THE STATE OF TEXAS
COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 14th day of January, 2013 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 - James Noack
Commissioner, Precinct #4 - Ed Rinehart
Also - Francine Nichols, 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

ROLL CALL. JUDGE SADLER WELCOMED INCOMING COMMISSIONER PRECINCT #3 JAMES NOACK. COMMISSIONER NOACK TOOK A MOMENT TO THANK THOSE WHO ASSISTED IN HIS SMOOTH TRANSITION.

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 – CARMINE SANGUEDOLCE DAY

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve a proclamation naming January 12, 2013 as Carmine Sanguedolce Day. Motion carried.

3. MINUTES APPROVED - COMMISSIONERS COURT - COUNTY CLERK

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve Commissioners Court Minutes for December 17, 2012 as presented by the County Clerk. Commissioner Noack abstained from this vote. Motion carried.

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

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Consent Agenda, as follows (Commissioner Noack abstained from voting on any Consent agenda items):

COUNTY AUDITOR - AGENDA ITEMS 9A

A. ACCOUNTS approved, as submitted by the County Auditor.
B. BUDGET AMENDMENTS for FY2012 approved, as follows:

1. DISTRICT ATTORNEY: To adjust line items.
2. JUVENILE PROBATION – DETENTION: To recognize and allocate reimbursement received National School Lunch Program for June/12.
3. JUVENILE PROBATION – DETENTION: To recognize and allocate reimbursement received National School Lunch Program for July/12.
4. JUVENILE PROBATION – DETENTION: To recognize and allocate reimbursement received National School Lunch Program for August/12.
5. JUVENILE PROBATION – DETENTION: To recognize and allocate reimbursement received National School Lunch Program for September/12.
6. JUVENILE PROBATION – DETENTION: To adjust line items.
7. MCCD: CDBG/$1,690,428 – YEAR 14: To correct initial budget set-up.
8. MCCD: CDBG/$1,690,428 – YEAR 14: To correct initial budget set-up.
9. MCCD: CDBG/$1,690,428 – YEAR 14: To adjust line items.
10. MCCD: CDBG/$1,690,428 – YEAR 14: To correct PI received coded to CDBG Yr. 13 but drawn in Yr. 14.
11. SHERIFF: To recognize and allocate renewal of SAVNS Grant (M9/08.23.12).

C. CONSIDER AND APPROVE BUDGET AMENDMENTS for FY2013 approved, as follows:

1. 4028 – COBRA COVERAGE: Budget adjustment as of 12/31/12.
2. COMMISSIONER PCT. 3: To adjust line items.
3. COMMISSIONER PCT. 3: To correct budget amendment No. 4/12.17.12.
4. CONSTABLE PCT. 4: To adjust line items.
5. CONSTABLE PCT. 4/STEP IDM (DWI) FY13: To recognize and allocate FY2013 STEP-IDM Grant from H-GAC (M21/12.17.12).
6. 221ST DISTRICT COURT: To adjust line items.
7. 4023 – EMPLOYEE HEALTH: Budget adjustment as of 12/31/12.
8. 4029 – EMPLOYEE LIFE: Budget adjustment as of 12/31/12.
9. JP TECHNOLOGY FUND: To recognize and allocate revenue for JP Technology Fund as authorized by Commissioners’ Court M11/12.17.12.
10. JP TECHNOLOGY FUND: To recognize and allocate revenue for JP Technology Fund as authorized by Commissioners’ Court M32/12.17.12.
11. MCCD CDBG/$1,956,872 – YEAR 15: To adjust program income lines.

12. MEMORIAL LIBRARY: To recognize and allocate donation.

13. NON-DEPARTMENTAL: To fund autopsies performed prior to establishment of Forensic Department as approved by Commissioners’ Court (M44/12.17.12).

14. 4025 – OPTIONAL BENEFITS: Budget adjustment as of 12/31/12.

15. 4024 – RETIREE HEALTH: Budget adjustment as of 12/31/12.

16. SHERIFF: To adjust line items.

17. SHERIFF/STEP IDM (DWI) FY13: To recognize and allocate FY2013 STEP-IDM Grant from TxDOT (M13/12.17.12).

18. 4026 – WELLNESS CLINIC: Budget adjustment as of 12/31/12.

19. 40210 – WORKERS COMPENSATION: Budget adjustment as of 12/31/12.

D. REPORT OF OFFICIALS’ FEES APPROVED, as audited for October 2012.

TREASURER - AGENDA ITEM 9B

E. WEEKLY INVESTMENT REPORT APPROVED, for week of December 17-21, 2012.

F. WEEKLY INVESTMENT REPORT APPROVED, for week of January 7-11, 2013.

G. MONTHLY REPORT APPROVED, of pledged securities for November 2012.

H. MONTHLY REPORT APPROVED, of pledged securities for December 2012.

I. TICKET LOG APPROVED, for December 2012.

J. INVESTMENT REPORT APPROVED, for month ending December 31, 2012.

TAX ASSESSOR/COLLECTOR – AGENDA ITEM 9C

K. SUPPLEMENTAL CHANGES APPROVED for December 2012, Harris County Appraisal District for property located in Harris County for The Woodlands Township.

L. SUPPLEMENTAL CHANGES APPROVED for December 2012, Montgomery Central Appraisal District for property located in Montgomery County.

M. MONTHLY TAX COLLECTION REPORT APPROVED for month ending December 31, 2012.

PURCHASING DEPARTMENT - AGENDA ITEM 9D

N. ADVERTISING APPROVED for the following bids/proposals:

1. Privacy Fence – Lone Star Executive Airport.
O. ACTION APPROVED ON RECOMMENDATIONS AND/OR CONTRACTS FOR THE FOLLOWING BID AWARDS:

1. ALTERNATE ELECTRICAL SERVICES Project #2013-0021 (12/31/12) rejected – Various Departments.
2. VENDING MACHINE SERVICES Project #2013-0013 (11/27/12) awarded to Hometown Vending Services – Various Departments.
3. TRAFFIC SIGNAL PARTS Project #2013-0024 (12/19/12) awarded to Traffic Parts, Inc. – Various Departments.
4. NEW VEHICLES Project #2012-0077 (08/14/12) reject bids approved in Commissioners' Court on August 27, 2012 as shown below – Sheriff’s Office/Various Departments:
   - V-A – New 2012 ½ ton short bed crew cab 4x4 truck.
   - VI-A – New 2012 ½ ton short bed crew cab 4x2 truck.
   - VI-B – New 2013 ½ ton short bed crew cab 4x2 truck.

P. RENEWALS APPROVED for the following contracts:

1. REDWOOD TOXICOLOGY LAB, INC. (PO #2010240) for Immunoassay type laboratory analysis of urine samples services – expires 01/22/13 - Drug/DWI Courts.
2. EDWARD R. BAILEY dba MONTGOMERY COUNTY PRINTERS (PO #2012146) for printing of letterhead stationery, envelopes and business cards – expires 01/22/13 - Various Departments. Note: Changes per documents.
3. BANK OF AMERICA (PO #2012140) for procurement, travel and fuel (Purchasing) credit cards – expires 01/23/13 - Various Departments.
4. SUNBELT RENTALS, INC. (PO #2012152) for heavy/light equipment rental – expires 01/23/13 - Various Departments.
5. MUSTANG RENTAL SERVICE, INC. (PO #2012154) for heavy/light equipment rental – expires 01/23/13 - Various Departments.
6. UNITED RENTALS, INC. (PO #2012153) for heavy/light equipment rental – expires 01/23/13 - Various Departments.
7. LONE STAR UNIFORMS, INC. (PO #2010277) for new uniforms – expires 01/27/13 - Various Precincts/Constables.
8. ADVOCATES FOR FAMILIES IN CRISIS (PO #2012182) for managed assigned counsel – expires 02/12/13 - Infrastructure/Office of Court Administration.
9. DYNAMIC VISION CO., INC. (PO #2012127) for LED signal modules – expires 02/25/13 - Various Departments.
10. STEPHENS OFFICE SUPPLY, INC., dba GOSTEPHENS (PO #2010327) for office/computer/paper supplies and accessories with online ordering capabilities – expires 02/28/13 - Various Departments.

Q. CHANGE ORDERS APPROVED for the following:

1. Change Order #1 (PO #2013041) to Forde Construction Company for additional work on emergency repair of Superior Road bridge, in the amount of $5,750.00 – Precinct #2.
2. Change Order #1 (PO #2011249) to Diamond Commercial Construction, Inc. for Montgomery County Courthouse repairs, deduct $15,316.00, surplus from unused allowances – Infrastructure.

R. CHECKS ACCEPTED in the total amount of $56,488.82 from Rene Bates Auctioneers, Inc. and also the list of items sold through the Montgomery County Online Auction held on December 7, 2012 – Various Departments. (Checks forwarded to Auditor for further processing)

S. CALENDAR APPROVED for Montgomery County Online Auctions for 2013 – Various Departments.

T. TERMS AND CONDITIONS APPROVED for ExxonMobile Fleet Fuel credit cards – Various Departments.

RISK MANAGEMENT - AGENDA ITEM 9E

U. CHANGES, ADDITIONS, AND RELEASES APPROVED for the following:

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V. PRECINCT 2

1. REIMBURSEMENT CHECK ACCEPTED in the amount of $426.86 from The Friendship Center for fuel usage for November 2012 to be deposited into 613-7357. (check forwarded to Auditor for further processing)

W. PRECINCT 4

1. CHECK ACCEPTED in the amount of $1,834.42 from Montgomery County ESD 7 for the purchase of fuel for the month of November 2012 to be deposited into 615-7926. (check forwarded to Auditor for further processing)

2. CHECK ACCEPTED in the amount of $629.38 from The Friendship Center for fuel usage for November 2012 to be deposited into 615-7926. (check forwarded to Auditor for further processing)

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

X. PRECINCT 2

1. ORDER APPROVED accepting warranty deed for parcel 22 of The Woodlands Parkway Extension project and authorizing County Judge to sign for the acceptance of the warranty deed.

2. ORDER APPROVED accepting correction order closing, abandoning, and vacating a portion of Wedgewood Drive right-of-way.

3. ORDER APPROVED acknowledging receipt of check from Tommy R. Hoffart, in the amount of $1.00 for lease of real property described as Lots 4, 13, 14 & 15, Block 12 and Lots 9 & 10, Block 15, Spring Creek Forest Section Four. (check forwarded to Auditor for further processing)

4. ORDER APPROVED acknowledging receipt of money order from Ray Harlow, in the amount of $5.00 for lease of real property described as Lot 58, Block 1 and 0.2038 acres out of Reserve in the Southeast corner, Block 1, of Foxwood, an unrecorded subdivision. (check forwarded to Auditor for further processing)

5. ORDER APPROVED acknowledging receipt of two checks from Jacque Carter, in the amounts of $5.00 each for lease of real property (2012 & 2013) and described as Tract 5 and South ½ of Tract 8, Glenmont Estates Section One. (checks forwarded to Auditor for further processing)

Y. PRECINCT 3

1. ORDER APPROVED consenting to street construction, repair, and maintenance by Montgomery County for The woodlands Joint Powers Agency for 8350 Ashlane Way pursuant to terms of the Interlock Agreement.

2. ORDER APPROVED acknowledging receipt of check from Kathryn Beck, in the amount of $12.00 for lease of real property described as Lot 222, Spring Hills, Section Two. (Checks forwarded to Auditor for further processing)
Z. PRECINCT 4

1. ORDER APPROVED acknowledging receipt of Amendment No. 5 to Letter of Credit No. 654 dated June 16, 2012 for Deer Trail, Section 1.

2. ORDER APPROVED acknowledging receipt of Amendment No. 5 to Letter of Credit No. 655 dated June 16, 2012 for Deer Trail, Section 2.

3. ORDER APPROVED acknowledging receipt of check from R.L. and Faye Worrell, in the amount of $9.00 for lease of real property described as Lots 416 & 417, Tanglewood Manor. (Check forwarded to Auditor for further processing)

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEM 9H

AA. PRECINCT 1

1. REQUEST APPROVED for Montgomery County MUD 9 to place a sanitary sewer line within the right of way of Walden Road.

BB. PRECINCT 2


2. ROAD ACCEPTED into the Montgomery County road system and bond released for Woodforest Parkway North, 515.25 LF = .10 miles, from Bridge to Roundabout.

3. ROAD ACCEPTED into the Montgomery County road system and bond released for Woodforest Parkway North, 515.25 LF = .10 miles, from Woodforest, Section 3 to Bridge.

4. ROAD ACCEPTED into the Montgomery County road system and bond released for Woodforest, Section 7, 1,072.25 LF = .20 miles.

5. ROAD ACCEPTED into the one year maintenance period effective January 14, 2013 in The Meadows at Jacobs Reserve, Section 1, 3,562.56 LF = .67 miles.

CC. PRECINCT 3


3. REQUEST APPROVED for Montgomery County Drainage District No. 6 to place a 42 inch storm sewer line within the right of way of Robinson Road.

4. PUBLIC HEARING DATE APPROVED for February 11, 2013 to establish a “Loading Zone” on the west side of Waterway Avenue, south of Lake Robbins Drive.

DD. PRECINCT 4

1. ROAD ACCEPTED into the Montgomery County road system and bond released for Auburn Fields Drive, 1,196.95 LF = .23 miles.

2. ROADS ACCEPTED into the Montgomery County road system and bond released for Auburn Trails, Section 2, 2,377.27 = .45 miles.
3. ROADS ACCEPTED into the Montgomery County road system and bond released for Auburn Trails, Section 3, 1,678.97 = .32 miles.

4. ROADS ACCEPTED into the Montgomery County road system and bond released for Circle Oaks, Section 2, 2,872.09 = .54 miles.

5. CORRECTION APPROVED to the October 22, 2012 Commissioners’ Court item 9GTT to reflect that the roads in Woodridge Forest, Section 3 were accepted into the one year maintenance period.

COUNTY JUDGE – AGENDA ITEM 9I

EE. USE AGREEMENTS APPROVED for the following:

1. Precinct 1
   i. Sacred Heart Church – Courthouse Steps
      40th Anniversary Roe vs. Wade

2. Precinct 4
   i. Pachuca Soccer Club – Bull Sallas Park – Soccer Field
      Youth Soccer Club practices and games
   ii. MCN Baseball – Ed Rinehart Park – Baseball Fields
       Select Team Try-Outs

ENVIRONMENTAL HEALTH – AGENDA ITEM 9J

FF. ORDER APPROVED for the following properties which is abandoned, deemed unsafe, or unlivable for an estimated total cost of $10,000.00, funded from Precinct 4, Commissioner Rinehart’s budget:

   21465 W. Martin Drive, Porter, Texas 77365
   21452 W. Martin Drive, Porter, Texas 77365
   25155 Sheffield Drive, New Caney, Texas 77357

GG. ORDER APPROVED for the following properties which is abandoned, deemed unsafe, or unlivable for an estimated total cost of $8,000.00, funded by C.D.B.G.:

   • 24768 Meadow Lane, Porter, Texas 77365
   • 16569 E. Emerson Circle, Conroe, Texas 77306

HH. RESCIND ORDER APPROVED to vacate Order to Abate Public Nuisance for 26214 Wildflower Drive, Magnolia, Texas 77354. This property has been brought into compliance without County involvement of funds.

JUVENILE PROBATION – AGENDA ITEM 9K

II. CERTIFICATION ACCEPTED for the Juvenile Detention Center as required by Section 51.12© of the Texas Family Code.

COUNTY ATTORNEY – AGENDA ITEM 9L

JJ. AGREEMENTS ACCEPTED between Montgomery County and Amergy Bank pursuant to action by the Court on December 17, 2012, agenda item #26D.

KK. RESOLUTION AND ORDER APPROVED acknowledging payment in full of loan by Sheryl Sitts and authorize execution of related release of Lien instrument.
INFRASTRUCTURE – AGENDA ITEM 9M

LL. PROJECT COMPLETION REPORT & CHECK ACCEPTED in the amount of $165.87 from CenterPoint Energy for the 2012 Score/CitySmart Program. (Check forwarded to Auditor for further processing)

Motion carried.

END OF CONSENT AGENDA

5. APPOINTMENT REJECTED – GROUNDWATER CONSERVATION BOARD – COUNTY JUDGE

Motion by Commissioner Noack, seconded by Judge Sadler, to appoint Jon Bauman as Representative to the Lone Star Groundwater Conservation District Board of Directors for a four year term. Motion failed 2-3. (Commissioners Meador, Doyal and Rinehart opposed)

6. APPOINTMENT APPROVED – GROUNDWATER CONSERVATION BOARD – COUNTY JUDGE

Motion by Commissioner Doyal, seconded by Commissioner Meador, to re-appoint Richard Tramm as Representative to the Lone Star Groundwater Conservation District Board of Directors for a four year term. Motion carried 3-2. (Judge Sadler and Commissioner Noack opposed)

7. REQUEST APPROVED – ESTABLISHING A POLICY – COUNTY JUDGE

Motion by Commissioner Doyal, seconded by Commissioner Meador, to establish a policy for naming public buildings, facilities, roads and parks to be presented in Commissioners’ Court for discussion and approval. Motion carried.

8. APPLICATION APPROVED – NO REFUSAL GRANT – DISTRICT ATTORNEY

Motion by Commissioner Noack, seconded by Commissioner Doyal, to ratify the No Refusal Grant Application to the Texas Department of Transportation in the amount of $117,597.31 in grant funds, $62,090.20 in cash and in-kind match for a total of $179,687.51. Motion carried.

9. TRANSFER OF FUNDS APPROVED – SHERIFF

Motion by Commissioner Meador, seconded by Commissioner Doyal, to transfer $480.48 from position 5601-9999-999 to 5601-5906-1. Transfer of funds will not increase the salary structure. Motion carried.

10. RESTRUCTURING APPROVED – BUILDING COMMITTEE – INFRASTRUCTURE

Motion by Judge Sadler, seconded by Commissioner Meador, to take appropriate action on restructuring the Building Committee to include a broader range of proficiency by adding 2 members of the Commissioners’ Court and one alternate. Commissioners Noack and Doyal volunteered to be primary members. Judge Sadler volunteered to be the alternate. Motion carried.

11. REQUEST APPROVED – COURT COMPLEX SECURITY – INFRASTRUCTURE

Motion by Judge Sadler, seconded by Commissioner Meador, to approve and take appropriate action pertaining to security issues in the Court complex in downtown Conroe. Discussion focused on possibly hiring a minimum of two bailiffs for new associate courts, to be funded by contingency. Motion carried.
12. DE-OBLIGATION APPROVED – ENERGY GRANT – INFRASTRUCTURE

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the de-obligation of $39,613.72 from the Energy Grant. Motion carried.

13. GRANT APPROVED – JABG APPLICATION – JUVENILE PROBATION

Motion by Commissioner Rinehart, seconded by Commissioner Doyal, to approve the Family Reunification Juvenile Accountability Block Grant application and resolution. Grant amount is $14,049.00 with a cash match of $1,560.00. Motion carried.

14. GRANT APPROVED – CJD APPLICATION - JUVENILE PROBATION

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Houston-Galveston Are Council Criminal Justice Division Grant application and resolution. Grant amount is $13,500.00. Motion carried.

15. POSITION UPGRADE APPROVED – JUVENILE PROBATION

Motion by Commissioner Rinehart, seconded by Commissioner Doyal, to approve position upgrade for employee #010551 from Juvenile Supervision Officer to Juvenile Probation Officer. Motion carried. (No documents received)

16. REPORT ACCEPTED – PERFORMANCE INDICATORS – MCMHTF

Motion by Commissioner Meador, seconded by Commissioner Doyal, to accept Performance Indicator Quarterly Report from Montgomery County Mental Health Treatment Facility ending November 2012. (Commissioner Noack abstained from vote as he has not reviewed the contract) Motion carried.

17. POLICIES AND PROCEDURES APPROVED – MANAGEMENT PLAN – MCMHTF

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve a set of policies and procedures as recommended by the Advisory Board on “Provision of Care/Metabolic Syndrome – Screening and Management” as set forth in paperwork on file. (Commissioner Noack abstained from vote) Motion carried.

18. PUBLIC USE CHARGE APPROVED – LAW LIBRARY

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve a public user charge of $0.75 per page for color copies. Motion carried.

COMMISSIONER MEADOR EXITED THE COURTROOM

19. LEASE AGREEMENT APPROVED – ELECTIONS

Motion by Commissioner Doyal to approve a lease agreement for Magnolia voting location at ESD 10 Fire Station 181. Motion carried.

20. FUNDS USE APPROVED – EQUIPMENT PURCHASE – AUDITOR

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve using funds from the County records Management and Preservation Fund for the purchase of equipment, software and maintenance cost to automate access to check copies. Motion carried.

DEFERRED AGENDA ITEMS 18B, 18C AND 18D.
21. PROCESS APPROVED – COURT REPORTER SERVICE FUND – AUDITOR

Motion by Commissioner Doyal, seconded by Judge Sadler, to approve the process for charges relating to the Court Reporter Service Fund. Motion carried.

COMMISSIONER MEADOW RETURNED TO THE COURTROOM.

DEFERRED AGENDA ITEMS 19A1-4 - PURCHASING

22. CONTRACT AWARDED – TREATMENT SERVICES – DRUG/DWI COURTS

Motion by Commissioner Meador, seconded by Commissioner Doyal, to award RFP/Q Five (5) Phase Treatment Services – Project #2013-0023 to Mental Health Resource Center. Motion carried.

23. CONTRACT AWARDED – COLLECTION/DISPOSAL OF RECYCLABLES – PRECINCT 4

Motion by Commissioner Noack, seconded by Commissioner Meador, to award RFP/Q Containers for the collection and disposal of recyclable materials and products – Project #2013-0022 to Progressive Waste Solutions. Motion carried.

DEFERRED AGENDA ITEMS 19A7-8

24. PROPOSAL APPROVED – PROFESSIONAL SERVICES – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve proposal from The Holzwarth Company to provide program management for project development of the League Line Road extension in an amount not to exceed $93,460.00. (Commissioner Noack is abstaining from the vote until he has an opportunity to review the contract.) Motion carried.

25. AGREEMENT APPROVED – EXTENSION OF LEAGUE LINE ROAD – COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve interlocal agreement for road construction and improvements between Montgomery County and the City of Conroe for extension of League Line Road from Frazier Street east to FM 1484. Motion carried.

26. PAYMENT APPROVED – KEMP SMITH, LLP – COUNTY ATTORNEY

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve payment for Invoice #424285 in the amount of $17,789.36 from Kemp Smith, LLP, specifically naming contingency as the funding source. Motion carried.

27. TRANSFER OF FUNDS APPROVED – COUNTY ATTORNEY

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve the following transfer of funds:

<table>
<thead>
<tr>
<th>AMOUNT</th>
<th>FROM POSITION</th>
<th>TO POSITION</th>
</tr>
</thead>
<tbody>
<tr>
<td>$3,289.53</td>
<td>7905-5</td>
<td>7905-2</td>
</tr>
<tr>
<td>$9,079.96</td>
<td>7905-5</td>
<td>7904-2</td>
</tr>
</tbody>
</table>

Motion carried.
28. AGREEMENT APPROVED – MONTGOMERY COUNTY FOOD BANK – COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve agreement between Montgomery County and the Montgomery County Food Bank related to the Community Development Block Grant Program (CDBG) granting one million dollars in funds. (Commissioner Noack is abstaining from the vote until he has an opportunity to review this agreement. Commissioner Noack also requested from Mr. Jones that in the future when an item like this is on the agenda if it could be submitted for his review it would be appreciated.) Motion carried.

COMMISSIONERS’ COURT RECESSED

PUBLIC HEARING – ROAD NAME APPROVED

THERE BEING NO ONE PRESENT WHO WISHED TO ADDRESS THIS MATTER, JUDGE SADLER DECLARED THE PUBLIC HEARINGS CLOSED.

COMMISSIONERS’ COURT RECONVEnED WITH ALL MEMBERS PRESENT

29. NAME CHANGE APPROVED – RURAL LANE – PRECINCT 4

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve changing the name of Rural Lane in Wood Lake Village, Section 1 to Rock Hooktail Street, per request on file. Motion carried.

30. ASSIGNMENT APPROVED – MUD NO. 136 – COMMISSIONERS – PRECINCT 2

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the assignment of MUD No. 136 to be reserved in the name of Schwartz, Page & Harding, LLP. Motion carried.

AGENDA ITEM 23A2 WAS ADDRESSED EARLIER IN MOTION NUMBER 7.

31. REQUEST APPROVED – EXPENDITURE POLICY – PRECINCT 2

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve the policy for accepting Local Government Code Chapter 130.908 (Approval of Spending by Certain County and Precinct Officers). This code restricts an outgoing official on their expenditures. Outgoing officials will not spend more than 25% of their budget between the time of the new budget and the time they leave office. Motion carried.

32. CONTRACT REVIEW APPROVED – LINDA BREAZEALE – COMMISSIONERS – PRECINCT 3

Motion by Commissioner Noack, seconded by Judge Sadler, to approve J.D. Lambright to review the Management/Advisory Services contract that was approved in Commissioners’ Court 12/03/12, PO #2013129, vendor Linda Breazeale and make recommendations back to this Court on changes on issues that he deems appropriate. Passed 3 to 2 votes, Commissioners Meador and Rinehart opposed. Motion carried.

AGENDA ITEM 23B1 DEFERRED – MONTGOMERY COUNTY MENTAL HEALTH TREATMENT FACILITY

AGENDA ITEM 23B2 WAS ADDRESSED EARLIER IN MOTION NUMBER 31.

33. CANCEL MOU APPROVED – GHORBA –PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve canceling the Memorandum of Understanding between GHORBA and Montgomery County Precinct 3. This is a Grant to build more trails in Spring Creek Greenway
requiring a $25,000 match. This Grant was approved in Commissioners’ Court on 12/17/12. Motion carried.

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.

EXECUTIVE SESSION – AGENDA ITEM 24

COURT RECONVENED WITH ALL MEMBERS PRESENT.

ACTION TAKEN IN EXECUTIVE SESSION:

34. CLAIMED APPROVED – DELONNA SNOW – COUNTY ATTORNEY

Motion by Commissioner Doyal, seconded by Commissioner Meador, to pay expenses to Delonna Snow. Claim No. C-07-0055; Civil Action No. 4:12-CV-03130 in the United States District Court for the Southern District of Texas. Motion carried.

CITIZENS – AGENDA ITEM 26

KIM D. McCRARY – ADDRESSED THE COURT REQUESTING MANDATORY BACKGROUND CHECKS AT ALL COUNTY PARKS FOR ANYONE ASSOCIATED WITH THE LEAGUE, SPECIFICALLY UMPIRES.

JERRY HESTER – ADDRESSED THE COURT REGARDING THE RECENT ALARM PERMIT INCREASE.

BILL O’SULLIVAN – ADDRESSED THE COURT REGARDING CONTRACT OF VENDOR LINDA BREAZEALE, SPENDING IN FINAL QUARTER OF RETIRING COMMISSIONER, CERTIFICATES OF OBLIGATION.

DAN MUIRHEAD – ADDRESSED THE COURT ON BEHALF OF SPLENDORA AREA SOFTBALL ASSOCIATION TO EXPRESS APPRECIATION FOR SUPPORTING THEIR ASSOCIATION AND THE COMMUNITY.

JOHN WERTZ – ADDRESSED THE COURT REPRESENTATING MONTGOMERY COUNTY TEA PARTY TO REQUEST THAT THE COMMISSIONERS’ COURT AGENDA BE POSTED ON WEDNESDAY PRIOR TO COURT INSTEAD OF FRIDAY. ALSO SUGGESTED THAT CITIZENS BE ABLE TO ADDRESS ITEMS ON THE AGENDA AS THEY COME UP INSTEAD OF AT THE END OF THE AGENDA.

WALTER BOYD – ASKED JUDGE SADLER IF HE WAS GOING TO RUN FOR JUDGE. WELCOMED COMMISSIONER NOACK TO THE BENCH. ADDRESSED THE COURT REGARDING THE MONTGOMERY COUNTY TEA PARTY, MR. LAMBRIGHT AND THE LITTLE LEAGUE ISSUE BROUGHT UP EARLIER.

35. PAYROLL CHANGE REQUEST FORMS APPROVED – HUMAN RESOURCES

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

Request of Commissioner Pct. 1 to place Cody A. Erickson, Seasonal Worker, on payroll as replacement for Zachary Bowen, effective 12/31/12.

Request of Commissioner Pct. 1 to correct position number of Brenda L. Smith, Administrative Assistant 1 from 614-4213-1 to 614-4213-500 as position is part-time and incorrect position number was assigned, effective 01/01/13.
Request of Commissioner Pct. 3 to correct position number of Jo Dell Whitehead, Administrative Assistant 1 from 614-4213-2 to 614-4213-501 as position is part-time and incorrect position number was assigned, effective 01/01/13.

Request of Constable Pct. 4 to rescind PCRF for Rebecca Bowden, Deputy, approved in court on 12/17/12.

Request of County Auditor to place Claudia Demore, Internal Audit Assistant, on payroll as replacement for Cathy Ferguson, effective 01/02/13.

Request of County Auditor to accept resignation of Christopher Allen Roos, General Ledger Accountant, effective 12/20/12 (5.06 hours or balance of vacation).

Request of County Clerk to accept resignation of Hannah Baker, Clerk II, effective 12/28/12 (no benefits due).

Request of County Clerk to increase salary of Francine Nichols, Clerk IV, as replacement for Rebecca Templet; temporary to full time, effective 01/02/13.

Request of District Attorney to discharge Jeffrey A. Helms, Coordinator – Victim Assistance, effective 12/31/12 (154.74 hours or balance of vacation, 24.00 or balance of holiday).

Request of District Attorney to decrease salary of Tamara Eden Holland, Attorney I, due to transfer to new position, effective 01/01/13.

Request of District Attorney to place Jennifer Jordan, Attorney I, on payroll as replacement for Amy Fancher, effective 01/07/13.

Request of District Attorney to place George Alexander Napier, Attorney I, on payroll as replacement for Laura Hill, effective 12/19/12.

Request of District Clerk to place Robbyn Fancher, Part Time Clerk, on payroll as replacement for Macie Holmes, effective 12/17/12.

Request of District Clerk to place Clayton Ingrando, Court Clerk II, on payroll as replacement for Stephanie Lewis, effective 01/07/13.

Request of District Clerk to place Jeffrey McCarroll, Court Clerk II, on payroll as replacement for James Luton, effective 12/17/12.

Request of Elections to increase salary of Cynthia Norum, Temporary Voter Clerk, due to increased responsibilities, effective 01/05/13.

Request of Elections to increase salary of Lisa Raver, Temporary Voter Clerk, due to increased responsibilities, effective 01/05/13.

Request of Forensic Services to increase salary of Kristine Duke, Forensic Assistant, due to merit increase, effective 01/02/13.

Request of Juvenile to accept resignation of Norman Leedan Minott, Juvenile Supervision Officer – Substitute, effective 12/20/12 (no benefits due).

Request of Central Library to accept resignation of Jerica Dayuta Lara, Library Assistant II, effective 01/04/13 (no benefits due).

Request of Mitchell Branch Library to place Laci Renee Martinez, Reference Librarian, on unpaid FMLA/Disability Leave, effective 12/18/12.

Request of Central Library to retire Margaret T. Melton, Coordinator Circulation, effective 01/31/13 (7.695 hours or balance of vacation).
Request of Mitchell Library to accept resignation of Sandra A. Shackelford, Shelving Clerk I, effective 12/31/12 (no benefits due).

Request of South Regional Library to change position of Grace Marie Silver, Library Assistant II, as replacement for Mardell Ward, effective 12/29/12.

Request of South Regional Library to accept resignation of Mardell K. Ward, Library Assistant II, effective 12/28/12 (no benefits due).

Request of Purchasing to increase salary of Rebecca Ansley, Administrator Grants, due to promotion as replacement for Juanita Stanley, effective 01/14/13.

Request of Recycle to accept resignation of Jarred Garza, Driver (Mosquito), effective 12/08/12 (no benefits due).

Request of Sheriff to increase salary of Shawn Beatty, Deputy – Patrol, due to promotion as replacement for David Borchardt, effective 12/22/12.

Request of Sheriff to decrease salary of Cody Burk, Deputy – Patrol District V, due to employee requested demotion/transfer to be on patrol as replacement for Jeff Farmer, effective 01/05/13.

Request of Sheriff to place Corey Cooke, Officer – Civilian Detention, on payroll as replacement for Richard Rulong, effective 12/29/12.

Request of Sheriff to increase salary of Jeremy Davis, Deputy – Motorcycle, due to stipend awarded for completion of motor school, effective 12/01/12.

Request of Sheriff to transfer Aaron Day, Deputy – Patrol, as replacement for Richard Durbin, effective 01/05/13.

Request of Sheriff to place Andrea Dollins, Dispatcher, on payroll as replacement for Brittany Wilson, effective 01/05/13.

Request of Sheriff to accept resignation of Ryan Dupuy, Officer – Civilian Detention, effective 01/15/13 (51.44 hours or balance vacation, 34.50 hours or balance of compensatory time, 72.00 hours or balance of holiday).

Request of Sheriff to place Jacob Erickson, Officer – Civilian Detention, on payroll as replacement for James Curtis II, effective 01/05/13.

Request of Sheriff to accept resignation of Jeff Farmer, Deputy – Patrol, effective 12/31/12 (23.88 hours or balance vacation, 40.50 hours or balance compensatory time, 54.00 hours or balance of holiday).

Request of Sheriff to transfer David Foreman, Detective, as replacement for Matt Beasley, effective 01/12/13.

Request of Sheriff to accept resignation of Steven Helton, Jr., Officer – Civilian Detention, effective 12/19/12 (52.36 hours or balance vacation, 50.64 hours or balance compensatory time, 33.00 hours or balance holiday).

Request of Sheriff to correct job class of David Koth, Deputy – Patrol District III, from 5603 to 5903 on PCRF approved by CC on 12/17/12.

Request of Sheriff to accept resignation of Jason McConnell., Officer – Civilian Detention, effective 12/18/12 (3.08 hours or balance vacation).
Request of Sheriff to accept resignation of Cesar Montiel, Officer - Civilian Detention, effective 12/19/12 (18.00 hours or balance compensatory time, 48.00 hours or balance holiday).

Request of Sheriff to increase salary of Brian Olsen, Deputy – Patrol, due to promotion as replacement for David Koth, effective 12/22/12.

Request of Sheriff to retire Michael Price, Detective, effective 01/31/13 (194.85 hours or balance vacation, 183.89 hours or balance compensatory time, 24.50 hours or balance holiday).

Request of Sheriff to place Tracy Richards, Officer – Civilian Detention, on payroll as replacement for Cesar Montiel, effective 01/12/13.

Request of Sheriff to transfer Deborah Thompson, Clerk IV, as replacement for Jackie Wilkinson, effective 01/05/13.

Request of Sheriff to accept resignation of Kathleen Woods, Officer - Civilian Detention, effective 01/01/13 (208.18 hours or balance vacation, 371.14 hours or balance compensatory time, 37.75 hours or balance holiday).

Request of Tax A/C to increase salary of Hector Gill, Permits and Compliance Officer, due to transfer to new position, effective 01/05/13.

Request of Tax A/C to increase salary of Shobin Mathew, Deputy Specialist I, due to probationary period completed, effective 01/05/13.

Request of Tax A/C to increase salary of Sharon Kay Myers, Deputy Specialist I, due to probationary period completed, effective 01/19/13.

Request of Tax A/C to increase salary of Sallie S. Vickery, Deputy Specialist I, due to probationary period completed, effective 01/19/13.

Request of Tax A/C to place Thomas Wolff, Deputy Specialist I, on payroll due to rehire as replacement for Brittni Devore, effective 01/07/13.

Motion carried.

36. COURT ADJOURNED

Motion by Commissioner Doyal, seconded by Commissioner Noack, 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