

## COMMISSIONERS COURT DOCKET

January 9, 2018  
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 9<sup>th</sup> day of January, 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 Don Fullen

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

## 2. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve the Minutes from Regular Sessions of Commissioners Court dated December 12, 2017 and December 19, 2017. Motion carried.

## 3. RESOLUTION AND ORDER APPROVED – CONSENT AGENDA – AGENDA ITEMS 8A-L

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

## COUNTY AUDITOR – AGENDA ITEMS 8A1-5

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

A2. BUDGET AMENDMENTS FY2017 APPROVED:

a. Animal Shelter: To recognize and allocate revenue and adjust line items.

b. Commissioner Precinct 3: To recognize and allocate revenue.

c. County Attorney: To transfer funds for Title IV-E grant for County Attorney for QRT ending 09/30/17.

- d. Elections: To recognize and allocate revenue.
- e. FEMA-DR-4332-TX: To set-up budget for Hurricane Harvey Cat B EM.
- f. MCCD: To recognize and allocate PI received for Willis Building (PI-1.1), Lonestar Building (PI-1.2), Magnolia Building (PI-2.1), Mag Medical Building (PI-2.2), and Splendor Building (PI-4.1).
- g. SO-Academy: To recognize and allocate revenue LET #5 & 6.
- h. SO-Contract Billings: To de-obligate remaining JLEO FY17 contract funds, JTTF FY17 contract funds, OCDETF-Blood 103 Jump Street FY17 contract funds, ICE/SLOT/GANG FY 17 contract funds, OCDETF-Speed Limit FY17 contract funds, OCDETF-Road Hazard FY17 contract funds, OCDETF-Witch Hazel FY17 contract funds, OCDETF-Noble Virtue FY17 contract funds, OCDETF-Meth Monkey FY17 contract funds, and OCDETF-Pathfinder FY17 contract funds.

A3. BUDGET AMENDMENTS FY 2018 APPROVED:

- a. Various: To correct carryover for FY 17 encumbrances and to carryover unspent funds for 2017 budget.
- b. Adult Probation: To set up FY 18 Pretrial Diversion Budget.
- c. Animal Shelter: To allocate revenue for Nov17-CCT08.22.17M20 and adjust line items.
- d. Building Maintenance: To adjust line items.
- e. Commissioner Precinct 1: To adjust line items
- f. Commissioner Precinct 2: To recognize a allocate revenue CCT 12.19.17/M18 and adjust line items.
- g. Commissioner Precinct 3: To adjust line items.
- h. County Clerk-Records Management: Additional encumbrance carryover FY17.
- i. Elections: To adjust line items.
- j. Extension Agents: To adjust line items.
- k. Historical Commission: To recognize and allocate revenues.
- l. Justice of the Peace Pct 4: To adjust line items.
- m. Memorial Library: To recognize and allocate revenue.
- n. Mental Health Court Services: To adjust line items.
- o. Office of Court Admin: To adjust line items.
- p. Sheriff: To adjust line items, recognize and allocate revenue, and recognize and allocate revenue for CCT 12.12.17/M3.
- q. Sheriff-Auto Theft: To carryover program income.

- r. Veteran Services: To adjust line items.
- A4. INTERIM ARBITRAGE REBATE ANALYSIS REPORTS ACCEPTED for the following:
- a. Montgomery County, Texas  
Unlimited Tax Adjustable Rate Road Bonds, Series 2006b \$63,750,000
  - b. Montgomery County, Texas  
Certificates Of Obligation, Series 2008 \$23,790,000
  - c. Montgomery County, Texas  
Unlimited Tax Road Bonds, Series 2008a \$12,130,000
  - d. Montgomery County, Texas  
Unlimited Tax Adjustable Rate Road Bond, Series 2008b \$34,705,000
  - e. Montgomery County, Texas  
Pass-Through Toll Revenue And Limited Tax Bonds, Series  
2010 \$31,390,000
  - f. Montgomery County, Texas  
Unlimited Tax Refunding Bonds, Series 2010 \$43,380,000
  - g. Montgomery County, Texas  
Certificates Of Obligation, Series 2010a \$9,055,000
  - h. Montgomery County, Texas  
Certificates Of Obligation, Taxable Series 2010b \$23,395,000
  - i. Montgomery County, Texas  
Pass-Through Toll Revenue And Limited Tax Refunding Bonds, Series  
2012 \$15,880,000
  - j. Montgomery County, Texas  
Certificates Of Obligation, Series 2012 \$14,925,000  
Limited Tax Refunding Bonds, Series 2012 \$30,885,000
  - k. Montgomery County, Texas  
Certificates Of Obligation, Series 2012a \$13,350,000
  - l. Montgomery County, Texas  
Limited Tax Refunding Bonds, Series 2014a \$73,510,000
  - m. Montgomery County, Texas  
Unlimited Tax Road Bonds, Series 2016 \$53,140,000  
Limited Tax Refunding Bonds, Series 2016 \$58,925,000
  - n. Montgomery County, Texas  
Unlimited Tax Road Bonds, Series 2016a \$73,725,00  
Limited Tax Refunding Bonds, Series 2016a \$47,775,000
- A5. REQUEST APPROVED by Justice of the Peace Pct. 1 to use \$5,000.00 from the Justice of the Peace Technology Fund.

TREASURER – AGENDA ITEMS 8B1-3

- B1. MONTHLY STATEMENT OF BALANCES APPROVED for October 2017.
- B2. MONTHLY STATEMENT OF BALANCES APPROVED for November 2017.
- B3. PLEDGES AND/OR RELEASES OF DEPOSITORY COLLATERAL APPROVED.

PURCHASING – AGENDA ITEMS 8C1-6

- C1. CANCELTION OF CONTRACT APPROVED for autopsy services with each of the following vendors: Randall E. Frost, MD dba Randall Frost effective 01/25/18 and William D. McClain, effective 02/22/18 for Forensic Services Department.
- C2. REQUEST APPROVED to reject and re-advertise project #18-08 for Animal Cages/Kennels for Animal Shelter.

- C3. ACTION TAKEN on the following contract(s):
- a. Fleet monitoring service and related items from WEX Bank through Harris County Department of Education Choice Partners contract #18/011KC-03 for Various Departments. Local Gov't Code §271.102
  - b. Interlocal Cooperation Agreement for jail services between the County of Montgomery Texas, the County of Jefferson Texas and Southwest Correctional, LLC for Sheriff's Office. Texas Gov't Code Chapter 791.
  - c. Products and related services from Software House International through the State of Texas Department of Information Resources contract #DIR-SDD-2503 with the addition of addendums 6-10 for Various Departments. Local Gov't Code §271.083(b).

C4. CHANGE ORDERS APPROVED:

- a. CO #6 to Spillman Technologies, Inc. for CAD/RMS/Ancillary Software and service through the State of Texas Department of Information Resources contract #DIR-SDD-1623 for data replication services in the amount of \$46,181.00 for IT.
- b. CO #1 to RC Smith Companies dba Smith & Company for project #2017-0038 Longstreet Road widen and reconstruct for additional items and quantities in the amount of \$25,141.00 for Precinct 1.

C5. DISCRETIONARY EXEMPTIONS APPROVED:

- a. For a personal or professional service for forensic pathologist services from Dr. Sparks P. Veasey III for Forensics. Local Gov't Code 262.024(a)(4)

C6. ADVERTISING APPROVED for the following bids/proposals:

- a. Project #18-28 CSP - re-roof, repairs & waterproofing various locations for Building Maintenance.
- b. Project #18-09 RFP - sheriff's office inmate technology system for Sheriff's Office.

COMMISSIONERS – AGENDA ITEMS 8D1-2

D1. PRECINCT 2

- a. USE AGREEMENT APPROVED with Magnolia Lacrosse Association to use the fields at Magnolia Sports Park from January 1, 2018 through May 31, 2018.

D2. PRECINCT 4

- a. CHECK ACCEPTED from Montgomery County Emergency Services District No. 7 for fuel reimbursement in the amount of \$1,076.74. This will be deposited into line item no. 615-7926. Check has been forwarded to the Auditor for further processing.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9E1-4

E1. PRECINCT 1

- a. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Vintage Oaks, Section 2.

E2. PRECINCT 2

- a. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Fosters Ridge, Section 8.

E3. PRECINCT 3

- a. FINAL PLAT APPROVED of Hopepointe Woodlands Bibles Churches The Woodlands; 8.3732 acres; G.W. Wagers Survey, A-765 and Caddo Allen Survey, A-45.
- b. FINAL PLAT APPROVED of Falls at Imperial Oaks, Section 24; 22.983 acres; Timothy O'Neil Survey, A-406.

E4. PRECINCT 4

- a. FINAL PLAT APPROVED of Forest Trace, Section 4; 3.922 acres; William B. Bridges Survey, A-73.
- b. FINAL PLAT APPROVED of Meadow Glen, Section 1; 2.405 acres; William B. Bridges Survey, A-73.
- c. REQUEST APPROVED to accept North Solon Trail and Goode Court in the Goode City Subdivision into the County Road Maintenance System.
- d. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Crockett Trace Estates, Section 4.
- e. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Crockett Trace Estates, Section 5.

HUMAN RESOURCES – AGENDA ITEM 9F1

F1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of Airport to accept the resignation of Brenda Martinez Gallaga, Clerk II, effective January 5, 2018. [48.30 hours or balance vacation]

Request of Animal Shelter to accept the resignation of Sara Badri, Kennel Technician, effective December 29, 2017. [No benefits due]

Request of Animal Shelter to accept the resignation of Annette Hernandez, Lead Clinic Tech, effective January 14, 2018. [18.31 hours or balance vacation; 37.0354 hours or balance compensatory; 1.00 hour or balance holiday]

Request of Animal Shelter to place Willy Lobido, Clinic/Vet Technician, on payroll as replacement for Kathryn Gibson, effective December 16, 2017.

Request of Animal Shelter to place Morgan Roe, Clerk III, on payroll as replacement for Melissa M. Valdez, effective December 27, 2017.

Request of Custodial to place Esmeralda Banuelos Avalos, Custodian, on payroll as replacement for Cindy Benitez, effective December 27, 2017.

Request of Custodial to accept the resignation of Helen Castillo Martinez, Custodian, effective December 29, 2017. [No benefits due]

Request of Constable Pct. 3 to accept the retirement of George Biernesser III, Sergeant Constable, effective December 31, 2017. [124.06 hours or balance vacation; 129.3996 hours or balance compensatory]

Request of Constable Pct. 3 to increase salary of William Lang, Deputy-Constable, due to Step increase, effective December 30, 2017.

Request of Constable Pct. 5 to adjust salary of Marshall Williams, Deputy Constable, due to a correction of longevity pay and to remove vehicle stipend, effective December 16, 2017.

Request of County Auditor to place Jacqueline N. Fitzsimmons, Acct Payable Asst, on payroll as replacement for Valerie Stewart, effective January 4, 2018.

Request of County Auditor to place Alicia Higgins, Accts Payable Asst, on payroll due to Return from Unpaid FMLA/Disability Leave, effective December 18, 2017.

Request of County Auditor to place Ashlee Santos, General Ledger Assnt, on payroll as replacement for Alex Silvas, effective January 2, 2018.

Request of County Judge to place Kimberly Sutton, Adm Assistant II, on payroll as replacement for Patricia Werner, effective January 2, 2018.

Request of District Attorney to place Alyssa Marie Fortner, Court Clerk IV, on payroll as replacement for Susan U. Bond, effective January 8, 2018.

Request of District Attorney to place Meagan Michelle Moerbe, Court Clerk IV, on payroll as replacement for Shannon Jackson, effective December 27, 2017.

Request of District Clerk to change status of Megan Capps, Court Clerk II, from Part-time to Full-time as replacement for Bobbie Leon, effective January 2, 2018.

Request of District Clerk to discharge Pamela Hosking, Court Clerk II, effective December 15, 2017. [28.96 hours or balance vacation]

Request of Elections to accept the resignation of Patricia T. Chuber, Voter Clerk, effective December 28, 2017. [No benefits due]

Request of Elections to place Patricia T. Chuber, Voter Clerk, on payroll, effective January 9, 2018.

Request of Extension Agents to accept the resignation of Caroline Cruz, Extension Agent, effective December 19, 2017. [292.03 hours or balance vacation]

Request of Library to accept the resignation of Imelda Navarro Pena, Library Assistant II, effective December 29, 2017. [21.98 hours or balance vacation]

Request of Library to promote Briana Michelle Steptoe, Reference Librarian I-Childrens, as replacement for Virginia Christiansen, effective December 16, 2017.

Request of Purchasing to accept the retirement of Sandra Moore, Administrative Assistant II, effective January 31, 2018. [36.62 hours or balance vacation]

Request of Purchasing to place Norma J. Weaver, Administrative Assistant II, on payroll as replacement for Sandra Moore, effective February 1, 2017.

Request of Risk Management to accept the resignation of Crystal Granado, Risk Analyst, effective December 19, 2017. [19.69 hours or balance vacation]

Request of Sheriff to place Brandy Alexander, Dispatcher, on payroll as replacement for Jessica Cathilee Ashmore, effective December 23, 2017.

Request of Sheriff to place John Blue III, Deputy (D2), on payroll as replacement for Robert C. Dowell Jr., effective January 6, 2018.

Request of Sheriff to transfer Dewey E. Bonner, Sergeant-Detention, as replacement for Michael V. Silvio, effective December 30, 2017.

Request of Sheriff to accept the resignation of Amanda Lynn Brooks, Officer-Civilian Deten, effective December 29, 2017. [237.14 hours or balance vacation; 409.56 hours or balance compensatory time; 44.00 hours or balance holiday]

Request of Sheriff to increase salary of Adam B. Calhoun, Deputy, due to step increase, effective December 30, 2017.

Request of Sheriff to accept the resignation of Amanda Carpernter-Wall, Dispatcher, effective December 18, 2017. [18.88 hours or balance vacation; 26.50 hours or balance compensatory time]

Request of Sheriff to transfer Mary C. Connelly, Officer-Civilian Deten, as replacement for Alexandra Jaqui Lynn Carter, effective December 23, 2017.

Request of Sheriff to place Haley Crenwelge, Dispatcher, on payroll as replacement for Amanda Carpenter-Wall, effective January 6, 2018.

Request of Sheriff to accept the resignation of Robert C. Dowell Jr., Deputy, effective December 27, 2017. [246.98 hours or balance vacation; 139.68 hours or balance compensatory time; 8.00 hours or balance holiday]

Request of Sheriff to accept the resignation of Kenton Lee Ford, Sergeant-Patrol, effective January 5, 2018. [41.03 hours or balance vacation; 0.50 hours or balance holiday]

Request of Sheriff to increase salary of Phillip Edward Frey, Deputy, due to step increase, effective December 30, 2017.

Request of Sheriff to increase salary of Anthony Nico Frisina, Detective, due to step increase, effective December 30, 2017.

Request of Sheriff to increase salary of Angelica Marie Galczynski, Investigator-CR Scene, due to step increase, effective December 30, 2017.

Request of Sheriff to transfer Ward A. Hammons, Sergeant-Patrol, as replacement for James E. Barber, effective December 16, 2017.

Request of Sheriff to increase salary of Richard D. Jackson, Deputy, due to step increase, effective December 30, 2017.

Request of Sheriff to increase salary of Dawn Lynnette Lara, Deputy, due to step increase, effective December 30, 2017.

Request of Sheriff to place Roy Leck, Specialist, on payroll, effective December 16, 2017.

Request of Sheriff to increase salary of Paul A. Lopez Carpenter, Deputy, due to step increase, effective December 30, 2017.

Request of Sheriff to increase salary of Cody Reid Lowery, Deputy, due to step increase, effective December 30, 2017.

Request of Sheriff to increase salary of Ryan James McClintock, Deputy, due to step increase, effective December 30, 2017.

Request of Sheriff to place Sarah Phillips, Dispatcher, on payroll as replacement for Donna E. Baumgartner, effective January 6, 2018.

Request of Sheriff to increase salary of Jason Matthew Poorman, Deputy, due to step increase, effective December 30, 2017.

Request of Sheriff to place Roman Ramos, Deputy (D2), on payroll as replacement for William Joseph Sharman II, effective January 6, 2018.

Request of Sheriff to increase salary of Weldon D. Richards Jr., Investigator-CR Scene, due to step increase, effective December 30, 2017.

Request of Sheriff to place Karl Rohde, Deputy (D2), on payroll as replacement for Luis Macias, effective January 6, 2018.

Request of Sheriff to increase salary of Riley Schuster Jr., Deputy-Patrol, due to step increase, effective December 30, 2017.

Request of Sheriff to accept the resignation of James David Solomon, Deputy, effective December 18, 2017. [87.96 hours or balance vacation; 67.50 hours or balance compensatory time; 24.00 hours or balance holiday time]

Request of Sheriff to increase salary of Michael Emory Sparks, Deputy-Patrol, due to step increase, effective December 30, 2017.

Request of Sheriff to accept the retirement of Renae Dee-Anne Ward, Officer-Civilian Deten, effective December 31, 2017. [74.945 hours or balance vacation; 0.05 hours or balance compensatory time; 17.00 hours or balance holiday time.]

Request of South County Community Center to increase salary of Catherine Adams, Comm Facilities Worker, due to job re-evaluation, effective January 2, 2018.

Request of Traffic Operations to transfer Paul Lightfoot, Signal Technician I, as replacement for Devin Turner, effective December 18, 2017.

#### ENVIRONMENTAL HEALTH – AGENDA ITEM 8G1

G1. VARIANCE REQUEST APPROVED to install an aerobic onsite system in the 100 year flood plain located at 20097 Spring Hill Lane, Porter, Texas 77365.

#### COUNTY JUDGE – AGENDA ITEMS 8H1-2

H1. MODIFICATION APPROVED of DROIGSA-08-0030A to extend the period of performance for ICE/Detention compliance and removal contract through June 30, 2018.

H2. MARKET VALUE WAIVER AGREEMENT (MVWA) APPROVED concerning SH 99 and SH 249 from TxDOT.

#### SHERIFF – AGENDA ITEM 8I1

I1. REALLOCATION OF EXCESS POSITION FUNDS APPROVED within the Sheriff's Budgets. Excess funds will be used to fund part-time Bailiffs for the Grand Jury, CPS and AG Courts.

#### COUNTY ATTORNEY – REAL PROPERTY - AGENDA ITEMS 8J1-3

J1. RESOLUTION AND ORDER APPROVED for the Possession and Use Agreement between Montgomery County and GAM Enterprises, Inc. for the possession and use of the parcel of land owned by GAM. County Judge is authorized to execute the Agreement on behalf of Montgomery County and County Auditor and Treasurer are authorized to issue payment from line item 6134015.75985827 and project code RD200010 to GAM Enterprises, Inc. in the amount of \$359,830.00.

J2. PRECINCT 1



- a. ORDER APPROVED authorizing notice of public hearing on February 13, 2018 for partial revision to subdivision lots/plats being described as Lot 40, Block 1, Timber Line Estates, Section 2 to be known as Timber Line Estates Section Two Partial Replat No. 1.
- b. ORDER APPROVED authorizing notice of public hearing on February 13, 2018 for partial revision to subdivision lots/plats being described as Lots 16, 17 and 18, Block 2 of Point Aquarius Section 2 to be known as Point Aquarius Replat.
- c. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 62 of the expansion of FM 1097 from First Bank, National Association for the total sum of \$220,232.76 and to accept the executed or to be executed deed.

J3. PRECINCT 2

- a. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 1 of the Superior Road Bridge Improvements Project from Graziano Family Limited Partnership for the total sum of \$10,706.36 and to accept the executed or to be executed deed.
- b. ORDER APPROVED authorizing payment of Special Commissioners Award and payment of Special Commissioners fees for Parcel 33 of the McCaleb Road Project. The County Auditor and Treasurer are authorized to make payment to the registry of the Court in which such proceeding was heard in the amount of \$913,021.00.

DISTRICT CLERK – AGENDA ITEM 8K1

- K1. REQUEST APPROVED for the following non-profit organizations to receive Juror donations in the year 2018: Veterans Treatment Court; Crime Victim's Compensation Fund; Local Child Welfare Fund; Montgomery County Youth Services; Montgomery County Historical Commission; Joyride Center; Operation Pets Alive; Meals on Wheels Montgomery County; and Heritage Museum of Montgomery County.

EMERGENCY MANAGEMENT – AGENDA ITEM 9L1

- L1. DE-OBLIGATION APPROVED of funds from the Office of the Governor for the HSGP 15-Montgomery County Community Preparedness Grant in the amount of \$0.11.

Motion carried.

**END OF CONSENT AGENDA**

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CITIZENS – AGENDA ITEM 9

No Citizens were signed up to speak concerning items on the Agenda.

4. ORDER APPROVED – DEFEASANCE OF CERTAIN OUTSTANDING OBLIGATIONS – COUNTY JUDGE

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve an Order authorizing the defeasance of certain outstanding obligations of Montgomery County. County Judge is authorized to approve the amount and maturities of the obligations to be

deceased and the approval and execution is authorized of an escrow agreement and other matters related thereto. Motion carried.

5. REQUEST APPROVED – INCREASE OF FUNDS – EMERGENCY MANAGEMENT

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve increasing the original Hurricane Relief Funds for use by MCOHSEM for Hurricane Harvey Relief Efforts in the amount of \$60,000.00 to be funded with Contingency. Motion carried.

6. RESOLUTION AND ORDER APPROVED – LEASE AGREEMENT – EMERGENCY MANAGEMENT

Motion by Commissioner Meador, to approve the Lease Agreement between Montgomery County and Greatland Holdings, LLC for approximately 11,500 square feet of warehouse and office space at 5016 Central Parkway Hanger 17-D in the Conroe-North Houston Regional Airport. Darren Hess is authorized to sign on behalf of Montgomery County. Motion carried.

7. REQUEST APPROVED – PAYMENT TO CITIBANK – LONE STAR CONVENTION CENTER

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve paying Citibank Rel. #534698 charge in the amount of \$490.35 for the purchase of a replacement tree and decorations for the Convention Center. Motion carried.

8. REQUEST APPROVED – LOCATION RELEASE – LONE STAR CONVENTION CENTER

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve a location release and authorization to use name/product/logo release from Pilgrim Operations, LLC for the use of The Lone Star Convention & Expo Center Complex for filming during the Lone Star Throwdown February 23-25, 2018. Motion carried.

9. FUNDING APPROVED – FUEL SYSTEM – CONSTABLE PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the funding of a fuel system for Constable Pct. 1 Marine Division to include labor, electrician, 2,000 gallon fuel tank, fencing and floating dock in the amount of \$74,604.58. This will be funded with Contingency over and above any property and casualty that is recovered for that loss. Motion carried.

10. REQUEST APPROVED – POSITION CHANGES – CONSTABLE PRECINCT 5

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve closing position 55512-5975-1 and open position 55512-6010-1. These are Magnolia ISD contract positions and do not affect the 2018 budget. Motion carried.

11. AWARD APPROVED – NICHOLS SAWMILL ROAD – PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the award for project #18-24 Nichols Sawmill Road construction to RC Smith Companies dba Smith & Company in the amount of \$1,414,180.20. Motion carried.

12. GRANT APPLICATION APPROVED – FY 2019 STEP GRANT – SHERIFF

Motion by Commissioner Clark, seconded by Commissioner Noack, to approve the grant application to Texas Department of Transportation for the Sheriff's Office FY 2019 STEP grant. Lieutenant Sanchez is authorized to submit electronically on behalf of Montgomery County. Motion carried.

13. GRANT APPLICATION APPROVED – FY 2019 STEP GRANT – CONSTABLE PRECINCT 5

Motion by Commissioner Clark, seconded by Commissioner Meador, to approve the grant application to Texas Department of Transportation for the Constable Precinct 5 FY 2019 STEP grant. Michael Silvio is authorized to submit electronically on behalf of Montgomery County. Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 17A1 : CONSIDER THE PARTIAL REVISION OF 1.09 ACRES, BEING ALL OF UNRESTRICTED “F”, BLOCK 1, STARBUCKS CONROE, TO BE KNOWN AS STARBUCKS CONROE, PARTIAL REPLAT NO. 1.

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

The plat was not ready so no action was required on the matters discussed during the public hearing.

14. REQUEST APPROVED – CELL PHONE ALLOWANCE – COMMISSIONER PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve adding a cell phone allowance to position 614-4213-2 (Administrative Assistant I). The total amount will be \$1,007.39 which includes benefits and will be funded from line item 614-7598 and this will not affect the 2018 budget. Motion carried.

15. PAYROLL CHANGE REQUEST FORMS APPROVED – HUMAN RESOURCES

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

Request of Constable Precinct 5 to transfer Laurie Bagwell, Sergeant Constable, into a new position, effective December 30, 2017.

Request of Commissioner Precinct 3 to add cell phone allowance to William Cody Grimes, Adm Assistant 1, effective January 1, 2018.

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 20A: CONSIDER AND APPROVE A RESOLUTION AND ORDER TO DEFEND OR PROSECUTE CLAIM NO.U-16-0069; CAUSE NO. 17-12-14758; CIARA SMALLING VS. DANIEL SCOTT DERBY AND MONTGOMERY COUNTY, TEXAS IN THE 284<sup>TH</sup> DISTRICT COURT OF MONTGOMERY COUNTY. (SECTION 551.071)

EXECUTIVE SESSION – AGENDA ITEM 20B: CONSIDER AND DISCUSS SUBROGATION CLAIM U160069: DATE OF INCIDENT JUNE 15, 2016 (SECTION 551.071)

EXECUTIVE SESSION – AGENDA ITEM 20C: DISCUSS AND DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC

OFFICER OR EMPLOYEE. (SECTION 551.074)

**COMMISSIONERS COURT RECONVENED WITH ALL MEMBERS PRESENT.**

16. RESOLUTION AND ORDER APPROVED – CLAIM U-16-0069

RESOLUTION AND ORDER APPROVED – CLAIM U-16-0069

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

- Resolution and Order supporting the need for the Montgomery County Attorney to defend on behalf of the Montgomery County a lawsuit filed under Cause No.17-12-14758 and styled Ciara Smalling vs. Daniel Scott Derby and Montgomery County. The Montgomery County Attorney is authorized to incur expenses as necessary for the proper defense and negotiation of said case. The funding of said expenses will come from the Risk Management budget with the approval of the Director of Risk Management or designee; and
- Resolution and Order supporting the need for the Montgomery County Attorney's Office to investigate, prosecute, counter claim, settle and release as necessary and appropriate on behalf of Montgomery County claims relating to a motor vehicle accident involving Ciara Smalling and a Montgomery County Sheriff's Office vehicle. The County Attorney is authorized to incur expenses as necessary for the proper investigation, prosecution, settlement and release of said claims. This will be funded by56017657.

Motion carried.

CITIZENS – AGENDA ITEM 22

Ralph Leino Jr. introduced himself to the Court as the new Mayor of Woodloch and expressed his wishes to build relationships within the County.

MISCELLANEOUS – AGENDA ITEM 23 – NO OTHER ITEMS LISTED

17. COURT ADJOURNS

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

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

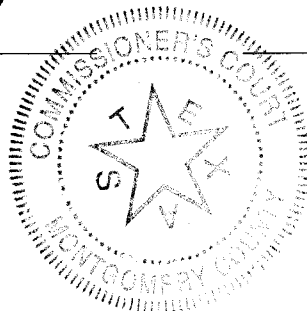
ATTEST:

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

BY:

*Mark Turnbull*

COUNTY CLERK



*Craig Doyal*  
COUNTY JUDGE