

COMMISSIONERS' COURT DOCKET, APRIL 5, 2004  
SPECIAL SESSION

THE STATE OF TEXAS  
COUNTY OF MONTGOMERY

Be it remembered that on this the 5th day of April, 2004, the Honorable Commissioners' Court of Montgomery County, Texas, was duly convened in a Special 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 Rinehart, seconded by Commissioner Chance, to approve Commissioners' Court Agenda for discussion and necessary action. Motion carried.

2.PROCLAMATION APPROVED - "SEXUAL ASSAULT AWARENESS MONTH" \_

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve a Proclamation to designate April, 2004, as Sexual Assault Awareness and Prevention Month in Montgomery County, as per Proclamation on file. Motion carried.

3.PROCLAMATION APPROVED - "CRIME VICTIMS' RIGHTS WEEK"

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve a Proclamation to proclaim the week of April 18 through April 24, 2004, as Crime Victims' Rights Week in Montgomery County, as per Proclamation on file. Motion carried.

4.PROCLAMATION APPROVED - "CHILD ABUSE PREVENTION MONTH"

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to Proclaim April 2004, as Child Abuse Prevention Month in Montgomery County, as per Proclamation on file. Motion carried.

AGENDA ITEM 6D - EMPLOYEE OF THE MONTH - LeJeane Thompson, Animal Control, was selected as Employee of the Month for April, 2004 by the Employees' Committee. Ms. Thompson was given a gift certificate and a plaque by said Committee.

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

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve Commissioners' Court Minutes for March 22, 2004, as presented by the County Clerk. Motion carried.

6.DEPUTATION APPROVED - GLORIA BEYAN, DEPUTY COUNTY CLERK

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the Deputation of Gloria Beyan, Deputy County Clerk, as per Deputation on file. Motion carried.

## CITIZENS - AGENDA ITEM 22

ED FITZPATRICK, SR.- a resident of Mosswood Subdivision, Precinct #2, addressed the Court concerning the burned out townhomes located in Mosswood. Mr. Fitzpatrick stated the townhomes burned approximately three years ago and the remains are still in the area which the townhomes burned.

The Citizens claim that the County promised to tear down the townhomes more than a year ago, but county officials stated that they are having difficulty in finding the real owner(s) of said townhomes.

After much discussion, Commissioner Doyal scheduled a meeting immediately after Court today with the citizens of Mosswood Subdivision to discuss this matter further.

MARY HARTT, a resident of Precinct #4 addressed the Court concerning the proposed landfill to be located in Precinct #4. Ms. Hartt addressed the Court for the possibility of a Solid Waste Disposal Ordinance for Montgomery County, based on Health & Safety criteria.

## 7. CONSENT AGENDA APPROVED - AGENDA ITEMS 8A THROUGH 8G

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

## COUNTY AUDITOR - AGENDA ITEMS 8A

- a. ACCOUNTS approved, as submitted by the County Auditor.
- b. BUDGET AMENDMENTS approved, as submitted by the County Auditor, as follows:
  - 1. Airport Maintenance - to allocate portion of grant revenue, as approved 11/24/03, Motion 23
  - 2. Airport Maintenance - to allocate future certificates of obligation to project 0412-Conre, as approved 12/23/03 Motion #11
  - 3. C.E.R.T. Grant - to set up budget for grant, accepted 1/26/04, Motion #28
  - 4. Capital Project - to establish budget for remodel of elections facility; to be funded by CO's - approved 3/8/04 - Motion #30
  - 5. Civic Center Complex - to adjust line items
  - 6. Commissioner, Pct. #3 - to recognize/allocate reimbursement from SJRA
  - 7. Commissioner, Pct. #3 - to recognize/allocate reimbursement from Gilbert Leal
  - 8. Commissioner, Pct. #3 - to recognize/allocate reimbursement from Jerauld Malin
  - 9. Commissioner, Pct. #3 - to recognize/allocate reimbursement from Shelly Turner
  - 10. Commissioner, Pct. #3 - to recognize/allocate reimbursement form Wells Custom Homes
  - 11. Commissioner, Pct. #3 - Recycle grant - to allocate grant budget accepted on 2/23/04, Motion #43
  - 12. Commissioner, Pct. #4 - to recognize/allocate reimbursement from City of Patton Village
  - 13. Communication/Info. Serv. - to adjust line items
  - 14. Constable, Pct. #1 - to recognize/allocate reimbursement from SJRA for dam security
  - 15. Constable, Pct. #4 - to recognize/allocate proceeds from EMCID
  - 16. Constable, Pct. #4 - to adjust line items

- 17. District Attorney - to recognize/allocate juror donations
- 18. Emergency Management - to adjust line items
- 19. Juvenile Probation - to recognize/allocate reimbursement for January, 2004
- 20. Juvenile Probation - to recognize/allocate reimbursement for December, 2003
- 21. Memorial Library - to recognize/allocate donation from Peoples and Stories
- 22. Purchasing Agent - to recognize/allocate reimbursement for copies
- 23. Risk Management - to transfer funds to cover deductible for Unit 703
- 24. Risk Management - to transfer funds to cover damage to fence on 2/13/04
- 25. Risk Management - to recognize/allocate reimbursement for Claim U040033
- 26. Sheriff's Department - to recognize/allocate reimbursement from State
- 27. Sheriff's Department - to adjust line items
- 28. Sheriff's Department - to recognized/allocate restitution on Case #97-11-01428
- 29. Tax Assessor/Collector - to transfer funds to cover PO#2403907

as per Budget Amendments on file.

- c. OFFICIALS' FEES approved, as audited for the month of December, 2003, as per Report on file.

#### COUNTY TREASURER - AGENDA ITEMS 8B

- a. WEEKLY INVESTMENT REPORT approved, for the week of March 22, 2004, through March 26, 2004, as per Report on file.

AGENDA ITEMS 8B2 & 3 - WEEKLY INVESTMENT REPORT FOR WEEK OF MARCH 29, THROUGH APRIL 2, 2004, AND PLEDGES AND/OR RELEASES OF COLLATERAL - REMOVED FROM AGENDA.

- b. PLEDGED SECURITY REPORT approved, for the month ending March 31, 2004, as per Report on file.

#### PURCHASING DEPARTMENT - AGENDA ITEMS 8C

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

- 1. Commercial A/C filters - Various Departments
- 2. Lease of Office Space - Library Dept.
- 3. Acrylic Electronic Cuttable Film (EC Film), and transfer tape - Various Departments

- b. ALSO, TO ACKNOWLEDGE THE OPENING OF THE FOLLOWING BIDS/PROPOSALS:

- 1. One (1) or more used dozers - Various Departments - Project #2004-0048 (3-24-04)
- 2. One (1) or more new 2004 vehicle(s) - Various Departments - Project #2004-0051 (3-24-04)
- 3. RFP Hardware IBM Maintenance & Software (AIX) Support - C.I.S. - Project #2004-0052 (3-26-04)

- c. RENEWAL CONTRACT approved, as follows:

- 1. ASI Computer Technologies, Inc. - PO#2002437 - for laptop PC/toughbook - Various Departments

d. CANCELLATION OF PURCHASE ORDERS approved, as follows:

1. Texas Workforce Commissioner - PO#2003353 - for interlocal agreement for access to unemployment insurance tax records - Collections
2. Addison Smith Funeral Home - PO#2004008 - for transport of cadaver - Various Justice of the Peace
3. Sherman First Call & Mortuary - PO#2004041 - for transport of cadaver - Various Justice of the Peace
4. Collins & Johnson Funeral Home - PO#2004035 - for transport of cadaver - Various Justice of the Peace
5. Kingwood Funeral Home - PO#2003391 - for transport of cadaver - Various Justice of the Peace
6. Forest Park - The Woodlands - PO#2004040 - for transport of cadaver - Various Justice of the Peace
7. Green Lawn Memorial Funeral Home - PO#2004028 - for transport of cadaver - Various Justice of the Peace
8. Cashner Funeral Home - PO#2004006 - for transport of cadaver - Various Justice of the Peace
9. Rosewood Funeral Home - PO#2004011 - for transport of cadaver - Various Justice of the Peace
10. Pace-Stancil Funeral Home - PO#2004010 - for transport of cadaver - Various Justice of the Peace

d. NAME CHANGE approved, from Moffitt Oil Co., Inc., to Shank Services, as per Request on file.

e. SOLE SOURCE ITEM approved, for Random House dba Books on Tape for the Library Edition of Books on Tape, Books on CD and Listening Library, as per Request on file.

f. CHANGE ORDER #3 approved, PO#2003276, to Hellard Services, for lawn maintenance - Various Locations - Building Maintenance

COMMISSIONERS, PRECINCT #1 - AGENDA ITEMS 8D1

a. REQUEST approved, to assign numbers 100 & 101, reserved in the name of David M. Marks, P.C., for the Montgomery County Municipal Utility District within Montgomery County, as per Request on file.

b. PARTIAL RELEASE OF LIEN approved - on property in Woodcreek Subdivision, Lot 39, Section 1, owner by Jennifer L. Bobbitt, as per Release on file.

c. ORDER approved, to acknowledge receipt of Amendment to Letter of Credit No. 452, issued by Woodforest National Bank for the account of Developer, Harbor Side Subdivision, Section 2, as per Order on file.

d. ORDER approved, to acknowledge receipt of Amendment to Letter

of Credit No. 451, issued by Woodforest National Bank for the account of Grand Harbor, Section 4, as per Order on file.

- e. ORDER approved, for certain street construction, repair and maintenance for the City of Panorama, in accordance to a certain Interlocal Agreement dated May 7, 1990, as per Order on file.
- f. ORDER approved, for a partial lot conveyances without a replat in for Lots 20 & 21, Western Hills Commercial Development, Section 2, as per Order on file.
- g. PUBLIC HEARING DATE set, for May 10, 2004, to consider the partial replat of Lots 47-49, Block 74, Walden on Lake Conroe, Section 15, to be known as Walden on Lake Conroe, Section 15A, as per Notice on file.
- h. FINAL PLAT approved, for Bentwater Subdivision, Section 43, consisting of 29.9410 acres, 45 lots, as per Plat on file.
- i. PUBLIC HEARING DATE SET, for April 19, 2004, to consider setting a speed limit of 40 mph for Bilnoski Road from Mt. Zion Road to F.M. 1097, as per Notice on file.
- j. PUBLIC HEARING DATE SET, for April 19, 2004, to consider setting a speed for Mt. Zion Road from Rogers Road to Montgomery/Walker County Line, as per Notice on file.

COMMISSIONER, PRECINCT #2 - AGENDA ITEMS 8D2

- a. ORDER approved, to accept into the County Maintenance System, Leah Drive, a portion of Fish Creek Lane and a portion of Fish Creek Thoroughfare, for a combine total of approximately 9,000 linear feet. Also, to accept a check in the amount of \$135,000.00, for the release of Bluegreen's Maintenance Bond for Ridgelake Shores access, as per Order on file.
- b. ORDER approved, to acknowledge receipt of Amendment No. 2, Letter of Credit No. 1312, for MBMSB, Inc., Developer of Tejas Creek Subdivision, Section 2.
- c. ORDER approved, to acknowledge receipt of Amendment No. 1, letter of Credit No. 1313, for the account of Tejas Creek Subdivision, Section 4, as per Order on file.
- d. ORDER approved, to acknowledge receipt of Amendment to Letter of Credit No. 290, issued by First Bank of Conroe, for Sig-Steck, Inc., Developer of Forest West Subdivision, Section 2, as per Order on file.

COMMISSIONER, PRECINCT #3 - AGENDA ITEMS 8D3

- a. APPOINTMENT approved, for Nelda Blair to serve on the TCID Board of Directors, as per Request on file.
- b. ORDER approved, to authorize the county parks department, County Engineer's Office and the County Attorney's

Office to research, hire consultants, surveyors, title companies and appraisers as deemed necessary to study parcels for County Parks Projects. Also, to authorize Ed Chance, Commissioner, Pct. #3, as Special Commissioner for closing on behalf of Montgomery County, as per Order on file.

- c. ORDER approved, to authorize the purchase of Parcel No. 6, ROW, for the Hanna Road widening project from John W. Post, in the amount of \$85.00, as per Order on file.
- d. ORDER approved, to authorize an updated title opinion for Parcel 6, ROW for the Hanna Road widening project, and approve payment of \$100.00 to First Surety Title Company to prepare said title opinion, as per Order on file.
- e. ORDER approved, to authorize the purchase and payment of Parcel No. 4, to Manning Videll, Inc., in connection with the Richards Road widening project, as per Order on file.
- f. ORDER approved, to authorize a Title Opinion for Wilshire Drive ROW project, and to approve payment to First Surety Title for said title work, as per Order on file.
- g. FINAL PLAT approved, for Enclave at Imperial Oaks Subdivision, consisting of 15 acres, 29 lots, as per Plat on file.
- h. FINAL PLAT approved, to Spring Trails Subdivision, Section 10, consisting of 19.4130 acres, as per Plat on file.
- i. ROADS accepted, in the Estates of Legends Ranch, Section 1, into the one year maintenance period, effective April 5, 2004, as per Request on file.
- j. CORRECTION approved, to Montgomery County Road Log to reflect the limits of Hanna Road are from Woodson Road South to Richards Road, as per Correction Notice on file.
- k. UTILITY PERMIT approved, from Montgomery County Municipal Utility District No. 46 to place a force main line within the right-of-way of Branch Crossing South of Woodlands Parkway, as per Permit on file.
- l. UTILITY PERMIT approved, from Montgomery County Municipal Utility District No. 46 to place a sanitary sewer and storm line within the right-of-way of Woodlands Parkway and Branch Crossing, as per Permit on file.
- m. UTILITY PERMIT approved, from D. J. Civil Engineering to place an eight inch (8") sanitary sewer line within the right-of-way of Lake Woodlands Drive, as per Permit on file.
- n. UTILITY PERMIT approved, from SBC Company to place a 2-4" conduit line within the right-of-way of Rayford Road, as per Permit on file.
- o. ANNUAL REPORT approved, for Emergency Services District No. 8, for period ending September 30, 2003, as per Report on file.

COMMISSIONER, PRECINCT #4 - AGENDA ITEMS 8D4

- a. USE AGREEMENT approved, for Turn-N-Burn to use Sallas Park Pavilion and Arena for rodeo event/barrel racing, as per Agreement on file.
- b. RE-APPOINTMENT approved, for Kenneth (Rowdy) Hayden and Ben McKee to serve on the Emergency Services District #11 Board, as per Request on file.
- c. ORDER approved, to authorize the purchase and payment for Parcel No. 5 to Mohammed Mumtaz Khan in the amount of \$148,504.00, for the FM1314 right-of-way project, as per Order on file.
- d. ORDER approved, to authorize payment of title insurance premium for acquisition of Parcel 44, to First Surety Title Company in the amount of \$281.00, in connection with the FM1314 right-of-way project, as per Order on file.
- e. ORDER approved, to authorize the purchase and payment of an additional \$65.00 for Parcel No. 31B to Karen Walker, in connection with the FM1314 right-of-way project, as per Order on file.
- f. ORDER approved, to authorize purchase and payment of an additional \$9.00 for Parcel No. 56 to Vicki Teasdale in connection with the FM 1314 right-of-way project, as per Order on file.
- g. ROADS accepted, in the Park at Kings Manor, Section 1, into the one year maintenance system, consisting of 1,721.57 l.f. (.33 miles), effective April 5, 2004, as per Request on file.
- h. ROADS accepted, in the Park at Kings Manor, Section 2, into the one year maintenance period, consisting of 1,566.38 l.f. (.30 miles), effective April 5, 2004, as per Request on file.
- i. ROADS accepted, BOND released, in Kings Manor, Section 10, into the County Road System, consisting of 3,396.06 l.f. (.64 miles). ALSO, to release the Bond.
- j. ROADS accepted, BOND released, in Kings Manor, Section 11, into the County Road System, consisting of 2,561.80 l.f., (.49 miles). ALSO, to release the Bond.
- k. ROADS accepted, BOND released, in Lone Star Ranch, Section 4, into the County Road System, consisting of 16,768.01 lf., (3.2 miles). ALSO, to release the Bond.

ALL PRECINCTS - AGENDA ITEM 8D5

- a. PUBLIC HEARING set, for April 19, 2004, to consider and discuss adopting Major Thoroughfare Plan right-of-way width requirements. Also, to authorize an addendum to the Montgomery County Rules and Regulations for Subdivisions, as per Notice on file.

COUNTY TREASURER - AGENDA ITEM 8E

- a. REQUEST approved, to transfer a 1996 Dodge Van Unit #D054, Vin

#2B7KB31Z3TK172110 to the Houston Police Department, as per Request on file.

BUDGET OFFICE - AGENDA ITEM 8F

- a. RECEIPT acknowledge, of the "Montgomery County Expenditure Status Summary", and the "Montgomery County Expenditure Status Summary-Sheriff", as of March 31, 2004.

RISK MANAGEMENT - AGENDA ITEMS 8G

- a. CLAIM SETTLEMENT approved, to pay Danny Joe King, Jr., \$2,269.71, for reimbursement of property damages incurred 2/23/04. (no paperwork)
- b. CLAIM SETTLEMENT approved, to pay Charles Stegall \$230.59, for reimbursement of property damages incurred 1/17/04. (no paperwork)
- c. REQUEST approved, for Clarification and Revision to the Montgomery County Employee Benefit Plan Limitations & Exclusions Section with an effective date of January 1, 2004. (no paperwork)
- d. OFFICIAL SURETY BONDS approved, as follows:
1. Lorena Gomez, Collections - Bond #15486560 - renewal
  2. Nadine Jenkins, Director/Collections - Bond #15487518 - renewal
  3. Karen McPeters, Collections - Bond #14566304 - New
  4. Leslee Cade, Deputy Constable, Pct. #1 - Bond #14383649 - Renewal
  5. Daniel Cain, Deputy Constable, Pct. #1 - Bond #14383640 - Renewal
  6. Robert Knight, Deputy Constable, Pct. #1 - Bond #14383644 - Renewal
  7. Jerry Stovall, Deputy Constable, Pct. #1 - Bond #14383648 - Renewal
  8. Larry Bonds, Deputy Constable, Pct. #2 - Bond #14383151 - Renewal
  9. James Cox, Deputy Constable, Pct. #2 - Bond #14383150 - Renewal
  10. Gregory Lagoy, Deputy Constable, Pct. #4 - Bond #14383159 - Renewal
  11. Dustin Aaron Rutherford, Reserve Deputy Constable, Pct. #4 - Bond #15530147 - Renewal
  12. Ronald Willingham, Deputy Constable, Pct. #4 - Bond #14383156 - Renewal
  13. Abraham Arturo Valle, Reserve Deputy Constable, Pct. #4 - Bond #15663497 - New
  14. William Henry Behler, Jr., Reserve Deputy Constable, Pct. #5 - Bond #12740617 - Renewal
  15. Ronald Willcox, Deputy Constable, Pct. #5 - Bond #15486572 - Renewal
  16. Christen Arnold, Drug Court - Bond #15486577 - Renewal
  17. Joe Manz, Jr., Fire Marshal - Bond #14512862 - New/Rider
  18. Jeff Williams, Arson Investigator, Bond #14468470 - Renewal
  19. Rhonda Deluish, Library Administrative Assistant - Bond #15487161 - Renewal
  20. Deborah Colby, Accounting Manager, Tax Department - Bond #14383153 - Renewal
  21. Susan Dodson, Accounting Administrator, Tax Department - Bond #14383154 - Renewal

- 22.Pamela Elliott, Collections Manager, Tax Department, Bond #14383155 - Renewal
- 23.Robbie Wood, Chief Deputy, MV, Tax Department - Bond #13750624 - New
- 24.Debbie Reeder, Assistant Payroll Clerk, County Treasurer - Bond #15486598 - Renewal

as per Bonds on file.

Motion carried.

END OF CONSENT AGENDA

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8.APPOINTMENT APPROVED - JIMMY WILLIAMS, FIRE MARSHAL - COUNTY JUDGE

Motion by Judge Sadler, seconded by Commissioner Rinehart, to approve hiring James G. (Jimmy) Williams, as Montgomery County Fire Marshal, (replacement for Dan Welsh), effective May 1, 2004, as per Request on file. Motion carried.

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

Motion by Commissioner Rinehart, seconded by Judge Sadler, to approve the transfer of \$919.00 from 5601-6202-55 to #5601-5803-103, for additional funds needed for Denise Janeway transfer from Crime Stopper Specialist to Detention Deputy, as per Request on file.

10.REQUEST APPROVED - PROJECT SAFE NEIGHBORHOODS - SHERIFF'S DEPARTMENT

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the continuance of the grant application for Project Safe Neighborhoods, sponsored by the U. S. Attorney' Office Southern District of Texas, as per Request on file.

11.REQUEST APPROVED - CONSTRUCTION OF BUILDING - PARKS DEPARTMENT

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the construction of a storage building paid for and donated by the Football Association located in Precinct #2 on Sugar Bend, as per Request on file. Motion carried.

12.REQUEST APPROVED - USE OF LIBRARY PARKING LOT - LIBRARY DEPARTMENT

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the Request to allow the Magnolia Beautification/Historical Committee to use a portion of the Purvis Library parking lot on April 17, 2004, as per Request on file. Motion carried.

13.ANNUAL REPORT APPROVED - MONTGOMERY COUNTY MEMORIAL LIBRARY SYSTEM - LIBRARY DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to authorize the submission of the Montgomery County Memorial Library System annual report for 2003 to the Texas State Library and Archives Commission, as per Report on file.

Motion carried.

14. GRANT APPLICATION APPROVED - JUVENILE ACCOUNTABILITY BLOCK GRANT - JUVENILE PROBATION

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve funds through the Criminal Justice Division of the Governor's Office in the amount of \$145,021.00, for Juvenile Intensive Sex Offender Program, as per Request on file. Motion carried.

15. REPORT APPROVED - UNAUDITED FINANCIAL STATEMENTS - COUNTY AUDITOR

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the Unaudited Financial Statements for year ended 9/30/03, as per Report on file. Motion carried.

AGENDA ITEM 16A9 - RFP NEW PERSONAL COMPUTERS AND ACCESSORIES - VARIOUS DEPARTMENTS - DEFERRED

16. RECOMMENDATIONS AND CONTRACTS APPROVED - AUDIO/VISUAL MATERIALS - LIBRARY DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Chance, to award the bid, (opened February 20, 2004), for audio/visual materials to ProQuest/Heritage Quest, as per Contract on file. Motion carried.

17. RECOMMENDATIONS AND CONTRACTS APPROVED - PAGERS AND PAGING SERVICE - VARIOUS DEPARTMENTS

Motion by Commissioner Chance, seconded by Commissioner Doyal, to award the proposals, (opened March 3, 2004), to Metrocall Wireless and Arch Wireless, as per Contracts on file. Motion carried.

18. RECOMMENDATION AND CONTRACT APPROVED - POLYETHYLENE CORRUGATED PIPE - VARIOUS DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Doyal, to award the bid, (opened March 16, 2004), for polyethylene corrugated pipe to Advanced Drainage Systems, as per Contracts on file. Motion carried.

19. RECOMMENDATION AND CONTRACT APPROVED - DRUG AND ALCOHOL SCREENING - HUMAN RESOURCES/RISK MANAGEMENT -

Motion by Commissioner Chance, seconded by Commissioner Meador, to award the bid, (opened March 17, 2004), for Drug and Alcohol Screening to Pinnacle Medical Management, as per Contract on file. Motion carried.

20. RECOMMENDATION AND CONTRACT APPROVED - USED DOZERS - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to award the bid, (opened March 24, 2004), to Nations Rent for one (1) 1998 Catapillar, DC4, in the amount of \$35,000.00, as per Contract on file. Motion carried.

21. RECOMMENDATION AND CONTRACT APPROVED - NEW 2004 VEHICLES - LONE STAR CONVENTION & EXPO CENTER

Motion by Commissioner Meador, seconded by Commissioner Chance,

to award the bid, (opened March 25, 2004), for new 2004 Dodge 1500 quad cab SLT to Alvin Dodge, in the amount of \$18,792.00, as per Contract on file. Motion carried.

22.RECOMMENDATION AND CONTRACT APPROVED - HARDWARE IBM MAINTENANCE - C.I.S.

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to award the bid, (opened March 26, 2004), for hardware IBM maintenance and software (AIX) support to Strategy 7 Corporation, as per Contract on file. Motion carried.

23.RECOMMENDATION AND CONTRACT APPROVED - MASTER CONCRETE FINISHER LABORER SERVICES - VARIOUS DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to award the bid, (opened December 24, 2003), for labor for master concrete finisher laborer services to Littlefield Brothers Concrete Construction as an alternate vendor, as per Contract on file. Motion carried.

24.CHANGE ORDER #2 APPROVED - ARCHITECTURAL SERVICES - COUNTY NEW ANNEX BUILDING

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve Change Order #2, (PO#2002293), to Di Stefano/Santopetro Architects, for additional architectural services for Collections Department and Constable, Pct. #1, as per Change Order on file. Motion carried.

25.CHANGE ORDER #1 APPROVED - PATE ENGINEERS, INC. - VARIOUS PRECINCTS

Motion by Judge Sadler, seconded by Commissioner chance, to approve Change Order #1, PO#2003448, to Pate Engineers, Inc., for Engineering Services to develop Road Bond Program. Funding to be split from bond monies from each Commissioners' Precinct, as per Request on file. Motion carried.

26.CHANGE ORDER #3 APPROVED - MARKET SURVEY ANALYSIS - HUMAN RESOURCES

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve Change Order #3, PO#2003170, to K R Moore & Associates, for additional project scope for position analysis for elected officials and development and documenting salary administration policy, in the amount of \$8,000.00, (fund from contingency), as per Change Order on file. Motion carried.

27.CHANGE ORDER #2 APPROVED - TRAFFIC SIGNAL INSTALLATION - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve Change Order #2, PO#2003420, to Statewide Traffic Signal Co., or traffic signal installation and improvements at Research Forest Dr. at Six Pines Dr., Holly Hill Dr., and Pinecroft Drive, to reflect price decrease, as per Change Order on file. Motion carried.

28.FUNDS APPROVED - SEWER SERVICE - PRECINCT #1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve funds in the amount of \$18,506.00 to Pumps of Houston, Inc., for sewer service for the West Montgomery Library, as per Request on file. Motion carried. (fund

from Library Bonds)

29. REQUEST APPROVED - LEAST COST REVIEW PROGRAM - PURCHASING DEPARTMENT

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve establishing a Least Cost Review Program, as stated in Vernon's Texas Codes Annotated, Section 262.006. Motion carried. (no paperwork)

AGENDA ITEM 16H - MR. BOB LINDGERG, WITH CENTRAL CONSULTING SERVICES, ADDRESSED THE COURT CONCERNING THE SPACE STUDY HE IS DOING FOR MONTGOMERY COUNTY. (NO PAPERWORK)

30. PERSONAL SERVICES AGREEMENT APPROVED - ANDREA M. FAHRENTHOLD - TAX ASSESSOR/COLLECTOR

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the Personal Services Agreement between Andrea M. Fahrenthold and Montgomery County, to assist the Litigation Deputy of the Tax Assessor's Office in the re-sale of tax trust property, as per Agreement on file. Motion carried.

31. ORDER APPROVED - CANCELLATION OF HERMITAGE SUBDIVISION - PRECINCT #1

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the cancellation of the subdivision plat of the Hermitage, recorded in Cabinet O, Sheet 136, Plat Records, Montgomery County Clerk's office, as per Order on file. Motion carried.

32. PROPOSED PLAT APPROVED - RODA DRIVE ACRES - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve the proposed plat of Roda Drive acres. Motion carried. (plat forthcoming)

33. APPOINTMENT APPROVED - LIBRARY BOOK REVIEW COMMITTEE - PRECINCT #2

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the appointment of Jan Wheeler to the Library Book Review Committee, as per Request 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. Discuss Caruthers vs. City of Houston, Texas Department of Public Safety, and Montgomery County (Section 551.071)
2. Discuss Henri L. Cruse vs. Anthony Lewis (Section 551.071)
3. Discuss to retain services of Paul L. Carper, P.E., as expert witness in Purselley vs. Montgomery County, et al (Section 551.071)
4. Discuss appointment of New Jail Monitor and execute Order to pay (Sections 551.071 and 551.074)

COURT RECONVENED, WITH ALL MEMBERS OF THE COURT PRESENT.

34. ORDER APPROVED - EXPERT WITNESS FOR LAWSUIT - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve an Order to retain the service of Paul L. Carper,

P.E., as Expert Witness in Purselley vs. Montgomery County, et al lawsuit, as per Resolution, Order and Order to Pay, on file. Motion carried. (Contract to follow at a later date)

35. RESOLUTION AND ORDER APPROVED - JAIL MONITOR - SHERIFF'S DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to authorize the payment of \$500.00 per month, for a one (1) year period, with the first payment due April 1, 2004, for a jail monitor pursuant to an Order issued by the Honorable District Judge for the Southern District of Texas, as per Resolution and Order and Order to Pay on file. Motion carried. Commissioner Chance and Commissioner Rinehart "opposed".

36. PAYROLL CHANGE REQUESTS APPROVED - HUMAN RESOURCES

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

request of Collections to transfer Jerry Cooper, Collection Specialist, (replacement for Donna Walters), effective March 26, 2004

request of Commissioner, Pct. #2 to accept the retirement of Van Hardy, Laborer, effective April 2, 2004, with 185.865 vacation hours due, 100 sick leave due (grandfathered), 20.0678 comp hours due and 14 hours holiday pay. Also, 20 regular hours for the week thru 4-2-04

request of Commissioner, Pct. #3 to place Diana L. Gebolys, Part-time Desk Clerk, (replacement for Cari Schroeder), on payroll, effective March 30, 2004

request of Commissioner, Pct. #3 to rescind payroll change of 3-22-04 for Patrick Howard Platter, Mosquito Spray Driver, effective March 22, 2004

request of Commissioner, Pct. #3 to accept the resignation of Cari Schroeder, Part-time Desk Clerk, effective March 24, 2004

request of Constable, Pct. #5 to reassign Jerry L. Jordan, Deputy Constable/Special Projects, (assigned to and funded by Commissioner #2), effective April 5, 2004

request of Constable, Pct. #5 to place David Wood, Deputy Constable, Pct. #5, (replacement for Jerry Jordan), effective April 26, 2004. Also, annual auto allowance.

request of Custodial Services to increase the salary of Brian Hall, Floor Technical, effective April 3, 2004

request of Custodial Services to place Frank Edward Kirkwood, Floor Technician, (replacement for Bill Burk), on payroll, effective March 29, 2004

request of Custodial Services to increase the salary of Ronald Riley, Floor Custodian, effective April 3, 2004, due to probation period completed

request of County Clerk to transfer Lisa Afill to Chief Court Clerk, (replacement for Alice Freeman), effective April 10, 2004

request of County Clerk to accept the retirement of Alice Freeman, Chief Court Clerk, effective March 31, 2004

request of County Clerk to accept the resignation of Vanessa Hartnett, Courtroom Clerk, effective March 30, 2004, with 21.71 vacation hours due and 7.32 comp hours due

request of County Clerk to promote Theresa Ruppert from Receptionist to Courtroom Clerk, (replacement for Vanessa Hartnett), effective April 10, 2004

request of County Clerk to transfer Donna Walters from Court Coordinator to Chief Court Clerk, (replacement for Lisa Afill), effective April 7, 2004

request of District Clerk to place Bobbye Gregory, Court Assistant, on payroll, (replacement for Regina DeLeon), effective March 29, 2004

request of Drug Court Director to accept the resignation of Amberly Denise Chapin, Court Diversion Officer, on payroll, effective April 2, 2004

request of Elections Administrator to place Peggy Avant, Temporary Voters Registration Clerk, on payroll, effective March 27, 2004

request of Elections Administrator to place Peggy Avant back to Voters Registration Clerk, effective April 10, 2004

request of Elections Administrator to place Elizabeth Robinson, Temporary Voters Registration Clerk, on payroll, effective March 27, 2004

request of Elections Administrator to place Elizabeth Robinson back to Voters Registration Clerk, effective April 10, 2004

request of Elections Administrator to place Gwenda Stephan, Temporary Voters Clerk, on payroll, effective March 27, 2004

request of Elections Administrator to place Gwenda Stephan back to Voters Registration Clerk, effective April 10, 2004

request of Elections Administrator to place Virginia Taylor, Temporary Voters Registration Clerk, effective March 27, 2004

request of Elections Administrator to place Virginia Taylor back to Voters Registration Clerk, effective April 10, 2004

request of Elections Administrator to place Marie Turner, Temporary voters Registration Clerk, effective March 27, 2004

request of Elections Administrator to place Marie Turner back to Voters Registration Clerk, effective April 10, 2004

request of Elections Administrator to place Martha Williams, Temporary Voters Registration Clerk, on payroll, effective

March 27, 2004

- request of Environmental Health to place Stephanie Price, Building Permit/Flood Plain Clerk, on payroll, (replacement for Stacy Morgan), effective March 29, 2004
- request of Justice of the Peace, Pct. #4 to bridge the time of Marsha Edwards, Clerk I, effective March 27, 2004
- request of Sheriff's Department to promote Michael Bledsoe, Detective I, (replacement for Brent Akin), effective April 10, 2004
- request of Sheriff's Department to place Tiffani Michelle Breneman, Detention Officer I, on payroll, (replacement for Michael R. Jones), effective April 10, 2004
- request of Sheriff's Department to place Curtis Ray Brooks, Detention Officer I, on payroll, (replacement for Nikki Gowton), effective March 27, 2004
- request of Sheriff's Department to placed Melanie T. Drake, CJR Specialist I, (replacement for Ruby Smith), effective March 27, 2004
- request of Sheriff's Department to transfer Joel Gordon form Crime Prevention Corp. to Crime Stoppers Corp., (replacement for Denise Janeway), effective April 10, 2004
- request of Sheriff's Department to transfer Justin Hamilton from Detention Deputy to District II, Patrol Deputy, (replacement for Michael Bledsoe), effective April 10, 2004
- request of Sheriff's Department to demote Denise Janeway from Crime Prevention Specialist to Detention Deputy, (replacement for Justin Hamilton), effective April 10, 2004
- request of Sheriff's Department to place Brian Lennon, Detention Officer I, (replacement for Aaron Lozano), effective April 3, 2004
- request of Sheriff's Department to place Andrea Nordberg, Warrants Clerk I, on payroll, effective March 27, 2004
- request of Sheriff's Department to place Kerris Sample, Detention Corporal on family leave of absence, effective April 1, 2004
- request of Sheriff's Department to promote Phillip Schumpe from District I, Patrol Deputy to Detective I, (replacement for Joel Gordon), effective April 10, 2004
- request of Sheriff's Department to place Juan Valdez, Detention Officer I, (replacement for Judy Gonzales), effective March 27, 2004
- request of Sheriff's Department to place Sarah Yancey, Dispatcher, (replacement for Brittany Johnson), on payroll, effective March 27, 2004
- request of Sheriff's Department to place Brian C. Yosko, Detention Officer I, (replacement for Rene Duewall), effective March 27, 2004

request of Tax Assessor/Collector to place Vanessa Jackson, Deputy Specialist I, (replacement for Jerry Cooper), on payroll, effective April 5, 2004

request of Tax Assessor/Collector to discharge Monica Reamy, Deputy Specialist I, effective March 25, 2004

request of Tax Assessor/Collector to accept the resignation of Andrea Schmidt, Deputy Specialist I, effective April 2, 2004

request of County Treasurer to layoff Joann Matthews, Payroll Accountant, effective March 31, 2004

request of Civil Defense to place Teresa McCray, Terrorism Planner, on payroll, (replacement for James Barber), effective April 5, 2004

as per Payroll Change Requests on file. Motion carried.  
37.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