THE STATE OF TEXAS
COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 19th day of November, 2012 the Honorable Commissioners Court of Montgomery County, Texas, was duly convened in a Special 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 - ABSENT
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 Meador, seconded by Commissioner Doyal, to approve Commissioners Court agenda for discussion and necessary action. Motion carried.

2. PROCLAMATION APPROVED - SAM HOUSTON STATE UNIVERSITY STUDENT ORGANIZATION.

   Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve a proclamation from SHSU's "Pay It Forward" Student Organization supporting Montgomery County foster care adoptions and events that promote Montgomery County foster care adoptions. Motion carried.

3. PROCLAMATION APPROVED - RESOLUTION OF APPRECIATION - WILLIAM THORNTON.

   Motion by Judge Sadler, seconded by Commissioner Doyal, to approve a proclamation in support of William Thornton and Birthday Clowns in support of Montgomery County foster care adoptions and events that promote Montgomery County foster care adoptions. Motion carried.

4. PROCLAMATION APPROVED - RESOLUTION OF APPRECIATION - RICHARD BRIL.

   Motion by Judge Sadler, seconded by Commissioner Meador, to approve a proclamation in support of Richard Bril and Tree Top Entertainment as an active participant in National Adoption Month, promoting and recruiting adoptive families and participating in Montgomery County's Adoption Day festivities. Motion carried.
5. **MINUTES APPROVED - COMMISSIONERS COURT - COUNTY CLERK**

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve Commissioners Court Minutes for November 5, 2012 as presented by the County Clerk. Motion carried.

6. **CONSENT AGENDA APPROVED - AGENDA ITEMS 9A-K.**

Motion by Commissioner Chance, seconded by Commissioner Meador, 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 FY12 approved, as follows:**

1. AIRPORT - 1112LONES: To recognize and allocate 112LONES grant revenue from USDOT for FY12.
2. C/P CO 2012: To correct budget amendment to reflect final allocation of 2012 CO Issue.
3. C/P REFUNDING 2012: To correct budget amendment to reflect final allocation of 2012 Refunding Issue.
4. CIVIC CENTER: To adjust line items.
5. COMMISSIONER PRECINCT 3: To recognize and allocate reimbursement.
6. COMMISSIONER PCT 4: To recognize and allocate proceeds from equipment sale.
7. CONSTABLE PCT 3: To transfer funds as approved by Commissioners’ Court (M10/8.27.12).
8. DA NO REFUSAL GRANT: To adjust line items.
9. EXTENSION AGENTS: To recognize and allocate donation.
10. LAW LIBRARY: To adjust line items.

C. **BUDGET AMENDMENTS for FY13 approved, as follows:**

1. ANIMAL CONTROL: To recognize and allocate donation.
2. CERTIFICATE OF OBLIGATION, SERIES 2012A: To budget for issuance of Certificates of Obligation, Series 2012A
3. CONSTABLE PCT 3: To recognize and allocate donation.
4. CONSTABLE PCT 3: To adjust line items.
5. CONSTABLE PCT 4: To recognize and allocate surplus revenue.
6. CONSTABLE PCT 5: To adjust line items.
7. COUNTY ENGINEER: M37/12.22.08-On call transportation services.
8. DEBT SERVICE FUND: To budget for effect of issuance of Series 2012A Refunding Bonds.
9. HMLND SEC GRNT PRG11-UASI: To adjust line items.
10. JUV POWER RCVRY CT YR5/13: To correct budget amendment that set up FY13 Montgomery County Power Recovery Court Match (M16-09.10.12).
11. CDBG/$1,956,872 - YEAR 15: To adjust PI lines.
12. SHERIFF: To adjust line items.

D. INTERIM ARBITRAGE REBATE ANALYSIS APPROVED for Unlimited Tax Adjustable Rate Road Bonds Series 2006B. Judge Sadler authorized to sign.

TAX ASSESSOR/COLLECTOR – AGENDA ITEM 9B

E. RECEIPT OF TAX ABATEMENT APPLICATION ACKNOWLEDGED from Chicago Bridge and Iron Company. County Attorney, Commissioner Precinct 3, and Tax Assessor to draft an agreement in compliance with County policy.

F. MONTHLY TAX COLLECTION REPORT APPROVED for month ending 10/31/12.

G. SUPPLEMENTAL CHANGES FROM SAN JACINTO COUNTY APPRAISAL DISTRICT ACKNOWLEDGED for property located in Montgomery County November 2012.

PURCHASING DEPARTMENT - AGENDA ITEM 9C

H. ADVERTISING APPROVED for the following bids/proposals:
   1. RFP/Q for containers for the collection and disposal of recyclable materials and products - Precinct #4.
   2. Bulk Fuel (Emergency) - Various Departments.
   3. Alternate Electrical Services - Various Departments.
   4. Build out for the Montgomery County Magnolia Clinic - Infrastructure/MCCD.
   5. Traffic monitoring cameras - Various Departments.

I. RENEWALS APPROVED for the following contracts:
   1. ANDREWS KURTH, LLP (P.O. #2006132) for Attorney Services for right-of-way acquisition for the Montgomery County Comprehensive Transportation Improvement Program, expires 12/04/12 (Note: Changes per document on file) - Various Departments.
   2. CENTURY AIR CONDITIONING SUPPLY, INC. (P.O. #2009136) for the A/C & heating items/misc. supplies, expires 01/22/13 - Various Departments.
   3. DIAMOND COMMERCIAL CONSTRUCTION, INC. (P.O. #I010304) for minor construction, repair, rehabilitation, or alteration of a facility, expires 01/25/13 - Various Departments.
   4. FAIRWEATHER GROUP, LLC (P.O. #I010306) for minor construction, repair, rehabilitation, or alteration of a facility, expires 01/25/13 - Various Departments.
   5. POLICEREPORTS.US, LLC (P.O. #2011104) for on-line accident report distribution service, expires 02/04/13 - Sheriff's Office.
J. CHANGE ORDERS APPROVED for the following:

1. Change Order #1, P.O. #2013040 to Commercial Fence for perimeter security fencing in the amount of $4,101.00 for perimeter security fencing to add a double swing gate and fencing - Precinct #2.

2. Change Order #1, P.O. #2012555 to J.A.M. Equipment Sales & Service for services to relocate existing equipment from Pct #2 current location to the new Pct #2 location through BuyBoard Contract #342-10-A in the amount of $3,094.92 for change in specification and total price for a total of $48,497.14 - Precinct #2.

3. Change Order #1, P.O. #2012276 to Richard W. Edwards for architectural services in the amount of $555.00 reimbursable TDLR fee and TAS Plan Review fee - Precinct #2.

K. PAYMENT BOND ACKNOWLEDGED AND APPROVED in the amount of $27,316.00 from Commercial Fence for perimeter security fencing - Precinct #2.

L. PURCHASE APPROVED for LEAPS software setup, license subscription, support and maintenance agreements from Coplogic, Inc. in the amount of $9,000.00 - Sheriff's Office.

M. REQUEST APPROVED from various departments to declare items as salvage - Various Departments.

N. AGREEMENT APPROVED for Smartank Monitor Equipment Loan from J.A.M. Distributing Company for bulk fuel - Various Departments.

O. LIST APPROVED of items for the next County online auction - Various Departments.

AGENDA ITEM 9C9 - DEFERRED

P. NAME CHANGE ACKNOWLEDGED for Calence, LLC dba Insight Networking to Insight Public Sector, Inc. DIR Contract No. DIR-SDD-1369 for county wide voice over IP telephone replacement system (materials/equipment) - CIS.

RISK MANAGEMENT - AGENDA ITEM 9D

Q. PAYMENT ACKNOWLEDGED to Wade and Angela Jaynes in the amount of $154.45, in reference to Claim #B-12-0108.

R. PAYMENT ACKNOWLEDGED to Frank and Marilyn Whitt in the amount of $194.00, in reference to Claim #B-12-0094.

S. PAYMENT ACKNOWLEDGED to Steen Glass, Inc. in the amount of $94.22, in reference to Claim #B-13-0002.

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

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<th>NAME/DEPT.</th>
<th>AMOUNT</th>
<th>ACTION</th>
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</table>
COMMISSIONERS - AGENDA ITEM 9E

PRECINCT 3

U. DONATION ACCEPTED of 35 chairs from Imperial Oaks Property Owners Association to be used at community centers in Precinct 3.

V. CHECK ACCEPTED in the amount of $250.00 from Bentwater Civic Association for a household chemical and paint disposal event that was held on 10/06/12. (No check received by Court Clerk.)

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

PRECINCT 1

W. ORDER APPROVED accepting Texas National Boulevard into Montgomery County Road maintenance system upon finding of prescriptive right based on public use.

PRECINCT 2

X. ORDER APPROVED authorizing purchase of right of way known as Parcel 22 for The Woodlands Parkway Extension project.

PRECINCT 3

Y. ORDER APPROVED consenting to street construction, repair, and maintenance by Montgomery County to set culverts at 39 South Watertree Lane in the amount of $550.00.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEM 9G

PRECINCT 2


BB. ROADS ACCEPTED in Woodforest, Section 8, 1516.21 L.F. - 0.29 miles, Thomas Curry Survey, A-136, into the County maintenance system and the bond released.

PRECINCT 3


DD. REQUEST APPROVED for Level 3 Communications to place a fiber optic cable line within the right of way of Waterway Avenue, Montgomery County, Texas.

EE. REQUEST APPROVED for Level 3 Communications to place a fiber optic cable line within the right of way of Woodloch Forest in Montgomery County, Texas.

FF. ROAD ACCEPTED. May Valley Circle in The Woodlands, Village of Sterling Ridge, Section 94 accepted into the 1 year maintenance period effective 11.19.12.
PRECINCT 4

GG. MEMORANDUM OF COOPERATIVE INTENT APPROVED between Montgomery County and Texas Department of Transportation for the future Montgomery County Parkway/Riverwalk Drive and the Grand Parkway in Montgomery County.

HH. ROADS ACCEPTED in Valley Ranch, Section 8, 856.49 L.R. = .16 miles, into County maintenance system and bond released.

II. ROADS ACCEPTED in Valley Ranch, Section 10, 423.06 L.R. = .08 miles, into County maintenance system and bond released.

PRECINCTS 1, 2, & 4

JJ. REQUEST APPROVED for Texas Express Pipeline, LLC to place a 20” natural gas liquid line within the right of way of various roads in Montgomery County, Texas per document on file.

COUNTY JUDGE – AGENDA ITEM 9H

KK. REAPPOINTMENT APPROVED of Tommy Gage to the 9-1-1 Board of Managers of Montgomery County Emergency Communication District for a term of 2 years expiring 09/30/14.

LL. USE AGREEMENTS APPROVED as follows:
   1. Montgomery County Food Bank - Courthouse steps - food drive.

CONSTABLE PRECINCT 4 – AGENDA ITEM 9I

MM. APPOINTMENT APPROVED of the following Reserve Deputies:
   1. Michael Jaimes
   2. Sean Summerlin

ENVIRONMENTAL HEALTH – AGENDA ITEM 9J

NN. REQUEST APPROVED to rescind Order to Abate Nuisance for 17541 Castlewood Drive, Conroe, Texas 77306.

OO. REQUEST APPROVED for demolition of 17571 Castlewood Drive, Conroe, Texas 77306, which is abandoned, deemed unsafe, or unlivable for an estimated cost of $20,000.

CONSTABLE PRECINCT 3 - AGENDA ITEM 9K

PP. DONATION ACCEPTED from Milstead Automotive for a door entry tool.

Motion carried.

END OF CONSENT AGENDA
COMMISSIONERS’ COURT RECESSED.

MEETING OF MONTGOMERY COUNTY TOLL ROAD AUTHORITY CONVENED.

7. MEMORANDUM OF UNDERSTANDING APPROVED - FEDERAL HIGHWAY ADMINISTRATION TEXAS DIVISION OFFICE.

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve Memorandum of Understanding between the Federal Highway Administration Texas Division office, the Texas Department of Transportation, and the Montgomery County Toll Road Authority. Motion carried.

MEETING OF MONTGOMERY COUNTY TOLL ROAD AUTHORITY ADJOURNED.

COMMISSIONERS’ COURT RECONVENED.

8. MONTGOMERY COUNTY PROPORTIONATE SHARE APPROVED - SECOND ADMINISTRATIVE JUDICIAL REGION - COUNTY JUDGE.

Motion by Judge Sadler, seconded by Commissioner Chance, to approve Montgomery County’s proportionate share of the Second Administrative Judicial Region cost for 2012/2013 of $17,400.15. Motion carried.

9. APPOINTMENT APPROVED - HGAC ASSEMBLY AND BOARD OF DIRECTORS - COUNTY JUDGE.

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve James Noack as Representative to the Houston-Galveston Area Council General Assembly and Delegate, Board of Directors for year 2013. Motion carried.

10. APPOINTMENT APPROVED - HGAC ASSEMBLY AND ALTERNATE BOARD OF DIRECTORS - COUNTY JUDGE.

Motion by Commissioner Doyal, seconded by Judge Sadler, to approve Mike Meador as Representative to the Houston-Galveston Area Council General Assembly and Alternate, Board of Directors for year 2013. Motion carried.

11. APPOINTMENT APPROVED - HGAC ASSEMBLY ALTERNATES - COUNTY JUDGE.

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve Judge Sadler and Ed Rinehart as alternates to the Houston-Galveston Area Council General Assembly for year 2013. Motion carried.

12. DE-OBLIGATION OF FUNDS APPROVED - VICTIM LIAISON STAFF EXPANSION GRANT - SHERIFF.

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the de-obligation of the remaining award balance of $12,791.62 for the Victim Liaison Staff Expansion Grant. Motion carried.

13. TRANSFER OF FUNDS APPROVED - SHERIFF.

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the transfer of budgeted salary and associated longevity/certification among positions at the Sheriff’s office. Motion carried.
14. RECOMMENDATIONS APPROVED - ALARM DEPARTMENT REVENUE - TAX ASSESSOR.

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve recommendations for the County Alarm Department revenue and for the County amusement coin-operated machine revenue pursuant to documents on file. Motion carried.

15. ORDER APPROVED - CANVASSING RETURNS - GENERAL ELECTION - ELECTIONS.

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve an order canvassing returns and declaring results of November 6, 2012 general election. Motion carried.

16. FUNDING SOURCE APPROVED - DATA PLANS FOR JUDGES IPADS - AUDITOR.

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve County/District Court Technology Fund as a funding source for budget amendments to Courts for data plans for Judges’ iPads. Motion carried.

17. PROCEDURE CHANGES APPROVED - UTILITIES BUDGETS - AUDITOR.

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve changes to procedures with regards to utilities budgets, per document on file. Motion carried.

18. METHODOLOGY APPROVED - MAINTENANCE COST CALCULATIONS - AUDITOR.

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve methodology for maintenance cost calculation for technology enhancements per document on file. Motion carried.

19. CHARGES APPROVED - JP TECHNOLOGY FUND - AUDITOR.

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve charges to the JP Technology Fund in the amount of $122,860.78 for fiscal year ended 09/30/12. Motion carried.

20. CHARGES APPROVED - COUNTY/DISTRICT COURT TECHNOLOGY FUND - AUDITOR.

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve charges to the County/District Court Technology Fund in the amount of $31,337.61 for fiscal year ended 09/30/12. Motion carried.

AGENDA ITEMS 16A-C – PURCHASING DEPARTMENT

RECOMMENDATIONS AND CONTRACTS DEFERRED – AGENDA ITEMS 16A1-2, 16A4-9

21. CONTRACT AWARDED - JAIL FOOD SERVICE - INFRASTRUCTURE - PURCHASING.

Motion by Commissioner Meador, seconded by Commissioner Chance, to award RFP/Q Jail Food Service - Project #2012-0072 to Aramark Correctional Services, LLC. Motion carried.
22. **CHANGE ORDER APPROVED - EMERGENCY REPAIR OF WRIGHT ROAD BRIDGE - PRECINCT 2 - PURCHASING.**

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve Change Order #1, P.O. #2013042 to Forde Construction Company, Inc. in the amount of $22,700.00 for additional work on emergency repair. Previously approved in CC 10/22/12 as a discretionary exemption. Motion carried.

23. **PURCHASE APPROVED - STANDBY GENERATOR - EMERGENCY MANAGEMENT - PURCHASING.**

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve purchase of one 500 kw standby generator in the amount of $108,675.00 from Loftin Equipment company through the Interlocal Agreement with HGAC Contract GEO2-12, funded from the 2011 UASI Grant. Motion carried.

24. **RESOLUTION APPROVED - FINANCING COVENANT CHRISTIAN SCHOOL, INC. - COUNTY ATTORNEY.**

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve a resolution relating to a public hearing and approving financing by the Wallis Education Facilities Finance Corporation for the benefit of Covenant Christian School, Inc. Motion carried.

25. **RESOLUTION AND ORDER APPROVED - RETIRING TORO - COUNTY ATTORNEY.**

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve a resolution and order to retire Toro, a narcotics canine, to Jeff Buchanan, his handler. Motion carried.

26. **AMENDMENTS APPROVED - RABIES CONTROL AND ANIMAL RESTRAINT ORDINANCE - COUNTY ATTORNEY.**

Motion by Judge Sadler, seconded by Commissioner Doyal, to approve amendments to the Montgomery County Rabies Control and Animal Restraint Ordinance per document on file. Motion carried.

27. **PROFESSIONAL SERVICES AGREEMENTS APPROVED - DR. ELDRED KEAHEY AND DR. MICHELLE WILBANKS - COUNTY ATTORNEY.**

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the professional services agreements with Dr. Eldred Keahey, DVM and Dr. Michelle Wilbanks, DVM, to provide veterinary services for Montgomery County Animal Control, and authorize discretionary exemption. Motion carried.

COMMISSIONERS’ COURT RECESSED.

PUBLIC HEARING CONVEnED.

AGENDA ITEM 17E - PUBLIC HEARING

PROPER NOTICE HAVING BEEN GIVEN, JUDGE SADLER DECLARED A PUBLIC HEARING REGARDING 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. THERE BEING NO ONE PRESENT WHO WISHED TO ADDRESS THESE MATTERS, JUDGE SADLER DECLARED THE PUBLIC HEARINGS CLOSED.
PUBLIC HEARING ADJOURNED.

COMMISSIONERS’ COURT RECONVENED.

28. RESOLUTION AND ORDER APPROVED - TEXAS ENTERPRISE ZONE PROGRAM - COUNTY ATTORNEY.

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve 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.

29. USE AGREEMENT APPROVED - FIRST BAPTIST CHURCH IN CONROE - COUNTY ATTORNEY - CONTRACT REVIEW COMMITTEE

Motion by Judge Sadler, seconded by Commissioner Meador, to approve the use agreement between the County and the First Baptist Church in Conroe for the use of the 501 North Main parking Garage facility on days specified by the First Baptist Church in Conroe, per document on file. First Baptist Church will pay Montgomery County $100,000 flat fee for a 99 year lease which will be deposited into contingency. Motion carried.

COMMISSIONERS’ COURT RECESSED.

PUBLIC HEARING CONVENED.

AGENDA ITEM 19A1-2 - PUBLIC HEARING

PROPER NOTICE HAVING BEEN GIVEN, JUDGE SADLER DECLARED A PUBLIC HEARING REGARDING CLOSING, ABANDONING, AND VACATING A PORTION OF WEDGEWOOD DRIVE RIGHT OF WAY, AND A PORTION OF UNNAMED COUNTY ROAD RIGHT OF WAY LOCATED IN LAKEWOOD ESTATES, SECTION ONE.

MR. NINO CORBETT ADDRESSED THE COURT ABOUT THE WEDGEWOOD DRIVE RIGHT OF WAY, STATING IT WAS FOR A NEW GATED COMMUNITY.

THERE BEING NO ONE ELSE PRESENT WHO WISHED TO ADDRESS THESE MATTERS, JUDGE SADLER DECLARED THE PUBLIC HEARINGS CLOSED.

PUBLIC HEARING ADJOURNED.

COMMISSIONERS’ COURT RECONVENED.

30. ORDERS APPROVED - CLOSING, ABANDONING, AND VACATING RIGHTS OF WAY - PRECINCT 2 - PUBLIC HEARING.

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve orders closing, abandoning, and vacating the following:

A. A portion of Wedgewood Drive right of way.
B. A portion of unnamed road right of way in Lakewood Estates, Section One.

Motion carried.
31. REQUEST APPROVED - NEW MUNICIPAL UTILITY DISTRICT - PRECINCT 1.

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the request from SK Law to create and name a municipal utility district in the city limits of the City of Conroe. Montgomery County District Clerk records show the next available name to be Montgomery County Municipal Utility District No. 132. Motion carried.

32. PARK NAME APPROVED - HOWARD L. KRAVETZ PARK - PRECINCT 1.

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the 830 Reserve Park to be named Howard L. Kravetz Park. Motion carried.

EXECUTIVE SESSION – AGENDA ITEM 21A.

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 EXCEPT COMMISSIONER RINEHART.

33. RESOLUTION AND ORDER APPROVED - CLAIM A-12-0097 - EXECUTIVE SESSION

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve a settlement reached in connection with Claim A-12-0097, styled Greta Murphy vs. Montgomery County, et. al., in the amount of $3,000 funded from Risk Management. Motion carried.

CITIZENS – AGENDA ITEM 23A

MR. JAMES NOACK – WAS NOT PRESENT TO ADDRESS THE COURT.

MR. BILL O’SULLIVAN - ADDRESSED THE COURT IN REGARDS TO NECESSITY OF CERTIFICATES OF OBLIGATION.

34. PAYROLL CHANGE REQUEST FORMS APPROVED – HUMAN RESOURCES

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

Request of 359th District Court to accept the resignation of Phillip Davis, Briefing Attorney, effective 11/09/12 (no benefits due).

Request of 359th District Court to place Gwendolyn Simpson, Briefing Attorney, on payroll due to rehire as replacement for Phillip Davis, effective 11/13/12.

Request of Custodial to place Timothy Scott Hill, Custodian, on payroll as a replacement for Mel Denorris Harrison, effective 11/05/12.

Request of Custodial to place Hillary Grace Hillyard, Custodian, on payroll as a replacement for Karla Denise Davis, effective 11/05/12.

Request of Building Maintenance to place Joseph Bachmann, Maintenance Technician II, on payroll to fill a new position, effective 11/13/12.

Request of Commissioner Pct. 1 to retire Allen D. Windham, Operator II, effective 01/31/13 (23.80 hours or balance of vacation, 232.00 hours or balance of compensatory time).
Request of County Attorney to retire Anthony Benardino, Division Chief, effective 12/31/12 (222.29 hours or balance of vacation).

Request of County Clerk to place Kandy R. Brown, Clerk II, on payroll effective 11/19/12.

Request of District Clerk to increase the salary of Macie Holmes, Court Clerk II, due to status change from Part Time to Full Time as replacement for Dean Roblin, effective 11/05/12.

Request of District Clerk to place Yesenia Rivera, Clerk III, on payroll to fill a new position, effective 11/05/12.

Request of District Clerk to discharge Dean Roblin, Court Clerk II, effective 10/23/12 (no benefits due).

Request of Juvenile to increase the salary of Tamra Ashlee Bryson, Juvenile Supervision Officer, due to status change as a replacement for Nathan Dunmire, effective 11/10/12.

Request of Juvenile to increase the salary of Daniel Thomas Cendrick, Juvenile Supervision Officer, due to transfer as a replacement for Babatunde Peter Fafiyebi, effective 11/24/12.

Request of Juvenile to decrease the salary of Deedra Michele Davis, Juvenile Supervision Officer - Substitute, due to status change from Full Time to Part Time at employee’s request, effective 11/24/12.

Request of Juvenile to accept the resignation of Babatunde Peter Fafiyebi, Juvenile Supervision Officer, effective 10/28/12 (124.10 hours or balance of vacation, 4.00 hours or balance of compensatory time, not eligible for re-hire).

Request of Juvenile to increase the salary of Lance Andrew Fenske, Shift Supervisor - Juvenile, due to promotion as replacement for Deedra Davis, effective 11/24/12.

Request of Juvenile to increase the salary of Roy Juan, Juvenile Supervision Officer, due to status change from Part Time to Full Time as replacement for Jorge Hernandez, effective 11/10/12.

Request of Sheriff to increase salary of Allison Allen, Lieutenant, due to promotion as replacement for Ralph Smith, effective 11/10/12.

Request of Sheriff to the location of Richard Ashmore, Deputy Patrol, as replacement for Richard Garlock, effective 11/17/12.

Request of Sheriff to place Broderick Booker, Officer - Civilian Detention, on payroll as replacement for Donald McAlexander, effective 11/10/12.

Request of Sheriff to place Brian Clark, Officer - Civilian Detention, on payroll as replacement for Michelle Bolin, effective 11/10/12.

Request of Sheriff to increase salary of Richard Durbin, Corporal, due to promotion as replacement for Andrew Swank, effective 11/17/12.

Request of Sheriff to transfer Richard Garlock, Deputy - Bailiff, as replacement for Ashley Mellon, effective 11/10/12.

Request of Sheriff to place Lindsay Hall, Clerk IV, on payroll as replacement for Jeanette Rice, effective 11/10/12.
Request of Sheriff to accept resignation of Dave Harrington, Medic, effective 11/22/12 (97.72 hours or balance of vacation, 131.14 hours or balance of compensatory time, 5.00 hours or balance of holiday time).

Request of Sheriff to place Ella Lewis, Deputy - Detention, on payroll due to return from unpaid FMLA/Disability leave, effective 11/06/12.

Request of Sheriff to change the position of Ashley Mellon, Deputy - Detention, as replacement for Tiffany Neal, effective 11/10/12.

Request of Sheriff to place Cesar Montiel, Officer - Civilian Detention, on payroll as replacement for Brandi Bake, effective 11/03/12.

Request of Sheriff to accept the resignation of Tiffany Neal, Deputy - Detention, effective 11/09/12 (203.76 hours or balance of vacation, 163.53 hours or balance of compensatory time, 34.25 hours or balance of holiday time).

Request of Sheriff to retire Ronald K. Pickering, Detective, effective 12/31/12 (81.3407 hours or balance of vacation, 288.30 hours or balance of compensatory time).

Request of Sheriff to accept the resignation of Jeanette Rice, Clerk IV, effective 11/02/12 (26.40 hours or balance of vacation, 3.91 hours or balance of compensatory time, 11.75 hours or balance of holiday time).

Request of Sheriff to change location of Christopher Rogers, Sergeant - Patrol, as replacement for Allison Allen, effective 11/17/12.

Request of Sheriff to place James Selmser III, Officer - Civilian Detention, on payroll as replacement for Syble Morgan, effective 11/10/12.

Request of Sheriff to place Megan Silva, Officer - Civilian Detention, on payroll as replacement for Javier Ochoa, effective 11/10/12.

Request of Sheriff to increase salary of Aaron Sumrall, Sergeant - Patrol, due to promotion as replacement for Chris Rogers, effective 11/17/12.

Request of Sheriff to change location of Andrew Swank, Corporal - Patrol, as replacement for Phillip Viands, Jr., effective 11/17/12.

Request of Sheriff to transfer Brett Veith, Jr., Deputy - Patrol, as replacement for Jacob Reuvers, effective 11/17/12.

Request of Sheriff to transfer Phillip Viands, Jr., Corporal - Patrol, as replacement for Aaron Sumrall, effective 11/17/12.

Request of Sheriff to increase salary of Daniel Zientek, Sergeant - Detectives, due to promotion as replacement for Melvin Franklin, effective 11/10/12.

Request of Tax Office to increase salary of Amber Elizabeth Riley, Deputy Specialist I, due to completion of probationary period, effective 11/24/12.

Request of Constable Pct. 1 to increase salary of James D. Wrentz, Deputy, due to transfer as replacement for Tracy Traylor, effective 11/14/12.

Request of Constable Pct. 1 to place Lloyd Wesley McGee, Deputy, on payroll as replacement for James D. Wrentz, effective 11/14/12.

Request of Sheriff to transfer Michael Burnett, Deputy - Patrol, as replacement for Richard Ashmore, effective 11/17/12.

Request of Sheriff to increase salary of Christopher Evans, Detective, due to promotion as replacement for Daniel Zientek, effective 11/17/12.
Request of Sheriff to transfer Jeromy Howze, Deputy - Detention, due to replacement for Courtnay White, effective 11/17/12.

Request of Sheriff to increase salary of Thomas Lambert III, Deputy - Patrol, due to promotion as replacement for Christopher Evans, effective 11/17/12.

Request of Sheriff to increase salary of Luis Macias, Deputy - Patrol, due to promotion as replacement for Jeromy Howze, effective 11/17/12.

Request of Sheriff to transfer Courtnay White, Deputy - Patrol, as replacement for Michael Burnett, effective 11/17/12.

Motion carried.

35. COURT ADJOURNED

Motion by Commissioner Meador, seconded by Commissioner Doyal, 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