

COMMISSIONERS COURT DOCKET
April 21, 2015
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 21st day of April, 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:

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|----------------------------|---------------|
| 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 – THE LORD’S PRAYER WAS RECITED.

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. RESOLUTION APPROVED – TEEN SAFE DRIVER

Motion by Commissioner Meador, seconded by Commissioner Riley, to recognize and honor Caleb Cole and Joshua Hayden for being Teen Safe Drivers in Montgomery County and for receiving the Garison Steele Safe Driver Elite Award. Motion carried.

3. PROCLAMATION APPROVED – NATIONAL CORRECTIONAL OFFICERS AND EMPLOYEES WEEK

Motion by Commissioner Meador, seconded by Commissioner Noack, to proclaim the week of May4-8, 2015 as National Correctional Officers and Employees Week. Motion carried.

4. RESOLUTION AND ORDER APPROVED – RETIREMENT OF OLIVER A TRACKING CANINE

Motion by Commissioner Clark, seconded by Commissioner Riley, to recognize and honor Oliver for his years of service and allow Oliver to live out his life with Captain Mark Seals. Motion carried.

DEBRA GUAJARDO SPOKE ON THE REPLACEMENT OF OLIVER BY LIBBY, A PIT BULL FROM THE MONTGOMERY COUNTY ANIMAL SHELTER THAT WILL BE DOUBLE CERTIFIED WHEN SHE COMPLETES HER TRAINING AND IS PAIRED WITH A TRAINER TO BE A NARCOTICS CANINE.

COMMISSIONER MEADOR MADE A PRESENTATION TO SCOTT SMITH HONORING HIM AS THE 2015 RELIEVER AIRPORT MANAGER OF THE YEAR BY THE AVIATION DEPARTMENT OF TXDOT.

5. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Noack, seconded by Commissioner Clark, to approve the Minutes from Regular Session of Commissioners Court dated April 6, 2015. Motion carried.

6. CONSENT AGENDA APPROVED - AGENDA ITEMS 9A-N

Motion by Commissioner Noack, seconded by Commissioner Meador, 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 APPROVED:
 - a. Various: To correctly fund state unemployment allocation.
 - b. 418th District Court: To transfer funds for VPN token.
 - c. Animal Control: To adjust line items.
 - d. Building Maintenance: To recognize and allocate revenue for M18/05.05.14.
 - e. Commissioner Precinct 1: To fund two new positions as approved M28/04.06.15.
 - f. Commissioner Precinct 3: To allocate revenue and reimbursement, adjust line items, and transfer funds.
 - g. Commissioner Precinct 3: To allocate proceeds for 2/10/15 auction M29/04.06.15.
 - h. Commissioner Precinct 4: To recognize and allocate revenue.
 - i. Constable Precinct 1: To recognize and allocate revenue.
 - j. Constable Precinct 2: To adjust line item.
 - k. Constable Precinct 3: To recognize and allocate revenue and transfer funds to move Safe Harbor position to separate department as approved M28/01.12.15.
 - l. Constable Precinct 4: To allocate revenue for M4/03.24.15 and fund upgrade of existing Access Control as approved M23/04.06.15.
 - m. Constable Precinct 5: To recognize and allocate revenue for M4/03.24.15, adjust line items, and fund the canine stipend beginning January 1, 2015 as approved M10/04.06.15.
 - n. Contingency: To adjust line items as approved M22/07.14.14.
 - o. County Records Management: To correct allocation of budget for CountyFusion approved M19/05.19.14.
 - p. Court Collections: To adjust line items.
 - q. Court Reporter Service Fund: To recognize and allocate revenue and adjust line items.

- r. Debt Service Fund: To correct budget of debt service fund as a result of refunding issue in August 2014.
- s. Emergency Management: To adjust line items.
- t. Environmental Health: To recognize and allocate revenues.
- u. Information Technology: To return excess funds from VPN Token purchase and carryover funds for FY14 encumbrances.
- v. Memorial Library: To recognize and allocate revenue for the Genealogy/Ron Jackson Gift Account and the General Gift Account.
- w. Sheriff: To recognize and allocate revenue for M10/04.06.15, transfer funds from positions in Jail to positions in Sheriff as approved M17/04.06.15, adjust line items for purchase of Patrol Computers, set up Grant Budget as awarded by the NRA Foundation (M16/04.06.15) and adjust line items.

A3. MONTHLY UNAUDITED REPORTS ACCEPTED for the months of January and February 2015.

TREASURER – AGENDA ITEMS 9B1-4

- B1. MONTHLY PLEDGED SECURITIES ACCEPTED for the month ending March 31, 2015.
- B2. QUARTERLY INVESTMENT REPORT ACCEPTED for the quarter ending March 31, 2015.
- B3. UPDATED AUTHORIZED REPRESENTATIVE FORMS ACCEPTED for TexStar and Logic.
- B4. TICKET LOG ACCEPTED for March 2015.

TAX ASSESSOR/COLLECTOR – AGENDA ITEMS 9C1-2

- C1. REVISED VERSION OF THE MOTOR VEHICLE REGISTRATION DISTRIBUTOR AGREEMENT APPROVED for use with other Governmental Entities.
- C2. MONTHLY TAX COLLECTION REPORT ACCEPTED for the month ending March 31, 2015.

PURCHASING – AGENDA ITEMS D1-10

- D1. ACTION TAKEN on bid(s) and/or contract(s) awarded:
 - a. AWARDED – BID IIIB – New 2015 ½ ton, short bed, crew cab, 4x2 Truck in the amount of \$23,630.28 from Gullo Ford – Qty 1 – Project 2015-0006 – Animal Control.
- D2. RENEWALS AWARDED:
 - a. P.O. 2014214 to T-MOBILE USA, INC. for wireless voice and data products, expires 03/21/15 – Various Departments (DIR Contract; exercising the third of three renewal options; add amendment #2).
 - b. P.O. 2014212 to SPRINT SOLUTIONS, INC. for wireless voice and data products, expires 04/30/15 – Various Departments (DIR Contract, exercising the third of three renewal options; add amendment #1 and 2).

- c. P.O. 2014213 to CELLCO PARTNERSHIP dba VERIZON WIRELESS for wireless voice and data products, expires 03/21/15 – Various Departments (DIR Contract; exercising the third of three renewal options; add amendment #3).
- d. P.O. 2013373 to U.S. BANK NATIONAL ASSOCIATION, ND for retail fuel card services, expires 04/30/15 – Various Departments (exercising the second of three renewal options).
- e. P.O. 2012063 to VOSS ELECTRIC CO. dba VOSS LIGHTING for electrical equipment, bulbs and ballast, expires 04/30/15 – Various Departments (TCPN Contract; exercising the fourth of four renewal options).
- f. P.O. 2012242 to JP MORGAN CHASE BANK, NA for financing rate for various items, expires 05/06/15 – Various Departments (exercising the third of four renewal options).
- g. P.O. 2012243 to SUN TRUST & EQUIPMENT FINANCE & LEASING CORPORATION for financing rate for various items, expires 05/06/15 – Various Departments (exercising the third of four renewal options).
- h. P.O. 2012244 to SOVEREIGN/SANTANDER for financing rate for various items, expires 05/06/15 – Various Departments (exercising the third of four renewal options).
- i. P.O. 2011334 to BONDS, RICKY dba AEROBIC MANAGEMENT for residential water wells, expires 05/08/15 – Various Departments (exercising the fourth of five renewal options).
- j. P.O. 2011342 to WEISINGER, INC. for residential water wells, expires 05/08/15 – Various Departments (exercising the fourth of five renewal options).
- k. P.O. 2010461 to API SYSTEM GROUP, INC. for fire protection system, expires 05/09/15 – Various Departments (month-to-month, effective 05/10/15 pending outcome of current bid).
- l. P.O. 2011319 to UNIFIRST CORP for uniform rental and services, expires 05/12/15 – Various Departments (exercising the fourth of four renewal options).
- m. P.O. 2013262 to STEEN GLASS, INC. for replacement glass and labor to repair and/or install glass and miscellaneous items, expires 05/18/15 – Various Departments (exercising the second of five renewal options).
- n. P.O. I012212 to M HOLLAND PLUMBING for plumbing services – Non-Davis Bacon, expires 05/18/15 – Various Departments (exercising the third of four renewal options).
- o. P.O. I012213 to AMERICAN MECHANICAL SERVICES for plumbing services – Non- Davis Bacon, expires 05/18/15 – Various Departments (exercising the third of four renewal options).
- p. P.O. 2012333 to PRECISION PRINTING for printing of miscellaneous forms, expires 06/17/15 – Various Departments (Name change from Precision Printing to Shakun Solutions LLC dba Precision Printing; exercising third of four renewal options).

D3. CHANGE ORDERS APPROVED:

- a. Change Order #1 (P.O. 2015064) to 4M GRANBURY YOUTH SERVICES, INC. for residential services to cancel the contract effective March 30, 2015 – Juvenile Department.
- b. Change Order #2 (P.O. 2015004) to SMITH, BERT JOHN for Courier Service to cancel the contract effective April 24, 2015 – Tax Office.

D4. DISCRETIONARY EXEMPTIONS APPROVED:

- a. GALE for the Gale Publications including, but not limited to St. James Press, UXL, Green Haven, Lucent, Black Birch, Thorndike Press, Kennebec, Wheeler Publishing, Walker Publishing Information Plus and UXL. This also includes Gale Virtual Reference Library Products, Biography Resource Center, Literature Resource Center, Class Trac, Literature Criticism Online, Sata Online, Dictionary Literary Biography Online, Gale Virtual Reference Library, InfoTrac products and Nursing Resource Center with Gale – Library. Local Government Code § 262.024(a) (7) (B).
- b. RITE OF PASSAGE for residential services – Juvenile Department. Local Government Code § 262.024(a) (4).
- c. MUSTANG MACHINERY CO. LTD dba MUSTANG CAT for Caterpillar engine and earth moving products – Various Precincts. Local Government Code § 262.024(a) (7) (D).
- d. FINDAWAY WORLD, LLC for Playaway, Playaway Launchpad and Playaway View Products – Library. Local Government Code § 262.024(a) (7) (A).

D5. PURCHASE APPROVED for one 2015 Ford Super Duty Truck from Silsbee Ford, Inc. through the Interlocal Agreement with BuyBoard Contract #430-13 in the amount of \$24,924.60 – Precinct 3.

D6. CHECK AND LIST OF ITEMS SOLD ACCEPTED from Rene Bates Auctioneers, Inc. for items sold through the Montgomery County Online Auction held on March 23, 2015 in the amount of \$71,360.94. – Various Departments. Check forwarded to auditor for further processing.

D7. REQUEST APPROVED to utilize the contract with Fastenal Company for maintenance repair and operations (MRO), supplies and related services through the Interlocal Agreement with Region 4 Education Service Center TCPN Contract #R142101, effective 04/01/2015 through 03/31/2018 with option to renew for additional two years. – Various Department.

D8. PURCHASE APPROVED of two Sharp Copiers from Sharp Electronics/NJPA through the Interlocal Agreement with BuyBoard Contract #453-14, in the total amount of \$24,957.00 – Elections.

D9. CORRECTION APPROVED as follows:

- Did read: CO #1, P.O. 2006548 to CLR, Inc., for Engineering Services to include route and design study for FM 2978 from Bogs Road to FM 1488 for cancellation of contract – Precincts 2 and 3.
- Should read: CO #5 P.O. 2006548 to CLR, Inc., for Engineering Services to include route and design study for FM 2978 from Bogs Road to FM 1488 for cancellation of contract – Precincts 2 and 3.

D10. LIST APPROVED for miscellaneous items for the next online auction.

RISK MANAGEMENT – AGENDA ITEM 9E1

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

<u>BOND</u>	<u>NAME/DEPT</u>	<u>AMOUNT</u>	<u>ACTION</u>
62014987	Wolf, Kevin/ Const PCT 1	\$5,000.00	Reserve/Cont Cert
69881076	Dietrich, Michael R./Const PCT 5	\$5,000.00	Renew/Cont Cert

COMMISSIONERS – AGENDA ITEMS 9F1-2

F1. PRECINCT 1

a. USE AGREEMENT APPROVED with Family Faith Church to use the softball fields at Charles Traylor Sports Park on April 19, 2015 from 12PM-6PM.

F2. PRECINCT 2 & 4

a. ANNUAL FINANCIAL STATEMENT ACCEPTED for Emergency Service District No. 5 for the fiscal year ending September 30, 2014.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9G1-4

G1. PRECINCT 1

a. FINAL PLAT APPROVED for Montandon Estates; 6.601 Acres; Jose Maria De La Garza Survey, A-15.

G2. PRECINCT 2

a. ROADS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Woodforest, Section 33; total length of roads 1,652.38 linear feet and bond released.

b. ROADS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Woodforest, Section 32; total length of roads 1,119.52 linear feet and bond released.

c. PRELIMINARY MASTER PLAN APPROVED of Sheldon 585.5 acre Tract.

d. ROADS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Woodforest, Section 29; total length of roads 4,084.64 linear feet and bond released.

e. ROADS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Durango Creek, Section 5; total length of roads 1,796.24 linear feet and bond released.

f. FINAL PLAT APPROVED for WFRP Retail; 2.26 Acres; Thomas Curry Survey, A-136.

g. FINAL PLAT APPROVED for Woodtrace, Section Five-A; 14.172 Acres; B.B.B & C.R.R. Co. Survey, A-111.

h. FINAL PLAT APPROVED for Woodtrace, Section Five-B; 22.666 Acres; B.B.B & C.R.R. Co. Survey, A-111.

G3. PRECINCT 3

- a. REQUEST APPROVED from Centerpoint Energy to install a 2 inch gas line within the right of way of Rayford Road.
- b. FINAL PLAT APPROVED for Harmony Central Sector, Section 2; 28.26 acres; Montgomery County School Land Survey, A-351.
- c. FINAL PLAT APPROVED for Lexington Boulevard and Woodson's Reserve Parkway; 19.8261 acres; Montgomery County School Land Survey, A-351.
- d. FINAL PLAT APPROVED for Falls at Imperial Oaks, Section 17; 18.17 acres; Timothy O'Neil Survey, A-406.

G4. PRECINCT 4

- a. PUBLIC HEARING DATE APPROVED for May 19, 2015 to establish a 20 MPH speed limit on Davis Road.
- b. FINAL PLAT APPROVED for Heights at Harpers Preserve; 15.41 acres; Richard Vince Survey, A-583.
- c. ROADS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Deer Trail Two, Section 2; total length of roads 6,769.59 linear feet. Effective April 21, 2015.

HUMAN RESOURCES - AGENDA ITEM 9H1

H1. PAYROLL CHANGE REQUEST FORMS APPROVED

Request of Custodial to remove Candice Wilhite, Custodian, from payroll due to Unpaid FMLA/Disability Leave, effective April 6, 2015.

Request of Building Maintenance to accept the retirement of Richard G. Stein, Maint Tech III, effective May 29, 2015. [14.38 hours or balance vacation; 34.39 hours or balance compensatory.]

Request of Commissioner Precinct 4 to remove Michael Eugene Wheatley, Operator I, from payroll due to job abandonment, effective March 30, 2015.

Request of Constable Precinct 3 to transfer Adam Acosta, Investigator II, from Constable Precinct 3 Internet-Crime to Constable Precinct 3-Safe Harbor, effective March 28, 2015.

Request of Elections to place Gary Audas Jr., Contract Election Clerk, on payroll, effective April 13, 2015.

Request of District Attorney to accept the resignation of Cynthia Sue Pulcher, Chief Prosecutor, effective May 15, 2015. [207.635 hours or balance vacation.]

Request of District Clerk to discharge Russell Brumlow, Court Clerk II, effective April 7, 2015. [78.06 hours or balance vacation.]

Request of District Clerk to accept the resignation of Deborah Fagioli Duch, Court Clerk IV, effective April 3, 2015. [3.08 hours or balance vacation.]

Request of District Clerk to place Patsy Fletcher, Court Clerk II, on payroll due to return from Unpaid FMLA/Disability Leave, effective March 10, 2015.

Request of District Clerk to increase salary of Nichol Kirn, Court Clerk IV, due to promotion as replacement for Deborah Fagioli Duch, effective April 6, 2015.

Request of District Clerk to increase salary of Patricia Morrill, Court Clerk II, due to end of probation period, effective April 13, 2015.

Request of District Clerk to accept the retirement of Donna Winslett, Court Clerk II, effective May 1, 2015. [221.015 hours or balance vacation.]

Request of Elections to promote Debora Ann Everhart, Supervisor-Voter Registration, as replacement for Mary J. Voss, effective June 1, 2015.

Request of Elections to accept the retirement of Mary J. Voss, Supervisor-Voter Registration, effective May 31, 2015. [200.212 hours or balance vacation; 126.835 hours or balance compensatory.]

Request of Forensic Services to change the effective date of Mary Trant, Forensic Assistant, to April 6, 2015. [3.00 hours or balance compensatory.]

Request of Juvenile to discharge Arthur Ray Harris III, Juvenile Supervision Officer, effective April 8, 2015. [78.86 hours or balance vacation.]

Request of Juvenile to change status of Christopher McKelvey, Juvenile Supervision Officer Substitute to Juvenile Supervision Officer, as replacement for Patterson Tavernier, effective April 25, 2015.

Request of Juvenile to place Pamela Shanell Mills, Juvenile Supervision Officer, on payroll due to return from Unpaid FMLA/Disability leave, effective April 6, 2015.

Request of Juvenile to change status of Justin Reickenbacker, from Juvenile Supervision Officer Substitute to Juvenile Supervision Officer, as replacement for Arthur Ray Harris III, effective April 11, 2015.

Request of Juvenile to accept the resignation of Patterson Tavernier, Juvenile Supervision Officer, effective April 9, 2015. [33.88 hours or balance vacation; 14.25 hours or balance compensatory; 41.75 hours or balance holiday.]

Request of Library to revise leave anniversary date of David Lacaze, Library Assistant III, to August 25, 2007, effective April 6, 2015.

Request of Library to place Marjorie Maske, Shelving Clerk I, on payroll as replacement for Ileana Stevenson, effective April 14, 2015.

Request of Library to accept the retirement of Sharon L. Parker, Library Assistant II, effective June 30, 2015. [127.22 hours or balance vacation]

Request of Library to accept the resignation of Cynthia Lucila Sanchez, Library Assistant II, effective April 10, 2015. [No benefits due.]

Request of Purchasing to accept the resignation of Sandy Matthews Bernard, Buyer III, effective April 24, 2015. [30.25 hours or balance vacation.]

Request of Sheriff to increase salary of Keith Billiris, Deputy Detention, due to promotion as replacement for Stephanie Lee, effective April 11, 2015.

Request of Sheriff to transfer Nathan Bohm, Officer Civilian Detention, from Jail to Sheriff Commissary Staff, as replacement for Brian Smith, effective April 11, 2015.

Request of Sheriff to accept the resignation of Cynthia Burnett, Admin Assistant I, effective April 17, 2015. [78.64 hours or balance vacation.]

Request of Sheriff to increase salary of Ashton Childers, Deputy Detention, due to promotion as replacement for Alexander Hons, effective April 11, 2015.

Request of Sheriff to increase salary of Clinton Clifton, Deputy Detention, due to promotion as replacement for Christopher Arnold, effective April 11, 2015.

Request of Sheriff to place Samantha Cortez, Officer Civilian Detention, on payroll as replacement for Jeffery Lackey Jr., effective April 11, 2015.

Request of Sheriff to increase salary of Tanya Durrenberger, Admin Assistant I, due to equity adjustment, effective April 11, 2015.

Request of Sheriff to transfer Hector Estrada, Deputy Patrol, from Town Center Sub Unit to Sheriff, effective April 11, 2015.

Request of Sheriff to increase salary of Patrick Gallagher, Deputy Patrol, due to STEP Increase, effective April 11, 2015.

Request of Sheriff to place Aaron Grant, Officer Civilian Detention, on payroll as replacement for Shelby Ford, effective April 11, 2015.

Request of Sheriff to increase salary of Lindsay Hall, Admin Assistant I, due to equity adjustment, effective April 11, 2015.

Request of Sheriff to increase salary of Richard Hickey, Deputy Detention, due to STEP Increase, effective April 11, 2015.

Request of Sheriff to increase salary of Eddie Holmes Jr., Deputy Bailiff, due to STEP Increase, effective April 11, 2015.

Request of Sheriff to accept the resignation of Carlos Huante, Deputy Patrol, effective April 13, 2015. [No benefits due.]

Request of Sheriff to accept the resignation of Nikki Jones, Officer Civilian Detention, effective March 24, 2015. [125.12 hours or balance vacation; 290.31 hours or balance compensatory; 48.50 hours or balance holiday.]

Request of Sheriff to transfer Jeremy Kader, from Sergeant Patrol to Detective, as a voluntary transfer with demotion as replacement for Jody Armstrong, effective April 11, 2015.

Request of Sheriff to place Brandon Kellett, Officer Civilian Detention, on payroll as replacement for Wade Dixon, effective April 11, 2015.

Request of Sheriff to increase salary of Jacqueline Lunsford, Admin Assistant I, due to equity adjustment, effective April 11, 2015.

Request of Sheriff to accept the resignation of Lynise Marshall, Deputy Patrol, effective April 5, 2015.

Request of Sheriff to correct the date of Cortney Poe, Officer Civilian Detention, due to Military Leave being extended, effective April 24, 2015.

Request of Sheriff to place Zakiya Ramos, Clerk IV-CJR, on payroll as replacement for Lyndia Ramsey, effective April 11, 2015.

Request of Sheriff to increase salary of Jonathan Rascoe, Deputy Patrol, due to STEP Increase, effective April 25, 2015.

Request of Sheriff to increase salary of Margarito Rosales Jr., Deputy SWAT, due to STEP Increase, effective April 25, 2015.

Request of Sheriff to promote Brian Smith, from Officer Civilian Detention to Deputy Detention, effective April 11, 2015.

Request of Sheriff to place Brannock Snellgrove, Officer Civilian Detention, on payroll as replacement for Douglas Tipton, effective April 18, 2015.

Request of Sheriff to place Jessica Stover, Clerk IV, on payroll as replacement for Peggy Loftin, effective April 13, 2015.

Request of Sheriff to promote David Wallace, from Investigator Crime Scene to Sergeant Patrol District IV, as replacement for Jeremy Kader, effective April 11, 2015.

Request of Sheriff to increase salary of Justin Wilkerson, Sergeant Patrol, due to STEP Increase, effective April 25, 2015.

Request of Tax Assessor/Collector to place Danielle Donahoe, Deputy Specialist I, on payroll as replacement for Travis Lucas, effective April 13, 2015.

Request of Tax Assessor/Collector to place Josue Rodriguez, Deputy Specialist I, on payroll as replacement for Phaedria Alexander, effective April 13, 2015.

SHERIFF – AGENDA ITEM 9I1

- I1. SALE APPROVED of ALPR Camera purchased with County Funds. Proceeds will be deposited into the Auto Theft Task Force Budget to offset the cost of replacement cameras.

COUNTY ATTORNEY – REAL PROPERTY - AGENDA ITEMS 9J1-2

J1. PRECINCT 1

- a. ORDER APPROVED to authorize reimbursement to Sami Osman the entire proration amount credited at closing for Parcel 1 of The League Line Road Project in the amount of \$4,451.82. This amount was property taxes paid by Mr. Osman for 1.25 acres in the James Edwards Survey, A-190 that the County purchased. The Auditor and Treasurer's Offices are authorized to do any and all things necessary or convenient to accomplish this.

J2. PRECINCT 4

- a. DESIGN AND CONSTRUCTION AGREEMENT APPROVED with TXDOT for Grand Parkway Segments F-1, F-2 and G from Ferne Leaf Drive to a point 965 Ft East along SH 99 Segment G.

CONSTABLE PRECINCT 4 – AGENDA ITEM 9K1

- K1. DONATION ACCEPTED AND ASSIGNMENT APPROVED of canine from Universal K-9, as well as all associated training costs not to exceed \$15,000.00 by Debra Guajardo and additional funding from Operation Pets Alive. Constable Hayden is authorized to execute any and all documents necessary to complete the training at no cost to the county. New canine "Libby" will be assigned to Deputy Jesse Bullinger to replace retired canine, "Oliver". Donation check accepted in the amount of \$550.00 from Operation Pets Alive for Libby's training. Check forwarded to auditor for further processing.

LONE STAR EXECUTIVE AIRPORT – AGENDA ITEMS 9L1-3

- L1. PARTIAL ASSIGNMENT OF LAND LEASE AGREEMENT APPROVED between Lazy K Air LLC and Equity Trust Company, custodian FBO Astrid Helga Phillips IRA for land located within the Lone Star Executive Airport.

- L2. RESOLUTION AND ORDER APPROVED for First Amendment to Sublease Agreement between Black Forest Ventures Aviation RE, LLC and Montgomery County to change commencement date regarding customs facility. County Judge is authorized to sign the agreement.
- L3. RESOLUTION AND ORDER APPROVED for Amendment to Land Lease Agreement between Montgomery County and Black Forest Ventures Aviation RE, LLC to extend term of lease due to improvements to be made to facility. County Judge is authorized to sign the amendment.

DISTRICT ATTORNEY – AGENDA ITEM 9M1

- M1. UNUSED CHANGE OF VENUE TRAVEL FUNDING ACCEPTED in the amount of \$619.83 and de-obligated from budget line 4351-7425.

COUNTY ATTORNEY – AGENDA ITEM 9N1-2

- N1. RESOLUTION AND ORDER APPROVED to ratify SH 249 Construction, Operation and Maintenance Agreement between TxDOT, Montgomery County Toll Road Authority, and Montgomery County.
- N2. RESOLUTION AND ORDER APPROVED to ratify Local Transportation Project Advance Funding Agreement for SH 249 Extension Project and FM 2978 Widening Project to provide for Compensatory Stream and Wetland Mitigation and authorize County Judge to execute the agreement.

Motion carried.

END OF CONSENT AGENDA

CITIZENS – AGENDA ITEM 10

Robin Lane addressed the court regarding the roads in Deer Haven Village Subdivision being accepted into the County's Road Maintenance System.

Monte Harris Lane also voiced his concerns about the roads in Deer Haven Village Subdivision.

David Vanderhider also spoke on the road conditions in Deer Haven Village.

Frances Lane also addressed the court over her concerns with the roads in Deer Haven Village.

Keven Giefer addressed the court regarding his concerns with safety and mobility issues for residents of Lockeridge Farms.

J.J. Hollie stated his support of the road bond.

Donna Wick also stated her support of the road bond and encouraged others to vote.

Nelda Luce Blair encouraged citizens to vote for the road bond.

Walter Boyd addressed prayers in the courtroom.

John Wertz stated that he felt only 1/3 of the projects on the bond were good projects while the others were ear marks and maintenance. He also was concerned with the road bond increasing taxes.

Steve Toth addressed the court about the increased amount on the evaluations from the Appraisal District.

Larry Rogers wanted to also voice his concern over the appraisals increasing.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 18: CONSIDER AND APPROVE ORDER ABANDONING A PORTION OF COUNTY ROAD RIGHT OF WAY KNOWN AS OLD RIVER ROAD.

COUNTY ATTORNEY'S OFFICE ADDRESSED THE COURT CONCERNING THE COUNTY ABANDONING OLD RIVER ROAD IN PRECINCT ONE. HE STATED THAT HE DOES NOT BELIEVE THAT THE COUNTY HAS TO ABANDON THE ROAD BECAUSE THE ROAD IS NOT A PART OF THE COUNTY MAINTENANCE SYSTEM.

MARK CREIGHTON SPOKE FOR HIS CLIENT STEVE JACKSON AND THEY BELIEVE THAT THE ROAD MUST BE ABANDONED.

THE ATTORNEY REPRESENTING NANCY BARROW AND BERTRUM WAGGONER SPOKE AND IS IN AGREEMENT WITH THE COUNTY ATTORNEY'S OPINION THAT THIS ROAD IS NOT PROPER FOR ABANDONMENT.

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

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

7. NO ACTION RECOMMENDED – ABANDONING A PORTION OF OLD RIVER ROAD – PUBLIC HEARING

Motion by Commissioner Meador, seconded by Commissioner Noack, to take no action on the matter of abandoning a portion of county road right of way known as Old River Road and allow the matter to go back before Judge Hamilton. Motion carried.

8. EXTENSION REQUEST APPROVED – 2013 UASI GRANT – EMERGENCY MANAGEMENT

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the 2013 UASI Grant Extension request to June 30, 2015 and authorize County Judge to sign the agreement. Motion carried.

9. TRANSFER OF FUNDS APPROVED – POSITION FUNDING – SHERIFF

Motion by Commissioner Clark, seconded by Commissioner Meador to approve the transfer of \$8,466.00 in position funding from 5601-9999-999 to position 5601-5007-1. The transfer is a civilian position and does not increase the current salary structure. Motion carried.

10. TRANSFER OF FUNDS APPROVED – POSITIONS – TAX ASSESSOR /COLLECTOR

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

- Open position 499-3304-1.
- Transfers funds previously budgeted for contract with courier service provider to position 499-3304-1 for salary in the amount of \$19,500.00 plus benefits and mileage reimbursement in the amount of \$20,000.00.
- Transfer the remaining \$6,776.60 from line item 499.7419 to 499.7418.

Motion carried.

11. TRANSFER OF FUNDS APPROVED – POSITION CHANGES – JUVENILE PROBATION

Motion by Commissioner Meador, seconded by Commissioner Clark, to approve the following class code, position change and salary transfer:

- Close position 571.2222.1 and Open Position 5711.2415.1.
- Transfer salary in the amount of \$54,306.63 and associated funds from closed position to open position.

These changes are due to reorganization of the department with an effective date of April 25, 2015. Motion carried.

12. MASTER INTERLOCAL AGREEMENT APPROVED – OFFICE OF COURT ADMINISTRATION

Motion by Commissioner Riley, seconded by Commissioner Clark, to approve a Master Interlocal Agreement and Addenda between Techshare Program with the Conference of Urban Counties and Montgomery County for the implementation of grant funded Fair Indigent Defense Online (FIDO) and authorize Judge Doyal to sign the agreement. This is fully grant funded in the amount of \$258,000.00 for multiple counties. The funds go to a single county then vendors are paid from that county. Motion carried.

AGENDA ITEMS 16A1, 16A4, 16A5, 16A6 MISSION NORTHEAST NEW WAREHOUSE FACILITY – MCCD – PROJECT 2015-0012(03/26/15); MISCELLANEOUS MATERIALS, PICKED-UP AND/OR DELIVERED – PRECINCT 4 – PROJECT 2015-0028 (04/16/15); FIRE PROTECTION SYSTEM – VARIOUS DEPARTMENTS – PROJECT 2015-0029 (04/21/15); AND RFP/Q CATERING AND CONCESSIONS – LONE STAR CONVENTION AND EXPO CENTER – PROJECT 2015-0003 (04/24/15) – NO ACTION TAKEN.

13. CONTRACT AWARDED – PLUMBING FIXTURES – MONTGOMERY COUNTY MENTAL HEALTH FACILITY

Motion by Commissioner Meador, seconded by Commissioner Riley, to award a contract to M Holland Plumbing, in the amount of \$86,035.00 for replacement of plumbing fixtures for the Montgomery County Mental Health Facility – Project 2015-0030. Motion carried.

14. CONTRACT AWARDED – RFP/Q RADIO TOWER SERVICES – SHERIFF

Motion by Commissioner Meador, seconded by Commissioner Noack, to award a contract to Shaffer Tower Services, Inc. for RFP/Q Radio Tower Services. This is a term contract to be used for five years. Motion carried.

AGENDA ITEM 17A – CONSIDER AND DISCUSS CREATION OF A MONTGOMERY COUNTY SUB-REGIONAL PLANNING COMMISSION.

COUNTY ATTORNEY'S OFFICE GAVE AN UPDATE ON THE STATUS OF A MONTGOMERY COUNTY SUB-REGIONAL PLANNING COMMISSION. THERE WAS A MEETING WITH CITY OF MAGNOLIA AND THEY WERE IN FAVOR OF FORMING A COMMITTEE. THEY ARE WORKING WITH THE CITY ATTORNEY TRYING TO FINALIZE THE PLANS WITH PERHAPS TWO PEOPLE SERVING FROM THE CITY OF MAGNOLIA, COMMISSIONER RILEY, COMMISSIONER MEADOR, AND MARK CASTLESHOULDT AS A MONTGOMERY COUNTY REPRESENTATIVE.

AGENDA ITEM 19A – CONSIDER AND DISCUSS UPDATE AND OVERVIEW FROM CONSULTANT/ COUNTY JUDGE/AUDITOR ON MONTGOMERY COUNTY PASS THROUGH PROGRAM, INCLUDING PROGRAM OVERVIEW AND PROJECT LIST UPDATE; COSTS FOR PROJECT/DEBT INCURRED; REPORT OF REIMBURSEMENTS RECEIVED FROM STATE VS. TOTAL TO BE RECEIVED; CURRENT AMOUNT OF PASS THROUGH DEBT; OPTIONS FOR PHASE II OF PASS THROUGH PROGRAM AND APPROXIMATE DOLLAR AMOUNT.

PHYLLIS MARTIN SPOKE ABOUT THE FUNDS ASSOCIATED WITH PHASE I AND PHASE II OF THE PASS THROUGH PROGRAM WITH THE TXDOT.

JENNIE TARABORELLI ADDRESSED THE COURT CONCERNING THE CONTRACT WITH TXDOT AND ALSO GAVE AN UPDATE ON THE 242 FLYOVER.

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

15. REAPPOINTMENT APPROVED – MONTGOMERY COUNTY HOUSING AUTHORITY – COMMISSIONER PRECINCT 4

Motion by Commissioner Clark, seconded by Commissioner Noack, to approve the reappointment of Shawn Kneale as a Housing Commissioner for Montgomery County Housing Authority for a term expiring in March, 2017. Motion carried.

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

16. ENGINEERING SERVICE AGREEMENT APPROVED – SWCA ENVIRONMENTAL – MONTGOMERY COUNTY TOLL ROAD AUTHORITY

Motion by Judge Doyal, seconded by Commissioner Meador, to approve an Engineering Service Agreement between Montgomery County Toll Road Authority and SWCA Environmental Consultants. Motion carried.

AGENDA ITEM 20B – CONSIDER AND DISCUSS UPDATES FROM COUNTY ENGINEER/ COUNTY JUDGE/ COUNTY AUDITOR ON THE PROPOSED 249 TOLL WAY, INCLUDING COST PROJECTS, TRAFFIC AND REVENUE STUDY (INVESTMENT GRADE), FINANCING PLAN, TIMELINE AND PROPOSED TOLL FOR 249 AND PHASE II OF PASS THROUGH PROGRAM.

JAMES BAKER WITH HALFF ASSOCIATES DISCUSSED THE TOTAL PROJECT COST FOR THE CONSTRUCTION OF 3.6 MILES SECTION OF THE 249 TOLL WAY. HE ALSO STATED THAT IT IS PROJECTED TO START THE FIRST OF 2017 AND FINISH AUGUST 2018.

RICH MULLER SPOKE ABOUT AN INVESTMENT GRADE FEASIBILITY STUDY THAT WOULD NEED TO BE DONE LATE AUGUST 2016 AS WELL AS DIFFERENT TYPES OF BOND OPTIONS.

RYAN O'HARA ALSO SPOKE ON BOND OPTIONS AS WELL AS THE COUNTY'S OUTSTANDING DEBT FROM THE PASS THROUGH PROGRAM. HE ALSO STATED THAT THE COUNTY HAD AN AA+ RATING FROM STANDARD AND POOR AND AN AA1 FROM MOODY'S.

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

AGENDA ITEM 20C – CONSIDER AND DISCUSS PHILOSOPHY OF MONTGOMERY COUNTY TOLL ROAD AUTHORITY, INCLUDING A PERPETUAL TOLL SYSTEM, OR PAY OFF AND REMOVE – WILL BE DISCUSSED AT A LATER DATE.

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, 551.072.

EXECUTIVE SESSION – AGENDA ITEM 21A: CONSIDER AND DISCUSS CAUSE NO. 4:14-CV-1753; CLAIM NO. D-13-0106; STYLED GARY FRAKES DVM V. SGT BILLY MASNEN INDIVIDUAL; AND CAPTAIN DUSTIN OTT INDIVIDUAL; IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS, HOUSTON DIVISION.

EXECUTIVE SESSION – AGENDA ITEM 21B: CONSIDER AND DISCUSS CAUSE NO. 4:13-CV-2795; CLAIM NO. D-11-0118; STYLED PERLA CARR V. MONTGOMERY COUNTY, TEXAS, ET AL.; IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS, HOUSTON DIVISION.

EXECUTIVE SESSION – AGENDA ITEM 21C: DISCUSS POTENTIAL LIABILITY RELATED TO REAL PROPERTY LEASED BY MONTGOMERY COUNTY.

COMMISSIONERS COURT RECONVENED WITH ALL MEMBERS PRESENT.

17. OFFER AMOUNT APPROVED – CLAIM NO. D-11-0118 – CAUSE NO. 4:13-CV-2795

Motion by Commissioner Riley, seconded by Commissioner Noack to enter and offer a judgment up to \$10,000.00 in the Cause No. 4:13-CV-2795; Claim No. D-11-0118; styled Perla Carr v. Montgomery County, Texas, et al; In the United States District Court for the Southern District of Texas, Houston Division. Funding source will be named later if offer is accepted. Motion carried.

18. COURT ADJOURNS

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

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

ATTEST:

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

BY: Mark Turnbull
COUNTY CLERK

Craig Dwyer
COUNTY JUDGE

