

COMMISSIONERS COURT DOCKET SEPTEMBER 24, 2012  
SPECIAL SESSION

THE STATE OF TEXAS  
COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 24<sup>th</sup> day of September, 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, 501 N. Thompson, 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 Mary Hammer

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 Meador, seconded by Commissioner Rinehart, to approve Commissioners Court agenda for discussion and necessary action. Motion carried.

2. PROCLAMATION APPROVED - MEDIATION MONTH - DISPUTE RESOLUTION CENTER

Motion by Judge Sadler, seconded by Commissioner Doyal, to approve a proclamation presented by Dispute Resolution Center Board Member, Charles McBride, acknowledging the month of October, 2012, as Mediation Month in Montgomery County, Texas. Motion carried.

3. PROCLAMATION APPROVED - NATIONAL 4-H WEEK - AGRILIFE EXTENSION SERVICE

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve a proclamation presented by a representative of Morning Star 4-H designating the week of October 7-13, 2012 as National 4-H Week in Montgomery County, Texas. Motion carried.

GIFT BASKETS WERE PRESENTED BY 4-H CHILDREN TO THE COUNTY JUDGE AND COMMISSIONERS.

4. AGENDA ITEM 10A-C - ACTIONS AUTHORIZED FOR EXPANSION OF COUNTY COURT AT LAW #3

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve the following actions for County Court at Law #3:

- A. Employment of an Associate Judge at a salary of \$100,000 annually, effective 12.01.12.

- B. Employment of an additional court reporter at a salary of \$62,000 annually, effective 01.01.13.
- C. Authorizing an increase of \$4117.00 for expenditures in line item 7390 for department 429 for furniture and equipment necessary of the additional employees.

5. MINUTES APPROVED - COMMISSIONERS COURT - COUNTY CLERK

Motion by Commissioner Rinehart, seconded by Commissioner Doyal, to approve Commissioners court Minutes for the following dates as presented by the County Clerk:

- A. August 20, 2012
- B. September 10, 2012
- C. September 14, 2012

Motion carried.

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

Motion by Judge Sadler, seconded by Commissioner Meador, 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 FY2012 approved, as follows:
  - 1. VARIOUS: To adjust restricted lines.
  - 2. BUILDING MAINTENANCE: To adjust line items.
  - 3. CIVIC CENTER: To adjust line items.
  - 4. COMMISSIONER PCT. 1: To adjust line items.
  - 5. COMMISSIONER PCT. 2: To adjust line items.
  - 6. COMMISSIONER PCT. 3: To recognize and allocate revenue and reimbursements.
  - 7. COMMISSIONER PCT. 3: To adjust line items.
  - 8. CONSTABLE PCT. 1: To transfer funds for VPN token.
  - 9. CONSTABLE PCT. 1: Reimbursement of the cost of vehicle maintenance, fuel and cameras in FY 2012.
  - 10. CONSTABLE PCT. 2: To adjust line items.
  - 11. CONSTABLE PCT. 3: To transfer transition funds.
  - 12. CONSTABLE PCT. 4: To adjust line items.
  - 13. CONSTABLE PCT. 5: To adjust line items.
  - 14. CONTINGENCY: To fund forensic services as authorized by CC (M9/09.10.12).

15. COUNTY AUDITOR: To adjust line items.
16. COUNTY CLERK: To recognize and allocate revenue as approved in CC (M3/08.27.12).
17. COUNTY ENGINEER: To adjust line items.
18. DA/SEXUAL ASSAULT GT FY12: To adjust line items.
19. DISTRICT CLERK: To adjust line items.
20. DRUG COURT: To recognize and allocate revenue for August 2012 (MRT Books).
21. DRUG COURT: To adjust line items.
22. DWI COURT: To recognize and allocate revenue for August 2012 (MRT Books).
23. DWI COURT: To adjust line items.
24. ELECTIONS ADMINISTRATOR: To transfer funds for VPN.
25. ENERGY EFFICIENCY GRANT - 10: To adjust line items.
26. HUMAN RESOURCES: To adjust line items.
27. INDIGENT DEFENSE: To adjust line items.
28. JP 1: To adjust line items.
29. JUVENILE PROBATION-DETENTION: To adjust line items.
30. LAW LIBRARY: To adjust line items.
31. MCCD-CDBG/\$2.001 MIL - YEAR 13: To adjust line items per amendment to Consolidated Action Plan (M18/09.10.12).
32. MCCD-CDBG/\$1.786 MIL - YEAR 11: To adjust line items per amendment to Consolidated Action Plan (M18/09.10.12).
33. MCCD-HOME PROGRAM/\$516,480-YR8: To adjust line items per amendment to Consolidated Action Plan (M18/09.10.12).
34. PRE-TRIAL DIVERSION FUND: To recognize and allocate revenue as authorized by CCYT (M12/09.10.12).
35. RISK MANAGEMENT: To adjust line items.
36. SHERIFF/AUTO THEFT/YR19: To correct initial budget amendment to set up grant.
37. SHERIFF/AUTO THEFT: To carry over program income.
38. SHERIFF/AUTO THEFT: To adjust line items.
39. SHERIFF/AUTO THEFT/YR18: To adjust line items.
40. SHERIFF/AUTO THEFT/YR 18: To adjust line items.
41. SHERIFF: to adjust line items.

- 42. SHERIFF: To adjust line items.
- 43. SHERIFF: To adjust line items and transfer funds for servers.
- 44. SHERIFF: To adjust line items.
- 45. SHERIFF: To recognize and allocate reimbursements.

C. MONTHLY UNAUDITED FINANCIAL REPORT ACCEPTED for the month of August, 2012.

#### TREASURER - AGENDA ITEM 9B

- D. MONTHLY REPORT OF PLEDGED SECURITIES APPROVED for August, 2012.
- E. TICKET LOG APPROVED for August, 2012.
- F. BANK RESOLUTIONS APPROVED for Constable, Pct. 3.

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

- G. MONTHLY TAX COLLECTION REPORT APPROVED for the month ending August 31, 2012.
- H. SURETY BONDS ACCEPTED for the following:
  - 1. #65BSBBY3441 - Continuation Certificate for Tony Motors I, LP dba Gullo Toyota of Conroe and Anthony Gullo, in the amount of \$100,000.
  - 2. #K08654761 - Gerland's Food Fair, Inc., Gerlands Realty Corp and/or Jeffery K. Reeder in the amount of \$15,000 limit.
  - 3. #61BSBAC9179 - Continuation Certificate for McCall-H, Inc. dba Sterling McCall Honda, in the amount of \$100,000.
  - 4. #POB8365450 - Verification Certificate for H.E. Butt Grocery Company, L.P. in the amount of \$40,000.
- I. CORRECTION APPROVED to the 2012 consolidated tax roll for the City of Splendora 2012 tax rate.
- J. TAX COLLECTION FEES ACKNOWLEDGED for fiscal year ending 2013 as \$170,263 revenue budget line item 110.43415.

#### PURCHASING DEPARTMENT - AGENDA ITEM 9D

- K. ADVERTISING APPROVED for the following bids/proposals:
  - 1. Perimeter security fencing - Precinct 2.
- L. ACTION TAKEN on the following recommendation(s)/and or contract(s) for the following bid(s) and/or RFP/Q award(s):
  - 1. Project #2012-0003 - Additional Emergency Equipment, awarded to Fleet Safety Equipment, Inc. - Various Departments.

2. Project #2013-0001 - Additional Electrical Services, awarded to PRIME: McCaffety Electric Company, Inc., ALTERNATE: Alpha Diamond Electric, Inc. - Various Departments.
3. Project #2013-0002 - Laboratory Testing and Courier Service picked up and delivered. Rejected, no respondents. - Various Departments.

M. RENEWALS APPROVED for the following contracts:

1. Stanley Convergent Security Solutions, Inc. (PO #2010669) for fire/security systems and monitoring through the interlocal agreement with BuyBoard contract #325-09, expires 09.30.12 - note: month to month - Various Departments.
2. Christopher Robertson, M.D. (PO #2012318) for medical services for inmates of Montgomery County Jail, expires 09.30.12
3. Arthur J. Gallagher Risk Management Services (PO #2011084) for property, casualty, liability, workers' compensation and third party administrator, expires 09.30.12 - changes per documents on file - Risk Management.
4. Houston Community Newspapers (PO #2012034) for legal advertising, expires 10.17.12 - changes per documents on file - Various Departments.
5. G T Distributors, Inc. (PO #2012045) for universal docking station mounting accessories for in-vehicle applications, expires 11.06.12 - changes per documents on file - Sheriff.
6. Jacobs Engineering Group, Inc. (PO #2010198) for on-call engineering and professional services as needed basis, expires 11.08.12 - Various Departments.
7. Rebel Contractors, Inc. (PO #2010193) for mowing, seeding, and fertilizing outfall channels, expires 11.08.12 - Precinct 4.
8. Fleet Safety Equipment, Inc. (PO #2012050) for emergency equipment - prisoner cages, expires 11.09.12 - Various Departments.
9. Tejas Materials (PO #2011098) for drywall, metal studs, acoustical/ceiling items, and miscellaneous supplies, expires 11.13.12 - Various Departments.
10. Rebel Contractors, Inc. (PO #2011059) for concrete road repair for existing roads and replacing concrete curbs, expires 11.14.12 - Various Precincts.
11. ISI Contracting, Inc. (PO #2011060) for concrete road repair for existing roads and replacing concrete curbs, expires 11.14.12 - Various Precincts.
12. Strategy 7 Corporation (PO #2011026) for programming/technical resources services, expires 11.14.12 - Various Departments.
13. 1image Software, Inc. (PO #2011027) for programming/technical resources services, expires 11.14.12 - Various Departments.
14. G T Distributors, Inc. (PO #2012079) for duty gear and accessories, expires 11.20.12 - Various Departments.

15. Geo Care, Inc. (PO #2011020) for management/operations of the Mental Health Treatment Facility, expires 08.31.12 - Montgomery County Mental Health Treatment Facility.

N. CHANGE ORDERS APPROVED for the following:

1. Change Order #5, PO #2011535 to Diamond Commercial Construction, Inc. for construction of Montgomery County Precinct 2 office building and maintenance building for a price increase in the amount of \$4397.00, and to add an additional fourteen days, per documents on file - Infrastructure.
2. Change Order #15, PO #2011082 to Nationwide Insurance for hazard insurance owner occupied dwellings, changes per documents on file - MCCD.
3. Change Order #2, PO #2013021 to Strategy 7 Corporation for hardware IBM maintenance and software (AIX) support, to add changes per documents on file - CIS.
4. Change Order #4, PO #2010392 to Dennis B. McMahon for contract Risk Management services, to reduce the monthly compensation to \$4000.00 per month, effective 10.01.12 - Risk Management.
5. Change Order #10, PO #2004167 to Texas Department of Public Safety for interlocal agreement to implement the provision of Texas Transportation Code Chapter 706. General services to amend contract per documents on file - Various Departments.
6. Change Order #2, PO #2012465 to Ford Audio-Video Systems, LLC for maintenance and upgrades of existing audio-visual systems and/or new installations, to change the using departments from Information Technology to Various Departments - Information Technology.
7. Change Order #2, PO #2012158 to Bert John Smith for courier service. Cancel contract in its entirety, effective 09.30.12 - Tax Office.
8. Change Order #1, PO #2012001 to the Law Office of William Pattillo for private contract Defender-Indigent Juvenile Defense, changes per documents on file - Various Courts.

O. DISCRETIONARY EXEMPTIONS APPROVED as follows:

1. Cherokee County Clerk for Rusk commitments.
2. Bert John Smith for courier service.

- P. PURCHASE APPROVED for one Sharp Copier MX-M623N in the amount of \$11,509.00 from Sharp Electronics Corporation c/o North Central Service Corporation dba National Joint Powers Alliance through the interlocal agreement with Buy Board contract #379-11 delivered by Skelton Business Equipment - Elections.

- Q. SERVICE TO RELOCATE EQUIPMENT APPROVED for existing equipment to the new Precinct 2 facility from J.A.M. Equipment Sales & Service through the BuyBoard contract #342-10-A in the amount of \$45,402.22 - Precinct 2

RISK MANAGEMENT - AGENDA ITEM 9E

- R. PAYMENT APPROVED in the amount of \$355.84 to Michael and Deanna Blackwell in reference to claim #B-12-0102.

## S. ACTION APPROVE for the following bonds:

<u>BOND</u>	<u>NAME/DEPT</u>	<u>AMOUNT</u>	<u>ACTION</u>
61466049	Bryan Skero/Const. Pct. 4	\$5000	New
61176069	Eileen Mast/Tax Assessor	\$100,000	Renew/Cont.
15275312	Bryan Hanks/Const. Pct. 5		Rider
14526027	James Dowling/Const. Pct. 5	\$5000	Renew/Cont.
15486568	Don Smith/Const. Pct. 4	\$5000	Renew/Cont.
61180006	Colby Mathes/Const. Pct. 5	\$5000	Renew/Cont.
15487498	Tony Madison/Const. Pct. 3	\$5000	Renew/Cont.
15214474	Brian Cross/Fire Marshal	\$5000	Renew/Cont.
16041473	Barry Welch/Const. Pct. 4	\$5000	Renew/Cont.
16041478	Buck Clendennen/Const. Pct. 4	\$5000	Renew/Cont.
14454538	Ricky Warwick/Const. Pct. 4	\$5000	Renew/Cont.
15486582	James Williams/Fire Marshal	\$5000	Renew/Cont.

## COMMISSIONERS - AGENDA ITEM 9F

## PRECINCT 2

- T. CHECK ACCEPTED in the amount of \$528.03 from The Friendship Center for reimbursement of fuel usage for the month of August, 2012. (check forwarded to Auditor for further processing)

## PRECINCT 3

- U. ROADS ACCEPTED in Imperial Oaks Park, Section 17A in to the County Maintenance System. The bond is released.
- V. DONATION ACCEPTED from Russell Fisher in the amount of \$323.33 for a Magne-Rite dry erase board for the Spring Creek Greenway Nature Center. Check has been forwarded to the County Auditor, per documents on file.

## PRECINCT 4

- W. CHECK ACCEPTED in the amount of \$3197.62 from City of Roman Forest for the purchase of fuel for the month of August, 2012. (check forwarded to Auditor for further processing)
- X. CHECK ACCEPTED in the amount of \$1002.54 from The Friendship Center for fuel used for the month of August, 2012. (check forwarded to Auditor for further processing)

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

## PRECINCT 2

- Y. ORDERS APPROVED accepting warranty deeds and authorizing County Judge to sign for acceptance of the following deeds:
1. Parcel 1 Windmill Land Project
  2. Parcel 2 Windmill Land Project
  3. Parcel 3 Windmill Land Project
- Z. AGREEMENT APPROVED authorizing placement of improvements within the right of way of Nichols Sawmill Road, per documents on file.
- AA. ORDER APPROVED allowing for a partial lot conveyance without a replat of lot 21, block 2, River Park Ranch, Section Two.

## PRECINCT 3

- BB. PUBLIC HEARING DATE APPROVED for 11.05.12 at 9:30 am to consider the partial replat of Oak Ridge North, Section One to be known as Oak Ridge North, Section One, Replat #1.

## COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEM 9H

## PRECINCT 1

- CC. PUBLIC HEARING DATE APPROVED for 10.08.12 at 9:30 am to establish a speed limit on Watson Ranch Road at 40 mph.

## PRECINCT 2

- DD. ROADS ACCEPTED into the Montgomery County maintenance system, and the bond is release for the following roads:

1. Woodforest Parkway North from Fish Creek To Woodforest, Section 9
2. Woodforest, Section 9

- EE. ROADS ACCEPTED in to the Montgomery County one year maintenance period, effective 09.24.12 in:

1. Woodforest, Section 11
2. Woodforest, Section 12
3. Woodforest Parkway South and Kinderwood Trail.

- FF. PUBLIC HEARING DATE SET for 10.08.12 at 9:30 am to establish the speed limit on Old Conroe Road at 35 mph in the Red Oak Ranch Subdivision.

- GG. REQUEST APPROVED from Lake Bonanza Water Supply Corporation to place PVC water pipe within the right of way of Cartwright Road, Rabon Chapel Road, and the streets of Lake Bonanza and Holly Estates Subdivision per maps on file.

## PRECINCT 4

- HH. FINAL PLAT APPROVED for White Oak Crossing, Section 3, Wiatt Anderson Survey, A-49, S.P. Terry Survey, A-564, 93.102 acres, 148 lots, 9 blocks, 1 reserve.

## COUNTY JUDGE – AGENDA ITEM 9I

- II. USE AGREEMENTS APPROVED for the following:

1. The Friends of Conroe - 2012 Conroe Cajun Catfish Festival.
2. Abundant Life - 300 S. Danville, concert and drama.
3. Vendetta Softball - Charles Traylor Baseball Fields - select team practice.

- JJ. RENEWAL OF LEASE AGREEMENT APPROVED for the operation and management for the Magnolia Youth Park Arena.

## COUNTY CLERK - AGENDA ITEM 9J

- KK. DEPUTATION APPROVED for Beverley Hinds.



## ENVIRONMENTAL HEALTH - AGENDA ITEM 9K

LL. REQUEST APPROVED for demolition on the following property that is abandoned, deemed unsafe, or unlivable:

1. 10814 Oak Lane, Willis, Texas 77319

## DISTRICT CLERK - AGENDA ITEM 9L

MM. DEPUTATION APPROVED for Andy Sumrall

## COUNTY ATTORNEY - AGENDA ITEM 9M

NN. LETTER APPROVED to the Texas Commission on Environmental Quality for disbursement of Low Income Repair Assistance Program Grant funds for fiscal year 2012-2013 and authorize Judge Sadler to execute same.

OO. RESOLUTION APPROVED declaring public necessity to cooperate with San Jacinto River Authority in use of communication facilities installed along with surface water facilities, as previously approved by CC (06.01.12).

Motion carried.

END OF CONSENT AGENDA

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7. ADJUSTMENT NOTICE ACCEPTED - 2008 UASI-LEAP GRANT - EMERGENCY MANAGEMENT

Motion by Commissioner Chance, seconded by Judge Sadler, to accept the 2008 UASI-LEAP Grant adjustment notice from the Texas Division of Emergency Management, and authorize Judge Sadler to sign acceptance letter. This grant has been closed. Motion carried.

8. REQUEST APPROVED - CARRY FORWARD EXCESS IN SALARY FUNDS - SHERIFF

Motion by Judge Sadler, seconded by Commissioner chance, to approve retaining and carrying over to FY13, \$53,396.80 in excess salary funds. Motion carried.

9. GRANT ACCEPTED - DOMESTIC VIOLENCE PROSECUTOR PROJECT - DISTRICT ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to accept the Criminal Justice Division Grant: Domestic Violence Prosecutor Project. Motion carried.

10. FUNDING FOR FUEL APPROVED - \$14,000.00 - CONSTABLE PCT. 4

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the funding of fuel for two county vehicles for \$14,000.00 for FY 2013, for the two additional deputy positions approved by CC in May, 2012. This will be funded from contingency, Motion carried.

11. PERFORMANCE INDICATOR REPORT ACCEPTED - MCMHTF

Motion by Commissioner Chance, seconded by Commissioner Meador, to accept the Performance Indicator Report, Annual Report for the reporting period September, 2011 - August, 2012, as required by agreement between Montgomery County and Texas department of State Health Services and recommended by the MCMHTF Advisory Board. Motion carried.

12. PHYSICIAN PRIVILEGES APPROVED - MCMHTF

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve physician privileges as follows:

- A. Melissa Riggs, PhD - Physician - Psychology
- B. Loranda Torres, PsyD - Physician - Psychology

Motion carried.

13. MODIFICATION TO AGREEMENT ACKNOWLEDGED - MCMHTF

Motion by Commissioner Chance, seconded by Commissioner Meador to acknowledge receipt of execute agreement between Montgomery County and Texas Department of State Health Services for the operation of a Mental Health Treatment Facility, and accept modification to the agreement which deletes proposed temporary waiver of average daily census requirement. Motion carried.

14. APPOINTMENT APPROVED - AMY HOLIFIELD - ANIMAL SHELTER BOARD OF DIRECTORS

Motion by commissioner Rinehart, seconded by Commissioner Doyal, to approve the appointment of Amy Holifield to the advisory board of directors for the Montgomery County Animal Shelter. Motion carried.

15. SHERIFF AND CONSTABLE FEES SET - COUNTY CLERK

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve and set the Sheriff and Constable fees to be charged for civil services provided by their respective offices, effective 01.01.13, per documents on file. Motion carried.

16. TRANSFER OF PERSONNEL AND EQUIPMENT APPROVED - ALARMS DIVISION - ENVIRONMENTAL

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the transfer of two employees, their salaries, and budget from department 6321 - Environmental Health/ Alarms Division to the Sheriff's Office. This transfer will also include their office equipment and supplies, effective 10.13.12. Motion carried.

17. REQUEST APPROVED - LIBRARY HOLIDAY HOURS - LIBRARY

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve closing the library on the following dates:

- A. March 30, 2013 - following Good Friday
- B. November 30, 2013 - following Thanksgiving

and to close the library at 5:00 pm on the following dates:

- C. December 31, 2012 - before New Year's Day
- D. November 27, 2013 - before Thanksgiving
- E. December 23, 2013 - before Christmas break

Motion carried.

AGENDA ITEM 20A - LAW LIBRARY - REMOVED FROM AGENDA

18. RAISES APPROVED - COMMUNITY DEVELOPMENT

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve a three percent merit raise for Christopher Reeves, Autumn Haley, and Michael Huddle. These raises will be covered by grant funds. Motion carried.

19. RESIGNATION AND APPOINTMENT APPROVED - MANAGED ASSIGNED COUNSEL

Motion by Commissioner Chance, seconded by Commissioner Doyal, accept the resignation of Angela Speight from, and approve the appointment of Karen West to the Managed Assigned Counsel Mental Health Oversight Board. Motion carried.

20. FY2013 SALARY SCHEDULE APPROVED - COUNTY AUDITOR

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the FY 2013 salary schedules, Motion carried.

AGENDA ITEM 24A - PURCHASING DEPARTMENT

21. ACTIONS APPROVED - PURCHASING

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

- A. RECOMMENDATION APPROVED - RFP/Q Engineering Services - MCCD - Project #2012-0078, to Amani Engineering. Contract to follow.
- B. RECOMMENDATIONS AND CONTRACTS DEFERRED - AGENDA ITEMS 24A1-6.

Motion carried.

22. RESOLUTION AND ORDER APPROVED - RETIFYING AFFIDAVIT - BLACK FOREST VENTURES AVIATION - AIRPORT - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve a resolution and order ratifying affidavit executed by Scott Smith, Airport Director, acknowledging that certain leasehold estates of the Lone Star Executive Airport do not adversely affect the current leasehold interest of Black Forest Ventures Aviation. Motion carried.

23. RENEWAL CONTRACT APPROVED - LEGAL SERVICES FOR CHILD PROTECTION - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the renewal contract with Texas Department of Family and Protective Services for funding for county Attorney to provide legal Services necessary for child protection, and authorize County Judge to execute appropriate documents related to same. Motion carried.

24. RESOLUTION AND ORDER APPROVED - APPOINTMENT A LABOR STANDARDS OFFICER - IKE RECOVERY GRANT - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve a resolution and order designating signatories and appointing a Labor Standards Officer for the Hurricane Ike Disaster Recovery Grant Round 2.2, and authorize Judge Sadler to sign related paperwork. Motion carried.

COMMISSIONERS' COURT WAS RECESSED AND A PUBLIC HEARING CONVENED.

THE PUBLIC HEARING REGARDING THE ADOPTION OF THE REGIONAL HAZARD MITIGATION PLAN 2011 UPDATE AS REQUIRED BY THE UNITED STATES FEDERAL EMERGENCY MANAGEMENT AGENCY IN ACCORDANCE WITH THE DISASTER MITIGATION ACT OF 2000. THE 2011 PLAN UPDATE INCLUDES AN ASSESSMENT ON HAZARDS AND LOCALLY-SPECIFIC MITIGATION ACTIONS. THERE BEING NO ONE PRESENT WHO WISHED TO ADDRESS THIS MATTER, JUDGE SADLER DECLARED THE PUBLIC HEARING CLOSED.

PUBLIC HEARING ADJOURNED AND COMMISSIONERS' COURT WAS RECONVENED

25. REGIONAL HAZARD MITIGATION PLAN 2011 UPDATE APPROVED - COUNTY ATTORNEY

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve the adoption of the Regional Hazard Mitigation Plan 2011 Update as required by the United States Federal Emergency Management Agency. Motion carried.

26. AGREEMENT APPROVED - LAW ENFORCEMENT SERVICES - MONTGOMERY TRACE - COUNTY ATTORNEY - CONTRACT REVIEW COMMITTEE

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve an agreement for law enforcement services with Montgomery Trace Property Owners Association to be provided by Precinct 2 Constable's Office. Motion carried.

27. RENEWAL CONTRACT APPROVED - CHILD PROTECTIVE SERVICES - COUNTY ATTORNEY - CONTRACT REVIEW COMMITTEE

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve foster care services rendered by Child Protective Services, and authorize Judge Sadler to execute contract and related documents. Motion carried.

28. RENEWAL OF INTERLOCAL COOPERATIVE APPROVED - MAGNOLIA INDEPENDENT SCHOOL DISTRICT - COUNTY ATTORNEY - CONTRACT REVIEW COMMITTEE

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve a renewal of an interlocal cooperative agreement between Montgomery County, Texas, and Magnolia Independent School District for law enforcement services to be performed by the Precinct 5 Constable's Office. Motion carried.

29. PUBLIC SERVICE CONTRACT APPROVED - CHILDRENS' SAFE HARBOR - COUNTY ATTORNEY - CONTRACT REVIEW COMMITTEE

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the public service contract with Montgomery County Children's Advocacy Center, Inc. dba Children's Safe Harbor for FY 2013. Motion carried.

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

Motion by Commissioner Doyal, seconded by Commissioner chance, to approve the temporary employment contracts with the following:

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

Motion carried.

COMMISSIONERS' COURT WAS RECESSED FOR PUBLIC HEARINGS

PROPER NOTICE HAVING BEEN GIVEN, JUDGE SADLER DECLARED A PUBLIC HEARING OPEN IN REGARD TO THE DISCONTINUANCE, ABANDONMENT, AND VACATION SUBJECT TO LANDSCAPE USE ONLY ALONG RAYFORD ROAD WHERE THE ROAD WAS RE-ALIGNED TO MODIFY THE RADIUS OF THE CURVE, AND ALONG RILEY FUZZEL ROAD AT LOCKRIDGE FARMS DRIVE. THERE BEING NO ONE PRESENT WHO WISHED TO ADDRESS THESE MATTERS, JUDGE SADLER DECLARED THE PUBLIC HEARING CLOSED.

PUBLIC HEARING WAS ADJOURNED AND COMMISSIONERS' COURT RECONVENED

31. ORDERS APPROVED - ABANDONING RIGHTS OF WAY - PRECINCT 3

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve orders discontinuing, abandoning, and vacating a portion of excess rights of way for the following locations:

- A. Along Rayford Road where the road was re-aligned to modify the radius of the curve.
- B. Along Riley Fuzzel Road at Lockridge Farms Drive.

Motion carried.

EXECUTIVE SESSION – AGENDA ITEM 28A-E

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

AGENDA ITEMS 28A-D - EXECUTIVE SESSION - NO ACTION TAKEN

32. RESOLUTION AND ORDER APPROVED - AUTHROIZING PAYMENT - CHAMBERLAIN,HRDLICKA, WHITE, WILLIAMS & MARTIN, P.C - EXECUTIVE SESSION

Motion by Commissioner chance, seconded by Commissioner Doyal, to approve a resolution and order to authorize payment for services rendered by Chamberlain, Hrdlicka, White, Williams & Martin P.C. in McPeters v. Hon. Frederick E. Edwards. Motion carried.

33. RESOLUTION AND ORDER APPROVED - MONTGOMERY COUNTY V. MUEVO RENAISSANCE CORPORATION, ET AL. - EXECUTIVE SESSION

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve a resolution and order approving the settlement reached in connection with Montgomery County's claims against First Indemnity of America Insurance Company and authorize Judge Sadler to execute a release of claims against First Indemnity of America Insurance Company as alleged in Cause No. 11-06-06313. Motion carried.

CITIZENS – AGENDA ITEM 30

MR. BILL O'SULLIVAN ADDRESSED THE COURT IN SUPORT OF RESTRICTING CERTIFICATES OF OBLIGATION FOR PURPOSES OF EMERGENCY ONLY. ALSO, HE ASKED FOR CLARIFICATION OF SUCCESSION IN THE EVENT OF A VACANCY IN A COMMISSIONER'S SEAT. JUDGE SADLER AND THE COMMISSIONERS EXPLAINED WHAT HAPPENS IN SUCH AN EVENT.

MR. JAMES NOACK ADDRESSED THE COURT SUPPORTING THE RESTRICTING OF SPENDING BY OUTGOING ELECTED OFFICIALS

34. 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 Custodial to accept the resignation of Karla Denise Davis, Custodian, effective 09.28.12. (no benefits due)

Request of Building Maintenance to discharge Isaac Fussel, Maintenance Tech III, effective 09.10.12. (no benefits due)

Request of Building Maintenance to discharge Deshia Jackson, Facility/Grounds Worker, effective 09.14.12. (6.00 hours or balance of compensatory time)

Request of CDBG-Disaster Recovery Grant to increase the salary of Autumn Haley, Ike Case Manager, due to mandatory merit increase, effective 01.02.12.

Request of CDBG-Disaster Recovery Grant to increase the salary of Michael R. Huddle, Ike Compliance Officer, due to mandatory merit increase, effective 01.02.12.

Request of CDBG-Disaster Recovery Grant to increase the salary of Christopher Reeves, Ike Housing Coordinator, due to mandatory merit increase, effective 01.02.12.

Request of Commissioner Pct. 1 to increase the salary of Terry Buckner, Operator II, due to mandatory merit increase, effective 10.14.12.

Request of Commissioner Pct. 1 to increase the salary of Stephan Klink, Operator II, due to mandatory merit increase, effective 10.14.12.

Request of Commissioner Pct. 1 to increase the salary of Christopher Lanning, Operator II, due to mandatory merit increase, effective 10.14.12.

Request of Commissioner Pct. 1 to increase the salary of Henry Junior Martin Operator I, due to mandatory merit increase, effective 10.14.12.

Request of Commissioner Pct. 1 to increase the salary of Ronald Wiede, Operator III, due to mandatory merit increase, effective 10.14.12.

Request of Constable Pct. 1 SJRA sub unit to increase the salary of Daniel B. Cain, Lieutenant, due to merit increase funded 100% by SJRA, effective 10.01.12.

Request of Constable Pct. 1 SJRA sub unit to increase the salary of James D. Wrentz, Deputy, due to merit increase funded 100% by SJRA, effective 10.01.12.

Request of District Clerk to place Andrew Sumrall, Part Time Clerk, on payroll effective 09.17.12.

Request of Elections to place Mark L. Dubay, Temporary Voter Clerk, on payroll effective 09.29.12.

Request of Elections to place Margarita A. Villarreal, Temporary Voter Clerk, on payroll effective 09.29.12.

Request of Extension Office to place Michael W. Potter, County Extension Agent-Horticulture, on payroll as replacement for Thomas R. LeRoy, effective 09.17.12.

Request of Forensic Services to place Kristine Duke, Forensic Assistant, on payroll effective 09.24.12.

Request of Juvenile to increase the salary of Katie Anderson, Juvenile Probation Officer, due to mandatory merit increase, effective 10.01.12.

Request of Juvenile to increase the salary of Sewanda Bacon, Juvenile Supervision Office-Substitute, due to mandatory merit increase, effective 08.27.12.

Request of Juvenile to increase the salary of Susan Badger, Supervisor-Clinical, due to mandatory merit increase, effective 10.01.12.

Request of Juvenile to increase the salary of Maria De La Luz Beltran, Clerk III, due to mandatory merit increase, effective 10.01.12.

Request of Juvenile to increase the salary of Nikki Blackburn, Juvenile Probation Officer, due to mandatory merit increase, effective 10.01.12.

Request of Juvenile to increase the salary of Ana Castillo, Juvenile Probation Officer, due to mandatory merit increase, effective 10.01.12.

Request of Juvenile to accept the resignation of Justin Christian, Juvenile Probation Officer, effective 08.31.12. (65.43 hours or balance of vacation)

Request of Juvenile to increase the salary of Joanna Comer, Supervisor-Probation, due to mandatory merit increase, effective 10.01.12.

Request of Juvenile to increase the salary of Elizabeth Escamilla, Juvenile Probation Officer, due to mandatory merit increase, effective 10.01.12.

Request of Juvenile to increase the salary of Amaechi Esekody, Juvenile Probation Officer, due to mandatory merit increase, effective 10.01.12.

Request of Juvenile to discharge Jonathan Luther Evans, Juvenile Supervision Officer - Substitute, effective 09.11.12. (no benefits due, eligible for re-hire)

Request of Juvenile to increase the salary of Kara Lee Evans, Admin Manager I, due to mandatory merit increase, effective 10.01.12.

Request of Juvenile to increase the salary of Maritza Garcia, Court Clerk II, due to mandatory merit increase, effective 10.01.12.

Request of Juvenile to increase the salary of Julie Gibson, Counselor, due to mandatory merit increase, effective 10.01.12.

Request of Juvenile to increase the salary of Donald Houck, Training Coordinator - Juvenile, due to mandatory merit increase, effective 10.01.12.

Request of Juvenile to increase the salary of Amber Johnson, Counselor, due to mandatory merit increase, effective 10.01.12.

Request of Juvenile to increase the salary of Eugenia Rose Kana, Juvenile Probation Officer, due to mandatory merit increase, effective 10.01.12.

Request of Juvenile to increase the salary of James Edward Lawrence, Juvenile Supervision Officer - Supervisor JJAEP due to mandatory merit increase, effective 10.01.12.

Request of Juvenile to increase the salary of Jamilyn Marie Mack, Counselor, due to mandatory merit increase, effective 10.01.12.

Request of Juvenile to increase the salary of Christopher Cody Martin, Juvenile Probation Officer Assistant, due to mandatory merit increase, effective 10.01.12.

Request of Juvenile to increase the salary of Amy Morley, Juvenile Probation Officer, due to mandatory merit increase, effective 10.01.12.

Request of Juvenile to increase the salary of Rex Steven Owen, Juvenile Probation Officer, due to mandatory merit increase, effective 10.01.12.

Request of Juvenile to increase the salary of Gilberto Vasquez Peraza, Juvenile Probation Officer Assistant, due to mandatory merit increase, effective 10.01.12.

Request of Juvenile to increase the salary of Stefanie Ann Perez, Juvenile Probation Officer, due to mandatory merit increase, effective 10.01.12.

Request of Juvenile to increase the salary of Jeffrey Quintanilla, Juvenile Supervision Officer JJAEP, due to mandatory merit increase, effective 10.01.12.

Request of Juvenile to increase the salary of Jessi Alejandro Saldana, Juvenile Probation Officer Assistant, due to mandatory merit increase, effective 10.01.12.

Request of Juvenile to increase the salary of Karen Michelle Weeks, Counselor, due to mandatory merit increase, effective 10.01.12.

Request of Juvenile to increase the salary of Kierra Kashaahd Williams, Juvenile Supervision Officer JJAEP, due to mandatory merit increase, effective 10.01.12.

Request of Juvenile to increase the salary of Carrie Jacobs Yanez, Supervisor-Probation due to mandatory merit increase, effective 10.01.12.

Request of Central Library to place Roberta Rosencutter, Shelving Clerk I, on payroll as replacement for Daniel Pena, effective 09.17.12.

Request of Sheriff to change the location of Anthony Bautista, Deputy-Patrol District #3, effective 07.28.12.

Request of Sheriff to place Allen Beckham, Jr., Officer-Civilian Detention, on payroll as replacement for Michael McManus, effective 09.22.12.

Request of Sheriff to accept the resignation of Jennifer Bybee, Temporary Data Clerk, effective 08.29.12. (no benefits due)

Request of Sheriff to accept the resignation of Christopher Carswell, Deputy-Detention, effective 08.30.12. (149.10 hours or balance of vacation, 398.15 hours or balance of compensatory time, 40.00 hours or balance of holiday time)

Request of Sheriff to transfer Paul Cassidy, Corporal-Patrol Dist. 4, as replacement for Christopher Peckne, effective 09.01.12.

Request of Sheriff to place Jennifer Castleman, Medic, on payroll as replacement for Steven Helton, Jr., effective 09.15.12.

Request of Sheriff to increase the salary of Jason Davidson, Deputy-Detention, due to promotion as replacement for Christopher Carswell, effective 09.22.12.

Request of Sheriff to place Tyler Hall, Officer-Civilian Detention, on payroll as replacement for James Robuck, effective 09.22.12.

Request of Sheriff to place Kimberly Huckaba, Dispatcher, on payroll due to return from unpaid FMLA/disability leave, effective 09.07.12.



Request of Sheriff to place Zachary Kovach, Officer-Civilian Detention, on unpaid military leave, effective 08.29.12.

Request of Sheriff to increase the salary of Errett Leck, Deputy-Patrol, due to promotion as replacement for Matthew McCord, effective 09.15.12.

Request of Sheriff to increase the salary of Javier Ochoa, Deputy-Detention, due to promotion as replacement for Jennifer Horvath, effective 09.22.12.

Request of Sheriff to transfer Christopher Peckne, Corporal-Patrol, as replacement for Paul Cassidy, effective 09.01.12.

Request of Sheriff to place Anthony Pellecchia, Officer-Civilian Detention, on payroll as replacement for Walter Mason, effective 09.22.12.

Request of Sheriff to decrease the salary of Donald Rooney, Officer-Civilian Detention, due to demotion as a replacement for Dana Smark, effective 09.22.12.

Request of Sheriff to increase the salary of Ryan Savage, Deputy-Detention, due to promotion as replacement for Maurice Mullins, effective 09.22.12.

Request of Sheriff to increase the salary of Landon Slatter, Deputy-Patrol, due to promotion as replacement for Gary Jackson, effective 09.15.12.

Request of Sheriff to increase the salary of Dana Smark, Deputy-Patrol, due to promotion as replacement for Michael Miller, effective 09.15.12.

Request of Sheriff to place Kayla Smith, Dispatcher on payroll as replacement for Jodi Boman, effective 09.22.12.

Request of Sheriff to place Vicente Suarez, Officer-Civilian Detention, on payroll as replacement for Christopher Gonzales, effective 09.15.12.

Request of Sheriff to accept the resignation of Autumn Van Camp, Dispatcher, effective 09.14.12. (2.75 hours or balance of holiday time)

Request of Sheriff to increase the salary of Zachary Vercher, Deputy-Detention, due to promotion as replacement for Donald Rooney, effective 09.22.12.

Request of Sheriff to increase the salary of Courtney White, Deputy-Detention, due to promotion as replacement for Melissa Wright, effective 09.22.12.

Request of Tax Office to increase the salary of Priscilla Martinez, Deputy Specialist II, due to completion of 1 year tenure requirement, effective 09.29.12.

Request of Tax Office to increase the salary of Kelli Reyes, Deputy Specialist I, due to completion of probationary period, effective 09.15.12.

Motion carried.

### 35. COURT ADJOURNED

Motion by Commissioner Meador, seconded by Commissioner Doyal, 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