

COMMISSIONERS' COURT DOCKET APRIL 25, 2011
SPECIAL SESSION

THE STATE OF TEXAS
COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 25th day of April, 2011 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, Commissioner, Commissioner, Commissioner, Commissioner, Also -	Alan "Barb" Sadler Precinct #1 - Mike Meador Precinct #2 - Craig Doyal Precinct #3 - Ed Chance Precinct #4 - Ed Rinehart Rebecca Biasotti, County Clerk's Office
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INVOCATION GIVEN BY ED CHANCE

PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG 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. PROCLAMATION APPROVED – OLDER AMERICANS MONTH

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the proclamation declaring the month of May, 2011 as Older Americans Month in Montgomery County, Texas. Motion carried.

3. PROCLAMATION – CHILD ABUSE PREVENTION AWARENESS

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve a proclamation to encourage child abuse prevention and awareness by the citizens of Montgomery County, Texas, and commend this observance during the month of April, 2011. Motion carried.

4. RESOLUTION APPROVED – R. A. "MICKEY" DEISON DAY

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the resolution declaring May 6, 2011 as R. A. "Mickey" Deison Day in Montgomery County. Motion carried.

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

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve Commissioners' Court Minutes for April 11, 2011, as presented by the County Clerk. Motion carried.

6. CONSENT AGENDA APPROVED - AGENDA ITEMS 9A-O

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

COUNTY AUDITOR - AGENDA ITEM 9A

- A. ACCOUNTS approved, as submitted by the County Auditor.
- B. BUDGET AMENDMENTS for FY2011 approved, as follows:
 - 1. ANIMAL SHELTER: To recognize and allocate revenue and donations.
 - 2. C/P – ROAD BONDS 2008B: To adjust line items.
 - 3. C/P – ROAD BONDS 2008B: To adjust line items.
 - 4. CDBG COMMUNITY DEVELOPMENT – HPRP GRANT: To adjust line items to reflect prior year balances.
 - 5. COMMISSIONER PCT. 2: To recognize and allocate revenue and to transfer funds to Building Maint. For repairs on the Magnolia Library.
 - 6. CONSTABLE PCT. 1 FORFEITURE: To adjust forfeiture budget based upon expenditures through the month ended 02.28.11.
 - 7. CONSTABLE PCT. 3 FORFEITURE: To adjust forfeiture budget based upon expenditures through the month ended 02.28.11.
 - 8. CONSTABLE PCT. 3: To adjust line items.
 - 9. CONSTABLE PCT. 4 FORFEITURE: To adjust forfeiture budget based upon expenditures through the month ended 02.28.11.
 - 10. COUNTY AUDITOR: To transfer funds for 2 VPN tokens.
 - 11. COUNTY CLERK: To adjust line items.
 - 12. COUNTY RECORDS MGT: Transfer revenue budget to appropriate department.
 - 13. CUSTODIAL SERVICES: To adjust line items.
 - 14. DISTRICT ATTORNEY FORFEITURES: To adjust forfeiture budget based upon expenditures through the month ended 02.28.11.
 - 15. DISTRICT CLERK: To adjust line items.
 - 16. DISTRICT CLERK REC MGM FS: To transfer revenue budget to appropriate department.
 - 17. JUVENILE PROBATION/GRANT Q: To set up Grant “Q” from TJPC.
 - 18. MEMORIAL LIBRARY: To recognize and allocate grant from the Texas Commission on the Arts. (M5/04.11.11)
 - 19. MEMORIAL LIBRARY: To recognize and allocate grant from the Texas Commission on the Arts. (M5/04.11.11)

- 20. RISK MANAGEMENT: To recognize and allocate insurance proceeds.
 - 21. RISK MANAGEMENT: To transfer funds for damage claims.
 - 22. RISK MANAGEMENT: To recognize and allocate restitution.
 - 23. SHERIFF: To carry over FY10 funds for radio expense as approved. (M13/04.11.11)
 - 24. SHERIFF: To adjust line items.
 - 25. SHERIFF FORFEITURES: To adjust forfeiture budget based upon expenditures through the month ended 02.28.11.
- C. OFFICIALS' FEES REPORT approved, as reported for January 2011.
 - D. FINANCIAL REPORT accepted for month ended October, 2010.
 - E. RESOLUTION APPROVED expressing intent to finance expenditures to be incurred.

TREASURER - AGENDA ITEM 9B

- F. FINANCIAL STATEMENTS APPROVED for year October 2009 – September 2010.
- G. FINANCIAL STATEMENT APPROVED for December, 2010.
- H. FINANCIAL STATEMENT APPROVED for January, 2011.
- I. QUARTERLY INVESTMENT REPORT approved for January through March, 2011.

TAX ASSESSOR/COLLECTOR – AGENDA ITEM 9C

- J. MONTHLY TAX COLLECTION REPORT accepted for month ending March 31, 2011.
- K. SUPPLEMENTAL CHANGES TO 2010 CONSOLIDATED TAX ROLL for properties in The Woodlands Township and New Caney I.S.D. approved.

PURCHASING DEPARTMENT - AGENDA ITEM 9D

- L. CONTRACT RENEWALS APPROVED as follows:
 - 1. LANSDOWNE MOODY CO., INC. (PO #2008417) for parts for tractors and mowers, expires 06.01.11 – Various Departments
 - 2. BROOKSIDE EQUIPMENT SALES, INC. (PO #2008416) for parts for tractors and mowers, expires 06.01.11 – Various Departments
 - 3. THE AV CAFE, INC. (PO #2010485) for service for supplying audio/visual materials, expires 06.02.11 – Library
 - 4. RECORDED BOOKS LLC (PO #2010486) for service for supplying audio/visual materials, expires 06.02.11 – Library
 - 5. BLACKSTONE AUDIO, INC. (PO #2010487) for service for supplying audio/visual materials, expires 06.02.11 – Library

6. BAKER & TAYLOR, INC. (PO #2010488) for service for supplying audio/visual materials, expires 06.02.11 – Library
7. MIDWEST TAPE LLC (PO #2010489) for service for supplying audio/visual materials, expires 06.02.11 – Library
8. DV & A DISTRIBUTION VIDEO & AUDIO, INC. (PO #2010490) for service for supplying audio/visual materials, expires 06.02.11 – Library
9. USA ENVIRONMENT, L.P. (PO #2007397) for consultation for removal of hazardous materials and underground storage tanks, expires 06.17.11 – Various Departments
10. PROGRESSIVE ENVIRONMENTAL SERVICES dba SWS EAGLE CONSTRUCTION (PO #2010569) for consultation for removal of hazardous materials and underground storage tanks, expires 06.17.11 – Various Departments – Also note name change to Progressive Environmental Services dba Eagle-SWS, Inc.

M. CHANGE ORDERS APPROVED as follows:

1. CHANGE ORDER #1, PO #2011190 to Video Security Specialists, Inc. for Pan-Tilt-Zoom Traffic Monitoring Cameras, to cancel the contract in its entirety, effective 05.08.11 – Various Departments.
2. CHANGE ORDER #1, PO #2011191 to HD Protech to be the prime vendor for Pan-Tilt-Zoom Traffic Monitoring Cameras, effective 05.09.11 – Various Departments.
3. CHANGE ORDER #7, PO #2010327 to Stephens Office Supply, Inc. for office, computer, paper supplies and accessories with online ordering capabilities for price increases/decreases for 2nd quarter 2011, effective 04.25.11 – Various Departments.
4. CHANGE ORDER #3, PO #2010255 to South Coast Construction, Inc. for construction of miscellaneous work consisting of grading, concrete pavement, pavement marking, signs, retaining wall and illumination, reverse ramps and illumination in advance of DC's on I-45 south of SH 242 – Pct. 3/Engineering.
5. CHANGE ORDER #1, PO #2011091 to Bleyl and Associates for topographic survey/right-of-way research for Hawthorne Road utility connection in the amount of \$34,845.00 – Pct. 1/Engineering.
6. CHANGE ORDER #3, PO #2006548 to CLR for engineering services for expansion of FM 2978 from Bogs Road to FM 1488, to amend the term of the contract to be effective 05.02.09 – 05.01.12 with a one year renewal – Precincts 2 and 3.

N. DISCRETIONARY EXEMPTIONS APPROVED as follows:

1. Gale Publications, including but not limited to; St. James Press, UXL, Green Haven, Lucent, Black Birch, Thorndike Press, Kennebec, Wheeler Publishing, Walker Publishing Information Plus and UXL. This also includes Gale Virtual Reference Library Products, Biography Resource Center, Literature Resource Center, Class Trac, Literature Criticism Online, Sata Online, Dictionary Literary Biography Online, Gale Virtual Reference Library, InfoTrac products and Nursing Resource Center with Gale. The items should be considered as a sole source, described by TX Local Government Code – Library.

2. Residential services with Azleway, Inc. – Juvenile Services.
 3. Residential services with Victoria County – Juvenile Services.
 4. Residential services with Cooke, Fannin, and Grayson County Juvenile Boot Camp – Juvenile Services.
 5. Non-residential services with Augustin Gutierrez, Jr., M.A., LPC, P.C. – Juvenile Services.
 6. Polygraph services with Jerry D. Thomas dba Thomas Polygraph Services – Juvenile Services.
 7. Mobile client software with Enroute Emergency Systems LLC. Funding approved CC 03.28.11 under Sheriff's Office– Sheriff's Office.
 8. Laboratory Testing Services with Sam Houston State University – Forensic Services Department.
 9. Laboratory testing services with National Medical Services, Inc. dba NMS Labs – Forensic Services Department.
- O. PAYMENT AND PERFORMANCE BONDS ACKNOWLEDGED AND ACCEPTED – RFP/Q Energy Efficiency & Conservation Block Grant Program – Phase VI – Energy savings window replacement for Montgomery County Courthouse (Project #2011-0048) to Diamond Commercial Construction, Inc. for \$634,500.00 – Infrastructure
- P. PAYMENT AND PERFORMANCE BONDS ACKNOWLEDGED AND ACCEPTED – Montgomery County Courthouse Repairs (project #2011 – 0030) – to Diamond Commercial Construction, Inc. for \$657,000.00 – Infrastructure.
- Q. CHANGE ORDER APPROVED – Change Order #5, PO #2010166 to Alliance Development, Inc. for RFQ Design Build of a Mental Health Treatment Facility in Montgomery County, TX with a price increase of \$49,984.00 – Infrastructure.

RISK MANAGEMENT - AGENDA ITEM 9E

- R. BUILDING ACCEPTED INTO COUNTY INVENTORY – Building #1-0096, Montgomery County Forensic Services.
- S. PAYMENT ACKNOWLEDGED to Railroad Commission of Texas in the amount of \$550.00 in reference to Claim #B-10-0106.
- T. PAYMENT ACKNOWLEDGED to Century Link in the amount of \$951.66 in reference to Claim #B-10-0104.
- U. CHANGES TO BONDS APPROVED for the following:
1. Joshua Brown – Constable Pct. 4
 2. Pedro Rodriguez – Constable Pct. 4
 3. Larry Meaderis – Constable Pct. 5
 4. Jason Enyart – Constable Pct. 5
 5. Joseph Cannon – Constable Pct. 4
 6. Cherie Ligon – Tax Assessor
 7. Charles Williams – Constable Pct. 5

COMMISSIONERS – AGENDA ITEM 9F

PRECINCT 2

- V. CHECK ACCEPTED in the amount of \$312.30 from The Friendship Center for reimbursement of fuel usage for February 2011. (Check forwarded to Treasurer for further processing)

COMMISSIONERS – COUNTY ATTORNEY – ROAD AND BRIDGES – AGENDA ITEMS 9G

COMMISSIONER, PRECINCT #1 – AGENDA ITEM 9G1

- W. LOT CONVEYANCE APPROVED without replat for Lot 28, Block 58, Walden on Lake Conroe, Section 10.

COMMISSIONER, PRECINCT #2 – AGENDA IETMS 9G2

- X. WARRANTY DEED ACCEPTED for Parcel 61-62 of The Woodlands Parkway Extension Project and authorizing County Judge to sign for the acceptance of the Warranty Deed.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9H

COMMISSIONER – PRECINCT #2

- Y. CHANGE ORDER #4 APPROVED – to the Advance Funding Agreement for the Fish Creek Thoroughfare/McCaleb Road grade separation CSJ #0912-37-191.

- Z. SUPPORTING DOCUMENTS RECEIVED INTO THE RECORD for the following plats:

1. Cotter Parking Lot
2. Estates of Autumnwood
3. Hilltop Ranch, Section 1 (partial replat #1)
4. Ranches of Autumnwood

Approved in Commissioners' Court 04.11.11.

- AA. SUPPORTING DOCUMENTS RECEIVED INTO THE RECORD for the acceptance into the one year maintenance period for the following roads:

1. Timberloch Estates, Section 2
2. Woodforest, Section 5

Approved in Commissioners' Court 04.11.11.

COMMISSIONER – PRECINCT #3

- BB. FINAL PLAT APPROVED – The Woodlands – Medical Research Park, Section 11, Amending plat #1. 30.154 acres.

COMMISSIONER – PRECINCT #4

- CC. FINAL PLAT APPROVED – Montgomery Creek Ranch, Section 4. 2.224 acres, 17 lots.

COUNTY CLERK – AGENDA ITEM 9I

- DD. TRANSFER OF FUNDS APPROVED - \$25,600.00 from County Clerk's Records Management Fund to line item 40311-7419 Professional Services. To be used to pay Allied Imaging for scanning of documents, PropertyInfo for data warehousing, and the Texas State Library for the conversion of our scanned images to microfilm.

COUNTY JUDGE – AGENDA ITEM 9J

- EE. USE AGREEMENTS APPROVED for the following:
1. Montgomery County Employees' Committee – Lobby of Alan B. Sadler Commissioners' Court Building.
 2. Willis Rebels – Charles Traylor baseball fields.
 3. East Montgomery County Sports Association – Ed Rinehart Park at Valley Ranch.
 4. Splendora Youth Baseball Association – Ipes Road baseball park.
- FF. RENEWAL APPROVED – Operation and management lease agreement for the Magnolia Youth Park Arena – Magnolia Community Horse Club.

DISTRICT CLERK – AGENDA ITEM 9K

- GG. DEPUTATION APPROVED as follows:
1. LaDawn Grimes

BUILDING MAINTENANCE – AGENDA ITEM 9L

- HH. DONATION ACCEPTED – 450 bags of mulch from the Walmart Supercenter, 3040 College Park Drive, The Woodlands, TX.
- II. DONATION ACCEPTED - Metal shelving from the Montgomery County Splendora Clinic, 16401 First St., Splendora, TX.

SHERIFF – AGENDA ITEM 9M

- JJ. DONATION ACCEPTED – In memory of Donald Lincoln, from the McCains, Blacks, Lotspeiches, and Ratliffs, in the amount of \$200.00. (check forwarded to Treasurer for further processing)

LIBRARY – AGENDA ITEM 9N

- KK. DONATION ACCEPTED – in the amount of \$500.00 from the staff members at the Conroe office of the Social Security Administration for the Adopt-a-Book program. The donation was deposited with the Treasurer at the time of donation.
- LL. DONATION ACCEPTED – in the amount of \$20,000.00 from the South Montgomery County Friends of the Library to offset reduced funding for new books. (check forwarded to Treasurer for further processing)

COUNTY ATTORNEY – AGENDA ITEM 90

- MM. CORRECTED SUBORDINATION AGREEMENT APPROVED – between Montgomery County and Magnolia Trails, previously approved by Commissioners' Court on 02.28.11; and borrower's address change acknowledged.

Motion carried.

END OF CONSENT AGENDA

7. REDISTRICTING COMMITTEE MEMBERS APPROVED – COUNTY JUDGE

Motion by Judge Sadler, seconded by Commissioner Doyal, to approve the following members for the Redistricting Committee:

1. David Kleimann
2. Marie Moore
3. Debra Garcia

Motion carried.

8a. APPOINTMENT APPROVED – WALTER HOUSER – HOUSING AUTHORITY – PCT 1 – AGENDA ITEM 22A1

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve the appointment of Walter Lee Houser for a second term as Commissioner for the Housing Authority of Montgomery County. Motion carried.

8b. REDISTRICTING COMMITTEE MEMBERS APPROVED – COMMISSIONERS – AGENDA ITEM 22A2-22C1

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve the Redistricting Committee Members as follows:

PRECINCT 1

1. Gilbert Garcia
2. Charlie Frank
3. Walter Houser

PRECINCT 2

1. Bob Hawthorne
2. Ken Conatser
3. Doug Joslin

PRECINCT 3

1. Arthur Salinas
2. Gerald Irons
3. Joel Deretchin

PRECINCT 4

1. Odie Kennedy
2. Andy Dill
3. Angela Allen

Motion carried.

9. PROGRESS REPORT ACCEPTED – 2007 PSIC GRANT – EMERGENCY MANAGEMENT

Motion by Commissioner Rinehart, seconded by Commissioner Doyal, to accept the progress report from the State of Texas State Administrative Agency for the 2007 PSIC Grant, and authorize Judge Sadler to execute the report. This grant has been closed out and reimbursement has been received. This will allow the SAA to reallocate \$49,724.40 not needed to complete the project. Motion carried.

10. ACTIONS APPROVED – MONTGOMERY COUNTY HEALTH TREATMENT FACILITY

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the following actions regarding the MCHTF:

1. Statement of conditions report accepted that was prepared by Rolf Jensen and Associates as required to complete the process for Joint Commissioner Accreditation and recommended by the MCMHTF Advisory Board.
2. Performance indicator report accepted for the month ended 03.31.11, as required by agreement between Montgomery County and Texas Department of State Health Services and recommended by the MCMHTF Advisory Board.
3. Correspondence acknowledged to Texas Department of State Health Services advising of modification to “as-built” plans for facility, and recommended by the MCMHTF Advisory Board.

Motion carried.

11. EXPENDITURE APPROVED – SHERIFF

Motion by Judge Sadler, seconded by Commissioner Meador, to approve an additional \$3850.00 expenditure from the Nextel settlement for mobile mapping installation and project management which was inadvertently omitted from the MDT project total per Motion #13 of 03.28.11 Commissioners’ Court session. Motion carried.

12. FUNDS ACCEPTED – APPLICATION REVIEWED – SHERIFF

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to review the application and accept the funds from the Texas Department of Transportation for the Texas Traffic Safety Program – Click it or Ticket for FY2011 in the amount of \$9061.20. Motion carried.

13. AUTO THEFT TASK FORCE ACTIONS APPROVED – SHERIFF

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve the following actions for the Auto Theft Task Force:

1. 2012 ABTPA GRANT APPLICATION approved and executed.
2. 2012 Grimes County Interlocal Agreement approved.
3. 2012 City of Conroe Interlocal Agreement approved.

Motion carried.

14. TRANSFER OF FUNDS APPROVED – CAR ALLOWANCE – CONSTABLE PCT. 1

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve transferring car allowance from position 5511-5910-4 to position 5511-5910-11 due to a position change within the department, effective 05.07.11. Motion carried.

15. TEMPORARY POSITION APPROVED – AGRILIFE EXTENSION OFFICE

Motion by Commissioner Doyal, seconded by Commissioner Rinehart, to approve the creation of a temporary position, not to exceed two weeks, for training purposes of a new volunteer coordinator to be funded from current budget for volunteer coordinator position 665-4212-1. Motion carried.

16. REQUEST APPROVED – JURY ASSEMBLY ROOM – DISTRICT CLERK

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve a request to designate the Montgomery County Jury Assembly Room at 301 N. Thompson, suite 202, Conroe, TX, as a courtroom. Motion carried.

17. GRANT SUBMISSION APPROVED – DISTRICT CLERK

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the submission of the Preservation Assistance Grant via Grants.gov for \$6000.00 toward preservation of older documents. Motion carried.

18. AMENDED BUDGET CALENDAR APPROVED – AUDITOR

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the amended budget calendar for fiscal year ending September 30.2012. Motion carried.

RECOMMENDATIONS AND CONTRACTS DEFERRED – AGENDA ITEMS 19A1,4-6, 8-9, 11-12, 16, 18 - PURCHASING

19. CONTRACT AWARDS/ READVERTISEMENTS – PURCHASING DEPARTMENT

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve the following contract awards and re-advertisements:

CONTRACTS AWARDED – 19A2,3,7,10,14,15,17

1. RFP/Q Energy Efficiency and Conservation Block Grant Program – Phase VIII – Energy Savings Solar Photovoltaic Systems for Montgomery County Administration Building and Tullis Library (project #2011-0045) to Alternative Power Solutions in the amount of \$290,077.45 – Infrastructure.
2. Mowing of rights-of-way (project #2011-0052) to Wayne Yancy, Inc. – Precinct 1.
3. New full size cargo van extended length (project #2011-0056) to Caldwell Country Chevrolet in the amount of \$22,688.00 – Sheriff's Office/Various Departments.
4. Uniform rental and services (project #2011-0062) to Unifirst Corporation – Various Departments.
5. Unmanned aerial vehicle (system) (project #2011-0055) to Vanguard Defense Industries in the amount of \$258,800.00 to be funded out of the 2010 UASI LEAP Grant – Emergency Management.

6. New construction, six bedroom residential home (project #2011-0046) to SWMJ Construction, Inc. in the amount of \$128,384.00 – Community Development.
7. Underground conduit installation (project #2011-0040) to Third Coast Services, LLC – Precinct 3.

RE-ADVERTISE – 19A13

8. Pre-engineered metal buildings (materials only) – Various Departments – Project #2011-0057 – (04-15-11).

Motion carried.

20. POSITION CHANGE AND FUNDS TRANSFER APPROVED – PURCHASING

Motion by Judge Sadler, seconded by Commissioner Meador, to approve the transfer of funds and position changes in compliance with the salary structure, from 407-3940-1 to 407-8930-1 in the amount of \$2808.00. Motion carried.

21. CHANGE ORDER APPROVED – PURCHASING

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve Change Order #9, PO #2008615 to W. W. Webber, LLC for Construction for widening of non-freeway facility consisting of grading, widening structures, base and concrete pavement on FM 1314 from 1.0 miles south of SH 242 to 2.6 miles northwest of Loop 494 with a price increase of \$325,106.34 – Pct. 4/Engineering. Motion carried.

22. RESOLUTION APPROVED – KEMP SMITH, LLP – COUNTY ATTORNEY

Motion by Commissioner Doyal, seconded by Commissioner Chance, to authorize the County Judge to execute engagement letter from the Law Offices of Kemp Smith LLP in connection with SOAH docket #'s 582-07-2673 and 582-07-2674, pursuant to authority granted for retention of outside counsel by Commissioners' Court on 04.11.11, Motion #34. Motion carried.

23. RESOLUTION AND ORDER APPROVED – CHILD WELFARE BOARD – COUNTY ATTORNEY

Motion by Judge Sadler, seconded by Commissioner Doyal, to approve the resolution and order amending and restating bylaws of the Montgomery County Child Welfare Board. Motion carried.

24. TAX ABATEMENT AGREEMENT APPROVED – COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the tax abatement agreement between Montgomery County, TX and R&M Energy Systems, LP. Motion carried.

25. UTILITY EASEMENT APPROVED – COUNTY ATTORNEY

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the utility easement to Entergy Gulf States, Inc. for utility service at the Lone Star Executive Airport and authorize the County Judge to execute same. Motion carried.

26. PUBLIC SERVICE CONTRACT APPROVED – CONROE YMCA – CONTRACT REVIEW COMMITTEE

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve the public service contract between Montgomery County and the Conroe YMCA to provide an after school program for the prevention of juvenile delinquency and to provide educational opportunities and a safe after school environment for children of Montgomery County. Motion carried.

27. AGREEMENT APPROVED – TEXAS DPS – CONTRACT REVIEW COMMITTEE

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the airport project participation agreement between Montgomery County and Texas Department of Transportation for road construction and security gates at the Lone Star Executive Airport and authorize the County Judge to execute said agreement. Motion carried.

28. RIGHT OF ENTRY PERMIT APPROVED – U.S. MILITARY – CONTRACT REVIEW COMMITTEE

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve a right of entry permit for the military to carry out exercises at the Lone Star Executive Airport, and authorize the County Judge to execute said instrument. Motion carried.

29. AGREEMENT APPROVED – WOODLANDS CHAMBER OF COMMERCE – PRECINCT 3

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve an order authorizing executing an agreement to promote community and economic development with the South Montgomery County Woodlands Chamber of Commerce Economic Development Partnership Division and authorizing Commissioner Ed Chance to sign on behalf of Commissioners' Court. Motion carried.

30. PAYROLL CHANGE REQUEST FORMS APPROVED – HUMAN RESOURCES

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the following Payroll Change Request forms:

Request of Animal Shelter to place Amy Burns-Brown, Vet Tech, on payroll as replacement for Christina Shores Fauver, effective 04.09.11.

Request of Custodial Services to accept the resignation of Alice Beard-Moore, Custodian, effective 04.08.11. (no benefits due)

Request of Custodial Services to increase the salary of Betty Claborn, Supervisor-Custodial, due to promotion as replacement for Marianne Boyd, effective 04.16.11.

Request of Custodial Services to rescind the payroll change for James Luman, Custodian II, approved in CC 04.11.11, effective 04.06.11.

Request of Custodial Services to place Sandy Hernandez Melgar, Custodian – Part Time, on payroll as replacement for Alice Beard-Moore, effective 04.18.11.

Request of Custodial Services to place Phillip Schuster, Custodian I, on payroll due to return from unpaid FMLA/Disability leave, effective 04.04.11.

Request of Collections to place Kourtni Martin, Office Supervisor I, on payroll as replacement for James Dodson, effective 04.11.11.

Request of Constable Pct. 1 to increase the salary and add auto allowance to salary of James Loggins, Jr., Deputy, due to position change as replacement for Tracy Traylor, effective 05.07.11.

Request of Constable Pct. 1 to place Mickey Brian Luly, Deputy, on payroll as replacement for James Loggins, Jr., effective 05.07.11.

Request of Constable Pct. 1 to increase the salary of Tracy Traylor, Deputy, due to position change as replacement for Todd Barrow, effective 05.07.11.

Request of Constable Pct. 3 to accept the resignation of Tammy Baird, Clerk III, effective 04.15.11. (no benefits due)

Request of Constable Pct. 3 to place Ashley Davis, Clerk III, on payroll as replacement for Tammy Baird, effective 04.25.11.

Request of County Clerk to move Lindsay Anne Camp, Part Time Clerk, from full-time to part-time as replacement for Jeanette Rice, effective 05.02.11. (57.27 hours or balance of vacation time)

Request of District Attorney to discharge Jerry Jordan, Investigator II, effective 04.15.11. (201.24 hours or balance of vacation, 45.125 hours or balance of compensatory time)

Request of District Clerk to promote Rose Menefee, Court Clerk IV, as replacement for Sherry Foster, effective 04.11.11.

Request of District Clerk to increase the salary of Linda Tyer, Court Clerk II, due to promotion as replacement for Rose Menefee, effective 04.11.11.

Request of JP Pct. 2 to place Nakita Grisham, Court Clerk II, on payroll as replacement for Jasmine Haynes, effective 04.11.11.

Request of Juvenile Probation to increase the salary of Reginald Bernard, Juvenile Probation Officer Assistant, due to transfer as replacement for Tyrone Booker, effective 04.16.11.

Request of Juvenile Probation to lower the salary of Tyrone Booker, Juvenile Supervision Officer – Substitute, due to transfer, effective 04.16.11.

Request of Juvenile Probation to transfer Elizabeth Escamilla, Juvenile Probation Officer, as replacement for Kathy Musgrove, effective 04.16.11.

Request of Library to accept the resignation of Judith Lasher-Tidwell, Reference Librarian, effective 06.03.11. (87.88 hours or balance of vacation)

Request of Library to accept the resignation of Shelly Maes, Shelving Clerk I, effective 04.29.11. (no benefits due)

Request of Library to increase the salary of Brittney Nichols, Library Assistant II, due to status change as replacement for Andrea Marshall, effective 04.16.11.

Request of Library to discharge Deborah Swiglo, Library Assistant II, effective 04.14.11. (no benefits due)

Request of Sheriff to retire James Ashby, Deputy, effective 04.30.11. (187.965 hours or balance of vacation, 342.79 hours or balance of compensatory time, 48.00 hours or balance of holiday time)

Request of Sheriff to place Clarissa Bryant, Officer – Civilian Detention, on payroll as replacement for Christopher Bell, effective 04.16.11.

Request of Sheriff to increase the salary of Cody Burk, Deputy, due to promotion as replacement for John Berg, III, effective 04.09.11.

Request of Sheriff to accept the resignation of Chase Davison, Radio Tech, effective 04.15.11. (91.54 hours or balance of vacation time, 3.5 hours or balance of compensatory time)

Request of Sheriff to place Jeremy Freeman, Officer – Civilian Detention, on payroll as replacement for Rodney Baseke, Jr., effective 04.23.11.

Request of Sheriff to increase the salary of Eddie Holmes, Jr., Deputy, due to promotion as replacement for Tierni Cantrell, effective 04.09.11.

Request of Sheriff to transfer Jackie Mitchell, Jr., Deputy – Bailiff, as replacement for Martha Kitchens, effective 04.30.11.

Request of Sheriff to increase the salary of Mario Perez, Jr., Deputy, due to promotion as replacement for Michael Page, effective 04.09.11.

Request of Sheriff to place Bethany Stafford, Clerk IV, on unpaid FMLA/Disability leave, effective 04.05.11.

Request of Tax Office to remove the auto allowance of Vicki Willis, Collections Supervisor, which should have been removed 01.10.11. (went through CC 01.10.11)

Request of Recycle Station – Pct. 3 to accept the resignation of Melvin Willcockson, Operator I – Recycle Tech, effective 04.16.11. (no benefits due)

Motion carried.

31. COURT RECESSED

Motion by Judge Sadler, seconded by Commissioner Meador, to recess for lunch. Motion carried.

COURT RECONVENED WITH ALL MEMBERS PRESENT

BUDGET WORKSHOP – AGENDA ITEM 26A – ACTIONS TAKEN ON ITEMS FROM THE BUDGET REDUCTION COMMITTEE'S REPORT (CC M11/04.11.11)

32. RFP APPROVED – OUTSOURCE PAYROLL – PURCHASING

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the creation of an RFP by the Purchasing Department to acquire bids on outsourcing the payroll function for a five or 10 year contract. Motion carried.

33. OPTION #3 APPROVED – LINE ITEM 7105: AUTO ALLOWANCES

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the Budget Reduction Committee's third option(CC M11/04.11.11) on Auto Allowances, which consists of adding existing car allowances to the current employee's salary. Once that person vacates the position, the position's salary is reduced to the grade established by Human Resources, and the new person in that position will have to submit mileage reports to claim reimbursements. Motion carried.

34. PRINT MANAGEMENT APPROVED – ALL DEPARTMENTS

Motion by Commissioner Meador, seconded by Judge Sadler, to approve a policy of using a third party vendor to standardize the 400 networked printers in the county so the toners will be universally compatible and provide savings to the county. Beginning FYE 09.30.12, the IT director is authorized to limit types of printers and toner to purchase and remove replacement of existing ones with any type other than through IT's approval. Motion carried.

35. NEW GRANT REVIEW/APPROVAL POLICY APPROVED – ALL DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the rewrite of the grant review/approval policy and procedures, and establish a new Grant Approval Form that mandates completion prior to review and approval by Commissioners' Court. Motion carried.

36. CHANGE APPROVED – INMATE PHONE SYSTEM – PURCHASING

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve Option #2 in the Budget Reduction Committee's report (CC M11/04.11.11) regarding the inmate phone system, including new adjustments to AT&T billing. Motion carried.

37. REDUCTION IN CAPACITY APPROVED – JUVENILE

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve the reduction in bed capacity of Juvenile Detention, and elimination of 6 full time positions. Motion carried.

38. LINE ITEM REDUCTION APPROVED – RISK MANAGEMENT

Motion by Judge Sadler, seconded by Commissioner Doyal, to reduce Line Item 74020 from \$175,000 to \$75,000. Motion carried.

39. CONTINUANCE AUTHORIZED – UTILITY COST ADJUSTMENTS – CONVENTION AND CONFERENCE CENTER

Motion by Commissioner Doyal, seconded by Commissioner Meador to approve the adjustments to the utility costs for a savings from 9 buildings of \$60,000.00. Motion carried.

40. NEW ORGANIZATIONAL CHART APPROVED – COUNTY JUDGE

Motion by Judge Sadler, seconded by Commissioner Doyal, to accept and approve a new County Organizational Chart. Motion carried.

41. COURT ADJOURNED

Motion by Commissioner Meador, seconded by Commissioner Rinehart, 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