

COMMISSIONERS COURT DOCKET
August 9, 2016
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 9th day of August, 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 2 | Charlie Riley |
| Commissioner, Precinct 3 | James Noack |
| Commissioner, Precinct 4 | Jim Clark |
| Also County Clerk's Office | Amber Twiddy |

ABSENT:

| | |
|--------------------------|-------------|
| Commissioner, Precinct 1 | Mike Meador |
|--------------------------|-------------|

INVOCATION GIVEN BY Jerilyn Williams

THE PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA RECITED.

THE PLEDGE OF ALLEGIANCE TO THE TEXAS STATE FLAG RECITED.

JUDGE DOYAL ADDRESSED THE COURT AND THANKED THOSE WHO HAVE SUPPORTED HIM DURING RECENTS EVENTS.

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

1. COMMISSIONERS COURT AGENDA APPROVED.

Motion by Commissioner Clark, seconded by Commissioner Riley, to approve Commissioners Court Agenda for discussion and necessary action. Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE TAX RATE.

Eric Yollick addressed the court concerning the budget hearings. He did not agree that citizens were not allowed to address the court during budget hearings.

Bill O'Sullivan addressed the court concerning the Budget. He would like the same percentage paid for road and bridges annual and to use those funds for roads and bridges only. He would like certain benefits to be phased out for new employee.

Judge Doyal addressed the budget and spoke about Capital fund, law enforcement and roads.

Commissioner Noack thanked the Judge for his comments and agreed with him on his comments.

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

2. PUBLIC HEARINGS SCHEDULED – DISCUSS AND VOTE ON TAX RATE – COUNTY JUDGE

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve the following dates for public meetings held in the Sadler Building to discuss and vote on the tax rate:

- Discussion: August 23, 2016 at 9:30 a.m.
- Vote: September 6, 2016 at 9:00 a.m.

Motion carried.

THE PUBLIC HEARING WAS CONCLUDED AND COMMISSIONERS COURT RECONVENED.

3. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the Minutes from Regular Session of Commissioners Court dated July 25, 2016. Motion carried.

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

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

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

A2. BUDGET AMENDMENTS FY16 APPROVED:

- 9th District Court: To fund copier and printer rental and courtroom and office furniture for the 9th District Court as approved M4 and M6/07.25.16.
- Building Maintenance: To fund purchase of carpet for the 9th District Courtroom and Offices as approved M5/07.25.16 and fund purchase for the Courthouse Mailroom as approved M17/07.25.16.
- Commissioner Precinct 1: To adjust line items and fund new position 612-4213-2, effective 08.01.16 approved M28/07.25.16.
- Commissioner Precinct 2: To adjust line items.
- Commissioner Precinct 3: To adjust line items and recognize and allocate revenue.
- Commissioner Precinct 4: To adjust line items.
- Constable Precinct 2: To adjust line items and recognize and allocate revenue.
- Constable Precinct 3: To recognize and allocate revenue and adjust budget lines.
- Constable Precinct 4: To recognize and allocate revenue.
- Constable Precinct 5: To correct budget amendment approved M6/05.10.16.

- k. County/District Court Technology Fund: To fund purchase of two iPads, one for 9th District Court and one for 221st District Court as approved M15/07.25.16.
- l. Court Reporter Services Fund: To recognize and allocate revenue.
- m. District Attorney: To reverse budget amendment approved M3/12.08.15 position was not needed, transfer funds for VPN token, and adjust budget lines.
- n. Emergency Management: To adjust line items.
- o. FEMA-DR-4269-TX: To set-up initial budget for April severe weather, correct original budget set-up and to set-up additional budget for April Severe Weather.
- p. FEMA-DR-4272-TX: To set-up initial budget for May severe weather.
- q. Justice Court Technology Fund: To fund registration fee and travel expense for the NETDATA User's Conference as approved M3/07.12.16.
- r. Law Library Fund: To adjust line items.
- s. MCCD: To adjust line items and adjust line items for Mission NE per amendment to Consolidated Action Plan M21/10.27.15.
- t. Sheriff: To adjust line items, recognize and allocate revenue, and recognize and allocate revenue from 06.13.16 auction.
- u. Sheriff-Auto Theft: To adjust line items.
- v. Sheriff-MOCONET: To increase SO MOCONET as awarded by HSI M3/07.25.16.

TAX ASSESSOR/COLLECTOR – AGENDA ITEM 8B1

- B1. ACCEPTANCE ACKNOWLEDGED of Surety Bond #RSB2005529 for Willis Business Inc. dba Willis Supermarket in the amount of \$25,000.00. Montgomery County has no responsibility for payment of this bond.

PURCHASING – AGENDA ITEMS 8C1-16

- C1. RENEWAL OPTIONS APPROVED for the following:
 - a. Mosquito aerial spraying and ground mosquito surveillance and control with Vector Disease Control, Inc. and include the name change to Vector Disease Control International, LLC for Various Departments. (Exercising the first of three renewal options)
 - b. Additional concrete road repair for existing roads and replacing concrete curbs with each of the following vendors: JM Sales & Service, Inc. and Rebel Contractors, Inc. for Various Precincts. (Exercising the first of three renewal options)
 - c. Service for supplying periodicals with W T Cox Information Services for Central Library. (Exercising the fifth of six renewal options)

- d. Asphaltic concrete patching mat'l p/u & delivered with each of the following vendors: Waller County Asphalt, Inc. and Pavers Supply Company for Various Precincts. (Exercising the first of two renewal options)
 - e. Heavy duty equipment rental with R. B. Everett & Company for Precinct 4. (Exercising the second of five renewal options)
 - f. General signage with Farrz, Inc. dba FastSigns #13301 for Various Departments. (Exercising the second of five renewal options)
 - g. Maintenance and upgrades of existing audio/visual systems and/or new installations with Ford Audio-Video Systems, LLC for Various Departments. (Exercising the fourth of five renewal options)
- C2. ADVERTISING APPROVED for the following:
- a. Traffic signal installation plans for Fish Creek Thoroughfare at Woodforest Parkway South for Precinct 2.
 - b. RFP - Drug/alcohol screening services for Juvenile/Adult Probation.
- C3. UTILIZATION APPROVED of the following contracts:
- a. Disaster restoration & recovery services through the Interlocal Agreement with the Region 5 Education Service Center Contract #20160403 with D&T Contracting, LP as authorized by local government code §271.102 for Various Departments.
 - b. Maintenance and operations for electrical parts and supplies through the Interlocal Agreement with the Region 6 Education Service Center Contract/RFP #25.16 with Voss Lighting as authorized by local government code §271.102 for Various Departments.
 - c. Idiq commercial HVAC manufacturing, fabrication, maintenance, building automation system service and all other related services through the Interlocal Agreement with Choice Facility Partners a division of Harris County Department Of Education Contract #13/012pb-06 with Gowan, Inc. as authorized by local government code §271.102 for Various Departments.
 - d. Rental of vehicles and related items through the Interlocal Agreement with Harris County Contract #16/0069 with Ean Holdings, Inc. as authorized by local government code §271.102 for Sheriff's Office.
- C4. RESOLUTION AND LETTER OF COMMITMENT APPROVED between Montgomery County and the Region 5 Education Service Center for Southeast Texas Cooperative Purchasing Organization for goods and services as authorized by local government code §271.102 for Various Departments.
- C5. REQUEST APPROVED rejecting all bids submitted for Precinct 3 bridge rehabilitation project #2016-0057.
- C6. REQUEST APPROVED to authorized the date of 09/15/16 as the cut off for purchasing goods and services with the exception of emergency operational needs for Purchasing.
- C7. CHANGE ORDER NO. 1 APPROVED to Hitouch Business Services, LLC dba Myofficeproducts, LLC for office/computer/paper supplies and accessories with on-line ordering capabilities for stock number changes and price reductions to miscellaneous items for Various Departments.

- C8. REQUEST APPROVED rescinding the lease agreement for financing of audio visual system equipment with Santander Bank, N.A. for IT. This was previously approved in Commissioners Court 07/25/16.
- C9. DISCRETIONARY EXEMPTION APPROVED for a professional service as authorized by local government code §262.024(a)(4) for:
- a. Engineering services for Richard Road/Hanna Road Traffic Signal from Fisher & Arnold, Inc. in the amount of \$25,000.00 for Precinct 3.
- C10. CHANGE ORDER No. 3 APPROVED to American Fire Protection Group, Inc. dba Mutual Sprinklers/API Systems to include the location of Conroe-North Houston Regional Airport Federal Inspection Station at 2975 Hawthorne Drive Conroe, TX 77303 to the existing Contract for Fire Alarm monitoring for an annual fee of \$420.00/\$35.00 monthly for Various Departments.
- C11. REQUEST APPROVED to declare miscellaneous items as salvage as authorized by local government code §263.152 for Various Departments.
- C12. PROFESSIONAL SERVICES AGREEMENT APPROVED for environmental consulting services from Bay Environmental, Inc. for a total amount not to exceed \$40,000.00 for Various Departments.
- C13. CANCELTION APPROVED of the month to month contract for leased vehicles and related items with EAN Holdings, Inc. effective 08/09/16 for Sheriff's Department.
- C14. PAYMENT AND PERFORMANCE BONDS APPROVED for design-build of metal three sided equipment storage building from Fairweather Group, LLC, bond number EAIC991700001 in the amount of \$118,604.15 for Precinct 1.
- C15. CHANGE ORDER NO. 4 APPROVED to Huffco Services, Inc. for the Montgomery County Lone Star Executive Airport Federal Inspection Station for miscellaneous additions in the amount of \$16,334.99 for Conroe-North Houston Regional Airport.
- C16. LEASE AGREEMENT approved for financing of audio visual system equipment Schedule No. 002 (Contract #004-002873-002) for Various Courts with Santander Bank, N.A. The total amount to be financed is \$241,615.40 with an interest rate of 1.87% for three (3) annual payments in the amount of \$82,350.37 . The first payment is scheduled for 10/30/16. The closing is scheduled for 8/16/16. Financing previously approved in commissioners court 03/08/16 for IT.

RISK MANAGEMENT – AGENDA ITEM 8D1

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

| <u>BOND</u> | <u>NAME/DEPT</u> | <u>AMOUNT</u> | <u>ACTION</u> |
|-------------|---------------------------|---------------|-----------------|
| 61408192 | Enyart, Jason/Const Pct 5 | \$5,000.00 | Renew/Cont Cert |

COMMISSIONERS – AGENDA ITEM 8E1

- E1. PRECINCT 4

- a. CHECK ACCEPTED in the amount of \$1,178.77 from Montgomery County Emergency Services District No. 7 for the purchase of fuel. This is to be deposited into line item No. 615-7926. Check has been forwarded to the Auditor for further processing.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 8F1-4

F1. PRECINCT 2

- a. REQUEST APPROVED from Mid-South Synergy to install a 14.4/24.9kV overhead power line within the right of way of Keenan Cut Off Road.

F2. PRECINCT 3

- a. FULLY EXECUTED LOCAL TRANSPORTATION PROJECT ADVANCE FUNDING AGREEMENT ACKNOWLEDGED for an operation on-system improvement with Texas Department of Transportation for IH-45 And Rayford Road approved in Commissioners Court on January 26, 2016.
- b. FINAL PLAT APPROVED of Montgomery County ESD No 8 Fire Station No 6; 2.246 acres; Montgomery County School Land Survey, A-351.
- c. FINAL PLAT APPROVED of Birnham Woods Drive and Reserve at Harmony; 7.80 acres; Montgomery County School Land Survey, A-351.

F3. PRECINCT 4

- a. PUBLIC HEARING DATE SET of September 13, 2016 to establish All-Way Stop Control at the Walker Road and Moorehead Drive Intersection.
- b. VARIANCE APPROVED to the Montgomery County Flood Plain Management Regulations for the approval of permits for an existing structure at 18044 Split Oak Circle to facilitate the installation of a compliant on-site sewage facility.
- c. FINAL PLAT APPROVED of Circle Oaks, Section Four; 2.059 acres; R.G. Hamlet Survey, A-258.
- d. FINAL PLAT APPROVED of Splendora Estates Block 7, Lot 9 Replat; 3.00 acres; William Wills Survey, A-594.
- e. FINAL PLAT APPROVED of Azalea District, Section 3; 12.202 acres; Erastus Perkins Survey, A-425

F4. ALL PRECINCTS

- a. REQUEST APPROVED from Park Construction to move heavy equipment across various county roads. These permits (2) will expire October 26, 2016 and November 20, 2016.

HUMAN RESOURCES – AGENDA ITEM 8G1

G1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of Animal Shelter to accept the resignation of William Baker, Kennel Technician, effective July 9, 2016. [No benefits due]

Request of Animal Shelter to accept the resignation of Samantha Blondin, Supervisor-Kennel, effective July 28, 2016. [No benefits due]

Request of Animal Shelter to place Brittney Davis, Kennel Technician, on payroll as replacement for Taylor Tolbert, effective July 25, 2016.

Request of Animal Shelter to accept the resignation of Aaron Gibson, Kennel Technician, effective July 29, 2016. [No benefits due]

Request of Animal Shelter to change status of Emma Isaacks, Vet Technician, from part-time to full-time as replacement for Michelle Plunkett, effective August 2, 2016.

Request of Animal Shelter to discharge Jacob Luce, Kennel Technician, effective July 12, 2016. [No benefits due]

Request of Animal Shelter to accept the resignation of Michelle Plunkett, Vet Technician, effective July 29, 2016. [No benefits due]

Request of Animal Shelter to place Brian Robeson, Kennel Technician, on payroll, effective July 23, 2016.

Request of Animal Shelter to promote Matthew Segari, Supervisor-Kennel, as replacement for Samantha Blondin, effective July 29, 2016.

Request of Animal Shelter to place Robert Von Kamp, Kennel Technician, on payroll as replacement for Jason Roquemore, effective July 28, 2016.

Request of Custodial to place Vanessa Aguilar, Custodian, on payroll as replacement for Wendy Salinas, effective July 25, 2016.

Request of Custodial to increase salary of Estella Montes, Custodian, due to completion of probationary period, effective July 25, 2016.

Request of Custodial to place Josue Polio, Custodian, on payroll as replacement Jose Amparo Quezada, effective August 1, 2016.

Request of Custodial to increase salary of Autumn R. Trott, Custodian, due to completion of probationary period, effective July 25, 2016.

Request of Commissioner Precinct 1 to place Porfirio Hinojosa Jr., Laborer, on payroll, effective July 18, 2016.

Request of Commissioner Precinct 1 to increase salary of Toby W. Mathis, Operator I, due to completion of probationary period, effective August 24, 2016.

Request of Commissioner Precinct 1 to accept the retirement of Frank Viniarski Jr., Foreman, effective August 31, 2016. [291.19 hours or balance vacation; 240.00 hours or balance compensatory time; 16.00 hours or balance holiday]

Request of Commissioner Precinct 2 to place John Wayne Isam, Operator I, on payroll as replacement for Tyler Cole, effective July 19, 2016.

Request of Commissioner Precinct 3 to change salary of Christopher Dempsey, Operator I, due to equity adjustment, effective August 13, 2016.

Request of Commissioner Precinct 3 to transfer Raymel Stevenson, Foreman, as replacement for Justin Fausek, effective August 13, 2016.

Request of Constable Precinct 1 to correct longevity pay of Daniel B. Cain Jr., Lieutenant, effective August 13, 2016.

Request of Constable Precinct 1 to correct longevity pay of Stephen Closson, Sergeant, effective August 13, 2016.

Request of Constable Precinct 1 to correct longevity pay of Jerry A. Durrenberger, Deputy, effective August 13, 2016.

Request of Constable Precinct 1 to correct longevity pay of Russell B. Fincher, Captain, effective August 13, 2016.

Request of Constable Precinct 1 to correct longevity pay of Wesley A. Mack, Lieutenant, effective August 13, 2016.

Request of Constable Precinct 2 to correct longevity pay of Larry R. Bonds, Sergeant Constable, effective August 13, 2016.

Request of Constable Precinct 2 to accept the resignation of Tilton Ray Cunningham Jr., Deputy Constable, effective August 8, 2016. [4.59 hours or balance vacation]

Request of Constable Precinct 2 to correct longevity pay of Willie Lee Gladden Jr., Lieutenant Constable, effective August 13, 2016.

Request of Constable Precinct 2 to correct longevity pay of Charles Stephen Roper, Chief Deputy-Constable, effective August 13, 2016.

Request of Constable Precinct 3 to accept the resignation of Biff Knight, Deputy Constable, effective July 29, 2016. [18.52 hours or balance vacation; 5.50 hours or balance compensatory]

Request of Constable Precinct 3 to correct longevity pay of Tony Madison, Deputy Constable, effective August 13, 2016.

Request of Constable Precinct 3 to place Eric Runyon, Ivestigator II, on payroll, effective August 13, 2016.

Request of Constable Precinct 4 to correct longevity pay of Buck Clendennen, Lieutenant-Constable, effective August 13, 2016.

Request of Constable Precinct 4 to correct longevity pay of Barry Welch, Chief Deputy Constable, effective August 13, 2016.

Request of Constable Precinct 4 to correct longevity pay of Ronald Willingham, Sergeant Constable, effective August 13, 2016.

Request of Constable Precinct 5 to discharge Charlotte Marie Hopkins, Deputy-Constable, effective August 1, 2016. [No benefits due]

Request of Constable Precinct 5 to correct longevity pay of William R. Masden, Lieutenant Constable, effective August 13, 2016.

Request of County Auditor to place Victoria Megan Christian, Accounts Payable Assistant, on payroll as replacement for Susan Bingham, effective August 1, 2016.

Request of County Auditor to place Dana Moe, General Ledger Assistant, on payroll as replacement for Diane Ward Williams, effective July 25, 2016.

Request of District Attorney to accept the resignation of Parsa Zadeh Baghalian, Intern, effective August 5, 2016. [No benefits due]

Request of District Attorney to place Jacqueline Bello, Intern, on payroll as replacement for Parsa Baghalian, effective August 8, 2016.

Request of District Attorney to place Erin Michelle Femea, Legal Assistant II, on Unpaid FMLA/Disability Leave, effective July 22, 2016.

Request of District Attorney to place Erin Michelle Femea, Legal Assistant II, on payroll due to Return from Unpaid FMLA/Disability Leave, effective August 17, 2016.

Request of District Attorney to place Anthony R. Franklyn, Attorney I, on payroll as replacement for Taylor E. Stoechner, effective August 3, 2016.

Request of District Attorney to accept the resignation of Tami Gayle Hall, Court Clerk IV (Media Clerk), effective August 12, 2016. [38.02 hours or balance vacation]

Request of District Attorney to place Jordyn Siecko, Legal Assistant I, on payroll as replacement for Lyndsee Speakmon, effective July 25, 2016.

Request of District Clerk to place Alyssa Drake, Part time Clerk, on payroll as replacement for Willard Hutson, effective August 1, 2016.

Request of District Clerk to increase salary of Tracy Hutchison, Court Clerk IV, due to completion of probationary period, effective August 1, 2016.

Request of District Clerk to increase salary of Colleen Lawyer, Legal Assistant II, due to completion of probationary period, effective August 1, 2016.

Request of District Clerk to accept the resignation of Linda Ray, Part time Clerk, effective July 29, 2016. [No benefits due]

Request of Elections to accept the resignation of Adrienne Cadik, Voter Clerk, effective August 13, 2016. [No benefits due]

Request of Elections to place Sheryl Chambers, Voter Clerk, on payroll, effective August 13, 2016.

Request of Elections to place Dianne Emler, Voter Clerk, on payroll, effective August 13, 2016.

Request of Elections to accept the resignation of Edward Forsley, Voter Clerk, effective August 13, 2016. [No benefits due]

Request of Elections to accept the resignation of Janet Holt, Voter Clerk, effective August 13, 2016. [No benefits due]

Request of Elections to place Luz Nashilli Martinez Trigalet, Voter Clerk, on payroll, effective August 13, 2016.

Request of Elections to place Betsy Meyer, Voter Clerk, on payroll, effective July 30, 2016.

Request of Elections to accept the resignation of John Quayle, Voter Clerk, effective August 13, 2016. [No benefits due]

Request of Elections to accept the resignation of Joseph Regel, Voter Clerk, effective August 13, 2016. [No benefits due]

Request of Elections to accept the resignation of Leslie Rosenblatt, Voter Clerk, effective August 13, 2016. [No benefits due]

Request of Elections to place Estela Sanchez, Voter Clerk, on payroll, effective August 13, 2016.

Request of Elections to place Rosalind Shaw, Voter Clerk, on payroll, effective August 13, 2016.

Request of Elections to remove Sue Sims, Voter Clerk, from payroll (deceased), effective August 13, 2016. [No benefits due]

Request of Elections to promote Sherry A. Spaulding, Administrative Assistant II, as replacement for Gary Audas Jr., effective July 30, 2016.

Request of Elections to place Dorette Ward, Voter Clerk, on payroll, effective August 13, 2016.

Request of Elections to place Griffin Winkworth, Voter Clerk, on payroll, effective August 13, 2016.

Request of Forensic Services to place Kathryn Pinneri, Director-Forensic Services, on payroll as replacement for Karen Ross, effective August 1, 2016.

Request of Justice Court 4 to transfer Kemberly Land, Court Clerk II, as replacement for Pamela Minchew, effective July 16, 2016.

Request of Juvenile to accept the resignation of Jason Alan Deavours, Juvenile Probation Officer, effective July 29, 2016. Is eligible for re-hire. [14.35 hours or balance vacation]

Request of Juvenile to correct PCR, approved 7-25-2016, of Betty Jo Harbour, Juvenile Supervision Officer, to have an effective date of July 23, 2016.

Request of Library to promote Amber N. Fritschel-Manolovitz, Librarian III, as replacement for Donna Dzierlenga, effective August 23, 2016.

Request of Library to accept the resignation of Tomas Pena, Shelving Clerk, effective August 11, 2016. [No benefits due]

Request of Library to accept the retirement of Eva C. Rains, Library Assistant II, effective August 31, 2016. [187.96 hours or balance vacation]

Request of Risk Management to transfer Bianca Castaneda, Risk Analyst, from Airport, as replacement for Patricia McWilliams, effective August 8, 2016.

Request of Sheriff to accept the resignation of Tristan Aleksick, Officer Civilian Detention, effective July 30, 2016. [33.88 hours or balance vacation; 73.50 hours or balance compensatory time; 32.00 hours or balance holiday]

Request of Sheriff to accept the resignation of Marisa Allen, Officer Civilian Detention, effective July 22, 2016. [No benefits due]

Request of Sheriff to correct longevity pay of David Borchardt, Corporal-Training, effective July 30, 2016.

Request of Sheriff to correct longevity pay of Federico Cano, Deputy Patrol, effective July 30, 2016.

Request of Sheriff to place Nicholas Gilsdorf, Mechanic III, on payroll as replacement for Douglas Ware, effective July 30, 2016.

Request of Sheriff to accept the resignation of Ramnpreet Kaur, Clerk IV-Records, effective July 29, 2016. [No benefits due]

Request of Sheriff to place Natalie Miguel, Clerk IV CJR, on payroll as replacement for Norma Porter, effective July 30, 2016.

Request of Sheriff to promote John Schmitt, Lieutenant-CID, as replacement for Daniel Zientek, effective July 30, 2016.

Request of Sheriff to accept the resignation of Caleb Shaw, Officer Civilian Detention, effective August 12, 2016. [255.12 hours or balance vacation; 373.13 hours or balance compensatory time; 40.00 hours or balance holiday]

Request of Sheriff to place Ricardo M. Uresti III, Officer Civilian Detention, on payroll as replacement for Christopher Buehl, effective August 6, 2016.

Request of Tax Assessor to place Lisa Copas, Deputy Specialist I, on payroll as replacement for Tisa Williams, effective August 15, 2016.

Request of Tax Assessor to place Joni Stanley, Deputy Specialist I, on payroll as replacement for Sujey Mendoza, effective August 8, 2016.

ENVIRONMENTAL HEALTH – AGENDA ITEMS 8H1-8

- H1. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 24122 Baneberry Road Magnolia, Texas 77355.
- H2. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 16485 Westwood Drive Conroe, Texas 77302.
- H3. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 14882 North Gingham Road Montgomery, Texas 77356.

- H4. ORDER APPROVED for demolition on the following property that is abandoned, deemed unsafe, or unlivable:

- Precinct 2
Lot 25, Block 10, of Lake Bonanza, Sec 1

The estimated cost is \$3,800.00 and will be funded by CDBG.

- H5. ORDER APPROVED for demolition on the following property that is abandoned, deemed unsafe, or unlivable:

- Precinct 4
11055 Royal Circle, Cleveland, Texas 77328

The estimated cost is \$4,000.00 and will be funded by CDBG.

- H6. REQUEST APPROVED for the Order Assessing Cost of Abating Nuisance and Notice of Lien to be filed in Real Property Records to recover cost to the county for demolition for abate nuisance for the property located at 31902 S. Wiggins Street, Magnolia, Texas 77355.

- H7. REQUEST APPROVED and CHECK ACCEPTED in the amount of \$3,357.36 for the Order to Release Lien and Acknowledge Receipt of Check to be filed in Real Property Records to cover the cost to the County for the demolition of a public nuisance. Total cost of lien has been met for the following property:

- 23522 W. Heritage Oaks Drive, Porter, Texas 77365

Check has been forwarded to auditor for further processing.

- H8. REQUEST APPROVED and CHECK ACCEPTED in the amount of \$8,514.17 for the Order to Release Lien and Acknowledge Receipt of Check to be filed in Real Property Records to cover the cost to the County for the demolition of a public nuisance. Total cost of lien has been met for the following property:

- 23522 W. Heritage Oaks Drive, Porter, Texas 77365

Check has been forwarded to auditor for further processing.

SHERIFF – AGENDA ITEMS 8I1-2

- II. REQUEST APPROVED to increase the base salary of Civilian Detention Officer (salary grade 9) to equal the base salary of a dispatcher (salary grade 9). The increase in position funding affects 165 Detention Officer Position and Human Resources has approved the increase. Funding will be pulled from excess position funding (\$9,555.09) and returned salary sweep (\$19,657.93) as per list on file.

12. LAW ENFORCEMENT AGENCY APPLICATION RATIFIED for participation between the State of Texas and Montgomery County Sheriff Department with respect to excess Department of Defense (DOD) Personal Property transferred pursuant to 10 USC §2576a in order to promote the efficient and expeditious transfer of property to ensure accountability of the same.

COUNTY ATTORNEY – REAL PROPERTY - AGENDA ITEMS 8J1-2

J1. PRECINCT 1

- a. ORDER APPROVED authorizing notice of public hearing under local government code 232.009(c-1) for the revision to subdivision lots/plats known as lots 4 and 5, block 2 of The Estates, to be known as The Estates, Partial Replat No. 1. The public hearing is set for September 13, 2016.

J2. PRECINCT 3

- a. RESOLUTION AND ORDER TO PAY APPROVED for acquisition of the following for the Rayford Road Expansion Project:

1. Parcel 1 A&B from Siena Vista Homeowners Association, Inc. for the total sum of \$28,281.26

The Memorandum of Agreement for the parcel listed is approved as well as the purchase and funding of the acquisition of the parcel. Commissioner James Noack and/or B.D. Griffin, Assistant County Attorney, are authorized to approve the deed and to execute the closing statements and all other documents necessary to effect the acquisitions. County Auditor and County Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to WFG National Title Co. for the benefit of Siena Vista Homeowners Association, Inc. in the amount listed above.

- b. RESOLUTION AND ORDER TO PAY APPROVED for acquisition of the following for the Rayford Road Expansion Project:

1. Parcel 7 from Kathryn Aldridge for the total sum of \$6,318.26

The Memorandum of Agreement for the parcel listed is approved as well as the purchase and funding of the acquisition of the parcel. Commissioner James Noack and/or B.D. Griffin, Assistant County Attorney, are authorized to approve the deed and to execute the closing statements and all other documents necessary to effect the acquisitions. County Auditor and County Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to WFG National Title Co. for the benefit of Kathryn Aldridge in the amount listed above.

- c. RESOLUTION AND ORDER TO PAY APPROVED for acquisition of the following for the Rayford Road Expansion Project:

1. Parcel 8 from Kathryn Aldridge for the total sum of \$71,003.43

The Memorandum of Agreement for the parcel listed is approved as well as the purchase and funding of the acquisition of the parcel. Commissioner James Noack and/or B.D. Griffin, Assistant County Attorney, are authorized to approve the deed and to execute the closing statements and all other documents necessary to effect the acquisitions. County Auditor and County Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to WFG National Title Co. for the benefit of Kathryn Aldridge in the amount listed above.

- d. RESOLUTION AND ORDER TO PAY APPROVED for acquisition of the following for the Rayford Road Expansion Project:

1. Parcel 13 from Milstead Real Estate, Ltd. for the total sum of \$29,176.26

The Memorandum of Agreement for the parcel listed is approved as well as the purchase and funding of the acquisition of the parcel. Commissioner James Noack and/or B.D. Griffin, Assistant County Attorney, are authorized to approve the deed and to execute the closing statements and all other documents necessary to effect the acquisitions. County Auditor and County Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to WFG National Title Co. for the benefit of Milstead Real Estate, Ltd. in the amount listed above.

- e. RESOLUTION AND ORDER TO PAY APPROVED for acquisition of the following for the Rayford Road Expansion Project:

1. Parcel 17 from Dick Milstead for the total sum of \$71,487.52

The Memorandum of Agreement for the parcel listed is approved as well as the purchase and funding of the acquisition of the parcel. Commissioner James Noack and/or B.D. Griffin, Assistant County Attorney, are authorized to approve the deed and to execute the closing statements and all other documents necessary to effect the acquisitions. County Auditor and County Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to WFG National Title Co. for the benefit of Dick Milstead in the amount listed above.

- f. RESOLUTION AND ORDER TO PAY APPROVED for acquisition of the following for the Rayford Road Expansion Project:

1. Parcel 49 from Abigail Fannin and Robert J. Fannin for the total sum of \$1,664.52.

The Memorandum of Agreement for the parcel listed is approved as well as the purchase and funding of the acquisition of the parcel. Commissioner James Noack and/or B.D. Griffin, Assistant County Attorney, are authorized to approve the deed and to execute the closing statements and all other documents necessary to effect the acquisitions. County Auditor and County Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to WFG National Title Co. for the benefit of Abigail Fannin and Robert J. Fannin in the amount listed above.

- g. RESOLUTION AND ORDER TO PAY APPROVED for acquisition of the following for the Rayford Road Expansion Project:

1. Parcel 58 from R & Y Interests, Ltd. for the total sum of \$128,252.52.

The Memorandum of Agreement for the parcel listed is approved as well as the purchase and funding of the acquisition of the parcel. Commissioner James Noack and/or B.D. Griffin, Assistant County Attorney, are authorized to approve the deed and to execute the closing statements and all other documents necessary to effect the acquisitions. County Auditor and County Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018 to WFG National Title Co. for the benefit of R & Y Interests, Ltd. in the amount listed above.

- h. RESOLUTION AND ORDER TO PAY APPROVED for the funding of Housing Supplement in connection with the lease of a replacement dwelling

relating to the acquisition of Parcel 5, Lot 13 of the expansion of Rayford Road from Javier Soto in the amount of \$1,900.00. County Auditor and Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018.

- i. RESOLUTION AND ORDER TO PAY APPROVED for the funding of Incidental Expenses relating to the acquisition of Parcel 42 of the expansion of Rayford Road from Keith Madison and Linda Madison in the amount of \$2,650.00. County Auditor and Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018.
- j. RESOLUTION AND ORDER TO PAY APPROVED for the funding of Incidental Expenses relating to the acquisition of Parcel 40 of the expansion of Rayford Road from Rebecca Calmes in the amount of \$3,767.25. County Auditor and Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018.
- k. RESOLUTION AND ORDER TO PAY APPROVED for the funding of Incidental Expenses relating to the acquisition of Parcel 51 of the expansion of Rayford Road from Billie Jo Hyer and Larry Booth in the amount of \$3,150.36. County Auditor and Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018.
- l. RESOLUTION AND ORDER TO PAY APPROVED for the funding of Housing Supplement in connection with the lease of a replacement dwelling relating to the acquisition of Parcel 5, Lot 13 of the expansion of Rayford Road from Javier Soto in the amount of \$8,106.00. County Auditor and Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018.
- m. RESOLUTION AND ORDER TO PAY APPROVED for funding of Replacement Housing Supplement Expenses relating to the acquisition of Parcel 5, Lot 18 of the expansion of Rayford Road from James and Marilyn Sulzer in the amount of \$2,490.00. County Auditor and Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018.
- n. RESOLUTION AND ORDER TO PAY APPROVED for funding of Replacement Housing Supplement Expenses relating to the acquisition of Parcel 41 of the expansion of Rayford Road from Kevin Boney in the amount of \$27,940.00. County Auditor and Treasurer are authorized to issue payment from line item 6144014-75985827 and project code RD300018.
- o. APPRAISAL ACCEPTED of 2.69 acres, more or less of vacant land located approximately 1800' east of I-45 and 500' north of Spring Creek in the C.F. Baumlin Survey, A-105, Montgomery County, Texas with fair market value of \$17,500.00.

COUNTY ATTORNEY – MENTAL HEALTH TREATMENT FACILITY – AGENDA ITEMS
8K1-3

- K1. MINUTES ACCEPTED of the June 21, 2016 Montgomery County Mental Health Treatment Facility (MCMHTF) Advisory Board Meeting.
- K2. MONTHLY PERFORMANCE INDICATOR REPORT ACCEPTED for June 2016 as recommended by Montgomery County Mental Health Treatment Facility Advisory Board.

- K3. REQUEST APPROVED to accept Ursula Avilus, RN, MSN and BSW as Director of Nursing for the vacated position by Robert Stan Lentz, RN, MS as recommended by the Executive Management Group (EMG) to the Advisory Board.

DISTRICT CLERK – AGENDA ITEM 8L1

- L1. DEPUTATION APPROVED of Alyssa Drake.

CONROE NORTH HOUSTON REGIONAL AIRPORT – AGENDA ITEMS 8M1-3

- M1. RESOLUTION APPROVED to support and consent to the Sublease between D.R. Packard aka Diane R. Pierce as sublessor and Robert Cunningham and Mary Cunningham as sublessee for 0.617 acre tract of land located at the Conroe-North Houston Regional Airport.
- M2. RESOLUTION AND ORDER APPROVED to approve the USDA Animal and Plant Health Inspection Service Compliance Agreement and Scott Smith Airport Director is authorized to complete and execute the Agreement on behalf of Montgomery County.
- M3. DONATION ACCEPTED to the Airport of a 330 gallon chemical tote valued at about \$150.00 from a County resident.

CONSTABLE PRECINCT 1 – AGENDA ITEM 8N1

- N1. DONATION ACCEPTED of check No. 3543 in the amount of \$30,000.00 from a county resident to be placed into account 5511-7573. Check has been forwarded to the Auditor for further processing.

CONSTABLE PRECINCT 4 – AGENDA ITEM 8O1

- O1. DONATION ACCEPTED from Paul and Vickie McGhee in the amount of \$400.00. Funds will be placed into 5541.7390. Check has been forwarded to the Auditor for further processing.

COUNTY JUDGE – AGENDA ITEM 8P1

- P1. REAPPOINTMENTS APPROVED of Janet Qureshi and Richard Duren to the Tri-County Behavioral Healthcare Board of Trustees for another two year term expiring August 31, 2018.

Motion carried.

END OF CONSENT AGENDA

CITIZENS – AGENDA ITEM 10

Bill O'Sullivan addressed the court concerning pay raises. He would like to see a different process for approving raises.

Nancy Shaddix addressed the court concerning flooding in Big Tree Estates and a lawsuit against a neighbor who built their property up.

5. SALARY STUDY ACCEPTED – ELECTED OFFICIALS – COUNTY JUDGE

Motion by Commissioner Clark, seconded by Commissioner Riley, to accept the Official Salary Study from the findings of The Citizen Salary Committee. Motion carried.

AGENDA ITEM 11A – THE COUNTY JUDGE DREW SIX NAMES FROM THE 2015 LIST OF GRAND JURORS TO SERVE ON THE SALARY GRIEVANCE COMMITTEE. THE FOLLOWING NAMES WERE DRAWN:

- PRIMARY:
SUSAN NEVADA
JAMES MCLEOD
YARENIS LEBRON
- ALTERNATES:
SEAN DIAMOND
JACQUELYN QUICK
KAREN B. REISZ

6. FUNDING APPROVED – DRUG COURT – DWI AND DRUG COURT

Motion by Commissioner Riley, seconded by Commissioner Clark, to approve funding for Drug Court through the end of Fiscal Year 16 in the amount of \$100,000.00. This will include a transfer of \$50,000.00 from 46521.7419 to 4652.7419. The County Auditor stated that more grant funds were received than anticipated and the balance will be funded with those grant funds and program fees once those funds are recognized. Motion carried.

7. ORDER OF ELECTION APPROVED – GENERAL ELECTION – ELECTIONS

Motion by Commissioner Clark, seconded by Commissioner Riley, to approve the Order of Election for the November 8, 2016 General Election. Motion carried.

AGENDA ITEM 14A – DR. KATHRYN PINNERI INTRODUCED HERSELF AS THE NEW DIRECTOR OF FORENSIC SERVICES AND THANKED THE COURT FOR THEIR SUPPORT.

8. REQUEST APPROVED – TEMPORARY POSITION – FORENSIC SERVICES

Motion by Commissioner Clark, seconded by Commissioner Noack, to approve the addition of a temporary position for the Forensics Services Department to commence on August 15, 2016. This position would be for a Forensic Lab Technician with a salary of \$20.69/hr that will be funded through attrition. Motion carried.

9. REQUEST APPROVED – FLOORING AND PARTITIONS – LONE STAR CONVENTION CENTER

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the use of Capital Improvement Funding for Fiscal Year 16 in the amount not to exceed \$175,506.00 for flooring and partitions in the Lone Star Convention Center as discussed during the FY2017 Budget Workshop and authorize any carryovers necessary to complete the project. Motion carried.

10. REQUEST APPROVED – CONTRACT NEGOTIATION PROCESS – PRECINCT 1

Motion by Commissioner Clark, seconded by Commissioner Riley, to approve the contract negotiation process with Fairweather Group, LLC for RFQ-Design-Build for North Montgomery County Recycling Facility for Precinct 1. Motion carried.

11. DISCRETIONARY EXEMPTION APPROVED – PROFESSIONAL SERVICE – PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve granting a Discretionary Exemption for professional service as authorized by Local Government Code §262.024(a)(4) for Engineering Services for Woodlands Parkway Widening from LJA Engineering, Inc. in the amount of \$174,950.00 for Precinct 3. Motion carried.

12. AWARD APPROVED – DEMOLITION AND SITE CLEARING – PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the award to Nash Industries, Inc. for demolition and site clearing of homes, Project #2016-0056 for Precinct 3. Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 17A1: CONSIDER AND APPROVE PARTIAL REVISION OF LOTS 2, 3, 4 AND 5, BLOCK 1 OF BENTWATER SECTION 60, TO BE KNOWN AS BENTWATER SECTION 60, REPLAT NO. 1.

AGENDA ITEM 17A2: CONSIDER AND APPROVE PARTIAL REVISION OF A PORTION OF LOTS 7 AND 8, RANCHO ESCONDIDO, TO BE KNOWN AS RANCHO ESCONDIDO, PARTIAL REPLAT NO. 1.

AGENDA ITEM 17B1: CONSIDER AND APPROVE PARTIAL REVISION OF LOT 32, BLOCK 3 OF DOGWOOD HILLS SECTION THREE, TO BE KNOWN AS DOGWOOD HILLS SECTION THREE, PARTIAL REPLAT NO. 1

AGENDA ITEM 17C1: CONSIDER AND APPROVE ESTABLISHING "NO PARKING, NO STOPPING, NO STANDING" "MONDAY - FRIDAY 7:15 A.M. - 8:30 A.M. AND 2:45 P.M. - 3:45 P.M." ON BOTH SIDES OF SPRING TRAILS BEND 700 FEET NORTH OF SPRING TRAILS PARK DRIVE AND ON THE NORTH SIDE OF SPRING TRAILS BEND 500 FEET WEST OF SPRING TRAILS PARK DRIVE.

AGENDA ITEM 17D1: CONSIDER AND APPROVE PARTIAL REVISION OF A PART OF LOT 47 OF SHADYDALE SUBDIVISION, TO BE KNOWN AS SPLENDORA DTP ADDITION.

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

13. REQUEST APPROVED – PUBLIC HEARING – PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve establishing "No Parking, No Stopping, No Standing" "Monday - Friday 7:15 a.m. - 8:30 a.m. and 2:45 p.m. - 3:45 p.m." on both sides of Spring Trails Bend 700 feet north of Spring Trails Park Drive and on the north side of Spring Trails Bend 500 feet west of Spring Trails Park Drive. Motion carried.

14. FINAL PLAT APPROVED – RANCHO ESCONDIDO, PARTIAL REPLAT NO. 1 – PRECINCT 1

FINAL PLAT APPROVED – DOGWOOD HILLS SECTION THREE PARTIAL REPLAT NO. 1 – PRECINCT 2

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

- a. Final plat of Rancho Escondido, Partial Replat No. 1; 0.8117 acres; James Edwards Survey, A-190.
- b. Final Plat of Dogwood Hills Section Three Partial Replat No. 1; 2.493 acres; David W. Weir Survey, A-609.

Motion carried.

15. REQUEST APPROVED – OPEN POSITION – COMMISSIONER PRECINCT 1

REQUEST APPROVED – POSITION CHANGES – COMMISSIONER PRECINCT 1

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

- a. Open position 612-2900-07 (Laborer 1) with an annual salary of \$26,000, to be effective August 1, 2016. This will be funded from line item 612-7340 for the current fiscal year.
- b. Close position 612-5604-1 (Mechanic II) and open 612-5606-1 (Mechanic III) with a salary of \$52,062.40. Transfer \$42,505.22 from 612-5604-1 to 612-5606-1. Prorated funding to come from 612-7340.

Close position 612-5604-2 (Mechanic II) and open 612-5606-2 (Mechanic III) with a salary of \$52,312.00. Transfer \$50,324.98 from 612-5604-2 to 612-5606-2. Prorated funding to come from 612-7340.

Close position 612-5604-3 (Mechanic II) and open 612-5606-3 (Mechanic III) with a salary of \$52,062.40. Transfer \$44,861.86 from 612-5604-3 to 612-5606-3. Prorated funding to come from 612-7340.

Motion carried.

16. REQUEST APPROVED – OPEN POSITIONS – COMMISSIONER PRECINCT 3

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

- a. Consider and approve opening position (614-5604-2) (Mechanic II) with an annual salary of (\$43,000.00) (plus benefits), effective 8/13/2016. Prorated funding to come from 614-7598.

Consider and approve opening position (614-2900-1) (Laborer) with an annual salary of (\$24,000.00) (plus benefits), effective 8/13/2016. Prorated funding to come from 614-7598.

Consider and approve opening position (614-3404-4) (Superintendent) with an annual salary of (\$57,000.00) plus cell allowance (840.06) (plus benefits), effective 8/13/2016. Prorated funding to come from 614-7598.

Consider and approve opening position (614-3201-12) (Operator) with an annual salary of (\$33,000.00) (plus benefits), effective 8/13/2016. Prorated funding to come from 614-7598.

Consider and approve opening position (614-3201-13) (Operator) with an annual salary of (\$33,000.00) (plus benefits), effective 8/13/2016. Prorated funding to come from 614-7598.

Consider and approve opening position (614-3201-14) (Operator) with an annual salary of (\$33,000.00) (plus benefits), effective 8/13/2016. Prorated funding to come from 614-7598.

Consider and approve opening position (614-3201-15) (Operator) with an annual salary of (\$33,000.00) (plus benefits), effective 8/13/2016. Prorated funding to come from 614-7598.

Consider and approve opening position (61485-9512-1) (Director – Spring Creek Nature Center) with an annual salary of (\$68,000.00) plus cell allowance (\$840.06) (plus benefits), effective 8/13/2016. Prorated funding to come from 614-7598.

Transfer \$2,500.00 from Major Projects 614-7598 to position 614-4810-4 (Foreman) and \$150.00 from Major Projects 614-7598 to position 614-8304-1 (Coordinator - Facilities).

Motion carried.

17. PAYROLL CHANGE REQUEST FORMS APPROVED – HUMAN RESOURCES

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

Request of Commissioner Precinct 1 to promote John G. Compton, Mechanic III, effective August 1, 2016.

Request of Commissioner Precinct 1 to promote Melvin A. Erickson, Mechanic III, effective August 1, 2016.

Request of Commissioner Precinct 1 to place Shane Allan Strozier, Laborer, on payroll, effective August 1, 2016.

Request of Commissioner Precinct 1 to promote Cullen B. Widener, Mechanic III, effective August 1, 2016.

Request of Commissioner Precinct 3 to increase salary of Chad Jamieson, Foreman, due to equity adjustment, effective August 13, 2016.

Request of Commissioner Precinct 3 to transfer Ray Stevenson, Superintendent, effective August 13, 2016.

Request of Commissioner Precinct 3 to transfer Justin Fausek, Director, from Recycle Station-Pct 3 to Spring Creek Greenway N.C., effective August 13, 2016.

Motion carried.

THE COURT RECESSED FOR EXECUTIVE SESSION PURSUANT TO ONE OR MORE OF THE FOLLOWING PROVISIONS OF THE TEXAS GOVERNMENT CODE, TO WIT: CHAPTER 551, SUB-CHAPTER D, ARTICLE 551.071.

EXECUTIVE SESSION – AGENDA ITEM 21A: CONSIDER AND DISCUSS CLAIM NO. U-16-0059, RELATING TO COMMISSIONER, PCT. 2 AND GERALD FRIEDRICHSEN. (SECTION 551.071)

EXECUTIVE SESSION – AGENDA ITEM 21B: CONSIDER AND DISCUSS CLAIM NO. U-16-0069, RELATING TO THE MONTGOMERY COUNTY SHERIFF'S OFFICE AND CIARA SMALLING. (SECTION 551.071)

EXECUTIVE SESSION – AGENDA ITEM 21C: CONSIDER AND DISCUSS CAUSE NO. 14-04-04052-CV, MONTGOMERY COUNTY, TEXAS V. ARTURO T. SILVA, ET AL IN THE 410th DISTRICT COURT OF MONTGOMERY COUNTY, TEXAS. (SECTION 551.071)

COMMISSIONERS COURT RECONVENED WITH ALL MEMBERS PRESENT WITH THE EXCEPTION OF COMMISSION MIKE MEADOR.

18. RESOLUTION AND ORDER APPROVED – CLAIM NO. U-16-0059 – EXECUTIVE SESSION

Motion by Commissioner Riley, seconded by Commissioner Clark, 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 relating to a motor vehicle accident involving Gerald Friedrichsen and a Montgomery County Commissioner Pct.2 truck. The County Attorney is authorized to incur expenses as necessary for the proper investigation, prosecution, settlement and release of said claims. This will be funded by Commissioner Precinct 2 Budget. Motion carried.

19. RESOLUTION AND ORDER APPROVED – CLAIM NO. U-16-0069 – EXECUTIVE SESSION

Motion by Commissioner Riley, seconded by Commissioner Clark, 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 relating to a motor vehicle accident involving Ciara Smalling and a Montgomery County Sheriff's Office vehicle on or about 6/15/16. The County Attorney is authorized to incur expenses as necessary for the proper investigation, prosecution, settlement and release of said claims. This will be funded from 56017657. Motion carried.

20. RESOLUTION AND ORDER APPROVED – CASE NO. 14-04-04052 – EXECUTIVE SESSION

Motion by Commissioner Riley, seconded by Commissioner Clark, to approve and order the nonsuit of the Lawsuit entitled Montgomery County, Texas v. Arturo Silva and Yolanda Silva in Case No. 14-04-04052 and authorize B.D. Griffin, Assistant County Attorney to execute all documents necessary. Motion carried.

CITIZENS – AGENDA ITEM 23

Paul Crowson addressed the court concerning drainage and flooding in his neighborhood. He would like to know for sure that this problem will be fixed.

Eric Yollick addressed the court concerning the Animal Shelter Budget. He would like Dr. Hayden to not spend the money unless it is absolutely necessary.

Jaylin Billing addressed the court concerning the behavior of Commissioner Clark at a previous meeting. She would like him to apologize for his actions.

AGENDA ITEM 24 – MISCELLANEOUS – NO OTHER ITEMS LISTED

21. COURT ADJOURNS

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

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

ATTEST:

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

BY: Mark Turnbull
COUNTY CLERK

Craig Royal
COUNTY JUDGE

