COMMISSIONERS’ COURT DOCKET DECEMBER 19, 2011
SPECIAL SESSION

THE STATE OF TEXAS
COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 19th day of December, 2011 the Honorable Commissioners’ Court of Montgomery County, Texas, was duly convened in a Special Session in the Commissioners’ Courtroom of the Alan B. Sadler Commissioners’ Court Building, 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 - Rebecca Biasotti, County Clerk’s Office

INVOCATION GIVEN BY Ann Carr

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA RECITED BY EVERYONE PRESENT

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

1. COMMISSIONERS’ COURT AGENDA APPROVED

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

2. MINUTES APPROVED - COMMISSIONERS’ COURT - COUNTY CLERK

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve Commissioners’ Court Minutes for December 5, 2011, and December 12, 2011, as presented by the County Clerk. Motion carried.

PROCLAMATION PRESENTED – 4-H ADOPT-A-SPOT TEAM APPRECIATION DAY

Sylvia Reyna-Wiggins presented a proclamation naming December 19, 2011 as 4-H Adopt-A-Spot Team Appreciation Day in Montgomery County, Texas.

PRESENTATION – UNITED WAY CAMPAIGN RESULTS AND AWARDS

Awards and certificates were presented, and names were drawn for prizes. Contributions by county employees increased by 15% from 2010.

3. CONSENT AGENDA APPROVED - AGENDA ITEMS 9A-M

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

COUNTY AUDITOR - AGENDA ITEMS 9A

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

B. BUDGET AMENDMENTS for FY2011 approved, as follows:

1. CDBG-HPRP: To adjust line items.
2. COMMISSIONER PCT. 1: To adjust line items.

3. ELECTIONS ADMINISTRATOR: To recognize and allocate reimbursement for salary and benefits for payroll 01.28.11-06.03.11.

4. ELECTIONS ADMINISTRATOR: To recognize and allocate reimbursement for Jason Lay overtime February 2011-September 2011.

5. ELECTIONS ADMINISTRATOR: To recognize and allocate reimbursement for FY11 expenditures.


7. ELECTIONS ADMINISTRATOR: To recognize and allocate reimbursement for FY11 expenditures.

8. JUVENILE PROBATION/FOSTER CARE TITLE IV-E/11: To recognize and allocate reimbursement for Jason Lay overtime, October 2011.

9. ELECTIONS ADMINISTRATOR: To transfer funds for VPN token.

10. MENTAL HEALTH FACILITY: To transfer funds to appropriate department for claim 1202084.

11. SHERIFF: To adjust line items.

12. SHERIFF: To recognize and allocate reimbursement for December 2011 lease payment.

13. SHERIFF: To adjust line items.

14. SHERIFF: To adjust line items.

15. TAX ASSESSOR/COLLECTOR: To transfer funds back to the Tax Office for a table top for conference table. Charged to the Tax Office on release 419938.

16. VARIOUS: To carry over funds for FY11 encumbrances.
D. OFFICIALS’ FEE REPORT accepted, as audited for, September 2011.

E. INTERIM ARBITRAGE REBATE ANALYSIS – UNLIMITED TAX ADJUSTABLE RATE ROAD BONDS SERIES 2008B, accepted.

F. PUBLISHED BUDGET FOR FY ENDED SEPTEMBER 30, 2012 accepted.

TREASURER - AGENDA ITEM 9B

G. MONTHLY REPORT OF PLEDGED SECURITIES approved for month ending November, 2011.

H. MONTHLY INVESTMENT REPORT approved for month ending November, 2011.

I. PLEDGES AND/OR RELEASES OF COLLATERAL approved for the week of December 12-16, 2011.

J. CERTIFICATE approved for Martha Gustavsen's attendance at the 2011 Texas Public Funds Investment Conference.

TAX ASSESSOR/COLLECTOR – AGENDA ITEM 9C

K. MONTHLY TAX COLLECTION REPORT approved for month ending November 30, 2011.

PURCHASING DEPARTMENT - AGENDA ITEM 9D

L. ADVERTISING APPROVED for the following bids/proposals:
   1. Mowing rights-of-way - Precinct 1.
   2. Copying reproducibles - Various Departments.
   3. RFP/Q Financing for various items - Various Departments.

M. RENEWALS APPROVED for the following contracts:
   1. Allied Imaging LLC dba The Windward Group LLC (PO #2009265) for electronic imaging of Tax Office accounting records, expires 03.08.12 - Tax Office.
   2. Wilkins Linen & Dust Control Services (PO #2009147) for dust mop, floor mat, textile, bath towel, and fender cover services, expires 03.13.12 - Various Departments.
   3. Soules Insurance Agency (PO #2010367) for individual faithful performance bonds, expires 03.21.12 - Risk Management.
   4. Lone Star Products & Equipment LLC (PO #2011266) for emergency equipment, expires 03.27.12 - Various Departments.
   5. Gall's Inc. (PO #2011267) for emergency equipment, expires 03.27.12 - Various Departments.
   6. GT Distributors, Inc. (PO #2011268) for emergency equipment, expires 03.27.12 - Various Departments.
   7. All America Sales Corporation (PO #2011269) for emergency equipment, expires 03.27.12 - Various Departments.
N. CHANGE ORDERS APPROVED for the following:

1. Change Order #4, PO #2006548 to CLR, Inc. for engineering services for expansion of FM 2978 from Bogs Road to FM 1488 for changes per document on file in the amount of $12,984.19 - Precincts 2 & 3.

2. Change Order #3, PO #2010198 to Jacobs Engineering Group, Inc. for on-call engineering and professional services on an as needed basis with the following changes: did read “Precincts 1,2 and 4”, should read “Various Departments” - Various Departments.

3. Change Order #1, PO #2011251 to G.T.T., Inc. for RFP/Q Energy Efficiency and Conservation Block Grant Program - Phase VII - Energy Savings Window Replacement for Montgomery County Administration Building, with a price decrease in the amount of $21,451.00 per document on file - Infrastructure.

4. Change Order #4, PO #2010348 to Carroll & Blackman, Inc. for implementation of a storm water management program and assistance with compliance of permit terms with a price increase effective 01.01.12 - Environmental Health.

5. Change Order #5, PO #2011298 to Dustless Air Filter Company for commercial A/C filters with changes per document on file - Various Departments.

AGENDA ITEM - 9D4a - DEFERRED - DONATION OF SEARCH AND RESCUE BOAT AND ASSOCIATED EQUIPMENT - PRECINCT 2

O. REQUEST APPROVED to declare two non-working monitors as salvage - Precinct 3

P. RENAMING PERMISSION TO ADVERTISE APPROVED from RFP/Q Autopsy Transport Services, Storage Services and Disposition of Deceased Paupers to RFP/Q Autopsy Transport Services, Storage Services and the Disposition of Bodies of Deceased Paupers - Various Departments.

Q. LEASE PURCHASE AGREEMENT APPROVED with JP Morgan Chase Bank, N.A. for 74 MDT computers at a cost of $406,222.26 to be financed over 5 years with annual payments of $84,262.60 for a total of $421,313.00 with an interest rate of 1.82% with a pre-payment – Sheriff’s Office.

R. VEHICLE PURCHASE APPROVED for a used 2006 Ford Water Truck from RSC Equipment Rental. Model: F750REGXLD2WD, Serial #3FRXF75E36V384370, in the amount of $29,800.00 – Precinct 3.

RISK MANAGEMENT - AGENDA ITEM 9E

S. RECOMMENDATIONS AND RENEWALS APPROVED of the service and reinsurance contracts for the Montgomery County Employee Benefit Plan for 2012 Plan Year.

T. 2012 MONTGOMERY COUNTY EMPLOYEE BENEFIT PLAN document approved.

U. PAYMENT ACKNOWLEDGED to Enterprise Rent-A-Car in the amount of $73.35 in reference to Claim #B-11-0101.
V. CHANGES, ADDITIONS, AND RELEASES APPROVED for the following bonds:

<table>
<thead>
<tr>
<th>BOND</th>
<th>NAME</th>
<th>AMOUNT</th>
<th>ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>18180606</td>
<td>J.R. Moore/Tax Assessor</td>
<td>$100,000</td>
<td>Renew</td>
</tr>
<tr>
<td>15229656</td>
<td>Jared Urban/Const. Pct. 5</td>
<td>$5,000</td>
<td>Renew</td>
</tr>
<tr>
<td>15229663</td>
<td>Ashton Hedrick/Const. Pct. 5</td>
<td>$5,000</td>
<td>Renew</td>
</tr>
<tr>
<td>14468470</td>
<td>Jeff Williams/Fire Marshal</td>
<td>$5,000</td>
<td>Renew</td>
</tr>
<tr>
<td>15233710</td>
<td>William Fox/Fire Marshal</td>
<td>$5,000</td>
<td>Renew</td>
</tr>
<tr>
<td>15233714</td>
<td>Don Schifani/Fire Marshal</td>
<td>$5,000</td>
<td>Renew</td>
</tr>
<tr>
<td>15233713</td>
<td>Roland Morgan/Fire Marshal</td>
<td>$5,000</td>
<td>Renew</td>
</tr>
<tr>
<td>24870583</td>
<td>Mitchell Dreyer/Const. Pct. 3</td>
<td>$5,000</td>
<td>Renew</td>
</tr>
<tr>
<td>16065130</td>
<td>John Krpec/Const. Pct. 3</td>
<td>$5,000</td>
<td>Renew</td>
</tr>
<tr>
<td>14268451</td>
<td>Jeffery McLaughlin/Const. Pct. 3</td>
<td>$5,000</td>
<td>Renew</td>
</tr>
<tr>
<td>15275639</td>
<td>Melisa Appleton/DA</td>
<td></td>
<td>Rider</td>
</tr>
<tr>
<td>15310503</td>
<td>Nicholas Legodias/Const. Pct. 2</td>
<td>$5,000</td>
<td>Reserve/Renew</td>
</tr>
</tbody>
</table>

COMMISSIONERS - AGENDA ITEM 9F

PRECINCT 1

W. REAPPOINTMENTS APPROVED of Chuck Frank and Randy Olson to ESD #1, Board of Commissioners, term ending December 31, 2013.

X. REAPPOINTMENTS APPROVED of Michael Mason and Emmett Pugh to ESD #2, Board of Commissioners, term ending December 31, 2013.

PRECINCT 2

Y. REAPPOINTMENT APPROVED of Robert Buschardt to ESD #10, Board of Commissioners, term ending December 31, 2013.

PRECINCT 3

Z. REAPPOINTMENTS APPROVED of James Kelly, Rodney Otto, and Andy Walters to ESD #8, Board of Commissioners, term ending December 31, 2013.

AA. REAPPOINTMENTS APPROVED of Alan Dreesen, Shirley Grandjean, and Danny Olsen to ESD #14, Board of Commissioners, term ending December 31, 2013.

PRECINCT 4

BB. REAPPOINTMENTS APPROVED of Donnie Click, Therlyn Cook, and Max Neely to ESD #6, Board of Commissioners, term ending December 31, 2013.

CC. REAPPOINTMENTS APPROVED of Jan Peterson and Wanda James to ESD #7, Board of Commissioners, term ending December 31, 2013.

DD. REAPPOINTMENTS APPROVED of Lois Clancy, Jerry D. Lee, Sr., and Paul E. Babb, Sr. to ESD #9, Board of Commissioners, term ending December 31, 2013.

EE. REAPPOINTMENTS APPROVED of Kenneth Kennedy and Jerry Guion to ESD #11, Board of Commissioners, term ending December 31, 2013.

FF. REAPPOINTMENTS APPROVED of Michael Armstrong, Thomas Hart, and Terry Mann to ESD #12, Board of Commissioners, term ending December 31, 2013.
GG. CHECK ACCEPTED in the amount of $2,236.15 from Montgomery County ESD 7 for purchase of fuel for the month of November, 2011. (check forwarded to Auditor for further processing)

PRECINCT 1 AND 2

HH. REAPPOINTMENTS APPROVED of Richard Austin, Janice M. Murphy, and Lee Reed to ESD #3, Board of Commissioners, term ending December 31, 2013.

PRECINCT 2 AND 4

II. REAPPOINTMENTS APPROVED of Brian Arceneaux and Robert Barnwell IV to ESD #4, Board of Commissioners, term ending December 31, 2013.

JJ. REAPPOINTMENTS APPROVED of Homer Wilson, Ellie Hoover, and Charles Hair to ESD #5, Board of Commissioners, term ending December 31, 2013.

COMMISSIONERS – COUNTY ATTORNEY – ROAD AND BRIDGES – AGENDA ITEMS

9G

PRECINCT 2

KK. ORDER APPROVED rescinding request for public hearing of December 19, 2011 to consider the partial replat of Indigo Lake Estates Section Two (2), to be known as Indigo Lake Estates Section Two (2), Partial Replat No. 1.

PRECINCT 4

LL. ORDER APPROVED authorizing exchange of a 0.4484 acre tract of land in the Thomas Miller survey A-365 and a 0.0082 acre tract of land in the Thomas Miller survey and execution of Special Warranty Deed to Marvel Properties, and appointing Ed Rinehart as Special Commissioner to execute the deed on behalf of Montgomery County, Texas.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEM 9H

PRECINCT 1

MM. REQUEST APPROVED from D & R Construction to move super heavy or oversize equipment across various county roads. Permits expire December 23, 2011.

PRECINCT 2


OO. FINAL PLAT APPROVED for the Forest at Jacobs Reserve, Section 3, .902 acres, 3 lots, Charles E. Dugat Survey, A-170.

PP. ROADS ACCEPTED in Woodforest, Section 7 into the one year maintenance period. 1,072.25 L.F. = .20 miles.

QQ. ROADS ACCEPTED in Woodforest Parkway North from Woodforest, Section 3 to Bridge – Street Dedication into the one year maintenance period. 515.25 L. F. = .10 miles.
RR. ROADS ACCEPTED in The Woodlands, Kuykendahl Road from North Villa Oaks Drive to FM 1488 Street Dedication into the one year maintenance program.  2,427.18 L. F. = .46 miles.

SS. TERMINATION AGREEMENT APPROVED to cancel the advance funding agreement between Montgomery County and TXDOT for the following off-system bridge:

<table>
<thead>
<tr>
<th>Minute Order #</th>
<th>Date</th>
<th>NBI#</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>110479</td>
<td>3-30-06</td>
<td>12-170-0-AA1164-047</td>
<td>Crighton Road @ Stewarts Creek</td>
</tr>
</tbody>
</table>

PRECINCT 4

TT. PUBLIC HEARING DATE APPROVED for 01.09.2012 to install “Keep Off Median” signs to restrict parking and prohibit crossing the median area of Riverwalk Drive from FM 1314 to Kanawha.

UU. PUBLIC HEARING DATE APPROVED for 01.23.2012 to require a traffic impact analysis to be submitted for construction and drainage plans for proposed residential and commercial developments that generate 5,000 or more vehicle trips per day or 100 or more vehicle trips during the peak hour.

ENVIRONMENTAL HEALTH – AGENDA ITEM 9I

VV. VARIANCE APPROVED to install an aerobic on-site system in the 100-year floodplain at the following addresses:

1. 12280-A I-45 South, Conroe, Texas 77304
2. 13339 Fultz Road, Conroe, Texas 77304
3. 12964 Buckingham Place, Conroe, Texas 77306.

WW. REQUEST APPROVED for orders assessing cost of abating nuisance for the following addresses:

1. 27014 Seahorse Lane, Magnolia, Texas 77355
2. 19435 Slumber Lane, Magnolia, Texas 77355
3. 16459 N. Emerson Cir., Conroe, Texas 77306
4. 26536 Carol Lane, Splendora, Texas 77372

XX. REQUEST APPROVED to rescind order to abate nuisance located at 36859 Pine Bark Lane, Magnolia, Texas 77354. The property has been brought into compliance.

CONSTABLE PRECINCT 1 – AGENDA ITEM 9J

YY. CHECK ACCEPTED in the amount of $4,500.00 from Suds Grand Prix Car Wash for the purchase of personal flotation devices. (check forwarded to Auditor for further processing)

COUNTY JUDGE – AGENDA ITEM 9K

ZZ. CONTINUATION APPROVED for the following bond in ESD #14:

<table>
<thead>
<tr>
<th>BOND</th>
<th>NAME</th>
<th>AMOUNT</th>
<th>ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>15487523</td>
<td>James A. Waters</td>
<td>$50,000</td>
<td>Cont. Cert.</td>
</tr>
</tbody>
</table>
AAA. RIGHT OF ENTRY AGREEMENT APPROVED between Montgomery County and Texas Department of Transportation to allow TXDOT to have a right of access on county property in Precinct 2 for right of way construction purposes.

BBB. DECLARATION OF LAND USE RESTRICTION AGREEMENT APPROVED related to the Magnolia Trails Housing Development in Precinct 3.

CCC. ORDER APPROVED granting permission to Texas Express Pipeline LLC to enter upon county property for the purpose of conducting a survey.

CONSTABLE PRECINCT 2 - AGENDA ITEM 9M

DDD. REQUEST APPROVED for new Reserve Deputy Robert E. Bodden, for the Constable Pct. 2 Department.

Motion carried.

END OF CONSENT AGENDA

4. REQUEST APPROVED – HGAC MEMBERSHIP DUES – COUNTY JUDGE

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the 2012 membership dues in the amount of $11,750.72 to Houston-Galveston Area Council. Motion carried.

AGENDA ITEM 10B - DEFERRED - SALARY INCREASE FOR COUNTY JUDGE’S CHIEF OF STAFF

5a. POSITION CHANGES APPROVED – JUSTICE OF THE PEACE PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to close position #455-8550-1 and to open position #455-4229-2. Motion carried.

5b. TRANSFERS APPROVED - BUDGETED FUNDS - JUSTICE OF THE PEACE PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to transfer the following:

<table>
<thead>
<tr>
<th>AMOUNT</th>
<th>FROM POSITION #</th>
<th>TO POSITION #</th>
</tr>
</thead>
<tbody>
<tr>
<td>$48,870.00</td>
<td>455-8550-1</td>
<td>455-4229-2</td>
</tr>
<tr>
<td>$2,208.58</td>
<td>455-8550-1</td>
<td>455-4229-1</td>
</tr>
</tbody>
</table>

The changes do not constitute an increase in the salary budget. Motion carried.

6. REQUEST APPROVED – JUSTICE OF THE PEACE PRECINCT 5

Motion by Judge Sadler, seconded by Commissioner Doyal, to approve the purchase of five (5) monitors in the amount of $1,070.00 to be taken out of the Justice Court Technology Fund. Motion carried.
7. TRANSFER OF BUDGETED SALARIES AND OTHER ASSOCIATED PAY - SHERIFF

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the following transfers:

<table>
<thead>
<tr>
<th>AMOUNT</th>
<th>FROM</th>
<th>TO</th>
</tr>
</thead>
<tbody>
<tr>
<td>$11,811.00</td>
<td>5121-5800-42</td>
<td>5121-9999-999</td>
</tr>
<tr>
<td>$ 7,646.00</td>
<td>5121-9999-999</td>
<td>5121-5800-19</td>
</tr>
<tr>
<td>$ 3,060.00</td>
<td>5601-9954-992</td>
<td>5601-5903-106</td>
</tr>
<tr>
<td>$11,349.00</td>
<td>5601-4900-14</td>
<td>5601-9999-999</td>
</tr>
<tr>
<td>$ 3,885.20</td>
<td>5601-4900-27</td>
<td>5601-9999-999</td>
</tr>
</tbody>
</table>

These transfers do not increase the approved salary structure. Motion carried.

8. APPOINTMENT APPROVED – MEDICAL DIRECTOR – MENTAL HEALTH TREATMENT FACILITY

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the appointment of Barbara Moore as Medical Director of the MCMHTF as recommended by the MCMHTF Advisory Board, effective 12.02.11. Motion carried

9. POLICY ADDITION/REVISIONS APPROVED – MENTAL HEALTH TREATMENT FACILITY

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the revisions and/or additions, recommended by the MCMHTF Advisory Board, to the following policies and procedures:

A. Informed Consent – Version 2
B. Psychotherapeutic Medications – Version 3
C. On-Site Role of Pharmacist – Version 2
D. Medical Care – Version 2
E. Sick Call/Daily Triage of Non-Emergent Requests – New Policy

Motion carried.

10. PERSONNEL ADDITION APPROVED – INFRASTRUCTURE

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve an additional person from Security On Site to work at the security post located at 301 N. Thompson for only the days the new AG and CPS Courts are in session. Motion carried.

11. FINANCIAL STATEMENT ACCEPTED – COMMUNITY SUPERVISION AND CORRECTIONS

Motion buy Commissioner Doyal, seconded by Commissioner Chance, to accept the Statement of Financial Position and a copy of the last quarterly report form. Motion carried.

12. TRANSFER OF FUNDS APPROVED – AGRILIFE EXTENSION

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the transfer in the amount of $776.72 from the 7390 account for budget year 2011 to cover purchase of 4 Imprint that was ordered in August but not shipped and billed until October. Motion carried.

AGENDA ITEM 18A - NO MOTION - MONTGOMERY COUNTY MANAGED ASSIGNED COUNSEL - MH PLAN OF OPERATION SUBMITTED
13. **CELL PHONE POLICY APPROVED – COMMUNITY DEVELOPMENT**

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the cell phone policy for Joanne Ducharme in the amount of $40.00 per month. Motion carried.

14. **TRANSFER OF BUDGETED FUNDS APPROVED – COMMUNITY DEVELOPMENT**

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the transfers in the amount of $480.00 plus all associated benefits from 642-4-76951 to 64294-7106 and appropriate benefit lines. The changes do not constitute an increase in budgeted funds. Motion carried.

15. **ANNUAL CAPER REPORT APPROVED – COMMUNITY DEVELOPMENT**

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the 2010 Consolidated Annual Performance and Evaluation Report (CAPER). Motion carried.

16. **REQUEST APPROVED - PREFERRED PROVIDER ORGANIZATION - RISK MANAGEMENT**

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve a new Preferred Provider Organization (PPO). Motion carried.

AGENDA ITEMS 21A1-17 – PURCHASING DEPARTMENT

**CONTRACT AWARDED – 21A3,10**

17. Motion by Commissioner Meador, seconded by Commissioner Rinehart, to award the following contracts:


RECOMMENDATIONS AND CONTRACTS REJECTED AND RE-ADVERTISED, AGENDA ITEMS 21A4

RECOMMENDATIONS AND CONTRACTS DEFERRED – AGENDA ITEMS 21A1,2,5,7-9,11-17

Motion carried.

18. **PURCHASE APPROVED – KUBOTA TRACTORS – PRECINCT 4**

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the purchase from Kubota Tractor Corporation of two New Kubota Tractors M9540HDC in the amount of $77,494.00 less trade-in of two New Holland TL90 Tractors (unit #4932 and #4931) and one New Holland T70 Tractor (unit #4935) in the amount of $23,500.00, for a total cost of $53,994 through the Interlocal Agreement with HGAC contract #GR01-10. Motion carried.
19. LEASED PROPERTY ASSIGNMENTS APPROVED – COUNTY ATTORNEY

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

A. Aero Tech Aircraft Services to Black Forest Ventures Aviation, RE, LLC for 2.36 acres.
B. Charles A. Ballard to Mike Vontour for 0.205 acres, partial assignment.

Motion carried

20. ORDER APPROVED – LONE STAR EXECUTIVE AIRPORT – COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve resolution and order authorizing the preparation of a south side development plan at the Lone Star Executive Airport and authorizing payment of Montgomery County’s portion of the total costs associated with said project. Motion carried.

21. INTERLOCAL AGREEMENT APPROVED – LAW ENFORCEMENT SERVICES - COUNTY ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the Interim Funding Assistance for Law Enforcement Services by the Constable Pct. 3 and operations of Justice of the Peace Pct. 3 by the Woodlands Township. Motion carried.

22. RENEWAL AGREEMENT APPROVED – LAW ENFORCEMENT SERVICES - COUNTY ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the renewal of Interlocal Agreement between the Woodlands Township and Montgomery County, Texas for Law Enforcement Services to be performed by the Sheriff’s department. Motion carried.

23. AGREEMENTS APPROVED – WEST MONTGOMERY COUNTY COMMUNITY DEVELOPMENT CENTER, PCT. 2 - COUNTY ATTORNEY - CONTRACT REVIEW COMMITTEE

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve the Amendment to Occupancy agreements for the following tenants:

A. Society of Samaritans
B. The Friendship Center
C. The Montgomery County Children’s Advocacy, Inc. dba Children’s Safe Harbor
D. Montgomery County Youth Services

Motion carried.

24. AGREEMENTS APPROVED – EAST MONTGOMERY COUNTY COMMUNITY DEVELOPMENT CENTER, PCT. 4 – COUNTY ATTORNEY – CONTRACT REVIEW COMMITTEE

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve the Amendment to Occupancy agreements for the following tenants:

A. YMCA of Greater Houston
B. Montgomery County Youth Services

Motion carried.
25. **GRANT AGREEMENT APPROVED – TEXAS COMMISSION FOR ENVIRONMENTAL QUALITY (TCEQ) – COUNTY ATTORNEY – CONTRACT REVIEW COMMITTEE**

Motion by Judge Sadler, seconded by Commissioner Doyal, to approve the grant agreement for administration of the Low Income Repair Assistance Program (LIRAP) and authorize the County Judge to execute same. Motion carried.

26. **APPOINTMENT APPROVED – TEMPORARY JUSTICE – COUNTY ATTORNEY – CONTRACT REVIEW COMMITTEE**

Motion by Judge Sadler, seconded by Commissioner Doyal, to approve the appointment of Carolyn Cox as temporary Justice and approve professional services agreement for temporary Justice of the Peace services. Motion carried.

27. **CHECK ACCEPTED – COMMISSIONERS – PRECINCT 1**

Motion by Commissioner Meador, seconded by Commissioner Chance, to accept a check in the amount of $1,742.75 for sale of salvaged material removed from outside storage area at Charles B. Stewart Library. Motion carried. (check forwarded to Auditor for further processing)

28. **BRIDGE NAME APPROVED - WILSON WALTERS MEMORIAL BRIDGE– COMMISSIONERS – PRECINCT 1**

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the naming of bridge #AA01-03-001 on Lone Star Parkway to Wilson Walters Memorial Bridge. The bridge is the first one you cross after turning onto Lone Star Parkway on the easternmost side north of Highway 105 West. Motion carried.

**AGENDA ITEM - 24A3 - DEFERRED - CHANGING THE MAKE UP OF THE INVESTMENT COMMITTEE**

29. **VACATION PAY APPROVED - PRECINCT 1**

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve payment for unused vacation hours to the following:

A. Jule Pucker - 05470 - 92 hours
B. Bonnie Houser - 06504 - 44.17 hours
C. Jimmy Lucher - 09394 - 37.34 hours.

Motion carried.

EXECUTIVE SESSION – AGENDA ITEM 25A-B

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.

COURT RECONVENED WITH ALL MEMBERS PRESENT

**AGENDA ITEM - 25A - NO ACTION**
30. ACTION APPROVED - MONTGOMERY COUNTY CLAIM AGAINST WAUKESHA-PEARCE INDUSTRIES, INC.

Motion by Judge Sadler, seconded by Commissioner Chance, to authorize Infrastructure to hire A&H Electric to check the transfer switch, for generators installed at the Lone Star Convention Center, and to authorize all necessary repairs or purchase replacement parts for the electrical components. Also, to authorize Building Maintenance to construct housing for the electrical devices installed there. Funding will be $10,000 from Infrastructure, and from contingency for anything above that amount. Motion carried.

CITIZENS – AGENDA ITEM 27

ATTORNEY JOSEPH LABELLA addressed the Court in reference to the proposed plan for a new attorney fee structure in the felony courts. He urged Judge Sadler to address the other Judges in an attempt to get this in place quickly.

31. PAYROLL CHANGE REQUEST FORMS APPROVED – HUMAN RESOURCES

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the following Payroll Change Request forms:

Request of Animal Shelter to increase the salary of Josselin Alfaro, Clerk III, due to promotion as replacement for Aretta Lawson, effective 12.09.11.

Request of Animal Shelter to place Cory Durand, Kennel Help, on payroll as replacement for Rosalinda Gonzales, effective 12.24.11.

Request of Animal Shelter to place Douglas Meade III, Kennel Help, on payroll as replacement for Josselin Alfaro, effective, 12.13.11.

Request of Animal Shelter to accept the resignation of Elizabeth Meade, Kennel Help, effective 12.10.11. (23.88 hours or balance of vacation, 40.00 hours or balance of holiday time)

Request of Custodial Services to increase the salary of Harold William Rodgers, Jr., Custodian, due to promotion as replacement for Rosa Valdez, effective 12.10.11.

Request of Custodial Services to place Phillip David Schuster, Custodian I, on unpaid FMLA/Disability leave, effective 11.28.11.

Request of Commissioner Pct. 3 to place Kay Waters, Community Facilities Worker, on payroll as replacement for Vicki Dawn Glenn, effective 11.22.11.

Request of Constable Pct. 3 to increase the salary of Christopher B. Hoffmeyer, Sergeant - Constable, due to promotion as replacement for James R. Corn, Jr., effective 12.05.11.

Request of Constable Pct. 4 to add cell phone allowance to the salary of Joshua Bergland, Deputy, effective 11.07.11.

Request of Constable Pct. 4 to add cell phone allowance to the salary of Juan Chapa, Jr., Deputy, effective 11.07.11.

Request of Constable Pct. 4 to add cell phone allowance to the salary of Buck Clendennen, Sergeant, effective 11.07.11.

Request of Constable Pct. 4 to add cell phone allowance to the salary of Kevin Cooke, Deputy, effective 11.07.11.
Request of Constable Pct. 4 to add cell phone allowance to the salary of James Cox, Deputy, effective 11.07.11.

Request of Constable Pct. 4 to add cell phone allowance to the salary of James Dowling, Deputy, effective 11.07.11.

Request of Constable Pct. 4 to add cell phone allowance to the salary of Arturo Looza, Corporal, effective 11.07.11.

Request of Constable Pct. 4 to add cell phone allowance to the salary of Dwayne Morrow, Deputy, effective 11.07.11.

Request of Constable Pct. 4 to add cell phone allowance to the salary of Mark Seals, Lieutenant, effective 11.07.11.

Request of Constable Pct. 4 to add cell phone allowance to the salary of Donald Smith, Jr., Deputy, effective 11.07.11.

Request of Constable Pct. 4 to add cell phone allowance to the salary of Ricky Warwick, Sergeant, effective 11.07.11.

Request of Constable Pct. 4 to add cell phone allowance to the salary of Ronald Willingham, Sergeant, effective 11.07.11.

Request of County Auditor to retire Peggie L. Rushing, 1st Assistant County Auditor, effective 01.31.12. (86.10 hours or balance of vacation)

Request of County Engineer to place Scott Edward Cain, Coordinator - Plats, on payroll as replacement for Richard L. Muenchausen, effective 12.13.11.

Request of District Attorney to increase the salary of Gerald A. Kudla, Investigator II, due to transfer to fill new position, effective 12.24.11.

Request of District Clerk to accept the resignation of Kima Nicole Scarborough, Court Clerk IV, effective 12.09.11. (45.84 hours or balance of vacation)

Request of JP3 to retire Tresha Jan Carpenter, Administrative Manager I, effective 12.09.11. (7.701 hours or balance of vacation, .0248 hours or balance of compensatory time)

Request of JP3 to place Tresha Jan Carpenter on unpaid FMLA/Disability leave, effective 12.07.11.

Request of Juvenile to increase the salary of Deedra Michele Davis, Juvenile Probation Officer, due to status change as replacement for Sitillia Davis, effective 12.10.11.

Request of South Regional Library to place Lynda Collins, Shelving Clerk I, on payroll as replacement for Nicole Manry, effective 12.13.11.

Request of Central Library to place Merron Teague, Shelving Clerk I, on payroll as replacement for George Phillips, effective 12.02.11.

Request of Managed Assigned Counsel to place Trudy Louise Hodges, Social Worker, on payroll due to re-hire to fill new position, effective 12.05.11.

Request of Managed Assigned Counsel to place Lauren Marie Holleman, Case Worker, on payroll to fill new position, effective 12.05.11.

Request of Purchasing to increase the salary of Jorge Ardines, Assistant Purchasing Agent, due to change in cell phone policy, effective 01.09.12.
Request of Purchasing to increase the salary of Mark Bosma, Director of Infrastructure, due to change in cell phone policy, effective 01.09.12.

Request of Purchasing to increase the salary of Keith Lester, Construction Manager, due to change in cell phone policy, effective 01.09.12.

Request of Purchasing to accept the resignation of Cynthia Snoe, Administrative Assistant II, effective 12.14.11. (6.155 hours or balance of vacation)

Request of Purchasing to increase the salary of Kelly Vidal, Senior Contract Administrator, due to change in cell phone policy, effective 01.09.12.

Request of Purchasing to increase the salary of Darlou Zenor, Purchasing Agent, due to change in cell phone policy, effective 01.09.12.

Request of Sheriff to increase the salary of Christopher Ansley, Detective, due to promotion to fill new position, effective 12.17.11.

Request of Sheriff to increase the salary of Jeremiah Bourne, Deputy-Patrol, due to STEP increase, effective 01.07.12.

Request of Sheriff to place Richard Breeze, Deputy, on payroll as replacement for Christopher Ansley, effective 12.17.11.

Request of Sheriff to increase the salary of Jennifer Bybee, Clerk IV, due to transfer as replacement for Jeanette Williams, effective 12.10.11.

Request of Sheriff to accept the resignation of Teresa Calico, Officer-Civilian Detention, effective 12.03.11. (18.67 hours or balance of vacation, 77.90 hours or balance of compensatory time, 8.50 hours or balance of holiday time)

Request of Sheriff to place Derek Carlson, Officer-Civilian Detention, on payroll as replacement for Frank Pearson, effective 12.10.11.

Request of Sheriff to place James Causey, Officer-Civilian Detention, on payroll as replacement for Joshua Everett, effective 12.10.11.

Request of Sheriff to accept the resignation of Kenneth Cox, Officer-Civilian Detention, effective 11.29.11. (150.19 hours or balance of vacation, 229.18 hours or balance of compensatory time, 1.00 hour or balance of holiday time)

Request of Sheriff to place Patricia Despain, Dispatcher, on payroll as replacement for Michael Gratz, effective 12.10.11.

Request of Sheriff to accept the resignation of Joshua Everett, Officer-Civilian Detention, effective 12.05.11. (33.88 hours or balance of vacation, 56.25 hours or balance of compensatory time, 24.00 hours or balance of holiday time)

Request of Sheriff to increase the salary of Douglas Houstoun, Deputy, due to STEP increase, effective 01.07.12.

Request of Sheriff to increase the salary of Michael Jones, Deputy-Bailiff, due to STEP increase, effective 01.07.12.

Request of Sheriff to place Ryan Jones, Officer-Civilian Detention, on payroll due to re-hire as replacement for Johnathan Logan, effective 12.10.11.

Request of Sheriff to increase the salary of Jeremy Kader, Deputy-Patrol, due to STEP increase, effective 01.07.12.
Request of Sheriff to increase the salary of Darla King, Investigator-Crime Scene, due to STEP increase, effective 01.21.12.

Request of Sheriff to retire Wayne Klein, Deputy-Detention, effective 12.31.11. (110.42 hours or balance of vacation, 120.00 hours or balance of grandfathered sick leave, 448.64 hours or balance of compensatory time, 25.50 hours or balance of holiday time)

Request of Sheriff to increase the salary of Aaron Lamphier, Deputy-Detention, due to STEP increase, effective 01.07.12.

Request of Sheriff to transfer Todd McCoy, Deputy, as replacement for Michael Uber, effective 12.17.11.

Request of Sheriff to increase the salary of John Niquette, Deputy-Patrol, due to STEP increase, effective 12.24.11.

Request of Sheriff to transfer Mario Perez, Jr., Deputy-Patrol, to fill new position, effective 12.17.11.

Request of Sheriff to increase the salary of Mandy Pieper, Detective-SIU, due to STEP increase, effective 01.21.12.

Request of Sheriff to place Weldon Richards, Deputy-Patrol, on payroll as replacement for Herman Suarez, effective 12.17.11.

Request of Sheriff to increase the salary of Christopher L. Roberts, due to STEP increase, effective 11.26.11.

Request of Sheriff to place Connie Sibley, Clerk IV, on payroll due to return from unpaid FMLA/Disability leave, effective 11.29.11.

Request of Sheriff to accept the resignation of James Solomon, Deputy-Patrol, effective 12.15.11. (39.36 hours or balance of vacation, 345.63 hours or balance of compensatory time, 36.00 hours or balance of holiday time)

Request of Sheriff to transfer Stephanie Spiller, Detective-SIU, to fill new position, effective 12.17.11.

Request of Sheriff to increase the salary of Herman Suarez, Corporal-Patrol, due to promotion as replacement for Stephanie Spiller, effective 12.17.11.

Request of Sheriff to increase the salary of Charles Thompson, Deputy-Bailiff, due to STEP increase, effective 01.07.12.

Request of Sheriff to increase the salary of Roger Thompson, Deputy-Patrol, due to STEP increase, effective 01.07.12.

Request of Sheriff to place Derek Trott, Officer-Civilian Detention, on payroll due to re-hire, effective 12.03.11.

Request of Sheriff to place Jason Turner, Officer-Civilian Detention, on payroll as replacement for James Francis, effective 12.03.11.

Request of Sheriff to transfer Michael Uber, Deputy-Traffic District I, to fill new position, effective 12.17.11.

Request of Sheriff to increase the salary of John Varnell, Corporal-Patrol, due to STEP increase, effective 10.15.11.
Request of Sheriff to transfer Christopher Voris, Deputy-Patrol, to fill new position, effective 12.17.11.

Request of Sheriff to place Shari Wade, Clerk IV, on payroll due to re-hire as replacement for Lisa Hanson, effective 12.10.11.

Request of Sheriff to increase the salary of Johnathan West, Corporal, due to STEP increase, effective 12.24.11.

Request of Sheriff to accept the resignation of Jonathan Whaley, Officer-Civilian Detention, effective 11.25.11. (58.52 hours or balance of vacation, 77.38 hours or balance of compensatory time, 56.00 hours or balance of holiday time)

Request of Tax Office to increase the salary of Linda L. Hayden, Branch Manager-Tax Assessor, due to promotion as replacement for Angela Lynn Lemaire, effective 12.06.11.

Request of Tax Office to place Frank E. Hillyard, Deputy Specialist I, on payroll as replacement for Tracy Clements, effective 12.19.11.

Request of Tax Office to decrease the salary of Robin Lynn Ingle, Relief Manager-Tax, due to demotion as replacement for Linda L. Hayden, effective 12.06.11.

Request of Tax Office to increase the salary of Angela Lynn Lemaire, Manager-Collections Tax, due to promotion as replacement for Robin Lynn Ingle, effective 12.06.11.

Request of Tax Office to increase the salary of Priscilla Martinez, Deputy Specialist I, due to completion of probationary period, effective 01.07.12.

Request of Tax Office to increase the salary of Ruth Sellers, Deputy Specialist II, due to completion of one year experience requirement, effective 12.24.11.

Request of Tax Office to increase the salary of Barbara J. Sykes, Deputy Specialist I, due to completion of probationary period, effective 01.07.12.

Motion carried.

32. COURT ADJOURNED

Motion by Commissioner Chance, seconded by Commissioner Doyal, 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