COMMISSIONERS’ COURT DOCKET FEBRUARY 13, 2012
REGULAR SESSION

THE STATE OF TEXAS
COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 13th day of February, 2012 the Honorable Commissioners’ Court of Montgomery County, Texas, was duly convened in a Regular Session in the Commissioners’ Courtroom of the Alan B. Sadler Commissioners’ Court Building, Conroe, Texas, with the following members of the Court present:

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

INVOCATION GIVEN BY Ann Carr

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

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

1. COMMISSIONERS’ COURT AGENDA APPROVED

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

2. PROCLAMATION APPROVED - LYNDA EDWARDS

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve a Resolution of Appreciation for Lynda Edwards for her support of the library system and her dedication to the community. Motion carried.

3. MINUTES APPROVED - COMMISSIONERS’ COURT - COUNTY CLERK

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve Commissioners’ Court Minutes for January 23, 2012, as presented by the County Clerk. Motion carried.

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

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

COUNTY AUDITOR - AGENDA ITEM 9A

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

B. BUDGET AMENDMENTS for FY2011 approved, as follows:
   1. C/P - REVENUE/TOLL BONDS 10: To adjust line items.

C. BUDGET AMENDMENTS for FY2012 approved, as follows:
   1. 9th DISTRICT COURT: To transfer funds for key pad lock.
2. ANIMAL SHELTER: To recognize and allocate revenue and donations 1/6-13/12.
3. ANIMAL SHELTER: To recognize and allocate revenue and donations 1/14-27/12.
4. C/P ROAD BONDS SERIES 2006A: To adjust line items.
5. COMMISSIONER PCT. 1: To transfer funds for 11/5-13/11 security expense.
6. COMMISSIONER PCT. 1: To transfer funds to Purchasing.
7. COMMISSIONER PCT. 1: To transfer funds to Pct. 3 for damage repair (County Line/Browder Traylor).
8. COMMISSIONER PCT. 1: To transfer funds to Building Maintenance for Lake Park.
9. COMMISSIONER PCT. 1: To adjust line items.
10. COMMISSIONER PCT. 2: To recognize and allocate reimbursement fuel/Friendship Center.
11. COMMISSIONER PCT. 4: To transfer funds to Purchasing.
12. COMMISSIONER PCT. 4: To adjust line items.
13. CONTINGENCY: To adjust line items per CC (M34/04.12.10).
14. CONTINGENCY: To adjust line items per CC (M34/04.12.10).
15. CONTINGENCY: To adjust line items per CC (M22/04.25.11).
16. COUNTY ENGINEER: To transfer budget per CC (M16/01.09.12).
17. COUNTY ENGINEER: To transfer budget per CC (M15/01.09.12).
18. DISTRICT CLERK: To adjust line items.
19. DISTRICT CLERK: To adjust line items.
20. DRUG COURT: To recognize and allocate revenue for December 2011 (MRT Books).
21. DWI COURT: To recognize and allocate revenue for December 2011 (MRT Books).
22. HOMELAND SECURITY GRANT PRG09-UASI: To adjust line items.
23. HUMAN RESOURCES: To adjust line items.
24. MEMORIAL LIBRARY: To recognize and allocate contribution revenue and adjust line items.
25. SHERIFF: To adjust line items.
26. SHERIFF/HIDTA GRANT: To adjust line items.
27. SHERIFF/HIDTA GRANT: To adjust line items.
28. SHERIFF: To transfer funds to purchase Scope/Nightforce.

29. STATE HOMELAND SECURITY PRG-SHSP10: To adjust line items.

30. STATE HOMELAND SECURITY PRG-SHS10: To adjust line items.

D. OFFICIALS’ FEE REPORT approved, as audited for, November, 2011.

TREASURER - AGENDA ITEM 9B


G. REPORT APPROVED for investments purchased for the week of February 6-10, 2012.

H. REPORT APPROVED for investments purchased for the week of January 30-February 3, 2012.

I. STATEMENT OF BALANCES APPROVED for the month of October, 2011.

J. INVESTMENT REPORT APPROVED for the month ending January 31, 2012.

TAX ASSESSOR/COLLECTOR – AGENDA ITEM 9C

K. MONTHLY TAX COLLECTION REPORT accepted for the month ending January 31, 2012.

L. SUPPLEMENTAL CHANGES TO JANUARY 2012 CONSOLIDATED TAXROLL acknowledged.

M. RECEIPT OF A TAX ABATEMENT APPLICATION ACKNOWLEDGED from Energy Alloys, LLC and County Attorney, Commissioner Pct. 1, and the Tax Assessor-Collector are authorized to draft an agreement in compliance with County policy.

PURCHASING DEPARTMENT - AGENDA ITEM 9D

N. ADVERTISING APPROVED for the following bids/proposals:

1. Commercial Water Wells - Various Departments/Precincts

2. Plumbing Services - Various Departments

3. Vehicle striping kits and installation - Various Departments

4. Construction of intersection road improvements to Sawdust Road at South Millbend Road in Montgomery County, Texas - Precinct 3

O. RENEWALS APPROVED for the following contracts:

1. BRODART COMPANY (PO #2011272) for library specialty supplies, expires 04.06.12 - Montgomery County Library System.

2. HIGHSMITH LLC (PO #2011520) for library specialty supplies, expires 04.06.12 - Montgomery County Library System.
3. THE LIBRARY STORE INC. (PO #2011274) for library specialty supplies, expires 04.06.12 - Montgomery County Library System.

4. GAYLORD BROS. INC. (PO #2011275) for library specialty supplies, expires 04.06.12 - Montgomery County Library System.

5. WOODFOREST NATIONAL BANK (PO #2008324) for installation of automated teller machines, expires 04.07.12 - Various Departments.

6. PROPERTY INFO GOVERNMENT SVC DIV dba LANDATA TECHNOLOGIES INC. (PO #2009336) for records management system, expires 04.19.12 - County Clerk.

7. INLAND ENVIRONMENTS LTD (PO #2010446) for demolition and site clearing, expires 04.25.12 - MCCD.

8. M SPACE HOLDINGS LLC (PO #2010450) for modular homes, expires 04.25.12 - MCCD.

9. AMERICAN HOMESTAR CORPORATION (PO #2010451) for modular homes, expires 04.25.12 - MCCD.

10. WAVEMEDIA INC. (PO #2008349) for internet service provider, expires 04.30.12 - Various Departments.

11. WORKSPACE RESOURCES INC. (PO #2008293) for new furniture, expires 05.06.12 - Various Departments.

12. CONTRACT RESOURCE GROUP LLC (PO #2008292) for new furniture, expires 05.06.12 - Various Departments.

P. CHANGE ORDERS APPROVED as follows:

1. Change Order #6, PO #2007396 to Lowe's for lumber, hardware, and miscellaneous supplies, to cancel contract in its entirety effective 02.12.12 - Various Departments.

2. Change Order #2, PO #2011269 to All America Sales Corporation for emergency equipment, to add items per document on file - Various Departments.

3. Change Order #1, PO #2012079 to GT Distributors, Inc. for duty gear and accessories, to add items per document on file - Various Departments.

4. Change Order #6, PO #2011298 to Dustless Air Filter Company for commercial A/C filters, for changes per document on file - Various Departments.

5. Change Order #6, PO #2009447 to Texas Lone Star Pavement Services, Inc. for crack seal service, to change from Various Precincts to Various Precincts/Departments.

6. Change Order #4, PO #1009073D to Alpha Diamond Electric, Inc. for additional electrical services, for changes per document on file - Various Departments.

7. Change Order #4, PO #1009126D to Rock of Ages Plumbing Services, Inc. for additional plumbing services, for changes per document on file - Various Departments.
Q. **DISCRETIONARY EXEMPTIONS APPROVED** as follows:

1. Bryant Forest Management (PO #2011283) for Timber Sale Management Service - Lone Star Executive Airport.

2. Lansdowne Moody Co. LP N C Eagle Services, Inc., HeavyQuip, Cleveland Mack Sales, Inc. dba Performance Truck, Hi-Way Equipment Co., Mustang Machinery Co. LTD dba Mustang Cat - for vehicle and equipment repairs - Various Departments

3. Custom Logic Design, Inc. for annual software maintenance - Various Departments.

4. Environmental Systems Research for annual software maintenance - Various Departments.

5. 1Mage Software, Inc. for user license maintenance - Various Departments.


7. Weisinger, Inc. for emergency repair of the water well at the Community Center on Friendship Drive in the amount of $15,527.00 (+/-) - Precinct 1.

8. Randy Roan Construction for emergency repair of Royal Forest Road in the amount of $46,000.000 (+/-) - Precinct 1.

R. **PURCHASE APPROVED** of one Kohler 100KW Diesel Generator from Loftin Equipment Company in the amount of $28,376.00 through the interlocal agreement with HGAC contract #GE02-10-MCCD.

S. **REQUEST APPROVED** to declare various items as salvage - Various Departments.

T. **RESCINDING LEASE PURCHASE AGREEMENT APPROVED** with Sun Trust Equipment Finance and Leasing Corporation for the purchase of one new BLAW-KNOX Model PF150B Paver that was previously approved in CC 01.23.12 - Precinct 1

U. **LEASE PURCHASE AGREEMENT APPROVED** (Lease Schedule No. 04) with Sun Trust Equipment Finance and Leasing Corporation for the purchase of one new BLAW-KNOX Model PF150B Paver for a total of $148,950.00. Purchase to be financed over three years with annual payments of $51,367.67 for a total of $154,103.01 with an interest rate of 1.72% with payment in arrears. This agreement replaces the agreement previously approved in CC 01.23.12 - Precinct 1.

V. **CONTRACT ACCEPTED** with Lowe’s Home Centers, Inc. for MRO equipment, supplies, and related items/services through the interlocal agreement with Region 4 Education Service Center (The Cooperative Purchasing Network) - TCPN Contract #R4954, to be effective 02.13.12 - Various Departments.

W. **PURCHASE APPROVED** of one 2012 Chevrolet 2500 regular cab truck (CC20903) in the amount of $19,616.00 from Caldwell Country Chevrolet through interlocal agreement with HGAC contract #VE11-11 - Precinct 4.
X. AUCTION LIST APPROVED of surplus and seized/forfeited items submitted for the next online auction - Various Departments.

Y. ADDITIONAL PAPERWORK ACKNOWLEDGED for a generator purchase approved in CC 01.23.12 - Animal Shelter.

RISK MANAGEMENT - AGENDA ITEM 9E

Z. PAYMENT ACKNOWLEDGED to Ruthie Needham in the amount of $177.31 in reference to Claim #B-12-0038.

AA. CHANGES, RELEASES, AND ADDITIONS APPROVED for the following bonds:

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<td>Eva Pena/Tax Assessor</td>
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<td>Carey West/Fire Marshal</td>
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<td>Gary Bennett/Fire Marshal</td>
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<td>Bert Smith/Tax Assessor</td>
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<td>61259658</td>
<td>Robert Proctor/Tax Assessor</td>
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COMMISSIONERS - AGENDA ITEM 9F

PRECINCT 2

BB. APPOINTMENT APPROVED for Wesley Werner to ESD #10 Board of Commissioners for a two year term of office ending on December 31, 2013.

PRECINCT 3

CC. ROADS ACCEPTED into the County road maintenance system and bond released as follows:

- Legends Run Section 13
- Chesswood Manor

DD. AMENDMENT #1 APPROVED to contract # CS0010 between Montgomery County and Comptroller of Public Accounts State Energy Conservation Office (SECO) related to American Recovery and Reinvestment Act (ARRA) State Energy Traffic Efficiency Program. Grant agreement was approved in CC (M24b/01.25.10).

PRECINCT 4

EE. ANNUAL FINANCIAL STATEMENT ACCEPTED from ESD #12 for the fiscal year ending September 30, 2011.
FF. CHECK ACCEPTED in the amount of $528.06 from The Friendship Center for fuel used for the month of December, 2011. (check forwarded to Auditor for further processing)

GG. CHECK ACCEPTED in the amount of $2048.56 from Montgomery County ESD #7 for the purchase of fuel for the month of December, 2011. (check forwarded to Auditor for further processing)

HH. CHECK ACCEPTED in the amount of $1665.18 from the City of Roman Forest for the purchase of fuel for the month of December, 2011. (check forwarded to Auditor for further processing)

II. ANNUAL FINANCIAL STATEMENT ACCEPTED from ESD #9 for the fiscal year ending September 30, 2011.

COMMISSIONERS – COUNTY ATTORNEY – ROAD AND BRIDGES – AGENDA ITEMS

9G

PRECINCT 1

JJ. ORDER APPROVED authorizing the purchase in the amount of $5913.00 for right of way for the Hawthorne Road Project.

PRECINCT 2

KK. ORDER APPROVED acknowledging receipt of bond with surety and releasing letter of credit for Woodforest Section Three.

LL. ORDER APPROVED authorizing payment of relocation expenses to Ed and Jennifer Robinson in the amount of $817.41 in association with the purchase of right of way known as Parcel 27 for The Woodlands Parkway Extension Project.

MM. ORDER APPROVED accepting warranty deed for Parcel 55 of The Woodlands Parkway Extension Project, and authorizing County Judge to sign for acceptance of the warranty deed.

ALL PRECINCTS

NN. ORDER APPROVED allowing Texas Express Pipeline LLC access onto County property to conduct survey work.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEM 9H

PRECINCT 1

OO. FINAL PLAT APPROVED for Whittleman Subdivision, Section 1, 3.81 acres, E. Collard Survey, A-7.

PP. PUBLIC HEARING DATE APPROVED for March 12, 2012, to change the name of Mistric Road to Community Center Road.

PRECINCT 2

QQ. FINAL PLAT APPROVED for Forest West, Section 3, 0.582 acres, 3 lots, Dickinson Garrett Survey, A-225.

SS. FINAL PLAT APPROVED for Woodforest, Section 10, 6.005 acres, 28 lots, Thomas Curry Survey, A-136.

TT. ROADS ACCEPTED in Sonoma Ridge, Section 1, effective October 10, 2011, per previous agreement with Stoecker Corporation, approved in CC (03.23.11).

UU. REQUEST APPROVED from San Jacinto River Authority to place a 16 inch water line within the right of way of St. Luke’s Way.

PRECINCT 3

VV. REQUEST APPROVED from Comcast Cable TV to place an underground coax cable within the right of way of Hanna Road.

WW. REQUEST APPROVED from Comcast Cable TV to place an underground coax cable within the right of way of Lake Robbins Drive.

XX. REQUEST APPROVED from Montgomery County WCID #1 to place a 10 inch sanitary sewer line within the right of way of Glen Loch Road and Sawdust Road.

PRECINCT 4


ZZ. REQUEST APPROVED from A-1 Utilities to place an 8 inch water line within the right of way of Chateau Woods Parkway and West Gate Drive.

AAA. REQUEST APPROVED from Suddenlink Communications to place a cable (overhead and underground) line within the right of way of Old Houston Road.

ALL PRECINCTS

BBB. REQUEST APPROVED from Park Construction Associates, LLC to move heavy construction equipment across various county roads. These permits will expire on 05.23.12.

ENVIRONMENTAL HEALTH – AGENDA ITEM 9I

CCC. REQUEST APPROVED for demolition of the following properties that are abandoned, deemed unsafe, or unlivable. Estimated cost is $36,000, funded by CDBG:

1. 29322 Binefield Street, Spring, TX 77386
2. 25627 Glen Loch Drive, Spring, TX 77380
3. 16954 Grove Circle, New Caney, TX 77357
4. 21048 Brazos Drive, New Caney, TX 77357
5. 14655 Oak Leaf Loop, Splendora, TX 77372

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

1. 16145 FM 1485, Conroe, TX 77306
2. 18740 Deer Glen Drive, Conroe, 77302
SHERIFF DEPARTMENT – AGENDA ITEM 9J

EEE. CHECK ACCEPTED in the amount of $64.96 from Montgomery County Crime Stoppers, Inc., for cell phone donation for Brandy Bice for the month of December, 2011. (check forwarded to Auditor for further processing)

FFF. CHECK ACCEPTED in the amount of $14,000.00 from the Aramco Associated Company for the MCSO SWAT Team. (check forwarded to Auditor for further processing)

COUNTY JUDGE – AGENDA ITEM 9K

GGG. USE AGREEMENTS APPROVED for the following:

2. Texas Full Count - Gene Campbell Sports Park - Scrimmage Game.
5. Montgomery County Employee Committee - Commissioners’ Court Building - Bake Sale.
6. Abundant Life Church 03.04.12, 04.01.12, and 05.06.12 - 300 S. Danville - Concert and Drama.

COUNTY ATTORNEY – AGENDA ITEMS 9L

HHH. SUBORDINATION OF LIEN APPROVED related to the Community Development Down-Payment Assistance Program, and authorizing the County Judge to execute same.

Motion carried.

END OF CONSENT AGENDA

5. FUNDING APPROVED - ANN CARR VACATION HOURS - COUNTY JUDGE

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve funding $12,423.82 for 224.62 vacation hours for Ann Carr from contingency. Motion carried.

6. ACTIONS APPROVED - FUNDING SALARY AND BENEFITS FOR DORIS GOLEMON - CLOSING DEPUTY DIRECTOR OF EMERGENCY MANAGEMENT POSITION - COUNTY JUDGE

Motion by Judge Sadler, seconded by Commissioner Meador, to approve the following actions:

1. Approve funding salary and benefits for Doris Goleman in the amount of $4105.30 from contingency.
2. Approve closing the position of Deputy Director of Emergency Management, department 406. The balance of funds to be returned to 409 Non-Departmental.

Motion carried.
7. PAYMENT APPROVED - ANNUAL COUNTY DUES - COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve payment in the amount of $2100.00 to County Judges and Commissioners Association of Texas for 2012 dues. Motion carried.

8. REAPPOINTMENT APPROVED - TERRI JAGGERS - CHILD PROTECTIVE SERVICE BOARD - COUNTY JUDGE

Motion by Judge Sadler, seconded by Commissioner Meador, to approve the reappointment of Terri Jaggers to the Child Protective Service Board of Directors for another three year term expiring 01.01.15. Motion carried.

9. NOMINATIONS APPROVED - ANIMAL SHELTER ADVISORY BOARD OF DIRECTORS - COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the following nominees for the Advisory Board of Directors for the Montgomery County Animal Shelter:

1. Dr. Michelle Wilbanks
2. Dr. Rick Walls
3. Mark Bosma
4. Barbara Egan
5. Ann Lakey

with the remaining two positions to be appointed at a later date. Motion carried.

10. TRANSFER OF FUNDS APPROVED - 221ST DISTRICT COURT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve transferring remaining funds from FY2011 budget year in line items 7300 and 7400 to FY2012 budget year. Motion carried.

11. REQUEST APPROVED - SALARY SUPPLEMENTS - DISTRICT ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve a request for a $1500.20 annual salary supplement to be funded solely by the District Attorney's Forfeiture account to employees who have successfully passed their board certification exam in criminal law. Motion carried.

12. GRANT APPROVED - TXDOT - SEARCH WARRANTS STOP DRUNK DRIVERS - DISTRICT ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the TXDOT Grant: Search Warrants Stop Drunk Drivers Project in the amount of $162,577.95. Motion carried.

13. GRANT APPROVED - CRIMINAL JUSTICE DIVISION - DOMESTIC VIOLENCE PROSECUTOR PROJECT - DISTRICT ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve the Criminal Justice Division grant: Domestic Violence Prosecutor Project in the amount of $99,737.52. Motion carried.
14. **TRANSFER OF FUNDS APPROVED - SHERIFF**

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the following transfer of funds:

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<tbody>
<tr>
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</tr>
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</table>

Motion carried.

15. **GRANT APPLICATION AND RESOLUTION APPROVED - FY2013 RADAR ENHANCEMENT PROJECT - SHERIFF**

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the grant application for the FY2013 Radar Enhancement Project for the Precinct 2 Constable's office in the amount of $35,915.00 with no matching funds. The grant is through the Criminal Justice Division of Texas and administered through HGAC. Motion carried.

16. **GRANT APPLICATION APPROVED - FY2013 CJD BODY ARMOR REPLACEMENT PROJECT - SHERIFF**

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the grant application for the FY2013 CJD Body Armor Replacement Project in the amount of $56,985.00 with no matching funds. The grant is through the Criminal Justice Division of Texas and administered through HGAC. Motion carried.

17. **GRANT SUBMISSION APPROVED - VICTIM LIAISON STAFF PROJECT - SHERIFF**

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the submission of the grant project titled - Victim Liaison Staff Project FY13. The grant, in the amount of $56,246.41, is a renewal grant through the Criminal Justice Division of Texas and administered through HGAC, and requires a 20% match. Motion carried.

18. **GRANT SUBMISSION APPROVED - SPEED STEP GRANT - SHERIFF**

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the submission of the FY13 Speed Step Grant proposal in the amount of $50,827.31 and any funds as approved by TXDOT. Matching funds will be addressed in the budget hearings. Motion carried.

19. **ADDITIONAL FUNDING ACCEPTED - HIDTA - SHERIFF**

Motion by Commissioner Meador, seconded by Commissioner Doyal, to accept additional funding from HIDTA in the amount of $8300.00. Motion carried.

20. **PAYMENT APPROVED - T.B. TESTING AND X-RAYS - SHERIFF**

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve paying for pre-screening T.B. testing and any on-going x-rays for Sheriff's Office/Jail Division personnel as required by the Texas Commissioner on Jail Standards, pursuant to Texas Health and Safety Code Chapter 89.014, and further allow current vendor or vendors to perform these services if approved by amendment to contract with said vendor or vendors. Additionally, authorize Sheriff's Office budget to pay for above mentioned services that have already been performed. Motion carried.
21. REQUEST APPROVED - ADDITIONAL FUNDS TO DEPLOY MOBILE DATA TERMINALS - CONSTABLE PCT. 5

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve a request for additional funds in the amount of $9188.50 for magnetic card readers, USB GPS receivers, and Havis docking stations to deploy mobile data terminals in the Precinct 5 patrol vehicles. Funding source to be determined. If a source cannot be found, Commissioner Doyal will fund this from his Precinct 2 budget. Motion carried.

22. REQUEST APPROVED - POSITION CHANGE - CONSTABLE PCT. 5

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve a request to close position 5551-5910-500 and transfer funding to new position 5551-5910-700. The bailiff position will change from regular part time to temporary part time. Motion carried.

23. ADDITIONAL FUNDING APPROVED - IMPOUNDED ESTRAYS - CONSTABLE PCT. 5

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve additional funding in the amount of $5000.00 to cover supplies needed for numerous estrays impounded so far this year. Motion carried.

24. NOTICE ACCEPTED - 2010 UASI GRANT ADJUSTMENT - EMERGENCY MANAGEMENT

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to accept the 2010 UASI Grant Adjustment Notice, and authorize Judge Sadler to sign the documents. Motion carried.

25. REQUEST APPROVED - OPEN NEW POSITION - INFRASTRUCTURE

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve opening the position 4213-3 using $40,000 from contingency. Motion carried.

26. PROJECT COMPLETION REPORT AND CHECK ACCEPTED - INFRASTRUCTURE

Motion by Commissioner Meador, seconded by Commissioner Doyal, to accept the Project Completion Report and incentive check in the amount of $55598.00 from Entergy for the 2011 Citysmart program to be placed into contingency. Motion carried.

27. PROPOSAL APPROVED - JOSEPH M. SANTOPETRO - INFRASTRUCTURE

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the proposal from Joseph M. Santopetro to provide professional architectural planning and design services for a fee of 8.5 percent of estimated construction cost for additions to the Montgomery County Jail Facility. Motion carried.

28. APPOINTMENT APPROVED - FACILITY ADMINISTRATOR - MCMHTF

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve appointment of Bob Quam as Facility Administrator for Montgomery County Mental Health Treatment Facility as recommended by the MCMHTF Advisory Board. Motion carried.
29. **SUBMISSION OF INTENT APPROVED - MENTAL HEALTH PROGRAM GRANT - MANAGED ASSIGNED COUNSEL**

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the submission of the intent to submit grant application to the Texas Indigent Defense Commission for the third year of the discretionary Managed Assigned Counsel Mental Health Program Grant. Motion carried.

30. **RESOLUTION APPROVED - CDBG DISASTER RECOVERY GRANT CONTRACT - COMMUNITY DEVELOPMENT**

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve a resolution authorizing the submission of authorized signators for the Community Development Department and the Auditor's Office between Montgomery County and the Texas General Land Office, contract number 12.221.000.5521. Judge Sadler is authorized to execute all necessary documents as may be required to initiate and process this designation of authorized signatories. Motion carried.

31. **APPOINTMENT APPROVED - ROBERT LANGFORD - LABOR STANDARDS OFFICER - COMMUNITY DEVELOPMENT**

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the appointment of Robert Langford as Labor Standards Officer for the Texas CDBG Disaster Recovery Grant contract 12-221-000-5521. Motion carried.

32. **SITE DEVELOPMENT PLAN APPROVED - KILLIAN AIR, LLC - AIRPORT**

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the site development plan for Killian Air, LLC. hangar development at the Lone Star Executive Airport. Motion carried.

33. **APPOINTMENT APPROVED - ARTHUR BREDEHOFT - ADVISORY BOARD - LIBRARY**

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the appointment of Arthur Bredehoft to the MCMLS Library Advisory Board for the period of February 2012 through January 2016. Motion carried.

34. **MOTION DIED FOR LACK OF SECOND - TEXAS BOOK FESTIVAL COLLECTION ENHANCEMENT GRANT - LIBRARY**

Motion by Commissioner Meador, no second. Motion died.

35. **CONCEPT PAPERS APPROVED - LAW LIBRARY**

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve two concept papers to the State Justice Institute from the Law Library. Each concept paper asks for a $48,000.00 non-matching grant. Motion carried.

**AGENDA ITEMS 23A-C - REMOVED FROM AGENDA**

36. **RESOLUTION AND GRANT APPROVED - DRUG COURT**

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the 2012-2013 Drug Court Grant from the State of Texas, Office of the Governor, Criminal Justice Division, and the resolution in support of same. Motion carried.
37. RESOLUTION AND GRANT APPROVED - DWI COURT

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the 2012-2013 DWI Court Grant from the State of Texas, Office of the Governor, Criminal Justice Division, and the resolution in support of same. Motion carried.

38. REQUEST APPROVED - COURT REPORTER SERVICE FUND - 284TH DISTRICT COURT

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve a request to from the 284th District Court to use $819.53 from the Court Reporter Service Fund for the StenoCAT Users Network Spring 2012 Seminar/Convention. Motion carried.

39. REQUEST APPROVED - COURT REPORTER SERVICE FUND - 418TH DISTRICT COURT

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve a request to from the 418th District Court to use $724.00 from the Court Reporter Service Fund to purchase a renewal subscription for the StenoCAT software. Motion carried.

AGENDA ITEM 25C - UPDATE ON TCDRS - AUDITOR

Phyllis Martin gave an update on the rate of returns on Texas County and District Retirement System investments. They were 1.1% lower than projected. This will result in an average anticipated increase to counties of 0.47%.

40. BUDGETARY CHANGES APPROVED - FORENSICS DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve budgetary changes for the Forensic Department as follows:

1. Implement a policy that all overtime, comp time, etc. be paid, and never placed into a bank for use at a future time.
2. Pay off all comp time already earned, estimated at $2428.19.
3. Establish an overtime budget to allow for the implementation of #1 above. It is estimated that $17,000.00 will be necessary for this.

Motion carried.

41. MINIMUM GRANT AMOUNT POLICY APPROVED - AUDITOR

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve a policy that any grant that a County department applies for or requests from a grantor have a minimum award value of $2500.00. Motion carried.

AGENDA ITEMS 26A-D – PURCHASING DEPARTMENT

CONTRACT AWARDED - 26A4

42. CONTRACT APPROVED - ADVOCATES FOR FAMILIES IN CRISIS - INFRASTRUCTURE

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the contract from Advocates for Families in Crisis for Montgomery County Managed Assigned Counsel (Project #2012-0002) awarded in CC (01.23.12).
RECOMMENDATIONS AND CONTRACTS DEFERRED – AGENDA ITEMS 26A1-3,5-12

Motion carried.

43. PURCHASE APPROVED - GENERATOR - EMERGENCY MANAGEMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the purchase of an Ingersoll Rand Model G-450 trailer mounted generator with Volvo Construction Equipment & Services in the amount of $93,166.00 through the interlocal agreement with HGAC contract GE02-10, to be funded from the 2010 SHSP Grant. Motion carried.

AGENDA ITEM 26C - REMOVED FROM AGENDA

44. AGREEMENT APPROVED - SCHAUMBURG & POLK, INC. - AIRPORT

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the agreement between Montgomery County and Schaumburg & Polk, Inc. for professional engineering services with a not to exceed amount of $166,967.00. Proposal #2011-0065 was previously awarded in CC (07.11.11). Motion carried.

45. TAX ABATEMENT APPROVED - REPSOL SERVICES COMPANY - COUNTY ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the tax abatement agreement between Montgomery County and JD Warmack Woodlands Limited Partnership, owner-lessee, and Repsol Services Company, tenant-lessee. Motion carried.

46. RESOLUTION AND ORDER APPROVED - FRENCH QUARTER VIII, LLC - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve a resolution and order granting an extension of time for County action under the default clause of the tax abatement agreement previously entered into in CC (M5/03.26.07) with French Quarter VIII, LLC. Motion carried.

47. DONATION ACCEPTED - RIVER PLANTATION MUD - COUNTY ATTORNEY

Motion by Commissioner Doyal, seconded by Commissioner Meador, to accept a donation of $1000.00 from River Plantation MUD to be used by the County to offset costs associated with the current TEXCOM litigation. Motion carried. (check forwarded to Auditor for further processing)

48. ASSIGNMENTS OF LEASEHOLDS APPROVED - AIRPORT

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the following assignments of leaseholds at the Lone Star Executive Airport:

A. Partial assignment from assignor Charles A. Ballard to assignee Claytus Watters and Roberta Watters for .199 acres of land.

B. Assignment from assignor Steven Davis and Lisa Davis to assignee Prosperity Bank for .170 acres of land.

C. Assignment from assignor Raymond Trejo and Ginger Trejo to assignee David Kihneman for 1,677 square feet of land.

Motion carried.
49. INTERLOCAL AGREEMENT APPROVED - MONTGOMERY COUNTY MUD #94 - COUNTY ATTORNEY CONTRACT REVIEW COMMITTEE

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve an interlocal agreement between Montgomery County and Montgomery County Municipal Utility District #94, to provide two deputies from Precinct 3 Constable’s Office to perform law enforcement services for the district. Motion carried.

50. TEMPORARY EMPLOYMENT CONTRACTS - MANAGED ASSIGNED COUNSEL - COUNTY ATTORNEY CONTRACT REVIEW COMMITTEE

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the following temporary employment contracts for the Managed Assigned Counsel:

A. Pennie Stanley/Case Management Coordinator
B. Latanza Gaddis/Case Worker

Motion carried.

51. OCCUPANCY AGREEMENT APPROVED - BRAZOS VALLEY COMMUNITY ACTION AGENCY - COUNTY ATTORNEY CONTRACT REVIEW COMMITTEE

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the occupancy agreement between Montgomery County, Texas and Brazos Valley Community Action Agency for lease of space in the North Montgomery County Community Development Center in Willis. Motion carried.

52. AMENDMENTS APPROVED - 2008 HURRICANE IKE DISASTER RECOVERY GRANT PROGRAM - COUNTY ATTORNEY CONTRACT REVIEW COMMITTEE

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve amendments to the 2008 Hurricane Ike Disaster Recovery Grant Program Agreements between Montgomery County and the following:

A. Conroe Independent School District
B. Clovercreek MUD
C. Splendora Independent School District
D. Woodbranch Village

Motion carried.

AGENDA ITEM 29A - PUBLIC HEARING - NAMING ROAD

PROPER NOTICE HAVING BEEN GIVEN, JUDGE SADLER DECLARED A PUBLIC HEARING IN REGARD TO THE NAMING ROAD HARDIN STORE SPUR FROM FM 249 TO 400’ NORTH OF MORRIS LANE. WAS OPEN FOR DISCUSSION. THERE BEING NO ONE PRESENT WHO WISHED TO ADDRESS THESE MATTERS, JUDGE SADLER DECLARED THE PUBLIC HEARING CLOSED.

53. ROAD NAME APPROVED - HARDIN STORE SPUR - PRECINCT 2

Motion by Commissioner Doyal, seconded by Commissioner Rinehart, to approve naming road Hardin Store Spur from FM 249 to 400’ north of Morris Lane. Motion carried.

AGENDA ITEM 30A - DEFERRED
54. SETTLEMENT APPROVED - CLAIM T-11.0111 - EXECUTIVE SESSION

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve a Release in Full Settlement and Compromise of Property Damage for Claim T-11-0111, a claim by Montgomery County against AAA Texas County Mutual Insurance Company RE: equipment damage to Research Forest @ Greenbridge traffic signal RE: Kathryn Binney, and further for authorization for Judge Sadler to accept settlement and execute related documents. Motion carried.

55. ORDER APPROVED - AUTHORIZING LITIGATION - EXECUTIVE SESSION

Motion by Commissioner Meador, seconded by Commissioner Chance, authorizing the filing of litigation against David McDaniel, Zurich American Insurance Company and Geico Indemnity Company RE: equipment damage to Research Forest @ Greenbridge traffic signal RE: Kathryn Binney, and further for the Montgomery County Attorney to incur expenses as necessary for the proper defense of said case. Motion carried.

56. RESOLUTION AND ORDER APPROVED - AUTHORIZING EXPENSES BE INCURRED - CLAIM #B-11-0107 - EXECUTIVE SESSION

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve resolution to incur expenses for cause #SC41C0193523; claim #B-11-0107, styled The Broccoli Corporation v. Environmental Health Services in the Justice of the Peace, Precinct 4, Place 1 Court in Harris County, Texas. Motion carried.

57. PAYROLL CHANGE REQUEST FORMS APPROVED – HUMAN RESOURCES

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

Request of Animal Shelter to place Gary Fryer, Kennel Help, on payroll as replacement for Colby Mora, effective 01.28.12.

Request of Animal Shelter to discharge Andrew Kitchens, Kennel Help, effective 01.23.12. (35.29 hours or balance of vacation, 2.25 hours or balance of compensatory time, 26.50 hours or balance of holiday time)

Request of Custodial to place Olga Miriam Morel, Custodian I, on payroll as replacement for Harold Rodgers, Jr., effective 01.30.12.

Request of Custodial to increase the salary of Marta L. Rivera, Custodian I, due to promotion as replacement for Juan Carlos Hernandez, effective 02.04.12.

Request of Custodial to increase the salary of Frank Anthony Salazar, Custodian II, due to promotion as replacement for Danette B. Minter, effective 02.04.12.

Request of Custodial to place Eulices Vargas-Sanchez, Custodian, on payroll as replacement for Roger Plentl, effective 01.30.12.
Request of CCL #2 to place Martha Koomar, Court Reporter, on payroll as replacement for Paula Mooneyham, effective 02.01.12.

Request of Commissioner Pct. 1 to place Zachary A. Christoffersen, Laborer, on payroll as replacement for Shawn Coleman, effective 02.06.12.

Request of Commissioner Pct. 1 to transfer Edward M. Shehane III, Operator I, from temporary seasonal worker to full-time, effective 02.04.12.

Request of Commissioner Pct. 3 to increase the salary of James R. Mosbey, II, Signal Technician I, due to certification and assignment to fill new position, effective 02.06.12.

Request of Commissioner Pct. 3 to accept the resignation of John Norton, Operator I, effective 01.14.12. (no benefits due)

Request of Commissioner Pct. 4 to increase the salary of Paula M. Beitler, Administrative Assistant II, due to addition of cell phone allowance, effective 02.04.12.

Request of Commissioner Pct. 4 to change the status of James Burke, Operator I, from temporary to full-time, effective 02.06.12.

Request of Commissioner Pct. 4 to place Michael Wheatley, Operator I, on payroll due to return from unpaid FMLA/Disability leave, effective 02.01.12.

Request of Constable Pct. 3 to accept the resignation of Brian Jacob Eyring, Deputy Constable, effective 02.03.12. (122.57 hours or balance of vacation, 4.00 hours or balance of compensatory time, 31.50 hours or balance of holiday time)

Request of Constable Pct. 5 to place Larry C. Medearis, Deputy Constable, on payroll due to re-hire as replacement for Richard Deere, effective 02.06.12.

Request of Auditor to decrease the salary of Betty Lovin, Accounts Payable Assistant, due to demotion and intra-departmental move at employee’s request as replacement for Stacey Wilson, effective 02.01.12.

Request of Auditor to transfer Stacey Wilson, Accounts Payable Assistant, due to position change as replacement for Shelby Rushing, effective 02.01.12.

Request of Engineering to increase the salary of Scott Cain, Coordinator of Plats, due to job re-evaluation, effective 01.09.12.

Request of Engineering to increase the salary of Juanita Marie Moore, Administrative Assistant II, due to job re-evaluation, effective 01.09.12.

Request of County Judge to retire Ann Carr, Chief of Staff, effective 02.29.12. (212.31 hours or balance of vacation)

Request of County Judge to place Doris Goleman, Chief of Staff, on payroll as replacement for Ann Carr, effective 02.21.12.

Request of District Attorney to accept the resignation of Abigail T. Nettles, Attorney I, effective 02.03.12. (78.46 hours or balance of vacation)

Request of Elections to increase the salary of Cynthia Norum, Temporary Voter Clerk, due to increased responsibilities, effective 02.18.12.

Request of Elections to place Lisa Raver, Temporary Voter Clerk, on payroll, effective 02.04.12.
Request of Elections to increase the salary of Jennifer Sheffield, Temporary Voter Clerk, due to increased responsibilities, effective 02.18.12.

Request of Information Technology to accept the resignation of Dorothy Sue McDaniel, Clerk III, effective 01.13.12. (no benefits due)

Request of JP #3 to increase the salary of Tina A. Ramirez, Court Clerk IV, due to promotion as replacement for Brittany Vinson, effective 02.06.12.

Request of JP #3 to increase the salary of Brittany J'nae Vinson, Administrative Manager I, due to promotion as replacement for Tresha Jan Carpenter, effective 02.01.12.

Request of Juvenile Probation - ADM to decrease the salary of Ronald Leach, Director - Juvenile Probation, due to removal of cell phone allowance, effective 02.04.12.

Request of Juvenile to increase the salary of Vermykia Yates, Juvenile Supervision Officer, due to a status change as replacement for Terrance Ford, effective 02.18.12.

Request of Library to accept the resignation of Elizabeth A. Bluhm, Library Assistant II, effective 01.27.12. (no benefits due)

Request of Library to accept the resignation of Jillian Stacy Cox, Reference Librarian, effective 04.13.12. (36.44 hours or balance of vacation)

Request of Library to place Brooke Stockton, Library Assistant II, on payroll as replacement for Melissa Nordstrom, effective 02.06.12.

Request of Managed Assigned Counsel to place Latanza Gaddis, Case Worker, on payroll to fill new position, effective 02.13.12.

Request of Managed Assigned Counsel to place Pennie Stanley, Case Management Coordinator, on payroll to fill new position, effective 02.14.12.

Request of Sheriff to increase the salary of Jack Armstrong, Deputy-SWAT, due to transfer as replacement for Donald Golsby, effective 01.21.12.

Request of Sheriff to increase the salary of Patrick Cherry, Deputy Patrol, due to promotion to fill new position, effective 01.21.12.

Request of Sheriff to place Derek Cogdill, Deputy Patrol, on unpaid FMLA/Disability leave, effective 01.22.12.

Request of Sheriff to accept the resignation of Richard Deere, Deputy Patrol, effective 01.20.12. (no benefits due)

Request of Sheriff to increase the salary of Todd Dishman, Deputy Patrol, due to promotion as replacement for Tommy Ward III, effective 01.21.12.

Request of Sheriff to place Phillip Frey, Officer-Civilian Detention, on payroll as replacement for Nicholas Pasler, effective 01.21.12.

Request of Sheriff to place Caleb Gonzalez, Officer-Civilian Detention, on payroll as replacement for Tiffany Neal, effective 01.21.12.

Request of Sheriff to increase the salary of Dylan Jobe, Deputy Patrol, due to STEP increase, effective 02.18.12.
Request of Sheriff to accept the resignation of Kathleen Jones, Dispatcher, effective 02.27.12. (31.84 hours or balance of vacation, 2.75 hours or balance of compensatory time, 8.00 hours or balance of holiday time)

Request of Sheriff to increase the salary of Johnathan Jordan, Deputy Patrol, due to promotion as replacement for Richard Nedrow, effective 01.21.12.

Request of Sheriff to decrease the salary of Nicole Keltch, Dispatcher, due to demotion to replace Lisa Rowe at employee's request, effective 01.28.12.

Request of Sheriff to increase the salary of Aaron Lozano, Deputy Bailiff, due to STEP increase, effective 03.03.12.

Request of Sheriff to accept the resignation of Cory Malak, Officer-Civilian Detention, effective 01.24.12. (70.84 hours or balance of vacation, 83.38 hours or balance of compensatory time, 48.00 hours or balance of holiday time)

Request of Sheriff to transfer Richard Nedrow, Deputy Patrol, to replace James Francis, effective 01.21.12.

Request of Sheriff to revise the leave anniversary date for Mary Katherine Perry, Clerk IV, to 01.18.03.

Request of Sheriff to accept the resignation of Jake Pullen, Officer-Civilian Detention, effective 02.03.12. (82.19 hours or balance of vacation, 56.89 hours or balance of compensatory time)

Request of Sheriff to place Carol Raica, Coordinator-Victim Assistance, on payroll due to re-hire as replacement for Nicole Keltch, effective 02.04.12.

Request of Sheriff to accept the resignation of Misti Washburn Richards, Clerk IV, effective 01.27.12. (47.60 hours or balance of vacation, 13.75 hours or balance of compensatory time, 35.00 hours or balance of holiday time)

Request of Sheriff to transfer Margarito Rosales, Jr., Deputy Warrants, as replacement for Jack Armstrong, effective 01.21.12.

Request of Sheriff to accept the resignation of Delbert Russell, Officer-Civilian Detention, effective 01.17.12. (221.24 hours or balance of vacation, 458.51 hours or balance of compensatory time, 24.00 hours or balance of holiday time)

Request of Sheriff to accept the resignation of Andrew Senn, Officer-Civilian Detention, effective 01.27.12. (126.42 hours or balance of vacation, 194.51 hours or balance of compensatory time, 48.00 hours or balance of holiday time)

Request of Sheriff to accept the resignation of Kathleen Shook, Dispatcher, effective 01.19.12. (1.50 hours or balance of compensatory time, no other benefits due)

Request of Sheriff to increase the salary of Philip Smith, Corporal Patrol, due to STEP increase, effective 03.03.12.

Request of Sheriff to transfer John Varnell, Corporal Patrol, as replacement for Johnathan West, effective 02.04.12.

Request of Sheriff to transfer Johnathan West, Corporal Patrol, as replacement for John Varnell, effective 02.04.12.

Request of Sheriff to place Aaron Writtenberry, Officer-Civilian Detention, on payroll as replacement for David Snider, effective 01.21.12.
Request of Tax Office to place Kelley Anne Bohanon, Deputy Specialist II, on unpaid FMLA/Disability leave, effective 01.27.12.

Request of Tax Office to place Laurie Ellington, Deputy Specialist I, on payroll as replacement for Rita Hejl, effective 02.13.12.

Request of Tax Office to increase the salary of Leslie Amanda Holzworth, Deputy Specialist I, due to completion of 90 day training period, effective 02.25.12.

Request of Tax Office to rescind the PCR for Rachel Karen Ladyman, Administrative Manager I, as approved in CC 01.23.12. (employee discharged)

Request of Tax Office to increase the salary of Leslie Amanda Holzworth, Deputy Specialist I, due to completion of 90 day training period, effective 02.25.12.

Motion carried.

58. COURT ADJOURNED

Motion by Commissioner Rinehart, 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