

COMMISSIONERS COURT DOCKET
November 20, 2018
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 20th day of November, 2018, 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 Judge Phil Grant

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

THE PLEDGE OF ALLEGIANCE TO THE TEXAS STATE FLAG RECITED.

1. COMMISSIONERS COURT AGENDA APPROVED.

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

AGENDA ITEM 12C WAS MOVED UP IN THE AGENDA.

2. REQUEST APPROVED – CREATION OF NEW COURT – OFFICE OF COURT ADMINISTRATION

Motion by Commissioner Clark, seconded by Commissioner Riley, to approve the creation of a new District Court in Montgomery County. A resolution signed by the District Judges and County Judges was submitted, but did not contain a signature page for the members of Commissioners Court. Commissioner Noack voted “No”. Motion carried.

AGENDA ITEM 7A – MONTGOMERY COUNTY EMPLOYEES COMMITTEE PRESENTED EMPLOYEE OF THE MONTH TO MIRANDA HAHS, WITH THE OFFICE OF EMERGENCY MANAGEMENT FOR THE MONTH OF NOVEMBER 2018.

3. CORRECTION APPROVED – COUNTY CLERK

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the correction to the Minutes from Regular Session of Commissioners Court August 14, 2018, as follows:

DID READ:

7. REQUEST APPROVED – UNUSED SALARY AND BENEFITS – CONSTABLE PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve transferring unused salary and benefit funds to the operating budget of Constable Precinct 3. Motion carried.

SHOULD READ:

7. REQUEST APPROVED – UNUSED SALARY AND BENEFITS – CONSTABLE PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve transferring unused salary and benefit funds at the end of 2018 to the operating budget of Constable Precinct 3. Commissioner Meador voted “No.” Motion carried.

Motion carried.

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

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

COUNTY AUDITOR – AGENDA ITEMS 9A1-5

A1. COMPLETED AUDITS ACCEPTED for the following:

- a. Cash Count Audit Report for 4th Qtr 2018 and
- b. Constable Precinct 5 –David Hill Exit Audit

A2. BUDGET AMENDMENTS AND LINE ITEM TRANSFERS FY18 APPROVED:

- a. Animal Shelter: To transfer for claim pending Req:55190511.
- b. Commissioner Precinct 1: To transfer line items.
- c. Commissioner Precinct 3: To recognize and allocate revenue.
- d. Constable Precinct 1: To recognize and allocate revenue.
- e. Constable Precinct 5: To transfer m8/09.11.18.

A3. PAYMENT OF ACCOUNTS APPROVED, as submitted by the County Auditor.

A4. REPORTS ACCEPTED that comply with Local Government Code Chapter 114 Section 024; Dept/Div Revenue Summary and Dept/Div Expenditure Summary.

A5. REPORT ACCEPTED that complies with Local Government Code Chapter 114 Section 025 for October 2018; Monthly Report to Commissioners Court and District Judges.

TAX ASSESSOR/COLLECTOR – AGENDA ITEM 9B1

B1. MONTHLY TAX COLLECTION REPORT ACCEPTED for month ending October 2018.

PURCHASING – AGENDA ITEMS 9C1-6

C1. RENEWAL OPTIONS APPROVED for the following:

- a. Project #2012-0072 Jail food services with Aramark Correctional Services for Various Departments. (Exercising the 2nd of five renewal options)
- b. Project #2015-0039 Mosquito aerial spraying and ground mosquito surveillance and control with Vector Disease Control International LLC for Various Departments. (Exercising the 3rd of three renewal options)

C2. UTILIZATION APPROVED of the following contracts:

- a. Instructional materials and classroom teaching supplies and equipment through the Interlocal Agreement with Buyboard contract #573-18 from Brodart Company for Various Departments. Local Gov't Code §271.102.
 - b. Products and related services through the State of Texas Department of Information Resources contract #DIR-TSO-3944 from Freeit Data Solutions, Inc. for IT. Local Gov't Code §271.083(b).
- C3. LIST APPROVED of items sold through the online auction and CHECK ACCEPTED from Rene Bates Auctioneers, Inc. in the amount of \$54,242.62 which includes sales of \$58,640.67 less auctioneer's fee of \$4,398.05 for Various Departments and items that received no bids are approved to be disposed of by salvage or donation. Check has been forwarded to the Auditor for further processing.
- C4. DISCRETIONARY EXEMPTIONS APPROVED:
- a. Inmate dental services as a personal or professional service on an as needed basis from Gayle Fletcher DDS PA for Sheriff's Office/Jail. Local Gov't Code §262.024 (a)(7)(A)
- C5. ADVERTISING APPROVED for the following bids/proposals:
- a. Project #19-10 RFP Prisoner extradition services for Sheriff's Office.
 - b. Project #19-11 Intersection improvements for Precinct 1.
- C6. AMENDMENTS APPROVED for the following contracts:
- a. Amendment #1 to LJA Engineering & Surveying, Inc. for engineering services for airport perimeter road to approve additional engineering services in the amount of \$20,074.00 for Precinct 1.
 - b. Amendment #1 to Halff Associates, Inc. for right-of-way acquisitions, relocation, and county reimbursement services FM 1097 Segment 1-IH 45 to Anderson Road to approve additional R-O-W acquisition, relocation and county reimbursement services not to exceed \$10,000.00 for Precinct 1.

RISK MANAGEMENT – AGENDA ITEMS 9D1-2

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

| <u>BOND</u> | <u>NAME/DEPT</u> | <u>AMOUNT</u> | <u>ACTION</u> |
|-------------|-------------------------------|---------------|-----------------------------------|
| 63835180 | Torres, Jose/ Const Pct 2 | \$5,000 | New |
| 63835064 | Bodden, Bobby/ Const Pct 5 | \$5,000 | New |
| 63835577 | Linton, Carl/ Library | \$3,000 | New |
| 63834874 | Gay, Michael/ Const Pct 1 | \$5,000 | New |
| 63811865 | Ashton, Joey/ Const Pct 1 | \$5,000 | New |
| 63834857 | Rosario, Miguel/ Const Pct 1 | \$5,000 | New |
| 63835045 | McElhaney, Blake/ Const Pct 5 | \$5,000 | New |
| 63850632 | Lawless, John/ Const Pct 3 | \$5,000 | New |
| 63795037 | Burns, Robert/ Const Pct 5 | \$5,000 | Reserve/New |
| 63795037 | Burns, Robert/Const Pct 4 | | Rider/Correct from Pct 5 to Pct 4 |

- D2. PAYMENT APPROVED for insurance premiums related to Judicial Liability for retiring or transferring judges.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9E1-3

- E1. PRECINCT 2

- a. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Fosters Ridge, Section 12.
- E2. PRECINCT 3
- a. PUBLIC HEARING DATE SET for December 18, 2018 to establish a 20 mph speed limit in the Legends Trace Subdivision.
- E3. PRECINCT 4
- a. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in West Lake Houston Parkway Street Dedication, Sec 5 and bond is released.

HUMAN RESOURCES – AGENDA ITEM 9F1

F1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of 284TH District Court to bridge time of Robin C. Cooksey, Court Reporter, to have a revised leave anniversary date of 10/11/1988, effective November 17, 2018.

Request of Animal Shelter to place Allison Hubbard, Animal Care Technician, on payroll as replacement for pooled position, effective November 10, 2018.

Request of Custodial to remove Salomon Abrego, Custodian, from payroll due to job abandonment, effective November 5, 2018.

Request of Custodial to remove Ana Castro, Supervisor-Custodian, from payroll due to job abandonment, effective November 14, 2018.

Request of Commissioner Precinct 1 to transfer John Seigle, Laborer, as replacement for Clifford Szymczak, effective November 19, 2018.

Request of Commissioner Precinct 2 to accept the resignation of Tyler Charles Cole, Operator II, effective November 15, 2018. [115.36 hours or balance vacation; 0.25 hours or balance compensatory time; 14.00 hours or balance holiday]

Request of Commissioner Precinct 2 to promote Brady Copeland, Superintendent, effective November 17, 2018.

Request of Commissioner Precinct 4 to adjust salary of Thomas Ivey, Supervisor-Signs, effective November 17, 2018.

Request of Constable Precinct 5 to transfer Richard Garlock, Deputy Constable, as replacement for Marshall Williams, effective November 19, 2018.

Request of Elections to place Paula Day, Elections Manager, on Unpaid FMLA/Disability Leave, effective November 14, 2018.

Request of Juvenile to promote Kristin Leigh Simonson, Juvenile Probation Officer, as replacement for Mary Fisher, effective November 17, 2018.

Request of Juvenile to accept the resignation of Lisa Michelle Wingo, Juvenile Supervision Officer Substitute, effective November 9, 2018. [No benefit due]

Request of Library to promote Patricia Heins Robson, Library Assistant II, as replacement for Marilyn Jennings, effective November 10, 2018.

Request of Sheriff to accept the resignation of Daniel Wade Bell, Officer Civilian Deten, effective November 16, 2018. [27.22 hours or balance vacation; 420.85 hours or balance compensatory time; 40.00 hours or balance holiday]

Request of Sheriff to transfer James B. Blackwell, Detective, effective November 17 2018.

Request of Sheriff to transfer Charron Suzanne Cales, Temporary Data Clerk, as replacement for Charron Suzanne Cales, effective November 17, 2018.

Request of Sheriff to promote Kellie Anne Christiansen, Investigator Cr Scene, effective November 17, 2018.

Request of Sheriff to transfer James L. Francis, Deputy, as replacement for Riaco R. Leverston, effective November 17, 2018.

Request of Sheriff to transfer Thomas Anthony Gannucci Jr., Detective, effective November 17, 2018.

Request of Sheriff to accept the resignation of Kyle Gilmore, Deputy Trainee (Cadet), effective November 8, 2018. [No benefits due]

Request of Sheriff to demote Emily Nicole Grimshaw, Tech/Property & Evidence, due to voluntary demotion, effective November 17, 2018.

Request of Sheriff to accept the resignation of Lorena F. Hearn, Dispatcher, effective November 23, 2018. [21.56 hours or balance vacation; 6.00 hours or balance compensatory time; 8.00 hours or balance holiday time]

Request of Sheriff to increase salary of James Buchanan Hinkel, Deputy, due to step increase, effective November 17 2018.

Request of Sheriff to accept the resignation of Jamie E. Hurt, Temporary Data Clerk, effective November 2, 2018. [No benefits due]

Request of Sheriff to promote Johnathan Wayne Jordan, Detective, effective November 17, 2018.

Request of Sheriff to increase salary of Thomas Edward Lambert III, Detective, due to step increase, effective November 17, 2018.

Request of Sheriff to demote Dawn Lynnette Lara, Officer Civilian Deten, as replacement for Marquis Jerrod Hines, effective November 14, 2018.

Request of Sheriff to transfer Stephen A. Lewis, Deputy Patrol, as replacement for Lee Erik Knudsen, effective November 17, 2018.

Request of Sheriff to increase salary of Henry C. Lowe Jr., Deputy Patrol, due to step increase, effective November 17, 2018.

Request of Sheriff to increase salary of Luis Macias, Specialist, due to step increase, effective November 17, 2018.

Request of Sheriff to increase salary of Karen A. Martinez, Deputy, due to step increase, effective November 17, 2018.

Request of Sheriff to transfer Chad Frazier May, Detective, effective November 17, 2018.

Request of Sheriff to increase salary of Bradley Shane Phelan, Deputy Detention, due to step increase, effective November 17, 2018.

Request of Sheriff to place Christopher Tristan, Deputy Detention, on payroll as replacement for Stephen A. Lewis, effective November 17, 2018.

Request of Sheriff to transfer Jason Thomas Uhler, Deputy Patrol, as replacement for Kellie Anne Christiansen, effective November 17, 2018.

Request of Sheriff to accept the resignation of Pathy Jeannet Vargas, Temporary Data Clerk, effective November 2, 2018. [No benefits due.]

COUNTY JUDGE – AGENDA ITEM 9G1

- G1. USE AGREEMENT APPROVED with DWI Tracker Inc. to use the Main Courthouse Foyer and Lobby of the James Keeshan Building for the reception of the Annual Montgomery County Tree of Angels Dedication for Victims of Violent Crimes.

COUNTY ATTORNEY – REAL PROPERTY - AGENDA ITEMS 9H1-2

H1. PRECINCT 1

- a. RESOLUTION AND ORDER TO PAY APPROVED for the funding of the acquisition, purchase and funding of the acquisition of Parcel 112 of the expansion of FM 1097 from John B. Williamson for the total sum of \$171,939.90 and to accept the executed or to be executed deed.

H2. PRECINCT 4

- a. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 30 for the widening of Old Houston Road from Maria Inez Ayala for the total sum of \$5,131.86. The executed or to be executed deed is accepted.
- b. FULLY EXECUTED ADVANCED FUNDING AGREEMENT RECORDED between Montgomery County and Texas Department of Transportation for SH242 widening. This was previously approved in Commissioners Court on September 25, 2018.

COUNTY ATTORNEY – AGENDA ITEMS 9I1-3

- I1. INTERLOCAL AGREEMENT APPROVED between Montgomery County and The Woodlands Township for 2019 Interim Funding of Justice of the Peace Precinct 3.
- I2. INTERLOCAL AGREEMENT APPROVED between Montgomery County and The Woodlands Township for 2019 Interim Funding of Precinct 3 Constables.
- I3. INTERLOCAL AGREEMENT APPROVED between Montgomery County and The Woodlands Township for 2019 Interim Funding of Montgomery County Sheriff's Office and Montgomery County Constable Precinct 3 (Law Enforcement Investigative Services-Crimes Against Children/Safe Harbor).

EMERGENCY MANAGEMENT – AGENDA ITEM 9J1

- J1. SUBMISSION APPROVED of the following HMGP Applications on behalf of Montgomery County: Property Acquisition, Infrastructure and Elevation for Sawdust Road, Infrastructure and Drainage in Cumberland Subdivision, Infrastructure for Multi-Use Shelter Facility. County Judge or his Designee are authorized to sign as the Authorized Agent.

Motion carried.

END OF CONSENT AGENDA

CITIZENS – AGENDA ITEM 10

Citizens will address the court at the time the agenda item is presented.

5. AGREEMENT APPROVED – FY2018 HOME GRANT – COMMUNITY DEVELOPMENT

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve and authorize County Judge to execute the FY2018 Home Grant Agreement between Montgomery County and Easter Seals of Greater Houston, Inc. Motion carried.

6. APPOINTMENT APPROVED – ASSOCIATE JUDGE – OFFICE OF COURT ADMINISTRATION

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the appointment of Associate Judge Paul Damico as a part-time Mental Health Associate Judge pursuant to Section 574.0085, Health and Safety Code. Motion carried.

7. REQUEST APPROVED – INTERPRETER FEE SCHEDULE – OFFICE OF COURT ADMINISTRATION

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve the Interpreter Fee Schedule adopted by Board of Judges on October 5, 2018 and as discussed at Budget Workshop, July 25, 2018. Commissioner Noack voted “No”. Motion carried.

AGENDA ITEM 12C WAS DISCUSSED EARLIER IN THIS SESSION. SEE MOTION 2 FOR COURT ACTION.

8. ORDER APPROVED – GENERAL ELECTION – ELECTIONS

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the order to Canvass the Returns and Declare the Results of the November 6, 2018 General Election. Motion carried.

COMMISSIONER NOACK LEFT THE COURTROOM.

9. CONTRACT APPROVED – OLD HOUSTON ROAD – PRECINCT 4

Motion by Commissioner Clark, seconded by Commissioner Meador, to approve the contract for engineering services for Old Houston Road with Holzwarth Company for a total maximum sum of \$357,400.00 for Precinct 4. Motion carried.

10. CONTRACT APPROVED – SORTERS ROAD – PRECINCT 4

Motion by Commissioner Clark, seconded by Commissioner Meador, to approve the contract for engineering services for Sorters Road with the Holzwarth Company for a total maximum sum of \$589,400.00 for Precinct 4. Motion carried.

COMMISSIONER NOACK RETURNED TO THE COURTROOM.

11. GRANT APPLICATION RATIFIED – NRA FOUNDATION – GRANTS

Motion by Commissioner Clark, seconded by Commissioner Riley, to ratify the Firearms Training Grant Application to the National Rifle Association (NRA) Foundation in the amount of \$11,257 for the Constable Precinct 4 Office as submitted by Sergeant McHugh on behalf of Montgomery County. No match is required. Motion carried.

12. GRANT APPLICATION APPROVED – IDM GRANT – GRANTS

Motion by Commissioner Clark, seconded by Commissioner Riley, to approve the Impaired Driving Mobilization (IDM) Grant Application to Texas Department of Transportation (TxDOT) for the Sheriff's Office in the amount of \$9,985.78 with a match of \$2,623.89 from the Sheriff's Office budget. Sergeant Hoffman or Rebecca Ansley are authorized to submit electronically on behalf of Montgomery County. Motion carried.

13. RESOLUTION AND ORDER APPROVED – STIPULATION AGREEMENT – COUNTY ATTORNEY – REAL PROPERTY – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the Stipulation Agreement between Montgomery County and Erhard Legacy Partners, LTD for the acquisition of Parcel 82 of the FM 1097 Road Expansion Project under cause no. 18-08-11313. The County Auditor and Treasurer are authorized and ordered to issue payment from line item 6124016.7598582 and Project code RD100011 (FM 1097) to Barbara Adamick, District Clerk fbo Erhard Legacy Partners, LTD in the amount of \$7,397.00

CITIZENS – AGENDA ITEM 17

Brett Ligon addressed the court on the Domestic Violence and Murder Rates in Montgomery County. He stated that 2/3 of the murders are domestic violence and 100% of the victims are women. He stated a few steps to take and tools that are being used to predict who are more likely to offend.

Eric Yollick addressed the court concerning the engineering services contracts on agenda item 14A. He presented a golden hammer to the members of Commissioners Court for not providing oversight or management from their offices or the County Engineers office. He would like the Commissioners to assume the management and oversight functions to look at every engineering contract.

MISCELLANEOUS – AGENDA ITEM 18 – NO OTHER ITEMS LISTED

14. COURT ADJOURNS

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

Judge Doyal wished everyone a Happy Thanksgiving.

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

