

COMMISSIONERS' COURT DOCKET MARCH 26, 2012  
SPECIAL SESSION

THE STATE OF TEXAS  
COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 26<sup>th</sup> day of March, 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 Commissioner Craig Doyal

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 Doyal, to approve Commissioners Court agenda for discussion and necessary action. Motion carried.

2. MINUTES APPROVED - COMMISSIONERS COURT - COUNTY CLERK

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve Commissioners Court Minutes for March 12, 2012 as presented by the County Clerk. Motion carried.

3. CONSENT AGENDA APPROVED - AGENDA ITEMS 8A-L

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

COUNTY AUDITOR - AGENDA ITEMS 8A

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

B. BUDGET AMENDMENTS for FY2012 approved, as follows:

1. AIRPORT: To adjust line items to reflect matching funds (M27/03.12.12).
2. COMMISSIONER PCT. 3: To adjust line items.
3. COMMISSIONER PCT. 4: To adjust line items.
4. CONSTABLE PCT. 3: To transfer funds for MDT/VPN/Enroute.
5. CONTINGENCY: To adjust line items per CC (M22/04.25.11).

6. CONTINGENCY: To adjust line items to fund Gulf Coast Rail District as approved in CC (M6/03.12.12).
7. CONTINGENCY: To appropriately reflect County temporarily financing furniture and equipment for Montgomery Community Building. Funds reimbursed from escrow account approved by CC (M25/04.26.10).
8. COUNTY ATTORNEY TITLE IV-E GRANT: To transfer funds for Title IV-E grant for County Attorney for quarter ending 12.31.11.
9. DRUG COURT: To recognize and allocate revenue for February 2012 (MRT Books).
10. DWI COURT: To recognize and allocate revenue for February 2012 (MRT Books).
11. ELECTIONS ADMINISTRATOR: To recognize and allocate reimbursements.
12. HOMELAND SECURITY GRANT PRG09-UASI: To adjust line items.
13. JUSTICE OF THE PEACE PCT. 1: To adjust line items.
14. MCCD: To adjust line items.
15. MCCD: To adjust line items.
16. MCCD: To adjust line items.
17. MCCD: To adjust line items.
18. MCCD: To adjust line items.
19. PURCHASING AGENT: To transfer funds per department's request.
20. ROAD AND BRIDGE FUND: To carry over unspent funds from 2011 budget.
21. SHERIFF: To recognize and allocate reimbursements.
22. SHERIFF: To adjust line items.
23. SHERIFF: To recognize and allocate donations.

C. OFFICIALS' FEES REPORT ACCEPTED as audited for December, 2011.

PURCHASING DEPARTMENT - AGENDA ITEM 8B

D. ADVERTISING APPROVED for the following bids/proposals:

1. Mowing rights-of-way - Precinct 2.
2. Surface treatment - Various Precincts.
3. Printing of miscellaneous forms - Various Departments.

E. BID/CONTRACT APPROVED - Project #2012-0034 - Pavement Striping to:

PRIME: Stripes & Stops Company, Inc.

ALTERNATE: Texas Lone Star Pavement Services, Inc.

F. RENEWALS APPROVED for the following contracts:

1. LOWE'S HOME CENTERS, INC. (PO #2012161) for MRO equipment supplies and related items/services through the interlocal agreement with Region 4 Education Service Center The Cooperative Purchasing Network contract #R4954, expires 03.31.12 - Various Departments. (note: two year renewals)
2. FASTENAL (PO #2010460) for MRO equipment, supplies and related items/services through the interlocal agreement with Region 4 Education Service Center The Cooperative Purchasing Network contract #R4954, expires 03.31.12 - Various Departments. (note: two year renewals)
3. W. W. GRAINGER, INC. (PO #2010459) for MRO equipment, supplies and related items/services through the interlocal agreement with Region 4 Education Service Center The Cooperative Purchasing Network contract #R4954, expires 03.31.12 - Various Departments. (note: two year renewals)
4. ROGER G. BARLOW dba MAKESENSE UNILITY BILL AUDITORS (PO #2007308) for inmate phone system auditing, reporting and troubleshooting, expires 04.08.12 - Infrastructure. (note: month to month renewal)
5. MARIMON BUSINESS SYSTEMS, INC. (PO #2011480) for Canon products and related services through Texas DIR Contract #DIR-SDD-1662, expires 05.01.12 - Various Departments.
6. WAYNE YANCEY, INC. (PO #2011318) for mowing rights-of-way, expires 05.20.12 - Precinct 1.
7. CONROE INDEPENDENT SCHOOL DISTRICT (PO #2006296) for fuel charge back, expires 05.23.12 - Constable Pct. 3.
8. SCIENCE APPLICATIONS INTERNATIONAL CORPORATION (PO #2011339) for professional planning and consulting services through the interlocal agreement with HGAC contract #EN06-10, expires 05.31.12 - Emergency Management.
9. LANSDOWNE MOODY, INC. (PO #2008417) for parts for tractors and mowers, expires 06.01.12 - Various Departments.
10. BROOKSIDE EQUIPMENT SALES, INC. (PO 2008416) for parts for tractors and mowers, expires 06.01.12 - Various Departments.
11. THE AV CAFÉ, INC. (PO #2010485) for service for supplying audio/visual materials, expires 06.02.12 - Library.
12. RECORDED BOOKS LLC (PO #2010486) for service for supplying audio/visual materials, expires 06.02.12 - Library.
13. BLACKSTONE AUDIO, INC. (PO #2010487) for service for supplying audio/visual materials, expires 06.02.12 - Library.
14. BAKER & TAYLOR, INC. (PO #2010488) for service for supplying audio/visual materials, expires 06.02.12 - Library.
15. MIDWEST TAPE LLC (PO #2010489) for service for supplying audio/visual materials, expires 06.02.12 - Library.

16. DISTRIBUTION VIDEO & AUDIO (PO #2010490) for service for supplying audio/visual materials, expires 06.02.12 - Library.

G. CHANGE ORDERS APPROVED for the following:

1. Change Order #2, PO #2011041 to Bound to Stay Bound Books for service for supplying library books. Clarification of Items #.002 and #.004 - Library

Did read: (Bid II Option 1 - \$6.85/each firm through 06.30.16)

Should read: See attached prices per term year not-to-exceed \$6.85/ea. through 11.21.16.

2. Change Order #6, PO #2008527, #2008528, #2008529 and #2008530 to Pavers Supply for bulk road materials. Item added to contracts per document on file, effective 03.19.12 - Various Precincts.
3. Change Order #7, PO #2011082 to Nationwide Insurance for hazard insurance owner occupied dwellings. Changes per document on file - MCCD.
4. Change Order #1, PO #2012170 to Custom Logic Design, Inc. for annual software maintenance. Contract to be cancelled in its entirety effective 03.26.12 - Various Departments.
5. Change Order #5, PO #2008023 to Texas Lone Star Pavement Services for pavement striping, road marker installation/removal and related miscellaneous services. Contract to be cancelled in its entirety effective 03.26.12 - Various Precincts.
6. Change Order #5, PO #2008024 to Stripes & Stops Company for pavement striping, road marker installation/removal and related miscellaneous services. Contract to be cancelled in its entirety effective 03.26.12 - Various Precincts.

H. DISCRETIONARY EXEMPTIONS APPROVED as follows:

1. Terracon Consultants, Inc. for environmental assessment for the proposed developmentally disabled adults property located at 10951 Shepard Hill Rd., Willis, TX 77378 for a fee of \$4680.00 - MCCD.
2. Schaumburg and Polk for engineering services for Grant Parkway Segment "G"- Engineering.
3. John Holzwarth for engineering services/program management for Grand Parkway Segment "G" - Engineering.
4. Half Associates, Inc. for engineering services for Grand Parkway Segment "G" - Engineering.
5. Residential services with The Treehouse Center, Inc. - Juvenile Services.

6. 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 - Library.
7. CenterPoint Energy for moving/upgrading of utility lines and miscellaneous services - Various Departments.
- I. REQUEST APPROVED to declare used lasers and receivers as salvage - Precinct 4.
- J. LIST APPROVED of items for the next online auction - Various Departments.
- K. RENAMING APPROVED for permission to advertise from Sale of Gambling Machines - Purchasing to Sale of Gambling Devices - Purchasing - Various Departments.

#### RISK MANAGEMENT - AGENDA ITEM 8C

- L. CHANGES, ADDITIONS, AND RELEASES APPROVED for the following bonds:

<u>BOND</u>	<u>NAME/DEPT</u>	<u>AMOUNT</u>	<u>ACTION</u>
61286904	Jhon Peters/Const Pct. 2	\$5000	New
61286925	Bobby Smalley/Const Pct. 2	\$5000	New

#### COMMISSIONERS - AGENDA ITEM 8D

##### PRECINCT 4

- M. CHECK ACCEPTED in the amount of \$1928.09 from City of Roman Forest for the purchase of fuel for the month of February, 2012. (check forwarded to Auditor for further processing)

#### COMMISSIONERS – COUNTY ATTORNEY – ROAD AND BRIDGES – AGENDA ITEMS 8E

##### PRECINCT 2

- N. ORDER APPROVED authorizing purchase of right-of-way known as Parcel 8 for The Woodlands Parkway Extension Project.
- O. ORDER APPROVED accepting public road right-of-way dedication for a part of McCaleb Road in Highland Ranch, Section one.
- P. ORDER APPROVED authorizing abandonment of 20' utility and drainage easement lying 10 feet on either side of lots 14, 15, block 4, in Indigo Lake Estates, Section 2.

##### PRECINCT 4

- Q. ORDER APPROVED authorizing sale of property and execution of special Warranty Deed, and appointing Ed Rinehart as Special Commissioner to execute the Special Warranty Deed on behalf of Montgomery County, Texas.

## COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEM 8F

## PRECINCT 2

- R. FINAL PLAT APPROVED for Woodridge Forest, Section 2, 17.798 acres, 62 lots, H.T. & B.R.R. Company Survey Section 3, A-283.
- S. ROADS ACCEPTED in Shady Oak Estates, Sections 1, 2, and 3 into the County Road System, due to the completion of the one year maintenance period.
- T. NAME CHANGES APPROVED for the following streets in 177 Lake Estates subdivision:
  - 1. Crescent Drive to be spelled as Crescent Drive.
  - 2. Youpon Lane to spelled as Yupon Circle.

## PRECINCT 3

- U. REQUEST APPROVED for Phonoscope, LLC to install a fiber optic cable line within the right of way of Lake Robbins Drive.

## PRECINCT 4

- V. FINAL PLAT APPROVED for Riverwood at Oakhurst, Section 5, 20.3769 acres, 55 lots, Day Land & Cattle Company Survey, A-678.
- W. ROADS ACCEPTED in Auburn Trails at Oakhurst, Section 4, into the County Road System, due to the completion of the one year maintenance period.

## COUNTY JUDGE – AGENDA ITEM 8G

- X. USE AGREEMENTS APPROVED for the following:
  - 1. Willis Youth Athletic Association - Charles Traylor Park - Baseball Fields
  - 2. Conroe Family YMCA - Gene Campbell Sports Park - Baseball Fields
  - 3. Montgomery Soccer Club - West Park - Football/Soccer Fields

## CONSTABLE PRECINCT 5 – AGENDA ITEM 8H

- Y. CHECK ACCEPTED in the amount of \$1000.00 from Devon Energy Corporation as a contribution to training. (no check received by court clerk)

## ENVIRONMENTAL HEALTH – AGENDA ITEM 8I

- Z. VARIANCES APPROVED to install aerobic on-site system in the 100 year floodplain at the following addresses:
  - 1. 13540 Calhoun Road, Conroe, TX 77302
  - 2. 31630 Wisteria Road, Magnolia, TX 77355
- AA. ORDER APPROVED to release lien on property located at 25170 Needham Road, Porter, TX 77365 to be filed in the real property records. Check received in the amount of \$9171.56 from Capital Title of Texas, LLC to cover total cost of lien. (check forwarded to Auditor for further processing)

## SHERIFF DEPARTMENT – AGENDA ITEM 8J

- BB. CHECK ACCEPTED in the amount of \$1000.00 from Montgomery County Sheriff's Academy Alumni Association for the Sheriff's Office K-9 Unit. (check forwarded to Auditor for further processing)

## LIBRARY - AGENDA ITEM 8K - SEE MOTION #15

## COUNTY ATTORNEY - AGENDA ITEM 8L

- CC. SPECIAL WARRANTY DEED ACKNOWLEDGED AND ACCEPTED from Montgomery County Department of Community Supervision and Corrections for 115 Business Park Drive in Precinct 1.

Motion carried.

END OF CONSENT AGENDA

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4. MEMBERSHIP FEE APPROVED - NORTH & EAST TEXAS COUNTY JUDGES AND COMMISSIONERS ASSOCIATION - COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the 2012 annual membership fee for the North & East Texas County Judges and Commissioners Association in the amount of \$125.00. Motion carried.

5. MEMBERSHIP DUES APPROVED - TEXAS ASSOCIATION OF COUNTIES - COUNTY JUDGE

Motion by Judge Sadler, seconded by Commissioner Rinehart, to approve the 2012 annual membership dues for the Texas Association of Counties in the amount of \$2440.00. Motion carried.

6. REPORT ACCEPTED - SALE OF BONDS - COUNTY JUDGE

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to accept the report of results of sale of bonds from financial advisor, BOSCO, Inc. related to the issuance of Certificates of Obligation, Series 2012 and Limited Tax Refunding Bonds, Series 2012. Motion carried.

AGENDA ITEM 10A1-4 - DEFERRED - PROBATE PROJECT - CCL#2

7. 2009 SHSP GRANT ADJUSTMENT NOTICE ACCEPTED - EMERGENCY MANAGEMENT

Motion by Commissioner Doyal, seconded by Commissioner Chance, to accept the 2009 SHSP Grant Adjustment Notice from the Texas Department of Public Safety and authorize Judge Sadler to execute the notice. This will allow the SAA to reallocate \$287.70 of the 2009 SHSP grant funds that were not needed to complete the project. Motion carried.

8. PROPOSED GRANT PROJECTS FOR 2012 UASI GRANT APPROVED - EMERGENCY MANAGEMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve proposed projects for 2012 UASI Grant Program. Motion carried.

## 9. BUDGET TRANSFER APPROVED - SHERIFF

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the following transfer of budgeted funds:

<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>
\$88.40	5601-9999-999	5601-3940-10

Motion carried.

## 10. NEW POSITION APPROVED - SHERIFF

Motion by Commissioner Doyal, seconded by Commissioner Meador to approve a Clerk IV position for the MCSO FM 2978 substation office. The funding will be provided by the Westwood Magnolia Parkway Improvement District. This position will cease to exist should the District pull its funding of the position. Motion carried.

## 11. BUDGET TRANSFER APPROVED - FIRE MARSHAL

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the following transfer of budgeted funds:

<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>
\$1700.00	543-6402-600	543-3930-1

Motion carried.

## 12. RESOLUTION AND ORDER APPROVED - EMCID GRANT - CONSTABLE PRECINCT 4

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve a resolution and order authorizing the Pct. 4 Constable's office to apply for a grant through the East Montgomery County Improvement District for the purchase of a fully equipped 2012 Chevrolet Tahoe K-9 patrol unit. Motion carried.

## 13. GRANT APPLICATION APPROVED - TEXAS INDIGENT DEFENSE COMMISSION - MANAGED ASSIGNED COUNSEL

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve a grant application to the Texas Indigent Defense Commission for a third year of the Discretionary Managed Assigned Counsel Mental Health Program grant and authorize Judge Sadler to sign the resolution. Motion carried.

## 14. FUNDING APPROVED - DON LAFITTE VACATION PAYOFF - BUILDING MAINTENANCE

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve funding \$13,053.93 from contingency to pay off the vacation hours for Don LaFitte. Motion carried.

## 15. CHECKS ACCEPTED - PERFORMANCE FEE REIMBURSEMENT - LIBRARY - AGENDA ITEM 8K1

Motion by Commissioner Chance, seconded by Commissioner Doyal, to accept checks in the amounts of \$235.00 and \$214.00 from the Texas Commission on the Arts for reimbursement for performance fees for Don Sanders and Natsana Lazerus. Motion carried. (checks forwarded to Auditor for further processing)



16. SUBMISSION APPROVED - ANNUAL REPORT FY 2011 - LIBRARY

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the submission of the Annual Report for FY 2011 for the Montgomery County Library System to the Texas Library System. Motion carried.

17. FUNDING APPROVED - BEVERLY L. PIERCE PAYOFF - LIBRARY

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve funding from contingency in the amount of \$3291.32 for Beverly L. Pierce's retirement payoff. Motion carried.

18. LIBRARY CLOSING APPROVED - RENOVATIONS - LIBRARY

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve closing the South Regional Library for renovations from Monday, April 23, 2012 through April 28, 2012, or until renovations are completed. Motion carried.

19. PERFORMANCE INDICATOR REPORT ACCEPTED - MCMHTF

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to accept the Performance Indicator Report for the month ended 02.29.12, as required by agreement between Montgomery County and Texas Department of State Health Services and recommended by the MCMHTF Advisory Board. Motion carried.

20. REVISED TABLE OF ORGANIZATION APPROVED - MCMHTF

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the revised Table of Organization that depicts each staff position and to whom each is required to report. Motion carried.

21. NEW POSITION DESCRIPTIONS APPROVED - MCMHTF

Motion by Commissioner Chance, seconded by Judge Sadler, to approve four revised and new position descriptions as recommended by the MCMHTF Advisory Board for the following positions:

- A. Infection Control LVN
- B. Nurse Supervisor/Educator
- C. Nurse Supervisor
- D. RN-Clinic

Motion carried.

22. POLICY AND PROCEDURE REVISIONS APPROVED - MCMHTF

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve revisions to the following four policies and procedures as recommended by the MCMHTF Advisory Board:

- A. Administrator On Call - version 3
- B. Patient Accountability Checks - version 2
- C. Seclusion or Restraint Use - version 4
- D. Visitation - version 3

Motion carried.

23. PHYSICIAN PRIVILEGES APPLICATIONS APPROVED - MCMHTF

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the applications for physician privileges for the following as recommended by the MCMHTF Advisory Board:

- A. James Mayo, MD - Psychiatrist - Provisional
- B. Farrell Scruggs, DDS - Dentist - Active
- C. Francisco Aviles-Roig, MD - Psychiatrist - Active
- D. Walter Quijano, MD - Psychologist - Consultant
- E. Christopher Chapman, MD - Internal/Family/General Medicine - Active
- F. Samson Sheih, MD - Internal/Family/General Medicine - Active
- G. Jack Pieniazek, DO - Internal/Family/General Medicine - Active
- H. Siji John, PhD - Psychologist - Active
- I. Steven Coats, PhD - Psychologist - Active
- J. Raul Pelaez, MD - Radiology - Consultant

Vasantha Orocofsky, Psychiatry/Provisional - Resignation effective 02.22.12.

Motion carried.

AGENDA ITEMS 19A-B – PURCHASING DEPARTMENT

24 CONTRACT AWARDED - 19A4

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

- A. RFP/Q Autopsy transport services, storage services and the disposition of bodies of deceased paupers (Project #2012-0025) - Various Departments:

Prime: Eickenhorst Funeral Services  
 Alternate: McNutt Brock Family Co. dba McNutt Funeral Homes, Inc.  
 Alternate: SCI Texas Funeral Services, Inc. dba Metcalf Funeral Directors

RESCIND AWARD (M18b/02.27.12) to Magnolia Funeral Home, Inc. as they have withdrawn their proposal.

RECOMMENDATIONS AND CONTRACTS DEFERRED – AGENDA ITEMS 19A1-3, 5-16

Motion carried.

25. DISCRETIONARY EXEMPTION APPROVED - GRACE INDUSTRIES - PURCHASING

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve a discretionary exemption for Grace Industries, Inc. for fire fighter accountability system funded through the 2010 UASI Grant in the amount of \$119,330.80. Motion carried.

26. DISCRETIONARY EXEMPTION APPROVED - SAN JACINTO COUNTY - PURCHASING

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve a discretionary exemption for San Jacinto County for a 2004, 47 inch asphalt roller, Vibro Max W 264 Tandem, serial number JKC5308305 and model #W265, 541 operating hours in the amount of \$10,000.00. Motion carried.

27. ASSIGNMENT OF PROPERTY APPROVED - MCCRIGHT FAMILY TRUST - AIRPORT - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve an assignment of property leased at the Lone Star Executive Airport. Assignment is by the Dennis McCright Family Trust to Robert Covington for .210 acres. Motion carried.

28. ISSUANCE OF BONDS APPROVED - MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT CORPORATION - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve issuance of bonds by the Montgomery County Industrial Development Corporation to finance facilities for Energy Alloys, LLC. Motion carried. (cover letter only, resolution to follow)

29. SUBLEASE AGREEMENT APPROVED - WING JET CENTER AND GLOBAL AIR SERVICES - AIRPORT - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve a sublease agreement between Wing Jet Center, LLC as sub-lessor and Global Air Services as sub-lessee for property located at the Lone Star Executive Airport. Motion carried.

30. TEMPORARY EMPLOYMENT CONTRACTS APPROVED - COUNTY ATTORNEY CONTRACT REVIEW COMMITTEE

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the temporary employment contracts for the following:

- A. Christopher B. Reeves
- B. Autumn Haley
- C. Michael R. Huddle

Motion carried.

31. AMENDMENT #5 APPROVED - LOCAL INITIATIVE PROJECT AGREEMENT - COUNTY ATTORNEY CONTRACT REVIEW COMMITTEE

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve Amendment #5 to the Local Initiative Project Agreement with Texas Commission on Environmental Quality, and authorize Judge Sadler to sign the agreement. Motion carried.

32. APPOINTMENT APPROVED - BOB BAGLEY - ANIMAL SHELTER ADVISORY BOARD - PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the appointment of Bob Bagley to the Animal Shelter Advisory Board. Motion carried.

33. APPROPRIATION REQUEST APPROVED - MONTGOMERY PASS THROUGH PROGRAM - ALL PRECINCTS

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve an appropriation request from Pate Transportation Partners for funding to continue the program management services for the Montgomery County Pass Through Program. This item should be considered a professional services discretionary exemption as authorized by Texas Local Government Code Section 262.024(a)(4). Motion carried.

EXECUTIVE SESSION – AGENDA ITEM 24A-F

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

34. RESOLUTION AND ORDER APPROVED - DEFENSE AUTHORIZED - CLAIM #A-10-0032 - EXECUTIVE SESSION

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve a resolution to authorize the Montgomery County Attorney to defend and prosecute on behalf of Montgomery County in claim # A-10-0032, and further authorize expenses to be incurred as necessary related to same. Motion carried.

AGENDA ITEM 24B - EXECUTIVE SESSION - DEFERRED

35. RESOLUTION AND ORDER APPROVED - CAUSE #10-05-04852-CV - SETTLEMENT AGREEMENT - EXECUTIVE SESSION

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the settlement agreement and release in cause #10-05-04852-CV Montgomery County v. 1488 Land Development Inc., et al, and authorizing Judge Sadler to sign same. Motion carried.

AGENDA ITEMS 24D-E - EXECUTIVE SESSION - DEFERRED

36. RESOLUTION AND ORDER APPROVED - CLAIM #U-11-0091 - EXECUTIVE SESSION

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve a resolution and order in settlement in connection with claim #U-11-0091, Gregory and Mark D. Strong v. Montgomery County and Jake-Paul Gonzales as stated in the attached property damage release. Motion carried.

CITIZENS – AGENDA ITEM 26 - THERE WERE NO CITIZENS WISHING TO ADDRESS THE COURT

37. PAYROLL CHANGE REQUEST FORMS APPROVED – HUMAN RESOURCES

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

Request of Custodial to place John Michael Gonzalez, Custodian I, on payroll as replacement for Phil Schuster, effective 03.19.12.

Request of Custodial to increase the salary of Harold William Rodgers, Jr., Custodian, due to completion of probationary period, effective 03.19.12.

Request of Custodial to place John Lee Stowe, Custodian, on payroll as replacement for Bridgett Gannon, effective 03.19.12.

Request of Civic Center Complex to place John Arnold, Facility Worker/Grounds Maintenance, on unpaid FMLA/Disability leave, effective 03.16.12.

Request of Commissioner Pct. 1 to place Billie Joe Kring III, Operator I, on payroll to fill new position, effective 03.12.12. (funds to be taken from 612-7340)

Request of Commissioner Pct. 2 to discharge Melissa Walton Goetz, Office Supervisor I, effective 03.14.12. (105.90 hours or balance of vacation, 18.12 hours or balance of compensatory time)

Request of Commissioner Pct. 3 to accept the resignation of Kegan C. Campbell, Signal Technician I, effective 03.08.12. (34.75 hours or balance of vacation)

Request of Commissioner Pct. 4 to increase the salary of John Simon Stafford, Jr., Foreman, due to promotion to replace Buddy Overstreet, effective 03.17.12.

Request of Commissioner Pct. 4 to retire Jerry W. Tharp, Operator III, effective 03.31.12. (235.634 hours or balance of vacation, 226.27 hours or balance of compensatory time)

Request of Constable Pct. 1 to transfer Bryan M. Dubose, Lieutenant, as replacement for Daniel B. Cain, Jr., effective 03.31.12.

Request of Constable Pct. 1 to transfer Daniel B. Cain, Jr., Lieutenant, as replacement for Bryan Dubose, effective 03.31.12.

Request of Constable Pct. 3 to correct the department number on PCRf approved in CC (03.12.12) for Steven Barloco, Deputy Constable, as replacement for Brian Eyring, effective 03.05.12.

Request of Constable Pct. 5 to accept the resignation of Michael Dale Park, Sergeant-Constable, effective 02.17.12. (4.66 hours or balance of vacation, 8.00 hours or balance of holiday time)

Request of County Auditor to place Stephanie Eckert, Grants Reporting Accountant, on payroll as replacement for Betty Lovin, effective 03.26.12.

Request of Elections to increase the salary of Linda Aimes, Temporary Voter Clerk, due to increased responsibilities, effective 03.31.12.

Request of Elections to increase the salary of Carol W. Aufderhar, Temporary Voter Clerk, due to increased responsibilities, effective 03.31.12.

Request of Elections to increase the salary of Agnes Barbara Beavis, Temporary Voter Clerk, due to increased responsibilities, effective 03.31.12.

Request of Elections to increase the salary of Johnny Clyde Bridges, Temporary Voter Clerk, due to increased responsibilities, effective 03.31.12.

Request of Elections to increase the salary of Betty S. Brunasso, Temporary Voter Clerk, due to increased responsibilities, effective 03.31.12.

Request of Elections to increase the salary of Patricia T. Chuber, Temporary Voter Clerk, due to increased responsibilities, effective 03.31.12.

Request of Elections to increase the salary of Cherry A. Fessenden, Temporary Voter Clerk, due to increased responsibilities, effective 03.31.12.

Request of Elections to increase the salary of Dale H. Fessenden, Temporary Voter Clerk, due to increased responsibilities, effective 03.31.12.

Request of Elections to increase the salary of Edward Alan Fritsche, Temporary Voter Clerk, due to increased responsibilities, effective 03.31.12.

Request of Elections to increase the salary of Roy G. Gideon, Temporary Voter Clerk, due to increased responsibilities, effective 03.31.12.

Request of Elections to increase the salary of James Odell Gilbert, Temporary Voter Clerk, due to increased responsibilities, effective 03.31.12.

Request of Elections to increase the salary of George H. Hapes, Temporary Voter Clerk, due to increased responsibilities, effective 03.31.12.

Request of Elections to increase the salary of LaVerne Yvonne Lawson, Temporary Voter Clerk, due to increased responsibilities, effective 03.31.12.

Request of Elections to increase the salary of Melva S. Linton, Temporary Voter Clerk, due to increased responsibilities, effective 03.31.12.

Request of Elections to increase the salary of Lian Sim Loo, Temporary Voter Clerk, due to increased responsibilities, effective 03.31.12.

Request of Elections to increase the salary of Margarita V. Martinez, Temporary Voter Clerk, due to increased responsibilities, effective 03.31.12.

Request of Elections to increase the salary of Wanda Matthews, Temporary Voter Clerk, due to increased responsibilities, effective 03.31.12.

Request of Elections to increase the salary of Kathleen McEntegart, Temporary Voter Clerk, due to increased responsibilities, effective 03.31.12.

Request of Elections to increase the salary of Mary Lee Muirhead, Temporary Voter Clerk, due to increased responsibilities, effective 03.31.12.

Request of Elections to increase the salary of Richard Francis O'Donnell, Temporary Voter Clerk, due to increased responsibilities, effective 03.31.12.

Request of Elections to increase the salary of Desi Pesina, Temporary Voter Clerk, due to increased responsibilities, effective 03.31.12.

Request of Elections to increase the salary of Iva Nell Phillips, Temporary Voter Clerk, due to increased responsibilities, effective 03.31.12.

Request of Elections to increase the salary of Mary Merle Silcox-LeBlanc, Temporary Voter Clerk, due to increased responsibilities, effective 03.31.12.

Request of Elections to increase the salary of Martha A. Williams, Temporary Voter Clerk, due to increased responsibilities, effective 03.31.12.

Request of Elections to increase the salary of Dorothy F. Woodall, Temporary Voter Clerk, due to increased responsibilities, effective 03.31.12.

Request of Environmental Health to increase the salary of Dawn Dorsey, Registered Sanitarian II, due to position change as replacement for Loraine Smith, effective 03.31.12.

Request of Environmental Health to increase the salary of Julianna Edwards, Registered Sanitarian II, due to job re-evaluation, effective 03.17.12.

Request of Environmental Health to increase the salary of Frank Green, Supervisor-OSSF, due to job re-evaluation, effective 03.17.12.

Request of Environmental Health to increase the salary of Miriam Huerta, Office Supervisor II, due to job re-evaluation, effective 03.17.12.

Request of Environmental Health to increase the salary of Richard Jordan, Nuisance Abatement/Investigator, due to promotion to fill new position approved in CC (03.12.12), effective 03.17.12.

Request of Environmental Health to increase the salary of Michael Lindsey, Director-Consumer Health Services, due to promotion as replacement for Patrick H. Buzbee, effective 03.17.12.

Request of Environmental Health to increase the salary of Ruben Martinez, Chief Sanitarian, due to job re-evaluation, effective 03.17.12.

Request of Environmental Health to increase the salary of Thomas Scott Nichols, Director-Environmental Services, due to promotion as replacement for Patrick H. Buzbee, effective 03.17.12.

Request of Environmental Health to increase the salary of Sharon Perez, Administrative Assistant I, due to promotion to fill new position approved in CC (03.12.12), effective 03.17.12.

Request of JP2 to increase the salary of Malinda S. Read, Court Clerk II, due to position change as replacement for Brittney Sklar, effective 03.19.12.

Request of JP3 to accept the resignation of Michael Cardenas, Court Clerk II, effective 03.19.12. (41.83 hours or balance of vacation)

Request of Juvenile to increase the salary of Joseph Anthony Bailey, Jr., Shift Supervisor-Juvenile, due to promotion as replacement for Vanessa Fluker, effective 03.17.12.

Request of Juvenile to increase the salary of Nathan Curtis Dunmire, Juvenile Supervision Officer, due to status change to full-time as replacement for Carlos Oliván, Jr., effective 03.17.12.

Request of South Regional Library to change the position number for Lynda Kay Collins, Shelving Clerk, due to position change as replacement for Natalia Martakova, effective 03.17.12.

Request of Mitchell Library to accept the resignation of Hong Du, Shelving Clerk, effective 03.22.12. (no benefits due)

Request of South Regional Library to change the position number for Natalia Martakova, Shelving Clerk, due to position change as replacement for Lynda Collins, effective 03.17.12.

Request of South Regional Library to retire Beverly L. Pierce, Library Assistant II, effective 03.31.12. (212.723 hours or balance of vacation)

Request of Stewart Branch Library to accept the resignation of Gail Brooks Sneed, Shelving Clerk, effective 03.13.12. (no benefits due)

Request of Central Library to increase the salary of Mathew T. Wilson, Librarian III, due to promotion as replacement for Paul Lothman, effective 03.31.12.

Request of Non-Departmental to re-hire Carolyn Cox, Temporary Justice, effective 01.01.12.

Request of Non-Departmental to re-hire James H. Keeshan, Visiting Judge, effective 01.01.12.

Request of Non-Departmental to hire Jerry A. Sandel, Visiting Judge, effective 01.01.12.

Request of Non-Departmental to hire Suzanne Stovall, Visiting Judge, effective 01.01.12.

Request of Sheriff to transfer Helen Barner, Clerk IV, as replacement for Corrine Wyatt, effective 03.17.12.

Request of Sheriff to increase the salary of Cody Burk, Corporal - Detention, due to promotion as replacement for Jeremiah Richards, effective 03.17.12.

Request of Sheriff to increase the salary of Jennifer Bybee, Clerk IV, due to transfer as replacement for Jamie Smith, effective 03.03.12.

Request of Sheriff to place Stephanie Coroiescu, Officer-Civilian Detention, on payroll as replacement for Jason Poorman, effective 03.17.12.

Request of Sheriff to correct the effective date of hire to 03.03.12 on PCRf for Joshua Downing, Officer-Civilian Detention, replacement for Justin Burk, approved on 03.12.12.

Request of Sheriff to place Joanna Elam, Dispatcher, on payroll as replacement for Brandi Anderson, effective 03.17.12.

Request of Sheriff to place Anthony Frisina, Officer-Civilian Detention, on payroll to fill new position, effective 03.10.12.

Request of Sheriff to increase the salary of Michelle Green-Wallace, Office Supervisor I, due to promotion as replacement for Patricia Smith, effective 03.24.12.

Request of Sheriff to correct salary on PCRf approved for Jeremy Kader, Corporal-Patrol, on 01.23.12 as replacement for David Hernandez, Jr., effective 01.14.12.

Request of Sheriff to transfer Paul Lopez-Carpenter, Officer-Civilian Detention, as replacement for Grant Hass, effective 03.17.12.

Request of Sheriff to place Matthew McCord, Deputy-Patrol, on payroll as replacement for Scott Carson, effective 03.10.12.

Request of Sheriff to place Robert McDougal, Officer-Civilian Detention, on payroll to fill new position, effective 03.17.12.

Request of Sheriff to place Erika Moore, Officer-Civilian Detention, on payroll as replacement for Paul Lopez-Carpenter, effective 03.17.12.

Request of Sheriff to accept the resignation of Amanda Newlon, Dispatcher, effective 03.09.12. (26.86 hours or balance of vacation, 1.50 hours or balance of compensatory time, 12.50 hours or balance of holiday time)

Request of Sheriff to transfer Paige Pangarakis, Clerk IV, as replacement for Susan Lamendola, effective 03.17.12.

Request of Sheriff to transfer Jason Poorman, Officer-Civilian Detention, as replacement for Delbert Russell, effective 03.17.12.

Request of Sheriff to increase the salary of Jeremiah Richards, Sergeant-Detention, due to promotion as replacement for Lonnie Ward, effective 03.17.12.

Request of Sheriff to place Tabitha Rivera, Officer-Civilian Detention, on payroll to fill new position, effective 03.10.12.

Request of Sheriff to place Casey Simonton, Officer-Civilian Detention, on payroll as replacement for Kristina Bishop, effective 03.17.12.



Request of Sheriff to decrease the salary of Patricia Smith, Clerk IV, due to demotion as replacement for Helen Barner at employee's request, effective 03.24.12.

Request of Sheriff to place Charles Sullivent, Deputy-Patrol, on payroll as a re-hire to replace Keith Underwood, effective 03.10.12.

Request of Sheriff to place Aaron Utley, Officer-Civilian Detention, on payroll to fill new position, effective 03.17.12.

Request of Tax Assessor Collector to increase the salary of Pamela Dalhaus Erwin, Deputy Specialist II, due to promotion as replacement for Elizabeth Shahan and completion of one year tenure/experience requirement, effective 03.31.12.

Request of Tax Assessor Collector to increase the salary of Jessica Lynn Rodriguez, Deputy Specialist II, due to promotion as replacement for Rita Hejl and completion of one year tenure/experience requirement, effective 03.31.12.

Request of Sheriff to accept the resignation of Libby Bones, Administrative Assistant I, effective 04.06.12. (94.08 hours or balance of vacation)

Request of Sheriff to transfer Kevin Frantz, Deputy-Patrol, as replacement for Margarito Rosales, Jr., effective 03.31.12.

Request of Sheriff to transfer Jason Henson, Deputy-Patrol, as replacement for Jeremy Kader, effective 03.31.12.

Request of Sheriff to transfer Joshua Hilado, Deputy-Patrol, as replacement for Jason Henson, effective 03.31.12.

Request of Sheriff to place David Kelman, Deputy-Patrol, on payroll as replacement for Donald Golsby, effective 03.31.12.

Request of Sheriff to increase the salary of Michael Lee, Deputy-Detention, due to promotion as replacement for Cody Burk, effective 03.24.12.

Request of Sheriff to increase the salary of John Messtazzia, Deputy-Detention, due to promotion as replacement for Jackie McDonald, effective 03.24.12.

Request of Sheriff to increase the salary of Jeremy Park, Deputy-Detention, due to promotion as replacement for Larry Oxner, effective 03.24.12.

Request of Sheriff to increase the salary of Enrique Rupert, Registrar-SOC Unit, due to transfer as replacement for Michelle Green-Wallace, effective 03.24.12.

Request of Sheriff to place Daniel Savage, Deputy-Patrol, on payroll as replacement for Kevin Frantz, effective 03.31.12.

Request of Sheriff to place Jerrod Sieck, Deputy-Patrol, on payroll as replacement for Joshua Hilado, effective 03.31.12.

Request of Fire Marshal to accept the resignation of Debra Bock, Clerk III, effective 03.30.12. (39.64 hours or balance of vacation)

Request of Fire Marshal to place Jennifer Janes, Clerk III, on payroll as replacement for Debra Bock, effective 03.22.12.

Request of Commissioner Pct. 2 to accept the resignation of Fausto A. Costa, Laborer, effective 03.20.12. (no benefits due)

Request of Commissioner Pct. 2 to re-hire and place Richard David Deere, Laborer, on payroll as replacement for Fausto Costa, effective 03.21.12.

Request of Tax Assessor Collector to accept the resignation of Leslie Amanda Holzwarth, Deputy Specialist I, effective 03.30.12. (27.72 hours or balance of vacation, 17.38 hours or balance of compensatory time)

Motion carried.

38. COURT ADJOURNED

Motion by Commissioner Rinehart, seconded by Commissioner Meador, 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