THE STATE OF TEXAS
COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 28th day of February, 2011, the Honorable Commissioners’ Court of Montgomery County, Texas, was duly convened in a Special Session in the Commissioners’ Courtroom of the Montgomery County Courthouse Annex, Conroe, Texas, with the following Members of the Court present:

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

INVOCA TION GIVEN BY ANN CARR
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 Chance, to approve Commissioners’ Court Agenda for discussion and necessary action. Motion carried.

2. PROCLAMATION/RESOLUTION APPROVED

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve a proclamation/resolution to urge area residents to support their Greater Houston Area Red Cross Chapter. Motion carried.

3. MINUTES APPROVED - COMMISSIONERS’ COURT MINUTES - COUNTY CLERK

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve Commissioners’ Court Minutes for February 7, 2011, as presented by the County Clerk. Motion carried.

4. CONSENT AGENDA APPROVED - AGENDA ITEMS 9A-O

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 FY 2010 approved, as follows:

1. DEBT SERVICE FUND: To recognize and allocate bond proceeds.

2. DEBT SERVICE FUND: To recognize and allocate revenue and record budgeted draw down of fund balance.

3. FEMA Grant: To recognize revenue from FEMA Grant.
4. JJAEP-DISCRETIONARY-W/10: To adjust line items.

5. RECYCLE STATION-PCT. 3: To adjust line items to reverse 614 portion of matching funds allocated for cleanup of illegal dumping grant.

6. SHERIFF/SEX ASSAULT INVST 10: To adjust line items.

C. BUDGET AMENDMENTS for FY 2011 approved, as follows:

1. ANIMAL SHELTER: To adjust line items and to transfer funds for work done at Shelter.

2. ANIMAL SHELTER: To recognize and allocate revenue and donations.

3. COMMISSIONER PCT. 1: To transfer funds for County portion of lake level study by Texas A&M.

4. CONSTABLE PCT. 4: To adjust line items.

5. CONSTABLE PCT. 4: To transfer funds to reimburse for batteries.

6. CONSTABLE PCT. 5: To transfer funds to build shelves and computer stands.

7. COUNTY JUDGE: To transfer funds for burial expense.

8. DISTRICT ATTORNEY: To transfer funds to build a cabinet with glass shelves.

9. DISTRICT CLERK: To adjust line items.

10. DRUG COURT: To recognize and allocate revenue for January 2011 (MRT Books).

11. ELECTIONS ADMINISTRATOR: To recognize and allocate reimbursements.

12. ELECTIONS ADMINISTRATOR: To recognize and allocate reimbursements.

13. JUVENILE PROBATION: To carry over funds from FY10 for release 395810.

14. RISK MANAGEMENT: To transfer funds for damage claims.

15. RISK MANAGEMENT: To recognize and allocate restitution.

16. RISK MANAGEMENT: To recognize and allocate insurance proceeds.

17. SHERIFF/AUTO THEFT/YR17: To adjust line items due to mandatory reduction of grant funds.

18. SHERIFF: To transfer funds to build shelving and 2-drawer cabinet and to adjust line items.

19. SHERIFF: To transfer funds for 1 year Dish Network Satellite.
20. SHERIFF: To recognize and allocate reimbursement.

D. OFFICIALS’ FEES REPORT ACCEPTED AS AUDITED FOR NOVEMBER, 2010.

TREASURER - AGENDA ITEMS 9B

A. WEEKLY INVESTMENT REPORT APPROVED for week of January 31 – February 4, 2011.

B. WEEKLY INVESTMENT REPORT APPROVED for week of February 7 – 11, 2011.

C. PLEDGES AND RELEASES OF COLLATERAL APPROVED.


E. STATEMENT OF BALANCES APPROVED for the month of November, 2010.

F. TEXAS ASSOCIATION OF COUNTIES 2010 CERTIFICATION OF COMPLIANCE APPROVED for Martha Gustavsen.


TAX ASSESSOR/COLLECTOR – AGENDA ITEMS 9C

A. TAX COLLECTION REPORT ACCEPTED for month ending January 31, 2011.


PURCHASING DEPARTMENT - AGENDA ITEMS 9D

A. ADVERTISING APPROVED FOR THE FOLLOWING BIDS/PROPOSALS:

   1. RFP/Q for Mental Health Court Research Project – Indigent Defense.

   2. Request for solicitation(s)/qualification(s) for Managed Assigned Counsel – Indigent Defense.


   5. Sale of timber – Lone Star Executive Airport.

B. CONTRACT AWARDED to Houston Freightliner for one 2010 Sprinter F3CA170 full size cargo van with extended length high-top, in the amount of $41,250.00.

C. RENEWALS APPROVED as follows (only cover letter on file):

   1. GRAYBAR ELECTRIC CO. (P.O. #2009088) for cable, cable parts & accessories for data/voice networks, expires 02.25.11 – (month to month basis) – C.I.S.
2. CONSOLIDATED COMMUNICATIONS OF TEXAS (P.O. #2010313) for internet service provider, expires 04.30.11 – Various Departments.

3. WAVEMEDIA, INC. (P.O. #2008349) for internet service provider, expires 04.30.11 – Various Departments.

4. UNIFIRST CORP. (P.O. #2008250) for uniform rental and services, expires 03.12.11 – (month to month basis) – Various Departments.

5. WOODFORREST NATIONAL BANK (P.O. #2008324) for installation of automated teller machines, expires 04.07.11 – Various Departments.

6. WESTERN UNION FINANCIAL SERVICES (P.O.#2008276) for service providing money transfers for collection of fines, expires 04.22.11 – Collections.

7. BUCKEYE CLEANING CENTER (P.O. #2008478) for janitorial supplies, equipment, maintenance and repair through the Interlocal Agreement with Region 4 Education Service Center (The Cooperative Purchasing Network) – TCPN – Contract #R4769, expires 02.28.11 – Various Departments.

8. FASTENAL, INC. (P.O. #2010460) for MRO equipment, supplies and related items/services through the Interlocal Agreement with Region 4 Education Service Center (The Cooperative Purchasing Network) – TCPN – Contract #R4952, expires 03.31.11 – Various Departments.

9. AGUSTIN GUTIERREZ, MA, LPC, PC (P.O. #2009323) for five phase treatment program services, expires 04.12.11 – Drug and DWI Courts.

10. W.W. GRAINGER, INC. (P.O. #2010459) for MRO equipment, supplies and related items/services through the Interlocal Agreement with Region 4 Education Service Center (The cooperative Purchasing Network) – TCPN – Contract #R4953, expires 03.31.11 – Various Departments.

11. DIAMOND COMMERCIAL CONSTRUCTION, INC. (P.O. #I010441) for construction repair, rehabilitation or alteration of residential building with Section 3 requirements, expires 04.25.11 – MCCD.

12. TDG GENERAL CONTRACTORS, INC. (P.O. #I010441) for construction repair, rehabilitation or alteration of residential building with Section 3 requirements, expires 04.25.11 – MCCD.

13. FAIRWEATHER GROUP LLC (P.O. #I010442) for construction repair, rehabilitation or alteration of residential building with Section 3 requirements, expires 04.25.11 – MCCD.

14. CARRIER COMMERCIAL SERVICE (P.O. #2009384) for air conditioning, heating and cooling products through the Interlocal Agreement with Region VIII Education Service Center/Texas Interlocal Purchasing System Program (TIPS) Contract #01042809, expires 04.23.11 – Various Departments.

D. CHANGE ORDERS APPROVED as follows:

1. Change Order #1, P.O. #2011081 to A&H Electric Services LLC for RFP/Q Energy Efficiency and Conservation Block Grant Program – Phase III – Energy Savings and Lighting Retrofits at a price increase of $9,966.58.– Infrastructure.
2. Change Order #2, P.O. #2010679 to Smith and Company for construction of base repair, overlay and pavement markings on Ford Road at a price increase of $32,853.50. The Change Order also includes a request to increase the number of days from 100 to 130.– CSJ 0912-37-211 – Pct. 4/Engineering.

3. Change Order #4, P.O. #2011066 to Fairweather Group LLC for the Forensic Facility at price increase of $3,539.00.– Infrastructure.

4. Change Order #2, P.O. #2011154 to MWI Veterinary Supply Co. for veterinary supplies – Animal Shelter/ Animal Control.

5. Change Order #5, P.O. #2010262 to Diamond Commercial Construction, Inc. for Pct. 1 Community Center in Montgomery, TX at a price increase of $31,519.00. The Change Order also includes a request to increase the number of days from 337 to 439.– Infrastructure.

6. Change Order #1, P.O. #2010570 to Diamond Commercial Construction for a new arena roof cover, at a price increase of $4,130.00 – Pct. 2.

E. DISCRETIONARY EXEMPTIONS PER LOCAL GOVERNMENT CODE 262.024 APPROVED as follows:

1. Autopsies from Dallas County in the amount of $8,600.00 – Forensic Services.

2. Fiber Optic/Network from Interfacing Company of Texas, Inc. – Various Departments.

3. Law books/Subscriptions from West, a Thomson Reuters Group – Various Departments.

4. Products and related services from Hewlett Packard, contract #DIR-SDD-1364 – Various Departments.

F. CHECK ACCEPTED in the amount of $1,853.55 from the Lone Star Groundwater Conservation District for the lease of office space at 207 West Phillips, suite 300, Conroe, TX, 77301. (check forwarded to Treasurer for further processing)

G. RENAMING OF PERMISSION TO ADVERTISE APPROVED for the bid/proposal from Bulk Fuel – Various Departments to RFP/Q Bulk Fuel – Various Departments.

H. CONTRACT ACCEPTED for elevator products and services from the Thyssenkrupp Elevator Corporation, contract #R5042– Various Departments.

I. NAME CHANGE APPROVED for Ridgways LLC to Ridgways, LLC dba ARC effective January 1, 2011.

J. CONTRACT ACCEPTED for HVAC equipment, refrigeration, installation, service and related products from Hunton Distribution Group (TRANE), contract #R5045 – Various Departments.

K. PAYMENT ACCEPTED from Sylvania Lighting Services in the amount of $145,273.85 for the RFP/Q Energy Efficiency and Conservation Block Grant Program - Phase IV – Infrastructure.
L. PAYMENT ACCEPTED from Gowan, Inc. in the amount of $326,706.00 for RFP/Q Energy Efficiency and Conservation Block Grant Program – Phase V – Infrastructure.

M. PROPOSAL ACCEPTED in the amount of $21,045.00 for Arborleaf Engineering and Surveying, Inc. for Right-of-Way surveying for the extension of League Line Road from Highway 75 to Old FM 1484 – Precinct 1.

N. PURCHASING MANUAL ACKNOWLEDGED – Purchasing.

O. LIST APPROVED – miscellaneous items and vehicles for the next online auction – Various Departments.

RISK MANAGEMENT - AGENDA ITEMS 9E

A. PAYMENT ACKNOWLEDGED to the The Crim Law Firm, P.C. and Angela Brown for $15,000.00 in reference to Claim #A-08-0023. Date of accident: 01.22.08. (only cover letter on file)

B. BOND CHANGES APPROVED as follows:

1. 24833121 John Enloe – Pct. 1
2. 14331527 Raymond Kelly – Const. Pct. 3
3. Oath of Office Kathleen Hamilton – 359th District Court
4. Add’l Oath Ed Rinehart – Comm. Pct. 4
5. 16072460 Boyd Crabtree – Const. Pct. 1
6. 14952797 Ollie Gage – Const. Pct. 1

COMMISSIONERS , PRECINCT 2 - AGENDA ITEM 9F1

A. CHECK ACCEPTED in the amount of $329.64 from The Friendship Center for reimbursement of fuel usage for December 2010. (check forwarded to Treasurer for further processing)

COMMISSIONERS , PRECINCT 2 - AGENDA ITEM 9F2

A. CHECK ACCEPTED in the amount of $1,835.68 from the City of Roman Forest for the purchase of fuel for the month of December, 2010. (check forwarded to Treasurer for further processing)

B. CHECK ACCEPTED in the amount of $2,107.61 from the City of Roman Forest for the purchase of fuel for the month of January, 2011. (check forwarded to Treasurer for further processing)

C. CHECK ACCEPTED in the amount of $654.83 from The Friendship Center for fuel used for the month of January, 2011. (check forwarded to Treasurer for further processing)

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

PRECINCT 1

A. ORDER APPROVED, authorizing sale of property and execution of Special Warranty Deed, and appointing Mike Meador as Special Commissioner to execute the Special Warranty Deed on behalf of Montgomery County, Texas.

B. ORDER APPROVED, allowing partial lot conveyance without a replat for Lot 4, Far Hills Subdivision.
PRECINCT 2

A. ORDER APPROVED, authorizing payment of relocation expenses in association with the purchase of right-of-way known as Parcel 30 for The Woodlands Parkway Extension Project.

B. ORDER APPROVED, authorizing payment of relocation expenses in association with the purchase of right-of-way known as Parcel 33 for The Woodlands Parkway Extension Project.

C. ORDER APPROVED, authorizing purchase of right-of-way known as Parcel 65 for The Woodlands Parkway Extension Project.

D. ORDER APPROVED, acknowledging receipt of replacement Letter of Credit for High Meadow Estates, Section 1.

PRECINCT 3

A. ORDER APPROVED, consenting to street construction, repair, and maintenance by Montgomery County for The Woodlands Joint Powers Agency for 110 Tranquil Path per Interlocal Agreement.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9H

COMMISSIONER – PRECINCT #2

A. REQUEST APPROVED, for San Bernard Electric Cooperative, Inc. to place a power pole within the right-of-way of Sandy Creek Road.

B. REQUEST APPROVED, for Hughes Natural Gas, Inc. to place a 4” PE natural gas line within the right-of-way of Decker Prairie Road and Wright Road.

C. PUBLIC HEARING APPROVED, for the proposal of setting the speed limit to 35 MPH in Glenwood Subdivision.

D. REQUEST APPROVED, to rescind item 8H1B on the February 7, 2011 Commissioners’ Court Agenda. This rescinds the request for the public hearing to change the name of Lake Creek Road to Oasis Drive. (no paperwork on file)

COMMISSIONER – PRECINCT 3

A. REQUEST APPROVED, for CenterPoint Energy Entex to install 498.5 feet of 2” IP plastic gas service line within the right-of-way of Rayford Road at Wild Rose Drive.

B. REQUEST APPROVED, for the San Jacinto River Authority to place a 16” well collection line within the right-of-way of The Woodlands Parkway and West Branch Crossing.

COMMISSIONER – PRECINCT 4

A. REQUEST APPROVED, for Crystal Springs Water Company, Inc. to place an 8” sanitary sewer line within the right-of-way of Painted Boulevard.

B. REQUEST APPROVED, for Cumberland Crossing POA to place two 30” storm sewer lines within the right-of-way of Painted Boulevard.
ALL PRECINCTS

A. REQUEST APPROVED, for Park Construction Associates, LLC to move heavy construction equipment across various county roads. These permits (2) will expire on June 20, 2011.

SHERIFF DEPARTMENT – AGENDA ITEM 9I

A. CHECK ACCEPTED in the amount of $65.17 from Montgomery County Crime Stoppers, Inc. for cell phone donation for Brandy Bice for the month of January, 2011. (check forwarded to Treasurer for further processing)

B. CHECK ACCEPTED in the amount of $67.75 from Montgomery County Crime Stoppers, Inc. for cell phone donation for Brandy Bice for the month of February, 2011. (check forwarded to Treasurer for further processing)

CONSTABLE – PRECINCT 1 – AGENDA ITEM 9J

A. 2010 RACIAL DATA REPORT ACCEPTED AND APPROVED.

CONSTABLE – PRECINCT 2 – AGENDA ITEM 9K

A. 2010 RACIAL DATA REPORT ACCEPTED AND APPROVED.

COUNTY CLERK – AGENDA ITEM 9L

A. REQUEST APPROVED, authorizing the County Auditor to transfer funds from the County Clerk’s Records Management Fund as follows:

1. $1,000.00 to Line Item 40311-7390 to cover shortage in line item that will occur when the purchase of twelve 24” monitors is finalized.

B. REQUEST APPROVED, to correct the date on the minutes for the November 15, 2010 Commissioners’ Court session from “November 15, 2011” to “November 15, 2010”.

C. REQUEST APPROVED, to correct the wording for Motion 13 in the minutes for the December 6, 2010 Commissioners’ Court session as follows:

“2. BID/PROPOSAL RESCINDED, 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)”

It should read:

“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)”

PARKS DEPARTMENT – AGENDA ITEM – 9M

PRECINCT 1

A. USE AGREEMENTS APPROVED as follows:

1. Willis Girls Softball Association – West Park
2. Montgomery Youth Soccer Club – West Park
3. Texas Top Guns – West Park
4. Conroe Area Girls Softball Association – Gene Campbell
5. TEAA – Montgomery County Extension Office, Lobby of Alan B. Sadler Commissioners’ Court Building

COUNTY ATTORNEY – AGENDA ITEM – 9N

A. BIDDING EXEMPTION APPROVED with regard to the retention agreement for consultation services provided by HILLCO Partners regarding the 82nd Texas Legislative Session previously approved on January 24, 2011.

INFRASTRUCTURE – AGENDA ITEM – 9O

A. SUBSTANTIAL COMPLETION DOCUMENT FROM DIAMOND COMMERCIAL CONSTRUCTION, INC. APPROVED.

Motion carried.

END OF CONSENT AGENDA

5. MEMBERSHIP RENEWAL APPROVED – NORTH & EAST TEXAS COUNTY JUDGES & COMMISSIONERS ASSOCIATION – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve the 2011 annual membership fee of $125.00 to the North & East Texas County Judges & Commissioners Association. Motion carried.

6. APPOINTMENTS TO OVERSIGHT BOARD APPROVED – 284TH DISTRICT COURT

Motion by Commissioner Meador, seconded by Commissioner Chance, to appoint the following persons to the Oversight Board for the Indigent Defense Grant for the Mental Health Court:

A. Cindy Sill
B. Dan Lafferty
C. Wayne Mack
D. Dr. Jerry Neff
E. Angela Speight

Motion carried. (only cover letter on file)

7. GRANT ACCEPTED – INDIGENT DEFENSE GRANT FOR MENTAL HEALTH COURT – 284TH DISTRICT COURT

Motion by Judge Sadler, seconded by Commissioner Doyal, to approve the Indigent Defense Grant for the Mental Health Court. Motion carried. (only cover letter on file)

8. CHECK ACCEPTED – EAST MONTGOMERY COUNTY IMPROVEMENT DISTRICT – JP 4

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to accept a check in the amount of $11,082.51 from a Community Service Grant approved by the East Montgomery County Improvement District. Motion carried. (no check received)
9. HOSPITAL LICENSE ACKNOWLEDGED AND BY-LAWS APPROVED – TEXAS DEPARTMENT OF STATE HEALTH SERVICES – MONTGOMERY COUNTY MENTAL HEALTH TREATMENT FACILITY ADVISORY BOARD

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to acknowledge receipt of the hospital license from the Texas Department of State Health Services Regulatory Licensing Unit for the operation of the Montgomery County Mental Health Treatment Facility, effective 03.01.11. Also, to approve the medical staff organization by-laws as recommended by the MCMHTF Advisory Board. Motion carried.

10. TABLE OF ORGANIZATION APPROVED – MCMHTF ADVISORY BOARD

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the table of organization as recommended by the MCMHTF Advisory board. Motion carried.

11. ITEMS RECOMMENDED BY THE MCMHTF ADVISORY BOARD APPROVED - MONTGOMERY COUNTY MENTAL HEALTH TREATMENT FACILITY

Motion by Commissioner Chance, seconded by Commissioner Doyal to approve the items recommended by the MCMHTF Advisory Board as follows:

A. Position Descriptions
B. Employee Handbook
C. Six Program Plans as follows:
   1. Human Resources Training Program Plan
   2. Scope of Services Plan
   3. Infection Control Plan
   4. Patient Safety Program Plan
   5. Emergency Operations Plan
   6. Performance Improvement Program Plan
D. Patient Rights Handbook
E. Geo Care, Inc. Corporate Policies and Procedures (only cover letter on file)
F. Medical Staff appointments as follows:
   1. Christopher Chapman, MD  Physician – Family Medicine
   2. Steven Coats, PhD  Psychology – with modification
   3. Siji John, PhD  Psychology – with modification
   4. Ernest A. Kendrick, MD  Physician – Psychiatry
   5. Jack Pieniazek, DO  Physician – Family Medicine
   6. Samson Sheih, MD  Physician – Family Medicine

Motion carried.

12. CARRY OVER OF REIMBURSEMENT OF HGAC FUNDS APPROVED – SHERIFF

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the carry over of reimbursement HGAC reimbursement funds to line item 56018-7411 in the amount of $33,093.00 awarded to MCSO Academy for training classes held in the facility from 06.01.10 – 08.31.10. Motion carried.

13. BUDGET TRANSFER APPROVED – SHERIFF

Motion by Commissioner Chance, seconded by Commissioner Meador, to move $9,586.00 from 5121-3940-3 to 5601-3940-8. Motion carried.
14. GRANT PROPOSAL SUBMISSION APPROVED – FY12 STEP GRANT – SHERIFF

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve the submission of the FY12 Step Grant Proposal. Motion carried.

15. GRANT APPLICATION AND SUBMISSION APPROVED – SOLVING COLD CASES WITH DNA – SHERIFF

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the submission of a grant application to the U.S. Department of Justice/National Institute of Justice for Solicitation; Solving Cold Cases with DNA. The request of $194,573 will fund overtime, travel and DNA testing. No match required. Motion carried.

16. GRANT APPROVED – SEARCH WARRANTS STOP DRUNK DRIVERS PROJECT – DISTRICT ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the TXDOT Grant: Search Warrants Stop Drunk Drivers Project. Motion carried.

17. GRANT APPROVED – DOMESTIC VIOLENCE PROSECUTOR PROJECT – DISTRICT ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the Criminal Justice Division Grant: Domestic Violence Prosecutor Project. Motion carried.

18. POSITION TRANSFER APPROVED – ANIMAL CONTROL AND SHELTER

Motion by Commissioner Rinehart, seconded by Judge Sadler, to approve the transfer of position 6331-3900-1 to 6331-2750-1. This position has always been assigned to the Animal Shelter but was inadvertently placed under Animal Control. Motion carried.

19. POSITION CHANGES APPROVED – ANIMAL CONTROL AND SHELTER

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve position changes as follows:

A. Abandon position 6331-3900-1 Clerk I, and create 6331-3930-3 Clerk III, to be consistent with other clerk positions.

B. Transfer funds between positions as follows:

   1. 6331-2710-3 to 6331-3930-3  416.00
   2. 6331-2710-7 to 6331-3930-3  832.00
   3. 6331-2710-9 to 6331-3930-3  416.00
   4. 6331-2710-14 to 6331-3930-3  832.00
   5. 6331-2710-16 to 6331-3930-3  416.00
   6. 6331-3930-1 to 6331-3930-3  1121.00

Motion carried.

20. REQUEST APPROVED – USE OF FUNDS – COUNTY COURT AT LAW #2 – AUDITOR

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve the use of $1,405.47 from the Court Reporter Service Fund by County Court at Law #2 for continuing education. Motion carried.
21. **RELOCATION OF MAILROOM APPROVED – INFRASTRUCTURE**

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve the relocation of the mailroom from 301 N. Mail, Conroe, TX 77301 to 301 N. Thompson, Conroe, TX 77301, with costs not to exceed $2,000.00. Motion carried.

22. **INTERIOR SIGN MAINTENANCE APPROVED – INFRASTRUCTURE**

Motion by Judge Sadler, seconded by Commissioner Chance, to approve plan to unify signs inside buildings in downtown Conroe located at; 207 W. Phillips, 210 W. Davis, 301 N. Thompson, and 301 N. Main. Funding will be from contingency, not to exceed $9,000.00. Motion carried.

23. **RESOLUTION APPROVED – TXDOT ENVIRONMENTAL REVIEW PROCESS – COUNTY ENGINEER**

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve a resolution in support of legislation which would streamline TXDOT’s environmental review process for all projects which are being funded by local entities – Pct. 1. Motion carried.

**PURCHASING DEPARTMENT – AGENDA ITEM 20**

**RECOMMENDATIONS AND CONTRACTS DEFERRED – AGENDA ITEMS 20A1-6, 20A10-15**

24. **RECOMMENDATIONS AND CONTRACTS AWARDED – PURCHASING**

Motion by Commissioner Rinehart, seconded by Commissioner Doyal, to approve contracts as follows:

A. RFP/Q Extension of fiber network – Willis office locations – Project #2011-0031-(01.26.11), awarded to Wavemedia, Inc. in the amount of $31,171.00.

B. New vehicles with police package – Sheriff’s Office/Various Departments – Project #2011-0034-(01.27.11) – Awarded to Philpott Motors Ltd. and Buckalew Chevrolet, LP.

C. New cargo vans (transport) – Sheriff’s Office/Various Departments – Project #20114-0039-(01-27-11) awarded to Houston Freightliner in the amount of $41,250.00.

D. RFP/Q Inmate phone system and associated system services – Various Departments – Project #2010-0063-(04-16-2010) awarded to Global Tel*Link.

Motion carried.

25. **CHANGE ORDER APPROVED – SMITH AND COMPANY – PURCHASING**

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve Change Order #1, P.O. #2010678 in the amount of $68,242.76 to Smith and Company for construction of base repair, overlay and pavement markings on Sorters Road, and to increase the number of days from 100 to 130 – CSJ 0912-37-210-Pct. 4/Engineering. Motion carried.
26. **LEASE PURCHASE AGREEMENT APPROVED – WELLS FARGO EQUIPMENT FINANCE – PURCHASING**

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the lease purchase agreement with Wells Fargo Equipment Finance, Inc. for the purchase of one 2011 Ford F250 ¾ ton crew cab XL and two 2011 Ford Fusion “S” from Gullo Ford Mercury of Conroe. Motion carried.

27. **RESOLUTION APPROVED – COUNTY-WIDE COUNTERFEIT CURRENCY POLICY – COUNTY ATTORNEY**

Motion by Commissioner Doyal, seconded by Commissioner Rinehart, to approve a resolution adopting a county-wide counterfeit currency policy. Motion carried.

28. **DEED OF TRUST, PROMISSORY NOTE AND OTHER RELATED DOCUMENTS APPROVED – COUNTY ATTORNEY**

Motion by Commissioner Doyal, seconded by Judge Sadler, to approve Deed of Trust, Promissory Note and other related documents between Montgomery County, Texas as grantee under the CDBG Program, and Magnolia Trails, L.P., granting funds to be used for the purchase of land in connection with the development of a low-income housing project. Motion carried.

29. **RESOLUTION AND ORDER APPROVED – COMPROMISE SETTLEMENT AGREEMENT – COUNTY ATTORNEY**

Motion by Judge Sadler, seconded by Commissioner Meador, to approve a resolution and order authorizing proceeds received from First Indemnity Insurance Company of America under the compromise and settlement agreement approved by Commissioners’ Court on February 7, 2011 in cause # 07-09-08946-CV, styled Montgomery County, Texas vs. Triple L Sales & Development, Inc., to be credited to the asphalt budget of the Montgomery County Precinct 2 Commissioner’s Office. Motion carried. (check in the amount of $70,000.00 forwarded to Treasurer for further processing)

30. **RESOLUTION AND ORDER APPROVED – EMPLOYEE COMMITTEE USE OF NEW PARKING GARAGE – COUNTY ATTORNEY**

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve resolution and order authorizing County Employee Committee to use and manage new parking garage for public use during the Conroe Catfish Festival, and authorize a reasonable parking fee related to said use pursuant to use restrictions specified in the resolution. Motion carried.

31. **RESOLUTION AND ORDER APPROVED – TRANSCRIPT OF PROCEEDINGS – PASS-THROUGH TOLL REVENUE – COUNTY ATTORNEY**

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the resolution and order acknowledging for record the transcript of the proceedings for pass-through toll revenue and limited tax bonds, series 2010, as approved and authorized by Commissioners’ Court July 29, 2010, Motion #7. Motion carried.

32. **LETTER OF INTENT APPROVED – SAFE HAVENS: SUPERVISED VISITATION AND SAFE EXCHANGE FY2011 GRANT – COUNTY ATTORNEY**

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the execution of a Letter of Intent and related documents necessary to apply for federal grant funds under the Safe Havens: Supervised Visitation and Safe Exchange FY2011 Grant Program, and authorize the Honorable Alan B. Sadler to execute same. Motion carried.
33. INDOOR LOCATION APPROVED – TAX SALES – COMMISSIONER PCT.1

Motion by Commissioner Meador, seconded by Commissioner Chance to approve a 90 day trial of holding the bulk of monthly tax sales at the old forensic facility to establish if it is an adequate venue for the sales. Motion carried.

34. REQUEST APPROVED – SOIL AND WATER CONSERVATION DISTRICT #452 FUNDING – COMMISSIONER PCT. 1

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve a request from Montgomery County Soil and Water Conservation District #452 for annual funding in the amount of $15,000.00. Motion carried.

EXECUTIVE SESSION – AGENDA ITEM 23

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 ITEMS 23C AND 23D – NO ACTION TAKEN

35. ACTION APPROVED – CLAIM OF JAMAINE BANKS – EXECUTIVE SESSION

Motion by Commissioner Rinehart, seconded by Commissioner Doyal, to take appropriate action on Civil Action No. 4:10-CV-03311, styled Jamaine Banks vs. Captain Ariola, et al; Claim No. D-10-0103. Motion carried.

36. ACTION APPROVED – CLAIM OF DIAMOND COMMERCIAL CONSTRUCTION – EXECUTIVE SESSION

Motion by Commissioner Meador, seconded by Commissioner Chance, to take appropriate action on Cause No. 11-01-00235-CV, styled Diamond Commercial Construction, Inc. vs. Montgomery County, Texas. Motion carried.

37. ACTION APPROVED – CLAIM OF RICHARD SCHRADER – EXECUTIVE SESSION

Motion by Commissioner Doyal, seconded by Commissioner Meador, to take appropriate action on Civil Action No. 4:11-CV-00440, styled Richard Schrader vs. Montgomery County. Motion carried.

38. PAYROLL CHANGE REQUEST FORMS APPROVED – HUMAN RESOURCES

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

Request of Animal Shelter to place Martha Boaz, Clerk I, on payroll as replacement for Aretta Lawson, effective 02.03.11.

Request of Animal Shelter to accept the resignation of Martha Boaz, Clerk I, effective 02.07.11. (no benefits due)

Request of Animal Shelter to discharge Deaven Garrett, Kennel Help, effective 02.02.11. (24.64 hours or balance of vacation time, .375 hours or balance of compensatory time, 48 hours or balance of holiday time)

Request of Animal Shelter to place Steven Harris, Kennel Help, on payroll as replacement for Deaven Garrett, effective 02.05.11.
Request of Custodial Services to place Alice Beard-Moore, Part-time Custodian, on payroll as replacement for Barbara Martin, effective 02.28.11.

Request of Custodial Services to promote Barbara Martin, Supervisor-Custodial, as replacement for Jarl Felder, effective 02.19.11.

Request of Custodial Services to place Marta L. Rivera, Custodian, on payroll effective 02.08.11. (position approved by CC for FY2011 budget)

Request of Custodial Services to place Maria R. Saavedra, Custodian, on payroll effective 02.08.11. (position approved by CC for FY2011 budget)

Request of Custodial Services to place Alma Delia Visoso, Custodian I, on payroll as replacement for Lorena Echeverria, effective 02.08.11.

Request of Custodial Services to place Amanda Winborn, Custodian, on payroll as replacement for James Winborn, effective 02.14.11.

Request of Commissioner Pct. 4 to place Buddy Overstreet, Foreman, on unpaid FMLA/Disability leave, effective 02.01.11.

Request of Commissioner Pct. 4 to place Buddy Overstreet, Foreman, on payroll due to return from unpaid FMLA/Disability leave, effective 02.14.11.

Request of Commissioner Pct. 4 to lay off Buddy Overstreet, Foreman, effective 02.18.11. (3.0892 hours or balance of vacation time)

Request of Constable Pct. 4 to temporarily withhold auto allowance for Christopher Turrentine, Deputy Constable, effective 02.28.11.

Request of County Auditor to accept the resignation of Thad Marshall, Accounts Payable Supervisor, effective 02.18.11. (no benefits due)

Request of County Clerk to increase the salary of Rebecca Biasotti, Clerk IV, due to completion of probationary period, effective 02.21.11.

Request of County Clerk to place Talisa Caldwell, Clerk II, on unpaid FMLA/Disability leave, effective 02.02.11.

Request of County Clerk to place Terrie Mericle, Clerk IV, on unpaid FMLA/Disability leave, effective 02.09.11.

Request of Parks Department to retire Corliss O'Shaughnessy, Director – Parks, effective 02.28.11. (142.476 hours or balance of vacation time)

Request of District Attorney to increase the salary of Frank Barnett, Attorney II, due to a position change as replacement for Morgan E. Dahse, effective 02.22.11.

Request of District Attorney to increase the salary of Bryan J. Bleibdrey, Attorney II, due to promotion as replacement for Amanda Webb, effective 02.22.11.

Request of District Attorney to increase the salary of Morgan E. Dahse, Attorney I, due to position change as replacement for Abigail Nettles, effective 02.22.11.

Request of District Attorney to increase the salary of Jeremy T. Dunman, Attorney III, due to position change as replacement for Nancy Hebert, effective 02.22.11.

Request of District Attorney to accept the resignation of Adrienne E. Frazior, Attorney I, effective 02.18.11. (97.68 hours or balance of vacation time)
Request of District Attorney to increase the salary of Rochelle L. Guiton, Attorney I, due to position change as replacement for Vincenzo Santini, effective 02.22.11.

Request of District Attorney to place Lane A. Haygood, Attorney II, on payroll as replacement for Tamlyn Joy Massa, effective 03.07.11.

Request of District Attorney to increase the salary of Nancy B. Hebert, Attorney III, due to position change as replacement for Marc Brumberger, effective 02.22.11.

Request of District Attorney to increase the salary of Jeffrey L. Hohl, Attorney I, due to position change as replacement for Sean G. Whittmore, effective 02.22.11.

Request of District Attorney to increase the salary of Nancy B. Hebert, Attorney III, due to position change as replacement for Marc Brumberger, effective 02.22.11.

Request of District Attorney to increase the salary of Jason Ryan Horn, Attorney II, due to promotion as replacement for Tiana Jean Sanford, effective 02.22.11.

Request of District Attorney to increase the salary of Mary Nan Huffman, Attorney II, due to position change as replacement for Dewey Lee Romero, effective 02.22.11.

Request of District Attorney to place Amanda Nicole Lanning, Attorney I, on payroll as replacement for Michael Stanley, effective 02.22.11.

Request of District Attorney to increase the salary of Andrew D. James, Attorney III, due to position change as replacement for Jeremy T. Dunman, effective 02.22.11.

Request of District Attorney to increase the salary of Jeredith E. Jones, Attorney I, due to position change as replacement for Mary Nan Huffman, effective 02.22.11.

Request of District Attorney to place Amanda Nicole Lanning, Attorney I, on payroll as replacement for Michael Stanley, effective 02.22.11.

Request of District Attorney to increase the salary of Andrew D. James, Attorney III, due to position change as replacement for Jeremy T. Dunman, effective 02.22.11.

Request of District Attorney to increase the salary of Jeredith E. Jones, Attorney I, due to position change as replacement for Mary Nan Huffman, effective 02.22.11.

Request of District Attorney to increase the salary of Jason Ryan Horn, Attorney II, due to promotion as replacement for Tiana Jean Sanford, effective 02.22.11.

Request of District Attorney to increase the salary of Mary Nan Huffman, Attorney II, due to position change as replacement for Dewey Lee Romero, effective 02.22.11.

Request of District Attorney to increase the salary of Tamlyn Joy Massa, Attorney III, due to promotion as replacement for Andrew James, effective 02.22.11.

Request of District Attorney to increase the salary of Patricia Jean Miller, Legal Assistant I, due to promotion as replacement for Guadalupe Alvarez, effective 02.12.11.

Request of District Attorney to increase the salary of Abigail T. Nettles, Attorney I, due to position change as replacement for Rochelle L. Guiton, effective 02.22.11.

Request of District Attorney to increase the salary of Liah A. Olson, Attorney II, due to position change as replacement for David Park Ward, effective 02.22.11.

Request of District Attorney to place Shanna R. Redwine, Attorney I, on payroll as replacement for Jeffrey L. Hohl, effective 03.07.11.

Request of District Attorney to increase the salary of Dewey Lee Romero, Attorney II, due to position change as replacement for Jason Larman, effective 02.22.11.

Request of District Attorney to increase the salary of Tiana Jean Sanford, Attorney II, due to position change as replacement for Frank M. Barnett, effective 02.22.11.

Request of District Attorney to increase the salary of Dewey Lee Romero, Attorney II, due to position change as replacement for Jason Larman, effective 02.22.11.

Request of District Attorney to increase the salary of Tiana Jean Sanford, Attorney II, due to position change as replacement for Frank M. Barnett, effective 02.22.11.

Request of District Attorney to increase the salary of Vincenzo J. Santini, Attorney II, due to position change as replacement for Jeredith E. Jones, effective 02.22.11.

Request of District Attorney to increase the salary of Michael D. Stanley, Attorney I, due to position change as replacement for Bryan Bleibdrey, effective 02.22.11.

Request of District Attorney to increase the salary of Michael D. Stanley, Attorney I, due to position change as replacement for Bryan Bleibdrey, effective 02.22.11.

Request of District Attorney to increase the salary of Vincenzo J. Santini, Attorney II, due to position change as replacement for Jeredith E. Jones, effective 02.22.11.
Request of District Attorney to place Beverly Thompson, Court Clerk IV, on payroll as replacement for Patricia Miller, effective 02.28.11.

Request of District Attorney to increase the salary of Amanda M. Webb, Attorney II, due to position change as replacement for Liah Olson, effective 02.22.11.

Request of District Attorney to increase the salary of Sean G. Whittmore, Attorney I, due to position change as replacement for Adrienne E. Frazior, effective 02.22.11.

Request of District Clerk to place Kelli Copeland, Court Clerk II, on payroll as replacement for Tracy Halperin, effective 02.22.11.

Request of District Clerk to promote Tracy Halperin, Court Clerk IV, as replacement for Jacquelyn Rodriguez, effective 02.14.11.

Request of District Clerk to place Allie Hayslip, Part-time Clerk, on payroll as replacement for Ryan Daniel, effective 02.15.11.

Request of District Clerk to place Lisbeth Rogers, Court Clerk II, on payroll as replacement for LaDawn Haynes, effective 02.16.11.

Request of District Clerk to place Linda Tyler, Part-time Clerk, on payroll as replacement for Shelley Everhart, effective 02.22.11.

Request of Elections to lay off James William Doyle, Temporary Voter Clerk, effective 02.04.11. (no benefits due)

Request of Elections to lay off Sybil L. Doyle, Temporary Voter Clerk, effective 02.04.11. (no benefits due)

Request of Elections to lay off Gloria L. Hamm, Temporary Voter Clerk, effective 02.04.11. (no benefits due)

Request of Elections to lay off Shirley Ann Hickman, Temporary Voter Clerk, effective 02.04.11. (no benefits due)

Request of Elections to lay off Robert John Horn, Temporary Voter Clerk, effective 02.04.11. (no benefits due)

Request of Elections to lay off Shirley F. Horn, Temporary Voter Clerk, effective 02.04.11. (no benefits due)

Request of Elections to lay off Erma D. Lewis, Temporary Voter Clerk, effective 02.04.11. (no benefits due)

Request of Elections to lay off Katherine A. Thompson, Temporary Voter Clerk, effective 02.04.11. (no benefits due)

Request of Elections to lay off Lydia White, Temporary Voter Clerk, effective 02.04.11. (no benefits due)

Request of Homeland Security to accept the resignation of Charles D. Sturrock, Planner – Homeland Security, effective 02.15.11. (24 hours or balance of vacation time)

Request of Juvenile to accept the resignation of Lauren Raye Fite, Juvenile Probation Officer, effective 02.28.11. (114.55 hours or balance of vacation time, 6.385 hours or balance of compensatory time)

Request of Juvenile to accept the resignation of Laurie Frankenfield, Counselor, effective 03.04.11. (122.90 hours or balance of vacation time)
Request of Library to place Hailey Stoughton, Shelving Clerk I, on payroll as replacement for Martha Byrd, effective 02.07.11.

Request of Purchasing to increase the salary of Shirley Carpenter, Buyer II, due to promotion as replacement for Sandy Matthews-Bernard, effective 02.21.11.

Request of Purchasing to increase the salary of Stephanie Keeton, Buyer III, due to position change as replacement for Geraldine Lamb, effective 02.21.11.

Request of Purchasing to increase the salary of Geraldine Lamb, Senior Buyer, due to promotion as replacement for Pam Taras, effective 02.21.11.

Request of Purchasing to increase the salary of Sandy Matthews-Bernard, Buyer III, due to promotion as replacement for Stephanie Keeton, effective 02.21.11.

Request of Purchasing to increase the salary of Pamela Taras, Senior Buyer, due to position change as replacement for Kelly Vidal, effective 02.21.11.

Request of Purchasing to increase the salary of Kelly Vidal, Senior Contract Administrator, due to promotion as replacement for Jorge Ardines, effective 02.21.11.

Request of Recycle Station – Precinct 3 to discharge Charlie Easley, Jr., Operator I, effective 02.14.11. (126 hours or balance of vacation time)

Request of Sheriff to increase the salary of Howard Ansley, Corporal – Detention, due to step increase, effective 11.13.10.

Request of Sheriff to transfer Pamela Barrow, Clerk IV, as replacement for Valerie Hinson, effective 02.05.11.

Request of Sheriff to accept the resignation of Christopher Bell, Officer – Civilian Detention, effective 02.25.11. (141.73 hours or balance of vacation time, 200 hours or balance of compensatory time, 56 hours or balance of holiday time)

Request of Sheriff to retire Linda Craven, Clerk IV, effective 02.28.11. (4.62 hours or balance of vacation time, 123.11 hours or balance of compensatory time)

Request of Sheriff to retire Dora DiCarlo, Dispatcher, effective 02.28.11. (132.42 hours or balance of vacation time, 182.741 hours or balance of compensatory time, 41 hours or balance of holiday time)

Request of Sheriff to place Elizabeth Dunlap, Clerk IV, on unpaid FMLA/Disability leave, effective 03.01.11.

Request of Sheriff to place Ryan Erickson, Officer – Civilian Detention, on payroll as replacement for Marlon Hardin, effective 02.19.11.

Request of Sheriff to place Angelica Galczynski, Temporary Data Clerk, on payroll effective 02.21.11.

Request of Sheriff to place Kimberly Griffiths, Human Resource Specialist I, on payroll as replacement for Barbara Ray, effective 02.26.11.

Request of Sheriff to transfer Jason Hammons, Deputy – Woodlands Township, as replacement for Tommy Ward III, effective 02.19.11.

Request of Sheriff to transfer Biff Knight, Deputy – Patrol District #2, as replacement for Scott Pierman, effective 02.19.11.
Request of Sheriff to increase the salary of Duane LeBeau, Deputy – Patrol District #3, due to step increase, effective 11.27.10.

Request of Sheriff to place Cory Malak, Officer – Civilian Detention, on payroll as replacement for Clinton Clifton, effective 03.05.11.

Request of Sheriff to correct effective date on PCRF (approved in C.C. 02.07.11) for Blake Moulton, Officer – Civilian Detention, to 01.29.11.

Request of Sheriff to place Tracy Murphy, Clerk IV, on payroll as replacement for Teresa McKee, effective 02.26.11.

Request of Sheriff to transfer Scott Pierman, Deputy – Woodlands Township, as replacement for Biff Knight, effective 02.19.11.

Request of Sheriff to reduce the salary of Ruthie Fay Pilkington, Dispatcher, due to demotion as replacement for Tiffany Neal, effective 02.07.11.

Request of Sheriff to increase the salary of Kenneth Provenzano, Deputy – Patrol District #4, due to step increase, effective 03.19.11.

Request of Sheriff to transfer Christopher Roberts, Deputy – Woodlands Township, as replacement for Justin Wilkerson, effective 02.19.11.

Request of Sheriff to transfer Michael Silvio, Sergeant – DIU, as replacement for Jimmy Malmay, effective 02.19.11.

Request of Sheriff to increase the salary of Denny Simpson, Deputy – Bailiff, due to step increase, effective 03.191.11.

Request of Sheriff to accept the resignation of Laura Trott, Dispatcher, effective 02.18.11. (31.32 hours or balance of vacation time, 32 hours or balance of holiday time)

Request of Sheriff to transfer Tommy Ward III, Deputy – Patrol District #2, as replacement for Jason Hammons, effective 02.19.11.

Request of Sheriff to accept the resignation of Jamey Wiley, Officer – Civilian Detention, effective 02.07.11. (144.93 hours or balance of vacation time, 235.89 hours or balance of compensatory time, 12 hours or balance of holiday time)

Request of Sheriff to transfer Justin Wilkerson, Deputy – Patrol District #2, as replacement for Christopher Roberts, effective 02.19.11.

Request of Sheriff to increase the salary of Melissa Wright, Deputy – Detention, due to step increase, effective 03.19.11.

Request of Tax Office to place Esther Donahoo, Deputy Specialist I, on payroll as replacement for Dora Sheffield, effective 02.22.11.

Request of Tax Office to accept the resignation of Dora Sheffield, Deputy Specialist I, effective 02.01.11. (no benefits due)

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