COMMISSIONERS’ COURT DOCKET MAY 23, 2011  
SPECIAL SESSION  

THE STATE OF TEXAS  
COUNTY OF MONTGOMERY  

BE IT REMEMBERED that on this the 23rd day of May, 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 - ABSENT  
Commissioner, Precinct #1 - Mike Meador  
Commissioner, Precinct #2 - Craig Doyal  
Commissioner, Precinct #3 - Ed Chance  
Commissioner, Precinct #4 - Ed Rinehart  
Also - Rebecca Biasotti, County Clerk’s Office

INVOCAITION GIVEN BY CRAIG DOYAL

PLEDGE OF ALLEGIANCE RECITED BY EVERYONE PRESENT EXCEPT JUDGE SADLER

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

1.

COMMISSIONERS’ COURT AGENDA APPROVED

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

2.

PROCLAMATION APPROVED – EMPLOYEE COMMITTEE – VFW POST 4709

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve a proclamation acknowledging VFW Post 4709 for donating 1440 American flags to be placed in Veterans' Memorial Park on special holidays of the year. Motion carried.

3.

PROCLAMATION APPROVED – MENTAL HEALTH AWARENESS MONTH

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve a proclamation acknowledging the month of May, 2011 as Mental Health Awareness Month. Motion carried.

4.

MINUTES APPROVED - COMMISSIONERS’ COURT MINUTES - COUNTY CLERK

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve Commissioners’ Court Minutes for May 9, 2011, as presented by the County Clerk. Motion carried.

5.

CONSENT AGENDA APPROVED - AGENDA ITEMS 9A-K

Motion by Commissioner Meador, seconded by Commissioner Doyal, 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 FY11 approved, as follows:

1. ANIMAL CONTROL: To adjust line items.
2. ANIMAL SHELTER: To recognize and allocate revenue and donations.
3. BUILDING MAINTENANCE: To adjust line items.
4. CDBG-HPRP: To adjust line items.
5. CDBG-YEAR 13: To adjust line items.
6. CDBG-YEAR 13: To adjust line items.
7. CDBG-YEAR 13: To adjust line items.
8. COMMISSIONER PCT. 1: To recognize and allocate Title I funds.
9. COMMISSIONER PCT. 1: To recognize and allocate Title III funds.
10. COMMISSIONER PCT. 1: To adjust line items.
11. COMMISSIONER PCT. 4: To adjust line items.
12. CONSTABLE PCT. 4: To transfer funds for VPN token.
13. CUSTODIAL SERVICES: To adjust line items.
14. ELECTIONS-HAVA PROJECT: To recognize and allocate HAVA Grant revenue.
15. ELECTIONS-HAVA PROJECT: To recognize and allocate HAVA Grant revenue.
16. ENERGY EFFICIENCY GRANT-10: To adjust line items.
17. HOMELAND SECURITY GRANT PRG10-UASI: To adjust line items due to mistake in original grant allocation. (M5/03.14.11)
18. INFORMATION TECHNOLOGY: To transfer funds for electrical wiring to connect temporary emergency generators.
19. MEMORIAL LIBRARY: To recognize and allocate donation.
20. SHERIFF-AUTO THEFT: To recognize and allocate auction proceeds.
21. SHERIFF: To adjust line items and to transfer funds for space on Crime Lab server.
22. SHERIFF: To recognize and allocate donation.
23. TCEQ-HGAC-RECYL-11-16-G08: To adjust line items.
24. VETERANS SERVICE: To adjust line items.

C. MONTHLY UNAUDITED FINANCIAL REPORT accepted for three months ending December 31, 2010.
D. MONTHLY UNAUDITED FINANCIAL REPORT accepted for four months ending January 31, 2011.

E. MONTGOMERY COUNTY PUBLISHED BUDGET FOR FY2011 accepted.

TREASURER - AGENDA ITEMS 9B

F. WEEKLY INVESTMENT REPORT approved for week of May 9-13, 2011.

G. BANK RESOLUTION APPROVED for Constable Pct. 5 Commission Account.

H. MONTHLY FINANCIAL REPORT approved for month of February, 2011.

I. MONTHLY FINANCIAL REPORT approved for month of March, 2011.

PURCHASING DEPARTMENT - AGENDA ITEMS 9C

J. ADVERTISING approved for the following:
   1. Guardrail installation and/or repair – Various Departments.
   2. Preventative maintenance on standby generators in various locations – Various Departments.

   (only cover letter on file)

K. CONTRACT RENEWALS approved as follows:
   1. PO #I010314 and PO #I010382B to Automated Logic – Houston for HVAC equipment, installation, service and related items through the interlocal agreement with Choice Facility Partners, Contract #09/023DR-06, a division of Harris County Department of Education, Non Davis Bacon, expires 06.15.11 – Various Departments.
   2. PO #2007099 to Motorola Solutions, Inc. for radio equipment, expires 06.11.11 – Various Departments.
   3. PO #2006495 to Dailey-Wells Communications for radio equipment, expires 06.11.11 – Various Departments.
   4. PO #2007405 to O’Reilley Auto Parts/Hi Lo-O’Reilley for miscellaneous auto parts, expires 06.17.11 – Various Departments.
   5. PO #2007406 to Lizalde Auto Parts LP dba NAPA Auto Parts for miscellaneous auto parts, expires 06.17.11 – Various Departments. (note name change to Southeast Texas Automotive Supply, Inc. dba Napa Auto Parts)
   6. PO #2007407 to Straus-Frank Enterprises Limited dba Carquest Auto Parts for miscellaneous auto parts, expires 06.17.11 – Various Departments.
   7. PO #2007408 to Genuine Parts Co./NAPA Distribution for miscellaneous auto parts, expires 06.17.11 – Various Departments.
   8. PO #2007409 to XL Parts LP for miscellaneous auto parts, expires 06.17.11 – Various Departments.
9. PO #2010597 to John C. Holzwarth dba The Holzwarth Company for engineering services/program management – Grand Parkway Segment “G”, expires 06.27.11 – Engineering.

10. PO #2010598 to Schaumburg and Polk, Inc. for engineering services – Grand Parkway Segment “G”, expires 06.27.11 – Engineering.

11. PO #2008412 to Sorenson Forensics LLC for DNA testing, expires 07.01.11 – Various Departments.

12. PO #2008471 to Hall Furniture LTD for new pews and installation, expires 07.06.11 – Building Maintenance.

13. PO #2008465 to Consolidated Electrical Distributor for additional supplier of electrical items and miscellaneous supplies, expires 07.06.11 – Various Departments.

14. PO #2010566 to Rogue Waste Recovery & Environmental, Inc. for automotive recyclables disposal service, expires 07.08.11 – Various Departments.

15. PO #2009488 to Allied Tube and Conduit Corporation for posts and related hardware for traffic signs, expires 07.12.11 – Various Precincts.

16. PO #2010458 to Trantex Transportation Products of Texas, Inc. for posts and related hardware for traffic signs, expires 07.12.11 (price changes on file) – Various Precincts.

17. PO #2009419 to Conroe Door and Hardware for hardwood lumber supplies and miscellaneous items, expires 07.14.11 – Building Maintenance.

18. PO #2010464 to Clark’s Hardwood Lumber Company for hardwood lumber supplies and miscellaneous items, expires 07.14.11 (price changes on file) – Building Maintenance.

L. CHANGE ORDERS approved as follows:

1. Change Order #10, PO #2008615 to W.W. Webber LLC for construction for widening of non-freeway facility consisting of grading, widening structures, base and concrete pavement on FM 1314 from 1.0 miles south of SH 242 to 2.6 miles northwest of Loop 494, to add pricing page omitted from paperwork submitted for Change Order #9 approved in Commissioners’ Court 04.25.11 – Precinct 4/Engineering.

2. Change Order #1, PO #2010348 to Carroll & Blackman, Inc. for implementation of a storm water management program and assistance with compliance of permit terms, and to add fee schedule for 2010, which was omitted from Commissioners’ Court Agenda 10.25.10 – Environmental Health.

3. Change Order #1, PO #2011025 to Strategy 7 Corporation for hardware IBM maintenance and software (AIX) support, to amend Items #.007, #.008, and #017 – CIS.

4. Change Order #5, PO #2011154 to MWI Veterinary Supply Company, to add items #.157 through #.167, and to delete item #.147 – Animal Shelter/Animal Control.
6. Change Order #2, PO #2010631 to Twincrest, Inc. for Wavetronix products, to remove items #.001 through #.010. Purchase order converting from blanket to contract. Name of contract to read: Sole Source for Wavetronix Products and Items – Various Departments.

7. Change Order #2, PO #2011191 to HD Protech for pan-tilt-zoom traffic monitoring cameras – Various Departments.

8. Change Order #2, PO #2011062 to Smith and Company for construction of base repair, overlay and pavement markings on Nichols Sawmill Road, CSJ 0912-37-212, Limits: FM 1774 to Roberts Cemetery Road in the amount of $7341.75 – Precinct 2/Engineering.

M. DISCRETIONARY EXEMPTIONS approved as follows:

1. Annual software support with Enroute Emergency Systems LLC, sole source – Information Technology.


O. PROPOSAL APPROVED from KDM Acquisition Services, Inc., to provide right-of-way acquisition and related support services to acquire up to two parcels of land on the extension of League Line Road in Montgomery County, Texas in the amount of $5900.00 – Precinct 1.

P. LEASE PURCHASE AGREEMENT APPROVED with JP Morgan Chase Bank, N.A. for the purchase of one new Kubota skid loader with high flow cab – model #2011-SVL90 from Allied Power Mart, Inc. Equipment will be financed for 4 years with 3 annual payments of $21,152.34 each for a total amount of $84,609.36. First installment is due 10.24.11 – Precinct 4.

RISK MANAGEMENT - AGENDA ITEMS 9D

Q. SURETY BOND CHANGES, RELEASES, ADDITIONS approved for the following:

1. 70106359 - Mark Stephens/Constable Precinct 5
2. 15176537- Deborah Hodge/Constable Precinct 5
3. 24774744 - Dustin Rutherford/Constable Precinct 1
4. 24808977 - Mickey Luley/Constable Precinct 1

COMMISSIONERS - AGENDA ITEM 9E

R. PRECINCT 3

1. ROADS ACCEPTED INTO COUNTY ROAD SYSTEM as follows:
   a. Village of Sterling Ridge, Section 93
   b. Village of Sterling Ridge, Section 84
   c. Village of Sterling Ridge, Section 97

   Bonds released.

S. PRECINCT 4

1. ANNUAL FINANCIAL STATEMENT accepted for ESD #6 for fiscal year ending 09.30.10.
2. CHECK ACCEPTED in the amount of $2199.89 from City of Roman Forest for the purchase of fuel for the month of March, 2011. (check forwarded to Treasurer for further processing)

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

T. PRECINCT 1

1. ORDER APPROVED allowing partial lot conveyance without a replat for Lot 19, Block 2, Grandview, Section 1.

U. PRECINCT 2

1. ORDER APPROVED accepting warranty deed for parcel 63 of The Woodlands Parkway Extension Project and authorizing County Judge to sign for acceptance of the warranty deed.

2. PAYMENT APPROVED of relocation expenses in association with the purchase of right of way known as parcel 30 for the Woodlands Parkway Extension Project.

3. PAYMENT APPROVED of relocation expenses in association with the purchase of right of way known as parcel 33 for the Woodlands Parkway Extension Project

4. CHECK ACCEPTED in the amount of $1200.00 from Larry Cochrell for lease of real property described as Lot 44, Woodhaven, Section 2, Precinct 2. (check forwarded to Treasurer for further processing)

5. CHECK ACCEPTED in the amount of $5.00 from Jacque Carter for lease of real property described as Tract 5 and South ½ of Tract 8, Glenmont Estates, Section 1, Precinct 2. (check forwarded to Treasurer for further processing)

V. PRECINCT 3

1. CHECK ACCEPTED in the amount of $12.00 from Polly Bonilla for lease of real property described as Lot 27, Spring Hills, Section 4, Precinct 3. (check forwarded to Treasurer for further processing)

2. ORDER APPROVED consenting to street construction, repair, and maintenance (setting culverts at a cost of $500.00) by Montgomery County at 135 S. Tranquil Path.

W. PRECINCT 4


2. ORDER APPROVED allowing partial lot conveyance without a replat for Lot 1, Block 2, Peach Creek Plantation, Section 1.

3. ORDER APPROVED allowing partial lot conveyance without a replat for Lot 1, Block 4, Peach Creek Plantation, Section 3.
4. RECEIPT OF PAYMENT ACKNOWLEDGED from James and Betty Cater in the form of a check in the amount of $7.00 for lease of real property described as Lots 1,3,6,7,8,9, & 10, Block 8, Replat of River Club Estates, Section 2, Precinct 4. (check forwarded to Treasurer for further processing)

5. CHECK ACCEPTED in the amount of $12.00 from Martha and Joel Rolan for lease of real property, more specifically described as Lot 117, Village of Alpestrine, Montgomery County, Texas, Precinct 4. (check forwarded to Treasurer for further processing)

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9G

X. PRECINCT 1

1. FINAL PLAT APPROVED for the Passing Wind Subdivision, amending plat No. 1.

2. ROADS ACCEPTED/BOND RELEASED for the roads in Lake Breeze, Section 2 having completed the one year maintenance program. These roads are private and will not be maintained by Montgomery County.

3. ROADS ACCEPTED into the one year maintenance program in Emerald Lakes, Section 3.

4. REQUEST APPROVED from Quadvest LP to place a 6 inch sanitary force main line within the right of way of LaSalle River Road.

Y. PRECINCT 2

1. FINAL PLAT APPROVED for HR Medical Arts Center. 5.6628 acres, George Taylor Survey, A-555, Precinct 2.

2. REQUEST APPROVED from Mid-South Synergy to place an underground electrical line within the right of way of Rolling Oaks Drive.

3. REQUEST APPROVED from Comcast of Houston to place a 1 ½ inch conduit line within the right of way of Todd Road.

Z. PRECINCT 3

1. REQUEST APPROVED from Phonoscope LLC to place a conduit/fiber optic cable line crossing Timberloch Place.

AA. PRECINCT 4

1. FINAL PLAT APPROVED for Cumberland Crossing Commercial Reserves, Section One. 2.041 acres, P. Hunter Survey, A-273, Precinct 4.

2. ROADS ACCEPTED/BOND RELEASED for roads in Deer Run, Section 2, which have completed the one year maintenance program.

3. ROADS ACCEPTED in Montgomery Creek Ranch, Section 10, into the one year maintenance period, effective 05.23.11.
4. PUBLIC HEARING DATE APPROVED for June 6, 2011 regarding a one-way stop sign control to be placed on the eastbound approach of Leonard Street at the Penny Street intersection in Silver Trails subdivision.

SHERIFF DEPARTMENT – AGENDA ITEMS 9H

BB. DONATION ACCEPTED in the amount of $600.00 from Oakhurst Community Association for patrol vehicle participation. (no check received by County Clerk)

CC. DONATION ACCEPTED in the amount of $864.75 from the Montgomery County Sheriff’s Academy Alumni Association for the purchase of a riot gun. (check forwarded to Treasurer for further processing)

ENVIRONMENTAL HEALTH – AGENDA ITEMS 9I

DD. VARIANCE APPROVED to install an aerobic on-site system in the 100-year floodplain at 38262 Windy Ridge Trail, Magnolia, TX 77355.

LIBRARY – AGENDA ITEM 9J

EE. CHECK ACCEPTED in the amount of $166.10 from Friends of the Charles B. Stewart – West Branch Library to cover the cost of special supplies “Read Beyond Reality Glow Bands” being used in conjunction with the Summer Reading Club at that branch. (check forwarded to Treasurer for further processing)

DISTRICT CLERK – AGENDA ITEM 9K

FF. DEPUTATION APPROVED for James Luton as Deputy District Clerk.

END OF CONSENT AGENDA

PRESENTATION GIVEN – PROFESSOR DAVID M. GUINN – PRECINCT REDISTRICTING

David Guinn gave a presentation regarding the population numbers in the precincts due to the uneven population growth in the four voting precincts in Montgomery County. Because according to the U.S. Constitution the variation between the numbers of people in each precinct cannot exceed 10%, the county must decide on a redistricting plan. This will prevent over or under-representation in the precincts. The redistricting committee, being present, then retired to meet privately.

6. RESIGNATION/APPOINTMENT APPROVED – BAIL BOND BOARD – COUNTY JUDGE

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve the resignation of Ann Carr from the Bail Bond Board, effective 06.07.11, and agreed to appoint Sylvia Olszowy to replace her, effective 06.07.11. Motion carried.

7. HIRING APPROVED – MANAGING ATTORNEY – MENTAL HEALTH COURT/MANAGED ASSIGNED COUNSEL – 284TH DISTRICT COURT

Motion by Commissioner Doyal, seconded by Commissioner Rinehart, to approve the hiring of a Managing Attorney for the Mental Health Court/Managed Assigned Counsel. This position will be grant funded. Motion carried.
8. **JUSTICE OF THE PEACE TECHNOLOGY FUND USAGE APPROVED – JP4**

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve funds from the Justice of the Peace Technology Fund to be used for buying a fax machine, and leasing two copiers for JP4 for a total of $2819.94. Motion carried.

9. **APPLICATION APPROVED – FUNDING FROM DOJ COPS HIRING PROGRAM FY2011 – SHERIFF**

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve submitting the application for funding through the U.S. Department of Justice Cops Hiring Program FY2011, and approve Lt. Dan Norris with the Montgomery County Sheriff’s Office to submit the application on behalf of this jurisdiction. Motion carried.

10. **FUNDING APPROVED – CONSOLE FURNITURE/DISPATCH – NEXTEL SETTLEMENT**

Motion by Commissioner Meador, seconded by Commissioner Chance, to use funding from the Nextel settlement to fund console furniture for the MCSO Dispatch department, the total not to exceed $300,000.00. Motion carried.

11. **ELIMINATION OF AUTO ALLOWANCE/POSITION #4351-7802-13 – DISTRICT ATTORNEY**

Motion by Commissioner Meador, seconded by Commissioner Doyal, to eliminate the auto allowance from position 4351-7802-13 and transfer the remaining balance ($8005.03) to the District Attorney’s operation budget, line item 4351-7354 (Vehicle Maintenance) and continuing the funding of 4351-7354 with the total of eliminated auto allowance ($18,920.98) for fiscal year 2012. Motion carried.

12. **AGREEMENT APPROVED – HEALTH AND HUMAN SERVICES COMMISSION OFFICE OF INSPECTOR GENERAL – DISTRICT ATTORNEY**

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve the agreement between the Health and Human Services Commissioner Office of Inspector General and the Local Prosecuting Authority and authorize the County Judge to execute the same. Reimbursement payments from said contract to be deposited into the general fund. Motion carried.

13. **PERFORMANCE INDICATOR REPORT ACCEPTED – MENTAL HEALTH TREATMENT FACILITY**

Motion by Commissioner Meador, seconded by Commissioner Doyal, to accept the Performance Indicator Report for the month ended 04.30.11, and required by agreement between Montgomery County and Texas Department of State Health Services and recommended by the MCMHTF Advisory Board. Motion carried.
14. MEDICAL STAFF APPOINTMENTS APPROVED – MENTAL HEALTH TREATMENT FACILITY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve medical staff appointments and to grant privileges for 8 physicians, recommended by the MCMHTF Advisory Board, as follows:

1. Debra Emmite, MD  Physician – Psychiatry
2. Edmund Harris, PhD  Physician – Radiology
3. Barbara Moore, MD  Physician – Psychiatry
4. Mark Morman, MD  Physician – Psychiatry
5. Raul Pelaez, MD  Physician – Radiology
6. Paul Rodriguez, MD  Physician – Radiology
7. Jon’Vile A. Small, PsyD  Psychology – with modification
8. Daniel Walker MD, PA  Physician – Internal Medicine

Motion carried.

15. PURCHASE APPROVED – PLAQUE – AIRPORT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the purchase of a plaque in the amount of $875.00 in recognition of R.A. "Mickey" Deison to be placed at the Lone Star Executive Airport Air Traffic Control Tower. (plaque approved in Commissioners’ Court 04.25.11) Motion carried.

16. POSITION TRANSFERS APPROVED – COLLECTIONS

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the transfer of positions and salaries as follows:

A. transfer position 404-4125-8 to 4041-4125-1
B. transfer position 404-4125-6 to 4041-4125-2
C. transfer position 4041-4125-1 to 404-4125-8
D. transfer position 4041-4125-2 to 404-4125-6
E. transfer position 4041-500 to 404-500

Motion carried.

17. REQUESTS APPROVED – COURT REPORTER SERVICE FUND – VARIOUS COURTS

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve the use of the Court Reporter Service Fund as follows:

A. County Court at Law 2 - $51.59 for memory for courtroom laptop.
B. County Court at Law 4 - $399.00 for a printer for court reporter.
C. 435th District Court - $1298.69 for desktop computer and monitor.

Motion carried.

18. FUNDING SOURCE APPROVED – BLEYL AND ASSOCIATES – AUDITOR

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve contingency as the funding source for Change Order #1 to Bleyl and Associates for $34,845.00 previously approved in Commissioners’ Court on 04.25.11. Motion carried.
19. MEMORANDUM OF AGREEMENT APPROVED – HGAC – COMMUNITY DEVELOPMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Memorandum of Agreement between Montgomery County and Houston-Galveston Area Council (HGAC) related to participation in the sustainable communities regional planning grant program consortium. Motion Carried.

PURCHASING DEPARTMENT – AGENDA ITEMS 20A-C

20. CONTRACT AWARDED – ONE SOURCE TOXICOLOGY – PURCHASING – AGENDA ITEM 20A8

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the contract with One Source Toxicology Laboratory, Inc. for RFP/Q drug and alcohol screening services (Project #2011-0061) – Juvenile Services.

RECOMMENDATIONS AND CONTRACTS DEFERRED – AGENDA ITEMS 20A2-4, 20A6-7, 20A9-10

RECOMMENDATIONS AND CONTRACTS REJECTED, AGENDA ITEMS 20A5

RECOMMENDATIONS AND CONTRACTS REJECTED FOR READVERTISEMENT – 20A1

Motion carried.

21. PURCHASE APPROVED – KUBOTA TRACTOR – PRECINCT 4

Motion by Commissioner Rinehart, seconded by Commissioner Doyal, to approve the purchase of two Kubota tractors from Kubota Tractor Corporation, through the interlocal agreement with HGAC Contract #GR01-10. The total to be financed is $31,494.00. Motion carried.

22. PURCHASE APPROVED – TRACTOR AND BOOM MOWER – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the purchase of a new John Deere 7230 cab tractor and 25’ Diamond DBRO50-C-G boom mower with 50’ rotary cutter from Brookside Equipment Sales, Inc. through the Interlocal Agreement with Buyboard Contract #292-08 for a total of $113,513.78. Motion carried.

23. RESOLUTION APPROVED – 30 DAY EXTENSION FOR FILING – ESD FISCAL ACCOUNTS – COUNTY ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the resolution granting a 30 day extension of time to file with Commissioners’ Court the Auditor’s Report of the following Emergency Service Districts’ Fiscal Accounts and Records due 06.01.11: ESD’s 1,2,4,8, and 11. Motion carried.

24. RESOLUTION AND ORDER APPROVED – AGAINST RESIDENTIAL THROUGH-THE-FENCE ACCESS – AIRPORT

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the resolution and order certifying Montgomery County Status against residential through-the-fence access at the Lone Star Executive Airport. Motion carried.
25. LAND LEASE DOCUMENTS APPROVED – AIRPORT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the following documents regarding land lease agreements at the Lone Star Executive Airport:

1. Amendment to land lease agreement between Galaxy Airport Properties, LLC and Montgomery County.

2. Amendment to land lease agreement between Charles A. Ballard and Montgomery County.

3. Partial assignment of land lease agreement from Charles A. Ballard to Allen Aviation, LLC for 0.213 acres of land.

4. Assignment of land lease agreement from Allen Aviation, LLC to Charles A. Ballard for 1677 square feet of land.

5. Amendment to land lease agreement between Allen Aviation, LLC and Montgomery County.

Motion carried.

26. RESOLUTION AND ORDER APPROVED – DISPOSITION OF PROCEEDS/EBCO SETTLEMENT – COUNTY ATTORNEY

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the $55,000.00 in proceeds received from EBCO Land Development Ltd., Asset Liquidating Trust, R. Waldron, Trustee, in settlement of Montgomery County’s claims against Triple L Sales & Development, Inc. to be credited to the asphalt budget of the Montgomery County Precinct 2 Commissioner. Motion carried.

27. AGREEMENT APPROVED – STOECKER CORPORATION – COUNTY ATTORNEY

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the agreement between Montgomery County and Stoecker Corporation in which Stoecker Corporation agrees to finish the roads and drainage improvements in Sonoma Ridge Subdivision. Motion carried

28. AGREEMENT APPROVED – HARRIS COUNTY – CONTRACT REVIEW COMMITTEE

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the agreement between Montgomery County Juvenile Probation Department and Harris County for use of the information maintained by the Southeast Texas Crime Information Center (SETCIC) and authorize the County Judge to execute same. Motion carried.

PUBLIC HEARINGS – AGENDA ITEMS 23A-B
29. ITEMS IN PUBLIC HEARINGS APPROVED – COMMISSIONERS PCT. 2 AND 4

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve the following items from Public Hearings:

A. Partial replat of Lot 1, Block 1, High Meadow Ranch, Section 4-A, to be known as High Meadow Ranch Section Four-A (4-A), Partial Replat No.1.

B. Changing speed limit from 20 mph to 30 mph on Old Houston Road south of FM 1314.

Motion carried.

30. NEW RISK MANAGEMENT DIRECTOR AND TRANSFER OF FUNDS APPROVED – AGENDA ITEMS 24A AND 25A – COMMISSIONER PCT.1

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve hiring Virginia Little as the new Risk Management Director, and to transfer $40,000.00 from 4021-7997 to salaries and benefits for the Director of Risk Management position. Motion carried.

31. RE-APPOINTMENT APPROVED – HOUSING AUTHORITY – PRECINCT 2

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the re-appointment of Rene Hancock to the Board of Directors for the Montgomery County Housing Authority. Motion carried.

32. POSITION CHANGES APPROVED – PRECINCT 2

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

A. Open position 613-3107-1

B. Close position 613-3201-5 and transfer $20,800.00 of budgeted salary to position 613-3107-1. Transfer remaining funds of $7799.17 to funding position 613-9999-99.

Motion carried

EXECUTIVE SESSION – AGENDA ITEM 26A-G

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, 551.072.

COURT RECONVENED WITH ALL MEMBERS PRESENT – JUDGE SADLER ARRIVED

AGENDA ITEMS 26A, 26C-F DEFERRED

33. EXPENSES APPROVED – CLAIM NO. D-09.0094 – EXECUTIVE SESSION

Motion by Judge Sadler, seconded by Commissioner Meador, to approve expenses incurred in the defense of Montgomery County in civil action 4:11-CV-1815. Motion carried.

34. EXPENSES APPROVED – CLAIM NO. C-02-0009 – EXECUTIVE SESSION

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve expenses incurred in the defense of Montgomery County in civil action 4:11-CV-01649. Motion carried.
Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the following Payroll Change Request forms:

- Request of Custodial Services to increase the salary of Marta L. Rivera, Custodian, due to completion of probationary period, effective 05.14.11.
- Request of Custodial Services to increase the salary of Alma D. Visoso, Custodian I, due to completion of probationary period, effective 05.14.11.
- Request of Building Maintenance to increase the salary of Marco Deneave, Maintenance Tech II, due to promotion as replacement for Larry Davis, effective 05.28.11.
- Request of Building Maintenance to accept the resignation of Carlos Martinez, Facility/Grounds Worker, effective 05.13.11. (98.64 hours or balance of vacation, 20.75 hours or balance of compensatory time)
- Request of Collections to transfer Maria Del Rosario Gallaga, Collections Specialist I, effective 05.16.11.
- Request of Collections to transfer Ashley Guth, Collections Specialist I, as replacement for Isela Menjivar, effective 05.14.11.
- Request of Collections to transfer Isela Menjivar, Collections Specialist I, as replacement for Ashley Guth, effective 05.14.11.
- Request of Collections to transfer Eduardo Nava, Collections Specialist I, as replacement for Silvia Robles, effective 05.14.11.
- Request of Collections to transfer Silvia Robles, Collections Specialist I, as replacement for Eduardo Nava, effective 05.14.11.
- Request of Commissioner Pct. 1 to place Pamela Signorelli, Facilities Coordinator II, on payroll, effective 05.16.11.
- Request of Commissioner Pct. 1 to increase the salary of Kevin Woodman, Operator II, due to job re-evaluation, effective 05.14.11.
- Request of Commissioner Pct. 2 to increase the salary of Elechia Davis, Recycle Tech I, due to promotion to fill new position, effective 05.14.11.
- Request of Commissioner Pct. 2 to discharge Judy Everett, Part-time Clerk, effective 05.13.11. (no benefits due)
- Request of Commissioner Pct. 2 to discharge Diana Trim, Part-time Clerk, effective 05.13.11. (no benefits due)
- Request of County Clerk to place Talisa Caldwell, Clerk II, on payroll due to return from unpaid FMLA/Disability leave, effective 03.14.11.
- Request of County Clerk to accept the resignation of Talina Metts Kurtz, Clerk II, effective 05.17.11. (7.25 hours or balance of vacation)
- Request of County Clerk to increase the salary of Shelby Sodolak, Clerk II, due to completion of probationary period, effective 05.14.11.
- Request of Forensic Services to place Jill Mileski, Administrative Assistant I, on payroll to fill new position, effective 05.25.11.
Request of JP-3 to increase the salary of Tina Ramirez, Court Clerk II, due to completion of probationary period, effective 05.14.11.

Request of Juvenile to discharge Joel Clouser, Jr., Juvenile Supervision Officer – Substitute, effective 05.13.11. (no benefits due)

Request of Juvenile to retire Sandra L. Dunnuck, Supervisor-Clinical, effective 06.30.11. (261.55 hours or balance of vacation, 18.50 hours or balance of holiday time)

Request of Library to place Dorothy Nunley, Shelving Clerk I, on payroll as replacement for Wendy Gardner, effective 05.18.11.

Request of Library to place Meagan Raimer, Shelving Clerk I, on payroll as replacement for Matthew McMillen, effective 05.18.11.

Request of Library to increase the salary of Sheila Marie Seay, Library Assistant II, due to promotion as replacement for Lisa Willard, effective 05.14.11.

Request of Library to place Stephanie Wolff, Shelving Clerk I, on payroll as replacement for Shelly Maes, effective 05.18.11.

Request of Recycle Station Pct. 3 to place Jeffrey Dunn, Mosquito Driver, on payroll, effective 05.16.11.

Request of Recycle Station Pct. 3 to place James Nathan Lewis, Mosquito Driver, on payroll, effective 05.21.11.

Request of Sheriff to place Steven Deprang, Temporary Data Clerk, on payroll effective 04.30.11.

Request of Sheriff to place Mark Farrell, Deputy, on payroll as replacement for Jorge Lisalde, effective 05.07.11.

Request of Sheriff to retire Brenda Goodwin, Deputy, effective 05.31.11. (104.45 hours or balance of vacation, 3.08 hours or balance of sick leave, 45.15 hours or balance of compensatory time)

Request of Sheriff to discharge Juanita Hampton, Dispatcher, effective 05.09.11. (54.68 hours or balance of vacation, 103.94 hours or balance of compensatory time, 8.25 hours or balance of holiday time)

Request of Sheriff to transfer Jeffrey Herman, Deputy, as replacement for Kyle Koonce, effective 06.04.11.

Request of Sheriff to transfer Kyle Koonce, Deputy, as replacement for Jackie Mitchell, effective 05.07.11.

Request of Sheriff to lower the salary of Jorge Lisalde, Officer – Civilian Detention, due to position change as replacement for Mario Perez at employee’s request, effective 05.07.11.

Request of Sheriff to accept the resignation of Amber Masden, Officer – Civilian Detention, effective 05.13.11. (no benefits due)
Request of Sheriff to correct the effective date for Jackie Mitchell, Jr., Deputy-Bailiff, (PCR approved by CC 04.25.11) to 05.01.11.

Request of Sheriff to accept the resignation of Kristopher Moreno, Officer – Civilian Detention, effective 05.11.11. (27.72 hours or balance of vacation, 53.63 hours or balance of compensatory time, 24 hours or balance of holiday time)

Request of Sheriff to place Jennifer Raugust, Clerk IV, on payroll as replacement for Linda Craven, effective 05.14.11.

Request of Sheriff to accept the resignation of Bethany Stafford, Clerk IV, effective 05.14.11. (no benefits due)

Request of Tax Office to increase the salary of Esther Donahoo, Deputy Specialist I, due to completion of probationary period, effective 05.21.11.

Request of Tax Office to place Kelly L. Dotson, Deputy Specialist I, on payroll as replacement for Crystal Ortega, effective 06.06.11.

Request of Tax Office to place Dora Garcia, Deputy Specialist I, on payroll as replacement for Faith Solomon, effective 06.06.11.

Request of Tax Office to place Tara S. Martin, Deputy Specialist II, on unpaid FMLA/Disability leave, effective 05.11.11.

Request of Tax Office to accept the resignation of Crystal Cuellar Ortega, Deputy Specialist II, effective 05.26.11. (78.94 hours or balance of vacation)

Request of County Attorney to accept the resignation of Cory Ferguson, Attorney II, effective 06.10.11. (36.96 hours or balance of vacation)

Request of Library to accept the resignation of Crystal Miller, Shelving Clerk I, effective 06.02.11. (no benefits due)

Request of Juvenile to discharge Winston George, Juvenile Supervision Officer – Substitute, effective 05.17.11. (no benefits due)

Request of Custodial Services to place Larry Smith, Custodian I, on unpaid FMLA/Disability leave, effective 04.06.11.

Request of County Clerk to correct the effective date on the payroll change request for Talisa Caldwell, Clerk II, which was submitted for approval in CC 05.23.11. The effective date should be 05.02.11 for return from unpaid approved extended leave.

Motion carried.

36. COURT ADJOURNED

Motion by Commissioner Meador, seconded by Commissioner Chance, 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