

COMMISSIONERS' COURT DOCKET, JULY 12, 2004
REGULAR SESSION

THE STATE OF TEXAS
COUNTY OF MONTGOMERY

Be it remembered that on this the 12th day of July, 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 Meador, seconded by Commissioner Chance, to approve Commissioners' Court Agenda for discussion and necessary action. Motion carried.

2.PROCLAMATION DENIED - "ECONOMIC DEVELOPMENT AND TOURISM"

Motion by Commissioner Doyal, seconded by Judge Sadler, to deny the request to stop new billboards on any road or portion of a road that lies within its jurisdiction but outside the corporate limits of a City. Motion fails.

AGENDA ITEM 6B - NORTH MONTGOMERY COUNTY VFD PRESENTATION

JOE CRAIG, with the North Montgomery County VFD, addressed the Court to give Commissioner Meador special recognition for all his support to their department. Also, the VFD presented Commissioner Meador with a plaque to show their appreciation for the support their department received from the Commissioner and his workers in Precinct #1.

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

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve Commissioners' Court Minutes for June 21, 2004, as presented by the County Clerk. Motion carried.

4.CONSENT AGENDA APPROVED - AGENDA ITEMS 8A THROUGH 8J

Motion by Commissioner Chance,, seconded by Commissioner Rinehart, 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 follows:

- 1.9th District Court - to adjust line items
- 2.410th District Court - to transfer funds to cover release
278176
- 3.Capital Project - 207 W. Phillips - to adjust line items
- 4.Child Welfare - to adjust line items
- 5.Commissioner, Pct. #1 - to transfer funds to cover security at
Lake Park for April thru May, 2004

6. Commissioner, Pct. #2 - (1 of 2) - to recognize and to allocate lease proceeds from Mark Kee
7. Commissioner, Pct. #2 - (2 of 2) - to recognize and to allocate lease proceeds from L. Fritsche
8. Commissioner, Pct. #3 - (1 of 11) - to recognize and to allocate reimbursement from A. Edwards
9. Commissioner, Pct. #3 - (2 of 11) - to recognize and to allocate reimbursement from J. Hendrix
10. Commissioner, Pct. #3 - (3 of 11) - to recognize and to allocate reimbursement from Moore & Smith Builders
11. Commissioner, Pct. #3 - (3 of 11) - to recognize and to allocate reimbursement from Moore & Smith Builders
12. Commissioner, Pct. #3 - (4 of 11) - to recognize and to allocate reimbursement from Keri Hill
13. Commissioner, Pct. #3 - (5 of 11) - to recognize and to allocate reimbursement from D. Wilson
14. Commissioner, Pct. #3 - (6 of 11) - to recognize and to allocate reimbursement form T. Cooper
15. Commissioner, Pct. #3 - (7 of 11) - to recognize and to allocate reimbursement from Statewide Traffic Signal Co.
16. Commissioners, Pct. #3 - (8 of 11) - to recognize and to allocate reimbursement from G. Reinke
17. Commissioner, Pct. #3 - (9 of 11) - to recognize and to allocate reimbursement from State Farm Mutual Automobile Insurance Co. for Sandee Vickory
18. Commissioner, Pct. #3 - (10 of 11) - to recognize and to allocate reimbursement from G. Leal
19. Commissioner, Pct. #3 - (11 of 11) - to recognize and to allocate reimbursement from L. Cantu
20. Commissioner, Pct. #3 - Grant-G-09 - to adjust line items
21. Commissioner, Pct. #4 - (1 of 3) - to adjust line items
22. Commissioner, Pct. #4 - (2 of 3) - to recognize and to allocate contribution from R. Chandler
23. Commissioner, Pct. #4 - (3 of 3) - to transfer funds to cover shortage in restricted line
24. Constable, Pct. #4 - to adjust line items
25. Contingency - to transfer funds to cover shortage
26. County Attorney - to adjust line items
27. County Clerk - to adjust line items
28. County Judge - to transfer funds for burial expense
29. Court Operation - (1 of 2) - to fund shortages in court operations
30. Court Operations - (2 of 2) - to fund shortages in court operations
31. Elections Administrator - (1 of 2) - to transfer funds to cover PO24506331
32. Elections Administrator - (2 of 2) - to recognize and to allocate reimbursement from State for Chapter 19 August, 2002 through June, 2003
33. Extension Agents - to adjust line items
34. Memorial Library - to recognize and to allocate donation from Montgomery County Genealogical & Historical Society
35. Risk Management - (1 of 4) - to transfer funds from insurance proceeds for claims GO40037 to A040043
36. Risk Management - (2 of 4) - to transfer funds for damage claim A040061
37. Risk Management - (3 of 4) - to recognize and to allocate insurance proceeds for claim WO40019
38. Risk Management - (4 of 4) - to transfer funds to cover damage claim A040065
39. Sheriff - to recognize and to allocate reimbursement for damage to Unit 810 claim U040017

as per Budget Amendments on file.

COUNTY TREASURER - AGENDA ITEM 8B

- a. WEEKLY INVESTMENT REPORT approved, for the week of June 21, 2004, through June 25, 2004, as per Report on file.
- b. MONTHLY FINANCIAL REPORT approved, for the month of May, 2004, as per Report on file.
- c. MONTHLY COLLATERAL REPORT approved, for the month of June, 2004, as per Report on file.

AGENDA ITEM 8B4 - PLEDGES AND/OR RELEASES OF COLLATERAL - NONE WAS SUBMITTED THIS COURT SESSION.

TAX ASSESSOR/COLLECTOR - AGENDA ITEMS 8C

- a. REPORT acknowledged, for June, 2004 Supplemental Changes to the 2003 Consolidated Taxroll, as per Report on file.
- b. REPORT accepted, reflecting tax collections October 1, 2003, through June 30, 2004, for Montgomery County and all entities collected by the County, as per Report on file.

PURCHASING DEPARTMENT - AGENDA ITEMS 8D

- a. AUTHORIZATION TO ADVERTISE FOR BIDS AND/OR PROPOSALS, AS FOLLOWS:

- 1. Lawn Maintenance Services - Pct. #4
- 2. Medical Supplies - Various Departments
- 3. Courier Service/Lab Test - Sheriff's Department - Jail Division
- 4. Mosquito Spraying Service - Various Precincts
- 5. Reconstruction of Richards Rd. from Rayford Rd. to Hanna Rd. - Pct. #3
- 6. Reconstruction of Hanna Rd. from 300' South of Todd Dr. to Woodson Rd. - Pct. #3
- 7. Tree Removal on FM1484 Parcel - Airport
- 8. Printing of Letterhead, Stationary, Envelopes and Business Cards - Various Departments
- 9. Water Service - Various Departments
- 10. Lease of Office Space - Library
- 11. Portland Cement Concrete Class "A" - Various Precincts
- 12. Additional Alternates for Morgue Transport Service - Various Precincts

- b. ALSO, to acknowledge the opening of the following bids/proposals:

- 1. One (1) or more new 2004 vehicles(s) - Various Departments - project #2004-0067 (opened 6-23-04)
- 2. Janitorial Products and Chemicals - Various Departments - Project #2004-0067 (opened 6-22-04)
- 3. RFP Wireless Air Network Card/Service - Various Departments - Project #20040040 (opened 6-23-04)
- 4. Laptop PC/Toughbooks - Various Departments - Project #2004-0073 (opened 6-28-04)
- 5. Construction of a new library - Pct. #4 - Project #004-0070 (opened 6-29-04)

- c. RENEWAL CONTRACTS approved, as follows:

1. North Harris Montgomery Community College District - PO#9900042
- for library automation Resources - Library
Department
2. Addco, Inc. - PO#2002452 and #2002452X - for Contract Support
Services - C.I.S.
3. Conroe Independent School District - PO#9600598 - for fuel
charge back - Sheriff's Department
4. Exxon Mobil Corporation - PO#2002441 - for fleet fuel credit
card - Various Departments
5. Shell Company - PO#2002398 - for fleet fuel credit card -
Various Departments
6. Synergy Systems LLC - PO#2002512 - for GPS Mobile Data and GPS
Tracking Antennas - Various Departments
7. Diamond Shamrock Corporation - PO#2002436 - for additional
fleet fuel credit card - Various Departments
8. Recycled Stone Co. - PO#2001480 - for crushed concrete flexible
base material - delivered - Pct. #1
9. Southern Crushed Concrete, Inc. - PO#2001481 - for crushed
concrete flexible base material - delivered - Pct.
#1
 10. Rac Materials, Inc. - PO#2001483 - for crushed concrete
flexible base material - delivered - Pct. #2
 11. Southern Crushed Concrete, Inc. - PO#2001484 - for crushed
concrete flexible base - delivered - Pct. #4
 12. Liberty Vending Services, Inc., - PO#2000438 - for vending
machine services - Various Departments

as per Request on file.

d. CONTINUATION OF SOLE SOURCE approved, for the following Vendors
and Departments:

1. Buckalew Chevrolet, Inc. - for captive/component parts -
Various Departments
2. Gullo Ford Mercury - for captive/component parts - Various
Departments
3. Buckalew Chevrolet, Inc. - for captive/component parts -
Sheriff's Department Fleet Operation
4. Gullo Ford Mercury - for captive/component parts - Sheriff's
Department Fleet Operations
5. Lexis-Nexis - for on-line computer assisted legal research -
Various Departments
6. Lexis-Nexis, Matthew Bender, Shepard's and Michie -for Lexis-
Nexis, Matthew Bender, Shepard's Michie Products,
CD's and Publications - Various Departments
7. Scholastic Library Publishing - for miscellaneous books, CD
ROM's and on-line services - Library
8. Westlaw/West Group - for on-line computer assisted legal
research - Various Departments

as per Request on file.

e. CANCELLATION approved, of PO#2000379 and #2000379X to Crown
Paper & Chemical, for janitorial products and
chemicals, as per Request on file.

f. CANCELLATION approved, of PO#2004228, to Osburn Associates,
Inc., for diamond grade street blade sign blanks, as
per Request on file.

g. CANCELLATION approved, of PO#2004337 to Circle M Lawn Service
dba Duane Leach, for lawn maintenance services for
Precinct #4, as per Request on file.

h. CHANGE ORDER #4 approved, PO#2003276, to Hellard Services for
lawn maintenance service for the New County
Administration Building, as per Change Order on
file.

- i.CHANGE ORDER #15 approved, PO#2001117, to Willis Pest Control, for pest control services - Various Departments, as per Change Order on file.
- j.CHANGE ORDER #3 approved, PO#2003104 - to Paradigm Traffic Systems, Inc., for video processor systems - Various Departments - as per Change Order on file.
- k.CHANGE ORDER #4 approved, PO#2002424 - to Conroe Door and Hardware, for hardwood lumber, supplies and miscellaneous items - Various Departments - as per Change Order on file.
- l.CHANGE ORDER #2 approved, PO#2004261 - to Newman Traffic signs for diamond grade street blade sign blanks - Various Departments - as per Change Order on file.
- m.PAYMENT AND PERFORMANCE BONDS approved, from Silva, Inc., for surface treatment, in the amount of \$234,349.84 each, as per Bonds on file.
- n.REQUEST approved, from the Sheriff's Department to declare miscellaneous filing cabinets as salvage, as per Request on file.
- o.AUCTION ITEMS SOLD approved, from the list of items for the June 12, 2004 county auction, as per List on file.
- p.AUCTION ITEMS SOLD approved, at the June 12, 2004 auction that were not listed on the original list, as per List on file.

- q.ITEMS DECLARED SURPLUS approved, but was not sold at the June 12, 2004 auction, as per List on file.
- r.CHECK accepted, in the amount of \$81,066.72, from Rene' Bates Auctioneers, Inc., for proceeds received from the June 12, 2004, auction. (check was not forwarded to County Clerk for processing)
- s.ALLOCATION OF FUNDS approved, to various departments for proceeds received from the June 12, 2004 auction, as per Memos on file.
- t.REQUEST approved, to acknowledge and accept the price variation of the payment and performance bonds from Turner Construction for the construction of a new library for Pct. #3. (previously approved in Commissioners' Court)
- u.NAME CHANGE approved, to change Mustang Tractor and Equipment Co. to Mustang Cat, as per Request on file.

- COMMISSIONER, PRECINCT #1 - AGENDA ITEM 8E1
- a.ORDER approved, to allow a partial lot conveyances without a replat in Bentwater, Section 49, Lot 12, Block 1, as per Order on file.
- b.ROADS accepted, BOND released, in Keystone Trails Subdivision, Section 1, by Montgomery County, consisting of 3089.54 l.f., .59 miles. Also, to Release the Bond, as per Request on file.

- c. PUBLIC HEARING DATE set, for July 26, 2004, to place a "no parking" signs on Beach Walk Boulevard, as per Notice on file.

COMMISSIONER, PRECINCT #2 - AGENDA ITEMS 8E2

- a. PUBLIC HEARING DATE set, for July 26, 2004, to place a stop sign on each side of Sea Turtle on Old Nichols Sawmill Road and on Old Nichols Sawmill Road at Nichols Sawmill Road, as per Notice on file.

COMMISSIONER, PRECINCT #3 - AGENDA ITEMS 8E3

- a. ORDER approved, to acknowledge the termination of lease for real property described as Lot 11, Springwood Estates, Section 1, effective May 29, 2004, as per Order on file.
- b. ORDER approved, to authorize the payment of Special Commissioners' Award in the proceedings under Cause No. 04-04-03003-CV, for the acquisition of real property described as Parcel 2, Richards Road. Also, to authorize \$40,000.00, to be placed into the registry of the Court for such proceeding, as per Order on file.
- c. FINAL PLAT approved, for Alexan of Pruitt Road, consisting of 32.1149 acres, as per Plat on file.
- d. FINAL PLAT approved, for Canyon Lakes at Legends Ranch, Section 2, consisting of 43.391 acres, 160 lots, as per Plat on file.

- e. FINAL PLAT approved, for Fox Run, Section 12, consisting of 16.413 acres, 81 lots, as per Plat on file.

- f. FINAL PLAT approved, for Legends Ranch West Gate, consisting of 1.591 acres, as per Plat on file.

COMMISSIONER, PRECINCT #4 - AGENDA ITEMS 8E4

- a. CHECK accepted, in the amount of \$300.00, from the City of Patton Village for the reimbursement of road material used for the Peach Creek Colony project, as per Letter on file. (check forwarded to County Treasurer for further processing)
- b. CHECK accepted, in the amount of \$580.41, from the City of Roman Forest, for the purchase of fuel for the month of May, 2004, as per Interlocal Agreement dated October 07, 2004, as per Request on file. (check forwarded to County Treasurer for further handling)
- c. ORDER approved, to acknowledge receipt of a check in the amount of \$20.00, from Solveig Matek for lease of real property described as 5.190 acres, as per Order on file.
- d. ORDER approved, to declare the existence of a public necessity and to authorize the County Attorney to institute condemnation proceedings, to acquire property described as Parcel No. 23A for the widening of F.M. 1314 from approximately 2.6 miles, as per Order on file.

- e. ORDER approved, to declare the existence of a public necessity and to authorize the County Attorney to institute condemnation proceedings, to acquire property described at Parcel 23B for the widening of F.M. 1314 from approximately 2.6 miles, as per Order on file.
- f. FINAL PLAT approved, for New Caney I.S.D. Porter Campus, consisting of 72.619 acres, as per Plat on file.
- g. FINAL PLAT approved, for Timberlane Acres R.O.W. Dedication, consisting of 0.729 acres, as per Plat on file.
- h. ROADS accepted, in Kings Manor, Section 14, into the one year maintenance period, consisting of 1215.34 l.f., .23 miles, effective July 12, 2004, as per Request on file.
- i. ROADS accepted, in Kings Manor, Section 16, into the one year maintenance period, consisting of 50 l.f. , .0095 miles, effective July 12, 2004, as per Request on file.
- j. ROADS accepted, in Summerset Estates, Section 1, consisting of 13,077.97 l.f., 2.48 miles, into the one year maintenance period, effective July 12, 2004, as per Request on file.

AGENDA ITEM 8E4K - PUBLIC HEARING FOR AUGUST 9, 2004, FOR THE PARTIAL REPLAT OF THE IDA STRAUSS SUBDIVISION, KNOWN AS MCKENNA ESTATES - REMOVED FROM AGENDA

ALL PRECINCTS - AGENDA ITEMS 5 - ALL PRECINCTS

a. OVERLOAD/OVERSIZE PERMITS approved, for the following Vendors:

- 1. Park Construction Associates, LLP - to move dirt and sand across various county roads, except the Roads noted on said permit. Movement to begin not earlier than October 11, 2004, and to be completed by January 9, 2005, as per Permit on file.
- 2. K. J. Plunkett Sand & Base, Magnolia, Tx. - to move various loads over all county roads. Movement to begin not earlier than July 23, 2004, and to be completed by October 23, 2004, as per Permit on file.

PARKS DEPARTMENT - AGENDA ITEM 8F

a. USE AGREEMENTS ratified, as follows:

- 1. Conroe Area Girls Softball - Pct. #1
- 2. Montgomery County Youth Baseball - Pct. #2
- 3. Magnolia Little League - Pct. #2
- 4. Books are Fun - Administration Lobby

as per Agreements on file.

BUDGET OFFICE - AGENDA ITEM 8G

a. RECEIPT acknowledged, of the "Montgomery County Expenditure Status Summary", and the "Montgomery County Expenditure Status Summary - Sheriff", as of July 6, 2004, as per Report on file.

AGENDA ITEM 8H - DISTRICT CLERK - APPROVE FEE OF \$30.00 FOR THE PROCESSING OF PASSPORTS BY THE DISTRICT CLERK - REMOVED FROM AGENDA

LIBRARY DEPARTMENT - AGENDA ITEMS 8I

- a.DONATION accepted, of \$2,000.00, from the Wal-Mart Foundation and to deposit it into the account of #6511-739 to purchase materials for the Malcolm Purvis Library, as per Request on file. (check forwarded to County Treasurer for further handling)
- b.DONATION accepted, of \$750.00, and twelve (12) Videos from National Video Resources, for deposit to account #6511-7392, as per Request on file. (check forwarded to County Treasurer for further handling)
- c.CHECK accepted, for \$400.00, from the People and Stories/Gente Y Cuentos Project, to reimburse programming expenses and to be deposited in account #6511-7419, as per Request on file. (check forwarded to County Treasurer for further handling)

RISK MANAGEMENT - AGENDA ITEMS 8J

- a.REQUEST approved, to pay Enterprise Rent-A-Car \$210.56, in reference to the Claim for William K. Phillips, for rental of vehicle, due to incident May 17, 2004, Claim #A-04-0061. (no paperwork)
- b.REQUEST approved, to pay Clyde Garrett \$745.83, in reference to Claim #A-04-0071 for damage to vehicle incident June 21, 2004. (no paperwork)
- c.OFFICIAL BONDS AND OATHS approved, for various County Employees, as follows:
 - 1.Kevin Bates, Fire Investigator - Bond #15487168/Renewal
 - 2.Andrea Hamm - Deputy Constable, Pct. #5 - bond #15486564/Renewal
 - 3.Ashton Hendrick - Deputy Constable, Pct. #5 - Bond #14384271 - New/Reserve
 - 4.Charles E. Lowrie - Deputy Constable, Pct. #3 - Bond #13744096/Renewal
 - 5.Steven L. Merrell, Deputy Constable, Pct. #5 - Bond #90-KV-0576-4 - New/Reserve
 - 6.William Randall Sanson, Deputy Constable, Pct. #1 - Bond #12744636/Renewal

as per Bonds on file.

Motion carried.

END OF CONSENT AGENDA

5.PURCHASE APPROVED - MEMORIAL SPACES - COUNTY JUDGE

Motion by Judge Sadler, seconded by Commissioner Meador, to approve the purchase of five (5) memorial spaces from Garden Park Cemetery for indigent burials, as per Contract on file. Motion carried.

6.REQUEST APPROVED - PURCHASE OF CAKE - 410TH DISTRICT COURT

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve allowable expense, to be taken out of Line Item #7300 for the 410th SAP Program, to be used to purchase a cake, (not to exceed \$150.00 per year), for graduation ceremony from said Program, as per Request on file. Motion carried.

7.TRANSFER OF FUNDS APPROVED - JUSTICE OF THE PEACE, PCT #3

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the transfer of funds from one position to another the JP's office, as per Request on file. Motion carried.

8.REQUEST APPROVED - BAIL BOND ADMINISTRATOR POSITION - COUNTY TREASURER

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve changing the Bail Bond Administrator position to Bail Bond Assistant/Assistant Deputy Treasurer, and to place it under the day-to-day supervision of the County Treasurer, as per Request on file. Motion carried.

9.REQUEST APPROVED - POSITION OF BAIL BOND ASSISTANT POSITION - COUNTY TREASURER

Motion by Judge Sadler, seconded by Commissioner Chance, to authorize the posting of the position of Bail Bond Assistant/Assistant Deputy Treasurer, with availability date of July 12, 2004, with a beginning salary of \$34,000.00/\$36,000.00, as per Request on file. Motion carried.

10.REQUEST APPROVED - TRANSFER OF FUNDS FOR BAIL BOND ASSISTANT - COUNTY TREASURER

REQUEST APPROVED - DISPOSITION OF LINE ITEMS IN 5701 BUDGET - COUNTY TREASURER

Motion by Judge Sadler, seconded by Commissioner Chance, to approve the following Requests:

a.transfer funds from Bail Bond Assistant/Assistant Deputy Treasurer position from Department 5701 to Department 497

b.disposition of remaining line items in Department 5701 budget

Motion carried. (no paperwork)

11.REQUEST APPROVED - SALARY ADJUSTMENT - RISK MANAGEMENT

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve adjusting Patricia McWilliams salary to the midpoint of the grade range as approved in the recent K. R. Moore & Associate report, June 21, 2004, to be effective July 17, 2004, as per Request on file. Motion carried.

12.AMENDMENT APPROVED - COUNTY TAX ABATEMENT POLICY - TAX ASSESSOR/COLLECTOR

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve amending the County's Tax Abatement Policy Guidelines & Criteria to allow for any Company that has an excess of \$50,000,000.00, in new improvements to apply for a "Freeport Exemption" and/or Abatement of Inventory in addition to the Abatement of Improvements, as per Request on file. Motion carried.

13.REQUEST APPROVED - LOCAL LAW ENFORCEMENT BLOCK GRANT -
SHERIFF'S DEPARTMENT

Motion by Commissioner Chance, seconded by Commissioner Meador,
to approve the Request to apply for funds made available by
the FY2004 Local Law Enforcement Block Grant for \$56,863.00,
with matching funds by the County, as per Request on file.
Motion carried.

PURCHASING DEPARTMENT - AGENDA ITEMS 16A 4,5,7, & 9 -
RECOMMENDATIONS AND CONTRACTS - DEFERRED

14.BIDS REJECTED - AUTHORIZATION TO RE-ADVERTISE APPROVED -
PURCHASING DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Chance,
to reject the bids received for heavy equipment rental, and
to authorize the Purchasing Agent to re-advertise. Motion
carried. (no paperwork)

15.RECOMMENDATIONS AND CONTRACTS APPROVED - LEASE OF OFFICE SPACE
- LIBRARY DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Chance,
to approve award the bids, (opened May 12, 2004), for lease
of office space at the County Libraries, as follows:

- a.Library Friends of Conroe
- b.Montgomery County Genealogical and Historical Society, Inc.
- c.South Montgomery County Friends of Library, Inc. - (contract to
follow at a later date)
- d.Friends of R. B. Tullis Library

(see Contracts for more detailed information)

as per Contracts on file. Motion carried.

16.RECOMMENDATION AND CONTRACT APPROVED - CONTAINMENT BUILDINGS
- PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Meador,
to award the bid, (opened June 2, 2004), for two (2)
portable hazardous materials and chemical containment
buildings, to Safety Storage, Inc., as per Contract on file.
Motion carried.

17.RECOMMENDATION AND CONTRACT APPROVED - JANITORIAL PRODUCTS AND
CHEMICALS - VARIOUS DEPARTMENTS

Motion by Commissioner Chance, seconded by Commissioner Rinehart,
to award the bid, (opened May 31, 2004), for janitorial
products and chemicals to Crown Paper & Chemical, as per
Contract on file. Motion carried.

18.RECOMMENDATION AND CONTRACT APPROVED - LAPTOP PC/TOUGHBOOKS -
VARIOUS DEPARTMENTS

Motion by Commissioner Chance, seconded by Commissioner Rinehart,
to award the bid, (opened June 24, 2004), for laptop
PC/Toughbooks, to Texas Electronic Information and Computer
Corporation for the HP Compaq nx7010, as per Contracts on
file. Motion carried.

19.PROPOSAL APPROVED - LOSS PREVENTION SERVICES - PURCHASING
DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Chance,
to approve the Proposal from Sonitrol of Houston for loss

prevention services for the new county annex, (Administration Building), for the installation of a card reader for a fee of \$2,800.00, and a monthly service fee of \$39.00, (fund from bond monies), as per Request on file. Motion carried.

20.FUNDS APPROVED - SECURITY SYSTEM REPAIRS - PURCHASING DEPARTMENT

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve additional funds in the amount of \$500.00, for miscellaneous repairs for the security system at the Courthouse and Annex, as per Request on file. Motion carried.

21.PROPOSAL APPROVED - ASBESTOS CONSULTING SERVICES - PURCHASING DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Proposal from Bay Environmental, Inc., for asbestos consulting services for the Asbestos Abatement at the Youth Services Building, for a fee not to exceed \$3,000.00, (fund from contingency), as per Proposal on file. Motion carried.

22.PROPOSAL APPROVED - TECHNICAL SERVICES - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the Proposal from Tommy Woolley for Technical Services, to develop construction plans for the proposed re-alignment of Riley Fuzzel Rd. from Old Rayford Rd. to Benders Landing, for a fee of \$30.00 per hour, as per Proposal on file. Motion carried.

23.CHANGE ORDER #5 APPROVED - G.T.T. INC. - PURCHASING DEPARTMENT

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve Change Order #5, PO#2003178, to G.T.T., Inc., for the construction of the new annex, (Administration Building), as per Change Order on file. Motion carried.

24.FUNDING APPROVED - K. R. MOORE AND ASSOCIATES - PURCHASING DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve payment to K. R. Moore and Associates in the amount of \$9,000.00, (from contingency), in connection with the Montgomery County 2005 Salary Administration Report and Recommendations. Also, to fund the balance, \$57,000.00, to K. R. Moore & Associates, from the 2004/05 budget. Motion carried. (no paperwork)

25.PROPOSAL APPROVED - ATTORNEY SERVICES - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the Proposal from Stoel Rives for Attorney Services for Claims involving the Estate of Ronald Jackson, as per Proposal on file. Motion carried.

26.RESOLUTION AND ORDER APPROVED - BRACEWELL & PATTERSON LAW FIRM - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Judge Sadler, to authorize payment of \$814.35 to Bracewell & Patterson Law Firm for the legal services previously rendered to the County in

Civil Action styled Carl J. Provost, Sr. vs. Montgomery County in the U. S. District Court for the Southern District of Texas, Houston, Division, as per Order on file. Motion carried.

27.AMENDMENT APPROVED - AIRPORT PARTICIPATION AGREEMENT - AIRPORT PROJECT

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve Amendment to Airport Participation Agreement with the Texas Department of Transportation for an obstruction survey to be included in the work done under the Master Plan Project. Also, to authorize the County Judge to execute same, as per Amendment on file. Motion carried.

28.AMENDMENT APPROVED - LEASE AGREEMENT/WING AVIATION LLC - AIRPORT

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the Amendment to Lease Agreement between Montgomery County and Wing Aviation, LLC, for property on the grounds of the Lone Star Executive Airport, in order to clarify the metes and bounds, the lease term and the rental rate, as per Amendment on file. Motion carried.

AGENDA ITEM 17D - LETTER OF INTENT TO EXECUTE TAX ABATEMENT AGREEMENT FOR PROPERTY OWNED BY WOODLANDS VTO 2000 COMMERCIAL, LP AND TO BE LEASED BY HUNTSMAN - DEFERRED

29.SECOND AMENDMENT APPROVED - NEW CANEY INDEPENDENT SCHOOL DISTRICT - COUNTY ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the Second Amendment to the Interlocal Agreement between Montgomery County and the New Caney Independent School District for reimbursement of costs associated with additional drainage pipe and stabilizing materials used at the Briar Berry Lane School Site, as per Amendment on file. Motion carried.

30.AGREEMENT APPROVED - ADMINISTRATIVE SERVICES - DISTRICT JUDGES AND COUNTY COURT AT LAW JUDGES

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the Agreement between Montgomery County and their District and County Court at Law Judges, for Administrative Services for the Montgomery County Department of Community Supervision and Corrections, as per Agreement on file. Motion carried.

31.ORDER APPROVED - ABANDONMENT OF LAKE CONROE BAY ROAD (PARKER ROAD) - PRECINCT #1

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve an Order for the discontinuing, closing, abandoning and vacating a portion, (136 ft.), of Lake Conroe Bay Road, also known as Parker Road, as per Order on file. Motion carried.

32.REQUEST APPROVED - "NO PARKING ANYTIME" SIGNS - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Rinehart,

to approve posting a "NO PARKING ANYTIME" signs for Holly Creek Dr. North Bound Side, from Cul-de-sac to Woodrush, as per Notice on file. Motion carried.

AGENDA ITEM 19B2 - PROPOSED REPLAT OF LOT 1A, BLOCK 2, LAKE CHATEAU WOODS, SECTION 6 - DEFERRED UNTIL LATER DATE.

33.ORDER APPROVED - ORDER DEFERRED - AMENDING 1984 RULES AND REGULATIONS FOR SUBDIVISIONS - ALL PRECINCTS

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve an Order and to defer an Order for alternative procedures for Plat Revision per Local Government Code 232.0095, as follows:

- a.Order Deferred - adopting state statute and amending 1984 rules and regulations for subdivisions, until further study
- b.Order Approved - adopting state statute and amending 1984 rules and regulations for subdivisions to allow amending plats

as per Orders on file. Motion carried.

34.VARIANCE APPROVED - AEROBIC SEPTIC SYSTEM - ENVIRONMENTAL HEALTH

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the installation of an aerobic septic system in the flood plain located at 13137 Bending Oaks, Conroe, Precinct #2, as per Variance 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. Consider and Discuss Margaret E. Ryan vs. Montgomery County, et al Case No. 04-CV-2366
- 2.Discuss Park vs. Montgomery County (Section 551.071)
- 3.Consider and Discuss Claim of Mohammad Safiq (Section 551.071)

COURT RECONVENED WITH ALL MEMBERS OF THE COURT PRESENT.

AGENDA ITEM 23A - DAVID KING WITH RANDALLS' STORES - ADDRESSED THE COURT CONCERNING THE CONTRACT THAT WAS RECENTLY AWARDED FOR MEDICAL DRUGS FOR THE JAIL TO A PENNSYLVANIA STORE RATHER THAN THE LOCAL PHARMACIES.

7.PAYROLL CHANGE REQUESTS APPROVED - HUMAN RESOURCES

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

request of Animal Control to accept the resignation of Candace McAllister, Animal Control Officer, effective June 24, 2004,

- with 9.6225 comp hours due
- request of Animal Control to discharge Francisco Sada, Animal Control Officer, with 36.96 vacation hours due, 126.755 comp hours due and 8 hours holiday pay due
- request of Animal Control to accept the resignation of Laura Anthony, Animal Care Specialist, Full-time, effective July 6, 2004, with 58.52 vacation hours due, 10.755 comp hours due and 16 holiday hours due
- request of Animal Control to change the status of Guadalupe Salazar from Animal Care Specialist Part-time to Animal Care Specialist Full-time, (replacement for Laura Anthony), effective July 7, 2004
- request of County Auditor to accept the resignation of Danielle Martin, Part-time Clerk, effective June 16, 2004
- request of County Auditor to place Deanna K. Purswell, Part-time Clerk, (replacement for Danielle Martin), on payroll, effective June 29, 2004
- request of County Auditor to place Shelley R. Smith, Part-time Clerk/Temporary, on payroll, effective July 8, 2004
- request of Bail Bond Board to accept the resignation of Matthew W. Thomas, Bail Bond Board Administrator, effective July 9, 2004
- request of Lone Star Convention Center Director to place Richard W. Buckner, Facility Worker, (replacement for Monte Holley), effective July 12, 2004
- request of Collection Director to place Juanita Guerrero, Collections Specialist, (replacement for Belinda Pavlock), on payroll, effective June 29, 2004
- request of Collection Director to discharge Geraldine Lara, Data Entry Clerk, effective July 7, 2004
- request of Constable, Pct. #4 to promote Carl Gamble from Deputy to Captain, (replacement for Harvey Moody), effective July 17, 2004
- request of Constable, Pct. #4 to promote Joy Jacoub from Civil Clerk to Deputy, (replacement for Carl Gamble), effective July 17, 2004
- request of Constable, Pct. #4 to promote Harvey Moody from Captain to Chief Deputy, (replacement for Charles Fuller), effective July 17, 2004
- request of Custodial Services to place Tamedera Hampton, Custodian I, (replacement for Nallely Ontiveros), effective July 6, 2004
- request of Custodial Services to place Jose L.Lujan, Custodian I, (replacement for Osiel Reyna), on payroll, effective July 6, 2004
- request of County Clerk to place Amber Twiddy, Cashier Recording Clerk, (replacement for Rhonda Robey), on payroll, effective July 6, 2004
- request of County Clerk to increase the salary of Donna Walters, Chief Court Clerk, effective July 3, 2004, due to probation period completed

request of District Attorney to place Joseph Delos Reyes, Part-time Clerk, on payroll, effective June 23, 2004

request of Extension Services to accept the resignation of Judith A. Evans, Volunteer Coordinator, effective July 9, 2004, with 52.07 vacation hours due

request of Extension Services to place Betsy T. Jones, Part-time Volunteer Coordinator, effective July 6, 2004

request of Justice of the Peace, #3 to increase the salary of Dorothy L. Pierce, Court Clerk IV, effective July 3, 2004

request of Juvenile Probation Director to place Rosemary Bonner, Nurse, LVN, (replacement for Jane Ransom), effective July 6, 2004

request of Juvenile Probation Director to correct the termination date of Alexandro Guajardo, Detention Officer, to reflect June 19, 2004

request of Library Director to accept the resignation of Sarah Dyson, Shelving Clerk, effective July 30, 2004

request of Library Director to accept the resignation of Charles LaKeisha, Library Assistant II, effective August 6, 2004

request of Library Director to accept the resignation of Doris Thomson, Reference Librarian I, effective June 19, 2004

request of Library Director to accept the resignation of LeAnn Watson, Reference Librarian II, effective July 29, 2004, with 21.3252 vacation hours due

request of Risk Management Director to increase the salary of Pamela McWilliams, Risk Analyst, effective July 17, 2004, due to recent salary study

request of Sheriff's Department to accept the resignation of Brandy Bice, Town CTR Patrol Deputy, effective July 2, 2004

request of Sheriff's Department to transfer Takeya Johnson from Detention Officer I to Detention Officer II, effective June 19, 2004

request of Sheriff's Department to place Celeste Kendrick, Dispatcher, on payroll, (replacement for Peggy Arisola), effective July 10, 2004

request of Sheriff's Department to promote Michael Page from Detention Officer I to Detention Officer II, effective July 3, 2004

request of Sheriff's Department to promote Minni Parker from Medic I to Medic II, effective June 5, 2004

request of Sheriff's Department to bridge the time for Kelly Ray Smith, Auto Theft Detective, effective June 18, 2004

request of Sheriff's Department to promote Tracy Tidwell from Medic I to Medic II, effective June 19, 2004

request of Sheriff's Department to promote Patricia Turner from

Secretary I to Secretary II, effective June 5, 2004

request of Sheriff's Department to bridge the time for Kathryn Villalobos, Dispatcher II, effective July 1, 2004

request of Sheriff's Department to accept the resignation of Jeremy Voltz, Dispatcher II, effective July 16, 2004

request of Tax Assessor/Collector to increase the salary of Vanessa Rae Jackson, Deputy Specialist I, effective July 5, 2004, due to probation period completed

as per Payroll Change Requests on file. Motion carried.

36.SALARY INCREASES APPROVED - VARIOUS COUNTY EMPLOYEES

Motion by Commissioner Meador, seconded by Commissioner Chance to approve increasing the salaries for various employees whose salaries are under the minimum pay according to the K.R. Moore Salary Report, as per List of Names on file, effective July 3, 2004. Motion carried.

37.REQUEST APPROVED - PAY RATE INCREASE - LIBRARY DEPARTMENT

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve increasing the pay rate of part-time library employees to the minimum of their salary grade, (approximately \$2,900.00 for remainder of budget year 2003-04, to be funded from contingency), as per Request on file. Motion carried.

AGENDA ITEM 24D - REVISED PAGE 12 OF MONTGOMERY COUNTY SALARY ADMINISTRATION GUIDELINES APPROVED BY COMMISSIONERS' COURT ON JUNE 21, 2004 - DEFERRED UNTIL NEXT COURT SESSION.

ADDENDUM TO REGULAR SESSION - APPROVE AGREEMENT FOR COOPERATIVE EFFORT BETWEEN MONTGOMERY COUNTY AND MONTGOMERY COUNTY EMERGENCY COMMUNICATIONS DISTRICT ON 9-1-1 CALL-TAKING - DEFERRED UNTIL BUDGET HEARINGS

38.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