THE STATE OF TEXAS
COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 30th day of September, 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 CHIEF DEPUTY RANDY MCDANIEL.

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 – NATIONAL FRIENDS OF LIBRARIES WEEK
   Motion by Judge Sadler, seconded by Commissioner Meador, to proclaim October 20 – 26, 2013 as Friends of Libraries Week in Montgomery County, Texas. Motion carried.

3. PROCLAMATION – NATIONAL 4-H WEEK
   Motion by Commissioner Doyal, seconded by Commissioner Meador, to proclaim October 6 – 12, 2013 as National 4-H Week in Montgomery County, Texas. Gift baskets were presented to the Commissioners from 4-H members in appreciation for their service. Motion carried.

4. MINUTES APPROVED – COMMISSIONERS COURT - COUNTY CLERK
   Motion by Commissioner Noack, seconded by Commissioner Meador, to approve Commissioners Court Minutes for Regular Sessions on September 16, 2013 and September 23, 2013, as presented by the County Clerk. Motion carried.

5. 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 9A1-3

A1. PAYMENT OF ACCOUNTS APPROVED, as submitted by the County Auditor.
A2. CONSIDER AND APPROVE THE BUDGET AMENDMENTS FY13:

a. Animal Control: To transfer funds for VPN.
b. Collections: To transfer refund of Tyler conference (M15/3.11.13) back to IT.
c. Commissioner Precinct 1: To adjust line items.
d. Commissioner Precinct 2: To adjust line items.
e. Commissioner Precinct 3: To recognize and allocate funds.
f. Commissioner Precinct 4: To transfer funds for VPN.
g. Constable Precinct 1: Recognize and allocate commissions.
h. Constable Precinct 2: Recognize and allocate commissions.
i. Constable Precinct 4: Recognize and allocate commissions.
j. Constable Precinct 4: To adjust line items.
k. Constable Precinct 4: Recognize and allocate commissions.
l. Constable Precinct 4: Recognize and allocate commissions.
m. Constable Precinct 4/STEP IDM (DWI) FY13: To recognize and allocate additional match funds for FY 2013 STEP – IDM Grant.
n. Constable Precinct 5: Recognize and allocate commissions.
o. Constable Precinct 5: Recognize and allocate commissions.
p. Constable Precinct 5: To adjust line items.
q. Constable Precinct 5: To adjust line items and transfer funds for build.
r. Constable Precinct 5: Recognize and allocate commissions.
s. County Attorney Title IV-E Grant: To transfer funds for Title IV-E Grant for County Attorney for quarter ending 06/30/13.
t. County Attorney: To adjust line items.
u. County Auditor: To adjust line items.
w. County Court at Law #2: To adjust line items.
x. County Court at Law #3: To adjust line item.
y. 9th District Court: To adjust line items:
z. 221st District Court: To adjust line items.
aa. 284th District Court: To adjust line items.
bb. 359th District Court: To adjust line items.
cc. Drug Court: To recognize and allocate revenue for July & August 2013.
dd. DWI Court: To recognize and allocate revenue for July & August 2013 (MRT Books).
ee. Elections Administrator: To adjust line items.
ff. Elections Administrator: To recognize and allocate reimbursements.
gg. Extension Agents: To adjust line items.
hh. Information Technology: To adjust line items.
ii. Justice of Peace Precinct 1: To adjust line items.
jj. Justice of Peace Precinct 5: To adjust line items.
ll. Juvenile Probation Family Reunification: To set up JABG Family Reunification Grant as awarded by CJD (M17/09.16.13).

mm. Juvenile Probation/State Aid-A/13: To correct carryover #6.

nn. Juvenile Probation/State Aid-A/13: To adjust line items.

oo. Law Library: To adjust line items.

pp. MCCD CDBG/$1,690,428 – Year 14: To adjust line items.

qq. MCCD HUD/ESGP 2011 - $81,090 YR2: To adjust line items.

rr. MCCD Magnolia Bldg. – Program Income: To recognize and allocate PI received for Magnolia Building.

ss. MCCD Splendora Bldg. – Program Income: To recognize and allocate PI received for Splendora Building.

tt. Managed Assigned Counsel: To adjust line items.

uu. Memorial Library: To recognize and allocate donations.

vv. Purchasing Agent: To adjust line items.

ww. Records Mgmt./Preservation: To adjust line items.

xx. Risk Management: To transfer funds for build.

yy. Sheriff – Auto Theft: To set up portion of FY14 Auto Theft Yr 20 Grant paid from PI.

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

aaa. Sheriff – Auto Theft: To carryover program income.

bbb. Sheriff/HIDTA Grant: To allocate funds for the High Intensity Drug Trafficking Areas (HIDTA) Grant (M7/09.16.13).

ccc. Sheriff – Jail: To correct line item for the payment of GEO Care for the JCDF after June 2013.


eee. Sheriff: To adjust line items and allocate revenue.

fff. Sheriff: To adjust line items.

ggg. Sheriff: To adjust line items and allocate revenue.

hhh. Sheriff: To adjust line items.

A3. MONTHLY UNAUDITED FINANCIAL REPORT ACCEPTED for the month ended July 2013.

TREASURER – AGENDA ITEMS 9B1-4

B1. STATEMENT OF BALANCES APPROVED for July 2013 (corrected) and August 2013.

B2. UPDATED BANK RESOLUTIONS APPROVED.

B3. MONTHLY REPORT APPROVED for Pledged Securities for September 2013.

B4. WEEKLY INVESTMENT REPORTS APPROVED for September 2013.
TAX ASSESSOR/COLLECTOR – AGENDA ITEMS 9C1-2

C1. TAX COLLECTION FEES ACKNOWLEDGED for Fiscal Year ending 2014 as $188,499.00; Revenue Budget line item 110.43415.

C2. TAX ABATEMENT APPLICATION RECEIPT ACKNOWLEDGED from Ball Metal Beverage Container Corp. and authorize the County Attorney, Commissioner Precinct 1 Mike Meador, and the Tax Assessor-Collector to draft an Agreement in compliance with County Policy.

PURCHASING – AGENDA ITEMS 9D1-8

D1. RENEWALS APPROVED:

a. ARTHUR J. GALLAGHER RISK MANAGEMENT SERVICES (P.O. #2011084) for property, casualty, liability, workers’ compensation and third party claims administration specifications, expires 09/30/13 – Risk Management. Note: Changes per documents on file.

b. CLEVELAND ASPHALT PRODUCTS, INC. (P.O. #2009043) for emulsified recycling asphalt (dust control), expires 10/05/13 – Various Precincts.

c. PAUL POTTINGER dba CENTER FOR CRIMINAL JUSTICE SOLUTIONS, LLC (P.O. #2010199) for truancy monitoring and mentoring program, expires 11/08/13 – Various Departments.

d. JAM DISTRIBUTING CO. (P.O. #2013053) for bulk fuel, expires 10/21/13 – Various Departments. Note: Changes per documents on file.

e. MASTERS TOUCH COLLISION REPAIR SPEC (P.O. #2010225) for automotive and heavy truck body repair service, expires 11/24/13 – Risk Management.

f. TOMMY’S PAINT & BODY INC. (P.O. #2010226) for automotive and heavy truck body repair service, expires 11/24/13 – Risk Management.

g. MILSTEAD COLLISION, LLC (P.O. #2010227) for automotive and heavy truck body repair service, expires 11/24/13 – Risk Management.

h. SHOWCASE AUTO PAINT & BODY SHOP (P.O. #2010228) for automotive and heavy truck body repair service, expires 11/24/13 – Risk Management.

i. BURKE ASSET PARTNERSHIP, LTD (P.O. #2011153) for processing, printing and mailing of jury summons, expires 12/19/13 – District Clerk.

j. PRECISION DELTA CORP (P.O. #2012100) for ammunition, expires 12/16/13 – Various Departments. Note: Changes per documents on file.

D2. CHANGE ORDERS APPROVED:

a. Change Order #7 (P.O. #2009165) to Davis Investigation Services, LLC for collection of urine samples – Various Departments.

b. Change Order #14 (P.O. #2006516) to Crowder-Gulf Joint Venture for cancellation of the month-to-month contract for disaster recovery management services, effective September 30, 2013 – Various Departments.
c. Change Order #9, (P.O. #2006517) to Storm Reconstruction Services, Inc. for cancellation of the month-to-month contract for disaster recovery management services, effective September 30, 2013 – Various Departments.

d. Change Order #9, (P.O. #2006518) to J.B. Coxwell Contracting, Inc. for cancellation of the month-to-month contract for disaster recovery management services, effective September 30, 2013 – Various Departments.

e. Change Order #9, (P.O. #2006519) to Ashbritt for cancellation of the month-to-month contract for disaster recovery management services, effective September 30, 2013 – Various Departments.

f. Change Order #4, (P.O. #2011172) to Security On Site, LLC for changes per documents on file for security officers – Various Departments.

g. Change Order #1, (P.O. #2013449) to Texas Department of Transportation for changes regarding manufacturing, furnishing and installing seven directional signs as per documents on file. Final cost exceeded estimate by $286.93 for a total pre-paid amount of $4,158.81 – Lone Star Executive Airport.

D3. DISCRETIONARY EXEMPTIONS APPROVED:

a. STANLEY SECURITY SOLUTIONS INC. for use of contract for alarm and signal systems/facility management systems, professional security/facility through the GSA Schedule 84 Contract #GS-07F-5835R. §271.103(a) – Various Departments.

b. POSTMASTER, COPPELL, TEXAS (USPS) for pre-paid postage on Jury Summons purchased from the Postmaster. §262.024(a)(7)(A) – Various Departments.

c. OCLC ONLINE COMPUTER LIBRARY CENTER, INC. for OCLC Services. §262.024(a)(7)(A) – Library.

d. ELDRED EURAL KEAHEY, DVM for veterinary services. §262.024(a)(4) – Animal Control.

e. MICHELLE WILBANKS, DVM for veterinary services. §262.024(a)(4) – Animal Control.

f. JOHN C. HOLZWARTH for on-call transportation engineering services effective July 28, 2013. §262.024(a)(4) – Various Precincts.

D4. RENAMING PERMISSION TO ADVERTISE APPROVED from Vehicle Transmission – Various Departments to Vehicle Transmission Rebuilds – Various Departments.

D5. REQUEST APPROVED to reject Project #2013-0060 – New Danville Ranch Community Center – Montgomery County Community Development.

D6. REQUEST APPROVED to rescind permission to advertise for warehouse rack equipment for Montgomery County Food Bank – Montgomery County Community Development.

D7. REQUEST APPROVED declaring miscellaneous items as salvage. §263.151(1) – District Attorney.
D8. PURCHASE APPROVED of one new 2014 Chevrolet 3500 Ext Express Cargo Van CG33705 from Caldwell Country Chevrolet in the amount of $25,995.00 through the Interlocal Agreement with HGAC Contract #VE11-11 – Sheriff.

COMMISSIONERS – AGENDA ITEMS 9E1-2

E1. PRECINCT 1

a. USE AGREEMENT

1. Texas Snipers Baseball (8 U Team & 11 U Team)
   Select Practice as scheduled by WYAA
   Charles Traylor Sports Park

E2. PRECINCT 4

a. APPOINTMENT APPROVED of Mr. Stephen Carlisle to Serve as ESD Commissioner of Montgomery County Emergency Services District #6 to fill the unexpired term vacated by the death of ESD Commissioner Mr. Max Neely. The term will end on December 31, 2013.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS F1-3

F1. PRECINCT 2

a. FINAL PLAT APPROVED for Woodforest, Section 38; 6.463 Acres; James Pevehouse Survey, A-29.

b. FINAL PLAT APPROVED for Woodforest, Section 41; 17.16 Acres; Archibald Hodge Survey, A-18.

c. STREETS ACCEPTED into one year maintenance period in Woodforest, Section 24; 2,753.21 Linear Feet = .52 Miles, effective September 30, 2013.

d. STREETS ACCEPTED in Woodforest, Parkway South and Kinderwood Trail by Montgomery County after completing the one year maintenance period, and release bond.

e. STREETS ACCEPTED in Woodforest, Section 11 after completing the one year maintenance period, and release bond.

f. STREETS ACCEPTED in Woodforest, Section 12 after completing the one year maintenance period, and release bond.

g. REQUEST APPROVED from MSEC Enterprises, Inc. to place a 12” PVC water line with 20” steel encasement within the right of way of Honea Egypt Road.

h. REQUEST APPROVED from Ridgelake Shores POA to place a 12” C-900 water line within the right of way of Ridge Lake Drive, Stone Oak Drive and Argosy Lane.

F2. PRECINCT 2


c. STREETS ACCEPTED into one year maintenance period in Grogans Crest at Silver Crest, Section 1; 942.06 Linear Feet = .18 Miles, effective September 30, 2013.

d. STREETS ACCEPTED into one year maintenance period in Harmony Creek, Section 1; 1,834.80 Linear Feet = .35 Miles, effective September 30, 2013.

F3. PRECINCT 4

a. FINAL PLAT APPROVED for Dollar General Cleveland; 1.932 Acres, Martin B. Lawrence Survey, A-310.

b. STREETS ACCEPTED into the one year maintenance period in Auburn Trails at Oakhurst, Section 9; 2,581.73 Linear Feet = .49 Miles, effective September 30, 2013.

c. STREETS ACCEPTED into the one year maintenance period in Auburn Trails at Oakhurst, Section 10; 1,564.66 Linear Feet = .30 Miles, effective September 30, 2013.

COUNTY ATTORNEY – REAL PROPERTY – AGENDA ITEMS 9G1-4

G1. PRECINCT 1

a. ORDER APPROVED Authorizing Purchase Of Right Of Way Known As Parcel 1 For The League Line Road Project.

G2. PRECINCT 2

a. ORDER APPROVED Allowing Partial Lot Conveyance Without A Replat of Restricted Reserve “B”, Grand Lake Estates Section 8.

G3. PRECINCT 4

a. LEASE APPROVED between Montgomery County and Hal Francis for real property described as Lots 208, 209, 210, 211, 212, 214, 215 and 216 in the J.O.H. Bennette Estates.

b. ORDER APPROVED Acknowledging Receipt Of Check from Hal Francis, in the amount of $570.00 for lease of real property described as Lots 208, 209, 210, 211, 212, 214, 215 and 216 in the J.O.H. Bennette Estates. [Check forwarded to Auditor for further processing.]

G4. ALL PRECINCTS


SHERIFF – AGENDA ITEM 9H1

H1. REQUEST APPROVED to continue the $175.00 expense incurred per each retiree through September 2014. This includes refreshments and a retirement gift (i.e., plaque, pendant, shadow box). Approved by Commissioners Court on December 18, 2000. Purchasing department requires annual approval.

DISTRICT CLERK – AGENDA ITEM 9I1

I1. REQUEST APPROVED for Deputation of District Clerk employee Jennifer Kawar.
INFRASTRUCTURE – AGENDA ITEM 9J1

J1. CHECK ACCEPTED from Friends of Montgomery County Texas Animal Shelter, in the amount of $2,000.00. This donation is for the Animal Shelter Building Fund. [Check has been forwarded to the Auditor for further processing.]

ENVIRONMENTAL HEALTH – AGENDA ITEM 9K1

K1. ORDER APPROVED To Abate A Public Nuisance on property that is abandoned, deemed unsafe, or uninhabitable located in Precinct 4 at 811 Glen Hollow Court, Conroe, Texas 77385. Funded by Precinct 4 Commissioner.

COUNTY ATTORNEY – AGENDA ITEM 9L1

L1. REIMBURSEMENT APPROVED to the County Attorney Discretionary Fund for two checks written to Andrews Kurth to pay the following invoices:

$1,750.00 AK Ref #10598263
$7,693.00 AK Ref #10598264

Motion carried.

END OF CONSENT AGENDA

6. REQUEST APPROVED – 2014 COURT CALENDAR – COUNTY JUDGE

Motion by Commissioner Noack, seconded by Commissioner Rinehart, to approve the proposed 2014 calendar for Commissioners Court dates and Montgomery County holidays. Motion carried.

7. REQUEST APPROVED – CARRYOVER OF FUNDS – JUSTICE OF THE PEACE 3

Motion by Commissioner Noack, seconded by Commissioner Rinehart, to approve the carryover of $1,188.00 from line item 7437 to FYE 13/14 budget. The office is in the process of revising office printed forms. Motion carried.

8. PURCHASE APPROVED – APPLE iPADS – JUSTICE OF THE PEACE 5

Motion by Commissioner Doyal, seconded by Commissioner Noack, to approve the purchase of two Apple iPads with a keyboard case in the amount of $1,850.00 to be funded out of the Justice Court Training Technology Fund (JCTF). Motion carried.

9. REQUEST APPROVED – TRANSFER OF FUNDS – SHERIFF

Motion by Commissioner Rinehart, seconded by Commissioner Doyal, to approve transfer of funds between the following positions. The transfer pertains to civilian positions and does not increase the 2013 or 2014 salary structure.

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<th>AMOUNT</th>
<th>FROM POSITION</th>
<th>TO POSITION</th>
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<td>1,612.54</td>
<td>5601-3903-600</td>
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Motion carried.
10. PURCHASE APPROVED – SUPPLIES – SHERIFF

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve purchase of coffee and supplies from the 2014 Academy Supply Budget for the students attending the Academy training classes. Motion carried.

11. FUNDING APPROVED – 2014 STEP PLAN – SHERIFF

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve funding the $250,000.00 Fiscal Year 2014 STEP Plan shortage with excess salary, overtime and benefit funds in the sheriff’s Admin and Jail budgets. Remaining funds to be allocated to the Sheriff’s Fiscal Year 2014 Admin Overtime line. The funds will be used towards reducing the comp time liability. Motion carried.

12. REQUESTS APPROVED – POSITION CHANGE – SHERIFF

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve the following position change due to a re-evaluation of the position. Position will be funded at $40,345.85 by The Woodlands Township and will not increase the County funded salary structure.

Close position 56023.3940.1 Clerk IV
Open position 56023.4213.1 Administrative Assistant 1

Motion carried.

13. FUNDING ACCEPTED – ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCE – SHERIFF

Motion by Commissioner Noack, seconded by Commissioner Doyal, to accept funding for the following three Organized Crime Drug Enforcement Task Force Agreements between the Montgomery County Sheriff’s Office and the Drug Enforcement Administration. Funding is for Fiscal Year 2014.

SWTXS-0924H Lone Star Gators in the amount of $6,000.00
SWTXS-0915H Delta Link in the amount of $6,000.00
SWTXS-0843 Ranch Hand in the amount of $10,000.00

Motion carried.

14. FUNDS CARRYOVER APPROVED – TRAINING – CONSTABLE PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the carryover of Fiscal Year 2013 funds in the amount of $4,000.00 within budget line 5511-7418. The funds are a donation from Full Service Security LLC for training purposes. Motion carried.

15. DONATION ACCEPTED – BARRY DONOHO – CONSTABLE PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Doyal, to accept donation from Barry Donoho in the amount of $3,051.00. Funds to be placed in line item 7390 (Supplies Other) of budget 5531. Motion carried.

16. REQUEST APPROVED – CARRYOVER OF FUNDS – INFORMATION TECHNOLOGY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the carryover of all funds remaining in the FY 2013 Budget for 503 Information Technology to the FY 2014 Information Technology Budget. Motion carried.
17. REQUEST APPROVED – POSITION CHANGES – OFFICE OF COURT ADMINISTRATION

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the following position changes to the County Courts at Law:

A. Close the following positions:
   1. 426-3972-1 Court Clerk II
   2. 430-3972-1 Court Clerk II
   3. 431-3972-1 Court Clerk II

B. Open the following positions:
   1. 426-4070-1 Assistant Court Coordinator
   2. 430-4070-1 Assistant Court Coordinator
   3. 431-4070-1 Assistant Court Coordinator

Motion carried.

18. REQUEST APPROVED – TRANSFERS OF FUNDS - OFFICE OF COURT ADMINISTRATION

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve the following transfers of funds effective October 1, 2013:

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<tr>
<td>5,079.98</td>
<td>4659-8412-1</td>
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Transfer of funds effective November 1, 2013:

$6,834.01 FROM 426-7500-1 TO 4659-8412-1

Motion carried.

19. REQUEST APPROVED – ELECTION OFFICIALS – ELECTIONS

Motion by Commissioner Rinehart, seconded by Commissioner Doyal, to approve the appointment of election officials for the November 5, 2013 election. Motion carried.

20. REQUEST APPROVED – TRANSFER OF FUNDS – ELECTIONS

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve the transfer of funds within the salary budget as listed below. This transfer will not increase the Department’s approved salary budget.

$7,674.00 from position 4901-4140-1 to position 4901-4027-600.

Motion carried.

21. REQUEST APPROVED – STEP PLAN - AUDITOR

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve exceptions to participation in the STEP Plan. Motion carried.
22. REQUEST APPROVED – SALARY SCHEDULES – AUDITOR

Motion by Judge Sadler, seconded by Commissioner Noack, to adopt the Fiscal Year 2014 Salary Schedules effective September 28, 2013. Motion carried.

23. CONTRACT AWARD – SLOTT CONSTRUCTION COMPANY – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Noack, to award Contract to Slott Construction Company, Inc., in the amount of $87,999.60 for clearing and grubbing, erosion control and fencing on League Line Road Extension, Project #2013-0061. Motion carried.

24. DISCRETIONARY EXEMPTION APPROVED – QUADVEST, L.P. – PRECINCT 2

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve discretionary exemption to Quadvest, L.P. for sewer service for Magnolia Ball Fields, covered arena and Community Center in a pre-payment amount of $161,154.60. §262.024(a)(7)(C). Motion carried.

25. AMENDMENT APPROVED – ALARM SYSTEMS – COUNTY ATTORNEY

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the amended Montgomery County Rules for the Regulation of Alarm Systems, to become effective January 1, 2014. Motion carried.

26. AGREEMENT APPROVED – LAW ENFORCEMENT SERVICES – COUNTY ATTORNEY

Motion by Commissioner Rinehart, seconded by Commissioner Doyal, to approve an Agreement for Law Enforcement Services between Montgomery County and Riverwalk Property Owners Association. Motion carried.

27. MINUTES ACCEPTED – ADVISORY BOARD MEETING – COUNTY ATTORNEY – MENTAL HEALTH TREATMENT FACILITY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to accept the Minutes of August 20, 2013 Montgomery County Mental Health Treatment Facility Advisory Board Meeting. Motion carried.

28. REPORT ACCEPTED – PERFORMANCE INDICATOR – COUNTY ATTORNEY – MENTAL HEALTH TREATMENT FACILITY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to accept Performance Indicator Report for the year ending August 31, 2013, as required by Agreement between Montgomery County and Texas Department of State Health Services and recommended by the Montgomery County Mental Health Treatment Facility Advisory Board. Motion carried.

29. AGREEMENTS APPROVED – LAND LeASES – COUNTY ATTORNEY – REAL PROPERTY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the following Partial Assignment of Land Lease Agreements

A. From Carlon Dowell to Lazy K Air, LLC for 2,352 square feet of land located at the Lone Star Executive Airport.

B. From Carlon Dowell to Cooke Family Living Trust for 2,352 square feet of land located at the Lone Star Executive Airport.

C. From Carlon Dowell to Jeffery K. Lehner and Sandra J. Lehner for 2,352 square feet of land located at the Lone Star Executive Airport.

D. From Carlon Dowell to KDFD Enterprises, LLC, for 5,880 square feet of land located at the Lone Star Executive Airport.

Motion carried.
30. RESOLUTION APPROVED – ST. LUKE’S HEALTH SYSTEM – COUNTY ATTORNEY – REAL PROPERTY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve Resolution approving the issuance of bonds to finance and refinance certain projects for St. Luke’s Health System. Motion carried.

31. DONATION ACCEPTED – SPRING CREEK NATURE CENTER – COMMISSIONER PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Rinehart, to accept a donation to Spring Creek Nature Center in the amount of $59.00 to be placed into line item 61485-4364. Motion carried.

THE COURT RECEDED 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 25A: CONSIDER AND DISCUSS CLAIM AGAINST ARTURO SILVA CONCERNING PROPERTY LOCATED AT 14197 HORSESHOE BEND, CONROE, TEXAS IN RELATION TO SUBCHAPTER I OF CHAPTER 16 OF THE TEXAS WATER CODE.

EXECUTIVE SESSION – AGENDA ITEM 25B: CONSIDER AND DISCUSS CLAIM AGAINST LEXON SURETY INSURANCE COMPANY AND PEACH CREEK PLANTATION, LTD AND RELATED ENTITIES REGARDING TO PEACH CREEK PLANTATION SECTION 1-3, INCLUSIVE, AND THE ROAD MAINTENANCE BOND.

EXECUTIVE SESSION – AGENDA ITEM 25C: CONSIDER AND DISCUSS TEXCOM GULF DISPOSAL LLC V. MONTGOMERY COUNTY ET AL IN THE UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS (HOUSTON) UNDER CASE #:4-13-CV-02789.


COMMISSIONERS COURT RECONVENED WITH ALL MEMBERS PRESENT.

32. ACTION TAKEN REGARDING ARTURO SILVA

Motion by Commissioner Doyal, seconded by Commissioner Meador, to file suit against Arturo Silva and Yolanda Silva in connection to Subchapter 1 of Chapter 16 of the Texas Water Code. Motion carried.

33. ACTION TAKEN REGARDING LEXON SURETY INSURANCE COMPANY ET AL

Motion by Commissioner Noack, seconded by Commissioner Doyal, to file suit against Lexon Surety Insurance Company, Peach Creek Plantation, Ltd. and related entities, to collect payment on a Maintenance Bond with Surety, Bond No. 1026970, 1026972 and 1033747. Motion carried.
34. **ACTION TAKEN REGARDING PERLA CARR**

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve supporting the need for the Montgomery County Attorney to defend and prosecute on behalf of Montgomery County, Brett Ligon, Kenneth Hayden, Barry Welch, Joshua Bergland, Arturo Looza, and Eric McHugh in the lawsuit filed under Cause No. 4:13-CV-2795, and styled Perla Carr v. Montgomery County, Texas, et al. Motion carried.

**CITIZENS – AGENDA ITEM 27:**

CHIEF DEPUTY RANDY MCDANIEL ADDRESSED THE COURT WITH REGARD TO MOTION 25 (AGENDA ITEM 21A) TO ACKNOWLEDGE THE WORK THAT DAN NORRIS, ASHLEY GUTH AND EDUARDO NAVA HAVE PROVIDED IN THE ALARM DETAIL.

J.D. LAMBRIGHT ADDRESSED THE COURT TO ACKNOWLEDGE AMY DUNHAM FROM THE COUNTY ATTORNEY’S OFFICE FOR HER ROLE IN WORKING CLOSELY WITH THOSE OF THE ALARM DETAIL FOR THE PREPARATION IN CONNECTION TO MOTION 25 (AGENDA ITEM 21A).

35. **PAYROLL CHANGE REQUEST FORMS APPROVED – HUMAN RESOURCES**

Commissioner Noack requested to defer Rebecca Templet’s Request from Judge Kelly Case at this time and ask Human Resources to review all of the Court Coordinator positions and advise of salary ranges.

Motion by Commissioner Meador, to approve the following Payroll Change Request Forms deferring Judge Case’s RCRF [Court Packet #1], seconded by Commissioner Doyal:

- Request of Custodial to place Nieta G. Youngblood, Custodian I, on Unpaid FMLA/Disability Leave, effective September 13, 2013.
- Request of County Court at Law #2 to place Jacqueline Ullom, Probate Investigator, on payroll as replacement for Dina Hardwick, effective September 16, 2013.
- Request of Community Development to increase salary of Michael R. Huddle, Ike Compliance Officer, due to 5% COLA approved by Commissioners Court, effective September 28, 2013.
- Request of Civic Center Complex to place Adam Wilhite, Facility/Grounds Worker on payroll as replacement for Mart Keltch Jr., effective September 23, 2013.
- Request of Commissioner Precinct 2 to place Roger Collins, Laborer, on payroll as replacement for Richard David Deere, effective September 16, 2013.
- Request of Commissioner Precinct 2 to discharge Gerald Clifford Hendrix, Water Systems Tech, effective September 11, 2013. [24.64 hours or balance vacation.]
- Request of Commissioner Precinct 3 to increase salary of Deborah Arrazate, Administrative Assistant II, due to equity adjustment, effective September 16, 2013.
- Request of Commissioner Precinct 3 to increase salary of Deborah Arrazate, Administrative Assistant II, due to correction of salary schedule, effective September 28, 2013.
Request of Commissioner Precinct 3 to place Vicki Glenn, Community Facility Worker, on payroll, effective September 24, 2013.

Request of Constable Precinct 1 to increase salary of Bob Barrett, Jr., Deputy, due to merit increase, effective September 1, 2013.

Request of Constable Precinct 1 to increase salary of Leslee Cade, Lieutenant, due to merit increase, effective September 1, 2013.

Request of Constable Precinct 1 to increase salary of Jacqueline DeLaCruz, Deputy, due to merit increase, effective September 1, 2013.

Request of Constable Precinct 1 to increase salary of Jerry Durrenberger, Deputy, due to transfer as replacement for Alton Mathis, effective September 14, 2013.

Request of Constable Precinct 1 to increase salary of Wayne McCaffrey, Deputy, due to merit increase, effective September 1, 2013.

Request of Constable Precinct 1 to increase salary of Jerry Serratt, Sergeant, due to merit increase, effective September 1, 2013.

Request of County Attorney to accept resignation of Julie Stewart, Attorney II, effective September 13, 2013. [13.36 hours or balance vacation; 1.60 hours or balance holiday]

Request of County Attorney to remove Regina Wilson, Victim Assistance Coordinator, due to retirement, effective September 30, 2013. [218.705 hours or balance vacation; 10.25 hours compensatory.]

Request of County Auditor to place Deborah L. Moore, Budget Analyst, on payroll as replacement for Craig Price, effective September 30, 2013.

Request of District Clerk to place Jennifer Kawar, Court Clerk II, on payroll as replacement for Terry Main, effective September 19, 2013.

Request of Juvenile to increase salary of Juan Jose Aguirre, Juvenile Probation Officer, due to 5% COLA approved by Commissioners Court, effective September 28, 2013.

Request of Juvenile to increase salary of Katie Anderson, Juvenile Probation Officer, due to 5% COLA approved by Commissioners Court, effective September 28, 2013.

Request of Juvenile to increase salary of Susan Badger, Supervisor - Clinical, due to 5% COLA approved by Commissioners Court, effective September 28, 2013.

Request of Juvenile to accept resignation of William Kyle Carr, Juvenile Supervision Officer, effective September 11, 2013. Eligible for re-hire. [28.49 hours or balance vacation.]

Request of Juvenile to increase salary of Joanna Comer, Supervisor - Probation, due to 5% COLA approved by Commissioners Court, effective September 28, 2013.

Request of Juvenile to increase salary of Dolores De La Torre, Juvenile Probation Officer, due to 5% COLA approved by Commissioners Court, effective September 28, 2013.
Request of Juvenile to increase salary of Kara Lee Evans, Admin Manager 1, as approved by Juvenile Board on August 9, 2013, effective September 28, 2013.

Request of Juvenile to increase salary of Maritza Garcia, Court Clerk II, due to 5% COLA approved by Commissioners Court, effective September 28, 2013.

Request of Juvenile to place Kristy Gilliam-Nelms, Juvenile Supervision Officer, on Unpaid FMLA/Disability Leave, effective September 10, 2013.

Request of Juvenile to increase salary of Donald Houck, Training Coordinator - Juvenile, due to 5% COLA approved by Commissioners Court, effective September 28, 2013.

Request of Juvenile to increase salary of Eugenia Rose Kana, Juvenile Probation Officer, due to 5% COLA approved by Commissioners Court, effective September 28, 2013.

Request of Juvenile to increase salary of James Edward Lawrence, Juvenile Supervision Officer, due to 5% COLA approved by Commissioners Court, effective September 28, 2013.

Request of Juvenile to increase salary of Jamiln Marie Mack, Counselor, due to 5% COLA approved by Commissioners Court, effective September 28, 2013.

Request of Juvenile to increase salary of Christopher Cody Martin, Juvenile Probation Officer Assistant, due to 5% COLA approved by Commissioners Court, effective September 28, 2013.

Request of Juvenile to increase salary of Amy Morley, Juvenile Probation Officer, due to 5% COLA approved by Commissioners Court, effective September 28, 2013.

Request of Juvenile to increase salary of Rex Steven Owen, Juvenile Probation Officer, due to 5% COLA approved by Commissioners Court, effective September 28, 2013.

Request of Juvenile to increase salary of Gilberto Vasquez Peraza, Juvenile Probation Officer Assistant, due to 5% COLA approved by Commissioners Court, effective September 28, 2013.

Request of Juvenile to increase salary of Stefanie Ann Perez, Juvenile Probation Officer, due to 5% COLA approved by Commissioners Court, effective September 28, 2013.

Request of Juvenile to increase salary of Jessi Alejandro Saldana, Juvenile Probation Officer, due to 5% COLA approved by Commissioners Court, effective September 28, 2013.

Request of Juvenile to increase salary of John R. Sutton, Juvenile Probation Officer, due to 5% COLA approved by Commissioners Court, effective September 28, 2013.

Request of Juvenile to increase salary of Maria De La Luz Trejo, Clerk III, as approved by the Juvenile Board on August 9, 2013, effective September 28, 2013.

Request of Juvenile to increase salary of Karen Michelle Weeks, Counselor, due to 5% COLA approved by Commissioners Court, effective September 28, 2013.

Request of Juvenile to increase salary of Carrie Jacobs Yanez, Supervisor – Probation, due to 5% COLA approved by commissioners Court, effective September 28, 2013.
Request of Juvenile to increase salary of Maria Elena Zavala, Counselor, due to 5% COLA approved by Commissioners Court, effective September 28, 2013.

Request of Library to place Julie Bohman, Library Assistant II – Children’s, as replacement for Lauren Vidal, effective September 24, 2013.

Request of Library to accept resignation of Barbara A. Brown, Library Assistant II, effective September 15, 2013. [No benefits due.]

Request of Managed Assigned Counsel MH to increase salary of Meagan Elzner, Caseworker/MAC, due to merit increase, effective October 1, 2013.

Request of Managed Assigned Counsel MH to increase salary of Latanza Gaddis, Caseworker/MAC, due to merit increase, effective October 1, 2013.

Request of Request of Managed Assigned Counsel MH to increase salary of Allison Hauptstueck, Caseworker/MAC, due to merit increase, effective October 1, 2013.

Request of Recycle Station Precinct 3 to increase salary of Justin Fausek, Coordinator – Recycle, due to promotion into new position, effective September 16, 2013.

Request of Recycle Station Precinct 3 to increase salary of Justin Fausek, Coordinator – Recycle, due to correction of salary schedule, effective September 28, 2013.

Request of Risk Management to place Amy R. Bawden, Risk Analyst, on payroll as replacement for Laura Waterman, effective September 11, 2013.

Request of Sheriff to increase salary of Christopher Arnold, Deputy – Detention, due to promotion as replacement for Nicholas Pasler, effective September 21, 2013.

Request of Sheriff to increase salary of James Francis, Deputy – Detention, due to promotion as replacement for Willie Mayes, Jr., effective September 21, 2013.

Request of Sheriff to increase salary of John Gregory, Deputy – Detention, due to promotion as replacement for Jason Davidson, effective September 21, 2013.

Request of Sheriff to increase salary of Amy Guidry, Coordinator Records – CJR, due to promotion as replacement for Emily Wedgeworth, effective September 21, 2013.

Request of Sheriff to accept resignation of Cobie McClain, Officer Civilian Detention, effective September 12, 2013. [119.84 hours or balance vacation; 178.20 hours or balance compensatory; 12.25 hours or balance holiday.]

Request of Sheriff to place Jennifer Parker, Dispatcher, on payroll as replacement for Michael Gay, effective September 28, 2013.

Request of Sheriff to increase salary of Molly Walls Rickard, Coordinator Records – CJR, due to equity adjustment, effective September 21, 2013.

Request of Sheriff to place Eveleen Soroko, Officer Civilian Detention, on salary as replacement for Enrique Rupert, effective September 14, 2013.

Request of Sheriff to change position of Emily Wedgeworth, Clerk IV, due to demotion as replacement for Megan Vanham, effective September 21, 2013.
Request of Tax Assessor/Collector to place Cynthia Amador, Deputy Specialist I, on payroll as replacement for Connie Fuller, effective October 1, 2013.

Request of Sheriff to accept resignation of Kenneth Kitchens, Deputy Patrol, effective September 20, 2013. [338.205 hours or balance vacation; 131.35 hour or balance compensatory; 4 hours or balance holiday.]

Request of County Clerk to accept resignation of Krista Kaye Watson, Clerk II, effective August 15, 2013. [No benefits due.]

Request of Sheriff to accept resignation of Rosalyn Nelson, Officer Civilian Detention, effective September 10, 2013. [16.76 hours or balance compensatory.]

Motion carried.

36. COURT ADJOURN

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