

COMMISSIONERS' COURT DOCKET, FEBRUARY 9, 2003  
REGULAR SESSION

THE STATE OF TEXAS  
COUNTY OF MONTGOMERY

Be it remembered that on this the 9th day of February, 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 GIVEN BY CRAIG DOYAL, COMMISSIONER, PCT. #2

PLEDGE OF ALLEGIANCE RECITED BY EVERYONE PRESENT

1. COMMISSIONERS' COURT AGENDA APPROVED

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

2. PROCLAMATION APPROVED - "IN HONOR OF JACKIE BARNES"

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve a Proclamation in honor of Jackie Barnes, as an Honorary Native of Montgomery County, The Birthplace of the Texas Flag, as per Proclamation on file. Motion carried.

AGENDA ITEM 6B - EMPLOYEES' COMMITTEE SELECTION OF EMPLOYEE OF THE MONTH - DEFERRED.

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

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve Commissioners' Court Minutes for January 26, 2004, as presented by the County Clerk. Motion carried.

4. CITIZENS ACKNOWLEDGED - SALARY GRIEVANCE COMMITTEE - COUNTY CLERK

Motion by Judge Sadler, seconded by Commissioner Chance, to acknowledge the following Citizens to serve on the 2004 Salary Grievance Committee for elected officials:

Richard F. Walker - The Woodlands, Tx. - Primary Member  
James Lowery - Pinehurst, Tx. - Primary Member  
Steven Englehardt - The Woodlands - Primary Member  
Linda Hagerman - The Woodlands - Alternate Member

as per List on file. Motion carried.

5. DEPUTATION APPROVED - TAMMY PIERCE - COUNTY CLERK

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve the Deputation for Tammy Pierce, Deputy County Clerk, as per Deputation on file. Motion carried.

## 6. CONSENT AGENDA APPROVED - AGENDA ITEMS 8A THROUGH 8F7

Motion by Commissioner Chance, 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, as presented by the County Auditor:
  1. 9th District Court - to adjust line items
  2. 284th District Court - to adjust line items
  3. Airport - to recognize and to allocate proceeds from RAMP grant
  4. Building Maintenance - to transfer funds to cover charges on release 272275
  5. Commissioner, Pct. #1 - (1 of 2) - to adjust line items
  6. Commissioner, Pct. #1 - (2 of 2) - to adjust line items
  7. Commissioner, Pct. #3 - (1 of 6) - to recognize and to allocate December 3, vending machine commission
  8. Commissioner, Pct. #3 (2 of 6) - to recognize and to allocate reimbursement from Grace Christian Fellowship Church
  9. Commissioner, Pct. #3 - (3 of 6) - to recognize and to allocate reimbursement from Don Scheidle
  10. Commissioner, Pct. #3 (4 of 6) - to adjust line items
  11. Commissioner, Pct. #3 (5 of 6) - to recognize and to allocate reimbursement from American National County Mutual Inc.
  12. Commissioner, Pct. #3 (6 of 6) - to recognize and to allocate reimbursement from Alton Geisendorff
  13. Commissioner, Pct. #4 (1 of 2) - to transfer funds for expenses related to new officer
  14. Commissioner, Pct. #4 (2 of 2) - to recognize and to allocate reimbursement from City of Patton Village
  15. Constable, Pct. #1 - to adjust line items
  16. Constable, Pct. #2 - to recognize and to allocate revenue
  17. Constable, Pct. #4 - (1 of 2) to allocate unused restricted funds for FY03
  18. Constable, Pct. #4 (2 of 2) - to adjust line items
  19. County Auditor - to recognize and to allocate inmate phone revenue
  20. County Judge - to transfer funds for burial expense
  21. Court Collections - to adjust line items
  22. District Attorney - to recognize and to allocate reimbursement from Texas comptroller of Public Accounts
  23. Extension Agents - to recognize and to allocate donation from Montgomery County Horticultural
  24. Juvenile Probation - to recognize and to allocate October, 2003, grant proceeds

as per Budget Amendments on file.

## COUNTY TREASURER - AGENDA ITEMS 8B

- a. WEEKLY INVESTMENT REPORT approved, for the week of January 26, through January 30, 2004, as per Report on file.
- b. WEEKLY INVESTMENT REPORT approved, for the week of February 2, through February 6, 2004, as per Report on file.
- c. PLEDGE OF SECURITIES approved, as follows:
  - 1. PLEDGE - Woodforest Bank, Cusip #3134A4UB8, par value \$3,000,000.00
  - 2. PLEDGE - Woodforest Bank, Cusip #3133X14N4, par value \$3,000,000.00

as per Report on file.
- d. REPORT approved, for Pledged Securities for January 1st through January 31, 2004, as per Report on file.

## TAX ASSESSOR/COLLECTOR - AGENDA ITEMS 8C

- a. REQUEST approved, to designate Ed Chance, Commissioner, Pct. #3, as the Voting Representative for Montgomery County for the Annual Meeting of the Woodlands Commercial Owners Association (WCOA), as per Request on file.

## PURCHASING DEPARTMENT - AGENDA ITEMS 8D

- a. AUTHORIZATION TO ADVERTISE FOR BIDS AND/OR PROPOSALS, as follows:
  - 1. Processing Digital Images - County Clerk
  - 2. Mowing right-of-ways - Pct. #1
  - 3. Drug and Alcohol Screening - Human Resources/Risk Management
  - 4. Radar Units - Various Departments
  - 5. Pagers/Paging Service - Various Departments
  - 6. Wireless Air Network Card/Service - Various Departments
  - 7. Automotive Filters - Various Departments
- b. BIDS/PROPOSALS acknowledged, which were opened by the Purchasing Department, as follows:
  - 1. Mechanical Compact Storage System - District Attorney - Project #2004-0024 (opened 1-27-04)
  - 2. Sale of Used Sign Production Vinyl Cutter -Pct. #3 - Project #2004-0026 (opened 1-29-04)
  - 3. Diamond Grade Street Blade Sign Blanks - Various Precincts - Project #2004-0029 (opened 1-29-04)
  - 4. Pressure Washing Service - Various Departments - Project #2004-0027 (opened 1-30-04)
- c. RENEWAL CONTRACTS approved, as follows:
  - 1. Demco, Inc. - PO#2002295 - for library specialty supplies - Library Department
  - 2. Brodart Co. - PO#2003166 - for library specialty supplies - Library (note changes)

3. Gaylord Brothers, Inc. - PO#2002297 - for library specialty supplies - Library Department
4. Communication Line - PO#2003287 - for telephone/data cabling - C.I.S.
5. Prime Materials & Supply - PO#2003212 - for emulsified recycling asphalt (dust control) - Various Precincts
6. Prime Materials & Supply - PO#2003213 - for emulsified recycling asphalt (dust control) - Pct. #1
7. Cleveland Asphalt Products, Inc. - PO#2003214 - for emulsified recycling asphalt (dust control) - Pct. #1
8. Prime Materials & Supply - PO#2003215 - for emulsified recycling asphalt (dust control) - Pct. #2
9. Bridges Asphalt Products, Inc. - PO#2002327 - for emulsified recycling asphalt (dust control) - Pct. #2
10. Prime Materials & Supply - PO#2003216 - for emulsified recycling asphalt (dust control) - Pct. #3
11. Bridges Asphalt Products, Inc. - PO#2002329 - for emulsified recycling asphalt (dust control) - Pct. #3
12. Cleveland Asphalt Products, Inc. - PO#2003217 - for emulsified recycling asphalt (dust control) - Pct. #4
13. Bridges Asphalt Products, Inc. - PO#2002331 - for emulsified recycling asphalt (dust control) - Pct. #4
14. Resource Protection Management LLC - PO#2002190 - for security officers - Courthouse and Annex Security System. (note changes)

as per Request on file.

- d. REQUEST approved, for the continuation of the following Sole Source:
  1. Westlaw/West Group for Law Books, Subscriptions - Various Departments

as per Request on file.

- e. CHANGE ORDER #2 approved, PO#2004108 - to Tarpon Technology, Inc., to add the following to the present contract for personal computers and accessories:

System I without monitor - \$465.00  
System II without monitor - \$594.00

as per Change Order on file.

- f. CHANGE ORDER #1 approved, PO#2004179 - to Graybar Electric Co. contract for data/telephone supplies for new county annex, as per Change Order on file.
- g. CHANGE ORDER #9 approved, PO#2002318 - to Vulcan, Inc., for changes to the traffic signs, posts and supplies contract, as per Change Order on file.
- h. CORRECTION approved, for the purchase of various data/telephone supplies from Graybar Electric which was previously approved in Commissioners' Court on January 26, 2004, as outlined in memo dated February 9, 2004, on file.

- i. CANCELLATION approved, of PO#2004186 to Gullo Ford Mercury of Conroe for one (1) 2004 Ford one ton crew cab truck in the amount of \$24,071.95, Pct. #1, as per Notice on file.
- i. CANCELLATION approved, of PO#2001160 to Boise Cascade for office, computer and paper supplies, effective February 29, 2004, as per Notice on file.
- j. ITEMS DECLARED SALVAGE approved, from Environmental Health to declare miscellaneous chairs as salvage, as per Request on file.
- k. CONTRACT approved, with Fairweather Group L.L. C., for the design-build of a 15,500 sq. ft. Library previously approved in Commissioners' Court on September 8, 2003, Pct. #1, as per Contract on file.
- l. ANNUAL FEE approved, for maintenance to the Hart Imaging System, (County Clerk), in the amount of \$37,292.06, to Hart Intercivic, as per Request on file.
- m. NAME CHANGE acknowledged, for TXU Communications to be named to Consolidated Communications, Inc., as per Notice on file.
- n. REQUEST approved, to create an "X" Purchase Order for PO#2004190, to Southeast Texas Forensic Center, Inc., for the various Justice of the Peaces, as per Request on file.

COMMISSIONER, PRECINCT #1 - AGENDA ITEMS 8E1

- a. FINAL PLAT approved, for Grand Harbor, Section 8, consisting of 46.216 acres, 74 lots, as per Plat on file.
- b. ROADS accepted, in Bentwater, Section 89, into the one year maintenance period, consisting of 289.51 l.f., .055 miles, effective February 9, 2004, as per Request on file.
- c. PUBLIC HEARING DATE set, for March 8, 2004, to consider increase the speed limit from 40 mph to 50 mph on Cedar Lane from County Line Road to FM1484, as per Request on file.

COMMISSIONER, PRECINCT #2 - AGENDA ITEMS 8E2

- a. PUBLIC HEARING DATE set, for February 23, 2004, to consider the permanent removal of stop sign on Morris Lane at Old Hardin Store Road, as per Request on file.
- b. PUBLIC HEARING DATE set, for March 8, 2004, to consider placement of stop signs at the following locations in River Plantation Subdivision:
  - 1. stop sign on Bull Run at Ravensworth
  - 2. stop sign on Fort Sumpter at Ravensworth
  - 3. stop sign on Mobile Court at Stonewall Jackson Drive
  - 4. stop sign on Endicott Lane at Charter Oaks Drive
  - 5. stop sign on Woodstock Lane at Charter Oaks Drive
  - 6. stop sign on Melmont Lane at Charter Oaks Drive
  - 7. stop sign on Hampton Hall Lane at Cumberland Trail
  - 8. stop sign on Charter Oaks Drive at Forest Lane

as per Requests on file.

- c. ORDER approved, to authorize title opinions for FM1488 right-of-way project. Also, to approve payment to First Surety Title Company to prepare title opinions on various parcels, as per Order on file.

COMMISSIONER, PRECINCT #3 - AGENDA ITEMS 8E3

- a. FINAL PLAT approved, for Chateau Woods Place, consisting of 5.7023 acres, 19 lots, as per Plat on file.
- b. ROADS accepted, in the Village of Sterling Ridge, Section 33, into the one year maintenance period, consisting of 3113.16 l.f., .59 miles, effective February 9, 2004, as per Request on file.
- c. PUBLIC HEARING DATE set, for March 8, 2004, to consider placement of a stop sign on Amara Court at Tangle Brush, Village of Panther Creek, Section 6, The Woodlands, as per Request on File.
- d. ORDER approved, to accept a Warranty Deed for right-of-way for the expansion of Hanna Road, from Theresa R. Beck, (Parcel 10). Also, to authorize the County Judge to execute same, as per Order on file.
- e. ORDER approved, to accept Deed for right-of-way for facility Concession Services, Inc., (Parcel 14), for the expansion of Hanna Road. Also, to authorize the County Judge to execute same, as per Order on file.
- f. ORDER approved, to accept Warranty Deed for right-of-way from Hal and Jimmie R. Watson, (Parcel 8), for the expansion of Hanna Road. Also, to authorize the County Judge to execute same, as per Order on file.
- g. ORDER approved, to accept Warranty Deed for right-of-way for Arthur C. Magill, (Parcel 11A), for the expansion of Hanna Road. Also, to authorized the County Judge to execute same, as per Order on file.
- h. ORDER approved, to accept Warranty Deed for right-of-way from Arthur C. Magill, (Parcel 11B), for the expansion of Hanna Road. Also, to authorize the County Judge to execute same, as per Order on file.
- i. ORDER approved, to accept Warranty Deed for right-of-way from Shirley Faye Harrell, (Parcel 16), for the expansion of Hanna Road. Also, to authorize the County Judge to execute same, as per Order on file.
- j. ORDER approved, to accept Warranty Deed for right-of-way from Shirley Faye Harrell, (Parcel 16), for the expansion of Hanna Road. Also, to authorize the County Judge to execute same, as per Order on file.
- k. ORDER approved, to authorize the purchase and payment for Parcel Nos. 9 & 15, to Juanita Locke, Trustee of the Locke Family Trust, in connection with the Riley Fuzzel Road widening project, as per Order on file.

COMMISSIONER, PRECINCT #4 - AGENDA ITEMS 8E4

- a. USE AGREEMENTS approved, for the following Users of Sallas Park, Pavilion and Arena:

1. Rodeo Sports - Sallas Park Arena
2. The Spanish Trail Riders - Sallas Park
3. Ruff-N-Ready Dog Show - Sallas Park Pavilion
4. Brian Bessire - Sallas Park Pavilion
5. Nicole Copper - Sallas Park  
(Arena/Pavilion)
6. Jack Prentiss - Sallas Park Arena

as per Use Agreements on file.

- b. UTILITY PERMIT approved, for Sprint Telephone LTD to place a buried telecommunications cable line within the right-of-way of streets affected by FM1314 Road move, as outlined on Permit on file.
- c. PUBLIC HEARING DATE set, for March 8, 2004, to consider placement of stop signs on all "T" Intersections in Country Estates, as per Notice on file.
- d. PUBLIC HEARING DATE set, for March 8, 2004, to discuss the proposed right-of-way dedication of Kellyn Oaks and Danika Drive, as per Notice on file.
- e. ORDER approved, to acknowledge receipt of a check in the amount of \$27.00, from Jane Lea Hicks for lease of real property described as Krohn Ranchettes, Tracts 329, 330 and 331, as per Order on file. (check forwarded to County Treasurer for further handling)
- f. ORDER approved, to acknowledge receipt of a check in the amount of \$12.00, from Mark A. Schmidt for lease of real property described as Lake Adams, Lots 27 and 28, as per Order on file. (check forwarded to County Treasurer for further handling)
- g. ORDER approved, for certain street construction, maintenance, and repairs located at Woodgreen at Woodridge, in accordance with an Interlocal Agreement dated May 7, 1990, with the City of Cut and Shoot, as per Order on file.

RISK MANAGEMENT - AGENDA ITEMS 8F

- a. REQUESTS approved, for the following recommendations, as presented by the Risk Manager Director:
  1. all county buildings to be assigned numbers by the Purchasing Department
  2. assigned building numbers be used only once
  3. building numbers will not be changed after they are assigned
  4. building numbers will be retired with the destruction of the building
  5. All new buildings, upon certificates for completion, will be placed on the Commissioners' Court Agenda for acceptance into the county building inventory schedule. Acceptance will include a copy of the Certificate of Completion or occupancy physical street address, name of building and building number assignment with a copy to Risk Management for inclusion in the property coverage and property inventory schedule.

- b. REQUEST approved, for Montgomery County 2004 Property Inventory Schedule, as per Schedule on file.
- c. BUILDING accepted, into the County's Property Inventory Schedule to be known as Building Number 1-0050 - Custodial Service Building, 105 North Thompson, Conroe, 77301.
- d. RELEASE OF CLAIM approved, to pay Master Touch Collision Repair Specialists \$2,326.14, for repairs of Dennis D. Partain vehicle, which was damaged on or about 12/24/03 - Pct. #2/Claim #A040023.
- e. RELEASE OF CLAIM approved, to pay Karl Spickert \$872.16, for property damages incurred on or about 12/15/03 - Library/Claim #B040025
- f. RELEASE OF CLAIM approved, to pay William R. James \$85.00, for property damages incurred on or about 12/23/03 - Sheriff's Department/Claim #B040028.
- g. REQUEST approved, to cancel the Public Employee Faithful Performance Bonds for the following Departments, upon renewal:
  - 1. County Clerk
  - 2. Animal Control
  - 3. County Engineer
  - 4. Environmental
  - 5. Sheriff
  - 6. Juvenile Probation
  - 7. District Clerk
  - 8. Constables 1, 2, 3, 4, & 5
  - 9. Justice of the Peace 1, 2, 3, 4, & 5

Motion carried.

END OF CONSENT AGENDA

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7. ORDER AUTHORIZED - INDEMNIFY ELECTED AND APPOINTED COUNTY OFFICERS - RISK MANAGEMENT

Motion by Commissioner Meador, seconded by Commissioner Chance, to authorize the County Attorney to draft an Order to indemnify elected or appointed County Officials, (see Motion #6 8G, 2-09-04 Commissioners' Court Minutes, for list of officials), against personal liability for the loss of county funds or loss of damage to personal property, in accordance with Section 157.903 of The Local Government Code, as per Code on file. Motion carried.

AGENDA ITEM 9 - DISTRICT CLERK - ADDITIONAL JUROR PARKING WAS DISCUSSED AND THE COURT APPOINTED MARK BOSMA TO CHECK ON SOME OF THE OPTIONS DISCUSSED, TO SEE IF ADDITIONAL PARKING COULD BE OBTAINED.

8. REQUEST APPROVED - PROPOSAL FOR ADDITIONAL PATROL - CONSTABLE, PCT. #3

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the Request for Proposal from the Community Associations of the Woodlands, for additional Patrol Deputies from Constable, Pct. 3 department. Said

Contract to be approved by County Attorney before execution. Motion carried. (no paperwork)

9. REQUEST APPROVED - CONFERENCE EXPENSE FOR 2004 - 284TH DISTRICT COURT

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the Request from 284th District Judge to use \$998.23 from the Court Reporter Service Fund to pay for Paula Mooneyham to attend the StenoCat User's Group Spring Conference/2004 in Denver, Colorado, from March 11 through March 13, 2004, as per Request on file. Motion carried.

10. REQUEST APPROVED - TRANSFER OF FUNDS - SHERIFF'S DEPARTMENT

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve transferring \$2,000.00 into Recruiting's 2004 budget line item 56013-7390 and \$500.00 transferred into Patrol's 2004 budget line item 560121-7390, as per Request on file. Motion carried. (donation received in FY03 for use in FY04 budget from Wal-Mart Foundation)

11. REQUEST APPROVED - HIRING OF "CONTRACT EMPLOYEE" - TAX ASSESSOR/COLLECTOR

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the hiring of a contract employee to assist with the administration of reselling Tax Trust Property. Subject to Contract being approved by Contract Committee, with funding at the discretion of the Tax Assessor/Collector, as long as funds for expenses are offset with Revenues for same, Pursuant to Property Tax Code Sections 34.21 and 34.06, as per Request on file. Motion carried.

AGENDA ITEMS 13A1, 4 & 12 - RECOMMENDATIONS AND CONTRACTS - DEFERRED.

12. RECOMMENDATIONS AND CONTRACTS APPROVED - OFFICE AND COMPUTER SUPPLIES - VARIOUS DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Chance, to award the bids, (opened November 26, 2003), for office, computer, paper supplies and accessories with on-line ordering capabilities, to the following Vendors:

- a. Stephens' Office Supply, Inc. - as primary award for computer, ergonomic supplies, electronics and audio/visual. Alternate award on all other items.
- b. Boise Office Solutions - as primary award for general office supplies, portfolio's/calendars, miscellaneous/mailroom, and all copy and computer paper. Alternate award on all other items.

as per Contracts on file. Motion carried.

13. RECOMMENDATION AND CONTRACT APPROVED - PURCHASE OF POLO SHIRTS AND TEE SHIRTS - SHERIFF'S DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Chance, to award the bid, (opened December 2, 2003), for the purchase of uniform polo style shirts and tee shirts to Aramark Uniform Services, as per Contract on file. Motion carried.

14. RECOMMENDATION AND CONTRACT APPROVED - NEW VEHICLES -  
VARIOUS DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Chance, to award the bid, (opened January 6, 2004), for new 2003/2004 vehicles to Anderson Ford, Pct. #1, for one Ford F350 4-door crew cab pickup, in the amount of \$25,255.00, as per Contract on file. Motion carried.

15. PROPOSALS APPROVED - PROFESSIONAL SERVICES CONTRACTS - PCT.  
#2 AND PCT. #3

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the following Proposals for Professional Services, as follows:

- a. Arcadias - for McCaleb Rd. preliminary engineering and environmental assessment projects - Pct. #2
- b. CLR - for FM2978 preliminary engineering and environmental assessment projects - Pct. #2 and #3

as per Proposals on file. Motion carried. (Contracts to follow at a later date)

16. RECOMMENDATION AND CONTRACT APPROVED - AUCTIONEER SERVICES -  
VARIOUS DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Chance, to award the bid, (opened January 21, 2004), for Auctioneer Services to Rene' Bates Auctioneer Services, as per Contract on file. Motion carried.

17. RECOMMENDATION AND CONTRACT APPROVED - MECHANICAL COMPACT  
STORAGE SYSTEM - DISTRICT ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to award the bid, (opened January 27, 2004), for mechanical compact storage system to Southwest Solutions Group in the amount of \$32,057.52, as per Contract on file. Motion carried.

18. RECOMMENDATION AND CONTRACT APPROVED - USED SIGN PRODUCTION  
VINYL CUTTER - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the sale of used sign production vinyl cutter to N-Line Traffic Maintenance in the amount of \$1,050.00, as per Contract on file. Motion carried.

19. RECOMMENDATION AND CONTRACT APPROVED - STREET BLADE SIGN  
BLANKS - VARIOUS PRECINCTS

Motion by Commissioner Chance, seconded by Commissioner Meador, to award the bid, (opened January 29, 2004), for diamond grade street blade sign blanks, to Osburn Associates, Inc., Section 1 only, as per Contract on file. Motion carried. (other Sections to be awarded at a later date)

AGENDA ITEM 13A12 - CONTRACT FOR PRESSURE WASHING SERVICE -  
VARIOUS DEPARTMENTS - DEFERRED

## 20. PURCHASE APPROVED - BUY BOARD PURCHASE - PCT. #1, #2 &amp; #4

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the buy board purchase for the following:

- a. One (1) 2003 Rosco SP915 Pneumatic Roller in the amount of \$50,858.40 from Hi-Way Equipment - Pct. #1
- b. One (1) 2004 Freightliner Cab and Chassis from Houston Freightliner in the amount of \$49,321.00 - Pct. #2
- c. One (1) 2003 Kawasaki 65Z Loader, 2.3 cubic yard in the amount of \$99,900.00 from Hi-Way Equipment - Pct. #4

as per Request on file. Motion carried.

## 21. PROPOSAL APPROVED - GEOTECHNICAL ENGINEERING SERVICES - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve the proposal from HBC Terracon to provide geotechnical engineering services for the Tullis Library in the amount of \$2,800.00, as per Proposal on file. Motion carried.

## 22. PROPOSAL APPROVED - RIGHT-OF-WAY ACQUISITION SERVICES - PRECINCT #2

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the proposal from Cobb, Fendley and Associates to provide professional right-of-way acquisition services for the first segment of FM1488. Fee not to exceed \$330,400.00, as per Proposal on file. Motion carried. (fund from 03' bond leverage)

## 23. TAX ABATEMENT AGREEMENT APPROVED - C T INDUSTRIES, INC. - COUNTY ATTORNEY

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the Tax Abatement Agreement between Montgomery County and C T Industries, Inc., for property located at 31811 Industrial Park Drive, City of Pinehurst, Tx., as per Agreement on file. Motion carried.

## 24. RESOLUTION APPROVED - ISSUANCE OF BONDS BY HARRIS COUNTY HEALTH FACILITIES DEVELOPMENT CORPORATION - COUNTY ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve a Resolution to consent to and approving the issuance of bonds by the Harris County Health Facilities Development Corporation to finance renovations, additions to and equipment for Memorial Hermann the Woodlands Hospital, as per Resolution on file. Motion carried.

## 25. ROAD NAME CHANGE APPROVED - BETHEL ROAD - PRECINCT #1

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve changing the name of Bethel Road to Martin Luther King, as per Notice on file. Motion carried.

AGENDA ITEM 16A - ORDER EXTENDING ALL TRAFFIC RULES ON ROADS WITHIN THE RECORDED SECTIONS OF BENTWATER SUBDIVISION - DEFERRED

26. REQUEST APPROVED - NEW MUNICIPAL UTILITY DISTRICT NO. ASSIGNED - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve #99 be the next consecutive number to be assigned to Montgomery County Municipal Utility District, reserved in the name of Smith, Murdaugh, Little & Bonham, as per Request on file. Motion carried.

27. APPOINTMENT APPROVED - MONTGOMERY COUNTY HOUSING AUTHORITY - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve the appointment of Jerry Hayden as Commissioner to the Montgomery County Housing Authority, as per Request on file. Motion carried.

28. ORDER APPROVED - ROAD ACCEPTED BY PRESCRIPTIVE RIGHT - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve an Order to accept an additional 2,292 linear feet of Miller Road, located in Oak Forest Estates, into the County's Road Maintenance System by prescriptive right, as per Order on file. 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 Claims of Debra Foster - (Section 551.071)

COURT RECONVENED WITH ALL MEMBERS OF THE COURT PRESENT.

29. RESOLUTION AND ORDER APPROVED - PAYMENT OF BOND POSTING CLAIM

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve a Resolution and Order to pay Debra Foster \$3,194.00, refund for bond posting fees, as per Order and Release of Claim on file. Motion carried.

AGENDA ITEM 19 - THERE WERE NO CITIZENS PRESENT TO ADDRESS THIS SESSION OF COURT.

30. PAYROLL CHANGE REQUESTS APPROVED - HUMAN RESOURCES

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

request of Animal Control to place Francisco Sada, Animal Control Officer, (replacement for Matthew Dobyns), on payroll, effective January 26, 2004

request of County Auditor to place Reginald Arceneaux, Sr. General Ledger Clerk, on payroll (replacement for Wanda Griffith), effective February 2, 2004

request of Commissioner, Pct. #3 to place Vicki D. Glenn, Part-time Desk Clerk, on payroll, effective February 9, 2004

request of Constable, Pct. #1 to promote Russell Fincher from Lieutenant to Captain, effective October 1, 2001

request of Constable, Pct. #2 to accept the resignation of Joseph Scarborough, Deputy, effective January 27, 2004

request of Constable, Pct. #2 to place Timothy Shackelford, Deputy, (replacement for Joseph Scarborough), on payroll, effective January 27, 2004 (Rivershire Subdivision part-time deputy)

request of Custodial Services to transfer Ana Altamirano from Lead Custodian to Floor Custodian, (replacement for Margaret Lightfoot), effective January 31, 2004

request of Custodial Services to place Yolanda E. Bonilla, Part-time Custodian, (replacement for Carolina Deandres), effective February 9, 2004

request of Custodial Services to accept the resignation of Bill Burk, Jr., Floor Technician, with 43.12 vacation hours due and 17.5 comp hours due, effective February 6, 2004

request of Custodian Services to accept the resignation of Carolina Deandres, Part-time Custodian, effective January 1, 2004

request of Elections Administrator to place Gwenda Stephan as Temporary Voting Judge, effective February 14, 2004

request of Elections Administrator to place Gwenda Stephan as Temporary VR Clerk and end of early voting as Judge, back to VR Clerk pay, effective March 6, 2004

request of Elections Administrator to place Virginia Taylor, Temporary VR Clerk, effective February 14, 2004

request of Elections Administrator to place Virginia Taylor as Temporary VR Clerk and end of early voting as Judge, back to VR Clerk pay

request of Custodial Services to place Raul E. Lacayo, Part-time Custodian, on payroll, effective February 9, 2004

request of Custodial Services to promote Margaret Lightfoot from Floor Custodian to Lead Custodian, (replacement for Ana Altamirano), effective January 31, 2004

request of Custodial Services to place Dora Pacheco, Custodian, on payroll, effective January 26, 2004, (returning from leave of absence)

request of Custodial Services to promote Osiel Reyna from Part-time Custodian to Floor Custodian, effective February 1, 2004

request of Custodial Services to place Gloria M. Saldana, Part-time Custodian, (replacement for Osiel Reyna), effective February 9, 2004

request of County Court at Law Judge #3, to accept the retirement of Bonnie Tidwell, Court Administrator, effective January 27, 2004

request of County Court at Law Judge #3 to accept the resignation of Valerie Walters, Probate Assistant, effective January 28, 2004

request of District Attorney to place Susan Hudson, Assistant District Attorney, on family leave of absence, effective January 17, 2004

request of Department of Public Safety to accept the resignation of Pamela Hernandez, Administrative Assistant, effective January 23, 2004, with 7.24 vacation hours due

request of Elections Administrator to place the following Voters Registration Clerks on Part-time temporary, effective January 31, 2004:

Larry Aimes  
Linda Aimes  
Peggy Avant  
William Avant  
Joseph Boleslawski  
Mavine Joy Boleslawski  
Rosetta Fuller  
Robert Gill  
Kathleen McEngtegart  
Annette Rascoe  
John Sisson  
Sarah Sisson  
Shirley Sutton  
Rhonda Vaught

request of Elections Administrator to place Debora Everhart, VR Clerk/Technician, on payroll, effective January 31, 2004

request of Elections Administrator to place Henry Burton as early voting Judge and then to VR Clerk at end of early voting, effective March 6, 2004

request of Elections Administrator to place Henry Burton, Temporary VR Clerk and early voting Judge, effective February 14, 2004

request of Elections Administrator to place Sophia Ann Isaac, Temporary VR Clerk, effective February 14, 2004

request of Elections Administrator to place Elizabeth Robinson, Temporary VR Clerk and early voting Judge, effective February 14, 2004

request of Elections Administrator to increase the salary of Elizabeth Robinson after returning to VR Clerk, effective March 6, 2004

request of Elections Administrator to place Marie Turner, Temporary VR Clerk and early voting Judge, effective February 14, 2004

request of Elections Administrator to place Marie Turner, Temporary VR Clerk after early voting as Judge is over, effective March 6, 2004

request of Elections Administrator to place Martha Williams, Temporary VR Clerk and early voting Judge, effective February 14, 2004

request of Elections Administrator to place Martha Williams, Temporary VR Clerk back to VR Clerk's pay after early voting Judge is over, effective March 6, 2004

request of Justice of the Peace, Pct. #4 to place Kacey L. Braddick, Clerk I, on payroll, (replacement for Maria Castro), effective February 9, 2004

request of Juvenile Probation Director to place Frank Cox, Substitute Detention Officer, on payroll, effective January 31, 2004

request of Juvenile Probation Director to place Derek Huddleston, Substitute Detention Officer, effective January 31, 2004

request of Juvenile Probation Director to change Tiaya McVey from Part-time to Full-time Receptionist/Secretary/Financial, (replacement for Kathy Musgrove), effective February 14, 2004

request of Juvenile Probation Director to promote Kathy Marie Musgrove from Receptionist/Secretary/Financial to Juvenile Probation, (replacement for Linda Yount), effective February 14, 2004

request of Library Director to accept the resignation of Beverly Norris, Library Assistant II, effective February 14, 2004, with 6.16 vacation hours due

request of Building Maintenance to place Scott Shriver, Mechanic I, on payroll, effective February 9, 2004

request of Sheriff's Department to place Keith Berger, Woodlands Patrol Deputy, on payroll, (replacement for Keith Echols), effective January 31, 2004

request of Sheriff's Department to promote Michael R. Jones from Detention Officer II to Detention Deputy, (replacement for Dana Aills), effective January 31, 2004

request of Sheriff's Department to discharge Richard Mercer, Detention Deputy, effective January 30, 2004, with 38.2000 vacation hours due and 16.0000 holiday hours due

request of Tax Assessor/Collector to promote Eva Barnes from Deputy Specialist I to Deputy Specialist II, effective February 24, 2004

request of Tax Assessor/Collector to place Andrea Schmidt, Deputy Specialist I, on payroll, (replacement for Jennifer Sims), on payroll, effective February 9, 2004

request of District Judge, 359th, to accept the resignation of Donna King, Certified Shorthand Reporter, effective February 13, 2004, with 17.32 vacation hours due

request of County Auditor to place Roberta Lynn Adams, Fixed Asset Auditor, (replacement for Stephen Riley), on payroll, effective February 9, 2004

request of Commissioner, Pct. #4 to promote James Ashcraft from Operator I to Operator III, (replacement for Thomas Perkins), effective January 31, 2004

request of Justice of the Peace, Pct. #1 to bridge the time of Margaret Alford, JP Clerk, effective February 5, 2004

request of Library Director to bridge the time of Pamela Gagnon, Library Assistant III, effective March 10, 2004

as per Payroll Change Requests on file. Motion carried.

31. COURT ADJOURNS

Motion by Commissioner Chance, seconded by Commissioner Meador, 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