

COMMISSIONERS' COURT DOCKET, JANUARY 12, 2004  
REGULAR SESSION

THE STATE OF TEXAS  
COUNTY OF MONTGOMERY

Be it remembered that on this the 12th day of January, 2004, 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 -THE LORD'S PRAYER WAS RECITED BY EVERYONE PRESENT

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.

AGENDA ITEM 6A - EMPLOYEE OF THE MONTH, FOR JANUARY 2004 - EMPLOYEES' COMMITTEE

LEWIS CLEMENTS was nominated as Employee of the Month for January, 2004. The nominated letter was read by Linda Salazar, Switchboard Operator, and Lewis was presented with a plaque and a gift certificate.

2.RESOLUTION APPROVED - OAK RIDGE BAPTIST CHURCH

Motion by Judge Sadler, seconded by Commissioner Chance, to approve a Resolution to recognize Dr. Gordon Sudduth for his service as Pastor of Oak Ridge Baptist Church, as per Resolution of Appreciation on file. Motion carried.

3.RESOLUTION APPROVED - JANIE SIEGLITZ KOBES - LIBRARY DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve a Resolution of Appreciation for Janie Sieglitz Kobes for her support of the library system and her dedication to the community, as per Resolution on file. Motion carried.

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

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve Commissioners' Court Minutes for December 22, 2003, as presented by the County Clerk. Motion carried.

AGENDA ITEM 7B - DEPUTATION OF TAMMY PIERCE FOR DEPUTY COUNTY CLERK - REMOVED FROM AGENDA

5.CONSENT AGENDA APPROVED - AGENDA ITEMS 8A THROUGH 8G

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

COUNTY AUDITOR - AGENDA ITEMS 8A

a.ACCOUNTS approved, as presented by the County Auditor.

b.BUDGET AMENDMENTS approved, for FY2003, as follows:

- 1.Commissioner, Pct. #3 - to recognize/allocate reimbursement from Mindy Soptick-Cruse
- 2.Commissioner, Pct. #3 - to recognize/allocate reimbursement from Rodney Woodson
- 3.Commissioner, Pct. #3 - to recognize/allocate reimbursement for loss 8/7/03
- 4.Non-Departmental - to transfer funds to cover shortage

BUDGET AMENDMENTS FOR FY2004:

- 1.Budget Officer - to establish departmental budget, as approved by Commissioners' Court on 12/22/03, Motion #17
- 2.CDBG - to adjust line items
- 3.Child Welfare - to carryover unallocated reimbursement from state, as approved in budget hearings
- 4.Commissioner, Pct. #3 - to recognize/allocate reimbursement from Four Seasons Development
- 5.Commissioner, Pct. #3 - to recognize/allocate reimbursement from City of Shenandoah
- 6.Commissioner, Pct. #3 - to recognize/allocate reimbursement from Louis Deliganis, Jr.
- 7.Commissioner, Pct. #3 - to adjust line items
- 8.Commissioner, Pct. #4 - to recognize/allocate reimbursement from City of Roman Forest
- 9.Constable, Pct. #1 - to transfer funds to build a work station
- 10.County Court at Law #2 - to adjust line items
- 11.County Court at Law #4 - to adjust line items
- 12.District Attorney - to recognize/allocate juror donation
- 13.Environmental Health - to recognize/allocate fees
- 14.Justice of the Peace, Pct. #1 - to adjust line items
- 15.Juvenile Probation - to recognize/allocate donation from State Bar of Texas
- 16.Risk Management - to transfer funds to build two (2) desks & table
- 17.Sheriff - to adjust line items
- 18.Sheriff - to adjust line items
- 19.Tax Assessor/Collector - to transfer funds to cover release #270430
- 20.Various - to carryover FY03 encumbrances

as per Budget Amendments on file.

COUNTY TREASURER - AGENDA ITEMS 8B

a.WEEKLY INVESTMENT REPORT approved, for the week of December 22, through December 26, 2003, as per Report on file.

b.WEEKLY INVESTMENT REPORT approved, for the week of December 29, through January 2, 2004, as per Report on file.

c.WEEKLY INVESTMENT REPORT approved, for the week of January 5, through January 9, 2004, as per Report on file.

d.FINANCIAL REPORT approved, for the month of October, 2003, as per Report on file.

e. FINANCIAL REPORT approved, for the month of November, 2003, as per Report on file.

f. ANNUAL FINANCIAL REPORT approved, for year October, 2002, through September 2003, as per Report on file.

g. PLEDGE OF COLLATERAL REPORT approved, for the month of December, 2003, as per Report on file.

h. PLEDGES and/or RELEASES OF SECURITIES approved, as follows:

1. Pledge of Collateral - JPMorgan Chase Bank, Cusip #912828AA8 - par value \$20,000,000.00
2. Pledge of Collateral - JPMorgan Chase Bank, Cusip #912828AA8 - par value \$5,000,000.00
3. Pledge of Collateral - Woodforest National Bank, Cusip #3133MVHK2 - par value \$5,000,000.00 (to be released January 12, 2004 and replaced with other collateral, if necessary)
4. Pledge of Collateral - Woodforest National Bank, Cusip #31359MJX2 - par value \$5,000,000.00 (to be released January 12, 2004 and will be replaced with other collateral, if necessary)

as per Report on file.

TAX ASSESSOR/COLLECTOR - AGENDA ITEMS 8C

a. REQUEST approved, to declare four (4) personal property accounts uncollectible, and to authorize their removal from the Tax Roll, as follows:

1. Pay Less Manufactured Housing \$ 249.82
2. B & R Jewelry \$ 283.90
3. Canusamex, Inc. \$1,320.49
4. Texas Bark, Inc. \$8,604.70

as per Request on file.

b. TAX ABATEMENT APPLICATION acknowledged, from C T Industries, Inc., and to authorize the County Attorney, Commissioner, Pct. #2, and the Tax Assessor/Collector to draft an Agreement in compliance with County Policy. (no paperwork)

c. ORDER approved, to void a tax "re-sale" on property that was double assessed in error in 1982. Also, to refund the Purchaser, Ezequiel Tamarit \$4,201.00, which was the purchase price, and to authorize the signing of an Order to void the Special Warranty Deed to Ezequiel Tamarit, recorded October 29, 2003, File #453-10-1899, as per Order on file.

PURCHASING DEPARTMENT - AGENDA ITEMS 8D

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

1. Sale of 24" Gerber Fast Track 650 - Pct. #3
2. Morgue Transport Services - Various Justice of the Peace
3. Audio, visual materials, film/fiche and compact disc's -

## Genealogy/Library Department

4. Pressure Washer Service - Various Departments
  5. Labor to repair glass - Various Departments
  6. Diamond Grade Street Blade Sign Blanks - Various Precincts
- b. Also, to acknowledge receipt of the following bids/proposals, which were opened by the Purchasing Department:
1. Labor for master plumber services - Various Departments - Project #2004-0018 (opened 12-23-03)
  2. Labor for master concrete finisher/laborer services - Various Departments - Project #2004-0017 (opened 12-24-03)
  3. One (1) or more new 2003/2004 vehicle(s) - Various Departments - Project #2004-0015 (opened 1-6-04)
  4. RFQ Professional Services Contract - Pct. #2 & #3 - Project #2004-0025 (opened 1-8-04)
- c. ALSO, to approve the following Contract Renewals:
1. Boise Cascade - PO#2001-160 - for office, computer, and paper supplies - Various Departments - month to month basis
  2. AT&T - PO#2003-241 - for long distance service for a ISDN line for crime lab at the Sheriff's Department - CIS
  3. Southwestern Bell Telephone - PO#2003-235 - for T-1, data high cap circuits services from main courthouse to county annexes - CIS
  4. TXU Communications Telephone - PO#2003-236 - for T-1, data high cap circuits from main courthouse to county annexes/recurring charges - CIS
  5. TXU Communications Telephone - PO#2003-237 - for internet service - CIS
  6. Verizon - PO#2003-233 - for recurring charges such as but not limited to: T-1's, 56K, OPS, straight lines, data service for Pct. #1 - CIS
  7. Verizon - PO#2003-234 - for T-1's for Pct. #2 - CIS
  8. TXU Communications - PO#2003-238 - for fiber for east county from Conroe to Grangerland - CIS
  9. Hellard Services - PO#2002-303 - for mowing right-of-ways - Pct. #1
    10. Frazier Lawn Service - PO#2002-280 - for mowing right-of-ways - Pct. #1
    11. Milford Huskey - PO#2002-333 - for mowing right-of-ways - Pct. #2
    12. Portable Computer Systems, Inc. - PO#2003-137 for laptop pc/toughbooks and accessories - Various Departments - note various changes to present Contract -
    13. O'Reilly Auto Parts/Hilo-O'Reilly Store #8 - PO#2003-254 - for batteries, picked up, delivered and on consignment - Various Departments
    14. O'Reilly Auto Parts/Hilo-O'Reilly Store #38 - PO#2003-255 - for batteries, picked up, delivered and on consignment - Various Departments
    15. O'Reilly Auto Parts/Hilo-O'Reilly Store #39 - PO#2003-256 - for batteries, picked up, delivered and on consignment - Various Departments
    16. O'Reilly Auto Parts/Hilo-O'Reilly Store #506 - PO#2003-257 - for batteries, picked up, delivered and on consignment - Various Departments
    17. Walter Y. Quijano, PHD, PC - PO#2003-244 - for five (5) phase treatment program - Drug Court
    18. Peggy Heath dba Mental Health - PO#2003-245 - for five (5) phase treatment program - Drug Court

- 19. Raymond Jacob Martinez dba Circle M Lawn Service - PO#2003-412 - for lawn maintenance services - Pct. #4
- 20. Frazier Lawn Service - PO#2003-275 - for lawn maintenance services - Lone Star Convention and Expo Centers
- 21. Hellard Services - PO#2003-276 - for lawn maintenance services - Building Maintenance
- 22. Hellard Services - PO#2003-277 - for lawn maintenance services - Pct. #3
- 23. Hellard Services - PO#2003-278 - for lawn maintenance services - Airport
- 24. Recovery Technologies Group - PO#2003169 and #2003169X - for transporting, processing and recycling used tires - Various Departments - note price changes to Contract

as per Request on file.

- d. CHANGE ORDER #1 approved, PO#2004-022 - to Smith and Company to add "furnish and install Petromat Fabric at \$1.35 per sq. yard" to contract for hot mix asphaltic concrete for various precincts, as per Change Order on file.
- e. CHANGE ORDER #1 approved, PO#2004-126 - to Net View Technologies, Inc., to add various computer parts to present contract for new computer equipment and peripherals, as per Change Order on file.
- f. CHANGE ORDER #3 approved, PO#2003-060 - to Portable Computer Systems, Inc., for laptop PC/Toughbooks and Accessories, as per Change Order on file.
- g. CHANGE ORDER #3 approved, PO#2003-336 to Dell Marketing LP for laptop pc/toughbook and accessories, as per Change Order on file.
- h. CHANGE ORDER #1 approved, PO#2004-108, to Tarpon Technology, Inc., for new personal computers and accessories, as per Change Order on file.
- i. CHANGE ORDER #3 approved, PO#2002-257, to Graybar Electric Co., for cable, cable parts and related supplies for CIS, as per Change Order on file.
- j. CHANGE ORDER #1 approved, PO#2004-023, PO#2004-029, PO#2004-030, PO#2004-031 and PO#2004-032, to Pavers Supply for cement stabilized base, as per Change Orders on file. (delete prime and alternate awards)
- k. CHANGE ORDER #1 approved, PO#2004-024, PO#20204-025, PO#2004-026, PO#2004-027, PO#2004-028, to Southern Crushed Concrete, Inc., for cement stabilized base - Various Precincts, as per Change Orders on file. (delete prime and alternate awards)
- l. REQUEST approved, from Pct. #4 and C.I.S. to declare various street signs, street sign poles and various computer equipment as salvage, as per Request on file.
- m. PAYMENT AND PERFORMANCE BONDS approved, from Statewide Traffic Signal Company, in the amount of \$106,536.75 each, for construction of traffic signalization and pavement modifications on Research Forest Dr. and Shadowbend Place, Pct. #3, as per Bonds on file.

COMMISSIONER, PRECINCT #1 - AGENDA ITEMS 8E

- a. FINAL PLAT approved, for Bentwater, Section 15A, consisting of 0.143 Acres, as per Plat on file.
- b. FINAL PLAT approved, for the Cliffs at South Shore, Section 2, consisting of 1,069 acres, 1 lot, as per Plat on file.
- c. PUBLIC HEARING DATE SET, for February 9, 2004, to consider changing the name of Bethel Road to Martin Luther King, as per Notice on file.

COMMISSIONER, PRECINCT #3 - AGENDA ITEMS 8E2

- a. FINANCIAL STATEMENT approved, for Montgomery County Emergency Services District #14, for the year ended September 30, 2002, as per Report on file.
- b. FINAL PLAT approved, for Legends Run Subdivision, Section 2, consisting of 24.24 acres, 119 lots, as per Plat on file.
- c. ORDER approved, to declare the existence of a public necessity. Also, to authorize the institution of condemnation proceedings for acquisition of Parcel 1, Richards Road improvement, as per Order on file.
- d. ORDER approved, to declare the existence of a public necessity. Also, to authorize the institution of condemnation proceedings for acquisition of Parcel 2, Richards Road improvement, as per Order on file.
- e. ORDER approved, to accept a Warranty Deed for right-of-way for the expansion of Hanna Road. Also, to authorize the County Judge to execute same for the acceptance of the Warranty Deed, as per Order on file.
- f. ORDER approved, for the reset and add a culvert at 24 Mayfair Grove Ct., in accordance with the Interlocal Agreement dated May 10, 1993, between Montgomery County and Woodlands Joint Powers Agency (WJPA), as per Order on file.

COMMISSIONER, PRECINCT #4 - AGENDA ITEMS 8E3

- a. CHECK acknowledged, from the City of Patton Village for the reimbursement of road material used for the Peach Creek Colony project, in the amount of \$100.00. (no check received by County Clerk)
- b. FINAL PLAT approved, for Kings Manor, Section 15, consisting of 14.733 acres, 65 lots, as per Plat on file.

ALL PRECINCTS - AGENDA ITEMS 8E4

- a. OVERLOAD/OVERSIZE PERMITS approved, as follows:
  - 1. Campbell Concrete & Materials, L.P. - to move various loads over all county roads beginning January 1, 2004, and to be completed by March 31, 2004, as per Permit on file.
  - 2. Park Construction Associates, LLP - to move various loads over all county roads beginning January 13, 2004, and

to be completed by April 11, 2004, as per Permit on file.

PARKS DEPARTMENT - AGENDA ITEM 8F

a. USE AGREEMENT approved, the following Agreements for the use of facilities at Sallas Park, Pct. #4:

1. Susan Blackmon for use of the Arena/Pavilion on December 13, 2003, as per Agreement on file.
2. Dee Anna Franklin for use of Pavilion on December 5, 2003, for a Christmas Part for Porter First Assembly of God Church
3. L & K Team Penning for use of the Pavilion and Arena on December 3, 10, 17, and 31, as per Agreement on file.

RISK MANAGEMENT - AGENDA ITEM 8G

a. CLAIM SETTLEMENT acknowledged, for Scott W. Smith, in the amount of \$546.17, for property damages incurred on 12/11/03, Pct. #4, as per Request on file.

Motion carried.

END OF CONSENT AGENDA

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AGENDA ITEM 20 CITIZENS - EAST COUNTY PROPOSED DUMPSITE

Several citizens addressed Commissioners' Court this session to voice their opinion of the construction and demolition landfill in East Montgomery County. The location of said landfill was voted on by Commissioners' Court December 2, 2002, and the people in East Montgomery County does not want another landfill in their area which will be used by six counties dumping their waste materials.

After the Court allowed all the citizens to speak, it was decided the Court will rescind their December 2, 2002 Motion supporting the location of said landfill. the Court is to take action at their January 26, 2004 Court Session.

6. RENEWAL APPROVED - MEMBERSHIP DUES - COUNTY JUDGE

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the renewal of the 2004 Membership Dues to the Texas Association of Counties, as per Renewal Notice on file.  
Motion carried.

7. APPOINTMENT APPROVED - LIBRARY BOARD - COUNTY JUDGE

Motion by Commissioner Chance, seconded by Commissioner Doyal, to appoint David Kleimann to serve in an at-large vacancy on the Library Board. Motion carried. (no paperwork)

8. REQUEST APPROVED - QUARTERLY REIMBURSEMENT - CIVIL DEFENSE

Motion by Commissioner Doyal, seconded by Commissioner Meador, to

authorize quarterly billing reimbursement for 4061 budget.  
Motion carried. (no paperwork)

9.GRANT AWARD ACKNOWLEDGED - CERT GRANT - CIVIL DEFENSE

Motion by Judge Sadler, seconded by Commissioner Meador, to acknowledge \$25,000.00 CERT Grant Award, and take appropriate action in that regard. Motion carried. (no paperwork)

10.COUNCIL ACKNOWLEDGED - CITIZENS CORPS COUNCIL - CIVIL DEFENSE

Motion by Commissioner Meador, seconded by Commissioner Doyal, to acknowledge the creation of a Montgomery Citizens Corps Council by Montgomery County Judge as County Emergency Management Director. Motion carried. (no paperwork)

11.NAMES DRAWN - CITIZENS FOR 2004 SALARY GRIEVANCE COMMITTEE

Motion by Commissioner Meador, seconded by Commissioner Chance, to authorize the drawing of three (3) citizens from the 2003 Grand Jurors' List, to serve on the 2004 Salary Grievance Committee for Elected Officials. Said Committee will consist of 6 elected officials and 3 citizens. Motion carried.

12.COMMITTEE ACKNOWLEDGED - CITIZENS FOR 2004 SALARY GRIEVANCE COMMITTEE

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to acknowledge the following Citizens as Primary and/or Alternate Members to serve on the 2004 Salary Grievance Committee for Elected Officials:

- a.Allen Sullivan
- b. James Lowery
- c.Julie Pickle
- d.Richard F. Walker
- e.Linda Hagerman
- f.Steven Englehardt

as per Names on file. Motion carried.

13.VARIANCE APPROVED - AEROBIC SEPTIC SYSTEM INSTALLATION - ENVIRONMENTAL HEALTH

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve the installation of an aerobic septic system in the flood plain to replace a malfunctioning conventional septic system for Shannon Gaskamp, Splendora, Texas, as per Variance on file. Motion carried.

14.REQUEST DENIED - TRANSFER POSITIONS AND FUNDS - ELECTIONS CENTRAL

Motion by Judge Sadler, seconded by Commissioner Meador, to deny the request from the Elections Administrator to transfer funds due to department's reorganization and transfer of duties until 90-days. Motion carried.

15.REQUEST APPROVED - PURCHASE OF LAPTOP COMPUTER - COUNTY COURT AT LAW III

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Request from the County Court at Law III Judge, to purchase a laptop computer for his Court Reporter in the amount of \$1,707.00. Funding to be taken from Court

Reporters Service Fund, as per Request on file. Motion carried.

16.REPORT ACCEPTED - ARBITRAGE REBATE ANALYSIS - COUNTY AUDITOR

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to accept the report of Arbitrage Rebate Analysis from Bond Logistix, LLC, as per Report on file. Motion carried.

17.RECOMMENDATIONS AND CONTRACTS DEFERRED - VARIOUS DEPARTMENTS

BIDS REJECTED - REFLECTIVE ROLL-UP SIGNS, ETC. - VARIOUS DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to defer Items 1,2,3,4,7,8 & 9, recommendations and contracts for various projects. Also, to reject bids received for reflective roll-up signs, street blade sign blanks and related supplies, Project #2004-0016. Motion carried.

18.RECOMMENDATION AND CONTRACT APPROVED - LABOR FOR MASTER PLUMBER SERVICES - VARIOUS DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Chance, to award the bid, (opened December 23, 2003), for labor for master plumber services to Gowan, Inc., as per Contract on file. Motion carried.

19.FUNDING APPROVED - SONITROL/SECURITY SYSTEM - PURCHASING DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the funding in the amount of \$1,144.80 to Sonitrol for yearly maintenance on Courthouse and Annex Security System, as per Request on file. Motion carried.

20.CHANGE ORDER #1 APPROVED - SIGNAL INSTALLATION AND IMPROVEMENTS - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve Change Order #1, PO#2003420, to Statewide Traffic Signal Co., for traffic signal installation and improvements on Research Forest Dr. at Six Pines Dr., Holly Hill Dr. and Pinecroft Dr., as per Change Order on file. Motion carried.

21.PURCHASE APPROVED - VARIOUS DATA/TELEPHONE SUPPLIES - PURCHASING DEPARTMENT

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the purchase of various data/telephone supplies for the new county annex, in the amount of \$20,070.89, as per Request on file. Motion carried.

AGENDA ITEM 15A - LETTER AGREEMENT BETWEEN MONTGOMERY COUNTY AND JUSTICE COMMISSIONER, INC., FOR OBTAINING A JOHNSON FOUNDATION GRANT - DEFERRED.

22.SUB-RECIPIENT AGREEMENT APPROVED - FAMILY PROTECTION FEE - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Sub-Recipient Agreement with the Women's

Center for the distribution of funds collected as the Family Protection Fee, (approved 11-10-03), as per Agreement on file. Motion carried.

23.CONTRACT AGREEMENTS APPROVED - VARIOUS DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the following Contract Agreements:

- a.Agreement between Montgomery County and Montgomery County Department of Community Supervision and Corrections, (CSR), for work assignments for Community Service Restitution participants,Pct. #1, as per Agreement on file.
- b.Agreement between Montgomery County and Montgomery County Department of Community Supervision and Corrections, (CSR), for work assignments for Community Service Restitution participants for Montgomery County Library System, as per Agreement on file.
- c.Agreement between Montgomery County and Montgomery County Department of Community Supervision and Corrections, (CSR), for work assignments for Community Service Restitution participants for Montgomery County Library System, as per Agreement on file.
- d.Agreement between Montgomery County and Montgomery County Department of Community Supervision and Corrections, (CSR), for work assignments for Community Service Restitution participants for the Ninth (9th) Judicial District Court, as per Agreement on file.
- e.Agreement between Montgomery County and Montgomery County Department of Community Supervision and Corrections, (CSR), for work assignments for Community Service Restitution participants for the Lone Star Executive Airport, as per Agreement on file.
- f.Agreement between Montgomery County and Montgomery County Department of Community Supervision and Corrections, (CSR), for work assignments for Community Service Restitution participants for the office of Custodial Services, as per Agreement on file.

AGENDA ITEM 8G - PERSONAL SERVICES AGREEMENT BETWEEN MONTGOMERY COUNTY AND CHARLES L. BURKS, FOR ASSISTANCE TO EMERGENCY MANAGEMENT COORDINATOR - DEFERRED

24.AMENDMENT APPROVED - INTERLOCAL AGREEMENT - NEW CANEY INDEPENDENT SCHOOL DISTRICT - COUNTY ATTORNEY

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve the Amendment to the Interlocal Agreement by and between Montgomery County and New Caney Independent School District, dated October 24, 1989, as per Amendment on file. Motion carried.

25.RE-APPOINTMENT APPROVED - EMERGENCY SERVICE DISTRICT #1 BOARD - PRECINCT #1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the following Re-appointments:

Steve Weisinger  
Tom Rozier  
Larry Rutledge  
Beatrice Estep  
Steve Bauerle

as per Request on file. Motion carried.

26.RE-APPOINTMENT APPROVED - EMERGENCY SERVICE DISTRICT #2 BOARD  
- PRECINCT #1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the following Re-appointments:

Henry Burton  
Ted Granhold  
Noveda Metzger  
Don Timmerman  
David Frances

as per Request on file. Motion carried.

27.RE-APPOINTMENT APPROVED - EMERGENCY SERVICE DISTRICT #6 BOARD  
- PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve the Re-appointment for the following Board of Directors to Montgomery County Emergency Service District #6:

Max Neely  
Ben Libby  
Therlyn Cook

as per Request on file. Motion carried.

28.APPOINTMENT APPROVED - EMERGENCY SERVICE DISTRICT NO. 7 -  
PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Doyal, to approve the appointment of Jim Keith to the Board of Directors to Montgomery County Emergency Service District No. 7 for a two year term. Mr. Keith will replace Charlie Flowers, as per Request on file. Motion carried.

29.APPOINTMENT AND RE-APPOINTMENT APPROVED - EMERGENCY SERVICE DISTRICT #5 - PRECINCTS 2 AND 4

Motion by Commissioner Doyal, seconded by Commissioner Rinehart, to appoint Charlie Hair and to Re-appoint Homer Wilson and Ellie Hoover to serve on the Montgomery County Emergency Service District Board #5. Motion carried.

EXECUTIVE SESSION

The Court recessed into Executive Session in the County Judge's Chambers to discuss matters Pursuant to one or more of the following Provisions of the Texas Government Code, to-wit: Chapter 551, Sub-Chapter D; Articles 551.071, 551.072,

551.073, 551.074, 551.075, 551.076, 551.084 and 551.087

1. Consider and Discuss Claim of Jesus Quintero Ponce (Section 551.071)
2. Consider and Discuss retaining the services of Mike James, Jr., PHD, P.E., as an expert witness in Claim of Russell Scott vs. Montgomery County, et al (Section 551.071)
3. Consider and Discuss retaining the services of Mike James, Jr., PHD, P.E., as an expert witness in Purselley vs. Montgomery County, et al (Section 551.071)

COURT RECONVENED, WITH ALL MEMBERS OF THE COURT PRESENT.

30. REQUEST APPROVED - EXPERT WITNESS SERVICES - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Request to retain the services of Mike James, Jr., Ph.D., P.E., as an expert witness for the following Claims:

- a. Russell Scott vs. Montgomery County, et al
- b. Mike James, Jr., Ph.D., P.E.

as per Request on file. Motion carried.

AGENDA ITEM 20 - CITIZENS - CORA LEE HILL, a resident of Precinct #4, addressed the Court concerning a recent mishaps at her residence.

31. PAYROLL CHANGE REQUESTS APPROVED - HUMAN RESOURCES

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

request of Animal Control to discharge Matthew Dobyms, Animal Control Officer, effective January 6, 2004, with 27.625 comp hours due

request of County Judge to transfer Julane Tolbert from Fiduciary Compliance Supervisor to Budget Officer, effective January 3, 2004

request of County Judge to transfer Stephen Riley from Fixed Asset Auditor to Budget Analyst, effective January 3, 2004

request of Commissioner, Pct. #3 to increase the salary of Rigoverto Figueroa, Driver/Helper, effective January 17, 2004, due to probation period completed

request of Commissioner, Pct. #1 to remove Jessie Schneider, Truck Driver, from payroll, effective December 11, 2003 (deceased)

request of Commissioner, Pct. #4 to promote Larry Beard from Operator II to Operator III, (replacement for Donald Hammock), effective January 17, 2004

request of Commissioner, Pct. #4 to change Jana Lea Title from Administrative Assistant to Office Manager, effective December 22, 2003, due to restructuring of office

request of Commissioner, Pct. #4 to change the Title of Kathleen Parr from Office Manager to Executive Secretary, effective December 22, 2003, due to restructuring of office

request of Commissioner, Pct. #4 to accept the resignation of

- Lonnie Smith, Operator I, effective January 16, 2004, with 42.60 vacation hours due, and 20.25 comp hours due
- request of Commissioner, Pct. #4 to change the title of Tracey Stilley from Inspector to Administrative assistant, effective December 22, 2003, due to restructuring of office
- request of Custodial Services to place Karla Melendez Custodian, on leave of absence effective January 2, 2004, through January 14, 2004
- request of Custodial Services to place Dora Pacheco, Custodian on leave of absence effective January 12, 2004, through January 23, 2004
- request of County Attorney to place Chrissy Strozier, Clerk, on family/disability leave of absence, effective December 23, 2003
- request of Elections Administrator to promote Debora Everhart to Voters Registration Clerk/Technician, effective January 3, 2004
- request of Elections Administrator to increase the salary of Rhonda Vaught, Voters Registration Clerk/Technician, effective January 3, 2004, due to probation period completed
- request of Justice of the Peace, Pct. #4 to discharge Maria Castro, Court Clerk/Level 1, effective January 7, 2004, with 17.20 vacation hours due
- request of Juvenile Probation to place Richard Allen Matthews, Maintenance Mechanic, (replacement for J. R. Williams), effective January 5, 2004
- request of Sheriff's Department to increase the salary of Joey Ashton ID Investigator II, effective January 17, 2004, due to 1-year probation period completed
- request of Sheriff's Department to increase the salary of Brent Ballard, Dispatcher II, effective December 6, 2003, due to 1-year probation period completed
- request of Sheriff's Department to place Monica M. Flammer, Detention Officer I, (replacement for Lori Pyle), effective January 11, 2004
- request of Sheriff's Department to increase the salary of Christina Harper, Detention Officer II, effective January 17, 2004, due to 1-year probation completed
- request of Sheriff's Department to accept the resignation of Mary E. Haver, District II, Patrol Deputy, effective January 14, 2004, with 32.6800 vacation hours due, 48.7600 comp hours due and 7.75 holiday hours
- request of Sheriff's Department to increase the salary of Eric Hensley, Detention Officer II, effective December 6, 2003, due to 1-year probation completed
- request of Sheriff's Department to increase the salary of Elizabeth Middleton, CJR Specialist II, effective January 3, 2004, due to 1-year probation completed

request of Sheriff's Department to bridge the time of Michael Stephens, Detention Officer II, effective January 12, 2004

request of Sheriff's Department to place Charles Steptoe, District II, Patrol Deputy, (replacement for Mary Haver), effective January 17, 2004

request of Sheriff's Department to increase the salary of Jason Whittington, Detention Officer II, effective January 17, 2004, due to 1-year probation period completed

request of Sheriff's Department to increase the salary of Tammy Zavadil, Detention Officer II, effective December 6, 2003, due to 1-year probation period completed

request of Tax Assessor/Collector to increase the salary of Kimberly Danford, Deputy Specialist I, effective January 27, 2004, due to probation period completed

request of Tax Assessor/Collector to increase the salary of Jodelle Henderson, Deputy Specialist I, effective January 13, 2004, due to probation period completed

request of Tax Assessor/Collector to increase the salary of Vicki C. Willis, Deputy Specialist II, effective January 6, 2004

request of County Clerk to increase the salary of Maria Hill, Courtroom Clerk, effective January 3, 2004, due to probation period completed

request of County Clerk to increase the salary of Terrie Mericle, Utility Assistant, effective January 3, 2004, due to probation period completed

request of County Clerk to increase the salary of Tammy Pierce, Recording/Scan Clerk, effective January 3, 2004

request of County Clerk to increase the salary of Theresa Ruppert, Receptionist, effective January 3, 2004, due to probation period completed

request of County Clerk to increase the salary of Floresthela P. Sollie, Chief Clerk/Annex, effective January 3, 2004, due to probation period completed

request of Elections Administrator to place Barbara St.Amand, Temporary Voters Registration Clerk, effective January 17, 2004

request of Juvenile Probation Director to discharge Nathaniel Wilbert, Juvenile Detention Officer, effective January 9, 2004

as per Payroll Change Requests on file. Motion carried.

32.COURT ADJOURNS

Motion by Commissioner Meador, seconded by Commissioner Chance, 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