THE STATE OF TEXAS
COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 6th day of December, 2010, the Honorable Commissioners’ Court of Montgomery County, Texas, was duly convened in a Regular 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 - Absent
- Commissioner, Precinct #1 - Mike Meador
- Commissioner, Precinct #2 - Craig Doyal
- Commissioner, Precinct #3 - Ed Chance
- Commissioner, Precinct #4 - Ed Rinehart
- Also - Rebecca Biasotti, County Clerk’s Office

INVOCATION GIVEN BY COMMISSIONER CRAIG DOYAL

PLEDGE OF ALLEGIANCE RECITED BY EVERYONE PRESENT

PLEDGE OF ALLEGIANCE TO THE TEXAS STATE FLAG RECITED BY EVERYONE PRESENT

1. COMMISSIONERS’ COURT AGENDA APPROVED

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

MONTGOMERY COUNTY UNITED WAY – AGENDA ITEM 7A

A presentation was made by Commissioner Rinehart and Jim and Nelda Blair recognizing county employees and departments who donated to the United Way Program. Over $67,000.00 was contributed by County Employees. Names were drawn and monetary awards were given.

2. RESOLUTION IN SUPPORT OF MONTGOMERY COUNTY EMPLOYEE COMMITTEE APPROVED

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve resolution in support of Montgomery County Employee Committee’s activities. Motion carried.

EMPLOYEE OF THE MONTH – OCTOBER, 2010 – AGENDA ITEM 7C

Sandy Bernard, Purchasing, was presented with a plaque for Employee of the Month for the month of October, 2010.

EMPLOYEE OF THE MONTH – NOVEMBER, 2010 – AGENDA ITEM 7D

Joe Ashton, District Attorney’s Office, was presented with a plaque for Employee of the Month for the month of November, 2010.

EMPLOYEE OF THE MONTH – DECEMBER, 2010 – AGENDA ITEM 7E

George Korfeh, IT, was presented with a plaque for Employee of the Month for the month of December, 2010.
3. **PURCHASE APPROVED - SERVICE PINS – EMPLOYEE COMMITTEE**
   
   Motion by Commissioner Rinehart, seconded by Commissioner Meador to approve the purchase of service pins for the annual Service Awards Ceremony funded from contingency. (AGENDA ITEM 11A) Motion Carried

4. **REQUEST APPROVED - SPECTRUM CATERING – REFRESHMENTS AND CORSAGE - EMPLOYEE COMMITTEE**
   
   Motion by Commissioner Rinehart, seconded by Commissioner Meador to approve a “not to exceed” amount for refreshments and corsages for the Service Awards Ceremony that will be funded from contingency. (AGENDA ITEM 11B) Motion carried.

5. **MINUTES APPROVED – COMMISSIONERS’ COURT MINUTES – COUNTY CLERK**
   
   Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve the Commissioners’ Court Minutes for November 22, 2010. Motion Carried

6. **VARIANCE APPROVED – RIVERWALK SUBDIVISION – PCT #4**
   
   Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve a variance to change lot sizes required for central water with a drip system in the Riverwalk Subdivision, Porter, Texas. (Agenda Item 21B4) Motion Carried.

7. **CONSENT AGENDA APPROVED - AGENDA ITEMS 9A-9M**
   
   Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Consent Agenda, as follows:

   **COUNTY AUDITOR - AGENDA ITEMS 9A-9D**
   
   A. **ACCOUNTS** approved, as submitted by the County Auditor.

   B. **BUDGET AMENDMENTS** for fiscal year 2010 approved, as follows:

   1. Cap. Project-Revenue Tax Bonds 09: To adjust line items.
   3. CDBG: To allocate funds for CDBG Disaster Recovery Entitlement Grant (m5/10.25.10).
   4. CDBG Year 12: To adjust line items.
   5. Commissioner PCT 1: To recognize and allocate FY08 Title III National Forest Funds.
   6. Commissioner PCT 1: To recognize and allocate FY09 Title III National Forest Funds.
   7. Constable PCT 5: To recognize and allocate reimbursements.
   8. District Attorney: To adjust line items.
   9. Environmental Health: To transfer funds for release 398961.
   10. Forfeiture Fund: To recognize and allocate forfeitures.

12. Sheriff: To fund Spring Creek Greenway Patrol for PR 08/27/10.

13. Sheriff: To fund Spring Creek Greenway Patrol for PR 10/08/10.

C. BUDGET AMENDMENTS for fiscal year 2011 approved, as follows:

1. CDBG Home Year 8: To adjust line items.

2. CDBG Home Year 8: To adjust line items.

3. Commissioner PCT 1: To adjust line items.

4. Commissioner PCT 4: To adjust line items.

5. Commissioner PCT 4: To adjust line items.

6. Constable PCT 1-SJRA: Record budget in department recognizing revenue.

7. Constable PCT 3: Budget revenue in same department as expense.

8. Constable PCT 3: To recognize and allocate surplus revenue.

9. Constable PCT 5: Budget revenue in same department as expense.

10. Constable PCT 5: To recognize and allocate reimbursements.

11. District Attorney: To adjust line items.

12. District Attorney: To set up additional funds for salary for DA Sexual Assault Investigator Grant (M14/10.11.10).

13. District Attorney: To allocate funds for Fringe Benefits for the Search Warrants Stop Drunk Drivers Grant.

14. Energy Efficiency Grant – 10: To adjust line items.

15. Homeland Security Grant PRG08-UASI: To adjust line items.

16. Homeland Security Grant PRG09-LEAP: To adjust line items.

17. Homeland Security Grant PRG08-UASI: To adjust line items.

18. Homeland Security Grant PRG08-LEAP: To adjust line items.

19. Homeland Security Grant PRG08-UASI: To adjust line items.

20. Justice of Peace PCT 4: To allocate matching funds for the Community Development Funding Grant from EMCID (M8/10.25.10).

21. Risk Management: To recognize and allocate insurance proceeds.

22. Sheriff: To adjust line items.

23. Tax A/C – VTR Division: To adjust line items.
D. ARBITRAGE REBATE ANALYSIS approved.

TREASURER - AGENDA ITEMS 9B1

A. TICKET LOG NOVEMBER, 2010 approved

PURCHASING DEPARTMENT - AGENDA ITEMS 9C1-9C6

A. ADVERTISING – approved as follows:
   1. Montgomery County Courthouse Repairs - Infrastructure
   2. Window Replacement for the Montgomery County Courthouse – Infrastructure.

B. CONTRACT RENEWALS approved as follows:
   1. Trastar, Inc., LED Signal Modules – Various Departments
   2. Waste Management of Texas for collection and disposal of recyclable materials and products, PCT #4.

C. CHANGE ORDERS approved as follows:
   1. Change Order #4, P.O. #2009492 to Lynn Peavey Company for Crime Lab Supplies – Various Departments.
   2. Change Order #10, P.O. #2009386 to Diamondback Service Management for Pest Control Services – Various Departments.
   3. Change Order #4, P.O. #2008317 to AT&T, Inc. to cancel month-to-month long distance telephone service effective December 30, 2010 – Various Departments.
   4. Change Order #1, P.O. #2010679 to Smith and Company for Construction of Base Repair, Overlay and Markings on Ford Road – PCT #4/Engineering.
   5. Accepted check in the amount of $56,261.17 from Rene Bates Auctioneers, Inc. and list of items sold through the Montgomery County On-Line Auction – Various Departments (check forwarded to County Treasurer)
   6. Vendor show sponsored by Stephens Office Supply, Inc. to be held April 13, 2011 - Purchasing
   7. Interlocal Agreement renewal between Montgomery County and Harris County Department of Education – Various Departments.

RISK MANAGEMENT - AGENDA ITEM 9D1

A. AUTHORIZATION TO TERMINATE MEDICAL, DENTAL, AND VISION COVERAGE TO INELIGIBLE DEPENDANTS approved.

COMMISSIONERS – AGENDA ITEMS 9E1-9E6
A.  PRECINCT #1

1.  REAPPOINTMENTS TO ESD #1 COMMISSIONERS BOARD approved as follows:
   a.  Hugh Rozier, Jr.
   b.  Larry Rutledge
   c.  Steve Weisinger

2.  REAPPOINTMENTS TO ESD #2 COMMISSIONERS BOARD approved as follows:
   a.  Henry Burton
   b.  Ted Grandhold
   c.  David Francis, Jr.

B.  PRECINCT #2

1.  REAPPOINTMENTS TO ESD#10 COMMISSIONERS BOARD approved as follows:
   a.  Andrew Brown
   b.  Dwight Arnold

2.  APPOINTMENT APPROVED
   Johnny Bryant appointed to ESD #10 Commissioners Board with a two year term of office ending December 31, 2012.

3.  CHECK ACCEPTED
   Check in the amount of $278.95 accepted from the Friendship Center for reimbursement of fuel usage for October 2010. (check forwarded to County Treasurer)

C.  PRECINCT #3

1.  REAPPOINTMENTS TO ESD #8 COMMISSIONERS BOARD APPROVED as follows:
   a.  John Rodriguez
   b.  George Biernesser

2.  REAPPOINTMENTS TO ESD#14 COMMISSIONERS BOARD APPROVED as follows:
   a.  Gladys Martin
   b.  James Waters

3.  SANITARY SEWER EASEMENT GRANTED
   Sanitary Sewer Easement granted to the City of Conroe for development of Mental Health Treatment Facility Project.

D.  PRECINCT #4

1.  REAPPOINTMENTS TO ESD#6 COMMISSIONERS BOARD approved as follows:
2. REAPPOINTMENTS TO ESD#7 COMMISSIONERS BOARD approved as follows:
   a. Guy Hancock
   b. David Sheffield
   c. Jerry Castleberry

3. REAPPOINTMENT TO ESD#9 COMMISSIONERS BOARD approved as follows:
   a. Michael Zepeda

4. APPOINTMENT TO EDS#9 APPROVED
   Scott Guillote appointed to ESD#9 Commissioners Board with a two year term of office ending December 31, 2012.

5. APPOINTMENT TO ESD#11 APPROVED
   Adam Dietrich appointed to ESD#11 Commissioners Board with a two year term of office ending December 31, 2012.

6. REAPPOINTMENT TO ESD#11 APPROVED as follows:
   a. Brenda Duke

7. REAPPOINTMENTS TO ESD#12 COMMISSIONERS BOARD APPROVED as follows:
   a. Marvin Musgrove
   b. Michael Berry

8. CHECKS ACCEPTED as follows:
   a. Check in the amount of $2053.05 accepted from the City of Roman Forest for the purchase of fuel for the month of August, 2010.
   b. Check in the amount of $1777.04 accepted from The City of Roman Forest for the purchase of fuel for the month of September, 2010.
   c. Check in the amount of $1654.18 accepted from Montgomery County ESD #7 for the purchase of fuel for the month of October, 2010.

   (Checks forwarded to County Treasurer)

E. PRECINCT 1 AND 2

1. REAPPOINTMENTS TO ESD#3 COMMISSIONERS BOARD APPROVED as follows:
   a. Ken Conatser
   b. Buddy Holcombe
F. PRECINCT 2 AND 4

1. REAPPOINTMENTS TO ESD#4 COMMISSIONERS BOARD APPROVED as follows:
   a. Roxanne McDaniel
   b. Raymond Veit

COMMISSIONERS – COUNTY ATTORNEY – ROAD AND BRIDGES – AGENDA ITEMS 9F1 – 9F4

A. PRECINCT #1

1. ORDER APPROVED - RECEIPT OF REPLACEMENT LETTER OF CREDIT FOR OAK SPRINGS

B. PRECINCT #2

1. ORDER APPROVED, accepting warranty deed for Parcel 21 of the Woodlands Parkway Extension Project and authorizing County Judge to sign for the acceptance of the warranty deed.

2. ORDER APPROVED, accepting warranty deed for Parcel 27 of the Woodlands Parkway Extension Project and authorizing County Judge to sign for the acceptance of the warranty deed.

3. PURCHASE APPROVED, authorizing purchase of right of way known as Parcel 3 for the Woodlands Parkway Extension Project. Payment amount $61,561.00 for the benefit of Patrick Broadcasting, LP.

4. ORDER APPROVED, authorizing payment of relocation expenses in association with the purchase of right of way known as Parcel 64 for the Woodlands Parkway Extension Project.

5. ORDER APPROVED, acknowledging receipt of check #1776 in the amount of $1.00 from Tommy Hoffart for lease of real property described as lots 4, 13, 14 and 15, block 12, and lots 9 and 10, block 15, Spring Creek Forest Section Four. (check forwarded to County Treasurer)

C. PRECINCT #3

1. ORDER APPROVED, acknowledging receipt of check in the amount of $12.00 from Kathryn Beck for lease of real property described as lot 222, Spring Hills Section Two. (check forwarded to County Treasurer)

D. PRECINCT #4

1. PUBLIC HEARING SET, on January 10, 2011, to consider the partial replat of Texaba to be known as Texaba Partial Replat #2.

2. ORDER APPROVED, authorizing County Judge to sign draw on maintenance bond and letter of credit for Deer Trail Section One.
3. ORDER APPROVED, authorizing County Judge to sign draw on maintenance bond and letter of credit for Deer Trail Section Two.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9G1-9G3

A. PRECINCT #3
1. FINAL PLAT APPROVED, for The Woodlands, Village of Grogan’s Mill, Lake Woodlands East Shore, Section 9, Amending Plat #1, Partial Replat #1.
2. REQUEST APPROVED, from San Jacinto River Authority to place a 16 inch water line within the right of way of Grogan’s Mill Road and Woodlands Parkway.
3. FINAL PLAT APPROVED, of the Woodlands Maintenance Facilities.

B. PRECINCT #4
1. FINAL PLAT APPROVED, of Auburn Trails at Oakhurst, Section #2.
2. FINAL PLAT APPROVED, of Auburn Trails at Oakhurst, Section #3.
3. REQUEST APPROVED, to accept roads in Ridge at Oakhurst, Section 2 into the County Road System, and releasing the bond.

C. ALL PRECINCTS
1. REQUEST APPROVED, from Park Construction Associates, LLC to move heavy construction equipment across various county roads. Permits to expire 03.21.2011. (bond on file)

FIRE MARSHALL – AGENDA ITEM 9H
A. REPORT APPROVED – CHAPTER 59 ASSET FORFEITURE REPORT 2010

CONSTABLES – AGENDA ITEMS 9I1-9I4

A. PRECINCT #1
1. REPORT APPROVED – Chapter 59 Asset Forfeiture Report 2010.

B. PRECINCT #2
1. REPORT APPROVED – Chapter 59 Asset Forfeiture Report 2010.

C. PRECINCT #3
1. REPORT APPROVED – Chapter 59 Asset Forfeiture Report 2010.

D. PRECINCT #5
1. REPORT APPROVED – Chapter 59 Asset Forfeiture Report 2010.

SHERIFF – AGENDA ITEMS 9J1-2

A. CHECK ACCEPTED, in the amount of $375.00 from the South Montgomery
County YMCA for Patrol Vehicle Participation in the Run Thru Woods.

B. CHECK ACCEPTED, in the amount of $100.00 from University of Oklahoma for Patrol Vehicle Participation.

(Checks forwarded to County Treasurer)

COUNTY ATTORNEY – AGENDA ITEM 9K1

A. REQUEST APPROVED, for the assignment of 1,647 square feet of land leased at the Lone Star Executive Airport, from CPR Aviation, LP, to Everett Aviation, LP, subject to the same terms and conditions as existing lease.

INFRASTRUCTURE – AGENDA ITEM 9L1

A. RESOLUTION APPROVED, for claims from Fairweather Group, LLC. for the Spring Creek Community/ Nature Center.

PARKS DEPARTMENT – AGENDA ITEM 9M1

A. USE AGREEMENTS APPROVED as follows:

1. PRECINCT #1
   b. Texans for Equal Justice, Courthouse Foyer.

Motion carried.

END OF CONSENT AGENDA

8. REQUEST APPROVED – TPC COUNCIL MEMBERS – COUNTY JUDGE

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the reappointment of Commissioner Craig Doyal as TPC (Transportation Policy Council) Member and County Engineer Mark J. Mooney, P.E., as alternate member for 2011. Motion Carried.

9. REQUEST APPROVED – TAC COUNCIL MEMBERS – COUNTY JUDGE

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve the reappointment of Jeff Johnson, P.E., Transportation Manager as TAC (Technical Advisory Committee) Member and Ross McCall, P.E., Engineer III, as alternate member for 2011. Motion Carried.

AGENDA ITEMS 11A AND 11B – SEE MOTIONS #3 AND #4

10a. MOTION FAILED DUE TO LACK OF SECOND – WAIVER OF HOLIDAY PAY POLICY – COUNTY COURT AT LAW #3
Motion by Commissioner Meador to one time waive the county holiday pay policy for Paul Damico, Magistrate/Staff Attorney, failed due to lack of motion being seconded.

AGENDA ITEM 13 – REPORT ON ANNUAL INTERPRETATION REPORT – EXTENSION OFFICE

County Extension Agent, Tom LeRoy, addressed the court about the activities of the County Extension Office.

10b. DEVELOPMENT PLAN APPROVED – AIRPORT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve development plan by Aviation Assets, LLC for the development of a large aircraft hangar and ramp connection. Motion Carried.

11. POSITION CHANGES APPROVED – BUILDING MAINTENANCE

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve changes in positions involved in promotion. Also to approve the transfer of funds to allow funding involved in promotion. Motion Carried.

12. REQUEST APPROVED – PAY EMPLOYEES FOR ACCRUED HOURS – BUILDING CUSTODIAL SERVICES

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve paying of employees for accrued vacation hours from available funds in the budget. Motion Carried.

13. AGENDA ITEMS 17 – PURCHASING DEPARTMENT

Motion by Commissioner Chance, seconded by Commissioner Meador to defer and rescind recommendations and contracts as follows:


2. BID/PROPOSAL APPROVED, AGENDA ITEM 17A4

Bids and/or proposal for tires and tubes for medium trucks and off-road equipment - Various Departments – Project #2011-0012 (11.04.10)

Motion carried.

14. CHANGE ORDER APPROVED – DIAMOND COMMERCIAL CONSTRUCTION – INFRASTRUCTURE

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve change order #4, P.o.#2010262 to Diamond Commercial Construction, Inc. for the Montgomery County PCT. #1 Community Center. Motion Carried

15. REQUEST APPROVED – PROFESSIONAL DEVELOPMENT TRAINING – EMERGENCY MANAGEMENT

Motion by Commissioner Rinehart, seconded by Commissioner Doyal, to approve a Structural Collapse Technician 2 Professional Development Training from TEEX. Funded from the 2009 UASI Grant. Motion Carried

16. REQUEST APPROVED – UTILITY RELOCATION ON FM 1488 – ENGINEERING PCT. 2
Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve utility relocation on FM 1488 1B from AT&T as a discretionary exemption. Motion carried.

AGENDA ITEM 18A – REQUEST TO APPROVE LAND LEASE AGREEMENT – COUNTY ATTORNEY – DEFERRED

17. REQUEST APPROVED – LANDLORD ESTOPPEL CERTIFICATE – COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve and execute Landlord Estoppel Certificate regarding the tenancy of Ratcliff Development Group, LLC, at the Lone Star Executive Airport. Motion Carried.

18. REQUEST APPROVED – TAX ABATEMENT AGREEMENT – COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve tax abatement agreement with Ken Wenzel Oilfield Consulting Limited and Turbo Drill Industries, Inc., and Scout Downhole, Inc. Motion Carried.

19. RESOLUTION AND ORDER APPROVED – AMEND REGULATIONS FOR NON-CONSENT TOWING – COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve resolution and order to adopt amendments to the Montgomery County Rules and Regulations for non-consent towing and storage. Motion Carried.

20. RESOLUTION APPROVED – HANDLING RETAINAGE ON FORENSIC CENTER BUILD-OUT – COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve resolution for handling retainage on Forensic Center build-out. Motion Carried.

AGENDA ITEM 19A – AGREEMENT BETWEEN MONTGOMERY COUNTY AND THE SALVATION ARMY GRANTING 2010 EMERGENCY SHELTER GRANT PROGRAM FUNDS – COUNTY ATTORNEY – DEFERRED

AGENDA ITEM 19B – LOAN AGREEMENT BETWEEN MONTGOMERY COUNTY AS GRANTEE UNDER THE CDBG PROGRAM AND MAGNOLIA TRAILS, L.P., LOANING GRANT FUNDS TO BE USED FOR THE PURCHASE OF LAND IN CONNECTION WITH THE DEVELOPMENT OF LOW-INCOME HOUSING IN MONTGOMERY COUNTY – COUNTY ATTORNEY – DEFERRED

21. REQUEST APPROVED – OCCUPANCY AGREEMENT – COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve occupancy agreement between Montgomery County, Texas and Experience Works for lease of space in the North Montgomery County Community Development Center. Motion Carried.

22. REQUEST APPROVED – AMENDMENTS TO OCCUPANCY AGREEMENTS – COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve amendment to occupancy agreements between Montgomery County, Texas and the following tenants of the North Montgomery County Community Development
Center to extend the term of occupancy under the existing terms and conditions of original agreements for one year.

1. The Women’s Center  
2. Connecting Families  
3. The Friendship Center  

Motion carried.

23. PARTIAL REPLAT APPROVED – WOOD LAKE VILLAGE – PRECINCT 4

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve the partial replat of Wood Lake Village, Section One, to be known as Harper’s Preserve, Section One. Motion Carried.

24. RENEWAL AGREEMENT APPROVED – LINDA BREAZEALE/ MANAGEMENT ADVISORY SERVICES – COMMISSIONER PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve renewal of agreement between Montgomery County and Linda R. Breazeale for management/advisory services for an additional year to commence 01.01.2011.

Also for authorization for the County Auditor to fund payments for the agreement from the 2011 budget; and

Approval of a discretionary exemption for this agreement as provided by Local Government Code, Chapter 262.024(4) – for personal services.

Motion Carried.

25. APPLICATION APPROVED – LICENSE TO OPERATE MENTAL HEALTH TREATMENT FACILITY – PRECINCT 3

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve application to Texas Department of State Health Services for a license to operate the Montgomery County Mental Health Services for a license to operate the Montgomery County Mental Health Treatment Facility, and authorize Commissioner PCT 3 to sign document. Motion Carried.

26. REQUEST APPROVED –FUNDING FROM CONTINGENCY- PRECINCT 3

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve funding from contingency in order to make payment to the Texas Department of State Health Services – Regulatory Licensing Unit in the amount of $20,000. Motion carried. (Only cover letter, no paperwork on file)

27. APPOINTMENTS APPROVED – MONTGOMERY COUNTY MENTAL HEALTH TREATMENT FACILITY ADVISORY BOARD – PRECINCT 3

Motion by Commissioner Chance, seconded by Commissioner Meador, to appoint members to the Montgomery County Mental Health Treatment Facility Advisory Board as follows:

1. Mike Meador, Commissioner Pct. 1  
2. Ed Chance, Commissioner Pct. 2  
3. Eileen Fauver, Assistant Director – Risk Management  
4. Cindy Sill, Executive Director – Tri-County Services
5. Matt Feehery, CEO – Prevention & Recovery Center; Behavioral Health Services – Memorial Hermann  
6. Mel Brown, PhD, CEO and President – Mel Brown & Assoc.  
7. Dale W. Frick, Vice President, Residential Treatment Services – GEO Care, Inc.

Motion carried.


Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the appointment of Chairperson and Secretary of the Montgomery County Mental Health Treatment Facility Advisory Board as follows:

1. Chairperson: Ed Chance
2. Secretary: Eileen Fauver

Motion carried.

AGENDA ITEM 21C – SEE MOTION #6

EXECUTIVE SESSION

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;

a. Consider, discuss, and, if appropriate, authorize filing litigation against the Estate of Debra Summers and any other necessary party.

b. Consider, discuss, and, if appropriate, authorize filing litigation against Stone Ranch Development II, L.P., Developers Surety and Indemnity Company, and any other necessary party.

c. Discuss State Office of Administrative Hearing contested case docket nos. 582-07-2673 and 582-07-2674.

d. Consider and discuss the claim of George Nasser against Montgomery County, Texas: Claim No. C-11-0010.

COURT RECONVENED WITH ALL MEMBERS PRESENT WITH THE EXCEPTION OF JUDGE SADLER.

29. LITIGATION AUTHORIZED – ESTATE OF DEBRA SUMMERS – EXECUTIVE SESSION

Motion by Commissioner Meador, seconded by Commissioner Chance, to authorize litigation against the Estate of Debra Summers and any other necessary party. Motion carried.

30. LITIGATION AUTHORIZED – STONE RANCH DEVELOPMENT II, DEVELOPERS SURETY AND INDEMNITY COMPANY – EXECUTIVE SESSION

Motion by Commissioner Doyal, seconded by Commissioner Meador, to authorize litigation against Stone Ranch Development II, Developers Surety and Indemnity Company, and any other necessary party. Motion carried.
CITIZENS – AGENDA ITEM 24


MR. RICHARD CANLAS WAS PRESENT TO ADDRESS ITEM 17A3, BUT CHOSE NOT TO ADDRESS THE COURT.

31. REQUEST APPROVED – PAYROLL CHANGES – HUMAN RESOURCES.

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the payroll change requests as follows:

Request of Animal Shelter to transfer Aretta Lawson, Clerk III, as replacement for Cynthia Choate, effective 12.18.10.

Request of Animal Shelter to place Anna Myers, Kennel Help, on payroll as replacement for Eleanor Holman, effective 11.13.10.

Request of Custodial Services to place Porfirio Hinojosa, Custodian, on payroll as replacement for Christopher Garcia, effective 11.29.10.

Request of Building Maintenance to promote Lloyd Barth, Jr., Maintenance Tech III, effective 12.06.10.

Request of County Court at Law 2 to retire Jerry Winfree, Presiding Judge, effective 12.31.10.

Request of Commissioner PCT 4 to increase the salary of Deryl Merdian, Operator III, due to additional responsibilities, effective 11.27.10.

Request of Commissioner PCT 4 to increase the salary of Stafford Simon, Jr., Operator III, due to additional responsibilities effective 11.27.10.

Request of County Attorney to place Corey Ferguson, Assistant County Attorney, on payroll as replacement for Sara Forlano, effective 12.06.10.

Request of County Clerk to accept the resignation of Jeanette Rice, Part Time Clerk II, effective 11.22.10 (no benefits due).

Request of County Clerk to accept the resignation of Karen J. Strong, Part Time Temporary Clerk II, effective 11.27.10 (no benefits due).

Request of County Clerk to change the leave anniversary date of Deborah Walker, Bookkeeper, to 09.06.99, effective 11.16.10.

Request of District Attorney to increase the salary of Mary Louise Butler, Court Clerk IV, due to position change as replacement for Jennifer Ellisor, effective 11.27.10.

Request of District Attorney to increase the salary of Jennifer D. Ellisor, Court Clerk IV, due to position change as replacement for Patsy McQuitty, effective 11.27.10.

Request of District Attorney to accept the resignation of Veronica S. Sjolander, Investigator II, effective 12.31.10. (77.21 hours or balance of vacation. 16.62 or balance of compensatory time).
Request of District Attorney to retire Michael R. Tiffin, Chief Prosecutor, effective 12.31.10. 358.68 hours or balance of vacation.

Request of District Attorney to increase the salary of Terri Lynn Wooldridge, Court Clerk IV, due to position change as replacement for Mary Butler, effective 11.27.10.

Request of District Attorney to accept the resignation of Michael Corey Young, Attorney II, effective 12.17.10. 69.44 hours or balance of vacation.

Request of District Clerk to discharge Paige Jackson, Part Time Clerk, effective 11.18.10 (no benefits due).

Request of Extension Office to place Cody Ferguson, Coordinator – Volunteers, on payroll due to return from FMLA/Disability leave, effective 11.22.10.

Request of Emergency Management to place Jessica Jackson, Homeland Security Planner, on payroll due to return from FMLA/Disability leave, effective 11.29.10.

Request of Office of Indigent Defense to accept the resignation of Genoveva V. Perez, Director of Indigent Defense, effective 12.03.10. (47.70 hours or balance of vacation).

Request of Library to place Melinda Bacon, Shelving Clerk I, on payroll as replacement for Rowena Charland, effective 11.29.10.

Request of Library to place Martha Byrd, Shelving Clerk I, on payroll as replacement for Amber Mack, effective 11.29.10.

Request of Library to accept the resignation of Patrick Lasco, Shelving Clerk I, effective 12.17.10 (no benefits due).

Request of Library to change the status of Lisa Stallings, Shelving Clerk, as replacement for Lisa Willard, effective 11.27.10.

Request of Purchasing to place Kelly Vidal, Senior Buyer, on unpaid FMLA/Disability leave, effective 11.29.10.

Request of Purchasing to place Kelly Vidal, Senior Buyer, on payroll due to return from FMLA/Disability leave effective 11.30.10.

Request of Sheriff to accept the resignation of Forrest Bauer, Deputy – Patrol District #3, effective 11.25.10. (175.60 hours or balance of vacation. 368.38 hours or balance of compensatory time. 32.75 or balance of holiday time).

Request of Sheriff to increase the salary of Dewey Bonner, Corporal – Patrol District #1, due to step increase, effective 12.11.10.

Request of Sheriff to increase the salary of Terance Greenwood, Detective, due to step increase, effective 12.25.10.

Request of Sheriff to place Charity Holley-Snell, Dispatcher, on payroll as replacement for Amy Thompson, effective 12.04.10.

Request of Sheriff to increase the salary of Jeromy Howze, Deputy – Patrol District #5, due to step increase, effective 12.11.10.

Request of Sheriff to increase the salary of Billy Jordan, Deputy – Detention, due to step increase, effective 12.11.10.

Request of Sheriff to place Erika Lansford, Medic, on payroll as replacement for Tracy Tidwell, effective 12.04.10.
Request of Sheriff to increase the salary of Clifford Martin, Corporal – Detention, due to step increase, effective 01.08.11.

Request of Sheriff to retire Charles Morton, Jr., Detective, effective 12.31.10. (244.68 hours or balance of vacation. 5.00 hours or balance of compensatory time).

Request of Sheriff to make a correction in the PCR approved in CC 11.22.10, to accept the retirement instead of resignation of Lloyd Ranelis, Jr., Deputy – Bailiff, effective 12.31.10. (346.18 hours or balance of vacation. 280.90 hours or balance of compensatory time).

Request of Sheriff to retire Barbara Ray, HR Specialist I, effective 12.31.10. (232.42 hours or balance of vacation. 80.00 hours or balance of sick leave. 238.50 hours or balance of compensatory time).

Request of Sheriff to accept the resignation of Meegan Ray, Dispatcher, effective 11.25.10 (no benefits due).

Request of Sheriff to retire Lucia M. Saunders, Clerk IV, effective 12.31.10. (71.47 hours or balance of vacation. 43.89 hours or balance of compensatory time. 0.50 hours or balance of holiday time).

Request of Sheriff to increase the salary of Philip Schumpe, Deputy – SWAT, due to step increase, effective 12.11.10.

Request of Sheriff to place Tammy Towery, Deputy – Bailiff, on unpaid FMLA/Disability, effective 12.02.10.

Request of Sheriff to accept the resignation of Bert Ward, III, Corporal – Training, effective 12.10.10. (29.04 hours or balance of vacation. 191.38 hours or balance of compensatory time. 7.00 hours or balance of holiday time).

Motion carried.

32. COURT ADJOURNED

Motion by Commissioner Meador, seconded by Commissioner Rinehart, 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: ___________________________  ___________________________
    COUNTY CLERK                    COUNTY JUDGE