THE STATE OF TEXAS
COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 22ND day of April, 2013 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 North Thompson, Conroe, Texas, with the following members of the Court present:

County Judge
Commissioner, Precinct 1
Commissioner, Precinct 2
Commissioner, Precinct 3
Commissioner, Precinct 4
Also County Clerk’s Office

<p>| | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>County Judge</td>
<td>Alan B. Sadler</td>
</tr>
<tr>
<td>Commissioner, Precinct 1</td>
<td>Mike Meador</td>
</tr>
<tr>
<td>Commissioner, Precinct 2</td>
<td>Craig Doyal</td>
</tr>
<tr>
<td>Commissioner, Precinct 3</td>
<td>James Noack</td>
</tr>
<tr>
<td>Commissioner, Precinct 4</td>
<td>Ed Rinehart</td>
</tr>
<tr>
<td>Also County Clerk’s Office</td>
<td>Francine Nichols</td>
</tr>
</tbody>
</table>

INVOCACTION GIVEN BY COMMISSIONER CRAIG DOYAL.

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

HEATHER REYES, FORENSIC LAB TECH II, WAS PRESENTED WITH A PLAQUE FOR EMPLOYEE OF THE MONTH FOR MARCH, 2013.

2. RESOLUTION APPROVED – UNITED WAY VOLUNTEER APPRECIATION DAY

   Motion by Judge Sadler, seconded by Commissioner Meador, to declare April 22, 2013 as “Montgomery County United Way Volunteer Appreciation Day”. Motion carried.

3. PROCLAMATION APPROVED – NATIONAL CRIME VICTIMS’ RIGHTS WEEK

   Motion by Commissioner Meador, seconded by Commissioner Doyal, to proclaim that the week of April 21-27, 2013 to be “National Crime Victims’ Rights Week”. Motion carried.

4. PROCLAMATION APPROVED – CHILD ABUSE AWARENESS & PREVENTION MONTH

   Motion by Commissioner Noack, seconded by Commissioner Doyal, to proclaim April, 2013 as “Child Abuse Awareness and Prevention Month”. Motion carried.

5. PROCLAMATION APPROVED – SCHOLAR ATHLETE DAY

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

6. MINUTES APPROVED – COMMISSIONERS COURT - COUNTY CLERK

   Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve Commissioners Court Minutes for Regular Session held April 8, 2013, and Special Session held April 15, 2013, as presented by the County Clerk. Motion carried.
7. **CONSENT AGENDA APPROVED - AGENDA ITEMS 9A-L**

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

**COUNTY AUDITOR - AGENDA ITEMS 9A1-8**

A1. **PAYMENT OF ACCOUNTS APPROVED**, as submitted by the County Auditor.

A2. **BUDGET AMENDMENTS** approved as follows:

- **a.** Commissioner PCT 1: To fund position 6121.1604.1.
- **b.** Commissioner PCT 1: To adjust line items.
- **c.** Commissioner PCT 1: To fund payoff of previous manager PCT operations.
- **d.** Commissioner PCT 1: To fund position 612.8902.3.
- **e.** Commissioner PCT 2: To recognize and allocate revenue for road acceptance and repair as authorized by CCT [M4 (9E2b)/03.25.13].
- **f.** Commissioner PCT 2: To adjust line items.
- **g.** Commissioner PCT 3: To fund cell phone allowance for John Joel Bowen.
- **h.** Constable PCT 1: To allocate donation.
- **i.** Constable PCT 4: To fund ICAC Position (M15/04.08.13)
- **j.** Contingency: To adjust line items per Commissioners Court (M32/02.11.13).
- **k.** County Attorney: To fund food/bev for victims/witnesses.
- **l.** County Clerk: To adjust line items and transfer funds for RSA tokens.
- **m.** County Court at Law #1: To allocate revenue for CCL Salary Supplement.
- **n.** County Court at Law #2: To allocate revenue for CCL Salary Supplement.
- **o.** County Court at Law #3: To allocate revenue for CCL Salary Supplement.
- **p.** County Court at Law #4: To allocate revenue for CCL Salary Supplement.
- **q.** County Court at Law #5: To allocate revenue for CCL Salary Supplement.
- **r.** County Treasurer: To transfer funds for a security panel.
- **s.** District Attorney: To transfer funds for materials.
- **t.** Drug Court: To return funds no longer needed by Drug Court to County M20/04.08.13.
- **u.** Emergency Management: To carryover amount for PO #32504551.
- **v.** Fire Marshal: To transfer funds for VPN.
- **w.** Forensic Services: To adjust line items.
- **x.** HMLND SEC GRNT PRG12-UASI: To adjust line items for M&A activities.
- **y.** Information Technology: To transfer funds for Tyler Conference (M15/3.11.13).
z. Library Mobile App: To set up Library Mobile App grant from TSLAC (M9/03.25.13).

aa. MCCD: CDBG/$1,690,428 – Year 14: To adjust line items per Amendment to Consolidated Action Plan (M18/04.08.13).

bb. MCCD: CDBG/$1,956,872 – Year 15: To adjust line items to fund Autumn Haley Sal/Ben for FY13 (M19/04.08.13). 

c. MCCD CDBG HOME/$455,535 – Year 9: To adjust line items per Amendment to Consolidated Action Plan (M18/04.08.13).

d. Memorial Library: To adjust line items.

e. Purchasing Agent: To adjust line items.

ff. Road & Bridge Fund: To carryover unspent funds from 2012 budget.

gg. Road & Bridge Fund: To carryover unspent funds from 2012 budget for Photo Traffic Signal Enforcement.

hh. Sheriff – Auto Theft: To adjust line items.

ii. Sheriff – Auto Theft: To adjust line items to fund Vehicle Maintenance and Travel.

jj. Sheriff: To recognize and allocate donations.

kk. Tax Assessor/Collector: To adjust line items.

ll. Tax Assessor, Rendition Penalty: To recognize and allocate revenue.

A3. UNAUDITED FINANCIAL REPORT ACCEPTED for the month of October 2012.

A4. UNAUDITED FINANCIAL REPORT ACCEPTED for the month of November 2012.

A5. UNAUDITED FINANCIAL REPORT ACCEPTED for the month of December 2012.


A7. UNAUDITED FINANCIAL REPORT ACCEPTED for the month of February 2013.

A8. UNAUDITED FINANCIAL REPORT ACCEPTED for the month of March 2013.

TREASURER - AGENDA ITEMS 9B

B1. QUARTERLY INVESTMENT REPORT APPROVED for quarter ending March 31, 2013.

B2. BANK RESOLUTION APPROVED.

TAX ASSESSOR/COLLECTOR – AGENDA 9C

C1. SUPPLEMENTAL CHANGES ACCEPTED for March 2013 from San Jacinto County Appraisal District for property located in Montgomery County for Willis I.S.D. and collected by the Tax Assessor/Collector’s office.
SUPPLEMENTAL CHANGES ACCEPTED for March 2013 from Harris County Appraisal District for property located in Montgomery County for New Caney I.S.D. and The Woodlands Township and collected by the Tax Assessor/Collector’s office.

SUPPLEMENTAL CHANGES ACCEPTED for March 2013 from Montgomery Central Appraisal District for property located in Montgomery County.

MONTHLY TAX COLLECTION REPORT ACCEPTED for month ending March 31, 2013.

PURCHASING DEPARTMENT - AGENDA ITEMS 9D

ADVERTISING APPROVED for the following bids/proposals:

a. RFP/Q engineering services for SH249 extension/Montgomery County Toll Road Authority – Precinct 2.

b. New vehicles - Various Departments.

ACTION APPROVED on the recommendation(s) and/or contract(s) for the following bids:

a. SCOTT-MERRIMAN, INC. for casebinders (Project #2013-0034) – District and County Clerks.

b. URETEK USA, INC. for raising and undersealing concrete slabs and roads (Project #2013-0032) – Various Departments.

c. HD PROTECH for traffic monitoring cameras (Project #2013-0017) – Various Departments.

RENEWALS APPROVED for the following contracts:

a. SPECTRUM CATERING CONCESSIONS (PO #2000321) for food and beverage concessions, expires 04/23/13 – Lone Star Convention Center.

b. MARIMON BUSINESS SYSTEMS, INC. (PO #2011480) for Canon products and related services, expires 05/05/13 – Various Departments.

c. CANON FINANCIAL SERVICES, INC. (PO #2013195) for Canon products and related services, expires 05/05/13 – Various Departments.

d. DUSTLESS AIR FILTER CO. (PO #2011298) for commercial A/C filters, expires 05/21/13 – Various Departments.

e. WATERS CONSTRUCTION COMPANY, INC. (PO #2012303) for surface treatment, expires 06/06/13 – Various Precincts.

f. ONE SOURCE TOXICOLOGY (PO #2011394) for drug/alcohol screening services, expires 06/09/13 – Juvenile Services.

g. STRAUS-FRANK ENTERPRISES LIMITED dba CARQUEST AUTO PARTS (PO #2012314) for miscellaneous auto parts picked up/delivered, expires 06/17/13 – Various Departments.

h. O’REILLY AUTO PARTS/Hi-LO O’REILLY AUTO PARTS (PO #2012315) for miscellaneous auto parts picked up/delivered, expires 06/17/13 – Various Departments.

i. COLLEGE STATION AUTO PARTS dba NAPA AUTO PARTS (PO #2012316) for miscellaneous auto parts picked up/delivered, expires 06/17/13 – Various Departments.
j. XL PARTS LP (PO #2012317) for miscellaneous auto parts picked up/delivered, expires 06/17/13 – Various Departments.

k. DOUBLE LF, INC. (PO #2009496) for Building Inspector, expires 07/12/13 - Montgomery County Community Development.

D4. CHANGE ORDERS APPROVED for the following:

a. Change Order #1 (PO #2013218) to Care Corporation for privatization of Montgomery County Animal Shelter – Infrastructure.

b. Change Order #1 (PO #2013224) to T-Mobile USA, Inc. for wireless voice and data products through the State of Texas Department of Information Resources Contract #DIR-SDD-1778 – Various Departments.

D5. ITEMS ACCEPTED from Rene’ Bates Auctioneers, Inc. Two checks in the amounts of $38,779.60 and $5,457.50, and a list of items sold through the Montgomery County Online Auction held March 26, 2013 – Various Departments. (Checks have been forwarded to the Auditor for further processing.)

D6. NAME CHANGE ACKNOWLEDGED of Houston Community Newspapers to 1013 Star Communications, LLC, effective June 26, 2012 – Various Departments.

RISK MANAGEMENT - AGENDA ITEMS 9E

E1. BUILDING NO. 1-0099 ACCEPTED into the property inventory (Montgomery County Sheriff Storage Building). NOTE: No documents received by County Clerk.

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

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<th>NAME/DEPT</th>
<th>AMOUNT</th>
<th>ACTION</th>
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COMMISSIONERS – AGENDA ITEM 9F

F1. PRECINCT 3

F2. PRECINCT 4
   a. CHECK ACCEPTED in the amount of $775.81 from The Friendship Center for fuel used for the month of March, 2013. To be deposited into account 615.7926. (Check has been forwarded to the Auditor for further processing.)
   b. CHECK ACCEPTED in the amount of $2,110.75 from the City of Roman Forest for the purchase of fuel for the month of March, 2013. To be deposited into account 615.7926. (Check has been forwarded to the Auditor for further processing.)
   c. REQUEST APPROVED for submitting to Texas Parks and Wildlife a Request for Release of .75 of an acre located in Tamina Park at 19500 Main Street, Conroe, Texas 77385, to be used to build a fire station in a non-hydranted largely populated community by ESD #4 and Needham Fire/Rescue at no cost to the County.

F3. PRECINCTS 2 & 4
   a. ANNUAL FINANCIAL STATEMENT ACCEPTED for the Fiscal Year ending September 30, 2012 of Emergency Service District #5.

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

G1. PRECINCT 1
   a. ORDER APPROVED acknowledging and approving partial vacation of a subdivision plat known as Water Oak Section Two.

G2. PRECINCT 2
   a. AMENDED INTERLOCAL AGREEMENT APPROVED for regional road improvements between Westwood Magnolia Parkway Improvement District and Montgomery County for the expansion of Honea Egypt Road.

G3. PRECINCT 3
   a. ORDER APPROVED for road construction project to place traffic signal lights at the intersection of Kuykendahl Road and Bay Branch Drive under Interlocal Agreement between The Woodlands Road Utility District No. 1 and Montgomery County, in accordance with Texas Government Code §791.014.

G4. PRECINCT 4
   a. LEASE AGREEMENT APPROVED between Montgomery County, Texas and Mark Schmidt for lease of real property described as Lots 27 and 28 in Lake Adams Subdivision, recorded in Volume 5 Page 465 in the map records of Montgomery County.
   b. ORDER APPROVED acknowledging receipt of Money Order no. 14052663 in the amount of $474.00 from Mark Schmidt for Lease of real property described as Lots 27 and 28 in Lake Adams Subdivision, recorded in Volume 5 Page 465 in the map records of Montgomery County. (Money Order has been forwarded to Auditor for further processing.)
H1. PRECINCT 2


b. REQUEST APPROVED from Comcast of Houston, LLC to place a 1½” conduit line within the right of way of Hardin Store Road, Anderson Road and Rustic Oak Drive in Montgomery County.

c. PUBLIC HEARING DATE APPROVED for May 20, 2013 to establish a 25 MPH speed limit on Bear Branch Lane in Montgomery County.

H2. PRECINCT 3

a. REQUEST APPROVED from San Jacinto River Authority to place a 16” Force Main line within the right of way of Timberloch Place, Six Pines Drive and Lake Robbins Drive in Montgomery County, Texas.

b. PUBLIC HEARING DATE APPROVED for May 20, 2013 to establish a restricted left turn from Green Bridge Drive to Marbrook Drive in Montgomery County, Texas.

H3. PRECINCT 4

a. PUBLIC HEARING DATE APPROVED for May 20, 2013 to establish a 50 MPH speed limit on Crockett Martin Road from State Highway 105 to FM 2090 in Montgomery County.

DISTRICT CLERK – AGENDA ITEM 9I

I1. DEPUTATION APPROVED for Juljana Rjepaj as a Deputy Clerk in the District Clerk’s Office.

COUNTY JUDGE – AGENDA ITEM 9J

J1. USE AGREEMENTS APPROVED as follows:

a. PRECINCT 1
   1. Willis Youth Athletic Association – Sports Activity
      Charles Traylor Sports Park

b. PRECINCT 2
   1. Magnolia Lacrosse Association – League and Practice
      Magnolia Youth Sports Park (Football fields)

c. PRECINCT 4
   1. Texas Youth Sports Association – 03 Texas - Tournament
      Ipes Park Softball Fields

COUNTY ATTORNEY – AGENDA ITEM 9K

K1. RIGHT OF ENTRY PERMIT APPROVED for military to carry out exercises at the Lone Star Executive Airport, and authorize County Judge to execute said instrument.

K2. PERSONAL SERVICES AGREEMENT APPROVED between Montgomery County and Precinct 1 Constable Reserve Deputy Dennis DePaul, to perform law enforcement services to be designated by Constable Don Chumley, and authorize personal services exemption pursuant to §262.024 of the TX. LOC Government code and authorize County Judge to sign the Agreement.
INFRASTRUCTURE – AGENDA ITEM 9L

L1. ENVIRONMENTAL ASSESSMENT AND FINDING OF NO SIGNIFICANT IMPACT (FONSI) ACCEPTED for the Deerwood Drainage Improvement Project, and authorize County Judge to sign related paperwork.

L2. CHECK ACCEPTED from Smiths Detection in the amount of $1,561.56 for credit reimbursement on a portion of Invoice #90094248 for repair of Courthouse security equipment. (Check has been forwarded to Auditor for further processing.)

Motion carried.

END OF CONSENT AGENDA

AGENDA ITEM 10A – DEFERRED

AGENDA ITEM 10B – DEFERRED UNTIL AFTER EXECUTIVE SESSION THOUGH JUDGE SADLER ALLOWED FOR CONVERSATION REGARDING THE ITEM:

JUDGE JAMES METTS, JUSTICE OF THE PEACE, PRECINCT 4, ADDRESSED THE COURT AGAINST THE TYLER SYSTEM AND CONVEYED THAT THE JUSTICES OF THE PEACE FROM PRECINCTS 1, 2, AND 5 ARE ALSO AGAINST THE CHANGE.

MARSHALL SHIRLEY ADDRESSED THE COURT JUSTIFYING HIS FINDINGS OF THE TYLER SYSTEM VS THE SYSTEM(S) CURRENTLY IN PLACE.

JUDGE EDIE CONNELLY, JUSTICE OF THE PEACE, PRECINCT 3, ADDRESSED THE COURT IN SUPPORT OF THE TYLER SYSTEM.

AGENDA ITEM 11A - DEFERRED UNTIL AFTER EXECUTIVE SESSION THOUGH JUDGE SADLER ALLOWED FOR CONVERSATION REGARDING THE ITEM:

JUDGE TREY SPIKES, JUSTICE OF THE PEACE, PRECINCT 2, ADDRESSED THE COURT AGAINST THE TYLER SYSTEM.

NOTE: COURT DISCUSSION IN FULL CAN BE HEARD ON AUDIO OF MINUTES ON THE MONTGOMERY COUNTY WEBSITE.

8. REQUEST APPROVED – TRAVEL EXPENSES – SHERIFF

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve paying travel expenses pertaining to mandatory training in the amount of $165.00 to Hortencia Schneider. Motion carried.

9. AGREEMENT APPROVED – 2013 FUNDING – SHERIFF

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the 2013 Agreement for Interim Funding between Montgomery County and the Westwood Magnolia Improvement District. Motion carried.

10. REQUEST APPROVED – NEW POSITION – CONSTABLE PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Rinehart, to approve the creation of an Investigator II position to be funded by Commissioner Precinct 3. Motion carried.
11. GRANTS APPROVED – SUBMISSION & AGREEMENT – AUTO THEFT TASK FORCE

Motion by Commissioner Rinehart, seconded by Commissioner Doyal, to approve the 2014 Grant submission from the Automobile Burglary & Theft Prevention Authority and approve the acceptance of the 2014 Grant Inter-Local Agreement from Grimes County and City of Conroe. Motion carried.

12. REQUESTS APPROVED – FEE SCHEDULES – FORENSIC SERVICES

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

1) Montgomery County Fee Schedule for postmortem examinations; and

2) Miscellaneous Fee Schedule (fees assessed to non-counties for the requested information for civil or criminal cases).

Motion carried.

13. BUDGET AMOUNT ACCEPTED – REMODEL PRECINCT 3 - INFRASTRUCTURE

Motion by Commissioner Noack, seconded by Commissioner Rinehart, to accept the proposed budget amount of $135,000.00 required to remodel the Precinct 3 office, funded from Contingency. Motion carried.

14. AGREEMENT APPROVED – TEXAS BASS CLASSIC – LONE STAR CONVENTION & EXPO CENTER

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve and execute the Agreement between Montgomery County and the Texas Bass Classic Foundation, LLC for the rental of the Lone Star Convention & Expo facilities. Motion carried.

15. ORDER APPROVED – VOTING PRECINCT BOUNDARIES/LOCATIONS - ELECTIONS

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve Order for changes to voting precinct boundaries and creation of Voting Precinct No. 87, 88, and 89 and polling locations. Motion carried.


Motion by Commissioner Meador, seconded by Commissioner Doyal, to accept Minutes of March 19, 2013, Montgomery County Mental Health Treatment Facility Advisory Board Meeting. Motion carried.

17. REVISIONS APPROVED - JOB DESCRIPTIONS - MENTAL HEALTH TREATMENT FACILITY

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve revisions to three position descriptions in the Management Plan as recommended by Montgomery County Mental Health Treatment Facility Advisory Board. Motion carried.

18. REVISION APPROVED – POLICY – MENTAL HEALTH TREATMENT FACILITY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve revision to a policy in the Management Plan as recommended by Montgomery County Mental Health Treatment Facility Advisory Board. Motion carried.
19. APPOINTMENTS APPROVED – PHYSICIANS – MENTAL HEALTH TREATMENT FACILITY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the appointments of Jack Pieniazek, D.O., Samson Sheih, M.D., and Christopher Chapman, M.D., as recommended by the Montgomery County Mental Health Treatment Facility Advisory Board. Motion carried.

20. REQUEST APPROVED – BETTER LIVING FOR TEXANS – AGRILIFE EXTENSION

Motion by Judge Sadler, seconded by Commissioner Doyal, to approve designating the space used by Better Living For Texans/Agrilife Extension educators as match funding for U.S.D.A. Supplemental Nutrition Assistance Program and authorize County Judge to sign necessary documents. Motion carried.

21. CONTRACT APPROVED – INTERNET SERVICE PROVIDER – VARIOUS DEPARTMENTS

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve contract for RFP/Q Internet Service Provider – Project #2013-0027, to WaveMedia and Consolidated Communications. Motion carried.

22. DISCRETIONARY EXEMPTION APPROVED – CAD SOFTWARE – INFORMATION TECHNOLOGY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve Discretionary Exemption [262.024(a)(7)(A)] to Infor Public Sector for purchase of upgrade and conversion of CAD software in the amount of $156,040.00. Motion carried.

23. PROPOSAL APPROVED – ENGINEERING SERVICES – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the proposal from Edminster, Hinshaw, Russ and Associates, Inc. (EHRA) to provide professional engineering services for bridges over Union Pacific Railroad (UPRR) and Stewarts Creek for the League Line Road Extension project, EHRA No. 121-074-00-01, not to exceed $219,537.50. Motion carried.

24. AMENDMENTS APPROVED – RENEW OCCUPANCY AGREEMENTS – COUNTY ATTORNEY

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve Amendments to Occupancy Agreements at the following Community Centers:

1. Lone Star Community Center:
   a. Coat of Many Colors Ministries
   b. Access Builds Children, Inc.

2. East Montgomery County Community Development Center:
   a. Young Men’s Christian Association of the Greater Houston Area

3. West County Community Development Center:
   a. Society of Samaritans, Inc.

4. North Montgomery County Community Center:
   a. Access Builds Children, Inc.
   b. Montgomery County Women’s Center
   c. Brazos Valley Community Action Agency, Inc.

Motion Carried.
25. **REQUESTS APPROVED – CONROE CATFISH FESTIVAL – COUNTY ATTORNEY**

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the Resolution and Order authorizing County Employee Committee to use and manage new parking garage (501 N. Main) and old parking garage (302 Simonton Street) for public use during the Conroe Catfish Festival from Friday, October 11, 2013 through Sunday, October 13, 2013, and authorize reasonable parking fee of no more than $5.00, related to said use pursuant to use restrictions specified in the Resolution. Motion carried.

26. **DEFERRED – AGENDA ITEM 22C – COUNTY ATTORNEY**

Motion by Commissioner Meador, seconded by Commissioner Noack, to defer “Consider, discuss and, if appropriate, take action regarding the consultant services contract between the County and Linda Breazeale”, till next Commissioners Court session on May 6, 2013. Motion carried.

27. **REQUEST APPROVED – CARLON DOWELL LAND LEASE – COUNTY ATTORNEY**

Motion by Commissioner Meador, seconded by Commissioner Doyal to approve the amended and restated Land Lease Agreement between Montgomery County and Carlon Dowell for 2.4646 acres of land located at the Lone Star Executive Airport. Motion carried.

COMMISSIONERS’ COURT RECESSED FOR PUBLIC HEARING.

PUBLIC HEARING – AGENDA ITEM 23A1

PROPER NOTICE HAVING BEEN GIVEN, JUDGE SADLER DECLARED A PUBLIC HEARING IN REGARD TO CONSIDER AND APPROVE ESTABLISHING A 20 MILE PER HOUR SPEED LIMIT ON DORIS LANE.

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

COMMISSIONERS’ COURT RECONVENED.

28. **APPROPRIATE ACTION FROM PUBLIC HEARING**

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve a 20 mile per hour speed limit on Doris Lane. Motion carried.

29. **REQUEST APPROVED – ADOPT A COUNTY ROAD – COMMISSIONERS - PRECINCT 2**

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve Eagles Nest Ministries of Conroe to participate in the Adopt A County Road program. Roadway adopted is Blake Road and Lake Conroe West Community. Motion carried.

30. **REQUEST APPROVED – LIP GRANT FUNDS – COMMISSIONERS - PRECINCT 3**

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve the de-obligation of the LIP Grant funds in the amount of $21,965.00 from Texas Commission of Environmental Quality. Motion carried.

31. **REQUEST APPROVED – FRIENDSHIP CENTER ADDITION – COMMISSIONERS - PRECINCT 4**

Motion by Commissioner Rinehart, seconded by Commissioner Doyal, to approve a Resolution and Order between Montgomery County Commissioner Precinct 4 and the East Montgomery County Improvement District (EMCID) for Commissioner Precinct 4 to submit a Community Development Funding application to EMCID for an addition to the Friendship Center at Dallas Park in New Caney. Motion carried.
32. AGREEMENT APPROVED – TRAFFIC SIGNAL LIGHTS – COMMISSIONERS-COUNTY ATTORNEY – ROAD AND BRIDGES

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve an Interlocal Agreement between Conroe Independent School District and Montgomery County for the placement of traffic signal lights at the intersection of Riley Fuzzel Road and Birnham Woods Drive. CISD will contribute $50,000.00 for the installation of said lights. 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 ITEMS 26A-G.

COURT RECONVENE WITH ALL MEMBERS PRESENT.

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

33. Motion by Commissioner Doyal, seconded by Commissioner Meador, to dismiss the following cases:


Motion carried.

34. Motion by Commissioner Doyal, seconded by Commissioner Noack, to nonsuit Cause #10460JC – Montgomery County, Texas v. Lori Ann Tanton, et al. Motion carried.

NO ACTION DISCUSSED FOR AGENDA ITEM 26D.

35. Motion by Commissioner Noack, seconded by Commissioner Doyal, to accept $43,000.00 from Developers Surety and Indemnity Company in connection with their balance regarding Cause #11-06-06311 CV Montgomery County, Texas V. Canyon Crossing, LLC, White Oak Lakes, LTD, American Crest, Inc., and Developers Surety and Indemnity Company. Motion carried.

36. Motion by Judge Sadler, seconded by Commissioner Meador, to approve Resolution and Order to defend, prosecute and incur expenses on behalf of Kenneth Cramer related to a lawsuit styled Michael Kiser vs. Michele Henricks, Cause No. 13-01-03099-CV. Funding source is Contingency. Motion carried.

37. Motion by Judge Sadler, seconded by Commissioner Noack, to terminate Agreement between Montgomery County and Graves, Humphries, Stahl, Ltd. for delinquent collection services. Motion carried.

JUDGE SADLER INVITED JUDGE TREY SPIKES, JUSTICE OF THE PEACE, PRECINCT 2, TO THE PODIUM REGARDING AGENDA ITEM 11 THAT WAS DEFERRED EARLIER. JUDGE SPIKES DECLINED AS A VOTE WAS ALREADY TAKEN ON THE ISSUE, EXCEPT TO STATE THAT HE IS DISAPPOINTED.

CITIZENS – AGENDA ITEM 28

BILL O’SULLIVAN ADDRESSED THE COURT REGARDING THE JOE CORLEY DETENTION CENTER.
Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the following Payroll Change Request forms:

Request of Custodial to place Judy Elloleene Everett, Custodian, on payroll as replacement for Milton Garcia, effective 04/08/13.

Request of Commissioner Pct. 1 to increase salary of Jimmy Buckner, Senior Foreman, as replacement for Jimmy Lucher, effective 04/13/13.

Request of Commissioner Pct. 4 to remove Kathleen Costine, Coordinator II – Facilities, from payroll due to retirement, effective 04/30/13. (231.575 hours or balance vacation, 221.765 hours or balance compensatory.)

Request of Commissioner Pct. 4 to increase salary of Shirley Grimes, Community Facility Worker, due to additional duties and responsibilities, effective 04/13/13.

Request of County Clerk to remove Lucille Celestine Bartsch, Clerk II, from payroll due to retirement, effective 05/31/13. (71.70 hours or balance vacation, .0050 hours or balance compensatory.)

Request of County Clerk to increase salary of James Dale Curtis, II, Computer Analyst III, due to probationary period completed, effective 05/11/13.

Request of County Clerk to increase salary of Tiffany Rogers, Clerk II, due to correction of effective date on PCR approved in CC 04/08/13, effective 03/30/13.

Request of District Attorney to increase salary of Echo E. Coleman, Attorney III, due to promotion as replacement for Blake Enax, effective 04/15/13.

Request of District Attorney to place Alison Elam, Attorney I, on payroll as replacement for Jennifer H. Jordan, effective 04/15/13.

Request of District Attorney to increase salary of Blake E. Enax, Attorney III, due to position change as replacement for Mary Nan Huffman, effective 04/15/13.

Request of District Attorney to increase salary of Shanna R. Redwine, Attorney I, due to position change as replacement for Amanda N. Lanning, effective 04/15/13.

Request of District Attorney to accept resignation of Joseph M. Sanchez, Pre-Trial Diversion Intern, effective 04/04/13. (No benefits due.)
Request of District Attorney to increase salary of Bradlee H. Thornton, Attorney I, due to position change as replacement for Shanna R. Redwine, effective 04/15/13.

Request of Elections to place Bonnie Anderson, Temporary Voter Clerk, on payroll in pooled position, effective 04/15/13.

Request of JP, Pct. 3 to accept resignation of Paula Jones, Court Clerk II, effective 04/09/13. (32.83 hours or balance vacation, 3.74 hours or balance compensatory.)

Request of Juvenile to place Dwayne Rhymes, Juvenile Supervision Officer, on salary as replacement for Oliver Taylor, effective 04/06/13.

Request of Central Library to accept resignation of Jane W. Gillett, Reference Librarian, effective 04/22/13. (No benefits due.)

Request of Central Library to place Suzie Solomon, on payroll, due to replacement for Margaret Melton, effective 04/16/13.

Request of South Regional Library to place Melissa A. Stewart, Library Assistant II, on payroll as replacement for Grace Silver, effective 04/15/13.

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

Request of Sheriff to transfer Scott Altemus, Sergeant – Patrol, locator code 40, effective 04/13/13.

Request of Sheriff to place Genna E. Bartley, Dispatcher, on payroll as replacement for Nancy Jo Smith, effective 04/13/13.

Request of Sheriff to transfer Joshua Parker, Deputy – Patrol, as replacement for Donald Golsby, effective 04/13/13.

Request of Sheriff to place Cortney Dean Poe, Officer - Civilian Detention, on Unpaid Military Leave, effective 04/08/13. Estimated return of 07/01/13.

Request of Sheriff to place Suzanne Shirer, Dispatcher, on payroll as replacement for Rudy Garza, effective 04/13/13.

Request of Sheriff to accept resignation of Shelley R. Walls, Officer - Civilian Detention, effective 04/05/13. No benefits due.

Request of Juvenile to accept resignation of Jason Paul Park, Juvenile Supervision Officer, effective 04/12/13. Is eligible for re-hire. (159.41 hours or balance vacation, 2.75 hours or balance compensatory.)

Request of Sheriff to place Colton Bird, Officer - Civilian Detention, on payroll as replacement for Jason Davidson, effective 04/20/13.

Request of Sheriff to transfer Rand Henderson, Captain – Jail, as replacement for Kenneth Ariola, effective 05/01/13.

Request of Sheriff to place Trent Holcomb, Officer - Civilian Detention, on payroll as replacement for David Neet, effective 04/20/13.

Request of Sheriff to transfer Matthew McCord, Deputy – Patrol Dist. I, as replacement for Joshua Parker, effective 04/13/13.

Request of Sheriff to place Kevin Pullen, Captain – Sheriff, on payroll as replacement for Rand Henderson, effective 05/01/13.

Request of Sheriff to transfer Kevin Rubio, Officer - Civilian Detention, as replacement for Robert McDougal, effective 04/20/13.

Motion carried.
38. COURT ADJOURNED

Motion by Commissioner Noack, seconded by Commissioner Meador, 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