THE STATE OF TEXAS  
COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 9th day of July, 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, 501 N. Thompson, 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 Mary Hammer

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.

PRESENTATION GIVEN BY A REPRESENTATIVE OF THE SHERIFF’S OFFICE OF LIBERTY COUNTY

A representative of the Liberty County Sheriff’s Department presented a letter to Commissioners Court thanking the members of the Montgomery County Sheriff’s Office, Montgomery County Search and Rescue, and Montgomery County Constable’s Offices in Precincts 1,2, and 4 for their assistance to Liberty County during six major search and rescue operations and an additional five law enforcement related operations since January 2012.

2. PROCLAMATION APPROVED - APPRECIATION FOR LEON CUBILLAS - LIBRARY

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve a proclamation in appreciation of Leon Cubillas, long-time member of the Library Board. Motion carried.

3. MINUTES APPROVED - COMMISSIONERS COURT - COUNTY CLERK

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve Commissioners Court Minutes for June 18, 2012 as presented by the County Clerk. Motion carried.

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

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

BUDGET AMENDMENTS for FY 2012 approved, as follows:

1. VARIOUS: To perform interim salary sweep - June 2012.
2. VARIOUS: To perform interim salary sweep (2) - June 2012.
3. ADULT PROBATION: To transfer funds for remodel/RSA tokens.
4. ANIMAL SHELTER: To allocate funds not needed for Animal Shelter operations after being privatized 03.01.12.
5. BUILDING MAINTENANCE: To adjust line items.
6. C/P ROAD BONDS SERIES 2003A: To transfer leveraged funds for final projects.
7. C/P ROAD BONDS SERIES 2004: To transfer leveraged funds for final projects.
8. C/P CERTIFICATES OF OBLIGATION 2006: To adjust line items.
9. C/P CERTIFICATES OF OBLIGATION 2008: To adjust line items.
10. 4028 - COBRA COVERAGE: Budget adjustment as of 03.31.12.
11. COMMISSIONER PCT. 1: To transfer funds as approved in CC (M22/06.04.12) PCR #2.
12. COMMISSIONER PCT. 2: To recognize and allocate reimbursement for fuel/Friendship Center.
13. COMMISSIONER PCT. 2: To recognize and allocate payment per Fishcreek Thoroughfare Expansion Agreement.
14. COMMISSIONER PCT. 2: To adjust line items.
15. COMMISSIONER PCT. 3: To recognize and allocate revenue and reimbursements.
16. COMMISSIONER PCT. 4: To adjust line items.
17. CONSTABLE PCT. 4: To adjust line items.
18. CONSTABLE PCT. 4: To recognize and allocate donation.
19. CONSTABLE PCT. 5: To recognize and allocate donation.
20. CONTINGENCY: To fund consultant cell phone.
21. CONTINGENCY: To adjust line items per CC (M22/04.25.11).
22. DISTRICT ATTORNEY: To transfer funds as approved in CC (M7/06.04.12).
23. DISTRICT CLERK: To transfer funds for window materials.
24. DRUG COURT: To recognize and allocate revenue for May 2012 (MRT Books).
25. DRUG COURT: To adjust line items.
26. DWI COURT: To recognize and allocate revenue for May 2012 (MRT Books).
27. ELECTIONS ADMINISTRATOR: To recognize and allocate reimbursement for FY12 expenditures.
28. 4023 - EMPLOYEE HEALTH: Budget adjustment as of 03.31.12.
29. 4029 - EMPLOYEE LIFE: Budget adjustment as of 03.31.12.
30. ENERGY EFFICIENCY GRANT - 10: To adjust line items.
31. HOMELAND SECURITY GRANT PRG10-LETPA: To adjust line items.
32. INFORMATION TECHNOLOGY: To transfer funds for fiber installations.
33. JUSTICE OF THE PEACE PCT. 4: To transfer funds for VPN.
34. JUSTICE OF THE PEACE PCT. 5: To adjust line items.
35. CDBG YEAR 14: To adjust line items.
36. CDBG YEAR 14: To adjust line items.
37. NON-DEPARTMENTAL: To adjust restricted lines.
38. 4025 - OPTIONAL BENEFITS: Budget adjustment as of 03.31.12.
39. 40220 PROP/CASUALTY/LIAB: Budget adjustment as of 03.31.12.
40. RECORDS MANAGEMENT/PRESERVATION: To recognize and allocate revenue per CC (M14/06.04.12).
41. 4024 - RETIREE HEALTH: Budget adjustment as of 03.31.12.
42. RISK MANAGEMENT: To adjust line items.
43. SHERIFF/AUTO THEFT: To recognize and allocate auction proceeds.
44. SHERIFF: To recognize and allocate donations/reimbursements/restitution.
45. SHERIFF: To adjust line items.
46. SHERIFF: To adjust line items.
47. TOWN CENTER SUB-UNIT: To recognize and allocate proceeds from 12.09.11 auction.
48. 40210 - WORKERS COMP: Budget adjustment as of 03.31.12.
49. 4026 - WELLNESS CLINIC: Budget adjustment as of 03.31.12.
C. MONTHLY UNAUDITED FINANCIAL REPORTS APPROVED for:
   1. The seven months ended 04.30.12.
   2. The eight months ended 05.31.12.

D. CAPITAL ASSET VISUAL INSPECTION REPORTS APPROVED for the year ended 09.30.12.

TREASURER - AGENDA ITEM 9B

E. AUTO TICKET LOG APPROVED for June 2012 (Red Light Violations).

F. INVESTMENT REPORT APPROVED for the period January 16-20, 2012.

TAX ASSESSOR/COLLECTOR – AGENDA ITEM 9C

G. MONTHLY TAX COLLECTION REPORT APPROVED for the collections from October 1, 2011 through May 31, 2012.

H. FIRST ADDENDUM APPROVED to interlocal agreement for Tax Assessor and Collector services for the Porter Municipal Utility District.

I. SALARIES APPROVED previously authorized by CC (06.18.2012) for the remainder of this year and for FY 13 for new part-time positions, new upgrades for positions and educational requirements for positions registered with the state.

PURCHASING DEPARTMENT - AGENDA ITEM 9D

J. ADVERTISING APPROVED for the following bids/proposals:
   1. RFP/Q Interactive self-service kiosks - Various Departments.

K. CONTRACT AWARDS AND ACTIONS APPROVED for the following:
   1. Paint and miscellaneous supplies/picked up and delivered - project #2012-0038 (06.22.12) - to Sherwin Williams Paint Company - Various Departments.
   2. Floor covering and installation - project #2012-0061 (06.22.12) - to Color Interiors, awarding Sections A,C,D,E, F, and G; rejecting Section B. - Various Departments.
   3. Polyethylene corrugated pipe - project #2012-0064 (06.22.12) - to Coburn's - Various Departments.
   4. RFP/Q Maintenance and/or upgrades of existing audio/visual systems and/or new installations - project #2012-0068 (06.26.12) - to Ford Audio Visual - Various Departments.
   5. Reject and re-advertise laser printing of County tax statements and related reports - project #2012-0036 - Tax Office.
L. RENEWALS APPROVED for the following:

1. ANDREWS KURTH LLP, PO #2007477 - for legal services for right-of-way acquisitions for Spring Creek Greenway Project, expires 08.14.12 - Pct. 3

2. CONROE INDEPENDENT SCHOOL DISTRICT, PO #9600598 - for fuel charge back, expires 09.02.12 - Sheriff.

3. CALENCE LLC dba INSIGHT NETWORKING, PO #2008644 (material/equipment) for county wide voice over IP telephone replacement systems, expires 09.07.12 - CIS.

4. CALENCE LLC dba INSIGHT NETWORKING, PO #2008645 (installation) for county wide voice over IP telephone replacement systems, expires 09.07.12 - CIS.

5. CALENCE LLC dba INSIGHT NETWORKING, PO #2008646 (maintenance/support) for county wide voice over IP telephone replacement systems, expires 09.07.12 - CIS.

6. NORTHWEST PEST PATROL, INC., PO #2010642 for mosquito spraying service, expires 09.08.12 - Various Precincts.

7. CLEVELAND ASPHALT PRODUCTS, INC., PO #2009043 for emulsified recycling asphalt (dust control), expires 10.05.12 - Various Precincts.

M. CHANGE ORDERS APPROVED for the following:

1. Change Order #12, PO #2011082 to Nationwide Insurance for hazard insurance owner occupied dwellings - MCCD.

2. Change Order #1, PO #2012319 to Command & Control Environments, Inc. for RFP/Q Montgomery County Communications Center console stations - Sheriff.

3. Change Order #5, PO #2009323 to Agustin Gutierrez, MA, LPC, PC for cancellation of contract, effective 07.27.12. - Drug/DWI Courts.

4. Change Order #19, PO #2009386 to Diamondback Service Management for pest control services - Various Departments.

5. Change Order #1, PO #2012228 to Stripes & Stops Company, Inc., for pavement striping - Various Precincts.

6. Change Order #1, PO #2012229 to Texas Lone Star Pavement Services, Inc., for pavement striping - Various Precincts.

N. DISCRETIONARY EXEMPTION APPROVED as follows:

1. Southwestern Bell Telephone dba AT&T Texas for relocation of utility lines at SH 242 and I-45 in advance of direct connector project in an estimated amount of $22,193.00 - Precinct 2 and 4/Engineering (MCTP).

O. AMENDMENT #9, PO #2008608 APPROVED to GEO Group, Inc. for maintenance and operations agreement for Joe Corley Detention Facility - Infrastructure.
P. REQUEST APPROVED to declare a broken television and projector as salvage - Various Departments

RISK MANAGEMENT - AGENDA ITEM 9E

Q. PAYMENTS APPROVED to the following:
   1. To Amanda Kimmins and Sara M. Barnett in the amount of $182.64 in reference to claim #B-12-0069.
   2. To Robert Davis, Jr. and Robert Davis, III in the amount of $2697.00 in reference to claim #A-12-0041.
   3. To Rebecca Bailey dba Woodlands Storage Facility in the amount of $1340.00 in reference to claim #A-12-0041.
   4. To Juan Rodriguez and Juan Rodriguez, Jr. in the amount of $1225.98 in reference to claim #A-12-0073.
   5. To Todd D. Allen and Kristi L. Allen in the amount of $4583.70 in reference to claim #B-12-0071.
   6. To Masters Touch Collision Repair in the amount of $1510.57 in reference to claim #B-12-0076.

R. BOND CHANGES, ADDITIONS AND RELEASES APPROVED for the following per documents on file:

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COMMISSIONERS - AGENDA ITEM 9F

S. ANNUAL FINANCIAL STATEMENTS APPROVED for the following:
   1. Montgomery County ESD #1 for year ending 09.30.11 - Pct. 1.
   2. Montgomery County ESD #10 for year ending 12.31.11 - Pct. 2.

PRECINCT 3

T. VARIANCE APPROVED to install a water well at 3807 Brea Court, Spring, TX 77386.

U. USE AGREEMENT APPROVED between the Greater Houston Off-Road Biking Association for the use of the George Mitchell Nature Preserve Flintridge Drive trails for event to be held on July 14, 2012 and Commissioner Ed Chance is authorized to sign agreement.

V. REQUEST APPROVED FROM Atkins North America, Inc. for property access for surveying environmental and geotechnical studies and authorizing Judge Sadler to sign their right to enter premises request.

W. CHECK ACCEPTED in the amount of $1786.79 from the City of Roman Forest for the purchase of fuel for the month of May, 2012. (check forwarded to Auditor for further processing)
X. CHECK ACCEPTED in the amount of $2419.26 from Montgomery County ESD #7 for the purchase of fuel for the month of May, 2012. (check forwarded to Auditor for further processing)

Y. ANNUAL FINANCIAL REPORT APPROVED for Montgomery County ESD #6 for year ended September 30, 2011.

Z. CHECK ACCEPTED in the amount of $788.90 from The Friendship Center for fuel used for the month of May, 2012. (check forwarded to Auditor for further processing)

PRECINCTS 2 AND 4

AA. FINANCIAL REPORT APPROVED for Montgomery County ESD #4, for the year ended September 30,2011.

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

PRECINCT 1

BB. ORDER APPROVED allowing partial lot conveyance without a replat of Lot 18, Block 1, Bentwater Section 82.

CC. ORDER APPROVED closing, abandoning, and vacating a portion of unused Post Oak Cemetery Road right-of-way, and accepting a deed of conveyance for a portion of existing Post Oak Cemetery Road right-of-way.

PRECINCT 2

DD. ORDER APPROVED authorizing payment of relocation expenses in association with the purchase of right-of-way known as Parcel 55 for The Woodlands Parkway Extension Project.

PRECINCT 4

EE. ORDER APPROVED authorizing abandonment of 26 feet of utility and drainage easement.

FF. ORDER APPROVED closing, abandoning, and vacating a portion of Hunters Trail right-of-way.

GG. ORDER APPROVED authorizing payment of closing expenses associated with the purchase of right-of-way known as Parcel 1 for the Lexington Drive Project.

HH. ORDER APPROVED accepting warranty deed for Parcel 1 of the Lexington Drive Project and authorizing County Judge to sign for the acceptance of the warranty deed.

II. ORDER APPROVED authorizing purchase of right-of-way known as Parcel 2 for the Lexington Drive Project.

JJ. ORDER APPROVED authorizing the acceptance of a donation of right-of-way for the construction of a new road known as Kennedy Drive in Precinct 4.
COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEM 9H

PRECINCT 2


LL. PUBLIC HEARING DATE APPROVED for 08.13.12, to change intersection stop sign control from the Wiley Drive approach to the Brown Bark Drive approach.

PRECINCT 3

MM. FINAL PLAT APPROVED for Urgent Care 1-45 North, 1.386 acres, Charles Eisterwall survey, A-191.

PRECINCT 4

NN. FINAL PLAT APPROVED for Auburn Trails at Oakhurst, Section 6, 9.519 acres, Mary Owens League survey, A-405.


PP. ROADS ACCEPTED into the one year maintenance period effective 07.09.12 in Riverwood at Oakhurst, Section 5, 2340.16 L.F. = .44 miles.

ALL PRECINCTS

QQ. REQUEST APPROVED from Park Construction Associates, LLC to move heavy construction equipment across various county roads. These two permits will expire on 09.16.12. (bond submitted)

DISTRICT CLERK - AGENDA ITEM 9I

RR. DEPUTATION APPROVED for Devon Reagan.

SHERIFF DEPARTMENT – AGENDA ITEM 9J

SS. CHECK ACCEPTED in the amount of $65.37 from the Montgomery County Crime Stoppers, Inc. for cell phone donation for Brandy Bice for the month of June, 2012. (check forwarded to Auditor for further processing)

COUNTY JUDGE – AGENDA ITEM 9K

TT. USE AGREEMENTS APPROVED for the following:

2. Texas TNT Softball - Tournament - Gene Campbell Park softball fields.
3. Wedding - Memory Park - 08.11.2012
5. Conroe Area Girls Softball Association - Commissioners Courtroom - Board meeting.
6. Splendora Youth Football League - Tram Road Football Park
CONFABLE PRECINCT 4 – AGENDA ITEM 9L

UU. APPOINTMENT APPROVED of Jimmy Sutton as a Reserve Deputy in the Constable Pct. 4 Department.

ENVIRONMENTAL HEALTH – AGENDA ITEM 9M

VV. VARIANCES APPROVED to install on-site aerobic systems in the 100 year floodplain at the following addresses:

1. 24955 Decker Prairie Rosehill Road, Magnolia, TX 77355.
2. 11680 Post Oak, Willis, TX 77318.

COUNTY ATTORNEY - AGENDA ITEM 9N

WW. RESOLUTION AND ORDER APPROVED to confirm for the Court's record that the Tower Lease entered into with Wireless Towers, Inc. on 06.18.12 was executed without competitive bidding, pursuant to discretionary exemption for land lease and/or items obtained as a sole source under § 262.024 (a)(6) and (a)(7) of the Texas Local Government Code.

XX. RESOLUTION AND ORDER APPROVED accepting the final draft of the professional services agreement with Our Lady of the Lake University to perform clinician services for the Montgomery County Managed Assigned Counsel - Mental Health Department, into the Commissioners' Court record. The total expenditure for a year of services from doctoral students and supervisors is $17,570.00.

INFRASTRUCTURE – AGENDA ITEM 9O

YY. CERTIFICATE OF SUBSTANTIAL COMPLETION APPROVED from Fairweather Group, LLC for the design/build to enclose the lower area of the existing Charles B. Stewart Library.

Motion carried.

END OF CONSENT AGENDA

COMMISSIONERS' COURT WAS RECESSED

MEETING OF THE MONTGOMERY COUNTY JAIL FINANCING CORPORATION CONVENERED

COURT RECESSED INTO EXECUTIVE SESSION PURSUANT TO ONE OR MORE OF THE FOLLOWING PROVISIONS OF THE TEXAS GOVERNMENT CODE, TO WIT:

CHAPTER 551, SUB-CHAPTER D; ARTICLE 551.072.

POTENTIAL DISPOSITION OF REAL PROPERTY INCLUDING THE JOE CORLEY DETENTION FACILITY WAS DISCUSSED.

MEETING WAS RECONVENERED.

DECISION WAS DEFERRED FOR 2 WEEKS.

MEETING OF THE MONTGOMERY COUNTY JAIL FINANCING CORPORATION WAS ADJOURNED.
COMMISSIONERS’ COURT WAS RECONVENED.

5. NEGOTIATIONS TO PROCEED - TYLER TECHNOLOGY, INC. - INTEGRATED JUSTICE SYSTEM - COUNTY JUDGE

Motion by Commissioner Meador, Seconded by Commissioner Doyal, to approve proceeding with negotiations with Tyler Technology, Inc. for contract in connection with Integrated Justice System. RFP for Sheriff and JP systems which will be able to integrate with the Tyler system to be presented at a later date. Motion carried.

AGENDA ITEM 11B - DECISION ON THE POSSIBLE SALE OF MONTGOMERY COUNTY MENTAL HEALTH TREATMENT FACILITY - DEFERRED

6. RESIGNATION ACCEPTED - CHANDRA JACKSON - COMMISSIONER FOR THE HOUSING AUTHORITY - COUNTY JUDGE

Motion by Judge Sadler, seconded by Commissioner Chance, to accept the resignation of Chandra Jackson as Commissioner for the Housing Authority of Montgomery County, Texas. Motion carried.

7. APPOINTMENT APPROVED - DAVID HARRIS - COMMISSIONER FOR THE HOUSING AUTHORITY - COUNTY JUDGE

Motion by Judge Sadler, seconded by Commissioner Rinehart, to approve the appointment of David Harris as Commissioner for the Housing Authority of Montgomery County, Texas and to serve the balance of Chandra Jackson's term which expires 09.01.2013. Motion carried.

8. FUNDING FROM CONTINGENCY APPROVED - RETIRING DPS CLERK - COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve funding approximately $5004.83 from contingency for approximately 266.2782 hours for the retiring Clerk IV in the DPS Office. Motion carried.

AGENDA ITEM 11F - 2012/2013 OPERATING BUDGET FOR EMERGENCY COMMUNICATION DISTRICT (911) - DEFERRED

9. 2010 GRANT ADJUSTMENT NOTICE APPROVED - TX DPS - EMERGENCY MANAGEMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the 2010 Grant Adjustment Notice from the Texas Department of Public Safety for the 2010 UASI Grant and authorizing Judge Sadler to execute the agreement. This grant adjustment will provide an extension through October 31, 2012. Motion carried.

10. FUNDING APPROVED - GENERATOR MAINTENANCE AGREEMENT - LONE STAR CONVENTION CENTER - INFRASTRUCTURE

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve funding maintenance agreements for generators located at the Lone Star Convention Center from either Building Maintenance or contingency. Motion carried.

11. FUNDING APPROVED - FUEL FOR GENERATORS - LONE STAR CONVENTION CENTER - INFRASTRUCTURE

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve funding fuel for generators located at the Lone Star Convention Center from contingency. Motion carried.
12. MONTHLY PERFORMANCE INDICATOR REPORT ACCEPTED - MCMHTF

Motion by Commissioner Chance, seconded by Commissioner Doyal, to accept the Performance Indicator Report for the month ended 05.31.2012 as required by agreement between Montgomery County and Texas Department of State Health Services and recommended by the Montgomery County Mental Health Treatment Facility Advisory Board. Motion carried.

13. REVISIONS TO MANAGEMENT PLAN APPROVED - MCMHTF

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve revisions to management plan as recommended by the MCMHTF Advisory Board as set forth in paperwork on file for the following:

B. Rights & Responsibilities: Disability Rights Texas Program Policy - Version 2
C. Medical Staff: Practitioner Health - Version 2.

Motion carried.

14. RENEWAL OF PHYSICIAN PRIVILEGES APPROVED - MCMHTF

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve renewal of physician privileges as follows:

A. Barbara A. Moore, MD  Physician-Psychiatry  Active
B. Debra Emmite, MD  Physician-Psychiatry  Active
C. Brad Morman, MD  Physician-Psychiatry  Active
D. Edmund Harris, MD  Consultant-Radiology  Active
E. Paul Rodriguez, MD  Consultant-Radiology  Active

Motion carried.

15. JOINT ELECTION AGREEMENT APPROVED - ELECTIONS

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve a joint election agreement between Montgomery County and various political entities for the November 6, 2012 election. Motion carried.

16. SUBSTANTIAL AMENDMENT APPROVED - 2011 CONSOLIDATED ACTION PLAN - COMMUNITY DEVELOPMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Substantial Amendment to the 2011 Consolidated Action Plan and authorizing Judge Sadler to sign documents related to the Substantial Amendment. Motion carried.

17. FUNDING APPROVED - JUSTICE OF THE PEACE TECHNOLOGY FUND - AUDITOR

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to use $950.85 from the Justice of the Peace Technology Fund to build a storage cabinet and computer work stations. Motion carried.
18. REQUEST APPROVED - HEREFORD, LYNCH, SELLARS & KIRKHAM, P.C. - AUDITOR

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve engaging the firm of Hereford, Lynch, Sellars & Kirkham, P.C. to audit the County's financial statements for the year ending 09.30.12, with the contract to follow. This contract is to be re-bid next year. Motion carried.

19. RETIREMENT RATE APPROVED - YEAR 2013 - AUDITOR

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve the Plan Year 2013 Retirement Rate at 12.27%. Motion carried.

AGENDA ITEMS 18A-F – PURCHASING DEPARTMENT

RECOMMENDATIONS AND CONTRACTS DEFERRED – AGENDA ITEMS 18A1-11

20. DISCRETIONARY EXEMPTION APPROVED - APEX INNOVATIONS - EMERGENCY MANAGEMENT - PURCHASING

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

A. Apex Innovations, Inc. for annual hosting/maintenance for Data Management Licenses; administration and user support for the UASI-info communications for Texas Houston Area Regional Information System network in the amount of $77,877.00. Funds to be taken out of the 2010 and 2011 UASI Grants.

Motion carried.

21. DISCRETIONARY EXEMPTIONS AND PURCHASE APPROVED - BOATS, MOTORS, AND TRAILER - CONSTABLE PCT. 1 - PURCHASING

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

A. Discretionary exemption for Brunswick Commercial & Government Products, Inc. through GSA Schedule 84, contract #GS-07F-0011J, Federal Supply Schedule Source for the purchase of one 24' Justice base boat with options in the amount of $71,843.00.

B. Discretionary exemption for Mercury Marine, a division of Brunswick Corporation through GSA Schedule 84, contract #GS-07F-0007J, Federal Supply Schedule Source for the purchase of two 200 XL Verado L4 boat motors with accessories in the amount of $28,147.80.

C. Purchase of two 2012 K-2 Frontier 210 boats and one 2012 Coastline tandem aluminum trailer with options from Ronnie's Marine in the amount of $40,513.00. Labor associated with rigging the boats is in the amount of $1520.00 from Lakeside Boat Repair.

Funding for these will be from SJRA revenues. Motion carried.

22. PURCHASE APPROVED - TRUCK MOUNTED EXCAVATOR - PRECINCT 4 - PURCHASING

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the purchase of one Gradall XL 3100 IV truck mounted excavator from Hi-Way Equipment Co., LLC through HGAC contract #EM06-11 in the amount of $275,530.00. Funding to follow at a later date. Motion carried.
23. POSITION CHANGES AND TRANSFER OF FUNDS APPROVED - PURCHASING

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

A. Position changes with an effective date of August 4, 2012:
   1. Open position #407-4229-2
   2. Close position #407-2820-2

B. Transfer of budgeted funds, effective August 4, 2012:

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Motion carried.

24. TAX ABATEMENT REJECTED - CLARIANT CORPORATION - COUNTY ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Doyal, to reject the tax abatement with Dirk D. Laukien (owner-lessee) and Clariant Corporation (tenant-lessee). Motion carried.

25. RESOLUTION APPROVED - FARMERS' MARKET VENDORS' PERMITS - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve a resolution adopting the Montgomery County regulations for farmers' market vendors' permits per documents on file. Motion carried.

26. REGULATIONS APPROVED - SALE OF ALCOHOL PROHIBITED NEAR CHURCH OR SCHOOL - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve regulations prohibiting the sale of alcoholic beverages by dealers near schools or churches per documents on file. Motion carried.

27. RELEASE OF LIEN APPROVED - DELLA MAE LEWIS - COUNTY ATTORNEY

Motion by Judge Sadler, seconded by Commissioner Meador, to approve and execute release of lien of 704 Tisdale, Dobbin, TX 77333 for Della Mae Lewis related to participant's completion of the affordability period as part of the County's Community Development Housing Rehabilitation Program and authorizing Judge Sadler to execute same. Motion carried.

28. CONSENT AND AUTHORIZATION DOCUMENT APPROVED - MOTOROLA - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve a consent and authorization document for Motorola Solutions, Inc. to use and/or distribute case studies on the 800 MHz Simulcast Trunked Radio System purchased by the County from Motorola. Motion carried.
29. RESOLUTION AND ORDER APPROVED - TEXAS FOREST SERVICE - COUNTY ATTORNEY - CONTRACT REVIEW COMMITTEE

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve a resolution and order accepting the terms of the form agreement between Montgomery County, the Texas Forest Service and individual employees of Montgomery County and authorizing the County Judge to sign each of these on behalf of Montgomery County. Motion carried.

30. RESOLUTION AND ORDER APPROVED - ACCEPTING GRANT AGREEMENT FROM EAST MONTGOMERY COUNTY IMPROVEMENT DISTRICT - COUNTY ATTORNEY - CONTRACT REVIEW COMMITTEE

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve a resolution and order accepting a grant agreement from East Montgomery County Improvement District and accepting funds to be used to purchase equipment for Precinct 4 Constable per documents on file. Motion carried.

31. BLOCK GRANT DISASTER RECOVERY GRANT AGREEMENTS APPROVED - COUNTY ATTORNEY - CONTRACT REVIEW COMMITTEE

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the following Community Development Block Grant Disaster Recovery Grant Agreements between Montgomery County and the Texas General Land Office, and authorizing Judge Sadler to execute same:

A. Contract 12-469-000-6633 Rental Housing Program - $1.76 million for rehab, reconstruction, and new construction of rental housing units, of which 100% is for low and moderate income families.

B. Contract 12-475-000-6640 Non-Rental Housing Program - $10.4 million for rehab, reconstruction, and new construction to assist 80 households, of which 100% are to be low and moderate income families.

C. Contract 12-477-000-6642 - Non-Housing Program - $1.4 million for construction of drainage improvements for the Deerwood neighborhood and Highline Blvd. to include 61,900 linear feet of ditch re-grading, cross street culverts, driveway culverts, re-grading, and erosion control.

Motion carried.

COMMISSIONERS’ COURT RECESSED

PUBLIC HEARINGS CONVENE

AGENDA ITEMS 22A1-B1 - PUBLIC HEARINGS - PARTICIPATION IN TEXAS ENTERPRISE ZONE PROGRAM - CHANGING STREET NAME TO MAVERICK WAY

PROPER NOTICE HAVING BEEN GIVEN, JUDGE SADLER DECLARED A PUBLIC HEARING IN REGARD TO THE COUNTY’S PARTICIPATION IN THE TEXAS ENTERPRISE ZONE PROGRAM. RENAMING MONTGOMERY COLLEGE DRIVE TO MAVERICK WAY WAS ALSO OPEN FOR DISCUSSION. THERE BEING NO ONE PRESENT WHO WISHED TO ADDRESS THESE MATTERS, JUDGE SADLER DECLARED THE PUBLIC HEARINGS CLOSED.

COMMISSIONERS’ COURT RECONVENE
32. RESOLUTION AND ORDER APPROVED - PARTICIPATION IN TEXAS ENTERPRISE ZONE PROGRAM - COUNTY ATTORNEY

Motion by Judge Sadler, seconded by Commissioner Chance, to approve a resolution and order authorizing the county's participation in the Texas Enterprise Zone Program under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code, nominating Huntsman International, LLC as an Enterprise Project under the Act, and designating JR Moore, Tax Assessor/Collector, as County Liaison for overseeing Enterprise Projects in the county. Motion carried.

33. NEW STREET NAME APPROVED - MAVERICK WAY - PRECINCT 2

Motion by Commissioner Doyal, seconded by Commissioner Meador, to re-name Montgomery College Drive, the street that serves as the main entrance to Lone Star College - Montgomery, to Maverick Way. Motion carried.

EXECUTIVE SESSION – AGENDA ITEM 22A-D

THE COURT RECESSED FOR EXECUTIVE SESSION PURSUANT TO ONE OR MORE OF THE FOLLOWING PROVISIONS OF THE TEXAS GOVERNMENT CODE, TO WIT: CHAPTER 551, SUB-CHAPTER D, ARTICLE 551.071.

COURT RECONVENED WITH ALL MEMBERS PRESENT

34. RESOLUTION AND ORDER APPROVED - AUTHORIZING EXPENSES RELATED TO CLAIM A-11-0095 - TAWNYA RIDEAUX, PHYLLIS RIDEAUX, TRENITI RIDEAUX, AND TRENTON RIDEAUX - EXECUTIVE SESSION

Motion by Commissioner Chance, seconded by Commissioner Meador, to authorize the County Attorney to investigate and incur expenses related to Claim #A-11-0095. Motion carried.

AGENDA ITEMS 22B-22D - NO ACTION TAKEN - EXECUTIVE SESSION

CITIZENS – AGENDA ITEM 24A

MR. RICHARD MCDUFFEE – WAS NOT PRESENT TO ADDRESS THE COURT

35. PAYROLL CHANGE REQUEST FORMS APPROVED – HUMAN RESOURCES

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

Request of Custodial to remove Harold William Rodgers, Jr., Custodian, from payroll because employee is deceased effective 06.19.12. (no benefits due)

Request of Custodial to remove Frank Anthony Salazar, Custodian II, from payroll because employee is deceased, effective 06.19.12. (no benefits due)

Request of Building Maintenance to place Miguel Macareno, Maintenance Tech II, on payroll as replacement for Travis Puls, effective 06.18.12.

Request of Civic Center Complex to correct the effective date on PCRF approved by CC (04.09.12) for John Arnold, Facility Worker/Grounds Maintenance, to 05.31.12.

Request of Commissioner Pct. 1 to retire Lee Walding, Seasonal Worker, effective 05.19.12. (no benefits due)

Request of Commissioner Pct. 3 to increase the work hours for Albert Barr, Assistant - Nature Center, from 18 to 29 hours per week, effective 06.27.12.
Request of Commissioner Pct. 3 to accept the resignation of Laurie R. Frazier, Assistant - Nature Center, effective 06.29.12. (no benefits due)

Request of Commissioner Pct. 3 to place Rodger Lee, Assistant - Nature Center, on payroll as replacement for Laurie Frazier, effective 06.30.12.

Request of Constable Pct. 4 to retire Harvey E. Moody, Jr., Captain-Constable, effective 07.31.12. (272.015 hours or balance of vacation, 16.00 hours or balance of holiday time)

Request of Auditor to increase the salary of Susan Bingham, Accounts Payable Assistant, due to merit increase, effective 07.09.12.

Request of Auditor to increase the salary of Angela Blocker, First Assistant County Auditor, due to merit increase, effective 07.09.12.

Request of Auditor to increase the salary of Stephanie Eckert, Grants Reporting Accountant, due to merit increase, effective 07.09.12.

Request of Auditor to increase the salary of Cathy Ferguson, Internal Audit Assistant, due to merit increase, effective 07.09.12.

Request of Auditor to increase the salary of Chrysanthi Garner, Budget/Financial Reporting Supervisor, due to merit increase, effective 07.09.12.

Request of Auditor to increase the salary of Melissa Graphman, Financial Analyst, due to merit increase, effective 07.09.12.

Request of Auditor to increase the salary of Cheryl Jakoby, Internal Audit Supervisor, due to merit increase, effective 07.09.12.

Request of Auditor to increase the salary of Betty Lovin, Accounts Payable Assistant, due to merit increase, effective 07.09.12.

Request of Auditor to increase the salary of Robert Oughton, Budget Analyst, due to merit increase, effective 07.09.12.

Request of Auditor to increase the salary of Denise Riebold, Accounts Payable Coordinator, due to merit increase, effective 07.09.12.

Request of Auditor to increase the salary of Christopher Roos, General Ledger Accountant, due to merit increase, effective 07.09.12.

Request of Auditor to increase the salary of Shelby Rushing, Accounts Payable Supervisor, due to merit increase, effective 07.09.12.

Request of Auditor to increase the salary of Amanda Vance, Grants Reporting Accountant, due to merit increase, effective 07.09.12.

Request of Auditor to increase the salary of Stacey Wilson, Accounts Payable Assistant, due to merit increase, effective 07.09.12.

Request of DPS to place Pamela Gautreaux, Clerk IV, on payroll as replacement for Carol Davis, effective 07.09.12.

Request of District Clerk to increase the salary of Kathleen Foote, Court Clerk IV, due to completion of probationary period, effective 06.12.12.

Request of District Clerk to increase the salary of Sherry Foster, Legal Assistant II, due to transfer as replacement for Bobbye Miller, effective 07.09.12.
Request of District Clerk to increase the salary of Bobbye Gregory Miller, Office Supervisor I, due to promotion as replacement for Nelia Taraski, effective 06.18.12.

Request of District Clerk to increase the salary of Melisa Miller, Administrative Manager I, due to promotion as replacement for Pam Robichaux, effective 06.25.12.

Request of District Clerk to place Dean Roblin, Court Clerk II, on unpaid FMLA/Disability leave, effective 06.21.12 at 12:00pm.

Request of District Clerk to accept the resignation of Nelia Taraski, Office Supervisor I, effective 06.15.12. (240.015 hours or balance of vacation)

Request of District Clerk to increase the salary of Stacie Wheeler, Office Supervisor I, due to promotion as replacement for Melisa Miller, effective 06.25.12.

Request of JP3 to increase the salary of Tina A. Ramirez, Administrative Assistant I, due to promotion as replacement for Amy L. Rushing, effective 06.30.12.

Request of JP3 to accept the resignation of Amy L. Rushing, Administrative Assistant I, effective 06.27.12. (8.885 hours or balance of vacation, .0034 hours or balance of compensatory time)

Request of Juvenile to increase the salary of Deedra Michele Davis, Shift Supervisor - Juvenile, due to promotion as replacement for Eddy Bluford, effective 07.07.12.

Request of Juvenile to change the status of Rebecca Renee Kiefer, Juvenile Supervision Officer, from temporary part time to full time, effective 06.23.12.

Request of Juvenile to change the status of Elizabeth Wilkerson, Juvenile Probation Officer, from temporary part time to full time, effective 07.07.12.

Request of Central Library to place Elvira L. Alayon, Librarian II, on payroll as replacement for Mathew Wilson, effective 07.10.12.

Request of Library to change the position of Lisa Christine Evans, Library Assistant II, as replacement for Kimberlee Rayl, effective 07.07.12.

Request of Mitchell Library to accept the resignation of Alan Higgins, Shelving Clerk I, effective 06.23.12. (no benefits due)

Request of Central Library to accept the resignation of Michael Shane Martin, Library Assistant II, effective 06.20.12. (no benefits due)

Request of Central Library to accept the resignation of Kimberlee Ann Rayl, Library Assistant II, effective 06.29.12. (3.08 hours or balance of vacation)

Request of South Regional Library to accept the resignation of Mark Andrew Steele, Shelving Clerk I, effective 06.28.12. (no benefits due)

Request of Library to change the status of Brooke Marie Stockton, Library Assistant II, from hourly to bi-weekly as replacement for Shellene Howell, effective 06.25.12.

Request of Sheriff to transfer Jodi Boman, Dispatcher, from temporary to full time as replacement for Kathleen Shook, effective 06.30.12.

Request of Sheriff to place Craig Carney, Officer-Civilian Detention, on payroll as replacement for Blake Maxwell, effective 06.23.12.
Request of Sheriff to discharge Manuel Coria, Jr., Officer-Civilian Detention, effective 06.21.12. (24.64 hours or balance of vacation, 16.00 hours or balance of compensatory time, 24.00 hours or balance of holiday time)

Request of Sheriff to place Deana Faircloth, Dispatcher, on payroll as replacement for Dawn Northrop, effective 06.30.12.

Request of Sheriff to decrease the salary of Anna Flake, Clerk IV, due to transfer as replacement for Madonna Miller per employee's request, effective 06.16.12.

Request of Sheriff to accept the resignation of Kevin Gaede, Deputy-Patrol, effective 06.27.12. (22.96 hours or balance of vacation, 32.00 hours or balance of holiday time)

Request of Sheriff to place Brian Kovacs, Officer-Civilian Detention, on payroll as replacement for John Ryan, effective 06.30.12.

Request of Sheriff to accept the resignation of Blake Maxwell, Officer-Civilian Detention, effective 06.06.12. (49.28 hours or balance of vacation, 54.75 hours or balance of compensatory time, 54.00 hours or balance of holiday time)

Request of Sheriff to increase the salary of Willie Mayes, Jr., Deputy-Detention, due to promotion as replacement for Calvin Wilson, effective 06.30.12.

Request of Sheriff to increase the salary of Michael McManus, Maintenance Tech II, due to promotion as replacement for Brandon Walters, effective 07.07.12.

Request of Sheriff to transfer Madonna Miller, Clerk IV, as replacement for Anna Flake, effective 06.16.12.

Request of Sheriff to accept the resignation of Keith Motley, Officer-Civilian Detention, effective 06.05.12. (81.46 hours or balance of vacation, 152.89 hours or balance of compensatory time)

Request of Sheriff to accept the resignation of Mary Perry, Clerk IV, effective 06.29.12. (66.48 hours or balance of vacation, 111.05 hours or balance of compensatory time, 1 hour or balance of holiday time)

Request of Sheriff to increase the salary of John Ryan, Deputy-Detention, due to promotion as replacement for Matthew Aaron, effective 06.30.12.

Request of Sheriff to accept the resignation of Mason Shaver, Officer-Civilian Detention, effective 06.28.12. (49.28 hours or balance of vacation, 54.39 hours or balance of compensatory time, 72.00 hours or balance of holiday time)

Request of Sheriff to place Kelsey Williams, Dispatcher, on payroll as replacement for Patricia Despain, effective 06.30.12.

Request of Sheriff to increase the salary of Brittany Wilson, Dispatcher, due to transfer as replacement for Sybil Bailey, effective 06.23.12.

Request of Sheriff to increase the salary of Calvin Wilson, Corporal-Detention, due to promotion as replacement for Danny Dickson, effective 06.30.12.

Request of Tax Office to increase the salary of Carolyn Etheredge, Chief Deputy-Administration, due to promotion per action by CC 06.18.12 eliminating the Executive Administrator position, effective 06.30.12.

Request of Tax Office to increase the salary of Connie Debbie Fuller, Deputy Specialist II, due to one year experience requirement being met and replacing Tina Jackson, effective 07.14.12.
Request of Tax Office to increase the salary of Tammy McConnell McRae, Chief Deputy-Operations, due to job re-evaluation, effective 06.30.12.

Request of Tax Office to increase the salary of Mary M. Proescher, Deputy Specialist II, due to one year experience requirement being met and replacing Eileen Mast, effective 07.14.12.

Request of County Clerk to place Tina Arlene Solomon, Clerk II, on unpaid FMLA/Disability leave, effective 06.19.12.

Request of Commissioner Pct. 3 to place Llawana L. Taylor, Technician - Traffic Operations, on payroll to fill new position, effective 07.02.12.

Request of Tax Office to place James L. Noack, Assistant Chief Deputy-Tax, on payroll as replacement for Tammy McRae, effective 07.09.12.

Request of District Attorney to place Kristi Nicole Czajkoski, on payroll due to return from unpaid FMLA/Disability leave, effective 07.02.12.

Motion carried.

36. COURT ADJOURNED

Motion by Commissioner Chance, seconded by Commissioner Rinehart, 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