THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 19th day of May, 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 MARY HAMMER.

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.

PROCLAMATIONS/RESOLUTIONS – AGENDA ITEMS 7A-F

2. PROCLAMATION – EMERGENCY MEDICAL SERVICES WEEK

   Motion by Commissioner Rinehart, seconded by Commissioner Noack, to hereby proclaim May 18-24, 2014 as Emergency Medical Services Week. Motion carried.

3. PROCLAMATION – UNITED WAY VOLUNTEER APPRECIATION DAY

   Motion by Commissioner Meador, seconded by Commissioner Doyal, to hereby proclaim the May 22, 2014 as United Way Volunteer Appreciation Day. Motion carried.

4. RECOGNITION – CENTENNIAL CELEBRATION

   Motion by Commissioner Noack, seconded by Commissioner Doyal, to recognize the Centennial Celebration of the signing of the Smith-Lever Act, the founding legislation of the nationwide Cooperative Extension System.


THE MONTGOMERY COUNTY EMPLOYEES’ COMMITTEE PRESENTED DELANIE AUFIGG WITH A $500.00 SCHOLARSHIP. DELANIE IS THE DAUGHTER OF LISA AUFIGG, COUNTY CLERK’S OFFICE.

THE MONTGOMERY COUNTY EMPLOYEES’ COMMITTEE PRESENTED ORLANDO GRAY, JUVENILE DETENTION, WITH A $500.00 SCHOLARSHIP.
5. COMMISSIONERS COURT MINUTES – COUNTY CLERK

Motion by Commissioner Noack, seconded by Commissioner Rinehart, to approve Commissioners Court Minutes for Regular Session dated May 5, 2014. Motion carried.

6. CONSENT AGENDA – AGENDA ITEMS 9A-L

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

COUNTY AUDITOR – AGENDA ITEMS 9A1-2

A1. BUDGET AMENDMENTS FY14 APPROVED:

a. Airport - 1212CONRO: To adjust line items for additional Sponsor’s Share for 1212CONRO (M25/05.05.14).

b. Airport Maintenance: To allocate revenue (M18/04.21.14).

c. Commissioner Precinct 3: To transfer funds for build.

d. Commissioner Precinct 4: To adjust line items.

e. Constable Precinct 1: To recognize and allocate revenue.

f. Constable Precinct 1: To recognize and allocate revenue.

g. Constable Precinct 1: To transfer for VPN.

h. Constable Precinct 2: To adjust line item.

i. County Attorney: To adjust line items.

j. County Court At Law #3: To transfer funds for build.

k. County Engineer: To adjust line items.

l. District Attorney: To adjust line items.

m. Drug Court: To recognize and allocate revenue for April 2014 (MRT Books).

n. DWI Court: To recognize and allocate revenue for April 2014 (MRT Books).

o. Elections Administrator: To adjust line items.

p. Montgomery County Community Development - CDBG-DR-Round II Phase II: To adjust line items.

q. Montgomery County Community Development – HOME/$413,684 – YEAR 11: To adjust line items.

r. Memorial Library: To allocate revenue.

s. Road and Bridge Fund: To recognize and allocate lease proceeds from Chase Equipment Finance.

t. Road and Bridge Fund: To allocate available fund balance.

u. Sheriff: To adjust line items.

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

w. Sheriff – OCDETF – Ranch Hand: To adjust budget for Sheriff’s Office OCDETF – Ranch Hand contract per amendment (M#14/05.05.14).

x. Sheriff – Woodlands Township: To adjust line items.
A2. PAYMENT OF ACCOUNTS APPROVED, as submitted by the County Auditor.

TAX ASSESSOR/COLLECTOR – AGENDA ITEM 9B1

B1. MONTHLY TAX COLLECTION REPORT ACCEPTED for the month ending April 30, 2014.

AGENDA ITEM 9B2 WAS REMOVED.

PURCHASING – AGENDA ITEMS 9C1-9

C1. CONTRACT AWARDED on the following bid/proposal:
   a. CUTTING EDGE LANDSCAPE & LAWN CARE, INC. for delivery and installation of sod – Project 2014-0037 – Various Departments.

C2. RENEWALS APPROVED:
   a. CORRECTIONAL HEALTHCARE COMPANIES (P.O. 2013290) for medical services for inmates of the Montgomery County Jail, expires 06/30/14 – Sheriff.
   b. FORD AUDIO-VIDEO SYSTEMS, LLC (P.O. 2012465) for maintenance and upgrades of existing audio/visual systems and/or new installation, expires 07/08/14 – Various Departments.
   c. AUSTIN RIBBON AND COMPUTER SUPPLIES, INC. (P.O. 2014172) for Samsung products and related services, expires 08/06/14 Various Departments.
   d. QUEST MARK INFORMATION MANAGEMENT (P.O. 2012514) for laser printing of County Tax Statements and related reports, expires 08/12/14 - Tax Office. *Note: As per documents on file.*
   e. WYATT RESOURCES, INC. (P.O. 2011414) for guardrail installation and/or repair, expires 08/12/14 – Various Precincts.
   f. WILLOW CITY SIGN AND RAIL, INC. (P.O. 2011413) for guardrail installation and/or repair, expires 08/12/14 – Various Precincts.
   g. VULCAN, INC. (P.O. 2012217) for traffic signs and related supplies, expires 05/22/14 – Various Departments. *Note: Month to Month*
   h. HEWLETT PACKARD (P.O. 2011231) for Hewlett Packard products and related services, expires 05/05/14 – Various Departments. *Note: Renew contract effective 05/05/14 through 07/04/14 and add Amendments 7-9 and Appendix C – documents on file.*

C3. CHANGE ORDERS APPROVED:
   a. Change Order #7 (P.O. 2014020) to OZARKA NATURAL SPRING WATER for drinking water and purification systems – Various Departments.
   b. Change Order #1 (P.O. 2014009) to STRATEGY 7 CORPORATION for hardware IBM maintenance and software (AIX) support – Information Technology.
   c. Change Order #5 (P.O. 2012228) to STRIPES & STOPS COMPANY, INC. for pavement striping, change from Various Precincts to Various Departments.
   d. Change Order #5 (P.O. 2012229) to TEXAS LONE STAR PAVEMENT SERVICE, INC. for pavement striping, change from Various Precincts to Various Departments.
C4. DISCRETIONARY EXEMPTIONS APPROVED:

a. SMITHS DETECTION, INC. for total solutions for law enforcement, security, facilities management systems, fire, rescue, special purpose clothing, marine craft and emergency/disaster response through GSA Schedule 84 Contract #GS-07F-9597G as under Discretionary Exemption code §271.103 Federal supply source – Various Departments §271.103(a)(b).

b. TEXAS DEPARTMENTS OF INFORMATION RESOURCES AND GLOBAL SECURITY SYSTEMS, LLC for products and related services, Contract #DIR-SDD-2201 – Emergency Management §271.083(b).

c. STANLEY CONVERGENT SECURITY SOLUTIONS, INC. for alarm and signal systems/facility management systems, professional security/facility through GSA Schedule 84 Contract #GS-07F-9298S – Various Departments §271.103(a)(b).

d. PANDORA BURNETT for grant writing, services on a needed basis, effective 01/01/14 – Juvenile Probation Department §262.024(a)(4).

e. ASTRO FENCE CORPORATION for emergency repair of 830 boats ramp in the amount of $3,000.00 – Precinct 1 §262.024(a)(2).

C5. REQUEST APPROVED TO RESCIND CONTRACT with Barnard Architects for the new warehouse building for Missions Northeast, Inc. [previously approved in Commissioners Court 03/10/14]. – Montgomery County Community Development.

C6. RENAMING PERMISSION TO ADVERTISE APPROVED for Project 2014-0045 from DNA Testing to RFP/Q DNA Testing – Various Departments.

C7. PROJECT REQUIREMENTS UNDERSTANDING ACKNOWLEDGEMENT APPROVED with United States Customs and Border Protection for the Lone Star Executive Airport (User Fee Airport) General Aviation Facility – Lone Star Executive Airport.

C8. CHECK ACCEPTED from Rene Bates Auctioneers, Inc. in the amount of $125,023.08 and the list of items sold through the Montgomery County Online Auction held April 30, 2014 – Various Departments.

C9. PURCHASE APPROVED of one 2015 Ford F-350 truck from Caldwell Country Ford through the Interlocal Agreement with Buyboard Contract #430-13 in the amount of $30,902.00 – Precinct 1.

RISK MANAGEMENT – AGENDA ITEMS 9D1-6

D1. PAYMENT TO SALLY EVANS ACKNOWLEDGED AND RECORDED into the Minutes, in the amount of $2,330.68, in reference to Claim #A-14-0060. Date of incident: March 9, 2014.

D2. PAYMENT TO JOE AND MARTHA CONSTANTINO ACKNOWLEDGED AND RECORDED into the Minutes, in the amount of $4,849.88, in reference to Claim #A-14-0058. Date of accident: April 18, 2014.

D3. PAYMENT TO RAYFORD LAND INVESTMENT COMPANY, LTD ACKNOWLEDGED AND RECORDED into the Minutes, in the amount of $13,531.25, in reference to Claim #A-14-0054. Date of accident: April 9, 2014.

D4. PAYMENT TO GINA HICKS ACKNOWLEDGED AND RECORDED into the Minutes, in the amount of $1,676.00, in reference to Claim #B-14-0037. Date of incident: December 21, 2013.
D5. PAYMENT TO HIGMAN MARINE SERVICES, INC. ACKNOWLEDGED AND RECORDED into the Minutes, in the amount of $1,181.50, in reference to Claim #A-14-0057. Date of incident: March 28, 2014.

D6. CHANGES, ADDITIONS AND RELEASES APPROVED for the following:

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COMMISSIONERS – AGENDA ITEMS 9E1-3

E1. PRECINCT 1

a. APPOINTMENT APPROVED of Kim Parrish to the Board of Commissioners of Montgomery County Emergency Services District #2 to fill the vacancy of Emmett Pugh.

b. DONATION APPROVED of 20,000 yards of field dirt from Larry Klotz.

E2. PRECINCT 4

a. CHECK ACCEPTED in the amount of $2,225.74 from the City of Roman Forest for the purchase of fuel for the month of April 2014. Proceeds to be placed in 615-7926. Check forwarded to Auditor for further processing.

b. CHECK ACCEPTED in the amount of $626.10 from The Friendship Center for the purchase of fuel for the month of March, 2014. Proceeds to be placed in 615-7926. Check forwarded to Auditor for further processing.

c. ANNUAL FINANCIAL AUDIT REPORT APPROVED as submitted by ESD #12 for Fiscal Year ending September 30, 2013.

d. USE AGREEMENT APPROVED with Splendora Youth Football League to use the football fields at Tram Road Park through the end of 2014.

E3. PRECINCTS 2 AND 4

a. ANNUAL FINANCIAL STATEMENT REPORT APPROVED as submitted by ESD #5 for Fiscal Year ending September 30, 2013.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9F1-4

F1. PRECINCT 1

a. FINAL PLAT APPROVED for Bonniedland Farms; 15.074 Acres; Jose Maria De La Garza Survey; A-15.

b. STREETS ACCEPTED at Grand Harbor, Section 15, having completed one year maintenance period and bond released. Streets are private and will not be maintained by Montgomery County.
c. REQUEST APPROVED for CenterPoint Energy to install 6,070 feet of 4” HP steel pipe within the right of way of 10399 Silver Springs Road at Meador Road.

F2. PRECINCT 2

a. FINAL PLAT APPROVED for Mostyn Manor, Section 6; 12.992 Acres; Cyrus Wickson Survey; A-600.

b. FINAL PLAT APPROVED for Oak Estates at Jacobs Reserve, Section 2; 20.587 Acres; Charles E. Dugat Survey; A-170.

c. FINAL PLAT APPROVED for Steven Barrier; 6.004 Acres; Mary Corner Survey; A-9.

d. FINAL PLAT APPROVED for Woodforest, Section 45; 31.64 Acres; Archibald Hodge Survey; A-18 and James Hodge Survey; A-19.

e. FINAL PLAT APPROVED for Woodforest Stewart Heights Drive; 2.035 Acres, Thomas Curry Survey; A-136.

F3. PRECINCT 3

a. FINAL PLAT APPROVED for Birnham Woods Plaza World Champions Centre; 4.079 Acres; Montgomery County School Land Survey; A-351.

b. FINAL PLAT APPROVED for Spags Two, Section 1 (Amending Plat); 2.4451 Acres, Montgomery County School Land Survey; A-350.

c. REQUEST APPROVED for CenterPoint Energy to install 1,580 feet of 2” IP plastic pipe within the right of way of Lyrebird Drive at Maple Branch.

d. REQUEST APPROVED for CenterPoint Energy to abandon 75 feet of 2” line within the right of way of Wedgewood Forest Road.

F4. PRECINCT 4

a. FINAL PLAT APPROVED for Kings Mill, Section 7; 19.06 Acres; Mary Owens Survey, A-405.

b. ROADS ACCEPTED IN THE ONE YEAR MAINTENANCE PERIOD in Harpers Preserve, Section 3, total length of roads 758 linear feet = .15 miles, effective May 19, 2014.

c. REQUEST APPROVED for Phonoscope Enterprise GRP to place a utility pole within the right of way of Penny Street.

ENVIRONMENTAL HEALTH – AGENDA ITEM 9G1-6

G1. REQUEST APPROVED for demolition on property located at 17550 Castlewood Drive, Conroe, Texas, at a cost of $6,000.00 to be funded by CDBG.

G2. REQUEST APPROVED for the Order Assessing Cost of Abating Nuisance to be filed in real property records to recover cost to the County for demolition for abate nuisance at the following locations:

a. 481 Old Hickory Drive, Conroe, Texas 77302
b. 503 Carson Ridge Drive, Spring, Texas 77386
c. 14140 FM 1485 Road, Conroe, Texas 77306
d. 16886 Payne Road, Conroe, Texas 77302
G3. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100-year floodplain located at 28538 East Bender’s Landing, Spring, Texas 77386.

G4. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100-year floodplain located at 210 Sherbrook Circle, Conroe, Texas 77385.

G5. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100-year floodplain located at 13227 South Decker Drive, Pinehurst, Texas 77362.

G6. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100-year floodplain located at 26405 Dobbin Hufsmith Road, Magnolia, Texas 77354.

COUNTY ATTORNEY – REAL PROPERTY – AGENDA ITEMS 9H1-3

H1. PRECINCT 2
   a. AGREEMENT APPROVED Authorizing Placement of Improvements Within Right-Of-Way described as Carriage Hills Boulevard.

H2. PRECINCT 3
   a. ORDER APPROVED Authorizing Conservation Easement Amendment III and Appointing commissioner James Noack As Special Commissioner.

H3. PRECINCT 4
   a. ORDER APPROVED Accepting Check For Costs of Publication And Notice Mailouts For The Partial Replat Of Harper’s Preserve Section One (1) To Be Known As Retreat At Harper’s Preserve, in the amount of $1,859.99. Check forwarded to Auditor for further processing.
   b. ORDER APPROVED Authorizing Lease of Real Property For Open Space, Recreational, Or Wetlands Management Purposes, And Appointing Special Commissioner To Conduct Lease Auction, for property described as Tract 18F, being 5 acres in the William Bridges survey, A-73, appointing BD Griffin or John K. McKinney, Jr., as the Special Commissioners to conduct lease auction on June 20, 2014.

COUNTY ATTORNEY – AGENDA ITEM 9I1

I1. AMENDMENT APPROVED to HOME Investment Partnerships Program Down Payment Assistance Agreement for Fiscal year 2012 between Montgomery County, Texas and Easter Seals Greater Houston (Subcontractor).

CONSTABLE PRECINCT 1 – AGENDA ITEM 9J1

J1. DONATION CHECK ACCEPTED in the amount of $500.00 from TOPPS of Lake Conroe for purchase of equipment. To be placed into account 5511-7353. Check forwarded to Auditor for further processing.

CONSTABLE PRECINCT 3 – AGENDA ITEMS 9K1-3

K1. DONATION CHECK ACCEPTED in the amount of $1,041.25 from Planet Ford. To be placed into line item 7390 (Supplies Other) of Budget 5531. Check forwarded to Auditor for further processing.
K2. DONATION CHECK ACCEPTED in the amount of $500.00 from Larry W. Bale Enterprises, LLC. To be placed into line item 7390 (Supplies Other) of Budget 5531. Check forwarded to Auditor for further processing.

K3. DONATION CHECK ACCEPTED in the amount of $500.00 from the Montgomery County Fair Association. To be placed into line item 7390 (Supplies Other) of Budget 5531. Check forwarded to Auditor for further processing.

CONSTABLE PRECINCT 4 – AGENDA ITEMS 9L1-2

L1. DONATION CHECK ACCEPTED in the amount of $500.00 from the Montgomery County Fair Association. To be placed into line item 5541.7390. Check forwarded to Auditor for further processing.

L2. ACCEPTANCE OF MRAP VEHICLE APPROVED with twelve spare tires that was awarded from the Government Surplus US 1033 Program. Repairs and maintenance will be paid for out of Constable Precinct 4’s Asset Forfeiture Fund.

Motion carried.

END OF CONSENT AGENDA

7. RESIGNATION ACCEPTED – JOEL DERETCHIN – COUNTY JUDGE

Motion by Commissioner Doyal, seconded by Commissioner Meador, to accept the resignation of Joel Deretchin from the Montgomery County Historical Commission. Motion carried.

8. APPOINTMENTS APPROVED – HISTORICAL COMMISSION – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to appoint the following to the Montgomery County Historical Commission:

- Ron Saikowski
- Mark Canada

Motion carried.

9. REQUEST APPROVED – 2012 GRANT ADJUSTMENT NOTICE – EMERGENCY MANAGEMENT

Motion by Commissioner Doyal, seconded by Commissioner Meador, to accept the 2012 Grant Adjustment Notice from the Texas Department of public Safety and authorize Judge Sadler to execute the Agreement. All of their projects are completed and this Agreement will de-obligate the remaining $257,750.25. Motion carried.

10. PURCHASES APPROVED – TECHNOLOGY RELATED ITEMS – JUSTICE OF THE PEACE PRECINCT 4

Motion by Commissioner Rinehart, seconded by Commissioner Noack, to approve the purchase of the following technology related items using funds from the Justice of the Peace Technology Fund:

- One Apple iPad Mini with Retina display Wi-Fi + cellular Tablet $803.39
- One OtterBox Protective Cover $44.94
- One Kensington Viruoso Stylus for Apple iPad $13.87

Total $862.20, from southern Computer Warehouse, per quote #895465. Motion carried.
11. REQUEST APPROVED – SALARY SUPPLEMENT – DISTRICT ATTORNEY

Motion by Commissioner Noack, seconded by Commissioner Rinehart, to approve an annual salary supplement to be funded solely by the District Attorney’s Forfeiture Account (Dept., 4353). The supplemental pay is for employees who have successfully passed their Board Certification exam in Civil Law. The annual supplement of $1,500.20 will be paid bi-weekly. It has also been approved for the Auditor to take action necessary to implement the supplemental pay effective immediately for a Paralegal who has passed their Board Certification in Civil Law. Motion carried.

12. REQUEST APPROVED – NEW TEMPORARY POSITION - LIBRARY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to authorize a temporary, full time Library Assistant II position for the period of May 19, 2014 to July 31, 2014, and to approve the transfer of sufficient funds within the Library System’s salary budget to cover the costs of the new position (estimated at $5,786.01). This will not increase the Memorial Library salary budget for Fiscal Year 2014. Motion carried.

13. REQUEST APPROVED – FUNDS FOR FUEL – CONSTABLE PRECINT 4

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve additional funds for fuel in the amount of $22,800.00 to be placed in line 5541.7354, with Contingency as the funding source. Motion carried.

14. ORDER APPROVED – RETURNS AND RESULTS – ELECTIONS

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve an Order Canvassing the Returns and declaring the results of the May 10, 2014 Special Election. Motion carried.

COMMISSIONER RINEHART SPOKE ON MOTION 13 – FUNDS FOR FUEL FOR CONSTABLE PRECINT 4 AND SUGGESTED THAT ALL PRECINCTS AND THE DISTRICT ATTORNEY’S OFFICE ADDRESS THIS NEED AT THE BUDGET HEARINGS.

15. DESIGNATION APPROVED – WAYNE MACK – BAIL BOND BOARD

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve the designation of Judge Wayne Mack, Justice of the Peace, Precinct 1, to the Bail Bond Board for the year remainder of 2014 through 2015. Motion carried.

16. REQUEST APPROVED – CHANGE FUND – DWI AND DRUG COURT

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve a change fund in the amount of $100.00 from which change can be made for the clients of the Drug Court. Motion carried.

17. PLAN ACCEPTED – TEXAS COUNTY & DISTRICT RETIREMENT SYSTEM - AUDITOR

Motion by Commissioner Meador, seconded by Commissioner Doyal, to accept the Texas County & District Retirement System Assessment for Plan Year 2015. Motion carried.
18. PURCHASES APPROVED - TECHNOLOGY RELATED ITEMS – JUSTICE OF THE PEACE PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the purchase of the following technology related items using funds from the Justice of the Peace Technology Fund:

- One Apple IPad Mini with Retina display Wi-Fi + Cellular $806.92
- One AppleCare + Extended Service Agreement (2 years parts & labor) 73.50
- One Targus UltraLife Stylus 17.46
- One Bluetooth Keyboard 88.72
- One Apple Smart Case 69.99
- One Wi-Fi Connection for Willis Courtroom 643.59
- One Wi-Fi Connection for Montgomery Courtroom 643.59
- Two computers for Willis Office 1,322.00
- Two computers for Montgomery Office 1,322.00
- Two Olympus Traveller Megapixel Digital Cameras 319.98
- Two Lenmar Car Chargers for iPad 47.98

Motion carried.

19. DISCRETIONARY EXEMPTION APPROVED – RECORDS MANAGEMENT SYSTEM – UPGRADE – COUNTY CLERK

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

Eclipse to CountyFusion™ upgrade, Service Order No. 5, for records management system from Property Info Corporation in the amount of $520,000.00, which includes annual software maintenance for five (5) years at $60,000.00 per year. §262.024(a)(7)(A). Motion carried.

20. AGREEMENT APPROVED – BALL METAL BEVERAGE CONTAINER CORPORATION – COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve Tax Abatement Agreement between Montgomery County, Texas and Ball Metal Beverage Container Corporation. Motion carried.

21. ORDER APPROVED – TEXAS VS. JENNIFER ROMANO, MAGGIES HOUSE RESCUE – COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve Order Acknowledging Receipt of Check in the amount of $1,300.00 obtained through award of attorney's fees in Cause #13-27.057-CV, The State of Texas vs. Jennifer Romano, Maggies House Rescue; in the County Court at Law #2 and authorize the Auditor and Treasurer to credit $404.76 to County Attorney Litigation Line Item 4751-74021, with the remainder to be deposited into the General Fund. Motion carried.

22. RESOLUTION AND ORDER APPROVED – PAYMENTECH™ – COUNTY ATTORNEY

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve Resolution and Order to ratify execution of the Chase documents (Paymentech™ enrollment form and Merchant Payment Processing Guidelines) by the Montgomery County Treasurer Stephanie Davis. Motion carried.
23. REQUEST APPROVED – JACOB RUTHERFORD – COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve Personal Services Agreement and Release of Liability between Montgomery County, Texas and Jacob Rutherford (Contractor) and authorize Judge Sadler to execute Agreement. This Agreement is for law enforcement services for a term of six months and shall continue for month-to-month thereafter until terminated by either party.

24. REQUEST APPROVED – PARTIAL ASSIGNMENT OF LEASE – COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Partial Assignment of Lease Agreement between Montgomery County, Texas and Allen Aviation, LLC to Charles A. Ballard for 7,927 square feet of land located at the Lone Star Executive Airport. Motion carried.

25. REQUEST APPROVED – PARTIAL ASSIGNMENT OF LEASE – COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Partial Assignment of Lease Agreement between Montgomery County, Texas and Charles Ballard to Michael R. Vontour and Kelli Lynn Griffith for 8,276 square feet of land located at the Lone Star Executive Airport. Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARINGS ON THE FOLLOWING:

AGENDA ITEM 23A1: CONSIDER AND APPROVE THE PARTIAL REPLAT OF HARPER’S PRESERVE SECTION ONE TO BE KNOWN AS RETREAT AT HARPER’S PRESERVE.

NO COMMENTS FROM THE PUBLIC.

26. Motion by Commissioner Rinehart, seconded by Commissioner Noack, to conclude the Public Hearing and reconvene Commissioners Court. Motion carried.

NO ACTION NECESSARY FOR THE PUBLIC HEARING.

27. REQUESTS APPROVED – TEXAS COMMISSION ON ENVIRONMENTAL QUALITY – COMMISSIONER PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Rinehart, to approve the following:

a. The Application to Texas Commission on Environmental Quality for a Grant for the Local Initiative Project Advanced Traffic Controller for Signal Timing Automation; and

b. Contract with Texas Commission on Environmental Quality to allow local initiative project.

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 25A: CONSIDER AND DISCUSS CAUSE NO. 4:14-CV-00225; KENNETH BOUTTE V. MONTGOMERY COUNTY JAIL ET AL.; IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS, HOUSTON DIVISION.
EXECUTIVE SESSION – AGENDA ITEM 25B: CONSIDER AND DISCUSS RESOLUTION AND ORDER AUTHORIZING COUNTY ATTORNEY TO INVESTIGATE, SETTLE AND RELEASE AS NECESSARY AND APPROPRIATE, MULTIPLE CLAIMS OUTSTANDING UNDER CLAIM NO. A-140054; RAYFORD LAND INVESTMENT COMPANY, LTD., ET AL. AGAINST MONTGOMERY COUNTY, TEXAS.

COMMISSIONERS COURT RECONVENCED WITH ALL MEMBERS PRESENT.

28. RESOLUTION AND ORDER APPROVED - RAYFORD LAND INVESTMENT COMPANY, LTD. VS. MONTGOMERY COUNTY

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve the Resolution and Order on Claim No. A-140054, styled Rayford Land Investment Company, Ltd. et al vs. Montgomery County, Texas authorizing the County Attorney to investigate, settle and release as necessary and appropriate, outstanding multiple claims. Motion carried.

CITIZEN – AGENDA ITEM 26:

NO CITIZENS ADDRESSED THE COURT.

29. 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 Custodial to increase salary of Amado Coronado Alaniz, Custodian I, due to promoted as replacement for John P. Nichter, effective May 10, 2014.

Request of Custodial to accept resignation of Patricia C. Caldwell, Custodian I, effective May 16, 2014. [24.41 hours or balance vacation; 2.25 hour or balance compensatory.]

Request of Custodial to place Delma S. Landaverde, Manager – Custodial Services, on payroll as replacement for Lorena Garcia, effective May 19, 2014.

Request of Custodial to accept resignation of Billie Jo Lemke, Custodian, effective April 21, 2014. [No benefits due.]

Request of Custodial to accept resignation of Whitney Ann Lynn, Custodian, effective May 2, 2014. [No benefits due.]

Request of Custodial to place Marta Rivera, Custodian, on payroll as replacement for Billie Jo Lemki, effective May 5, 2014.

Request of Custodial to place Doris Esperanza Rodriguez, Custodian, on payroll as replacement for Whitney Ann Lynn, effective May 12, 2014.

Request of Custodial to accept resignation of John Lee Stowe, Custodian, effective May 7, 2014. [No benefits due.]

Request of Custodial to place Nancy Griseida Valles, Custodian I, as replacement for Wanda Moren, effective May 12, 2014.

Request of Custodial to increase salary of Candice Wilhite, Custodian, due to completion of probationary period, effective May 12, 2014.

Request of Building Maintenance to accept resignation of David Strouse, Facility Systems Manager, effective May 9, 2014. [34.16 hour or balance vacation.]
Request of Commissioner Precinct 1 to increase salary of John G. Compton, Mechanic II, due to equity adjustment, effective May 10, 2014.

Request of Commissioner Precinct 1 to increase salary of Melvin Erickson, Mechanic II, due to equity adjustment, effective May 10, 2014.

Request of Commissioner Precinct 1 to increase salary of Bonnie Houser, Admin Manager II, due to equity adjustment, effective May 10, 2014.

Request of Commissioner Precinct 2 to accept resignation of James Melvin, Operator I, effective May 6, 2014. [3.08 hours or balance vacation; 24.50 hours or balance compensatory; 6.00 hours or balance holiday.]

Request of County Attorney to accept resignation of Daniel Jones, Attorney II, effective April 25, 2014. [206.56 hours or balance vacation.]

Request of District Clerk to increase salary of Katrina Blunk, Court Clerk IV, due to completion of probationary period, effective May 5, 2014.

Request of District Clerk to increase salary of Eloisa Salinas, Court Clerk II, due to completion of probationary period, effective May 5, 2014.

Request of Human Resources to place Bettzy Aguilar, HR Coordinator, on Unpaid FMLA/Disability Leave, effective May 5, 2014.

Request of Office of Indigent Defense to increase salary of Maritza Garcia, Jail Liaison/Compliance Monitor, due to transfer as replacement for Mireya Sanchez, effective May 1, 2014.

Request of Juvenile to place Karamell Brown, Juvenile Supervision Officer, on payroll as replacement for April Jackson, effective May 12, 2014.

Request of Juvenile to place Rebecca Lynn Deweese, Juvenile Supervision Officer, on payroll as replacement for Rebecca Kiefer, effective May 12, 2014.

Request of Juvenile to place Duvy Mendez, Juvenile Supervision Officer - Substitute, on payroll effective May 14, 2014.

Request of Juvenile to place Matthew James Miller, Juvenile Supervision Officer, on payroll as replacement for Rex Owen, effective May 12, 2014.

Request of Juvenile to place Kynesha Russell, Juvenile Supervision Officer - Substitute, on payroll effective May 14, 2014.

Request of Juvenile to place Rodrigo Tarango, Jr., Juvenile Supervision Officer, on payroll as replacement for Abdul Ajala, effective May 12, 2014.

Request of Juvenile to accept resignation of Maria Elena Zavala, Counselor, effective May 2, 2014. [43.85 hours or balance vacation.]

Request of Library to place Sharon Eide, Library Assistant II, on Unpaid FMLA/Disability Leave, effective April 25, 2014.

Request of Library to accept resignation of Carol P. McAnally, Library Assistant II, effective May 19, 2014. [No benefits due.]

Request of Library to place Stephanie Saxon, Shelving Clerk I, on payroll as replacement for Kimberly Mililiff, effective May 5, 2014.

Request of Library to place Deborah L. Wood, Library Assistant II, on payroll as replacement for Brandilyn Pocevic, effective May 7, 2014.
Request of Managed Assigned Counsel to accept resignation of Meagan Elzner, Case Worker/MAC, effective May 2, 2014. [12.47 hours or balance vacation.]

Request of Sheriff to increase salary of Allison Allen, Lieutenant Administration, due to STEP increase, effective June 7, 2014.

Request of Sheriff to place Brian Ashton, Officer Civilian Detention, on payroll as replacement for Wesley Sage, effective May 7, 2014.

Request of Sheriff to place Joshua Broussard, Officer Civilian Detention, on payroll as replacement for Alexis Montes, effective May 10, 2014.

Request of Sheriff to accept resignation of Richard Carpenter, Officer Civilian Detention, effective May 11, 2014. [21.56 hours or balance vacation; 17.26 hours or balance compensatory; 16.00 hours or balance holiday.]

Request of Sheriff to place Donna Chelette, Clerk IV Records, on payroll due to return from Unpaid FMLA/Disability Leave, effective April 28, 2014.

Request of Sheriff to accept resignation of Donna Chelette, Clerk IV Records, effective May 2, 2014. [4.48 hours or balance vacation.]

Request of Sheriff to increase salary of Clint Curry, Deputy Patrol, due to STEP increase, effective June 7, 2014.

Request of Sheriff to increase salary of David Scott Davis, Detective, due to STEP increase, effective June 7, 2014.

Request of Sheriff to increase salary of Anson Drake, Deputy Patrol, due to STEP increase, effective May 24, 2014.

Request of Sheriff to increase salary of Jeffery Durrenberger, Deputy Patrol, due to STEP increase, effective May 10, 2014.

Request of Sheriff to increase salary of John Godden, Deputy SWAT, due to STEP increase, effective May 24, 2014.

Request of Sheriff to increase salary of Donald Golsby, Corporal Training, due to STEP increase, effective May 24, 2014.

Request of Sheriff to increase salary of Stephanie Hall, Deputy Detention, due to STEP increase, effective June 7, 2014.

Request of Sheriff to increase salary of James Hook, Corporal Training, due to STEP increase, effective June 7, 2014.

Request of Sheriff to place Tarina Lively, Officer Civilian Detention, on payroll as replacement for Justin Pierce, effective May 10, 2014.

Request of Sheriff to increase salary of Jackie Ray Mitchell, Jr., Deputy Bailiff, due to STEP increase, effective May 10, 2014.

Request of Sheriff to place Danielle Ortiz, Dispatcher, on payroll as replacement for Ashton Morris, effective May 10, 2014.

Request of Sheriff to change title only of Paige Pangarakis, Administrative Manager I, effective May 5, 2014.

Request of Sheriff to increase salary of Gary Richardson, II, Deputy Detention, due to STEP increase, effective June 7, 2014.
Request of Sheriff to change title only of Deanne Riley, Administrative Manager I, effective May 5, 2014.

Request of Sheriff to increase salary of Marvin Rogers, Sergeant Patrol, due to STEP increase, effective May 10, 2014.

Request of Sheriff to increase salary of John Sanchez, Jr., Sergeant Detectives, due to STEP increase, effective May 3, 2014.

Request of Sheriff to increase salary of Philip Schumpe, Detective, due to promotion as replacement for John Schmitt, effective May 3, 2014.

Request of Sheriff to increase salary of Floyd Self, Jr., Deputy Patrol, due to STEP increase, effective May 24, 2014.

Request of Sheriff to increase salary of Stacy Sherlock, Deputy Patrol, due to STEP increase, effective May 10, 2014.

Request of Sheriff to increase salary of Floyd Self, Jr., Deputy Patrol, due to STEP increase, effective May 24, 2014.

Request of Sheriff to increase salary of Stacy Sherlock, Deputy Patrol, due to STEP increase, effective May 10, 2014.

Request of Sheriff to accept resignation of Clayton Simonton, Deputy Detention, effective May 9, 2014. [170.20 hours or balance vacation; 467.75 hour or balance compensatory; 64.00 hours or balance holiday.]

Request of Sheriff to place Kyle Sullivan, Officer Civilian Detention, on payroll as replacement for Johnny Gonzalez, effective May 10, 2014.

Request of Sheriff to transfer Max Toliver, Jr., Deputy Patrol District V, as replacement for Jesse Fluellen, effective May 10, 2014.

Request of Sheriff to increase salary of Rodney Van Howten, Deputy Bailiff, due to STEP increase, effective June 7, 2014.

Request of Sheriff to increase salary of Larry Williams, Detective, due to STEP increase, effective June 7, 2014.

Request of Tax Assessor/Collector to increase salary of Joanna J. Turrubiartes, Deputy Specialist II, due to promotion as replacement for Donna McDonald, [completion of one year experience/tenure requirement] effective May 10, 2014.

Motion carried.

30. COURT ADJOURNS

Motion by Commissioner Meador, seconded by Commissioner Noack, 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