THE STATE OF TEXAS
COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 2nd day of June, 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
Also County Clerk’s Office Francine Nichols

ABSENT from this session:
Commissioner, Precinct 3 James Noack
Commissioner, Precinct 4 Ed Rinehart

INVOCATION given by Nelda Blair.

PLEDGE OF ALLEGIANCE to the United States flag recited.

PLEDGE OF ALLEGIANCE to the Texas state flag recited.

Judge Sadler acknowledged and congratulated three new members of the Commissioners Court:

Judge Elect Craig Doyal
Commissioner Elect Precinct 2 Charlie Riley
Commissioner Elect Precinct 4 Jim Clark
And District 16 State Representative Will Metcalf

1. COMMISSIONERS COURT AGENDA APPROVED.

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

2. COMMISSIONERS COURT MINUTES – COUNTY CLERK

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve Commissioners Court Minutes for Regular Session dated May 19, 2014. Motion carried.

3. CONSENT AGENDA – AGENDA ITEMS 8A-L

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

COUNTY AUDITOR – AGENDA ITEMS 8A1-6

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

A2. BUDGET AMENDMENTS FY14 APPROVED:

a. Various: To recognize and allocate revenue.

b. Various Departments: To fund payoff of exempt employees compensatory balance approved M22/05.05.14.
c. 221st District Court: To adjust line items.
d. Commissioner Precinct 1: To adjust line items.
e. Commissioner Precinct 1: To recognize and allocate revenue.
f. Commissioner Precinct 3: To adjust line items.
g. Commissioner Precinct 4: To adjust line items.
h. Constable Precinct 2: To recognize and allocate revenue.
i. Constable Precinct 4: To adjust line items.
k. Court Collections: To adjust line items.
l. Court Reporter Services Fund: To recognize and allocate revenue.
m. Court Reporter Service Fund: To recognize and allocate revenue.
n. Court Reporter Service Fund: To recognize and allocate revenue.
o. County Engineer: To recognize and allocate revenue received from sale of Joe Corley Facility to fund H-GAC Study as authorized by Commissioners Court (M4/07.22.13).
p. Custodial Services: To transfer funds for build.
q. District Attorney: To transfer funds for build.
r. Indigent Defense: To adjust line item.
s. Information Technology: To adjust line items.
t. Justice of the Peace Technology Fund: To recognize and allocate revenue for Justice of the Peace Technology Fund as authorized by Commissioners Court (M10/05.19.14).
u. Justice of the Peace Technology Fund: To recognize and allocate revenue for Justice of the Peace Technology Fund as authorized by Commissioners Court (M18/05.19.14).
v. Justice of the Peace Precinct 5: To transfer funds for build.
w. Juvenile: To transfer for VPN.
x. Montgomery County Community Development: To recognize and allocate PI received for Splendora Building.
y. Montgomery County Community Development – CDBG – DR – Round II Phase II: To adjust line items.
z. Montgomery County Community Development – County Appropriation: To adjust line items for Tamina refund (M8/05.05.14).
aa. Sheriff: To adjust line items.
bb. Sheriff – Auto Theft: To adjust line items for Budget Adjustment #4.

A3. REPORT OF OFFICIALS’ FEES ACCEPTED as audited for February 2014.
A4. REPORT OF OFFICIALS’ FEES ACCEPTED as audited for March 2014.
A5. MONTHLY UNAUDITED FINANCIAL REPORT ACCEPTED for the month of March, 2014.
A6. MONTHLY UNAUDITED FINANCIAL REPORT ACCEPTED for the month of April, 2014.
TREASURER – AGENDA ITEMS 8B1-3

B1. WEEKLY INVESTMENT REPORT APPROVED for week ending May 16, 2014.

B2. TICKET LOG APPROVED for April 2014.

B3. INVESTMENT REPORT APPROVED for April 2014.

TAX ASSESSOR/COLLECTOR – AGENDA ITEM 8C1-3

C1. SURETY BOND #106078950 ACCEPTED for Gerlands Food Fair, Inc., Gerlands Realty Corp. and/or Donald Benefield – COO, EVP. in the amount of $20,000.00.

C2. SURETY BOND #103200683 ACCEPTED for Hodges Food Basket in the amount of $10,000.00.

C3. SUPPLEMENTAL CHANGES ACKNOWLEDGED from Appraisal Districts for all taxing jurisdictions located in Montgomery County for May 2014.

PURCHASING – AGENDA ITEMS 8D1-10

D1. ADVERTISING APPROVED for the following bid/proposal:
   a. NEW DANVILLE 37,000 GPD WASTEWATER TREATMENT PLANT – Project 2014-0057 – Montgomery County Community Development.

D2. CONTRACTS AWARDED:
   a. JOHNSON SUPPLY and CENTURY AIR CONDITIONING SUPPLY for HVAC items/miscellaneous supplies (Project 2014-0042) – Various Departments.
   b. ASTRO FENCE COMPANY for chain link fencing/materials and labor (Project 2014-0046). Items nos. 6, 7, 8 and 9 rejected from Bid – Various Departments.
   c. VULCAN SIGNS for traffic signs and related supplies (Project 2014-0039) – Various Departments.
   d. MECHANICAL PIPING SYSTEMS, INC. (Prime); THE BRANDT COMPANIES, LLC and ENVIROTECH MECHANICAL SYSTEMS (Alternates) for HVAC/Mechanical Services (Project 2014-0034) – Various Departments.

D3. RENEWALS APPROVED:
   a. SOFTWARE HOUSE INTERNATIONAL, INC. (P.O. 2014134) for products & related services, expires 08/20/14 – Various Departments. Note: As per documents on file.
   b. FUTURE COM, LTD (P.O. 2014459) for products and related services, expires 08/09/14 – Information Technology.
   c. HARRIS COUNTY, TEXAS/FUND 1000 (P.O. 2009576) for Interlocal Agreement with Harris County for Montgomery County’s access to the Harris county Radio system Infrastructure as a part of the 800 MHZ Regional Radio System, expires 08/16/14 – Various Departments.
   d. ROGUE WASTE RECOVERY & ENVIRONMENTAL, INC. (P.O. 2010566) for automotive recyclables disposal service, expires 07/08/14 – Various Departments.
D4. CHANGE ORDERS APPROVED:

a. Change Order #19 (P.O. 2010327) to Stephens Office Supply, Inc., dba GoStephens for office/computer/paper supplies and accessories with online ordering capabilities, second quarter 2014 increase of 7.19% and decrease of 7.9% with additional new items and deleting other items – Various Departments.

b. MOVED TO OPEN AGENDA – SEE MOTION 4.

D5. DISCRETIONARY EXEMPTIONS APPROVED:

a. LexisNexis® for online computer assisted legal research – Various Departments §262.024(a)(7)(B).


c. John C. Holzwarth for on call transportation engineering services – Various Precincts §262.024(a)(4).

d. Texas Department of Information Resources and Juniper Networks (US), Inc. Reseller M&S Technologies for products and related services, Contract #DIR-SDD-1470, effective 06/02/14 through 08/19/14 – Information Technology §271.083(b).

e. West A Thomson Reuters Business for sole-source online computer assisted legal research – Various Departments §262.024(a)(7)(B).

f. Schaumburg & Polk, Inc. for Engineering for Route Study – Cost Proposal in the amount of $29,570.00 – Precinct 1/Lone Star Executive Airport §262.024(a)(4).

D6. RENAMING PERMISSION TO ADVERTISE APPROVED from Anders Branch Drainage Improvements – Project 2013-0059 - Montgomery County Community Development to Anders Branch/Town Creek Area Drainage Improvements – Project 2013-0059 - Montgomery County Community Development.


D8. REQUEST APPROVED to declare one laser as salvage – Precinct 4 §263.151(1).

D9. LEASE AGREEMENT APPROVED between Montgomery County and Chaparral Library, Inc. dba Chaparral Genealogical Society, previously awarded pending Lease Agreement in Commissioners Court on 04/21/14 – County Attorney/Precinct 2.

D10. NAME CHANGE ACCEPTED of BNB Envirotech, Inc. to Triple B Ag, LLC effective May 20, 2014.
RISK MANAGEMENT – AGENDA ITEM 8E1

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

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COMMISSIONERS – AGENDA ITEMS 8F1-2

F1. PRECINCT 4

a. USE AGREEMENT APPROVED with Highpoint Fellowship Church to use the football fields at Tram Road Park for a Kickball Tournament on Saturday, June 7, 2014.

b. USE AGREEMENT APPROVED with East Montgomery County Sports Association to use the Football Fields at Bull Sallas Park from 06/01/14 through 12/31/14.

F2. PRECINCTS 2 and 4

a. ANNUAL FINANCIAL REPORT ACCEPTED from the Emergency Services District #4 for the year ended September 30, 2013.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 8G1-4

G1. PRECINCT 1

a. REQUEST APPROVED for Mid-South Synergy to place a power line within the right of way of North Mount Mariah Road.

G2. PRECINCT 2

a. FINAL PLAT APPROVED for The Fountains at Jacobs Reserve, Section 1 (Amending Plat No. 1); 12.234 Acres, A.W. Springer Survey, A-490.

b. STREETS ACCEPTED at Crown Ranch, Section 1, having completed one year maintenance period and bond released. Streets are private and will not be maintained by Montgomery County.

c. STREETS ACCEPTED at Crown Ranch, Section 1A, having completed one year maintenance period and bond released. Streets are private and will not be maintained by Montgomery County.

d. STREETS APPROVED INTO THE COUNTY ROAD MAINTENANCE SYSTEM at Old Kentucky Farms, Section 1, total length of roads 7,622.37 linear feet = 1.44 miles, effective June 2, 2014.

e. STREETS APPROVED INTO THE COUNTY ROAD MAINTENANCE SYSTEM at The Fountains at Jacobs Reserve, Section 1, total length of roads 2,226.91 linear feet = 0.42 miles, effective June 2, 2014.

f. PUBLIC HEARING DATE APPROVED for July 14, 2014 to establish multi-way stop control at the intersection of Woodforest Parkway and Elk Trace Drive/Overland Trace Drive, as per request on file.

g. REQUEST APPROVED for LDC, llc to place a 2” Natural Gas Line within the right of way of Keenan Cut Off Road.
h. REQUEST APPROVED for MSEC Enterprises, Inc. to place an 8” PVC Water with 14” Steel Encasement Line within the right of way of Fish Creek Thoroughfare.

G3. PRECINCT 3

a. STREETS APPROVED INTO THE COUNTY ROAD MAINTENANCE SYSTEM at Falls at Imperial Oak, Section 9, total length of roads 4,876.44 linear feet = 0.93 miles, effective June 2, 2014.

b. PUBLIC HEARING DATE APPROVED for July 14, 2014 to establish multi-way stop control at the intersection of Hanna Road at Robinson Road, as per request on file.

c. REQUEST APPROVED for Alpheus Communication, LLC to place a fiber optic line within the right of way of Woodlands Parkway.

d. REQUEST APPROVED for TW Telecom to place a buried HDPE innerduct and fiber line within the right of way of Timberloch Place.

G4. PRECINCT 4


b. REQUEST APPROVED for Phonoscope Enterprises Group to place a fiber optic cable line within the right of way of Woodridge Parkway.

c. REQUEST APPROVED for Porter S.U.D. to place a 16” water line within the right of way of Valley Ranch Parkway.

ENVIRONMENTAL HEALTH – AGENDA ITEMS 8H1-2

H1. VARIANCE REQUEST APPROVED to install an aerobic on-site system in the 100-year floodplain located at 28306 Red Fox Lane, Pinehurst, Texas 77362.

H2. REQUEST APPROVED for the Order To Vacate Order Assessing Cost of Abating Nuisance to be filed in Real Property records to recover cost to the County for demolition of a public nuisance at the location of Lot 44, Block 2, Sycamore Hill. This Lot was attached to the Lien in error.

COUNTY JUDGE – AGENDA ITEM 8I1

I1. CORRECTION APPROVED to Motion 3 for May 19, 2014 Resolution for Montgomery County United Way Volunteer Appreciation Day 2014. It reads Signed this 22nd day of May, 2014. It should read Signed this 19th day of May, 2014.

INFRASTRUCTURE – AGENDA ITEM 8J1

J1. CERTIFICATE OF SUBSTANTIAL COMPLETION DOCUMENT AND PUNCH LIST APPROVED from Joseph M. Santopetro, Architect for the Montgomery County Jail additions project. [NOTE: At the end of this Court session, this item was deferred. See Motion 46.]

DISTRICT CLERK – AGENDA ITEM 8K1

K1. DEPUTATION APPROVED of District Clerk’s employee, Jennifer Carlton.
COUNTY CLERK – AGENDA ITEMS 8L1-2

L1. TRANSFER APPROVED of $10,000.00 from the County Clerk’s Records Management Fund to line item 40311-7419 (Professional Services). This will fund additional microfilm conversion of County Clerk Records for Fiscal Year 2014.

L2. DEPUTATION APPROVED of County Clerk’s employee Ashley Langston McMullen.

Motion carried.

END OF CONSENT AGENDA

4. Motion by Commissioner Meador, seconded by Commissioner Doyal, to defer Agenda Item 8D4b which was moved from Consent to Open. Motion carried. [Note: This item was reinstated later during this Court session. See Motion 46.]

5. RESOLUTION APPROVED – MCECD 911 BUDGET – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Resolution approving the Montgomery County Emergency Communication District’s 911 proposed budget for Fiscal Year 2015. Motion carried.

6. REQUEST APPROVED – HOURS/PAY FOR PART-TIME POSITIONS – JUSTICE OF THE PEACE PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve increasing the hours and pay for the current part-time positions (3972-500 and 3972-501) from 34 hours bi-weekly to 58 hours bi-weekly and add two additional part-time positions (58 hours bi-weekly) effective June 7, 2014. Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARINGS ON THE FOLLOWING:


GRANT TITLED: PORTABLE LED INFORMATION/WARNING SIGNS PROJECT IN THE AMOUNT OF $56,030.00 NO MATCHING FUNDS REQUIRED.

NO COMMENTS FROM THE PUBLIC.

7. Motion by Judge Sadler, seconded by Commissioner Meador, to reconvene Commissioner Court. Motion carried.

COMMISSIONERS COURT IS RECONVENED.

8. REQUEST APPROVED – FILING GRANT APPLICATION – SHERIFF

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve filing the Grant Application for the Edward Byrne Memorial Justice Assistance Grant (JAG) Fiscal Year 2014 and authorize Lt. Brady Fitzgerald to submit the Grant Application on behalf of the jurisdiction electronically. Motion carried.
9. REQUEST APPROVED – FIREHOUSE SUBS GRANT APPLICATION – SHERIFF

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the
Grant Application to Firehouse Subs in the amount of $19,827.50 for SONS Trauma Kits
for first responders. No County match is required. Motion carried.

10. FUNDING APPROVED – SURVEY OF CUSTOMS/BORDER PROTECTION
FACILITY – LONE STAR EXECUTIVE AIRPORT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve funding
a survey of the proposed U.S. Customs and Border Protection Facility Parcel. Funding
source to be Airport Pre-Paid Lease Revenue, budget line item 629142.7501. Motion
carried.

11. FUNDING APPROVED – MAIN AIRPORT DIRECTOR SIGN – LONE STAR
EXECUTIVE AIRPORT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve funding
the refurbishment and relocation of the main airport directory sign by Artech Signs and
Lighting at a cost of $9,579.70. Funding from budget 6291-7598. Motion carried.

12. REQUEST APPROVED – TRANSFER OF FUNDS – LIBRARY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the
transfer of $12,500.00 from 65117-7591 to 65117-7395. Motion carried.

13. REQUEST APPROVED – FUNDING SOURCE – JUSTICE OF THE PEACE
PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the
funding source in Motion 6 (for increased hours and pay for the current part-time
positions and adding two additional part-time positions) to be Contingency. Motion
carried.

14. REQUEST APPROVED – SOFTWARE SUPPORT – AUDITOR

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve a
request by County Court at Law 3 to use $595.00 from the Court Report Service Fund to
purchase Advantage Software Technical Support Agreement, to aid their Court Reporter
in reporting daily courtroom activity. Motion carried.

15. REQUESTS APPROVED – REIMBURSEMENTS – AUDITOR

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve
requests by County Court at Law 3 to be reimbursed by the Court Reporter Service Fund
for expenses incurred at the Texas Court Reporter’s Annual Convention as follows:

- $1,021.96 for attendance of Kimberly Holzwarth.
- $1,031.49 for attendance of Nancy Eleby.

Motion carried.

16. REQUEST APPROVED – REIMBURSEMENT – Auditor

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve
requests by 284th District Court to be reimbursed from the Court Reporter Service Fund
in the amount of $323.22 for expenses incurred by Kenneth Cramer during attendance at
the StenoCat Users Network Spring 2014 Seminar/Convention. Motion carried.
17. REPORT APPROVED – HURRICANE IKE GRANT ACTIVITY – AUDITOR

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the final report for Hurricane Ike Grant No. DR-1791-TX. Motion carried.

18. REPORT ACCEPTED – INMATE PHONE REVENUE – AUDITOR

Motion by Commissioner Meador, seconded by Commissioner Doyal, to accept the Report of Inmate Phone Revenue. Motion carried.

19. REQUESTS APPROVED – REIMBURSEMENTS/PURCHASE – AUDITOR

Motion by Judge Sadler, seconded by Commissioner Meador, to approve the requests from Justice of the Peace Precinct 1 to be funded from the Justice of the Peace Technology Fund for the following:

- $600.00 reimbursement for six employees to attend seminars.
- $405.00 for three Acer Monitor 22” Wide Screens at $135.00 each.

Motion carried.

20. REQUEST APPROVED – COMPUTER PURCHASE – AUDITOR

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the purchase of Dell Computer System (2) with accessories, in the amount of $3,050.67 to be funded by the Justice of the Peace Technology Fund. Motion carried.

21. REQUEST APPROVED – PAYMENT TO THE JOINT COMMISSION - AUDITOR

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve payment of the invoice from The Joint Commission, in the amount of $14,200.00 for fees for accreditation/certification survey as required by the Agreement between Montgomery County and the Texas Department of State Health Services (Section I, A-2; approved by Commissioners Court on August 26, 2013, Motion 22). Motion carried.

22. CONTRACT AWARDED – AUTOMATED TELLER MACHINES – VARIOUS DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Doyal, to award a contract to Woodforest National Bank for RFP/Q Automated Teller Machines (Project 2014-0027). Motion carried.

23. CONTRACT AWARDED – INTERSECTION IMPROVEMENTS – PRECINCT 4

Motion by Commissioner Meador, seconded by Commissioner Doyal, to award a contract to Third Coast Services, LLC for intersection improvements for FM 1314 and Timberland Boulevard (Project 2014-0051), in the amount of $161,572.95. Motion carried.

24. CONTRACT AWARDED – CONSTRUCTION VALLEY RANCH PARKWAY – PRECINCT 4

Motion by Commissioner Meador, seconded by Commissioner Doyal, to award a contract to Aranda Brothers Construction, Inc., for construction for Valley Ranch Parkway at Grand Parkway and White Oak Creek (Project 2014-0052), in the amount of $2,250,779.27. Motion carried.
25. CONTRACT AWARDED – INTERSECTION IMPROVEMENTS – PRECINCT 3
Motion by Commissioner Meador, seconded by Commissioner Doyal, to award a contract to Lexton Construction, LLC for Woodlands intersection improvements (Project 2014-0054), in the amount of $647,022.50. Motion carried.

26. DISCRETIONARY EXEMPTION APPROVED – GLOBAL SECURITY SYSTEMS – EMERGENCY MANAGEMENT
Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the discretionary exemption for Global Security Systems, LLC for voice and text based emergency notification system through DIR Contract #DIR-SDD-2201 in the amount of $404,229.00. To be funded by the 2013 UASI Grant. §271.083(b). Motion carried.

27. PURCHASE APPROVED – EXCAVATOR – PRECINCT 1
Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the purchase of one Gradall XL 3100 IV truck mounted excavator from Associated Supply Company in the amount of $288,293.60 through the Interlocal Agreement with HGAC Contract #EM06-13. Motion carried.

28. PURCHASE APPROVED – DUMP TRUCK – PRECINCT 3
Motion by Judge Sadler, seconded by Commissioner Doyal, to approve the purchase of one 2015 Freightliner dump truck from Houston Freightliner, Inc. in the amount of $104,258.00 through the Interlocal Agreement with HGAC Contract #HT11-12. Motion carried.

29. RESOLUTION AND ORDER APPROVED – OCCUPANCY OF BUILDING SPACE – COUNTY ATTORNEY
Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve Resolution and Order approving Occupancy Agreement between Montgomery County and Dr. Karimjee for lease of County building space to be used as low income medical clinic in Magnolia. Motion carried.

30. AMENDMENT APPROVED – LAKEWOOD FAMILY PRACTICE – COUNTY ATTORNEY
Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve Amendment to Occupancy Agreement For The East Montgomery County Community Development Center between Montgomery County, Texas and Lakewood Family Practice and/or Dr. N.K. Karimjee, M.D. Motion carried.

31. RESOLUTION AND ORDER APPROVED – FILING EXTENSION – COUNTY ATTORNEY
Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve Resolution and Order granting request by ESD #10 for a 30-day extension for filing of the 2013 District Audit Report. Motion carried.

32. MINUTES ACCEPTED – MCMHTF ADVISORY BOARD – COUNTY ATTORNEY
Motion by Commissioner Meador, seconded by Commissioner Doyal, to accept the Minutes of April 15, 2014 Montgomery County Mental Health Advisory Board Meeting. Motion carried.
33. REPORT ACCEPTED – MCMHTF PERFORMANCE INDICATOR – COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to accept the Monthly Performance Indicator Report for the month of April 2014, recommended by the Montgomery County Mental Health Treatment Facility Advisory Board. Motion carried.

34. REQUEST APPROVED – APPOINTMENTS/PRIVILEGING – COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Appointment and privileging of physician Dr. Barbara Moore, (Psychiatrist) and Dr. Jerry Weathers, (Psychiatrist), provisional status. The Medical Executive Committee has reviewed their qualifications, licensure, education, training, current competency, professionalism, and health status. Motion carried.

35. REQUESTS APPROVED – REVISED/REVIEWED POLICIES – COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve eight revised or reviewed policies as a part of the Management Plan that is recommended by the Montgomery County Mental Health Treatment Facility Advisory Board:

- Discrimination and Civil Rights (V.3)
- Employee Conflict Resolution (V.2)
- Fire Response Plan (V.3)
- High Alert Medication (V.4)
- Interpretation Services (V.3)
- Medication Reconciliation (V.4)
- Patient Accountability Checks (V.3)
- Restrictions, Precautions, and Monitoring Patients of Different Levels of Care (V.3)

Motion carried.

36. REVISION APPROVED – MEDICAL STAFF BY LAWS – COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve revised Medical Staff Bylaws with a change of Article 10.5.2 to reflect changes related to disaster privileges in accordance with the Management Plan. Motion carried.

37. REQUESTS APPROVED – REVISED/REVIEWED ENVIRONMENT OF CARE PLANS – COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve seven revised and reviewed Environment of Care Plans as recommended by the Montgomery County Mental Health Treatment Facility Advisory Board:

- Emergency Operations Plan
- Safety Management Plan
- Security Management Plan
- Hazardous Material and Waste Management Plan
- Fire Safety Management Plan
- Medical Equipment Management Plan
- Utilities Management Plan

Motion carried.
38. REQUEST APPROVED – ORDER TO CLOSE PORTION OF PORTER ROAD – COUNTY ATTORNEY – REAL PROPERTY – PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve Order Closing, Abandoning, and Vacating A Portion Of Porter Road Right-Of-Way, located in Jacob Shannon Survey Abstract 35. Motion carried.

39. REQUESTS APPROVED – PARTIAL ASSIGNMENTS OF LAND LEASES – COUNTY ATTORNEY – REAL PROPERTY – AIRPORT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve Partial Assignment of Lease Agreement with Consent of Lessor Lone Star Executive Airport between Montgomery County, Texas and:

- David Christy to Thomas Hammer for 3.593 acres of land located at the Lone Star Executive Airport.
- David Christy to Jose Lopezdelpuerto for 3.593 acres of land located at the Lone Star Executive Airport.

Amy Dunham from the County Attorney’s office stated that the acreage is incorrect, it is not 3.593 acres, but .033 acres.

Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARINGS ON THE FOLLOWING:

AGENDA ITEM 19A1:

PRECINCT 1

CONSIDER AND APPROVE CHANGING THE NAME OF SILVER CITY LOOP TO MILLER MEMORIAL CHURCH LANE, KEY MAP 126Y. THE LOOP TURNS OFF OF LITTLE EGYPT AND LOOPS AROUND LONGMIRE.

NO COMMENTS FROM THE PUBLIC.

AGENDA ITEM 19B1:

PRECINCT 3

CONSIDER AND APPROVE ESTABLISHING A “LOAD ZONE” ON THE EAST SIDE OF WATERWAY AVENUE, SOUTH OF LAKE ROBBINS, PER REQUEST ON FILE.

NO COMMENTS FROM THE PUBLIC.

COMMISSIONERS COURT IS RECONVENED.

40. Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the following:

- Changing the name of Silver City Loop to Miller Memorial Church Lane.
- Establishing a “Load Zone” on the east side of Waterway Avenue, south of Lake Robbins.

Motion carried.
41. AMENDMENT APPROVED – LEASE AGREEMENT – COMMISSIONER PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve Second Amendment to Lease Agreement with Montgomery County Fair Association, dated March 12, 2001. Motion carried.

42. REQUESTS APPROVED – CHANGE POSITION/TRANSFER FUNDS – COMMISSIONER PRECINCT 3

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

a. Close position 61480-8316-1 and open position 61480-8550-1. Transfer the existing budgeted salary to the new position.


c. Transfer $9,875.02 from 614-4229-1 to 614-8550-1.

d. Transfer $5,993.91 from 614-4229-1 to 614-8557-1.

Motion carried.

JUDGE SADLER ACKNOWLEDGED THE PRESENCE OF FORMER COMMISSIONER PRECINCT 3 ED CHANCE AND FORMER CHIEF OF STAFF OF THE COUNTY JUDGE’S OFFICE ANN CARR.

COMMISSIONER MEADOR ACKNOWLEDGED THE PRESENCE OF HIS WIFE, JANIE MEADOR.

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 DISCUSS RESOLUTION AND ORDER AUTHORIZING COUNTY ATTORNEY TO INVESTIGATE, PROSECUTE, SETTLE AND RELEASE AS NECESSARY AND APPROPRIATE, CLAIMS UNDER CLAIM NO. U-13-0048; MONTGOMERY COUNTY, TEXAS AGAINST MARC ANTHONY MCNEIL.

EXECUTIVE SESSION – AGENDA ITEM 21B: CONSIDER AND DISCUSS CAUSE NO. 12-08-09241; CLAIM NO. A-10-0032 JUAN DAVID PINEDA V. KENNETH RAY HOUSE, MONTGOMERY COUNTY, TEXAS AND MONTGOMERY COUNTY, PRECINCT 4 IN THE DISTRICT COURT; MONTGOMERY COUNTY, TEXAS; 359TH JUDICIAL DISTRICT.

EXECUTIVE SESSION – AGENDA ITEM 21C: CONSIDER AND DISCUSS CAUSE NO. 4:13-CV-02789; CLAIM NO. C130090; STYLED TEXCOM GULF DISPOSAL, LLC V. MONTGOMERY COUNTY, ET AL; IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS, HOUSTON DIVISION.

EXECUTIVE SESSION – AGENDA ITEM 21D: CONSIDER AND DISCUSS MONTGOMERY COUNTY, TEXAS VS. EMERSON LAND COMPANY AND TRAVELERS INDEMNITY COMPANY, SUCCESSOR IN INTEREST TO GULF INSURANCE COMPANY.

EXECUTIVE SESSION – AGENDA ITEM 21E: CONSIDER AND DISCUSS CLAIMS RELATED TO SUBROGATION MEDICAL PLAN PY 2012-010624-A.

COMMISSIONERS COURT RECONVENSED.
43. RESOLUTION AND ORDER APPROVED – JUAN DAVID PINEDA VS. MONTGOMERY COUNTY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Resolution and Order on the settlement reached in connection with Claim No. A-10-0032, a lawsuit styled Juan David Pineda v. Montgomery County, Texas, hereby approving the Mediated Settlement Agreement and authorizing the county Auditor to issue check(s) in the amount of $50,000.00 in accordance with the Mediated Settlement Agreement, with funding from Montgomery County Precinct 4, from budget line 615-76573. Motion carried.

44. RESOLUTION AND ORDER APPROVED – SUBROGATION MEDICAL PLAN PY 2012-010624-A

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Resolution and Order hereby agreeing to allow the Director of Risk Management to provide a letter accepting the proposed settlement of claim number PY 2012-010624-A, and to accept $7,239.57 for settlement of its Subrogation lien in exchange for a full and final release of all parties. The Funds are to be deposited into the Montgomery County Employee Benefit Plan Trust Account. Motion carried.

CITIZEN – AGENDA ITEM 26:

A woman who did not identify herself inquired about larger flags on the Courthouse.

Bill O'Sullivan conveyed congratulations to Commissioner Doyal. Expressed concern regarding the newspaper postings pertaining to Commissioner Noack. And suggested that the money from the sale of the Joe Corley Facility should be used for building of a new jail instead of borrowing money twice.

Walter Boyd conveyed congratulations to Commissioner Doyal and feels that our “Open Meeting” format is flawed and that we’re going to have to address rules for public prayers.

Chief McDaniel acknowledged the exceptional job done by the office of Emergency Management, Nicky Kelly, the Auditor’s office and Linda Breazeale in the recovery of $24,381,921.85 of the $25,000,000.00 that was spent on Hurricane Ike.

45. PAYROLL CHANGE REQUEST FORMS APPROVED – HUMAN RESOURCES

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

Request of Animal Control to revise leave anniversary date of Christina Fauver, Clerk I, to October 5, 2009, effective May 24, 2014.

Request of Custodial to place Louis Alcoser, Jr., Custodian, on payroll as replacement for John Stowe, effective May 19, 2014.

Request of Custodial to place Jessica Hinojosa, Custodian I, on payroll as replacement for Yolanda Pena, effective May 27, 2014.

Request of Custodial to increase salary of Yolanda Pena, Custodian I, due to status change as replacement for Patricia Caldwell, effective May 27, 2014.

Request of Custodial to place Veronica Stubblefield, Custodian, on payroll as replacement for Amado Alaniz, effective May 19, 2014.

Request of County Court at Law 2 to placed Amber Park, Assistant Court Coordinator, on Unpaid FMLA/Disability Leave, effective May 27, 2014.
Request of Commissioner Precinct 3 to increase salary of Deborah Arrazate, Administrative Manager I, due to promoted as replacement for Jeanie Stewart, effective June 2, 2014.

Request of Commissioner Precinct 3 to place Daniel Harrell, Operator I, on payroll as replacement for Thomas Doll, effective May 27, 2014.

Request of Commissioner Precinct 3 to increase salary of Daniel Howell, Signal Technician I, due to promoted as replacement for James Lord, effective June 2, 2014.

Request of Constable Precinct 3 to increase salary of Mitchell Dreyer, Corporal – Constable, due to STEP increase, effective June 14, 2014.

Request of Constable Precinct 3 to increase salary of Steven Sprague, Deputy – Constable, due to STEP increase, effective November 23, 2013.

Request of Constable Precinct 3 to increase salary of Brad Kennelly, Deputy – Constable, due to STEP increase, effective June 14, 2013.

Request of County Clerk to place Peggy Fitzpatrick, Clerk II, on payroll effective June 2, 2014.

Request of District Clerk to increase salary of Hollie Green, Court Clerk II, to bring to minimum salary grade, effective June 3, 2014.

Request of Elections to increase salary of Cherry Fessenden, Voter Clerk, due to increased responsibilities, effective June 2, 2014.

Request of Elections to increase salary of Dorlene Gideon, Voter Clerk, due to increased responsibilities, effective June 2, 2014.

Request of Elections to increase salary of Melva Linton, Voter Clerk, due to increased responsibilities, effective June 2, 2014.

Request of Elections to increase salary of Karen Mahle, Voter Clerk, due to increased responsibilities, effective June 2, 2014.

Request of Elections to increase salary of Margarita Martinez, Voter Clerk, due to increased responsibilities, effective June 2, 2014.

Request of Elections to increase salary of Wanda Matthews, Voter Clerk, due to increased responsibilities, effective June 2, 2014.

Request of Elections to increase salary of Mary Muirhead, Voter Clerk, due to increased responsibilities, effective June 2, 2014.

Request of Elections to increase salary of Desi Pesina, Voter Clerk, due to increased responsibilities, effective June 2, 2014.

Request of Elections to increase salary of Iva Phillips, Voter Clerk, due to increased responsibilities, effective June 2, 2014.

Request of Elections to increase salary of Dorothy Woodall, Voter Clerk, due to increased responsibilities, effective June 2, 2014.

Request of Environmental to change title of Phil Jones, Manager – Permits, due to job re-evaluation, effective May 5, 2014.

Request of Library to accept resignation of David Eames, Branch Manager – Library, effective June 3, 2014. [192.60 hours or balance vacation.]
Request of Library to remove Sharon Eide, Library Assistant II, from payroll due to retirement, effective May 31, 2014. [No benefits due.]

Request of Library to accept resignation of Barbara Paul, Shelving Clerk I, effective May 23, 2014. [No benefits due.]

Request of Managed Assigned Counsel to place Andra Symmonds, Case Worker/MAC, on payroll as replacement for Meagan Elzner, effective June 2, 2014.

Request of Sheriff to accept resignation of Joseph Akin, Officer – Civilian Detention, effective May 25, 2014. [54.53 hours or balance vacation; 157.63 hours or balance compensatory; 47.00 hours or balance holiday]

Request of Sheriff to place Kyle Campos, Officer – Civilian Detention, on payroll as replacement for Monique Sandoval, effective May 31, 2014.

Request of Sheriff to transfer Terry Davis, Deputy – Patrol, as replacement for Lawrence Rex, effective May 24, 2014.

Request of Sheriff to place Ross Eckhart, Officer – Civilian Detention, on payroll as replacement for Lauren Homeyer, effective May 31, 2014.

Request of Sheriff to transfer Joshua Hunter, Deputy – Patrol, as replacement for Max Toliver, Jr., effective May 24, 2014.

Request of Sheriff to increase salary of Daniel Pena, Deputy – SWAT, due to STEP increase, effective March 1, 2014.

Request of Sheriff to accept resignation of Roman Ramos, Officer – Civilian Detention, effective May 21, 2014. [86.20 hours or balance vacation; 214.50 hours or balance compensatory; 22.00 hours or balance holiday.]

Request of Sheriff to increase salary of Christopher Roberts, Deputy – SWAT, due to transfer as replacement for Philip Schumpe, effective May 10, 2014.

Request of Sheriff to place Trevor Stone, Officer – Civilian Detention, on payroll as replacement for Richard Carpenter, effective May 17, 2014.

Request of Sheriff to accept resignation of Matthew Sweeney, Deputy – Detention, effective May 20, 2014. [202.20 hours or balance vacation; 478.44 hours or balance compensatory; 12.00 hours or balance holiday.]

Request of Tax Assessor/Collector to accept resignation of Travis Lucas, Deputy Specialist II, effective May 30, 2014. [89.40 hours or balance vacation.]

Request of Commissioner Precinct 1 to place John Seigle, Seasonal Worker, on payroll as replacement for Aaron Hodges, effective May 24, 2014.

Request of Commissioner Precinct 3 to accept resignation of Tammy Lee, Recycle Technician, effective May 23, 2014. [75.94 hours vacation.]

Request of Commissioner Precinct 3 to promote Jeanie Stewart, Administrative Manager I, into new position, effective June 2, 2014.

Request of Juvenile to increase salary of Amy Morley, Assistant Supervisor- Juvenile Probation, due to promotion into new position, effective May 24, 2014.

Request of Library to place Melanie Chamberlain, Library Assistant II, on payroll as replacement for Carol McAnally, effective May 28, 2014.
Request of Library to increase salary of Jean Kernan, Library Assistant II, due to location change/replacement for Patricia Nichols, effective May 28, 2014.

Request of Library to place Jacquelyn Leonardi, Library Assistant II, on payroll as replacement for Jean Kernan, effective May 28, 2014.


Motion carried.

46. Chief McDaniel brought back Agenda item 8J1 as it should not have been deferred earlier in this session. Motion by Commissioner Meador, seconded by Commissioner Doyal to:

a. Approve Agenda item 8D4b Change Order #3 (P.O. 2012550) to DIAMOND COMMERCIAL CONSTRUCTION, INC. for Montgomery County Jail additions for changes as per documents on file – Infrastructure; and

b. Defer Agenda item 8J1 the Certificate of Substantial Completion Document and the Punch List from Joseph M. Santopetro, Architect for the Montgomery County Jail additions project.

Motion carried.

47. 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