

COMMISSIONERS COURT DOCKET

February 9, 2016
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 9th day of February, 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.

2. RESOLUTION – APPRECIATION FOR RAY LAUGHTER

Motion by Commissioner Meador, seconded by Commissioner Riley, to recognize Ray Laughter for his many years of dedicated service, countless contributions and salute him with gratitude and wishes for good health and happy retirement. Motion carried.

EMPLOYEE OF THE MONTH FOR JANUARY 2016 WAS PRESENTED BY SHERIFF
TOMMY GAGE TO GWEN HOLMES.

3. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Clark, seconded by Commissioner Meador, to approve the Minutes from Regular Session of Commissioners Court dated January 26, 2016. Motion carried.

AGENDA ITEM 9M1 – CONSIDER AND APPROVE THE VETERANS TREATMENT COURT
TO RECEIVE JURY DONATIONS FOR 2016 WAS REMOVED.

4. RESOLUTION AND ORDER APPROVED – CONSENT AGENDA – AGENDA ITEMS
9A-M

Motion by Commissioner Clark, 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, with the exception of Agenda Item 9M1, which was removed as follows:

COUNTY AUDITOR – AGENDA ITEMS 9A1-3

- A1. PAYMENT OF ACCOUNTS APPROVED, as submitted by the County Auditor.
- A2. REPORT OF OFFICIALS' FEES ACCEPTED, as audited for December, 2015.
- A3. BUDGET AMENDMENTS FY2016 APPROVED:
 - a. 221st District Court: To transfer funds for VPN token.
 - b. Airport: To set up RIM Grant from TxDot M14/01.26.16.
 - c. Animal Control: To adjust line items.
 - d. Building Maintenance: To adjust line items.
 - e. Commissioner Precinct 1: To adjust line items for purchase of Trail King Trailer Model: TK 110 HDG Paver Special and transfer funds for settlement claim of Girl Scouts of San Jacinto Council League Line Road Project.
 - f. Commissioner Precinct 4: To transfer funds for a mailbox and base cabinet for Security Community Building, adjust line items for purchase of Asphalt Paver, allocate proceeds from 12/04/15 auction, and fund purchase of a golf cart for the Airport.
 - g. Constable Precinct 1: To fund two canine stipends for the remainder of FY 16 due to the retirement of two canines as approved M6/10.27.15 and one canine stipend for the remainder of FY 16 due to the purchase of a narcotic detection dog as approved M11/01.12.16.
 - h. Constable Precinct 3: To recognize and allocate revenue to fund 3 new deputies as approved M8/11.10.15 and to recognize and allocate revenue for uniform and supplies for new deputy as approved M3/12.08.15.
 - i. Contingency: To adjust line items per Commissioners Court M26/01.26.16.
 - j. Emergency Management: To adjust line items for PO 55161285.
 - k. Fire Marshal: Enc carryover for PO 55505326.
 - l. Information Technology: To adjust line items.
 - m. Justice Court Technology Fund: To fund purchase of license and professional services to create a phone queue system for Justice of the Peace Pct 3 as approved M10/01.26.16.
 - n. Juvenile Probation: To adjust line items and adjust line items due to change in position.
 - o. MCCD: To recognize and allocate revenue for Mission NE Project and New Danville waste water treatment project.
 - p. Sheriff: To adjust line items, fund 1st quarter invoices for jail services with Walker County, Texas as approved M4/01.26.16, and carryover additional FY15 encumbrances.
 - q. Sheriff-Forfeitures: To make line item adjustments.

TREASURER – AGENDA ITEMS 9B1-7

- B1. PLEDGES AND/OR RELEASE OF DEPOSITORY COLLATERAL REPORT APPROVED.

- B2. REPORTS OF INVESTMENTS PURCHASED APPROVED for weeks ending January 8, January 15, January 29, and February 5, 2016.
- B3. MONTHLY STATEMENT OF BALANCES APPROVED for December, 2015.
- B4. QUARTERLY INVESTMENT REPORT APPROVED for quarter ending December, 2015.
- B5. MONTHLY INVESTMENT REPORT APPROVED for January, 2016.
- B6. PLEDGED SECURITIES MONTHLY REPORT APPROVED for January, 2016.
- B7. BANK RESOLUTION APPROVED with Woodforest National Bank.

PURCHASING – AGENDA ITEMS 9C1-19

- C1. ADVERTISING APPROVED for the following:
 - Rayford Road at IH-45 Intersection improvements for Precinct 3.
 - Panther Branch Rehabilitation for Precinct 3.
 - Empowerment Resource Center-Remodel of warehouse to office space for MCCD.
 - RFP-Disaster Logistics Services for Various Departments.
 - RFP-Disaster Recovery (Debris) Management for Various Departments.
- C2. RENEWAL APPROVED for traffic signal foundation services from Third Coast Services, LLC for Various Departments.
- C3. RENEWAL APPROVED for traffic signal mast arms and related equipment from Union Metal Corporation for Various Departments.
- C4. RENEWAL APPROVED for pavement striping with each of the following vendors: Stripes and Stops Company, Inc. and Texas Lonestar Pavement Services, LLC for Various Precincts.
- C5. RENEWAL APPROVED for exterminating/pest control services with Ecosource Pest Control, Inc. dba Pestmaster Services of North Houston for Various Departments.
- C6. RENEWAL APPROVED for mowing of right-of-ways with Triple B Ag, LLC for Precinct 1.
- C7. RENEWAL APPROVED for commercial water well(s) with each of the following vendors: Weisinger Incorporated and Ballard Water Well for Various Departments.
- C8. RENEWAL APPROVED for individual faithful performance bonds and notary bonds with Soules Insurance Agency for Risk Management.
- C9. RENEWAL APPROVED for on-site medical services with Carehere, LLC for Risk Management.
- C10. RENEWAL APPROVED for LED signal modules with Dynamic Vision Co., Inc. for Various Departments.
- C11. CHANGE ORDER NO. 1 APPROVED to Thyssenkrupp Elevator Corp. for elevator equipment, service, repair and related services through the Interlocal Agreement with Region 4 Education Service Center/TCPN Contract #R150801 for an overall price increase of 3.45% as authorized by Local Government Code §271.102 for Various Departments.

- C12. RENEWAL APPROVED for electrical items and miscellaneous supplies for each of the following vendors: Consolidated Electrical Distributor, Anixter, Inc., and Crawford Electrical Supply Co. Inc. for Various Departments.
- C13. DISCRETIONARY EXEMPTION APPROVED for a professional service as authorized by Local Government Code § 262.024 (a)(4) for autopsy services from Dr. Randall E. Frost on an as needed basis for Forensic Services Department.
- C14. REQUEST APPROVED to utilize the contract for purchase of pickups, vans, and utility vehicles, and for the purchase of one (1) New 2016 Dodge Grand Caravan SE from Grapevine Dodge, Chrysler, Jeep, LLC through the Interlocal Agreement with Tarrant County Contract #2015-107 in the amount of \$24,518.00 as authorized by Local Government Code §271.102 for Sheriff's Office.
- C15. DISCRETIONARY EXEMPTION APPROVED for one source as authorized by Local Government Code § 62.024 (a)(7)(A) for Playaway, Playaway Launchpad, and Playaway View Productions from Findaway World, LLC for Library.
- C16. RENEWAL APPROVED for office/computer/paper supplies and accessories with online ordering capabilities with Stephen's Office Supply, Inc. dba GoStephens on a month to month basis for Various Departments.
- C17. REQUEST APPROVED to declare miscellaneous items as salvage as authorized by Local Government Code §263.152 for Various Departments.
- C18. CHANGE ORDER NO. 11 APPROVED to A&B Crushed Concrete, LLC for haul services for miscellaneous materials to add Magnolia Bend Location effective 01/21/16 for Various Precincts.
- C19. LIST APPROVED of miscellaneous items for the next online auction for Various Departments.

COMMISSIONERS – AGENDA ITEMS 9D1-3

D1. PRECINCT 1

- a. USE AGREEMENT APPROVED with Texas Rush Soccer Club to use the football/soccer fields at West Montgomery Park through May 31, 2016.
- b. USE AGREEMENT APPROVED with Texas Rakers Baseball to use the baseball fields at West Montgomery Park for practices as scheduled by MLL through December 31, 2016.
- c. USE AGREEMENT APPROVED with Texas Drillers Baseball to use the baseball fields at West Montgomery Park for practices as scheduled by MLL through December 31, 2016.
- d. USE AGREEMENT APPROVED with Montgomery Little League to use the baseball fields at West Montgomery Park through December 31, 2016.

D2. PRECINCT 2

- a. RESIGNATION ACCEPTED of Andrew Brown from the Montgomery County Emergency Service District #10.

D3. PRECINCT 4

- a. USE AGREEMENT APPROVED with Kingwood Alliance Soccer Club, Inc. to use the football fields at Bull Sallas Park through December 31, 2016.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9E1-4

E1. PRECINCT 1

- a. REQUEST APPROVED for clarification to the May 24, 1993 Commissioner's Court order (item #21) for the acceptance of Steede Road by prescriptive right and revision of the road log to reflect county maintenance from Bethel Road to a private gate approximately 3400 feet north.

E2. PRECINCT 2

- a. PUBLIC HEARING DATE SET for March 8, 2016 to establish a 45 MPH Speed Limit on Honea Egypt Road from FM 1488 to Sendera Ranch Drive.
- b. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Woodforest, Section 46; total length of roads 2,920.08 linear feet, to be effective February 9, 2016.
- c. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Woodforest, Section 53; total length of roads 4,015.85 linear feet, to be effective February 9, 2016.
- d. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Woodforest, Section 54; total length of roads 1,500.85 linear feet, to be effective February 9, 2016.
- e. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Woodforest, Section 57; total length of roads 3,485.82 linear feet, to be effective February 9, 2016.
- f. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Woodforest Central Pine Street; total length of roads 989.69 linear feet, to be effective February 9, 2016.
- g. FINAL PLAT APPROVED for Woodtrace, Section 6 Amending Plat; 35.720 acres; B.B.B. & C.R.R. Co. Survey, A-111.
- h. FINAL PLAT APPROVED for Woodforest Parkway South to Fish Creek Street Dedication; 9.21 acres; Archibald Hodge Survey, A-18.

E3. PRECINCT 3

- a. REQUEST APPROVED from Centerpoint Energy Gas Facilities to install a gas line within the right of way of Rayford Road.
- b. REQUEST APPROVED from Centerpoint Energy Gas Facilities to install a gas line within the right of way of Sawdust Road.
- c. REQUEST APPROVED from Logix Communications, LP to install a telecommunication line within the right of way of Six Pines, Research Forest, and Pinecroft Drive.
- d. REQUEST APPROVED from Centerpoint Energy to install a gas line within the right of way of Carraway Lane, Conroe Huffsmith, and Northgrove Parkway.
- e. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Falls at Imperial Oaks, Section 11; total length of roads 3,597.46 linear feet and bond is released.

- f. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Falls at Imperial Oaks, Section 12; total length of roads 2,742.67 linear feet and bond is released.
- g. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Fall at Imperial Oaks, Section 14; total length of roads 3,411.56 linear feet, to be effective February 9, 2016.
- h. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Fall at Imperial Oaks, Section 15; total length of roads 1,797.85 linear feet, to be effective February 9, 2016.
- i. REQUEST APPROVED from Alpheus Communications to install a fiber Communication line within the right of way of Grogan's Mill and Sawdust Road.
- j. FINAL PLAT APPROVED of Woodmill Creek, Section 1; 8.3575 acres; John Taylor Survey, A-547.

E4. PRECINCT 4

- a. REQUEST APPROVED to accept Mark Street into the County Road Maintenance System by prescriptive right.
- b. REQUEST APPROVED from AT&T to install a fiber optic line within the right of way of Walker Road.
- c. FINAL PLAT APPROVED of Roman Forest Plaza, Section 1; 2.2314 acres; Pryor Bryan Survey, A-76.

HUMAN RESOURCES -- AGENDA ITEM 9F1

F1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of Commissioner Precinct 1 to increase salary of Ryan A. Sockwell, Laborer, due to completion of probationary period, effective February 29, 2016.

Request of Commissioner Precinct 3 to place Reginal Allen, Operator I, on payroll as replacement for Frank Gamble III, effective February 1, 2016.

Request of Commissioner Precinct 3 to place Paul Dupre, Signal Technician I, on payroll, effective January 22, 2016.

Request of Constable Precinct 2 to place Bobby M. Smalley, Deputy Constable, on payroll, effective January 30, 2016.

Request of Constable Precinct 3 to transfer John Lawless, Deputy, from Sheriff to Constable Precinct 3 as replacement for Elias Sandoval, effective January 16, 2016.

Request of Constable Precinct 3 to place Jimmy Aaron Denton III, Deputy-Constable, on payroll, effective January 30, 2016.

Request of Constable Precinct 4 to accept the resignation of James Ott Jr., Deputy, effective January 26, 2016. [24.64 hours or balance vacation; 4.25 hours or balance compensatory; 0.25 hours or balance holiday.]

Request of County Attorney to place Amanda Hill, Attorney II, on payroll due to return from Unpaid FMLA/Disability Leave, effective January 25, 2016.

Request of County Auditor to accept the resignation of Lori Leal, Acct Payable Asst., effective January 29, 2016. [13.0492 hours or balance vacation]

Request of County Auditor to accept the resignation of Peggie L. Rushing, Part-time Clerk, effective January 25, 2016. [No benefits due.]

Request of County Clerk to accept the retirement of Alice Ann Drake, Clerk II, effective November 11, 2015. [No benefits due.]

Request of District Clerk to promote Sherry Foster, Office Supervisor I, as replacement for Bobbye Miller, effective February 1, 2016.

Request of District Clerk to promote Brandon Harlan, Court Clerk II, as replacement for Tracy Hutchison, effective February 1, 2016.

Request of District Clerk to promote Tracy Hutchison, Court Clerk IV, as replacement for Colleen Lawyer, effective February 1, 2016.

Request of District Clerk to promote Colleen Lawyer, Legal Assistant II, as replacement for Sherry Foster, effective February 1, 2016.

Request of District Clerk to accept the resignation of Bobbye Miller, Office Supervisor I-Finance, effective January 29, 2016. [196.40 hours or balance vacation.]

Request of Elections to change status of Gary W. Audas Jr., Voter Clerk from full time regular to part time seasonal, effective January 30, 2016. [6.16 hours or balance vacation.]

Request of Elections to place Susan Davis, Voter Clerk, on payroll, effective January 26, 2016.

Request of Elections to place Edward Escudero, Voter Clerk, on payroll, effective January 26, 2016.

Request of Extension to accept the retirement of Patricia M. Jones, Administrative Manager I, effective March 31, 2016. [141.6304 hours or balance vacation; 0.80 hours or balance compensatory.]

Request of Extension to transfer Joshua W. Merillat, Extension Program Assistant, from Sheriff to Extension, effective February 1, 2016.

Request of Forensic Services to accept the resignation of Karen Ross, Director Forensic Services, effective January 22, 2016. [53.84 hours or balance vacation.]

Request of Juvenile to accept the resignation of Deedra Michele Davis, Juvenile Supervision Officer Substitute, effective January 25, 2016. Is eligible for re-hire.[No benefits due.]

Request of Juvenile to place Shawn Marie Keith, Counselor, on payroll due to return from Unpaid FMLA/Disability Leave, effective January 28, 2016.

Request of Juvenile to place Maria Elena Zavala, Counselor, on Unpaid FMLA/Disability Leave, effective January 20, 2016.

Request of Juvenile to place Maria Elena Zavala, Counselor, on payroll due to Return from Unpaid FMLA/Disability Leave, effective February 1, 2016.

Request of Library to accept the resignation of Amelia D. Boone, Library Assistant II, effective February 12, 2016. [45.56 hours or balance vacation.]

Request of Library to place Candy Parker, Library Assistant II, on payroll as replacement for Catherine Marshall, effective February 3, 2016.

Request of Library to promote Deborah Lynn Wood, Library Assistant II, as replacement for June Smith, effective January 30, 2016.

Request of Sheriff to transfer Justin Allen, Deputy Patrol District II, from Sheriff to South Mont Cnty MUD as replacement for William Sharman, effective February 6, 2016.

Request of Sheriff to promote Kimberly Anderson, Civilian Detention Sergeant, effective January 30, 2016.

Request of Sheriff to promote Crystal Badeaux, Civilian Detention Sergeant, effective January 30, 2016.

Request of Sheriff to place Christopher Cammarata, Temporary Data Clerk Fleet, on payroll, effective January 25, 2016.

Request of Sheriff to transfer Christopher Cammarata, Part-time Mechanic I Fleet, from Temporary Data Clerk, effective January 26, 2016.

Request of Sheriff to accept the resignation of Jason Costa, Officer Civilian Detention, effective January 20, 2016. [45.28 hours or balance vacation; 243.00 hours or balance compensatory; 40.00 hours or balance holiday.]

Request of Sheriff to promote Kimberly Davis, Civilian Detention Sergeant, effective January 30, 2016.

Request of Sheriff to place Tristan Dufrene, Officer Civilian Detention, on payroll as replacement for Justin Pali, effective February 6, 2016.

Request of Sheriff to accept the retirement of Thomas Keith Jones, Detective, effective February 29, 2016. [175.05 hours or balance vacation; 273.03 hours or balance compensatory.]

Request of Sheriff to accept the resignation of Paul Mann, Officer Civilian Detention, effective February 1, 2016. [75.00 hours or balance vacation; 149.39 hours or balance compensatory; 48.00 hours or balance holiday.]

Request of Sheriff to place Prudencio Ochoa III, Deputy Patrol District III, on payroll as replacement for James Traylor, effective February 6, 2016.

Request of Sheriff to place Tyler See, Officer Civilian Detention, on payroll as replacement for Dawn Lara, effective January 30, 2016.

Request of Sheriff to transfer William Sharman II, Deputy Patrol District II, from South Mont Cnty MUD to Sheriff, as replacement for Justin Allen, effective February 6, 2016.

Request of Sheriff to transfer Dawson Weatherford, Deputy Bailiff, from Town Center Sub Unit to Jail, as replacement for Kenneth Dunlap, effective January 23, 2016.

Request of Tax Assessor to promote Cari Beam, Deputy Specialist II, as replacement for Yvette Hanks, effective February 27, 2016.

Request of Tax Assessor to promote Dana Cook, Collections Manager, as replacement for Mishelle Shires, effective February 8, 2016.

Request of Tax Assessor to accept the retirement of Mishelle Shires, Collections Manager, effective January 29, 2015. [3.08 hours or balance vacation]

ENVIRONMENTAL HEALTH – AGENDA ITEMS 9G1

- G1. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 15990 Hayden Road, Conroe, Texas 77306.

COUNTY ATTORNEY – MENTAL HEALTH TREATMENT FACILITY – AGENDA ITEMS 9H1-2

- H1. MONTHLY PERFORMANCE INDICATOR REPORT ACCEPTED for December, 2015 as recommended by Montgomery County Mental Health Treatment Facility Advisory Board.
- H2. MINUTES ACCEPTED of the December 15, 2015 Montgomery County Mental Health Treatment Facility Advisory Board Meeting.

COUNTY CLERK – AGENDA ITEM 9I1

- I1. DEPUTATION APPROVED of Sandy Ann Faught.

AIRPORT – AGENDA ITEM 9J1

- J1. NON-FEDERAL REIMBURSABLE AGREEMENT APPROVED between FAA and Montgomery County to provide a commissioning flight inspection of the PAPI on Runway 1.

CONSTABLE PRECINCT 1 – AGENDA ITEM 9K1

- K1. DONATION APPROVED from TOPPS of Lake Conroe in the amount of \$2,000.00 for the purchase of equipment and or training to be placed into account 5511-7353. Check no. 237 has been forwarded to the auditor for further processing.

COUNTY ATTORNEY – AGENDA ITEM 9L1

- L1. REVISED PROFESSIONAL SERVICES AGREEMENT APPROVED with Gardere Wynne Sewell LLP(Special Counsel) to represent Montgomery County on contingency in litigation against Volkswagen Group of America, Inc., et. al. to comply with revisions requested by Texas Comptroller.

DISTRICT CLERK – AGENDA ITEM 9M1

- M1. AGENDA ITEM 9M1 – CONSIDER AND APPROVE THE VETERANS TREATMENT COURT TO RECEIVE JURY DONATIONS FOR 2016 WAS REMOVED.

Motion carried.

END OF CONSENT AGENDA

CITIZENS – AGENDA ITEM 10

No Citizens addressed the court at this time.

5. PAYMENT APPROVED – MEMBERSHIP DUES – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the 2016 annual county membership dues in the amount of \$2,440.00 payable to Texas Association of Counties (TAC). Motion carried.

6. PAYMENT APPROVED – MEMBERSHIP DUES – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve the 2016 annual membership dues in the amount of \$175.00 payable to North and East Texas County Judges and Commissioners Association. Motion carried.

7. REQUEST APPROVED – 2016 SHSP GRANT PROGRAM – EMERGENCY MANAGEMENT

Motion by Commissioner Clark, seconded by Commissioner Meador, to allow the Office of Emergency Management to apply for the proposed grant project under the 2016 SHSP Grant Program in the amount of \$27,000.00 for security fencing at the Airport. Motion carried.

8. REQUEST APPROVED – NEW MCSO DISTRICT 1 OFFICE LOCATION – SHERIFF

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the design and remodel for the new MCSO District 1 Office Location. Building Maintenance has estimated the cost to be \$160,000.00 and will be funded out of the Capital Fund Account. This will move the current District 1 Office from the Elections Building to the purchased property on the North Loop. Motion carried.

9. REQUEST APPROVED – CIVILIAN JAIL POSITIONS – SHERIFF

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve the following changes in Civilian Jail Positions:

- Close Position 5121-5702-2 (Maintenance Tech 2) and Open Position 5121-5701-3 (Maintenance Tech 3)
- Close Position 5121-5702-3 (Maintenance Tech 2) and Open Position 5121-5701-4 (Maintenance Tech 3)
- Close Position 5121-5702-4 (Maintenance Tech 2) and Open Position 5121-5701-5 (Maintenance Tech 3)

All associated salary and benefits from the closed positions will be transferred to the new positions and the changes will not increase the current salary structure. Motion carried.

10. REQUEST APPROVED – CIVILIAN POSITIONS – SHERIFF

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the following position funding changes in Civilian Positions:

- 56011-3940-1 (Clerk 4) to 56011-3940-2 (Clerk 4) 999.83
- 5121-5701-1 (Maint Tech 3) to 5121-5701-4 (Maint Tech 3) 5,520.00
- 5121-5701-1 (Maint Tech 3) to 5121-5701-2 (Maint Tech 3) 4,000.10
- 5121-5701-1 (Maint Tech 3) to 5121-5701-3 (Maint Tech 3) 126.37
- 5121-6008-1 (Civ Det Sgt) to 5121-5701-3 (Maint Tech 3) 5,606.61
- 5121-6008-1 (Civ Det Sgt) to 5121-5701-5 (Maint Tech 3) 772.24
- 5121-6008-2 (Civ Det Sgt) to 5601-5701-5 (Maint Tech 3) 3,227.86
- 5121-6008-2 (Civ Det Sgt) to 5601-5606-3 (Mechanic 3) 3,150.98
- 5601-5606-1 (Mechanic 3) to 5601-5606-3 (Mechanic 3) 849.20
- 5601-5606-1 (Mechanic 3) to 5601-5606-2 (Mechanic 3) 1,953.32
- 5601-4900-7 (Dispatcher) to 5601-5606-2 (Mechanic 3) 762.64
- 5601-4900-7 (Dispatcher) to 5601-5606-4 (Mechanic 3) 196.14
- 5601-4900-15 (Dispatcher) to 5601-5606-4 (Mechanic 3) 958.78
- 5601-4900-26 (Dispatcher) to 5601-5606-4 (Mechanic 3) 958.72

- 5121-5800-1 (Civ Det Officer) to 5601-5606-4 (Mechanic 3) 1,065.22
- 5121-5800-2 (Civ Det Officer) to 5601-5606-4 (Mechanic 3) 821.24

This will not increase the current salary structure. Motion carried.

11. REQUEST APPROVED – OVERTIME PAY – SHERIFF

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve overtime pay for Sheriff's Office personnel working security detail for hospitalized inmates. Personnel working beyond their normal work schedule will qualify for overtime pay. Motion carried.

12. REQUEST APPROVED – CARRYOVER FUNDS – SHERIFF

Motion by Commissioner Riley, seconded by Commissioner Noack, to approve the carryover of \$310,936.39 in FY15 funding pertaining to the purchase orders and releases encumbered prior to September 30, 2015. Motion carried.

13. REQUEST APPROVED – PAYMENT TO ENTERGY – AIRPORT

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the expenditure and payment of \$6,000.00 to Entergy for undergrounding of electrical service at the U.S. Customs and Border Protection FIS Facility. The amount is subject to a +/- 10% adjustment pending final costs submitted by Entergy. Scott Smith stated the amount would be amended to \$5,112.85 due to an invoice received from Entergy. This will be funded through Contingency. Motion carried.

14. REQUEST APPROVED – PURCHASE OF DIAGNOSTIC REPORTING DEVICES – BUILDING MAINTENANCE

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the purchase of Diagnostic Reporting Devices, in the amount of \$9,384.70, to be installed on 26 generators at various County owned buildings. This will have an initial one time cost to purchase in the amount of \$4,080.70 with additional monthly monitoring fee of \$442.00 and will be funded with Contingency. Motion carried.

15. REQUEST APPROVED – SALARY INCREASE – AGRILIFE EXTENSION

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve an increase to the budget for salary and benefits for position 665-4209-1 (Extension Program Assistant) by \$1,034.18 to \$35,514.18. This increase will bring the salary to the minimum of the classification and will be funded with Contingency. Motion carried.

16. REQUEST APPROVED – POSITION CHANGES – TAX ASSESSOR

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

- Eliminate position 499-4414-1(Litigation/Refund Manager) current annual salary \$49,063.30 and
- Eliminate position 499-3304-500, (Courier/Part-time) current annual salary \$20,085.00

For a total of \$69,148.30 and create two entry level positions, 499-3907, Deputy Specialist I at an annual salary of \$29,814.98 each for a total of \$59,629.96. There will be no changes to the current budget as a result of these changes. Motion carried.

17. RESOLUTION ACCEPTED – BOARD OF JUDGES – OFFICE OF COURT ADMINISTRATION

Motion by Commissioner Meador, seconded by Commissioner Clark, to accept a Resolution for the approval of the operation of a Managed Assigned Counsel Program pursuant to Chapter 107 Texas Family Code. Motion carried.

18. REQUEST APPROVED – POSITION CHANGES – MANAGED ASSIGNED COUNSEL

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the following changes for Managed Assigned Counsel:

- Close: 465011-8414-1 (Managing Attorney)
- Open 465011-9537-1 (Program Director) and 465011-4213-1 (Administrative Assistant I)
- Move \$55,000.00 and associated benefits from 465011-8414-1 to 465011-9537-1
- Move \$48,262.61 and associated benefits from 465011-8414-1 to 465011-4213-1

These changes will not affect the departmental budget for FY2016. Motion carried.

19. REQUEST APPROVED – JUSTICE COURT TECHNOLOGY FUND – COUNTY AUDITOR

REQUEST APPROVED – JUSTICE COURT TECHNOLOGY FUND – COUNTY AUDITOR

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the use of the Justice Court Technology Fund for the following:

- \$1,434.64 for Justice of the Peace Precinct 5 and
- \$9,872.57 for Justice of the Peace Precinct 1.

Motion carried.

20. REQUEST APPROVED – PURCHASE OF VARIOUS ITEMS – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the utilization of the contract for the purchase of refuse bodies, trailers and other bodies and for the purchase of one (1) new Trail King Trailer, Model TK 110 HDG Paver Special Unit # N.I.S. from Kirby-Smith Machinery, Inc. through the Interlocal Agreement with BuyBoard Contract #425-13 as authorized by Local Government Code §271.102, in the amount of \$89,422.00 for Precinct 1. Motion carried.

21. REQUEST APPROVED – PURCHASE OF ASPHALT PAVER – PRECINCT 4

Motion by Commissioner Clark, seconded by Commissioner Riley, to approve the purchase of one (1) Bomag/Cedar Rapids CR352L Asphalt Paver from R.B. Everett & Company through the Interlocal Agreement with BuyBoard Contract #424-13 as authorized by Local Government Code §271.102 in the amount of \$337,783.00 for Precinct 4. Motion carried.

22. AWARD APPROVED – NEW VEHICLES – VARIOUS DEPARTMENTS

Motion by Commissioner Clark, seconded by Commissioner Noack, to approve the award for new vehicles, Project #2016-0005 for Various Departments as follows:

- Caldwell Country Chevrolet
2016 Vehicle #12 Base Bid – Truck, 1 Ton, Crew Cab, 4x2, short bed – Qty 3 - \$29,215.00/each – Add option: Long Bed @\$390.00=\$29,605.00/each – Commissioner Precinct 4.
- Buckalew Chevrolet

2016 Vehicle #1 Base Bid – Chevrolet Tahoe, PPV – Qty 7 - \$34,655.00/each – Sheriff's Office and 2016 Vehicle #15 Base Bid – Chevrolet Cargo Van, 1 Ton, Extended Length (HD) – Qty 2 - \$26,790.00/each – Sheriff's Office.

- Gullo Ford
2016 Vehicle #6 Base Bid – Ford Police Interceptor Sedan – Qty 3 - \$22,097.00/each – Sheriff's Office; 2016 Vehicle #6 Base bid Ford Police Interceptor Sedan – Qty 7 - \$22,097.00/each- Add option Left Hand spot lamp @\$340.00=\$22,437.00/each – Sheriff's Office; 2016 Vehicle #7 Base bid – Ford Expedition SSV – Qty 3 - \$27,900.00/each – Sheriff's Office; 2016 Vehicle #11 Base Bid – Ford F250 Crew ³/₄ Ton Truck – Qty 1 - \$24,988.00/each – Sheriff's Office.
- Grapevine Dodge Chrysler Jeep
2016 Vehicle #9 Base Bid-Truck, ¹/₂ Ton, 4x2, Extended Cab, Short Bed – Qty 4- \$21,438.00/each, Add Option: Power door locks/windows & remote keyless entry @ \$185.00=\$21,623.00/each-Sheriff's Office.

Motion carried.

23. CONTRACT DOCUMENTS APPROVED – CHILDREN'S PROTECTIVE SERVICES
MANAGED ASSIGNED COUNSEL – VARIOUS DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve the contract documents for RFP-Children's Protective Services Managed Assigned Counsel (CPMAC) Project #2016-0010 previously approved in Commissioners Court on 01/26/16 for Various Departments. Motion carried.

24. REQUEST APPROVED – CONTRACT NEGOTIATION PROCESS – LONESTAR
CONVENTION AND EXPO CENTER

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the contract negotiation process with the highest evaluated respondent(s) for RFP-Catering and concessions for the Lonestar Convention and Expo Center. Contract will follow. Motion carried.

AGENDA ITEM 22A – CONSIDER AND TAKE APPROPRIATE ACTION REGARDING
ADOPTION OF POLICY REQUIRING REVIEW OF COUNTY CONTRACTS WAS
DEFERRED.

25. GROUND LEASE APPROVED – THE WOODLANDS TOWNSHIP – COUNTY
ATTORNEY – REAL PROPERTY – PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve a Ground Lease between Montgomery County and The Woodlands Township for Sawdust Park-N-Ride Lot. Motion carried.

26. INTERLOCAL AGREEMENT APPROVED – COUNTY ATTORNEY – REAL
PROPERTY – PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve an Interlocal Agreement between Montgomery County, Harris County, and Woodlands Road Utility District No. 1 for Kuykendahl Bridge Project. Motion carried.

27. MEMORANDUM OF AGREEMENT – COUNTY ATTORNEY – REAL PROPERTY
– PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve a Memorandum of Agreement between Montgomery County (Pct. 3), Bayou Land Conservancy and Liberty Property Trust for creation of Conservation Easement and Conveyance of Development Rights on 38.6 acres, as per Memorandum of Agreement on file. Motion carried.

28. RESOLUTION AND ORDER APPROVED – CAMBRIDGE BOULEVARD –
COUNTY ATTORNEY – REAL PROPERTY – PRECINCT 4

Motion by Commissioner Clark, seconded by Commissioner Meador, to approve the acceptance of a portion of Cambridge Blvd. into County Maintenance System upon finding of prescriptive right and accept a donation for road repair in the amount of \$350,000.00 from The New Kings Colony POA. Check No. 9158514910 has been forwarded to the Auditor for further processing. Motion carried.

AGENDA ITEM 24A1 – COMMISSIONER RILEY GAVE AN UPDATE ON ROAD BOND PROJECTS IN PRECINCT 2.

THE WOODLANDS PARKWAY EXTENSION WAS DISCUSSED, BUT IT IS NOT A ROAD BOND PROJECT.

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

29. REQUEST APPROVED – POSITION CHANGES – PRECINCT 4

REQUEST APPROVED – POSITION CHANGES – PRECINCT 4

REQUEST APPROVED – POSITION CHANGES – PRECINCT 4

Motion by Commissioner Clark, seconded by Commissioner Meador, to approve opening the following positions:

- 615-3201-23 (Operator 1) at a pay rate of \$17.35 per hour, plus benefits. Funds will be transferred from line 615-7997 to cover salary and benefits,
- 615-3203-6 (Operator III) at a pay rate of \$21.30 per hour, plus benefits. Funds will be transferred from line 615-7997 to cover salary and benefits, and
- 615-3404-4 (Superintendent) at a salary of \$63,551.00 per year, plus benefits. Funds will be transferred from line 615-7997 to cover salary and benefits.

Motion carried.

30. REQUEST APPROVED – POSITION CHANGES – PRECINCT 4

Motion by Commissioner Clark, seconded by Commissioner Meador, to approve closing Position 6331-9522-700 and opening Position 6331-9522-1 (Director-Animal Shelter) at a salary of \$140,000.00 per year, plus benefits and transfer \$95,000.00 from position 633-9522-700 to position 6331-9522-1 with additional funding needed for salary and benefits from line 6331-7419. Motion carried.

31. 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 Animal Shelter to place Michael A. White, Director, on payroll, effective February 16, 2016.

Request of Commissioner Precinct 4 to transfer Jason L. Bass, from Sr. Foreman to Superintendent, effective February 13, 2016.

Request of Commissioner Precinct 4 to transfer Dwayne Matthew Dean, from Operator II to Operator III, effective February 13, 2016.

Request of Managed Assigned Counsel-MH to place Gloria Kessler, Program Director, on payroll, effective February 1, 2016.

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, 551.072, and 551.074.

EXECUTIVE SESSION – AGENDA ITEM 26A: CONSIDER AND DISCUSS CLAIM NO. A-14-0088; CLIFFORD MCCOWAN AND JOSEPH HARRISON, JR V. MONTGOMERY COUNTY.

COMMISSIONERS COURT RECONVENED WITH ALL MEMBERS PRESENT WITH THE EXCEPTION OF COMMISSIONER JAMES NOACK.

32. RESOLUTION AND ORDER APPROVED – CLAIM NO A-14-0088 – EXECUTIVE SESSION

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve the settlement in the amount of \$10,000.00 for Claim No. A-14-0088 styled Clifford McCowan and Joseph Harrison, Jr. v. Montgomery County from a vehicular accident involving the Montgomery County Custodial Services on July 10, 2014. Funding for the settlement will be from line item 509-7390. The County Auditor is authorized to issue checks in accordance with the General Release of All Claims and Indemnity Agreement on file. Motion carried.

CITIZENS – AGENDA ITEM 28

Vernon Zellner addressed the court concerning the additional holidays for the firework season added by Texas HB 1150. He is in support of the County allowing the sale of fireworks for Texas Independence Day, San Jacinto Day, and Memorial Day.

Todd Stephens, Magnolia ISD Superintendent, addressed the court in support of the Woodlands Parkway Extension.

Joe Dives, Transportation Director for Magnolia ISD, also spoke in favor of the Woodlands Parkway Extension.

AGENDA ITEM 29 – MISCELLANEOUS

Commissioner Clark reminded those in Court that the Montgomery County Employees Committee was conducting a bake sale on the 1st floor.

Judge Doyal congratulated Darren Hess on his promotion to Deputy Emergency Management Coordinator.

33. COURT ADJOURNS

Motion by Commissioner Clark, seconded by Commissioner Meador, to adjourn this session of Court. Motion carried.

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

ATTEST:

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

Mark Turnbull

BY:

COUNTY CLERK



Craig Doyal
COUNTY JUDGE