THE STATE OF TEXAS
COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 15th day of September, 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 Jerilynn Williams.

PLEDGE OF ALLEGIANCE to the United States flag recited.

PLEDGE OF ALLEGIANCE to the Texas state flag recited.

1. COMMISSIONERS COURT AGENDA APPROVED – COUNTY JUDGE

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

2. PROCLAMATIONS/RESOLUTIONS – AGENDA ITEM 7A

   2A. RESOLUTION AND ORDER APPROVED – RETIRING CANINE

   Motion by Judge Sadler, seconded by Commissioner Noack, to approve Resolution and Order retiring Argo, a Narcotics Canine, from his service at the Montgomery County Sheriff’s office to his handler, Deputy David Birch. Motion carried.

3. COMMISSIONERS COURT MINUTES – COUNTY CLERK

   Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve Commissioners Court Minutes for Regular Sessions dated August 25, 2014 and September 3, 2014. Motion carried.

4. CONSENT AGENDA – AGENDA ITEMS 9A-L

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

   COUNTY AUDITOR – AGENDA ITEMS 9A1-3

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

   A2. BUDGET AMENDMENTS FY14 APPROVED:

      a. Various: To adjust restricted lines.

      b. 410th District Court: To adjust line items.
c. Civic Center: To adjust line items.
d. Commissioner Precinct 1: To adjust line items.
e. Commissioner Precinct 1: Additional funding for one position as approved M29/08.25.14.
f. Commissioner Precinct 3: Additional funding for four positions as approved M32/08.25.14.
g. Commissioner Precinct 4: To adjust line items.
h. Constable Precinct 1: To recognize and allocate revenue.
i. Constable Precinct 1 – WISD Truancy: Budget adjustment based on estimate to complete year end 09.30.14.
j. Constable Precinct 3: To remove excess funds and allocate revenue.
k. Constable Precinct 3: To transfer funds for release 468457.
l. Constable Precinct 3 – MUD 94 Unit: Budget adjustment based on estimate to complete year end 09.30.14.
m. Constable Precinct 3: To fund new vehicle and equipment as approved M13/08.25.2014.
n. Constable Precinct 4: To recognize and allocate revenue.
o. Constable Precinct 4: To recognize and allocate revenue.
p. County Attorney: To adjust line items per Commissioners Court (M22/06.14.14).
q. County Attorney Title IVE GRN: To transfer funds for Title IV-E grant for County Attorney for QTR ending 06.30.14.
r. County Auditor: To transfer funds for build.
s. County Court At Law #2: To adjust line items.
t. County Engineer: M24/05.04.09 – On call transportation services.
u. County Judge – Low Income Repair Assistance Program: To recognize and allocate FY 2015 LIRAP Grant (M5/08.25.14).
v. County Treasurer: To adjust line items.
x. Court Reporter Service Fund: To recognize and allocate revenue.
y. Court Reporter Service Fund: To recognize and allocate revenue.
z. Court Reporter Service Fund: To recognize and allocate revenue.
aa. Court Reporter Service Fund: To recognize and allocate revenue.
bb. Court Reporter Service Fund: To fund annual continuing education on May 1, 2014 as approved by Commissioners Court M13/09.03.14.
cc. Court Reporter Service Fund: To fund annual continuing education on October 4, 2014 as approved by Commissioners Court M19/08.25.14.

dd. Court Technology Fund: To recognize and allocate revenue.

ee. Debt Service: To record the issuance of Limited Tax Refunding Bonds 2014A.

ff. District Attorney: To transfer funds for VPN Token.

gg. District Attorney/Domestic Violence Grant FY15: To set up District Attorney Domestic Violence Prosecutor Grant as awarded by CJJD.


ii. Elections 4902 – Voter Registration: Recognize and allocate revenues.

jj. Fire Marshal: To adjust line items.

kk. Human Resources: To adjust line item.

ll. Justice of the Peace Technology Fund: To recognize and allocate revenue for Justice of the Peace Technology Fund as authorized by Commissioners Court (M16/07.28.14).

mm. Justice of the Peace Precinct 1: To transfer funds for VPN Token.

nn. Juvenile Case Manager Fund: To fund Juvenile Case Manager costs as approved by Commissioners Court (M8/08.25.14).

oo. Juvenile Probation/Committmt Red-C/I5: To set up “C” Grant as awarded by TJJD Fiscal Year 2015.

pp. Juvenile Probation/Mental Health-N/I5: To set up “N” Grant as awarded by TJJD Fiscal Year 15.

qq. Juvenile Probation/State Aid – A/I5: To set up “A” Grant as awarded by TJJD for Fiscal Year 15.

rr. Juvenile Jus Alt Ed Prg – P/I5: To set up “P” Grant as awarded by TJJD Fiscal Year 15.

ss. Managed Assigned Counsel Program: To adjust line items.

tt. Montgomery County Community Development: To recognize and allocate PI received for Splendora Building.

uu. Purchasing Agent: Item omitted from carryover.

vv. Risk Management: To adjust line items.

ww. Sheriff: To adjust line items.


zz. Sheriff: To recognize and allocate renewal of SAVNS Grant (M10/08.25.14).
aaa. Sheriff – Auto Theft: To adjust line items.

bbb. Sheriff – C/P Jail 2013-2014: To adjust line items.


fff. Veterans Service: To adjust line items.

A3. OFFICIALS’ FEES APPROVED as audited for June 2014.

A4. AMENDMENT APPROVED to the Contract with BLX Group, LLC for arbitrage rebate compliance services.

TREASURER – AGENDA ITEMS 9B1-4

B1. ACCEPTANCE OF RESOLUTION AND ORDER APPROVED of the Chase PaymentTech Enrollment Form and Merchant Payment Processing Guidelines.

B2. WEEKLY INVESTMENT REPORT APPROVED for week ending September 5, 2014.

B3. INVESTMENT REPORT APPROVED for August 2014.

B4. MONTHLY PLEDGED SECURITIES APPROVED for August 2014.

TAX ASSESSOR/COLLECTOR – AGENDA ITEMS 9C1-4

C1. REQUEST ACKNOWLEDGED that education mandated by S.B. 546 has been completed for the following Tax Office employees: J.R. Moore, Jr., Tammy McRae, and Carolyn Etheredge.

C2. TAX COLLECTION FEES ACKNOWLEDGED for Fiscal Year ending 2015 as $198,707; Revenue Budget line item 110.43415.

C3. 2014 CONSOLIDATED TAXROLL APPROVED for Montgomery County and the taxing jurisdictions collected by the County as certified by the Tax Assessor-Collector and authorize prepayment of the postage for same.

C4. MONTHLY TAX COLLECTION REPORT APPROVED for month ending August 31, 2014.

PURCHASING – AGENDA ITEMS 9D1-12

D1. PERMISSION TO ADVERTISE

a. Renovations and additions to East Montgomery County Community Center (Project 2014-0071) – Department of Infrastructure/Montgomery County Community Development.
D2. CONTRACTS AWARDED

a. Cement Stabilized Base (Project 2014-0065) – Various Precincts, awarded as follows:


b. FASTSIGNS CONROE for General Signage – Alternate Vendor (Project 2014-0066) – Various Departments.

D3. RENEWALS:

a. TEJAS MATERIALS. (P.O. 2011098) for drywall, metal studs, acoustical/ceiling items, and miscellaneous supplies, expires 11/13/14 – Various Departments.

b. ALL AMERICA SALES CORP. (P.O. 2012051) for spike system for law enforcement, expires 11/18/14 – Various Departments.

c. BOUND TO STAY BOUND BOOKS (P.O. 2011041) for service for supplying books, expires 11/21/14 – Library.

d. BRODART CO. (P.O. 2011042) for service for supplying books, expires 11/21/14 – Library.

e. BAKER & TAYLOR, INC. (P.O. 2011043) for service for supplying books, expires 11/21/14 – Library.

f. STAR T 3 dba MR. TRANSMISSION (P.O. 2014100) for vehicle transmission rebuilds, expires 12/07/14 – Various Departments.

g. AMERICAN MECHANICAL SERVICES (P.O. I013059D) for additional plumbing services, expires 12/07/14 – Various Departments.

h. M. HOLLAND PLUMBING (P.O. I013060D) for additional plumbing services, expires 12/07/14 – Various Departments.

D4. CHANGE ORDERS:

a. Change Order #1 to LEXTON CONSTRUCTION, LLC – Woodlands Intersection Improvements (P.O. 2014571), for additional pavement markings in the amount of $3,480.00 – Precinct 3.

b. Change Order #7, to WAYNE YANCEY, INC. – Mowing Right-of-Ways (P.O. 2011318), for changes per documents on file – Precinct 1.

c. Change Order #6, to ABIBOW RECYCLING, LLC – Paper Recycling (P.O. 2010213), for changes per documents on file – Various Departments.

d. Change Order #8 to CROWN PAPER & CHEMICAL – Janitorial Products and Chemicals (P.O. 2008660), to place on a month-to-month contract, effective September 29, 2014 – Various Departments.
D5. PROPOSAL APPROVED for feasibility study for traffic congestion on Westbound Rayford Road at I-45 feeder road from Zarinkelk Engineering Services, Inc., in the amount of $36,290.00 – Precinct 3.

D6. REQUEST APPROVED to declare an Apache Bullseye Unit as salvage – Precinct 4.

D7. CONTRACT APPROVED with Precision Delta Corp. for Public Safety and Fire House Supplies and Equipment through the Interlocal Agreement with BuyBoard Contract #432-13 – Various Departments.

D8. PURCHASE APPROVED for one black 2014 Chevrolet Tahoe CC10706 from Caldwell Country Chevrolet through the Interlocal Agreement with H-GAC Contract #VE11-13, in the amount of $29,506.00 – Constable Precinct 3.

D9. REQUEST APPROVED for a 48 month lease of Electronic Return Receipt (EER) Software from Pitney Bowes through the Interlocal Agreement with BuyBoard Contract #407-02, in the amount of $1,135.00 per month – Information Technology.

D10. CHECK ACCEPTED from Rene Bates Auctioneers, Inc. and the list of items sold through the Montgomery County Online Auction held on August 26, 2014 in the amount of $34,040.47 – Various Departments. Check forwarded to Auditor for further processing.

D11. CONTRACT APPROVED with Rene Bates Auctioneers, Inc. for auction services through the Interlocal Agreement with BuyBoard Contract #457-14 – Various Departments.

D12. CONTRACT APPROVED with Sharp Electronics/NJPA for copier equipment and supplies through the Interlocal Agreement with BuyBoard Contract #453-14 – Various Departments.

COMMISSIONERS – AGENDA ITEMS 9E1-2

E1. PRECINCT 1

   a. USE AGREEMENT APPROVED with ASF Conroe Department of Defense 1/158 ARB to use a field at Gene Campbell Sports Park for the Annual Safety Stand Down Day softball game.

   b. USE AGREEMENT APPROVED with Willis Wildkats to use the baseball fields at Charles Traylor Sports Park for practice as scheduled through WYAA.

   c. USE AGREEMENT APPROVED with Montgomery Warriors to use the softball fields at West Montgomery Park for practice as scheduled by MGSA through December 31, 2014.

   d. USE AGREEMENT APPROVED with Conroe Bearkats to use the baseball fields at Charles Traylor Sports Park for practices as scheduled by WYAA through December 31, 2014.
E2. PRECINCT 4

a. CHECK ACCEPTED from Montgomery County ESD 7, in the amount of $4,153.11 for the purchase of fuel for the month of July 2014. To be deposited into account 615.7926. Check forwarded to Auditor for further processing.

b. CHECK ACCEPTED from The Friendship Center, in the amount of $797.56 for the purchase of fuel for the month of July 2014. To be deposited into account 615.7926. Check forwarded to Auditor for further processing.

c. CHECK ACCEPTED from The City of Roman Forest, in the amount of $2,220.07 for the purchase of fuel for the month of August 2014. To be deposited into account 615.7926. Check forwarded to Auditor for further processing.

d. RESIGNATION ACCEPTED of Jerry Guion from ESD #11 Board of Commissioners effective September 8, 2014.


F1. PRECINCT 1

a. FINAL PLAT APPROVED of Carson Estates; 2.499 Acres; Jose Maria de la Garza Survey; A-15

F2. PRECINCT 2

a. FINAL PLAT APPROVED of The Meadows at Jacobs Reserve, Section 5; 17.091 Acres; Charles E. Dugat Survey; A-170.

b. FINAL PLAT APPROVED of Woodforest, Section 53; 21.670 Acres; Archibald Hodge Survey; A-18.

c. FINAL PLAT APPROVED of Woodforest, Section 54; 11.73 Acres; Archibald Hodge Survey; A-18.

d. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD at Holly Terrace at Jacobs Reserve, Section 4, total length of roads: 3,058.45 linear feet = .58 miles. Effective September 15, 2014.

e. STREETS COMPLETED THE ONE YEAR MAINTENANCE PERIOD in Mostyn Manor, Section 4, and are accepted by Montgomery County. Bond released.

f. REQUEST APPROVED from Mid-South Synergy to place a 120-240 secondary line within the right of way of Tobacco Road.

F3. PRECINCT 3

a. FINAL PLAT APPROVED for Meadows at Imperial Oaks, Section 1; 10.535 Acres; George Lamb Survey; A-334.

b. FINAL PLAT APPROVED for Meadows at Imperial Oaks, Section 2; 21.44 Acres; George Lamb Survey; A-334.

c. FINAL PLAT APPROVED for Meadows at Imperial Oaks, Section 3; 14.30 Acres; George Lamb Survey; A-334.

d. FINAL PLAT APPROVED for Meadows at Imperial Oaks Recreational Reserve; 8.780 Acres; George Lamb Survey; A-334.
e. FINAL PLAT APPROVED for Riley Fuzzel Crossing; 21.33 Acres; Montgomery County School Land Survey; A-351.

f. FINAL PLAT APPROVED for Woodridge Development Tracts; 9.4265 Acres; Montgomery County School Land Survey; A-350.

g. FINAL PLAT APPROVED for Woodson’s Reserve, Section 1; 692 Acres; Montgomery County School Land Survey; A-350 & A-350.

h. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD at The Woodlands Eastgate at East Shore; Total Length of Roads: 1,088.08 Linear Feet = .21 miles. Effective September 15, 2014.

i. REQUEST APPROVED from TW Telecom to place a buried fiber optic line within the right of way of Timberloch Place.

F4. PRECINCT 4

a. FINAL PLAT APPROVED for Valley Ranch, Section 11; 6.91 Acres; William Massey Survey; A-387.

b. REQUEST APPROVED to close, abandon and vacate the public right-of-way known as Janell Drive in Riverwalk, Section 4, as per Petition on file.

c. ROADS ACCEPTED INTO COUNTY MAINTENANCE SYSTEM in Pinewood Village, Section 2, roads to include Pinewood Village Drive, Eric Court, Mark Drive, Todd Street, Pine View Drive, Wooded Trail and Sandy Spring Road.

ENVIRONMENTAL HEALTH – AGENDA ITEMS 7G1-3

G1. VARIANCE REQUEST APPROVED to install an aerobic on site system in the 100-year floodplain located at 7407 Lake Creek Circle, Montgomery, Texas 77316.

G2. ORDER APPROVED 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:

- 8523 Mathews Lane, Magnolia, Texas 77354
- 26429 Old Highway 105, Montgomery, Texas 77316
- 12418 Woodlake Street, Pinehurst, Texas 77362

G3. ORDER APPROVED 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 below. Total cost of lien has been met. Check has been forwarded to Auditor for further processing.

20352 Lakeside Drive, Porter, Texas 77365

SHERIFF – AGENDA ITEMS 9H1-4

H1. POLICY APPROVED of allowing the Sheriff to set position stipends. A stipend of $5,400.00 per year will be granted to SWAT and Motorcycle Deputy personnel. A stipend of $780.00 per year will be granted to field training officers. The stipends will never increase the salary structure.

H2. REQUEST APPROVED for Montgomery County Sheriff’s Office Fiscal Year 2015 Budget Award Allocations. Salaries include benefits.
H3. REQUEST APPROVED to continue the $175.00 expense incurred per each retiree through September, 2015. The amount includes refreshments and a retirement gift. Original approval was approved by Commissioners Court on December 18, 2000. Purchasing requires annual authorization.

H4. PURCHASE APPROVED of coffee and supplies from the 2015 Academy Supply Budget Line for the students attending training classes at the Montgomery County Sheriff Office Academy.

DISTRICT CLERK – AGENDA ITEM 9I1

I1. DEPUTATION APPROVED of District Clerk employee Alexandra Rodriguez.

COUNTY ATTORNEY – AGENDA ITEM 9J1

J1. ORDER APPROVED of an Amended and Restated Memorandum Of Understanding with Tri-County for the provision of Mental Health Services within the Montgomery County Jail and authorize Captain David Moore to execute the same. Contract was originally authorized on August 25, 2014. Amendment was made at the request of Tri-County to add a non-disclosure of medical information clause as well as a modification of the termination provision.

COUNTY ATTORNEY MENTAL HEALTH TREATMENT FACILITY – AGENDA ITEMS 9K1-4

K1. MINUTES ACCEPTED of the Montgomery County Mental Health Treatment Facility Advisory Board Meeting of July 15, 2014.

K2. MONTHLY PERFORMANCE INDICATOR REPORT ACCEPTED for the month of July 2014, 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.

K3. APPOINTMENTS AND PRIVILEGING APPROVED of Dr. Victoria Morgan (Psychiatrist) for Provisional status and Wanda Kaye Brazeal, APRN, Psychiatric Mental Health Nurse Practitioner (PMHNP) for Allied Health Professional status based on the Medical Executive Committee’s review of their qualifications, licensure, education, training, current competency, professionalism, and health status.

K4. ORDER APPROVED to accept the Revised Table of Organization for the Montgomery County Mental Health Treatment Facility as recommended by the Montgomery County Mental Health Treatment Facility Advisory Board, to reflect changes consistent with current re-allocation of resources in accordance with the Management Plan.

LIBRARY – AGENDA ITEM 9L1

L1. USE AGREEMENT APPROVED with Lone Star College – Montgomery to use the various Library parking lots for information fairs on various dates through December 6, 2014.

Motion carried.

END OF CONSENT AGENDA
5. **APPOINTMENTS APPROVED – HISTORICAL COMMISSION – COUNTY JUDGE**

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the appointment of the following individuals to the Montgomery County Historical Commission:

- Dr. Robin Montgomery
- Willia “Ruby” Johnson
- Frank M. Johnson
- Dan Barkley Dominey, Jr.

Motion carried.

6. **RESIGNATION ACCEPTED – HISTORICAL COMMISSION - COUNTY JUDGE**

Motion by Judge Sadler, seconded by Commissioner Noack, to accept the resignation of Dr. Betsy Powers from the Montgomery County Historical Commission. Motion carried.

7. **DONATION APPROVED – 6TH ANNUAL SCHOOL SUPPLY DRIVE – JUSTICE OF THE PEACE PRECINCT 4**

Motion by Judge Sadler, seconded by Commissioner Noack, to approve acceptance of a donation check from Walmart, Inc., in the amount of $2,500.00 for the “Judge James Metts & constable Rowdy Hayden 6th Annual School Supply Drive”. [Check has been forwarded to Auditor for further processing.]

8. **REQUEST APPROVED – TRANSFER OF FUNDS - SHERIFF**

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the transfer of excess position funding to the Sheriff’s pooled position funding line and to cover funding shortage in a Clerk IV position. Positions are civilian and the transfer does not increase the approved budget.

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Motion carried.

9. **REQUEST APPROVED – INCREASE FUNDING – SHERIFF**

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve increasing the Fiscal Year 2015 funding for position 560141-4123-1 from the minimum salary to $38,171.70. A current employee with experience will be promoted to the position. Funding will be covered with funds from the Sheriff’s Budget Award. Motion carried.

10. **REQUEST APPROVED – REIMBURSEMENT – OFFICE OF COURT ADMINISTRATION**

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve reimbursement from 4659-7390 in the amount of $120.51 to Nathan Jensen for purchase of food in connection with the Judges’ Workshop help September 5, 2014. Motion carried.
11. FUNDING SOURCE APPROVED – PHASE IV CUSTOMS FACILITY – AIRPORT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve Contingency as a funding source for Phase IV of the consultant contract with Vesta Rea Associates for the United States Customs Facility project in the amount of $74,300.00 as approved in the Budget Hearing for the Fiscal year 2015 Airport budget on July 28, 2014. Motion carried.

12. FUNDING APPROVED – SPECIAL ELECTIONS – ELECTIONS

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve funding the County’s portion of the cost of the May 10, 2014 and August 5, 2014 Special Elections. Funding will come from Contingency. Motion carried.

13. REQUEST APPROVED – TRANSFER OF FUNDS – COLLECTIONS

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the transfer of $12,000.00 from line item 404-7419 to 404-74196 to pay fees associated with Omnibase, a program used to flag Driver’s Licenses for nonpayment of court costs, fines and fees. Motion carried.

14. REQUEST APPROVED – TRANSFER OF FUNDS – COUNTY CLERK

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the transfer of $51,120.00 from the County Clerk’s Records Management Fund to line item 40311-7390 – Supplies Other. Funds will be used for the purchase of 71 Dell Optiplex 3020 computers. Motion carried.

15. REQUEST APPROVED – SALARY SCHEDULES – COUNTY AUDITOR

Motion by Commissioner Noack, seconded by Commissioner Meador, to adopt Fiscal Year 2015 Salary Schedules to be effective September 27, 2014. Motion carried.

16. CHANGE ORDER APPROVED – WILLIAMS BROTHERS CONSTRUCTION – PURCHASING

Motion by Commissioner Doyal, seconded by Commissioner Rinehart, to approve Change Order #3 to Williams Brothers Construction Co. for an increase for changes to CSJ No: 3538-01-030 Construction of an interchange facility consisting of grading, structures, base, concrete pavement, retaining walls, signs and markings, construct electronically tolled direct connectors from WB SH 242 to SB IH 45 & NB IH 45 to WB SH 242 (P.O. 2013203) – Precincts 2 and 4/Montgomery County Transportation Program, in the amount of $201,107.91. Motion carried.

17. PURCHASE APPROVED – KUBOTA TRACTORS – PURCHASING

Motion by Commissioner Doyal, seconded by Commissioner Rinehart, to approve the purchase of two Kubota M9960HDC 4WD Tractors and accessories from Kubota Tractor Corporation through the Interlocal Agreement with H-GAC Contract #GR01-12, in the amount of $91,374.30. Motion carried.

18. PURCHASE APPROVED – ROTARY CUTTERS – PURCHASING

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the purchase of two Land Pride RC66 Series, 15’ extra heavy duty folding rotary cutters from Land Pride, in the amount of $35,684.24 and one Land Pride RC66 Series, 10’ extra heavy duty folding rotary cutter, single RH wing, in the amount of $15,171.16 for a total combined purchase cost of $50,855.40 from Land Pride, through the Interlocal Agreement with H-GAC Contract #GR01-12. Motion carried.
19. SALE APPROVED – GRADALL MACHINES – COUNTY ATTORNEY
Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the sale of two Gradall machines, which are used surplus property and no longer effective for County operations, to the City of Willis for $1.00 consideration each. Motion carried.

20. PAYMENT ACCEPTED – BURIAL EXPENSES – COUNTY ATTORNEY
Motion by Commissioner Meador, seconded by Commissioner Doyal, to accept the payment of $613.17 from Cathey Osborne to Montgomery County as reimbursement for the burial expenses of Kenneth Gurton, whose burial cost was covered by the County. Motion carried.

21. CONTRACTS APPROVED – FAMILY & PROTECTIVE SERVICES – COUNTY ATTORNEY
Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the following Renewal Contracts and authorize Judge Sadler to execute related documents:
- With the Texas Department of Family and Protective Services for funding for foster care services necessary for child protective services.
- With the Texas Department of Family and Protective Services for funding for County Attorney to provide legal services necessary for child protection.
Motion carried.

22. ORDER APPROVED – STEP COMPENSATION – COUNTY ATTORNEY
Motion by Commissioner Noack, seconded by Judge Sadler, to approve Resolution and Order amending the terms of the current STEP Compensation Plan for Montgomery County Law Enforcement Officers. Motion carried.

23. AGREEMENT APPROVED – LAW ENFORCEMENT SERVICES – COUNTY ATTORNEY
Motion by Commissioner Rinehart, seconded by Commissioner Doyal, to approve Agreement For Law Enforcement Services between Montgomery County, Texas and Riverwalk Property Owners Association for law enforcement services. Motion carried.

24. AGREEMENT APPROVED – CHILD SUPPORT REGISTRY DATABASE – COUNTY ATTORNEY
Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve Contract (No. 15-C0064) with the Office of the Attorney General of the State of Texas for Fiscal Year 15/16 State Case Registry/Local Customer Service and adopt Incident Response Plan to address security breaches of the Child Support Registry Database, and authorize Judge Sadler to execute the Contract and related documents. Motion carried.

25. ORDERS APPROVED – PUBLIC HEARINGS – COUNTY ATTORNEY REAL PROPERTY
Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve authorizing the following:
- Order Authorizing Notice of Public Hearing For Revision of Plat to subdivision lots/plats known as all of Restricted Reserve “A” High Meadow Estates Section 2, to be known as High Meadow Estates Section 4. Public Hearing is set for Monday, October 20, 2014.
• Order Authorizing Notice of Public Hearing For Revision of Plat to subdivision lots/plats known as Lot 34 in Block 5 of Thousand Oaks, Section One, along with a portion of Lot 1 in Block 1 of Thousand Oaks, Section Two to be known as McDermott Acre. Public Hearing is set for Monday, October 20, 2014.

Motion carried.

26. 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 Keven Dowell to Michael O. Smith for 3.593 acres of land located at the Lone Star Executive Airport. Motion carried.

MONTGOMERY COUNTY COMMISSIONERS COURT RECESSD TO CONVENE A PUBLIC HEARING.

PUBLIC HEARING IS TO CONSIDER AND APPROVE ESTABLISHING A “NO PARKING” ZONE ON THE WEST SIDE OF BRIAR TREE DRIVE NORTH OF BRIAR WILLOW DRIVE, PER REQUEST ON FILE.

NO ONE FROM THE PUBLIC WISHED TO DISCUSS THIS ISSUE. THIS CONCLUDES THE PUBLIC HEARING.

MONTGOMERY COUNTY COMMISSIONERS COURT RECONVENED.

27. NO PARKING ZONE APPROVED – PRECINCT 4

Motion by Commissioner Rinehart, seconded by Commissioner Noack, to approve establishing a “No Parking” zone on the west side of Briar Tree Drive north of Briar Willow Drive. Motion carried.

28. ORDER APPROVED – GRANT EXCEPTION – COMMISSIONER PRECINCT 2

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve Order to grant an exception to Section 11(7) of the Rules And Regulations For Use Of Public Parks In Montgomery County, Texas, to allow the solicitation of donations on October 11, 2014 in a County park by Magnolia Community Horse Club to benefit the family of Magnolia resident, Jeanine McMinn. Motion carried.

29. REQUEST APPROVED – ACCEPT FUNDING – COMMISSIONERS PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Rinehart, to accept the Local Initiative Project (LIP) Fiscal Year 2014 Funding in the amount of $19,896.00 with a match of $25,604.00 from Precinct 3. Motion carried.

30. REQUEST APPROVED – TRANSFER FUNDS – COMMISSIONER PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the transfer of $2,500.00 from 614-7340 to 614-7104. Motion carried.

31. REQUEST APPROVED – TRANSFER FUNDS – COMMISSIONER PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Rinehart, to approve the transfer of $479.96 from 614-7340 to 614-4229-1. Motion carried.

COMMISSIONER NOACK INTRODUCED JASON FAUSEK, MOSQUITO ABATEMENT PROGRAM FOR PRECINCT 3 AND CASEY FROM VECTOR DISEASE CONTROL TO UPDATE THE COURT REGARDING THE POST-AERIAL MOSQUITO SPRAYING.
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, ARTICLES 551.071.

AGENDA ITEM 24A: CONSIDER AND DISCUSS CAUSE NO. 10-05-04854-CV, STYLED MONTGOMERY COUNTY, TEXAS V. EMERSON LAND COMPANY, LTD., KSR DEVELOPMENT, L.L.C. AND TRAVELERS INDEMNITY COMPANY, SUCCESSOR IN THE INTEREST TO GULF INSURANCE COMPANY; IN THE 284TH JUDICIAL DISTRICT COURT.

AGENDA ITEM 24B: CONSIDER AND DISCUSS CLAIMS RELATED TO CONSTRUCTION OF JOE CORLEY DETENTION CENTER AND MONTGOMERY COUNTY MENTAL HEALTH TREATMENT FACILITY.

AGENDA ITEM 24C: CONSIDER AND DISCUSS CAUSE NO. 4:14-CV-2478, STYLED BERNARDINO CUEVAS V. THOMAS WAYNE GAGE AND MONTGOMERY COUNTY, TEXAS; IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS, HOUSTON DIVISION, CLAIM NO. D-14-0109.

AGENDA ITEM 24D: CONSIDER AND DISCUSS CLAIM NO. C-14-0056.

AGENDA ITEM 24E: CONSIDER AND DISCUSS CLAIM NO. C-13-0105.

AGENDA ITEM 24F: CONSIDER AND DISCUSS CAUSE NO. 2012-21125-SIDNEY HOLLIS AND ANGIE HOLLIS VS. STEPHEN EICHELSFORFER, D.P.M. IN THE 269TH JUDICIAL DISTRICT COURT OF HARRIS COUNTY, TEXAS.

COMMISSIONERS COURT RECONVENED WITH ALL MEMBERS PRESENT AND THE FOLLOWING ACTION TAKEN.

32. ORDER APPROVED – SETTLEMENT AGREEMENT

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve the settlement agreement reach in connection with Montgomery County’s claims against Travelers Indemnity Company as alleged in Cause No. 10-05-04584-CV, Montgomery County, Texas vs. Emerson Land Company, LTD, KSR Development, L.L.C. and Travelers Indemnity Company. Montgomery County shall receive $40,000.00 for settlement of its claim against Travelers Indemnity Company. Motion carried.

33. ORDER APPROVED – MOTION TO DEFEND

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve a motion supporting the need for the Montgomery County Attorney to defend on behalf of the Montgomery County Sheriff, Tommy Gage and Montgomery County, the lawsuit filed under Cause No. 4:14-cv-2478, and styled Bernardino Cuevas v. Thomas Wayne Gage and Montgomery County, Texas. Expenses will be funded through Risk Management budget with the approval of the Director of Risk Management. Motion carried.

34. AGREEMENT APPROVED – SETTLEMENT AND GENERAL RELEASE

Motion by Commissioner Noack, seconded by Commissioner Rinehart, to approve a Confidential Settlement Agreement and General Release between Terrilyn MacArthur and Montgomery County. Agreement is for: Payment to Ms. MacArthur in the amount of $26,000.00; Unconditionally release Montgomery County; Dismissal of EEOC Charge; No further monies owed; No pending claims; No admission of liability; No re-employment or reinstatement; Non-Disclosure of Agreement and Release; Indemnification. Motion carried.
35. 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 Animal Control to promote Dana Darlene Essenpreis, Field Supervisor, as replacement for Christopher Evan Dunn, effective September 6, 2014.

Request of Custodial to place Jose E. Cruz Fuentes, Custodian, on payroll as replacement for Celia Beltran, effective September 2, 2014.

Request of Custodial to place Alejandra Janeth Gonzalez, Custodian, on payroll as replacement for Graciela Medrano, effective September 2, 2014.

Request of Custodial to remove Jessica Ana Lee Hinojosa, Custodian I, from payroll due to job abandonment, effective September 8, 2014.

Request of Custodial to accept resignation of Marta L. Rivera, Custodian, effective August 25, 2014. [No benefits due.]

Request of Commissioner Precinct 1 to demote James Lucher, Operator III, into new position, effective August 26, 2014.

Request of Commissioner Precinct 1 to promote Don Sockwell, Sr. Foreman, into new position, effective September 6, 2014.

Request of Constable Precinct 3 to promote Robert Moody, Corporal – Constable, into new position, effective August 30, 2014.

Request of Constable Precinct 3 to promote Steven Sprague, Corporal – Constable, into new position, effective August 30, 2014.

Request of Constable Precinct 3 to promote Kenneth Welch, Corporal – Constable, into new position, effective August 30, 2014.

Request of County Clerk to place Carol M. Morgan, Clerk II, on payroll due to return from Unpaid FMLA/Disability Leave, effective August 25, 2014.

Request of District Attorney to accept resignation of Warren Keith Diepraam, Division Chief – DA, effective September 5, 2014. [90.84 hours or balance vacation.]

Request of Emergency Management to accept resignation of Gilberto Martinez, III, Planner Homeland Security, effective September 5, 2014. [133.6004 hours or balance vacation.]

Request of Justice of the Peace, Precinct 2, to place Kacie M. Morgan, Court Clerk II, on payroll as replacement for Mary Ann Moody, effective September 15, 2014.

Request of Juvenile to increase salary of Juan Jose Aguirre, Juvenile Probation Officer, due to 3% COLA approved by Commissioners Court, Fiscal Year 2015, effective September 27, 2014.

Request of Juvenile to increase salary of Katie Anderson, Juvenile Probation Officer, due to 3% COLA approved by Commissioners Court, Fiscal Year 2015, effective September 27, 2014.

Request of Juvenile to increase salary of Susan Badger, Supervisor - Clinical, due to 3% COLA approved by Commissioners Court, Fiscal Year 2015, effective September 27, 2014.
Request of Juvenile to increase salary of Micaella Collier, Counselor, as approved by Juvenile Board on August 15, 2014, effective September 27, 2014.

Request of Juvenile to increase salary of Joanna Comer, Supervisor – Probation, due to 3% COLA approved by Commissioners Court, Fiscal Year 2015, effective September 27, 2014.

Request of Juvenile to discharge Anthony Cruz, Juvenile Supervision Officer, effective August 28, 2014. Is not eligible for rehire. [27.72 hours or balance vacation; 10.00 hours or balance compensatory; 15.02 hours or balance holiday.]

Request of Juvenile to increase salary of Dolores De La Torre, Juvenile Probation Officer, due to 3% COLA approved by Commissioners Court, FY2015, effective September 27, 2014.

Request of Juvenile to increase salary of Kara Lee Evans, Admin Manager 1, due to 3% COLA, approved by Commissioners Court, FY2015, effective September 27, 2014.

Request of Juvenile to increase salary of Destiny Fuller, Juvenile Probation Officer, due to 3% COLA approved by Commissioners Court, FY2015, effective September 27, 2014.

Request of Juvenile to increase salary of Erick Demond Hogg, Juvenile Supervision Officer - JJAEP, due to 3% COLA approved by Commissioners Court, FY2015, effective September 27, 2014.

Request of Juvenile to accept resignation of Donald Houck, Training Coordinator – Juvenile, effective September 19, 2014. Eligible for re-hire. [24.97 hours or balance vacation.]

Request of Juvenile to increase salary of Charles Robert Kaspari, Juvenile Probation Officer, due to 3% COLA approved by Commissioners Court, FY2015, effective September 27, 2014.

Request of Juvenile to increase salary of James Edward Lawrence, Shift Supervisor - Juvenile, due to 3% COLA approved by Commissioners Court, FY2015, effective September 27, 2014.

Request of Juvenile to increase salary of Michael John McManus, Juvenile Supervision Officer - JJAEP, due to 3% COLA approved by Commissioners Court, FY2015, effective September 27, 2014.

Request of Juvenile to increase salary of Matthew James Miller, Juvenile Probation Officer, due to 3% COLA approved by Commissioners Court, FY2015, effective September 27, 2014.

Request of Juvenile to increase salary of Amy Morley, Assistant Supervisor – Juvenile Probation, due to 3% COLA approved by Commissioners Court, FY2015, effective September 27, 2014.

Request of Juvenile to increase salary of Gilberto Vasquez Pedraza, Juvenile Probation Officer Assistant, due to 3% COLA approved by Commissioners Court, FY2015, effective September 27, 2014.

Request of Juvenile to increase salary of Stefanie Ann Perez, Juvenile Probation Officer, due to 3% COLA approved by Commissioners Court, FY2015, effective September 27, 2014.

Request of Juvenile to increase salary of Jeffery Quintanilla, Juvenile Probation Officer Assistant, due to 3% COLA approved by Commissioners Court, FY2015, effective September 27, 2014.
Request of Juvenile to increase salary of Jessica Marie Salazar, Clerk III, due to 3% COLA approved by Commissioners Court, FY2015, effective September 27, 2014.

Request of Juvenile to increase salary of Miguel Sanchez, Juvenile Probation Officer, due to 3% COLA approved by Commissioners Court, FY2015, effective September 27, 2014.

Request of Juvenile to increase salary of Ashley Shell, Counselor, as approved by Juvenile Board on August 15, 2014, effective September 27, 2014.

Request of Juvenile to increase salary of John R. Sutton, Juvenile Probation Officer, due to 3% COLA approved by Commissioners Court, FY2015, effective September 27, 2014.

Request of Juvenile to increase salary of Karen Michelle Weeks, Counselor, as approved by Juvenile Board on August 15, 2014, effective September 27, 2014.

Request of Juvenile to increase salary of Carrie Jacobs Yanez, Supervisor - Probation, due to 3% COLA approved by Commissioners Court, FY2015, effective September 27, 2014.

Request of Library to discharge Timothy J. Alcala, Courier, effective August 27, 2014. [198.12 hours or balance vacation.]

Request of Library to place Natasha Benway, Reference Librarian, on unpaid FMLA/Disability Leave, effective July 23, 2014.

Request of Library to place Natasha Benway, Reference Librarian, on payroll due to return from unpaid FMLA/Disability Leave, effective August 11, 2014.

Request of Library to remove Pamela L. Gagnon, Library Assistant III, from payroll due to retirement, effective September 18, 2014. [149.68 hours or balance vacation.]

Request of Library to accept resignation of Montana Kenzie Lahman, Shelving Clerk, effective September 6, 2014. [No benefits due.]

Request of Library to accept resignation of Kimberly Anne Smith, Library Assistant II, effective September 6, 2014. [No benefits due.]

Request of Library to place Briana Steptoe, Library Assistant II, on payroll as replacement for Jennie Skoblick, effective September 9, 2014.

Request of Library to place Victoria Beth Thomason, Library Assistant II, on unpaid FMLA/Disability Leave, effective August 27, 2014.

Request of Purchasing to accept resignation of Shirley Carpenter, Administrative Assistant I, effective September 30, 2014. [20.12 hours or balance vacation.]

Request of Recycle Station – Precinct 3 to accept the resignation of Patrick Davis, Recycle Technician, effective August 20, 2014. [No benefits due.]

Request of Sheriff to accept resignation of David Burge, Officer Civilian Detention, effective September 12, 2014. [36.05 hours or balance vacation; 179.15 hours or balance compensatory; 56.00 hours or balance holiday.]

Request of Sheriff to place Derek Cogdill, Deputy Patrol, on payroll due to return from unpaid FMLA/Disability Leave, effective August 20, 2014.

Request of Sheriff to place Cameron Evans, Officer Civilian Detention, on payroll as replacement for David Burge, effective September 13, 2014.
Request of Sheriff to accept resignation of Caleb Gonzalez, Officer Civilian Detention, effective September 9, 2014. [174.36 hours or balance vacation; 345.39 hours or balance compensatory; 32.00 hours or balance holiday.]

Request of Sheriff to accept resignation of Colton Hillebrand, Officer Civilian Detention, effective August 22, 2014. [46.20 hours or balance vacation; 69.75 hours or balance compensatory; 40.00 hours or balance holiday.]

Request of Sheriff to place Lauren Homeyer, Officer Civilian Detention, on payroll as replacement for Adrianne McGowan, effective September 6, 2014.

Request of Sheriff to transfer Willie Lee Mayes, Jr., Deputy Patrol, as replacement for Philip Sibille, effective August 30, 2014.

Request of Sheriff to promote Todd McCoy, Detective, as replacement for David Eason, effective September 6, 2014.

Request of Sheriff to accept resignation of Adrian McGowen, Officer Civilian Detention, effective September 5, 2014. [133.75 hours or balance vacation; 366.41 hours or balance compensatory; 36.25 hours or balance holiday.]

Request of Sheriff to place Arielle Mikusek, Officer Civilian Detention, on payroll as replacement for Caleb Gonzales, effective September 13, 2014.

Request of Sheriff to place Jacqueline Muratorri, Clerk IV – CJR, on payroll as replacement for Rebeka H. Schmidt, effective September 6, 2014.

Request of Sheriff to place Jordan Pankratz, Deputy Patrol District V, on payroll as replacement for Jeremy Salas, effective September 20, 2014.

Request of Sheriff to transfer Chantal Santoro, Deputy Patrol District VI, as replacement for Todd McCoy, effective September 13, 2014.

Request of Sheriff to transfer Lisa Marie Smith, Clerk IV – CJR, as replacement for Jamie Pointer, effective September 13, 2014.

Request of Sheriff to place Camara Walden, Clerk IV, on payroll as replacement for Cynthia Dean, effective September 13, 2014.

Request of Sheriff to place Emily Madeline Weaver, Dispatcher, on unpaid Leave of Absence, effective August 8, 2014.

Request of Tax Assessor/Collector to promote Tammy M. McRae, Tax Assessor, as replacement for J.R. Moore, Jr., effective October 1, 2014.

Request of Tax Assessor/Collector to remove J.R. Moore, Jr., Tax Assessor Collector, from payroll due to retirement, effective September 30, 2014. [No benefits due.]

Request of Sheriff to transfer April M. Garris, Clerk IV, as replacement for Lauren Mock, effective September 6, 2014.

Request of Constable Precinct 4 to increase salary of Brian Dunn, Deputy – Constable, due to STEP increase, effective May 1, 2014.

Request of Constable 4 to increase salary of Eric McHuch, Corporal – Constable, due to STEP increase, effective June 14, 2014.

Motion carried.
36. REQUEST APPROVED – NEW PCRF – HUMAN RESOURCES

Motion by Commissioner Noack, seconded by Commissioner Doyal, to approve the Resolution Order approving new Payroll Change Request Form. Motion carried. [Note: No document received to process through Court.]

CITIZENS – AGENDA ITEM 27: NO CITIZENS ADDRESSED THE COURT.

37. COURT ADJOURNS

Motion by Commissioner Rinehart, 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