

COMMISSIONERS' COURT DOCKET JANUARY 23, 2012  
SPECIAL SESSION

THE STATE OF TEXAS  
COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 23<sup>rd</sup> day of January, 2012 the Honorable Commissioners' Court of Montgomery County, Texas, was duly convened in a Special Session in the Commissioners' Courtroom of the Alan B. Sadler Commissioners' Court Building, 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 Sheriff Tommy Gage

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA  
RECITED BY EVERYONE PRESENT

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

1. COMMISSIONERS' COURT AGENDA APPROVED

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

2. PROCLAMATION APPROVED - TWILLIA LILES - LIBRARY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve a proclamation honoring Twillia Liles upon her retirement. Motion carried.

PRESENTATION - 2012 LIBRARY LITE / WALK ACROSS TEXAS

Linda Mock gave a presentation to promote the 2012 Library LITE / Walk Across Texas Program which will kick off on Monday, January 23, 2012. This is to encourage everyone to increase their physical activity while having fun.

PRESENTATION - ROAD HAND AWARD TO COMMISSIONER CHANCE - TXDOT

A representative from TXDOT presented the TXDOT Road Hand Award to Commissioner Ed Chance for his efforts in promoting transportation projects.

ANNOUNCEMENT OF ANN CARR'S RETIREMENT AND INTRODUCTION OF HER REPLACEMENT

Judge Sadler announced to the Court that his Chief of Staff, Ann Carr, would be retiring. He also announced that Doris Goldman would be her replacement.

3. MINUTES APPROVED - COMMISSIONERS' COURT - COUNTY CLERK

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve Commissioners' Court Minutes for January 9, 2012, as presented by the County Clerk. Motion carried.

4. AGENDA ITEMS REMOVED - 9G1a, 12A, 26A1

Motion by Judge Sadler, seconded by Commissioner Chance, to remove the following items from this court session's agenda: 9G1a, 12A, and 26A1. Motion carried.

5. REORGANIZATION APPROVED - OFFICE OF COURT ADMINISTRATION

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the following reorganization of the Office of Court Administration:

OFFICE OF COURT ADMINISTRATION

Close: 4659-8411-1 Magistrate/Staff Attorney

Open: 4659-8420-1 Associate Judge (govt. code 54A)

Position funded by 4659-8411-1 in the amount of \$90,000, and \$10,000 from 4659-8412-1

Close: 4659-8561-1 OCA Coordinator

Open: 4659-8407-1 OCA Manager

Position funded by 4659-8561-1 in the amount of \$50,000, and \$6881 from 46501-4229-1.

OFFICE OF INDIGENT DEFENSE

Close: 46501-4229-1 Administrative Assistant

Open: 46501-2477-2 Jail Liaison/Compliance Monitor

Establish position budget of \$37,990.94 from 46501-4229-1. Transfer \$1905.96 from 46501-4229-1 to 4659-8412-1.

Motion carried.

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

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

COUNTY AUDITOR - AGENDA ITEMS 9A

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

B. BUDGET AMENDMENTS for FY2011 approved, as follows:

1. AIRPORT: To adjust line items to reflect matching funds (M33/10.11.10).
2. AIRPORT: To recognize and allocate 1112LONES grant revenue from USDOT for FY2011.
3. ARRA/TXDOT 0912-37-157: To set up ARRA/TXDOT Grant 0912-37-157, approved in CC (M23/07.14.03).
4. COURT OPERATION: To adjust line items for interpreter services.
5. JUVENILE PROBATION/FOSTER CARE TITLE IV-E/12: To adjust line items.
6. JUVENILE PROBATION-DETENTION: To recognize and allocate reimbursement received Nation School Lunch Program for June/11.
7. JUVENILE PROBATION/JUV JUS ALT ED PRG-P/12: To recognize and allocate FY11 revenue.

8. PURCHASING AGENT: To transfer funds for PO 2011238.
- C. BUDGET AMENDMENTS for FY2012 approved, as follows:
1. 435<sup>th</sup> DISTRICT COURT: To adjust line items.
  2. ANIMAL SHELTER: To recognize and allocate revenue and donations.
  3. BUILDING MAINTENANCE: To adjust line items.
  4. CDBG HOME: To adjust line items.
  5. CDBG HPRP: To adjust line items.
  6. COMMISSIONER PCT. 1 - LAKE PARK: To adjust line items.
  7. COMMISSIONER PCT. 1: To transfer funds for travel.
  8. COMMISSIONER PCT. 2: To adjust line items.
  9. COMMISSIONER PCT. 4: To adjust line items.
  10. CONSTABLE PCT. 1: To transfer funds for new Constable 1 building.
  11. CONSTABLE PCT. 1: To recognize and allocate donation from Suds Grand Prix Car Wash.
  12. CONSTABLE PCT. 1: To recognize and allocate reimbursements for 12.02.11 through 12.24.11.
  13. CONSTABLE PCT. 4: To adjust line items.
  14. CONTINGENCY: To adjust line items as authorized by CC (M37/06.29.09).
  15. CUSTODIAL SERVICES: To transfer funds for VPN token.
  16. ELECTIONS ADMINISTRATOR: To adjust line items.
  17. ELECTIONS ADMINISTRATOR: To recognize and allocate reimbursements.
  18. HOMELAND SECURITY GRANT PRG09-UASI: To adjust line items.
  19. HOMELAND SECURITY GRANT PRG09-UASI: To adjust line items.
  20. HOMELAND SECURITY GRANT PRG09-UASI: To recognize and allocate Homeland Security Grant 2011 (UASI).
  21. HOMELAND SECURITY GRANT PRG11-LETPA: To recognize and allocate Homeland Security Grant 2011 (UASI-LETPA).
  22. JUVENILE PROBATION/JUV JUS ALT ED PRG-P/12: To adjust line items.
  23. JUVENILE PROBATION/JUV JUS ALT ED PRG-P/11: To carry over additional funds from FY10.
  24. LAW LIBRARY: To transfer funds for VPN token.

25. MANAGED ASSIGNED COUNSEL: To adjust line items.
26. MEMORIAL LIBRARY: To recognize and allocate sale of salvaged material at Stewart Library.
27. MEMORIAL LIBRARY: To recognize and allocate donation.
28. RECORDS MANAGEMENT/PRESERVATION: To recognize and allocate revenue per CC (M17/01.09.12).
29. SHERIFF: To adjust line items for claim U110091.
30. SHERIFF: To adjust line items.
31. SHERIFF: To recognize and allocate insurance proceeds for total loss claim U110004.
32. STATE HOMELAND SECURITY PRG-SHSP11: To recognize and allocate Homeland Security Grant 2011 (SHSP-LETPA).

- D. OFFICIALS' FEE REPORT approved, as audited for October, 2011, according to Report on file.

#### TREASURER - AGENDA ITEM 9B

- E. MONTHLY REPORT OF PLEDGED SECURITIES APPROVED for the month of December, 2011.
- F. WEEKLY INVESTMENT REPORT APPROVED for the week of January 3-6, 2012.
- G. WEEKLY INVESTMENT REPORT APPROVED for the week of January 9-13, 2012.
- H. QUARTERLY INVESTMENT REPORT APPROVED for quarter ending December, 2011.

#### TAX ASSESSOR/COLLECTOR – AGENDA ITEM 9C

- I. MONTHLY TAX COLLECTION REPORT ACCEPTED for the month ending December 31, 2011.

#### PURCHASING DEPARTMENT - AGENDA ITEM 9D

- J. ADVERTISING APPROVED for the following:
  1. New Vehicles - Various Departments
  2. Laser printing of County tax statements and related reports - Tax Office
- K. RENEWALS APPROVED for the following contracts:
  1. LONE STAR UNIFORMS (PO #2010277) for new uniforms, expires 01.27.12 - Various Precincts/Constables.
  2. CAREHERE LLC (PO #2009326) for on-site medical services, expires 03.08.12 - Risk Management.
  3. CORPORATE TRAVEL PLANNERS, INC. (PO #2011532) for travel service, expires 03.10.12 - Various Departments.

4. TRAVELECTRA, INC. (PO #2011156) for travel service, expires 03.10.12 - Various Departments. Note: price increase per document on file.
5. A & B CRUSHED CONCRETE LLC (PO #2011294) for haul service for miscellaneous materials, expires 04.10.12 - Precinct 4.
6. WILSON GUN SHOP, INC. (PO #2009335) for Scattergun Technologies shotguns, expires 04.19.12 - Sheriff.
7. BISON PROFAB, INC. (PO #2011296) for emergency equipment console and accessories, expires 04.24.12 - Sheriff.
8. A & B CRUSHED CONCRETE LLC (PO #2010448) for miscellaneous materials, picked up and/or delivered, expires 04.25.12 - Precinct 4.
9. O'BRIEN'S RESPONSE MANAGEMENT, INC. (PO #2010439) for disaster logistics services for emergency resources, expires 04.25.12 - Emergency Management.
10. MOORE SUPPLY COMPANY (PO #2009225) for pneumatic metro-fit metering replacement hot and cold cartridges and adapter assembly, expires 04.28.12 - Sheriff.
11. HELLARD SERVICES (PO #2009463) for lawn maintenance services, expires 04.30.12 - Lone Star Convention and Expo Centers.
12. HELLARD SERVICES (PO #2009334) for lawn maintenance services, expires 04.30.12 - Lone Star Executive Airport.

L. CHANGE ORDERS APPROVED as follows:

1. Change Order #1, PO #2012100 to Precision Delta Corp. for ammunition, to add items per document on file - Various Department.
2. Change Order #4, PO #2010201 to General Printing Company for printing of letterhead stationery, envelopes, and business cards, cancel month to month effective 01.23.12 - Various Departments.
3. Change Order #4, PO #2010200 to American Business Forms for printing of letterhead stationery, envelopes, and business cards, cancel month to month effective 01.23.12 - Various Departments.
4. Change Order #7, PO #2006040 to Bank of America for procurement/travel (purchasing) credit cards, cancel month to month effective 01.23.12 - Various Departments.
5. Change Order #6, PO #2011082 to Nationwide Insurance for hazard insurance owner occupied dwellings, changes per document on file - MCCD.
6. Change Order #11, PO #2010327 to Stephens Office Supply, Inc. for office, computer, paper supplies, and accessories with on-line ordering capabilities. First quarter 2012 increases/decreases effective 01.23.12 - Various Departments.
7. Change Order #18, PO #2009386 to Diamondback Service Management for pest control services per document on file - Various Departments.

8. Change Order #6, PO #2007104 to Sunbelt Rentals, Inc. for heavy/light duty equipment rental picked up/delivered, cancel month to month effective 01.23.12 - Various Departments.
  9. Change Order #3, PO #2010151 to Hi-Way Equipment Company for heavy/light duty equipment rental picked up/delivered, cancel month to month effective 01.23.12 - Various Departments.
- M. DISCRETIONARY EXEMPTIONS APPROVED as follows:
1. Hi-Way Equipment Company, Inc., Gradall excavator parts only, sole source - Various Precincts.
  2. Cleveland Mack Sales dba Performance Truck, Mack parts only, sole source - Various Precincts.
- N. RENAMING PERMISSION TO ADVERTISE APPROVED from RFP/Q Architectural Services - Precinct #2, to RFP/Q Architectural Services - Precinct #2/MCCD - Various Departments.
- O. REQUEST APPROVED from Building Maintenance to declare various items as salvage - Building Maintenance.
- P. LIST APPROVED of items for the next online auction - Various Departments.
- Q. PAYMENT BOND APPROVED from Rebel Contractors, Inc. for installation of drainage facilities to serve Precinct 2 annex detention pond (2012-0024) - Precinct 2.
- R. AGREEMENT APPROVED with Justice Works, LLC for software license subscription for Defender Data Client Application for case/docket management - Managed Assigned Counsel.
- S. LEASE PURCHASE AGREEMENT APPROVED (Lease Schedule No. 04) with Sun Trust Equipment Finance and Leasing Corporation for the purchase of one new BLAW-KNOX Model PF150B Paver for a total of \$148,950.00. Purchase to be financed over 3 years with annual payments of \$51,367.67 for a total of \$154,103.01 with an interest rate of 1.72% with payment in arrears - Precinct 1.

#### RISK MANAGEMENT - AGENDA ITEM 9E

- T. BOND CHANGES, ADDITIONS, AND RELEASES APPROVED for the following:

<u>BOND</u>	<u>NAME/DEPT</u>	<u>AMOUNT</u>	<u>ACTION</u>
61166990	James Slack/Const. Pct.4	\$5000	New
61237986	Timothy Knox/Const.Pct.4	\$5000	New
61238009	Gary Clendennen/Const. Pct.4	\$5000	New
61237970	Eric Prado/Const. Pct.4	\$5000	New
24754805	Christopher Hoffmeyer/Const.4	\$5000	Renew
24754738	Jody Wright/District Attorney	\$5000	Renew
15487516	Paul Cooke/Const. Pct.3	\$5000	Renew
15101519	Richard Vogel/Const. Pct.3	\$5000	Renew
15487513	Anneliese Stafford/Const. Pct.3	\$5000	Renew
61225652	John Enloe/Const. Pct.1	\$5000	New

## COMMISSIONERS - AGENDA ITEM 9F

## PRECINCT 2

- U. CHECK ACCEPTED in the amount of \$418.58 from The Friendship Center for reimbursement of fuel usage for November 2011. (check forwarded to Auditor for further processing)

## PRECINCT 3

- V. ROADS ACCEPTED into the One Year Maintenance Program:
  1. Woodlands Parkway Widening (Kuykendahl to East Gosling Rd)
  2. Woodlands Parkway Widening (E. Panther Creek to Gosling)

## PRECINCT 4

- W. CHECK ACCEPTED in the amount of \$1735.21 from the City of Roman Forest for the purchasing of fuel for the month of November, 2011. (check forwarded to Auditor for further processing)
- X. CHECK ACCEPTED in the amount of \$311.04 from The Friendship Center for fuel usage for the month of November, 2011. (check forwarded to Auditor for further processing)

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

## AGENDA ITEM 9G1A - REMOVED FROM AGENDA

## PRECINCT 2

- Y. ORDER APPROVED authorizing payment of incidental relocation expenses in association with the purchase of right of way known as Parcel 55 for The Woodlands Parkway Extension Project.
- Z. ORDER APPROVED authorizing the payment of closing costs for the purchase of right of way known as Parcel 55 for The Woodlands Parkway Extension Project.

## PRECINCT 4

- AA. ROAD ACCEPTED known as Wren Road, into the Montgomery County road maintenance system upon finding of prescriptive right based on public use.

## COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEM 9H

## PRECINCT 2

- BB. REQUEST APPROVED from 2DM Underground to place a 4" electrical conduit line within the right of way of Fish Creek Thoroughfare.

## PRECINCT 4

- CC. FINAL PLAT APPROVED for Terrace at Oakhurst, Section 4, 17.3945 acres, 54 lots, William Massey Survey, A-391, and Day Land and Cattle Survey, A-678.

DD. ROADS ACCEPTED into the county road system and bonds released for the following roads:

1. Riverwood at Oakhurst, Section 4 - 5705.14 LF = 1.08 miles.
2. Terrace at Oakhurst, Section 3 - 2176 LF - .41 miles

ALL PRECINCTS

EE. PUBLIC HEARING DEFERRED - for hearing scheduled to consider traffic impact analysis for commercial development.

COUNTY JUDGE – AGENDA ITEM 9I

FF. USE AGREEMENTS APPROVED for the following:

1. Wedding - Memory Park
2. Magnolia Community Horse Club - Magnolia Youth Park Arena

Motion carried.

END OF CONSENT AGENDA

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COMMISSIONERS' COURT RECESSED

MEETING OF MONTGOMERY COUNTY TOLL ROAD AUTHORITY CONVENED

7. REQUEST APPROVED - NEGOTIATIONS WITH HARRIS COUNTY - HIGHWAY 249

Motion by Commissioner Doyal, seconded by Commissioner Chance, to authorize the Montgomery County Toll Road Authority to enter into formal negotiations with Harris County and TX DOT for the construction and maintenance of State Highway 249 main lane facility as a toll project from Spring Cypress Road to FM 1774. Motion carried.

8. MEETING ADJOURNED - MONTGOMERY COUNTY TOLL ROAD AUTHORITY

Motion by Commissioner Chance, seconded by Commissioner Doyal, to adjourn the meeting of the Montgomery County Toll Road Authority. Motion carried.

COMMISSIONERS' COURT RECONVENED

9. RESOLUTION APPROVED - TERMINATION OF AGREEMENT - RBC CAPITAL MARKETS - COUNTY ATTORNEY - AGENDA ITEM 24B

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve a resolution authorizing termination of agreement with RBC Capital Markets, previously approved in CC (M5/06.29.09), and authorize Judge Sadler to execute on behalf of the Court a letter requesting waiver of the 30-day prior notice provision to effectuate a termination. Motion carried.

10. ACTIONS APPROVED - CERTIFICATES OF OBLIGATION - COUNTY JUDGE

Motion by Commissioner Chance, seconded by Judge Sadler, to approve the following actions in regards to Certificates of Obligation:

1. Schedule of events in connection with issuance of Certificates of Obligation and limited tax refunding bonds.

- 2. Order authorizing publication of Notice of Intention to issue Certificates of Obligation and authorizing County Judge to execute same.
- 3. Exemption from bidding requirements to engage financial advisor, bond counsel, and disclosure counsel in connection with issuance of Certificates of Obligations and limited tax refunding bonds, as provided by local government code 262.024(4).
- 4. Agreement with BOSCO, Inc. to provide financial advisory services and authorizing County Judge to execute same.
- 5. Agreement(s) with Fulbright and Jaworski, LLP to represent County as bond counsel and authorizing County Judge to execute same.
- 6. Agreement with Andrews Kurth LLP to represent County as disclosure counsel and authorizing County Judge to execute same.

Motion carried.

AGENDA ITEM 12A - REMOVED FROM AGENDA

- 11. COMPOSITION APPROVED - SALARY GRIEVANCE COMMITTEE - COUNTY CLERK

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve having the Salary Grievance Committee be composed of six elected officials and three citizens. Motion carried.

- 12. SALARY GRIEVANCE COMMITTEE - SELECTION OF CITIZENS - COUNTY CLERK

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the following citizens from the drawing for members of the Salary Grievance Committee:

MEMBERS

Dawn Allen  
Rick Gilger  
John Marchand

ALTERNATES

Kathy Austin  
Diane Villarreal  
Libje Grumulartis

Motion carried.

- 13. BUDGET TRANSFERS APPROVED - POSITION CHANGE - SHERIFF

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

<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>
\$3996.00	5601-5000-12	5601-6000-3
\$4440.00	5601-5904-3	5601-5903-24

Motion carried.

14. BRINGING FORWARD FUNDS APPROVED - CANCELLED CONTRACT - CONSTABLE PRECINCT 3

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve bringing forward the funds from FY2010-2011 for cancelled PO #2011539 for Coban Technologies, Inc., in the amount of \$45,020.00. These funds will be used to purchase in-car camera systems from a new vendor. Motion carried.

15. ESCROW ACCOUNT APPROVED - BATCH INQUIRY PROCESS - TAX ASSESSOR-COLLECTOR

Motion by Commissioner Chance, seconded by Commissioner Meador, to authorize the establishment of a non-interest bearing escrow account by the County Tax Assessor-Collector for use of scofflaw enforcement "batch inquiry process" with the Texas Department of Motor Vehicles and authorize the County Tax Assessor-Collector to act on behalf of the county and its designated vendor, Redflex Traffic Systems, Inc. Requested funds of \$2000.00 will be provided by the County Tax Assessor-Collector's budget; dept. 499.7997. Motion carried.

16. REFUND APPROVED - PATRICIA MORAN - TAX ASSESSOR-COLLECTOR

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve refunding \$1256.10 to Patricia Moran for her erroneous payment of taxes on property account #00.6820.00.00530 for taxes paid on the 2009 and 2010 years. Motion carried.

17. RETIREMENT AND REPLACEMENT OF CONTRACT EMPLOYEES ACKNOWLEDGED - TAX ASSESSOR-COLLECTOR

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to accept and acknowledge the retirement of contract employee John Rivas, and approve Bert Smith as his replacement for courier services. Also, one week of training for Bert Smith prior to John Rivas' retirement at no additional cost is approved. Motion carried.

18. REPORT ACCEPTED - PERFORMANCE INDICATOR REPORT - MCMHTF

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to accept the Performance Indicator Report for the month ended 12.31.11, as required by agreement between Montgomery County and TX Department of State Health Services, and recommended by the Mental Health Advisory Board. Motion carried.

19. PRIVILEGES GRANTED - PSYCHIATRIST - MCMHTF

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve granting privileges to practice at the Montgomery County Mental Health Treatment Facility for the following:

1. Vasantha C. Orocofsky, MD      Provisional/Psychiatry

Motion carried.

20. REVISION APPROVED - ADMINISTRATOR ON-CALL POLICY - MCMHTF

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the revision to the Administrator On-Call policy, as recommended by the MCMHTF Advisory Board. Motion carried.

21. SUBMISSION APPROVED - GRANT APPLICATIONS - LIBRARY

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the following grant applications, and authorizing the Library Director to sign as the "authorized official" on the documents:

<u>ARTIST</u>	<u>2012 PRESENTATION DATE</u>	<u>GRANT APP. DEADLINE</u>
Don Sanders	April 30, June 12 & 13	February 1, 2012
Carranza Puppets	June 18, 20 & 27	May 1, 2012
Nitsana Lazerus	June 13 & 20	February 1, 2012
Toni Simmons	July 3	May 1, 2012

Motion carried.

22. BUDGET TRANSFER APPROVED - LIBRARY

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

<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>
\$ 696.80	6511-7051-38	6511-5100-512

Motion carried.

23. RETIREMENT PAYOFF APPROVED - TWILLIA LILES - LIBRARY

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve funding \$6931.18 from contingency to cover Ms. Liles retirement payoff. Motion carried.

24. BOARD RESTRUCTURING APPROVED - LIBRARY

Motion by Judge Sadler, seconded by Commissioner Chance, to approve restructuring the Library Advisory Board by reducing the number of positions to 5, one appointed by each member of the Court. Motion carried.

25. GRANT APPLICATION AND RESOLUTION APPROVED - POWER RECOVERY COURT - JUVENILE JUSTICE

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the Montgomery County Power Recovery Court Grant application and resolution to the Governor's Office of Criminal Justice. The amount of the grant is \$190,275.70 with a \$21,141.74 cash match. Motion carried.

26. GRANT APPLICATION AND RESOLUTION APPROVED - JABG - JUVENILE JUSTICE

Motion by Commissioner Doyal, seconded by Commissioner Rinehart, to approve the Family Reunification Juvenile Accountability Block Grant (JABG) application and resolution. The amount of the grant is \$23,221.00 with a cash match of \$2580.11. Motion carried.

27. RETIREMENT EXPENSE APPROVED - JUVENILE JUSTICE

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve the expense incurred, up to \$75.00, per retiree through September 2012. This amount would be used to purchase a retirement gift. Motion carried.

## 28. GRANT AWARD ACCEPTED - OFFICE OF INDIGENT DEFENSE

Motion by Commissioner Chance, seconded by Commissioner Doyal, to accept a formal grant award from the Indigent Defense Task Force in the amount of \$199,442 for FY2012 and authorize Judge Sadler to sign the statement of award. Motion carried.

## 29. REQUEST APPROVED - TECHNOLOGY FUND - AUDITOR

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve a request from JP3 to use \$543.15 from the Justice Technology Fund to replace a laser printer. Motion carried.

## 30. BUDGET AMENDMENT APPROVED - AUDITOR

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve the following changes to budgets for previously-issued certificates of obligation for improvements at the Montgomery County Lone Star Convention & Expo Center:

<u>BUDGET LINE</u>	<u>DESCRIPTION</u>	<u>INCREASE/DECREASE</u>
5105-7501510	Capital Outlay/Bldg Maint.	(1,500.00)
5105-759855	Maj. Proj. - Civic Center	1,500.00
5107-7501510	Capital Outlay/Bldg Maint.	(2,794.27)
5107-75019011	Capital Outlay/Bldg Sadler	(1,688.28)
5107-75104	Capital Outlay/Crosswalk	(314.76)
5107-75925	E. County Park	(1,239.20)
5107-759855	Maj. Proj. - Civic Center	6,036.51

Motion carried.

## 31. RESOLUTION APPROVED - INTENT TO FINANCE EXPENDITURES INCURRED - AUDITOR

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve a resolution expressing intent to finance expenditures to be incurred as related to purchase of land and facility located at 115 Business Park Drive, Willis, Texas, and equipment and shipping of equipment to be used to perform autopsies, located at 205 Hilbig Rd., Conroe, Texas. Motion carried.

## AGENDA ITEMS 22A-B – PURCHASING DEPARTMENT

## 32. CONTRACTS AWARDED - 22A2,4,7,8,10-14 - PURCHASING

Motion by Commissioner Meador, seconded by Commissioner Chance, to award the following contracts:

1. RFP/Q procurement, travel and fuel (purchasing) credit cards (2011-0084), to Bank of America, N.A. - Various Departments.
2. RFP/Q Montgomery County Managed Assigned Counsel (2012-0002), to Advocates for Families in Crisis - Infrastructure.
3. Heavy/light equipment rental (2012-0017), to United Rentals Northwest, Inc., Mustang Rental Service, Inc., and Sunbelt Rentals, Inc. - Various Departments.
4. RFP/Q medical clinic operations Magnolia, TX (2012-0021), to PCP for Life (Lakewood Family Practice) - MCCD
5. Acrylic electronic cuttable film (2012-0019), to 3M Company - Various Precincts.

6. Printing of letterhead stationery, envelopes, and business cards (2012-0023), to Montgomery County Printers - Various Departments.
7. Crack seal service (2012-0018), to Texas Lone star Pavement Services, Inc. - Various Precincts.
8. Mowing of rights-of-way (2012-0026), to BNB Envirotech, Inc. - Precinct 1.
9. Copying of reproducibles (2012-0027), to Ridgway's LLC dba ARC Texas - Various Departments.

RECOMMENDATIONS AND CONTRACTS REJECTED TO BE RE-ADVERTISED,  
AGENDA ITEMS 22A5

RECOMMENDATIONS AND CONTRACTS DEFERRED – AGENDA ITEMS 22A1,  
3,6,9,15,&16

Motion carried.

33. PURCHASE APPROVED - KOHLER GENERATOR - ANIMAL SHELTER

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the purchase of a Kohler Diesel Generator, Model AD28 750REOZDB with Loftin Equipment Company, Inc. through the interlocal agreement with HGAC contract #GE02-12. Motion carried.

AGENDA ITEM 23A - SEE MOTION #5

34. AGREEMENT APPROVED - ANADARKO TAX ABATEMENT - COUNTY ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve a tax abatement agreement between Montgomery County, Texas and Anadarko Realty, LLC. Motion carried.

AGENDA ITEM 24B - SEE MOTION #9

35. SALE APPROVED - SEARCH AND RESCUE BOAT - COUNTY ATTORNEY

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the sale of a search and rescue boat to the Montgomery County Search and Rescue Team. Motion carried.

36. AGREEMENT APPROVED - TEXAS DMV - COUNTY ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve agreement between Montgomery County and Texas Department of Motor Vehicles to provide electronic access to vehicle title and registration information for use by the Tax Assessor-Collector. Motion carried.

37. AMENDMENT APPROVED - EMPLOYEE POLICY MANUAL - COUNTY ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve an amendment to the Employee Policy Manual Section 3.0-2M, regarding employees carrying firearms on county property. The change is to read:

- "M. Possessing a firearm on County premises unless you are licensed to carry a concealed handgun under Subchapter H, Chapter 411, Government Code, or you otherwise lawfully possess a firearm; provided, however, that, unless you

are authorized to do so by law, you are prohibited from possessing a firearm at any meeting of a governmental entity, in a building housing any government court or offices utilized by the court, or anywhere else the possession of a firearm is prohibited by law"

Motion carried 3 to 2. Commissioners Meador and Rinehart opposed.

#### AGENDA ITEM 24F - DEFERRED

#### 38. AMENDMENT APPROVED - OCCUPANCY AGREEMENT - CONTRACT REVIEW COMMITTEE

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve an amendment to the occupancy agreement between Montgomery County, Texas and Montgomery County Youth Services to extend its occupancy of the North Montgomery County Community Center for one year. Motion carried.

#### 39. OCCUPANCY AGREEMENTS APPROVED - CONTRACT REVIEW COMMITTEE

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the occupancy agreements between Montgomery County, Texas and the following tenants of the Community Center in Montgomery, Precinct 1:

1. Connecting Families
2. Montgomery County Youth Services
3. Access Builds Children
4. Coat of Many Colors Ministries
5. The Friendship Center
6. Children's Safe Harbor
7. Montgomery County Emergency Assistance

Motion carried.

#### AGENDA ITEM 26A - REMOVED FROM AGENDA

#### EXECUTIVE SESSION – AGENDA ITEM 27A-C

THE COURT RECESSED FOR EXECUTIVE SESSION PURSUANT TO ONE OR MORE OF THE FOLLOWING PROVISIONS OF THE TEXAS GOVERNMENT CODE, TO WIT: CHAPTER 551, SUB-CHAPTER D, ARTICLE 551.071.

#### COURT RECONVENED WITH ALL MEMBERS PRESENT

#### 40a. RESOLUTION AND ORDER APPROVED - CLAIM D-09-0095 - EXECUTIVE SESSION

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve a resolution and order supporting the need for the Montgomery County Attorney to defend and prosecute on behalf of Montgomery County, Texas, the lawsuit filed under Cause #11-09-09904-CV , and further, for authorization for the Montgomery County Attorney to incur expenses as necessary for the proper defense and negotiation of said case. Motion carried.

#### 40b. RESOLUTION AND ORDER APPROVED - CLAIM B-10-0089 - EXECUTIVE SESSION

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve a resolution and order supporting the need for the Montgomery County Attorney to defend and prosecute on behalf of Montgomery County, Texas, the lawsuit filed under Cause #11-12-13662-CV , and further, for authorization for the Montgomery

County attorney to incur expenses as necessary for the proper defense of said case. Motion carried.

#### AGENDA ITEM 27B - NO ACTION

#### 41. PAYROLL CHANGE REQUEST FORMS APPROVED – HUMAN RESOURCES

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve the following Payroll Change Request forms:

Request of Animal Shelter to discharge Colby Mora, Kennel Help, due to job abandonment, effective 01.08.12. (30.20 hours or balance of vacation, 29.00 hours or balance of holiday time)

Request of Custodial to discharge Bridgett Lea Gannon, Custodian, effective 01.05.12. (no benefits due)

Request of Custodial to accept the resignation of Juan Carlos Hernandez, Jr., Custodian I, effective 01.13.12. (3.08 hours or balance of vacation)

Request of Custodial to increase the salary of Danette Bryan Minter, Supervisor-Custodial, due to promotion as replacement for Joy Carter, effective 01.17.12.

Request of Building Maintenance to increase the salary of Paul D. Case, Director, due to promotion as replacement for Don LaFitte, effective 04.01.12.

Request of Building Maintenance to retire Don Ray LaFitte, Director, effective 03.31.12. (217.215 hours or balance of vacation)

Request of CCL#2 to remove Paula Mooneyham, Court Reporter, from payroll because she is deceased, effective 01.09.12. (82.115 hours or balance of vacation)

Request of Collections to increase the salary of Clegg E. DeWalt, Administrative Manager I, due to promotion as replacement for Isela Menjivar, effective 01.23.12.

Request of Collections to discharge Isela Menjivar, Administrative Manager I, effective 01.09.12. (54.76 hours or balance of vacation)

Request of Collections to increase the salary of Roy Ahmad Yancy, Office Supervisor I, due to promotion as replacement for Clegg E. DeWalt, effective 01.23.12.

Request of Commissioner Pct. 4 to place Michael Wheatley, Operator I, on unpaid FMLA/Disability leave effective 01.04.12.

Request of County Auditor to increase the salary of Angela Blocker, First Assistant County Auditor, due to promotion as replacement for Peggie Rushing, effective 02.01.12.

Request of County Auditor to increase the salary of Chrysanthi Garner, Budget/Financial Reporting Supervisor, due to promotion as replacement for Angela Blocker, effective 02.01.12.

Request of County Auditor to change the leave anniversary date for Chrysanthi Garner, Budget/Financial Reporting Supervisor, to 07.09.2005, effective 03.07.12.

Request of County Auditor to increase the salary of Shelby Rushing, Accounts Payable Supervisor, due to promotion as replacement for Chrysanthi Garner, effective 02.01.12.

Request of County Engineer to increase the salary of Travis Carter, Engineering Assistant, due to addition of cell phone allowance, effective 01.23.12.

Request of County Engineer to increase the salary of Philip Avery Faraone, Engineering Assistant, due to addition of cell phone allowance, effective 01.23.12.

Request of County Engineer to increase the salary of Ronald J. Garrison, Engineering Assistant, due to addition of cell phone allowance, effective 01.23.12.

Request of County Engineer to increase the salary of Jeffrey H. Johnson, Transportation Manager, due to addition of cell phone allowance, effective 01.23.12.

Request of County Engineer to increase the salary of John Ross McCall, Engineer III, due to addition of cell phone allowance, effective 01.23.12.

Request of County Engineer to increase the salary of Mark Joseph Mooney, County Engineer, due to addition of cell phone allowance, effective 01.23.12.

Request of County Engineer to increase the salary of Douglas S. Neill, Engineering Assistant, due to addition of cell phone allowance, effective 01.23.12.

Request of County Engineer to increase the salary of Daniel Robert Wilds, First Assistant County Engineer, due to addition of cell phone allowance, effective 01.23.12.

Request of County Engineer to increase the salary of Richard Sun-Gok Wong, Traffic Operations Manager, due to addition of cell phone allowance, effective 01.23.12.

Request of District Attorney to grant request for unpaid extended leave for Rochelle L. Guiton, Attorney I, effective 01.03.12.

Request of District Attorney to accept the resignation of Jeredith E. Jones, Attorney I, effective 01.20.12. (72.41 hours or balance of vacation)

Request of District Attorney to increase the salary of Jason Tyler Larman, Attorney I, due to promotion as replacement for Jeredith Jones, effective 01.23.12.

Request of District Attorney to increase the salary of Adam Cole McLane, Attorney I, due to promotion as replacement for Shanna Renee Redwine, effective 01.23.12.

Request of District Attorney to increase the salary of Shanna Renee Redwine, Attorney I, due to promotion as replacement for Jason Tyler Larman, effective 01.23.12.

Request of District Attorney to increase the salary of Lisa Renee Stewart, Attorney I, due to promotion as replacement for Adam McLane, effective 01.23.12.

Request of Elections to lay off William Bootz, Temporary Voter Clerk, effective 01.20.12.

Request of Elections to lay off Alex Paul Chuber, Temporary Voter Clerk, effective 01.20.12.

Request of Elections to lay off Margaret A. Gartman, Temporary Voter Clerk, effective 01.20.12.

Request of Elections to lay off Jeanne Foster Green, Temporary Voter Clerk, effective 01.20.12.

Request of Elections to place Kannie D. Reeves, Temporary Voter Clerk, on payroll, effective 01.09.12.

Request of Elections to lay off Odessia Horace Ross, Temporary Voter Clerk, effective 01.20.12.

Request of Elections to lay off Patsy L. Rudd, Temporary Voter Clerk, effective 01.20.12.

Request of Elections to lay off Harry Davis Smith, Jr., Temporary Voter Clerk, effective 01.20.12.

Request of Elections to lay off Suzanne W. Smith, Temporary Voter Clerk, effective 01.20.12.

Request of Fire Marshal to change the leave anniversary date for Donald Schifani, Investigator-Arson, to 05.23.2000, effective 01.11.12.

Request of JP3 to place Tresha Jan Carpenter, Administrative Manager I, on payroll due to return from unpaid FMLA/Disability leave, effective 01.03.12.

Request of Juvenile to place Katie Marie Anderson, Juvenile Probation Officer, on payroll to fill new position, effective 01.09.12.

Request of Juvenile to discharge Terrance Ford, Juvenile Supervision Officer, effective 01.12.12. (15.63 hours or balance of vacation/not eligible for re-hire)

Request of Juvenile to place Robert Melvin Wilburn, Juvenile Probation Officer, on payroll as replacement for Donald Houck, effective 01.09.12.

Request of Law Library to increase the salary of Kasey Smith, Library Assistant IV, due to promotion as replacement for Belvery Collins, effective 01.16.12.

Request of South Regional Library to place Pamela Martin, Part Time Reference Librarian, on payroll due to re-hire as replacement for Amy Nichols, effective 01.10.12.

Request of Central Library to accept the resignation of Melissa Nordstrom, Library Assistant II, effective 01.18.12. (no benefits due)

Request of Mitchell Library to place Trevor Taylor, Shelving Clerk I, on payroll due to re-hire as replacement for Steve Sosa, effective 01.18.12.

Request of Managed Assigned Counsel to accept the resignation of Trudy Louise Hodges, Social Worker, effective 01.24.12. (no benefits due)

Request of Recycle Station to lay off Elliott M. Cade, Driver (mosquito), due to end of season, effective 12.24.11. (no benefits due)

Request of Sheriff to accept the resignation of Brandi Anderson, Dispatcher, effective 01.10.12. (95.48 hours or balance of vacation, 33.76 hours or balance of compensatory time, 24.00 hours or balance of holiday time)

Request of Sheriff to increase the salary of Jody Armstrong, Detective, due to promotion as replacement for Keith Funderburk, effective 01.07.12.

Request of Sheriff to accept the resignation of Scott Carson, Deputy-Patrol, effective 01.11.12. (14.04 hours or balance of vacation, .75 hours or balance of compensatory time, 1.00 hour or balance of holiday time)

Request of Sheriff to increase the salary of Richard Deere, Deputy-Patrol, due to transfer as replacement for David Foreman, effective 01.07.12.

Request of Sheriff to increase the salary of David Foreman, Detective, due to promotion as replacement for Michael Landrum, effective 01.07.12.

Request of Sheriff to decrease the salary of James Francis, Officer-Civilian Detention, due to demotion as replacement for Teresa Calico per employee request, effective 01.07.12.

Request of Sheriff to increase the salary of Keith Funderburk, Sergeant-Patrol, due to promotion as replacement for Jimmy Malmay, effective 01.07.12.

Request of Sheriff to place Kevin Gaeke, Deputy-Patrol, on payroll as replacement for Jody Armstrong, effective 01.07.12.

Request of Sheriff to transfer Donald Golsby, Deputy-Patrol, as replacement for Todd McCoy, effective 01.14.12.

Request of Sheriff to increase the salary of Jeremy Kader, Corporal-Patrol, due to promotion as replacement for David Hernandez, Jr., effective 01.14.12.

Request of Sheriff to increase the salary of Michael Landrum, Sergeant-Detectives, due to promotion as replacement for David Womack, effective 01.07.12.

Request of Sheriff to place Willie Mayes, Jr., Officer-Civilian Detention, on payroll as replacement for Michael Gregory, effective 01.14.12.

Request of Sheriff to increase the salary of Tiffany Neal, Deputy-Detention, due to promotion as replacement for Mario Perez, Jr., effective 01.14.12.

Request of Sheriff to accept the resignation of Larry Oxner, Deputy-Detention, effective 01.21.12. (232.54 hours or balance of vacation, 177.89 hours or balance of compensatory time, 28.75 hours or balance of holiday time)

Request of Sheriff to increase the salary of Nicholas Pasler, Deputy-Detention, due to promotion as replacement for Christopher Voris, effective 01.14.12.

Request of Sheriff to remove Paula P. Pugh, Director of Finance, from payroll because she is deceased, effective 01.17.12. (56.11 hours or balance of vacation)

Request of Sheriff to place Enrique Rupert, Officer-Civilian Detention, on payroll as replacement for Gerald Kudla, effective 01.14.12.

Request of Sheriff to place John Gerard Ryan, Officer-Civilian Detention, on payroll as replacement for Clarissa Bryant, effective 01.14.12.

Request of Sheriff to accept the resignation of Jacob Smith, Officer-Civilian Detention, effective 01.11.12. (138.60 hours or balance of vacation, 169.54 hours or balance of compensatory time, 112.00 hours or balance of holiday time)

Request of Sheriff to increase the salary of David Snider, Deputy-Detention, due to promotion as replacement for Wayne Klein, effective 01.14.12.

Request of Sheriff to accept the resignation of Tommy Ward III, Deputy-Patrol, effective 12.29.11. (69.60 hours or balance of vacation, 50.75 hours or balance of compensatory time, 37.75 hours or balance of holiday time)

Request of Sheriff to discharge Corinne Wyatt, Clerk IV, effective 01.06.12. (no benefits due)

Request of Commissioner Pct. 3 to increase the salary of Karie Frerichs, Clerk I, due to completion of probationary period, effective 10.14.11.

Request of Meador Branch Library to increase the salary of Paul Lothman, Branch Manager, due to promotion as replacement for Twillia Liles, effective 02.01.12.

Request of Tax Office to increase the salary of Carolyn Etheredge, Executive Administrator-Tax, due to increased job duties, effective 02.04.12.

Request of Tax Office to increase the salary of Rita Maureen Hejl, Deputy Specialist II, due to promotion as replacement for Tracy Clements, effective 02.04.12.

Request of Tax Office to increase the salary of Rachel Karen Ladyman, Administrative Manager I, due to promotion to fill new position, effective 02.04.12.

Request of Tax Office to accept the resignation of Elizabeth A. Shahan, Deputy Specialist II, effective 02.03.12. (83.60 hours or balance of vacation, 2.00 hours or balance of compensatory time)

Request of Commissioner Pct. 4 to accept the resignation of Bobby Cater, Operator II, effective 01.20.12. (30.56 hours or balance of vacation, 30.50 hours or balance of compensatory time)

Request of Commissioner Pct. 4 to place Michael Kevin McKay, Operator III, on payroll as replacement for Kenneth House, effective 01.23.12.

Request of Juvenile to discharge Chelsea Breann Perkins, Juvenile Supervision Officer-Substitute, effective 01.15.12. (no benefits due/not eligible for re-hire)

Request of Office of Court Administration to increase the salary of Paul Damico, Associate Judge (govt. code 54a), due to promotion to fill new position, effective 01.23.12.

Request of Office of Court Administration to increase the salary of Berenice Juan, OCA Manager, due to transfer to fill new position, effective 01.23.12.

Request of Tax Office to change position number for Susan Dodson, Administrative Coordinator, from 499-4402-700 to 499-8536-700, effective 02.04.12.

Request of Tax Office to decrease the salary of Judy Jones, Supervisor-Accounting, due to changing positions from serving as interim Manager-Accounting, effective 02.05.12.

Motion carried.

42. COURT ADJOURNED

Motion by Commissioner Chance, 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