

COMMISSIONERS COURT DOCKET
March 8, 2016
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 8th day of March, 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 Chaplain Mike Evans.

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.

AGENDA ITEM 7A – LARRY FOERSTER, CHAIRMAN PRESENTED THE MONTGOMERY COUNTY HISTORICAL COMMISSION ANNUAL REPORT FOR 2015.

EMPLOYEE OF THE MONTH FOR FEBRUARY 2016 WAS PRESENTED BY SHERIFF TOMMY GAGE TO SERGEANT JOHN SCHMITT.

2. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Clark, seconded by Commissioner Meador, to approve the Minutes from Regular Session of Commissioners Court dated February 23, 2016. Motion carried.

AGENDA ITEM 9J2a – CONSIDER AND APPROVE AMENDED AND RESTATED IMPROVEMENTS IN RIGHT-OF-WAY AGREEMENT WAS DEFERRED.

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

Motion by Commissioner Noack, seconded by Commissioner Meador, 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 9J2a, which was deferred as follows:

COUNTY AUDITOR – AGENDA ITEMS 9A1-3

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

A2. BUDGET AMENDMENTS FY2016 APPROVED:

- a. 359th District Court: Enc Carryover PO 55505884.
- b. Airport: To recognize and allocate 1012CONRO final match funds M36/11.09.09 and recognize and allocate 1012CONRO final grant revenue from USDOT.
- c. Animal Shelter: To transfer funds for purchase of VPN Token.
- d. Commissioner Precinct 1: To adjust line items.
- e. Commissioner Precinct 3: To adjust line items and transfer funds to Constable Pct 3 for purchase of protection gear.
- f. Constable PCT 1: To recognize and allocate revenue.
- g. Constable PCT 3: To recognize and allocate revenue M5/02.23.16.
- h. Constable PCT 4: To recognize and allocate revenue.
- i. Court Guardianship: To recognize and allocate revenue.
- j. Court Operations: To fund increase in contract for Children's Protective Services Managed Assigned Counsel as approved M23/02.09.16.
- k. Court Reporter Service Fund: To recognize and allocate revenue.
- l. District Attorney Pre-Trial Diversion: To adjust line items.
- m. Elections: To adjust line items.
- n. Fire Marshal: To adjust forfeiture budget based upon expenditures through the month ended 01/31/2016.
- o. Justice Court Technology Fund: To fund purchase of Real Vision Imaging Software License and installation, Maintenance and support and 26 scanners as approved M7/02.23.16 and transfer funds approved M7/02.23.16 from the Justice Court Technology Fund out of JP # 1 and into JP #2, JP #4 and JP #5.
- p. MCCD: To recognize and allocate PI received for Willis Building (PI-1.1), Lonestar Building (PI-1.2), Magnolia Building (PI-2.1), Mag Medical Building (PI-2.2), and Splendora Building (PI-4.1).
- q. Sheriff: To adjust line items and recognize and allocate revenue M5/02.23.16.
- r. Sheriff-Auto Theft: To recognize and allocate revenue.
- s. Sheriff-Federal Forfeitures: To recognize and allocate revenue for year end 09.30.16.
- t. Sheriff-ICE: to set up S.O. ICE-Gang Investigation Contract Fund M9/02.23.16.
- u. Sheriff-MOCONET: To set up SO MOCONET M9/02.23.16.

A3. REPORT OF OFFICIALS' FEES ACCEPTED as audited for January, 2016.

TREASURER – AGENDA ITEMS 9B1-2

- B1. WEEKLY INVESTMENTS PURCHASED REPORT ACCEPTED for week ending February 12, 2016.
- B2. PLEDGES AND/OR RELEASES OF COLLATERAL REPORT ACCEPTED.

PURCHASING – AGENDA ITEMS 9C1-19

- C1. RENEWAL APPROVED for acrylic electronic cuttable film (EC Film) with 3M for Various Departments.
- C2. RENEWAL APPROVED for traffic monitoring cameras (PTZ Cameras) with HD Protech and replace discontinued item with alternate item with no change in price for Various Departments.
- C3. RENEWAL APPROVED for cement stabilized sand with Cherry Crushed Concrete for Precinct 3.
- C4. RENEWAL APPROVED for maintenance, repair, and operations (MRO) supplies and related services from Lowe's Home Centers, LLC through the Interlocal Agreement with Region 4 Education Service Center/TCPN Contract #R142104 as authorized by Local Government Code §271.102 for Various Departments.
- C5. REQUEST APPROVED to utilize the contract for products and related services from Barcodes LLC dba Barcodes, Inc. through the GSA Schedule 70 Contract #GS-35F-0429P as authorized by Local Government Code §271.103 for Various Departments.
- C6. REQUEST APPROVED to utilize the contract for building maintenance, repair, and operations supplies and equipment from each of the following vendors: Carrier Enterprises, LLC and W.W. Grainger, Inc. through the Interlocal Agreement with BuyBoard Contract #501-15 as authorized by Local Government Code §271.102 for Various Departments.
- C7. CHANGE ORDER NO. 7 APPROVED to Tommy's Paint and Body, Inc. for automotive and heavy truck body repair service to cancel month to month effective 03/08/16 for Risk Management.
- C8. REQUEST APPROVED of the name change of Texas Prisoner Transportation Division to Texas Prisoner Transportation Services effective February 5, 2016 for Sheriff's Office.
- C9. REQUEST APPROVED to utilize the contract for products and related services from Carahsoft Technology Corporation and its reseller PCMG, Inc. dba PCM GOV, Inc. through the DIR Contract #DIR-SDD-2504 as authorized by Local Government Code §271.083 for Various Departments.
- C10. REQUEST APPROVED to utilize the contract for products and related services from the Dell Marketing LP Reseller, Centre Technologies, Inc. through the Dir Contract #DIR-SDD-1951 as authorized by Local Government Code §271.083 for Various Departments.
- C11. RENEWAL APPROVED for autopsy transport services, storage services and the disposition of bodies of deceased paupers for each of the following vendors: SCI Texas Funeral Services, LLC and McNutt Brock Family Corp. and the renewal with Eickenhorst Funeral Services, LLC with price changes resulting in a 25% increase for removals, cremations and burials for Various Departments.
- C12. ADVERTISING APPROVED for the following:

- RFP-ERP Software and implementation services for Various Departments.
- C13. REQUEST APPROVED to declare miscellaneous items as salvage as authorized by Local Government Code §263.152 for Various Departments.
- C14. CHANGE ORDER NO. 4 APPROVED to Geo Group, Inc. for management and operations agreement for Joe Corley Detention Facility to include amendment P00003 to add CLIN 0004 for facility enhancements which will be fully funded in the amount of \$46,357.51 for County Attorney.
- C15. RENEWAL APPROVED for travel services with Corporate Travel Planners, Inc. on a month to month basis for Various Departments.
- C16. AWARD APPROVED for automotive and heavy truck body repair service Project #2016-0030 for Risk Management as follows:
- Prime: Tommy's Paint and Body
 - Alternate: Cornerstone Collision Center, Inc.
 - Alternate: Milstead Collision.
- C17. DISCRETIONARY EXEMPTION APPROVED for vehicle and equipment repairs as authorized by Local Government Code §262.024(a)(11) for vehicle and equipment repairs (Parts and Labor) from Mustang Machinery Company, LTD for Various Departments.
- C18. DISCRETIONARY EXEMPTION APPROVED for one source as authorized by Local Government Code §262.024(a)(7)(D) for Caterpillar Engine and Earth Moving Products from Mustang Machinery Company, LTD for Various Precincts.
- C19. RENEWAL APPROVED for emergency purchase of Bulk Fuel with Smith & Company for Various Departments.

RISK MANAGEMENT – AGENDA ITEMS 9D1-2

- D1. CHANGES, ADDITIONS AND RELEASES APPROVED for the following:

<u>BOND</u>	<u>NAME/DEPT</u>	<u>AMOUNT</u>	<u>ACTION</u>
15275528	Pena, Eva/Tax Assessor	\$100,000.00	Renew/Cont Cert
61954888	Doyal, Lindsey/Treasurer	\$25,000.00	Renew/Cont Cert
24913549	West, Carey/Fire Marshal	\$5,000	Renew/Cont Cert
24913539	Bennett, Gary/Fire Marshal	\$5,000	Renew/Cont Cert
24913523	Singleton Jr., James/Fire Marshal	\$5,000	Renew/Cont Cert
24913501	Grindstaff, Jason/Const Pct 2	\$5,000	Renew/Cont Cert
24754738	Wright, Jody/District Attorney	\$5,000	Renew/Cont Cert
61585941	Baxter III, Thomas/Fire Marshal	\$5,000	Renew/Cont Cert
61639680	Tunstall, Jarod/Const Pct 3	\$5,000	Renew/Cont Cert
61639691	Orr, Joshua/Const Pct 3	\$5,000	Renew/Cont Cert
61991157	Welch, Kenneth/Const Pct 3	\$5,000	Renew/Cont Cert
24760574	Wrentz, James D./Const Pct 1	\$5,000	Renew/Cont Cert

15275639	Appleton, Melisa/District Attorney	\$5,000	Renew/Cont Cert
61626299	Cassidy Jr., Paul/Const Pct 4	\$5,000	Renew/Cont Cert
61308495	Gilbert, Shawn/Const Pct 3	\$5,000	Renew/Cont Cert

- D2. PAYMENT ACKNOWLEDGED AND RECORDED INTO MINUTES to Robert Graham Caver and Meredith Smith Caver in the amount of \$857.15 in reference to Claim #B-15-0081. Date of incident 05/31/15.

COMMISSIONERS – AGENDA ITEMS 9E1-2

E1. PRECINCT 1

- a. USE AGREEMENT APPROVED with Willis Cyclones Baseball to use the baseball fields at Charles Traylor Memorial Park for practices as scheduled by W.Y.A.A. through December 31, 2016.
- b. USE AGREEMENT APPROVED with Conroe Youth Soccer League to use the football/soccer fields at West Montgomery County Park through May 31, 2016.
- c. USE AGREEMENT APPROVED with Willis Wildkats Select Baseball to use the baseball fields at Charles Traylor Memorial Park for practices as scheduled by WYAA now through December 31, 2016.
- d. USE AGREEMENT APPROVED with Willis Rebels Select Baseball to use the baseball fields at Charles Traylor Memorial Park for practices as scheduled by WYAA now through December 31, 2016.

E2. PRECINCT 3

- a. ANNUAL FINANCIAL REPORT RECEIVED as submitted by Montgomery County Emergency Services District #8 (ESD #8) for fiscal year ending September 30, 2015.
- b. ANNUAL FINANCIAL REPORT RECEIVED as submitted by Montgomery County Emergency Services District #14 (ESD #14) for fiscal year ending September 30, 2015.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9F1-5

F1. PRECINCT 1

- a. FINAL PLAT APPROVED for Hills of Westlake, Section 1; 36.468 acres; P.H. Herndon Survey, A-256.
- b. PUBLIC HEARING DATE SET for March 22, 2016 to consider and approve establishing a 35 MPH Speed Limit on Welch Road from FM 149 to Taliaferro Road.

F2. PRECINCT 2

- a. REQUEST APPROVED from Suddenlink Communications to install a fiber line within the right of way of Honea Egypt Road.
- b. FINAL PLAT APPROVED for Bonterra at Woodforest, Section 3; 29.819 acres; James Pevehouse Survey, A-29.
- c. FINAL PLAT APPROVED for Estates on Hidden Lake; 9.3256 acres; Matthias Steussy Survey, A-542.

- d. FINAL PLAT APPROVED for Woodforest Central Pine Street (WF BLVD to WF 65) Street Dedication; 6.57 acres; James Pevehouse Survey, A-29 and Archibald Hodge Survey, A-18.

F3. PRECINCT 3

- a. FINAL PLAT APPROVED for Grand Oaks Partners LLC; 1.568 acres; Montgomery County School Land Survey, A-350.
- b. FINAL PLAT APPROVED for Cat Hollow Estates; 5.349 acres; Isaac Mansfield Survey, A-344.
- c. FINAL PLAT APPROVED for Meadows at Imperial Oaks, Section 4; 9.085 acres; George Lamb Survey, A-334.
- d. PUBLIC HEARING DATE SET for March 22, 2016 to consider and approve establishing a "No thru trucks" Zone on Legends Run Drive between Rayford Road and Birnham Woods Drive.

F4. PRECINCT 4

- a. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Cumberland Crossing, Section 6; total length of roads 3,743.29 linear feet and bond is released.
- b. FINAL PLAT APPROVED for Forest Trace, Section 2; 53.064 acres; William B. Bridges Survey, A-73.
- c. FINAL PLAT APPROVED for Crockett Trace Estates, Section 5; 13.791 acres; William B. Bridges Survey, A-73, J.E. Lewis Survey, A-665, and Bennett Blake Survey, A-4.
- d. FINAL PLAT APPROVED for Oak Lane Partial Replat No. 1; 4.025 acres; Mary Owens Survey, A-405.
- e. FINAL PLAT APPROVED for RBA Dollar General Store No. 17017; 3.913 acres; Beasley Prewitt Survey, A-420.

F5. ALL PRECINCTS

- a. REQUEST APPROVED from Copano Pipelines/Upper Gulf Coast LLC to install pipelines within the right of way of Various Roads.

HUMAN RESOURCES – AGENDA ITEM 9G1

G1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of Animal Shelter to place Karina Mankiewicz, Clerk III, on payroll, effective February 15, 2016.

Request of Animal Shelter to accept the resignation of Michael A. White, Director, effective February 26, 2016. [No benefits due.]

Request of Commissioner Precinct 3 to discharge David Edwards, Operator I, effective March 3, 2016. [5.96 hours or balance vacation]

Request of Commissioner Precinct 4 to discharge Vernon G. Goines, Operator III, effective February 26, 2016. [34.37 hours or balance vacation; 45.71 hours or balance compensatory]

Request of Commissioner Precinct 4 to place Clay Martin Simon, Operator I, on payroll, effective March 7, 2016.

Request of Constable Precinct 3 to transfer Dylan Neil Jobe, Deputy, from Sheriff to Constable Precinct 3 as replacement for Tony Madison, effective February 27, 2016.

Request of Constable Precinct 3 to transfer Tony E. Madison, Deputy, from Constable Precinct 3 to RMUD Sub Unit, as replacement for Joshua Orr, effective February 13, 2016.

Request of Constable Precinct 3 to transfer Joshua Orr, Deputy, from RMUD Sub Unit to Spring Creek UD, effective February 13, 2016.

Request of Constable Precinct 5 to discharge Terry Maurice Thomas, Deputy-Constable, effective March 2, 2016. [No benefits due]

Request of County Auditor to place Steven Pittman, Internal Audit Assnt, on payroll, as replacement for Margie Stephens, effective March 1, 2016.

Request of County Clerk to increase salary of Sandy Faught, Court Clerk II, due to completion of probationary period, effective February 29, 2016.

Request of District Attorney to accept the resignation of Melissa Marie Hudspeth, Pre-Trial Diversion Intern, effective March 3, 2016. [No benefits due]

Request of District Clerk to increase salary of Vanessa Medina, Court Clerk II, due to completion of probationary period, effective February 29, 2016.

Request of District Clerk to increase salary of Cari Sodalak, Accounting Assistant, due to completion of probationary period, effective February 29, 2016.

Request of Elections to place Valerie L. Curb, Voter Clerk, on payroll, effective February 19, 2016.

Request of Extension to place Jennifer Lyn Adams, FCS Coordinator, on payroll due to Return from Unpaid FMLA/Disability Leave, effective March 7, 2016.

Request of Extension to increase salary of Joshua W. Merillat, Extension Program Assist, to bring to minimum grade rate as approved in Commissioners Court 02/09/2016, effective February 1, 2016.

Request of Justice of the Peace Precinct 1 to accept the resignation of Lamar Jeanette Gonzalez, Court Clerk IV, effective February 24, 2016. [80.82 hours or balance vacation; 49.76 hours or balance compensatory; 34.50 hours or balance holiday]

Request of Justice of the Peace Precinct 1 to bridge time of Ben Blair, Juvenile Case Manager, to reflect a new leave anniversary date of 12/10/2010, effective October 11, 2015.

Request of Juvenile to accept the resignation of Vencent Devon Gardner, Juvenile Supervision Officer Substitute, effective February 14, 2016. Is eligible for re-hire.[No benefits due]

Request of Juvenile to accept the resignation of Rhonda F. Janosec, Juvenile Supervision Officer Substitute, effective February 26, 2016. Is eligible for re-hire. [No benefits due]

Request of Library to place Kimberly Ann Jones, Shelving Clerk, on payroll, as replacement for Hope Mathers, effective February 19, 2016.

Request of Library to place Dorothy Traylor, Library Assistant II, on payroll, as replacement for Amelia Boone, effective February 23, 2016.

Request of Library to promote Jennifer A. Wigle, Librarian III, as replacement for Sarah Becker, effective March 12, 2016.

Request of Purchasing to bridge time of Mireya Sanchez, Clerk IV, to reflect a new leave anniversary date of 08/27/2012, effective October 6, 2015.

Request of Sheriff to place Kiesha Combs, Officer Civilian Detention, on payroll as replacement for Michael Reddicks III, effective February 27, 2016.

Request of Sheriff to accept the resignation of Samantha Cortez, Civilian Detention Officer, effective March 6, 2016. [19.84 hours or balance vacation; 102.13 hours or balance compensatory; 29.00 hours or balance holiday]

Request of Sheriff to transfer James Glisson, Detective, from Sheriff to Auto Theft, as replacement for Keith Jones, effective March 5, 2016.

Request of Sheriff to place Kyle Gore, Officer Civilian Detention, on payroll as replacement for Tabitha Rivera, effective February 27, 2016.

Request of Sheriff to place Ashleigh Greenan, Dispatcher, on payroll as replacement for Suzanne Shirer, effective March 12, 2016.

Request of Sheriff to place Shauntell Harder, Clerk IV-Records, on payroll as replacement for Clayton Lenorman, effective March 5, 2016.

Request of Sheriff to place Walker Lindemann, Officer Civilian Detention, on payroll as replacement for Aljoscha Hirsch, effective March 5, 2016.

Request of Sheriff to transfer Robert Meeks, Officer Civilian Detention, from Jail to Town Center Sub Unit, as replacement for Caleb Shaw, effective February 27, 2016.

Request of Sheriff to place William Oatis II, Officer Civilian Detention, on payroll as replacement for Joshua Broussard, effective March 5, 2016.

Request of Sheriff to accept the resignation of Joshua M. Parker, Officer Civilian Detention, effective February 24, 2016. [49.28 hours or balance vacation; 22.27 hours or balance compensatory; 18.50 hours or balance holiday]

Request of Sheriff to place Logan Schneider, Civilian Detention Officer, on payroll, as replacement for Bobby Horn Jr., effective February 27, 2016.

Request of Sheriff to accept the resignation of George Shackelford Jr., Temporary Data Clerk-HR, effective February 26, 2016. [No benefits due]

Request of Sheriff to transfer Caleb Shaw, Officer Civilian Detention, from Town Center Sub Unit to Jail, as replacement for Robert Meeks, effective February 27, 2016.

Request of Tax Assessor to promote Whitney Black, Deputy Specialist III, due to completion of educational mandates for promotion, effective March 12, 2016.

Request of Tax Assessor to place Randi L. Shelton, Deputy Specialist I, on payroll as replacement for Cari Beam, effective March 7, 2016.

Request of Commissioner Precinct 3 Traffic Operations to place Maxwell Peck, Computer Analyst I on payroll, effective February 29, 2016.

ENVIRONMENTAL HEALTH – AGENDA ITEMS 9H1-7

- H1. REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 6919 Skylight Lane, Magnolia, Texas 77354.
- H2. REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 15047 Cardinal Trail, Conroe, Texas 77302.
- H3. REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 25540 Lakeshore Drive, Splendora, Texas 77372.
- H4. REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 19938 Crystalwood Estates Drive, New Caney, Texas 77357.
- H5. REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 29618 Wildfern Trail, Spring, Texas 77386.
- H6. REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 13737 Lyric Road, Conroe, Texas 77302.
- H7. REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 23926 Nichols Sawmill Road, Hockley, Texas 77447.

SHERIFF – AGENDA ITEMS 9I1-3

- I1. THE MONTGOMERY COUNTY SHERIFF'S OFFICE (MCSO) RACIAL PROFILING REPORT ACCEPTED for the 2015 calendar year.
- I2. FUNDING ACCEPTED in the amount of \$39,163.97 from the Law Enforcement Office Standards and Education (LEOSE) Account in support of the MCSO Continuing Education of Licensed Personnel. The funds will be allocated to 56018-741811. Check No. 134498833 has been forwarded to the auditor for further processing.
- I3. DONATION ACCEPTED from Aramco Associated Company to the MCSO SWAT Division in the amount of \$25,000.00. These funds will be allocated to 560150.7390. Check No. 5290022044 has been forwarded to the auditor for further processing.

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

- J1. PRECINCT 2
 - a. ORDER APPROVED acknowledging receipt of check no. 2248 in the amount of \$3.00 from Holly Springs Maintenance, Inc. for lease of Real Property described as Lot 1, Block 1 and Tract 2, Block 1 of Holly Springs, Section 5.(Memo and Agenda stated the amount of the check as \$1.00). Check No. 2248 has been forwarded to the auditor for further processing.
- J2. PRECINCT 3
 - a. AGENDA ITEM 9J2a – CONSIDER AND APPROVE AMENDED AND RESTATED IMPROVEMENTS IN RIGHT-OF-WAY AGREEMENT WAS DEFERRED.

CONROE-NORTH HOUSTON REGIONAL AIRPORT – AGENDA ITEM 9K1

- K1. RIGHT OF ENTRY FOR SURVEY AND SITE ASSESSMENT APPROVED for Department of Army for 10.57 acres, more or less, at the Conroe-North Houston Regional Airport.

CONSTABLE PRECINCT 1- AGENDA ITEM 9L1

- L1. RACIAL PROFILE REPORT APPROVED for Constable Precinct 1 for the year 2015.

COUNTY ATTORNEY - AGENDA ITEM 9M1

- M1. REQUEST APPROVED to ratify amendment no. 6 to IGSA No. 79-00-0071 to increase per diem as per wage determination.

Motion carried.

END OF CONSENT AGENDA

CITIZENS - AGENDA ITEM 10

Dr. Ed Robb, with The Woodlands Township addressed the court and presented a Resolution to the court concerning projects on the Montgomery County Thoroughfare Plan.

Paul Dewey Jones addressed the court concerning additional firework holidays in the County. He does not want fireworks to be sold while students are in school.

Karen Smith also addressed the court concerning the sale of fireworks. She does not want the additional holidays added to the schedule.

Many citizens addressed the court concerning the adoption of the Montgomery County Rules and Regulations for Non-Consent Towing. Many of the citizens were in favor of a rotation schedule, but did not feel that the one proposed provided equality or fairness and would hinder small businesses. Others felt that it was too long and had too many "loopholes".

Amy Milstead spoke in favor of the adoption of the Montgomery County Rules and Regulations for Non-Consent Towing.

4. AGREEMENT APPROVED - ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCE - SHERIFF

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the Organized Crime Drug Enforcement Task Force Agreement between the Department of Justice and the Montgomery County Sheriff's Office. The agreement is for SWTXS-1004 Road Hazard in the amount of \$15,000.00 for FY2016. Associated benefits will be funded by the Sheriff's Budget 5601. Motion carried.

5. ADDITIONAL HOLIDAYS DENIED - FIREWORK SALES - FIRE MARSHAL

Motion by Commissioner Noack, seconded by Commissioner Riley, to not expand the sale of Fireworks in Montgomery County for additional Firework Sales Seasons. Motion carried.

6. REQUEST APPROVED - OVERTIME - DISTRICT ATTORNEY

Motion by Commissioner Clark, seconded by Commissioner Meador, to extend the overtime approved in Court on 12/08/15 to assist with the implementation of Tyler Odyssey through 3/31/16. The original overtime approved covered 12/5/15 through 2/26/16 and the additional funds need to cover salary and benefits are estimated at

\$3,050.05 and will be funded through the District Attorney's Asset Forfeiture. Motion carried.

7. AMENDMENT APPROVED – AIRPORT PROJECT PARTICIPATION AGREEMENT – CONROE-NORTH HOUSTON REGIONAL AIRPORT

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve Amendment No. 1 to Airport Project Participation Agreement, TxDOT CSJ Number 16MPCONRO, between Montgomery County and TxDOT. This will increase the project cost to \$317,084.00 of which TxDOT participation is \$194,011.00 and Montgomery County participation is \$123,073.00. County participation balance will be funded through bond funds. County Auditor stated that if there were a problem using bond funds they would address it later. (\$15,000.00 was previously approved on 09/15/15). Motion carried.

8. AMENDMENT APPROVED – LEASE AGREEMENT – CONROE-NORTH HOUSTON REGIONAL AIRPORT

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve an Amendment to Lease Agreement between United States of America and Montgomery County for a Helicopter Apron Expansion and other uses. Motion carried.

9. REQUEST APPROVED – AUDIO VISUAL SYSTEM UPGRADE – INFORMATION TECHNOLOGY

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve obtaining financing of approximately \$526,184.00 for the upgrade of the audio video systems in seven remaining courtrooms. This will be repaid from budgeted funds in 503-75985820 with \$109,386.12 due annually for five years. Motion carried.

10. PURCHASE APPROVED – GENERATOR AND TRANSFER SWITCH – BUILDING MAINTENANCE – INFORMATION TECHNOLOGY

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the purchase of one (1) Kohler 230 KW Generator and transfer switches form Loftin Equipment Company, Inc. through the Interlocal Agreement with H-GAC Contract #GE02-16 in the amount of \$68,411.00 as authorized by Local Government Code §271.102 for Building Maintenance/IT. Motion carried.

11. AWARD APPROVED – PANTHER BRANCH REHABILITATION – PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve the award for Panther Branch Rehabilitation to Rebel Contractors, Inc., in the amount of \$108,900.00 for Precinct 3. Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 17A: CONSIDER AND APPROVE ESTABLISHING A 45 MPH SPEED LIMIT ON HONEA EGYPT ROAD FROM FM 1488 TO SENDERA RANCH DRIVE.

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

12. REQUEST APPROVED – SPEED LIMIT – PUBLIC HEARING – PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Meador, to establish a 45 MPH speed limit on Honea Egypt Road from FM 1488 to Sendera Ranch Drive. Motion carried.

13. ACTION DEFERRED – NON-CONSENT TOWING – COUNTY ATTORNEY

Motion by Commissioner Clark, seconded by Commissioner Meador, to defer any action regarding the adoption of the Montgomery County Rules and Regulations for Non-Consent Towing and Storage Services until more information is gathered. Motion carried.

Commissioner Riley left the Courtroom.

14. ACTION DEFERRED – ETHICS POLICY – COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Noack, to defer action on County Statement of Ethics Policy. Motion carried.

Commissioner Riley re-entered the Courtroom.

15. GRANT APPROVED – NORTH COUNTY RECYCLE CENTER – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the North County Recycle Center Grant from HGAC in the amount of \$333,283.00 for FY16. Motion carried.

16. AGREEMENT APPROVED – FM 1097 WIDENING – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve an Agreement to acquire right of way for widening of FM 1097 with Texas Department of Transportation CSJ#1259-01-035. Motion carried.

17. REQUEST APPROVED – MONTGOMERY COUNTY SOIL AND WATER CONSERVATION DISTRICT NO. 452 – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve a request by Montgomery County Soil and Water Conservation District No. 452 for annual funding in the amount of \$15,000.00. Motion carried.

18. REQUEST ACCEPTED – EAGLES NEST MINISTRIES – PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Meador, to accept a request from Eagles Nest Ministries of Conroe to continue participation in the Adopt a County Road Program. They are adopting Blake Road. Motion carried.

AGENDA ITEM 19C1 – CONSIDER AND DISCUSS ACTION REGARDING USE OF COUNTY ROADWAYS FOR THE IRONMAN TEXAS 2016 WAS DEFERRED.

19. PUBLIC HEARING DATE APPROVED – SIGNAGE ON WATERWAY SQUARE PLACE – PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve setting a public hearing date of April 12, 2016 to discuss additional signage on Waterway Square Place as follows:

1. Placement on the North side of Waterway Square Place immediately across from the hotel drop off two “Right Only” signs.
2. Placement of Two “Do Not Enter” signs facing east, north and south of Waterway Square Place immediately west of the intersection of Waterway Square Place and Woodloch Court.

3. Placement on the southbound stop sign on Woodloch Court at the intersection with Waterway Square Place a "No Right Turn" sign.
4. Placement on the south side of Waterway Square Place immediately south of the intersection with Woodloch Court a "Left Turn Only" sign.

Motion carried.

20. ACTION DEFERRED – COMMUNITY DEVELOPMENT GRANT – PRECINCT 4

Motion by Commissioner Clark, seconded by Commissioner Meador, to defer action on Resolution authorizing filing of an application for Community Development Grant funding by the East Montgomery County Improvement District (EMCID) to convert existing Tennis Courts in A.V. "Bull" Sallas Park into Basketball Courts. Motion carried.

21. REQUEST APPROVED – JAIL REVIEW COMMITTEE – PRECINCT 4

Motion by Commissioner Clark, seconded by Commissioner Noack, to approve the change membership of the Jail Review Committee by replacing Commissioner Noack with Commissioner Clark. Motion carried.

THE COURT RECESSED FOR SESSION OF THE MONTGOMERY COUNTY TOLL ROAD AUTHORITY.

22. CHANGE ORDER NO. 1 ACCEPTED – GEOTEST ENGINEERING, INC – MONTGOMERY COUNTY TOLL ROAD AUTHORITY

Motion by Commissioner Riley, seconded by Commissioner Meador, to accept Change Order No. 1 to contract with Geotest Engineering, Inc. and Montgomery County Toll Road Authority to provide for additional reports at a not to exceed cost of \$37,256.00. Motion carried.

MONTGOMERY COUNTY TOLL ROAD AUTHORITY ADJOURNED.

THE COMMISSIONERS COURT RECONVENED.

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 21A: CONSIDER AND DISCUSS CLAIM NO. U-15-0009. PEREZ/AUTO ACCIDENT/JUVENILE/DOL 11.19.14.(SECTION 551.071)

EXECUTIVE SESSION – AGENDA ITEM 21B: CONSIDER AND DISCUSS CLAIM NO. U-15-0064. LOPEZ/AUTO ACCIDENT/BUILDING MAINTENANCE/DOL 6.19.15. (SECTION 551.071)

EXECUTIVE SESSION – AGENDA ITEM 21C: CONSIDER AND DISCUSS ISSUES RELATING TO MONTGOMERY COUNTY SHERIFF'S SUBSTATION. (SECTION 551.071)

EXECUTIVE SESSION – AGENDA ITEM 21D: CONSIDER AND DISCUSS CAUSE NO. 4:13-CV-02795; CLAIM NO. D-11-0118; PERLA CARR V.

MONTGOMERY COUNTY, ET AL.; IN THE UNITED STATES DISTRICT
COURT-SOUTHERN DISTRICT-HOUSTON DIVISION. (SECTION 551.071)

COMMISSIONERS COURT RECONVENED WITH ALL MEMBERS PRESENT.

23. RESOLUTION AND ORDER APPROVED – CLAIM NO. U-15-0009 – EXECUTIVE
SESSION

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve a Resolution and Order supporting the need for the Montgomery County Attorney's Office to investigate, prosecute, settle and release as necessary and appropriate, on behalf of Montgomery County, claims under Claim No. U-15-0009 relating to an auto accident occurring November 19, 2014 involving Sandra Perez and a county owned vehicle. The Montgomery County Attorney is authorized to incur expenses as necessary. Motion carried.

24. RESOLUTION AND ORDER APPROVED – CLAIM NO. U-15-0064 – EXECUTIVE
SESSION

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve a Resolution and Order supporting the need for the Montgomery County Attorney's Office to investigate, prosecute, settle and release as necessary and appropriate, on behalf of Montgomery County, claims under Claim No. U-15-0064 relating to an auto accident occurring June 19, 2015 and a county property. The Montgomery County Attorney is authorized to incur expenses as necessary. Motion carried.

25. RESOLUTION AND ORDER APPROVED – CLAIM NO. D-11-0118 – EXECUTIVE
SESSION

Motion by Commissioner Clark, seconded by Commissioner Noack, to approve a Resolution and Order for the substitution of the modified Release of All Claims, as substitution for the prior release in this claim approved December 22, 2015 signed by Perla Carr in the lawsuit filed under Cause No. 4:13-cv-2795 and styled Perla Carr v. Montgomery County, Texas, et al; In the United States District Court for the Southern District of Texas, Houston Division. The County Auditor is ordered to issue checks in accordance with the modified full release of all claims with funding from Line number 40220-76573. Motion carried.

AGENDA ITEM 23 – CITIZENS

John Wehunt addressed the court concerning the widening of Old Conroe Road. He does not want it widened to a four or 6 lane road as outlined in the Montgomery County Thoroughfare Plan.

Charles and Rachel Stella addressed the court concerning the noise ordinance. They would like the Sheriff's office to enforce it at the gun range next to their property in Post Oak Forest Subdivision.

AGENDA ITEM 24 – MISCELLANEOUS

Commissioner Clark gave an update on the Animal Shelter. He announced that Dr. Todd Hayden would be the new director of the Animal Shelter.

26. COURT ADJOURNS

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

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

ATTEST:

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

BY: Mark Turnbull
COUNTY CLERK

Craig Doyle
COUNTY JUDGE

