

COMMISSIONERS COURT DOCKET
February 09, 2015
REGULAR SESSION

ORIGINAL

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 9th day of February, 2015, 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 Mary Hammer-Menzel

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.

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 26, 2015. Motion carried.

ONE CHANGE TO CONSENT AGENDA

ITEM 8C3c WAS REMOVED.

3. CONSENT AGENDA APPROVED - AGENDA ITEMS 8A1-11

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the Consent Agenda, as follows:

COUNTY AUDITOR – AGENDA ITEMS 8A1-A3

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

A2. BUDGET AMENDMENTS APPROVED:

- a. 249 Toll Project: To fund legal services as approved M37/12.22.14.
- b. 359th District Court: To adjust line items.
- c. Child Welfare: To adjust line items.
- d. Commissioner Precinct 1: To adjust line items.
- e. Commissioner Precinct 3: To adjust line items.

- f. Commissioner Precinct 4: To adjust line items for 2 vehicle purchases.
- g. Constable Precinct 1: To recognize and allocate revenue.
- h. Constable Precinct 2: To recognize and allocate revenue.
- i. Constable Precinct 3: To recognize and allocate revenue.
- j. Constable Precinct 4: To recognize and allocate revenue.
- k. County Attorney- Jury: To fund transfer of venue as approved M14/01.26.15.
- l. County Clerk: To adjust line items.
- m. Court Operations: To adjust line items.
- n. Court Reporter Service Fund: To recognize and allocate revenue.
- o. Custodial: To adjust line items to correct coding for PO #55501657.
- p. District Attorney -Jury: To fund transfer of venue as approved M14/01.26.15.
- q. Drug Court: To set up Drug Court Training Grant as awarded by CJD M23/12.08.14.
- r. DWI Court: To recognize and allocate revenue for December 2014 (MRT Books).
- s. Fire Marshall: To adjust line items.
- t. Forensic Services: To adjust line items for purchase of medical equipment.
- u. Information Technology: To fund salary increase for position 503-5516-5 M15/01.26.15 and fund new position 503-5526-1 M16/01.26.15.
- v. JP Technology Fund: To recognize and allocate revenue as approved M32/12.08.14, M13/01.12.15, and M20/01.26.15.
- w. Sheriff: To fund M28/01.12.15 and M25/11.03.14, adjust line items, transfer funds, and carryover funds.

A3. CASH COUNT AND DEPOSIT FINDINGS ACCEPTED, as submitted by County Auditor.

TAX ASSESSOR/COLLECTOR – AGENDA ITEM 8B1

B1. CONTINUATION OF SURETY BOND ACCEPTED, for Randall's Food Markets, Inc. in the amount of \$60,000.00.

PURCHASING – AGENDA ITEMS 8C1-C9

- C1. ACTION TAKEN on the recommendation(s) and/or contract(s) for the following bid(s):
 - a. AWARDED – PESTMASTER SERVICES OF N. HOUSTON for exterminating/pest control services – Project 2015-0023 – Various Departments.

- b. REJECTED – BID IVB – New Full-size Special Service Vehicle – Project 2015-0006 – Various Departments.
- c. AWARDED – UNION METAL CORPORATION for Traffic Signal Mast Arms and related Equipment – Project 2015-0017 – Various Departments.
- d. AWARDED – THIRD COAST SERVICES, LLC for Traffic Signal Foundation Services – Project 2015-0018 – Various Departments. (Alternate is Statewide Traffic Signal Company).

C2. RENEWALS APPROVED:

- a. P.O. 2011267 to GALL'S, INC for emergency equipment, expires 03/27/15 – Various Departments.
- b. P.O. 2011269 to ALL AMERICA SALES CORPORATION for emergency equipment, expires 03/27/15 – Various Departments.
- c. P.O. 2011266 to LONE STAR PRODUCTS & EQUIPMENT, LLC for emergency equipment, expires 03/27/15 – Various Departments.
- d. P.O. 2013174 to GT DISTRIBUTORS, INC for emergency equipment, expires 03/27/15 – Various Departments.
- e. P.O. 2014505 to SILVERSAND SERVICES, INC for lawn maintenance services, expires 04/30/15 – Lone Star Executive Airport.
- f. P.O. 2014506 to SILVERSAND SERVICES, INC for lawn maintenance services, expires 04/30/15 – Lone Star Convention and Expo Center.

C3. ACTION TAKEN ON CHANGE ORDERS:

AGENDA ITEM 8C3c was removed.

- a. APPROVED – Change Order #21 (P.O. 2010327) to STEPHENS OFFICE SUPPLIES, INC DBA GOSTEPHENS for Office/Computer/Paper Supplies and accessories with online ordering capabilities – Various Departments.
- b. APPROVED – Change Order #4 (P.O. 2013203) to WILLIAMS BROTHER CONSTRUCTION CO. for construction of an interchange facility consisting of grading, structures, base, concrete pavement, retaining walls, signs and markings, construct electronically tolled direct connectors from WB SH 242 to SB IH 45 and NB IH 45 to WB SH 242 – Precincts 2 and 4/(MCTP).
- c. REMOVED –AGENDA ITEM 8C3c – Change Order #9 (P.O. 2008542) to A&B CRUSHED CONCRETE, LLC to cancel month-to-month effective February 20, 2015 – Precinct 4.
- d. APPROVED – Change Order #2 (P.O. 2013430) to BARCODES, LLC for ePollbook and Peripherals – Elections.

C4. DISCRETIONARY EXEMPTIONS APPROVED:

- a. ASSOCIATED SUPPLY CO., for gradall excavator parts only – Various Departments. Tex. Local Government Code Ann. Sect. 262.024(a)(7)(D)

- C5. CORRECTION APPROVED, for discretionary exemption for Barcodes, LLC for products and related services, previously approved in Commissioner's Court on January 26, 2015. Item read, 271.083 (b), but should read 271.103. – Elections.
- C6. CORRECTION APPROVED, for Bid VIB – New 2015 Mid-Size Vehicles FWD with option to delete daytime running lamps at \$150.00 previously approved in Commissioners' Court on January 26, 2015. Item read, \$18,295.00 each, but should read \$18,445.00 each and remove the option to delete running lamps. – Various Departments.
- C7. REQUEST APPROVED, to rescind the Amendment #1 with Official Payment Corporation for customer credit card payment services, P.O. 2011495 that was previously submitted and approved in Commissioners' Court on January 12, 2015 and replace with the new Amendment #1. – Various Departments.
- C8. PROPOSAL APPROVED, from Property Acquisition Services, Inc. for right-of-way acquisition and relocation services in conjunction with the widening of Rayford Sawdust Road, not to exceed \$22,500.00. – Precinct 3.
- C9. RESOLUTION APPROVED, authorizing designated signatories for Texas Disaster Recovery Round 2.2 Community Development Block Grants Program Contract Dr #12-477-000-6642 due to change in authorized signatures. – Purchasing.

RISK MANAGEMENT – AGENDA ITEMS 8D1-D5

- D1. PAYMENT ACKNOWLEDGED and recorded into Minutes, to Linda Holt in the amount of \$1,701.76 in reference to Claim #A-15-0025. Date of incident October 27, 2014.
- D2. PAYMENT ACKNOWLEDGED and recorded into Minutes, to Shawn Smith in the amount of \$250.00 in reference to Claim #B-14-0084. Date of incident June 7, 2014.
- D3. PAYMENT ACKNOWLEDGED and recorded into Minutes, to FMA Alliance in the amount of \$600.00 in reference to Claim #B-14-0084. Date of incident June 7, 2014.
- D4. PAYMENT ACKNOWLEDGED and recorded into Minutes, to USAA Casualty Insurance Company, as subrogee of Seth Larson in the amount of \$ 1,978.32 in reference to Claim #A-15-0022. Date of incident November 15, 2014.
- D5. CHANGES, ADDITIONS AND RELEASES APPROVED for the following:

<u>BOND</u>	<u>NAME/DEPT</u>	<u>AMOUNT</u>	<u>ACTION</u>
62225434	Homeyer, Lauren / Const PCT 4	\$5,000.00	Reserve/New
24871666	Ballinger Jr., Jimmy / Const PCT 4	\$5,000.00	Reserve/Cont Cert
14920123	McDonald, Patrice / CCL 3	\$5,000.00	New
12742753	Connelly, Edie / JP PCT 3	\$10,000.00	New
62265010	Diehl, Deborah / Const PCT 2	\$5,000.00	Reserve/New
	Martin, Phyllis / County Auditor		Statement of Officer
	Michalk, Lisa / 221 st District Court		Oath of Office
	Wood, Cara / 284 th District Court		Oath of Office
	Hamilton, Kathleen / 359 th District Court		Oath of Office
	Davis, Stephanie / County Treasurer		Oath of Office
61954888	Doyal, Lindsey / County Treasurer	\$25,000.00	Renew/Cont Cert
61936929	Baker, Michelle / Const PCT 3	\$5,000.00	Renew/Cont Cert
61585941	Baxter III, Thomas / Fire Marshall	\$5,000.00	Renew/Cont Cert

15487513	Vogel, Anneliese / Const PCT 3	\$5,000.00	Renew/Cont Cert
15101519	Vogel, Richard / Const PCT 3	\$5,000.00	Renew/Cont Cert
15487516	Cooke, Paul / Const PCT 3	\$5,000.00	Renew/Cont Cert
24754738	Wright, Jody / District Attorney	\$5,000.00	Renew/Cont Cert
24754805	Hoffmeyer, Christopher / Const PCT 3	\$5,000.00	Renew/Cont Cert
61960842	Dunn, Brian / Const PCT 4	\$5,000.00	Renew/Cont Cert
61961139	Selmser III, James / Const PCT 1	\$5,000.00	Renew/Cont Cert
62246622	Rushing, Steven / Const PCT 2	\$5,000.00	Reserve/New
61626299	Cassidy Jr., Paul / Const PCT 4	\$5,000.00	Renew/Cont Cert
24913501	Grindstaff, Jason / Const Pct 2	\$5,000.00	Renew/Cont Cert
24913539	Bennett, Gary / Fire Marshall	\$5,000.00	Renew/Cont Cert
24913523	Singleton Jr., James / Fire Marshall	\$5,000.00	Renew/Cont Cert
24913549	West, Carey / Fire Marshall	\$5,000.00	Renew/Cont Cert
61308495	Gilbert, Shawn / Const PCT 3	\$5,000.00	Renew/Cont Cert
61991157	Welch, Kenneth / Const PCT 3	\$5,000.00	Renew/Cont Cert
24760574	Wrentz, James / Const PCT 1	\$5,000.00	Renew/Cont Cert
15275639	Appleton, Melisa / District Attorney	\$5,000.00	Renew/Cont Cert
15275528	Pena, Eva / Tax Assessor	\$100,000.00	Renew/Cont Cert
61639691	Orr, Joshua / Const PCT 3	\$5,000.00	Renew/Cont Cert
61639680	Tunstall, Jarod / Const PCT 3	\$5,000.00	Renew/Cont Cert
14952797	Gage, Ollie / Const PCT 1	\$5,000.00	Reserve/Cont Cert
62265053	Ferrell, Julianne / Const PCT 2	\$5,000.00	Reserve/New

COMMISSIONERS – AGENDA ITEMS 8E1-E4

E1. PRECINCT 1

- a. USE AGREEMENT APPROVED with Willis Youth Athletic Association to use the baseball fields at Charles Traylor Sports Park from January-December 31, 2015.
- b. USE AGREEMENT APPROVED with Rebels to use the baseball fields at Charles Traylor Sports Park for practices from January-December 31, 2015 as scheduled by WYAA.
- c. USE AGREEMENT APPROVED with Montgomery County Mustangs Christian Homeschool Baseball Association to use the baseball fields at Gene Campbell Sports Park for a practice round robin tournament April 11, 2015.

E2. PRECINCT 2

- a. USE AGREEMENT APPROVED with Magnolia Baseball Association to use the baseball fields at Magnolia Sports Park from January-December 31, 2015.

E3. PRECINCT 3

- a. BOND ACCEPTED for James A. Waters, Secretary/Treasurer County of Montgomery Emergency Services District No. 14, in the amount of \$50,000.00 conditioned on the faithful execution of the treasurer's duties.

E4. PRECINCT 4

- a. BOND ACCEPTED for Raymond C. Veit, Treasurer Montgomery County Emergency Service District No. 4, in the amount of \$50,000.00 conditioned on the faithful execution of the treasurer's duties.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 8F1-F3

F1. PRECINCT 1

- a. ROADS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in High Meadow Estates, Section 1; total length of roads 7,655.51 linear feet. Effective date February 9, 2015.
- b. FINAL PLAT APPROVED for Blake Road Business Park No. 2; 3.386 Acres; Mary Corner Survey, A-9.
- c. FINAL PLAT APPROVED for Decker Oaks Estates, Section 4; 32.261 Acres; E.R. Hale Survey, A-264.

F2. PRECINCT 2

- a. BOND RELEASED for the roads in The Woodlands Village of Grogan's Mill Lake Harrison, Section 1. It was also acknowledged that the roads were built to county standards and have completed the one year maintenance period. The roads are private and will not be maintained by Montgomery County. Effective January 26, 2015.
- b. ROADS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Falls at Imperial Oaks, Section 11; total length of roads 3,599.46 linear feet. Effective date February 9, 2015.
- c. ROADS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Falls at Imperial Oaks, Section 12; total length of roads 2,742.67 linear feet. Effective date February 9, 2015.
- d. REQUEST APPROVED from Level (3) Communications to place a Conduits/Fiber Optic Line within the right of way of New Trails Drive.
- e. REQUEST APPROVED from Spring Creek Utility District to place a water and sanitary line within the right of way of Birnham Woods Drive, Rayford Road.
- f. REQUEST APPROVED from Level 3 Communications to place a Conduits/Fiber Optic Line within the right of way of Evergreen Circle.
- g. REQUEST APPROVED from Centerpoint Energy to place a gas service line within the right of way of Millpark Road.
- h. REQUEST APPROVED from Level 3 Communications to place a Conduits/Fiber Optic Line within the right of way Sawdust Road.

F3. PRECINCT 4

- a. ROADS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Gleneagles, Section 6; total length of roads 4,334.92 linear feet and bond released.
- b. REQUEST APPROVED from Centerpoint Energy to place a gas service line within the right of way of Colorado Road.

HUMAN RESOURCES – AGENDA ITEM 8G1

G1. PAYROLL CHANGE REQUEST FORMS APPROVED

Request of Airport to place Kevin S. Isaacks, Maintenance Tech I, on the payroll, effective February 16, 2015.

Request of Airport to accept the resignation of Richard Henry Thomas, Airport Ops Specialist, effective January 23, 2015. [No benefits due].

Request of Custodial to discharge James B. Dodson, Manager-Custodial Service, from payroll, effective January 29, 2015. [180.73 hours or balance vacation].

Request of Custodial to increase salary of Laura Garcia, Custodian, due to completion of probationary period, effective January 3, 2015.

Request of Commissioner Precinct 2 to promote Eric Vaughn Gaines, Operator II, as replacement for Frank Cavanah, effective January 31, 2015.

Request of Community Development to transfer Wendy Dow, Administrative Manager I, as replacement for Barbara Schoen, effective February 2, 2015.

Request of Constable Precinct 1 to increase salary of Tracey Gordon, Deputy Constable, due to STEP increase, effective May 15, 2015.

Request of Constable Precinct 1 to increase salary of William Anthony Guy, Deputy Constable, due to STEP increase, effective June 17, 2015.

Request of Constable Precinct 1 to increase salary of Mickey Brian Luly, Deputy Constable, due to STEP increase, effective May 7, 2015.

Request of Constable Precinct 1 to increase salary of Raymond Rauen, Deputy Constable, due to STEP increase, effective April 24, 2015.

Request of Auditor to place Suzanne DeBois, General Ledger Assistant, on payroll, effective February 9, 2015. (New Position).

Request of Elections to place Dana Sober, Elections Administrator, on payroll, effective February 2, 2015.

Request of Fire Marshall to place James R. Bagwell, Fire Inspector/Arson Investigator, on payroll, effective January 26, 2015. (Pooled Position).

Request of Fire Marshal to place Brandon Ferrell, Part-time Fire Inspector/Arson Investigator, on payroll, effective January 29, 2015. (Pooled Position)

Request of Forensic Services to place Mary Trant, Forensic Assistant, on payroll as replacement for Kristine Duke, effective February 3, 2015.

Request of Information Technology to increase salary of Richard Cuong Le, Lead Business System Coordinator III, due to merit increase, effective January 31, 2015.

Request of Information Technology to transfer Eric Lowry, Business System Coordinator II, effective February 4, 2015.

Request of County Judge to remove Mark Bosma, Director Infrastructure, from payroll, due to retirement, effective January 31, 2015. [144.155 hours or balance vacation.]

Request of Justice of the Peace Precinct 1 to place Katy Foster, Court Clerk II, on payroll, as replacement for Lisa Neal, effective February 17, 2015.

Request of Justice of the Peace Precinct 1 to accept the resignation of Lisa Neal, Court Clerk II, effective February 6, 2015. [No benefits due.]

Request of Juvenile to place Chelsea Cruz, Juvenile Supervision Officer-Substitute, on payroll, effective January 27, 2015.

Request of Juvenile to place Ashley Gaffney, Juvenile Supervision Officer-Substitute, on payroll, effective January 27, 2015.

Request of Juvenile to place Rochan Morgan Jr., Juvenile Supervision Officer-Substitute, on payroll, effective January 27, 2015.

Request of Juvenile to place Justin Reickenbacker, Juvenile Supervision Officer-Substitute, on payroll, effective January 27, 2015.

Request of Library to place Frances Kilgore, Library Assistant II-Reference, on payroll, as replacement for Emily Spielbauer, effective February 9, 2015.

Request of Library to remove Vicki Meredith, Reference Librarian, from payroll due to retirement, effective April 30, 2015. [47.09 hours or balance vacation]

Request of Library to place Joan Roberts, Shelving Clerk I, on payroll as replacement for Lynda Collins, effective February 9, 2015.

Request of Sheriff to place Charlotte Allen, Temp Data Clerk-SOC, on payroll as replacement for Thomas Priestley, effective February 2, 2015.

Request of Sheriff to remove Helen Barner, Clerk IV Records, from payroll due to job abandonment, effective January 27, 2015. [No benefits due.]

Request of Sheriff to remove Catherine Breeding, Deputy Patrol, from payroll, effective January 29, 2015. (deceased) [88.90 hours or balance vacation; 122.25 hours or balance compensatory; 48.00 hours or balance holiday.]

Request of Sheriff to increase salary of Alexandra Carter, Clerk IV CJR, due to completion of probationary period, effective January 31, 2015.

Request of Sheriff to place David "Ryan" Carter, Officer Civilian Detention, on payroll, as replacement for Corey Lobue, effective January 24, 2015.

Request of Sheriff to increase salary of Jason Hammons, Deputy Patrol, due to STEP increase, effective February 14, 2015.

Request of Sheriff to increase salary of Christina Harper, Sergeant Detention, due to STEP increase, effective February 28, 2015.

Request of Sheriff to correct resignation date of Christopher Herrera, Officer Civilian Detention, to January 27, 2015.

Request of Sheriff to remove Carlos Huante, Deputy Patrol, from payroll, due to unpaid FMLA/Disability Leave, effective January 29, 2015.

Request of Sheriff to increase salary of Christopher Irvine, Deputy Patrol, due to STEP increase, effective February 14, 2015.

Request of Sheriff to increase salary of Cody McKee, Deputy Patrol, due to STEP increase, effective February 14, 2015.

Request of Sheriff to place Cameron Miller, Officer Civilian Detention, on payroll, as replacement for Kevin Douglas, effective February 7, 2015.

Request of Sheriff to accept the resignation of Tyler Miller, Officer Civilian Detention, effective January 30, 2015. [No benefits due.]

Request of Sheriff to place Adriel Perez, Officer Civilian Detention, on payroll as replacement for Ryan D. Jones, effective February 7, 2015.

Request of Sheriff to place Colin Pritz, Officer Civilian Detention, on payroll as replacement for Steven Campos, effective February 7, 2015.

Request of Sheriff to transfer Britney Quertermous, Clerk IV-CJR, to Jail as replacement for Erika Blue, effective January 24, 2015.

Request of Sheriff to accept the resignation of Britney Quertermous, Clerk IV-CJR, effective February 3, 2015. [3.08 hours or balance vacation.]

Request of Sheriff to increase salary of Thomas J. Smith, Deputy Patrol, due to STEP increase; effective February 15, 2015.

Request of Sheriff to increase salary of Christopher Voris, Deputy Patrol, due to STEP increase, effective February 14, 2015.

ENVIRONMENTAL HEALTH – AGENDA ITEMS 8H1-H2

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 following properties:

- 15027 Calhoun, Conroe, Texas 77302.
- 24280 Jane Avenue, Porter, Texas 77365.

H2. REQUEST APPROVED and CHECK ACCEPTED in the amount of \$7,460.50 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:

- 503 Carson Ridge Drive, Spring, Texas 77386.

Check has been forwarded to the Auditor for further processing.

COUNTY JUDGE – AGENDA ITEM 8I1

I1. RESOLUTION APPROVED authorizing termination of the financial advisory agreement with BOSCO, Inc., and authorizing County Judge to execute letter with notice of termination and requesting waiver of the 30-day prior notice provision.

Motion carried.

END OF CONSENT AGENDA

CITIZENS – AGENDA ITEM 9

Mike Bass discussed South County Mobility Study plan to deal with the growth and congestion in South County.

Bill O'Sullivan discussed his opposition to the High Speed Rail and getting elected officials involved.

Debbie Burns-Porter also discussed opposition to the High Speed Rail and forming a 391 Commission to fight the railway.

4. REQUEST APPROVED – ANNUAL MONTGOMERY COUNTY DUES – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve payment of the Annual Montgomery County Dues assessed for Calendar year 2015 in the amount of \$2,600.00 and payable to County Judges and Commissioners Association of Texas. Motion carried.

5. PURCHASE APPROVED – SERVICE PINS, REFRESHMENTS AND CORSAGES – COUNTY JUDGE

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the purchase of service pins, refreshments, and corsages for the annual service awards ceremony not to exceed \$5,500. These items were already in the Non-Departmental budget. Motion carried.

6. REQUEST APPROVED – FORMATION OF REGIONAL PLANNING COMMISSION – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Riley, to form a Regional Planning Commission under Chapter 391 of the Texas Local Government Code to address regional transportation project in and around Montgomery County. The commission will be made up from at least two municipalities or governmental agencies with 2/3 being elected officials. After discussion the Court authorized Judge Doyal to contact Montgomery Independent School District and the City of Magnolia to see if there was interest in order to move forward. Motion carried.

7. RESOLUTION APPROVED – OPPOSITION TO HIGH-SPEED RAILWAY – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Riley, to oppose the proposed Texas Central High-Speed Railway and request The Texas Department of Transportation and the Federal Railroad Administration oppose the project as well. Motion carried.

8. GRANT ADJUSTMENT NOTICE APPROVED – 2013 UASI GRANT – EMERGENCY MANAGEMENT

GRANT ADJUSTMENT NOTICE APPROVED – 2013 UASI LETPA GRANT – EMERGENCY MANAGEMENT

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

- a. 2013 UASI Grant adjustment notice through March 31, 2015 and authorize County Judge to sign the sub-recipient agreement.
- b. 2013 UASI LETPA Grant adjustment notice through March 31, 2015 and authorize County Judge to sign the sub-recipient agreement.

Motion carried.

9. GRANT REQUEST FORM APPROVED – 2015 SHSP GRANT – EMERGENCY MANAGEMENT

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the grant request form for the 2015 SHSP Grant. Motion carried.

10. REQUEST APPROVED – POSITION CHANGES – SHERIFF

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the following change in position and move salary and benefits assigned from the closed position to the new position as follows:

- Close 5121-5702-3 Maintenance Tech 2
- Open 5121-5701-2 Maintenance Tech 3

Motion carried.

11. FUNDS APPROVED – TRANSFER OF VENUE – SHERIFF

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve funds in the amount of \$14,750.00 due to transfer of venue being filed and granted in the 359th District Court. Funds should be placed in the Sheriff's travel budget line 5601-7425 and funds not used will be returned. This will be funded from Contingency. Motion carried.

12. PURCHASE APPROVED – BOAT ENGINES – CONSTABLE PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the purchase and installation of two (2) Mercury Verado L6-200 HP professional series boat engines at a cost of \$26,172.00. This will be funded from Contingency. Motion carried.

13. AGREEMENT APPROVED – 2014 ESG GRANT – COMMUNITY DEVELOPMENT

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the 2014 ESG grant agreement between Montgomery County and Montgomery County Youth Services. Judge Doyal is authorized to execute this agreement. Motion carried.

14. AGREEMENT APPROVED – MONTGOMERY COUNTY HOMELESS COALITION – COMMUNITY DEVELOPMENT

Motion by Commissioner Clark, seconded by Commissioner Meador, to approve an agreement between Montgomery County and Montgomery County Homeless Coalition, Inc. and accompanying land use restriction agreement to convert the former food bank to a Homeless Empowerment Center, which will provide training, showers, and possibly medical treatment. This will be funded through CDBG grant funds. Motion carried.

15. AMENDMENT APPROVED – OCCUPANCY AGREEMENT – COMMUNITY DEVELOPMENT

AMENDMENT APPROVED – OCCUPANCY AGREEMENT – COMMUNITY DEVELOPMENT

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

- a. A second amendment to occupancy agreement between Montgomery County and Brazos Valley Community Action Agency, Inc. for occupancy space in the North Montgomery County Community Center.
- b. A second amendment to occupancy agreement between Montgomery County and Montgomery County Emergency Assistance for occupancy space in the North Montgomery County Community Center.

Motion carried.

16. AGREEMENT APPROVED – EASTER SEALS OF GREATER HOUSTON, INC. – COMMUNITY DEVELOPMENT

Motion by Commissioner Clark, seconded by Commissioner Meador, to approve an occupancy agreement between Montgomery County and Easter Seals of Greater Houston, Inc. for occupancy of space in the North Montgomery County Community Center. Motion carried.

17. REQUEST APPROVED – ADJUST HOURS – LIBRARY

Motion by Commissioner Noack, seconded by Commissioner Riley, to authorize the closing of the South Regional Library and delay the opening of the Mitchell Library until 11:00 a.m. (or as needed) on Saturday, February 28, 2015 to address conditions associated with The Woodlands Marathon. Motion carried.

18. PURCHASE APPROVED – MONITOR ARMS – JUSTICE OF THE PEACE PRECINCT 2

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the purchase of two monitor arms in the amount of \$678.23 to be funded from the Justice of the Peace Technology Fund. Motion carried.

19. REQUEST APPROVED – BUDGET REVIEW COMMITTEE FY 2016 – AUDITOR

Motion by Commissioner Meador, seconded by Commissioner Noack, to establish a Budget Review Committee for the FY 2016 budget. The recommended committee members are:

- County Judge Craig Doyal
- Commissioner Precinct 3 James Noack
- County Auditor Phyllis Martin
- Chief of Staff Jim Fredricks

Motion carried.

20. PURCHASE APPROVED – RADIO COMMUNICATION, EMERGENCY RESPONSE AND INTEROPERABLE EQUIPMENT – EMERGENCY MANAGEMENT

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the purchase of radio communication, emergency response and interoperable equipment from Motorola Solutions, Inc. through the Interlocal Agreement with H-GAC Contract #RA05-12, in the amount of \$558,471.00. This will be funded by the 2014 UASI Grant. Motion carried.

21. PROPOSAL APPROVED – ENGINEERING SERVICES – PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve a proposal from Zarinkelk Engineering Services, Inc. for engineering design services for traffic solutions for Rayford Road in the amount of \$75,091.00. Motion carried.

22. RESOLUTION APPROVED – REIMBURSEMENT AGREEMENT – COUNTY ATTORNEY

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the reimbursement agreement between Montgomery County and Montgomery County Toll Road Authority (MCTRA) for the costs associated with the project current and authorize the County Judge to execute the same. Motion carried.

23. INTERLOCAL AGREEMENT APPROVED – COUNTY ATTORNEY

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve an interlocal agreement between Montgomery County and Montgomery County Emergency Services District 8 regarding uniform safety standards and fire origin and cause investigation efforts. Motion carried.

24. LETTER ACCEPTED – EMERGENCY SERVICES DISTRICT NO. 11 – COUNTY ATTORNEY

Motion by Commissioner Clark, seconded by Commissioner Meador, to acknowledge receipt of letter from Emergency Services District (ESD) No. 11 notifying the court of an election order issued by the ESD No. 11 Board. Motion carried.

25. AMENDMENT APPROVED – MONTGOMERY COUNTY YOUTH SERVICES – COUNTY ATTORNEY – REAL PROPERTY – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve an amendment to services agreement with Montgomery County Youth Services by adding \$15,000.00 in additional funding for the current fiscal year. Motion carried.

26. ORDER APPROVED – LAND PURCHASE – COUNTY ATTORNEY – REAL PROPERTY – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve an order authorizing the purchase of a 15 acre tract of land in the Owen Shannon Survey, Abstract 36 in the amount of \$260,000.00 plus an additional \$20,000.00 to compensate seller, Candace E. Cannon for relocation expenses. This order also grants authority for Commissioner Mike Meador, BD Griffin, or John McKinney to sign any and all documents relating to the purchase. Motion carried.

27. RESOLUTION APPROVED – SH 249 EXTENSION PROJECT AND FM 2978 WIDENING PROJECT – COUNTY ATTORNEY – REAL PROPERTY – PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the Local Transportation Project Advance Funding Agreement between TxDot and Montgomery County to provide for Compensatory Stream and Wetland Mitigation for SH 249 Extension Project and FM 2978 Widening Project. All funding will come through TxDot or Federal Government. Motion carried.

AGENDA ITEM 19C1 TO CONSIDER PROPOSED IMPROVEMENT IN ROW AGREEMENT WITH THE WOODLANDS LAND DEVELOPMENT COMPANY, L.P. FOR WOODLANDS DRIVE WAS DEFERRED.

AGENDA ITEM 20A1 WAS MOVED FROM PUBLIC HEARING

28. FINAL PLAT APPROVED – BENDERS LANDING, SECTION 2 PARTIAL REPLAT NO.1 – COUNTY ATTORNEY – REAL PROPERTY – PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve the final plat for Benders Landing, Section 2 Partial Replat No. 1; 49.36 Acres; Montgomery County School Land Survey, A-351. Motion carried.

29. AMENDMENT APPROVED – LAND LEASE AGREEMENT – COUNTY ATTORNEY – REAL PROPERTY – AIRPORT

UTILITY EASMENT GRANTED – COUNTY ATTORNEY – REAL PROPERTY – AIRPORT

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

- a. An amendment to land lease between Montgomery County and VFE Holding Company, Inc. increasing the land lease acreage by an additional .031 acre creating a 1.807 acre tract land lease.
- b. An Utility Easement for the public to be issued by Montgomery County, Patrick Thyssen, and VFE Holding, Inc.

Motion carried.

30. AMENDMENT ACCEPTED – AIRPORT PROJECT PARTICIPATION AGREEMENT – COUNTY ATTORNEY – REAL PROPERTY – AIRPORT

Motion by Commissioner Meador, seconded by Commissioner Riley, to accept Amendment #2 to Texas Department of Transportation Airport Project Participation Agreement. County Judge is authorized to sign the agreement. Motion carried.

31. RESOLUTION APPROVED – LAND LEASE – COUNTY ATTORNEY – REAL PROPERTY – AIRPORT

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the Second Amendment to Lone Star Executive Airport Land Lease between Montgomery County and Black Forest Ventures Aviation RE, LLC and authorize Judge Doyal to execute the agreement on behalf of Montgomery County. Motion carried.

AGENDA ITEM 19D5 TO CONSIDER A PROPOSED SUBLEASE AGREEMENT BETWEEN BFV AVIATION RE, LLC AND MONTGOMERY COUNTY WAS DEFFERED.

COMMISSIONER NOACK MOVED AGENDA ITEM 20A1 INTO OPEN SESSION DEEMING A PUBLIC HEARING UNNECESSARY – SEE MOTION 28 FOR COURT ACTION.

32. REQUEST APPROVED – MUNICIPAL UTILITY DISTRICT – COMMISSIONER PRECINT 1

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve request from Coats/Rose for the creation and naming of next available Montgomery County Municipal Utility District No. 148. Motion carried.

THE COURT RECESSED FOR SESSION OF THE MONTGOMERY COUNTY TOLL ROAD AUTHORITY.

33. ORDER APPROVED – GEOTEST ENGINEERING, INC. – TOLL ROAD AUTHORITY

ORDER APPROVED – LANDTECH CONSULTANTS, INC – TOLL ROAD AUTHORITY

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve engineering service agreements between Montgomery County Toll Road Authority and the following companies:

- Geotest Engineering, Inc.
- Landtech Consultants, Inc.

Motion carried.

34. ORDER APPROVED – REIMBURSEMENT AGREEMENT – TOLL ROAD AUTHORITY

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve reimbursement agreement between Montgomery County and Montgomery County Toll Road Authority (MCTRA) for the costs associated with the project. Motion carried.

MONTGOMERY COUNTY TOLL ROAD AUTHORITY ADJOURNED.

THE COMMISSIONERS COURT RECONVENED.

AGENDA ITEM 23A TO CONSIDER AND DISCUSS LEGAL ISSUES PRESENTED WHEN REORGANIZING COUNTY ADMINISTRATIVE/MANAGEMENT STRUCTURES WAS NOT DISCUSSED.

AGENDA ITEM 24 – JUDGE DOYAL DEEMED EXECUTIVE SESSION UNNECESSARY AT THIS TIME.

35. PAYROLL CHANGE REQUEST FORMS APPROVED – HUMAN RESOURCES

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the following payroll change request forms:

Request by Sheriff to increase salary of Mathew E. Vieth, Maintenance Tech III, due to promotion, effective February 9, 2015.

Motion carried.

AGENDA ITEM 26 – MISCELLANEOUS – NO OTHER ITEMS LISTED

36. 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 Doyal

COUNTY JUDGE

