

COMMISSIONERS COURT DOCKET
July 10, 2018
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 10th day of July, 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
Also County Clerk's Office	Amber Twiddy

ABSENT :

Commissioner, Precinct 4 Jim Clark

INVOCATION GIVEN BY Captain Don Fullen.

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

2. PROCLAMATION APPROVED – MILITARY ORDER OF THE PURPLE HEART

Motion by Commissioner Meador, seconded by Commissioner Riley, to recognize July 10, 2018 as the day in Montgomery County to remember and recognize veterans who are recipients of the Purple Heart Medal and proclaim the Commissioners Court of Montgomery County expresses gratitude, appreciation, and respect for the service of all veterans and members of the United States Armed Forces from all wars. Motion carried.

3. EMPLOYEE OF THE MONTH – MONTGOMERY COUNTY EMPLOYEES COMMITTEE

Motion by Commissioner Noack, seconded by Commissioner Riley, to recognize Sergeant Steven Sprague from Constable Precinct 3 as Employee of the Month for June 2018. Motion carried.

AGENDA ITEM 7C – MONTGOMERY COUNTY VETERANS MEMORIAL COMMISSION

A PRESENTATION WAS MADE BY MEMBERS OF THE MONTGOMERY COUNTY VETERANS MEMORIAL COMMISSION CONCERNING THE MONTGOMERY COUNTY VETERANS MEMORIAL PARK.

AGENDA ITEM 23 – MISCELLANEOUS WAS MOVED UP ON THE AGENDA.

THE COURT RECOGNIZED EFRAN VELAZQUEZ FOR HIS ABILITY TO KEEP A VOLATILE SITUATION THAT OCCURRED AT LAKE PARK FROM ESCALATING.

4. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve the Minutes from Regular Session of Commissioners Court dated June 26, 2018. Motion carried.

AGENDA ITEMS 901, 902, AND 903 WERE DEFERRED.

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

Motion by Commissioner Meador, seconded by Commissioner Noack, 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 9A1-2

A1. PAYMENT OF ACCOUNTS APPROVED, as submitted by the County Auditor.

A2. BUDGET AMENDMENTS FY2018 APPROVED:

- a. Animal Shelter: To correct 6.26 budget amendment and adjust line items CCT06.12.18/M14.
- b. Commissioner Precinct 2: To adjust line items and recognize and allocate settlement funds M3/06.26.18.
- c. Constable Precinct 1: To transfer funds CCT06.12.18/M6 and recognize and allocate revenue.
- d. Constable Precinct 3: To recognize and allocate revenue.
- e. Constable Precinct 4: To adjust line items CCT06.12.18/M7.
- f. Constable Precinct 5: To recognize revenue CCT06.26.18/M3 and recognize and allocate revenue.
- g. County Attorney: To transfer personnel additional amount for the correct individual working Worthless Checks.
- h. County/District Court Tech Fund: To recognize and allocate revenue CCT06.12.18/M3.
- i. District Attorney: To fund charges for prosecutor as approved during FY 2018 budget workshops.
- j. District Clerk: To adjust line items.
- k. FEMA-DR-4332-TX: To set-up budget for Hurricane Harvey Cat B and Hurricane Harvey Cat A.
- l. Forensic Services: To adjust line items.
- m. Juvenile Probation: To recognize and allocate reimbursement received National School Lunch Program for April/18, May/18, and adjust line items.
- n. MCCD: To adjust line items for 6/22/18 payroll, recognize and allocate MCYS contribution, and recognize and allocate Angel Reach reimbursement.
- o. MCTRA: To correct 6.12.18 budget amendment.

- p. Memorial Library: To cover cost of employee insurance for new position CCT 06.26.18/M13.
- q. Mental Health: To adjust line items.
- r. Office of Court Administration: To transfer funds.
- s. Sheriff: To adjust line items and recognize and allocate revenue M9/03.27.18.
- t. Sheriff: To set up S.O. ICE-Gang additional funds M3/06.26.18.
- u. Sheriff-Jail: To recognize and allocate revenue

TREASURER – AGENDA ITEMS 9B1-3

- B1. PLEDGES AND/OR RELEASES OF COLLATERAL REPORT APPROVED.
- B2. MONTHLY INVESTMENT REPORT APPROVED for June 2018.
- B3. MONTHLY STATEMENT OF BALANCES APPROVED for May 2018.

PURCHASING – AGENDA ITEMS 9C1-7

C1. CHANGE ORDERS APPROVED:

- a. CO #2 to Isani Consultants, LP for design services for the bridge structure on Sorters Road to add detention pond for segment 1 in the amount of \$9,373.00 for Precinct 4.
- b. CO #2 to Rutherford Real Estate for appraisal review services for FM 1097 for the review of parcel 112 in the amount of \$1,200.00 for Precinct 1.
- c. CO #1 to Randy Roan Construction for emergency repair of Landrum Creek Culvert and paving of Spring Branch Road to add additional square footage of road repair in the amount of \$33,372.00 for Precinct 1.
- d. CO #9 to Tyler Technologies for licensed software implementation and professional services to add amendment to license and service agreement for removal of certain hardware services, \$53,502.36 credit memo for IT.

C2. RENEWALS AWARDED:

- a. Project #2016-0041 continuation book service with Baker & Taylor, LLC for the Library. (Exercising the second of three renewal options).
- b. Project #2015-0040 traffic signal poles painting with Texas Lone Star Pavement Services, LLC for Various Departments. (Exercising the third of three renewal options).
- c. Project #2017-0050 lawn maintenance services with Arno V. Whitmore dba PVW Services and with a 3% increase for Conroe-North Houston Regional Airport and Lone Star Convention Center. (Exercising the first of five renewal options).

C3. UTILIZATION APPROVED of the following contracts:

- a. Maintenance and operations for electrical parts and supplies through the Region 6 Education Service Center Contract #RFP#25.16 from Voss Electrical Co. dba Voss Lighting for Various Departments. Local Gov't Code §271.102

- b. Wireless voice and data products through the State of Texas Department of Information Resources contract #DIR-TSO-3420 with AT&T Mobility National Accounts, LLC and include amendment #3 for Various Departments. Local Gov't Code §271.083
 - c. Jail services through the Interlocal Agreement with the County of San Jacinto, Texas for Sheriff's Office. Gov't Code Chapter 791
 - d. Integrated jail system through the State of Texas Department of Information Resources Contract #DIR-SDD-1623 with Spillman Technologies, Inc. for IT. Local Gov't Code 271.083
 - e. Products and related services through the State of Texas Department of Information Resources Contract #DIR-TSO-2538 and contract # DIR-TSO-3359 with HP, Inc. with amendment to extend contract an additional 90 days through 10/01/2018 for IT. Local Gov't Code §271.102
 - f. Fleet maintenance services through the Interlocal Agreement with the City of Conroe for District Attorney. Gov't Code Chapter 791
 - g. Products and related services through the State of Texas Department of Information Resources contract #DIR-TSO-3043 with Xerox Corporation and its resellers for Various Departments. Local Gov't Code §271.102
 - h. Interlocal Purchase Agreement with The Woodlands Township, Texas contract #C-2018-0374 for Various Departments. Gov't Code Chapter 791.
- C4. DISCRETIONARY EXEMPTIONS APPROVED:
- a. Sexual assault examinations as a personal or professional services from Memorial Hermann Health Systems for Various Departments. Local Gov't Code 262.024(a)(4)
 - b. The repair of hot mix asphalt parking lot as an item necessary because of unforeseen damage to public property from Larry Young Paving, Inc. in the amount of \$18,252.00 for Emergency Management. Local Gov't Code §262.024(a)(3).
- C5. ADVERTISING APPROVED for the following bids/proposals:
- a. Project #19-01 new vehicles for Various Departments.
- C6. REQUEST APPROVED to reject and re-advertise project #18-44 processing, printing, and mailing of jury summons for District Clerk.
- C7. 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 \$39,936.67. This includes total sales of \$43,174.78 less auctioneer's fee of \$3,238.11 and items that received no bids will be disposed of by salvage or donation for Various Departments. Check has been forwarded to the Auditor for further processing.

RISK MANAGEMENT – AGENDA ITEMS 9D1-2

- D1. PAYMENT ACKNOWLEDGED to Kandie and Francis Kowalski in the amount of \$448.04 in reference to claim #A-18-0035 DOL 05.18.18.
- D2. CHANGES, ADDITIONS AND RELEASES APPROVED for the following:

<u>BOND</u>	<u>NAME/DEPT</u>	<u>AMOUNT</u>	<u>ACTION</u>
62748112	Carr, Wesley/Const Pct 4	\$5,000	Reserve/Cont Cert

63672255	Aldrich, Michael/Const Pct 4	\$5,000	New
63670860	Lalli, Nicholas/Const Pct 4	\$5,000	New
63670873	Amstuz, Jose/Const Pct 4	\$5,000	New
63680351	Coldiron, James/Const Pct 4	\$5,000	New
63670853	Buchanan, Robert/Const Pct 4	\$5,000	New
63680360	Taylor, Christopher/Const Pct 4	\$5,000	New
63672287	Beaty, Zachry/Const Pct 4	\$5,000	New
63672276	Capehart, Chad/Const Pct 4	\$5,000	New
63680342	Rodriguez, Pedro/Const Pct 4	\$5,000	New
63680949	Silvio, Michael/Const Pct 5	\$5,000	New
63680925	Johnson Jr, Calvin/ Const Pct 5	\$5,000	New
63680417	Park, Jeremy/Const Pct 5	\$5,000	New
63680460	Carley, Joshua/Const Pct 5	\$5,000	New
63680973	Mannisto, Aaron/Const Pct 5	\$5,000	New
63680432	Gordon, Kim/Const Pct 5	\$5,000	New
63682676	Fulcher Jr, Glen/Const Pct 3	\$5,000	New
63682678	Kelso, Garrett/Const Pct 3	\$5,000	New
63669470	Costa, Jason/Const Pct 3	\$5,000	New
14611265	Shackelford, Timothy/Const Pct 2	\$5,000	Renew/Cont Cert
63305251	Lee, Deborah/Tax Assessor	\$100,000	Renew/Cont Cert
15324960	Lang, William/Const Pct 3	\$5,000	Renew/Cont Cert
24793369	Davis, Brian/Const Pct 2	\$5,000	Renew/Cont Cert
24793366	McHugh, Eric/Const Pct 4	\$5,000	Renew/Cont Cert

COMMISSIONERS – AGENDA ITEMS 9E1-4

E1. PRECINCT 1

- a. ANNUAL FINANCIAL AUDIT REPORT ACCEPTED for ESD #1(Emergency Service District) with fiscal year ending September 30, 2017.
- b. REAPPOINTMENT APPROVED of Kate Laukien to serve on the Conroe-North Houston Regional Airport Board with a term ending December 31, 2019.

E2. PRECINCT 3

- a. ANNUAL FINANCIAL AUDIT REPORT ACCEPTED for ESD #8(Emergency Service District) with fiscal year ending September 30, 2017.

E3. PRECINCT 4

- a. ANNUAL FINANCIAL AUDIT REPORT ACCEPTED for ESD #12(Emergency Service District) with fiscal year ending September 30, 2017.

E4. PRECINCTS 2 and 4

- a. ANNUAL FINANCIAL AUDIT REPORT ACCEPTED for ESD #9(Emergency Service District) with fiscal year ending September 30, 2017.
- b. ANNUAL FINANCIAL AUDIT REPORT ACCEPTED for ESD #4(Emergency Service District) with fiscal year ending September 30, 2017.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9F1-2

F1. PRECINCT 2

- a. ADVANCE FUNDING AGREEMENT APPROVED for Voluntary Local Government Contributions to transportation improvement projects with no required match on system for CSJ #3050-02-024 with Texas Department of Transportation. Commissioner Charlie Riley is authorized to sign all related paperwork and funding source will be 6134014-7598582.
- b. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Woodforest, Section 64 and bond is released.

F2. PRECINCT 4

- a. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Royal Brook, Section 8.
- b. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Royal Brook, Section 9.
- c. FINAL PLAT APPROVED for Waukegan Way, Section Three, 11.046 acres, William B. Bridges Survey, A-73.
- d. FINAL PLAT APPROVED for Kings Mill, Section 11; 13.291 acres; Mary Owens Survey, A-405.
- e. FINAL PLAT APPROVED for Forest Trace, Section Five; 53.346 acres; Williams B. Bridges Survey, A-73.

HUMAN RESOURCES – AGENDA ITEM 9G1

G1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of Animal Shelter to place Giovanna Angulo-Salazar, Kennel Technician, on payroll as replacement for Kelly J. Duprey, effective June 30, 2018.

Request of Animal Shelter to place Justin Barras, Supervisor-Clinic Vet Tec, on payroll, effective June 30, 2018

Request of Animal Shelter to discharge Christopher Daniel, Kennel Technician, effective June 26, 2018. [8.79 hours or balance vacation; 6.3875 hours or balance compensatory time]

Request of Animal Shelter to place Mangala Kirshnappa, Veterinarian, on payroll as replacement for Cristalle A. Boyle, effective July 9, 2018.

Request of Custodial to increase salary of Elisabeth Torrez De Morris, Custodian, due to completion of probationary period, effective September 15, 2018.

Request of Custodial to increase salary of Luz Gonzalez, Custodian, due to completion of probationary period, effective August 19, 2018.

Request of Custodial to increase salary of Mariana Guzman, Custodian, due to completion of probationary period, effective July 8, 2018.

Request of Custodial to place Tiffany Leath, Custodian, on payroll as replacement for Estella Montes, effective July 9, 2018.

Request of Custodial to accept the resignation of Liborio Peralta Santiago, Custodian, effective July 2, 2018. [No benefits due]

Request of Custodial to place Abel Quijano, Custodian, on payroll as replacement for Liborio Peralta Santiago, effective July 9, 2018.

Request of Custodial to accept the resignation of Mario Rubio, Custodian, effective July 12, 2018. [No benefits due]

Request of Building Maintenance to promote Tim Stewart, Director-Maintenance, as replacement for Paul Case, effective June 30, 2018.

Request of Commissioner Precinct 3 to accept the resignation of Bryan Keith Strawn, Operator II, effective June 26, 2018. [12.59 hours or balance vacation]

Request of Commissioner Precinct 4 to accept the resignation of Dianne Miller, Admin Manager II, effective June 29, 2018. [49.28 hours or balance vacation; 22.50 hours or balance holiday]

Request of Commissioner Precinct 4 to promote Matthew D. Nelson, Admin Manager II, as replacement for Dianne Miller, effective July 11, 2018.

Request of Constable Precinct 3 to increase salary of Jessica Epperson, Investigator II, due to step increase, effective May 5, 2018.

Request of Constable Precinct 3 to correct effective date on PCR of Ralph S. Furches, Lieutenant-Constable, effective May 5, 2018. (This was previously approved in CC on 4/10/18.)

Request of Constable Precinct 3 to increase salary of Christopher Hoffmeyer, Sergeant Constable, due to step increase, effective May 5, 2018.

Request of Constable Precinct 3 to increase salary of Perry Midyett, Deputy Constable, due to step increase, effective June 30, 2018.

Request of Constable Precinct 3 to increase salary of Patrick Patterson, Deputy Warrants, due to step increase, effective May 5, 2018.

Request of Constable Precinct 3 to increase salary of Glen E. Fulcher, Jr., Deputy Constable, due to step increase, effective May 5, 2018.

Request of Constable Precinct 3 to increase salary of Brent Ryan, Deputy Constable, due to step increase, effective May 5, 2018.

Request of Constable Precinct 3 to increase salary of Brent Ryan, Deputy Constable, due to step increase, effective May 5, 2018.

Request of Constable Precinct 3 to increase salary of Kevin Scott Wolf, Deputy Constable, due to step increase, effective May 5, 2018.

Request of Constable Precinct 4 to place Katrina Perry, Clerk III, on Unpaid FMLA/Disability Leave, effective June 6, 2018.

Request of Constable Precinct 4 to place Katrina Perry, Clerk III, on payroll due to Return from Unpaid FMLA/Disability Leave, effective June 26, 2018.

Request of Constable Precinct 4 to place Katrina Perry, Clerk III, on Unpaid FMLA/Disability Leave, effective June 27, 2018.

Request of Constable Precinct 5 to discharge Aaron Mannisto, Deputy Constable, effective June 22, 2018. [17.50 hours or balance compensatory time]

Request of County Attorney to discharge Diana McGrath, Legal Assistant III, effective June 22, 2018. [11.915 hours or balance vacation]

Request of County Auditor to place Katelyn Van Putten, Part-time Clerk, on payroll, effective July 16, 2018.

Request of County Engineering to accept the resignation of John Ross McCall, Engineer III, effective June 15, 2018. [No benefits due]

Request of District Attorney to change position of Nathan Wesley Alsbrooks, Attorney I, as replacement for Sydni Linn Connell, effective July 9, 2018.

Request of District Attorney to change position of Lora Ciborowski Beckman, Attorney II, as replacement for Justin Michael Fowles, effective July 9, 2018.

Request of District Attorney to accept the resignation of Jocellyn Marlen Camarillo, Coord-Victim Assist, effective July 10, 2018. [58.29 hours or balance vacation; 15.625 hours or balance compensatory time; 8.00 hours or balance holiday]

Request of District Attorney to promote Sydni Linn Connell, Attorney II, as replacement for Sara Michelle Corradi, effective July 9, 2018.

Request of District Attorney to change position of Sara Michelle Corradi, Attorney II, as replacement for Lora Cibrowski Beckman, effective July 9, 2018.

Request of District Attorney to promote Justin Michael Fowles, Attorney III, as replacement for George Alexander Napier, effective July 9, 2018.

Request of District Attorney to promote Rochelle L. Guiton, Chief Prosecutor, as replacement for Mary Nan Huffman, effective July 9, 2018.

Request of District Attorney to accept the resignation of Mary Nan Huffman, Chief Prosecutor, effective July 6, 2018. [64.63 hours or balance vacation]

Request of District Attorney to change position of George Alexander Napier, Attorney III, as replacement for Rochelle L. Guiton, effective July 9, 2018.

Request of District Attorney to accept the resignation of Vincenzo J. Santini, Chief Prosecutor, effective July 13, 2018. [227.68 hours or balance vacation; 28.00 hours or balance holiday]

Request of District Attorney to correct PCR approved 5/22/2018 of Pamela G. Traylor, Coord-Victim Assist, in regards to canine stipend, effective June 29, 2018.

Request of District Clerk to place Morgan Alexander, Court Clerk II, on payroll as replacement for Marlana Blake, effective July 3, 2018.

Request of Elections to increase salary of Robert Mahle, Voter Clerk, bringing salary to current rate of Poll Workers, effective July 14, 2018.

Request of Elections to increase salary of Audra Wood, Voter Clerk, bringing salary to current rate of Poll Workers, effective July 14, 2018.

Request of Extension Agents to place Brandon Gregson, Extension Agent, on payroll as replacement for Michael Heimer, effective July 11, 2018.

Request of Extension Agents to place Justin Saenz, Extension Agent, on payroll as replacement for Caroline Cruz, effective August 1, 2018.

Request of Justice of the Peace Pct 2 to discharge Abigail L. Paxton, Court Clerk II, effective June 22, 2018. [No benefits due]

Request of Juvenile to place Patricia Solorzano Broussard, Counselor, on payroll, effective July 16, 2018.

Request of Juvenile to accept the retirement of Courtney Squyres West, Juvenile Probation Officer, effective July 31, 2018.[220.03 hours or balance vacation; 0.375 hours or balance compensatory time]

Request of Library to accept the resignation of Teresa Zofja Bergman, Library Assistant II, effective June 25, 2018. [3.08 hours or balance vacation]

Request of Library to change status of April Ann Chastain, Clerk III, from part-time to full time, effective June 30, 2018.

Request of Library to promote Kelly Rae Flores, Library Assistant II, as replacement for Haley Campbell, effective June 30, 2018.

Request of Library to place Kasey Hudspeth, Shelving Clerk I, on payroll as replacement for Diana Andrade, effective June 26, 2018.

Request of Library to accept the resignation of Haley M. Wingate, Shelving Clerk I, effective August 10, 2018. [No benefits due]

Request of Recycle Station Pct 1 to accept the resignation of Kathleen A. Stevenson, Recycle Technician, effective July 1, 2018. [No benefits due]

Request of Sheriff to place Robert Applegate, Officer Civilian Deten, on payroll, effective June 30, 2018.

Request of Sheriff to promote Timothy J. Boerema, Corporal, effective June 30, 2018.

Request of Sheriff to accept the resignation of Marisa N. Brusuelas, Temporary Data Clerk, effective June 29, 2018. [No benefits due]

Request of Sheriff to place Tyler Cranston, Officer Civilian Deten, on payroll, effective July 14, 2018.

Request of Sheriff to promote Dennis R. Doerge, Deputy Detention, as replacement for Riley Schuster Jr., effective June 30, 2018.

Request of Sheriff to promote Jacob Suther Erickson, Detective, effective June 30, 2018.

Request of Sheriff to transfer Edward C. Fisher III, Specialist, as replacement for Margarito Rosales Jr., effective June 30, 2018.

Request of Sheriff to place Zachary Fredrickson, Officer Civilian Deten, on payroll, effective June 30, 2018.

Request of Sheriff to increase salary of David R. Hernandez Jr., Sergeant Patrol, due to step increase, effective June 30, 2018.

Request of Sheriff to place Alexander Hill, Officer Civilian Deten, on payroll as replacement for Stephen C. Hollifield, effective June 30, 2018.

Request of Sheriff to transfer Joshua Sean Leal, Specialist, from Walden Sub-Unit to Narcotic Task, effective June 30, 2018.

Request of Sheriff to demote Octavio Lopez Jr., Officer Civilian Deten, as replacement for Jason Thomas Uhler, effective June 30, 2018.

Request of Sheriff to transfer Scott Wayne Martin, Specialist, from Sheriff Patrol East to Narcotic Task, effective June 30, 2018.

Request of Sheriff to promote Ryan Louis Mathis, Detective, as replacement for Max Toliver Jr., effective June 30, 2018.

Request of Sheriff to place Jose Portillo, Officer Civilian Deten, on payroll, effective June 30, 2018.

Request of Sheriff to place William Reeder, Officer Civilian Deten, on payroll, effective June 30, 2018.

Request of Sheriff to promote Jason Thomas Uhler, Deputy Detention, as replacement for Tommy B. Lopez, effective June 30, 2018.

Request of Sheriff to promote Shelby N. Yow, Detective, as replacement for Melanie Bivens, effective June 30, 2018.

Request of Tax Assessor-Collector to promote Whitney Black, Branch Manager-Tax Assessor, as replacement for Eileen Mast, effective July 7, 2018.

Request of Tax Assessor-Collector to place Nichole Cruz, Deputy Specialist III, on Unpaid FMLA/Disability Leave, effective July 10, 2018.

ENVIRONMENTAL HEALTH – AGENDA ITEMS 9H1-5

- H1. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 23619 East Heritage Oaks Porter, TX 77365.
- H2. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 23020 Glenwood Blvd Hockley, TX 77447.
- H3. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 16613 Cimmaron Drive Stagecoach, TX 77355.
- H4. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 19522 Tall Pines Magnolia, TX 77355.
- H5. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 15817 FM 3083 Conroe, TX 77302.

COUNTY JUDGE – AGENDA ITEMS 9I1-3

- II. RATIFICATION AND ACCEPTANCE APPROVED of Amendment of Solicitation/Modification of contract for the ICE/Detention Compliance and removals for the purpose of extending the period of performance through July 31, 2018.

- I2. REAPPOINTMENT APPROVED of Ryan Gable to the Montgomery County Emergency Communication District (MCECD) for a two year term expiring September 30, 2020.
- I3. RULES OF PROCEDURE FOR COMMISSIONERS COURT RECORDED as adopted June 26, 2018. The County Clerk's office did not receive paperwork for this item.

SHERIFF – AGENDA ITEM 9J1-2

- J1. ADDITIONAL FUNDING APPROVED for the Human Trafficking Rescue Alliance Task Force between the Montgomery County Sheriff and the City of Houston. The agreement terminates no later than September 30, 2019 and associated benefits will be funded via Sheriff's Budget 5601.
- J2. PARTICIPATION APPROVED in the Montgomery County Emergency Communication District's 2018 PSAP Improvement Program. The district will provide \$79,500.00 to the MCSO Communications Department for phase two of the audio/visual upgrade, printers, monitors, two shredders, and six chairs. The 10% county match of \$7,950 will be funded via the Sheriff's budget 560101.7390.

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

K1. PRECINCT 1

- a. RESOLUTION AND ORDER TO PAY APPROVED for the funding of actual moving costs relating to the acquisition of Parcel 59 for the expansion of FM 1097 payable to T.J. Sellers, CPA in the amount of \$2,518.56.
- b. ORDER APPROVED to authorize payment of Special Commissioners Award and payment of Special Commissioners Fees for parcel 72 of the FM 1097 project in the proceedings under Cause No. 18-03-03247 in the amount of \$7,673.00.
- c. RESOLUTION AND ORDER APPROVED to approve the Possession and Use Agreement between Montgomery County and Edward P. Wong for the possession and use of the parcel of land owned by Edward P. Wong described in the agreement during the pendency of the eminent domain proceedings under Cause No. 18-03-03203. The County Auditor and County Treasurer are authorized and ordered to issue payment in the amount of \$83,632.00 to Edward P. Wong.

K2. PRECINCT 2

- a. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Syed Tract for the Foxwood Detention Pond from Sohail Syed for the total sum of \$161,819.86 and to accept the executed or to be executed deed.
- b. ORDER APPROVED declaring the existence of public necessity and authorizing the institution of eminent domain proceedings related to SH 249 Foxwood Detention Pond Right of Way Project for a tract owned by CO-FAM, LLC being a 1.718 acre easement situated in the Joseph House League Abstract No. 20.
- c. ORDER APPROVED declaring the existence of public necessity and authorizing the institution of eminent domain proceedings related to SH 249 Foxwood Detention Pond Right of Way Project for a tract owned by Pit 249 being 4.252 acre easement situated in the Joseph House League Abstract No.

20, together with a temporary construction easement being 0.5670 acre and being part of 19.308 acre tract.

- d. ORDER APPROVED declaring the existence of public necessity and authorizing the institution of eminent domain proceedings related to SH 249 Foxwood Detention Pond Right of Way Project for a tract owned by Alphro, Inc. being a 150 foot detention pond easement being 1.1725 acre of land, more or less, together with a 20 foot temporary construction easement being 0.1572 acre of land, more or less, out of an 18.429 acre tract in the Joseph House Survey, A-20.
- e. ORDER APPROVED declaring the existence of public necessity and authorizing the institution of eminent domain proceedings related to SH 249 Woodtrace Detention Pond Right of Way Project for a tract owned by Primewood Investments, L.P. being 5.215 acres of land situated in the B.B.B & C.R.R. Co. Survey, A-111.

K3. PRECINCT 3

- a. AGREEMENT APPROVED authorizing placement of improvements within right-of-way described as Waterbend Cove.

COUNTY ATTORNEY- AGENDA ITEMS 9L1-2

- L1. RESOLUTION AND ORDER APPROVED to approve the settlement offer of \$8,523.78 to be paid to Consumers County Mutual a/k/a/ Travelers in exchange for a full release of all claims in connection with in the demand letter provided under Claim No. A-18-0016. This will be funded with 560171-7657.
- L2. RESOLUTION AND ORDER APPROVED authorizing County Judge to execute the Agreed Order between Montgomery County and TCEQ for settlement of all claims against Montgomery County filed under TCEQ Docket No. 2017-1268-PST-E.

COUNTY ATTORNEY – MENTAL HEALTH TREATMENT FACILITY – AGENDA ITEMS 9M1-8

- M1. QUARTERLY PERFORMANCE IMPROVEMENT REPORT ACCEPTED FOR March-May 2018 as recommended by Montgomery County Mental Health Treatment Facility (MCMHTF) Advisory Board.
- M2. REAPPOINTMENT APPROVED for active status and privileges of Dr. Masood Jilani Psychiatrist for a two year appointment period. The appropriate recommendations were made to the Montgomery County Mental Health Treatment Facility (MCMHTF) Advisory Board submitted to Commissioners Court for final approval.
- M3. REAPPOINTMENT APPROVED for active status and privileges of Dr. Khurram Shaikh Psychiatrist for a two year appointment period. The appropriate recommendations were made to the Montgomery County Mental Health Treatment Facility (MCMHTF) Advisory Board submitted to Commissioners Court for final approval.
- M4. APPOINTMENT APPROVED for Santiago Jimenez, Tele-Radiologist, MD for provisional status. The appropriate recommendations were made to the Montgomery County Mental Health Treatment Facility (MCMHTF) Advisory Board submitted to Commissioners Court for final approval.

- M5. APPOINTMENT APPROVED for David Nguyen, Tele-Radiologist, MD for provisional status. The appropriate recommendations were made to the Montgomery County Mental Health Treatment Facility (MCMHTF) Advisory Board submitted to Commissioners Court for final approval.
- M6. APPOINTMENT APPROVED for Dr. Lillian Cavin, Tele-Radiologist, MD for provisional status. The appropriate recommendations were made to the Montgomery County Mental Health Treatment Facility (MCMHTF) Advisory Board submitted to Commissioners Court for final approval.
- M7. REVISIONS APPROVED to the Psychiatry Privileging Form. The form was reviewed by the Medical Executive Committee and approved by Advisory Board.
- M8. APPOINTMENT APPROVED of Joe Smith the Montgomery County Mental Health Treatment Facility (MCMHTF) Advisory Board. He is replacing board member Robert Casey who resigned October 19, 2017. The candidate was present and approved by the Montgomery County Mental Health Treatment Facility (MCMHTF) Advisory Board members on June 22, 2018. This appointment will fill one of two vacant positions currently available.

COUNTY CLERK – AGENDA ITEM 9N1

- N1. TRANSFER APPROVED of \$10,000.00 from the County Clerk's Records Management Fund 40311 to line item #7419 Professional Services for the conversion of OPR Documents to microfilm by third party vendor, Iron Mountain.

CONROE-NORTH HOUSTON REGIONAL AIRPORT – AGENDA ITEMS 9O1-3

- O1. Third amendment to land lease agreement between Montgomery County and Greatland Holdings, LLC was DEFERRED.
- O2. Parking and access easement agreement with the Black Forest Ventures Aviation RE, LLC at the Conroe-North Houston Regional Airport was DEFERRED.
- O3. Partial assignment of land lease with consent of LESSOR between Montgomery County, Greatland Holdings, LLC and Platinum Creek Investments, LLC was DEFERRED.

GRANTS – AGENDA ITEM 9P1

- P1. GRANT AWARD ACCEPTED from Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$48,443 for the Sheriff's Office. Rebecca Ansley is authorized to submit acceptance electronically on behalf of Montgomery County

Motion carried.

END OF CONSENT AGENDA

CITIZENS – AGENDA ITEM 10

CITIZENS WILL ADDRESS THE COURT AT THE TIME THE AGENDA ITEM IS PRESENTED.

6. REQUEST APPROVED – BUILDING REMODEL – COUNTY JUDGE

Motion by Commissioner Noack, seconded by Commissioner Meador, to require any major remodeling work that needs to be done for the County to come through Commissioners Court for approval. Motion carried.

7. FUNDING FACTORS APPROVED – SELF INSURANCE FUNDING FACTORS – BUDGET OFFICE

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve Funding Factors for Self-Insured Programs for the 2019 budget per memo on file. Motion carried.

AGENDA ITEM 12B – BUDGET OFFICER PRESENTED THE FY 2019 PRELIMINARY BUDGET.

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

8. TRANSFER APPROVED – TWO HUMMER UTILITY TRUCKS – CONSTABLE PRECINCT 4

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the transfer of two Hummer Utility Trucks from the Defense Logistics Agency (DLA), Disposition Services in Fort Benning, Georgia. The utility trucks will be reutilized and maintained by the Constable Pct. 4 Department for rescue equipment. The equipment is the property of DLA. Motion carried.

9. REQUEST APPROVED – IMPREST BALANCE – RISK MANAGEMENT

Motion by Commissioner Meador, seconded by Commissioner Riley, to authorize the County Auditor to increase the imprest balance in the third party medical claim Administrators claim account in the amount of \$1,500,000.00 which will be sufficient enough to continue processing medical claims on a daily basis. Motion carried.

10. CONTRACT APPROVED – SORTERS ROAD – PRECINCT 4

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the contract with Whitney and Associates in the amount of \$220,100.00 per Government Code Chapter 2254 for Precinct 4. Motion carried.

11. PURCHASE APPROVED – DOWNFLOW SYSTEMS – INFORMATION TECHNOLOGY

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the purchase of two Liebert Model Air Cooled Downflow Systems through the Interlocal Agreement with Choice Partners contract #15/006MP-13 from NWN Corporation for a total amount of \$68,500.00 for IT as authorized by Local Government Code §271.102. Motion carried.

12. PURCHASE APPROVED – TELESCOPIC AERIAL DEVICE – PRECINCT 2

PURCHASE APPROVED – AUDIO VISUAL EQUIPMENT – EMERGENCY MANAGEMENT

Motion by Commissioner Meador, seconded by Commissioner Noack to approve the following purchases:

- a. One telescopic aerial device through the Interlocal Agreement with Sourcewell formally known as NJPA contract #012418-Alt from Altec Industries, Inc. in the amount of \$130,676.00 for Precinct 2 as authorized by Local Government Code §271.102 and
- b. Audio Visual equipment through the Interlocal Agreement with the State of Texas Department of Information Resources contract #DIR-TSO-4001 from Conference Technologies, Inc. in the amount of \$309,605.82 with included service agreement for two additional years to be paid for with the 2016UASI EOC Sustainment Grant for Emergency Management as authorized by Local Government Code §271.083.

Motion carried.

13. AWARD APPROVED – ROAD REHABILITATION – VARIOUS DEPARTMENTS

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve an award to R.C. Smith Companies dba Smith and Company for Project #18-38 rehabilitation of roads for Various Departments. Motion carried.

14. AWARD APPROVED – BIRNHAM WOODS DRIVE – PRECINCT 3

AWARD APPROVED – ELAN BOULEVARD – PRECINCT 3

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

- a. Angel Brothers Enterprises, LTD in the amount of \$2,051,770.25 for project #18-50 Birnham Woods Drive widening for Precinct 3 and
- b. Angel Brothers Enterprises, LTD in the amount of \$1,438,817.30 for Project #18-49 Elan Boulevard Widening for Precinct 3.

Motion carried.

15. AWARD APPROVED – RADIO TOWER SERVICES – SHERIFF

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the award to Shaffer Tower Services, Inc. for Project #18-39 Radio Tower Services for the Sheriff's Office. Motion carried.

16. AWARD APPROVED – C.R. DOWELL WAY – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the award to R.C. Smith Companies dba Smith & Company in the amount of \$733,011.08 for Project #18-53 C.R. Dowell Way construction for Precinct 1. Motion carried.

17. AWARD APPROVED – HAZARD PREPAREDNESS – EMERGENCY MANAGEMENT

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the award to Hagerty Consulting, Inc. for Project #18-30 – all hazards preparedness, planning consulting and recovery services for Emergency Management. Motion carried.

18. AWARD APPROVED – DECEDENT TRANSPORT SERVICES – VARIOUS DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the award for Project #18-33 RFP – Decedent Transport Services, Storage Services and the disposition of bodies of deceased paupers to Eickenhorst Funeral Services and Darst Funeral Directors. This will allow the contract negotiation with these two firms and contracts will be brought back to court. Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 16A: CONSIDER AND APPROVE POSTING A 45-MPH SPEED LIMIT FOR SENDERA RANCH DRIVE.

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

19. REQUEST APPROVED – SPEED LIMIT – COMMISSIONER PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve posting a 45mph speed limit for Sendera Ranch Drive. Motion carried.

20. REQUEST APPROVED – POSITION TRANSFER – COUNTY ENGINEER – ALL PRECINCTS

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the transfer of HVAC & Controls Coordinator position 600-6909-1 and associated salary and benefits to Building Maintenance, Position 510-6909-1 and this will be funded with Contingency. Motion carried.

AGENDA ITEM 18A1 – MEMBERS OF THE COURT DISCUSSED THE ROLE AND AUTHORITY OF COMMISSIONERS COURT AND BUDGET OFFICER IN REVIEW, APPROVAL, ADOPTION AND/OR FUNDING OF COUNTY AUDITOR'S BUDGET. THE COUNTY ATTORNEY'S OFFICE STATED THAT THE DISTRICT JUDGES CONTROL THE SALARY BUDGET OF THE AUDITOR'S OFFICE. COMMISSIONERS COURT CANNOT DIRECT THE BUDGET OFFICER OR AUDITOR TO REDUCE THEIR BUDGET. JOB DUTIES ARE GOING TO BE LOOKED AT TO SEE WHAT CAN BE REORGANIZED FOR COST SAVINGS.

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

AGENDA ITEM 18A2 – THE COURT DISCUSSED THE DIFFERENCES BETWEEN TRUE BUDGET AMENDMENTS AND LINE ITEM ADJUSTMENTS/BUDGET ADJUSTMENTS. COMMISSIONER NOACK ASKED TO STIPULATE A DOLLAR AMOUNT SET SO A DEPARTMENT HEAD COULD MOVE THINGS WITHOUT COURT APPROVAL. JUDGE DOYAL ASKED WHAT SAFEGUARDS WILL BE IN PLACE. THE AUDITOR DISCUSSED THE ENTERING AND POSTING OF BUDGET ADJUSTMENTS.

GUIDELINES WILL BE PLACED IN A PROCEDURES POLICY AND WILL BE BROUGHT BACK TO COURT.

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

21. RESOLUTION APPROVED – DISASTER RELIEF FUNDING – COMMISSIONER PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve a resolution seeking waivers from the mandated LMI thresholds and infrastructure/buyout allotments; to call upon state and federal leaders and agencies to seek exceptions and/or waivers to these guidelines and enable any local governmental entity the ability to determine the best use of the funds; and suggest that in the future disaster recovery funds be completely separate and rebranded to accommodate disaster-specific issues-with no income restrictions or no attachment to an agency with mandates and grant restrictions requiring income-based directives. Motion carried.

22. RESOLUTION AND ORDER APPROVED – BARTON WOODS – COMMISSIONER PRECINCT 4

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the Interlocal Agreement between the City of Conroe, Texas and Montgomery County, Texas. County Judge is authorized to execute the Agreement on behalf of Montgomery County. Motion carried.

COMMISSIONER NOACK MADE A MOTION TO HEAR THE PRESENTATION OF THE CITIZENS'S BUDGET COMMITTEE REPORT. THE MOTION DIED FOR LACK OF A SECOND.

23. PAYROLL CHANGE REQUEST FORMS APPROVED – HUMAN RESOURCES

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve the following Payroll Change Request Forms:

Request of Building Maintenance to transfer Craig Case, HVAC & Controls Coordinator, from County Engineer, effective June 30, 2018.

Motion carried.

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 20A: CONSIDER AND APPROVE TWO RESOLUTION AND ORDERS TO SETTLE CLAIM NO. G-17-0023, DATE OF INCIDENT 04/09/17. (SECTION 551.071)

AGENDA ITEM 20B: CONSIDER AND APPROVE A RESOLUTION AND ORDER TO SETTLE CLAIM NO. A-17-0044: LINDA TOWERY & DONALD STONE, DATE OF INCIDENT 06/10/17. (SECTION 551.071)

AGENDA ITEM 20C: CONSIDER AND APPROVE A RESOLUTION AND ORDER TO SETTLE PROPERTY DAMAGE, NO. A-17-0124, DATE OF INCIDENT 12/14/17. (SECTION 551.071).

COMMISSIONERS COURT RECONVENED WITH ALL MEMBERS PRESENT WITH THE EXCEPTION OF COMMISSIONER JIM CLARK.

24. RESOLUTION AND ORDER APPROVED – CLAIM NO. G-17-0023 – EXECUTIVE SESSION

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

- a. Settlement offer of \$4,400 to be paid to Dawn Ramos in exchange for a full release of all claims in connection with in the demand letter provided under Claim No. G-17-0023. County Auditor is ordered to issue a check in accordance with the settlement offer contingent upon receipt of a full release of all claims with funding from 560171-7657; and
- b. Settlement offer of \$4,135.89 to be paid to Untied Subrogation Associates in exchange for a full release of all claims in connection with in the demand letter provided under Claim No. G-17-0023. County Auditor is ordered to issue a check in accordance with the settlement offer contingent upon receipt of a full release of all claims with funding from 560171-7657.

Motion carried.

25. RESOLUTION AND ORDER – CLAIM NO. A-17-0044 – EXECUTIVE SESSION

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the settlement office of \$100,000.00 to be paid to Jim Adler & Associates on behalf of claimant Linda Towery and \$100,000.00 to be paid to Jim Adler & Associates on behalf of Claimant Donald Stone in exchange for a full release of all claims for personal injury in connection with the demand letter provided under Claim No. A-17-0044 and approve a settlement of \$27,263.00 to be paid to Allstate Insurance in exchange for a full release of

all claims for personal injury in connection with the demand letter provided under Claim No. A-17-0044. County Auditor is ordered to issue a check in accordance with the settlement offer contingent upon receipt of a full release of all claims with funding from Contingency. Motion carried.

26. RESOLUTION AND ORDER APPROVED – CLAIM NO. A-17-0124 – EXECUTIVE SESSION

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the settlement offer of \$983.73 to be paid to Marcos & Associates P.C. and Jose Velasquez in exchange for a full release of all claims for property damage in connection with the demand letter provided under Claim No. A-17-0124. County Auditor is ordered to issue a check in accordance with the settlement offer contingent upon receipt of a full release of all claims with funding from 509-7390. Motion carried.

CITIZENS – AGENDA ITEM 22

Paul “Dewey” Jones addressed the court concerning flood control. He told a story of trying to fund a flood district with a 1 cent sales tax. He told the court that he was telling them the mistakes they made so the current court would not make the same mistakes.

Bill O’Sullivan addressed the court concerning many topics. He asked that the court make plans, briefly discussed the pass through program and TIP system, Road and Bridge fund, Public Safety, and the budget/auditor situation. He invited the court to an event to hear Dan Crenshaw speak.

Sherry Shorten addressed the court concerning the budget process and discussed zero based budgets. She suggested assigning the Budget Officer 2 departments or processes to review each fiscal year to improve the overall organization.

Adrian Kaiser addressed the court concerning the Citizens Budget Committee presentation. He said the committee is would like to reduce the budget by \$100,000,000 over 4 years, but put approximately \$40 million back into to law enforcement and public safety and capital improvement which would include road and bridge expenditures.

MISCELLANEOUS – AGENDA ITEM 23 – WAS MOVED UP IN COURT AFTER MOTION 3.

27. COURT ADJOURNS

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

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

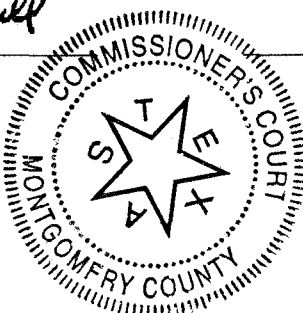
ATTEST:

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

BY:

Mark Turnbull

COUNTY CLERK



Greg Doyle

COUNTY JUDGE