

**FROM THE OFFICE OF
ALAN B. SADLER
MONTGOMERY COUNTY JUDGE**

**MIKE MEADOR
COMMISSIONER, PRECINCT 1**

**ED CHANCE
COMMISSIONER, PRECINCT 3**

**CRAIG DOYAL
COMMISSIONER, PRECINCT 2**

**ED RINEHART
COMMISSIONER, PRECINCT 4**

NOTICE OF A REGULAR SESSION

TO ALL INTERESTED PARTIES:

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE COMMISSIONERS' COURT OF MONTGOMERY COUNTY, TEXAS, WILL BE HELD ON MONDAY, OCTOBER 26, 2009, AT 9:30 A.M. IN THE **COMMISSIONERS COURTROOM OF THE ALAN B. SADLER COMMISSIONERS COURT BUILDING LOCATED IN CONROE, TEXAS ON 501 NORTH THOMPSON, 4TH FLOOR, SUITE 402**, FOR THE PURPOSE OF CONSIDERING TAKING ACTION ON MATTERS BROUGHT BEFORE THE COURT DURING THE FOLLOWING AGENDA:

1. CALL TO ORDER
2. OPENING PRAYER
3. PLEDGE OF ALLEGIANCE TO THE U.S.A. FLAG
4. PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG
5. ROLL CALL
6. APPROVAL OF COMMISSIONERS' COURT AGENDA
7. PROCLAMATIONS/RESOLUTIONS
8. COUNTY CLERK
9. CONSENT AGENDA
10. COUNTY JUDGE
11. JUSTICE OF THE PEACE PRECINCT 1
12. SHERIFF
13. DRUG COURT/CARE PROGRAM
14. FIRE MARSHAL
15. COUNTY ENGINEER
16. COMMUNITY DEVELOPMENT
17. AUDITOR
18. PURCHASING
19. COUNTY ATTORNEY
20. COUNTY ATTORNEY - CONTRACT REVIEW COMMITTEE
21. PUBLIC HEARINGS
22. COMMISSIONERS
23. COMMISSIONERS - COUNTY ENGINEER
24. EXECUTIVE SESSION
25. TAKE ACTION, ON MATTERS IN EXECUTIVE SESSION
26. CITIZENS
27. HUMAN RESOURCES
28. MISCELLANEOUS
29. COURT ADJOURNS

THE AGENDA, IN DETAIL, AND IN THE ABOVE LISTED ORDER, IS ON THIS BULLETIN BOARD AND MAY BE OBTAINED IN THE COUNTY CLERK'S OFFICE ON THE FIRST FLOOR OF THE COURT'S BUILDING AT 210 WEST DAVIS AND IN THE COMMISSIONERS' COURTROOM ON THE DAY OF THE MEETING.

RECEIVED BY: Aimee Kemp

DATE: 10-23-09 TIME: 9:21 Am

POSTED BY: Aimee Kemp

DATE: 10-23-09 TIME: 9:30 Am



AGENDA

1. CALL TO ORDER
2. OPENING PRAYER
3. PLEDGE OF ALLEGIANCE TO THE UNITED STATES OF AMERICA FLAG
4. PLEDGE OF ALLEGIANCE TO THE TEXAS STATE FLAG
"HONOR THE TEXAS FLAG; I PLEDGE ALLEGIANCE TO THEE, TEXAS, ONE STATE UNDER GOD, ONE AND INDIVISIBLE."
5. ROLL CALL
6. APPROVAL OF COMMISSIONERS' COURT AGENDA
7. PROCLAMATIONS/RESOLUTIONS
 - A. BREAST CANCER AWARENESS MONTH
 - B. ADOPTION DAY 2009 APPRECIATION RESOLUTIONS
 1. TEXAS FOSTER FAMILY ASSOCIATION
 2. THE WOODLANDS CHURCH/FELLOWSHIP OF THE WOODLANDS
 3. THE WOODLANDS UNITED METHODIST CHURCH
 4. MELISSA COLEMAN
 - C. EMPLOYEE COMMITTEE
 1. REQUEST 2 HOUR LUNCH FOR ALL EMPLOYEES WISHING TO ATTEND THE COUNTY CHRISTMAS LUNCHEON WHICH IS SCHEDULED FOR TUESDAY, DECEMBER 15, 2009 FROM 11:30 A.M. TO 1:30 P.M. AT THE LONE STAR CONVENTION CENTER.
8. COUNTY CLERK
 - A. CONSIDER AND APPROVE COMMISSIONERS' COURT MINUTES FOR SPECIAL SESSION ON OCTOBER 12, 2009.
9. CONSENT AGENDA (ONE MOTION WITH MODIFICATIONS, IF APPLICABLE, APPROVES FOR ACTION, ALL ITEMS CONTAINED WITHIN THE CONSENT AGENDA).
 - A. AUDITOR
 1. CONSIDER AND APPROVE PAYMENT OF ACCOUNTS.
 2. CONSIDER AND APPROVE THE BUDGET AMENDMENTS FY2009:
 - a. 410TH DISTRICT COURT: TO TRANSFER FUNDS FOR RELEASE 376488.
 - b. C/P-ROAD BONDS 2006B: TO ADJUST LINE ITEMS.
 - c. C/P-ROAD BONDS 2006B: TO ADJUST LINE ITEMS.

- d. CDBG: TO ADJUST LINE ITEMS.
- e. CDBG: TO ADJUST LINE ITEMS.
- f. COMMISSIONER PCT. 2: TO ADJUST LINE ITEMS.
- g. COMMISSIONER PCT. 3: TO RECOGNIZE AND ALLOCATE REIMBURSEMENTS.
- h. CONSTABLE PCT. 1: TO RECOGNIZE AND ALLOCATE REIMBURSEMENTS.
- i. CONSTABLE PCT. 3: TO ADJUST LINE ITEMS.
- j. CONSTABLE PCT. 5: TO TRANSFER FUNDS FOR RELEASE 376651.
- k. CONSTABLE PCT. 5: TO RECOGNIZE AND ALLOCATE REIMBURSEMENTS.
- l. DISTRICT CLERK: TO ADJUST LINE ITEMS.
- m. EXTENSION AGENTS: TO RECOGNIZE AND ALLOCATE DONATIONS.
- n. HOMELAND SECURITY: TO ADJUST LINE ITEMS.
- o. INFORMATION TECHNOLOGY: TO TRANSFER FUNDS TO COVER SHORTAGES.
- p. JUSTICE OF PEACE PCT. 5: TO TRANSFER FUNDS FOR RELEASE 376355.
- q. JUVENILE PROBATION: TO ADJUST LINE ITEMS.
- r. JUVENILE PROBATION: TO RECOGNIZE AND ALLOCATE RESTITUTION.
- s. JUVENILE PROBATION: TO RECOGNIZE AND ALLOCATE REVENUE.
- t. JUVENILE PROBATION: TO ADJUST LINE ITEMS.
- u. JUVENILE PROBATION: TO RECOGNIZE AND ALLOCATE REVENUE.
- v. RISK MANAGEMENT: TO TRANSFER FUNDS FOR DAMAGE CLAIM.
- w. SHERIFF: TO FUND SPRING CREEK GREENWAY PATROL FOR PR 08.28.09.
- x. SHERIFF: TO FUND SPRING CREEK GREENWAY PATROL FOR PR 09.11.09.
- y. SHERIFF: TO FUND SPRING CREEK GREENWAY PATROL FOR PR 09.25.09
- z. SHERIFF: TO ADJUST LINE ITEMS.
- aa. SHERIFF: TO RECOGNIZE AND ALLOCATE RESTITUTION.

3. CONSIDER AND APPROVE THE BUDGET AMENDMENTS FY2010:
 - a. C/P-ROAD BONDS 2006A: TO ADJUST LINE ITEMS.
 - b. C/P-TAX/REVENUE BONDS 2009: TO ADJUST LINE ITEMS.
 - c. C/P-TAX/REVENUE BONDS 2009: TO ADJUST LINE ITEMS.
 - d. COMMISSIONER PCT. 1: TO ADJUST LINE ITEMS.
 - e. COMMISSIONER PCT. 2: TO ADJUST LINE ITEMS.
 - f. COMMISSIONER PCT. 3: TO ADJUST LINE ITEMS.
 - g. COMMISSIONER PCT. 4: TO ADJUST LINE ITEMS.
 - h. COMMISSIONER PCT. 4: TO RECOGNIZE AND ALLOCATE SALE OF SCRAP.
 - i. COMMISSIONER PCT. 4: TO RECOGNIZE AND ALLOCATE REIMBURSEMENTS.
 - j. CONSTABLE PCT. 1: TO ADJUST LINE ITEMS.
 - k. CONSTABLE PCT. 5: TO RECOGNIZE AND ALLOCATE REIMBURSEMENTS.
 - l. COUNTY JUDGE: TO ALLOCATE FY2010 LIRAP.
 - m. JUVENILE PROBATION: TO SETUP FY2010 SHSU GRANT.
 - n. SHERIFF: TO ADJUST LINE ITEMS.
 - o. SHERIFF: TO RECOGNIZE AND ALLOCATE CJD COLD CASE GRANT.
 - p. SHERIFF: TO RECOGNIZE AND ALLOCATE REIMBURSEMENT.
4. CONSIDER AND ACCEPT MONTHLY FINANCIAL REPORT FOR SEPTEMBER 2009.

B. TREASURER

1. CONSIDER AND APPROVE WEEKLY INVESTMENT REPORT FOR WEEK OF OCTOBER 19 – 23, 2009, IF ANY.
2. CONSIDER AND APPROVE PLEDGES AND/OR RELEASES OF COLLATERAL, IF ANY.
3. CONSIDER AND APPROVE QUARTERLY INVESTMENT REPORT FOR QUARTER ENDING SEPTEMBER 30, 2009.

C. PURCHASING

1. CONSIDER AND APPROVE ADVERTISING FOR THE FOLLOWING BIDS/PROPOSALS:
 - a. THREE (3) OR MORE NEW 2010 POLICE MOTORCYCLES – SHERIFF’S OFFICE
 - b. SERVICES FOR PUMPING OUT SEWER TANKS – SHERIFF’S OFFICE/JAIL
 - c. TIRES AND TUBES FOR MEDIUM TRUCKS AND OFF ROAD EQUIPMENT – VARIOUS DEPARTMENTS

- d. MORGUE TRANSPORT SERVICES –
VARIOUS DEPARTMENTS
 - e. RFP/Q RELIEF VETERINARIAN DOCTOR(S) –
CONSTABLE PCT. #3/ANIMAL SHELTER
 - f. MINOR CONSTRUCTION, REPAIR, REHABILITATION, OR
ALTERATION OF A FACILITY UTILIZING THE
DAVIS BACON PREVAILING WAGE PROVISIONS –
VARIOUS DEPARTMENTS
 - g. APRON DRAINAGE IMPROVEMENTS –
LONE STAR EXECUTIVE AIRPORT
2. CONSIDER AND APPROVE THE FOLLOWING RENEWALS:
- a. P.O. #2009092 TO PETHEALTH SERVICES (USA), INC. FOR
ANIMAL MANAGEMENT MICROCHIPS –
ANIMAL SHELTER/CONSTABLE PCT. #3
 - b. P.O. #2009128 TO ELLIOTT ELECTRIC SUPPLY FOR
ELECTRICAL ITEMS AND MISCELLANEOUS SUPPLIES –
VARIOUS DEPARTMENTS
 - c. P.O. #2008075 TO INTEGRA REALTY RESOURCES-
HOUSTON FOR APPRAISAL OF PROPERTIES FOR THE
SPRING CREEK GREENWAY PROJECT – PCT. #3
 - d. P.O. #2006516 TO CROWDER-GULF JOINT VENTURE FOR
DISASTER RECOVERY MANAGEMENT SERVICES –
EMERGENCY MANAGEMENT
 - e. P.O. #2006517 TO STORM RECONSTRUCTION SERVICES
INC. FOR DISASTER RECOVERY MANAGEMENT
SERVICES – EMERGENCY MANAGEMENT
 - f. P.O. #2006518 TO J B COXWELL CONTRACTING, INC. FOR
DISASTER RECOVERY MANAGEMENT SERVICES –
EMERGENCY MANAGEMENT
 - g. P.O. #2006519 TO ASHBRITT FOR DISASTER RECOVERY
MANAGEMENT SERVICES – EMERGENCY MANAGEMENT
 - h. P.O. #2007218 TO OFFICIAL PAYMENTS CORPORATION
FOR CUSTOMER CREDIT CARD PAYMENT SERVICE –
VARIOUS DEPARTMENTS
 - i. P.O. #2009590 TO LIBERTY TIRE RECYCLING, LLC FOR
TRANSPORTING, PROCESSING AND RECYCLING USED
TIRES – VARIOUS DEPARTMENTS
 - j. P.O. #2008204 TO NOHUP CORPORATION FOR REMOTE
ADMINISTRATION OF IBM AIX SYSTEMS – C.I.S.
 - k. P.O. #2009195 TO AMERICAN HOMESTAR CORPORATION
FOR MANUFACTURED HOMES –
MC COMMUNITY DEVELOPMENT
 - l. P.O. #2009292 TO KENNETH G. DAVIS, MD FOR MEDICAL
SERVICES FOR INMATES OF THE MONTGOMERY
COUNTY JAIL – SHERIFF’S OFFICE
 - m. P.O. #2009175 TO SMITH AND COMPANY FOR CONTRACT
TRUCKS WITH DRIVERS – VARIOUS DEPARTMENTS

- n. P.O. #2009176 TO EARTH MATERIAL SERVICES LLC FOR CONTRACT TRUCKS WITH DRIVERS – PCT. #1 & #2
 - o. P.O. #2009179 TO EARTH MATERIAL SERVICES LLC FOR CONTRACT TRUCKS WITH DRIVERS – PCT. #3 & #4
 - p. P.O. #2009177 TO N & H MATERIALS & CONSTRUCTION CO. FOR CONTRACT TRUCKS WITH DRIVERS – VARIOUS DEPARTMENTS
 - q. P.O. #2008111 TO MILLER UNIFORMS & EMBLEMS, INC. FOR NEW UNIFORMS – VARIOUS LAW ENFORCEMENT
3. CONSIDER AND APPROVE THE FOLLOWING CHANGE ORDERS:
- a. CHANGE ORDER #5, P.O. #2007325 TO SAMMONS CONSTRUCTION COMPANY, INC. FOR UNDERGROUND CONDUIT INSTALLATION – PCT. #3
 - b. CHANGE ORDER #2, P.O. #2005256 TO VERIZON FOR COMMISSIONER PCT. #1 T1'S – C.I.S.
 - c. CHANGE ORDER #3, P.O. #2008255 TO DELL MARKETING LP FOR LOW PROFILE DESKTOP CPU(S) AND MONITORS VARIOUS DEPARTMENTS
 - d. CHANGE ORDER #10, P.O. #2008022 TO ALL AMERICA SALES CORP FOR EMERGENCY EQUIPMENT – VARIOUS DEPARTMENTS
 - e. CHANGE ORDER #5, P.O. #2009386 TO DIAMONDBACK SERVICE MANAGEMENT FOR PEST CONTROL SERVICES VARIOUS DEPARTMENTS
 - f. CHANGE ORDER #5, P.O. #2009087 TO K & D CONTRACTING FOR MOWING RIGHT-OF-WAYS – PCT. #1
 - g. CHANGE ORDER #1, P.O. #2009520 TO INDEPENDENT HARDWARE, INC. FOR ALL PURPOSE LOCKS/MISCELLANEOUS SUPPLIES – VARIOUS DEPARTMENTS
 - h. CHANGE ORDER #1, P.O. #2010147 TO WAUKESHA-PEARCE INDUSTRIES, INC. FOR PREVENTATIVE MAINTENANCE ON STAND-BY GENERATORS – VARIOUS DEPARTMENTS
 - i. CHANGE ORDER #1, P.O. #2009352 TO MARK W. TODD ARCHITECTS, INC. FOR THE NORTHWEST MONTGOMERY COUNTY COMMUNITY CENTER – PCT. #1
 - j. CHANGE ORDER #1, P.O. #2009316 TO WILLO PRODUCTS CO., INC. FOR MONTGOMERY COUNTY JAIL RENOVATIONS – SHERIFF'S OFFICE/JAIL
4. CONSIDER AND APPROVE THE FOLLOWING DISCRETIONARY EXEMPTION(S) AS PER TEXAS LOCAL GOVERNMENT CODE:
- a. UTILIZING THE CONTRACT WITH THE TEXAS DEPARTMENT OF INFORMATION RESOURCES AND AUSTIN RIBBON & COMPUTER SUPPLIES, CONTRACT #DIR-SDD-629 – VARIOUS DEPARTMENTS

- b. UTILIZING THE CONTRACT WITH THE TEXAS DEPARTMENT OF INFORMATION RESOURCES AND DELL MARKETING, LP FOR IT TECHNOLOGY PRODUCTS, CONTRACT #DIR-SDD-890 – VARIOUS DEPARTMENTS
 - c. RADIO FREQUENCY DETECTION SYSTEM FROM 3M COMPANY - LIBRARY
 - d. UMI NEWSPAPERS IN MICROFORM AND PRINT INDEXES, HERITAGEQUEST PLATFORM, HERITAGEQUEST ONLINE, PROQUEST PLATFORM FOR PROQUEST RESEARCH LIBRARY AND E-RESOURCES AND ACCESS MANAGEMENT SERIES FROM PROQUEST, LLC – LIBRARY
 - e. NON-RESIDENTIAL SERVICES PROVIDED BY HEALING SPECIES-TEXAS – JUVENILE SERVICES
 - f. RESIDENTIAL SERVICES PROVIDED BY NUECES COUNTY JUVENILE DEPARTMENT – JUVENILE SERVICES
5. ACKNOWLEDGE AND ACCEPT THE MUNICIPAL LEASE AGREEMENT WITH SHARP ELECTRONICS CORPORATION/LEASE SERVICING CENTER DBA NATIONAL COOPERATIVE LEASING THRU THE INTERLOCAL AGREEMENT WITH THE BUYBOARD – VARIOUS DEPARTMENTS.
 6. CONSIDER AND APPROVE RENAMING THE FOLLOWING BIDS/PROPOSALS:
 - a. LONE STAR COMMUNITY CENTER (NORTHWEST MONTGOMERY COUNTY) – PCT. #1 TO MONTGOMERY COUNTY PCT. #1 COMMUNITY CENTER IN MONTGOMERY, TEXAS
 7. ACKNOWLEDGE THE PAYMENT AND PERFORMANCE BONDS FROM ALLIANCE DEVELOPMENT, INC. FOR THE DESIGN BUILD OF A MENTAL HEALTH TREATMENT FACILITY – INFRASTRUCTURE.

D. RISK MANAGEMENT

1. ACKNOWLEDGE AND RECORD INTO THE MINUTES PAYMENT TO SPAGS COLLISION REPAIR, IN THE AMOUNT OF \$600.53 IN REFERENCE TO CLAIM #B-09-0035. DATE OF INCIDENT: 06/06/09.
2. CONSIDER AND APPROVE RENEWAL OF THE DENTAL CARE PROVIDER HUMANA/COMPBENEFITS FOR THE PLAN YEAR BEGINNING JANUARY 1, 2010. NO CHANGE IN RATE OR BENEFITS FOR THE 2010 PLAN YEAR. PLEASE CONSIDER AND APPROVE AUTHORIZING THE DIRECTOR OR ASSISTANT DIRECTOR OF RISK MANAGEMENT TO SIGN ALL NECESSARY DOCUMENTS ON BEHALF OF MONTGOMERY COUNTY.
3. CONSIDER AND APPROVE RENEWAL OF THE VISION CARE PROVIDER UNITEDHEALTHCARE VISION FOR THE PLAN YEAR BEGINNING JANUARY 1, 2010. NO CHANGE IN RATES OR BENEFITS FOR THE 2010 PLAN YEAR. PLEASE CONSIDER AND APPROVE AUTHORIZING THE DIRECTOR OR ASSISTANT DIRECTOR OF RISK MANAGEMENT TO SIGN ALL NECESSARY DOCUMENTS ON BEHALF OF MONTGOMERY COUNTY.

4. CONSIDER AND APPROVE USE OF COUNTY COMPUTERS BY EMPLOYEES FOR ON-LINE ENROLLMENT FOR EMPLOYEE BENEFITS FOR THE 2010 PLAN YEAR DURING THE BUSINESS DAY OR AFTER HOURS. ESTIMATED DATES FOR ENROLLMENT ARE NOVEMBER 7 THROUGH NOVEMBER 30, 2009. THIS ON-LINE SERVICE WILL ALLOW 24 HOUR, 7 DAYS A WEEK ACCESS FOR ENROLLMENT.
5. CONSIDER AND APPROVE THE RISK MANAGEMENT DEPARTMENT TO AUTOMATICALLY RE-ENROLL CURRENTLY PARTICIPATING EMPLOYEES INTO THE 2010 BENEFITS IF THE EMPLOYEE DID NOT TURN IN ANY RE-ENROLLMENT FORMS OR USE ONLINE ENROLLMENT. 2010 BENEFITS WILL BE BASED ON WHAT THE EMPLOYEE CHOSE FOR THE 2009 PLAN YEAR WITH THE APPLICABLE 2010 RATES OR FEES.
6. CONSIDER AND APPROVE THE ATTACHED ANNUAL ELECTION THAT ALLOWS THE MONTGOMERY COUNTY EMPLOYEE BENEFIT PLAN TO BE EXEMPT FROM SECTIONS OF THE "HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT" (HIPAA) AS ALLOWED BY FEDERAL LAW FOR THE PLAN YEAR BEGINNING JANUARY 1, 2010 AND ENDING DECEMBER 31, 2010.
7. CONSIDER AND APPROVE CHANGES, ADDITIONS AND RELEASES ON SURETY BONDS.

E. COMMISSIONERS

1. PRECINCT 1

- a. CONSIDER AND ACCEPT CHECK NO. 62 FROM SAM HOUSTON RC AND D AREA INC. IN THE AMOUNT OF \$9,373.27 TO HELP WITH PCT. 1 LITTER PROGRAM.

2. PRECINCT 3

- a. CONSIDER AND APPROVE ACCEPTANCE OF THE FOLLOWING ROADS INTO THE ONE YEAR MAINTENANCE PERIOD:

BIRNHAM WOODS DRIVE & RAYFORD ROAD EXTENSION
STREET DEDICATION

3. PRECINCT 4

- a. CONSIDER AND APPROVE THE ACCEPTANCE OF CHECK #35000, IN THE AMOUNT OF \$494.77, FROM THE MONTGOMERY COUNTY COMMITTEE ON AGING DBA THE FRIENDSHIP CENTER FOR FUEL USED FOR THE MONTH OF SEPTEMBER, 2009. TO BE DEPOSITED INTO ACCOUNT 615.7357.

F. SHERIFF

1. CONSIDER AND APPROVE A REQUEST TO CONTINUE THE \$175.00 EXPENSE INCURRED PER EACH RETIREE THROUGH SEPTEMBER 2010. THIS PRICE INCLUDES REFRESHMENTS AND A RETIREMENT GIFT (I.E., PLAQUE, PENDANT, SHADOW BOX). THIS WAS APPROVED BY COMMISSIONERS' COURT ON DECEMBER 18, 2000, BUT PURCHASING DEPARTMENT HAS ADVISED THIS ISSUE NEEDS TO BE APPROVED ON AN ANNUAL BASIS.

G. COMMISSIONERS - COUNTY ATTORNEY - ROAD AND BRIDGES

1. PRECINCT 1

- a. CONSIDER AND APPROVE ORDER ACKNOWLEDGING RECEIPT OF NEW LETTER OF CREDIT AND MAINTENANCE BOND FOR GRAND HARBOR SECTION FIFTEEN (15)

2. PRECINCT 4

- a. CONSIDER AND SET A PUBLIC HEARING DATE OF NOVEMBER 23, 2009 TO CONSIDER THE PARTIAL REPLAT OF PEACH CREEK PLANTATION SECTION TWO (2), TO BE KNOWN AS BLUE TEAL ESTATES
- b. CONSIDER AND APPROVE ORDER ACKNOWLEDGING RECEIPT OF AMENDMENT TO LETTER OF CREDIT NO. 719 FOR DEER TRAIL SECTION FOUR (4)

H. COMMISSIONERS - COUNTY ENGINEER

1. PRECINCT 1

- a. CONSIDER AND APPROVE FINAL PLAT – CREEKSIDE ACRES, SECTION 2.
- b. CONSIDER AND APPROVE THE ROADS IN BENTWATER, SECTION 61 INTO THE ONE YEAR MAINTENANCE PERIOD.
- c. CONSIDER AND APPROVE THE ROADS IN BENTWATER, SECTION 62 INTO THE ONE YEAR MAINTENANCE PERIOD.
- d. CONSIDER AND APPROVE THE ROADS IN BENTWATER, SECTION 73 INTO THE ONE YEAR MAINTENANCE PERIOD.
- e. CONSIDER AND APPROVE THE ROADS IN BENTWATER, SECTION 97 INTO THE ONE YEAR MAINTENANCE PERIOD.

2. PRECINCT 2

- a. CONSIDER AND APPROVE ACCEPTANCE OF THE ROADS IN RIDGE LAKE SHORES, SECTION 2 INTO THE COUNTY MAINTENANCE SYSTEM AND RELEASING THE BOND.
- b. CONSIDER AND APPROVE ACKNOWLEDGING THAT THE ROADS IN RIDGE LAKE SHORES, SECTION 3 HAVE BEEN BUILT TO COUNTY STANDARDS. THESE ROADS HAVE COMPLETED THE ONE YEAR MAINTENANCE PERIOD AND THE BOND MAY BE RELEASED AT THIS TIME. THESE ROADS ARE PRIVATE AND WILL NOT BE MAINTAINED BY MONTGOMERY COUNTY.
- c. CONSIDER AND APPROVE A REQUEST FROM HUGHES NATURAL GAS, INC. TO PLACE A 4" STEEL LINE WITHIN THE RIGHT OF WAY OF WEST MEMORY LANE AND EAST MEMORY LANE.

3. PRECINCT 4
 - a. CONSIDER AND APPROVE THE ROADS IN KINGS MILL, SECTION 3 INTO THE COUNTY MAINTENANCE SYSTEM AND RELEASING THE ROAD.
 - b. CONSIDER AND APPROVE THE ROADS IN RIDGE AT OAKHURST, SECTION 2 INTO THE ONE YEAR MAINTENANCE PERIOD.
 - c. CONSIDER AND APPROVE SETTING A PUBLIC HEARING DATE OF NOVEMBER 9, 2009 TO PLACE MULTI-WAY STOP SIGNS AT THE INTERSECTION OF WEST CHRISTINE AT MORGAN DRIVE IN THE BEAR CREEK RANCH SUBDIVISION.

5. ALL PRECINCTS

- a. CONSIDER AND APPROVE A REQUEST FROM SOUTHERN FOODS GROUP, LLC TO MOVE DAIRY PRODUCTS ACROSS VARIOUS COUNTY ROADS. THIS PERMIT WILL EXPIRE ON FEBRUARY 28, 2010.

I. DISTRICT CLERK

1. CONSIDER AND APPROVE THE DEPUTATION OF THE DISTRICT CLERK'S NEW EMPLOYEE, MELINDA BROWN.

J. PARKS DEPARTMENT

1. CONSIDER AND APPROVE THE FOLLOWING USE AGREEMENTS:
 - a. SCOTT BARTHOLOMEW & DEIDRA BUSSELL
MEMORY PARK – PRECINCT #1
 - b. MONTGOMERY COUNTY RIGHT TO LIFE
COURT HOUSE STEPS – PRECINCT #1

K. ENVIRONMENTAL HEALTH

1. CONSIDER AND APPROVE A VARIANCE REQUEST TO INSTALL AN AEROBIC ON-SITE SYSTEM IN THE 100-YEAR FLOODPLAIN LOCATED AT 16866 FM 1485, CONROE, TEXAS 77306.
2. CONSIDER AND APPROVE A VARIANCE REQUEST TO INSTALL AN AEROBIC ON-SITE SYSTEM IN THE 100-YEAR FLOODPLAIN LOCATED AT 9796 DEEP FOREST, CONROE, TEXAS 77306.
3. CONSIDER AND APPROVE A REQUEST 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 FOR ABATE NUISANCE FOR THE FOLLOWING:
 - a. 19753 ESPINOSA LANE, NEW CANEY, TEXAS 77357

L. INFRASTRUCTURE

1. CONSIDER AND APPROVE THE CERTIFICATE OF SUBSTANTIAL COMPLETION DOCUMENT FROM DI STEFANO/SANTOPETRO FOR THE ELEVATED PEDESTRIAN WALKWAY.

END OF CONSENT

THE COURT WILL CONSIDER, DISCUSS, AND IN ITS DISCRETION, TAKE ACTION ON THE FOLLOWING ITEMS:

10. COUNTY JUDGE

- A. CONSIDER, DISCUSS AND IF APPROPRIATE APPROVE FUNDING AND NAME A FUNDING SOURCE TO SUPPORT THE LIGHTING OF THE DOWNTOWN CONROE SQUARE FOR THE CHRISTMAS SEASON. THE EVENT WILL BE DECEMBER 11TH, 12TH, AND 13TH.
- B. CONSIDER AND APPROVE THE APPOINTMENT OF BEVERLY WISE TO THE CPS BOARD FOR A THREE YEAR TERM REPLACING BARBARA EGAN WHO RESIGNED FROM THE BOARD.
- C. CONSIDER AND APPROVE THE APPOINTMENT OF DR. FRANCIS BRANDEAU-BROWN TO THE CPS BOARD FOR A THREE YEAR TERM REPLACING TERI KROPIK WHO RESIGNED FROM THE BOARD.

11. JUSTICE OF THE PEACE PRECINCT 1

- A. CONSIDER AND APPROVE THE FOLLOWING PURCHASES OF EQUIPMENT UTILIZING THE TECHNOLOGY FUND:

| | | |
|---|------------------|-----------------------------------|
| 1 | \$ 737.00 | DELL DESKTOP CPU |
| 1 | \$ 264.00 | DELL 19" FLAT PANEL MONITOR |
| 1 | \$ 234.22 | DELL VLA OFFICE STD 2007 SOFTWARE |
| 1 | \$ 112.00 | SHI WORD PERFECT 14 SOFTWARE |
| 1 | <u>\$ 361.00</u> | HP PRINTER |
| | \$1,708.22 | TOTAL COST |

12. SHERIFF

- A. CONSIDER AND APPROVE THE FOLLOWING TRANSFER OF THE BUDGETED SALARIES AND ASSOCIATED LONGEVITY, CERTIFICATION AND/OR OTHER ASSOCIATED PAYS WITH THE FOLLOWING POSITION CHANGE. THIS TRANSFER DOES NOT INCREASE THE APPROVED SALARY STRUCTURE:

| <u>AMOUNT</u> | <u>FROM</u> | <u>TO</u> |
|---------------|-------------|-------------|
| \$ 3,500.00 | 5601-6001-1 | 5601-6100-1 |

13. DRUG COURT/CARE PROGRAM

- A. CONSIDER, APPROVE AND ACCEPT THE 2009-2010 MONTGOMERY COUNTY DWI COURT GRANT #21961-01, TOTALING \$153,479.00 FROM THE STATE OF TEXAS, OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION (CJD). THIS FUNDING IS TO ASSIST IN THE CONTINUED SUCCESSFUL OPERATION OF THE DWI COURT.
- B. CONSIDER, APPROVE AND ACCEPT THE 2009-2010 MONTGOMERY COUNTY DRUG COURT CARE PROGRAM GRANT #16040-09, TOTALING \$107,910.00, FROM THE STATE OF TEXAS, OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION (CJD). THIS FUNDING IS TO ASSIST IN THE CONTINUED SUCCESSFUL OPERATION OF THE DRUG COURT.

14. FIRE MARSHAL

- A. CONSIDER AND APPROVE THE FOLLOWING TRANSFER OF FUNDS WITHIN THE APPROVED BUDGET FOR THE MONTGOMERY COUNTY FIRE MARSHAL'S OFFICE. THE TRANSFER OF FUNDS WOULD OCCUR WITHIN LINE 7105/AUTO ALLOWANCE FOR APPROVED PERSONNEL. NO FURTHER FUNDS/FUNDING SOURCES ARE NECESSARY:

| <u>AMOUNT</u> | <u>FROM</u> | <u>TO</u> |
|---------------|-------------|------------|
| \$1,070.94 | POSITION 2 | POSITION 1 |

15. COUNTY ENGINEER

- A. CONSIDER AND APPROVE THE TRANSFER OF THE FOLLOWING FUNDS:

| <u>AMOUNT</u> | <u>FROM</u> | <u>TO</u> |
|---------------|-------------|------------|
| \$1,157.00 | 600-8935-1 | 600-6905-2 |

THESE MONIES ARE NEEDED TO FUND THE POSITION FOR THE REST OF THE BUDGET YEAR. THIS WILL BRING THE POSITION UP TO THE MINIMUM GRADE LEVEL.

THIS WILL NOT CONSTITUTE AN INCREASE TO THE APPROVED SALARY BUDGET.

16. COMMUNITY DEVELOPMENT

1. CONSIDER AND APPROVE RESOLUTION AUTHORIZING SIGNATORIES FOR THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS GRANT CONTRACT 70090005 BETWEEN MONTGOMERY COUNTY AND THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS.
2. CONSIDER AND APPROVE THE APPOINTMENT OF CHRISTOPHER REEVES AS LABOR STANDARDS OFFICER FOR THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS GRANT CONTRACT 70090005.

17. AUDITOR

- A. CONSIDER AND APPROVE REQUEST FROM 410TH DISTRICT COURT TO USE \$878.22 FROM THE COURT REPORTER SERVICE FUND.

18. PURCHASING

- A. ACKNOWLEDGE THE BID OPENING DATES AND IF APPROPRIATE TAKE ACTION ON THE RECOMMENDATIONS AND CONTRACTS FOR THE FOLLOWING BIDS AND/OR PROPOSALS: (OPENING DATES ARE IN PARENTHESIS):
1. RFP/Q FORENSIC SERVICES – VARIOUS JUSTICE OF THE PEACE PROJECT #2009-0009 (1-6-09) (CONTRACT PENDING)
 2. RFP/Q DESIGN BUILD – VARIOUS DEPARTMENTS – PROJECT #2009-0006 (10-27-08) (CONTRACT PENDING – PCT. #2 MECHANIC SHOP AND OFFICE)
 3. RFP/Q DISASTER LOGISTICS SERVICES FOR EMERGENCY RESOURCES – EMERGENCY MANAGEMENT – PROJECT #2009-0104 (7-10-09)

4. RFP/Q OPERATIONS/MANAGEMENT SERVICES OF A SECURE FORENSIC MENTAL HEALTH TREATMENT FACILITY – INFRASTRUCTURE – PROJECT #2009-0111
(CONTRACT PENDING)
 5. RFP/Q CUSTOMER CREDIT CARD PAYMENT & DRIVER'S LICENSE SWIPE SERVICE – VARIOUS DEPARTMENTS – PROJECT #2009-0116 (7-30-09)
 6. RFP OFFICE, COMPUTER, PAPER SUPPLIES AND ACCESSORIES WITH ON-LINE ORDERING CAPABILITIES – VARIOUS DEPARTMENTS – PROJECT #2009-0096 (8-25-09)
 7. RFP/Q DESIGN BUILD OF A FORENSIC MENTAL HEATH TREATMENT FACILITY LOCATED IN MONTGOMERY COUNTY, TEXAS – INFRASTRUCTURE – PROJECT #2009-0132
(CONTRACT PENDING)
 8. DRYWALL, METAL STUDS, ACOUSTICAL/CEILING ITEMS AD MISCELLANEOUS SUPPLIES – VARIOUS DEPARTMENTS – PROJECT #2009-0127 (9-30-09)
 9. TRI-COUNTY MHMR FACILITY – PROJECT #2009-0133 (11-4-09)
 10. PRINTING OF LETTERHEAD STATIONERY, ENVELOPES AND BUSINESS CARDS – VARIOUS DEPARTMENTS – PROJECT #2009-0122 (10-23-09)
 11. CONTRACT FOR MOWING, SEEDING AND FERTILIZING OF OUTFALL CHANNELS – PCT. #4 – PROJECT #2010-0006 (10-21-09)
 12. CONTAINERIZED COMMERCIAL SOLID WASTE DISPOSAL SERVICE – VARIOUS DEPARTMENTS – PROJECT #2009-0131 (10-30-09)
 13. BRAKE PARTS – VARIOUS DEPARTMENTS – PROJECT #2009-0129 (10-27-09)
 14. DESKTOP SCANNERS – VARIOUS DEPARTMENTS – PROJECT #2009-0134 (10-30-09)
 15. LAWN MAINTENANCE SERVICE – PCT. #1 – PROJECT #2010-0002 (11-3-09)
 16. PAPER RECYCLING – VARIOUS DEPARTMENTS – PROJECT #2010-0005 (11-3-09)
 17. AUTOMOTIVE AND HEAVY TRUCK BODY REPAIR SERVICE – RISK MANAGEMENT – PROJECT #2010-0004 (11-3-09)
 18. LABOR TO REMOVE AND INSTALL DRAINAGE/CULVERT PIPE – VARIOUS PRECINCTS – PROJECT #2009-0114 (7-21-09)
 19. RFP/Q FOR A TRUANCY MONITORING AND MENTORING PROGRAM – VARIOUS DEPARTMENTS – PROJECT #2010-0001 (11-5-09)
 20. MONTGOMERY COUNTY PRECINCT #1 COMMUNITY CENTER IN MONTGOMERY, TEXAS – PROJECT #2010-0008 (11-13-09)
- B. ACKNOWLEDGE AND ACCEPT THE PURCHASE OF TEN (10) IN-CAR VIDEO SYSTEMS IN THE AMOUNT OF \$62,565.70 THROUGH THE INTERLOCAL AGREEMENT WITH HGAC AND COBAN TECHNOLOGIES– SHERIFF'S OFFICE.

- C. CONSIDER AND APPROVE PROPOSALS FROM ALPHA DIAMOND ELECTRIC, INC., IN THE AMOUNT OF \$14,588.77, FOR ADDITIONAL ELECTRICAL WORK FOR THE MONTGOMERY COUNTY JAIL RENOVATIONS. FUNDS TO BE TAKEN OUT OF BOND MONIES – INFRASTRUCTURE.

19. COUNTY ATTORNEY

- A. CONSIDER AND APPROVE INTERLOCAL AGREEMENT BETWEEN EMERGENCY SERVICE DISTRICT NOS. 2, 7 AND 12 AND MONTGOMERY COUNTY FOR THE LOAN OF RADIOS PURCHASED WITH GRANT FUNDS, AND PROVIDE ACCESS TO MONTGOMERY COUNTY'S NEW RADIO SYSTEM.
- B. CONSIDER AND APPROVE RENT ARREARAGE PAYMENT PLAN FOR WING AVIATION AT THE LONE STAR EXECUTIVE AIRPORT.
- C. CONSIDER AND APPROVE RESOLUTION AND ORDER ACKNOWLEDGING THAT FUNDS PREVIOUSLY APPROPRIATED FOR USE BY THE COUNTY IN PERFORMING OBLIGATIONS UNDER AN INTERLOCAL AGREEMENT WITH THE CITY OF CONROE FOR CONSTRUCTION OF AIRPORT WATER AND SEWER UTILITY EXTENSIONS ARE NO LONGER AVAILABLE, HAVING BEEN UTILIZED ELSEWHERE BY THE COUNTY, INCLUDING THE PROVISION OF EMERGENCY RELIEF TO THE CITIZENS OF MONTGOMERY COUNTY DURING AND IMMEDIATELY AFTER HURRICANE IKE.
- D. CONSIDER AND APPROVE RATIFICATION OF A TEXAS COMPTROLLER'S 2010 TOBACCO COMPLIANCE GRANT SIGNED BY THE MONTGOMERY COUNTY PRECINCT 4 CONSTABLE'S OFFICE ON OCTOBER 9, 2009.

20. COUNTY ATTORNEY - CONTRACT REVIEW COMMITTEE

- A. CONSIDER AND APPROVE GRANT AGREEMENT BETWEEN MONTGOMERY COUNTY, TEXAS, AND THE TEXAS DEPARTMENT OF TRANSPORTATION FOR STATE ASSISTED ROUTINE MAINTENANCE AT THE LONE STAR EXECUTIVE AIRPORT, AND AUTHORIZE THE HONORABLE ALAN B. SADLER TO EXECUTE AGREEMENT.
- B. CONSIDER AND APPROVE:
 - 1. ASSIGNMENT OF SPACE AT THE LONE STAR EXECUTIVE AIRPORT FROM STARBIRD INVESTMENT CORPORATION TO AVIATION ASSETS, LLC; AND
 - 2. MUTUAL TERMINATION OF LEASE WITH STARBIRD INVESTMENT CORPORATION.

21. PUBLIC HEARINGS

- A. PRECINCT 4
 - 1. CONSIDER AND APPROVE REDUCING THE SPEED LIMIT FOR THE ROADS IN WHISPERING PINES FROM 30 MPH TO 20 MPH.

RECONVENE COURT - TAKE APPROPRIATE ACTION

22. COMMISSIONERS

A. PRECINCT 3

1. CONSIDER AND ACKNOWLEDGE NOTICE OF ACCEPTANCE FROM THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES OF A PROPOSAL BY MONTGOMERY COUNTY TO FINANCE, CONSTRUCT AND OPERATE A MENTAL HEALTH FACILITY.
2. CONSIDER AND AUTHORIZE NEGOTIATION OF AN INTERLOCAL AGREEMENT BETWEEN MONTGOMERY COUNTY AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES FOR THE PROVISION OF MENTAL HEALTH SERVICES.
3. CONSIDER AND APPROVE THE APPOINTMENT OF KATHY BIVINS – NORRIS TO THE CPS BOARD FOR A THREE YEAR TERM REPLACING BECKY COTTINGHAM WHO RESIGNED FROM THE BOARD.

23. COMMISSIONERS - COUNTY ENGINEER

A. PRECINCT 3

1. CONSIDER AND APPROVE THE GRANT SUBMISSION FOR THE TRANSPORTATION ENERGY EFFICIENCY, TRAFFIC SIGNAL SYNCHRONIZATION OR REPLACEMENT GRANT TO THE COMPTROLLER OF PUBLIC ACCOUNTS UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009.

24. EXECUTIVE SESSION - THE COURT WILL RECESS 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

- A. CONSIDER AND DISCUSS MONTGOMERY COUNTY, TEXAS VS. NEW MILLENNIUM HOMES, INC., DEVELOPERS SURETY AND INDEMNITY COMPANY, AND WESTERN SURETY COMPANY

25. TAKE ACTION, ON MATTERS IN EXECUTIVE SESSION

26. CITIZENS (limit of 6 minutes)

27. HUMAN RESOURCES

- A. CONSIDER AND APPROVE PAYROLL CHANGE REQUEST FORMS.

28. MISCELLANEOUS

29. COURT ADJOURNS