THE STATE OF TEXAS
COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 6TH day of October, 2008, the Honorable Commissioners’ Court of Montgomery County, Texas, was duly convened in a Special Session in the Commissioners’ Courtroom of the Montgomery County Courthouse Annex, Conroe, Texas, with the following Members of the Court present:

County Judge, Alan “Barb” Sadler
Commissioner, Precinct #1 - Mike Meador
Commissioner, Precinct #2 - Craig Doyal
Commissioner, Precinct #3 - Ed Chance
Commissioner, Precinct #4 - Ed Rinehart
Also - Aimie Kemp, County Clerk’s Office

INVOCATION GIVEN BY PASTOR LYNN HUFF

PLEDGE OF ALLEGIANCE RECITED BY EVERYONE PRESENT

1. COMMISSIONERS’ COURT AGENDA APPROVED

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve Commissioners’ Court Agenda for discussion and necessary action. Motion carried.

AGENDA ITEM 6A-1 - RECOGNITION OF VETERANS WALL ARRIVAL IN MONTGOMERY COUNTY

Bob Moore and Amos Oughton addressed Commissioners’ Court. The opening ceremony for the Veterans Wall will be held October 24, 2008 at 1000 hours, open 24/7, until the closing ceremony on Sunday October 26, 2008. A parade will be held Saturday October 25, in Willis, as well as a candlelight vigil at dusk on October 26, 2008. Mr. Moore asked that POW flags be allowed to be flown on all city and county buildings until the departure of the wall on October 28, 2008. Mr. Amos Oughton presented T-shirts and caps commemorating the Dignity Memorial Vietnam Wall. Commissioner Meador encouraged visitors to the wall and thanked the veterans for their service.

CITY OF CONROE MAYOR, WEBB MELDER, ADDRESSED THE COURT TO COMMEND MONTGOMERY COUNTY FOR THEIR COOPERATION AND TEAMWORK BETWEEN THE CITY AND THE COUNTY DURING HURRICANE IKE.

AGENDA ITEM 14B - PURCHASING DEPARTMENT’S 13TH ANNUAL ACHIEVEMENT IN EXCELLENCE IN PROCUREMENT AWARD FOR 2008 - CAROLYN HOOPER ADDRESSED THE COURT TO ACKNOWLEDGE RECEIPT OF THIS AWARD PRESENTED BY THE NATIONAL PURCHASING INSTITUTE.
2. **PROCLAMATION APPROVED - 2008 HOME CARE AND HOSPICE MONTH**

Motion by Commissioner Meador, seconded by Commissioner Doyal, to proclaim November 2008 as "Home Care and Hospice Month" and encourage the support and participation of all citizens in learning more about the home care and hospice philosophy of care for the elderly, disabled and terminally ill, as per Proclamation on file. Motion carried.

3. **2008 BOSSES OF THE YEAR ANNOUNCED - COMMISSIONER ED CHANCE AND CONSTABLE DAVID HILL**

Motion by Commissioner Meador, seconded by Commissioner Doyal, to select Commissioner Pct 3 Ed Chance and Constable Pct 5 David Hill as 2008 Bosses of the Year. Each was presented with plaques and gift certificates from the Employees’ Committee. Motion carried.

**AGENDA ITEM 6D - EMPLOYEES OF THE MONTH FOR APRIL THRU OCTOBER, 2008**

Employees of the Month were selected for the months of April through October, 2008, as follows:

- April - Tommy Tobias - Commissioner Pct 4
- May - Tamera Wieland - CIS
- June - Vicki Campbell - Juvenile
- July - Stacy Cartwright - Drug Court
- August - Ray Johnson - County Attorney
- September - Aimie Kemp - County Clerk
- October - Aubrey Gates - Juvenile Probation

Each was presented with plaques and gift certificates from the Employees’ Committee.

**COMMISSIONER PCT 2, CRAIG DOYAL, ANNOUNCED THAT 1488 SECTION 1A1 IN MAGNOLIA OPENED YESTERDAY, OCTOBER 5, 2008.**

4. **MINUTES APPROVED - COMMISSIONERS’ COURT MINUTES - COUNTY CLERK**

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve Commissioners’ Court Minutes for September 29, 2008, as presented by the County Clerk. Motion carried.

5. **CONSENT AGENDA APPROVED - AGENDA ITEMS 8A THROUGH 8J**

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the Consent Agenda, as follows:

**COUNTY AUDITOR - AGENDA ITEMS 8A**

a. ACCOUNTS approved, as submitted by the County Auditor.

b. BUDGET AMENDMENTS approved, as follows:

1. 410th District Court - to transfer funds for release 354418.
2. 221st District Court - to adjust line items.
3. 284th District Court - to adjust line items.
4. 359th District Court - to adjust line items.
5. Building Maintenance - to transfer funds to cover shortage in restricted line.
6. Building Maintenance - to adjust line items as approved M20/09.08.08.
7. Building Maintenance - to adjust line items and to transfer funds for shortage.
8. C/P Road Bonds 2006B - to adjust line items.
9. C/P Road Bonds -SER 2006B - to recognize and allocate donation.
10. C/P Road Bonds 2006B - to adjust line items.
11. C/P Road Bonds 2008B - to adjust line items.
12. CDBG HOME Program/$546K - Yr 2 - to adjust line items.
13. CDBG/$1.987 Mil Year 8 - to adjust line items.
14. CDBG HOME Program/$546K - Yr 2 - to adjust line items.
15. CDBG/$1.987 Mil Year 8 - to adjust line items.
16. CDBG Year 6 - to adjust de minimis amounts in Willis Building.
17. CDBG/$1.987 Mil Year 8 - to adjust line items.
18. CDBG HOME Program/$546K - Yr 2 - to adjust line items.
19. Commissioner Pct 1 - to transfer funds for security expense.
20. Commissioner Pct 1 - to adjust line items.
21. Commissioner Pct 2 - to recognize and allocate reimbursement.
22. Commissioner Pct 2 - to adjust line items.
23. Commissioner Pct 3 - to fund Spring Creek Greenway Patrol for P/R 07/18/08.
24. Commissioner Pct 3 - to adjust line items.
25. Commissioner Pct 3 - to recognize and allocate reimbursements.
26. Commissioner Pct 4 - to recognize and allocate reimbursements.
27. Commissioner Pct 4 - to transfer funds for PO 28507264 and PO 2008651.
28. Commissioner Pct 4 - to recognize and allocate reimbursements.
29. Commissioner Pct 4 - to adjust line items.
30. Commissioner Pct 4 - to transfer funds for PO 28507371.
31. Communications/Info Serv - to adjust line items.
32. Constable Pct 1 - to adjust line items.
33. Constable Pct 5 - to adjust line items.
34. Constable Pct 5 - to recognize and allocate reimbursement.
35. County Attorney - to transfer funds for Title IV-E grant for County Attorney for quarter ending 06/30/08.
36. County Attorney - to adjust line items.
37. County Auditor - to adjust line items.
38. County Clerk - Records Management - to set up records management fund.
39. County Court At Law #4 - to adjust line items.
40. County Engineer - to adjust line items.
41. Court Collections - to transfer funds for release 354794.
42. District Attorney - to recognize and allocate revenue.
43. District Clerk - Records Management - to set up records management fund.
44. Drug Court - to adjust line items.
45. Elections Administrator - to adjust line items.
46. Environmental Health - to adjust line items.
47. Extension Agents - to adjust line items.
48. Fire Marshal - to transfer funds for release 350353.
49. Justice of Peace Pct 1 - to adjust line items.
50. Justice of Peace Pct 2 - to transfer funds for formica for 2 table tops.
51. Juv Prob/State Aid-A/08 - to adjust line items.
52. Juv Prob Comm Corrections - Y/08 - to adjust line items.
53. Juvenile Probation "A" Grant - to adjust line items.
54. Juvenile Probation - to recognize and allocate revenue and to adjust line items.
55. Memorial Library - to adjust line items.
56. Memorial Library - to adjust line items as approved by Commissioners' Court 9/29/08.
57. Risk Management - to adjust line items.
58. Risk Management - to transfer funds for damage claims.
59. Sheriff - to adjust line items.
60. Sheriff - to adjust line items.
61. Sheriff - to recognize and allocate reimbursement.
62. Sheriff - to recognize and allocate reimbursement.
63. Sheriff Auto Theft Grant - Yr 15 - to carry over unspent OT donation and program income.
64. Sheriff - to adjust line items.
65. Sheriff - to adjust line items.
66. Sheriff - to adjust line items.
67. Sheriff - to adjust line items and to transfer funds for PO 28507413.
68. Tax Assessor/Collector - to adjust line items.

as per Budget Amendments on file.

c. REPORT accepted, of Visual Inspection of Capital Assets as of 9/30/08, as per Report on file.

TREASURER - AGENDA ITEMS 8B

AGENDA ITEM 8B-1 - WEEKLY INVESTMENT REPORT FOR WEEK OF SEPTEMBER 29 - OCTOBER 3, 2008 - REMOVED FROM AGENDA

AGENDA ITEM 8B-2 - PLEDGES AND/OR RELEASES OF COLLATERAL - REMOVED FROM AGENDA

AGENDA ITEM 8B-3 - BANK RESOLUTIONS - REMOVED FROM AGENDA

d. REQUEST approved, to disburse payroll checks on Thursday afternoon, October 9th, if necessary, due to shut-down of downtown Conroe to traffic after 5 P.M. on Thursday for Catfish Festival, as per Memo on file.

TAX ASSESSOR/COLLECTOR - AGENDA ITEMS 8C

a. REQUEST approved, to void a tax "re-sale" on property that was double assessed in error when the Appraisal District converted tax records in 1982 from Conroe ISD that incorrectly listed property that does not exist and approve refunding the purchaser, Amber Biddle, $1,950.00, as per Request on file.

PURCHASING DEPARTMENT - AGENDA ITEMS 8D

a. AUTHORIZATION TO ADVERTISE approved, for the following bids/proposals:

1. RFP/Q Manufactured Home - MCCD.
b. RENEWAL CONTRACTS approved, as follows:

1. Exxon/Mobil Corporation (P.O. #2006179) for fleet fuel credit card - Various Departments.
2. Petroleum Wholesale dba Sunmart #116 (P.O. #2006178) for fleet fuel credit card - Various Departments.
3. Valero Marketing and Supply Co. (P.O. #2006177) for fleet fuel credit card - Various Departments.
4. Chevron Texaco (P.O. #2006176) for fleet fuel credit card - Various Departments.
5. Rene Bates Auctioneers, Inc. (P.O. #2004225) for auctioneer services - Various Departments.
6. PoliceReports.Us (P.O. #2007216) for on-line accident report distribution service - Sheriff’s Office.
7. Weisinger Gardens, Inc. (P.O. #2007046) for irrigation system - Various Departments (month to month).

as per Memo on file.

c. CONTINUATION approved, of the following sole sources:

1. Radio frequency detection system for the Library purchased from 3M Library Systems.
2. Captive/component parts for Various Departments purchased from Buckalew Chevrolet, Inc. (month to month)
3. Captive/component parts for Various Departments purchased from Gullo Ford Mercury of Conroe. (month to month)

as per Memos on file.

d. LIST acknowledged and accepted, of items sold on September 5, 2008 through the Montgomery County on-line auction and check #15294 totaling $59,251.07 from Rene Bates Auctioneers, Inc. Item #625 & 677 retained due to non-payment. (Check forwarded to County Treasurer for further handling).

e. PERFORMANCE AND PAYMENT BONDS acknowledged and accepted, for Construction for Widening of Non-Freeway Facility consisting of Grading, Widening Structures, Base and Concrete Pavement on FM 1314 from 1.0 Miles South of SH 242 to 2.6 Miles Northwest of Loop 494 - Precinct #4 (MCTP), each in the amount of $36,872,791.36, as well as the Retainage Bond in the amount of 10% of the total amount paid the Principle submitted by W.W. Webber, L.L.C., as per Bonds on file.
f. PERFORMANCE AND PAYMENT BONDS acknowledged and accepted, for Clearing of R-O-W, Grubbing and Removal of Structures on FM 1488 1B from 0.87 Miles East of FM 149 to 0.12 Miles West of FM 2978 - Precinct #2 (MCTP), each in the amount of $508,124.60, as well as the Retainage Bond in the amount of 10% of the total amount paid the Principle submitted by Four Seasons Development Co., Inc., as per Bonds on file.

g. CANCELLATION approved, of month to month P.O. #2008026 to Arthur J. Gallagher Risk Management for Self-Insured Workers Compensation Program & Options for Additional Lines of Coverage - Risk Management, as per Memo on file.

h. CHANGE ORDER #2 approved, P.O. #2008050 to Fairweather Group, L.L.C. for changes for Design Build of Justice of the Peace Building & Montgomery County Juvenile Justice A.E.P. Facility - JP #2 for a decrease of $24,253.77, as per Change Order on file.

i. BOND RIDER acknowledged and accepted, for Office Renovations - Tax Office to correct the bond numbers originally submitted by Diamond Commercial Construction. Bond number was changed from S366814 to S366818, as per Rider on file.

j. BOND RIDER acknowledged and accepted, for Radio Maintenance Metal Building - Infrastructure to correct the bond numbers originally submitted by Diamond Commercial Construction. Bond number was changed from S366813 to S366817, as per Rider on file.

k. PURCHASE approved, of three (3) 2008 Ford Crown Victorias at $62,445.00 from Philpott Motors, Ltd. Purchase to be made through the existing interlocal with Tarrant County, as per Product Pricing Summary on file.

RISK MANAGEMENT - AGENDA ITEMS 8E

a. PAYMENT acknowledged, to Billy James Davis and Gwendolyn Woods Davis in the amount of $1,490.00 in reference to CLAIM #B-08-0080. Date of accident: 07/09/08, as per Memo on file.

b. REQUEST approved, to authorize the Director or Assistant Director of Risk Management to sign physical damage property release only on CLAIM #U-08-0066. Date of accident: 06/30/08, as per Memo on file.

c. OFFICIAL BONDS AND OATHS approved, as follows:

1. James R. Dowling - Deputy Constable Pct #4 - Bond #14526027 - Renewal
2. Charles Kennedy - Deputy Constable Pct #5 - Bond #15487505 - Renewal
3. Don G. Smith, Jr. - Deputy Constable Pct #5 - Bond #15486568 - Renewal
4. Johnie E. Massey - Deputy Constable Pct #4 - Bond #15486569 - Renewal
5. Jan Curtis - Deputy Constable Pct #5 - Bond #15486567 - Renewal
6. Harvey E. Moody Jr - Deputy Constable Pct #4 - Bond #13745084 - Renewal
7. Ricky Warwick - Deputy Constable Pct #4 - Bond #14454538 - Renewal
8. James Williams - Fire Marshall - Bond #15486582 - Renewal
9. Tony Madison - Deputy Constable Pct #3 - Bond #15487498 - Renewal
10. Keith Stewart - Judge-County Court at Law #5 - Bond #15200605 - New
    as per Bonds on file.

COMMISSIONERS - AGENDA ITEMS 8F

a. PRECINCT 2
   1. ASSIGNMENT approved, of Numbers 128 and 129 to the Montgomery County Municipal District, to be reserved in the name of Coats Rose, as per Request on file.

b. PRECINCT 3
   1. ORDER approved, authorizing the exchange of real property, as per Order on file.

c. PRECINCT 4
   1. CHECK accepted, Check #14771, in the amount of $3,045.36 from The City of Roman Forest for the purchase of fuel for the month of August 2008, per Interlocal Agreement dated 10/07/02. To be deposited into account 615.7357, as per Memo on file. (Check forwarded to County Treasurer for further handling).

COMMISSIONERS - COUNTY ATTORNEY - ROAD AND BRIDGES - AGENDA ITEMS 8G

a. PRECINCT 1
   1. PURCHASE approved, of a tax trust property described as Lots 1 and 2, Block 19, Frontier Lakes Section 2 to satisfy nuisance abatement by paying court costs in the amount of $1,969.50 for conveyance of said property. Said costs to be paid from General Fund, as per Documentation on file.

   2. ORDER approved, authorizing County Judge to sign draw on Maintenance Bond and Letter of Credit No. 338 for Grand Harbor Section Fifteen (15), as per Order on file.
b. PRECINCT 2

1. LEASE AGREEMENT executed, between Montgomery County, Texas and Ray Harlow for real property described as Lot 58, Block 1, and 0.2038 acres out of reserve in southeast corner, Block 1, of Foxwood, as per Lease on file.

2. ORDER approved, acknowledging receipt of Money Order No. 0672524356 in the amount of $525.00 from Ray Harlow for lease of real property described as Lot 58, Block 1, and 0.2038 acres out of reserve in southeast corner, Block 1, of Foxwood, as per Order on file. (Money Order forwarded to County Treasurer for further handling).

3. ORDER approved, acknowledging receipt of Letter of Credit No. 7047327 for Old Kentucky Farms Section One (1), as per Order and Letter of Credit on file.

c. PRECINCT 3

1. ORDER approved, authorizing County Judge to sign draw on Maintenance Bond and Letter of Credit No. 669 for Vannevar in Research Forest, as per Order on file.

COMMISSIONERS - COUNTY ENGINEER - AGENDA ITEMS 8H

a. PRECINCT 2

1. FINAL PLAT accepted, of Woodforest, Section 4, as per Plat on file.

b. PRECINCT 4

1. ACCEPTANCE approved - BOND released, of Bentwood Extension and Section 1 Partial Replat No. 1 (Sausalito Lane Cul-de-sac) into the County Road System. Also, to release the bond, as per Memo on file.

PARKS DEPARTMENT - AGENDA ITEM 8I

a. USE AGREEMENT accepted, of the following:

1. Willis Wildcats
   Charles Traylor Park - Precinct #1

   as per Use Agreement on file.

INFRASTRUCTURE - AGENDA ITEM 8J

a. RESOLUTION approved, for claims from Fairweather Group, L.L.C. for the Montgomery County Central Library Computer Lab and Spring Creek Community/Nature Center Projects. (No paperwork).

Motion carried.

END OF CONSENT AGENDA
AGENDA ITEM 9A - PRESENTATION ON PROPOSED TIRZ - STATE OF TEXAS LEGISLATION - COUNTY JUDGE - LARRY FOERSTER ADDRESSED THE COURT REGARDING TAX INCREMENT REINVESTMENT ZONES FOR THE CITY OF CONROE REQUIRING SPECIAL LEGISLATION BY THE STATE OF TEXAS. MR. FOERSTER ASKED THAT THE COURT CONSIDER, AT A LATER DATE, A RESOLUTION THAT WOULD ALLOW CAP INCREASE WHICH WOULD ALLOW INVIGORATION OF THE DOWNTOWN CONROE AREA.

6. APPOINTMENT APPROVED - TRICOUNTY MENTAL HEALTH RETARDATION SERVICES BOARD OF TRUSTEES - COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve appointment of Sharon Nichols Walker to the Tri-County Mental Health Retardation Services Board of Trustees to fill the unexpired term of Dr. Tom Miessler. This term expires August 31, 2009, as per Letter on file. Motion carried.

7. FUNDING POSITION APPROVED - DEPUTY DIRECTOR, EMERGENCY MANAGEMENT - COUNTY JUDGE

Motion by Commissioner Meador, seconded by Judge Sadler, to approve funding position 9528-1, Deputy Director, Emergency Management Department 406. Annual salary of $10,000.00 to be funded by Contingency, as per Memo on file. Motion carried.

8. REQUEST APPROVED - DEMOLITION OF PROPERTIES - ENVIRONMENTAL HEALTH SERVICES

Motion by Commissioner Rinehart, seconded by Commissioner Doyal, to approve a request for demolition on the following properties that are abandoned, deemed unsafe, or unlivable:

a. PRECINCT #1
   1. 7960 Bilnouski Rd., Willis, Texas 77378

b. PRECINCT #2
   1. 607 Cherokee Dr., Montgomery, Texas 77356
   2. 17422 Spruce Ln., Magnolia, Texas 77355
   3. 33215 Sweetgum Ln., Magnolia, Texas 77354
   4. 19515 Turtle Dove Ln., Magnolia, Texas 77355

c. PRECINCT #4
   1. 25170 Needham Rd., Porter, Texas 77365
   2. 10041 Deep Forest, Conroe, Texas 77306
   3. 10040 Lakeside Drive, Conroe, Texas 77306
   4. 11093 Quinland North Lake Dr., Conroe, Texas 77303
   4. 19753 Espinosa Ln., New Caney, Texas 77357

Estimated Total Cost: $43,000. Funded by CDBG, as per Memo and Orders to Abate Public Nuisance on file. Motion carried.
9. REQUEST APPROVED - TRANSFER OF FUNDS - SHERIFF

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the following transfer to correctly fund the position involved in personnel change for the remainder of the 08 budget year:

<table>
<thead>
<tr>
<th>AMOUNT</th>
<th>FROM</th>
<th>TO</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1,045.16</td>
<td>5121-7102-9999-999</td>
<td>5121-7102-5702-2</td>
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<tr>
<td>$116.13</td>
<td>5601-7102-9999-999</td>
<td>5601-7102-5702-2</td>
</tr>
</tbody>
</table>

This transfer does not constitute an increase in the salary budget, as per Memo on file. Motion carried.

10. CARRY OVER APPROVED - WILLO DOOR UPGRADE - SHERIFF

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve the carry over of $4,100 for payment of the difference in the budgeted amount granted in the 2008 budget for the Willo Door upgrade and the amount of the bid price. This encumbrance is pending the acceptance of the Commissioners’ Court of the performance and payment bonds. Funding is available in the 2008 budget line 5121-7923, as per Memo on file. Motion carried.

11. REQUEST APPROVED - LINE ITEM TRANSFERS - CUSTODIAL SERVICES

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the following line item transfers in the 2008 Budget as stated below:

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Decrease</th>
<th>Increase</th>
</tr>
</thead>
<tbody>
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<td>$3,649.14</td>
</tr>
<tr>
<td>Line Item 509-7423</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

These transfers do not constitute an increase in the salary budget, as per Memo on file. Motion carried.

12. FY 2009 SALARY SCHEDULES ADOPTED - AUDITOR

Motion by Commissioner Meador, seconded by Commissioner Doyal, to adopt FY 2009 Salary Schedules to be effective 10/4/08, as per Schedule on file. Motion carried.

AGENDA ITEMS 14A-1,2,3,4,7,8,9,10,15,19-23 - RECOMMENDATIONS AND CONTRACTS - PURCHASING - DEFERRED

AGENDA ITEMS 14A-13, 17 - RECOMMENDATIONS AND CONTRACTS - PURCHASING - ADDITIONAL PLUMBING SERVICES & IRRIGATION SYSTEM - VARIOUS DEPARTMENTS - REJECT AND RE-ADVERTISE

13. RECOMMENDATIONS AND CONTRACTS APPROVED - PURCHASING (AGENDA ITEMS 14A-5,6,11,12,14,16,18)

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the following recommendations and contracts:
a. Bulk Oil, Lubricants and Related Items - Various Departments - Project #2008-0111, opened August 7, 2008, awarded to:

1. ADA Resources, Inc. - Prime
2. MidTex Oil, L.P. - Alternate

b. Institutional Items - Various Departments - Project #2008-0081, opened August 14, 2008, awarded to Charm-Tex (Section 3 not awarded).

c. Emergency Equipment-Prisoner Cages - Various Departments - Project #2008-0181, opened September 22, 2008, awarded to Galls, an Aramark Co.


f. Robinson Road PCF Overlay - Precinct #3 - Project #2008-0190, opened September 29, 2008, awarded to Angel Brothers Enterprises, Ltd. for $465,450.00.

g. Emulsified Recycling Asphalt (Dust Control) - Various Precincts - Project #2009-0012, opened September 25, 2008, awarded to Cleveland Asphalt Products, Inc.

as per Recommendations and Contracts on file. Motion carried.

AGENDA ITEM 14B - PURCHASING DEPARTMENT’S 13TH ANNUAL ACHIEVEMENT IN EXCELLENCE IN PROCUREMENT AWARD FOR 2008 - SEE COURT ACTION AFTER MOTION #1.

14. LEASE PURCHASE AGREEMENT APPROVED - AUDIO/VISUAL UPGRADES - PURCHASING

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve lease purchase agreement with Wells Fargo Brokerage Services, L.L.C. for the purchase of audio/visual upgrades for twelve (12) courtrooms at $428,465.36 from Jefferson Audio Visual Systems. Purchase previously approved in Commissioners’ Court on July 28, 2008. Purchase to be financed over five (5) years with annual payments of $95,543.05 for a total of $477,715.25 and an interest rate of 3.74%, as per Lease Purchase Agreement on file. Motion carried.

15. AGREEMENTS APPROVED - TEMPORARY DEBRIS STAGING AND REDUCTION SITES - COUNTY ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve two (2) additional temporary debris staging and reduction site agreements between Montgomery County, Texas and Dirt Cheap Mulch, Inc., and Lewis-Quinn Construction Services, and authorize exemption pursuant to 262.024 (a)(1) and (3) of the Tx. Loc. Gov’t Code from bidding requirements of Section 262, and authorize the County Judge to sign the agreements, as per Lease Agreements on file. Motion carried.
16. PUBLIC SERVICE CONTRACTS APPROVED - COUNTY FUNDING - COUNTY ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve Public Services Contracts for County Funding to:

a. Tri-County MHMR
b. Montgomery County Committee on Aging d/b/a The Friendship Center
c. Emergency Assistance
d. Montgomery County Advocacy Center, Inc., dba Children’s Safe Harbor
e. Montgomery County Youth Services

as per Contracts on file. Motion carried.

17. RENEWAL APPROVED - TEXAS DEPT OF FAMILY & PROTECTIVE SERVICES - COUNTY ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve renewal of the services contract with The Texas Department of Family and Protective Services for payment of services rendered by Children’s Protective Services (“CPS”) and the associated certificate regarding debarment, and authorize the County Judge to execute same, as per Renewal Contract on file. Motion carried.

AGENDA ITEM 17A-1 - PARTIAL REPLAT OF CROWN OAKS SECTION TWO (2) - PUBLIC HEARING - COURT RECESSED TO CONVENE A PUBLIC HEARING CONCERNING THE PARTIAL REPLAT OF CROWN OAKS SECTION TWO (2), TO BE KNOWN AS CROWN OAKS SECTION TWO (2), PARTIAL REPLAT NO. 1.

18. PUBLIC HEARINGS APPROVED - PRECINCT 2 AND PRECINCT 4

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the following public hearings:

a. Partial Replat of The Woods at Jacobs Reserve, to be known as The Woods at Jacobs Reserve, Replat No. 1 - Pct 2
b. Partial Replat of East Montgomery County Improvement District Park, Section Two (2), to be known as East Montgomery County Improvement District Industrial Park, Section Two (2), Partial Replat No. 1 - Pct 4

as per Memo on file. Motion carried.

EXECUTIVE SESSION

The Court recessed into Executive Session in the County Judge’s Chambers to discuss matters pursuant to one or more of the following Provisions of the Texas Government Code, to wit: Chapter 551, Sub-Chapter D:

1. Consider and discuss claim presented by John B. Wing of Wing Aviation
2. Consider and discuss potential settlement of issues involved in FCC proceeding on rebanding of radio frequencies
COURT RECONVENED WITH ALL MEMBERS OF THE COURT PRESENT

AGENDA ITEM 20 - CITIZENS - THERE WERE NO CITIZENS PRESENT WHO WISHED TO ADDRESS COMMISSIONERS’ COURT.

19. PAYROLL CHANGE REQUESTS APPROVED - HUMAN RESOURCES

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the following Payroll Change Requests:

request of Alternate Dispute Resolution to accept the resignation of Ramah Kimble Eisenbel, Project Manager, with 157.28 vacation hours due, effective September 30, 2008

request of Animal Shelter to accept the resignation of Samantha Hudgins, Vet Technician, with 118.58 vacation hours due, 57.25 comp hours due, and 16 holiday hours due, effective September 11, 2008

request of Animal Shelter to accept the resignation of Francisco Sanchez, Kennel Help, effective September 12, 2008

request of Animal Shelter to place Terri Vian, Kennel Help, on payroll, (replacement for Rebecca Henning), effective September 22, 2008

request of Animal Shelter to place Jennifer Williams, Kennel Help, on payroll, (replacement for Francisco Sanchez), effective September 20, 2008

request of Commissioner Pct 1 to accept the retirement of Robert Watern, Mechanic II, with 206.90 vacation hours due, and 151.13 comp hours due, effective September 30, 2008

request of Commissioner Pct 4 to place William C. Davis, Jr., Operator I, on payroll, (replacement for Joseph Shearer, Jr.), effective September 15, 2008

request of Commissioner Pct 4 to place Walter H. Moody, Operator II, on payroll, effective September 29, 2008

request of Commissioner Pct 4 to correct effective date of retirement for Thomas E. Thompson, Operator III, on PCR approved by Commissioners’ Court 8-25-08, effective September 30, 2008

request of Constable - #1 SJRA Sub Unit to increase the salary of Bryan DuBose, Lieutenant, merit increase, funded 100% by SJRA, effective October 4, 2008

request of Constable - #1 SJRA Sub Unit to increase the salary of Richard Faught, Deputy, merit increase, funded 100% by SJRA, effective October 4, 2008

request of Constable - #1 WISD Sub Unit to increase the salary of Bob Barrett, Jr., Deputy, merit increase, funded 100% by W.I.S.D., effective September 1, 2008

request of Constable - #1 WISD Sub Unit to increase the salary of Leslee Cade, Lieutenant, merit increase, funded 100% by W.I.S.D., effective September 1, 2008
request of Constable - #1 WISD Sub Unit to increase the salary of Jacqueline DelaCruz, Deputy, merit increase, funded 100% by W.I.S.D., effective September 1, 2008

request of Constable - #1 WISD Sub Unit to increase the salary of Alton Mathis, Deputy, merit increase, funded 100% by W.I.S.D., effective September 1, 2008

request of Constable - #1 WISD Sub Unit to increase the salary of James Patrick, Sergeant, merit increase, funded 100% by W.I.S.D., effective September 1, 2008

request of Constable - #1 WISD Sub Unit to increase the salary of Jerry Serratt, Deputy, merit increase, funded 100% by W.I.S.D., effective September 1, 2008

request of County Attorney to promote Phyllis Rainey, from Attorney III to Chief, Contract Admin., independent/separate from 6% increase for new budget year, effective October 4, 2008

request of County Auditor to accept the resignation of Heather Green, Accounts Payable Coordinator, with 39.89 vacation hours due, effective September 25, 2008

request of District Attorney to place Vanessa Atkinson, Legal Asst II, on return from Paid/Unpaid FMLA/Disability Leave, effective September 15, 2008

request of Elections to lay off Peggy Avant, Temporary Voter Clerk, effective September 22, 2008

request of Elections to lay off William Avant, Temporary Voter Clerk, effective September 22, 2008

request of Elections to place Charles Boudreaux, Temporary Voter Clerk, on payroll, effective October 6, 2008

request of Elections to place Cynthia Boudreaux, Temporary Voter Clerk, on payroll, effective October 6, 2008

request of Elections to place Johnny Bridges, Temporary Voter Clerk, on payroll, effective September 22, 2008

request of Elections to place Merle Causey, Temporary Voter Clerk, on payroll, effective October 6, 2008

request of Elections to place James Doyle, Temporary Voter Clerk, on payroll, effective October 6, 2008

request of Elections to place Sybil Doyle, Temporary Voter Clerk, on payroll, effective October 6, 2008

request of Elections to place Cherry Fessenden, Temporary Voter Clerk, on payroll, effective October 6, 2008

request of Elections to place Debra Hix, Temporary Voter Clerk, on payroll, effective October 6, 2008
request of Elections to place Janet Holt, Temporary Voter Clerk, on payroll, effective October 6, 2008

request of Elections to place Robert Horn, Temporary Voter Clerk, on payroll, effective October 6, 2008

request of Elections to place Shirley Horn, Temporary Voter Clerk, on payroll, effective October 6, 2008

request of Elections to lay off Warren Johnson, Temporary Voter Clerk, effective September 22, 2008

request of Elections to place Janet Jones, Temporary Voter Clerk, on payroll, effective October 6, 2008

request of Elections to place Lian Sim Loo, Temporary Voter Clerk, on payroll, effective September 22, 2008

request of Elections to lay off John Mays, Temporary Voter Clerk, effective September 22, 2008

request of Elections to place Linda Merriman, Temporary Voter Clerk, on payroll, effective October 6, 2008

request of Elections to place Marcelle Rhodes, Temporary Voter Clerk, on payroll, effective October 6, 2008

request of Elections to lay off Elizabeth Robinson, Temporary Voter Clerk, effective September 22, 2008

request of Elections to place Evelyn Rodriguez, Temporary Voter Clerk, on payroll, effective October 6, 2008

request of Elections to place Deborah Scherwitz, Temporary Voter Clerk, on payroll, effective October 6, 2008

request of Elections to place Lupe Sharrah, Temporary Voter Clerk, on payroll, effective October 6, 2008

request of Elections to lay off Gwenda Stephan, Temporary Voter Clerk, effective September 22, 2008

request of Elections to place Katherine Thompson, Temporary Voter Clerk, on payroll, effective October 6, 2008

request of Elections to place Lydia White, Temporary Voter Clerk, on payroll, effective October 6, 2008

request of Elections to place Suzie Wilson, Temporary Voter Clerk, on payroll, effective October 6, 2008

request of Emergency Management to increase the salary of Ann A. Carr, Chief of Staff/Deputy Director of Emergency Management, additional duties compensation, effective October 1, 2008

request of Fire Marshal to change status of Brian Cross from part time to full time Fire Inspector, effective October 4, 2008
request of Fire Marshal to remove William Wilkinson, PT Arson Investigator, from payroll, (deceased), effective September 11, 2008

request of Juvenile to increase the salary of Ana Lilian Arias, Juvenile Probation Officer, 3% Merit/3% COLA approved; FY ’09 Budget; includes Spanish supplement, effective October 4, 2008

request of Juvenile to increase the salary of Susan Badger, Counselor, 3% Merit/3% COLA approved; FY ’09 Budget, effective October 4, 2008

request of Juvenile to increase the salary of Martiza Beltran, JPO Assistant, 3% Merit/3% COLA approved; FY ’09 Budget, includes Spanish supplement, effective October 4, 2008

request of Juvenile to increase the salary of Vicki Campbell, Juvenile Probation Officer, 3% Merit/3% COLA approved; FY ’09 Budget, effective October 4, 2008

request of Juvenile to increase the salary of Joanna Comer, Asst. Program Admin JJAEP, 3% Merit/3% COLA approved; FY ’09 Budget, effective October 4, 2008

request of Juvenile to increase the salary of Sandra L. Dunnuck, Clinical Supervisor, 3% Merit/3% COLA approved; FY ’09 Budget, effective October 4, 2008

request of Juvenile to increase the salary of Rebecca Louise Duran, Juvenile Probation Officer, COLA approved; FY ’09 Budget, effective October 4, 2008

request of Juvenile to increase the salary of Lisa Emshoff, Juvenile Probation Officer, 3% Merit/3% COLA approved; FY ’09 Budget, effective October 4, 2008

request of Juvenile to increase the salary of Amaechi Esekody, Juvenile Probation Officer, 3% Merit/3% COLA approved; FY ’09 Budget, effective October 4, 2008

request of Juvenile to increase the salary of Kara Lee Evans, Juvenile Probation Office Asst, 3% Merit/3% COLA approved; FY ’09 Budget, effective October 4, 2008

request of Juvenile to increase the salary of Lauren Fite, Juvenile Probation Officer, 3% Merit/3% COLA approved; FY ’09 Budget, includes Spanish supplement, effective October 4, 2008

request of Juvenile to increase the salary of Amanda Beth Foster, Counselor, 3% Merit/3% COLA approved; FY ’09 Budget, effective October 4, 2008

request of Juvenile to accept the resignation of Laurie Frankenfield, Juvenile Probation Officer, with 70.69 vacation hours due, and 2.65 holiday hours due, effective September 11, 2008

request of Juvenile to increase the salary of Mary Aubrey Gates, Accounting Asst, 3% Merit/3% COLA approved; FY ’09 Budget, effective October 4, 2008
request of Juvenile to increase the salary of Laura Juan, Juvenile Probation Officer, 3% Merit/3% COLA approved; FY ’09 Budget, includes Spanish supplement, effective October 4, 2008

request of Juvenile to increase the salary of Eugenia Rose Kana, Juvenile Probation Officer, COLA only, approved FY ’09 budget, effective October 4, 2008

request of Juvenile to increase the salary of Danielle Linders-Hollis, Officer, Advisor, COLA only, approved FY ’09 budget, effective October 4, 2008

request of Juvenile to increase the salary of Gilberto Martinez III, Supervisor-Student Advisor, 3% Merit/3% COLA approved; FY ’09 Budget, effective October 4, 2008

request of Juvenile to increase the salary of Amy Morley, Juvenile Probation Officer, 3% Merit/3% COLA approved; FY ’09 Budget, effective October 4, 2008

request of Juvenile to increase the salary of Kathy Musgrove, Juvenile Probation Officer, 3% Merit/3% COLA approved; FY ’09 Budget, effective October 4, 2008

request of Juvenile to increase the salary of Monty Eden Orozco, Juvenile Probation Officer, 3% Merit/3% COLA approved; FY ’09 Budget, effective October 4, 2008

request of Juvenile to increase the salary of Rex Owen, Juvenile Probation Officer, 3% Merit/3% COLA approved; FY ’09 Budget, effective October 4, 2008

request of Juvenile to increase the salary of Cecil Patterson, Supervisor - Probation, 3% Merit/3% COLA approved; FY ’09 Budget, effective October 4, 2008

request of Juvenile to increase the salary of Linda Simoneau, Officer - Advisor, 3% Merit/3% COLA approved; FY ’09 Budget, effective October 4, 2008

request of Juvenile to increase the salary of Joanna K. Smith, Juvenile Probation Officer, 3% Merit/3% COLA approved; FY ’09 Budget, effective October 4, 2008

request of Juvenile to increase the salary of Sandra Dee Surace, Counselor, 3% Merit/3% COLA approved; FY ’09 Budget, effective October 4, 2008

request of Juvenile to increase the salary of Heather Sutton, Shift Supervisor, 3% Merit/3% COLA approved; FY ’09 Budget, effective October 4, 2008

request of Juvenile to increase the salary of Eva Torres, Court Clerk II, 3% Merit/3% COLA approved; FY ’09 Budget, includes Spanish supplement, effective October 4, 2008

request of Library to place Amy Nichols, Reference Librarian, on payroll, (replacement for Robina Rader), effective September 23, 2008
request of Sheriff to transfer Kenneth Bishop, from Deputy - Woodlands Patrol to Deputy - Patrol District #5, (replacement for James Blackwell), effective August 23, 2008

request of Sheriff to accept the resignation of Joy Colson, Admin Assistant I, with 46.88 vacation hours due, and 0.01 comp hours due, effective October 3, 2008

request of Sheriff to place Brad Crandell, Deputy - Patrol District #4 on payroll, (replacement for Jared Urban), effective October 4, 2008

request of Sheriff to place Jonathan Dewey, Deputy - Woodlands Patrol, on payroll, (replacement for Kevin Williams), effective September 20, 2008

request of Sheriff to promote Daniel Garner, from Officer - Civilian Detention to Deputy - Patrol District #5, (replacement for Jimmy Holloway), effective October 18, 2008

request of Sheriff to demote and transfer Valerie Hinson, Clerk II, from Dispatcher to Clerk II, per employee’s request, (replacement for Peggy Loftin), effective August 23, 2008

request of Sheriff to place Jimmie Holloway, Jr., Deputy - Patrol District #5, on payroll, (replacement for John Enloe), effective September 20, 2008

request of Sheriff to transfer Jimmie Holloway, Jr., from Deputy - Patrol District #5 to Deputy - Woodlands Patrol, (replacement for Kenneth Bishop), effective October 18, 2008

request of Sheriff to accept the resignation of Michael J. Hooker, Officer - Civilian Detention, with 101.64 vacation hours due, 126.39 comp hours due, and 23.25 holiday hours due, effective September 17, 2008

request of Sheriff to promote Peggy Loftin, from Clerk II to Clerk IV, (replacement for Patricia Smith), effective August 23, 2008

request of Sheriff to place Shana Mendez, Officer - Civilian Detention, on payroll, (replacement for Connie Espinoza), effective September 27, 2008

request of Sheriff to place Charles Ormond, Deputy - Patrol District #4 on payroll, (replacement for Aaron Sumrall), effective October 4, 2008

request of Sheriff to place Erin Porreca, Dispatcher, on payroll, (replacement for Kelly Reome), effective October 4, 2008

request of Sheriff to transfer Patricia Smith, from Clerk IV - Rec Mgt to Clerk IV - Academy, (replacement for Andrea Herr), effective August 23, 2008

request of Sheriff to promote Aaron Sumrall, from Deputy - Patrol District #4 to Corporal - Patrol District #4, (replacement for Philip Smith), effective August 23, 2008

request of Sheriff to promote Jeffrey Thompson, from Officer - Civilian Detention to Maintenance Tech II, (replacement for Wade Veale), effective August 23, 2008
request of Sheriff to place Zachary Vercher, Officer - Civilian Detention, on payroll, (replacement for Larry Oxner), effective September 27, 2008

request of Sheriff to place Martha Ward, Officer - Civilian Detention, on payroll, (replacement for Rodney Baseke, Jr.), effective September 27, 2008

request of Tax Assessor/Collector to accept the resignation of Jennifer Lee Lassetter, Deputy Specialist I, effective September 4, 2008

request of Custodial to place Hector Moreno, Custodian (part-time), on payroll, effective October 6, 2008

request of Custodial to place Lilian Mueller, Custodian (part-time), on payroll, (replacement for Elvia Macedo), effective October 6, 2008

request of Custodial to place Maria Perez, Custodian (part-time), on payroll, effective October 6, 2008

request of Sheriff to place Jennifer VanderVelden, Custodian (part-time), on payroll, (replacement for Maria Montoya), effective October 6, 2008

request of Recycle Station - Pct 3 to discharge Billy D. Kindley, Recycle Tech - Pct 3, effective September 20, 2008

request of County Judge to place Keith Mills Stewart, Judge - County Court at Law 5, on payroll, effective October 1, 2008

request of Commissioner Pct 3 to place James Arthur Luna, Jr., Operator I, on payroll, (replacement for David Stalker, Jr.), effective September 27, 2008

as per Payroll Change Requests on file. Motion carried.

AGENDA ITEM 22 - MISCELLANEOUS

JERILYNN WILLIAMS, LIBRARY DIRECTOR, ADDRESSED THE COURT REGARDING DEBRIS REMOVAL EFFORTS IN CORINTHIAN POINT, FEMA AT THE CENTRAL LIBRARY, AND MOUNTING UTILITY BILLS AT THE LIBRARIES.

RODNEY GOODMAN, CROWN OAKS RESIDENT, ADDRESSED THE COURT ASKING FOR RECONSIDERATION REGARDING DEBRIS REMOVAL IN GATED COMMUNITIES. COMMISSIONER DOYAL STATED THAT DEBRIS WILL BE REMOVED IF IT CAN BE TAKEN TO A COUNTY ROAD RIGHT-OF-WAY.

ADDENDUM - COUNTY JUDGE - “HURRICANE IKE” NECESSARY ACTIONS - NICKY KELLY, DIRECTOR, EMERGENCY MANAGEMENT ADDRESSED THE COURT REGARDING THE SECOND ROUND OF DEBRIS REMOVAL DONE BY CROWDERGULF. STUMPS, HANGARS, AND LEANERS WILL BE REMOVED FROM ROAD RIGHT-OFWAYS. THE IMPORTANCE OF THE DOCUMENTATION PROCESS WAS STRESSED DUE TO ITS VITALITY TO REIMBURSEMENT FROM FEM.
20. COURT ADJOURNED

Motion by Commissioner Chance, seconded by Commissioner Meador, that this Session of Court be adjourned. 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: _______________________________  _______________________________
     COUNTY CLERK          COUNTY JUDGE