

COMMISSIONERS' COURT DOCKET, MAY 5, 2003  
SPECIAL SESSION

THE STATE OF TEXAS  
COUNTY OF MONTGOMERY

Be it remembered that on this the 05th day of May, 2003, 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 CONNIE REAVES, SHERIFF'S DEPARTMENT.

PLEDGE OF ALLEGIANCE WAS RECITED BY EVERYONE PRESENT.

1. COMMISSIONERS' COURT AGENDA APPROVED

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

2. RESOLUTION APPROVED - COULSON TOUGH RETIREMENT

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve a Resolution to recognize COULSON TOUGH on his retirement as Senior Vice President of Commercial/Industrial Design and Construction at The Woodlands Operating Company, as per Resolution on file. Motion carried.

AGENDA ITEM 5B - EMPLOYEE OF THE MONTH OF MAY, 2003

VANITA BUCHANAN, employee in the County Judge's Office was selected as "Employee of the Month" by the Employees' Committee. The nominating letter was read by Judge Sadler, and Vanita was presented with a plaque and a gift certificate.

3. CONSENT AGENDA APPROVED - AGENDA ITEMS 6A THROUGH 6E

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the following Items listed under Today's Court Agenda:

COUNTY AUDITOR - AGENDA ITEMS 6A

- a. ACCOUNTS approved, as presented by the County Treasurer.
- b. BUDGET AMENDMENTS approved, as follows:
  - 1. 410th District Court - to transfer funds to build a cabinet in Courtroom
  - 2. Commissioner, Pct. #2 - to transfer funds for Lucado Claim
  - 3. Constable, Pct. #4 - to transfer funds for addition to office
  - 4. Constable, Pct. #4 - to adjust line items

- 5. County Attorney - to recognize/allocate reimbursement for Q/E 11/30/02
- 6. Juvenile Probation - to adjust line items

as per Budget Amendments on file.

COUNTY TREASURER - AGENDA ITEMS 6B

- a. WEEKLY INVESTMENT REPORT approved, for the week of April 28, 2003, through May 2, 2003, as per Report on file.

AGENDA ITEM 6B2 - PLEDGES AND/OR RELEASES OF COLLATERAL - REMOVED FROM AGENDA.

- b. BANK RESOLUTIONS approved, as follows:
  - 1. Woodforest National Bank - for the account of Montgomery County - Capital Project-Certificate of Obligations 2003 - Account #240804
  - 2. Woodforest National Bank - for account of Montgomery County Capital Project-Road Bonds 2003A, Account #240796

as per Bank Resolutions on file.

- c. QUARTERLY INVESTMENT REPORT approved, for quarter ending March 31, 2003, as per Report on file.

PURCHASING DEPARTMENT - AGENDA ITEMS 6C

- a. AUTHORIZATION TO ADVERTISE FOR BIDS/PROPOSALS, as follows:
  - 1. Inmate Dental Service - Sheriff's Department Jail Division
- b. ITEMS DECLARED AS SALVAGE approved, from Precinct #4, as noted in memo dated May 5, 2003, on file.
- c. CHANGE ORDER CORRECTION approved, for PO#2003041, to Harts Auto Supply for brake parts, to reflect Change Order #1 rather than Change Order #2, approved on April 28, 2003, Court Session, as per Change Order on file.
- d. CHANGE ORDER CORRECTION approved, for PO#2002347, to Alliance Construction, Inc., for Construction of East Montgomery County Community Development Center, Pct. #4/CDBG, should read Change Order #8, #9, #10, #11 and #12, rather than #8, #9, #10, and #12, approved on April 28, 2003, as per Change Order on file.
- e. REQUEST approved, to add Miller Uniforms & Emblems, Inc., as an alternate vendor to Project #2003-0002 for the purchase of new uniforms for law enforcement, as per Request on file. (previously awarded in Court on December 16, 2002)

as per bids opened on file in the Purchasing Department.

COMMISSIONER, PRECINCT #1 - AGENDA ITEMS 6D1

- a. ORDER approved, to acknowledge receipt of Replacement Letter of Credit No. 1023SB for the account of Bois d'Arc Bend Road, Section 2, issued by TIB The Independent Bankers Bank, as per Order on file.

- b. ORDER approved, to authorize the purchase of Real Property, consisting of approximately 1.7 acres out of the George Lonis Survey, for county purposes for the public good within the boundaries of Montgomery County, Precinct #1. Also, to appoint Robert W. Collins, as Special Commissioner, for closing on behalf of Montgomery County, as per Order on file.
- c. PUBLIC HEARING DATE SET, for June 2, 2003, to consider establishing a speed limit of 30 mph for Thompson Road from F.M. 830 to F.M. 1097, as per Notice on file.

COMMISSIONER, PRECINCT #2 - AGENDA ITEMS 6D2

- a. FINAL PLAT approved, for Stonebridge Church Drive Street Dedication, consisting of 0.694 Acres, as per Plat on file.
- b. PUBLIC HEARING DATE SET, for June 2, 2003, to consider placing stop signs on Pearl River on both sides of Cherokee Drive in Lake Conroe Forest, as per Notice on file.

COMMISSIONER, PRECINCT #4 - AGENDA ITEMS 6D4

- a. ORDER approved, to authorize payment in Cause No. 03-01-00669-CV, Montgomery County vs. Frank S. and Debra K. Smith, in the amount of \$10,400.00, (fund from Road Bond Series 2002), into the registry of the Court, in connection with the FM1314 ROW Project. Also, to authorize payments to Special Commissioners as outlined in Exhibit "B" on file.
- b. FINAL REPLAT approved, for Kellyn Oaks Section 1, consisting of 46.624 Acres, 92 Lots, as per Plat on file.
- c. ROADS accepted, in Riverwalk Subdivision, Section 4, consisting of 17,646.95 l.f., 3.34 miles, into the one year maintenance period, effective May 5, 2003, as per Request on file.
- d. UTILITY PERMIT approved, from Wheeler Oil Company Ltd, to place a 4" polyline line within the right-of-way of Johnson Road, as per Permit on file.

ALL PRECINCTS - AGENDA ITEMS 6D5A

- a. OVERLOAD/OVERSIZE PERMIT approved, from Steely Lumber Company, Inc., to move various loads over all County Roads. Movement to begin not earlier than April 30, 2003, and to be completed July 30, 2003, as per Permit on file.

DRUG COURT - AGENDA ITEMS 6E

- a. CHECK accepted, in the amount of \$1,800.00, from PassPoint Eye Based Drug Screening System (D.I.D.S. L.L.C.), for screening participants for drug use, as per Request on file. (check was not forwarded to County Clerk)

Motion carried.

END OF CONSENT AGENDA

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4. REQUEST APPROVED - EAGLE SCOUT PROJECT - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve the Request from Brian Wiggins, Eagle Scout, to proceed with his project to build and donate to Montgomery County a gazebo for the Ipes Road Park in Splendora, as per Request on file. (no cost to the County)

5. REQUEST APPROVED - TRANSFER OF FUNDS - ANIMAL CONTROL

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the transfer of \$1,673.00 from Animal Control Account to Animal Shelter Account, to accommodate the transfer of John Geiser to Administrative Assistant position, as per Request on file. Motion carried.

6. APPLICATION APPROVED - MOODY'S RATING SERVICE - COUNTY AUDITOR

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Application for preferred pricing from Moody's Rating Service, as per Application on file. Motion carried.

7. AMENDMENT AND EXHIBIT "A" APPROVED - VEHICLE TITLE REGISTRATION SERVICES - TAX ASSESSOR/COLLECTOR

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve an "Amendment and Exhibit "A" to the Agreement the County has with the State of Texas for providing vehicle title registration services. Also, to authorize the County Judge to execute said Amendment and Agreement, as per Paperwork on file. Motion carried.

AGENDA ITEMS 11A1 & 2 - RECOMMENDATIONS AND CONTRACTS - DEFERRED.

8. REQUESTS APPROVED - VARIOUS ITEMS - PURCHASING DEPARTMENT

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the following Items from the Purchasing Department:

- a. CONTRACT approved with Turner Collie & Braden, Inc., for Montgomery County Pavement Management Plan, as per Contract on file.
- b. REQUEST approved, for an e-procurement on-line pilot program with Bid-Net, as per Request on file.
- c. CHANGE ORDER #1 approved, (PO#2002365), to M & E Consultants for Engineering Services for erosion remediation projects at various locations, Pct. #2, as per Change Order on file.
- d. CONTRACT approved, with Brookhaven Youth Ranch for residential placements for Juveniles, as per Contract on file.
- e. PROPOSAL approved, from Right of Way Acquisition Services, Inc., for the acquisition of needed right - of-way on Hanna Rd., Pct. #3, for a fee of \$41,400.00, as per Proposal on file.

- f. PROPOSAL approved, from Carter & Burgess, Inc. for final engineering services for the Rayford Rd. widening project from I-45 to Union Pacific Railroad, Pct. #3, for a fee not to exceed \$139,760.86, as per Proposal on file.

Motion carried.

AGENDA ITEM 12A - NOTICE OF INTENT TO CREATE AND ESTABLISH MONTGOMERY COUNTY ROAD IMPROVEMENT DISTRICT NO. 1 - DEFERRED, UNTIL BOUNDARIES ARE DETERMINED, PER COMMISSIONER CHANCE.

- 9. RESOLUTIONS AND ORDERS APPROVED - LITIGATION EXPENSES - COUNTY ATTORNEY

Motion by Commissioner Chance, seconded by Judge Sadler, to approve the following Resolutions and Orders, for payment of litigation expenses on various lawsuits:

- a. Christina Smith vs. Montgomery County, Scott Hazelwood - Cause #0304-026942-CV
- b. Gawerc vs. Montgomery County - Cause #99-06-03712-CV
- c. Sauls vs. Montgomery County - Cause No. 96-03-00843-CV

as per Resolutions and Orders on file. Motion carried.

- 10. REQUEST APPROVED - INVESTIGATION OF MISSING INMATE FUNDS - SHERIFF'S DEPARTMENT

Motion by Commissioner Chance, seconded by Commissioner Meador, to authorize the District Attorney to assist the Sheriff's Office in completing investigation of missing inmate funds due to possible county liability, as per Request on file. Motion carried.

THE COURT DID NOT RECESS TO EXECUTIVE SESSION.

- 11. PAYROLL CHANGE REQUESTS APPROVED - HUMAN RESOURCES

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

request of Animal Control to accept the resignation of Toni Inez Morgan, Administrative Assistant, effective May 16, 2003, with 22.50 vacation hours due and 109.365 comp hours due

request of Convention Center Director to increase the salary of Grant McDowell, Ground Maintenance/Facility Worker, effective May 10, 2003, due to probation period completed

request of Convention Center Director to increase the salary of Robert Wright, Grounds Maintenance/Facility Worker, effective May 10, 2003, due to probation period completed

request of Convention Center Director to increase the salary of Joseph Zwall, Grounds Maintenance/Facility Worker, effective May 24, 2003, due to probation period completed

request of Constable, Pct. #3 to place Todd Lehn, Deputy, on payroll, effective April 30, 2003

request of Custodial Services to accept the resignation of Candie M. Bussey, Floor Custodian, effective april 28, 2003, with 27.72 vacation hours due and 2.55 comp hours due

request of Custodial Services to accept the resignation of Linda McCollum, Part-time Custodian, effective April 25, 2003

request of Custodial Services to place Nallely Ontiveros, Part-time Custodian, on payroll, (replacement for Linda McCollum), effective April 30, 2003

request of Elections Director to increase the salary of Linda Henry, Voter Registration Clerk, effective April 26, 2003, due to probation period completed

request of Library Director to accept the resignation of Robin Bamburg, Library Assistant II, effective May 8, 2003, with 26.60 vacation hours due

request of Library Director to accept the resignation of Ann Daigle, Shelving Clerk, effective May 21, 2003

request of Sheriff's Department to accept the resignation of Ronald Adams, Jail Maintenance, effective May 8, 2003, with 46.20 vacation hours due and 3.0000 comp hours due

request of Sheriff's Department to promote William Scott Coskrey, Jail Maintenance Supervisor, (replacement for John Davidson), effective April 26, 2003

request of Sheriff's Department to accept the resignation of Helen Johnson, Dispatcher I, effective April 29, 2003, with 71.91 vacation hours due, 227.3800 comp hours due and 24.0000 holiday hours due

request of Sheriff's Department to accept the resignation of Carla Marseilles, Dispatcher I, effective May 9, 2003, with 2.00 comp hours due and 8 holiday hours due

request of Animal Control to transfer John Geiser from Field Supervisor to Administrative Assistant, (replacement for toni Morgan), effective May 24, 2003

request of Animal Control to promote LaJeane Thompson from Animal Control Officer to Field Supervisor, (replacement for John Geiser), effective May 24, 2003

request of Commissioner, Pct. #2 to promote John Thomas from Gradall Operator to Gradall Foreman, effective April 26, 2003

request of Commissioner, Pct. #2 to promote Robert Wishkoski from Truck Driver to Operator II, effective April 26, 2003

request of Library Director to place Teresa DeHoyos, Copy Cataloger, on unpaid family leave of absence, effective May 1, 2003

request of Sheriff's Department to place Randy Longdon, Temporary Medical Supervisor, (temporary replacement for Vicky Howard), effective April 26, 2003

as per Payroll Change Requests on file. Motion carried.

COURT RECESSED UNTIL 10:30 A.M.

COURT RECONVENED WITH ALL MEMBERS OF THE COURT PRESENT.

12. AGREEMENT APPROVED - VEHICLE EMISSION TESTING REQUIREMENTS - COUNTY ATTORNEY

INTERLOCAL AGREEMENT APPROVED - COORDINATOR FOR GRANT PROGRAM, HGAC - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the following Agreements in regard to the vehicle emission testing requirements:

- a. AGREEMENT between Texas Commission on Environmental Quality and Montgomery County, for grant funding to enable Montgomery County to provide low income vehicle repair assistance in response to vehicle emission testing requirements. Also, to authorize the County Judge to sign said Agreement.
- b. INTERLOCAL AGREEMENT between Houston-Galveston Area Council and Montgomery County, for the Administration of Grant Program from Texas Commission on Environmental Quality. Also, to authorize the County Judge to sign said Agreement.

as per Agreements on file. Motion carried.

13. AMENDMENT APPROVED - UNIVERSITY OF TEXAS MEDICAL BRANCH - COUNTY ATTORNEY

Motion by Judge Sadler, seconded by Commissioner Chance, to approve the Amendment to the existing Agreement for Public Health Service between the University of Texas Medical Branch, (Galveston), and Montgomery County. Also, to authorize the County Judge to sign said Amendment, as per Amended Agreement on file. Motion carried.

14. AMENDMENT APPROVED - COOPERATIVE AGREEMENT - STATE OF TEXAS - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve Amendment 1, to the Cooperative Agreement between the State of Texas Attorney General's Office and Montgomery County, to change auditing requirements to a record retention requirement for the Montgomery County Child Support Department. Also, to authorize the County Judge to sign said Amended Agreement. Motion carried.

15. COURT ADJOURNS

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

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

ATTEST:

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

BY: \_\_\_\_\_  
County Clerk

\_\_\_\_\_ County Judge

