

COMMISSIONERS COURT DOCKET

May 9, 2017
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 9th day of May, 2017, the Honorable Commissioners Court of Montgomery County, Texas, was duly convened in a Regular Session in the Commissioners Courtroom of the Alan B. Sadler Commissioners Court Building, 501 North Thompson, Conroe, Texas, with the following members of the Court present:

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

INVOCATION GIVEN BY Don Wildish

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

THE PLEDGE OF ALLEGIANCE TO THE TEXAS STATE FLAG RECITED.

1. COMMISSIONERS COURT AGENDA APPROVED.

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

2. REQUEST APPROVED – PILOT PROGRAM – OFFICE OF COURT ADMINISTRATION

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve implementing a one year pilot program for term assignment of attorneys for felony indigent defense in the District Courts. Motion carried.

3. REQUEST APPROVED – GRANT AWARD – OFFICE OF INDIGENT DEFENSE

Motion by Commissioner Meador, seconded by Commissioner Clark, to accept the FY2017 Supplemental Capital Defense Formula Grant Statement of Grant Award from the Texas Indigent Defense Commission. The grant period is 10/01/2016-09/30/2017. Motion carried.

4. PROCLAMATION APPROVED – EMERGENCY MEDICAL SERVICES WEEK

Motion by Commissioner Noack, seconded by Commissioner Clark, to proclaim the week of May 21-27, 2017 as Emergency Medical Services Week. Motion carried.

5. RESOLUTION APPROVED – WAYNE BERGSTROM CENTER OF HOPE

Motion by Commissioner Meador, seconded by Commissioner Riley, to proclaim and express gratitude and appreciation of Wayne Bergstrom and his many years of dedicated service to the people of Montgomery County and proclaim May 15, 2017 as the Day of Hope. Motion carried.

6. PROCLAMATION APPROVED – OLDER AMERICANS MONTH

Motion by Commissioner Noack, seconded by Commissioner Meador, to proclaim the month of May, 2017 as Older American Month. Motion carried.

AGENDA ITEM 7D – MONTGOMERY COUNTY EMPLOYEES COMMITTEE – SCHOLARSHIP AWARDS

SARA ELIZABETH VALLIE WITH THE SHERIFF'S OFFICE WAS PRESENTED A SCHOLARSHIP IN THE AMOUNT OF \$1,000.00

CADE EDWARD LOWERY WITH COMMISSIONER PRECINCT 4 OFFICE WAS PRESENTED A SCHOLARSHIP IN THE AMOUNT OF \$500.00

CECILIA SILVA, DAUGHTER OF JULISSA VALADEZ WITH INDIGENT DEFENSE, WAS AWARDED A SCHOLARSHIP IN THE AMOUNT OF \$500.00.

7. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the Minutes from Regular Session of Commissioners Court dated April 25, 2017. Motion carried.

8. RESOLUTION AND ORDER APPROVED – CONSENT AGENDA – AGENDA ITEMS A-O

Motion by Commissioner Meador, seconded by Commissioner Riley, to unanimously approve all actions, items, resolutions and authorizations shown on the Consent Agenda and County Judge or Commissioner Precinct 1 Mike Meador is appointed and authorized to sign any contracts, approvals and other documents in connection with any items shown on the Consent Agenda save and except the items removed from the consent agenda, as follows:

COUNTY AUDITOR – AGENDA ITEMS 9A1-5

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

A2. BUDGET AMENDMENTS FY2017 APPROVED:

- a. Various: To transfer capital improvement funding for the building of a shed to house the boat at Constable Pct. 2 as approved M15/03.28.17 and to recognize and allocate revenues for failure to appear fees for quarter ending 03/31/17.
- b. Adult Probation: To adjust line items.
- c. Airport Maintenance: To recognize and allocate revenue to fund surface cleaning and repainting of runway markings at the airport as approved M11/04.25.17.
- d. Commissioner Precinct 1: To transfer funds for wash pad and to adjust line items.
- e. Commissioner Precinct 3: 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 adjust line items.

- j. County Auditor: To adjust line items for purchase of two laptops.
 - k. County/District Court Technology: To adjust line items.
 - l. Court Reporter Service Fund: To recognize and allocate revenue.
 - m. Emergency Management: To adjust line items and adjust line items for PO 55173094.
 - n. Fire Marshall: To adjust line items, transfer funds for covered parking as approved M17/04.11.17 and transfer funds for building of shed.
 - o. Historical Commission: To recognize and allocate revenues.
 - p. Justice Court Technology Fund: To recognize and allocate revenue to fund software purchases for Justice of the Peace Pct 1 and Pct 4 as approved M5/04.11.17.
 - q. Justice of the Peace Precinct 1: To transfer funds for Capital Project JP1 Parking Lot M11/04.11.17.
 - r. Juvenile Probation: To adjust line items.
 - s. Law Library: To transfer funds for new 410th books.
 - t. Memorial Library: To transfer salary and benefit funds from four positions to newly created full-time position to cover cost of employee insurance as approved M13/04.25.17.
 - u. Mental Health Court Services: To adjust line items.
 - v. Risk Management: To adjust line items and allocate funds for purchase of items needed for Wellness Clinic.
 - w. Sheriff: To adjust line items, transfer funds for District 5 Patrol Room Table and transfer funds for position changes due to Sheriff reorganization.
 - x. Sheriff-Jail: To recognize and allocate revenue.
 - y. Sheriff-OCDETF-Meth Monkey: To set up contract.
 - z. Tax Assessor-Collector: To recognize revenue for purchase of passenger van and transfer two positions from Tax Assessor-Collector to IT Department as approved M12/04.25.17.
- A3. REPORT OF OFFICIALS' FEES ACCEPTED as audited for March 2017.
- A4. REQUEST APPROVED from Justice of the Peace Precinct 4 to use \$1,011.72 from Justice of the Peace Technology Fund.
- A5. MONTHLY UNAUDITED FINANCIAL REPORTS ACCEPTED for the months of October, November, December 2016 and January, February 2017.

TREASURER – AGENDA ITEMS 9B1-2

- B1. PLEDGES AND/OR RELEASES OF DEPOSITORY COLLATERAL REPORT APPROVED.
- B2. MONTHLY PLEDGED SECURITIES REPORT APPROVED for March 2017.

TAX ASSESSOR/COLLECTOR – AGENDA ITEMS 9C1-3

- C1. CONTINUATION CERTIFICATE ACKNOWLEDGED AND ACCEPTED for Surety Bond #71661702 for Conroe ISD-CISD Maintenance/Grounds Center in the amount of \$25,000.00. Montgomery County has no responsibility for payment of this bond.
- C2. CONTINUATION CERTIFICATE ACKNOWLEDGED AND ACCEPTED for Surety Bond #71661687 for Conroe ISD-CISD Transportation- Conroe Center in the amount of \$25,000.00. Montgomery County has no responsibility for payment of this bond.
- C3. CONTINUATION CERTIFICATE ACKNOWLEDGED AND ACCEPTED for Surety Bond #71661698 for Conroe ISD-CISD Transportation- Oak Ridge Center in the amount of \$25,000.00. Montgomery County has no responsibility for payment of this bond.

PURCHASING – AGENDA ITEMS 9D1-8

D1. RENEWALS AWARDED:

- a. Vehicle striping kits and installation with Bryant, Shona dba Bryant's Signs for Various Departments. (Exercising the fifth of five renewal options)
- b. Mowing of right of ways with Triple B Ag, LLC for Precinct 1. (Exercising the first of three renewal options)
- c. Mowing of additional right of ways with Triple B Ag, LLC for Precinct 4. (Exercising the first of three renewal options)
- d. New vehicles with Caldwell Country Chevrolet on a month to month basis for Various Departments.
- e. Traffic signs and related supplies with Vulcan, Inc. for Various Departments. (Exercising the third of four renewal options)
- f. Chain link fencing/material and labor with Astro Fence Company for Various Departments. (Exercising the third of five renewal options)
- g. Armored transportation service with Dunbar Armored, Inc. for Various Departments. (Exercising first and only renewal option)
- h. Products and related services through the Interlocal Agreement with the Department of Information Resources contract #DIR-TSO-3393 with Solutions-II, Inc. for Various Departments. (Exercising the first of three renewal options)
- i. Rental of vehicles and related items through the Interlocal Agreement with Harris County contract #16/0069 with EAN Holdings, Inc. and the name change to Enterprise Holdings, Inc. dba EAN Holdings, LLC Enterprise Rent A Car for Various Departments. (Exercising the first of four renewal options)

D2. ADVERTISING APPROVED for the following:

- a. Installation of aerobic septic system(s) for MCCD.
- b. RFP - external assessment of Sheriff's Office Facilities for Sheriff's Office.
- c. Temporary manual labor for Various Departments.
- d. Roads-surface treatment for Various Departments.
- e. Automotive original equipment manufactured parts for Various Departments.
- f. Runway surface washing for the Conroe North Houston Regional Airport.

D3. CHANGE ORDERS APPROVED:

- a. CO #4 to A All Animal Control of North Houston, LLC for exterminating/pest control services for a price increase for monthly interior services from \$23.00 to \$25.00 and for quarterly exterior services from \$25.00 to \$28.75 for Various Departments.
- b. CO #1 to Cellco Partnership dba Verizon Wireless for Wireless Voice and Data products through the State of Texas Department of Information Resources contract #DIR-TSO-3415 to add amendments 1, 2 and 3 for Various Departments.
- c. CO#1 to Rods Surveying, Inc. for surveying services for FM 1097 Bentwater Drive to IH-45 to add additional services in the amount of \$17,263.00 for Precinct 1.

D4. CONTRACTS APPROVED for the following:

- a. Rental services for construction, other equipment & vehicle rental through the Interlocal Agreement with Buyboard contract #489-15 from Nueces Farm Center, Inc. dba Nueces Power Equipment for Various Departments. Local Gov't Code §271.102
- b. Office supplies through the Interlocal Agreement with the Cooperative Purchasing Network (TCPN) contract #R141703 from Office Depot, Inc. for Various Departments. Local Gov't Code 271.102

D5. REQUEST APPROVED rescinding purchase order #2017075 for the surveying services of FM 1097 from Bentwater Drive to IH 45 from Rod's Surveying, Inc. previously approved in Commissioners Court 10/25/16 for Precinct 1.

D6. LIST AND CHECK ACCEPTED for items sold from Rene Bates Auctioneers, Inc. in the amount of \$23,238.90 which includes total sale of \$25,123.13 less auctioneer's fee of \$1,884.23 for Various Departments. Check has been forwarded to the Auditor for further processing.

D7. CANCELLATION APPROVED of the month to month contract for five (5) phase treatment services with Peggy Heath dba Mental Health Resource Center effective 05/16/17 for Drug and DWI Courts.

D8. CONTRACTS APPROVED with the highly qualified provider per government code chapter 2254:

- a. Engineering Design Services for traffic signal improvements at Pine Croft Drive from Amani Engineering, Inc. for total maximum sum of \$35,095.00 for Precinct 3.

RISK MANAGEMENT – AGENDA ITEMS 9E1-3

E1. PAYMENT ACKNOWLEDGED AND RECORDED INTO THE MINUTES to Kennia C. Alvarez and Walter E. Melgar in the amount of \$1,652.13 in reference to Claim #U-16-0117 DOL 10.10.16.

E2. PAYMENT ACKNOWLEDGED AND RECORDED INTO THE MINUTES for Progressive as subrogee for April Flowers in the amount of \$8,268.14 in reference to Claim #A-16-0140 DOL 12.14.16.

E3. CHANGES, ADDITIONS AND RELEASES APPROVED for the following:

<u>BOND</u>	<u>NAME/DEPT</u>	<u>AMOUNT</u>	<u>ACTION</u>
24754738	Wright, Jody/District Attorney	\$5,000	Renew/Cont Cert
24913523	Singleton Jr, James/Fire Marshal	\$5,000	Renew/Cont Cert
24913539	Bennett, Gary/Fire Marshal	\$5,000	Renew/Cont Cert

24913549	West, Carey/Fire Marshal	\$5,000	Renew/Cont Cert
61308495	Gilbert, Shawn/Const. Pct. 3	\$5,000	Renew/Cont Cert
61991157	Welch, Kenneth/Const. Pct. 3	\$5,000	Renew/Cont Cert
61639680	Tunstall, Jarod/Const. Pct. 3	\$5,000	Renew/Cont Cert
61639691	Orr, Joshua/Const. Pct 3	\$5,000	Renew/Cont Cert
15275639	Appleton, Melisa/District Attorney	\$5,000	Renew/Cont Cert
15275528	Pena, Eva/Tax Assessor	\$100,000	Renew/Cont Cert
61954888	Doyal, Lindsey/Treasurer	\$25,000	Renew/Cont Cert
61585941	Baxter III, Thomas/Fire Marshal	\$5,000	Renew/Cont Cert

COMMISSIONERS – AGENDA ITEMS 9F1-2

F1. PRECINCT 1

- a. FINANCIAL AUDIT REPORT ACCEPTED for ESD #1 (Emergency Service District) with fiscal year ending September 30, 2016.

F2. PRECINCT 3

- a. POSSESSION AND USE AGREEMENT APPROVED between Montgomery County and IGC Rayford Partners, LTD relating to Parcel 6 of Rayford Road Project.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9G1-3

G1. PRECINCT 3

- a. REQUEST APPROVED to acknowledge the roads in The Woodlands Village of Grogans Mill Lake Woodlands East Shore, Section 16 have been built to County Standards and have completed the one year maintenance period. The bond is released at this time. These roads are private and will not be maintained by Montgomery County.
- b. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Falls at Imperial Oaks, Section 17 and bond is released.
- c. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Falls at Imperial Oaks, Section 18 and bond is released.
- d. FINAL PLAT APPROVED of Woodson's Reserve Parkway Phase 3; 4.3018 acres; Montgomery County School Land Survey, A-351.
- e. FINAL PLAT APPROVED of Even Holdings, LLC; 0.6107 acre; Charles Eisterwall Survey, A-191.

G2. PRECINCT 4

- a. PUBLIC HEARING DATE SET for June 13, 2017 to post a 35 MPH speed limit on Trade Center Parkway and South Trade Center Parkway.
- b. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD, in Tavola, Section 11.
- c. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD, in Tavola, Section 12.

- d. FINAL PLAT APPROVED OF Ricewood Drive Street Dedication, Section 1; 1.486 acres; M.H. Short Survey, A-535.
- e. FINAL PLAT APPROVED of Country Colony, Section 4; 12.42 acres; M.H. Short Survey, A-535.
- f. FINAL PLAT APPROVED of Woodridge Forest, Section 15; 4.115 acres; Mary Owens Survey, A-405.
- g. FINAL PLAT APPROVED of Woodridge Forest, Section 12; 13.133 acres; Mary Owens Survey, A-405.
- h. FINAL PLAT APPROVED of Harper's School Road; 1.77 acres; Richard Vince Survey, A-583.

G3. ALL PRECINCTS

- a. REQUEST APPROVED from Park Construction to move heavy equipment across various county roads. These permits will expire August 15, 2017.

HUMAN RESOURCES – AGENDA ITEM 9H1

H1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of Airport to remove Carl J. Swenson Jr., Airport Ops Specialist, effective April 18, 2017. (Deceased) [No benefits due]

Request of Animal Shelter to increase salary of Aaron De Noble, Kennel Technician, due to completion of probationary period, effective May 6, 2017.

Request of Animal Shelter to increase salary of Daniela Hawthorne, Kennel Technician, due to completion of probationary period, effective April 22, 2017.

Request of Animal Shelter to accept the resignation of Daniela Hawthorne, Kennel Technician, effective April 26, 2017. [21.56 hours or balance vacation; 6.50 hours or balance holiday]

Request of Animal Shelter to place Aaron M. Johnson, Director-Animal Shelter, on payroll as replacement for Charles Jackson, effective May 23, 2017.

Request of Animal Shelter to accept the resignation of Tracy Jones, Kennel Technician, effective April 22, 2017. [No benefits due]

Request of Animal Shelter to place Ryann Moore, Kennel Technician, on payroll as replacement for pooled position, effective April 29, 2017.

Request of Animal Shelter to change status of Mariela Rivera, Clerk III, from full-time to part-time, effective April 22, 2017. [No benefits due]

Request of Animal Shelter to increase salary of Tammi Row, Kennel Technician, due to completion of probationary period, effective May 20, 2017.

Request of Animal Shelter to change status of Bobby Wiggins, Kennel Technician, from part-time to full-time as replacement for Joe Turner, effective April 22, 2017.

Request of Animal Shelter to place Amy Withrow, Kennel Technician, on payroll as replacement for Tracy Jones, effective May 2, 2017.

Request of Animal Shelter to increase salary of Tristen Wright, Kennel Technician, due to completion of probationary period, effective June 3, 2017.

Request of Custodial to accept the retirement of Jose Luis Lujan, Custodian II, effective April 27, 2017. [150.245 hours or balance vacation; 100.19 hours or balance compensatory time]

Request of Building Maintenance to accept the resignation of Jose Fernandez, Facility/Ground Worker, effective April 24, 2017. [12.36 hours or balance vacation]

Request of Building Maintenance to accept the resignation of Alberto Saavedra, Facility/Grounds Worker, effective May 1, 2017. [13.58 hours or balance vacation; 1.50 hours or balance compensatory time]

Request of Commissioner Precinct 1 to increase salary of Jesse Mooneyham, Seasonal Worker, due to adjustment of P/T employee hour cut backs, effective May 1, 2017.

Request of Commissioner Precinct 4 to transfer Joshua Ryan Matthews, Operator III, as replacement for Larry W. Beard, effective June 3, 2017.

Request of Constable Precinct 3 to place Robert Mason, Deputy Constable, on payroll as replacement for Patrick Patterson, effective April 29, 2017.

Request of Constable Precinct 3 to transfer Patrick Patterson, Deputy Constable, as replacement for Jarod Tunstall, effective April 29, 2017.

Request of Constable Precinct 3 to promote Jarod Tunstall, Corporal Constable, as replacement for John Lawless, effective April 29, 2017.

Request of Constable Precinct 4 to transfer Adolph Boudreaux III, Deputy, as replacement for Robert Buchanan, effective May 9, 2017.

Request of Constable Precinct 4 to place Chad Capehart, Deputy, on payroll as replacement for Brian Dunn, effective May 6, 2017.

Request of Constable Precinct 4 to promote Brian Dunn, Investigator II, effective May 6, 2017.

Request of District Attorney to accept the resignation of Joey Ray Ashton, Investigator II, effective May 19, 2017. [17.485 hours or balance vacation; 25.88 hours or balance compensatory time]

Request of District Clerk to accept the resignation of Sherrie Woodruff, Office Supervisor I, effective April 21, 2017. [8.405 hours or balance vacation]

Request of Elections to increase salary of Judy Ann Diggle, Voter Clerk, due to merit increase, effective April 21, 2017.

Request of Elections to increase salary of Deborah Scherwitz, Voter Clerk, due to merit increase, effective April 21, 2017.

Request of Elections to increase salary of Linn Scherwitz, Voter Clerk, due to merit increase, effective April 22, 2017.

Request of Environmental Health to transfer Gilberto Pedraza, Designated Representative I, from Juvenile as replacement for Seth Miles, effective April 22, 2017.

Request of Extension Agents to place Michael McBride, Extension Program Assistant, on payroll as replacement for Joshua Merillat, effective April 24, 2017.

Request of Information Technology to transfer Stephen P. Bowering, Operations Specialist III, from Tax Assessor/Collector, effective April 22, 2017.

Request of Information Technology to transfer Larry Edward Petro, Lead Business Coordinator III, from Tax Assessor/Collector, effective April 22, 2017.

Request of Justice of the Peace Precinct 4 to place Syble Eaves, Court Clerk II, on payroll as replacement for Diann Seals, effective May 1, 2017.

Request of Juvenile to promote Ashley Nicole Abramski, Juvenile Probation Officer, effective May 6, 2017.

Request of Juvenile to accept the resignation of Sara Joyce Betts, Juvenile Supervision Officer, effective April 26, 2017. Is eligible for re-hire. [24.62 hours or balance vacation; 6.875 hours or balance compensatory time; 8.00 hours or balance holiday]

Request of Juvenile to accept the resignation of Erick Ivan Marquez, Juvenile Probation Officer Assistant, effective May 5, 2017. Is eligible for re-hire.[3.08 hours or balance vacation; 0.005 hours or balance compensatory time; 3.00 hours or balance holiday]

Request of Juvenile to change status of Stephanie Marie Soileau, Juvenile Supervision Officer, from part-time to full-time as replacement for Sara Betts, effective May 13, 2017.

Request of Juvenile to change status of Rosely Toledo, Juvenile Supervision Officer, from part-time to full-time as replacement for Fabiola Barcenas, effective April 22, 2017.

Request of Juvenile to change status of Candice Ashley Wilhite, Juvenile Supervision Officer, from part-time to full-time, as replacement for Tanya Young, effective April 22, 2017.

Request of Juvenile to transfer Ivory Williams III, Juvenile Supervision Officer-JJAEP, as replacement for Ashley Abramski, per employees request, effective May 6, 2017.

Request of Library to place Debra Escudero, Library Assistant II, on Unpaid FMLA/Disability Leave, effective April 14, 2017.

Request of Library to change status of Charity Martin, Reference Librarian I, from part-time to full-time, effective April 22, 2017.

Request of Library to bridge time of Candy Joyce Parker, Library Assistant II, to have a revised leave anniversary date of 04/29/2010, effective May 2, 2017.

Request of Library to promote Tara Gayle Puls, Library Assistant II, as replacement for Molly Bullard, effective April 26, 2017.

Request of Library to change status of Patricia Heins Robson, Shelving Clerk, as replacement for Tara Puls, effective April 29, 2017.

Request of Library to place Morgan Vaughn, Shelving Clerk, on payroll as replacement for Bridget Minchuk, effective April 25, 2017.

Request of Library to place Haley Wingate, Shelving Clerk, on payroll as replacement for David Hopper, effective May 2, 2017.

Request of Sheriff to place Larry Burcham, Clerk IV-CJR, on payroll as replacement for Nancy Isaacks, effective April 29, 2017.

Request of Sheriff to place, Douglas Carr, Dispatcher, on payroll, effective April 29, 2017.

Request of Sheriff to transfer Kaylee Michaela Castanon, Dispatcher, from Library, effective April 22, 2017.

Request of Sheriff to accept the retirement of Roberta Foust, Clerk IV, effective May 31, 2017. [97.40 hours or balance vacation; 1.76 hours or balance compensatory time; 32.00 hours or balance holiday]

Request of Sheriff to accept the retirement of Jamie E. Hurt, Finance Assistant, effective June 30, 2017. [205.405 hours or balance vacation]

Request of Sheriff to place Michael A. Manning, Maintenance Tech III, on payroll as replacement for Michael Manning, effective May 13, 2017.

Request of Sheriff to accept the resignation of Daniel David Pruitt, Officer Civilian Detention, effective May 12, 2017. [106.45 hours or balance vacation; 370.98 hours of balance compensatory time; 1.00 hours or balance holiday]

Request of Sheriff to place Carlos A. Tavaréz, Deputy-Patrol (D6), on payroll as replacement for Jason Hopper, effective April 22, 2017.

Request of Sheriff to accept the retirement of Tracy V. Wade, Deputy (D1), effective May 31, 2017. [117.936 hours or balance vacation; 38.75 hours or balance compensatory time; 2.00 hours or balance holiday]

Request of Spring Creek Greenway NC to accept the resignation of Ryan Sendelbach, Nature Center Assistant, effective April 25, 2017. [38.28 hours or balance vacation]

Request of Tax Assessor Collector to promote Kenneth Martin III, Deputy Specialist II, due to meeting educational mandates and tenure requirements for promotion, effective May 20, 2017.

Request of Tax Assessor Collector to bridge time of Edlecia Pierson, Deputy Specialist I, to have a revised leave anniversary date of 05/25/2011, effective May 10, 2017.

Request of Tax Assessor Collector to promote Edlecia Pierson, Deputy Specialist II, due to meeting educational mandates and tenure requirements for promotion, effective May 20, 2017.

ENVIRONMENTAL HEALTH – AGENDA ITEMS 9I1-7

11. ORDER APPROVED to abate a public nuisance on the following property that is abandoned, deemed unsafe, or unlivable:
 - a. 12525 Royal Green Drive, Conroe, Texas 77303 with an estimated cost of \$4,500.00 to be funded by CDBG.
12. ORDER APPROVED rescinding and vacating order to abate a public nuisance for 23647 E. Heritage Oaks, Porter, Texas 77365. This property has been brought into compliance without county involvement of funds.
13. ORDER APPROVED assessing cost of abating a public nuisance and Notice of Lien to be filed in Real Property Records to recover cost to the county for demolition for abate nuisance for 206 Wickdome Drive, Willis, Texas 77378.
14. ORDER APPROVED assessing cost of abating a public nuisance and Notice of Lien to be filed in Real Property Records to recover cost to the county for demolition for abate nuisance for 27203 Buttercup, Magnolia, Texas 77354.
15. VARIANCE REQUEST APPROVED to install an aerobic onsite system in the 100 year flood plain located at 23535 East Heritage Oaks Porter, Texas 77365.
16. VARIANCE REQUEST APPROVED to install an aerobic onsite system in the 100 year flood plain located at 16562 Old Houston Road Conroe, Texas 77302.

- I7. VARIANCE REQUEST APPROVED to install an aerobic onsite system in the 100 year flood plain located at 19746 Dogwood Lane New Caney, Texas 77357

COUNTY JUDGE – AGENDA ITEM 9J1

- J1. RATIFICATION OF EXECUTION OF AMENDMENT TO AGREEMENT APPROVED between Montgomery County and United States Immigration and Customs Enforcement Agency extending the period of performance.

COUNTY ATTORNEY – REAL PROPERTY - AGENDA ITEMS 9K1-3

K1. PRECINCT 2

- a. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase, and funding of the acquisition of Parcel 22 of the expansion of McCaleb Road from Eddy W. Cotton and Lisa Cotton for the total sum of \$140,171.36. The Memorandum of Agreement is approved and Judge Doyal and/or B.D. Griffin are authorized to approve the deed and execute the Closing Statement and all other documents necessary. The County Auditor and Treasurer are authorized to issue payment from line item 6134015.75985827 and project code RD 200010 to Old Republic Title for the benefit of Eddy W. Cotton and Lisa Cotton in the amount stated above.
- b. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase, and funding of the acquisition of Parcel 30B of the expansion of McCaleb Road from Capri Villas, LLC for the total sum of \$98,806.15. The Memorandum of Agreement is approved and Judge Doyal and/or B.D. Griffin are authorized to approve the deed and execute the Closing Statement and all other documents necessary. The County Auditor and Treasurer are authorized to issue payment from line item 6134015.75985827 and project code RD 200010 to Old Republic Title for the benefit of Capri Villas, LLC in the amount stated above.
- c. DONATION DEED ACCEPTED from Magnolia Independent School District to Montgomery County for right of way acquired for Egypt Lane ROW Project.
- d. DONATION DEED ACCEPTED from PS LPT Properties Investors to Montgomery County for right of way acquired for Egypt Lane ROW Project.
- e. RIGHT OF WAY IMPROVEMENT AGREEMENT APPROVED between Montgomery County and Sendera Lakes Estates Property Owners Association for improvements at FM 1488 and Lago Drive, FM 1488 and Sendera Drive and Cimarron Way and Sendera Drive.

K2. PRECINCT 3

- a. RESOLUTION AND ORDER TO PAY APPROVED for funding of the fixed payment in lieu of moving expense in connection with the acquisition of Parcel 26 of the expansion of Rayford Road from Heng Tech Taing dba T & L Food Mart in the amount of \$25,000.00. The County Auditor and Treasurer are authorized to issue payment from line item 6144015-75985827 and project code RD300018.
- b. ORDER APPROVED authorizing payment of Special Commissioner Award and payment of Special Commissioners fees for Parcel 52 of the Rayford Road Project as set out in the in the award of Specials Commissioners and Court order Conditionally Granting Writ of Possession on file.

K3. ALL PRECINCTS

- a. FIRST AMENDMENT AND RENEWAL TO TOWER LEASE AGREEMENT APPROVED by and between Wireless Towers, Inc. and Montgomery County. County Judge is authorized to sign agreement on behalf of Montgomery County.

COUNTY ATTORNEY – AGENDA ITEM 9L1

- L1. RESOLUTION AND ORDER APPROVED supporting the need for the Montgomery County Attorney to defend, on behalf of Montgomery County the lawsuit filed under Cause No. 17-03-04008 and styled Audrey Delia and Cassidy Delia v. Montgomery County, Texas. The County Attorney is authorized to incur expenses as necessary for the proper defense and negotiation of said case and funding of said expenses are authorized from the Risk Management budget with the approval of the Director of Risk Management or designee.

COUNTY ATTORNEY – MENTAL HEALTH TREATMENT FACILITY – AGENDA ITEM 9M1

- M1. REQUEST APPROVED to name Jeffrey Rone, Interim Hospital Administrator, as Hospital Administrator for Montgomery County Mental Health Treatment Facility.

CONROE-NORTH HOUSTON REGIONAL AIRPORT – AGENDA ITEMS 9N1-2

- N1. SUBLEASE APPROVED for a 6.588 acres tract of land between Black Forest Ventures Aviation RE, LLC and Galaxy FBO Holdings, LLC.
- N2. CONSENT TO HANGAR LEASE APPROVED between Galaxy FBO Holdings, LLC and West Star Aviation, LLC.

CONSTABLE PRECINCT 4 – AGENDA ITEM 9O1

- O1. INTERLOCAL AGREEMENT APPROVED between Montgomery County and Riverwalk Property Owners Association for Law Enforcement Services. This will not effect FY17 budget.

Motion carried.

END OF CONSENT AGENDA

CITIZENS – AGENDA ITEM 10

Michelle Garcia addressed the court concerning the widening of Rayford Road. She stated some of the improvements are not safe to the residents whose property backs up to Rayford Road.

Manual Buchanan spoke during Michelle Garcia's time and echoed her thoughts.

Eric Yollick presented a "golden hammer" to Judge Doyal due to an open position in his office that has not been filled in some time.

Sandra Bartlett addressed the court concerning the Keenan Cutoff widening and overpass. She is opposed to this and does not believe it is necessary.

Patrick Hagan also addressed the court concerning the Keenan Cutoff Widening and overpass. He also does not support this and believes a center turn lane will be beneficial.

9. REQUEST APPROVED – UNCLAIMED CAPITAL CREDIT – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the filing for unclaimed Capital Credits with the Texas Comptroller of Public Accounts for Year 2016 and County Judge is authorized to sign. Motion carried.

10. FUNDS ACCEPTED – 2017 NRA FOUNDATION GENERAL GRANT – SHERIFF

Motion by Commissioner Noack, seconded by Commissioner Clark, to accept funds for the 2017 NRA Foundation General Grant in the amount of \$1,595.66. This grant was awarded at half of the original funds requested for designated equipment with no county match. The grant application was approved in Commissioners Court on November 8, 2016. The check has been forwarded to the Auditor for further processing. Motion carried.

11. RESOLUTION AND ORDER APPROVED – USER FEES – AIRPORT

Motion by Commissioner Meador, seconded by Commissioner Riley, to authorize the Director of the Conroe-North Houston Regional Airport to grant exemptions when appropriate to law enforcement from user fees for U.S. Customs Services rendered during regular business hours. The exemption shall not include fees for trash services. Motion carried.

AGENDA ITEM 14A WAS ADDRESSED EARLIER IN COURT. SEE MOTION #3 FOR COURT ACTION.

AGENDA ITEM 15A WAS ADDRESSED EARLIER IN COURT. SEE MOTION #2 FOR COURT ACTION.

AGENDA ITEM 16A – CONSIDER AND TAKE APPROPRIATE ACTION ON DEBT SERVICE MODELS WAS DEFERRED.

12. PLAN ASSESSMENT APPROVED – TCDRS – COUNTY AUDITOR

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the TCDRS Plan Assessment for plan year 2018. This will be calculated into the budget at a rate of 12.27%. Motion carried.

13. REPORT ACCEPTED AND REQUESTS APPROVED – ENTERPRISE RESOURCE PLANNING SYSTEM – COUNTY AUDITOR

Motion by Commissioner Meador, seconded by Commissioner Riley, to accept the report on Enterprise Resource Planning System Search and approve the request to negotiate with preferred vendor, continue funding at prior levels, and negotiate with implementation specialist consultant. Motion carried.

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

AGENDA ITEM 16D – COUNTY AUDITOR PRESENTED A REPORT OF VALUATIONS REPRESENTING 5% OF ADOPTED BUDGET. COMMISSIONER NOACK ASKED COUNTY AUDITOR TO BRING BACK A REPORT THAT EXCLUDED LAW ENFORCEMENT.

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

AGENDA ITEM 16E – CONSIDER AND DISCUSS AND TAKE ANY APPROPRIATE ACTION ON PREVIOUS REPORTS FILED BY AUDITOR WAS DEFERRED.

14. AWARD APPROVED – HORIZON ENVIRONMENTAL – VARIOUS DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the award to Anderson Pollution Control Inc. dba Horizon Environmental for RFP-Hazardous/Non-Hazardous material handling (clean up/disposal) for Various Departments. The contract will follow at a later date. Commissioner Clark voted "No". Motion carried.

15. AWARDS APPROVED – VARIOUS PROJECTS – PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Meador to approve the following awards:

- Fish Creek Thoroughfare Expansion to TLC Trucking & Contracting, Inc. in the amount of \$2,188,816.93 and
- Alford Road Bridge Replacement to Aranda Brothers Construction Co., Inc., in the amount of \$523,545.00.

These contracts have been reviewed by the contract review committee. Motion carried.

16. AWARD APPROVED – 5 PHASE TREATMENT SERVICES – DRUG/DWI COURT

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the award for RFP Five (5) Phase Treatment Services as follows:

- Recommendation: Counseling Center of Montgomery County
- Alternates: Mental Health Resource Center and Refuge Trauma and Counseling Center

Motion carried.

17. AWARD APPROVED – INMATE HEALTHCARE SERVICES – SHERIFF'S OFFICE

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve beginning the negotiation process with the highest evaluated respondent Southwest Correctional Medical Group, the court members will sign non-disclosure agreements and the court will receive information from other respondents and no funding source will be named at this time. Motion carried.

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

18. REGULATIONS APPROVED – SEXUALLY ORIENTED BUSINESS – COUNTY ATTORNEY

Motion by Commissioner Clark, seconded by Commissioner Meador, to approve the revisions to the Regulations for Sexually Oriented Businesses in the unincorporated area of Montgomery County. Motion carried.

19. ORDER APPROVED – KEENAN CUTOFF WIDENING AND OVERPASS – COUNTY ATTORNEY – REAL PROPERTY – PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the order authorizing the public project described as Keenan Cutoff Widening and Overpass and decree of public necessity and convenience and authorizing and directing acquisition and payment of compensation. Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 20A1: CONSIDER AND APPROVE SETTING A 25 MPH SPEED LIMIT ON BRUSHWOOD AND OVERSTREET DRIVE.

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

20. REQUEST APPROVED – SPEED LIMIT – PUBLIC HEARING – COMMISSIONER PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve setting a 25 MPH Speed limit on Brushwood and Overstreet Drive. Motion carried.

THE COURT RECESSED FOR EXECUTIVE SESSION PURSUANT TO ONE OR MORE OF THE FOLLOWING PROVISIONS OF THE TEXAS GOVERNMENT CODE, TO WIT: CHAPTER 551, SUB-CHAPTER D, ARTICLES 551.071 and 551.074.

EXECUTIVE SESSION – AGENDA ITEM 21A: DISCUSS AND DELIBERATE THE EMPLOYMENT AND DUTIES OF SELECTED PUBLIC EMPLOYEES (PURCHASING DEPARTMENT DIRECTOR). (SECTION 551.074)

EXECUTIVE SESSION – AGENDA ITEM 21B: CONSULTATION WITH COUNTY ATTORNEY REGARDING A SETTLEMENT OFFER AND/OR CONTEMPLATED LITIGATION RELATED TO LAND LEASE WITH SOUTHERN MONTGOMERY COUNTY MUD. (SECTION 551.071)

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

AGENDA ITEM 22 – NO ACTION NECESSARY ON THE ITEMS DISCUSSED IN EXECUTIVE SESSION.

CITIZENS – AGENDA ITEM 23

Sherry Shorten addressed the court concerning the County Software System. She stated that the systems needs an overhaul and gave several suggestions toward the implementation of a new system.

MISCELLANEOUS – AGENDA ITEM 24 –

Commissioner Noack thanked Judge Doyal and his staff for adding an item to the agenda at the last minute.

21. COURT ADJOURNS

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

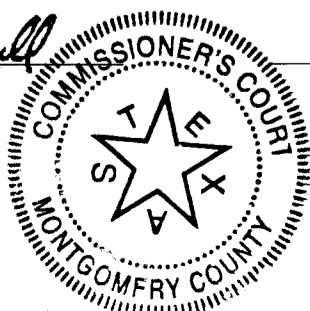
The above and foregoing minutes were read and approved by the Court.

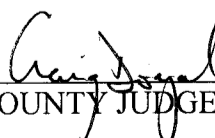
ATTEST:

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

BY:


COUNTY CLERK




COUNTY JUDGE