

COMMISSIONERS' COURT DOCKET, JANUARY 10, 2005
REGULAR SESSION

THE STATE OF TEXAS
COUNTY OF MONTGOMERY

Be it remembered that on this the 10th day of January, 2005, the Honorable Commissioners' Court of Montgomery County, Texas, was duly convened in a Regular Session in the Commissioners' Courtroom of the Montgomery County Courthouse Annex, Conroe, Texas, with the following Members of the Court present:

County Judge, Alan "Barb" Sadler
Commissioner, Precinct 1, Mike Meador
Commissioner, Precinct 2, Craig Doyal
Commissioner, Precinct 3, Ed Chance
Commissioner, Precinct 4, Ed Rinehart
Also - Alice Drake, County Clerk's Office

INVOCATION GIVEN BY CONNIE REAVES, SHERIFF'S DEPARTMENT

PLEDGE OF ALLEGIANCE RECITED BY EVERYONE PRESENT

1.COMMISSIONERS' COURT AGENDA APPROVED

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

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

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve Commissioners' Court Minutes for December 20, 2004, as presented by the County Clerk. Motion carried.

3.DEPUTATION APPROVED - AMBER TWIDDY - COUNTY CLERK

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the Deputation for Amber Twiddy, Deputy County Clerk, as per Deputation on file. Motion carried.

4.CONSENT AGENDA APPROVED - AGENDA ITEMS 7A THROUGH 7H

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

COUNTY AUDITOR - AGENDA ITEMS 7A

- a.ACCOUNTS approved, as presented by the County Auditor.
- b.BUDGET AMENDMENTS approved, as presented by the County Auditor:

FY 2004

- 1.Animal Shelter - to transfer funds for PO#25501238
- 2.Commissioner, Pct. #2 - to recognize and to allocate proceeds of lease purchase agreement with Wells Fargo Brokerage Services (PO#2004374)
- 3.Commissioner, Pct. #3 - to recognize/allocate reimbursements
- 4.Commissioner, Pct. #3 - to recognize and to allocate reimbursement from Montgomery County Drainage District #6
- 5.Commissioner, Pct. #3 - to recognize/allocate reimbursement from Woodlands Joint Powers Agency
- 6.Risk Management - to recognize/allocate insurance proceeds for Claim U040094

- 7.Risk Management - to transfer funds for damage claim A040083

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- 1.Civic Center - to adjust line items
- 2.Commissioner, Pct. #2 - to recognize/allocate lease proceeds from Woodall
- 3.Commissioner, Pct. #2 & #3 - to transfer funds for street light repairs
- 4.Commissioner, Pct. #3 - to recognize/allocate reimbursements
- 5.Commissioner, Pct. #3 - to recognize/allocate reimbursement sign damage
- 6.Commissioner, Pct. #4 & #3 - to transfer funds for traffic signal repairs
- 7.Commissioner, Pct. #4 - to adjust line items
- 8.Commissioner, Pct. #4 - to recognize and to allocate reimbursement from Woodbranch Village
- 9.Constable, Pct. #1 - to recognize/allocate reimbursement for dam security
- 10.Constable, Pct. #3 - to recognize/allocate surplus revenue
- 11.County Clerk - to adjust line items
- 12.County Judge - to transfer funds for burial expense
- 13.County Park - to transfer funds for PO#25501650
- 14.Emergency Management - to recognize and to allocate portion of two grants (UASI II FY03 and FY04) - awarded for emergency management
- 15.Memorial Library - to recognize/allocate donation from Conroe Bargain Box
- 16.Risk Management (1 of 3) - to recognize/allocate reimbursement for damage
- 17.Risk Management - to transfer funds for damage claims
- 18.Risk Management - to transfer funds for damage claims
- 19.Tax Assessor/Collector - to transfer funds for release 287593

as per Budget Amendments on file.

c.OFFICIALS' FEES REPORT approved, as audited for September 2004 and October 2004, as per Report on file.
COUNTY TREASURER - AGENDA ITEMS 7B

a.WEEKLY INVESTMENT REPORT approved, for the week of December 27, 2004, through December 31, 2004, as per Report on file.

b.AGENDA ITEM 7B2 - WEEKLY INVESTMENT REPORT FOR WEEK OF JANUARY 3-7, 2005 - REMOVED FROM AGENDA

c.PLEDGED SECURITIES REPORT approved, for the month of November 2004, as per Report on file.

d.PLEDGES AND/OR RELEASES OF COLLATERAL approved, as follows:

1.PLEDGES OF SECURITIES, as follows:

a.Woodforest National Bank - Cusip #31359MLZ4 - par value \$5,000,000.00

b.Woodforest National Bank - Cusip #31359MLH4 - par value \$5,000,000.00

c.Woodforest National Bank - Cusip #31403V5E5 - par value \$10,000,000.00

d.Southwest Bank of Texas - Cusip #31294KRZ0 - par value \$525,000.00

e.JPMorgan Chase Bank - Cusip #912828BRO - par value \$40,000,000.00

f.JPMorgan Chase Bank - Cusip #912828BRO - par value \$10,000,000.00

g.JPMorgan Chase Bank - Cusip #912827Z62 - par value \$5,000,000.00

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h.RELEASE OF SECURITY - JPMorgan Chase Bank - Cusip #912827Z62 -
par value \$5,000,000.00

as per Report on file.

e.CERTIFICATE acknowledge, as presented to Martha Gustavsen, for attending the 2004 Texas Public Funds Investment Conference presented by the Texas Association of Counties, as per Certificate on file.

f.CORRECTED ANNUAL FINANCIAL REPORTS acknowledged, for year October 2003 through September 2004, as per Reports on file.

g.MONTHLY FINANCIAL REPORT approved, for the month of October, 2004, as presented by the County Treasurer.

TAX ASSESSOR/COLLECTOR - AGENDA ITEMS 7C

a.ASSIGNMENT approved, for McKessons Tax Abatement Agreement by Trammell Crow Houston, Ltd, (Assignor), to and in favor of Conroe Distribution BTS, LP, (Assignee). Also, to authorize the County Judge to execute same, as per Assignment on file.

b.TAX ABATEMENT APPLICATION acknowledged, from Venetex Enterprises, LLC. Also, to authorize the Abatement Committee to draft an Agreement in compliance with County Policy, as per Request on file.

c.REQUEST approved, to re-acknowledge use of additional Policies and Procedures used by the Tax Assessor/Collector. Also, to waive County Policy of Federal Labor Standards Act (FLSA), when calculating daily time worked, as per Request on file.

PURCHASING DEPARTMENT - AGENDA ITEMS 7D

a.AUTHORIZATION TO ADVERTISE FOR BIDS AND/OR PROPOSALS, as follows:

- 1.emulsified recycling asphalt (dust control oil) - Various Precincts
- 2.floor coverings and installation - Various Departments
- 3.lawn maintenance services - Lone Star Convention Center
- 4.service for supplying audio/visual materials - Library
- 5.vests and body armor - Various Departments

b.RENEWAL CONTRACTS approved, as follows:

- 1.Rene' Bates Auctioneers, Inc. - PO#2004225 - for auctioneer services - Various Departments
- 2.Green Acres Lawn Care - PO#2004480 - for lawn maintenance services - Pct. #4
- 3.Mueller, Inc. - PO#2004285 - for pre-engineered metal building (materials only) - Various Departments

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- 4.Recovery Technologies Collections - PO#2004170 and PO#2004170X
- for transporting, processing and recycling used
tires - Various Departments
- c.CHANGE ORDER #3 approved, PO#2004394, to Crown Paper &
Chemical, for janitorial products and chemicals, as per
Change Order on file - Various Departments
- d.CHANGE ORDER #2 approved, PO#2004235, to Vulcan, Inc., for
traffic signs, posts and related supplies, as per
Change Order on file - Various Precincts
- e.CHANGE ORDER #9 approved, PO#2002297, to Gaylord Bros., Inc.,
for library specialty supplies, as per Change Order on
file - Library
- f.CHANGE ORDER #1 approved, PO#2005091, to Hallett Materials, for
bulk road materials, as per Change Order on file - Pct.
#4
- g.PAYMENT AND PERFORMANCE BONDS approved, from Smith & Company,
for the construction of two (2) bridges on Lone Star
Parkway Road, in the amount of \$884,420.99 each, as per
Bonds on file.
- h.ITEMS DECLARED SALVAGE approved - two (2) chairs from the
Sheriff's Department, as per Request on file.
- i.CONTRACT approved, with PBS&J, for architectural services, for
the development of an airport traffic control tower for
a fee of \$233,199.00, as per Contract on file.
- j.NAME CHANGE approved, for Roger G. Barlow dba Makesense Utility
Bill Auditors to Makesense Utility Bill Auditors, as
per Request on file.

COMMISSIONER, PRECINCT #1 - AGENDA ITEMS 7E

- a.ROADS completed, BOND released - Bentwater Subdivision, Section
87, completed the one year maintenance period,
consisting of 1847.26 l.f., .35 miles. (roads are
private and will not be maintained by County). Also,
to release the Bond, as per Request on file.
- b.ROADS accepted, into the one year maintenance period,
consisting of 2430.79 l.f., .46 miles, effective
January 10, 2005, as per Request on file.
- c.ROADS accepted, into the one year maintenance period,
consisting of 907.65 l.f., .17 miles, effective January
10, 2005, as per Request on file.
- d.PARTIAL RELEASE OF ASSESSMENT LIEN approved, for lot owner Gary
& Terry Olbrych, located in Woodcreek Subdivision,
Section 1, Lot 59, as per Release on file.

COMMISSIONER, PRECINCT #2 - AGENDA ITEMS 7E2

- a.ROADS accepted, in Durango Creek, Section 1, into the one year
maintenance period, consisting of 2225.44 l.f., .42
miles, effective January 10, 2005, as per Request on
file.
- b.ROADS accepted, in Glen Oaks Subdivision, Section 1, into the
one year maintenance period, consisting of 3771.50

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l.f., .72 miles, effective December 20, 2004, as per Request on file.

c. SEWER TREATMENT EASEMENT AGREEMENT approved, between Montgomery County and 1774 Utilities Corporation, located on 49.964 acre tract of land, to be for upgrades to a sewage treatment plant, as per Agreement on file.

COMMISSIONER, PRECINCT #3 - AGENDA ITEMS 7E3

a. APPOINTMENTS AND REAPPOINTMENTS approved, for the Board of Directors for the Emergency Service District #14, as follows:

1. Alan D. Dreesen
2. Shirley Grandjean
3. Gladys Martin
4. Danny Olsen
5. Jim Waters

as per Request on file.

b. ORDER approved, to accept additional length of Riley Fuzzel Road within Benders Landing, Section 1, into the county road maintenance system, as per Order on file.

c. ORDER approved, to authorize Montgomery County Title Company to prepare a title opinion for Parcel 8 in connection with the Riley Fuzzel right-of-way project, as per Order on file.

COMMISSIONER, PRECINCT #4 - AGENDA ITEMS 7E4

a. APPOINTMENTS approved, for John Kelley and Larry Trout to serve on the Emergency Service District #6 Board, for the upcoming two-year term, as per Request on file.

b. APPOINTMENTS approved, for Joe Young and Clayton Brown to serve on the Emergency Service District #9 Board, as per Request on file.

c. CHECK acknowledged, from City of Roman Forest for the purchase of fuel for the month of November, 2004, in the amount of \$883.32, as per Request on file. (check forwarded to County Treasurer for further processing)

d. FINAL PLAT approved, for First Baptist Church of Porter, consisting of 8.2486 acres. as per plat on file.

e. ROADS accepted, BOND released - Kings Manor, Section 13, have completed the one year maintenance period and the streets are now being accepted by Montgomery County. Also, to release the Bond, as per Request on file.

f. ROADS accepted, in Park at Oak Hurst, Section 1, into the one year maintenance period, consisting of 3,374.81 l.f., .64 miles, effective January 10, 2005, as per Request on file.

g. ORDER approved, to authorize the purchase of right-of-way for Parcel B from Robert W. Jones and Carol D. Jones, in the amount of \$19,662.00, in connection with the Wilshire Drive Project, as per Order on file.

COMMISSIONERS' PRECINCT #2 & #4 - AGENDA ITEM 7E5

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a.RE-APPOINTMENTS approved, for Tony Cutaia and John Mays to serve on the Emergency Service District #5 Board for two year term, beginning January 1, 2005, through December 31, 2006, as per Request on file.

ALL PRECINCTS - AGENDA ITEMS 7E6

a.OVERLOAD/OVERSIZE PERMITS approved, as follows:

1.R. Hassell & Company, to move dirt across various county roads. Movement to begin not earlier than January 5, 2005, and to be completed by April 5, 2005, as per Permit on file.

2.Steely Lumber Co., Inc., to move various loads over all county roads. Movement to begin not earlier than February 11, 2005, and to be completed by May 11, 2005, as per Permit on file.

DISTRICT CLERK - AGENDA ITEM 7F

a.DEPUTATION approved, for Cathy Mitchell, formerly Cathy Montgomery, as per Deputation on file.

BUDGET DEPARTMENT - AGENDA ITEM 7G

a.RECEIPT acknowledged, of the "Montgomery County Expenditure Status Summary" and the "Montgomery County Expenditure Status Summary-Sheriff", as of January 6, 2005, as per Report on file.

RISK MANAGEMENT - AGENDA ITEMS 7H

a.PAYMENT OF CLAIM approved, to Click's Tire Service in the amount of \$705.24, in reference to Claim for Roberto O. Gomez for damage to a vehicle on or about August 18, 2004.

b.PAYMENT OF CLAIM approved, to Ferdinand Gerald Tanner in the amount of \$250.00 for damage to a vehicle on or about November 3, 2004.

c.PAYMENT OF CLAIM approved, to Interstate Collision Service in the amount of \$3,890.92, for damage to Daniel K. Signorelli vehicle on or about October 12, 2004.

d.PAYMENT OF CLAIM approved, to Daniel K. Signorelli in the amount of \$386.80 for reimbursement for car rental for incident on October 12, 2004.

e.OFFICIALS' BONDS AND OATHS approved, as follows:

1.J. R. Moore, Jr. - Tax Assessor/Collector - Renewal - Bond #18180606

2.J. R. Moore, Jr. - Tax Assessor/Collector - Renewal - Official Bond and Oath - Bond #18180605

3.Matthew Beasley, Deputy Constable, Pct. #3 - New - Bond #14641432

4.Travis L. Bishop - Constable, Pct. #4 - Renewal - Bond #13037578

5.Ed E. Chance - Commissioner, Pct. #3 - Renewal - Bond #12745644

6.Donnie O. Chumley - Constable, Pct. #1 - Renewal - Bond

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- #13037577
7. Gene DeForest - Constable, Pct. #2 - Renewal - Bond #15486584
 8. Fred Edwards - 9th District Judge - Renewal - Bond #13741860
 9. Thomas Wayne Gage - Sheriff - New - Bond #14654052
 10. David Hill - Constable, Pct. #5 - Renewal - Bond #18047219
 11. Tim Holifield - Constable, Pct. #3 - Renewal - Bond #14269376
 12. Charles Kennedy - Deputy Constable, Pct. #5 - Renewal - Bond #15487505
 13. Bobby Light - Accountant/Payroll, County Treasurer's Ofc. - New - Bond #14634447
 14. Mike Mayes - 410th District Judge - Renewal - Bond #15486585
 15. Mike Meador - Commissioner, Pct. #1 - Renewal - Bond #13741863
 16. Mike Meador - Road Commissioner, Pct. #1 - Renewal - Bond #13741864
 17. Mike McDougal - District Attorney - Renewal - Bond #14269378
 18. Don G. Smith, Jr. - Deputy Constable, Pct. #5 - Renewal - Bond #15486568
 19. David Walker - County Attorney - Renewal - Bond #15486583

as per Bonds on file.

Motion carried.

END OF CONSENT AGENDA

5. CONTRACT APPROVED - CEMETERY PLOTS/INDIGENT BURIALS - COUNTY JUDGE

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the purchase of 10 cemetery plots at Garden Park Cemetery, located at Cashners Funeral Home, for indigent burial at a cost of \$2,526.00, as per Contract on file. Motion carried.

6. REAPPOINTMENT APPROVED - LONE STAR GROUNDWATER CONSERVATION DISTRICT - COUNTY JUDGE

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the reappointment of Richard Tramm to the Lone Star Groundwater Conservation District, as per Request on file. Motion carried.

7. REQUEST APPROVED - STEERING COMMITTEE - ROAD BOND ISSUE - COUNTY JUDGE

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve creating a steering committee to promote the proposed road bond issue of \$100 million to \$150 million. Each Member of Commissioners' Court will appoint three (3) representatives, which will make a total of 15 members, to serve on said Committee, as per Request on file. Motion carried.

8. REAPPOINTMENT APPROVED - TECHNICAL ADVISORY COMMITTEE (TAC) - COUNTY JUDGE

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Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the reappointment of Mark Mooney as Representative and Mike Beitler as Alternate, to serve on the Technical Advisory Committee (TAC). Motion carried. (no paperwork)

9.REQUEST APPROVED - CARRYOVER OF FUNDS - HISTORICAL COMMISSION

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the carryover of 2003/04 budget funds for the Historical Commission, and place into the 2004/05 budget, as per Request on file. Motion carried.

10.REQUEST APPROVED - INTERPRETER - JUSTICE OF THE PEACE, PCT. #1

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve the yearly Texas Department of Licensing and Regulation Fee for Brandie Lopez for as long as she interprets for Judge Lanny Moriarty, as per Request on file. Motion carried.

11.REQUEST APPROVED - PAYMENT OF VACATION TIME - CIS

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve paying Bill Allen 160 hours of vacation time in the amount of \$3,094.86, which he was unable to schedule time off due to workload, as per Request on file. Motion carried.

12.REQUEST APPROVED - CARRYOVER OF FUNDS - CIS

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the carryover of \$2,593.27, from budget year ending 2004, to defray the cost of installing fiber to the Knox Building, as per Request on file. Motion carried.

13.REQUEST APPROVED - POSITION FUNDING - CIS

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve moving funds between positions, as follows:

a.Assistant Network Administrator position is currently funded at \$48,554.75. The person coming into said position will be making \$46,268.15, resulting in a balance of \$2,286.59, to be placed in funding account.

b.System Administrator II Position recently filled at \$55,839.00, \$2,625.38 less than the \$58,464.38, that was budgeted for said position.

c.\$2,514.90 of that amount will be used to make up the difference between the \$56,650.10 budgeted for the Programmer Analyst III, and the \$59,165.00 required to fill this position, the balance to be placed in the funding account.

d.Computer analyst I position will be filled at \$33,982.20, \$1,217.80 less than the budgeted amount (to be placed in the funding account). An annual auto allowance of \$4,500.00 is requested and will be funded for the remainder of this fiscal year out of available funds in the funding account.

as per Request on file. Motion carried.

14.CONTRACT AMENDMENT APPROVED - L & S ADMINISTRATIVE CONSULTANTS CONTRACT - JUVENILE PROBATION

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Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve an Amendment to the L & S Administrative Consultants Contract, as per Amendment on file. Motion carried.

15.REQUESTS APPROVED - FEES FROM SPORTS FIELDS - PARKS DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve charging Use Fee for Sports Fields, as follows:

a.PROFIT GROUPS:

Security Deposit - \$100.00 per field per event
User Fee - \$100.00 per field per day
Utility Fee - \$25.00

NON-PROFIT GROUPS:

Security Deposit - \$100.00 per field per event
User Fee - \$50.00 per field per day
Utility Fee - \$25.00 per field per hour (reimbursement)

b.Also, to approve Fees to be placed in Park Budget, and to allocate for park improvements referencing parks fees were collected, as per Request on file.

Motion carried.

16.REQUEST APPROVED - CARRYOVER OF FUNDS - COUNTY CLERK

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the Request to carryover \$1,050.00, from FY2004 budget to FY2005 budget to pay for installation of a sink on the 4th floor for the County Clerk, as per Request on file. Motion carried.

17.POSITION APPROVED - GRANTS ADMINISTRATOR - BUDGET OFFICE

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the creation of Grants Administrator Position, effective February 12, 2005, for the Budget Department, as per Request on file. Motion carried.

18.GRANT AWARD ACCEPTED - INDIGENT DEFENSE SERVICES - COUNTY AUDITOR

Motion by Commissioner Chance, seconded by Commissioner Meador, to accept award from Task Force on Indigent Defense for FY05', in the approximate amount of \$150,829.00, as per Award on file. Motion carried.

AGENDA ITEM 17A - PROMOTION OF SANDRA HAWKINS FROM TEMPORARY VOTER REGISTRATION CLERK TO ELECTION MANAGER - REMOVED FROM AGENDA.

19.REQUEST APPROVED - TRANSFER OF FUNDS - CONSTABLE, PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the transfer of funds as outlined in memo dated January 6, 2005, on file. Motion carried.

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20.REQUEST APPROVED - MORGAN BENNETTE PAYOFF - SHERIFF'S DEPARTMENT

REQUEST DEFERRED - TOMMY GAGE PAYOFF - SHERIFF'S DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the Request to payoff Morgan Bennette \$18,448.00. Also, to defer payment to Tommy Gage of \$4,677.38 until next Court Session, as per Request on file. Motion carried.

21.REQUEST APPROVED - STAFFING CHANGES - SHERIFF'S DEPARTMENT

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve various staffing changes for Sheriff Gage's Administration, which is to be funded from carryover monies in the Sheriff's Budget for 2004. Motion carried. (list of changes on file and also noted on payroll change requests forms approved in today's court session).

AGENDA ITEMS 20A 1 & 2 - RECOMMENDATIONS AND CONTRACTS - DEFERRED
22.CHANGE ORDER #3 APPROVED - CONSTRUCTION OF NEW LIBRARY - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve Change Order #3, PO#2004425, to Gaskey Construction Corporation for changes to the construction of the new library, as per Change Order on file. Motion carried.

23.FEES WAIVED - CITY OF MONTGOMERY - LIBRARY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to acknowledge and accept from the City of Montgomery to waive the tap fees and building permit fees for the design build of a new library in Precinct #1, as per Letter on file. Motion carried.

24.FUNDS APPROVED - CABLING MATERIALS - NEW LIBRARY - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve funds in the amount of \$14,224.12, for cabling materials and labor, and \$21,828.94, for telephone system for new library. Funds to be taken from Bond monies in the approximate amount of \$36,053.06, as per Request on file. Motion carried.

25.RESOLUTION AND ORDER APPROVED - EXCHANGE OF PROPERTY - CITY OF CONROE AND MONTGOMERY COUNTY - COUNTY ATTORNEY

Motion by Judge Sadler, seconded by Commissioner Doyal, to authorize the execution of all documents to accomplish the exchange of property between Montgomery County and the City of Conroe, for the construction of a new facility for Elections Central, as per Resolution and Order on file. Motion carried.

26.TAX ABATEMENT AGREEMENT APPROVED - TRAMMEL CROW HOUSTON, LTD - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the Tax Abatement Agreement between Montgomery County and Trammell Crow Houston, Ltd., and McKesson Corporation, as per Agreement on file. Motion carried.

27.LEASE AGREEMENT APPROVED - LARRY PERRYMAN - AIRPORT

Motion by Commissioner Chance, seconded by Commissioner Meador,

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to approve the Land Lease Agreement between Montgomery County and Larry Perryman, for lease of 0.4903 acres of land located at the Lone Star Executive Airport, as per Agreement on file. Motion carried.

28.GRANT ACCEPTED - TEXAS STATE LIBRARY AND ARCHIVES - LIBRARY SYSTEM

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve Texas State Library and Archives Commissioner, (TSLAC), Lone Star Grant Agreement between Montgomery County and TSLA, for funds to be used for additional programming at each of the six (6) library sites. Also, to authorize the County Judge to execute same, as per Agreement on file. Motion carried.

29.INTERLOCAL AGREEMENT APPROVED - LAW ENFORCEMENT SERVICES - COUNTY ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve an Interlocal Agreement between Town Center Improvement District and Montgomery County, for law enforcement services by the Sheriff's Department, as per Agreement on file. Motion carried.

30.PUBLIC HEARING DATE SET - REGIONAL PARK GRANT APPLICATION - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Doyal, to set a public hearing date of January 24, 2005, for the public's review and comment on a Regional Park Grant Application to Texas Parks and Wildlife Department, for the Spring Creek Greenway Project, Phase 1, as per Notice on file. Motion carried.

31.ORDER APPROVED - ABANDONMENT OF RIGHT-OF-WAY - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve an Order to discontinue, close and abandon approximately 3,600 linear feet of Red Bay Court, aka Ken Lake Drive and aka Red Bay Circle, in the James Brown Survey, as per Order on file. Motion carried.

32.ORDER APPROVED - ADDITIONAL LENGTH OF ROAD ACCEPTED - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve an Order to accept additional length of road into the county road maintenance system by prescriptive right, consisting of 1,400 linear feet of Riley Fuzzel Road, as per Order on file. Motion carried.

33.FINAL PLAT APPROVED - CREEKSIDE VILLAGE, SECTION 1 - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the final plat of Creekside Village, Section 1, consisting of 145 lots, 217.02 acres, as per Plat on file. Motion carried.

34.APPOINTMENT APPROVED - JACQUES VERRON - AIRPORT

Motion by Commissioner Rinehart, seconded by Commissioner Doyal, to approve the appointment of Jacques Verron to serve on

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the Montgomery County Airport Board of Directors, as per Request on file. Motion carried.

35.REQUEST APPROVED - FUNDING DEPUTY POSITION - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Doyal, to approve Commissioner, Pct. #4 to fund Kenneth Hayden, Sheriff's Deputy position, effective January 1, 2005, through September 30, 2005. Funding for said position is outlined in memo on file dated January 4, 2005, as per Request on file. Motion carried.

AGENDA ITEM 24 - CITIZENS - THERE WERE NO CITIZENS PRESENT WHO WISHED TO ADDRESS THIS COURT SESSION.

36.PAYROLL CHANGE REQUESTS APPROVED - HUMAN RESOURCES

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

request of CIS to promote Billy Allen from Computer Analyst III to Assistant Network Administrator, (replacement for Keith Chilek), effective January 1, 2005

request of CIS to place Zane Kissling, Programmer Analyst III, (replacement for William Golding), on payroll, effective February 7, 2005

request of CIS to promote Eugene Martin from Computer Analyst I to Computer Analyst III, (replacement for Billy Allen), effective January 1, 2005

request of Commissioner, Pct. #3 to increase the salary of Nancy L. Stephens, Administrative Assistant I, effective January 15, 2005, due to probation period completed

request of Constable, Pct. #2 to increase the hours of Timothy Lee Shackelford, Deputy Constable, to 70 hours bi-weekly, effective January 3, 2005

request of Constable, Pct. #3 to transfer Matthew K. Beasley, Deputy Constable, (replacement for Joshua Hansen), effective December 18, 2004

request of Constable, Pct. #3 to transfer Joshua Hansen to Rayford Road MUD, (replacement for Todd Lehn), effective December 18, 2004

request of Constable, Pct. #3 to transfer Todd Lehn, Deputy Constable, (replacement for Matthew Beasley), effective December 18, 2004

request of County Clerk to discharge James Evan Traylor, Clerk II, effective January 3, 2005

request of Elections Administrator to increase the salary of Debora Everhart, Clerk III, effective January 1, 2005, due to merit increase

request of Elections Administrator to increase the salary of Rhonda Vaught, Clerk III, effective January 1, 2005, due to merit increase

request of Elections Administrator to increase the salary of Mary J. Voss, Supervisor, effective January 1, 2005, due to merit

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increase

request of Elections Administrator to increase the salary of Mary Zwall, System Administrator, effective January 1, 2005, due to merit increase

request of Environmental Health to place Dawn B. Dorsey, Registered Sanitarian I, on payroll, effective January 3, 2005

request of Extension Services to increase the salary of Joshua Tierney, 4-H Program Assistant, effective January 3, 2005

request of Justice of the Peace, Pct. #3 to place Teri S. Constable, Court Clerk II, on payroll, (replacement for Emma Iracheta), effective January 3, 2005

request of Justice of the Peace, Pct. #4 to accept the resignation of Kacey Braddick, Court Clerk II, effective December 20, 2004, with 46.84 vacation hours due

request of Juvenile Probation to discharge Derek Huddleston, Officer, Juvenile Detention, effective December 28, 2004

request of Juvenile Probation to accept the resignation of Justin Meeks, Officer, Juvenile Detention, effective January 16, 2005

request of Juvenile Probation to transfer Heather Sutton from Officer, Community Service, to Juvenile Probation Officer-Field, with an increase in salary, effective January 3, 2005

request of Juvenile Probation to discharge TaMedria Taylor, Officer, Juvenile Detention, effective December 28, 2004

request of Juvenile Probation to promote Norman White, Shift Supervisor, Detention JPO, (replacement for Dewitt Basden), effective January 12, 2005

request of Juvenile Probation to place Melissa Williams, Officer, Juvenile Detention, on family leave of absence, effective January 2, 2005

request of Library Director to place Donna Schardein, Reference Librarian, on payroll, (replacement for Karen Walker), effective January 3, 2005

request of Sheriff's Department to transfer Kenneth Ariola from Captain to Jail Captain, (replacement for Robert Green), effective January 1, 2005

request of Sheriff's Department to demote Jimmy Armatys from Lieutenant to Sergeant (Dist. IV Patrol), (replacement for Larry Melton), effective January 1, 2005

request of Sheriff's Department to transfer William A. Bucks from Sergeant (Detectives), to Sergeant (District III Patrol), (replacement for DeWayne Finley), effective January 1, 2005

request of Sheriff's Department to promote Philip Cash from Detective to Lieutenant (SIU), (replacement for Jimmy Armatys), effective January 1, 2005

request of Sheriff's Department to promote Jeffrey Chadney, Detective, (replacement for Carey Mace), effective January

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1, 2005

request of Sheriff's Department to promote Darrell Conn from Sergeant/Auto to Lieutenant, (replacement for Bruce Zenor), effective January 1, 2005

request of Sheriff's Department to promote Robert Creel from Detective to Sergeant (DIU), (replacement for Kenneth Culbreath), effective January 1, 2005

request of Sheriff's Department to transfer Kenneth Culbreath from Sergeant (DIU), to Sergeant (Detective), (replacement for Joseph Sclider), effective January 1, 2005

request of Sheriff's Department to transfer David Dottel from Sergeant (District II Patrol), to Sergeant (Town Center), (replacement for Andrew Eason), effective January 1, 2005

request of Sheriff's Department to promote Andrew Eason from Sergeant to Lieutenant, (Town Center), effective January 1, 2005

request of Sheriff's Department to demote Cornelius Fain from Supervisor to Dispatcher, (replacement for Denise Jimenez), effective January 1, 2005

request of Sheriff's Department to transfer DeWayne Finley from Sergeant (District III Patrol), to Sergeant (District II Patrol), (replacement for David Dottei), effective January 1, 2005

request of Sheriff's Department to transfer James Fleming from Lieutenant (Academy to Lieutenant (District III Patrol), (replacement for David Park), effective January 1, 2005

request of Sheriff's Department to place Glen L. Fluellen, II, Captain, on payroll effective January 3, 2005

request of Sheriff's Department to promote Peggy Frankhouser from Lieutenant to Captain, (replacement for Sam Lynch), effective January 1, 2005

request to place Thomas W. Gage, as Sheriff, (replacement for Guy L. Williams), effective January 1, 2005

request of Sheriff's Department to promote Damon Hall from Investigator/Crime Scene to Lieutenant/Crime Lab, (replacement for Peggy Frankhouser), effective January 1, 2005

request of Sheriff's Department to transfer Leldon Hamilton from Lieutenant (Detention), to Lieutenant (Academy), (replacement for James Fleming), effective January 1, 2005

request of Sheriff's Department to transfer Kenneth Hayden from Deputy Constable, to Deputy Patrol, District III, effective January 1, 2005

request of Sheriff's Department to transfer Rand Henderson from Lieutenant (Administration), to Lieutenant, District I Patrol, (replacement for Thomas Ray), effective January 12, 2005

request of Sheriff's Department to promote Denise Jimenez from Dispatcher to Supervisor, (replacement for Cornelius Fain), effective January 1, 2005

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- request of Sheriff's Department to promote Carey L. Mace from Detective to Sergeant, (replacement for William Bucks), effective January 1, 2005
- request of Sheriff's Department to place William R. McDaniel, Chief Deputy, on payroll, effective January 3, 2005
- request of Sheriff's Department to transfer Madonna Miller, Clerk II, effective January 1, 2005
- request of Sheriff's Department to demote Charles Morton from Sergeant (Recruiting), to Detective, (replacement for Bob Creel), effective January 1, 2005
- request of Sheriff's Department to transfer Daniel Norris from Lieutenant, Detective to Lieutenant Administration, (replacement for Rand Henderson), effective January 1, 2005
- request of Sheriff's Department to transfer David Park from Lieutenant (District III Patrol), to Lieutenant (Staff Services), effective January 1, 2005
- request of Sheriff's Department to promote Deanne Riley from Clerk III to Administrative Assistant II, (replacement for Patricia Rutledge), effective January 1, 2005
- request of Sheriff's Department to place William Brandon Rogers, Deputy Patrol, on payroll, effective January 3, 2005
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- request of Sheriff's Department to promote Joseph Sclider from Sergeant, Detectives to Lieutenant, Detectives, (replacement for Dan Norris), effective January 1, 2005
- request of Sheriff's Department to transfer Allison Simmons from Deputy to Deputy, Patrol, (replacement for Jeffrey Chadney), effective January 1, 2005
- request of Sheriff's Department to promote Jimmy Louis Simmons from Detective to Sergeant, (replacement for Darrell Conn), effective January 1, 2005
- request of Sheriff's Department to promote Bruce Zenor from Lieutenant to Captain, (replacement for Ken Ariola), effective January 1, 2005
- request of Sheriff's Department to place Cole Zenor, Temporary Data Clerk, on payroll, effective December 20, 2004
- request of Sheriff's Department to demote Robert Green from Captain to Lieutenant, (replacement for Leldon Hamilton), effective January 1, 2005
- request of Sheriff's Department to correct the resignation of David Jordan, Medic, effective December 27, 2004
- request of Sheriff's Department to accept the resignation of Dusty Loge, Detention Officer, effective December 29, 2004
- request of Sheriff's Department to transfer Thomas Ray from Lieutenant, District I Patrol), to Lieutenant, (Detention), (replacement for Janet Young), effective January 1, 2005

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request of Sheriff's Department to accept the retirement of Charles K. Strang, Deputy, Detention, effective January 31, 2005, with 207.16 vacation hours due, 35.62 compensatory time due and 36 holiday hours due

request of Justice of the Peace, Pct. #5 to place Jennifer Bailey, Court Clerk I, (replacement for Lillian Morrison), on payroll, effective January 3, 2005

request of County Clerk to accept the resignation of Victoria Opal Emerson, Clerk II, Indexing Clerk, effective January 6, 2005, with 8.24 vacation hours due

request of Elections Central to promote Sandra Hawkins from Temporary Voter Registration Clerk, to Election Manager, (replacement for Linda Henry), effective January 10, 2005

request of Elections Central to promote Linda Henry from Election Manager to Administrative Assistant II, (replacement for Pam Taras), effective January 1, 2005

request of Library Director to place Lee Ann Hickman, Shelving Clerk, on payroll, effective January 10, 2005

request of Constable, Pct. #5 to increase the salary of Christopher Jones, Sergeant, effective January 1, 2005

request of Constable, Pct. #5 to increase the salary of Matthew Masden, Chief Deputy, effective January 1, 2005

request of Constable, Pct. #5 to promote and accept transfer of Lillian Morrison from JP, Pct. #5, Court Clerk I to Clerk III, for Constable, Pct. #5, (replacement for Deanne Riley), effective January 3, 2005

as per Payroll Change Requests on file. Motion carried.

37.COURT ADJOURNS

Motion by Commissioner Meador, seconded by Commissioner Doyal, to adjourn this Session of Commissioners' Court. Motion carried.

The above and foregoing Commissioners' Court Minutes were read and approved by the Court.

ATTEST:

Mark Turnbull, County Clerk
and Ex-Officio Clerk
Commissioners' Court
Montgomery County, Texas

BY: _____
County Clerk

County Judge