THE STATE OF TEXAS  
COUNTY OF MONTGOMERY  

BE IT REMEMBERED that on this the 11th day of April, 2011 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
- 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

INVOCA TION GIVEN BY ED CHANCE

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

2. PROCLAMATION APPROVED – NATIONAL CRIME VICTIMS’ WEEK

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the proclamation designating the week of April 10-16, 2011 as National Victims’ Crime Week. Motion carried.

3. RESOLUTION APPROVED – UNITED WAY

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve the resolution for Montgomery County United Way Volunteer Appreciation Day. Motion carried.

EMPLOYEE OF THE MONTH AWARDS

JANUARY, 2011 – Jerry Sue Hayden, Pct. 4, JP

MARCH, 2011 – Keith Lester – Infrastructure

4. MINUTES APPROVED - COMMISSIONERS’ COURT 03.28.11 - COUNTY CLERK

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve Commissioners’ Court Minutes for March 28, 2011, as presented by the County Clerk. Motion carried.

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

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve the Consent Agenda, as follows:
A. ACCOUNTS approved, as submitted by the County Auditor.

B. BUDGET AMENDMENTS for FY11 approved, as follows:
   
   1. ANIMAL SHELTER: To recognize and allocate revenue and donations.
   
   2. CDBG/COUNTY APPROPRIATION: To adjust line items to allow for purchase of furniture and equipment for Montgomery Community Building being financed through Wells Fargo.
   
   3. COMMUNITY DEVELOPMENT: To adjust line items.
   
   4. CDBD/COUNTY APPROPRIATION: To adjust line items to allow for purchase of final building items for Montgomery Community Building being financed through Wells Fargo.
   
   5. CDBG/COMMUNITY DEVELOPMENT: To carry over unspent funds from prior fiscal year.
   
   6. CIVIC CENTER: To carry over FY10 funds for PO 30506810.
   
   7. COMMISSIONER PCT. 1: To recognize and allocate surety settlement from Salto LP.
   
   8. COMMISSIONER PCT. 1: To carry over FY10 funds for PO 2009465.
   
   9. COMMISSIONER PCT. 1: To transfer funds for travel expense and to adjust line items.
   
   10. COMMISSIONER PCT. 2: To recognize and allocate reimbursement for Tacker Road.
   
   11. CONSTABLE PCT. 5: To carry over FY10 funds for contract deputy.
   
   12. COUNTY ATTORNEY: To transfer funds for Title IV-E grant for County Attorney for quarter ending 12.31.10.
   
   13. COUNTY PARK & COMMISSIONER PCT. 1: To transfer funds for County Park maintenance as approved in Commissioners’ Court M26/03.28.11.
   
   14. ELECTIONS ADMINISTRATOR: To recognize and allocate reimbursement.
   
   15. JUVENILE PROBATION: To correct previous line item adjustment.
   
   16. JUVENILE PROBATION-DETENTION: To recognize and allocate reimbursement received National School Lunch Program.
   
   17. MEDICAL HEALTH: To adjust line items.
   
   18. MEMORIAL LIBRARY: To adjust line items.
   
   19. PURCHASING: To adjust budgeted revenue and expense to recognize audit services on inmate telephone.
   
   20. PURCHASING: To adjust expense budgets for inmate phone audits.
21. RISK MANAGEMENT: To transfer funds for damage claims.
22. RISK MANAGEMENT: To recognize and allocate insurance proceeds.
23. SHERIFF: To carry over FY10 funds for canine expense as approved M9/03.14.11.
24. SHERIFF: To recognize and allocate LEOSE funds.
25. SHERIFF: To adjust line items.

TREASURER - AGENDA ITEMS 9B

C. WEEKLY INVESTMENT REPORT APPROVED – March 28 through April 1, 2011.
D. PLEDGED SECURITIES REPORT APPROVED – March, 2011.
E. BANK RESOLUTION APPROVED – WOODFOREST BANK – Adult Probation account.
F. MARCH TICKET VIOLATION LOG APPROVED – County Vehicles.
G. MONTHLY INVESTMENT REPORT APPROVED – Month ending March 31, 2011.

TAX ASSESSOR/COLLECTOR – AGENDA ITEMS 9C

H. CORRECTION APPROVED – for the County Taxrolls for years 2006, 2007, 2008, 2009, 2010 on property that was omitted from the Appraisal Rolls.

PURCHASING DEPARTMENT - AGENDA ITEMS 9D

I. ADVERTISING APPROVED – RFP/Q for aviation professional architectural/engineering services – Lone Star Executive Airport.(only cover letter on file)
J. RENEWALS APPROVED as follows:

1. BISON PROFAB, INC – (PO 2010415) for emergency equipment console and accessories, expires 04.24.11 – Sheriff’s Office
2. OBRIEN’S RESPONSE MANAGEMENT, INC. – (PO 2010439) for disaster logistics services for emergency resources, expires 04.25.11 – Emergency Management
3. WORKSPACE RESOURCE, INC. – (PO 2008293) for new furniture, expires 05.06.11 – Various Departments
4. CONTRACT RESOURCE GROUP LLC – (PO 2008292) for new furniture, expires 05.06.11 – Various Departments.
5. ROCK OF AGES PLUMBING SERVICES, INC. – (PO I008397) for plumbing services, expires 05.18.11 – Various Departments.
6. GOWAN, INC. (PO 2010373) for plumbing services, expires 05.18.11 – Various Departments.
7. STEEN GLASS, INC. (PO 2008398) for replacement glass and labor to repair and/or install glass and miscellaneous items, expires 05.18.11 – Various Departments.

8. GT DISTRIBUTORS, INC. (PO 2009269) for Tasers and Taser accessories, expires 05.21.11 – Various Departments.

9. DUSTLESS AIR FILTER COMPANY (PO 2009344) for commercial a/c filters, expires 05.21.11 – Various Departments.

10. A&B CRUSHED CONCRETE LLC (PO 2010448) for miscellaneous materials, picked up and/or delivered, expires 04.25.11 – Pct. 4.

K. CHANGE ORDERS APPROVED as follows:

1. Change Order #5, PO 2007254, to Trastar, Inc. to add new LED Signal Modules – Various Departments.

2. Change Order #1, PO 2010616, to American Tire Distributors for tires and tubes – Various Departments.

3. Change Order #2, PO 2011158, to Southland Medical Corporation for Forensic Services Medical and Miscellaneous Supplies – Forensic Services Department.

4. Change Order #1, PO 2011260, to Dell Marketing LP to add amendments 1 and 2, contract #DIR-SDD-1014, Microsoft Software – Various Departments.

5. Change Order #1, PO 2011162, to Randy Roan Construction, Inc. for construction for paving and drainage for Rayford Road for a price increase of $4625.00 – Engineering/Pct. 3.

6. Change Order #5, PO 2011066, to Fairweather Group LLC for Forensic Facility for a price increase of $18,025.41 – Infrastructure.

L. DISCRETIONARY EXEMPTIONS APPROVED as follows:

1. JUVENILE SERVICES – Residential services with Montgomery County Youth Services.

2. JUVENILE SERVICES – Residential services with Granbury Youth Services, Inc.

3. JUVENILE SERVICES – Non-residential services provided by Victor W. Love.

4. FORENSIC SERVICES – Special lab testing from Dallas County in the amount of $418.00.

5. LONE STAR EXECUTIVE AIRPORT – Timber sale management service from Bryant Forestry/Bryant, Charles for a fee of 7.5% of timber proceeds paid to Montgomery County based on estimated sales of $183,000.00.

6. SHERIFF’S OFFICE – Digital photography/evidence management system from Foray Technologies.
M. PERMISSION APPROVED – Renaming permission to advertise for the following bids/proposals from Drug/Alcohol Screening Services – Juvenile Services to RFP/Q Drug/Alcohol Screening Services – Juvenile Services. (only cover letter on file)

N. COMMUNITY DEVELOPMENT – Purchase of furniture items from Mity-Lite in the amount of $51,380.07 utilizing the Buy Board Contract #337-10.

O. CHECK ACCEPTED – From Rene Bates Auctioneers, Inc. in the amount of $45,283.55 for the Montgomery County On-Line Auction held on March 16, 2011. (check forwarded to County Treasurer for further processing)

P. REQUEST APPROVED from Building Maintenance to declare a broken paper shredder as salvage.

Q. PAYMENT APPROVED to Texas Code Review for TAS Inspection of Montgomery County Precinct 1 Community Center, 2500 Lone Star Parkway, Montgomery, TX for a fee of $445.00.

RISK MANAGEMENT - AGENDA ITEMS 9E

R. PAYMENT ACKNOWLEDGED to Allstate Insurance Company in the amount of $1533.91 in reference to CLAIM #B-10-0098.

S. BOND CHANGES/RELEASES/ADDITIONS APPROVED for the following:

1. John Ryan, Const. Pct. 2
2. Don Fullen, Const. Pct. 1
3. Charles Hayden, Const. Pct. 4
4. Ryan Jones, Const. Pct. 5
5. Jerry Thomas, Sheriff
6. Christen Arnold, Drug Court
7. Ronald Willingham, Const. Pct. 4
8. James Cox, Const. Pct. 4
9. Larry Bonds, Const. Pct. 2
10. Juan Chapa, Const. Pct. 4
11. Todd Downing, Const. Pct. 5
12. Ronald Willcox, Const. Pct. 5
13. Stephen Closson, Const. Pct. 1
14. Judy Jones, Tax Assessor
15. Robert Moody, Const. Pct. 3
16. Rhonda Deluish, Library
17. Brian Eying, Const. Pct. 3
18. Toby McLaughlin, Const. Pct. 2
19. Adolph Boudreaux, Const. Pct. 4
20. Arturo Loozo, Const. Pct. 4
21. Daniel Cain, Const. Pct. 1
22. Leslee Cade, Const. Pct. 1
23. Amber Gladden, Const. Pct. 2
24. Keith Hansford, Const. Pct. 3
25. James Singleton, Jr., Fire Marshal
26. Carey West, Fire Marshal
27. Gary Bennett, Fire Marshal

COMMISSIONERS – AGENDA ITEM 9F

T. PRECINCT 1

1. APPOINTMENT APPROVED for Kirk Ross to be appointed as commissioner for ESD #2 for FY 2011-12.
U. PRECINCT 3

1. PUBLIC HEARING APPROVED for May, 9, 2011 to consider discontinuing county maintenance and abandoning the public right of way known as Player Crest Circle, North Player Crest Circle, South Player Crest Circle, Parwood Court, and Player Ridge Court located in The Woodlands Village of Sterling Ridge, Section 83.

V. PRECINCTS 2 AND 4

1. FINANCIAL STATEMENT ACCEPTED for ESD #5 fiscal year ending September 30, 2010.

COMMISSIONERS – COUNTY ATTORNEY – ROAD AND BRIDGES – AGENDA ITEMS 9G

W. PRECINCT 2

1. ORDER APPROVED accepting warranty deed for parcel 65 of The Woodlands Parkway Extension Project and authorizing County Judge to sign for the acceptance of the warranty deed.

2. ORDER APPROVED authorizing the purchase of right of way known as parcel 63 for The Woodlands Parkway Extension Project.

3. PUBLIC HEARING DATE APPROVED regarding the proposed High Meadow Ranch Section 4-A, Partial Replat No. 1, to be held on May 23, 2011.

4. ROADWAY IMPROVEMENT AGREEMENT APPROVED between Montgomery County and WYA Autumnwood, LTD. for improvements to be made to Clint Neidigk Road from Hardin Store Road to south line of Caddo Road.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9H

X. PRECINCT 2

1. PLAT APPROVED – Final Plat of Cotter Parking Lot. 0.7220 Acres. (plat on file, paperwork filed 04.12.11)

2. PLAT APPROVED – Final Plat of The Estates of Autumnwood. 17.96 Acres, 6 Lots. (plat on file, incomplete paperwork filed 04.12.11)

3. PLAT APPROVED – Final plat of Hilltop Ranch, Section 1. Partial replat No. 1. (plat on file, paperwork filed 04.12.11)

4. PLAT APPROVED – Final plat of The Ranches of Autumnwood. 74.88 Acres, 17 Lots. (plat on file, incomplete paperwork filed 04.12.11)

5. PLAT APPROVED – Final plat of Woodforest, Section 9. 9.450 Acres, 39 Lots.

6. ROADS ACCEPTED – Timberloch Estates, Section 2, into the one year maintenance period. (paperwork filed 04.12.11)

7. ROADS ACCEPTED – Woodforest, Section 5, into the one year maintenance period. (paperwork filed 04.12.11)
Y. PRECINCT 3

1. **RIGHT OF WAY ACQUISITION AGREEMENT APPROVED** – Agreement with Texas Department of Transportation for the FM 2978 widening project from Conroe Huffsmith Road to the Harris County line (CSJ 3050-02-021). Estimated cost is $55,000.00. The County will be responsible for 10% participation, estimated at $5500.00.

2. **PLAT APPROVED** – Final plat of Imperial Oaks Forest, Section 4. 27.62 Acres, 59 Lots.

3. **PLAT APPROVED** – Final plat of Village of Grogan’s Mill – Lake Woodlands East Shore, Section 15. 1.865 Acres, 8 Lots.

Z. PRECINCT 4

1. **PLAT APPROVED** – Final plat of Montgomery Creek Ranch, Section 8. 8.938 Acres, 49 Lots.

2. **PLAT APPROVED** – Final plat of Montgomery Creek Ranch, Section 10. 9.505 Acres, 42 Lots.

ENVIRONMENTAL HEALTH – AGENDA ITEMS 9I

AA. **VARIANCE APPROVED** – to install an aerobic on-site system in the 100-year floodplain at 13226 Creekwood, Conroe, TX 77306.

CONSTABLE PRECINCT 2 – AGENDA ITEM 9J

BB. **RESERVE CONSTABLE APPROVED** – John G. Ryan approve as Reserve for Constable Pct. 2.

LIBRARY – AGENDA ITEMS 9K

CC. **CHECK ACCEPTED** in the amount of $200.00 from West Fork, AMI-The Woodlands to the Montgomery County Memorial Library System. (check forwarded to the County Treasurer for further processing)

DD. **REIMBURSEMENT GRANTS AND RELATED CHECKS ACCEPTED** in the amounts of $1125.00 and $475.00 from the Texas Commission on the Arts. (checks forwarded to County Treasurer for further processing)

COUNTY ATTORNEY – AGENDA ITEM 9L

EE. **PERSONAL SERVICE AGREEMENTS APPROVED** as follows:

1. Ryan Jones
2. Jason Enyart

To perform law enforcement services to be designated by Constable David Hill and authorize exemption, and authorize Judge Sadler to sign said agreements.

INFRASTRUCTURE – AGENDA ITEM 9M

FF. **CERTIFICATE OF SUBSTANTIAL COMPLETION AND PUNCH LIST APPROVED** from Fairweather Group for the Montgomery County Forensic Facility.

GG. **CHECK ACCEPTED** in the amount of $2.06 from AT&T for a credit balance refund for wireless service.
6. **APPOINTMENTS APPROVED – HISTORICAL COMMISSION – COUNTY JUDGE**

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve the following appointments to the Montgomery County Historical Commission for 2011-2012:

1. Gertie Spencer – Chair
2. Brenda Beaven
3. Edith Clanton
4. Martha Gandy
5. Celeste Graves
6. Nancy Jackson
7. Col. Raymond Laughter
8. Reba Laughter
9. Sue Ann Powell
10. Nevaire Richardson
11. Anna Shepeard
12. Eulice Vial

Motion carried.

7. **CHANGES APPROVED – 9TH DISTRICT COURT**

Motion by Judge Sadler, seconded by Commissioner Chance, to approve the following changes:

1. Transfer of funds in the amount of $2900.00 from the court reporter's position 434-7500-1 to the court coordinator's position 434-8520-1.
2. Transfer of funds in the amount of $10,427.00 from the court reporter's position 434-7500-1 to the jury shepherd part-time position 434-2308-500.
3. The reduction of hourly salary for the jury shepherd part-time position 434-2308-500 from $20.00 per hour to $12.00 per hour.

Motion carried.

8. **GRANT APPLICATION APPROVED – 284TH DISTRICT COURT**

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the grant application to the Texas Task Force on Indigent Defense for the second year of the Discretionary Managed Assigned Counsel/Mental Health Court Grant, and authorize Judge Sadler to sign the resolution. Motion carried.

9. **ANNUAL REPORT ACCEPTED – LIBRARY**

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the acceptance of the Annual Report for FY2010 for the Montgomery County Memorial Library System for submission to the Texas State Library and Archives Commission. Motion carried.
10. POSITION CHANGES APPROVED – TAX ASSESSOR/COLLECTOR

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the salary increase to the Accounting Manager’s position due to additional responsibilities given to the position with the elimination of the Funds Disbursement Supervisor position, for a net estimated $40,304.00 in annual savings. Motion carried.

11. REPORT ACCEPTED – BUDGET REDUCTION COMMITTEE

Motion by Commissioner Meador, seconded by Commissioner Doyal, to accept the report from the Budget Reduction Committee as of April 1, 2011. Motion carried.

12. POSITION REVISION AND ORGANIZATIONAL CHART ACCEPTED – MCMHTF

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the revision to the position description for Medical Records Supervisor and Facility Organization Chart as recommended by the Montgomery County Mental Health Treatment Facility Board. Motion Carried.

13. CARRY OVER OF FUNDS APPROVED – SHERIFF

Motion by Commissioner Doyal, seconded by Commissioner Chance to approve the carry over of funds remaining in the 2010 Radio System budget to allow the purchase of T-1 phone lines, test equipment for the radio system, a shipping container and work bench for electronics repairs, various tools, more lighting, and HVAC. Motion carried.

14. GRANT APPLICATION APPROVED – TARGET – SHERIFF

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the application for the Target & Blue 2011 Law Enforcement Grant Program. This grant is for a total of $2690.00 for protective training equipment. Motion carried.

15. ORDER AND RESOLUTION APPROVED – GRANT APPLICATION – CONSTABLE PCT. 4

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the resolution and order authorizing the Precinct 4 Constable’s office to apply for a grant through the East Montgomery County Improvement District for the purchase for in-car printers and tactical vests. Motion carried.

16. PAYMENT APPROVED – TXDOT – AIRPORT

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the payment in the amount of $9879.60 to the Texas Department of Transportation for supplemental design work for the runway 14-32 extension project. Funding source is certificates of obligation previously identified for airport improvements. Motion carried.

17. CARRY FORWARD OF UNUSED FUNDS APPROVED – ANIMAL CONTROL AND SHELTER

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve the carrying forward of unused funds from the 2010 budget. Motion carried.

18. SIGNAGE APPROVED – ANIMAL CONTROL AND SHELTER

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve recognition signage for the non-profit organizations that have provided funds for upgrades to the animal shelter. Motion carried.
19. **FUNDING SOURCE APPROVED – VACCINATION CLINIC – ANIMAL CONTROL AND SHELTER**

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to fund the free animal vaccination clinics in New Caney and Willis from the budgets of Commissioner Pct. 1 and Commissioner Pct. 4. Motion carried.

20. **PROPOSAL APPROVED – ANIMAL STERILIZATION – ANIMAL CONTROL AND SHELTER**

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve a proposal for financial assistance with the Texas Department of State Health Services for animal sterilization procedures to benefit low income and indigent families, to provide $18,908.19 to citizens of Montgomery County with no cash match. Motion carried.

21. **REQUEST APPROVED – CCL 3 – AUDITOR**

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve a request from County Court at Law 3 to use $1098.00 from the Court Reporter Service Fund to purchase a laptop computer. Motion carried.

22. **ANNUAL FINANCIAL REPORT ACCEPTED – AUDITOR**

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the Comprehensive Annual Financial Report of Montgomery County, Texas for the Fiscal Year ending September 30, 2010. Motion carried.

23. **CORRECTIONS TO MINUTES – COUNTY CLERK**

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the following correction to the minutes for 12.20.10:

Incorrect wording:

“20. PURCHASING – AGENDA ITEMS 22A2, 22A4, 22A5, 22A8, 22A10, 22A11, 22A14 APPROVED

Motion by Commissioner Chance, seconded by Commissioner Rinehart to approve the following:”

“F. New vehicles – Various Departments – Project #2011-0028”

It should read:

“20. PURCHASING – AGENDA ITEMS 22A2, 22A4, 22A5, 22A8, 22A10, 22A11, 22A14 APPROVED

Motion by Commissioner Chance, seconded by Commissioner Rinehart to approve the following:”

“F. New vehicles – Gullo Ford – Various Departments – Project #2011-0028”

Motion carried.

24. **BURN BAN APPROVED – FIRE MARSHAL**

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve an order prohibiting outdoor burning in unincorporated areas of Montgomery County. Motion carried.
25. **DEMOLITION APPROVED – ENVIRONMENTAL HEALTH SERVICES**

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

1. 212 Wick dome Drive, Willis TX 77378
2. 15404 Esther Drive, Conroe, TX 77384
3. 30010 Pacific Avenue, Magnolia, TX 77354

Total estimated cost: $15,000.00, Funded by: CDBG. Motion carried.

26. **CONTRACTS APPROVED – PURCHASING**

Motion by Commissioner Rinehart, seconded by Commissioner Chance to approve the following contracts:


Motion carried.

27. **PURCHASE APPROVED – IN-CAR DIGITAL CAMERAS – SHERIFF**

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the purchase of eleven in-car digital cameras with related hardware and options in the amount of $52,560.00 made through the Interlocal Agreement with HGAC and Coban Technologies, Inc. Motion carried.

28. **CHANGE ORDER APPROVED – PRECINCT 2/ENGINEERING**

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve Change Order #2, PO 2006420 to Integra Realty Resources – Houston for the appraisal services of properties along FM 1488 from I-45 to FM 2978, with a price increase in the amount of $90,000.00. Motion carried.

AGENDA ITEM 25A – DEFERRED

29. **TAX ABATEMENT AGREEMENT APPROVED – COUNTY ATTORNEY**

Motion by Judge Sadler, seconded by Commissioner Meador, to approve a tax abatement agreement between Montgomery County and JWC Interests, LLC, as owner-lessee, and Petroleum Wholesale, L.P., as tenant-lessee, which supersedes the agreement approved by Commissioners’ Court on July 23, 2007, Motion #26 between Montgomery County and Petroleum Wholesale, L.P./Sun Development, L.P. Motion carried.
30. FORMATION OF COMMITTEE APPROVED – METAL RECYCLING – COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the formation of a committee to prepare for Commissioners’ Court approval rules and regulations pertaining to metal recycling activities in accordance with Chapter 1956 of the Texas Occupations Code. Motion carried.

31. INTERLOCAL AGREEMENT APPROVED – CITY OF CONROE – CONTRACT REVIEW COMMITTEE

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve an Interlocal Agreement between Montgomery County and the City of Conroe whereby the City will design, acquire right of way for, and construct an extension to Little Egypt Road, and assume the responsibility of maintenance for that extension and other portions of Little Egypt Road outside their corporate limits. Motion carried.

32. RESOLUTION AND ORDER APPROVED – ROAD ACCEPTED – PCT. 1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the resolution and order to accept a section of FM 1484 into the county road system upon completion of the realignment of FM 1484. Motion carried.

33. REQUEST APPROVED – STREET MAINTENANCE – PCT. 2

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve a request to accept the resolution requesting street construction, repair, and maintenance by Montgomery County from the City of Stagecoach and the payment of $56,641.04 for work to be done on Stagecoach Road and Frontier Road. Motion carried. (check forwarded to County Treasurer for further processing)

EXECUTIVE SESSION – AGENDA ITEM 28

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

34. RESOLUTION APPROVED – KEMP SMITH – COUNTY ATTORNEY – AGENDA ITEM 28A

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the retention of the Law Offices of Kemp Smith LLP as outside counsel for the County in State Office of Administrative Hearing Contested Case Docket Nos. 582-07-2673 and 582-07-2674. Motion carried.

AGENDA ITEMS 28B-D – NO ACTION TAKEN

CITIZENS – AGENDA ITEM 30

Jennifer Real addressed the Court to thank them for their actions regarding the injection wells in Montgomery County.

35. PAYROLL CHANGE REQUEST FORMS APPROVED – HUMAN RESOURCES

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve the following Payroll Change Request forms:
Request of Custodial Services to accept the resignation of Marianne Boyd, Custodial Supervisor, effective 04.08.11. (151.05 hours or balance of vacation, 84.25 hours or balance of compensatory time)

Request of Custodial Services to transfer James B. Dodson, Custodial Operations Manager, as replacement for Debra Garza, and to initiate an auto allowance, effective 04.11.11.

Request of Custodial Services to place Virginia A. Garcia, Part-time Custodian, on payroll as replacement for Maria Saavedra, effective 04.02.11.

Request of Custodial Services to place James Luman, Custodian II, on payroll due to his return from unpaid FMLA disability leave, effective 04.06.11.

Request of Custodial Services to place Phillip Schuster, Custodian I, on payroll due to return from unpaid FMLA/disability leave, effective 03.29.11.

Request of Commissioner Pct. 1 to transfer James R. Lamza, Operator I, to fill new position, effective 03.28.11.

Request of Commissioner Pct. 2 to place Marc Sliger, Operator I, on payroll as replacement for Richard Gore, effective 04.02.11.

Request of Commissioner Pct. 4 to increase the salary of Randy Dickerson, Operator III, due to promotion as replacement for Sidney Hollis, Jr., effective 03.14.11.

Request of Commissioner Pct. 4 to increase the salary of Paige McNabb, Clerk I, due to increased responsibilities, effective 03.14.11.

Request of County Attorney to increase the salary of Brandi Bourland, Legal Assistant II, due to position change as replacement for Benjamin Blair, effective 04.11.11.

Request of County Attorney to increase the salary of Sherry Foster, Legal Assistant II, due to transfer as replacement for Brandi Bourland, effective 04.11.11.

Request of County Attorney to place John Lockwood, Assistant County Attorney, on payroll as replacement for Scharlene Overstreet, effective 04.11.11.

Request of County Attorney to correct the effective date to 04.06.11 on the PCR of Scharlene Overstreet, Attorney I, which was approved by Commissioners’ Court on 03.14.11.

Request of County Auditor to place Bianca Bolfing, Part-time Clerk, on payroll effective 03.28.11.

Request of County Clerk to place Terrie Mericle, Clerk IV, on payroll due to return from unpaid FMLA/disability leave, effective 03.28.11.

Request of County Judge to transfer Lori Stafford, Clerk IV, as replacement for Patricia Werner, effective 03.28.11.

Request of Forensic Services to increase the salary of Jenny Broxon, Forensic Lab Tech I, due to job re-evaluation, effective 04.02.11.

Request of Forensic Services to increase the salary of Heather Reyes, Forensic Lab Tech II, due to job re-evaluation, effective 04.02.11.

Request of Juvenile to transfer Irma Dunmire, Juvenile Probation Officer, as replacement for Laura Juan, effective 04.02.11.
Request of Juvenile to place Elizabeth Escamilla, Juvenile Probation Officer, on unpaid FMLA/disability leave effective 03.29.11.

Request of Juvenile to place Elizabeth Escamilla, Juvenile Probation Officer, on payroll due to return from unpaid FMLA/disability leave, effective 04.01.11.

Request of Juvenile to change the status of Julie Christine Gibson, Counselor, as replacement for Laurie Frankenfield, effective 04.02.11.

Request of Juvenile to increase the salary of Irving Fernando Gonzales, Juvenile Probation Officer, due to promotion as replacement for Priscilla Jandres, effective 04.16.11.

Request of Juvenile to increase the salary of Priscilla Ann Jandres, Juvenile Probation Officer, due to transfer as replacement for Irma Dunmire, effective 04.02.11.

Request of Juvenile to increase the salary of Carly Loomis-Maier, Juvenile Probation Officer, due to transfer as replacement for Carrie Yanez, effective 04.02.11.

Request of Juvenile to place Karen Michelle Pittmen, Counselor, on payroll as replacement for Julie Gibson, effective 04.04.11.

Request of Juvenile to place Monica Leigh Sandoval, Certified Nurse Aide, on payroll due to return from unpaid FMLA/disability leave, effective 03.30.11.

Request of Library to accept the resignation of Wendy Gardner, Shelving Clerk I, effective 04.08.11. (no benefits due)

Request of Library to increase the salary of Andrea Marshall, Library Assistant IV, due to promotion as replacement for Mary Matsutani, effective 04.04.11.

Request of Library to increase the salary of Jessica Russell, Librarian III, due to promotion as replacement for Judith Lasher-Tidwell, effective 03.31.11.

Request of Library to place Deborah L. Swiglo, Library Assistant II, on payroll due to return from unpaid FMLA/disability leave, effective 03.29.11.

Request of Sheriff to accept the resignation of Rodney Baseke, Jr., Officer – Civilian Detention, effective 04.01.11. (50.41 hours or balance of vacation, 143.64 hours or balance of compensatory time, 19.75 hours or balance of holiday time)

Request of Sheriff to accept the resignation of John Berg III, Deputy, effective 03.30.11. (59.28 hours or balance of vacation time, 233.14 hours or balance of compensatory time, 40.00 hours or balance of holiday time)

Request of Sheriff to place Timothy Boerema, Deputy, on payroll as replacement for Lynise Marshall, effective 04.16.11.

Request of Sheriff to place Chad Bowers, Officer – Civilian Detention, on payroll as replacement for Josef Dearing, effective 04.09.11.

Request of Sheriff to place Elizabeth Dunlap, Clerk IV, on payroll due to return from unpaid FMLA/disability leave, effective 03.28.11.

Request of Sheriff to place Leslie Fields, Clerk IV, on payroll as replacement for Michael Anderson, effective 04.02.11.
Request of Sheriff to accept the resignation of Angelica Galczynski, Temporary Data Clerk, effective 03.25.11. (no benefits due)

Request of Sheriff to accept the resignation of Justin Hamilton, Deputy, effective 03.30.11. (.03 hours or balance of vacation time)

Request of Sheriff to place Kathleen Jones, Dispatcher, on payroll as replacement for Nicole Banks, effective 03.26.11.

Request of Sheriff to retire Martha Kitchens, Deputy – Bailiff, effective 04.30.11. (133.92 hours or balance of vacation time, 282.40 hours or balance of compensatory time)

Request of Sheriff to accept the resignation of David Krath, Officer – Civilian Detention, effective 04.15.11. (42.48 hours or balance of vacation time, 194.13 hours or balance of compensatory time, 48.0 hours or balance of holiday time)

Request of Sheriff to increase the salary of Jeremy Kurtz, Sergeant, due to promotion as replacement for Jayson Mouton, effective 04.02.11.

Request of Sheriff to transfer Robert Layman, Deputy, as replacement for Jimmy Morrison, effective 04.02.11.

Request of Sheriff to increase the salary of Lynise Marshall, Deputy, due to promotion/position change, effective 04.09.11.

Request of Sheriff to place Amber Masden, Officer – Civilian Detention, on payroll as replacement for Juan Rodriguez, effective 04.02.11.

Request of Sheriff to place Michael Miller, Deputy, on payroll as replacement for Robert Layman, effective 04.16.11.

Request of Sheriff to increase the salary of Michael Page, Corporal, due to promotion as replacement for Jeremy Kurtz, effective 04.02.11.

Request of Sheriff to place Jonathan Rascoe, Deputy, on payroll as replacement for Roy Underwood, effective 04.16.11.

Request of Sheriff to retire Johnnie Rodriguez, Officer – Civilian Detention, effective 03.31.11. (108.66 hours or balance of vacation time, 44.14 hours or balance of compensatory time, 48.0 hours or balance of holiday time)

Request of Sheriff to accept the resignation of Jamie Sutton, Dispatcher, effective 03.29.11. (48.54 hours or balance of vacation time, 44.75 hours or balance of compensatory time, 10.0 hours or balance of holiday time)

Request of Sheriff to transfer Roy Underwood, Deputy, as replacement for Andrew Swank, effective 04.02.11.

Request of Sheriff to decrease the salary of Misti Washburn, Clerk IV, due to demotion to replace Pamela Barrow per employee’s request, effective 03.26.11.

Request of Sheriff to discharge Jacob Wright, Temporary Data Clerk, effective 03.25.11. (no benefits due)

Request of Tax Office to discharge Diana Garza, Deputy Specialist II, effective 03.31.11. (108.00 hours or balance of vacation time)

Request of Tax Office to increase the salary of Cheri Shannon Ligon, Manager – Accounting, due to promotion as replacement for Vanessa McAttee, effective 04.11.11.
Request of Tax Office to place Jessica Rodriguez, Deputy Specialist I, on payroll as replacement for Elizabeth Shahan, effective 04.04.11.

Request of Library to discharge Matthew Steven McMillen, Shelving Clerk I, effective 04.05.11. (no benefits due)

Motion carried.

36. ADDENDUM TO AGENDA – ADVISORY COMMITTEE FORMATION APPROVED – COUNTY JUDGE

Motion by Judge Sadler, seconded by Commissioner Chance, to approve the formation of a Citizens Advisory Committee for redistricting with 3 appointments from each Commissioners’ Court member. Motion carried.

37. COURT ADJOURNED

Motion by Commissioner Doyal, seconded by Judge Sadler, 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