, ADDITIONS AND RELEASES APPROVED for the following:

<u>BOND</u>	<u>NAME/DEPT</u>	<u>AMOUNT</u>	<u>ACTION</u>
61732223	Cook, Dana/Tax Assessor	\$100,000	Renew/Cont Cert
62442537	Jackson, Tina/Tax Assessor	\$100,000	Renew/Cont Cert
62442506	Ingle, Robin/Tax Assessor	\$100,000	Renew/Cont Cert
61732176	Henderson, Jodelle/Tax Assessor	\$50,000	Renew Cont Cert
15324973	Seals, Mark/Const Pct 4	\$5,000	Renew/Cont Cert
15487168	Bates, Kevin/Fire Marshal	\$5,000	Renew/Cont Cert
61389010	Jones, Christopher/Const Pct 5	\$5,000	Renew/Cont Cert
24790741	Kennelly, Brad/Const Pct 3	\$5,000	Renew/Cont Cert
15486578	Burlin, George/Fire Marshal	\$5,000	Renew/Cont Cert
61323522	Mullen Jr., John/Const Pct 5	\$5,000	Reserve/Cont Cert

63668921	Zientek, Daniel/Const Pct 3	\$5,000	New
63668933	Traylor, Michael/Const Pct 3	\$5,000	New
63669479	Furches, Ralph/Const Pct 3	\$5,000	New
63668947	Wren, John/Const Pct 3	\$5,000	New
63659302	Mixon, Bradley/Const Pct 3	\$5,000	New
63669435	Patterson, Patrick/Const Pct 3	\$5,000	New
63669445	Midyett, Perry/Const Pct 3	\$5,000	New
63669421	Runyon, Eric/Const Pct 3	\$5,000	New
63669398	Weikel, Ray/Const Pct 3	\$5,000	New
63669388	Henenberg, Jerry/Const Pct 3	\$5,000	New
63662735	Epperson, Jessica/Const Pct 3	\$5,000	New
63662745	Bratton, Justin/Const Pct 3	\$5,000	New
63662348	Diaz, Marisela/Const Pct 3	\$5,000	New
63662365	Canizalez, Arquimides/Const Pct 3	\$5,000	New
63662330	Olmedo, Brenda/Const Pct 3	\$5,000	New
63654959	Justice, Daniel/ Const Pct 5	\$5,000	Reserve/New
63519513	Herman, Mark/Const Pct 2		Reserve/Rider Chg Description
63519513	Herman, Mark/Const Pct 2	\$5,000	Reserve/New
63615008	Arboleda, Dailen/Const Pct 4		Reserve/Rider-Chg Description
63615008	Arboleda, Dailen/Const Pct 4		Reserve/Rider- Correct Name
63615008	Arboleda, Dailen/Const Pct 4	\$5,000	Reserve/New
63650490	Dains, Nathanael/Const Pct 4	\$5,000	Reserve/New
63656403	Cisneros, Eric/Const Pct 1	\$5,000	New
63659244	Buehl, Christopher/ Const Pct 1	\$5,000	New
63656432	Beavers, Billy/Const Pct 1	\$5,000	New
63656468	Bruce, Jarrod/Const Pct 1	\$5,000	New
63656448	Hollan, Elizabeth/Const Pct 1	\$5,000	New
63656378	Booher, Allen/Const Pct 1	\$5,000	New
63657173	McClendon III, Everett/Const Pct 1	\$5,000	New
63656369	Fullen, Don/Const Pct 1	\$5,000	New
63656384	Reitzel, Caleb/Const Pct 1	\$5,000	New
63656389	Alexander, Michael/ Const Pct 1	\$5,000	New

63656412	Sclider, Joseph/Const Pct 1	\$5,000	New
63656497	Hightower, Stewart/Const Pct 1	\$5,000	New
63681563	Simpson, Ryan/Const Pct 5	\$5,000	New
63681580	Ramirez Abila, Kristina/Const Pct 5	\$5,000	New
63681553	Davis, Jeremy/Const Pct 5	\$5,000	New
63681549	Christopher III, Gerald/Const Pct 5	\$5,000	New
63680988	Aldridge, Johnathan/ Const Pct 5	\$5,000	New
63657133	Kellum Jr., Jimmy/Const Pct 5	\$5,000	New
63669409	Sumner, James/Const Pct 5	\$5,000	New
63669458	Terrell, Steven/Const Pct 3	\$5,000	New

COMMISSIONERS – AGENDA ITEMS 9F1-2

F1. PRECINCT 2

- a. ASSIGNMENT APPROVED of the number 168 for The Montgomery County Municipal Utility District to be reserved in the name of Muller Law Group.
- b. REQUEST OF APPLICATION APPROVED for an additional extension for filing of the 2017 annual audit report from Montgomery County Emergency Service District No. 10.

F2. PRECINCT 4

- a. CHECK ACCEPTED from the City of Roman Forest in the amount of \$1,874.33 for the purchase of fuel. This check will be deposited into line item number 615-7926. Check has been forwarded to the Auditor for further processing.
- b. APPOINTMENT APPROVED of T.J. Knox to the Emergency Service District No. 7 Board of Commissioners replacing resigned board member Barry Welch, with term of office ending 12/31/2018.
- c. USE AGREEMENT APPROVED with Signorelli Group for Rinehart Park on July 4, 2018 for public fireworks display.
- d. CHECK ACCEPTED from Porter Special Utility District in the amount of \$303.44 for the purchase and installation of signage. This will be deposited into line item number 615-7453. Check has been forwarded to the Auditor for further processing.
- e. CHECK ACCEPTED from Meals on Wheels Montgomery County in the amount of \$927.50 for the purchase of fuel. This will be deposited into line item number 615-7926. The County Clerk's office did not receive a check for this item.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9G1-4

G1. PRECINCT 1

- a. FINAL PLAT APPROVED of Weston Estates; 26.362 acres; T.G. Stewart Survey, A-529.

G2. PRECINCT 2

- a. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM by finding of prescriptive right based on public use for the following: Richard Kaye Lane from Vallie Road East to Dead End; Carlene Lane from Neil Road North to Dead End; Logger Lane from Beyette Road West to Cul De Sac.
- b. CORRECTION APPROVED to road log to accurately reflect the roads in Rimwick Forest and Northwood that were accepted by Commissioners Court on October 28, 1987, Minute item No. 18.
- c. FINAL PLAT APPROVED of The Meadows at Jacobs Reserve, Section 6; 10.909 acres; J. Hodge Survey, A-19.
- d. AGREEMENT TO CONTRIBUTE RIGHT OF WAY FUNDS APPROVED for right of way improvements to FM 1774 from Waller County Line to FM 1486 with Texas Department of Transportation. County Judge is authorized to sign all related paperwork and funding source will be 6134014-7598582.

G3. PRECINCT 3

- a. FINAL PLAT APPROVED of Meadows at Imperial Oaks, Section 6; 9.609 acres; George Lamb Survey, A-334.
- b. FINAL PLAT APPROVED of Black Oak, Section 1 Partial Replat No. 1; 18.266 acres; James Brown survey, A-78.

G4. PRECINCT 4

- a. FULLY EXECUTED AGREEMENT TO CONTRIBUTE RIGHT OF WAY FUNDS ACKNOWLEDGED for right of way improvements to SH 242 at FM 1314 with Texas Department of Transportation. This was approved in Commissioners Court April 24, 2018.
- b. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Tavola, Section 15.
- c. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Tavola, Section 5 and bond is released.
- d. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Tavola, Section 6 and bond is released.
- e. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Tavola, Section 7 and bond is released.
- f. FINAL PLAT APPROVED of Woodridge Forest Section 19; 4.681 acres; Mary Owens Survey, A-405.
- g. FINAL PLAT APPROVED of Brookwood Forest, Section 6; 11.132 acres; William Birch Survey, A-74.
- h. FINAL PLAT APPROVED of Woodridge Commons; 14.624 acres; Mary Owens Survey; A-405.

HUMAN RESOURCES – AGENDA ITEM 9H1

H1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of Animal Shelter to accept the resignation of Kelly Duprey, Kennel Technician, effective June 21, 2018. [24.52 hours or balance vacation; 6.00 hours or balance compensatory time; 6.50 hours or balance holiday]

Request of Animal Shelter to place Christian Hutchins, Kennel Technician, on payroll as replacement for Debra Lee Sims, effective June 9, 2018.

Request of Animal Shelter to place Alyssa Torben, Clinic/Vet Technician, on payroll as replacement for Preston White, effective June 12, 2018.

Request of Animal Shelter to place Melia Washington, Veterinarian, on payroll as replacement for Katie Lee Voitier Crabbe, effective June 24, 2018.

Request of Custodial to place Ana Castro, Custodial Supervisor, on payroll, as replacement for Laura Garcia, effective June 18, 2018.

Request of Custodial to accept the resignation of Estella Montes, Custodian, effective June 11, 2018. [No benefits due]

Request of Commissioner Precinct 1 to place Travis D. Ross, Laborer, on payroll as replacement for Jeffery Walters, effective June 16, 2018.

Request of Commissioner Precinct 1 to place Rocio C. Salinas, Operator I, on payroll as replacement for James R. Lamza, effective June 30, 2018.

Request of Commissioner Precinct 1 to transfer Shane M. Mosley, Park Attendant, as replacement for Mitchael Q. Hodges, effective June 16, 2018.

Request of Commissioner Precinct 2 to increase salary of Wyatt Albert, Operator I, as replacement for Daniel Dean Jr., for a merit increase, effective June 18, 2018.

Request of Commissioner Precinct 2 to place Tina McCormick, Clerk I, on payroll as replacement for Diana Trim, effective June 18, 2018.

Request of Commissioner Precinct 2 to place Thomas Nagy, Operator I, on payroll as replacement for Shane Wishkoski, effective June 25, 2018.

Request of Commissioner Precinct 2 to promote Shane Wishkoski, Field Supervisor, as replacement for Allen Fleming Jr., effective June 18, 2018.

Request of Commissioner Precinct 4 to place Stephen T. Davis, Operator I, on payroll as replacement for Walter Pierce Jr., effective June 25, 2018.

Request of Constable Precinct 1 to promote Michael S. Alexander, Sergeant Constable, effective June 16, 2018.

Request of Constable Precinct 3 to accept the retirement of Michael Wayne Traylor, Sergeant Constable, effective September 30, 2018. [179.54 hours or balance vacation; 130.875 hours or balance compensatory time]

Request of Constable Precinct 3 to place Ryan T. Wolsey, Deputy Constable, on payroll as replacement for Angel Meza, effective June 16, 2018.

Request of Constable Precinct 4 to increase salary of James Coldiron, Deputy Constable, due to step increase, effective June 16, 2018.



Request of Constable Precinct 4 to correct effective date on PCR approved 6-12-2018 for Donald Smith Jr., Deputy Constable, effective June 30, 2018. [131.075 hours or balance vacation; 115.00 hours or balance compensatory time; 2.00 hours or balance holiday]

Request of County Clerk to place Tina Durrenberger, Clerk II, on payroll as replacement for Beverly Smythe, effective June 30, 2018.

Request of County Clerk to place Elizabeth M. Frank, Court Clerk II, on payroll as replacement for Heather Chastun, effective June 19, 2018.

Request of County Engineering to accept the resignation of John Ross McCall, Engineer III, effective June 16, 2018. [95.30 hours or balance vacation]

Request of District Clerk to accept the resignation of Marlana Blake, Court Clerk II, effective June 15, 2018.

Request of District Clerk to change status of Amanda Hernandez, Part time Clerk, from full time to part time, effective June 18, 2018. [8.64 hours or balance vacation]

Request of District Clerk to promote Jane Meredith, Court Clerk IV, as replacement for Brenda Schank, effective June 16, 2018.

Request of Elections to increase salary of Michael Bowen, Voter Clerk, due to increase of responsibilities, effective June 16, 2018.

Request of Elections to increase salary of Darla Brooks, Voter Clerk, due to increase of responsibilities, effective June 16, 2018.

Request of Elections to increase salary of Joseph Donahue, Voter Clerk, due to increase of responsibilities, effective June 16, 2018.

Request of Elections to increase salary of Margarita Martinez, Voter Clerk, due to increase of responsibilities to Election Judge, effective June 30, 2018.

Request of Elections to increase salary of Rita Specht, Voter Clerk, due to increase of responsibilities to Alternate Election Judge, effective June 30, 2018.

Request of Election to remove Ann Findley Wohl, Voter Clerk, from payroll, effective June 12, 2018. (Deceased) [No benefits due]

Request of Fire Marshal to increase salary of Jeffrey Williams, Fire Inspector, due to step increase, effective June 16, 2018.

Request of Justice of the Peace Pct 4 to accept the resignation of Kenberly A. Hilton, Court Clerk II, effective June 14, 2018. [37.25 hours or balance vacation; 2.25 hours or balance compensatory time]

Request of Justice of the Peace Pct 4 to place Tammy J. Rogers, Court Clerk II, on payroll as replacement for Kenberly Hilton, effective June 25, 2018.

Request of Juvenile to place Angelina Batiste, Juvenile Supervision Officer Substitute, on payroll, effective June 25, 2018.

Request of Juvenile to place Brandi Lea Bohanan, Juvenile Supervision Officer Substitute, on payroll, effective June 25, 2018.

Request of Juvenile to accept the resignation of Sirevalon C. Cox-Todd, Juvenile Supervision Officer, effective June 17, 2018. [98.56 hours or balance vacation; 65.00 hours or balance compensatory time; 40.00 hours or balance holiday]

Request of Juvenile to place Lisa Mechell Wingo, Juvenile Supervision Officer Substitute, on payroll, effective June 25, 2018.

Request of Library to accept the resignation of Haley Renae Campbell, Library Assistant II, effective June 11, 2018. [No benefits due]

Request of Recycle Station to place Dylan Cook, Operator I, on payroll as replacement for Raymel Stevenson, effective July 2, 2018.

Request of Sheriff to increase salary of Kyle W. Albritton, Specialist, due to step increase, effective June 16, 2018.

Request of Sheriff to place Jaqueline Calzada, Officer-Civilian Deten, on payroll, effective June 16, 2018.

Request of Sheriff to increase salary of Alexander Michael Hons, Deputy-Patrol, due to step increase, effective June 16, 2018.

Request of Sheriff to place Talon Alexander McKinney, Officer Civilian Deten, on payroll as replacement for Michael William Rooney, effective June 16, 2018.

Request of Sheriff to accept the resignation of Martin U. Silva, Deputy-Patrol, effective June 11, 2018.

Request of Tax Assessor-Collector to accept the resignation of Elizabeth Ellison, Deputy Specialist II, effective June 15, 2018. [79.29 hours or balance vacation; 4.01 hours or balance compensatory time]

Request of Tax Assessor-Collector to demote Eileen Mast, Deputy Specialist IV, effective June 25, 2018.

Request of Tax Assessor-Collector to discharge Benjamin Williams, Deputy Specialist I, effective June 12, 2018. [33.88 hours or balance vacation]

Request of Animal Shelter to increase salary of Aaron Johnson, Director-Animal Shelter, due to completion of probationary period, effective June 16, 2018.

#### ENVIRONMENTAL HEALTH – AGENDA ITEMS 9I1-3

- I1. VARIANCE REQUEST APPROVED to install an aerobic onsite system in the 100 year flood plain located at 25501 Sequoia Lane Cleveland, TX 77328.
- I2. VARIANCE REQUEST APPROVED to install an aerobic onsite system in the 100 year flood plain located at 11725 Calvary Road Willis, TX 77318.
- I3. VARIANCE REQUEST APPROVED to install an aerobic onsite system in the 100 year flood plain located at 11169 Willow Street Cleveland, TX 77328.

#### COUNTY JUDGE – AGENDA ITEMS 9J1-5

- J1. AGENDA ITEM 9J1 – APPROVE RESOLUTION AUTHORIZING MONTGOMERY COUNTY TO SUPPORT THE SJRA APPLICATION WAS REMOVED.
- J2. USE AGREEMENT APPROVED for the Montgomery County Criminal Defense Lawyer's Association to use the Courthouse steps, podium and microphone to read the Declaration of Independence on July 3, 2018.
- J3. RESOLUTION AND ORDER APPROVED to accept and approve a Named Marker or Memorial Marker Highway sign Agreement and donation accepted in the amount of \$14,527.26 from James Pitcock as CEO of William Brothers

Construction Co., Inc. for costs incurred by the County for the installation and maintenance of "Mayor Bob Lanier Memorial Parkway" highway memorial marker. County Judge is authorized to sign the agreement on behalf of Montgomery County. The County Clerk's office did not receive a check for this item.

- J4. AGENDA ITEM 9J4 – CONSIDER APPROVE AND ADOPT A JUVENILE CURFEW ORDINANCE WAS INITIALLY APPROVED WITH THE CONSENT AGENDA. THEN MOTION 6 WAS MADE TO RECONSIDER THIS ITEM AND IT WAS APPROVED WITH MOTION 7.
- J5. UPDATED TARGETED EMPLOYMENT AREA CERTIFICATION LETTER APPROVED for a project located at IH-45 and Teas Road.

SHERIFF – AGENDA ITEM 9K1-3

- K1. MEMORANDUM OF UNDERSTANDING ACCEPTED between the U.S. Immigration and Customs Enforcement HSI Joint Operations Program and the Montgomery County Sheriff's Office. The additional funding is for overtime and must be used during fiscal year 2018 and all benefits will be funded from Sheriff's budget 5601. The second allotment will total \$5,000.00 and will be distributed in the following category: Montgomery County Sheriff's Office (MCSO) Overtime (Gangs).
- K2. RESOLUTION AND ORDER APPROVED to accept the fully executed Tower License agreement for the Magnolia Communications Tower dated and approved April 24, 2018, agenda item 12A.
- K3. RESOLUTION AND ORDER APPROVED to accept the fully executed First Amendment to the Tower License Agreement for Magnolia Communications Tower dated and approved on May 22, 2018, Agenda item 9K3.

COUNTY ATTORNEY – REAL PROPERTY - AGENDA ITEMS 9L1-4

- L1. PRECINCT 1
  - a. PUBLIC HEARING DATE SET for July 24, 2018 for abandonment of a portion of (1) Cat's Paw Street and (2) Second Street in Dobbin, Montgomery County.
- L2. PRECINCT 2
  - a. ORDER APPROVED authorizing the public project described as SH 249 expansion Project and decree of Public Necessity and Convenience and Authorizing and Directing Acquisition and Payment of Compensation.
  - b. SETTLEMENT FUNDS ACCEPTED in the amount of \$300,000 from Lexon Insurance Company for settlement of Cause No. 17-07-08282 styled Montgomery County, Texas v. MJR Woodcreek Estates LLC and Lexon Insurance Company; Cause No. 17-07-08282 in the 284<sup>th</sup> District Court of Montgomery County, Texas. The funds will be credited to line item 6130-734036. Check has been forwarded to the Auditor for further processing.
  - c. SETTLEMENT FUNDS ACCEPTED in the amount of \$60,000.00 from Martin & Martin Law PC for settlement of Cause No. 17-07-08282 styled Montgomery County, Texas v. MJR Woodcreek Estates LLC and Lexon Insurance Company; Cause No. 17-07-08282 in the 284<sup>th</sup> District Court of Montgomery County, Texas. The funds will be credited to line item 6130-734036. Check has been forwarded to the Auditor for further processing.

- d. PUBLIC HEARING DATE SET for July 24, 2018 for closing, discontinuance or abandonment of a portion of Old Hardin Store Road.

L3. PRECINCT 3

- a. ORDER APPROVED authorizing .636 acre Drainage Easement be granted to Montgomery County Municipal Utility District No. 119. Commissioner James Noack is authorized and directed to sign any papers including the easement and the County Clerk is directed to record Drainage Easement in Official Public Records.
- b. ORDER APPROVED authorizing .1005 acre Drainage Easement be granted to Montgomery County Municipal Utility District No. 119. Commissioner James Noack is authorized and directed to sign any papers including the easement and the County Clerk is directed to record Drainage Easement in Official Public Records.
- c. ORDER APPROVED authorizing access easement to be granted to Montgomery County Municipal Utility District No. 119. Commissioner James Noack is authorized and directed to sign any papers including the easement and the County Clerk is directed to record Access Easement in Official Public Records.
- d. RESOLUTION AND ORDER APPROVED for the Interlocal Agreement for Robinson Road and IH 45 Overpass Capital Improvements between Montgomery County, Texas, City of Oak Ridge North, Texas, Reinvestment Zone One, City of Oak Ridge North, Texas and the Oak Ridge North Development Authority. Commissioner James Noack is authorized to execute the Agreement on behalf of Montgomery County.

L4. PRECINCT 4

- a. ORDER APPROVED acknowledging receipt of check in the amount of \$20.00 from Solveig Matek for lease of real property described as 5.190 acres known as Tract 92 out of the Archibald Hodge Survey, A-18. Check has been forwarded to the Auditor for further processing.

COUNTY ATTORNEY– AGENDA ITEMS 9M1-3

- M1. RESOLUTION AND ORDER APPROVED supporting the need for the Montgomery County Attorney to defend on behalf of Montgomery County the lawsuit filed under Cause No. 4:18-cv-1774 and styled Janet Prim and Eric Prim v Montgomery County, Texas, Deputy Stein, Lieutenant Webb, Detective Terrell, The Center for the Performing Arts at the Woodlands and John Harshaw. The County Attorney is authorized to incur expenses as necessary for the proper defense and negotiation of said case with funding from the Risk Management budget with the approval of the Director of Risk Management or designee.
- M2. RESOLUTION AND ORDER APPROVED supporting the need for the Montgomery County Attorney to defend on behalf of Montgomery County the lawsuit filed under Cause No. 18-05-06422 and styled Bonnie Bacarisse v. Montgomery County District Attorney, Montgomery County Attorney, Montgomery County Sheriff's Office. The County Attorney is authorized to incur expenses as necessary for the proper defense and negotiation of said case with funding from the Risk Management budget with the approval of the Director of Risk Management or designee.
- M3. AGENDA ITEM 9M3 – CONSIDER AND APPROVE AND/OR RATIFY MEMORANDUM OF UNDERSTANDING BETWEEN MONTGOMERY

COUNTY AND CITY OF HOUSTON WAS MOVED TO THE OPEN AGENDA. SEE MOTION 5 FOR COURT ACTION.

- M4. RESOLUTION AND ORDER APPROVED supporting the need for the Montgomery County Attorney to defend on behalf of Montgomery County the lawsuit filed under Cause No. 18-05-06293 and styled Allstate Fire and Casualty Insurance Company as Subrogee of Andrew Feder v. Montgomery County. The County Attorney is authorized to incur expenses as necessary for the proper defense and negotiation of said case with funding from the Risk Management budget with the approval of the Director of Risk Management or designee.

CONSTABLE PRECINCT 5 – AGENDA ITEM 9N1

- N1. REVISED ADDENDA B (SCHOOL RESOURCE OFFICER PAY SUMMARY) APPROVED to Memorandum of Understanding between Montgomery County and Magnolia Independent School District adding 10 additional deputies for the School Resource Officer program effective July 1, 2018. Constable David Hill is authorized to execute the same on behalf of the county. The MOU was approved on June 12, 2018, Agenda Item 14A and the revisions are to correct the unemployment contributions to be funded at the current rate by the county.

COMMUNITY DEVELOPMENT – AGENDA ITEMS 9O1-2

- O1. CHECK ACCEPTED from Angel Reach, Inc. in the amount of \$26,874.49 for reimbursement of county expended funds for the Angel Reach 9<sup>th</sup> Street Group Home. This project was canceled at the request of Angel Reach and the funds will be placed in line item 64393.4364. Check has been forwarded to the Auditor for further processing.
- O2. AGENDA ITEM 9O2 – CONSIDER AND ACCEPT CHECK FROM MONTGOMERY COUNTY YOUTH SERVICES IN THE AMOUNT OF \$1,000,000.00 WAS MOVED TO THE OPEN AGENDA. SEE MOTION 8 FOR COURT ACTION.

GRANTS – AGENDA ITEM 9P1

- P1. FUNDING ACCEPTED for fiscal year 2019 Auto Burglary and Theft Prevention (ABTPA) program for Sheriff's Office Auto Theft Task Force in the amount of \$337,464.00 with a match of \$246,393.00.

OFFICE OF COURT ADMINISTRATION – AGENDA ITEM 9Q1

- Q1. CONTRACTS APPROVED for Felony Contract Defender Program for the following: Benton Baker IV; Wendy Baker; Celeste Blackburn; David Bluestein; Alexis Bruegger; Brian Cain; E. Tay Bond; Kristen Brown; Inger H. Chandler; Ivan Crespo; Jerald D. Crow; Kristi Nicole Czajkoski; Tony Duckworth; Jeremy D. Finch; Gregory L. Gaines; Chester DeAndre' Gibbs; Tucker Gravel; John C. Hafley; William E. Harrison; Jeffrey L. Hohl; Joseph Krippel; Andrea Kolski; JoAnn Linzer; Wendy L. Little; Jose' Mata; Lawrence C. McCotter; Gary S. Miller; Matthew Neufeld; Darin J. Ray; Judith Shields; Grant Stevens; Jarrod L. Walker; and Dennis V. Yates. County Judge is authorized to sign on behalf of Montgomery County.

Motion carried.

**END OF CONSENT AGENDA**

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4. REQUEST APPROVED – GHS PAYMENT SYSTEM – TREASURER

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the changes to payment systems with GHS and Judge Mack, Judge Spikes, Judge Metts, or Judge Masden are authorized to sign on behalf of the county. Motion carried.

5. REQUEST APPROVED – MEMORANDUM OF UNDERSTANDING – COUNTY ATTORNEY

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve and/or ratify Memorandum of Understanding between Montgomery county and City of Houston relating to Interlocal Agreements in connection with the Texas Enterprise Zone Program (EZP) Incentives. County Judge is authorized to execute the same on behalf of Montgomery County. Motion carried.

6. MOTION TO RECONSIDER – JUVENILE CURFEW ORDINANCE – COUNTY JUDGE

Motion by Commissioner Noack, seconded by Commissioner Riley, to reconsider agenda item 9J4, Juvenile Curfew Ordinance, which was approved with motion 3 under the consent agenda, to discuss the matter further. Motion carried.

7. RESOLUTION AND ORDER APPROVED – JUVENILE CURFEW ORDINANCE – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Clark, to adopt a juvenile curfew ordinance, to be effective throughout the unincorporated areas of Montgomery County, as per Ordinance on file. Commissioner Noack voted “No”. Motion carried.

8. CHECK ACCEPTED – MONTGOMERY COUNTY YOUTH SERVICES – COMMUNITY DEVELOPMENT

Motion by Commissioner Meador, seconded by Commissioner Clark, to accept check number 52623955 in the amount of \$1,000,000.00 from Montgomery County Youth Services for additional funding for constructing shelter facilities for Youth Services. The funds will be placed in line item 64202.4364. Check has been forwarded to the Auditor for further processing. Motion carried.

CITIZENS – AGENDA ITEM 10

CITIZENS WILL BE RECOGNIZED WHEN THE AGENDA ITEM THEY WISH TO SPEAK ON IS PRESENTED.

Bill O’Sullivan addressed the court concerning the Rules of Procedure for Commissioners Court. He supports procedures being in place and addressed the parts of the proposed Rules of Procedures he did not agree with such as the time limits for speaking and he would like the court to appear to pay attention when a citizen is speaking instead of doing other work.

9. RULES OF PROCEDURE ADOPTED – COMMISSIONERS COURT – COUNTY JUDGE

Motion by Commissioner Noack, seconded by Commissioner Riley, to adopt the Rules of Procedure for Commissioners Court with the following changes: Citizens will be allowed 3 minutes to speak for items on the agenda as well as items not on the agenda instead of 3 minutes for an item on the agenda and 1 minutes for items not on the agenda; Citizens will be allowed 3 minutes each to speak on agenda items and non-agenda items instead of 3 minutes total; and the language on Item IV letter E will be changed to read any speaker to replace member (or members) of the public. Motion carried.

10. REVISED ADVANCED FUNDING AGREEMENT APPROVED – SH 249 – COUNTY JUDGE