

COMMISSIONERS COURT DOCKET  
 March 24, 2015  
 REGULAR SESSION

ORIGINAL

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 24<sup>th</sup> day of March, 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 4	Jim Clark
Also County Clerk's Office	Amber Twiddy

ABSENT:

Commissioner, Precinct 3	James Noack
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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 Meador, seconded by Commissioner Riley, to approve Commissioners Court Agenda for discussion and necessary action. Motion carried.

## 2. RESOLUTION APPROVED – RETIREMENT OF RANGER, A NARCOTICS CANINE

Motion by Commissioner Meador, seconded by Commissioner Riley, to recognize and honor Ranger for his years of service and allow Ranger to live out his life with Deputy Sherwin David Everton. Motion carried.

EMPLOYEE OF THE MONTH AWARDS WERE PRESENTED AS FOLLOWS:

JANUARY 2015 – April Fagan/County Extension Office

FEBRUARY 2015 – Lynn Alayon/Library

MARCH 2015 – Melissa Miller/District Clerk

## 3. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the Minutes from Regular Session of Commissioners Court dated March 10, 2015. Motion carried.

## 4. CONSENT AGENDA APPROVED - AGENDA ITEMS 9A-N

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

COUNTY AUDITOR – AGENDA ITEMS 9A1-3

- A1. PAYMENT OF ACCOUNTS APPROVED, as submitted by the County Auditor.
- A2. BUDGET AMENDMENTS FY2015:
  - a. Adult Probation: Budget adjustment for year ended 09.30.15.
  - b. ARRA/TXDOT: To recognize reimbursement for Inv #29 ARRA/TXDOT grant 3050-02-016 M23b/07.14.03.
  - c. Building Maintenance: To recognize and allocate revenues FY15 M18/05.05.14.
  - d. Commissioner Precinct 1: To adjust line items per Commissioners Court M25/02.09.15, recognize and allocate revenue, and fund land purchase as approved M26/02.09.15.
  - e. Commissioner Precinct 2: To adjust line items.
  - f. Commissioner Precinct 3: To adjust line items and recognize and allocate revenue.
  - g. Commissioner Precinct 4: To recognize and allocate revenue FY15.
  - h. Constable Precinct 1: To recognize and allocate revenue.
  - i. Constable Precinct 2: To recognize and allocate revenue.
  - j. Constable Precinct 3: To recognize and allocate revenue M5/03.10.15.
  - k. Constable Precinct 4/EMCID-Camera/Radio Grant: To allocate additional funds for the Body Camera Grant from EMCID M14/03.10.15.
  - l. Court Reporter Service Fund: To recognize and allocate revenue.
  - m. Debt Service Fund: To adjust line items.
  - n. District Attorney: To recognize and allocate revenue FY15.
  - o. Drug Court: To recognize and allocate revenue for February 2015 (MRT Books).
  - p. Juvenile Probation-ADM: To allocate CISD Pass-thru, transfer funds for purchase of VPN token, and recognize and allocate revenue FY15.
  - q. Juvenile /Foster Care Title IV-E/15: To adjust line items.
  - r. Law Library: To transfer funds for Online subscriptions out of the Law Library Budget and into the individual courts budgets.
  - s. MCCD-CDBG: To adjust line items and allocate Program Income received for Willis Building (PI-1.1), Lonestar Building (PI-1.2), Magnolia Building (PI-2.1), Magnolia Medical Building (PI-2.2), and Splendor Building (PI-4.1).
  - t. Memorial Library: To allocate revenue.

- u. Sheriff: To transfer funds to provide inmate housing M25/11.03.14, adjust line items, and recognize and allocate revenue.
- v. Sheriff-Auto Theft: To adjust line items.

A3. FINAL ARBITRAGE REBATE ANALYSIS ACCEPTED for Montgomery County, Texas Limited Tax Refunding Bonds, Series 2005.

TREASURER – AGENDA ITEM 9B1

B1. MONTHLY REPORTS FOR THE PLEDGED SECURITIES ACCEPTED for October, November and December 2014.

TAX ASSESSOR/COLLECTOR – AGENDA ITEM 9C1

C1. MONTHLY TAX COLLECTION REPORT ACCEPTED for month ending February 28, 2015.

PURCHASING – AGENDA ITEMS 9D1-10

D1. ACTION TAKEN on bid(s) and/or contract(s) awarded:

- a. AWARDED – Bid IB – CALDWELL COUNTRY CHEVROLET for one New 2015 Full-Size Sports Utility Vehicle with PPV in the amount of \$29,976.00 – Project 2015-0006 – Various Departments.
- b. AWARDED – A & B CRUSHED CONCRETE for additional crushed concrete – Project 2015-0027 – Precinct 4.

D2. RENEWALS AWARDED:

- a. P.O. 2014486 to XTRALIGHT MANUFACTURING PARTNERSHIP, LTD for energy saving lighting products, expires 03/31/15 – Various Departments.
- b. P.O. 2014241 to PARADIGM TRAFFIC SYSTEMS, INC. for public safety and fire house supplies and equipment, expires 03/31/15 – Various Departments.
- c. P.O. 2014242 to LONE STAR PRODUCTS AND EQUIPMENT, LLC for public safety and fire house supplies and equipment, expires 03/31/15 – Various Departments.
- d. P.O. 2015031 to GT DISTRIBUTORS, INC. for public safety and fire house supplies and equipment, expires 03/31/15 – Various Departments.
- e. P.O. 2015029 to PRECISION DELTA CORP for public safety and fire house supplies and equipment, expires 03/31/15 – Various Departments.
- f. P.O. 2015255 to ALL AMERICA SALES CORP for public safety and fire house supplies and equipment, expires 03/31/15 – Various Departments.
- g. P.O. 2015256 to CALDWELL COUNTRY CHEVY, LLC/CAP FLEET UPFITTERS for public safety and fire house supplies and equipment, expires 03/31/15 – Various Departments.
- h. P.O. 2015257 to GALLS, LLC for public safety and fire house supplies and equipment, expires 03/31/15 – Various Departments.

- i. P.O. 2015258 to CASCO INDUSTRIES, INC. for public safety and fire house supplies and equipment, expires 03/31/15 – Various Departments.
- j. P.O. 2015259 to DACO FIRE EQUIPMENT for public safety and fire house supplies and equipment, expires 03/31/15 – Various Departments.
- k. P.O. 2015260 to DOOLEY TACKABERRY, INC. for public safety and fire house supplies and equipment, expires 03/31/15 – Various Departments.
- l. P.O. 2012233 to EICKENHORST FUNERAL SERVICES, LLC for autopsy transport services, expires 03/28/15 – Various Departments.
- m. P.O. 2012234 to MCNUTT-BROCK FAMILY CORPORATION for autopsy transport services, expires 03/28/15 – Various Departments.
- n. P.O. 2012251 to SCI TEXAS FUNERAL SERVICES, INC. for autopsy transport services, expires 03/28/15 – Various Departments.
- o. P.O. 2000321 to SPECTRUM CATERING CONCESSIONS for food and beverage concessions, expires 04/23/15 – Lone Star Convention Center Note: month-to-month, effective 04/24/15.

D3. CHANGE ORDERS APPROVED:

- a. Change Order #6 (P.O. 2013203) to WILLIAMS BROTHERS CONSTRUCTION CO. to add an additional 36 working days 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).
- b. Change Order #1 (P.O. 2014251) to TRIPLE B SERVICES, LLP for an increase in the amount of \$4,176.00 for Valley Ranch Parkway and Town Park Drive Construction – Precinct 4.
- c. Change Order #9 (P.O. 2008542) to A & B CRUSHED CONCRETE, LLC for bulk road materials, to cancel month-to-month effective March 24, 2015 – Precinct 4.

D4. DISCRETIONARY EXEMPTIONS APPROVED:

- a. MUSTANG MACHINERY COMPANY, INC for vehicle and equipment repairs – Various Departments. – Local Government Code 262.024(a)(11).
- b. HEAVYQUIP for vehicle and equipment repairs (parts and labor) – Various Departments. – Local Government Code 262.024(a)(11).
- c. NC EAGLE SERVICES for vehicle and equipment repairs (parts and labor) – Various Departments. – Local Government Code 262.024(a)(11).
- d. CLEVELAND MACK SALES, INC dba PERFORMANCE TRUCK for vehicle and equipment repairs (parts and labor) – Various Departments. – Local Government Code 262.024(a)(11).
- e. LANDSDOWNE-MOODY COMPANY, INC for vehicle and equipment repairs (parts and labor) – Various Departments. – Local Government Code 262.024(a)(11).

- f. DENNIS MCMAHON for Risk Management Services – Risk Management – Local Government Code 262.024(a)(4).
  - g. WEST, A THOMSON REUTERS BUSINESS for law books/subscriptions – Various Departments. – Local Government Code 262.024(a)(7)(B).
  - h. MEMORIAL HERMANN HOSPITAL SYSTEMS for sexual assault examinations – Various Departments. – Local Government Code 262.024(a)(4).
  - i. MONTGOMERY COUNTY CHILDREN’S ADVOCACY CENTER for sexual assault examinations – Various Departments. – Local Government Code 262.024(a)(4).
- D5. CHECK AND LIST OF ITEMS SOLD ACCEPTED from Rene Bates Auctioneers, Inc. for items sold through the Montgomery County Online Auction held on 02/10/2015 in the amount of \$136,966.61. – Various Departments. Check forwarded to Auditor for further processing.
  - D6. REQUEST APPROVED to utilize the contract with Grainger for building maintenance, repair, operations supplies and equipment through the Interlocal Agreement with BuyBoard Contract #415-12 – Various Departments.
  - D7. PURCHASE APPROVED of one digital video recording solutions with related hardware and options from Coban Technologies, Inc. through the Interlocal Agreement with H-GAC Contract #EF-04-13, in the amount of \$5,920.00, to be funded with contingency previously approved in Commissioners Court on 03/10/2015 – Constable Precinct 3.
  - D8. LEASE PURCHASE AGREEMENT #1000139984 APPROVED with JP Morgan Chase Bank for the financing of New Vehicles previously approved in Commissioners Court on December 8, 2014. Financing for four annual payments, each in the amount of \$56,252.50 with the first payment scheduled for September 15, 2015 at an interest rate of 2.7800% and a closing date of April 1, 2015. Total amount financed is \$213,342.52. – Animal Control.
  - D9. REQUEST APPROVED to utilize the contract with Kubota Tractor Corporation and for the purchase of a utility tractor through the Interlocal Agreement with BuyBoard Contract #447-14 in the amount of \$27,932.55 – Various Departments/Precinct 2.
  - D10. REQUEST APPROVED to acknowledge and accept the name change of Lone Star Uniforms, Inc. to Galls, LLC dba Galls/Quartermaster/Roy Tailors/Best Uniforms/Century Uniforms/Lone Star Uniforms/Blumenthal Uniforms, effective 11/10/2014 – Various Departments.

RISK MANAGEMENT – AGENDA ITEMS 9E1-2

- E1. CHANGES, ADDITIONS AND RELEASES APPROVED for the following:

<u>BOND</u>	<u>NAME/DEPT</u>	<u>AMOUNT</u>	<u>ACTION</u>
62296631	Brugnone, Anthony Joe / Const PCT 4	\$5000	Reserve/New
62306437	Valerio IV, Pedro / Const PCT 3	\$5000	New
62296623	Bridges, Sean / Const PCT 3	\$5000	New
62306534	Bagwell, James / Fire Marshal	\$5000	New
62306563	Ferrell, Brandon / Fire Marshal	\$5000	New

- E2. REQUEST APPROVED concerning The Montgomery County Employee Benefit Program Plan Document with Revisions and to rescind Motion D-2(M5/03.10.2015) and approval from Commissioners Court March 10, 2015, effective January 1, 2015, as per plan on file.

COMMISSIONERS – AGENDA ITEMS 9F1-2

F1. PRECINCT 1

- a. USE AGREEMENT APPROVED with Texas Intensity for a fundraising softball tournament at Gene Campbell Sports Park.
- b. USE AGREEMENT APPROVED with Montgomery County United Way to use the Courthouse steps for their Annual Volunteer Appreciation Week and Luncheon on May 13, 2015.
- c. USE AGREEMENT APPROVED with Alejandro Cubria to use the soccer/football field at West Montgomery County Park on March 28, 2015 from 3PM-5PM for a soccer game among friends.

F2. PRECINCT 4

- a. USE AGREEMENT APPROVED with Nalin Hayter and 9/10 Elite Dodgers to use the grassy area and backstop at Tamina Park for youth baseball practices through June 30, 2015.
- b. USE AGREEMENT APPROVED with Kevin Jensen to use an area on the football fields at Tram Road Park for Syba League Baseball Practices on Mondays and Wednesdays through May 31, 2015.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9G1-3

G1. PRECINCT 2

- a. FINAL PLAT APPROVED for Woodforest, Section 50; 6.11 Acres; James Pevehouse Survey, A-29 and Thomas Curry Survey, A-136.
- b. FINAL PLAT APPROVED for Saint Anthony of Padua Catholic Church and School; 21.9434 Acres; William Harrison Survey, A-257 and Alexander Smith Survey, A-499.

G2. PRECINCT 3

- a. REQUEST APPROVED from Southern Montgomery County MUD to place a sanitary sewer and water line in the right of way of Wildwood Forest Drive and Budde Road.
- b. REQUEST APPROVED from Southern Montgomery County MUD to place a reclaimed water line in the Right of Way of Various Roads.
- c. REQUEST APPROVED from Comcast of Houston, LLC to place a 1 1/2" conduit line in the right of way of Aldine Westfield Road.
- d. REQUEST APPROVED from AT&T Construction to place a communications line in the right of way of Lake Front Circle Road.
- e. FINAL PLAT APPROVED for Harmony Central Sector, Section 1; 64.88 acres; Montgomery County School Land Survey, A-351.

- f. FINAL PLAT APPROVED for Allegro at Harmony, Section 1; 51.81 acres; Montgomery County School Land Survey, A-351.

G3. PRECINCT 4

- a. REQUEST APPROVED from Crystal Springs Water to place a water line in the right of way of Schank Road and Waukegan.
- b. REQUEST APPROVED from Denbury Onshore, LLC to place a 3 inch oil pipeline in the right of way of Johnson Mallard Drive.

HUMAN RESOURCES

H1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of Animal Control to increase salary of Linda Sue Davis, Office Supervisor I, due to promotion, effective January 31, 2015.

Request of Animal Control to increase salary of Dana Darlene Essenpreis, Administrative Manager I, due to promotion as replacement for Joseph Guidry, effective January 31, 2015.

Request of Animal Control to increase salary of Joseph R. Guidry, Director-Animal Control, due to promotion as replacement for Timothy Holifield, effective January 31, 2015.

Request of Animal Control to discharge James Burton Smith II, Officer Animal Control, effective March 16, 2015. [31.10 hours or balance vacation; 23.375 hours or balance compensatory.]

Request of Custodial Services to increase salary of Delma S. Landaverde, Assistant Director-Custodial Services, due to promotion, effective March 16, 2015.

Request of Constable Precinct 1 to discharge James Selmsler III, Deputy Constable, effective March 9, 2015. [50.13 hours or balance vacation; 126.16 hours or balance compensatory.]

Request of Auditor to place Melissa Grapham, Financial Analyst, on payroll due to return from Unpaid FMLA/ Disability Leave, effective March 2, 2015.

Request of County Clerk to decrease salary of Jana Sue Farrell, Clerk II, in accordance with HR-13 form, effective March 14, 2015.

Request of Court Operations to place Barbara W. Hale, Visiting Judge, on payroll, effective January 1, 2015.

Request of District Clerk to remove Patsy Fletcher, Court Clerk II, from payroll due to Unpaid FMLA/Disability Leave, effective March 5, 2015.

Request of Elections to increase the salary of Miriam Auriolles, Clerk III, due to promotion as replacement for Debbie Everhart, effective March 16, 2015.

Request of Fire Marshal to change status of James R. Bagwell, Investigator-Arson, from part-time to full time as replacement for Don Schifani, effective April 1, 2015.

Request of Fire Marshal to change status of Thomas Baxter III, Investigator-Arson, from part-time to full time as replacement for Roland Morgan, effective April 1, 2015.

Request of Fire Marshal to correct the effective date for Teddy L. Smith, Fire Inspector, to March 23, 2015.

Request of Justice of the Peace Precinct 1 to accept the resignation of Katy Foster, Court Clerk II, effective February 20, 2015. [No benefits due.]

Request of Justice of the Peace Precinct 1 to place Valerie Valenzuela, Court Clerk II, on payroll as replacement for Katy Foster, effective March 16, 2015.

Request of Justice of the Peace Precinct 5 to transfer Kimberly Beth Hill, from Deputy Specialist II to Court Clerk IV, as replacement for Karen Diane Mendez, effective March 30, 2015.

Request of Justice of the Peace Precinct 5 to accept the resignation of Karen Diane Mendez, Court Clerk IV, effective March 7, 2015. [89.485 hours or balance vacation]

Request of Juvenile to place Jessica Marie Salazar, Clerk III, on payroll due to return from Unpaid FMLA/Disability Leave, effective March 6, 2015.

Request of Library to remove William Brogdon, Reference Librarian, from payroll due to Unpaid FMLA/Disability Leave, effective March 6, 2015.

Request of Library to place William Brogdon, Reference Librarian, on payroll due to return from Unpaid FMLA/Disability Leave, effective March 16, 2015.

Request of Library to place Debra S. Horwedel, Shelving Clerk I, on payroll as replacement for Karen Wallace, effective March 9, 2015.

Request of Library to place Jason W. Sliger, Library Assistant III, on payroll as replacement for Denise Westphal, effective March 16, 2015.

Request of Sheriff to increase salary of Christopher Azwell, Deputy Patrol, due to STEP Increase, effective March 28, 2015.

Request of Sheriff to place Katherine Campbell, Clerk IV CJR, on payroll as replacement for Britney Quertermous, effective March 21, 2015.

Request of Sheriff to increase salary of Jason Henson, Deputy Patrol, due to STEP Increase, effective March 28, 2015.

Request of Sheriff to accept the resignation of Denver Johnson, Deputy Patrol, effective March 16, 2015. [114.61 hours or balance vacation; 145.75 hours or balance compensatory; 40.00 hours or balance holiday.]

Request of Sheriff to accept the resignation of Sean Kennard, Deputy Detention, effective March 10, 2015. [37.60 hours or balance vacation; 75.13 hours or balance compensatory; 40.50 hours or balance holiday.]

Request of Sheriff to increase the salary of Todd McCoy, Detective, due to STEP Increase, effective March 28, 2015.

Request of Sheriff to place Abigail Molina, Clerk IV Records, on payroll as replacement for Helen Barner, effective March 14, 2015.

Request of Sheriff to place Justin Painter, Deputy Patrol District III, on payroll as replacement for Daniel Whitworth, effective March 14, 2015.

Request of Sheriff to increase salary of Christopher Peckne, Sergeant Patrol, due to STEP Increase, effective March 28, 2015.



Request of Sheriff to increase salary of Michael Runnels, Deputy Patrol, due to STEP Increase, effective March 28, 2015.

Request of Sheriff to increase salary of Justin Schutzenhofer, Deputy Patrol, due to STEP Increase, effective March 28, 2015.

Request of Sheriff to transfer Mackenzie Smith, from Deputy Patrol to Deputy Detention, as replacement for Sean Kennard, effective March 28, 2015.

Request of Sheriff to increase salary of Gary Welch, Lieutenant Patrol, due to STEP Increase, effective March 28, 2015.

Request of Tax Assessor/Collector to increase salary of Eileen Elizabeth Mast, Branch Manager-Tax Assessor, due to promotion as replacement for Kimberly Roe, effective March 14, 2015.

Request of Tax Assessor/Collector to accept the resignation of Kelli Reyes, Deputy Specialist II, effective March 27, 2015. [91.11 hours or balance vacation; 9.43 hours or balance compensatory.]

Request of Tax Assessor/Collector to increase salary of Kimberly Rena Roe, Chief Deputy-Operations, due to promotion as replacement for Tammy J. McRae, effective March 14, 2015.

#### ENVIRONMENTAL HEALTH – AGENDA ITEMS 9I1-3

- I1. VARIANCE REQUEST APPROVED to install an aerobic on-site system in the 100-year floodplain at 13359 Calhoun Road, Conroe, TX 77302.
- I2. VARIANCE REQUEST APPROVED to install an aerobic on-site system in the 100-year floodplain at 17826 Indigo Hills Drive, Magnolia, TX 77355.
- I3. VARIANCE REQUEST APPROVED to install an aerobic on-site system in the 100-year floodplain at 415 North Pine Circle, Pinehurst, TX 77362.

#### SHERIFF – AGENDA ITEMS J1-3

- J1. FUNDS ACCEPTED in the amount of \$36,509.19 from The Law Enforcement Office Standards and Education (LEOSE) Account in support of the Sheriff's Office Continuing Education of Licensed Personnel. Funds to be allocated to 56018-741811. Check forwarded to auditor for further processing.
- J2. DONATION ACCEPTED from Aramco Associated Company to The Montgomery County Sheriff's Office SWAT Division in the amount of \$25,000.00. The funds are to be exclusively used for SWAT Building repairs and enhancements. Funds to be allocated to 560150-7501. Check forwarded to auditor for further processing.
- J3. UNUSED CHANGE OF VENUE TRAVEL FUNDING ACCEPTED in the amount of \$8,152.52 and de-obligated from budget line 5601-7425.

#### CONSTABLE PRECINCT 3 – AGENDA ITEM K1

- K1. AWARD ACCEPTED of ammunition with an estimated value of \$6,000.00 from the NRA pursuant to the NRA Grant Foundation Program.

#### CONSTABLE PRECINCT 4 – AGENDA ITEM L1

- L1. CHECK ACCEPTED from the Texas Comptroller of Public Accounts for the Annual Allocation Payment from the "LEOSE" Account in the amount of

\$2,111.31 for Continuing Education of Licensed Personnel. Funds to be placed in account 5541.74181. Check forwarded to auditor for further processing.

CONSTABLE PRECINCT 5 – AGENDA ITEM M1

- M1. CHECK ACCEPTED from Texas Comptroller of Public Accounts for the Annual Allocation Payment from the “LEOSE” Account in the amount of \$1,921.75 for Continuing Education of Licensed Personnel. Funds to be placed in account 5551.74181. Check forwarded to auditor for further processing.

ANIMAL CONTROL – AGENDA ITEM N1-2

- N1. CHANGES APPROVED for the restructuring of The Animal Control Department as follows:

- Open position 633-8504-1
- Open position 633-2700-10
- Close position 633-3940-1
- Close position 633-8008-1

Transfer \$35,612.31 from 613-3940-1 to 633-2700-10 and transfer \$1,800.13 from 633-2700-2 to 633-2700-10.

Transfer \$40,560.00 from 633-8008-1 to 633-8504-1.

Transfer the following excess salary funds, plus benefits to line item 633-7390:

\$6,417.55 from 633-2700-2

\$3,606.43 from 633-9531-1

\$866.52 from 633-8008-1.

- N2. APPOINTMENT APPROVED for Joseph Guidry as the Rabies Control Authority for Montgomery County.

Motion carried.

**END OF CONSENT AGENDA**

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CITIZENS – AGENDA ITEM 10

Bill O’Sullivan spoke on the Road bond issue and urged the court that if it does not pass to put it on the November ballot because it is necessary. He also spoke on money issues for roads as well as future building projects.

Penny Benbow spoke about the need of an early voting site on the east side of I-45 in The Woodlands and thanked the court recognizing the need.

Paul Vercher also spoke of the need of an early voting site on the east side of I-45 and wanted to thank the Judge for recognizing the need and asked the commissioners to vote in favor of the location.

John Nicks spoke against The Woodlands Parkway extension being on the Road Bond.

Paul Cote wanted to thank those supporting the early voting location on the east side of I-45 along Rayford Road and asked for the courts to vote in favor of it.

5. APPOINTMENT APPROVED – HOUSTON-GALVESTON AREA COUNCIL – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve the appointment of Fred Welch to the board of Houston-Galveston Area Council Gulf Coast Workforce with a term ending December 31, 2016. He will replace Larry Calhoun whose term has expired. Motion carried.

6. EARLY VOTING LOCATION APPROVED – RAYFORD ROAD – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve a new additional early voting location on Rayford Road at Generations Church. Motion carried.

7. FUNDING ACCEPTED – HIDTA GRANT – SHERIFF

Motion by Commissioner Meador, seconded by Commissioner Riley, to accept \$48,300.00 in funding for the HIDTA Grant and de-obligate \$16,100.00 in HIDTA funding pertaining to the Houston Money Laundering Initiative. The grant application was submitted on the Sheriff's behalf and supplemental funds will be awarded at a later date. Motion carried.

8. SPECIAL PROJECT DETAIL DEPUTY CREATION ACCEPTED – SHERIFF

Motion by Commissioner Riley, seconded by Commissioner Meador, to create a special detail deputy that will be assigned to Precinct 2 to supervise inmates in roadside clean-up. Salary and benefits for the remaining fiscal year will be funded by Commissioner Riley. This position will be assigned to the jail budget, 5121. Motion carried.

9. AMENDMENT APPROVED – CORRECTIONAL HEALTHCARE COMPANIES, INC – SHERIFF

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the First Amendment to the Agreement for Inmate Health Care Services between Montgomery County and Correctional Healthcare Companies, Inc. (CHC) for the provision of Healthcare Services in the Montgomery County Jail in the amount of \$100,000.00 through October 1, 2015 and funded with contingency. Motion carried.

10. INTERLOCAL AGREEMENT APPROVED – CONROE INDEPENDENT SCHOOL DISTRICT – SHERIFF

Motion by Commissioner Riley, seconded by Commissioner Clark, to approve an Interlocal Agreement between Montgomery County and Conroe Independent School District for the provision of educational services in the Montgomery County Jail at no additional cost to the County. Motion carried.

AGENDA ITEM 13A – CONSIDER AND APPROVE FACILITY SUB-LEASE AGREEMENT AT LONE STAR EXECUTIVE AIRPORT BETWEEN GALAXY AIR SERVICES, LLC/GALAXY AIR SERVICES, INC AND TEXAS AIR SHUTTLE WAS DEFERRED

11. PARTIAL ASSIGNMENT OF LAND LEASE AGREEMENT APPROVED – LONE STAR EXECUTIVE AIRPORT

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve a Partial Assignment of Land Lease Agreement with consent of Lessor by and between Conservair, Inc. and Barksdale Holdings, LLC for land located within The Lone Star Executive Airport. (Hangar 23 B) Motion carried.

12. PARTIAL ASSIGNMENT OF LAND LEASE AGREEMENT APPROVED – LONE STAR EXECUTIVE AIRPORT

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve a Partial Assignment of Land Lease Agreement with consent of Lessor by and between Lazy K Air LLC and Jeremy Hooper for land located within The Lone Star Executive Airport. (Hangar 13 Building A). Motion carried.

13. RESTITUTION PAYMENTS ACCEPTED – COURTHOUSE DAMAGE – BUILDING MAINTENANCE

Motion by Commissioner Riley, seconded by Judge Doyal, to accept the restitution payments up to the amount of \$446.95 for damages that occurred at the Courthouse. Payments are to be deposited with the County Treasurer into the general fund. Motion carried.

14. RESOLUTION AND LETTER APPROVED – FEDERAL OFF-SYSTEM BRIDGE REPLACEMENT PROGRAM – COUNTY ENGINEER

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve a resolution and letter to waive the local cash match for a bridge to be replaced under the federal Off-System Bridge Replacement Program by committing to make improvements to other county road crossing drainage structures. The location of bridges and CSJ project numbers are as follows:

- Superior Road at Lake Creek 0912-37-228
- Mount Miriah at Lake Creek Draw 0912-37-229

The County Judge is authorized to sign all related documents. Motion carried.

15. TRANSFER OF FUNDS – REALLOCATION OF ACCOUNTING FUNCTIONS – TAX ASSESSOR/COLLECTOR

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the transfer of funds for reallocation of accounting functions as follows:

- Close position 499.4213.1 and open position 499.8550.1.
- Transfer \$43,658.90 from position 499.4213.1 to position 499.8550.1.
- Transfer \$2,651.56 from position 499.3911.31 to position 499.8550.1.
- Transfer \$3,084.13 from position 499.8031.1 to position 499.8550.1.
- Transfer \$3,605.44 from position 499.4117.4 to position 499.8550.1.
- Transfer \$1,784.17 from position 499.8031.1 to position 499.4400.1.
- Transfer \$7,365.61 from position 499.8031.1 to position 499.4402.1.

This request will not change the total department salary budget. Motion carried.

16. FUNDS APPROVED – FUEL AND MAINTENANCE – FIRE MARSHAL

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve funds for fuel and maintenance for 2 newly purchased vehicles assigned to Investigators at a cost of \$4,500.00 per vehicle for a total of \$9,000.00 with \$7,000.00 being identified in excess vehicle funds and the remaining \$2,000.00 to be funded with contingency. They will use a credit card purchase program until they can gather more information so they can be prepared at budget hearings. Motion carried.

17. TRANSFERS APPROVED – COMPENSATION – LIBRARY

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve transfers within the FY2015 Salary budget to ensure appropriate compensation as follows:

- Transfer \$1,915.17 from position 6511.7203.15 to position 6511.7203.10.
- Transfer \$208.72 from position 6511.7203.24 to position 6511.7203.10.

These moves will not alter the Salary budget. Motion carried.

18. RESOLUTION APPROVED – VETERNS TREATMENT COURT – OFFICE OF COURT ADMINISTRATION

Motion by Commissioner Riley, seconded by Commissioner Clark, to approve a resolution establishing and creating the Montgomery County Veterans Treatment Court with a presiding judge elected by the majority of the Board of District and County Court at Law Judges and appoint Commissioner Meador as representative on behalf of the Commissioners Court for the purpose of serving on the Veterans Treatment Court Steering Committee. Motion carried.

19. APPOINTMENT APPROVED – ELECTION OFFICIALS – ELECTIONS

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the appointment of election officials for the May 9, 2015 election, as per list on file. Motion carried.

20. COMPLIANCE REPORT ACCEPTED – COUNTY AUDITOR

Motion by Commissioner Riley, seconded by Commissioner Meador, to accept the Compliance Report for the year ended September 30, 2014. Motion carried.

PHYLLIS MARTIN MADE A PRESENTATION OUTLINING THE COMPREHENSIVE ANNUAL FINANCIAL REPORT AND THE COUNTY'S FINANCIAL STANDINGS.

21. COMPREHENSIVE ANNUAL FINANCIAL REPORT – COUNTY AUDITOR

Motion by Commissioner Meador, seconded by Commissioner Clark, to accept the Comprehensive Annual Report for the fiscal year ended September 30, 2014. Motion carried.

AGENDA ITEMS 22A1-2 MISSION NORTHEAST NEW WAREHOUSE FACILITY – MCCD – PROJECT 2015-0012(03/26/15) AND REPLACEMENT PLUMBING FIXTURES FOR THE MONTGOMERY COUNTY MENTAL HEALTH FACILITY – PURCHASING – PROJECT 2015-0030(04/08/15) – NO ACTION TAKEN.

22. PROPOSAL APPROVED – LJA ENGINEERING – PURCHASING – PRECINCT 3

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve a proposal from LJA Engineering, Inc. for intersection modification, in the amount of \$69,934.00. Motion carried.

23. PURCHASE APPROVED – NEW VEHICLES – PURCHASING – FIRE MARSHAL

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the purchase of two 2015 Chevrolet 2500 HD Silverado 4x4 Crew Cab SWB CK25743 from Caldwell Country Chevrolet through the Interlocal Agreement with BuyBoard Contract #430-13, in the amount of \$59,990.00. Motion carried.

24. INTERLOCAL AGREEMENT APPROVED – CITY OF SHENANDOAH – COUNTY ATTORNEY – REAL PROPERTY – PRECINCT 3

Motion by Judge Doyal, seconded by Commissioner Riley, to approve an Interlocal Agreement between Montgomery County and City of Shenandoah regarding issuance of building permits in the City of Shenandoah ETJ. Motion carried.

25. ROAD CONSTRUCTION AGREEMENT APPROVED – COUNTY ATTORNEY – REAL PROPERTY – PRECINCT 4

Motion by Commissioner Clark, seconded by Commissioner Meador, to approve a Roadway Construction Agreement with Wal-Mart Real Estate Business Trust and ABC Holdings. Motion carried.

26. TRANSFER OF FUNDS APPROVED – RAIN WATER HARVEST PROJECT – COMMISSIONER PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Riley to transfer \$8,000.00 from 612-7340 into 655-7390 for Rain Water Harvest Project. Motion carried.

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

27. RESOLUTION AND ORDER APPROVED – INTERLOCAL AGREEMENT – MONTGOMERY COUNTY TOLL ROAD AUTHORITY

Motion by Judge Doyal, seconded by Commissioner Meador, to approve a resolution and order concerning an Interlocal Agreement between Montgomery County Toll Road Authority and Harris County for tolling services and authorize County Judge to sign the Interlocal agreement. Motion carried.

28. RESOLUTION APPROVED – RESIGNATION ACCEPTED – MONTGOMERY COUNTY TOLL ROAD AUTHORITY (MCTRA)

Motion by Commissioner Meador, seconded by Commissioner Riley to approve the resolution accepting the resignation of Phyllis Martin as Treasurer of MCTRA, confirming the appointment of Mike Meador as Secretary of the MCTRA, and appointing Jim Clark as the Treasurer of the MCTRA with his term expiring on December 31, 2018. Motion carried.

**MONTGOMERY COUNTY TOLL ROAD AUTHORITY ADJOURNED.**

**THE COMMISSIONERS COURT RECONVENED.**

**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.**

AGENDA ITEM 26A: CONSIDER AND DISCUSS CAUSE NO. 15-01-00932-CV; JP MORGAN CHASE V. GABRIEL HERNANDEZ, ET AL, IN THE 410<sup>TH</sup> DISTRICT COURT OF MONTGOMERY COUNTY, TEXAS.

AGENDA ITEM 26B: CONSIDER AND DISCUSS 3H FARMS/ CAL SIERRA BOTTLING PROPERTY.

AGENDA ITEM 26C: CONSIDER AND DISCUSS CAUSE NO. D-1-GN-11-001898, DENBURY ONSHORE LLC ET AL V TEXAS COMMISSION ON ENVIRONMENTAL QUALITY, ET AL IN THE 345<sup>TH</sup> DISTRICT COURT OF TRAVIS COUNTY, TEXAS.

AGENDA ITEM 26D: CONSIDER AND DISCUSS CAUSE NO. 14-20688, TEXCOM GULF DISPOSAL, LLC V. MONTGOMERY COUNTY ET AL, IN THE UNITED STATE FIFTH CIRCUIT COURT OF APPEALS.

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

AGENDA ITEM 27 – NO ACTION TAKEN ON THE ITEMS DISCUSSED IN EXECUTIVE SESSION. – AGENDA ITEMS 26A-D.

AGENDA ITEM 28 – MISCELLANEOUS – NO OTHER ITEMS LISTED.

29. COURT ADJOURNS

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

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

ATTEST:

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

BY: Mark Turnbull  
COUNTY CLERK

Craig Doyal  
COUNTY JUDGE

