

## COMMISSIONERS COURT DOCKET

January 26, 2016  
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 26<sup>th</sup> day of January, 2016, the Honorable Commissioners Court of Montgomery County, Texas, was duly convened in a Regular Session in the Commissioners Courtroom of the Alan B. Sadler Commissioners Court Building, 501 North Thompson, Conroe, Texas, with the following members of the Court present:

County Judge	Craig Doyal
Commissioner, Precinct 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 Randy McDaniel

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 Meador, to approve Commissioners Court Agenda for discussion and necessary action. Motion carried.

JUDGE DOYAL READ A PROCLAMATION HONORING NICKY KELLY, EMERGENCY MANAGEMENT FOR HIS YEARS OF SERVICE. SEE MOTION 5 FOR COURT ACTION.

## 2. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the Minutes from Regular Session of Commissioners Court dated January 12, 2016. Motion carried.

AGENDA ITEM 9C4 - RENEWAL FOR JAIL SERVICES WITH WALKER COUNTY, TEXAS FOR SHERIFF'S OFFICE WAS MOVED TO THE OPEN AGENDA. SEE MOTION 4 FOR COURT ACTION.

## 3. RESOLUTION AND ORDER APPROVED – CONSENT AGENDA – AGENDA ITEMS 9A-N

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 is appointed and authorized to sign any contracts, approvals and other documents in connection with any items shown on the Consent Agenda, with the exception of Agenda Item 9C4, which was moved to the Open Agenda as follows:

COUNTY AUDITOR – AGENDA ITEMS 9A1-6

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

A2. BUDGET AMENDMENTS FY15 APPROVED:

- a. Sheriff-Auto Theft: To adjust line items.

A3. BUDGET AMENDMENTS FY16 APPROVED:

- a. Commissioner Precinct 1: To allocate funds for the extension of League Line Road approved December 2014(P.O. 2015163), adjust line items for purchase of 2015 Kenworth T800 Haul Truck, and transfer funds for airport marketing travel expense.
- b. Commissioner Precinct 2: To adjust line items to fund purchase of Trafficjet Print System as approved M2/01.12.16, and adjust line items.
- c. Commissioner Precinct 3: To transfer funds for Nature Center Countertops; to recognize and allocate revenue, and adjust line items.
- d. Commissioner Precinct 4: To adjust line items, recognize and allocate revenue, and fund position 615-3201-1 as approved M21/01.12.16.
- e. Constable Precinct 1: To adjust line items.
- f. Constable Precinct 2: To recognize and allocate revenue and fund new deputy for Constable Pct. 2 funded 50% by Commissioner Pct. 1 and 50% by Commissioner Pct. 2 for the remainder of FY 16 as approved M12/01.12.16.
- g. Constable Precinct 3: To transfer funds for the purchase of 4 VPN tokens.
- h. Constable Precinct 4: To recognize and allocate revenue.
- i. County Clerk: To recognize and allocate revenue for CountyFusion upgrade approved M19/05.19.14 and adjust line items.
- j. County Extension: To recognize and allocate revenues M14/10.12.09.
- k. Digital Preservation Cnty/Dist: To recognize and allocate revenue as approved M24/11.24.15.
- l. District Attorney: To transfer funds for felony intake dedicated plug and fund payoff of newly retired employee as approved M12/11.24.15.
- m. Elections: To adjust line items.
- n. Emergency Management: To adjust line items.
- o. Juvenile Probation-NSLP: To recognize and allocate reimbursement received National School Lunch Program for Dec/15 and adjust line items.
- p. 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 Splendora Building (PI-4.1).
- q. Memorial Library: To recognize and allocate revenue for the General Gift Account and Genealogy/Ron Jackson Gift Account.
- r. Road and Bridge Fund: To carryover unspent funds for 2015 budget.
- s. Sheriff: To adjust line items and allocate revenue.
- t. Sheriff-OCDETF-Rising Tide: To set up S.O. OCDETF-Rising Tide contract M10/01.12.16.

u. Sheriff-Records Mgt Div: To carryover FY15 Encumbrance.

- A4. REPORT OF OFFICIALS' FEES ACCEPTED as audited for November, 2015.
- A5. REPORT OF CASH COUNT AND DEPOSIT FINDINGS ACCEPTED for 1Q2016, as per list on file.
- A6. COMPLETED TIMESHEET AUDITS ACCEPTED for the following:
  - Sheriff- Timesheet audit for PPE November 6, 2015 and
  - Commissioner Precinct 1- Timesheet Audit of PPE August 14, 2015.

TAX ASSESSOR/COLLECTOR – AGENDA ITEM 9B1

- B1. MONTHLY TAX COLLECTION REPORT ACCEPTED for month ending December 31, 2015.

PURCHASING – AGENDA ITEMS 9C1-15

- C1. RENEWAL APPROVED for minor construction, repair, rehabilitation or alteration of a facility from CSB Contractors, Inc. on a month to month basis for Various Departments.
- C2. RENEWAL APPROVED for prisoner extradition services from Texas Prisoner Transportations Division for Sheriff's Office.
- C3. CHANGE ORDER NO. 6 APPROVED to East End Transfer And Storage, Inc. for moving of voting equipment for cancelation of month to month effective 01/25/16 for Elections.
- C4. RENEWAL FOR JAIL SERVICES WITH WALKER COUNTY, TEXAS FOR SHERIFF'S OFFICE WAS MOVED TO THE OPEN AGENDA. SEE MOTION 4 FOR COURT ACTION.
- C5. AWARD APPROVED to East End Transfer and Storage, Inc. for moving of voting equipment Project #2016-0004 for Elections.
- C6. REQUEST APPROVED to rename permission to advertise previously approved in Commissioners' Court on 12/22/15 as follows:

From: Hazardous/Non-Hazardous Material Handling (Cleanup/Disposal) for Various Departments.

To: RFP-Hazardous/Non-Hazardous Material Handling (Cleanup/Disposal) for Various Departments.
- C7. AWARD APPROVED to Jet Waste Services for containerized commercial solid waste disposal service Project #2016-0007 for Various Departments.
- C8. ADVERTISING APPROVED for RFP-Lease and development of approximately (+/-) 1.696 acre parcel of property for Conroe-North Houston Regional Airport.
- C9. REQUEST APPROVED of name change of O'Reilly Auto Parts/HiLo-O'Reilly to O'Reilly Auto Enterprises, LLC dba O'Reilly Auto Parts for Various Departments.
- C10. REQUEST APPROVED to declare miscellaneous items as salvage as authorized by Local Government Code §263.152 for Various Departments.

- C11. REQUEST APPROVED to utilize the contract for fire and security systems and monitoring services from Stanley Convergent Security Solutions through the Interlocal Agreement with BuyBoard, Contract #493-15, as authorized by Local Government Code §271.102 for Various Departments.
- C12. RENEWAL APPROVED for paper recycling from Global Waste Services, LLC on a month to month basis for Various Departments.
- C13. CHANGE ORDER NO. 1 APPROVED to American Tire Distributors, Inc., dba Grays Wholesale Tire for tires and tubes to replace line item #27 with no change in price for Various Departments.
- C14. RENEWAL APPROVED for containers collection and disposal of recyclable materials and products from Progressive Waste Solutions for Precinct 4.
- C15. RENEWAL APPROVED for household hazardous waste collection, transportation and disposal services with PSC Holdings, Inc. dba Philip Reclamation Services, Houston, LLC through the Interlocal Agreement with HGAC Contract #HGAC-CE-2012-08-001 with and overall price increase of 2.9% and the name change to Stericycle Environmental Solutions, Inc. as authorized by Local Government Code §271.102 for Various Departments.

RISK MANAGEMENT – AGENDA ITEM 9D1

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

<u>BOND</u>	<u>NAME/DEPT</u>	<u>AMOUNT</u>	<u>ACTION</u>
15454713	Welch, Gordon/Const PCT 5	\$5,000.00	Renew/Cont Cert
16072460	Crabtree, Boyd/Const PCT 1	\$5,000.00	Renew/Cont Cert
14934419	Johnston, Ryan D./Const PCT 5	\$5,000.00	Renew/Cont Cert
61244059	Bullinger, Jesse R./Const PCT 4	\$5,000.00	Renew/Cont Cert
15486587	Roper, Steve/Const PCT 2	\$5,000.00	Renew/Cont Cert
61237970	Prado, Eric L./Const PCT 4	\$5,000.00	Renew/Cont Cert
62265010	Diehl, Deborah/Const PCT 2	\$5,000.00	Reserve/Cont Cert
24871666	Ballinger Jr., Jimmy/Const PCT 4	\$5,000.00	Reserve/Cont Cert
61237986	Knox, Timothy J./Const PCT 4	\$5,000.00	Reserve/Cont Cert
14795895	Dubose, Bryan/Const PCT 1	\$5,000.00	Renew/Cont Cert
61944535	Bennett, Carolyn/Treasurer	\$25,000.00	Renew/Cont Cert
15486590	Hopkins, Charlate/Const PCT 5	\$5,000.00	Renew/Cont Cert
61603345	Keener, Ronny/Const PCT 3	\$5,000.00	Renew/Cont Cert
62296623	Bridges, Sean/Const PCT 3	\$5,000.00	Renew/Cont Cert
62306534	Bagwell, James/ Fire Marshal	\$5,000.00	Renew/Cont Cert

COMMISSIONERS – AGENDA ITEMS 9E1-3

- E1. PRECINCT 2

- a. USE AGREEMENT APPROVED with Magnolia Lacrosse Association to use the football Fields at Magnolia Sports Park from January 1-May 31, 2016.

E2. PRECINCT 3

- a. ANTIQUITIES PERMIT APPLICATION FORM APPROVED and Matt Beasley is authorized to sign related documents pertaining to the same.

E3. PRECINCT 4

- a. USE AGREEMENT APPROVED with Texas Strike Force Elite to use the softball/baseball fields at Bull Sallas and Ipes Parks for practices as scheduled by EMCSA through December 31, 2016.
- b. USE AGREEMENT APPROVED with Sons of Thunder 8 U to use the baseball fields at Bull Sallas Park for practices as scheduled by EMCSA through December 31, 2016.
- c. USE AGREEMENT APPROVED with Dual Threat Prospects to use the baseball fields at Ed Rinehart Sports Park for practices as scheduled by EMCSA through December 31, 2016.
- d. USE AGREEMENT APPROVED with Texas Fire to use the softball fields at Bull Sallas or Ed Rinehart Parks for practices as scheduled by EMCSA through December 31, 2016.
- e. USE AGREEMENT APPROVED with Texas Rippers Baseball Powered by Marucci to use the baseball fields at Bull Sallas Park for practices as scheduled by EMCSA through December 31, 2016.
- f. USE AGREEMENT APPROVED with Texas Rippers Baseball Powered by Marucci to use the baseball fields at Ed Rinehart Park for practices as scheduled by EMCSA through August 1, 2016.
- g. USE AGREEMENT APPROVED with Texas Strike Force Elite to use the softball fields at Ipes Sports Park for practices as scheduled by SASA through December 31, 2016.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9F1-4

F1. PRECINCT 1

- a. PUBLIC HEARING DATE SET for February 23, 2016 to establish a 35 MPH Speed Limit on Welch Road from FM 149 to Taliaferro Road.
- b. STREET ACCEPTED INTO THE ONE YEAR MAINTENANCE SYSTEM for Julie Lane in the Flamingo Lakes Subdivision upon finding of prescriptive right based on public use as per petition on file.

F2. PRECINCT 2

- a. CHANGE ORDER NO. 15 APPROVED to the Advanced Funding Agreement with TxDot dated 11/17/03 in the amount of \$3,091.94. This project is construction of Kuykendahl from Alden Bridge Drive to Crown Ridge Drive.
- b. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Woodforest, Section 55; total length of roads 4,384.81 linear feet, to be effective January 26, 2016.

- c. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Woodforest, Section 59; total length of roads 1,395.02 linear feet, to be effective January 26, 2016.
- d. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Woodforest Parkway South Extension; total length of roads 2,471.337 linear feet, to be effective January 26, 2016.
- e. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Fosters Ridge, Section 1; total length of roads 3,648.89 linear feet, to be effective January 26, 2016.
- f. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Fosters Ridge, Section 2; total length of roads 3,419.63 linear feet, to be effective January 26, 2016.
- g. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Fosters Ridge, Section 3; total length of roads 3,128.72 linear feet, to be effective January 26, 2016.
- h. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Fosters Ridge, Section 4; total length of roads 4,438.14 linear feet, to be effective January 26, 2016.
- i. REQUEST APPROVED from Centerpoint Energy Gas Facilities to install a 6 inch gas line within the right of way of Caraway Lane and Dobbin Huffsmith Road.

F3. PRECINCT 3

- a. LOCAL TRANSPORTATION PROJECT ADVANCE FUNDING AGREEMENT APPROVED for an operational improvement on-system project with Texas Department of Transportation and Commissioner Noack is authorized to sign all related paperwork.

F4. PRECINCT 4

- a. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Kings Mill, Section 7; total length of roads 3,722.29 linear feet and the bond is released.
- b. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in White Oak Crossing, Section 2; total length of roads 2,935.56 linear feet and the bond is released.

HUMAN RESOURCES – AGENDA ITEM 9G1-2

G1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of Animal Shelter to change status of Valarie Conaway, Kennel Technician, from Part-time to Full-time, as replacement for Kathryn Matte, effective January 16, 2016.

Request of Animal Shelter to accept the resignation of Alexandra Gonzales, Kennel Technician, effective January 10, 2016. [No benefits due.]

Request of Animal Shelter to place Corbin Lamb, Kennel Technician, on payroll as replacement for Alexandra Gonzales, effective January 16, 2016.

Request of Animal Shelter to change status of Cheyenne Ledezma, Clerk III, from Full-time to Part-time as replacement for Karen Onstott OBrien, effective January 8, 2016.

Request of Animal Shelter to promote Kathryn Matte, Vet Technician, as replacement for Dusteen Lusk, effective January 16, 2016.

Request of Animal Shelter to change status of Karen Onstott OBrien, Clerk III, from Part-time to Full-time, as replacement for Cheyenne Ledezma, effective January 8, 2016.

Request of Custodial to increase salary of Jose J. Amparo Quezada, Custodian, due to completion of probationary period, effective January 19, 2016.

Request of County Auditor to place Peggie L. Rushing, Part-time Clerk, on payroll, effective January 11, 2016.

Request of District Attorney to accept the retirement of Patricia E. Bowdoin, Legal Assistant III, effective January 31, 2016. [205.295 hours or balance vacation; 191.035 hours or balance compensatory.]

Request of District Attorney to correct return date of Return from Unpaid FMLA/Disability Leave for Tamara Eden Holland, Attorney II, effective January 11, 2016.

Request of Elections to place Marigold Crook, Voter Clerk, on payroll, effective January 12, 2016.

Request of Elections to increase salary of Judith Powell, Voter Clerk, due to the addition of additional duties/Early Voting Alternate Judges, effective January 12, 2016.

Request of Elections to increase salary of Barbara Ray, Voter Clerk, due to the addition of additional duties/Early Voting Alternate Judges, effective January 12, 2016.

Request of Elections to increase salary of Deborah Scherwitz, Voter Clerk, due to the addition of additional duties/Early Voting Alternate Judges, effective January 12, 2016.

Request of Elections to place Jennifer Sheffield, Voter Clerk, on payroll, effective January 12, 2016.

Request of Extension to place Jennifer Lyn Adams, FCS Coordinator, on Unpaid FMLA/Disability Leave, effective January 8, 2016.

Request of HSGP to place Cynthia Jamieson, Planner-HL Security, on payroll due to Return from unpaid FMLA/disability leave, effective January 20, 2016.

Request of Library to change status of June Fleming Smith, Library Assistant II, as replacement for Lerna Hansel, effective January 25, 2016.

Request of Sheriff to discharge Michelle Bolin, Deputy Patrol, effective December 31, 2015. [7.92 hours or balance vacation; 0.68 hours or balance holiday]

Request of Sheriff to accept the resignation of Lloyd Childress, Officer Civilian Detention, effective January 4, 2016. [18.48 hours or balance vacation; 26.25 hours or balance compensatory; 24.00 hours or balance holiday]

Request of Sheriff to promote Kenneth Dunlap, Sheriff-Detective, as replacement for Todd Hoff, effective January 16, 2016.

Request of Sheriff to place Andrew Folkes, Officer Civilian Detention, on payroll as replacement for Andrew Besong, effective January 23, 2016.

Request of Sheriff to accept the resignation of Brooke Hosler, Officer Civilian Detention, effective January 23, 2016. [48.50 hours or balance vacation; 273.14 hours or balance compensatory; 45.00 hours or balance holiday.]

Request of Sheriff to transfer Micheal Landrum, Sergeant-Patrol, from Sheriff SIU to Sheriff Patrol D3 as replacement form David Wallace, effective January 23, 2016.

Request of Sheriff to accept the resignation of Clayton Lenorman, Clerk IV Records, effective January 15, 2016. [60.82 hours or balance vacation; 9.75 hours or balance compensatory; 24.00 hours or balance holiday.]

Request of Animal Shelter to place Cheyenne Barnett, Kennel Technician, on payroll as replacement for Connie Poland, effective January 16, 2016.

Request of Animal Shelter to accept the resignation of Connie Poland, Kennel Technician, effective January 12, 2016. [No benefits due.]

G2. REQUEST APPROVED of salary stipend in the amount of \$425.00(including benefits) for position 4351-7701-6 (Legal Assistant I) to be paid out of District Attorney Forfeiture funds.

#### ENVIRONMENTAL HEALTH – AGENDA ITEMS 9H1-5

H1. REQUEST APPROVED for the Order Assessing Cost of Abating Nuisance and Notice of Lien to be filed in Real Property Records to recover cost to the county for demolition for abate nuisance for the property located at 24331 E. Terrace Dr., Porter, Texas 77365.

H2. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 27939 Pin Oak, Splendora, Texas 77372.

H3. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 31110 Maury Lane, Magnolia, Texas 77354.

H4. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 18527 Wakefield Way, Conroe, Texas 77306.

H5. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 647 Camwood Road, Magnolia, Texas 77355.

#### COUNTY JUDGE – AGENDA ITEMS 9I1-2

I1. CONTINUATION CERTIFICATE ACCEPTED of the Treasurers Bond for ESD #14 for James Waters, ESD Treasurer.

I2. AMENDMENT/MODIFICATION P00016 APPROVED of contract DROIGSA-08-0030A with the Federal Government which extends the agreement for one-year at the same terms and conditions, and authorize Judge Doyal to execute this amendment and other related documents necessary to effectuate the same.

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

J1. PRECINCT 3

a. CONSENT TO ENCROACHMENTS (FOOTERS) APPROVED between Montgomery County and HL Champion Holding Company, LLC consenting to installation and maintenance of subsurface footers for office building in County Row.



- b. ORDER APPROVED for installation of culverts based upon previously approved Interlocal Agreement dated May 10, 1993. All costs for materials to be reimbursed by Woodlands Joint Powers Agency.

CONSTABLE PRECINCT 3– AGENDA ITEM 9K1

- K1. INTERLOCAL AGREEMENT APPROVED between Montgomery County and The Woodlands Township for Constable Precinct 3 Internet Crimes Investigator and Clerical Staff for Justice of the Peace Precinct 3.

BAIL BOND BOARD – AGENDA ITEM 9L1

- L1. APPOINTMENT APPROVED of County Court at Law Judge Claudia Laird to the Montgomery County Bail Bond Board for 2016 and until a replacement is appointed. Patricia (Peggy) Freeman will be Judge Laird's Designee for 2016 and until a replacement is appointed.

LIBRARY – AGENDA ITEM 9M1

- M1. THREE REVISED LIBRARY POLICIES APPROVED for the following:
- Customer Service- Minor Child
  - Group Services- Exhibits and Display
  - Group Services- Tutoring

Per documentation on file.

SHERIFF – AGENDA ITEM 9N0-1

- N0. INTERLOCAL AGREEMENT APPROVED between Montgomery County and The Woodlands Township for the provision of Law Enforcement Services.
- N1. INTERLOCAL AGREEMENT APPROVED between Montgomery County and The Woodlands Township for Law Enforcement Services related to cases involving crimes against children.

Motion carried.

**END OF CONSENT AGENDA**

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4. RENEWAL APPROVED – JAIL SERVICES – SHERIFF

Motion by Commissioner Clark, seconded by Commissioner Meador, to approve the renewal for Jail Services with Walker County, Texas. This will be funded with Contingency. Motion carried.

5. PROCLAMATION APPROVED – APPRECIATION OF NICKY KELLY

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve a Proclamation recognizing Nicky Kelly's service through the years. Motion carried.

CITIZENS – AGENDA ITEM 10

NO CITIZENS ADDRESSED THE COURT

Thomas Gray from Houston-Galveston Area Council gave a presentation on the Montgomery County Thoroughfare plan.

6. THOROUFFARE PLAN ACCEPTED – HGAC – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Clark, to accept the 2016 Montgomery County Thoroughfare Plan from Houston-Galveston Area Council. Motion carried.

7. PAYMENT APPROVED – COUNTY JUDGES AND COMMISSIONERS ASSOCIATION OF TEXAS – COUNTY JUDGE

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve payment for Annual Montgomery County Dues assessed for calendar year 2016 in the amount of \$2,600.00 payable to County Judges and Commissioners Association of Texas. Motion carried.

8. AGREEMENT APPROVED – BOSC, INC – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve an Agreement with Bosc, Inc. to provide financial advisory services and County Auditor is authorized to execute the same. Motion carried.

JOHN ROEBUCK WITH BOSC, INC. GAVE A PRESENTATION REGARDING THE FINAL PRICING OF THE UNLIMITED TAX ROAD BONDS, SERIES 2016 AND LIMITED TAX REFUNDING BONDS, SERIES 2016.

9. TAX ABATEMENT AGREEMENT APPROVED – NEWPARK DRILLING FLUIDS – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Riley to approve a Tax Abatement Agreement between Montgomery County and Newpark Drilling Fluids, LLC. Motion carried.

10. REQUEST APPROVED – JUSTICE OF THE PEACE PRECINCT 3 – INFORMATION TECHNOLOGY

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the use of JP Courts Technology Fund in the amount of \$49,338.40 for the purchase of license and professional services to create a phone queue system for Justice of the Peace Precinct 3. Motion carried.

11. REQUEST APPROVED – RELEASE AGREEMENTS – LONE STAR CONVENTION CENTER

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve three Release Agreements between Montgomery County and Pilgrim Operations, LLC. Motion carried.

12. REQUEST APPROVED – SALVAGE ITEMS – EMERGENCY MANAGEMENT

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve the request to declare items as salvage for the Office of Emergency Management, as per list on file. Any funds collected from these items are to be placed in 406-7390. Motion carried.

13. REQUEST APPROVED – PART-TIME POSITION – SHERIFF

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the creation of a part-time Mechanic I position, 5601.5602-500. Funding in the amount of \$10,400.00 should be transferred from the pooled clerk positions 5601.3903-600. This will not increase the current salary budget. Motion carried.

14. REQUEST APPROVED – AIRPORT PROJECT PARTICIPATION AGREEMENT – CONROE-NORTH HOUSTON REGIONAL AIRPORT

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the Airport Project Participation Agreement between Montgomery County and the Texas Department of Transportation to prepare a Runway Incursion Mitigation Study and Judge Doyal is authorized to execute the agreement. A resolution of approval and funding source was approved September 29, 2015. Motion carried.

15. INTERLOCAL GRANT AGREEMENT AND CHECK ACCEPTED – COMMUNITY DEVELOPMENT

Motion by Commissioner Clark, seconded by Commissioner Meador, to accept an Interlocal Agreement and Check # 12540 in the amount of \$49,010.50 from East Montgomery County Improvement District for partial payment for The Mission Northeast Warehouse Project. The funds will be allocated to 7500512-64296 for CDBG Year 16. Check has been forwarded to the Auditor for further processing. Motion carried.

16. REQUEST APPROVED – VACATION HOURS – LIBRARY

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the carryover of additional vacation hours at the hours lists or the amounts remaining above the approved carryover levels as follows:

- Position 6511-7200.1- Adult Services Coordinator for 12.03 hours and
- Position 6511-9507.1- Library director for 13.87 hours.

Motion carried.

17. REQUEST APPROVED – MILEAGE REIMBURSEMENT – COUNTY AUDITOR

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve automatic modifications to the County's per mile rate for reimbursement to match approved mileage as adjusted by the IRS for The County's policy for reimbursement for the use of vehicles owned by County officials and employees. Motion carried.

18. PURCHASE APPROVED – EXTENDED DAY CAB TRACTOR – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve the purchase on one (1) 2015 Kenworth T800 Extended Day Cab Tractor from Performance Truck through the Interlocal Agreement with BuyBoard, Contract #430-13, in the amount of \$145,902.28 to be prepaid and issued in the form of a check to be received by Vendor upon delivery and inspection of purchase, as authorized by Local Government Code §271.102 for Precinct 1. Motion carried.

19. AWARD APPROVED – SHERIFF'S SUBSTATION – SHERIFF

Motion by Commissioner Clark, seconded by Commissioner Meador, to approve the award for Montgomery County Sheriff's Substation-Spring Texas, Project #2016-0023 to CSB Contractors, Inc. in the amount of \$1,489,746.00. Capital Project Funds will be used to fund this project. Motion carried.

20. AWARD APPROVED – CHILDRENS PROTECTIVE SERVICES MANAGED ASSIGNED COUNSEL – VARIOUS DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve the award for RFP-Children's Protective Services Managed Assigned Counsel (CPMAC), Project #2016-0010 to Advocates for Families in Crisis. Contract will follow and a funding source will be named then. Motion carried.

21. REQUEST APPROVED – INDEPENDENT SERVICES AGREEMENT – FORENSIC SERVICES

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the Independent Contractor's Agreement and Release to Render Services as a Forensic Pathologist with Dr. Sparks Veasey for the Montgomery County Forensic Services Department. This will be funded by Forensic Services with their Professional Services budget. The Discretionary exemption was previously approved in Commissioners Court on January 12, 2016. Motion carried.

22. REQUEST APPROVED – DISCLAIMER OF INTEREST – COUNTY ATTORNEY – REAL PROPERTY – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Clark, to authorize Disclaimer of Interest in a fifteen (15') feet wide alley in between lots 18-21, inclusive, block 31 and lots 4-7, inclusive, block 31 in the Town site of Dobbin. Commissioner Meador is authorized to execute the Disclaimer. Motion carried.

23. STORM SEWER MAINTENANCE AGREEMENT APPROVED – COUNTY ATTORNEY – REAL PROPERTY – PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve a Storm Sewer Maintenance Agreement between Montgomery County and Glasgow Equity Investments, LLC and John W. Cook for maintenance of Storm Sewer in Highway ROW. Judge Doyal and/or Commissioner Noack are authorized to execute the agreement on behalf of Montgomery County. Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 22A1: CONSIDERATION OF ISSUANCE OF INDUSTRIAL REVENUE BONDS 1/A/O \$10 MILLION BY AMERITEX PIPE & PRODUCTS PURSUANT TO SECTION 147 (F) OF THE IRS CODE AND DEVELOPMENT CORPORATION ACT, CHAPT. 501 OF SUBTITLE C1 OF TITLE 12 OF THE TEXAS LOCAL GOVERNMENT CODE.

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

24. ORDER APPROVED – AMERITEX PIPE & PRODUCTS – PUBLIC HEARING

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the Order and Approval with Respect to Ameritex Pipe and Products, LLC Project. This is for the issuance of Industrial Revenue Bonds 1/A/O \$10 million by Ameritex Pipe and Products pursuant to Section 147 (f) of the IRS Code and Development Corporation Act, Chapt. 501 of Subtitle C1 of Title 12 of the Texas Local Government Code. There is no liability to Montgomery County. Motion carried.

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

EXECUTIVE SESSION – AGENDA ITEM 23A: CONSIDER AND DISCUSS CAUSE NO. 4:14-CV-01913; CLAIM NO. D-13-0107; TANDRA BAKER V. MONTGOMERY COUNTY, ET. AL.; IN THE UNITED STATES DISTRICT COURT-SOUTHERN DISTRICT-HOUSTON DIVISION.

AGENDA ITEM 23B: CONSIDER AND DISCUSS CAUSE NO. 15-629; HERMAN HOFFMAN, ET UX. V TEXAS; IN THE SUPREME COURT OF THE UNITED STATES.

AGENDA ITEM 23C: CONSIDER AND DISCUS THE APPOINTMENT, EMPLOYMENT, EVALUATION AND DUTIES OF VARIOUS DEPARTMENT HEADS.

**COMMISSIONERS COURT RECONVENED WITH ALL MEMBERS PRESENT WITH THE EXCEPTION OF COMMISSIONER RILEY.**

25. RESOLUTION AND ORDER APPROVED – CAUSE NO. 4:14-CV-1913 – EXECUTIVE SESSION

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve the settlement offer of \$5,000.00 to be paid to the Plaintiff in exchange for a full release of all claims in connection with in the lawsuit filed under Cause No. 4:14-cv-1913 and styled Tandra Baker v. Montgomery County, Texas, et.al.; In the United States District Court for the Southern District of Texas, Houston Division. The County Auditor is ordered to issue checks in accordance with the settlement offer contingent upon receipt of full release of all claims. This will be funded through the Sheriff's Office. Motion carried.

26. RESOLUTION AND ORDER APPROVED – CAUSE NO. 15-629 – EXECUTIVE SESSION

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve a Resolution and Order acknowledging the need for Montgomery County Attorney to defend on behalf of Montgomery County, the lawsuit filed under Cause No. 15-629; Herman Hoffman and Kathleen Hoffman v. Texas. The County Attorney is authorized to incur expenses as necessary for the proper defense of said case. This will be funded through Contingency. Motion carried.

CITIZENS – AGENDA ITEM 25

NO CITIZENS ADDRESSED THE COURT AT THIS TIME.

MISCELLANEOUS – AGENDA ITEM 26 – NO OTHER ITEMS LISTED

27. COURT ADJOURNS

Motion by Commissioner Noack, seconded by Commissioner Meador, 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 Dwyer*

COUNTY JUDGE

