THE STATE OF TEXAS  
COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 27th day of January, 2014 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 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 Noack, seconded by Commissioner Doyal, to approve Commissioners Court Agenda for discussion and necessary action. Motion carried.

TEXAS VETERANS LAND BOARD RECOGNIZED KAY LEE, THE DEPARTMENT OF VETERAN SERVICES AND THE MONTGOMERY COUNTY COMMISSIONERS COURT FOR THE NUMBER OF LOANS MADE TO MONTGOMERY COUNTY VETERANS THROUGH THE TEXAS VETERANS LAND BOARD.

2. PROCLAMATION APPROVED – NATIONAL MARRIAGE WEEK

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve recognizing February 7-14, 2014 as “National Marriage Week”. Motion carried.

DEPUTY SCOTT COLLINS WAS RECOGNIZED AS THE JANUARY 2014 EMPLOYEE OF THE MONTH.

LARRY FOERSTER, CHAIRMAN OF MONTGOMERY COUNTY HISTORICAL COMMISSION PROVIDED THE COMMISSIONERS WITH THE 2013 ANNUAL REPORT OF THE MONTGOMERY COUNTY HISTORICAL COMMISSION AND COPIES OF THE NEW MONTGOMERY COUNTY, TEXAS HISTORICAL TIMELINE.

3. RECOGNITION APPROVED – MAGNOLIA ISD LEADERSHIP PROGRAM

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve recognizing the Magnolia Independent School District Program. Motion carried.

TWO CHANGES TO THE CONSENT AGENDA:

AGENDA ITEM 8B2 REMOVED.

AGENDA ITEM 8G3 WORDING CHANGED FROM “MID-SOUTH SYNERGY” TO “SUDDENLINK COMMUNICATIONS”.

4. CONSENT AGENDA APPROVED - AGENDA ITEMS 8A-L

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

COUNTY AUDITOR – AGENDA ITEMS 8A1-3

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

A2. BUDGET AMENDMENTS FY13 APPROVED:
   a. Adult Probation 5722: Final budget adjustment FY13 and adjust line items.
   b. Forfeitures – District Attorney: To budget for forfeitures activity and adjust line items.
   c. Elections Contract Services: Final budget adjustment FY13 and adjust line items.
   e. Juvenile Jus Alt Ed Program – P: To carryover funds from FY13.
   f. Juvenile Foster care Title IV – E/14: To adjust line items.
   g. Sheriff’s Office Jail Commissary: Final budget adjustment FY13 and to adjust line items.
   h. Sheriff – Town Center Sub – Unit: To recognize and allocate revenue associated with contract with Town Center Sub-Unit.

A3. BUDGET AMENDMENTS FY14 APPROVED:
   a. Civic Center: To allocate carryover.
   b. Commissioner Precinct 3: To recognize and allocate proceeds of lease with Chase Equipment Finance for purchase of one Gradall XL 3100 IV truck mounted excavator and two Ford F-250’s (M3/12.09.13).
   c. Commissioner Precinct 3: To adjust line items.
   d. Commissioner Precinct 4: To adjust line items.
   e. Commissioner Precinct 4: To recognize and allocate proceeds of lease with Chase Equipment Finance for purchase of three dump trucks (M3/12.09.13).
   f. Constable Precinct 1: Recognize and allocate revenue.
   g. Constable Precinct 4: Recognize and allocate revenue.
   h. Constable Precinct 4: Recognize and allocate revenue.
   i. Contingency: To fund service awards ceremony as approved by Commissioners Court (M13/01.13.14).
   j. Information Technology: To adjust line items.
   k. Information Technology: To change part-time position to a full-time position approved (M16/10.28.13).
   l. Memorial Library: To allocate revenue and adjust line items.
   m. Mental Health: To adjust line items for Amendment #1 (M4/01.13.14).
   n. Sheriff: To adjust line items.
   o. Sheriff: To adjust line items and carryover funds.
   p. Sheriff: Adjust line items.
   q. Sheriff: Carry forward budget for prepaid service.
TREASURER – AGENDA ITEMS 8B1


TAX ASSESSOR/COLLECTOR – AGENDA ITEMS 8C1-6

C1. MONTHLY TAX COLLECTION REPORT ACCEPTED for the month ended December 31, 2013.

C2. TAX ABATEMENT ASSIGNMENT APPROVED from R & M Energy Systems to National Oil Well Varco L.P.

C3. RECEIPT ACKNOWLEDGED of Tax Abatement Application for The Woodlands Land Development Company – Owner and Kiewit Energy Group, Inc. – Tenant and authorize the County Attorney, Commissioner Precinct 3 James Noack and the Tax Assessor Collector to draft an Agreement in compliance with County Policy.

C4. DECEMBER 2013 SUPPLEMENTAL CHANGES ACKNOWLEDGED from Harris County Appraisal District for property located in Montgomery County for the Woodlands Township and New Caney Independent School District.

C5. JANUARY 2014 SUPPLEMENTAL CHANGES ACKNOWLEDGED from San Jacinto County Appraisal District for property located in Montgomery County for Willis Independent School District.

C6. JANUARY 2014 SUPPLEMENTAL CHANGES ACKNOWLEDGED from Montgomery Central appraisal District for property located in Montgomery County.

PURCHASING – AGENDA ITEMS 8D1-8

D1. ADVERTISING FOR BIDS/PROPOSALS APPROVED:
   a. RFP/Q Installation of Automatic Teller Machines – Various Departments.
   b. RFP/Q Lead Inspector/Risk Assessor - Montgomery County Community Development.

D2. CONTRACT AWARDED:
   a. Collection Of Urine Samples (Project #2014-0016) awarded to DAVIS INVESTIGATION SERVICES, LLC – Various Departments.
   b. New Uniforms (Project #2014-0002) awarded to MILLER UNIFORMS AND EMBLEMS, INC. – Various Law Enforcement.

D3. RENEWALS APPROVED:
   a. CORPORATE TRAVEL PLANNERS, INC. (P.O. #2011532) for travel services, expires 03/10/14 - Various Departments.
   b. PANAM, INC. (P.O. #2012321) for travel services, expires 03/10/14 – Various Precincts.
   c. CONSOLIDATED ELECTRICAL DISTRIBUTOR (P.O. #2013238) for electrical items and miscellaneous supplies, expires 03/10/14 – Various Departments.
d. CRAWFORD ELECTRIC SUPPLY COMPANY, INC. (P.O. #2013240) for electrical items and miscellaneous supplies, expires 03/10/14 – Various Departments.

e. HD SUPPLY POWER SOLUTIONS, LTD (P.O. #2013320) for electrical items and miscellaneous supplies, expires 03/10/14 – Various Departments.

f. SOULES INSURANCE AGENCY, INC. (P.O. #2010367) for individual faithful performance bonds and notary bonds, expires 03/21/14 – Risk Management.

g. 3M (P.O. #2012147) for acrylic electronic cuttable film (EC Film), expires 03/23/14 – Various Precincts.

h. GALL’S, INC. (P.O. #2011267) for emergency equipment, expires 03/27/14 – Various Departments (NOTE: Changes per documents on file.)

i. ALL AMERICA SALES CORPORATION (P.O. #2011269) for emergency equipment, expires 03/27/14 – Various Departments.

j. LONE STAR PRODUCTS & EQUIPMENT, LLC (P.O. #2011266) for emergency equipment, expires 03/27/14 – Various Departments.

k. GT DISTRIBUTORS, INC. (P.O. #2013174) for emergency equipment, expires 03/27/14 – Various Departments.

D4. CHANGE ORDERS APPROVED:

a. Change Order #9 (P.O. #2009165) to Davis Investigation Services, LLC for Collection of Urine Samples to cancel the month to month contract effective January 27, 2014 – Various Departments.

b. Change Order #4 (P.O. #2012148) to Ridgway’s LLC dba ARC for Copying Reproducibles – Various Departments.

c. Change Order #4 (P.O. #2012033) to cancel month to month contract with Miller Uniforms and Emblems, Inc. for new uniforms, effective January 27, 2014 – Various Law Enforcement.

D5. DISCRETIONARY EXEMPTIONS:

a. CenterPoint Energy for moving/upgrading of utility lines and miscellaneous services. [Section 262.024(a)(7)(C)] – Various Departments.

b. Utilizing the contract with the Texas Department of Information Resources (DIR) and Samsung Electronics America, Inc. Contract #DIR-SDD-2103, through Austin Ribbon & Computer Supplies, Inc. (ARC) for Samsung products and related services. [Section 271.083(b)] – Various Departments.

D6. PAYMENT AND PERFORMANCE BONDS ACCEPTED each in the amount of $1,938,000.00 from Diamond Commercial Construction, Inc. for Montgomery County Courts window replacements and mechanical changes – Infrastructure.

D7. RENAMING PERMISSION TO ADVERTISE APPROVED from Prisoner Extradition Services (Sheriff) to RFP/Q Prisoner Extradition Services (Sheriff) – Sheriff.

D8. RENAMING PERMISSION TO ADVERTISE APPROVED from New Danville Community Center (MCCD) to New Danville Schoolhouse (MCCD) – Montgomery County Community Development.
RISK MANAGEMENT – AGEND ITEMS 8E1-2

E1. PAYMENT ACKNOWLEDGED and recorded into the Minutes to Ford Motor Credit in the amount of $17,594.80, in reference to Claim #A-14-0010. Date of incident: 11/21/13.

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

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COMMISSIONERS – AGENDA ITEMS 8

F1. PRECINCT 1
   a. USE AGREEMENTS:
      1. Montgomery Soccer Club
         Practice and games
         West Montgomery Park Football Fields
      2. Texas Rakers
         Baseball Practice
         West Montgomery Park Baseball Fields
      3. Vipers Baseball
         Practice and games
         Willis Youth Athletic Association
      4. Montgomery County Employee Committee
         Bake Sale Fundraiser
         501 N. Thompson, 1st Floor Lobby, Conroe

F2. PRECINCT 3
   a. DONATION ACCEPTED from Chart Entergy and Chemicals in the amount of $200.00 for the South County community Center to be placed into line item 61480-4364.

F3. PRECINCT 4
   a. CHECK ACCEPTED in the amount of $2,007.31 from City of Roman Forest for the purchase of fuel for the month of December, 2013. To be deposited into account 615.7926. Check forwarded to Auditor for further processing.
   b. USE AGREEMENTS:
      1. Kingwood Alliance Soccer Club, Inc.
         Practice and games
         Sallas Park Football/Soccer Fields
      2. Texas Ball Brats
         USFA Fundraising Tournament
         Ipes Sports Park - Softball Fields
COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 8G1-3

G1. PRECINCT 2

a. FINAL PLAT APPROVED for The Fountains at Jacobs Reserve Section 1; 12.234 Acres; A.W. Springer Survey; A – 490.
b. STREETS IN WOODFOREST, SECTION 21 ACCEPTED by Montgomery County after completing the one year maintenance period and bond released.
c. STREETS ACCEPTED into the one year maintenance period in Kinderwood Trail South; 1,301.75 linear feet = .25 miles. Effective January 27, 2014.
d. STREETS ACCEPTED into the one year maintenance period in Woodforest Parkway South & Kinderwood Trail South; 2,103.09 linear feet = .40 miles. Effective January 27, 2014.
e. REQUEST APPROVED from Mid-South Synergy to place an URD, 14.4/24.0 kV power line in two 2’ conduits within the right of way of Deer Lake Lodge.
f. PUBLIC HEARING DATE APPROVED for March 10, 2014 to establish a 35 mile per hour speed limit on Noack Road.

G2. PRECINCT 3

a. FINAL PLAT APPROVED for Falls at Imperial Oaks, Section 7; 25.91 Acres; John Owens Survey; A – 403.
b. FINAL PLAT APPROVED for Spring Creek Utility District Wastewater Treatment Plant; 4.879 Acres, Montgomery County School Land Survey, A – 350.

G3. PRECINCT 4

a. REQUEST APPROVED from Suddenlink Communications to place a 2” hope duct and 24 ct fiber optic cable within the right of way of Donwick Drive.

COUNTY JUDGE – AGENDA ITEM 8H

H1. CONTINUATION CERTIFICATE ACCEPTED for Emergency Services District #14 for James A. Waters, ESD Treasurer.

ENVIRONMENTAL HEALTH – AGENDA ITEMS 8I1-2

I1. VARIANCE REQUEST APPROVED to install an aerobic on-site system in the 100-year floodplain located at 21815 Rose circle, Magnolia, Texas 77355.

I2. VARIANCE REQUEST APPROVED to install an aerobic on-site system in the 100-year floodplain located at 10678 Ehlers road, Conroe, Texas 77302.

JUVENILE PROBATION – AGENDA ITEM 8J

J1. REQUEST APPROVED to receive Juvenile Detention Center Certification as required by Section 51.12(c) of the Texas Family Code.

INFRASTRUCTURE – AGENDA ITEM 8K

K1. CHECK ACCEPTED in the amount of $50.00 from Barbara J. Egan. This donation is given for the purpose of the Animal Shelter Building Fund.
L1. RECEIPT OF LETTER ACKNOWLEDGED from Emergency Services District (ESD) No. 10 in Montgomery County notifying the Court of an Election Order issued by the ESD No. 10 Board, concerning the imposition of a District Sales and Use Tax, pursuant to Texas Health and Safety Code §775.0751(C-1)(2).

END OF CONSENT AGENDA

AGENDA ITEM 9A WAS DEFERRED.

5. DE-OBLIGATION APPROVED – 2013 JAG GRANT - SHERIFF

Motion by Commissioner Noack, seconded by Commissioner Rinehart, to approve the de-obligation of the remaining award balance of $28.18 for the 2013 JAG Grant benefiting the COBAN Server/Storage Expansion Project. Funds are located in 560163-739085. Auditor was invited to sweep the funds. Motion carried.

6. REQUEST APPROVED – INFRASTRUCTURE FUNDING FOR SWITCH – SHERIFF

Motion by Commissioner Doyal, seconded by Commissioner Rinehart, to approve Infrastructure funding a replacement main switch for the Jail’s main switchboard at a cost of $36,482.00. The replacement switch is required by the Texas Commission on Jail Standards. Funding will come from Certificates of Obligation issued in 2012. Motion carried.

7. REQUEST APPROVED – JABG APPLICATION - JUVENILE

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the Electronic Monitoring Program Juvenile Accountability Block Grant (JABG) Application and Resolution and Accept funding once received. The amount of the Grant is $9,670.12 with a cash match of $1,223.88. Motion carried.

8. REQUEST APPROVED – MOVEMENT OF SALARY/FUNDS – JUVENILE

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve movement of salary ($6,855.16) and associated funds from salary position 57111-2467-7 to salary position 5711-2221-1 effective February 1, 2014. Motion carried.

9. AGREEMENT APPROVED – JOINT ELECTION – ELECTIONS

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve Joint Election Agreement between Montgomery County and various political entities for the May 10, 2014 election for the purpose of sharing polling locations, voting equipment, and election officials and the related costs. Motion carried.

10. REQUEST APPROVED – EARLY VOTING LOCATIONS/TIMES – ELECTIONS

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve early voting locations and times for the May 10, 2014 Joint Election and May 27, 2014 Primary Runoff Election. Motion carried.
11. ORDER APPROVED – CHANGE POLLING LOCATIONS – ELECTIONS

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve an Order changing election day polling locations as follows:

Voting Precinct 7: Currently at 20387 FM 1485 West, New Caney, Texas
New Location: 20501 FM 1485, New Caney, Texas

Voting Precinct 47: Currently at 29240 Birnham Woods Drive, Spring, Texas
New Location: 28830 Birnham Woods Drive, Spring, Texas

Motion carried.

12. REQUEST APPROVED – CELL PHONE ALLOWANCE - LIBRARY

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve a cell phone allowance of $480.00 per year, $18.96 per pay period, to address business use on Assistant Library Director’s phone. Motion carried.

13. REQUEST APPROVED – DE-OBLIGATION OF FUNDS – MANAGED ASSIGNED COUNSEL

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the de-obligation of $97,475.87 for the Montgomery County Managed Assigned Counsel Program Discretionary Grant from the Texas Indigent Defense Commission for Fiscal Year 2013. Motion carried.

14. REQUESTS APPROVED – USE OF FUNDS – JUSTICE OF THE PEACE 1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the request of Justice of the Peace Precinct 1 to use $1,751.97 from the Justice of the Peace Technology Fund for the purchase of three Dell Laser printers at $583.99 each. Motion carried.

15. CONTRACTS AWARDED – PROJECT #2013-0058 – VARIOUS DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Doyal, to award contracts for Programming/Technical Resource Services to the following:

1Mage Software, Inc.
Datamatix, Inc.
Dynamic Computing Services Corporation (DCS)
Ardent Technologies, Inc.
Resource Data, Inc. (RDI)

Motion carried.

16. CHANGE ORDER APPROVED – WINDOW/MECHANICAL SYSTEMS REPLACEMENT – INFRASTRUCTURE

Motion by Commissioner Noack, seconded by Judge Sadler, to approve Change Order #1 (P.O. #2012269) to Joseph M. Santopetro, Architect for architectural planning and design services for window and mechanical systems replacement on the existing County Courts Building for changes as per documents on file in the amount of $76,062.00. Motion carried.
17. **SPLIT VOTE APPROVED – CONSULTING SERVICES – LONE STAR EXECUTIVE AIRPORT**

Motion by Commissioner Meador to approve Change Order #1 (P.O. #2013269) to Vesta Rea & Associates, LLC for consulting services to secure a United States Customs and Border Protection “User Fee” designation, to issue the “Notice to Proceed” for Phase IV of the contract work in an amount not to exceed $85,000.00. Motion was seconded by Commissioner Rinehart and the vote was as follows:

**AYE:** Commissioner Meador, Commissioner Doyal, Commissioner Rinehart

**NAY:** Commissioner Noack

Motion carried on a 3 – 1 vote.

18. **CHANGE ORDER APPROVED – SOFTWARE IMPLEMENTATION/SERVICES – VARIOUS DEPARTMENTS.**

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve Change Order #2 (P.O. #2013126) to Tyler Technologies, Inc. for licensed software implementation and professional services, to add Amendment 001 to Agreement dated December 17, 2012 in the amount of $406,520.00. Motion carried.

19. **DISCRETIONARY EXEMPTION APPROVED – VOGT ENGINEERING LP – MONTGOMERY COUNTY COMMUNITY DEVELOPMENT.**

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve a Discretionary Exemption to Vogt Engineering LP for engineering services for new wastewater treatment plant and related gravity sewer for New Danville in the amount of $64,000.00. [Section 262.024(a)(4)] Motion carried.

20. **REQUEST APPROVED – AMENDMENTS – COUNTY ATTORNEY**

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve Amendments to the Montgomery County Metal Recycling Entity Ordinance, Rules, and Regulations. Motion carried.

21. **REQUESTS APPROVED – CHANGE POSITION/TRANSFER FUNDS – COUNTY ATTORNEY**

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve the following changes/transfer:

- Close Position 4751-7704-5
- Open Position 4751-7701-2
- Transfer $39,262.59 from 4751-7704-5 into 4751-7701-2

This transfer will not increase the Department’s Fiscal Year 2014 Budget. Motion carried.

22. **AGREEMENT APPROVED – GEARN OFFSHORE, INC. – COUNTY ATTORNEY**

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve Tax Abatement Agreement between Montgomery County and Gearn Offshore, Inc. Motion carried.

23. **MINUTES ACCEPTED – ADVISORY BOARD MEETING – MENTAL HEALTH TREATMENT FACILITY**

Motion by Commissioner Meador, seconded by Commissioner Doyal, to accept Minutes of the November 19, 2013 Montgomery County Mental Health Treatment Facility Advisory Board meeting. Motion carried.
24a. REQUEST APPROVED – NEW POLICIES - MENTAL HEALTH TREATMENT FACILITY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to APPROVE THREE NEW POLICIES (Confidentiality of Information, Corporate Official Entry Directive, Priorities for Technical and Application Support) and a revised policy (Pharmacy After Hour/On Call Version Two) as recommended by the Mental Health Treatment Facility Advisory Board and as set forth in documents on file. Motion carried.

24b. QUARTERLY REPORT ACCEPTED – PERFORMANCE INDICATOR - MENTAL HEALTH TREATMENT FACILITY

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to accept the Performance Indicator Quarterly Report for the Quarter September 1, 2013 through November 30, 2013, as required by Agreement between Montgomery County and Texas Department of State Health Services and recommended by Montgomery County Mental Health Treatment Facility Advisory Board. Motion carried.

24c. MINUTES APPROVED – NURSING STAFFING PLAN UPDATE - MENTAL HEALTH TREATMENT FACILITY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Nursing Staffing Plan Update Minutes for October 12, 2013 as recommended by the Montgomery County Mental Health Treatment Facility Advisory Board and as set forth in documents on file. Motion carried.

25. REQUEST APPROVED – ANNUAL COMMISSIONERS COURT REPORT - MENTAL HEALTH TREATMENT FACILITY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve submission of the Annual Montgomery County Mental Health Treatment Facility Commissioners Court Report for Fiscal Year September 1, 2012 through August 31, 2013. Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARINGS ON THE FOLLOWING:

AGENDA ITEM 19A CONSIDER AND DISCUSS AMENDING 1984 RULES AND REGULATIONS FOR SUBDIVISIONS TO REQUIRE TWO MEANS OF INGRESS AND EGRESS FOR RESIDENTIAL SUBDIVISIONS AND TAKE APPROPRIATE ACTION.

THE COURT WAS ADDRESSED BY A MEMBER OF THE COUNTY ATTORNEY’S OFFICE PERTAINING TO THE REQUIREMENTS FOR TWO MEANS OF INGRESS AND EGRESS.

AGENDA ITEM 19B CONSIDER AND DISCUSS CLOSING, ABANDONING, AND VACATING COUNTY ROAD RIGHT-OF-WAYS WITHIN WOODTRACE BOULEVARD STREET DEDICATION, WOODTRACE SECTION ONE, WOODTRACE SECTION TWO, AND WOODTRACE SECTION THREE AND TAKE APPROPRIATE ACTION.

BD GRIFFIN ADDRESSED THE COURT WITH THE REASON FOR THE ACTION OF CLOSING, ABANDONING, AND VACATING COUNTY ROAD RIGHT-OF-WAYS BEING THAT AS THE NEW DEVELOPER WANTS TO MAKE THESE PRIVATE ROADS.

THERE BEING NO COMMENTS FROM THE PUBLIC, THE PUBLIC HEARING WAS CONCLUDED AND COMMISSIONERS COURT RECONVENED.
26. ORDER APPROVED – AMENDING RULES AND REGULATIONS FOR SUBDIVISIONS – COUNTY ATTORNEY

Motion by Commissioner Rinehart, seconded by Commissioner Doyal, to approve Order Amending 1984 Rules And Regulations For Subdivisions To Require Two Means Of Ingress And Egress For Residential Subdivisions That Are Subdivided Into 1,000 Or More Lots. Motion carried.

27. ORDER APPROVED – CLOSING, ABANDONING, DISCONTINUING AND VACATING COUNTY ROADS – COUNTY ATTORNEY

Motion by Commissioner Rinehart, seconded by Commissioner Doyal, to approve Order Closing, Abandoning, Discontinuing And Vacating the following:

- A Portion Of Woodtrace Boulevard And Sonrisa Court.
- All Streets In Woodtrace Section One.
- All Streets In Woodtrace Section Two.
- All Streets in Woodtrace Section Three.

Motion carried.

28. AGREEMENT APPROVED – PARTIAL ASSIGNMENT OF LEASE – AIRPORT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve Partial Assignment of Lease Agreement between Montgomery County, Texas, and Donald R. Brewer to Michael Chancy for 2,735 square feet of land located at the Lone Star Executive Airport. 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 21A: CONSIDER AND APPROVE SETTLEMENT FOR MEDICAL PLAN SUBROGATION; CLAIM #PY2009-03528-A.

EXECUTIVE SESSION – AGENDA ITEM 21B: CONSIDER AND DISCUSS CAUSE NO. H-13-2721; STYLED PAUL WASSERLOOS V. WARDEN MOORE, IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS, HOUSTON DIVISION.

EXECUTIVE SESSION – AGENDA ITEM 21C: CONSIDER AND DISCUSS CLAIM NO. C-07-0055 DELONNA SNOW V. MONTGOMERY COUNTY, TEXAS, CIVIL ACTION NO. 4:12-CV-03130 IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS.

EXECUTIVE SESSION – AGENDA ITEM 21D: CONSIDER AND DISCUSS BIBB V. MONTGOMERY COUNTY SHERIFF ET AL; CIVIL ACTION NO. 4:13-CV-03736 IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS.

EXECUTIVE SESSION – AGENDA ITEM 21E: CONSIDER AND DISCUSS AGREEMENT WITH REDFLEX TRAFFIC SYSTEMS, INC.

COMMISSIONERS COURT RECONVENED WITH ALL MEMBERS PRESENT.
29. RESOLUTION AND ORDER APPROVED – MEDICAL PLAN SUBROGATION; CLAIM #PY2009-03528-A

Motion by Commissioner Noack, seconded by Commissioner Rinehart, to approve the Resolution and Order authorizing settlement between Montgomery County and Janell Thomas regarding a Medical Subrogation Claim #PY2009-03528-A. By Settlement Agreement, Montgomery County shall receive $11,215.02. Motion carried.

30. RESOLUTION AND ORDER APPROVED – CAUSE NO. H-13-2721: PAUL WASSERLOOS V. WARDEN MOORE

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the Resolution and Order to approve a Motion supporting the need for the Montgomery County Attorney to defend and prosecute on behalf of Pat Hamm, Director, Montgomery County Department of Community Supervision and Corrections, the lawsuit filed under Cause No. 4:13-cv-2721, and styled Paul Robert Wasserloos vs. Pat Hamm, Director, Montgomery County Department of community Supervision and Corrections; In the United States District Court for the Southern District of Texas. (No source of funding stated by Commissioners Court.)

31. RESOLUTION AND ORDER APPROVED – CIVIL ACTION NO. 4:13-CV-03736: BIBB V. MONTGOMERY COUNTY SHERIFF ET AL

Motion by Commissioner Doyal, seconded by Commissioner Noack, to approve a Motion supporting the need for the Montgomery County Attorney to defend and prosecute on behalf of Tommy Gage and Montgomery County, Texas, the lawsuit filed under Cause No. 4:13-cv-3736 and styled James Mason Bibb v. Montgomery County Sheriff; In the United States District Court for the Southern District of Texas. Funding source of expenses will be from the Risk Management budget with the approval of the Director of Risk Management.

CITIZENS – AGENDA ITEM 23

MR. WALTER BOYD COMMENTED ON THE COUNTY ATTORNEY’S DEMAND LETTERS AND INVITED COMMISSIONERS TO TEA PARTY PATRIOTS MEETING TOMORROW EVENING.

32. PAYROLL CHANGE REQUEST FORMS APPROVED – HUMAN RESOURCES

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve the following Payroll Change Request Forms:

- Request of 284th District Court to increase salary of Laurie A. Watson, Court Coordinator I, to bring employee to minimum of salary range, effective January 18, 2014.
- Request of Custodial to place Vicki Barnhart Alcock, Custodian, on payroll due to return from Unpaid FMLA/Disability Leave, effective November 20, 2013.
- Request of Custodial to Place Nicole Marie Aldridge, Custodian, on payroll as replacement for Jaime Hernandez Fernandez, effective January 13, 2014.
- Request of Custodial to place Celia Beltran, Custodian, on payroll, due to return from Unpaid FMLA/Disability Leave, effective November 20, 2013.
- Request of Custodial to accept resignation of Anna Marie Bossier, Custodian, effective January 15, 2014. [No benefits due.]
- Request of Custodial to correct employee number for Olimpia Salazar, Custodian, as approved by Commissioners court on January 13, 2014, effective January 6, 2014.
- Request of Custodial to place Candice Wilhite, Custodian, on payroll as replacement for Anna Marie Bossier, effective January 21, 2014.
- Request of Building Maintenance to increase salary of Trevor Hodowanic, Maintenance Tech I, to bring employee to minimum of salary range, effective January 18, 2014.
Request of Civic Center Complex to increase salary of Shaun David Trayal, Supervisor Facilities, to bring employee to minimum of salary range, effective January 18, 2014.

Request of Commissioner Precinct 1 to increase salary of Cody L. Hodges, Seasonal Worker, due to job re-evaluation, effective January 18, 2014.

Request of Commissioner Precinct 2 to increase salary of Elechia Davis, Administrative Assistant I, to bring employee to minimum of salary range, effective January 18, 2014.

Request of Commission Precinct 2 to increase salary of Joseph Redmond, Recycle Technician I, to bring employee to minimum of salary range, effective January 18, 2014.

Request of Commissioner Precinct 4 to increase salary of Tracey Stilley, Manager – Precinct Operations, to bring employee to minimum of salary range, effective January 18, 2014.

Request of County Attorney to increase salary of Audre Clay, Legal Assistant I, due to transfer into new position, effective January 27, 2014.

Request of County Attorney to place Angela Franklin, Legal Assistant II, on payroll as replacement for Jill White, effective January 27, 2014.

Request of County Attorney to accept resignation of Melvin Michael Meyer, Chief of Litigation, effective January 7, 2014. [31.44 hours or balance vacation.]

Request of County Attorney to increase salary of Kendra O’Dell, Legal Assistant I, to bring employee to minimum of salary range, effective January 13, 2014.

Request of County Attorney to increase salary of Michelle Smith, Attorney I, to bring employee to minimum of salary range, effective January 13, 2014.

Request of County Attorney to increase salary of Sonia Vazquez, Office Supervisor I, to bring employee to minimum of salary range, effective January 27, 2014.

Request of County Treasurer to increase salary of Lindsey Doyal, Coordinator Payroll, due to transfer as replacement for Patricia Reaves, effective January 14, 2014.

Request of County Treasurer to reduce salary of Patricia Reaves, Administrative Assistant I, due to demotion as replacement for Lindsey Doyal, effective January 10, 2014.

Request of Court Collections to increase salary of Clegg E. Dewalt, Administrative Manager I, to bring employee to minimum of salary range, effective January 18, 2014.

Request of Court Operations to change department of Lisa G. Burkhalter, Visiting Judge, effective January 18, 2014.

Request of Court Operations to change department of John A. Coselli, Jr., Visiting Judge effective January 18, 2014.

Request of Court Operations to change department of Carolyn Cox, Temporary Justice, effective January 18, 2014.

Request of Court Operations to change department of Vanual Lavoy Culp, Visiting Judge, effective January 18, 2014.

Request of Court Operations to change department of Frederick E. Edwards, Visiting Judge, effective January 18, 2014.

Request of Court Operations to change department of Carolyn Marks Johnson, Visiting Judge, effective January 18, 2014.

Request of Court Operations to change department of James Harold Keeshan, Jr., Visiting Judge, effective January 18, 2014.

Request of Court Operations to change department of Mary Katherine Kennedy, Visiting Judge, effective January 18, 2014.

Request of Court Operations to change department of William L. McAdams, Visiting Judge, effective January 18, 2014.

Request of Court Operations to change department of Elizabeth Ray, Visiting Judge, effective January 18, 2014.

Request of Court Operations to change department of Putnam K. Reiter, Visiting Judge, effective January 18, 2014.

Request of Court Operations to change department of Jerry A. Sandel, Visiting Judge, effective January 18, 2014.

Request of Court Operations to change department of Suzanne Stovall, Visiting Judge, effective January 18, 2014.

Request of Court Operations to change department of Robert H. Trapp, Visiting Judge, effective January 18, 2014.

Request of Court Operations to change department of Douglas C. Warne, Visiting Judge, effective January 18, 2014.

Request of Court Operations to change department of Carroll Ellisor Wilborn, Jr., Visiting Judge, effective January 18, 2014.

Request of Court Operations to change department of L.J. Winfree, Visiting Judge, effective January 18, 2014.

Request of District Attorney to increase salary of Amber Dana, Coordinator – Victim Assistance, due to transfer as replacement for Jocellyn Camarillo, effective January 18, 2014.

Request of District Attorney to increase salary of George Alexander Napier, Attorney II, to bring employee to minimum of salary range, effective January 18, 2014.

Request of District Attorney to increase salary of Christopher R. Smith, Chief Investigator – DA, to bring employee to minimum of salary range, effective January 18, 2014.

Request of District Clerk to increase salary of Teresa Eich, Court Clerk II, due to completion of probationary period, effective January 13, 2014.

Request of District Clerk to increase salary of Tracy Hutchison, Court Clerk II, due to completion of probationary period, effective January 13, 2014.

Request of District Clerk to increase salary of Jennifer Kawar, Court Clerk II, due to completion of probationary period, effective January 13, 2014.

Request of District Clerk to increase salary of Nichol Kirn, Court Clerk II, due to status change as replacement for Margaret J. Everett, effective January 21, 2014.

Request of District Clerk to increase salary of Juljana Rjepaj, Court Clerk IV, due to completion of probationary period, effective January 13, 2014.

Request of Elections Administrator to place Wanda Collette, Temporary Voter Clerk, on payroll, effective January 27, 2014.

Request of Elections to place Yvonne Greenawalt, Temporary Voter Clerk, on payroll, effective January 21, 2014.

Request of Elections to place Beverly Hammett, Temporary Voter Clerk, on payroll effective January 21, 2014.

Request of Elections to increase salary of Suzie Harvey, Director - Elections, to bring employee to minimum of salary range, effective January 18, 2014.

Request of Elections to lay off Joumana King, Temporary Voter Clerk, effective January 27, 2014. [No benefits due.]

Request of Elections to place Joy Sellers, Temporary Voter Clerk on payroll, effective January 21, 2014.
Request of Elections to lay off Angela Walker, Temporary Voter Clerk, effective January 27, 2014. [No benefits due.]

Request of Elections to remove Stacey Walker, Temporary Voter Clerk, from payroll due to job abandonment, effective January 5, 2014. [No benefits due.]

Request of Justice of the Peace, Precinct 2 to increase salary of Monica Ainsworth-Dobson, Court Clerk II, to bring employee to minimum of salary range, effective January 18, 2014.

Request of Justice of the Peace, Precinct 4 to accept resignation of Syble Eaves, Court Clerk II, effective January 6, 2014. [64.30 hours or balance vacation; .63 hours or balance compensatory.]

Request of Juvenile to increase salary of Christopher Metz, Juvenile Supervision Officer, due to status change as replacement for Clifton Young, effective January 18, 2014.

Request of Juvenile to transfer Jeffery Quintanilla, Juvenile Probation Officer Assistant, as replacement for Christopher Martin, effective January 18, 2014.

Request of Juvenile to accept resignation of Clifton Young, Juvenile Supervision Officer, effective January 11, 2014. Eligible for re-hire. [No benefits due.]

Request of Library to increase salary of Elvira Lynn Alayon, Librarian III/Assistant Branch Manager, due to promotion as replacement for Mathew T. Wilson, effective February 1, 2014.

Request of Library to add cell phone allowance to Sarah B. Booth, Assistant Director, effective January 27, 2014.

Request of Library to increase salary of Debra H. Escudero, Library Assistant II, to bring employee to minimum of salary range, effective January 18, 2014.

Request of Library to increase salary of Lisa Christine Evans, Library Assistant II, to bring employee to minimum of salary range, effective January 18, 2014.

Request of Library to increase salary of Virginia Henderson, Library Assistant II, to bring employee to minimum of salary range, effective January 18, 2014.

Request of Library to increase salary of Shellene Howell, Library Assistant II, to bring employee to minimum of salary range, effective January 18, 2014.

Request of Library to increase salary of Suzie Solomon, Coordinator - Circulation, to bring employee to minimum of salary range, effective January 18, 2014.

Request of Library to increase salary of Steve Jacob Sosa, Library Assistant II, to bring employee to minimum of salary range, effective January 18, 2014.

Request of Library to increase salary of Trevor Martin Taylor, Library Assistant II, due to status change as replacement for Amelia Boone, effective January 18, 2014.

Request of Library to increase salary of Victoria B. Thomason, Library Assistant II, to bring employee to minimum of salary range, effective January 18, 2014.

Request of Sheriff to increase salary of Keith Berger, Deputy Patrol due to STEP increase, effective February 1, 2014.
Request of Sheriff to increase salary of Michael Evans, Deputy Patrol, due to STEP increase, effective January 18, 2014.

Request of Sheriff to increase salary of Jake-Paul Gonzales, Sergeant Patrol, due to STEP increase, effective February 1, 2014.

Request of Sheriff to increase salary of David Holden, Deputy Patrol, due to STEP increase, effective January 18, 2014.

Request of Sheriff to increase salary of Elizabeth Hollan, Deputy Patrol, due to STEP increase, effective February 1, 2014.

Request of Sheriff to increase salary of Rhonnie Long, Clerk IV – CJR, due to status change as replacement for Theresa Stanley, effective January 18, 2014.

Request of Sheriff to increase salary of Lynise Marshall, Deputy Patrol, due to STEP increase effective January 18, 2014.

Request of Sheriff to increase salary of Michael Plata, Deputy Patrol, due to STEP increase, effective February 1, 2014.

Request of Sheriff to increase salary of Charles Rivette, Deputy Detention, due to STEP increase, effective February 1, 2014.

Request of Sheriff to accept resignation of Christopher Roberts, Deputy Patrol, effective January 14, 2014. [22.00 hours or balance vacation; 83.75 hours or balance compensatory; 28.00 hours or balance holiday.]

Request of Sheriff to increase salary of Kelley R. Smith, Sergeant Patrol, due to STEP increase, effective January 18, 2014.

Request of Sheriff to accept resignation of Theresa Stanley, Clerk IV, effective January 6, 2014. [53.77 hours or balance vacation; 42.25 hours or balance compensatory.]

Request of Sheriff to increase salary of Matthew Sweeney, Deputy Detention, due to STEP increase, effective January 18, 2014.

Request of Tax Assessor/Collector to accept resignation of Susan Dodson, Administrative Coordinator, effective January 10, 2014. [No benefits due.]

Request of Tax Assessor/Collector to place Julie S. Nollkamper, Deputy Specialist I, on payroll as replacement for Sharon Myers, effective January 21, 2014.

Request of Sheriff to place Wesley Sage, Officer Civilian Detention, on payroll as replacement for Adam Calhoun, effective January 25, 2014.

Request of Sheriff to place Magdelana “Maggi” Strong, Officer Civilian Detention, on payroll as replacement for Nicholas Cooke, effective January 25, 2014.

Request of Library to accept resignation of Leslie D. Purvis, Shelving Clerk, effective January 23, 2014. [No benefits due.]

Request of Sheriff to accept resignation of Kevin D. Pullen, Captain – Sheriff, effective January 31, 2014. [23.52 hours or balance vacation.]

Request of Commissioner Precinct 1 to promote Zachary Christoffersen, Operator I, as replacement for Wayne Guinn, Jr., effective January 18, 2014.

Request of Commissioner Precinct 1 to increase salary of Henry James Martin, Operator II, due to promotion as replacement for Archie Williamson, effective January 18, 2014.

Request of Commissioner Precinct 1 to increase salary of Michael D. Thompson, Operator III, due to additional responsibilities, effective January 18, 2014.
Request of Commissioner Precinct 1 to place Allen D. Windham, Operator I, on payroll as replacement for John Gregory, effective February 3, 2014.

Request of Commissioner Precinct 1 to place Carlos Zuniga, Laborer, on payroll as replacement for Zachary Christofferson, effective January 27, 2014.

Request of Constable Precinct 1 to increase salary of James D. Wrentz, Deputy Constable, due to STEP increase, effective March 14, 2014.

Request of Sheriff to remove Diane W. Green, Dispatcher, from payroll due to retirement, effective February 28, 2014. [206.62 hours or balance vacation; 172.38 hour or balance compensatory; 12.00 hours or balance holiday.]

Request of Sheriff to place Blaine Johnson, Officer Civilian Detention, on payroll as replacement for Ryan McClintock, effective January 25, 2014.

Request of Tax Assessor/Collector to accept resignation of Ruth P.J. Sellers, Deputy Specialist II, effective February 4, 2014. Eligible for rehire. [83.40 hours or balance vacation.]

MISCELLANEOUS – AGENDA ITEM 25: JR MOORE QUESTIONED THE COURT ON POSSIBLE COUNTY CLOSURE TOMORROW DUE TO INCLIMATE WEATHER. THE JUDGE STATED THAT IT WAS TOO EARLY AT THIS POINT TO MAKE THAT DECISION.

33. COURT ADJOURNS

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