THE STATE OF TEXAS
COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 19th day of August, 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 WAYNE MACK.

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 Rinehart, to approve Commissioners Court Agenda for discussion and necessary action. Motion carried.

AGENDA ITEM 7A – PRESENTATION BY LONE STAR GROUNDWATER CONSERVATION DISTRICT.

2. CONSENT AGENDA APPROVED - AGENDA ITEMS 8A-G

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

   COUNTY AUDITOR - AGENDA ITEM 8A1

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

   TAX ASSESSOR/COLLECTOR – AGENDA Item 8B1


   PURCHASING DEPARTMENT - AGENDA ITEM 9C1

      C1. CHECK ACCEPTED in the amount of $64,084.10 from Rene Bates Auctioneers, Inc. and the list of items sold through the Montgomery County Online Auction held on July 29, 2013.
RISK MANAGEMENT - AGENDA ITEM 8D1

E1. BOND CHANGES, ADDITIONS AND RELEASES APPROVED for the following:

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COMMISSIONERS – AGENDA ITEMS 8E1-2

E1. PRECINCT 1

a. USE AGREEMENTS APPROVED:

1. Montgomery Mudcats Baseball
   Baseball Practice
   West Montgomery Fields

2. Dirt Dogs
   Baseball Practice
   West Montgomery Fields

E2. PRECINCT 4

a. USE AGREEMENTS APPROVED:

1. Leones Negros
   Soccer Practice
   Sallas Park

2. Key Life Fellowship
   Church Softball Day 09/22/13
   Ed Rinehart Park – Softball Fields

3. Texas Turn 2
   Tournament 10/25-10/27/13
   Ipes Park Softball Fields
4. Texas Ball Brats
   Tournament 10/04-10/06/13
   Ipes Park Softball Fields

b. CHECK ACCEPTED in the amount of $2,612.70 from City of Roman
   Forest for the purchase of fuel for the month of July, 2013. To be
   deposited into account 615.7926

COUNTY ATTORNEY – REAL PROPERTY – AGENDA ITEM 8F

F1. PRECINCT 4

a. REQUEST APPROVED issuing written confirmation to Texas Capital
   Bank, N.A., Issuer of Letter of Credit No. LC 1329, that the roads and
   streets in Cumberland Crossing, section 5, have been constructed in
   conformity with the Montgomery county Subdivision Rules and
   Regulations, as amended, as evidenced by Commissioners Court action on
   June 17, 2013, incorporating the streets and roads in Cumberland Crossing
   Section 5, into the one-year maintenance period (Motion 3, 9F2e) and
   authorize Montgomery County Judge Alan B. Sadler to sign written
   confirmation on behalf of the Court.

ENVIRONMENTAL HEALTH – AGENDA ITEM 8G1

G1. VARIANCE REQUEST APPROVED to install an aerobic on-site system in the
   100-year floodplain located at 18291 Nightingale Drive, Conroe, Texas 77302.

Motion carried.

END OF CONSENT AGENDA

3. REQUEST APPROVED – POSITION RECLASSIFICATION – DISTRICT
   ATTORNEY

   Motion by Commissioner Noack, seconded by Commissioner Rinehart, to approve
   the Reclassification of position number 4351-7601-1 from Manager – Victim Assistance to
   Coordinator – Victim Assistance, and set salary at $42,848.52. Motion carried.

4. REQUESTS APPROVED – POSITION CHANGES/TRANSFER OF FUNDS –
   DISTRICT ATTORNEY

   Motion by commissioner Noack, seconded by Commissioner Meador, to approve
   position changes and transfer of funds within the salary budget as follows:

   Transfer  $2,273.93 from 4351-7601-1 to 4351-7915-4
   Transfer  1,767.74 from 4351-7601-1 to 4351-7802-5
   Transfer  1,072.50 from 4351-7601-1 to 4351-7802-6
   Transfer  1,444.82 from 4351-7601-1 to 4351-7802-9
   Transfer  1,874.34 from 4351-7601-1 to 4351-7802-10
   Transfer  908.06 from 4351-7601-1 to 4351-7802-11
   Transfer  452.08 from 4351-7601-1 to 4351-7802-14
   Transfer  1,046.83 from 4351-7601-1 to 4351-7802-15
   Transfer  968.64 from 4351-7601-1 to 4351-7802-16

   Motion carried.
5. ORDER APPROVED – CONSOLIDATE VOTING PRECINCTS - ELECTIONS

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve the Order to Consolidate Voting Precincts for the November 5, 2013 Election. Motion carried.


6. PURCHASE APPROVED – EXCAVATOR – PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the purchase of one Gradall XL 3100 truck mounted excavator with accessories in the amount of $295,037.00 from Gradall Industries, Inc. through the Interlocal Agreement with HGAC Contract #EM06-13. Motion carried.

7. REQUEST APPROVED – INTERLOCAL AGREEMENT – COUNTY ATTORNEY

Motion by Commissioner Noack, seconded by Commissioner Rinehart, to approve an Interlocal between Conroe Independent School District (CISD) and Montgomery County related to the installation of a flashing light on Sawdust Road. Motion carried.

8. REQUEST APPROVED – HOUSE BILL NO. 8 – COMMISSIONER PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Rinehart, to approve Resolution In Support Of House Bill No. 8 And Requesting The Texas Department Of Transportation To Designate A Portion Of Interstate Highway 45 In Montgomery County Between State Highway 242 And The Montgomery-Harris County Line As “The George P. Mitchell Memorial Highway”. Motion carried.

9. AGREEMENT APPROVED – PARTIAL ASSIGNMENT OF LAND LEASE – LONE STAR EXECUTIVE AIRPORT

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve Partial Assignment of land Lease Agreement with Consent of Lessor Lone Star Executive Airport. From Carlon Dowell to AA AERO, LLC, for 2,352 square feet of land located at the Lone Star Executive Airport. Motion carried.

10. APPOINTMENT APPROVED – EMERGENCY COMMUNICATION DISTRICT – COMMISSIONER PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the appointment of Jim Simon for an additional two year term on the Montgomery County Emergency Communication District Board of Managers. The appointment will expire September 30, 2015. Motion carried.

11. APPOINTMENT APPROVED – JAIL COMMITTEE – COMMISSIONER PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the appointment of Brett Ligon to the Jail Committee. 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 551.072.

CONSIDER AND DISCUSS MONTGOMERY COUNTY MENTAL HEALTH TREATMENT FACILITY UPDATE.

COURT RECONVENED WITH ALL MEMBERS PRESENT.

NO ACTION ON MATTERS IN EXECUTIVE SESSION.
CITIZENS – AGENDA ITEM 17.

BILL O’SULLIVAN ADDRESS THE COURT REGARDING PROCEEDS FROM THE JOE CORLEY SALE; THE ONE MILLION DOLLARS OF JOE CORLEY PROCEEDS EARMARKED FOR THE PENSION PLAN; AND HOUSE BILL NO. 8.

12. COURT ADJOURNED

Motion by Commissioner Meador, seconded by Commissioner Doyal, to adjourn this session of Court. Motion carried.

The above and foregoing minutes were read and approved by the Court.

ATTEST:

Mark Turnbull, County Clerk
Ex-Officio Clerk - Commissioners’ Court
Montgomery County, Texas

BY: ___________________________ __________________________
    COUNTY CLERK                COUNTY JUDGE