

COMMISSIONERS COURT DOCKET
April 26, 2016
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 26th day of April, 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 Commissioner Charlie Riley.

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

2. MINUTES APPROVED – COUNTY CLERK

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

AGENDA ITEM 8I2 – CONSIDER AND APPROVE RESOLUTION AND ORDER ADOPTING A MONTGOMERY COUNTY CODE OF ETHICS WAS MOVED TO THE OPEN AGENDA. SEE MOTION #4 FOR COURT ACTION.

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

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, with the exception of Agenda Item 8I2, which was moved to the Open Agenda as follows:

COUNTY AUDITOR – AGENDA ITEMS 8A1-6

A1. MONTHLY UNAUDITED FINANCIAL REPORT ACCEPTED for the month ended December, 2015.

A2. MONTHLY UNAUDITED FINANCIAL REPORT ACCEPTED for the month ended January, 2016.

- A3. MONTHLY UNAUDITED FINANCIAL REPORT ACCEPTED for the month ended February, 2016.
- A4. MONTHLY UNAUDITED FINANCIAL REPORT ACCEPTED for the month ended March, 2016
- A5. BUDGET AMENDMENTS FY2016 APPROVED:
 - a. 359th District Court: To adjust line items.
 - b. Commissioner Precinct 1: To adjust line items and fund new position 612.8902.5 as approved M25/04.12.16 and recognize and allocate revenue.
 - c. Commissioner Precinct 2: To transfer funds for the installation of signal lights, adjust line items for purchase of two trucks, and adjust line items.
 - d. Commissioner Precinct 3: To adjust line items.
 - e. Constable Precinct 1: To recognize and allocate revenue to fund canine stipend as approved M11/04.12.16.
 - f. Constable Precinct 2: To recognize and allocate revenue.
 - g. Constable Precinct 3: To recognize and allocate revenue, recognize and allocate revenue M18/04.07.14, set up grant budget as awarded by the NRA Foundation M7/04.12.16.
 - h. Court Reporter Service Fund: To recognize and allocate revenue.
 - i. Custodial: To adjust line items.
 - j. District Attorney: To return excess salary and benefits funds due to position changes as approved M9/04.12.16 and adjust budget lines.
 - k. Emergency Management: To adjust line items.
 - l. Environmental Health: To adjust line items per Commissioners Court M1/08.18.14.
 - m. Fire Marshal: To adjust forfeiture budget based upon expenditures through the month ended 3/31/2016 and recognize and allocate revenue.
 - n. Juvenile Probation-NSLP: To recognize and allocate reimbursement received National School Lunch Program for Feb/16 and Mar/16.
 - o. MCCD: To adjust line items for Mission NE per amendment to Consolidated Action Plan M21/10.27.15 and 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).
 - p. Memorial Library: To recognize and allocate revenue for the General Gift Account and adjust line items.
 - q. Permits: To adjust line items.
 - r. Sheriff: To adjust line items and adjust line items for purchase of K9 tahoes.
 - s. Sheriff-Auto Theft: To recognize and allocate revenue.

- t. Sheriff/HIDTA MOCONET: To adjust line items per Grantor.
- u. MCTRA-Toll Road: To recognize and allocate toll revenue February 2016.

A6. PAYMENT OF ACCOUNTS APPROVED, as submitted by the County Auditor.

TAX ASSESSOR/COLLECTOR – AGENDA ITEM 8B1

B1. MONTHLY TAX COLLECTION REPORT ACCEPTED for month ending March 31, 2016.

PURCHASING – AGENDA ITEMS 8C1-27

- C1. DISCRETIONARY EXEMPTION GRANTED for vehicle and equipment repairs as authorized by Local Government Code §262.024 (a)(11) from Lansdowne Moody Co., effective 04/07/16 for Various Departments.
- C2. REQUEST APPROVED to change the title of project #2016-0022 from RFP-Minor Construction, Repair Rehabilitation or Alteration of a Facility to RFP-Construction, Repair, Rehabilitation, or Alteration of Residential Building(s) with Section 3 Requirements for MCCD.
- C3. CHANGE ORDER NO. 2 APPROVED to Jet Waste Services, LLC for containerized commercial solid waste disposal service to add 4yd front load service 1x per week at \$70.00 per month for Various Departments.
- C4. RENEWAL APPROVED for products and related services from Xerox Corporation. Addendum No. 1 and Appendix C pricing index will be included to the existing contract through the Interlocal Agreement with Texas Department of Information Resources (DIR) Contract # DIR-TSO-3043 as authorized by Local Government Code §271.083 (b) for IT Department. (Exercising the second of two renewal options.)
- C5. DISCRETIONARY EXEMPTION GRANTED for items that can only be obtained from one source, including: films, manuscripts or books as authorized by Local Government Code §262.024 (a)(7)(B) for Gale Publications from Gale for Library.
- C6. ADVERTISING APPROVED for the following:
 - Service for Supply/Audio Visual Materials for Library.
 - Fencing installation (Labor Only) at Montgomery County Fire Marshal Facility for Emergency Management.
 - Mowing Additional right-of-ways for Precinct 4.
- C7. REQUEST APPROVED to rescind permission to advertise for RFP-Extensions of Fiber Network for IT Department. Previously approved in Commissioners Court 04/12/16.
- C8. DISCRETIONARY EXEMPTION GRANTED for a professional service as authorized by Local Government Code §262.024 (a)(4) for Laboratory Testing Services from National Medical Services, Inc. for Various Departments.
- C9. REQUEST APPROVED to change the name of Lexis-Nexis a division of Reed Elsevier, Inc. to RELX, Inc., effective 02/23/16 for Various Departments.
- C10. RENEWAL APPROVED for Miscellaneous Materials, Picked up and/or delivered with A&B Crushed Concrete, LLC for Precinct 4. (Exercising the first of three renewal options.)

- C11. RENEWAL APPROVED for new furniture with each of the following vendors: Stephens Office Supply, Inc. dba Go Stephens, Contract Resource Group, LLC and Workspace Resource, Inc. for Various Departments. (Exercising the second of five renewals)
- C12. RENEWAL APPROVED for residential water well(s) with each of the following vendors: Weisinger Incorporated and Ricky Bonds Septic Systems & Water Wells, LLC for Various Departments. (Exercising the fifth of five renewal options.)
- C13. RENEWAL APPROVED for disaster logistics services with O'Brien's Response Management, LLC on a month to month basis for Emergency Management.
- C14. RENEWAL APPROVED for New Uniforms from each of the following vendors: Galls, LLC dba Lone Star Uniforms and Miller Uniforms & Emblems, Inc. for Various Departments. (Exercising the second of five renewal options)
- C15. RENEWAL APPROVED for replacement glass and labor to repair and/or install glass and miscellaneous items with Steen Glass Inc. for Various Departments. (Exercising the third of five renewals.)
- C16. RENEWAL APPROVED for pre-engineered metal buildings (Materials only) with each of the following vendors: Mueller, Inc. and Schulte Building Systems, Inc. for Various Departments. (Exercising the fifth of five renewal options.)
- C17. RENEWAL APPROVED for traffic signal electrical supplies with Wildcat Electrical Supply, LTD for Various Departments. (Exercising the fourth of five renewal options.)
- C18. RENEWAL APPROVED for internet service provider with each of the following vendors: Wavemedia, Inc. and Consolidated Communications of Texas with the bandwidth upgrade to Consolidated Communications of Texas contract from 40 MEGS at a monthly cost of \$800.00 to 250 MEGS at a monthly cost of \$1,250.00 for Various Departments. (Exercising the third of five renewal options.)
- C19. REQUEST APPROVED to utilize the contract for fueling systems from J.A.M. Equipment Sales and Service through the Interlocal Agreement with BuyBoard, Contract #419-13 as authorized by Local Government Code §271.102 for Various Departments.
- C20. REQUEST APPROVED to declare miscellaneous items as salvage as authorized by Local Government Code §263.152 for Various Departments.
- C21. RENEWAL APPROVED for wireless and data products from Sprint Solutions, Inc. on a month to month basis and to include Amendment No. 3 to the existing contract through the Interlocal Agreement with the Texas Department of Information Resources (DIR) Contract #DIR-SDD-1780 as authorized by Local Government Code §271.083 (b) for Various Departments.
- C22. RENEWAL APPROVED for surface treatment with Waters Construction Co., Inc. for Various Precincts. (Exercising the fourth of four renewal options)
- C23. REQUEST APPROVED to change the name of Wildcat Electric Supply LTD to Tiger Electric Supply dba Wildcat Electric Supply, Inc. effective 02/23/16 for Various Departments.
- C24. DISCRETIONARY EXEMPTION GRANTED for a professional service as authorized by Local Government Code §262.024 (a)(4) for media relations services from Bradley K. Meyer with hourly rates not to exceed \$2,500.00 per month for Precinct 4.

- C25. DISCRETIONARY EXEMPTION GRANTED for a professional service as authorized by Local Government Code §262.024 (a)(4) for forensic pathologist services from Dr. Patricia J. Moore on an as needed basis for Forensic Services Department.
- C26. DISCRETIONARY EXEMPTION GRANTED for a professional service as authorized by Local Government Code §262.024 (a)(4) for forensic pathologist services from Dr. Tommy J. Brown on an as needed basis for Forensic Services Department.
- C27. DISCRETIONARY EXEMPTION GRANTED for a professional service as authorized by Local Government Code §262.024 (a)(4) for autopsy services from Southwestern Institute of Forensic Sciences on an as needed basis for Forensic Services Department.

RISK MANAGEMENT – AGENDA ITEMS 8D1-2

- D1. PAYMENT ACKNOWLEDGED AND RECORDED INTO THE MINUTES to Herman and Inez Green in the amount of \$1,367.32 in reference to Claim #G-16-0020. Date of incident 01/21/16.
- D2. CHANGES, ADDITIONS AND RELEASES APPROVED for the following:

<u>BOND</u>	<u>NAME/DEPT</u>	<u>AMOUNT</u>	<u>ACTION</u>
24933249	Brown, Joshua/Const Pct 4	\$5,000.00	Renew/Cont Cert
15487161	Deluish, Rhonda/Library	\$5,000.00	Renew/Cont Cert
14383640	Cain, Daniel/Const Pct 1	\$5,000.00	Renew/Cont Cert
14383649	Cade, Leslee/Const Pct 1	\$5,000.00	Renew/Cont Cert
15486577	Arnold, Christen W./Drug Court	\$5,000.00	Renew/Cont Cert
62016619	Rupert, Enrique/Const Pct 1	\$5,000.00	Renew/Cont Cert
62014970	Wolff, Thomas/Const Pct 2	\$5,000.00	Renew/Cont Cert
15136061	Cox, James E./Const Pct 4	\$5,000.00	Renew/Cont Cert
70089412	Thomas, Jerry D./ Sheriff's Office	\$5,000.00	Renew/Cont Cert
14383151	Bonds, Larry R./ Const Pct 2	\$5,000.00	Renew/Cont Cert
14383156	Willingham, Ronald/Const Pct 4	\$5,000.00	Renew/Cont Cert
62014987	Wolf, Kevin/Const Pct 1	\$5,000.00	Renew/Cont Cert
24764581	Downing, Todd/Const Pct 5	\$5,000.00	Renew/Cont Cert
24764579	Moody, Robert/Const Pct 3	\$5,000.00	Renew/Cont Cert
14823416	Closson, Stephen/Const Pct 1	\$5,000.00	Renew/Cont Cert
15283565	Boudreaux, Adolph/Const Pct 4	\$5,000.00	Renew/Cont Cert
15283559	Looza, Arturo/Const Pct 4	\$5,000.00	Renew/Cont Cert
13749843	Wood Jr., Richard/Const Pct 1	\$5,000.00	Renew/Cont Cert

COMMISSIONERS – AGENDA ITEM 8E1

E1. PRECINCT 4

- a. CHECK ACCEPTED in the amount of \$1,111.90 from City of Roman Forest for the purchase of fuel. This is to be deposited into line item No. 615-7926. Check No. 21205 has been forwarded to the Auditor for further processing.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 8F1-3

F1. PRECINCT 2

- a. PUBLIC HEARING DATE SET for May 24, 2016 to establish a 35 MPH Speed Zone for time periods 8:00 a.m.-9:00 a.m. and 3:00 p.m.-4:00 p.m. on Research Forest Drive in front of Legacy Preparatory Academy.
- b. PUBLIC HEARING DATE SET for May 24, 2016 to establish a “No Standing No Parking Any Time “on both sides of Marsico Place and Hidden Trail Drive.
- c. PUBLIC HEARING DATE SET for May 24, 2016 to establish traffic signal control for Research Forest Drive at West Alden Bridge Drive; Research Forest Drive at Crownridge Drive; and Fish Creek Thoroughfare at Woodforest Parkway South.
- d. FINAL PLAT APPROVED for Amick-Manning Subdivision; 5.494 acres; E.N. Lee Survey, A-709.

F2. PRECINCT 3

- a. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Falls at Imperial Oaks, Section 19; total length of roads 4,350.97 linear feet, to be effective April 26, 2016.
- b. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Legends Trace, Section 3; total length of roads 8,599.91 linear feet, to be effective April 26, 2016.
- c. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Woodlands Village of Grogans Mill Lake Woodlands East Shore, Section 16; total length of roads 1,850.68 linear feet, to be effective April 26, 2016.
- d. PUBLIC HEARING DATE SET for May 24, 2016 to establish traffic signal control for Lake Front Circle at Six Pines Drive; Lake Front Circle at Pinecroft Drive; and Rayford Road at Rayford Crossing Development Driveway.
- e. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Woodlands Metro Center Hughes Landing Boulevard Street Dedication; total length of roads 1,933.19 linear feet and bond is released.

F3. PRECINCT 4

- a. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in White Oak Crossing, Section 3; total length of roads 11,847.08 linear feet and bond is released.
- b. PUBLIC HEARING DATE SET for May 24, 2016 to establish street names of Market Place Drive and Valley Ranch Boulevard for the roads dedicated by Warranty Deed (Clerk’s file number 2015-084739). The roads were accepted by Commissioners Court on 08/25/2015.

- c. PUBLIC HEARING DATE SET for May 24, 2016 to establish street names of Valley Ranch Parkway and Valley Ranch Boulevard for the roads dedicated by Warranty Deed (Clerk's file number 2014-057185). The roads were accepted by Commissioners Court on 06/16/2014.
- d. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Tavola, Section 1; total length of roads 2,899.54 linear feet and bond is released.
- e. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Tavola, Section 2; total length of roads 2,301.18 linear feet and bond is released.
- f. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Tavola, Section 3; total length of roads 2,448.02 linear feet and bond is released.
- g. FINAL PLAT APPROVED for Waukegan Way, Section 1; 4.819 acres; William B. Bridges Survey, A-73.
- h. FINAL PLAT APPROVED for Porter Woods; 9.0483 acres; Day Land and Cattle Company Survey, A-678.

HUMAN RESOURCES – AGENDA ITEM 8G1

G1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of 435th District Court to place Patricia "Patty" Maginnis, State District Court Judge, on payroll as replacement for Michael T. Seiler, effective April 11, 2016.

Request of Animal Control to place Ernest Johnson, Animal Control Officer, on payroll due to Return from Unpaid/FMLA Disability Leave, effective April 6, 2016.

Request of Animal Shelter to discharge Jacqueline Beaton, Clerk IV, effective April 6, 2016. [No benefits due.]

Request of Animal Shelter to discharge Lilith A. Chenaux, Kennel Tech, effective April 6, 2016. [No benefits due.]

Request of Animal Shelter to discharge Cory Durand, Manager Kennel, effective April 6, 2016. [No benefits due.]

Request of Animal Shelter to discharge Ronald L. Friedrich Jr., Kennel Tech, effective April 6, 2016. [No benefits due.]

Request of Animal Shelter to discharge Danielle Gallo, Surgery Tech, effective April 6, 2016. [No benefits due.]

Request of Animal Shelter to discharge Cody Harmon, Admin Manager I, effective April 6, 2016. [No benefits due.]

Request of Animal Shelter to discharge Minda Harris, Coordinator Vol/Rescue, effective April 6, 2016. [No benefits due.]

Request of Animal Shelter to accept the resignation of Cheyenne Ledezma, Clerk III, effective March 25, 2016. [No benefits due]

Request of Animal Shelter to discharge Karen Onstott-Obrien, Clerk III, effective April 6, 2016. [No benefits due.]

Request of Animal Shelter to accept the resignation of Noreen Reid, Clerk III, effective April 6, 2016. [No benefits due.]

Request of Animal Shelter to discharge Jessica Slabic, Surgery Tech, effective April 6, 2016. [No benefits due.]

Request of Animal Shelter to change status of Melissa Valdez, Clerk III, from Part-time to Full-time as replacement for Karen Onstott O'Brien, effective April 14, 2016.

Request of Animal Shelter to place Mark Wysocki, Admin Manager I, on payroll as replacement for Cody Harmon, effective April 14, 2016.

Request of Custodial to place Alma Aranda, Custodian, on payroll as replacement for Laura Garcia, effective April 18, 2016.

Request of Custodial to place Ann Cheatham, Custodian, on payroll as replacement for Alba Torres, effective April 18, 2016.

Request of Custodial to place Natalie Garcia, Custodian, on payroll as replacement for Rony Munoz, effective April 18, 2016.

Request of Custodial to place Gumercindo Herrera Jr., Custodian, on Unpaid FMLA/Disability Leave, effective April 11, 2016.

Request of Custodial to place Elizabeth Martinez de Moreno, Custodian, on Unpaid FMLA/Disability Leave, effective March 16, 2016.

Request of Custodial to accept the resignation of Santos Merino, Custodian, effective April 15, 2016. [No benefits due.]

Request of Commissioner Precinct 2 to place Arnold D. Parr, Operator I, on payroll, effective April 20, 2016.

Request of Commissioner Precinct 2 to change position of Tyler Thornbrough, from Park Maintenance to Laborer, effective April 12, 2016.

Request of Commissioner Precinct 3 to discharge Reginal Allen, Operator I, effective April 8, 2016. [No benefits due.]

Request of Commissioner Precinct 4 to place Devin C. Underwood, Operator I, on payroll as replacement for Justin Rogers, effective April 19, 2016.

Request of County Auditor to transfer Suzanne Dubois, from General Ledger Assnt to Internal Audit Lead, as replacement for Reyna Josephine Cantrell, effective April 18, 2016.

Request of District Attorney to increase salary of Tempe Anne Calhoun, Legal Assistant III, due to Board Cert/Paralegal approved in Commissioners Court on 4/12/2016, effective April 9, 2016.

Request of District Attorney to promote Kelly L. Lester, Admin Manager I, effective April 9, 2016.

Request of District Attorney to place Kristina S. Schulz, Court Clerk IV, on payroll, effective April 13, 2016.

Request of District Clerk to change status of Tony Beltran, Court Clerk II, from part-time to full-time as replacement for Marilyn Heintz, effective April 11, 2016.

Request of District Clerk to accept the resignation of Sherry Foster, Office Supervisor I, effective April 22, 2016. [96.88 hours or balance vacation]

Request of District Clerk to discharge Brandon Harlan, Court Clerk II, effective April 6, 2016. [No benefits due.]

Request of District Clerk to accept the retirement of Kay Piland, Accounting Assistant, effective April 22, 2016. [209.27 hours or balance vacation.]

Request of Fire Marshal to decrease salary of Joseph Manz Jr., Arson Investigator, due to removal of auto allowance, effective April 9, 2016.

Request of Justice of the Peace Precinct 1 to accept the resignation of Ann Cheatham, Court Clerk III, effective April 5, 2016. [122.385 hours or balance vacation; 65.20 hours or balance compensatory; 23.00 hours or balance holiday.]

Request of Justice of the Peace Precinct 3 to accept the resignation of Azucena Garcia Martinez, Court Clerk II, effective April 9, 2016. [3.08 hours or balance vacation.]

Request of Juvenile Probation to accept the resignation of Ronald Leach, Director – Juvenile Probation, effective April 8, 2016. Is eligible for re-hire. [249.63 hours or balance vacation; 88.00 hours or balance grandfathered sick leave.]

Request of Juvenile to bridge time of Monica Leigh Sandoval, Certified Nurse Aide, to reflect a revised leave anniversary date of 3/7/2009, effective March 28, 2016.

Request of Library to accept the resignation of Erin Jilene Muske, Reference Librarian, effective May 2, 2016. [30.60 hours or balance vacation]

Request of Library to change status of Candy Joyce Parker, Library Assistant II, from part-time to full-time, as replacement for Vicki Steffler, effective May 2, 2016.

Request of Library to place Denise P. Westphal, Library Assistant IV, on Unpaid FMLA/Disability Leave, effective April 6, 2016.

Request of Risk Management to accept the retirement of Patricia L. McWilliams, Risk Analyst, effective May 31, 2016. [141.83 hours or balance vacation]

Request of Sheriff to promote David Birch, Sergeant Patrol, effective April 23, 2016.

Request of Sheriff to transfer Federico Cano, Deputy Patrol District V, from District Attorney to Sheriff as replacement for Landon Slatter, effective April 23, 2016.

Request of Sheriff to place Jacob Currington, Deputy Patrol District III, on payroll as replacement for Jonathan Combs, effective April 23, 2016.

Request of Sheriff to transfer Joshua Hunter, Deputy Patrol District IV, as replacement for Kristy Veith, effective April 23, 2016.

Request of Sheriff to accept the retirement of Richard Lee, Deputy Detention, effective May 31, 2016. [255.085 hours or balance vacation; 461.38 hours or balance compensatory; 64.00 hours or balance holiday.]

Request of Sheriff to place Mitchell Stroh, Officer Civilian Detention, on payroll as replacement for Roslyn Donaldson, effective April 9, 2016.

Request of Sheriff to place Shawn Thierry, Officer Civilian Detention, on payroll as replacement for Clifford Finley Jr., effective April 16, 2016.

Request of Sheriff to place Jason Uhler, Officer Civilian Detention, on payroll as replacement for Crystal Badeaux, effective April 16, 2016.

Request of Sheriff to place Douglas Ware, Mechanic III, on payroll as replacement for Robert Kortlang Jr., effective April 23, 2016.

Request of Tax Assessor to promote Nichole Cruz, Deputy Specialist II, due to completion of mandated educational and tenure requirements for promotion, effective May 7, 2016.

Request of Tax Assessor to accept the resignation of Steven Dean, Deputy Specialist I, effective April 12, 2016. [3.08 hours or balance vacation]

Request of Tax Assessor to increase salary of Charlotte Hatchley, Administrative Manager I, due to completion of mandated educational requirements, effective April 23, 2016.

ENVIRONMENTAL HEALTH – AGENDA ITEMS 8H1-4

H1. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 17615 Linda Lane, Conroe, Texas 77306.

H2. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100 year flood plain located at 11831 Calvary Road, Willis, Texas 77318.

H3. REQUEST APPROVED and CHECK ACCEPTED in the amount of \$6,700.78 for the Order to Release Lien and Acknowledge Receipt of Check to be filed in Real Property Records to cover the cost to the County for the demolition of a public nuisance. Total cost of lien has been met for the following property:

- 10989 Balsam, Willis, Texas 77378.

Check # 563039439 has been forwarded to auditor for further processing.

H4. REQUEST APPROVED and CHECK ACCEPTED in the amount of \$7,036.20 for the Order to Release Lien and Acknowledge Receipt of Check to be filed in Real Property Records to cover the cost to the County for the demolition of a public nuisance. Total cost of lien has been met for the following property:

- 17555 Castlewood Drive, Conroe, Texas 77306.

Check # 11433256 has been forwarded to auditor for further processing.

COUNTY ATTORNEY – AGENDA ITEMS 8I1-3

11. RESOLUTION AND ORDER APPROVED to acknowledge the need for the Montgomery County Attorney to defend on behalf of Montgomery County Bail Bond Board, the lawsuit filed under Cause No. 16-03-02805, and styled Alvin D. Jones v. Montgomery County Bail Bond Board; in the 284th Judicial District of Montgomery County, Texas, Claim No. C-16-0024. The County Attorney is authorized to incur expenses as necessary for the proper defense and negotiation of said case and funding of said expenses from the Risk Management Budget with the approval of the Director of Risk Management or the designee of the Director of Risk Management.

12. AGENDA ITEM 8I2 – CONSIDER AND APPROVE RESOLUTION AND ORDER ADOPTING A MONTGOMERY COUNTY CODE OF ETHICS WAS MOVED TO THE OPEN AGENDA. SEE MOTION #4 FOR COURT ACTION.

13. RESOLUTION AND ORDER APPROVED to maintain the status quo and not adopt a Financial Disclosure Reporting System for positions identified in Subchapter B of chapter 159 of the Texas Local Government Code.

CONROE-NORTH HOUSTON REGIONAL AIRPORT – AGENDA ITEMS 8J1-4

- J1. MEMORANDUM OF AGREEMENT APPROVED between Montgomery County and U.S. Customs and Border Protection to make Inspectional Services available at Conroe-North Houston Regional Airport.
- J2. PARTIAL ASSIGNMENT OF LAND LEASE AGREEMENT WITH CONSENT OF LESSOR APPROVED from Assignor Tom Fisher to Assignee Joseph A. Welge for Unit 1, Building B containing 2,378.19 square feet of land located at the Lone Star Executive Airport along with 1/44th interest in the restroom area and 1/23 interest in the common areas of the airport.
- J3. CORRECTED ASSIGNMENT OF CONSERVAIR'S LEASE WITH CONSENT OF LESSOR APPROVED for 1.35 acres in Conroe-North Houston Regional Airport correcting assignee from Herdrich Investments, LLC to Herdair Group, LLC.
- J4. LANDLORD SUBORDINATION AGREEMENT APPROVED between Montgomery County, as landlord, and Herdair Group, LLC as tenant, and Integrity Bank SSB as Lender for Subordination of Landlord's rights under lease for 1.35 acres in Conroe-North Houston Regional Airport being assigned to Herdair Group, LLC.

COMMUNITY DEVELOPMENT – AGENDA ITEMS 8K1-2

- K1. CERTIFICATE OF SUBSTANTIAL COMPLETION DOCUMENT APPROVED from MJR Services, Inc. for the Mission NE Warehouse Project.
- K2. 2015 CDBG PUBLIC SERVICE GRANT AGREEMENTS RATIFIED between Montgomery County and the following Non-Profit Agencies: Walker Montgomery Community Development Corporation and Salvation Army Conroe Corps. The documents were noticed as 2016 Grant Agreements on the 3/22 Agenda, but all documents were correctly executed.

LIBRARY – AGENDA ITEM 8L1

- L1. REQUEST APPROVED to close the South Regional Library on Saturday, May 14, 2016 and authorize the Library Director to monitor conditions related to accessibility at the Mitchell Library on that day and delay opening, if needed, to address conditions associated with The Woodlands Ironman Competition.

COUNTY CLERK – AGENDA ITEM 8M1

- M1. DEPUTATION APPROVED of Candelaria S. Arias, Deputy County Clerk.

Motion carried.

END OF CONSENT AGENDA

- 4. RESOLUTION AND ORDER APPROVED – CODE OF ETHICS – COUNTY ATTORNEY

Motion by Commissioner Noack, seconded by Commissioner Meador, to adopt a Montgomery County Code of Ethics for Department Heads and Elected Officials. Motion carried.

AGENDA ITEM 22A WAS PRESENTED BY THE COUNTY ATTORNEY'S OFFICE FOR DISCUSSION BEFORE CITIZENS. SEE MOTION #5 FOR COURT ACTION.

CITIZENS – AGENDA ITEM 9

Joe Kearns addressed the court concerning the non-consent tow regulations. He does not support larger companies receiving more than one spot in the rotation.

Dalton Knox also addressed the court concerning the non-consent tow regulation. He does feel that it is fair for a company to have more spots because they are larger.

Del Harris also addressed the court concerning the non-consent tow regulations. He also has concerns regarding larger companies receiving more than one rotation spot and the forfeiture of a turn for a missed call.

David Knox also addressed the court concerning the non-consent tow regulations. He supports a rotation, but does not agree with larger companies receiving more spots in the rotation. He also had a concern that zone 2 connected with all the other zones.

Heather Schoonover also addressed the court concerning the non-consent two regulations. She does not agree with larger companies receiving more spots in the rotation. She also stated that she believes that the trucks should be registered in Montgomery County if they are doing business in the county.

Clint Bass also addressed the court concerning the non-consent tow regulations. He does not agree with the storage requirement of the regulations.

Russell Schoonover also addressed the court concerning the non-consent tow regulations. He stated that each wrecker service should have a storage facility and does not think there is a need to have 10 trucks in one zone.

Dale Bell also addressed the court concerning the non-consent tow regulations. He stated that if the regulation is passed then small companies will be out of business.

Amber Bass also addressed the court concerning the non-consent tow regulations. She does not agree with larger companies receiving more spots in the rotation.

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

5. ACTION DEFERRED – NON-CONSENT TOWING – COUNTY ATTORNEY

Motion by Commissioner Riley, seconded by Commissioner Meador, to defer any action regarding the adoption of the Montgomery County Rules and Regulations for Non-Consent Towing and Storage Services. Commissioner Noack voted “No”. Motion carried.

6. RESOLUTION APPROVED – MEMORIAL HERMANN HEALTH SYSTEM – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the issuance of bonds by Harris County Cultural Education Facilities Finance Corporation to finance and refinance certain projects for Memorial Hermann Health System. Motion carried.

AGENDA ITEM 10B – BRIAN STANLEY WITH JUSTICE OF THE PEACE PRECINCT 4 GAVE THE COURT AN UPDATE ON A TRUANCY COMMITTEE FORMED DECEMBER 2015. HE STATED THAT JUDGE METTS WOULD LIKE TO ADD EDUCATORS TO THE COMMITTEE WITH THE ABILITY TO ADD MORE EDUCATORS AS THE COMMITTEE GOES ON. THE COUNTY ATTORNEYS OFFICE INFORMED THAT ADDITIONAL MEMBERS MAY BE ADDED BY SUBMITTING THE NAMES TO THE COUNTY JUDGES OFFICE AND THEY WILL BE INVITED TO THE NEXT TRUANCY MEETING.

COMMISSIONER NOACK LEFT THE COURTROOM.

7. RESOLUTION AND ORDER APPROVED – SEVERE WEATHER AND FLOODING DISASTER – COUNTY JUDGE

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve County employees who reported to work on April 18, 2016 are compensated with additional code 032 leave time, in the amount of leave equal to the actual hours worked, to be taken by July 18, 2016, provided that the applicable elected official does not object. Motion carried. (Agenda Item 10C was revisited later in court. See Motions 35 & 36 for further court action.)

COMMISSIONER NOACK RETURNED TO THE COURTROOM.

COMMISSIONER CLARK LEFT THE COURTROOM.

8. REQUEST APPROVED – CARRYOVER OF FY15 FUNDING – COUNTY CLERK

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve the carryover of \$1,613.74 in FY 15 funding from the County Clerk's Record Management Fund relating to Blanket Release #489882, encumbered on September 30, 2015. This should be posted to line item 40311-7390. Motion carried.

9. REQUEST APPROVED – POSITION CHANGES – DISTRICT CLERK

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

1. Close Position 450-3972-11 Court Clerk II
2. Open Position 450-3995-12 Court Clerk IV
3. Transfer \$33,923.57 from 450-3972-11 to 450-3995-12
4. Transfer \$6,912.13 from 450-7704-1 to 450-3995-12

These changes have been reviewed by Auditor and Human Resources and will not increase the FY16 Budget. Motion carried.

10. PURCHASE APPROVED – FOOD, BEVERAGES, & KITCHEN SUPPLIES – EMERGENCY MANAGEMENT

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the purchase of food, beverages, and kitchen supplies to be used during EOC activation and training. Motion carried.

11. PURCHASE APPROVED – SMALL APPLIANCES – EMERGENCY MANAGEMENT

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the purchase of small appliances to be used during EOC activation and training. Motion carried.

COMMISSIONER MEADOR LEFT THE COURTROOM.

COMMISSIONER CLARK RETURNED TO THE COURTROOM.

12. REQUEST APPROVED – OVERTIME PAY – SHERIFF

Motion by Commissioner Riley, seconded by Commissioner Noack, to approve overtime pay for Sheriff's Office Personnel working security detail for special Montgomery County Events. Personnel working beyond their normal work schedule will qualify for overtime pay. Motion carried.

13. REQUEST APPROVED – ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCES – SHERIFF

Motion by Commissioner Riley, seconded by Commissioner Clark to approve the following changes in Organized Crime Drug Enforcement Task Forces between the Montgomery County Sheriff's Office and the DEA:

1. SWTXS-1010 Speed Limit- Discontinue and de-obligate \$5,000.00
2. SWTXS-1044H Witch Hazel – Add agreement with funding of \$15,000.00

Benefits will be funded by the Sheriff's Budget 5601. Motion carried.

14. REQUEST APPROVED – PART-TIME BAILIFF – SHERIFF

Motion by Commissioner Riley, seconded by Commissioner Clark, to approve the creation of a pooled part-time bailiff position for Grand Jury Security Detail. Salary and benefits will be covered by excess position and salary funds within the jail's current salary structure through the end of this fiscal year as follows:

<u>From Position</u>	<u>Amount</u>
5121-5800-4	\$1,065.22
5121-5800-5	\$1,065.22
5121-5800-7	\$1,065.22
5121-5800-11	\$1,034.28
5121-5800-12	\$1,065.22
5121-5800-24	\$1,034.28
5121-5800-52	\$4,684.94
<u>To Position</u>	<u>Amount</u>
5121-2307-600	\$11,014.38

Funding for next fiscal year will need to be addressed during budget. Motion carried.

COMMISSIONER MEADOR RETURNED TO THE COURTROOM.

15. REQUEST APPROVED – PURCHASE OF PATROL VEHICLE – CONSTABLE PRECINCT 5

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the purchase for one newly equipped patrol vehicle, not to exceed \$58,000.00 to be assigned to a recently vacated position which included a vehicle stipend. This will be funded from vehicle stipend currently and in future years. Motion carried.

16. REQUEST APPROVED – 2017 GRANT SUBMISSION – AUTO THEFT TASK FORCE

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve the 2017 Grant Submission for the Automobile Burglary and Theft Prevention Authority. Motion carried.

17. INTERLOCAL AGREEMENT APPROVED – GRIMES COUNTY – AUTO THEFT TASK FORCE

INTERLOCAL AGREEMENT APPROVED – WALKER COUNTY – AUTO THEFT TASK FORCE

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the 2017 Interlocal Agreements with Grimes County and Walker County for the FY2017 Automobile Burglary and Theft Prevention Authority (ABTPA) Grant Application. Motion carried.

18. REQUEST APPROVED – PURCHASE OF HEAVY DUTY VEHICLE – FIRE MARSHAL

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the purchase of a new heavy duty vehicle, not to exceed \$58,000.00, for open investigator position #5433-6400-01 and discontinue vehicle stipend for this position. This will be funded from vehicle stipend currently and in future years. Motion carried.

THE COUNTY ATTORNEY'S OFFICE ASKED THE COURT THAT AS DEPARTMENTS MOVE AWAY FROM A VEHICLE STIPEND IF THIS WAS SOMETHING THAT THEY WOULD LIKE PLACED ON THE CONSENT AGENDA. THE COURT AGREED.

19. MEMBERSHIP APPROVED – AIRPORT MASTER PLAN PLANNING ADVISORY COMMITTEE – AIRPORT

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the membership of the Airport Master Plan "Planning Advisory Committee (PAC) as follows: Robert Jackson, Mike Beitler, Barclay Spikes, Scott Smith, Scott Taylor, Ed Bruno, Keith Garber, Dan Brouse, Becky Lutte, Steve Ratcliff, Bob Covington, John Lowry, Jeremy Gee, James Lynch, and Josh Carlson. Josh Carlson was added in court the others per list on file. Motion carried.

20. REQUEST APPROVED – 2015 CDBG PUBLIC SERVICE GRANT AGREEMENT – COMMUNITY DEVELOPMENT

Motion by Commissioner Clark, seconded by Commissioner Meador, to approve and authorize Judge Doyal to execute the 2015 CDBG Public Service Grant Agreements between Montgomery County and the following non-profit agency; Montgomery County Homeless Coalition. Motion carried.

21. FUNDING FACTORS APPROVED – SELF-INSURED PROGRAMS – COUNTY AUDITOR

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve funding factors for Self-Insured Programs from the County's Budget Year ending September 30, 2017. The recommendation is that the same funding levels are maintained as previous year. Motion carried.

22. REQUEST APPROVED – VEHICLE PURCHASE – PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the purchase of two (2) new 2016 Chevrolet 2500HD Silverado 4x2 Ext (Double) Cab LWB CC25953 trucks from Caldwell Country Chevrolet through the Interlocal Agreement with BuyBoard Contract #430-13 in the amount of \$66,240.00 for Precinct 2. Motion carried.

23. AWARD APPROVED – NEW VEHICLES – VARIOUS DEPARTMENTS

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the award for new vehicles, Project # 2016-0005 to Buckalew Chevrolet, LP for the following: 2016 Vehicle #1 Base Bid – Chevrolet Tahoe, PPV – Qty 2 - \$34,655.00/each for the Sheriff's Office. Motion carried.