

JAN 26 2016

## COMMISSIONERS COURT DOCKET

January 12, 2016  
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 12<sup>th</sup> day of January, 2016, the Honorable Commissioners Court of Montgomery County, Texas, was duly convened in a Regular Session in the Commissioners Courtroom of the Alan B. Sadler Commissioners Court Building, 501 North Thompson, Conroe, Texas, with the following members of the Court present:

County Judge	Craig Doyal
Commissioner, Precinct 1	Mike Meador
Commissioner, Precinct 2	Charlie Riley
Commissioner, Precinct 3	James Noack
Commissioner, Precinct 4	Jim Clark
Also County Clerk's Office	Amber Twiddy

INVOCATION GIVEN BY Sheriff Tommy Gage

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.

JOHN CHANCELLOR WITH THE TEXAS POLICE CHIEF'S ASSOCIATION PRESENTED CONSTABLE PRECINCT 3 OFFICE WITH A CERTIFICATE OF RECOGNITION FOR ACHIEVING COMPLIANCE WITH TEXAS LAW ENFORCEMENT BEST PRACTICES.

## 2. RESOLUTION AND ORDER APPROVED – CONSENT AGENDA – AGENDA ITEMS 9A-N

Motion by Commissioner Meador, 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, as follows:

## COUNTY AUDITOR – AGENDA ITEMS 9A1-3

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

A2. BUDGET AMENDMENTS FY16 APPROVED:

- a. Various: To allocate auction proceeds.
- b. Building Maintenance: To move carryover funds approved in FY 2016 budget workshops to capital outlay line and adjust line items.
- c. Commissioner Precinct 1: To adjust line items for purchase of 2005 Fontaine Lowboy Trailer Model TH-55 and adjust line items and allocate revenue.
- d. Commissioner Precinct 2: To adjust line items.

- e. Commissioner Precinct 4: To recognize and allocate revenue & allocate for M3/12.08.15.
- f. Constable Precinct 2: To recognize and allocate revenue.
- g. Constable Precinct 3: To transfer funds for purchase of supplies to build conference table and allocate Electronic Detection K9 Grant as awarded by Crime Stoppers M15/12.22.15.
- h. Constable Precinct 4: To transfer funds for 5 VPN Tokens and allocate revenue.
- i. Constable Precinct 5: To carryover donation.
- j. Co Atty State Funds: To recognize and allocate revenue.
- k. County Clerk: To adjust line items.
- l. County Engineer: To adjust line items.
- m. Court Guardianship: To recognize and allocate revenue.
- n. Courthouse Security: To fund security officer for Forensic Services.
- o. District Clerk: To carryover funds for PO 482231.
- p. Emergency Management: To adjust line items.
- q. Emergency Management HMLND SEC GRNT PRG14-UASI: To adjust line items for PO 55161116, 55161135, and 55161137 and adjust line items.
- r. Forensic Services: To transfer funds for supplies/material needed for a bullet resistant window for the reception desk.
- s. Juvenile Probation-NSLP: To recognize and allocate reimbursement received National School Lunch Program for Oct/15 and Nov/15.
- t. MCCD-CDBG YR 18 Detox Center: To adjust line items on Release 494269.
- u. Memorial Library: To recognize and allocate revenue for the General Gift Account and the Genealogy/Ron Jackson Gift Account.
- v. Sheriff: To transfer funds for Bailiff Office counter and cabinets project and adjust line items.
- w. Sheriff-Auto Theft: To adjust line items.
- x. Sheriff-5601731-MOCONET: To recognize and allocate revenue M3/12.08.15
- y. Sheriff-Patrol 560121: To recognize and allocate revenue M4/12.22.15.
- z. Sheriff-Step IDM (DWI): To allocate M13/12.08.15.
- aa. U/L Road Bonds 2016 60,000,000: To allocate bond proceeds.

A3. BUDGET AMENDMENTS FY15 APPROVED:

- a. Const 3-RMUD Sub Unit: To recognize and allocate revenue and adjust budget lines 9.30.15.
- b. County Attorney State Funds: To recognize and allocate revenue.
- c. County Engineer Brinsap: To setup budget for BRINSAP #0912-37-229 M3/09.15.15 and setup budget for BRINSAP #0912-37-228 M3/09.15.15.
- d. Elections Contract Direct Paid: To finalize 09.30.15 budget.
- e. Juvenile Probation-NSLP: To recognize and allocate reimbursement received National School Lunch Program for July/15, Aug/15 and Sept/15.
- f. MCCD: To correct prev BA-Yr17 Draw 13 cancelled.
- g. Memorial Library: To recognize and allocate Fy15 ILL Grant Revenue and allocate ILL Grant Funding.
- h. Sheriff: To recognize and allocate revenue.
- i. Sheriff-Federal Forfeitures: To recognize and allocate revenue for year-end 9.30.15.
- j. Sheriff/MOCONET: To adjust line items.
- k. Sheriff-Town Center Sub Unit: To adjust budget lines for 09.30.15.
- l. Sheriff-Walden Sub Unit: To adjust budget lines for 09.30.15.

TREASURER – AGENDA ITEMS 9B1-6

- B1. REPORT OF INVESTMENTS PURCHASED ACCEPTED for week ending December 31, 2015.
- B2. INVESTMENT REPORT ACCEPTED for December 2015.
- B3. PLEDGED SECURITY REPORTS ACCEPTED for December 2015.
- B4. MONTHLY INVESTMENT REPORT ACCEPTED for October 2015.
- B5. STATEMENT OF BALANCES ACCEPTED for October 2015.
- B6. THE MONTGOMERY COUNTY INVESTMENT POLICY ACCEPTED as revised 01/06/16.

TAX ASSESSOR/COLLECTOR – AGENDA ITEMS 9C1-2

- C1. RESOLUTION APPROVED to authorize the resale of Ad Valorem Tax Foreclosed properties located throughout Montgomery County.
- C2. TAX ASSESSOR-COLLECTOR'S COMPLIANCE ACKNOWLEDGED with SB 546 Reporting requirements pursuant to Texas Property Tax Code Section 6.231 (d).

PURCHASING – AGENDA ITEMS 9D1-16

- D1. EXEMPTION GRANTED for one source as authorized by Local Government Code §262.024 (a)(7)(A) for the purchase of Trafficjet 1638 DX Inkjet Print System from Avery Denison Reflective Solutions in the amount of \$33,502.00 for Precinct 2.

- D2. REQUEST APPROVED to reject and re-advertise project #2016-0003, Automotive and Heavy Truck Body Repair Service for Risk Management.
- D3. CHECK ACCEPTED in the amount of \$109,585.72 for the list of items sold through the Montgomery County Online Auction held 12/04/15 from Rene Bates Auctioneers, Inc. which includes total sales of \$118,471.05 less auctioneer's fee of \$8,885.33 for Various Departments. Check No. 21193 has been forwarded to the Auditor for further processing.
- D4. CHANGE ORDER NO. 2 APPROVED as authorized by Local Government Code §271.083 (b) to Hewlett Packard Company for products and related services through the Texas DIR Contract #DIR-TSO-2538 to add amendments 3,4, and 5 to existing contract for Various Departments.
- D5. REQUEST APPROVED of the name change of Hewlett-Packard Company to HP, Inc. effective 11/02/15 for Various Departments.
- D6. CORRECTION APPROVED of the total amount before changes for Change Order No. 1 to Lexton Construction, LLC for Woodlands Intersection Improvements to install County furnished radar detectors at Signal Located at Woodlands Parkway and Kuykendahl the previous total before changes did read: \$709,145.00 previous total before changes should read \$709,145.25. This was previously approved in Commissioners Court 12/22/15 for Precinct 3.
- D7. ADVERTISING APPROVED for Printing of Election Forms and Related Services for Elections.
- D8. RENEWAL APPROVED for Immunoassay Type Laboratory Analysis of Urine Samples Services from Redwood Toxicology Lab, Inc. for Drug and DWI Courts.
- D9. REQUEST APPROVED to declare miscellaneous items as salvage as authorized by Local Government Code §263.152 for Various Departments.
- D10. RENEWAL APPROVED for five (5) phase treatment services from Peggy Heath dba Mental Health Resource Center for Drug and DWI Court.
- D11. REQUEST APPROVED to replace previously submitted bid tabulation for project #2015-0051 asphaltic concrete patching material (stockpile storage or bagged) previously submitted to Commissioners Court 10/27/15 for Various Precincts.
- D12. REQUEST APPROVED to rename permission to advertise previously approved in Commissioners Court on 12/22/15 as follows:
- From: RFP-Metal 3-sided equipment storage building for Precinct 1
  - To: Design-Build Metal 3 sided equipment storage building for Precinct 1.
- D13. RENEWAL APPROVED for Heavy/Light Equipment Rental from the following vendors: Mustang Rental Service, Inc., United Rentals, Inc. and Sunbelt Rentals, Inc. for Various Departments.
- D14. RENEWAL APPROVED for collection of urine samples from Davis Investigation Services, LLC for Various Departments.
- D15. REQUEST APPROVED for the utilization of the contract for vehicles and heavy duty trucks, options, parts, and labor and for the purchase of a 13 foot crane body from General Truck Body through the Interlocal Agreement with BuyBoard contract #430-13 in the amount of \$16,596.00 as authorized by Local Government Code §271.102 for Precinct 4.

- D16. EXEMPTION GRANTED for a professional service as authorized by Local Government Code §262.024 (a)(4) for Forensic Services from Dr. Sparks Veasey for Forensic Department.

RISK MANAGEMENT -- AGENDA ITEM 9E1

- E1. PAYMENT ACKNOWLEDGED AND RECORDED INTO THE MINUTES to Geico Insurance Company in the amount of \$5,653.35 in reference to claim A-15-0103.

COMMISSIONERS -- COUNTY ENGINEER -- AGENDA ITEMS 9F1-4

F1. PRECINCT 1

- a. REQUEST APPROVED from Centerpoint Energy, Gas Facilities to install a 2 inch gas line within the right of way of Longwood Drive.

F2. PRECINCT 2

- a. REQUEST APPROVED from Centerpoint Energy, Gas Facilities, to install a 2-inch gas line within the right of way of Various Roads.
- b. REQUEST APPROVED from Suddenlink Communications to install a fiber optic line within the right of way of Rabon Chapel Road.
- c. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in The Estates of Autumnwood, Section 1; total length of roads 484.37 linear feet, to be effective January 12, 2016.
- d. FINAL PLAT APPROVED for Woodforest, Section 57; 21.88 acres; James Hodge Survey, A-19.
- e. FINAL PLAT APPROVED for Woodtrace, Section Five-B Amending Plat; 22.666 acres; B.B.B. & C.R.R. Co. Survey, A-111.

F3. PRECINCT 3

- a. REQUEST APPROVED from Level Three (3) Communications to install a fiber optic line within the right of way of New Trails Drive/Technology Forest Place.
- b. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Benders Landing, Section 2 Partial Replat No. 1 (private); total length of roads 2,556.24 linear feet, to be effective January 12, 2016.
- c. FINAL PLAT APPROVED for Noble Center; 1.09 acres; Charles Eisterwall Survey, A-191.
- d. PUBLIC HEARING DATE SET for February 23, 2016 to approve establishing a "No Thru Trucks" Zone on Legends Run Drive between Rayford Road and Birnham Woods Drive.

F4. PRECINCT 4

- a. REQUEST APPROVED from Comcast of Houston, LLC to install a 4 inch conduit line within the right of way of Oak Ridge School Road.
- b. REQUEST APPROVED from New Caney MUD to install a water line within the right of way of Payne Road.

HUMAN RESOURCES -- AGENDA ITEM 9G1

G1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of Animal Shelter to place Valarie Conaway, Kennel Technician, on payroll effective January 2, 2016.

Request of Animal Shelter to place Jose Martinez, Kennel Technician, on payroll, effective January 9, 2016.

Request of Animal Shelter to correct employee number on PCRf of Anne Myers, Kennel Technician, on payroll, as replacement for Michael Black, effective November 21, 2015.

Request of Animal Shelter to accept the resignation of Nathalie Noe, Kennel Technician, effective November 7, 2015. [No benefits due.]

Request of Animal Shelter to discharge Denzell Owens, Kennel Technician, effective November 20, 2015. [No benefits due.]

Request of Animal Shelter to place Noreen Reid, Clerk III, on payroll, effective December 19, 2015.

Request of Custodial to accept the resignation of Karla D. Davis, Custodian, effective December 31, 2015. [No benefits due.]

Request of Custodial to place Daniel Hernandez, Custodian, on payroll, effective December 28, 2015.

Request of Custodial to place Ludivina Mateos, Custodian, on payroll as replacement for Karla D. Davis, effective January 4, 2016.

Request of Custodial to place Rony Munoz, Custodian, on payroll as replacement for Susan Hill, effective December 28, 2015.

Request of Commissioner Precinct 4 to correct date of hire of Jennifer Lynn Hayden, Clerk II, effective January 4, 2016.

Request of Commissioner Precinct 4 to increase salary of Cade Edward Lowery, Operator II, due to completion of probationary period, effective January 20, 2016.

Request of Constable Precinct 1 to transfer Boyd Crabtree, Deputy, from Constable Pet 1 Willis ISD Sub Unit to Constable Precinct 1 as replacement for Tracey Gordon, effective January 18, 2016.

Request of Constable Precinct 1 to decrease salary of Boyd Crabtree, Deputy, due to position being funded 100% by WISD, effective October 1, 2015.

Request of Constable Precinct 1 to transfer Kevin Scott Wolf, Deputy, from Constable Precinct 1 to Constable Precinct 1 WISD Sub Unit, as replacement for Boyd Crabtree, effective January 18, 2016.

Request of Constable Precinct 4 to remove cell phone allowance of Buck Clendennen, Lieutenant, effective January 2, 2016.

Request of Constable Precinct 4 to remove cell phone allowance of Mark Seals, Captain, effective January 2, 2016.

Request of Constable Precinct 4 to remove cell phone allowance of Ricky Warwick, Sergeant, effective January 2, 2016.

Request of County Attorney to accept the resignation of John McKinney Jr, Attorney I, effective January 6, 2016. [95.40 hours or balance vacation.]

Request of County Auditor to place Kevin Berger, Part-time Clerk, on payroll, effective December 21, 2015.

Request of County Auditor to accept the resignation of Kevin Berger, Part-time Clerk, effective December 31, 2015.

Request of County Auditor to place Anna Spalding, Budget Analyst, on payroll due to Return from FMLA/Disability Leave, effective January 4, 2016.

Request of County Clerk to accept the resignation of Gracie Blanton, Court Clerk II, effective December 28, 2015. [73.59 hours or balance vacation; 5.89 hours or balance Compensatory.]

Request of County Clerk to promote Eloisa C. Salinas, Court Clerk II, as replacement for Gracie R. Blanton, effective January 2, 2016.

Request of County Court at Law No. 4 to accept the retirement of Pamela May, Court Reporter, effective January 31, 2016.

Request of District Attorney to place Tamara Eden Holland, Attorney II, on Unpaid FMLA/Disability Leave, effective January 7, 2016.

Request of District Attorney to place Tamara Eden Holland, Attorney II, on payroll due to Return from Unpaid FMLA/Disability Leave, effective January 15, 2016.

Request of District Attorney to change status of Lyndsee Leigh Speakmon, Legal Assistant I, from Temp to Regular, effective January 1, 2016.

Request of District Clerk to change status of Emily Dobbs, Court Clerk II, from Part-time to Full Time, as replacement for Joyce Fields, effective December 21, 2015.

Request of District Clerk to increase salary of Amanda Hernandez, Court Clerk II, due to completion of probationary period, effective December 28, 2015.

Request of District Clerk to place Delores Springer, Part-time Clerk, on Unpaid FMLA/Disability Leave, effective November 16, 2015.

Request of Elections to place Karen Brewer, Voter Clerk, on payroll, effective December 22, 2015.

Request of Elections to place Peggy Hausman, Voter Clerk, on payroll, effective January 16, 2016.

Request of Elections to place Marlene Martin, Voter Clerk, on payroll, effective December 22, 2015.

Request of Elections to place John McIntyre, Voter Clerk, on payroll, effective January 16, 2016.

Request of Elections to place Joseph C. Regel, Voter Clerk, on payroll, effective January 12, 2016.

Request of Elections to place Alvin Schlieske, Voter Clerk, on payroll, effective December 22, 2015.

Request of Elections to place Charles Tucker, Voter Clerk, on payroll, effective January 16, 2016.

Request of Elections to place June F. Tucker, Voter Clerk, on payroll, effective January 16, 2016.

Request of Elections to place Jack Wheeler Jr., Voter Clerk, on payroll, effective January 16, 2016.

Request of Elections to place Audrey Wood, Voter Clerk, on payroll, effective January 12, 2016.

Request of Emergency Management to accept the retirement of Nicky Kelly, Deputy EMC, effective January 29, 2016. [79.17 hours or balance vacation.]

Request of Emergency Management to place Cynthia Jamieson, Planner-HL Security, on Unpaid FMLA/Disability Leave, effective December 28, 2015.

Request of Juvenile to place Tyler Blackshear, Juvenile Supervision Officer-Substitute, on payroll, effective January 6, 2016.

Request of Juvenile to place James Raymond Boze, Juvenile Supervision Officer-Substitute, on payroll, effective January 6, 2016.

Request of Juvenile to place Emery Denzel Gardner, Juvenile Supervision Officer-Substitute, on payroll, effective January 6, 2016.

Request of Juvenile to place Shawn Marie Keith, Counselor, on Unpaid FMLA/Disability Leave, effective December 15, 2015.

Request of Juvenile to place Sergio Alejandro Lopez, Juvenile Supervision Officer-Substitute, on payroll, effective January 6, 2016.

Request of Juvenile to place Rosely Toledo, Juvenile Supervision Officer-Substitute, on payroll, effective January 6, 2016.

Request of Juvenile to change status of Karen Michelle Weeks, Counselor, from Full-time to Part-time, effective January 16, 2016.

Request of Library to accept the resignation of Sarah M. Becker, Librarian III, effective December 31, 2015. [ No benefits due.]

Request of Library to change status of Catherine Marshall, Library Assistant II, from Part-time to Full-time as replacement for Victoria Beth Thomason, effective January 2, 2016.

Request of Sheriff to transfer Robert "Shane" Albritton, from Detention Deputy to Deputy Bailiff, effective December 19, 2015.

Request of Sheriff to place Brandi Bourland, Temp Data Clerk Records, on payroll, effective January 4, 2016.

Request of Sheriff to accept the resignation of Jose Campa, Officer Civilian Detention, effective January 12, 2016. [27.72 hours or balance vacation; 13.13 hours or balance compensatory; 41.50 hours or balance holiday.]

Request of Sheriff to transfer Jonathan Combs, Deputy Motors District VI, from Sheriff to Town Center Sub Unit, as replacement for Saul Ortiz, effective December 19, 2015.

Request of Sheriff to accept the resignation of Andrea Dollins, Dispatcher, effective December 30, 2015. [15.40 hours or balance vacation; 70.65 hours or balance compensatory; 24.00 hours or balance holiday.]

Request of Sheriff to transfer Keith Echols, from Detective SIU to Detective, as replacement for David Davis, effective January 9, 2016.

Request of Sheriff to place David Gamez, Office Civilian Detention, on payroll as replacement for Karen Hernandez, effective January 2, 2016.

Request of Sheriff to place Tina Harvey, Deputy Patrol District IV, on payroll, as replacement for Biff Knight, effective January 2, 2016.

Request of Sheriff to place James Hinkel, Deputy Patrol District III, on payroll as replacement for Duane Lebeau, effective January 2, 2016.

Request of Sheriff to promote Todd Hoff, Sergeant-DIU, as replacement for Michael Silvio, effective December 26, 2015.

Request of Sheriff to place Joshua Hunt, Officer Civilian Detention, on payroll, as replacement for Brandon Kellett, effective January 2, 2016.

Request of Sheriff to place Curtis Johnson Jr., Officer Civilian Detention, on payroll as replacement for Kevin Haley, effective January 2, 2016.

Request of Sheriff to promote Dawn Lara, Detention Deputy, as replacement for Kenneth Dunlap, effective December 19, 2015.

Request of Sheriff to transfer Duane Lebeau, Deputy Detention, from Sheriff to Jail as replacement for Brian Kovacs, effective December 19, 2015.

Request of Sheriff to transfer Stephanie Lee, Deputy Patrol District II, from Town Center Sub Unit to South Mont Cnty MUD, as replacement for Justin Allen, effective January 2, 2016.

Request of Sheriff to place Christina Lumpkin, Temp Data Clerk Records, on payroll, effective January 4, 2016.

Request of Sheriff to transfer Ryan Mathis, Deputy Patrol District II, from Town Center Sub Unit to South Mont Cnty MUD, effective January 2, 2016.

Request of Sheriff to place Steven McDonald Jr., Deputy Patrol District VI, on payroll as replacement for Stephanie Lee, effective January 2, 2016.

Request of Sheriff to place Eric Medina, Deputy Patrol District VI, on payroll as replacement Teresa Peterson, effective January 2, 2016.

Request of Sheriff to bridge time of Kenneth Morris, Deputy Patrol, to have a revised leave anniversary date of 4/21/2011, effective February 14, 2016.

Request of Sheriff to transfer Teresa Peterson, Deputy Detention, from Town Center Sub Unit to Jail, effective December 19, 2015.

Request of Sheriff to transfer Zakiya Ramos, Clerk IV-Records, from Jail to Sheriff as replacement for Cassandra Strong, effective January 16, 2016.

Request of Sheriff to promote Riley Schuster Jr., Detention Deputy, as replacement for Robert Albritton, effective December 19, 2015.

Request of Sheriff to place Seth Shields, Officer Civilian Detention, on payroll as replacement for Robert Self, effective January 9, 2016.

Request of Sheriff to accept the resignation of Mary Kay Siemon, Officer Civilian Detention, effective December 18, 2015. [30.72 hours or balance vacation; 420.92 hours or balance compensatory; 24.00 hours or balance holiday.]

Request of Sheriff to accept the retirement of Patricia Smith, Clerk IV, effective February 29, 2016. [182.31 hours or balance vacation; 151.87 hours or balance compensatory; 24.00 hours or balance Holiday.]

Request of Sheriff to promote Michael Sparks, Detention Deputy, as replacement for Jeremy Park, effective December 19, 2015.

Request of Sheriff to place Joshua Stockton, Officer Civilian Detention, on payroll as replacement for Erick Ochoa, effective January 2, 2016.

Request of Sheriff to place Alexander Wroski, Deputy Patrol District VI, on payroll as replacement for Jason Henson, effective January 2, 2016.

Request of Sheriff to demote Connie Poland, from Kennel Supervisor to Kennel Technician, as replacement for Matthew Segari, effective January 7, 2016.

Request of Sheriff to accept the resignation of Matthew Segari, Kennel Technician, effective January 3, 2016. [No benefits due.]

#### ENVIRONMENTAL HEALTH – AGENDA ITEMS 9H1-5

- H1. REQUEST APPROVED for demolition of property that is abandoned, deemed unsafe, or unlivable located at 2311 Miller Road, Cleveland, Texas 77328. Estimated total cost is \$3,500.00 to be funded by CDBG.
- H2. VARIANCE REQUEST APPROVED to install an Aerobic On-site system in the 100 flood plain located at 16422 Portman, Conroe, Texas 77306.
- H3. VARIANCE REQUEST APPROVED to install an Aerobic On-site system in the 100 flood plain located at 20660 Big Oak Drive, Montgomery, Texas 77356.
- H4. VARIANCE REQUEST APPROVED to install an Aerobic On-site system in the 100 flood plain located at 208 Pelican, Magnolia, Texas 77355.
- H5. VARIANCE REQUEST APPROVED to install an Aerobic On-site system in the 100 flood plain located at 1538 Virgie Community, Magnolia, Texas 77354.

#### SHERIFF – AGENDA ITEM 9I1-2

- I1. DONATION ACCEPTED in the amount of \$1,000.00 on behalf of the Montgomery County Sheriff's Office from Linn Operating, Inc. The funds are to be allocated to the Sheriff's Budget Line 5601.7390. Check No. 0610393658 has been forwarded to the auditor for further processing.
- I2. DONATION ACCEPTED in the amount of \$500.00 on behalf of the Montgomery County Sheriff's Office Patrol Division 2 from Belinda and Roberto Lopez. These funds are to be allocated to the Sheriff's Patrol Budget Line 560121.7390. Check No. 1234 has been forwarded to the auditor for further processing.

#### COUNTY ATTORNEY – REAL PROPERTY - AGENDA ITEMS 9J1-2

- J1. PRECINCT 2
  - a. RELEASE OF REVERTER RIGHTS ACCEPTED from Hubert H. Vestal.
- J2. PRECINCT 3

- a. AGREEMENT RATIFIED regarding trail easement with SV Texas LLC previously approved by the court on July 27, 2015.

COUNTY ATTORNEY – MENTAL HEALTH TREATMENT FACILITY – AGENDA ITEMS 9K1-2

- K1. MINUTES ACCEPTED of the November 17, 2015 Montgomery County Mental Health Treatment Facility (MCMHTF) Advisory Board Meeting.
- K2. QUARTERLY PERFORMANCE INDICATOR REPORT ACCEPTED for November 2015 as recommended by Montgomery County Mental Health Treatment Facility (MCMHTF) Advisory Board.

COUNTY CLERK – AGENDA ITEM 9L1

- L1. DEPUTATIONS APPROVED for the following County Clerk employees:
  - Hollie Greene and
  - Jennifer Howell.

CONROE-NORTH HOUSTON REGIONAL AIRPORT – AGENDA ITEMS 9M1-2

- M1. GRANT OF EASEMENT APPROVED to Entergy to provide service to Customs Facility.
- M2. SUB-LEASE OF PROPERTY APPROVED at the Conroe-North Houston Regional Airport for approximately 11,500 square feet and described as 17-D Hangar/Office Space Facility between Greatland Holdings, LLC and Oderco De Venezuela Corp.

CONSTABLE PRECINCT 3 – AGENDA ITEM 9N1

- N1. 2015 CHAPTER 59 ASSET FORFEITURE REPORT ACCEPTED for Constable Precinct 3.

Motion carried.

**END OF CONSENT AGENDA**

---

3. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve the Minutes from Regular Session of Commissioners Court dated December 22, 2015.  
Motion carried.

CITIZENS – AGENDA ITEM 10

Mike Bass addressed the court concerning Agenda Item 22B3. He voiced his support for the “No parking, No stopping, No standing” Zones to be passed.

4. RE-APPOINTMENT APPROVED – HOUSTON GALVESTON AREA COUNCIL GULF COAST WORKFORCE BOARD – COUNTY JUDGE

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the re-appointment of Gil Staley to the Board of Houston-Galveston Area Council, Gulf Coast Workforce Board with a term expiring December 31, 2017. Motion carried.

5. RE-APPOINTMENT APPROVED – HGAC GULF COAST ECONOMIC DEVELOPMENT DISTRICT ADVISORY COMMITTEE – COUNTY JUDGE

Motion by Commissioner Riley, seconded by Commissioner Meador to approve the re-appoint of Gil Staley as the County Representative to HGAC Gulf Coast Economic Development District Advisory Committee with a term expiring May 2017. Motion carried.

6. APPOINTMENT APPROVED – MONTGOMERY COUNTY HISTORICAL COMMISSION – COUNTY JUDGE

Motion by Commissioner Noack, seconded by Commissioner Meador, to appoint the following individuals to The Montgomery County Historical Commissioner: Missy Ringo, Robin Bartholet, Jodell Higgins Whitehead, and T.J. Wilkerson. Motion carried.

7. REQUEST APPROVED – PROPOSAL TO UTILIZE COUNTY ENGINEER – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve a proposal to utilize the County Engineer's office to track progress on County Road Bond Projects and provide regular updates for the public on the County web-site. Motion carried.

AGENDA ITEM 11E – CONSIDER AND APPROVE TAX ABATEMENT BETWEEN MONTGOMERY COUNTY AND NEWPARK DRILLING FLUIDS, LLC WAS DEFERRED.

JOHN ROEBUCK WITH BOSC, INC. GAVE A PRESENTATION ON THE BOND ISSUE. HE STATED THAT INTEREST RATES HAD DROPPED WHICH WOULD MEAN MORE SAVINGS TO THE COUNTY.

8. ORDER APPROVED – LIMITED TAX REFUNDING BONDS, SERIES 2016 – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve an amended and restated Order authorizing the Issuance of Montgomery County, Texas Limited Tax Refunding Bonds, Series 2016; delegating authority to approve final pricing terms of the bonds and to execute final agreements; authorizing the preparation and distribution of an official statement, and matters incident thereto. Motion carried.

9. GRANT APPLICATION REQUEST APPROVED – 2016 UASI GRANT – EMERGENCY MANAGEMENT

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the 2016 UASI Grant Application request. The requested amount is \$2,859,788.44 and no County match is required. Motion carried.

10. AGREEMENT ACCEPTED – ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCE – SHERIFF

Motion by Commissioner Noack, seconded by Commissioner Meador, to accept the Organized Crime Drug Enforcement Task Force Agreement between Homeland Security and the Montgomery County Sheriff's Office. The \$15,000.00 agreement is for FY2016 and associated benefits will be funded from the Sheriff's budget 5601. Motion carried.

11. PURCHASE APPROVED – NARCOTICS DETECTION DOG – CONSTABLE PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the purchase of a narcotic detection dog. This will be funded through the department's current budget and a stipend will be added back into the budget for the handler. Motion carried.

12. REQUEST APPROVED – NEW DEPUTY POSITION – CONSTABLE PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve a new deputy position 5521-5910-5 with a start date of January 16, 2016. Funding for salary and benefits through the end of FY2016 will be provided by Commissioner Precinct 1 at 50% and Commissioner Precinct 2 at 50%. This will increase the budget for FY2017. A vehicle was not awarded at this time. Motion carried.

AGENDA ITEM 16A – CONSIDER AND APPROVE THE DISTRICT ATTORNEY'S OFFICE TO PAY \$413.29 FROM FORFEITURE FUNDS FOR HOLIDAY PAY WAS DEFERRED.

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

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the carryover of the remaining FY 2015 funds in 6291-7501, Construction of the Fire Marshal/Aircraft Rescue Fire Fighting Building, to 6291-7501 FY 2016 Budget. Motion carried.

14. REQUEST APPROVED – MILEAGE REIMBURSEMENT – COUNTY AUDITOR

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve a decrease to mileage reimbursement from \$0.56 per mile to \$0.54 per mile, to be effective January 1, 2016. Motion carried.

15. REQUEST APPROVED – PAYMENT TO JOINT COMMISSION – COUNTY AUDITOR

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve a payment to The Joint Commission for annual fee for accreditation/certification program participation. This is required by the Agreement between the County and the Texas Department of State Health Services. Motion carried.

16. ORDER APPROVED – POLLING LOCATION – ELECTIONS

REQUEST APPROVED – EARLY VOTING LOCATIONS AND TIMES – ELECTIONS

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

- An Order changing election day polling location in Voting Precinct 61 from Community Christian Church to George and Cynthia Woods Mitchell Library. This Order will be effective immediately and
- The March 1, 2016 Primary Election Early Voting Polling Locations and Time, as per request on file.

Motion carried.

17. RESOLUTION ACCEPTED – COURTHOUSE SECURITY – OFFICE OF COURT ADMINISTRATION

Motion by Commissioner Riley, seconded by Commissioner Meador, to accept a Resolution concerning Courthouse Security for the District and County Courts, designating offices and buildings essential to the operation of the courts as prescribed by

AG Opinion KP-0047. This Resolution was passed by the Board of Judges at their regular January meeting. Motion carried.

18. EXEMPTION GRANTED – EMERGENCY BOAT LIFT REPAIRS – PURCHASING – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve granting an exemption for an item necessary to preserve or protect the public health or safety as authorized by Local Government Code §262.024 (a)(2) for Emergency Repairs to the Lift Station located at the Lake Conroe Park on Highway 105 West from Hays Utility Service in the amount of \$69,320.72 plus additional labor charge for installation of temporary equipment for Precinct 1. Motion carried.

19. AWARD APPROVED – NEW VEHICLES – PURCHASING – VARIOUS DEPARTMENTS

Motion by Commissioner Clark, seconded by Commissioner Noack, to approve the award for new vehicles for Project #2016-0005 to Grapevine Dodge Chrysler Jeep, LLC for the following:

- 2016 Vehicle #2 base bid – Dodge Charger PPV – Qty 1- \$23,348.00/each for Constable Precinct 2 and
- 2016 Vehicle #13 Base bid – Truck, 1 ½ ton, Chassis, 4x4 SD Regular Cab Work Truck – Qty 1 - \$40,510.00/each – Commissioner Precinct 4.

Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 22A1: CONSIDER AND APPROVE PARTIAL REPLAT OF LOTS 9 AND 10, BLOCK 1 OF POINT AQUARIUS SECTION 10 TO BE KNOWN AS POINT AQUARIUS SECTION 10 PARTIAL REPLAT NO. 1.

AGENDA ITEM 22B1: CONSIDER AND APPROVE ABANDONING A PORTION OF EAST BENDERS LANDING BOULEVARD RIGHT-OF-WAY.

AGENDA ITEM 22B2: CONSIDER AND APPROVE ABANDONING A PORTION OF LAKE ROBBINS DRIVE (FORMERLY KNOWN AS WOODLOCH FOREST DRIVE) RIGHT-OF-WAY.

AGENDA ITEM 22B3: CONSIDER AND APPROVE PLACEMENT OF “NO PARKING, NO STOPPING, NO STANDING, MONDAY-FRIDAY, 7:15 A.M.-8:30 A.M.; 2:45 P.M.-3:45 P.M.” SIGNS ON BOTH SIDES OF THE FOLLOWING STREETS:

1. MERIT OAKS DRIVE - N. PLANCHARD CIRCLE TO S. PLANCHARD CIRCLE
2. MONTFAIR PARK CIRCLE – MERIT OAKS DRIVE TO MERIT OAKS DRIVE
3. N. PLANCHARD CIRCLE – MERIT OAKS DRIVE TO MONTFAIR BOULEVARD
4. S. PLANCHARD CIRCLE – MONTFAIR BOULEVARD TO MERIT OAKS DRIVE
5. MONTFAIR BOULEVARD – MONTFAIR PARK CIRCLE TO POWERS BEND WAY.

HANNA WILLIAMS SPOKE IN FAVOR OF THIS ACTION.

AGENDA ITEM 22C1: CONSIDER AND APPROVE PARTIAL REPLAT OF LOTS 50 AND 51 AND A PORTION OF CONCORD DRIVE OF DOGWOOD FOREST SECTION ONE TO BE KNOWN AS DOGWOOD FOREST PARTIAL REPLAT NO. 1 ADJOINING HARPER'S PRESERVE.

GAIL MOSES ADDRESSED THE COURT CONCERNING THIS REPLAT AND HER FEAR OF POTENTIAL FUTURE FLOODING IF THE DRAINAGE IS NOT HANDLED CORRECTLY.

AGENDA ITEM 22C2: CONSIDER AND APPROVE PARTIAL REPLAT OF LOT 6, BLOCK 2 OF PEACH CREEK PLANTATION SECTION 2, TO BE KNOWN AS PEACH CREEK PLANTATION SECTION 2 PARTIAL REPLAT NO. 1.

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

AGENDA ITEM 22A1, 22C1, AND 22C2 FROM THE PUBLIC HEARING HAD NO COURT ACTION AT THIS TIME.

20. ORDER APPROVED – EAST BENDERS LANDING BOULEVARD – PRECINCT 3

ORDER APPROVED – LAKE ROBBINS DRIVE/WOODLOCH FOREST DRIVE – PRECINCT 3

REQUEST APPROVED – VARIOUS STREETS – PRECINCT 3

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

- An Order closing, abandoning, and vacating a portion of East Benders Landing Boulevard right-of-way, described as approximately .40 acre tract of land situated in the Montgomery County School Land Survey, A-350 and A-351,
- An Order closing, abandoning, and vacating a portion of Lake Robbins Drive/Woodloch Forest Drive, described as 1.189 acres located in the John Taylor Survey, A-547, and
- A “No Parking, No Stopping, No Standing, Monday-Friday, 7:15 a.m.-8:30 a.m.; 2:45 p.m.-3:45 p.m.” signs on both sides of the following streets:
  1. Merit Oaks Drive - N. Planchard Circle To S. Planchard Circle
  2. Montfair Park Circle – Merit Oaks Drive To Merit Oaks Drive
  3. N. Planchard Circle – Merit Oaks Drive To Montfair Boulevard
  4. S. Planchard Circle – Montfair Boulevard To Merit Oaks Drive
  5. Montfair Boulevard – Montfair Park Circle To Powers Bend Way.

Motion carried.

21. REQUEST APPROVED – POSITION CHANGES – PRECINCT 4

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

- Close position 615-3102-500 (Truck Driver)
- Open position 615-3201-1 (Operator 1)
- Transfer \$21,112.00 salary and benefits from 615-3102-500 to 615-3201-1.
- Additional funding to bring the salary to \$36,088.00 will be funded from 615-7340.

This will be effective January 4, 2016. Motion carried.

22. REQUEST APPROVED – AUCTION PROCEEDS – PRECINCT 4

Motion by Commissioner Clark, seconded by Commissioner Noack, to approve the placement of proceeds from November auction into line item No. 615-7570, per worksheet on file. Motion carried.

23. PAYROLL CHANGE REQUEST FORMS APPROVED – HUMAN RESOURCES

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

Request of Commissioner Precinct 4 to change status of Nelson Lee Haley, Operator I, from Part-time to Full-time, effective January 4, 2016.

24. EMPLOYEE POLICY APPROVED – CONCEALED HANDGUN – HUMAN RESOURCES

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve Montgomery County Employee Policy for Concealed Carry of Handguns. Commissioner Noack opposed. 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, ARTICLES 551.071, 551.074.**

EXECUTIVE SESSION – AGENDA ITEM 25A: CONSIDER AND DISCUSS CAUSE NO. 15-11-12217; CLAIM NO. B150126; AMBER KNOTTS V CITY OF CONROE AND MONTGOMERY COUNTY; IN THE 284<sup>TH</sup> JUDICIAL DISTRICT COURT OF MONTGOMERY COUNTY, TEXAS. (SECTION 551.071)

AGENDA ITEM 25B: CONSIDER AND DISCUSS CAUSE NO. 14-10-11707; MONTGOMERY COUNTY V GIRL SCOUTS OF SAN JACINTO COUNCIL. (SECTION 551.071)

AGENDA ITEM 25C: DISCUSS AND DELIBERATE THE APPOINTMENT, EMPLOYMENT, AND DUTIES OF POTENTIAL ANIMAL SHELTER DIRECTOR. (SECTION 551.074)

**COMMISSIONERS COURT RECONVENED WITH ALL MEMBERS PRESENT.**

25. RESOLUTION AND ORDER APPROVED – CLAIM NO. B15-0126 – EXECUTIVE SESSION

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve a Resolution and Order supporting the need for the Montgomery County Attorney to defend on behalf of Montgomery County, the lawsuit filed under Cause No. 15-11-12217 and styled Amber Knotts, Individually and Next Friend of Mason Knotts, A Minor v. City of Conroe and Montgomery County; In the 284<sup>th</sup> Judicial District Court of Montgomery County. The County Attorney is authorized to incur expenses as necessary for the proper defense and negotiation of said case. The funding of said expenses will be from the Risk Management Budget with the approval of the Director of Risk Management or the designee of the Director of Risk Management. Motion carried.

26. RESOLUTION AND ORDER APPROVED – CAUSE NO. 14-10-11707 – EXECUTIVE SESSION

Motion by Commissioner Clark, seconded by Commissioner Noack, to approve a Resolution and Order for the settlement of the eminent domain proceedings in Cause No. 14-10-11707, styled Montgomery County, Texas v Girl Scouts of San Jacinto Council in the County Court at Law No. Two of Montgomery County, Texas for the total sum of \$750,000.00 with credit being given for the previous Special Commissioners Award in the amount of \$510,000.00. Commissioner Mike Meador and/or B.D. Griffin are authorized to execute all documents necessary for the Settlement and Final Judgement and County Auditor and County Treasurer are authorized to issue payment from Precinct 1 Right-of-Way funds to the payee for the balance in the amount of \$240,000.00. Motion carried.

27. AUTHORIZATION APPROVED – ANIMAL SHELTER – EXECUTIVE SESSION

Motion by Commissioner Meador, seconded by Commissioner Clark, to authorize Commissioner Clark to take any action necessary to settle concerns at the Animal Shelter. Motion carried.

CITIZENS – AGENDA ITEM 27

No citizens addressed the Court at this time.

AGENDA ITEM 28 – MISCELLANEOUS – NO OTHER ITEMS LISTED

28. COURT ADJOURNS

Motion by Commissioner Clark, seconded by Commissioner Noack, 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 Doyle*

COUNTY JUDGE

