

COMMISSIONERS' COURT DOCKET JULY 13, 2009  
SPECIAL SESSION

THE STATE OF TEXAS  
COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 13<sup>th</sup> day of July, 2009, the Honorable Commissioners' Court of Montgomery County, Texas, was duly convened in a Special Session in the Commissioners' Courtroom of the Montgomery County Courthouse Annex, Conroe, Texas, with the following Members of the Court present:

County Judge,	Alan " Barb" Sadler
Commissioner,	Precinct #1 - Mike Meador
Commissioner,	Precinct #2 - Craig Doyal
Commissioner,	Precinct #3 - Ed Chance
Commissioner,	Precinct #4 - Ed Rinehart
Also -	Aimie Kemp, County Clerk' s Office

INVOCATION GIVEN BY DAVID WALKER, COUNTY ATTORNEY

PLEDGE OF ALLEGIANCE RECITED BY EVERYONE PRESENT

PLEDGE OF ALLEGIANCE TO THE TEXAS STATE FLAG RECITED BY EVERYONE PRESENT

1. COMMISSIONERS' COURT AGENDA APPROVED

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

2. MINUTES APPROVED - COMMISSIONERS' COURT MINUTES - COUNTY CLERK

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve Commissioners' Court Minutes for June 29, 2009, as presented by the County Clerk. Motion carried.

COMMISSIONER MEADOR INTRODUCED HOLLY PICHETTE AND MATT HONAS, OF MONTGOMERY COUNTY HOSPITAL DISTRICT EMS, AS WELL AS REPRESENTATIVES FROM " TREE OF LIFE", WHO GAVE A BRIEF OVERVIEW OF THE " KIDS DON' T FLOAT" LIFE JACKET LOANER PROGRAM TO THE COURT, A PERSONAL FLOTATION DEVICE (PFD) LOANER PROGRAM FOR USE AT HARBORS AND BOAT RAMPS.

3. CONSENT AGENDA APPROVED - AGENDA ITEMS 8A THRU 8K

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the Consent Agenda, as follow s:

COUNTY AUDITOR - AGENDA ITEMS 8A

a. ACCOUNTS approved, as submitted by the County Auditor.

b. BUDGET AMENDMENTS approved, as follows:

1. 9<sup>TH</sup> District Court - to transfer funds for security key pads.
2. 359<sup>TH</sup> District Court - to transfer funds for remodel.
3. 435<sup>TH</sup> District Court - to transfer funds for PO 29505287.
4. Animal Control - to adjust line items.
5. Animal Shelter- to recognize and allocate revenue.
6. CDBG HOME Program/\$546K - Yr 2 - to adjust line items for 06/19/09.
7. CDBG Year 9 - to correct carryover amounts for Release 353739.
8. Commissioner Pct 3 - to recognize and allocate reimbursements.
9. Commissioner Pct 3 - to recognize and allocate insurance proceeds.
10. Commissioner Pct 4 - to adjust line items.
11. Commissioner Pct 4 - to recognize and allocate reimbursements.
12. Constable Pct 4 - to transfer funds to bring position salary to midpoint (M45c/05.18.09)
13. County Court at Law #5 - to transfer funds for security buzzer.
14. District Attorney - to recognize and allocate revenue.
15. Emergency Management - to transfer funds for Blackberry license.
16. Extension Agents - to transfer funds to cover shortage.
17. J Corley Detention Facility - to adjust line items.
18. Juv Prob/State Aid-A/09 - to adjust line items.
19. Juvenile Probation - to sweep variance upon grade level reduction to budgeted position (M7/06.15.09).
20. Juvenile Probation - A Grant - to adjust line items.
21. Juvenile Probation - Local - to adjust line items.
22. Memorial Library - to recognize and allocate donations.
23. Risk Management - to adjust line items.
24. Risk Management - to transfer funds for damage claims.
25. Sheriff - to fund Spring Creek Greenway Patrol for PR 06.05.09.
26. Sheriff - to recognize and allocate reimbursements.
27. Sheriff - to adjust line items.

as per Budget Amendments on file.

c. REPORT OF OFFICIALS' FEES accepted, as audited for April 2009, as per Report on file.

TREASURER - AGENDA ITEMS 8B

a. WEEKLY INVESTMENT REPORT approved, for week of June 29-July 3, 2009, as per Report on file.

AGENDA ITEM 8B-2 - WEEKLY INVESTMENT REPORT FOR WEEK OF JULY 6 - JULY 10, 2009 - REMOVED FROM AGENDA

c. PLEDGES AND/OR RELEASES OF COLLATERAL REPORT approved, as per Report on file.

d. MONTHLY REPORT OF PLEDGED SECURITIES approved, for the month of May, 2009, as per Report on file.

TAX ASSESSOR/COLLECTOR - AGENDA ITEMS 8C

a. JUNE 2009 SUPPLEMENTAL CHANGES acknowledged, to 2008 Consolidated Taxroll (All Properties), as per Taxroll on file.

- b. REMOVAL approved and authorized, of taxes owed for years 2004 and prior on twenty-two (22) mobile home accounts that had title, serial numbers, and/or flawed legal descriptions and declare them uncollectible; base tax amount = \$31,029.62, as per Documentation on file.
- c. CERTAIN PROPERTY ACCOUNT TAXES ordered uncollectible, due to United States Bankruptcy Orders, as per Documentation on file.
- d. MONTHLY TAX COLLECTION REPORT approved, for month ending June 30, 2009, as per Report on file.
- e. CONTINUATION OF SURETY BOND NO. 18307504 approved, for John Wiesner in the amount of \$100,000. Montgomery County has no responsibility for payment of this bond, as per Continuation Certificate on file.

PURCHASING DEPARTMENT - AGENDA ITEMS 8D

- a. AUTHORIZATION TO ADVERTISE approved, for the following bids/proposals:
  - 1. Printing of Letterhead Stationery, Envelopes and Business Cards - Various Departments
  - 2. Sports Lighting System - Parks Department
  - 3. Fully Rugged Laptops - Various Departments
  - 4. Construction for Widening of Non-Freeway Facility consisting of bridge class culverts, grading, concrete pavement, lime treated subgrade, traffic control plans, signing, pavement markings, signals, storm sewers and outfall on FM 1488 1B from east of FM 149 at Mostyn to West of FM 2978 - Pct. #2
  - 5. Installation of one (1) water well - MCCD
- b. RENEWAL CONTRACTS approved, as follows:
  - 1. P.O. #2007529 and #2007529X to G T Distributors, Inc. for duty gear and accessories-Variou s Departments
  - 2. P.O. #2009042 to Statewide Traffic Signal Co. for traffic signal foundation services-Variou s Precincts
  - 3. P.O. #2007205 to W T Cox Subscriptions, Inc. for service for supplying periodicals-Library
  - 4. P.O. #2009011 to Smith and Company for Hot Mix Asphaltic Concrete, Complete in Place-Variou s Precincts
  - 5. P.O. #2009005 to Tyler Technologies for Software Maintenance for Sheriff' s Department Jail and Records, Mug Shots Subsystem and Integrated Document Imaging-C.I.S.
  - 6. P.O. #2009004 to Houston Community Newspapers for Legal Advertising-Variou s Departments

7. P.O. #2006014 to Brodart Co DBA McNaughton Book Service for Book Leasing-Library
8. P.O. #9600598 to Conroe Independent School District for Interlocal Agreement for Fuel Charge Back-Sheriff' s Department
9. P.O. #2008498 to Synergy Systems LLC for GPS for Mobile Data and GPS Tracking Antennas-Variou s Departments
10. P.O. #2009044 to NWN Corporation for Semi-Rugged Laptops-Variou s Departments
11. P.O. #2009043 to Cleveland Asphalt Products, Inc. for Emulsified Recycling Asphalt (Dust Control)-Variou s Precincts
12. P.O. #2008023 to Texas Lone Star Pavement Service, Inc. for Pavement Striping, Road Marker Installation/Removal and Related Miscellaneous Services-Variou s Precincts
13. P.O. #2008024 to Stripes & Stops Company, Inc. for pavement striping, Road Marker Installation/Removal and Related Miscellaneous Services - Variou s Precincts

as per Memo on File.

c. DISCRETIONARY EXEMPTION(S) approved as per Texas Local Government Code:

1. Modification Agreement for Annual Maintenance Fee for Hart Imaging System from Manatron, Inc. previously approved in Commissioner' s Court on May 18, 2009-County Clerk

as per Discretionary Exemption on File.

d. CHANGE ORDER(S) approved, as follows:

1. CHANGE ORDER #1, PO. #2009114 to Fairweather Group LLC for the Design Build of District #5 Sheriff' s Office - Pct. #1/Infrastructure for changes with decrease in price of \$45,546.66.
2. CHANGE ORDER #7, P.O. #2007128 to Api Systems Group, Inc. for fire alarm inspection/certification and monitoring - Variou s Departments to increase the annual fire alarm monitoring fee from \$300.00 annually to \$360.00 annually.

as per Change Orders on file.

e. PAYMENT AND PERFORMANCE BONDS accepted, from Alpha Diamond Electric, Inc. to replace electrical service and install lighting system with poles - Parks Department, each in the amount of \$115,888.00 as per Bonds on file.

- f. CANCELLATION approved, of the following purchase orders:
  - 1. P.O. #2006293 (on a month to month basis) to United Telephone Company of Texas for services such as but not limited to; Straight Lines, Data, Etc., to be effective July 13, 2009 - C.I.S.
  - 2. P.O. #2005263 (on a month to month basis) to United Telephone Company of Texas for OPX' s from East County Courthouse to Roberts Road Barn #4/New Caney, to be effective July 13, 2009 - C.I.S.

as per Cancellation on file.

#### RISK MANAGEMENT - AGENDA ITEMS 8E

- a. OFFICIAL BONDS AND OATHS approved, as follows:
    - 1. Gary Chance - Deputy Constable Pct 5 - Bond #14723997 - Renewal
    - 2. Timothy Lee Shackelford - Deputy Constable Pct 2 - Bond #14611265 - Renewal
    - 3. Darren Hess - Arson Investigator - Bond #15487491 - Renewal
- as per Bonds on file.
- b. PAYMENT acknowledged and recorded into the minutes, to Milstead Collision in the amount of \$1,629.98 in reference to CLAIM #A-08-0076. Date of accident: 08/19/08, as per Memo on file.
  - c. RENEWAL approved, of Employee Assistance Program with Deer Oaks EAP Services. Rates are guaranteed through 12/31/2012 at \$2.13 per employee per month, effective 01/01/2010. Assistant Director of Risk Management authorized to sign any documents required for this renewal, as per Renewal on file.

#### COMMISSIONERS - AGENDA ITEMS 8F

- a. PRECINCT 2
    - 1. FINANCIAL STATEMENT accepted, ending September 30, 2008 for Montgomery County Emergency Services District #10, as per Financial Statements on file.
  - b. PRECINCT 3
    - 1. FINANCIAL STATEMENT accepted, ending September 30, 2008 for Montgomery County Emergency Services District #8, as per Financial Statements on file.
    - 2. ROADS accepted, into the one year maintenance period:
      - a. Forest Village - Section 3
- as per Memo on file.

3. ROADS accepted - BONDS released, into the county road maintenance system:
  - a. Spring Trails - Section 9
  - b. Spring Trails - Section 10
  - c. Spring Trails - Section 11
  - d. Spring Trails - Section 12

Also, Bonds released, as per Memo on file.

c. PRECINCT 4

1. CHECK accepted, Check #15390, in the amount of \$1,597.01 from The City of Roman Forest for the purchase of fuel for the month of May, 2009 to be deposited into account 615.7357, as per Memo on file. (Check forwarded to County Treasurer for further handling).

COMMISSIONERS - COUNTY ATTORNEY - ROAD AND BRIDGES - AGENDA ITEMS 8G

a. PRECINCT 1

1. ORDER approved, allowing combination of existing lots without a replat for Lots 16 and 17 Block 3 of Bentwater Subdivision Section Thirty Seven (37), as per Order on file.
2. AGREEMENT approved, authorizing placement of improvements within right-of-way of Old McCaleb Road, as per Agreement on file.

b. PRECINCT 2

1. ORDER approved, authorizing County Judge to sign draw on maintenance bond for Thousand Oaks, Section Two (2), as per Order on file.
2. ORDER approved, authorizing County Judge to sign draw on maintenance bond for Thousand Oaks, Section Three (3), as per Order on file.
3. ORDER approved, authorizing County Judge to sign draw on maintenance bond for Thousand Oaks, Section Four (4), as per Order on file.

c. PRECINCT 4

1. ORDER approved, authorizing County Judge to sign draw on maintenance bond for The Villages at Crockett Trace Section One (1), as per Order on file.
2. ORDER approved, acknowledging receipt of Check No. 8239 in the amount of \$20.00 from Solveig Matek for lease of real property described as 5.190 acres known as tract 92 out of the Archibald Hodge Survey, as per Order on file.

ENVIRONMENTAL HEALTH - AGENDA ITEM 8H

a. ORDER rescinded, to abate nuisance approved on June 1, 2009:

1. 702 Stonewall Jackson, Conroe, Texas 77302
2. 36902 Pine Needle, Magnolia, Texas 77354

as per Orders to Vacate Order Abating a Public Nuisance on file.

PARKS - AGENDA ITEM 8I

a. USE AGREEMENT approved, as follows:

1. Woodsedge Community Church  
West Montgomery County Park - Precinct #1

as per Use Agreement on file.

COMMISSIONERS - COUNTY ENGINEER - AGENDA ITEMS 8J

a. PRECINCT 1

1. FINAL PLAT approved, for Cude Addition, Section 1, as per Plat on file.

b. PRECINCT 4

1. FINAL PLAT approved, for Kingwood Car Care, as per Plat on file.
2. VALLEY RANCH BEND DRIVE, PHASE 2, consisting of 1191.09 L.F., 0.23 Miles, accepted, into the County Road System. Also, Bond released, as per Memo on file.
3. KINGS MILL, SECTION 4 consisting of 1973.83 L.F., 0.37 Miles, accepted, into the County Road System. Also, Bond released, as per Memo on file.

ANIMAL SHELTER - AGENDA ITEM 8K

a. DONATION accepted, from The Woodlands Dog Park Club in the amount of \$3,000 to fund Veterinarian cost for Free Spay/Neuter Surgeries, as per Memo on file. (No check submitted to the County Clerk).

Motion carried.

END OF CONSENT AGENDA

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4. ORDERS APPROVED - INTEREST RATE CONVERSION ON SERIES 2006B AND 2008B- COUNTY JUDGE

Motion by Judge Sadler, seconded by Commissioner Meador, to approve the following:

- a. Order authorizing the conversion of Montgomery County, Texas Unlimited Tax Adjustable Rate Road Bonds, Series 2006B to a fixed rate; and resolving other matters incident and related thereto
- b. Order authorizing the conversion of Montgomery County, Texas Unlimited Tax Adjustable Rate Road Bonds, Series 2008B to a fixed rate; and resolving other matters incident and related thereto

as per Certificates for Orders and Orders on file. Motion carried.

5. PUBLIC HEARINGS APPROVED - ROAD BOND ISSUE

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to discuss Current and Pass-Through Plus \$335 Million Bond Program and dates of the election as follows:

Evening public hearings to be held at 7:00 P.M. on the following dates at the following locations:

**Pct. #1** - August 4, 2009

North Community Center (Willis Bldg.)  
600 Gerald St.  
Willis, TX 77378

**Pct. #2** - August 5, 2009

West Community Development Center  
31355 Friendship Drive  
Magnolia, TX 77355

**Pct. #3** - August 6, 2009

Grogan' s Mill Road Community Center  
The Woodlands, TX 77380

**Pct. #4** - August 10, 2009

East Community Development Center (Splendora Bldg).  
16401 First Street  
Splendora, TX 77372

Motion carried.

6. ANNUAL DUES APPROVED - COUNTY JUDGES & COMMISSIONERS ASSOCIATION OF TEXAS - COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve Annual County Dues assessed for Calendar Year 2009 in the amount of \$2,100.00 payable to County Judges & Commissioners Association of Texas, as per Invoice on file. Motion carried.



## 7. REQUEST APPROVED - TRANSFER OF FUNDS - ENVIRONMENTAL HEALTH

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve the following transfers of funds in order to provide the salary increases upon completion of the 90-day probationary period:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
632-3940-2	632-3940-3	\$801.79
632-3940-2	632-3940-5	\$801.79

These transfers will not increase the departmental budget, as per Memo on file. Motion carried.

## 8. REQUEST APPROVED - TRANSFER OF FUNDS - CONSTABLE PRECINCT 5

Motion by Commissioner Rinehart, seconded by Commissioner Doyal, to approve the following transfer of employee and budgeted salary:

<u>FROM POSITION</u>	<u>TO POSITION</u>
5551-5910-9	5551-5975-1

These transfers do not increase the approved budget, as per Memo on file. Motion carried.

## 9. REQUEST APPROVED - FY 2010 GRANT APPLICATION REVISIONS - AUTO THEFT TASK FORCE

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve a request for approval and signatures on the FY 2010 Grant Application Revisions requested by the Automobile Burglary & Theft Prevention Authority, as per Application on file. Motion carried.

## 10. REQUEST APPROVED - RUNWAY 14-32 LENGTHENING - LONE STAR EXECUTIVE AIRPORT

Motion by Commissioner Meador, seconded by Judge Sadler, to confirm that the length of the planned extension of Runway 14-32 at the Lone Star Executive Airport will be 1,500 feet, to bring the runway length from its present 6,000 feet to 7,500 feet. Funding source left open until July 27, 2009 Commissioners' Court Meeting with Barry Goodman (Goodman Corporation) . Motion carried.

11. REQUEST APPROVED - SALARY ADJUSTMENTS & 10 ADDITIONAL KENNEL STAFF - ANIMAL SHELTER

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

- a. Salary adjustments to raise the salary to \$10.00 per hour. Amount needed from Contingency is \$14,293.80:

FROM POSITION	TO POSITION	AMOUNT
6331-2720-2	6331-2710-1	\$ 956.80
6331-2720-2	6331-2710-2	\$1,947.92
6331-2720-4	6331-2710-2	\$ 662.48
6331-2720-4	6331-2710-3	\$ 647.92
6331-2740-1	6331-2710-3	\$1,053.00
6331-2740-1	6331-2710-4	\$1,651.00
Contingency	6331-2710-4	\$ 590.20
Contingency	6331-2710-5	\$2,610.40
Contingency	6331-2710-6	\$1,700.92
Contingency	6331-2710-7	\$3,640.00
Contingency	6331-2710-8	\$3,640.00

- b. Funding for 10 additional kennel staff based on the presentation by Dr. Ryan to Commissioners' Court on June 29, 2009. The cost for the remainder of the current fiscal year is \$61,129.30

as per Memos on file. Motion carried.

AGENDA ITEMS 15A - 1-3,8-9,11-15,19-24 - RECOMMENDATIONS AND CONTRACTS- PURCHASING - DEFERRED

12. RECOMMENDATIONS AND CONTRACTS APPROVED - PURCHASING (AGENDA ITEMS 15A-4-7,10,16-18)

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the following recommendations and contracts:

- a. RFP/Q Design Build of Administration Building - Pct. #2 - Project #2009-0071, in the amount of \$2,607,838.24 from Diamond Commercial Construction, Inc. previously awarded in Commissioners' Court on March 9, 2009
- b. Crime Lab Supplies - Project #2009-0017 - Various Departments, opened April 30, 2009, awarded as follows:
1. Lynn Peavey Co. - Section 1, items 1-7 (reject item #8); Section 2, items 1-6 & 8 (reject item #7); All items for Section 3-6; Section 7, items 15-39 (reject items 1-14)
- c. RFP/Q Electronic Medical Record System (EMR) - Sheriff's Office/Jail Infirmary - Project #2009-0074; software license agreement, business associate agreement and the software escrow agreement from CorrecTek, Inc., previously awarded in Commissioners' Court on May 18, 2009

- d. Security Fencing - Lone Star Executive Airport - Project #2009-0063, opened June 19, 2009, awarded to National Fence Company in the amount of \$288,103.95
- e. Wrought Iron Fencing - Parks Department - Project #2009-0094, opened June 19, 2009, awarded to McDonald Brothers Fence, Inc. in the amount of \$32,480.00
- f. Posts and Related Hardware for Traffic Signs - Various Precincts - Project #2009-0105, opened June 30, 2009, awarded as follows:  
  
Allied Tube & Conduit Corporation - Prime vendor  
Trantex, Inc. - Alternate vendor
- g. RFP/Q Building Inspector - MCCC - Project #2009-0055, opened July 2, 2009, awarded to Double LF, Inc.
- h. Labor for Telephone/Data Cabling Installation - IT Department - Project #2009-0113, opened July 7, 2009, awarded to Interfacing Company of Texas, Inc.

as per Recommendations and Contracts on file. Motion carried.

13. PROPOSAL APPROVED - SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT - PURCHASING

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the proposal from Terracon Consulting Engineers & Scientists for a supplemental environmental assessment for the proposed Montgomery County Community Center located at Lone Star Parkway in Montgomery County, Texas, for a fee of \$2,800.00 - Pct. #1/MCCC, as per Proposal on file. Motion carried.

14. DISCRETIONARY EXEMPTION APPROVED - FM 1484 UTILITY REIMBURSEMENTS - PURCHASING

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the following discretionary exemption as per Texas Local Government Code Section 262.024:

Utility relocation reimbursements along FM 1484 to Entergy Texas, Inc. in the amount of \$62,312.32 - Pct. #1/Engineering

as per Discretionary Exemption on file. Motion carried.

15. PROPOSAL APPROVED - PROFESSIONAL SURVEYING SERVICES - PURCHASING

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the proposal from LJA Engineering & Surveying, Inc. for professional surveying services for right-of-way mapping for the widening of FM 1488 from Superior Road to Westwood Square East Blvd. for a fee of \$6,600.00 - Pct. #2/Engineering (MCTP), as per Proposal on file. Motion carried.

16. RESOLUTION AND ORDER APPROVED - WESTLAND OFFICE SPACE LEASE - COUNTY ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve Resolution and Order rescinding appropriation of funds designated for lease of space at the Westland Office Building by the Office of Emergency Management, as per Resolution and Order on file. Motion carried.

17. INTERLOCAL AGREEMENT APPROVED - RADIO SYSTEM ACCESS-UTMB - COUNTY ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve Interlocal Agreement for access to Montgomery County's new radio system by the University of Texas Medical Branch - Galveston ("UTMB") and Mutual Aid Agreement to loan UTMB radios to enable said access, as per Interlocal Agreement on file. Motion carried.

18. CHANGE ORDER APPROVED - HGAC LOCAL INITIATIVE PROJECT - COUNTY ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve Change Order for Local Initiative Project between Harris-Galveston Area Council ("HGAC") and Montgomery County, Texas to increase contract amount, and County Judge authorized to execute same, as per Change Order on file. Motion carried.

AGENDA ITEM 16D - BUFFER STRIP ABANDONMENT - COUNTY ATTORNEY - DEFERRED

AGENDA ITEM 17A - INTERLOCAL AGREEMENT- PRECINCT 3 CONSTABLE SERVICES FOR MUD #94 - COUNTY ATTORNEY - DEFERRED

19. PUBLIC HEARINGS APPROVED - PRECINCT 1 AND PRECINCT 2

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

a. PRECINCT 1

1. Replat of Montgomery I.S.D. New Elementary No. 1 to be known as Stewart Creek Partners

b. PRECINCT 2

1. Partial Replat of Magnolia Park Land Company to be known as Magnolia Park Estates
2. Increasing the speed limit to 40 mph for Nichols Sawmill Road, south from Commerce to the Magnolia City Limit Line

as per Memos on file. Motion carried.

20. FINAL PLAT APPROVED - COMMISSIONERS - COUNTY ENGINEER

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

- a. PRECINCT 1
  - 1. Stewart Creek Partners (Replat)

as per Plat on file. Motion carried.

21. FINAL PLAT APPROVED - COMMISSIONERS - COUNTY ENGINEER

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

- a. PRECINCT 2
  - 1. Magnolia Park Estates, Section 1 (Replat)

as per Plat on file. Motion carried.

22. REQUEST APPROVED - SOLID WASTE FINANCIAL GRANT SUBMISSION - PRECINCT 3

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve a submission to H-GAC a Solid Waste Financial Grant for equipment, education material and training totaling one hundred four thousand dollars (\$104,000.00). Judge Sadler will be authorized to sign and submit electronically to H-GAC on or before July 17, 2009, as per Grant on file. Motion carried.

EXECUTIVE SESSION

Articles 551.071 and 551.072

The Court recessed into Executive Session in the County Judge' s Chambers to discuss matters pursuant to one or more of the following Provisions of the Texas Government Code, to wit: Chapter 551, Sub-Chapter D:

- 1. Consider and discuss ongoing settlement issues related to FCC proceeding on rebanding of radio frequencies
- 2. Consider and discuss issues related to settlement of Cause No. 08-01-00609-CV, styled Montgomery County, Texas vs. The Travelers Indemnity Company, et al; in the 410<sup>th</sup> Judicial District Court of Montgomery County, Texas, and County Judge authorized to execute necessary documents related to said settlement
- 3. Consider and discuss status of pending conveyance of property adjoining the Central Library Site (Section 551.072) and discuss the potential claim of Jeffrey Moon for professional services related to said conveyance (Section 551.071)

COURT RECONVENED WITH ALL MEMBERS OF THE COURT PRESENT

23. ORDER TO PAY APPROVED - CONVEYANCE OF LIBRARY PROPERTY - JEFFREY MOON

Motion by Judge Sadler, seconded by Commissioner Meador, to approve payment of Invoice No. 13774 submitted by Jeffrey Moon for professional services in the amount of \$560.00 rendered in connection with the conveyance of property adjoining the Central Library site in Conroe, Texas, as per Order to Pay on file. Motion carried. Funding from Contingency.

24. PAYROLL CHANGE REQUESTS APPROVED - HUMAN RESOURCES

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the following Payroll Change Requests:

request of Animal Shelter to place Anthony Hatchett, Kennel Help, on payroll, (replacement for Mandi Braune), effective June 30, 2009

request of Animal Shelter to place Kathy Jo Manes, Kennel Help, on payroll, (replacement for Linda Martinez), effective June 30, 2009

request of Animal Shelter to place Tori Wickersham, Kennel Help, on payroll, effective July 1, 2009

request of Building Custodial Services to promote Daniel Cruz, from Custodian I (part-time) to Custodian II (full-time), (replacement for Glenda Dickinson), effective June 27, 2009

request of Building Custodial Services to place Dulce Huerta, Custodian (part-time), on payroll, (replacement for Fernando Sanchez), effective July 13, 2009

request of Building Custodial Services to place Joe Jaso, Custodian (part-time), on payroll, effective July 13, 2009

request of Building Custodial Services to accept the retirement of Gloria Saldana, Custodian I, with 94.80 vacation hours due, and 12.38 comp hours due, effective July 31, 2009

request of Building Custodial Services to place Angelica Teteltila, Custodian I (part-time), on payroll, (replacement for Robert Tinney), effective July 13, 2009

request of Building Custodial Services to place Vanessa Zabala, Custodian (part-time), on payroll, (replacement for Jennifer Vander Velden), effective July 13, 2009

request of Building Maintenance/Construction to discharge Luis Hernandez, Facility/Grounds Worker, effective June 24, 2009

request of Commissioner Pct 4 to accept the resignation of Jose L. Razo, Operator I, effective July 2, 2009

request of Constable Pct 1 MISD Sub Unit to remove Keith Jemison, Sergeant - Constable, from payroll, position eliminated by MISD, with 255.12 vacation hours due, and 210.75 comp hours due, effective July 31, 2009

request of Constable Pct 1 MISD Sub Unit to remove Mary Kipness, Deputy Constable, from payroll, position eliminated by MISD, with 9.54 vacation hours due, and 198.00 comp hours due, effective July 31, 2009

request of Constable Pct 1 MISD Sub Unit to remove Brandon Torres, Deputy Constable, from payroll, position eliminated by MISD, with 93.84 vacation hours due, 107.50 comp hours due, and 24.00 holiday hours due, effective July 31, 2009

request of Constable Pct 3 RMUD Sub Unit to place Steven Sprague, Deputy, on Return from Paid/Unpaid FMLA/Disability Leave, effective June 23, 2009

request of Constable Pct 5 to promote Michael Dale Park, from Deputy to Corporal, effective April 1, 2009

request of District Attorney to place Kelli Brooks, Legal Assistant II, on payroll, (replacement for Vickie M. Johnson), effective July 1, 2009

request of District Attorney to place Veronica Sjolander, Investigator II, on payroll, (replacement for Jerry Jordan), effective July 6, 2009

request of District Clerk to accept the resignation of Heather Holmes, Part Time Clerk, effective June 19, 2009

request of District Clerk to place Paige Jackson, Part Time Clerk, on payroll, (replacement for Heather Holmes), effective July 13, 2009

request of District Clerk to promote Kima King, from Court Clerk II to Court Clerk IV, (replacement for Gilberto Huerta), effective July 6, 2009

request of District Clerk to accept the resignation of Krystle Thompson, Court Clerk II, with 13.36 vacation hours due, effective July 31, 2009

request of Elections to re-evaluate job for Helen S. Harvey, Assistant Elections Administrator, effective June 27, 2009

request of Environmental Health to increase the salary of Nyla S. Dalhaus, Clerk IV, probationary period completed, effective June 29, 2009

request of Environmental Health to increase the salary of Kelly S. Wilks, Clerk IV, probationary period completed, effective June 29, 2009

request of J P #2 to place Malinda S. Read, Court Clerk II, on payroll, (replacement for Jo Chapman), effective July 6, 2009

request of Juvenile to change status of Vincient Alan Crawford, from Officer-Juvenile Detention to Substitute Detention Officer, with 7.58 vacation hours due, and 0.13 comp hours due, effective July 1, 2009

request of Juvenile to change status of Chastity Marie Hardin, from Substitute Detention Officer to Officer-Juvenile Detention, (replacement for Vincient Crawford), effective July 11, 2009

request of Juvenile to bridge time for Carly Loomis-Maier, Officer-Juvenile Detention, New leave anniversary date: 07/16/2006, effective June 14, 2009

request of Library to accept the resignation of Miranda Leigh Gonzales, Shelving Clerk I, effective June 25, 2009

request of Library to change location of Scott Altemus, from Sergeant Patrol District #2 to Sergeant Patrol District #3, (replacement for Joseph Senn), effective July 11, 2009

request of Sheriff to accept the retirement of Teri Bennette, Registrar-SOC Unit, with 191.1127 vacation hours due, 10.64 sick leave hours due, and 50.25 comp hours due, effective August 31, 2009

request of Sheriff to place Nicole Burch, Dispatcher, on payroll, (replacement for Michele Cook-Molloy), effective July 4, 2009

request of Sheriff to transfer Teresa Calico, from Dispatcher to Officer-Civilian Detention, (replacement for Zachary Vercher), effective June 27, 2009

request of Sheriff to place Cynthia Garcia, Officer-Civilian Detention, on Unpaid FMLA/Disability Leave, effective June 21, 2009

request of Sheriff to accept the resignation of Royce Gest, Medic, with 74.05 vacation hours due, 37.14 comp hours due, and 43 holiday hours due, effective June 26, 2009

request of Sheriff to transfer Christopher Hoffmeyer, from Deputy-Patrol District #1 to Deputy-Patrol District #5 (replacement for Nicholas Martolano-Jordan), effective July 11, 2009

request of Sheriff to place Amy Loggins, Clerk IV, on Return from Paid/Unpaid FMLA/Disability Leave, effective June 23, 2009

request of Sheriff to accept the resignation of Amy Loggins, Clerk IV, effective July 1, 2009

request of Sheriff to place Jackie Mitchell, Jr., Officer-Civilian Detention, on payroll, (replacement for Harold Trammel), effective July 11, 2009

request of Sheriff to place Joy Owens, Clerk IV, on Unpaid FMLA/Disability Leave, effective June 26, 2009

request of Sheriff to place Norma Porter, Clerk IV, on payroll, (replacement for Mary K. Perry), effective July 4, 2009

request of Sheriff to transfer Margarito Rosales, Jr., from Deputy-Town Center Patrol to Deputy-Woodlands Patrol, (replacement for Olavere Sommerset), effective July 11, 2009

request of Sheriff to promote Timothy Slusher, from Deputy - Patrol District #4 to Investigator - Crime Scene, (replacement for Caryn Mcanarney), effective July 11, 2009

request of Tax Assessor/Collector to increase the salary of Lindsay Anne Camp, Deputy Specialist I, probationary period completed, effective July 25, 2009

request of Tax Assessor/Collector to increase the salary of Charlotte Elaine Hatchley, Deputy Specialist I, probationary period completed, effective July 25, 2009



request of Tax Assessor/Collector to promote Teresa King, from Deputy Specialist IV, to Office Supervisor I, (replacement for Robin Ingle), effective July 11, 2009

request of Tax Assessor/Collector to place Tammy J. McRae, Assistant Chief Deputy-Tax, on payroll, (replacement for Patsy Davila), effective August 3, 2009

request of Library to accept the resignation of Laura Guadamuz, Shelving Clerk I, effective July 29, 2009

request of Building Maintenance/Construction to remove Kevin Byrd, Facility/Grounds Worker, from payroll, (job abandonment), with 43 vacation hours due, and 23 comp hours due, effective July 2, 2009

request of Building Custodial Services to place Iris Zetino, Custodian I, on Unpaid FMLA/Disability Leave, effective July 9, 2009

request of J P #3 to place Demetrich Carrington, Court Clerk II, on Unpaid FMLA/Disability Leave, effective July 7, 2009

as per Payroll Change Requests on file. Motion carried.

AGENDA ITEM 25 - MISCELLANEOUS - CONSTABLE PCT 4, ROWDY HAYDEN, INTRODUCED ELI RIVERA, THE NEW DRIVER FOR THE MOTORIST ASSISTANCE PROGRAM IN PRECINCT 4. THE M.A.P. PROGRAM IS TO BE KICKED OFF IMMEDIATELY.

AGENDA ITEM 26 - TRANSPORTATION WORKSHOP - (SEE MOTION #5 FOR COURT ACTION).

25. COURT ADJOURNED

Motion by Commissioner Chance, seconded by Commissioner Meador, that this Session of Court be adjourned. 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