THE STATE OF TEXAS
COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 22ND day of December, 2014, 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
Commissioner, Precinct 1
Commissioner, Precinct 2
Commissioner, Precinct 3
Commissioner, Precinct 4
Also County Clerk’s Office

Alan B. Sadler
Mike Meador
Craig Doyal
James Noack
Ed Rinehart
Francine Nichols

INVOCATION given by Mary Hammer.

PLEDGE OF ALLEGIANCE to the United States flag recited.

PLEDGE OF ALLEGIANCE to the Texas state flag recited.

CITIZENS:

JOE SANTROPETRO THANKED JUDGE SADLER FOR HIS YEARS OF SERVICE.

BILL O’SULLIVAN THANKED JUDGE SADLER FOR HIS SERVICE AND EXPRESSED HIS APPRECIATION OF THE COURTS POSITION REGARDING THE HIGH SPEED RAIL PROJECT.

COMMISSIONERS MEADOR, DOYAL AND NOACK PRESENTED JUDGE SADLER AND COMMISSIONER RINEHART WITH RETIREMENT GIFTS.

1. COMMISSIONERS COURT AGENDA APPROVED – COUNTY JUDGE

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

PROCLAMATIONS/RESOLUTIONS – AGENDA ITEMS 7A

2. RESOLUTION APPROVED – TEXAS CENTRAL HIGH SPEED RAIL

Motion by Judge Sadler, seconded by Commissioner Noack, to approve Resolution that the Commissioners Court does not believe the Proposed Texas Central High Speed Rail From Houston To Dallas to be in the best interest of the County to support such a venture. Motion carried.

3. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the Minutes from Regular Session of Commissioners Court dated December 8, 2014. Motion carried.

4. CONSENT AGENDA – AGENDA ITEMS 9A-N

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Consent Agenda, as follows:
COUNTY AUDITOR – AGENDA ITEMS 9A1-6

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

A2. BUDGET AMENDMENTS FY14 APPROVED:
   b. Commissioner Precinct 1: To correct lease financing budget.
   c. Constable Precinct 5: To recognize and allocate revenues.
   e. Juvenile Justice Alt Ed PRG-P: To recognize and allocate Fiscal Year 14 revenue; and to carryover funds from Fiscal Year 14.

A3. BUDGET AMENDMENTS FY15 APPROVED:
   a. Airport Maintenance: To fund upgrade of part-time position to full-time as approved M20/12.08.14.
   b. Certificates of Obligation – C/P CO 2015: To adjust line items.
   c. Commissioner Precinct 1: To fund vacation pay as approved M48/12.08.14.
   d. Commissioner Precinct 3: To adjust line items.
   e. Commissioner Precinct 4: To adjust line items.
   f. Constable Precinct 2: To recognize and allocate revenue.
   g. Constable Precinct 3: To recognize and allocate revenue.
   h. Constable Precinct 4: To recognize and allocate revenue.
   i. Constable Precinct 5: To correct encumbrance carryover.
   j. Contingency: To adjust line items per Commissioners Court (M22/07.14.14).
   k. County Engineer: To adjust line items.
   l. Court Operations: To adjust line items.
   m. District Attorney: To adjust line items.
   n. Drug Court: To recognize and allocate revenue for November 2014 (MRT Books).
   o. DWI Court: To correct revenue line.
   q. Juvenile Probation/State Aid – A/15: To adjust line items.
   r. Juvenile Probation: To adjust line items.
   s. Memorial Library: To adjust line items.
   t. Sheriff: To adjust line items.
   u. Sheriff (OCDET - Delta Link): To set up Sheriff’s Office OCDET - Delta Link contract as approved in Commissioners Court on December 8, 2014/M13.

A4. OFFICIALS’ FEES REPORT ACCEPTED as audited for September 2014.

A5. OFFICIALS’ FEES REPORT ACCEPTED as audited for November 2014.

A6. ALL COMPLETED AUDITS ACCEPTED through November 30, 2014.
TAX ASSESSOR/COLLECTOR – AGENDA ITEM 9B1

B1. MONTHLY TAX COLLECTION REPORT ACCEPTED for month ending November 30, 2014.

PURCHASING – AGENDA ITEMS 9C1-9

C1. RENEWALS:

   a. P.O. 2012130 to GULLO FORD MERCURY OF CONROE for automotive original equipment manufactured parts for Ford and Chevrolet, expires 01/08/15 – Various Departments.
   
   b. P.O. 2012131 to BUCKALEW CHEVROLET, INC. for automotive original equipment manufactured parts for Ford and Chevrolet, expires 01/08/15 – Various Departments.
   
   c. P.O. 2012132 to KOFILE PRESERVATION, INC. for preservation and scanning of historical documents, expires 01/08/15 – Various Documents.
   
   d. P.O. 2013104 to JUSTICE WORKS, LLC for software subscription, expires 01/08/15 – Managed Assigned Counsel.
   
   e. P.O. 2012146 to EDWARD R. BAILEY, JR., DBA MONTGOMERY COUNTY PRINTERS for printing of letterhead stationery, envelopes and business cards, expires 01/22/15 – Various Departments.
   
   f. P.O. 2012193/2012193X to WEISINGER INCORPORATED for commercial water wells, expires 02/26/15 – Various Departments.
   
   g. P.O. 2012193/2012192X to BALLARD WATER WELL for commercial water wells, expires 02/26/15 – Various Departments.

AGENDA ITEM 9C1b MOVED TO OPEN AGENDA. SEE MOTION 38.

C2. CHANGE ORDERS:

   a. Change Order #4 (P.O. 2012449) to SMITH & COMPANY for rehabilitation of roads – Various Precincts.
   
   b. Change Order #3 (P.O. 2012147) to 3M for acrylic electronic cuttable film (EC film) – Various Precincts.
   
   c. Change Order #1 (P.O. 2015135) to NESTLE WATERS NORTH AMERICA for drinking water and purification systems – Various Departments.
   

C3. DISCRETIONARY EXEMPTIONS:

   a. PROQUEST LLC for UMI newspapers in Microform and Print Indexes, HeritageQuest Platform/HeritageQuest Online, ProQuest Platform/ ProQuest Research Library and E-Resources and Access Management Services – Library. §262.024(a)(7)(B)
   
   b. MENTAL HEALTH RESOURCES CENTER for non-residential services – Juvenile. §262.024(a)(4)
c. SCHMIDT COUNSELING ASSOCIATES for non-residential services – Juvenile. §262.024(a)(4)
d. CLARINDA YOUTH CORPORATION DBA CLARINDA ACADEMY for residential services – Juvenile. §262.024(a)(4)
e. WAVE MEDIA for DWDM upgrade for support of 10G connectivity – Information Technology. §262.024(a)(7)(A)
f. CONROE FAMILY MEDICINE for physician services – Juvenile. §262.024(a)(4)
g. FORAY LLC DBA FORAY TECHNOLOGIES for Level 3 hardware and software support and service agreement, in the amount of $31,953.25 – Sheriff. §262.024(a)(7)(A)

C4. REBATE CHECK ACCEPTED from the Local Government Purchasing Cooperative and BuyBoard, in the amount of $8,600.39, for participation during the 2013-2014 Fiscal Years – Purchasing.

C5. PURCHASE APPROVED of nine Digital Portable Radios (#APX7000-HCDB1) and accessories from Motorola Solutions, Inc. through the Interlocal Agreement with H-GAC Contract No. RA05-12, in the amount of $48,727.08, funded from the 2014 UASI LETPA Grant – Emergency Management.

C6. PURCHASE APPROVED of 25 E-Poll Book Transport Cases from Cover One through the Interlocal Agreement with BuyBoard Contract #449-14, in the amount of $15,968.75 – Elections.

C7. PURCHASE APPROVED of six digital video recording solutions with related hardware and options from Coban Technologies, Inc. through the Interlocal Agreement with H-GAC #EF-04-13, in the amount of $34,470.00 – Constable Precinct 2.

C8. REBATE CHECK ACCEPTED from Staples in the amount of $731.19 for annual rebate according to BuyBoard Membership Agreement – Purchasing. [Check has been forwarded to Auditor for further processing.]

C9. 60 MONTH LEASE APPROVED of a new postage meter from Pitney Bowes through the Interlocal Agreement with BuyBoard Contract #407-12, in the amount of $336.00 per month – Library.

RISK MANAGEMENT – AGENDA ITEMS 9D1-5


D5. CHANGES, ADDITIONS AND RELEASES APPROVED for the following:

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COMMISSIONERS – AGENDA ITEMS 9E1-4

E1. PRECINCT 1

a. RE-APPOINTMENT APPROVED of Hugh Rozier, Donald Prescott and Steve Weisinger to Montgomery County ESD #1 Board of Commissioners for a two year term beginning January 1, 2015 – December 31, 2016.

b. RE-APPOINTMENT APPROVED of Greg Holcombe to the Montgomery County ESD #3 Board of Commissioners for a two year term beginning January 1, 2015 – December 31, 2016.

c. APPOINTMENT APPROVED of James Sibley to ESD #2 Board of Commissioners replacing Henry Burton for a one year term beginning January 1, 2015 and ending December 31, 2015; and re-appointment of Lonnie Clover to ESD #2 Board of Commissioners for a two year term beginning January 1, 2015 – December 31, 2016.

d. USE AGREEMENT APPROVED with Conroe Area Youth Baseball to use the baseball fields at Gene Campbell Sports Park from January 1 – December 31, 2015.

c. USE AGREEMENT APPROVED with Willis Girls Softball Association to use the softball fields at Charles Traylor Sports Park from January – December 31, 2015.

f. USE AGREEMENT APPROVED with Montgomery Girls Softball Association to use the softball fields at West Montgomery County Park from January 1, 2015 – December 31, 2015.

g. USE AGREEMENT APPROVED with Montgomery Soccer Club to use the football/soccer fields at West Montgomery County Park from January 1, 2015 – December 31, 2015.

h. USE AGREEMENT APPROVED with Conroe Area Girls Softball to use the softball fields at Gene Campbell Sports Park from January – December 31, 2015.

E2. PRECINCT 2

a. ASSIGNMENT APPROVED of Number 146 for the Montgomery County Municipal District to be reserved in the name of Coats & Rose.

b. APPOINTMENT APPROVED of Brian Gremminger (replacing Lee Reed) to Montgomery County ESD #3 Board of Commissioners for a one year term beginning January 1, 2015 and ending December 31, 2015.

c. RE-APPOINTMENTS APPROVED of Andrew Brown, Johnnie Bryant and Dwight Arnold to Montgomery County ESD #10 Board of Commissioners for a two year term beginning January 1, 2015 and ending December 31, 2016.
d. APPOINTMENT APPROVED of Marjanna Russell to Montgomery County ESD #3 Board of Commissioners for a two year term beginning January 1, 2015 and ending December 31, 2016.

e. USE AGREEMENT APPROVED with Magnolia LaCrosse Association to use the Football Fields at Magnolia Sports Park from January 1, 2015 – May 31, 2015.

f. USE AGREEMENT APPROVED with Magnolia Area Softball Association to use the Softball Fields at the Magnolia Youth Sports Complex from January 1 – December 31, 2015.

E3. PRECINCT 3

a. RE-APPOINTMENTS APPROVED of George Biemesser and John Rodriguez to Montgomery County ESD #8 Board of Commissioners for a two year term beginning January 1, 2015 – December 31, 2016.

b. REQUESTS APPROVED for appointment of James Cox and reappointment of Jim Waters to Montgomery County ESD #14 Board of Commissioners for a two year term beginning January 1, 2015 – December 31, 2016.

E4. PRECINCT 4


b. RE-APPOINTMENTS APPROVED of Guy Hancock, David Sheffield and Eugene Wisenbaker to Montgomery County ESD #7 Board of Commissioners for a two year term beginning January 1, 2015 – December 31, 2016.

c. RE-APPOINTMENTS APPROVED of Scott Guillote and Mike Zepeada to Montgomery County ESD #9 Board of Commissioners for a two year term beginning January 1, 2015 – December 31, 2016.

d. RE-APPOINTMENTS APPROVED of Barry Welch and Tom Lucas to Montgomery County ESD #11 Board of Commissioners for a two year term beginning January 1, 2015 – December 31, 2016.

e. RE-APPOINTMENTS APPROVED of Thomas Hart and James Berry to Montgomery County ESD #12 Board of Commissioners for a two year term beginning January 1, 2015 – December 31, 2016.

f. CHECK ACCEPTED from the City of Roman Forest, in the amount of $1,427.74 for the purchase of fuel for the month of November 2014, to be deposited into Account 615.7926. [Check has been forwarded to Auditor for further processing.]

g. USE AGREEMENT APPROVED with East Montgomery County Sports Association to use the fields at AV Bull Sallas Park and Ed Rinehart Sports Complex from January 1 – December 31, 2015.

h. USE AGREEMENT APPROVED with Splendora Area Softball Association to use the Softball Fields at Ipes Park from January 1, 2015 – December 31, 2015.
i. USE AGREEMENT APPROVED with Splendora Youth Baseball Association to use the Baseball Fields at Ipes Road Sports Park from January 1 – December 31, 2015.


E5. COMMISSIONERS – PRECINCTS 1 AND 2

a. RESIGNATION ACCEPTED from the Montgomery County ESD #3 Board of Commissioners, Lee Reed, to be effective December 21, 2014.

E6. COMMISSIONERS – PRECINCTS 2 AND 4


b. RE-APPOINTMENTS APPROVED of Lamont Freeman and Peter Van Vijk to Montgomery County ESD #5 Board of Commissioners for a two year term January 1, 2015 – December 31, 2016.

COUNTY ENGINEER – AGENDA ITEMS 9F1-4

F1. PRECINCT 1

a. ROAD ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM named Weeping Bow in Caddo Village.

F2. PRECINCT 2

a. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Durango Creek, Section 6; total length of roads 2,906.20 linear feet = 0.55 miles. Effective December 22, 2014.


c. FINAL PLAT APPROVED in Cimarron Creek, Section 3; 18.38 Acres, Dickinson Garrett Survey, A-225.

d. STREETS COMPLETED ONE YEAR MAINTENANCE PERIOD AND ACCEPTED by Montgomery County in Woodforest, Section 24 and bond released.

F3. PRECINCT 3

a. REQUEST APPROVED from Level 3 Communications to place a fiber optic line in the right of way of Research Forest Drive.

b. REQUEST APPROVED from Level 3 Communications to place a buried HDPE innerduct and fiber optic line in the right of way of Grogans Mill.

c. FINAL PLAT APPROVED of Woodson’s Reserve, Section 4; 19.8349 Acres; Montgomery County School Land Surveys, Survey; A-350 & A-351.

e. FINAL PLAT APPROVED of Cathedral Lakes; 128.48 Acres; C.F. Baumlin Survey, A-105.

f. FINAL PLAT APPROVED of Woodson’s Reserve, Section 3; 25.3592 Acres; Montgomery County School Land Survey, A-351.


h. REQUEST APPROVED from TW Telecom to place a buried HDPE innerduct & fiber line within the right of way of Research Forest Drive., New Trails, Technology Forest Place.

i. REQUEST APPROVED from Level 3 Communications to place underground conduits/fiber optic cable line within the right of way of Six Pines Drive.

j. FINAL PLAT APPROVED of Harmony RPM4M Central Partial Replat; 5.07 Acres; Montgomery County School Land Survey, A-351.

F4. PRECINCT 4

a. REQUEST APPROVED from Denbury Onshore, LLC to place an 8-inch saltwater pipeline (fiberglass) within the right of way of Koolstad Road.

b. FINAL PLAT APPROVED of Kings Mill, Section 8, 9.4037 Acres; Mary Owens Survey, A-405.

c. FINAL PLAT APPROVED of Kings Mill, Section 9, 10.102 Acres; Mary Owens Survey, A-405.

d. FINAL PLAT APPROVED of Tavola, Section 6; 17.918 Acres, A.P. Frederick Survey, A-211.

e. FINAL PLAT APPROVED of Harper’s Preserve Retail Section 1, 6.899 Acres; Richard Vince Survey, A-583.

f. STREETS COMPLETED THE ONE YEAR MAINTENANCE PERIOD AND ACCEPTED by Montgomery County in Auburn Trails at Oakhurst, Section 9 and the bond released.

g. STREETS ACCEPTED into the County Road Maintenance System in Auburn Trails at Oakhurst, Section 10 and the bond released.

h. FINAL PLAT APPROVED of Harper’s Preserve, Section 4; 40.70 Acres; Richard Vince Survey, A-583.

i. FINAL PLAT APPROVED of Deer Trail Two, Section 1; 109.300 Acres; Thomas P. Davy Survey, A-162.

j. ROADS ACCEPTED into the one-year maintenance period at Deer Trail Two, Section 1, effective December 22, 2014.
k. REQUEST APPROVED from T&L Gas to place a 2 inch gas and 2 inch water line within the right of way of Meachen Meadows Trail, Fawn Trail, and Deer Trail.

l. FINAL PLAT APPROVED for Montgomery Creek Ranch, Section 17; 15.76 Acres; Richard Vince Survey, A-583.

m. STREETS COMPLETED THE ONE YEAR MAINTENANCE PERIOD AND ACCEPTED by Montgomery County in Montgomery Creek Ranch, Section 12 and Bond released.

n. STREETS COMPLETED THE ONE YEAR MAINTENANCE PERIOD AND ACCEPTED by Montgomery County in Montgomery Creek Ranch, Section 14 and Bond released.

o. PRELIMINARY MASTER PLAN APPROVED of Star Ridge Ranch.

HUMAN RESOURCES – AGENDA ITEM 9G1

G1. PAYROLL CHANGE REQUEST FORMS APPROVED

Request of Animal Control to remove Timothy Holifield, Director, from payroll due to retirement, effective January 31, 2015. [170.835 hours or balance vacation.]

Request of Civic Center Complex to place Dennis Eric Cote, Facility Grounds Worker, on payroll as replacement for Adam Wilhite, effective December 29, 2014.

Request of Civic Center Complex to accept resignation of Adam Wilhite, Facility/Grounds Worker, effective December 28, 2014. [24.76 hours or balance vacation.]

Request of Commissioner Precinct 2 to promote Frank W. Cavanah, Mechanic I, as replacement for Gerald G. Allcorn, effective January 3, 2015.

Request of Commissioner Precinct 2 to place John Wayne Dalzell, Operator I, on payroll as replacement for Mitchell Pate, effective January 5, 2015.

Request of Commissioner Precinct 2 to place Justin D. Kopecky, Recycle Technician, on payroll as replacement for Joseph Robert Redmond, Jr., effective January 3, 2015.

Request of Commissioner Precinct 2 to promote Steven C. McQuagge, Operator I, as replacement for Wayne Henry Fuchs, effective January 3, 2015.

Request of Commissioner Precinct 2 to promote Joseph Robert Redmond, Jr., Operator I, as replacement for Steven C. McQuagge, effective January 3, 2015.

Request of Commissioner Precinct 3 to place Evan Besong, Chief Of Staff, on payroll as replacement for Justin Scharnhorst, effective December 22, 2014.

Request of Commissioner Precinct 3 to promote Troy W. Gibson, Superintendent, as replacement for Troy Brock, effective January 3, 2015.

Request of Commissioner Precinct 3 to promote James E. Pace, Jr., Foreman, as replacement for Troy Gibson, effective January 3, 2015.

Request of Commissioner Precinct 3 to promote Casey Alan Parchman, Signal Technician I, into new position, effective December 6, 2014.
Request of County Auditor to accept the resignation of Jessica Berry, Accounting Assistant, effective December 26, 2014. [21.56 hours or balance vacation.]

Request of County Clerk to place Gwendolyn M. Stanley, Clerk II, on payroll, effective January 5, 2015.

Request of Juvenile to change status of Derek Adrian Berry, Juvenile Supervision Officer-Substitute, to part time at employee’s request, effective December 20, 2014.

Request of Sheriff to remove Pamela Barrow, Clerk IV-Records, from payroll due to retirement, effective December 31, 2014. [26.53 hours or balance vacation; 0.190 hours or balance compensatory; 16.00 hours or balance holiday time.]

Request of Sheriff to increase salary of Dewey Bonner, Sergeant Detention, due to STEP increase, effective December 20, 2014.

Request of Sheriff to discharge Douglas Crowe, Jr., Civilian Detention Officer, effective November 20, 2014. No benefits due.

Request of Sheriff to place Jessica Davis, Officer Civilian Detention, on payroll as replacement for Catherine Breeding, effective December 13, 2014.

Request of Sheriff to place Peter Gavrilos, Dispatcher, on payroll as replacement for April Veith, effective December 13, 2014.

Request of Sheriff to place Carlos Huante, Deputy Patrol District VI, on payroll as replacement for Bradley Curtis after returning from extended Military Leave without pay, effective January 3, 2015.

Request of Sheriff to increase salary of Billy Jordan, Deputy Detention, due to STEP increase, effective December 20, 2014.

Request of Sheriff to accept resignation of Teri Meredith, Dispatcher, effective December 11, 2014. [3.75 hours or balance compensatory; 12.00 hours or balance holiday.]

Request of Sheriff to increase salary of Alexis Montes, Deputy Detention, due to STEP increase, effective January 3, 2015.

Request of Sheriff to increase salary of John Niquette, Deputy Patrol, due to STEP increase effective December 20, 2014.

Request of Sheriff to remove Lonny Onishi, Corporal Range Master, from payroll due to retirement, effective January 31, 2015. [245.415 hours or balance vacation; 480.00 hours or balance compensatory.]

Request of Sheriff to increase salary of Steven Ortiz, Deputy SWAT, due to STEP increase, effective December 20, 2014.

Request of Sheriff to increase salary of Michael Page, Sergeant Detention, due to STEP increase, effective January 3, 2015.

Request of Sheriff to increase salary of Dustin Pugh, Deputy SWAT, due to STEP increase, effective January 3, 2015.

Request of Sheriff to transfer Caleb Reitzel, Deputy Detention, as replacement for Kathy Dishman, effective December 6, 2014.

Request of Sheriff to increase salary of Amber Wilson, Deputy Patrol, due to STEP increase, effective January 3, 2015.
Request of Tax Assessor/Collector to place Megan Moore, Deputy Specialist I, on Unpaid FMLA/Disability Leave, effective December 15, 2014.

Request of Tax Assessor/Collector to place Mishelle D. Shires, Collections Supervisor, on Unpaid FMLA/Disability Leave, effective December 12, 2014.

ENVIRONMENTAL HEALTH – AGENDA ITEMS 9H1-3

H1. VARIANCE REQUEST APPROVED to install an aerobic on-site system in the 100-year floodplain at 24078 Butterfly Lane, Porter, Texas 77365.

H2. VARIANCE REQUEST APPROVED to install an aerobic on-site system in the 100-year floodplain at 9216 Rosie Lane, Magnolia, Texas 77354.

H3. REQUEST APPROVED for the Order To Release Lien and Acknowledge Receipt of Check recovering cost to the County for demolition of a public nuisance located at 6082 Skyline Drive, Montgomery, Texas 77316. Total cost of lien ($9,446.46) has been met and check forwarded to Auditor for further processing.

COUNTY JUDGE – AGENDA ITEM 9I1

II. REAPPOINTMENTS APPROVED of all current members of Montgomery County Historical Commission for another two year term (2015-2016).

Foerster, Larry
Russell, Sharon
Beaven, Brenda
Canada, Mark
Carroll, Carolyn A.
Clover, Lonnie
Dancy, Jeremiah
Dominey, Barkley
Endsley, Victoria A.
Frame, David
Gandy, Martha
Graves, Celeste
Holland, Barbara
Hrivnatz, David “Jay”

Jackson, Mancy
Johnson, Frank
Johnson, Ruby
Jordan, Marie Banos
Kramer, Heather
Montgomery, Robin
Montgomery, Heather
Powell, Sue Ann
Saikowski, Ron
Shepard, Anna
Smith, Austin
Spencer, Gertie
Tucker, Beverly H.
Walker, James (Jim)

COUNTY ATTORNEY – REAL PROPERTY – AGENDA ITEMS 9J1-3

J1. PRECINCT 1

a. ORDER APPROVED Authorizing Payment Of Closing Expenses For The Purchase Of Right Of Way Known As Parcel 2 Of The Dacus Road Project, in the amount of $343.75.

J2. PRECINCT 2

a. ORDER APPROVED Acknowledging Receipt of Check from Tommy R. Hoffart, in the amount of $1.00 for lease of real property described as Lots 4, 13, 14, and 15, Block 12, and Lots 9 and 10, Block 15, Spring Creek Forest Section 4. Check forwarded to Auditor for further processing.

b. ORDER APPROVED Acknowledging Receipt of Bond With Surety No. 1113112 and Releasing Bond No. 7011120 For Woodforest Section 49.
J3. PRECINCT 4
   a. NAME RESERVATION APPROVED for a Municipal Utility District to be known as “Montgomery County Municipal Utility District No. 145”.

COUNTY ATTORNEY – MENTAL HEALTH TREATMENT FACILITY – AGENDA ITEMS 9K1-3

K1. APPOINTMENT AND PRIVILEGING APPROVED of Dr. Joseph Sokal, for Provisional Status, as recommended by the Montgomery County Mental Health Treatment Facility Advisory Board.

K2. REQUEST APPROVED of the Fourth Amendment to the Management And Operations Agreement between Montgomery County, Texas and Correct Care, LLC, d/b/a CCRS of Texas, LLC (Formerly known as GEO CARE, LLC).

K3. RESOLUTION AND ORDER APPROVED accepting the Annual Performance Indicator Report for the Montgomery County Mental Health Treatment Facility as recommended by MCMHTF Advisory Board.

COUNTY CLERK – AGENDA ITEMS 9L1-2

L1. DEPUTATION APPROVED of Jennifer Garrett, Deputy County Clerk.

L2. DEPUTATION APPROVED of Sharon Henderson, Deputy County Clerk.

CONSTABLE PRECINCT 4 – AGENDA ITEM 9M1


OFFICE OF COURT ADMINISTRATION – AGENDA ITEM 9N1

N1. APPOINTMENTS APPROVED of Judge Keith Stewart as County Court at Law Bail Bond Board Member and Associate Judge Paul Damico as Designee for the year 2015.

Motion carried.

END OF CONSENT AGENDA

AGENDA ITEM 10A – DRAINAGE CRITERIA MANUAL FOR MONTGOMERY COUNTY, TEXAS – SECTION 11 SUPPLEMENTARY CRITERIA PREPARED AND PRESENTED BY BLEYL & ASSOCIATES.

5. REQUESTS APPROVED – THE WOODLANDS UZA TRANSIT – COUNTY JUDGE

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve Commissioner James Noack’s request to be removed from The Woodlands UZA Transit Advisory Committee Board and appoint Commissioner Elect Jim Clark to fill said position. Motion carried.
6. REAPPOINTMENT APPROVED – GULF COAST RAIL DISTRICT – COUNTY JUDGE

Motion by Judge Sadler, seconded by Commissioner Noack to approve the reappointment of Craig Doyal as Montgomery County’s Representative on the Gulf Coast Rail District for a term expiring December 31, 2016. Motion carried.

7. CONTRIBUTION APPROVED – GULF COAST RAIL DISTRICT – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve remittance of $5,000.00 for the 2015 Annual Contribution to the Gulf Coast Rail District. Motion carried.

8. DE-OBLIGATION APPROVED – TXDOT DWI STEP GRANT – SHERIFF

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve the de-obligation of the 2014 TXDOT DWI STEP Grant. Grant funds in the amount of $9,965.21 with matching funds of $2,469.12 will be de-obligated. Motion carried.

9. APPLICATION SUBMISSION APPROVED – 2016 SPEED STEP GRANT – SHERIFF

Motion by Commissioner Doyal, seconded by Commissioner Noack, to approve the Montgomery County Sheriff Office Application to TXDOT for the electronic submission of the TXDOT Fiscal Year 2016 Speed STEP Grant in the amount of $63,324.08. The County match of $31,768.64 will be addressed in the Fiscal Year 2016 Budget process. Motion carried.

10. AUTHORIZATION APPROVED – WEARABLE VIDEO CAMERAS – CONSTABLE PRECINCT 4

Motion by Commissioner Rinehart, seconded by Commissioner Noack, to approve authorizing Constable Kenneth Hayden to execute the Agreement between the East Montgomery County Improvement District (EMCID) and Montgomery County Constable Precinct 4, for the purchase of 24 wearable video cameras and accept Community Development Grant funding in the amount of $12,341.30, with the Constable Precinct 4 department contributing $2,438.70, as approved in Commissioners Court September 29, 2014. Proceeds to be placed in 55412.7395. Motion carried.

11. DE-OBLIGATION APPROVED – 2013 H-GAC DWI STEP TASK FORCE – CONSTABLE PRECINCT 4

Motion by Commissioner Rinehart, seconded by Commissioner Doyal, to approve the de-obligation of the remaining balance of $3,967.62 to H-GAC and $1,845.23 in matching funds (Asset Forfeiture account), for the 2013 H-GAC DWI STEP Task Force. Motion carried.

12. DONATION ACCEPTED – CONROE KENNEL CLUB – CONSTABLE PRECINCT 4

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the acceptance of a donation from the Conroe Kennel Club for $1,861.00. Proceeds to be placed in 5541.73573. Check forwarded to Auditor for further processing. Motion carried.

13. ORDER APPROVED – FIRE CODE – FIRE MARSHAL

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve adopting the Amended Montgomery County Fire Code, effective January 1, 2015. Motion carried.
A-13. REVISIT ITEM – NEW INVESTIGATIONS VEHICLE – FIRE MARSHAL

The Agenda Item is to Consider and approve the purchase of a new fully equipped investigations vehicle to be assigned to personnel filling a position within the Fire Marshal’s Office. The position was previously assigned to the Auto Theft Task Force, and a vehicle was provided by that program. This is for a ¼ ton truck and equipment in the amount of $45,735.00. Please name a funding source.

Motion by Commissioner Doyal, seconded by Commissioner Noack, to wait six months to fill the position and fund the vehicle. Motion carried.

14. REQUEST APPROVED – USE OF INSPECTION FEES – FIRE MARSHAL

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the use of inspection fees to offset the cost difference in County purchased vehicles for the Inspection Division. Commissioners Court approved two vehicles to be purchased for the Fire Marshal’s Office during the last budget process. The Fire Marshal’s Office would like to purchase a larger utility vehicle for the Inspectors and would like to use Inspection Fees to cover the cost difference. Motion carried.

15. REQUESTS APPROVED – EXECUTION OF GRANT AGREEMENTS – MONTGOMERY COUNTY COMMUNITY DEVELOPMENT

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

A. Authorize Judge Sadler to execute the 2014 CDBG Grant Agreement between Montgomery County and Mission Northeast, Inc. for additional construction on the building facility and additional furnishings for services to low income persons.

B. Authorize Judge Sadler to execute the 2014 Home Grant Agreement between Montgomery County and Walker Montgomery Community Development Corporation to increase affordable housing opportunities for low income residents of Montgomery County.

C. Authorize Judge Sadler to execute the 2014 CDBG Public Service Grant Agreements between Montgomery County and the following non-profit agencies: Society of St. Vincent De Paul, the Montgomery County Children’s Advocacy Center, Inc. (dba) Children’s Safe Harbor, Montgomery County Committee on Aging, Inc. (dba) The Friendship Center, Montgomery County Emergency Assistance, Society of Samaritans, Inc., and Access Builds Children, Inc.

Motion carried.

16. REPORT APPROVED – 2013 CAPER – MONTGOMERY COUNTY COMMUNITY DEVELOPMENT

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the 2013 Consolidated Annual Performance and Evaluation Report (CAPER). Motion carried.

17. NEW POSITION APPROVED – DIRECTOR OF QA & SPECIAL PROJECTS – FORENSIC SERVICES

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve the new position of Director of Quality Assurance and Special Projects, to commence on or about March 2, 2015. The salary is $100,000.00 plus benefits. No increase to the budget required to fund this position. And authorize the Director of Forensic Services to appoint the New Director of Forensic Services, with the new Director’s employment to begin on or about March 2, 2015 with a base salary of $215,000.00 plus benefits as determined by the Auditor. Motion carried.
18. REQUEST APPROVED – JURY DONATIONS IN 2015 – DISTRICT CLERK

Motion by Commissioner Doyal, seconded by Commissioner Noack, to approve the following non-profit organizations to receive Jury Donations in the year of 2015:

- The Humane Society of Montgomery County
- New Danville (Adults Live, Learn, Work, Grow)

Motion carried.

19. REQUEST APPROVED – TRANSFER OF FUNDS – COUNTY CLERK

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the transfer of $150,000.00 from County Clerk’s Records Management Fund to line item 40311-7570 (Capital Outlay) for purchase of computer hardware upgrade associated with County Fusion Software. Motion carried.

20. RESOLUTION APPROVED – FINANCE EXPENDITURES – COUNTY AUDITOR

Motion by Commissioner Rinehart, seconded by Commissioner Noack, to approve Resolution Expressing Intent To Finance Expenditures To Be Incurred for the purchase of property located at 26152 Sallee Road, Splendora, Texas and 13780 Highway 59, Splendora, Texas. Costs associated with the property will not exceed $298,087.38. Motion carried.

21. CONTRACT AWARDED – LEAGUE LINE ROAD EXTENSION – PURCHASING

Motion by Commissioner Doyal, seconded by Judge Sadler, to award the League Line Road Extension – SH 75 to FM 1484 – Project 2015-0011 (Precinct 1) Contract to Smith and Company, for the option to construct the four lane facility, in the amount of $11,799,822.37. Motion carried.

22. CONTRACT AWARDED – NEW VEHICLES – PURCHASING

Motion by Commissioner Noack, seconded by Commissioner Doyal, to award the Contract for New Vehicles – Project 2015-0006 (Various Departments) as follows:

- BID IIA – One 2014 Mid-Size Vehicle w/PPV, in the amount of $22,155.00, to Grapevine Dodge.
- BID IIB – Five 2015 Mid-Size Vehicle w/PPV, in the amount of $23,686.00 each, to Grapevine Dodge.

Total of $140,585.00. Motion carried.

23. DISCRETIONARY EXEMPTION APPROVED – SPECIAL RESPONSE VEHICLE – PURCHASING

Motion by Commissioner Doyal, seconded by Judge Sadler, to approve the Discretionary Exemption for LDV, Inc. for Special Response Vehicle (Emergency Management) through the GSA Schedule 23 V Contract #GS-30F-0009L, in the amount of $320,903.00. Funded by the 2014 UASI LETPA Grant. §271.103(a)(b). Motion carried.

24. PURCHASE APPROVED – DIGITAL VIDEO RECORDING SOLUTIONS – PURCHASING

Motion by Commissioner Doyal, seconded by Commissioner Noack, to approve the purchase of 27 digital video recording solutions with related hardware and options (Sheriff) from Coban Technologies, Inc. through the Interlocal Agreement with H-GAC Contract No. EF-04-13, in the amount of $155,115.00. Motion carried.

AGENDA ITEM 19E WAS REMOVED.
26. RENEWAL AND AMENDMENT APPROVED – ANIMAL SHELTER – INFRASTRUCTURE

Motion by Commissioner Doyal, seconded by Commissioner Noack, to approve the Renewal and Amendment for Privatization of Montgomery County Animal Shelter – P.O. 2013284 (Infrastructure) to Care Corporation, for changes as per documents on file. Motion carried.

27. ORDER APPROVED – AMEND RULES ON DANGEROUS WILD ANIMALS – COUNTY ATTORNEY

Motion by Judge Sadler, seconded by Commissioner Meador, to approve amending the Rules and Regulations related to the keeping of dangerous wild animals in the unincorporated area of Montgomery County, Texas to now include all crocodiles and alligators on the list of dangerous animals in need of control and include zebras on the list of exempt non-domestic ungulates. Motion carried.

AGENDA ITEMS 21A1-2 WERE DEFERRED.

28. RESOLUTION APPROVED – GLEN HOPE HARBOR, INC. – COUNTY ATTORNEY – REAL PROPERTY

Motion by Commissioner Doyal, seconded by Commissioner Noack, to approve Resolution Approving The Financing By The New Hope Cultural Education Facilities Finance Corporation Of Health Facilities Located Within Montgomery County, Texas For Glen Hope Harbor, Inc. This approves the Bonds and the Project for the purposes of Section 147(f) of the Internal Revenue Code of 1986; provided that the county shall have no liability in connection with the financing of the Project and shall not be required to take any further action with respect thereto. Motion carried.

29. REQUESTS APPROVED – ASSIGNMENT OF LEASE AGREEMENTS – COUNTY ATTORNEY – REAL PROPERTY

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

a. Partial Assignment of Land Lease Agreement of 1,092.0 square feet of land known as Hanger 18, Building A, from Lazy K Air, LLC to Dan T. Brouse and M. Kaye Brouse.

b. Assignment of Lease of 1,429.36 square feet of land known as Unit 2 of 10, Building D Phase 4 from Fernando L. Anduze to Michael Patrick Terrance Munroe.

Motion carried.

COMMISSIONERS COURT RECESSSED FOR PUBLIC HEARING.

AGENDA ITEM 22A1: CONSIDER AND APPROVE THE PARTIAL REVISION TO CADDOWILLAGESECTION ONE, LOTS 164-167, 170 & 484-486, TO BE KNOWN AS CADDOWILLAGE SECTION ONE PARTIAL REPLAT NO. 1.

AGENDA ITEM 22B1: CONSIDER AND APPROVE THE PARTIAL REVISION TO WOODLANE FOREST SECTION TWO, TO BE KNOWN AS WOODLANE FOREST REPLAT.

AGENDA ITEM 22B2: CONSIDER AND APPROVE THE PARTIAL REVISION TO WESTWOOD THREE LOTS 27 AND 28, BLOCK 12, TO BE KNOWN AS WESTWOOD THREE COMMERCIAL.
AGENDA ITEM 22C1: CONSIDER AND APPROVE THE PARTIAL REVISION TO GLENEAGLES SECTION FIVE (ALSO KNOWN AS GLENEAGLES SOUTH), TO BE KNOWN AS HARPER’S PRESERVE SECTION SIX.

AGENDA ITEM 22C2: CONSIDER AND TAKE APPROPRIATE ACTION ON CLOSING, ABANDONING, AND VACATING COUNTY ROAD RIGHT-OF-WAY KNOWN AS JANELL DRIVE, LOCATED WITHIN RIVERWALK SUBDIVISION.

WITH NO ONE FROM THE PUBLIC TO DISCUSS THIS ITEM, COMMISSIONERS COURT RECONVENED AND THE FOLLOWING ACTION TAKEN.

30. REQUESTS APPROVED – VARIOUS FROM PUBLIC HEARING

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the following items from the Public Hearing:

- The partial revision to Caddo Village Section One, Lots 164-167, 170 & 484-486, to be known as Caddo Village Section One Partial Replat No. 1.

- The partial revision to Woodlane Forest Section Two, to be known as Woodlane Forest Replat.

- Order Closing, Abandoning, and Vacating County road right-of-way known as Janell Drive, located within Riverwalk Subdivision.

Motion carried.

31. REQUEST APPROVED – OPEN POSITION/TRANSFER FUNDS – COMMISSIONER PRECINCT 1

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


- Transfer $6,448.00 and associated benefits from 612-7340 to 612-3203-10.

- Transfer $4,880.10 and associated benefits from 612-7340 to 612-3203-2.

Motion carried.

32. REQUEST APPROVED – BUDGET AMENDMENTS – COMMISSIONERS PRECINCT 2

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve Budget Amendments for Fiscal Year as follows:

- Open position 613-4810-4 and transfer $66,847.60 from 613-7340 for salary and benefits.

- Open position 613-4810-5 and transfer $66,847.60 from 613-7340 for salary and benefits.

Motion carried.

33. REQUEST APPROVED – BUDGET AMENDMENTS – COMMISSIONER PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve Budget Amendments as follows:
• Transfer $6,074.12 from 614-7598 to 614-2510-1, plus benefits.
• Transfer $3,181.60 from 614-7598 to 614-2510-4, plus benefits.

Motion carried.

34. REQUEST APPROVED – RETIREMENT PAYOFFS – COMMISSIONER PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve funding for retirement payoffs for Employees #03123 and #04642 to be funded from 614-7598. Motion carried.

35. REQUEST APPROVED – OPEN/CLOSE POSITIONS/TRANSFER FUNDS – COMMISSIONER PRECINT 4

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

• Open new position 615-8561-1.
• Transfer $84,336.65 plus associated benefits from 615-8504-1 to 615-8561-1.
• Transfer $6,403.10 plus associated benefits from 615-8504-1 to 615-8558-1.
• Transfer $7,703.55 plus associated benefits from 615-8316-1 to 615-8558-1.
• Close position 615-8504-1.

Motion carried.

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

36. AGREEMENT APPROVED – TOMBALL TOLLWAY

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the Tri-Party Agreement For The Design, Engineering, Land Acquisition, Permitting, and Administration Related To The Tomball Tollway. Motion carried.

37. REQUEST APPROVED – ENGAGEMENT LETTER

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve execution of engagement letter regarding Legal Services Agreement for the Montgomery County Toll Road Authority; State Highway 249 Corridor with the Muller Law Group. Motion carried.

MONTGOMERY COUNTY TOLL ROAD AUTHORITY ADJOURNED.

THE COMMISSIONERS COURT RECONVENED.

JUDGE SADLER DEEMED EXECUTIVE SESSION UNNECESSARY AT THIS TIME.

38. RENEWAL APPROVED – ADVOCATES FOR FAMILIES IN CRISIS – PURCHASING

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve renewal of Contract to Advocates for Families in Crisis for Managed Assigned Counsel (P.O. 2012182), expires 02/12/15 – Various Courts. This item was revisited from last Court session due to the fee increase. Advocates for Families in Crisis agreed to keep the current fees for one year. Motion carried.

CITIZENS– AGENDA ITEM 28.

NELDA BLAIR SHOWED A PRESENTATION OF COMMISSIONER RINEHART’S AND JUDGE SADLER’S YEARS IN OFFICE.
PORTRAIT OF JUDGE SADLER WAS UNVEILED.

39. REQUEST APPROVED – PAYROLL CHANGE REQUEST FORMS – HUMAN RESOURCES

Dodi Shaw requested that Payroll Change Request Form No. 8 be removed.

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

Request from Commissioner Precinct 1 to promote Chris Lanning, Operator III, into new position, effective December 22, 2014.

Request from Commissioner Precinct 1 to increase salary of Robert Snoe, Operator III, due to equity increase, effective December 22, 2014.

Request from Commissioner Precinct 1 to promote Kevin Woodman, Operator III, into new position, effective December 22, 2014.

Request from Commissioner Precinct 3 to increase salary of Daniel Howell, Signal Technician I, due to equity increase, effective December 6, 2014.

Request from Commissioner Precinct 3 to increase salary of Devin Aaron Turner, Signal Technician I, due to equity increase, effective December 6, 2014.

Request from Commissioner Precinct 4 to place Billy Bob Lee, Manager – Precinct Operations, on payroll as replacement for Tracey Stilley, effective January 1, 2015.

Request from Commissioner Precinct 4 to transfer Tracey C. Stilley, Manager – Field Operations, into new position, effective January 1, 2015.

Motion carried.

40. COURT ADJOURNS

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

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

ATTEST:

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

BY: COUNTY CLERK COUNTY JUDGE