THE STATE OF TEXAS
COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 8th day of April, 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 North Thompson, Conroe, Texas, with the following members of the Court present:

- County Judge Alan B. Sadler
- Commissioner, Precinct 1 Mike Meador
- Commissioner, Precinct 2 Craig Doyal
- Commissioner, Precinct 3 James Noack
- Commissioner, Precinct 4 Ed Rinehart
- Also County Clerk’s Office Francine Nichols

INVOCATION GIVEN BY A MEMBER OF THE PUBLIC.

THE PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA RECITED.

THE PLEDGE OF ALLEGIANCE TO THE TEXAS STATE FLAG RECITED.

1. COMMISSIONERS COURT AGENDA APPROVED.

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

2. PROCLAMATION APPROVED – SCHOLAR ATHLETE DAY

   Motion by Commissioner Meador, seconded by Commissioner Doyal, to proclaim May 1, 2013 as Scholar Athlete Day. Motion carried.

3. PROCLAMATION APPROVED – MONTGOMERY COUNTY TELECOMMUNICATOR’S WEEK

   Motion by Judge Sadler, seconded by Commissioner Doyal, to proclaim that the week of April 14-20, 2013 as Montgomery County Telecommunicator’s Week. Motion carried.

4. PROCLAMATION APPROVED – TRI-COUNTY OUTPATIENT COMPETENCY RESTORATION PROGRAM

   Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Tri-County Outpatient Competency Restoration Program. Motion carried.

5. MINUTES APPROVED – COMMISSIONERS COURT - COUNTY CLERK

   Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve Commissioners Court Minutes for Special Sessions held March 21, 2013 and March 25, 2013, as presented by the County Clerk. Motion carried.

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

   Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the Consent Agenda, as follows:
A1. PAYMENT OF ACCOUNTS APPROVED, as submitted by the County Auditor.

A2. BUDGET AMENDMENTS for FY13 approved as follows:

a. Various: To restrict utilities.
b. Various: To restrict utilities.
c. Animal Control: To recognize and allocate donation.
d. Animal Control: To correct allocation of donation.
e. Civic Center: To adjust line items.
f. Commissioner Pct. 1: To recognize and allocate FY12 Title I National Forest Funds.

g. Commissioner Pct. 2 – TxDOT Reimbursements: To recognize and allocate reimbursements.
h. Commissioner Pct. 2: To recognize and allocate reimbursements.
i. Commissioner Pct. 3 – TxDOT Reimbursements: To recognize and allocate reimbursements.
j. Commissioner Pct. 3: To adjust line items.
k. Commissioner Pct. 4: To allocate reimbursements and adjust line items.
l. Commissioner Pct. 4: To recognize and allocate donation.
m. Constable Pct. 3: To adjust line items.
n. Constable Pct. 3: To recognize and allocate surplus revenue.
o. Constable Pct. 4: To adjust line items.
p. Constable Pct. 5: To transfer funds for keyless locks and RSA token.
q. County Court at Law #1: To transfer funds for electronic key pad.
r. 221st District Court: To transfer funds to Building Maintenance.
s. Elections Administrator: To recognize and allocate reimbursements.
t. Environmental Health: To adjust line items.
u. MCCD: CDBG/$1,956,872 – Year 15: To adjust line items for Auditor salary and benefits Jan-Feb 2013.
v. MCCD: CDBG-DR-Round II Phase II: To adjust line items.
w. MCCD: CDBG/$1,956,872 – Year 15: To adjust line items.
x. MCCD HOME/$413,121 – Year 10: To adjust line items.
y. MCCD HUD/ESGP 2011 - $81,090 YR2: To adjust line items.
z. Sheriff/FBI - JTF: To set up FBI – JTF contract.
aa. Sheriff/FBI - JTF: To correct budget for FBI – JTF contract.
A3. FINAL ARBITRAGE REBATE ANALYSIS ACCEPTED for the following:
   b. Series 2002B Unlimited Tax Road Bonds.
   d. Series 2003A Unlimited Tax Road Bonds.
   e. Series 2003B Unlimited Tax Road Bonds.

TREASURER - AGENDA ITEMS 9B


TAX ASSESSOR/COLLECTOR – AGENDA 9C

C1-C3 DEFERRED.

C4. BOND ACCEPTED Surety Bond No. POB8365450 issued through Fidelity and Deposit Company of Maryland on behalf of H.E. Butt Grocery Company, L.P. for the term of March 8, 2013 through March 8, 2014. Montgomery County has no responsibility for payment of this bond.

PURCHASING DEPARTMENT - AGENDA ITEMS 9D

D1. ADVERTISING APPROVED for the following bids/proposals:
   a. RFP/Q new sound system – Lone Star Convention Center.
   b. Parts for tractors and mowers - Various Departments.

D2. ACTION APPROVED on the recommendation(s) and/or contract(s) for the following bids:
   a. STEEN GLASS, INC. for replacement glass and labor to repair and/or install glass and miscellaneous items (Project #2013-0029) – Various Departments.

D3. RENEWALS APPROVED for the following contracts:
   a. SHONA BRYANT dba BRYANT’S SIGNS (PO #2012299) for vehicle striping kits and installation, expires 05/20/13 – Various Departments.
   b. WAYNE YANCEY, INC. (PO #2011318) for mowing right-of-ways, expires 05/20/13 – Precinct #1.
   c. VULCAN, INC. (PO #2012217) for traffic signs and related supplies, expires 05/22/13 – Various Precincts.
   d. SECURITY ON SITE, LLC (PO #2011172) for security officers, expires 05/28/13 – Sheriff.
   e. AMERICAN TOWER CORPORATION (PO #2008647) for lease of tower – Grangerland, expires 05/31/13 – Sheriff.
   f. AMERICAN TOWER CORPORATION (PO #2008648) for lease of tower – Magnolia, expires 05/31/13 – Sheriff.
   g. AV CAFÉ, INC. (PO #2010485) for service for supplying audio/visual materials, expires 06/02/13 – Library.
   h. RECORDED BOOKS, LLC (PO #2010486) for service for supplying audio/visual materials, expires 06/02/13 – Library.
i. BLACKSTONE AUDIO, INC. (PO #2010487) for service for supplying audio/visual materials, expires 06/02/13 – Library.

j. BAKER & TAYLOR, INC. (PO #2010488) for service for supplying audio/visual materials, expires 06/02/13 - Library.

k. MIDWEST TAPE, LLC (PO #2010489) for service for supplying audio/visual materials, expires 06/02/13 - Library.

l. DISTRIBUTION VIDEO & AUDIO (PO #2010490) for service for supplying audio/visual materials, expires 06/02/13 – Library.

m. SAM HOUSTON STATE UNIVERSITY (PO #2011402) for mental health court research project, expires 06/05/13 – Office of Indigent Defense.

n. MOTOROLA SOLUTIONS, INC. (PO #2007099) for radio equipment, expires 06/11/13 – Various Departments.

o. BAKER & TAYLOR, INC. (PO #2010433) for continuation book service, expires 06/18/13 – Library.

D4. CHANGE ORDERS APPROVED for the following:

a. Change Order #4 (PO #2010208) to Waste Management of Texas, Inc. for containerized commercial solid waste disposal service – Various Departments.

b. Change Order #1 (PO #2012510) to Coin Copiers, Inc. for coin operated copy machines and computer printer services – Various Departments.

c. Change Order #3 (PO #2013225) to Cellco Partnership dba Verizon Wireless and its related entities for wireless voice and data products through the State of Texas Department of Information Resources and Cellco Partnership dba Verizon Wireless and its related entities Contract #DIR-SDD-1779 – Various Departments.

D5. DISCRETIONARY EXEMPTIONS APPROVED as follows:

a. GALE for Gale Publications products – Library 262.024(a)(7)(B)

b. AMIGOS LIBRARY SERVICES, INC. for membership agreement/ALLDATA and Value Line Research Center – Library 262.024(a)(7)(A).

D6. PAYMENT BOND ACCEPTED from National Fence Company in the amount of $49,195.00 for privacy fence – Lone Star Executive Airport.

D7. PURCHASE APPROVED of a 700/800 MHz digital multi-channel RF signal booster in the amount of $48,213.20 from Motorola Solutions, Inc. through the Interlocal Agreement with HGAC Contract #RA05-12, funded out of the 2012 UASI Grant – Emergency Management.

D8. ITEMS LIST APPROVED of miscellaneous items for the next online auction – Various Departments.

D9. AMENDMENT APPROVED. Amendment #11 to the Maintenance and Operations Agreement, PO #2008608 to GEO Corrections and Detention, Inc. for the Joe Corley Detention Facility – Infrastructure.
E1. PAYMENT ACKNOWLEDGED AND RECORDED in the amount of $750.00 to Scott and Margaret Massenzio in reference to Claim #B-13-0021. Date of incident: December 8, 2012. NOTE: No documents received by County Clerk.

E2. BOND CHANGES, ADDITIONS AND RELEASES APPROVED for the following:

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COMMISSIONERS – AGENDA ITEM 9F

F1. PRECINCT 1

a. APPOINTMENT APPROVED of Robert C. Walker to the Board of Commissioners of Montgomery County Emergency Services District #1 to fill the vacancy of Randy Olson.

b. FINANCIAL STATEMENT ACCEPTED from Emergency Service District #2 for fiscal year ending September 30, 2012.

F2. PRECINCT 4

a. CHECK ACCEPTED from Montgomery County ESD 7, in the amount of $3,030.88 for the purchase of fuel for the month of February, 2013. To be deposited into account 615.7926. (Check has been forwarded to the Auditor for further processing.)

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

G1. PRECINCT 2

a. ORDER APPROVED authorizing payment of closing expenses in the amount of $500.00 to Montgomery County Title Company associated with the purchase of right of way known as Parcel 40 of The Woodlands Parkway Extension Project.

b. ORDER APPROVED authorizing payment of closing expenses in the amount of $50.00 to Ceritax, Inc., associated with the purchase of right of way known as Parcel 40 of The Woodlands Parkway Extension Project.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEM 9H

H1. PRECINCT 2

b. FINAL PLAT APPROVED of Woodforest, Section 29, 33.48 acres, 96 lots, Thomas Curry Survey, A-136.

c. PUBLIC HEARING DATE APPROVED for April 22, 2013 to establish a 20 MPH speed limit on Dorris Lane in Montgomery County.

d. REQUEST APPROVED from Hughes Natural Gas Company to place a six inch PE line within the right of way of Nichols Sawmill Road in Montgomery County.

H2. PRECINCT 3


b. FINAL PLAT APPROVED of Falls at Imperial Oaks, Section 4, 18.93 acres, 55 lots, Samuel Ward Survey, A-607.


d. REQUEST APPROVED of Comcast of Houston to place a 1½” conduit line within the right of way of Lake Woodlands Drive in Montgomery County.

H3. PRECINCT 4

a. AUBURN TRAILS, SECTION 4 ROADS APPROVED into the Montgomery County Road System. Total length of roads 911.63 LF = .17 miles. Bond released.

b. REQUEST APPROVED of Porter M.U.D. to place a force main line within the right of way of E. Wallis Drive in Montgomery County.

COUNTY CLERK – AGENDA ITEMS 9I

I1. REQUEST APPROVED to authorize the County Auditor to transfer from the County Clerk’s Records Management Fund as follows:

a. $11,000.00 to Line Item 40311-7419 for payment of costs associated with digital conversation of County Clerk Official Public Records.

b. $1,000.00 to Line Item 40311-4760 for payment of expenses associated with outside rent for storage of microfilm.

CONSTABLE PRECINCT 5 – AGENDA ITEM 9J

J1. RACIAL PROFILING REPORT ACCEPTED from Constable David Hill, Montgomery County Precinct 5 for the 2012 calendar year.

ENVIRONMENTAL HEALTH – AGENDA ITEM 9K

K1. ORDERS APPROVED for Assessing Cost of Abating A Public Nuisance for the following:

a. 17571 Castlewood Drive, Conroe, Texas 77306
b. 17555 Castlewood Drive, Conroe, Texas 77306
c. 24768 Meadow Lane, Porter, Texas 77365
d. 16569 E. Emerson Circle, Conroe, Texas 77306
COUNTY JUDGE – AGENDA ITEM 9L

L1. USE AGREEMENTS APPROVED as follows:

   a. PRECINCT 1
      1. Mc Elite Blue - Softball Practices
         Gene Campbell Sports Park
      2. Family Faith Church – Family Day Out
         Charles Traylor Sports Park
      3. Friends of the Flag Foundation, Inc. – Texas Republic Celebration
         Central Library Parking Lot

   b. PRECINCT 4
      1. Community Chamber of Commerce of East Montgomery County – 7th Annual Texas Sawmill Festival
         Parking Lot behind Tullis Library

COUNTY ATTORNEY – AGENDA ITEM 9M

M1. ADDENDUM APPROVED to Interlocal Agreement with Walker County
    approving the current fee schedule for performance of postmortem examinations,
    as previously approved by Commissioners Court on February 25, 2013, and
    authorize Judge Sadler to sign.

M2. RECEIPT ACKNOWLEDGED of the following executed documents:

   a. US Marshal Service: Restated IGSA (approved 02/25/13 M#29).
   b. US Marshal Service: Modification #1 to IGSA (approved 02/25/13 M#30
      1 of 2).
   c. US Marshal Service: Modification #2 to IGSA (approved 02/25/13 M#30
      2 of 2).
   d. ICE: Modification P00006 to IGSA (approved 12/17/12 M#46).
   e. ICE: Modification P00020 to IGSA (approved 01/28/13 M#14).
   f. ICE: Modification P00007 to IGSA (approved 01/28/13 M#15).

M3. REIMBURSEMENT APPROVED for lodging expenses incurred by JD Lambright while attending the New Prosecutors Conference in December 2012, in the amount of $113.90. As authorized per §152.907 of the Local Government Code.

Motion carried.

END OF CONSENT AGENDA

7. REVISION APPROVED – BUDGET HEARING CALENDAR – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the revision of the 2013 Commissioners Court calendar meeting date for Budget Hearings. County Budget Hearings originally scheduled for July 29, 2013 through August 2, 2013 will be moved back one week to commence on July 22, 2013 through July 26, 2013. Two additional Commissioners Court meeting dates will also be added so that the timing for holding the required Public Hearings in relation to the Budget Hearings is followed per Government statutes.

COMMISSIONERS’ COURT RECESSED FOR PUBLIC HEARING.

PUBLIC HEARING – AGENDA ITEM 10B
PROPER NOTICE HAVING BEEN GIVEN, JUDGE SADLER DECLARED A PUBLIC HEARING IN REGARD TO DISCUSSION WITH THE DISTRICT ATTORNEY ON THE FINDINGS AND RECOMMENDATIONS OF THE 410TH COURT GRAND JURY REGARDING MONTGOMERY COUNTY COMMISSIONERS COURT.

Brett Ligon, District Attorney, spoke explaining the findings, gave recommendations and answered questions.

Mark Bosma, Infrastructure, spoke on the subject.

A member of the public came to the podium to read a letter to the Commissioners Court from the 410th District Court Grand Jury (Agenda Item 11C). NOTE: County Clerk was not provided a copy of letter, therefore the content is not recorded in the Minutes.

J.D. Lambright, County Attorney, spoke and advised on the subject.

Jon Bauman addressed the Court.

Various unidentified members of the public also addressed the Court.

THERE BEING NO OTHER MEMBERS OF THE PUBLIC WISHING TO ADDRESS THIS MATTER, JUDGE SADLER DECLARED THE PUBLIC HEARING CLOSED.

8. COMMISSIONERS’ COURT RECONVENED

Motion by Commissioner Rinehart, seconded by Commissioner Noack, to reconvene Court.

9. MODIFICATION APPROVED – ELEVATORS – DISTRICT ATTORNEY

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve the modification of elevators located at 207 West Phillips, to prevent the unauthorized access of elevators after hours and on weekends, at a cost of $13,725.00. Commissioner Noack volunteered the 3rd Precinct’s Budget as a funding source. Motion carried.

10. REQUEST APPROVED – SECURITY SALARY SUPPLEMENT – DISTRICT ATTORNEY

Motion by Judge Sadler, seconded by Commissioner Noack, to approve a $500.00 personal security salary supplement including benefits for all District Attorney employees to be paid out of asset forfeiture funds. Motion carried.

11. ADJUSTMENT APPROVED – JUSTICE OF THE PEACE PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve adjustment of $1,610.81 from 457-3995-2 to 45712-4132-1. This adjustment does not increase their budget. Motion carried.

12. DONATION ACCEPTED – ARAMCO ASSOCIATED COMPANY - SHERIFF

Motion by Commissioner Doyal, seconded by Commissioner Meador, to accept the donation of $20,000.00 from Aramco Associated Company. The funds are designated for improvements to the Sheriff’s SWAT building and should be allocated to budget line 560150-7501. Motion carried.

13. AGREEMENT/BILLS OF SALE ACCEPTED – RADIO TOWER - SHERIFF

Motion by Commissioner Meador, seconded by Commissioner Doyal, to accept the Interlocal Agreement and bills of sale between Montgomery County and the Montgomery County Hospital District has agreed to sell their radio tower located on the Sheriff’s Office property to Montgomery County in exchange for radio equipment. Motion carried.
14. REQUEST APPROVED – TRANSFER OF FUNDS – SHERIFF

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the transfer of $1,717.34 from the Sheriff’s funding position, 5601-9999-999 to position 5601-4213-2. The transfer pertains to a civilian position and does not increase the current salary structure. Motion carried.

15. POSITION APPROVED – INVESTIGATOR II – CONSTABLE PRECINCT 4

Motion by Commissioner Rinehart, seconded by Commissioner Noack, to approve the creation of a position for Investigator II, to be funded by Commissioner Precinct 4. Motion carried.

16. RESOLUTION APPROVED – ADDITIONAL DEPUTY POSITIONS – CONSTABLE PRECINCT 4

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve a Resolution between Montgomery County Constable Precinct 4 and the East Montgomery County Improvement District for Constable Precinct 4 to submit a Community Development Funding Application to EMCID for additional deputy position(s). Motion carried.

17. DEFAULT APPROVED – FROC/PUENTE STREET HOLDINGS, LLC – TAX ASSESSOR/COLLECTOR

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve default to the tax abatement by and between Forest Ridge Office Condominiums (FROC); owner Puente Street Holdings, LLC. Account #005151.00.02300; Building 6 Unit 603; and Account #005151.00.02400; Building 6 Unit 604. Motion carried.

18. AMENDMENTS APPROVED – 2011 CONSOLIDATED ACTION PLAN – COMMUNITY DEVELOPMENT

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve amendments to the 2011 Consolidated Action Plan and authorize Judge Alan B. Sadler to implement amendments including payments and reclassification of Community Development Budget as submitted. Motion carried.

19. POSITION APPROVED – CASE MANAGER – COMMUNITY DEVELOPMENT

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve a new temporary part-time position under the Community Development Block Grant and authorize County Judge Alan B. Sadler to sign related paperwork. NOTE: There was no related paperwork attached requiring signature. Motion carried.

20. REQUESTS APPROVED – POSITION CHANGES/FUNDS TRANSFER – DWI & DRUG COURT

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

- Close position 4652-8325-1
- Open position 4652-3995-1
- Transfer $34,134.00 into the newly created position 4652-3995-1 from closed position. Remaining funds in the amount of $9,047.41 will be returned to the County.

Motion carried.
21. CHARGES APPROVED – JUVENILE CASE MANAGER FUND – AUDITOR

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve use of $1,610.81 from the Juvenile Case Manager Fund. This funding is in relation to personnel transfers. These personnel changes will result in a return to the General Fund of $1,610.81 from position 457-3995-2. The overall effect is a zero dollar change to the salary budget. Motion carried.

22. REQUEST APPROVED – $5,115.59 COURT REPORTER EXPENSES - AUDITOR

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve request for funds presently held in the Court Reporter Service Fund or the Court’s Operation Fund to assist in the payment of the following Court Reporter related expenses to be transferred to our budget (429), line 7390:

2. Total Eclipse by Advantage Software – reporting software - $4,008.00
3. Monitor – GHA Blanket #2012448 - $135.00

Motion carried.

NO ACTION ON AGENDA ITEMS 19A

23. CHANGE ORDER APPROVED – JAIL ADDITIONS - INFRASTRUCTURE

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve Change Order #1 (PO #2012550) to Diamond Commercial Construction, Inc. in the amount of $50,588.00 for asphalt on new parking lot and miscellaneous upgrades to drainage and to add five additional work days. Motion carried.

24. PROPOSAL APPROVED – LEAGUE LINE ROAD – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve the proposal from Arborleaf Engineering and Surveying, Inc. to provide topographical surveying services for the extension of League Line Road in an amount not to exceed $77,760.00. Motion carried.

AGENDA ITEM 19D WAS DEFERRED

25. EMPLOYMENT CONTRACT APPROVED – AUTUMN HALEY – COUNTY ATTORNEY

Motion by Commissioner Doyal, seconded by Commissioner Noack, to approve a temporary employment contract for Autumn Haley. Motion carried.

26. EMPLOYMENT CONTRACT APPROVED – MEAGAN ELZNER – COUNTY ATTORNEY

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve a temporary employment contract for Mental Health Managed Assigned Counsel for Meagan Elzner. Motion carried.

27. AMENDMENT APPROVED – GLO CONTRACT – COUNTY ATTORNEY

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve Amendment #5 to GLO Contract #10-5273-000-5279 related to Round One funding for the Hurricane Ike Disaster Recovery Grant Program. Motion carried.

28. AMENDMENT APPROVED – ICE – COUNTY ATTORNEY

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve Amendment #P00008 to Contract #DROIGSA-08-0030A with Immigration and Customs Enforcement. Motion carried.
29. REVISED POLICY APPROVED – LIBRARY MEETING ROOMS – COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the revised Public Meeting Room Policy for the Montgomery County Memorial Library System, limiting the use of meeting rooms to a set number of events per month. Motion carried.

30. REQUEST APPROVED – ADOPT A ROAD PROGRAM – COMMISSIONER – PRECINCT 2

Motion by Commissioner Doyal, seconded by Commissioner Noack, to approve request for Kenton Ford to participate in the Adopt A County Road Program. The roadway section is two miles of Fish Creek Thoroughfare north of Lake Creek Bridge. Motion carried.

31. RECEIPT OF LETTER ACCEPTED – SALES & USE TAX – COMMISSIONER – PRECINCT 4

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to accept receipt of letter from Emergency Service District #12 notifying the Court of election orders concerning the imposition of sales and use tax issued to voters. Motion carried.

32. CHANGES APPROVED – OPEN/CLOSE POSITIONS – COMMISSIONER – PRECINCT 4

Motion by Commissioner Rinehart, seconded by Commissioner Noack, to approve close position #615-3105-600, and open position #615-3952-600. 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 22

COURT RECONVENED WITH ALL MEMBERS PRESENT.

TAKE ACTION ON MATTERS IN EXECUTIVE SESSION – AGENDA ITEM 22A

33. RESOLUTION AND ORDER APPROVED – WORKERS COMPENSATION CLAIM #0988-160-A00860.

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Resolution and Order for a Settlement Agreement between Montgomery County and Ronald D. Tolbert regarding Worker’s Compensation Claim #0988-160-A00860 in the amount of $28,372.76. Motion carried.

CITIZENS – AGENDA ITEM 24

WALTER BOYD – ADDRESSED THE COURT REGARDING THE EARLIER GRAND JURY DISCUSSION AND TO INVITE THE COMMISSIONERS TO ATTEND VARIOUS TEA PARTY EVENTS.

ANN CARR – ADDRESSED THE COURT REGARDING THE EARLIER GRAND JURY DISCUSSION.

OTHER UNIDENTIFIED MEMBERS OF THE PUBLIC ALSO ADDRESSED THE COURT REGARDING THE EARLIER GRAND JURY DISCUSSION.
Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the following Payroll Change Request forms:

Request of Custodial to place Paula Elliott, Custodian 1, on payroll as replacement for Jany Fulmer, effective 04/08/13.

Request of Custodial to place Julissa Flores, Custodian I, on payroll as replacement for Olga Morel, effective 04/08/13.

Request of Custodial to place Rebeca Rodriguez Hernandez, Custodian 1, on payroll as replacement for Hillary Hillyard, effective 04/08/13.

Request of Custodial to accept resignation of Marta Rivera, Custodian I, effective 03/21/13. (54.07 hours or balance vacation, .625 hours or balance compensatory.)

Request of County Court at Law #5 to increase salary of Michael James Crisp, Court Clerk II, due to transfer as replacement for Erin Meadows, effective 03/16/13.

Request of Commissioner Pct. 3 to accept resignation of Brenda L. Smith, Administrative Assistant I, effective 01/24/13. (No benefits due.)

Request of Constable 3 – MUD 94 Unit to place Joshua Orr, Deputy, on payroll as replacement for John Krpec, effective 03/30/13.

Request of Constable 3 – RMUD Sub Unit to place Jarod Tunstall, Deputy, on payroll as replacement for David Stafford, effective 03/30/13.

Request of County Auditor to accept resignation of Shara Moffitt, Part-time Clerk, effective 03/22/13. (No benefits due).

Request of County Clerk to increase salary of Tiffany Rogers, Clerk II, due to probationary period completed, effective 04/30/13.

Request of County Clerk to accept resignation of Denise Smith, Clerk III, effective 03/27/13. (.005 hours or balance compensatory.)

Request of Emergency Management to place Morgan Lumbley, Administrative Assistant, on payroll as replacement for Cynthia Jamieson, effective 04/02/13.

Request of Justice of the Peace, Pct. 3 to increase salary of Demetrich Carrington, Juvenile Case Manager, due to transfer as replacement for Barbara DeVost, effective 03/25/13.

Request of Justice of the Peace, Pct. 3 to increase salary of Patricia Cooke, Court Clerk IV, due to promotion as replacement for Demetrich Carrington, effective 03/25/13.

Request of Justice of the Peace, Pct. 3 to reduce salary of Barbara DeVost, Court Clerk III, due to demoted as replacement for Patricia Cooke, effective 03/25/13.

Request of Juvenile to accept resignation of Patrick Brennan, Juvenile Supervision Officer – Substitute, effective 04/01/13. Is eligible for re-hire. (No benefits due.)

Request of Juvenile to place Amber Johnson, Counselor, on unpaid FMLA/Disability leave, effective 03/27/13.

Request of Juvenile to place Amber Johnson, Counselor, on payroll, due to return from unpaid FMLA/Disability leave, effective 04/01/13.
Request of Juvenile to increase salary of John Arthur Milo, III, Juvenile Supervision Officer, due to status change as replacement for Roy Juan, effective 04/13/13.

Request of Managed Assigned Counsel to place Meagan Elzner, Caseworker, on payroll as replacement for Lauren Holleman, effective 04/09/13.

Request of Managed Assigned Counsel to accept resignation of Pennie Stanley, Case Management Coordinator, effective 03/28/13. (No benefits due.)

Request of Non-Departmental to place Vannual “Vann” Culp, Visiting Judge, on payroll effective 01/01/13.

Request of Non-Departmental to place Robert Trapp, Visiting Judge, on payroll effective 01/01/13.

Request of Recycle Station, Pct. 3 to remove Rebecca Cottingham, Director, from payroll due to retirement, effective 04/30/13. (211.925 hours or balance vacation.)

Request of Sheriff to decrease salary of Christopher Byer, Deputy – Patrol, due to correction to 18 years of longevity pay, effective 04/13/13.

Request of Sheriff to accept resignation of Dana Haines, Administrative Assistant I, effective 03/29/13. (90.90 hours or balance vacation, 98.15 hours or balance compensatory.)

Request of Sheriff to place Kevin Hataway, Officer – Civilian Detention, on payroll as replacement for Tracy Richards, effective 03/30/13.

Request of Sheriff to place Forrest M. Land, Jr., Officer – Civilian Detention, on payroll as replacement for Ryan DuPuy, effective 03/23/13.

Request of Sheriff to transfer Charlie C. Lowery, Deputy Patrol, as replacement for Joshua Wroten, effective 03/16/13.

Request of Sheriff to remove Asa Price, Officer – Civilian Detention, from payroll due to retirement, effective 05/31/13. (230.17 hours or balance vacation, 341.75 hours or balance compensatory, 15.50 hours or balance holiday.)

Request of Sheriff to accept resignation of Breanna Rico, Officer – Civilian Detention, effective 03/23/13. (15.52 hours or balance vacation, 18.75 hours or balance compensatory, 16.00 hours or balance holiday.)

Request of Sheriff to accept resignation of Nancy Jo Smith, Dispatcher, effective 03/16/13. (11.25 hours or balance compensatory, 8.00 hours or balance holiday.)

Request of Sheriff to accept resignation of Angela K. Thompson, Dispatcher, effective 03/28/13. (205.17 hours or balance vacation, 240.00 hours or balance compensatory, 52.00 hours or balance holiday.)

Request of Sheriff to increase salary of Melissa Vela, Administrative Assistant I, due to promotion as replacement for Dana Haines, effective 03/30/13.)

Request of Sheriff to place Shelly R. Walls, Officer – Civilian Detention, on payroll as replacement for Alex Montes, effective 03/23/13.

Request of Sheriff to transfer Joshua Wroten, Deputy Patrol, as replacement for Charlie Lowery, effective 03/16/13.

Request of Tax Assessor/Collections to increase salary of Erica A. Bane, Deputy Specialist II, due to promotion as replacement for Diana Garza, effective 04/13/13.

Request of Tax Assessor/Collections to increase salary of Rebecca Brimberry, Deputy Specialist II, due to promotion as replacement for Ryan McKinnies, effective 04/13/13.
Request of Tax Assessor/Collections to accept resignation of Robert Kent Proctor, Accounting Manager, effective 04/26/13. (64.32 hours or balance vacation.)

Request of Commissioner Pct. 4 to transfer Shirley Grimes, Community Facility Worker, to new position, effective 04/01/13.

Request of Commissioner Pct. 4 to increase salary of Walter H. Moody, Operator 2, due to additional job responsibilities, effective 04/01/13.

Request of Community Development to place Autumn Haley, Fed. Assist. Prog. Case Manager, on payroll in new position, effective 04/08/13.

Request of Commissioner Precinct 1 to increase salary of Jimmy Lucher, Senior Foreman, due to increased responsibilities, effective 04/01/13.

Request of Commissioner Precinct 1 to promote Jimmy Lucher, Manager – Precinct Operations, as replacement for Don Sockwell, effective 04/13/13.

Request of Juvenile to accept resignation of Oliver Taylor, Juvenile Supervision Officer, effective 03/29/13. Not eligible for re-hire. (21.99 hours or balance vacation, .005 hours or balance compensatory, .75 hours or balance holiday.)

Request of Sheriff to place Caleb Shaw, Officer - Civilian Detention, on payroll as replacement for Oren Cotton, effective 04/06/13.

Motion carried.

35. REQUEST APPROVED – MUD #137 & 138 – COMMISSIONER – PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve the reservation of the name “Montgomery County Municipal Utility District Numbers 137 & 138 for use by the law firm of Allen, Boone, Humphries, Robinson, LLP. Motion carried.

36. COURT ADJOURNED

Motion by Commissioner Noack, 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