

FROM THE OFFICE OF
ALAN B. SADLER
MONTGOMERY COUNTY JUDGE

MIKE MEADOR
COMMISSIONER, PRECINCT 1

ED CHANCE
COMMISSIONER, PRECINCT 3

CRAIG DOYAL
COMMISSIONER, PRECINCT 2

ED RINEHART
COMMISSIONER, PRECINCT 4

NOTICE OF A REGULAR SESSION

TO ALL INTERESTED PARTIES:

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE COMMISSIONERS' COURT OF MONTGOMERY COUNTY, TEXAS, WILL BE HELD ON MONDAY, JULY 11, 2011, AT 9:30 A.M. IN THE COMMISSIONERS COURTROOM OF THE ALAN B. SADLER COMMISSIONERS COURT BUILDING LOCATED IN CONROE, TEXAS ON 501 NORTH THOMPSON, 4TH FLOOR, SUITE 402, FOR THE PURPOSE OF CONSIDERING TAKING ACTION ON MATTERS BROUGHT BEFORE THE COURT DURING THE FOLLOWING AGENDA:

1. CALL TO ORDER
2. OPENING PRAYER
3. PLEDGE OF ALLEGIANCE TO THE U.S.A. FLAG
4. PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG
5. ROLL CALL
6. APPROVAL OF COMMISSIONERS' COURT AGENDA
7. PROCLAMATIONS/RESOLUTIONS
8. COUNTY CLERK
9. CONSENT AGENDA
10. SHERIFF
11. LIBRARY
12. INFORMATION TECHNOLOGY
13. AUDITOR
14. PURCHASING
15. COUNTY ATTORNEY
16. COUNTY ATTORNEY - CONTRACT REVIEW COMMITTEE
17. PUBLIC HEARINGS
18. COMMISSIONERS
19. COMMISSIONERS - COUNTY ENGINEER
20. COMMISSIONERS - CO. ATTORNEY - ROAD & BRIDGES
21. EXECUTIVE SESSION
22. TAKE ACTION, ON MATTERS IN EXECUTIVE SESSION
23. CITIZENS
24. HUMAN RESOURCES
25. MISCELLANEOUS
26. COURT ADJOURNS

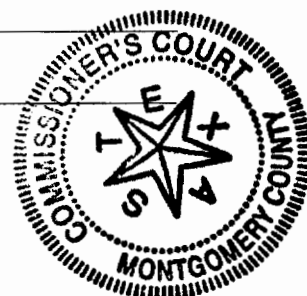
THE AGENDA, IN DETAIL, AND IN THE ABOVE LISTED ORDER, IS ON THIS BULLETIN BOARD AND MAY BE OBTAINED IN THE COUNTY CLERK'S OFFICE ON THE FIRST FLOOR OF THE COURT'S BUILDING AT 210 WEST DAVIS AND IN THE COMMISSIONERS' COURTROOM ON THE DAY OF THE MEETING.

RECEIVED BY: *A. Bisette*

DATE: 7-8-11 TIME: 9:06

POSTED BY: *A. Bisette*

DATE: 7-8-11 TIME: 9:30



AGENDA

“SOME OR ALL OF THE MATERIAL CONTAINED IN THE SUPPORTING DOCUMENTATION FOR THIS AGENDA MAY BE PRELIMINARY AND SUBJECT TO FURTHER REVIEW BY COMMISSIONERS COURT, SO IT MAY NOT CONSTITUTE WHAT IS ULTIMATELY APPROVED BY THE COURT.”

1. CALL TO ORDER
2. OPENING PRAYER
3. PLEDGE OF ALLEGIANCE TO THE UNITED STATES OF AMERICA FLAG
4. PLEDGE OF ALLEGIANCE TO THE TEXAS STATE FLAG

“HONOR THE TEXAS FLAG; I PLEDGE ALLEGIANCE TO THEE, TEXAS, ONE STATE UNDER GOD, ONE AND INDIVISIBLE.”

5. ROLL CALL
6. APPROVAL OF COMMISSIONERS' COURT AGENDA
7. PROCLAMATIONS/RESOLUTIONS
 - A. TEXCOM GULF DISPOSAL LLC, (TEXCOM)
 - B. 2011 MONTGOMERY COUNTY EMPLOYEES' COMMITTEE SCHOLARSHIP WINNER
 - C. EMPLOYEE OF THE MONTH FOR APRIL, 2011.
 - D. EMPLOYEE OF THE MONTH FOR MAY, 2011.
 - E. EMPLOYEE OF THE MONTH FOR JUNE, 2011.
8. COUNTY CLERK
 - A. CONSIDER AND APPROVE COMMISSIONERS' COURT MINUTES FOR SPECIAL SESSION JUNE 20, 2011.
9. CONSENT AGENDA (ONE MOTION WITH MODIFICATIONS, IF APPLICABLE, APPROVES FOR ACTION, ALL ITEMS CONTAINED WITHIN THE CONSENT AGENDA).
 - A. AUDITOR
 1. CONSIDER AND APPROVE PAYMENT OF ACCOUNTS.
 2. CONSIDER AND APPROVE THE BUDGET AMENDMENTS:
 - a. 418TH DISTRICT COURT: TO ADJUST LINE ITEMS TO FUND ASSOC. JUDGE AND ASSOC. COURT REPORTER AS APPROVED IN COMMISSIONERS' COURT.
 - b. ANIMAL SHELTER: TO RECOGNIZE AND ALLOCATE REVENUE AND DONATIONS.
 - c. ATTORNEY ADMIN FUND: TO ALLOCATE REVENUE TO THE APPROPRIATE DEPARTMENT.
 - d. C/P-ROAD BONDS SERIES 2008B: TO FUND CHANGE ORDER #4 FOR PO 2010255 APPROVED IN COMMISSIONERS' COURT 6/20/11.
 - e. CDBG: TO ADJUST LINE ITEMS.

- f. CDBG: TO ADJUST LINE ITEMS.
- g. COMMISSIONER PCT. 1: TO TRANSFER FUNDS FOR 6/4-26/11 SECURITY EXPENSE.
- h. COMMISSIONER PCT. 1: TO ADJUST LINE ITEMS AND TO RECOGNIZE AND ALLOCATE REIMBURSEMENT FROM CITY OF MONTGOMERY.
- i. COMMISSIONER PCT. 2: TO RECOGNIZE AND ALLOCATE SETTLEMENT AGREEMENT REGARDING SONOMA RIDGE.
- j. COMMISSIONER PCT. 2: TO RECOGNIZE AND ALLOCATE SETTLEMENT AGREEMENT DECKER OAKS LAND COMPANY.
- k. COMMISSIONER PCT. 3: TO ADJUST LINE ITEMS.
- l. COMMISSIONER PCT. 4: TO RECOGNIZE AND ALLOCATE PROCEEDS OF LEASE WITH JP MORGAN CHASE BANK.
- m. COMMISSIONER PCT. 4: TO ADJUST LINE ITEMS.
- n. CONSTABLE PCT. 1: TO CORRECT BUDGET AMENDMENT APPROVED 6/20/11 FOR 5/1-30/11 SECURITY EXPENSE.
- o. CONSTABLE PCT. 1: TO RECOGNIZE AND ALLOCATE REIMBURSEMENTS FOR 5/1-31/11.
- p. CONSTABLE PCT. 4: TO RECOGNIZE AND ALLOCATE DONATION.
- q. CONSTABLE PCT. 4: TO TRANSFER FUNDS FOR RELEASE 406166.
- r. CONTINGENCY: TO PERFORM PARTIAL SWEEP.
- s. COUNTY CLERK RECORDS MGMT: TO MOVE BUDGET TO APPROPRIATE DEPARTMENT.
- t. COUNTY COURT AT LAW 2: TO TRANSFER FUNDS FOR RELEASE 408320.
- u. COUNTY JUDGE: TO TRANSFER FUNDS FOR BURIAL EXPENSE.
- v. COUNTY PARK: TO TRANSFER FUNDS FROM COUNTY PARK TO CONTINGENCY AS APPROVED IN COMMISSIONERS' COURT M26/3.28.11.
- w. COUNTY TREASURER: TO ADJUST LINE ITEMS.
- x. COUNTY TREASURER: TO RECOGNIZE AND ALLOCATE TEXPOOL DEPOSIT.
- y. CUSTODIAL SERVICES: TO RECOGNIZE AND ALLOCATE PROCEEDS OF LEASE WITH WELLS FARGO BROKERAGE SERVICES LLC.
- z. DISTRICT CLERK RECORDS PRESERVATION: TO ALLOCATE BUDGET FOR RECORDS MANAGEMENT PROJECT.
- aa. DRUG COURT: TO RECOGNIZE AND ALLOCATE REVENUE.

- bb. DRUG COURT: TO RECOGNIZE AND ALLOCATE REVENUE FROM DRUG COURT FEES AS AUTHORIZED BY CCT WITH M15/6.20.11.
- cc. DWI COURT: TO RECOGNIZE AND ALLOCATE REVENUE.
- dd. ELECTIONS ADMINISTRATOR: TO RECOGNIZE AND ALLOCATE REIMBURSEMENTS.
- ee. HOMELAND SECURITY GRANT: TO ADJUST LINE ITEMS.
- ff. HOMELAND SECURITY GRANT: TO ADJUST LINE ITEMS.
- gg. INFORMATION TECHNOLOGY: TO ADJUST LINE ITEMS.
- hh. JUSTICE OF PEACE PCT. 5: TO ADJUST LINE ITEMS.
- ii. JUVENILE PROBATION: TO RECOGNIZE AND ALLOCATE REIMBURSEMENT RECEIVED NATIONAL SCHOOL LUNCH PROGRAM FOR JAN/11.
- jj. JUVENILE PROBATION: TO RECOGNIZE AND ALLOCATE REIMBURSEMENT RECEIVED NATIONAL SCHOOL LUNCH PROGRAM FOR FEB/11.
- kk. JUVENILE PROBATION: TO ADJUST LINE ITEMS.
- ll. JUVENILE PROBATION: TO CARRYOVER FY10 FUNDS.
- mm. LAW LIBRARY: TO ADJUST LINE ITEMS TO FUND PART TIME EMPLOYEE APPROVED IN COMMISSIONERS' COURT 6/6/11.
- nn. RISK MANAGEMENT: TO TRANSFER PROP/CASLTY/LIAB INSURANCE TO INTERNAL SERVICE FUND.
- oo. RISK MANAGEMENT: TO RECORD BUDGET ADJUSTMENT FROM PRIOR YEAR CARRYOVER FOR CONTRACT SETTLEMENT.
- pp. SHERIFF/AUTO THEFT: TO ADJUST LINE ITEMS.
- qq. SHERIFF/AUTO THEFT: TO ADJUST LINE ITEMS.
- rr. SHERIFF: TO RECOGNIZE AND ALLOCATE REIMBURSEMENT.
- ss. SHERIFF: TO ADJUST LINE ITEMS.
- tt. SHERIFF/VEHICLE MAINTENANCE: TO ADJUST LINE ITEMS FOR SHERIFF FUEL NEEDS AS APPROVED BY COMMISSIONERS' COURT WITH M9/6.20.11.
- uu. WORKERS COMP: TO ADJUST BUDGET FOR WORKERS COMP EXPENSE.

B. TREASURER

1. CONSIDER AND ACCEPT WEEKLY INVESTMENT REPORT FOR WEEK OF JUNE 20-24, 2011.
2. CONSIDER AND ACCEPT PLEDGES AND/OR RELEASES OF COLLATERAL.

3. CONSIDER AND ACCEPT MONTHLY INVESTMENT REPORT FOR MONTH OF JUNE, 2011.
 4. CONSIDER AND ACCEPT BANK RESOLUTION.
 5. CONSIDER AND APPROVE THE OPENING OF ACCOUNT WITH INVESCO INVESTMENT SERVICES/WOODFOREST NATIONAL BANK FOR INVESTING EXCESSIVE FUNDS IN OVERNIGHT ACCOUNTS. SEE LETTER ATTACHED TO APPLICATION.
 6. CONSIDER AND ACCEPT MONTHLY REPORT OF PLEDGED SECURITIES FOR JUNE, 2011.
- C. TAX ASSESSOR/COLLECTOR
1. CONSIDER, ACKNOWLEDGE, AND APPROVE JULY SUPPLEMENTAL CHANGES TO 2010 CONSOLIDATED TAXROLL (MCAD AND HCAD).
 2. CONSIDER AND ACCEPT THE MONTHLY TAX COLLECTION REPORT FOR MONTH ENDING JUNE 30, 2011.
- D. PURCHASING
1. CONSIDER AND APPROVE ADVERTISING FOR THE FOLLOWING BIDS/PROPOSALS:
 - a. C.E.R.T. KIT AND MISCELLANEOUS EMERGENCY SUPPLIES – OFFICE OF EMERGENCY MANAGEMENT
 - b. CONSTRUCTION OF MONTGOMERY COUNTY PRECINCT #2 OFFICE BUILDING AND MAINTENANCE BUILDING – DEPARTMENT OF INFRASTRUCTURE
 - c. TRAFFIC SIGNAL FOUNDATION SERVICES – VARIOUS PRECINCTS
 - d. CONSTRUCTION OF OFFICE BUILDING WITH COVERED PARKING FOR LONE STAR GROUNDWATER CONSERVATION DISTRICT – DEPARTMENT OF INFRASTRUCTURE
 - e. RFP/Q – MEDICAL CLINIC OPERATIONS – MAGNOLIA, TEXAS - MCCD
 2. CONSIDER AND APPROVE THE FOLLOWING RENEWAL(S):
 - a. P.O. #2009458 TO SOUTHERN CRUSHED CONCRETE LLC FOR BULK ROAD MATERIALS – CRUSHED AGGREGATE BASE COURSE/DELIVERED – PRECINCT #4
 - b. P.O. #2007396 TO LOWE’S FOR LUMBER, HARDWARE AND MISCELLANEOUS SUPPLIES – VARIOUS DEPARTMENTS
 - c. P.O. #2008470 TO BUCKALEW CHEVROLET, INC. FOR VEHICLE LOANER/MOTORIST ASSISTANCE PROGRAM – VARIOUS DEPARTMENTS
 - d. P.O. #2009447 TO TEXAS LONE STAR PAVEMENT SERVICE, INC. FOR CRACK SEAL SERVICE – VARIOUS PRECINCTS
 - e. P.O. #2009420 TO LIBRARY FRIENDS OF CONROE FOR LEASE OF OFFICE SPACE – VARIOUS DEPARTMENTS

- f. P.O. #2009421 TO SOUTH COUNTY FRIENDS OF THE LIBRARY FOR LEASE OF OFFICE SPACE – VARIOUS DEPARTMENTS
 - g. P.O. #2009422 TO FRIENDS OF THE R.B. TULLIS LIBRARY FOR LEASE OF OFFICE SPACE – VARIOUS DEPARTMENTS
 - h. P.O. #2009423 TO FRIENDS OF THE WEST BRANCH LIBRARY FOR LEASE OF OFFICE SPACE – VARIOUS DEPARTMENTS
 - i. P.O. #2009424 TO MAGNOLIA LIBRARY FRIENDS FOR LEASE OF OFFICE SPACE – VARIOUS DEPARTMENTS
 - j. P.O. #2009425 TO FRIENDS OF THE WILLIS LIBRARY FOR LEASE OF OFFICE SPACE – VARIOUS DEPARTMENTS
 - k. P.O. #2010220 TO RENE BATES AUCTIONEERS, INC. FOR AUCTION SERVICES – PURCHASING
3. CONSIDER AND APPROVE THE FOLLOWING CHANGE ORDERS:
- a. CHANGE ORDER #2, P.O. #2011025 TO STRATEGY 7 CORPORATION FOR HARDWARE IBM MAINTENANCE AND SOFTWARE (AIX) SUPPORT – CIS
 - b. CHANGE ORDER #1, P.O. #2011185 TO RANDOM HOUSE/DBA BOOKS ON TAPE FOR SOLE SOURCE – LIBRARY EDITION BOOKS ON TAPE/CD, LISTENING LIBRARY AND EXCLUSIVE LARGE PRINT TITLES – LIBRARY
 - c. CHANGE ORDER #2, P.O. #2010446 TO INLAND ENVIRONMENTS LTD FOR DEMOLITION AND SITE CLEARING – MCCD
 - d. CHANGE ORDER #1, P.O. #2011099 TO RICHARD WILLIS, ARCHITECT FOR ARCHITECTURAL SERVICES FOR PRECINCT #4 OFFICE BUILDING – DEPARTMENT OF INFRASTRUCTURE
 - e. CHANGE ORDER #1, P.O. #2011173 TO SYLVANIA LIGHTING SERVICES FOR RFP/Q ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT PROGRAM – PHASE IV – ENERGY SAVINGS AND LIGHTING RETROFITS – DEPARTMENT OF INFRASTRUCTURE
 - f. CHANGE ORDER #1, P.O. #2011170 TO HTS, INC., CONSULTANTS FOR MATERIALS ENGINEERING/TESTING SERVICES FOR RAYFORD ROAD PAVING & DRAINAGE – ENGINEERING/PCT. #3
 - g. CHANGE ORDER #3, P.O. #2009165 TO DAVIS INVESTIGATION SERVICES, L.L.C. FOR COLLECTION OF URINE SAMPLES – DRUG/DWI COURTS
 - h. CHANGE ORDER #3, P.O. #2009323 TO AGUSTIN GUTIERREZ, JR., MA, LPC, PC FOR FIVE (5) PHASE TREATMENT PROGRAM SERVICES – DRUG/DWI COURTS

4. CONSIDER AND APPROVE THE FOLLOWING DISCRETIONARY EXEMPTION(S) AS PER LOCAL GOVERNMENT CODE 262.024; 271.083:
 - a. SEMINARS AND LAW BOOKS FROM TEXAS DISTRICT/COUNTY ATTORNEYS ASSOCIATION – DISTRICT AND COUNTY ATTORNEYS
 5. CONSIDER AND APPROVE RESCINDING THE DISCRETIONARY EXEMPTION TO DI STEFANO/SANTOPETRO ARCHITECTS APPROVED IN COMMISSIONERS' COURT ON JUNE 20, 2011 – INFRASTRUCTURE
 6. CONSIDER AND ACKNOWLEDGE THE NAME CHANGE OF BECK DISASTER RECOVERY, INC. TO SCIENCE APPLICATIONS INTERNATIONAL CORPORATION (SAIC)
 7. CONSIDER AND ACKNOWLEDGE THE NAME CHANGE OF PBS & J (POST, BUCKLEY, SCHUH & JERNIGAN, INC.) PREVIOUSLY APPROVED IN COMMISSIONER'S COURT ON MAY 24, 2010 FOR RFP/Q CONSULTING SERVICES TO ATKINS NORTH AMERICA, INC.
- E. RISK MANAGEMENT
1. CONSIDER AND APPROVE CHANGES, ADDITIONS, AND RELEASES ON SURETY BONDS.
- F. COMMISSIONERS
1. PRECINCT 1
 - a. CONSIDER AND ACCEPT THE ANNUAL FINANCIAL STATEMENT FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2010 OF EMERGENCY SERVICE DISTRICT #1.
 2. PRECINCT 2
 - a. CONSIDER AND APPROVE THE ACCEPTANCE OF A CHECK IN THE AMOUNT OF \$512.88 FROM THE FRIENDSHIP CENTER FOR REIMBURSEMENT OF FUEL USAGE FOR MAY 2011 TO BE PLACED INTO 613-7357.
 3. PRECINCT 3
 - a. CONSIDER AND APPROVE ORDER AUTHORIZING AMENDMENT TO PROJECT AGREEMENT FROM TEXAS PARKS AND WILDLIFE, TEXAS RECREATION & PARKS ACCOUNT, PARK GRANTS PROGRAM FOR THE SPRING CREEK GREENWAY PHASE-II PROJECT NUMBER 50-000400 EXTENDING PROJECT EXPIRATION DATE TO JULY 15, 2012.
 4. PRECINCT 4
 - a. CONSIDER AND APPROVE THE ACCEPTANCE OF CHECK # 9162, IN THE AMOUNT OF \$1,496.29 FROM MONTGOMERY COUNTY ESD 7 FOR THE PURCHASE OF FUEL FOR THE MONTH OF MAY, 2011 TO BE DEPOSITED INTO ACCOUNT 615-735411.

G. COMMISSIONERS - COUNTY ATTORNEY - ROAD AND BRIDGES

1. PRECINCT 2

- a. CONSIDER AND APPROVE ORDER AUTHORIZING PAYMENT OF SPECIAL COMMISSIONERS AWARD IN CONNECTION WITH THE ACQUISITION OF PARCEL 35 THROUGH CONDEMNATION PROCEEDINGS FOR THE WOODLANDS PARKWAY EXTENSION PROJECT.
- b. CONSIDER AND APPROVE AGREEMENT AUTHORIZING PLACEMENT OF IMPROVEMENTS WITHIN THE RIGHT OF WAY DESCRIBED AS MANOR DRIVE LOCATED IN MOSTYN MANOR SECTION ONE (1).
- c. CONSIDER AND APPROVE AGREEMENT AUTHORIZING PLACEMENT OF IMPROVEMENTS WITHIN THE RIGHT OF WAY DESCRIBED AS MOSTYN DRIVE LOCATED IN MOSTYN MANOR SECTION ONE (1).
- d. CONSIDER AND APPROVE ORDER AUTHORIZING ABANDONMENT AND VACATION OF 10' UTILITY EASEMENT FOR LOTS 23 AND 24, BLOCK 5, RIDGELAKE SHORES SECTION TWO (2).

2. PRECINCT 3

- a. CONSIDER AND APPROVE ORDER CONSENTING TO STREET CONSTRUCTION, REPAIR AND MAINTENANCE BY MONTGOMERY COUNTY FOR THE WOODLANDS JOINT POWERS AGENCY FOR 95 S. TRANQUIL PATH PER INTERLOCAL AGREEMENT.

3. PRECINCT 4

- a. CONSIDER AND APPROVE ORDER ACKNOWLEDGING RECEIPT OF CHECK NO. 8242 IN THE AMOUNT OF \$20.00 FROM SOLVEIG MATEK FOR LEASE OF REAL PROPERTY DESCRIBED AS 5.190 ACRES KNOWN AS TRACT 92 OUT OF THE ARCHIBALD HODGE SURVEY.

H. COMMISSIONERS - COUNTY ENGINEER

1. PRECINCT 1

- a. CONSIDER AND APPROVE THE FINAL PLAT OF MONTGOMERY COUNTY UTILITY DISTRICT NO. 2, WATER PLANT NO. 1, REPLAT NO. 1.
- b. CONSIDER AND APPROVE ACCEPTANCE OF THE ROADS IN SPRING BRANCH TRAILS, SECTION 1 INTO THE COUNTY ROAD SYSTEM AND RELEASING THE BOND.

2. PRECINCT 2

- a. CONSIDER AND APPROVE THE FINAL PLAT OF 3710 F.M. 1488 SUBDIVISION.
- b. CONSIDER AND APPROVE THE FINAL PLAT OF WOODFOREST PARKWAY NORTH FROM WOODFOREST SECTION 3 TO BRIDGE.
- c. CONSIDER AND APPROVE THE FINAL PLAT OF WOODFOREST PARKWAY NORTH FROM BRIDGE TO ROUNDABOUT.

- d. CONSIDER AND APPROVE SETTING A PUBLIC HEARING DATE OF JULY 25, 2011 TO ESTABLISH “NO PARKING, STANDING, STOPPING” AND “NO U-TURN” ZONES DURING SCHOOL ZONE HOURS ON:
 - 1. KUYKENDAHL ROAD BETWEEN ALDEN BRIDGE DRIVE AND N. VILLA OAKS DRIVE/KENDALL GREEN DRIVE; AND
 - 2. ALDEN BRIDGE DRIVE FROM ALDEN GLEN DRIVE/N. LACE ARBOR DRIVE TO 40 FEET WEST OF AUTUMN BRANCH DRIVE.
- 3. PRECINCT 3
 - a. CONSIDER AND APPROVE THE FINAL PLAT OF EHP DEVELOPMENT, SECTION 2, AMENDING PLAT NO. 1.
 - b. CONSIDER AND APPROVE SETTING A PUBLIC HEARING DATE OF JULY 25, 2011 TO ESTABLISH “NO PARKING, STANDING, STOPPING” AND “NO U-TURN” ZONES WITHIN THE EXISTING SCHOOL ZONE LIMITS ON CRANE BROOK DRIVE AND WEST BRANCH CROSSING DRIVE.
- 4. PRECINCT 4
 - a. CONSIDER AND APPROVE THE FINAL PLAT OF DESIVO ESTATES.
 - b. CONSIDER AND APPROVE ACCEPTANCE OF THE ROADS IN GREENS AT OAKHURST, SECTION 5 INTO THE ONE YEAR MAINTENANCE PERIOD.

I. ENVIRONMENTAL

- 1. CONSIDER, APPROVE, AND ACCEPT A REQUEST FOR THE ORDER ASSESSING COST OF ABATING NUISANCE TO BE FILED IN REAL PROPERTY RECORDS TO RECOVER COST TO THE COUNTY FOR DEMOLITION FOR ABATE NUISANCE AT THE FOLLOWING ADDRESSES:
 - a. 17734 VILLAGE WAY, CONROE, TEXAS 77302
 - b. 9763 BLACK GUM, WILLIS, TEXAS 77318
 - c. 13265 CLEVELAND ROAD, CONROE, TEXAS 77304
 - d. 23637 2nd STREET, NEW CANEY, TEXAS 77357
 - e. 212 WICKDOME DRIVE, WILLIS, TEXAS 77387.
- 2. CONSIDER AND APPROVE A REQUEST FOR DEMOLITION ON AN ABANDONED MOBILE HOME PARK, DEEMED UNSAFE OR UNLIVABLE:
 - a. PRECINCT 4

23444 E COMMUNITY DR., NEW CANEY, TEXAS 77357

ESTIMATED TOTAL COST: \$88,000.00

FUNDED BY: CDBG: HURRICANE IKE GRANT FUNDS

J. SHERIFF

- 1. CONSIDER AND APPROVE THE ACCEPTANCE OF FUNDS FROM THE WALMART FOUNDATION IN THE AMOUNT OF \$500.00 FOR THE PURCHASE OF A FLAT SCREEN TV FOR MCSO DISTRICT 6 TO BE PLACED IN LINE ITEM 560121-7390.

2. CONSIDER AND APPROVE THE ACCEPTANCE OF A \$15,000.00 DONATION FROM FULL SERVICE SECURITY LLC FOR MCSO SWAT TO BE RECORDED IN LINE ITEM 560150-7390.
 3. CONSIDER AND APPROVE THE ACCEPTANCE OF CHECK #1003 IN THE AMOUNT OF \$129.84 FROM MONTGOMERY COUNTY CRIME STOPPERS, INC. FOR CELL PHONE DONATION FOR BRANDY BICE FOR THE MONTHS OF MAY AND JUNE, 2011 TO BE RECORDED IN LINE ITEM 56017-7423.
 4. CONSIDER AND ACCEPT THE ANNUAL RACIAL PROFILING REPORT FROM MCSO FOR THE 2010 CALENDAR YEAR.
 5. CONSIDER AND ACCEPT A \$1,000.00 DONATION FROM DEVON ENERGY CORPORATION AND RECORD IN LINE ITEM 5601-7390.
- K. CONSTABLE PRECINCT 5
1. CONSIDER AND ACCEPT THE ANNUAL RACIAL PROFILING REPORT FROM THE PRECINCT 5 CONSTABLE'S DEPARTMENT.
 2. CONSIDER AND ACCEPT A \$1,000.00 DONATION FROM DEVON ENERGY CORPORATION AND RECORD IN LINE ITEM 5551-7390.
- L. DISTRICT CLERK
1. CONSIDER AND APPROVE THE DEPUTATION OF THE DISTRICT CLERK'S EMPLOYEE'S JENNY ANDERSON AND SHERRIE WOODRUFF.
- M. LIBRARY
1. CONSIDER AND APPROVE A REQUEST TO ACCEPT A DONATION OF \$300.00 FROM THE WOODLANDS CHAPTER OF THE NATIONAL CHARITY LEAGUE FOR THE PURCHASE OF MATERIALS FOR THE SOUTH REGIONAL LIBRARY TO BE PLACED INTO THE LIBRARY SYSTEM'S MEMORIAL/GIFT ACCOUNT #6511-7392.
 2. CONSIDER AND APPROVE A REQUEST TO ACCEPT A DONATION OF \$1,000.00 FROM THE WOODLANDS GREEN TO BE USED FOR THE PURCHASE OF MATERIALS FOR THE GEORGE AND CYNTHIA WOODS MITCHELL LIBRARY TO BE PLACED INTO THE LIBRARY SYSTEM'S MEMORIAL/GIFT ACCOUNT #6511-7392.
- N. COUNTY JUDGE
1. CONSIDER AND APPROVE THE FOLLOWING USE AGREEMENTS:
MONTGOMERY COUNTY CRIMINAL DEFENSE LAWYERS
ASSOCIATION-COURTHOUSE STEPS-PRECINCT 1

MAGNOLIA YOUTH FOOTBALL ASSOCIATION
MAGNOLIA SPORTS COMPLEX-PRECINCT 2

EAST MONTGOMERY COUNTY SPORTS ASSOCIATION
SALLAS PARK-PRECINCT 4
- O. ELECTIONS
1. CONSIDER AND APPROVE A JOINT ELECTION AGREEMENT FOR THE NOVEMBER 8, 2011 ELECTION.

P. COUNTY ATTORNEY

1. CONSIDER AND APPROVE RESOLUTION TO ACKNOWLEDGE AND ACCEPT THE CONSENT OF THE FOLLOWING MONTGOMERY COUNTY JUDGES OR JUSTICES OF THE PEACE TO ALLOW THE COUNTY CLERK, MARK TURNBULL, TO PROVIDE COLLECTIONS DUTIES ON THEIR BEHALF:
 - a. JUSTICE OF THE PEACE, LANNY MORIARTY, PRECINCT 1;
 - b. JUDGE DENNIS WATSON, COUNTY COURT AT LAW #1;
 - c. JUDGE CLAUDIA LAIRD, COUNTY COURT AT LAW #2;
 - d. JUDGE MARY ANN TURNER, COUNTY COURT AT LAW #4;
 - e. JUDGE KEITH STEWART, COUNTY COURT AT LAW #5;
 - f. JUDGE FRED EDWARDS, 9TH DISTRICT COURT;
 - g. JUDGE LISA MICHALK, 221ST DISTRICT COURT;
 - h. JUDGE CARA WOOD, 284TH DISTRICT COURT;
 - i. JUDGE KATHLEEN HAMILTON, 359TH DISTRICT COURT;
 - j. JUDGE TRACY GILBERT, 418TH DISTRICT COURT.
2. CONSIDER AND APPROVE RESOLUTION TO ACKNOWLEDGE AND ACCEPT THE CONSENT OF THE MONTGOMERY COUNTY CLERK, MARK TURNBULL, TO PROVIDE COLLECTIONS DUTIES ON THE BEHALF OF CERTAIN MONTGOMERY COUNTY JUDGES AND JUSTICES OF THE PEACE.

END OF CONSENT

THE COURT WILL CONSIDER, DISCUSS, AND IN ITS DISCRETION, TAKE ACTION ON THE FOLLOWING ITEMS:

10. SHERIFF

A. PUBLIC HEARING

CONDUCT A PUBLIC HEARING ON FILING THE APPLICATION FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANT GRANT (JAG) PROGRAM, FY 2011 LOCAL SOLICITATION THROUGH THE U.S. DEPARTMENT OF JUSTICE, PURSUANT TO THE PUBLIC HEARING NOTICE PUBLISHED JULY 6, 2011.

GRANT TITLED JAG FY 2011 PROJECT CFDA# 16.738-BODY ARMOR IN THE AMOUNT OF \$79,026. NO MATCHING FUNDS REQUIRED.

RECONVENE COURT

CONSIDER APPROVAL TO FILE THE GRANT APPLICATION AND AUTHORIZE LT. DAN NORRIS WITH THE SHERIFF'S OFFICE TO SUBMIT THE GRANT APPLICATION ON BEHALF OF THE JURISDICTION ELECTRONICALLY THROUGH THE GRANTS MANAGEMENT SYSTEM.

- B. CONSIDER AND APPROVE THE DE-OBLIGATION OF THE BALANCE OF GRANT FUNDS FOR SPIKES IN THE AMOUNT OF \$1.25 IN DEPARTMENT 5601-757016 FROM THE FY 2010 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FROM DEPARTMENT OF JUSTICE.
- C. CONSIDER AND APPROVE THE DE-OBLIGATION OF THE BALANCE OF GRANT FUNDS FOR TASERS IN THE AMOUNT OF \$4.25 IN DEPARTMENT 5601277 FROM THE FY 2010 JAG LOCAL SOLICITATION GRANT FROM DEPARTMENT OF JUSTICE.
- D. CONSIDER AND APPROVE THE APPLICATION FOR SUBMISSION OF ELECTRONIC FUNDING FOR THE 2011 STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP).

11. LIBRARY

- A. CONSIDER AND, IF APPROPRIATE, APPROVE A REQUEST TO TRANSFER FUNDS AS FOLLOWS:

<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>
\$3,314.28	6511.7203.4	6511.7203.6
\$1,910.92	6511.7203.10	6511.7203.6

THESE TRANSFERS ARE NEEDED TO FUND THE POSITION APPROPRIATELY TO THE LEVEL OF EXPERIENCE. THESE TRANSFERS DO NOT INCREASE THE SALARY BUDGET.

12. INFORMATION TECHNOLOGY

- A. CONSIDER AND APPROVE THE LEASE PURCHASE OF 74 MDT COMPUTERS FOR THE CONSTABLES FOR THE TOTAL AMOUNT OF \$406,222.26 AND AUTHORIZE THE PURCHASING DEPARTMENT TO SEEK THE BEST 5 YEAR FINANCING PACKAGE. FUNDS FOR THE LEASE PAYMENTS WILL COME FROM INFORMATION TECHNOLOGY'S BUDGET LINE ITEM 503-73909 BEGINNING IN FY 2012. THIS ITEM WILL NOT INCREASE THE SUBMITTED FY 2012 BUDGET.
- B. CONSIDER AND APPROVE AUTHORIZING THE COUNTY AUDITOR TO ANNUALLY ALLOCATE TO THE INFORMATION TECHNOLOGY BUDGET LINE ITEM 503-73909 THE WOODLANDS ANNUAL PAYMENT (\$50,336.18) FOR THE EXISTING MDT LEASE (LEASE SCHEDULE NO. 1000135048) FOR THE SHERIFF'S OFFICE AND THE WOODLANDS MDT LEASE FOR THE TERM OF THE LEASE FROM THE WOODLANDS TOTAL MDT PAYMENT (\$251, 680.90).

13. AUDITOR

- A. CONSIDER AND APPROVE REQUEST BY JUSTICE OF PEACE PCT. 2 TO USE \$489.00 FROM THE JUSTICE TECHNOLOGY FUND.
- B. CONSIDER AND APPROVE REQUEST BY COUNTY COURT AT LAW 3 TO USE \$1,186.83 FROM THE COURT REPORTER SERVICE FUND.
- C. CONSIDER AND APPROVE REQUEST BY 221ST DISTRICT COURT TO USE \$956.68 FROM THE COURT REPORTER SERVICE FUND.
- D. CONSIDER AND ACCEPT THE ORDERS SETTING THE SALARIES FOR THE OFFICIAL DISTRICT COURT REPORTERS.
- E. CONSIDER AND APPROVE ENGAGING THE FIRM OF HEREFORD, LYNCH, SELLARS & KIRKHAM PC TO AUDIT THE COUNTY'S FINANCIAL STATEMENTS FOR THE YEAR ENDING 9/30/11. CONTRACT TO BE PRESENTED AT A LATER DATE.

14. PURCHASING

- A. ACKNOWLEDGE THE BID OPENING DATES AND IF APPROPRIATE TAKE ACTION ON THE RECOMMENDATION AND CONTRACTS FOR THE FOLLOWING BIDS AND/OR PROPOSALS AND ITEMS NOT PRESENTED UNDER THIS SECTION WILL BE AUTOMATICALLY DEFERRED: (OPENING DATES ARE IN PARENTHESIS)
1. RFP/Q CUSTOMER CREDIT CARD PAYMENT SERVICE – VARIOUS DEPARTMENTS – PROJECT #2011-0024 – (01-26-11)
 2. RFP/Q APPLICATION FOR CLEARING HOUSE BANK DEPOSITORY AND PARTICIPATING BANK – TREASURER – PROJECT #2011-0047 – (04-15-11) (Contract Pending)
 3. RFP/Q AVIATION PROFESSIONAL ARCHITECTURAL/ENGINEERING SERVICES – LONE STAR EXECUTIVE AIRPORT - PROJECT #2011-0065 (06-10-11)
 4. SERVICE FOR SUPPLYING PERIODICALS – LIBRARY – PROJECT #2011-0068 (06-17-11)
 5. BULK OIL, LUBRICANTS AND RELATED ITEMS – VARIOUS DEPARTMENTS - PROJECT #2011-0069 (06-23-11)
 6. PREVENTATIVE MAINTENANCE ON STANDBY GENERATORS – VARIOUS DEPARTMENTS – PROJECT #2011-0073 (06-24-11)
 7. RFP/Q FOR THE DESIGN/BUILD TO ENCLOSE THE LOWER AREA OF THE EXISTING CHARLES B. STEWART LIBRARY IN MONTGOMERY, TEXAS – PRECINCT #1 - PROJECT #2011-0075 (07/14/11)
 8. RFP/Q PRIVATIZATION OF MONTGOMERY COUNTY ANIMAL SHELTER – DEPARTMENT OF INFRASTRUCTURE – PROJECT #2011-0074 – (07/21/11)

15. COUNTY ATTORNEY

- A. CONSIDER AND APPROVE FEE SCHEDULE FOR PURPOSES OF COMPENSATION FOR THE COUNTY'S FORENSIC SERVICES DEPARTMENT PERFORMING POST MORTEM EXAMINATIONS AND RELATED SERVICES ON BEHALF OF OTHER COUNTIES.
- B. CONSIDER AND ACCEPT PROCEEDS FROM DEVELOPERS SURETY AND INDEMNITY COMPANY UNDER THE JUNE 6, 2011 COMPROMISE AND SETTLEMENT AGREEMENT IN CAUSE NO. 10-05-04856-CV- MONTGOMERY COUNTY, TEXAS V. DECKER OAKS LAND COMPANY, LTD., ET AL; IN THE 410TH JUDICIAL DISTRICT COURT OF MONTGOMERY COUNTY, TEXAS. PROCEEDS TO BE PLACED INTO LINE ITEM 613-7340.
- C. CONSIDER, DISCUSS AND APPROVE PAYMENT OF A TAX REFUND FOR DANA DEAN.
- D. CONSIDER AND APPROVE RESOLUTION TO CORRECT THE MINUTES AND REVISE THE ORGANIZATIONAL CHART CONSISTENT WITH THE ACTION TAKEN ON MAY 9, 2011, MOTION #12.
- E. CONSIDER AND APPROVE AMENDMENT TO PLANNING FUNDING AGREEMENT BETWEEN MONTGOMERY COUNTY AND NEXTEL IN THE FCC PROCEEDING INVOLVING REBANDING RADIO FREQUENCIES, AND AUTHORIZE THE HONORABLE ALAN B. SADLER TO EXECUTE SAME.

- F. CONSIDER AND APPROVE RESOLUTION AND ORDER AUTHORIZING PREPARATION AND DELIVERY OF TERMINATION NOTICE TO LEE JOHNSON RELATED TO A LEASE AGREEMENT FOR PROPERTY ADJACENT TO THE LONE STAR EXECUTIVE AIRPORT.
 - G. CONSIDER AND APPROVE TERMINATION OF AGREEMENT WITH RED FLEX TRAFFIC SYSTEMS, INC., RELATED TO THE PHOTO RED LIGHT ENFORCEMENT PROGRAM.
16. COUNTY ATTORNEY - CONTRACT REVIEW COMMITTEE
- A. CONSIDER AND APPROVE INTERLOCAL AGREEMENT FOR THE COUNTY'S FORENSIC SERVICES DEPARTMENT TO PERFORM POST MORTEM EXAMINATIONS AND OTHER RELATED SERVICES ON BEHALF OF OTHER COUNTIES.
 - B. CONSIDER AND APPROVE AGREEMENT BETWEEN MONTGOMERY COUNTY, TEXAS, AND FEDERAL EXPRESS ("FEDEX") RELATED TO THE PLACEMENT OF A FEDEX DROP BOX AT THE LONE STAR EXECUTIVE AIRPORT.
 - C. CONSIDER AND APPROVE AGREEMENT BETWEEN MONTGOMERY COUNTY, TEXAS, AND THE FEDERAL AVIATION ADMINISTRATION ("FAA") RELATED TO THE PROVISION OF CONTRACT AIRPORT TRAFFIC CONTROL TOWER OPERATORS AT THE LONE STAR EXECUTIVE AIRPORT, AND AUTHORIZE THE HONORABLE ALAN B. SADLER TO EXECUTE SAID AGREEMENT.
 - D. CONSIDER AND APPROVE MEMORANDUM OF UNDERSTANDING BETWEEN MONTGOMERY COUNTY, TEXAS, AND THE CONROE INDEPENDENT SCHOOL DISTRICT FOR INSTALLATION OF A GENERATOR AT THE CONROE HIGH SCHOOL CAMPUS PURSUANT TO THE 2008 SUPPLEMENTAL DISASTER RECOVERY FUND: HURRICANE DOLLY AND IKE GRANT PROGRAM.
17. PUBLIC HEARINGS
- A. PRECINCT 3
 - 1. CONSIDER AND APPROVE SETTING THE SPEED LIMIT ON KUYKENDAHL ROAD AT 40 MPH FROM FLINTRIDGE DRIVE TO RESEARCH FOREST DRIVE, A REDUCTION FROM THE CURRENT POSTED SPEED LIMIT OF 45 MPH.
 - B. PRECINCT 4
 - 1. CONSIDER THE PARTIAL REPLAT OF NORTHCREST RANCH SECTION TWO (2) TO BE KNOWN AS NORTHCREST RANCH SECTION TWO (2), PARTIAL REPLAT NO. 1.
- RECONVENE COURT - TAKE APPROPRIATE ACTION**
18. COMMISSIONERS
- A. PRECINCT 2
 - 1. CONSIDER AND APPROVE A REQUEST FOR MONTGOMERY COUNTY GYM TO PARTICIPATE IN THE ADOPT A COUNTY ROAD PROGRAM. THE ROADWAY SECTION THEY ARE INTERESTED IN ADOPTING IS NICHOLS SAWMILL ROAD FROM BANE BERRY WEST TO THE COUNTY LINE.

19. COMMISSIONERS – COUNTY ENGINEER
 - A. PRECINCT 4
 1. CONSIDER AND APPROVE THE FINAL PLAT OF NORTHCREST RANCH, SECTION 2, PARTIAL REPLAT NO. 1.

20. COMMISSIONERS - COUNTY ATTORNEY - ROAD AND BRIDGES
 - A. ALL PRECINCTS
 1. CONSIDER, APPROVE, AND EXECUTE RESOLUTION AND ORDER TO ADOPT REVISION TO THE COUNTY'S ORDER REGULATING DISCHARGE OF FIREARMS.

21. EXECUTIVE SESSION - THE COURT WILL RECESS FOR EXECUTIVE SESSION PURSUANT TO ONE OR MORE OF THE FOLLOWING PROVISIONS OF THE TEXAS GOVERNMENT CODE, TO WIT: CHAPTER 551, SUB-CHAPTER D;

ARTICLES 551.071, 551.074, 551.0785

 - A. DISCUSS STATE OFFICE OF ADMINISTRATIVE HEARING (SOAH) CONTESTED CASE DOCKET NOS. 582-07-2673 AND 582-07-2674 (SECTION 551.071)
 - B. CONSIDER AND DISCUSS CIVIL SERVICE NO. 10-001 IN RE: JOHNNIE MASSEY. (SECTION 551.074)
 - C. CONSIDER AND DISCUSS MONTGOMERY COUNTY COLLECTIONS DIRECTOR. (SECTION 551.071)
 - D. CONSIDER AND DISCUSS COMPLAINT OF AMAECHI ESEKODY; EEOC CLAIM NO. 460-2011-02638; CLAIM NO. B-11-0066. (SECTION 551.071)
 - E. CONSIDER BENEFIT APPEALS UNDER THE COUNTY HEALTH PLAN SUBMITTED BY PLAN PARTICIPANTS. (SECTION 551.0785)

22. TAKE ACTION, ON MATTERS IN EXECUTIVE SESSION

23. CITIZENS (limit of 6 minutes)
 - A. JAMES L. TURNER

24. HUMAN RESOURCES
 - A. CONSIDER AND APPROVE PAYROLL CHANGE REQUEST FORMS.

25. MISCELLANEOUS

26. COURT ADJOURNS