

COMMISSIONERS' COURT DOCKET, JULY 15, 2002  
SPECIAL SESSION

THE STATE OF TEXAS  
COUNTY OF MONTGOMERY

Be it remembered that on this the 15th day of July, 2002, 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 COMMISSIONER, ED CHANCE, PRECINCT #3.  
PLEDGE OF ALLEGIANCE WAS RECITED BY EVERYONE PRESENT.

1. COMMISSIONERS' COURT AGENDA APPROVED

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

AGENDA ITEM 5 - RESOLUTION - TO APPROVE THE CREATION OF COUNTY COURT AT LAW NO. 4, EFFECTIVE JULY 12, 2002.

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

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve Commissioners' Court Minutes for June 24, 2002, as presented by the County Clerk. Motion carried.

3. DEPUTATION APPROVED - PATTI O'HAGAN - COUNTY CLERK

Motion by Commissioner Rinehart, seconded by Commissioner doyal, to approve the Deputation for Patti O'Hagan, Deputy County Clerk, as per Deputation on file. Motion carried.

4. REQUEST APPROVED - PURCHASE OF FURNITURE - COUNTY CLERK

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to authorize the purchase of furniture and supplies for employees that will serve as Clerks for County Court at Law #4, in the approximate amount of \$3,258.02, (to be funded from County Clerk's budget), as per Request on file. Motion carried. (See Motion #46 for funding change)

5. CONSENT AGENDA APPROVED - AGENDA ITEMS 7A THROUGH 7I

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

COUNTY AUDITOR - AGENDA ITEMS 7A

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

b. BUDGET AMENDMENTS approved, as follows:

1. 221st District Court - to fund position for appointment designee as approved by Commissioners' Court on 12-03-01, Motion #4
2. County Engineer - to recognize/allocate revenue
3. County Judge - to adjust line items
4. Elections Administrator - to recognize/allocate reimbursement from State
5. County Clerk/Record Management - to adjust line items to cover PO#22506372

6. County Judge - to adjust line items to cover PO#22505261
  7. County Judge - to adjust line items
  8. District Attorney - to adjust line items
  9. County Clerk - to recognize/allocate revenue
  10. County Court at Law #1 - to adjust line items
  11. Environmental Health - to adjust line items
  12. Elections Administrator - to recognize/allocate reimbursement from State
  13. Constable, Precinct #3 - to fund shortage in restricted budget
  14. Commissioner, Pct. #3 - to recognize/allocate reimbursement from Brooks
  15. Commissioner, Pct. #3 - to recognize/allocate reimbursement from Pedersen
  16. Constable, Pct. #3 - to adjust line items
  17. County Court at Law #3 - to adjust line items
  18. Justice of Peace, Pct. #5 - to adjust line items to cover release #244595
  19. Juvenile Probation - to recognize/allocate reimbursement from Kerr County
  20. Sheriff/Building Maintenance/Construction - to transfer funds to build cabinets in Magnolia Substation
  21. Sheriff - to adjust line item
  22. Sheriff - to adjust line items
  23. Animal Shelter/Contingency - to recognize/allocate surplus revenues
  24. Various - to recognize and to allocate proceeds from auction June 8, 2002
  25. County Judge - to adjust line items for freight charges on PO#22505261
  26. Commissioner, Pct. #4 - to recognize/allocate reimbursement from Wal-Mart
  27. 284th District Court - to fund shortage in restricted budget
  28. Commissioner, Pct. #4 - to recognize/allocate revenue from lease to Williams
  29. Commissioner, Pct. #4 - to fund shortage in restricted budget
  30. Contingency - to recognize/allocate fees for security personnel through 9/30/02
  31. Sheriff/Jail - to adjust line items
  32. Constable, Pct. #5 - to fund shortage in restricted budget
  33. District Attorney - to transfer funds for construction of workstations
  34. Court Collections/Building Maintenance/Construction - to transfer funds to build work stations
  35. Court Collections/Building Maintenance/Construction - to transfer funds to build furniture
  36. Commissioner, Pct. #2 - to recognize/allocate lease proceeds from Matek
  37. Commissioner, Pct. #3 - to adjust line items
  38. Commissioner, Pct. #3 - to recognize/allocate reimbursement from A. J. Burke, III
  39. Commissioner Pct. #3 - to recognize/allocate reimbursement from Feltman
  40. Commissioner, Pct. #3 - to recognize/allocate reimbursement from Digilomo
  41. Commissioner, Pct. #1 - to recognize/allocate lease proceeds from L. Gressett
  42. Commissioner, Pct. #2 - to adjust line items
  43. Building Maintenance/Construction - to adjust line items as per Budget Amendments on file.
- c. OFFICIALS' FEE REPORT approved, for the month of April, 2002, as per Report on file.
- d. NOTICE OF ASSIGNMENT approved, between Wells Fargo Brokerage Services, LLC, Lessor, has assigned to Hondo National Bank, and Henrimae Degan, Assignee, all of Lessor's right, title and interest in the Lease and Purchase Option Agreement, dated October 17, 2001, and Ground Lease dated October 17, 2001, as per Notice on file. (Lease Purchase Agreement to construct East County Annex Building)

#### COUNTY TREASURER - AGENDA ITEMS 7B

- a. WEEKLY INVESTMENT REPORTS approved, as follows:
1. Report for Week of June 17, through June 21, 2002,
  2. Report for Week of June 24, through June 28, 2002, and
  3. Report for week of July 1, through July 5, 2002

as per Reports on file.

- b. PLEDGE OF SECURITIES approved, as follows:

1. Woodforest National Bank - par value \$10,000,000.00
2. Woodforest National Bank - par value \$5,000,000.00, Cusip #9128277M8

as per Report on file.

- c. MONTHLY FINANCIAL REPORT approved, for the month of May 1, 2002, to May 31, 2002, as submitted.
- d. PLEDGED SECURITIES approved, for the month of June, 2002, as per Report on file.
- e. REQUEST approved, for Morgan Stanley and UBS Painewebber, Brokers for Montgomery County, as approved by the Investment Committee, June 18, 2002. (no paperwork)

#### TAX ASSESSOR/COLLECTOR - AGENDA ITEMS 7C

- a. BOND CANCELLATION RESCINDED, for Blair's Supermarket, Willis, Texas, Bond #18303573 to remain in full force and effect with no lapse in coverage, as per Request on file.
- b. MONTHLY TAX COLLECTION REPORT approved, to reflect tax collections October 1, 2001, through June 30, 2002, as per Report on file.
- c. SUPPLEMENTAL CHANGES acknowledged, to the 2001 taxroll, as per Report on file.
- d. REPORT accepted, for debt services for excess tax collections for 2001-2002, as per Report on file.
- e. REPORT accepted, for 2002-2003 Debt Service Collection Rate for Montgomery County, as per Report on file.
- f. TAX ABATEMENT APPLICATION acknowledged, from Flying J Inc. Also, to authorize the County Attorney and Commissioner, Precinct #4 to draft an Agreement in compliance with County Policy, as per Request on file.
- g. BOND RIDER acknowledged, through Fidelity and Deposit Company of Maryland, on behalf of Randalls Food Markets d/b/a Tom Thumb Food & Drugs, to reflect change to store location, as per rider on file.

#### PURCHASING DEPARTMENT - AGENDA ITEMS 7D

- a. AUTHORIZATION TO ADVERTISE, for the following bids/proposals:
  1. Tax Office Automation System - Tax Office
  2. Brake Parts - Various Departments
  3. Traffic Signalization on lake Woodlands Dr. at Gosling Rd. - Pct. #3
- b. BIDS/PROPOSALS acknowledged, which were opened by the Purchasing Department, as follows:
  1. Hardwood Lumber, Supplies and Miscellaneous Items - Various Departments - (Project #2002-0089)
  2. Additional Fleet Fuel Credit Cards - Various Departments - Project #2002-0090
  3. One (1) or more new 2002 Vehicle(s) - Various Departments - Project #2002-0084
  4. Printing of Ballots - Elections - Project #2002-0085
  5. Mosquito Adulticide Spray - Various Precincts - Project #2002-0088
  6. Universal Docking Stations for in vehicle applications - Law Enforcement - Project #2002-0092
  7. Construction of two left turn lanes on Nichols Sawmill Rd. at J. L. Lyon Elementary and Nichols Sawmill Elementary - Precinct #2 - Project #2002-0094
- c. RENEWAL CONTRACTS approved, as follows:

1. G T Distributors, Inc. - PO#2001469 - for emergency equipment - Sheriff's Department
  2. Signal Measurement Corporation - PO#2001471 - for emergency equipment - Sheriff's Department
  3. Gall's Inc. - PO#2001470 - for emergency equipment - Sheriff's Department
  4. Conroe Independent School District - PO#9600598 - for fuel charge back - Sheriff's Department
  5. Lone Star Services, Inc. - PO#2002043 - for concrete road repair for existing roads and replacing concrete curbs - Various Departments
  6. M/A-Com - PO#2000248 - for radio equipment - Various Departments
  7. Pace-Stancil Funeral Home - PO# 20202012 - for transport of cadaver - Various Justice of the Peaces
  8. Collins & Johnson Funeral Home -PO#2002008 - for transport of cadaver - Various Justice of the Peaces
  9. Addison Smith Funeral Home -PO#2002373 - for transport of cadaver - Various Justice of the Peaces
  10. Campbell Concrete & Materials LP - PO#2002251 - for concrete - (5-sack) delivered - Pct. #4. Also note price change from \$52.00 to \$54.00.
  11. Pavers Supply Company -PO#2001447, #2001449 and #2001452 - for bulk road materials asphaltic emulsions - Pcts. #1, #2, and #3
  12. Cleveland Asphalt Products, Inc. - PO#2001450, #2001448, and #2001455 - for bulk road materials asphaltic emulsions - Pcts. #1, #2, and #4
  13. Prime Materials & Supply - PO#2001453 - for bulk road materials asphaltic emulsions - Pct. #3. Also, note price change.
  14. Prime Materials & Supply - PO#2001451 - for bulk road materials asphaltic emulsions - Pct. #2 - Also, note price changes.
  15. Prime Materials & Supply - PO#2001454 - for bulk road materials asphaltic emulsions - Pct. #4. Also, note price change.
- d. Sole Source Items continuation approved, to purchase the following items:
1. PO#2001418 - Lexis-Nexis, Matthew Bender, Shepard's, Mickie Products, CD's and publications, as sole source items for various departments, to be purchased from Lexis-Nexis Group, Matthew Bender & Co., and Shepard's and Michie, and
  2. PO#2001417 - to Lexis-Nexis for one-line computer assisted legal research for various departments,
- as per Request on file.
- e. CHANGE ORDER #1 approved, - (PO#2002321) - to Smith and Company to add various changes to the contract for the rehabilitation of roads for various precincts, as per Change Order on file.
  - f. CHANGE ORDER #1 approved, - (PO#2002038) - to Friendly Travel for travel service for various departments
  - g. CORRECTION TO CHANGE ORDER approved, (PO#2001450), to Cleveland Asphalt Products, Inc. for bulk road materials asphaltic emulsions, to reflect Change Order #1, rather than Change Order #2, approved June 17, 2002, as per Request on file.
  - h. PAYMENT AND PERFORMANCE BONDS approved, from South Coast Construction, Inc., (Bond #6154541), for the construction of realignment of the intersection on Hanna Rd./Oak Ridge School at Woodson Road, as per Bonds on file.
  - i. PAYMENT AND PERFORMANCE BONDS approved, for the law enforcement software from the Software Group, Inc., in the amount of \$1,199,000.00, as per Bonds on file. (Bond #3SM02996300)
  - j. CANCELLATION approved, of PO#2001314, to Acreman Construction for the construction of Montgomery County Park Phase I - grading, parking and drainage, as per Notice on file.

- k. ALLOCATION OF FUNDS approved, from the June 8, 2002 auction, as per memo on file.
- l. NAME CHANGE acknowledged, to change Exxon Card Services/GECC to Exxon Mobil Corporation, as per Letter on file.

COMMISSIONER, PRECINCT #1 - AGENDA ITEMS 7E1

- a. FINAL PLAT approved, for Grand Harbor Subdivision, Section 5, consisting of 81.840 acres, 71 lots, as per Plat on file.
- b. FINAL PLAT approved, for Grand Harbor Subdivision, Section 6, consisting of 35.099 acres, 60 lots, as per Plat on file.
- c. FINAL PLAT approved, for West Oaks Subdivision, consisting of 16.293 acres, as per Plat on file.
- d. ROADS accepted, in White Oak Hills Subdivision, Section 2, into the one year maintenance period, effective July 15, 2002
- e. OVERLOAD/OVERSIZE PERMIT approved, for Henson Logging to move logs across Pollard Road. Movement to begin not earlier than July 5, 2002, and to be completed by October 5, 2002, as per Permit on file.

COMMISSIONER, PRECINCT #2 - AGENDA ITEMS 7E2

- a. ORDER approved, to acknowledge, in the amount of \$20.00, from Walter E. Vars, for lease of real property, (1.330 acres), known as Lot 7, Skylight Timbers. (check forwarded to County Treasurer for further handling)
- b. ORDER approved, to acknowledge receipt of Amendment to Letter of Credit #88-12342-1A for the account of Grand Lake Estates, Section 3, issued by Merchants Mortgage & Trust Corporation, as per Order on file.
- c. ORDER approved, to acknowledge receipt of Amendment to Letter of Credit No. 88-13210-1A, for the account of Grand Lake Estates, Section 6, issued by Merchants Mortgage & Trust Corporation, as per Order on file.
- d. DONATION DEED accepted, from Calvin D. and Frances L. Sholtess, to Montgomery County, located in River Plantation, Lot 61, Section 4, for the Gwen Hruska Memorial Park, as per Donation Deed on file.
- e. ORDER approved, to acknowledge receipt of Amendment No. 1 to Letter of Credit No. 340, for the account of Inverness Crossing Subdivision, Section 2 replat, issued by Woodforest National Bank, as per Order on file.
- f. FINAL PLAT approved, for Colman Estates Subdivision, Section 1, consisting of 48.298 acres, as per Plat on file.
- g. ROADS accepted, BOND released, in the Village of Alden Bridge, Section 81, by Montgomery County, consisting of 1.39 miles, 7,333.33 l.f. Also, to release the Bond, as per Letter on file.
- h. ROADS accepted, BOND released, in the Village of Alden Bridge, Section 83, into the one year maintenance period, consisting of .22 miles, 1,176.91 l.f., effective July 15, 2002, as per Letter on file.
- i. ROAD accepted - Fellowship Drive, into the one year maintenance period, consisting of .28 miles, 1,495.97 l.f., effective July 9, 2002, as per Letter on file.

- j. UTILITY PERMIT approved, for Montgomery County MUD #47 to place a utility lines within the right of way of Research Forest Drive, as per Permit on file.
- k. EASEMENT DEDICATION approved, from Woodlands Land Development Company, L.P., for additional right-of-way in the Woodlands College Park, Section 2, as per Easement on file.

COMMISSIONER, PRECINCT #3 - AGENDA ITEMS 7E3

- a. ROAD accepted - Branch Crossing Drive, consisting of .77 miles, 4,076.15 l.f., into the one year maintenance period, effective July 15, 2002
- b. ROADS accepted - Player Woods Drive and Player Bend Drive, into the one year maintenance period, consisting of .94 miles, 4,967.68 l.f., into the one year maintenance period, effective July 15, 2002, as per Letter on file.
- c. ROADS accepted, in the Village of Sterling Ridge, Section 15, consisting of 1.08 miles, 5,688.60 l.f., into the one year maintenance period, effective July 15, 2002, as per Letter on file.
- d. ROADS accepted, in the Village of Sterling Ridge, Section 18, consisting of .72 miles, 3,824.93 l.f., into the one year maintenance period, effective July 15, 2002, as per Letter on file.
- e. ROADS accepted, in the Village of Sterling Ridge, Section 20, into the one year maintenance period, consisting of .69 miles, 3,622.34 l.f., effective July 15, 2002, as per Letter on file.

COMMISSIONER, PRECINCT #4 - AGENDA ITEMS 7E4

- a. WARRANTY DEED CORRECTION approved, from Champion Realty Corporation to Montgomery County, for a 50 ft. and 25 ft. wide drainage easement, as per Correction and Amendment of Special Warranty Deed on file.
- b. ORDER approved, to acknowledge receipt of Amendment No. 2 to Letter of Credit No. 316, for the account of White Oak Crossing, Section 1, issued by Woodforest National Bank, as per Order on file.
- c. ROADS accepted, in Harper's Landing, Section 11, into the one year maintenance period, consisting of 1.25 miles, 6,576.35 l.f., effective July 15, 2002, as per Letter on file.
- d. GRANT OF EASEMENT approved, to Natural Gas Pipeline Company of America, for a non-exclusive perpetual easement for a roadway on a strip of land 20 feet conveyed to Montgomery County by C. E. Campbell Interests. Also, to authorize the County Judge to execute same, as per Easement on file.
- e. EASEMENT approved, on 0.61 acres of land for a Grant of Water and Sanitary Sewer Easement, to the New Caney Municipal Utility District to maintain and operate a sanitary sewer and water lines, as per Easement on file. Also, to authorize the County Judge to execute same.

ALL PRECINCTS - AGENDA ITEMS 7E5

- a. OVERLOAD/OVERSIZE PERMITS approved, for the following:
  - 1. Champion Dirt, to move various loads over all county roads, beginning July 10, 2002, and ending October 10, 2002, as per Permit on file.
  - 2. Park Construction Associates, LLP of Rosenberg, to move various loads over all county roads, beginning August 2, 2002, and ending October 30, 2002, as per Permit on file.

- 3. Southern Ready Mix, to move various loads over all county roads, beginning July 11, 2002, and ending October 11, 2002, as per Permit on file.
- 4. Sprint Sand & Clay of Houston, to move various loads over all county roads, beginning July 1, 2002, and ending September 30, 2002, as per Permit on file.

DISTRICT CLERK - AGENDA ITEM 7F

- a. DEPUTATION approved, for Cari Sodolak, Deputy District Clerk, as per Deputation on file.

AUTO THEFT TASK FORCE - AGENDA ITEM 7G

- a. GRANT ACCEPTANCE AND INTERAGENCY AGREEMENT approved, for Motor Vehicle-Theft Salvage and Arson Reduction Program, as per Notice and Agreement on file.

SHERIFF'S DEPARTMENT - AGENDA ITEM 7H

- a. PAYROLL VARIANCE approved, for various Celestina Rossi-Golsby and John Niquette, as per Request on file.

RISK MANAGEMENT - AGENDA ITEMS 7I

- a. RELEASE OF CLAIM approved, to pay Toni Lynn Lewis \$2,914.09, for damages to her 2001 Chevrolet Suburban on May 23, 2002, as per Release on file.
- b. RELEASE OF CLAIM approved, to pay Chong Johnson and Homer L. Johnson, Jr. \$181.25, for damages to their 1993 Dodge Spirit on June 12, 2002, as per Release on file. (fund from Commissioner Pct. 4 budget)

Motion carried.

END OF CONSENT AGENDA

6. REQUEST APPROVED - PLACEMENT OF COMBINATION LOCKS - ADMINISTRATION BUILDING - COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the installation of combination locks on rest room doors in the Administration Building, at an approximate cost of \$1,100.00, (fund from Administration Building Fund). Installation to be done by Building Maintenance. Motion carried.

7. PURCHASE APPROVED - PRINTERS - JUSTICE OF THE PEACE #5

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the purchase of two (2) printers in the amount of \$2,200.00, to be taken from the Justice Court Training Technology Fund, (JCTF), as per Request on file. Motion carried.

8. PAYROLL VARIANCE APPROVED - COLLECTIONS DEPARTMENT

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the payroll variance adjustment for Collections Department as noted in memo on file. Motion carried.

9. GRANT AMENDMENT APPROVED - TXDOT DRAINAGE PROJECT - AIRPORT

Motion by Judge Sadler, seconded by Commissioner Chance, to approve TxDot Grant Amendment in the amount of \$58,936.00, for the drainage project at the Montgomery County Airport, as per Amendment on file. Motion carried.

## 10. PAYROLL VARIANCE APPROVED - CONSTABLE, PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve payroll variance in the amount of \$1,587.00, to fund a promotion to the rank of Sergeant, as per Request on file. Motion carried.

## 11. REQUEST APPROVED - WAIVER OF PENALTY AND INTEREST - TAX ASSESSOR/COLLECTOR

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve waiving the penalty and interest from Sharon B. Gray, Attorney for Mrs. Charles Elizabeth Jones, property tax, and to accept \$900.00, as full settlement for delinquent taxes, as per Request on file. Motion carried.

## 12. REQUEST APPROVED - USE OF CARPET - TAX ASSESSOR/COLLECTOR

Motion by Commissioner Meador, seconded by Commissioner Doyal, to authorize the use of carpet left over from the District Attorney's project be used in offices occupied by the Tax Assessor/Collector. Also, a budget amendment to be forthcoming transferring monies set aside in the Tax Assessor/Collector's budget for carpet purchase, (approximately \$13,000), to the General Fund. Motion carried.

## 13. AGREEMENT APPROVED - DISCLOSURE DISSEMINATION AGENT - COUNTY AUDITOR

Motion by Commissioner Chance, seconded by Commissioner Doyal to approve the Disclosure Dissemination Agent Agreement with Digital Assurance Certification LLC (DAC), in connection with the issuance of County Bonds, as per Agreement on file. Motion carried.

## 14. ANALYSIS ACCEPTED - INTERIM ARBITRAGE REBATE - LOGISTIX, LLC - COUNTY AUDITOR

Motion by Judge Sadler, seconded by Commissioner Rinehart, to accept the Interim Arbitrage Rebate Analysis for Library & Refunding Bonds, Series 1992 from Bond Logistix, LLC., as per Report on file. Motion carried.

## 15. AGREEMENT APPROVED - CONROE MEDICAL EDUCATION FOUNDATION - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Educational Experience Affiliation Agreement between the Conroe Medical Education Foundation and Montgomery County/Environmental Health Division, as per Agreement on file. Motion carried.

## 16. CONTRACTS APPROVED - TEXAS DEPARTMENT OF PROTECTIVE AND REGULATORY SERVICES - COUNTY ATTORNEY

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

- a. Purchased Services Contract #23282659 - between Montgomery County and Texas Department of Protective and Regulatory Services (also known as "Concrete Services"),
- b. Title IV-E Child Welfare Services Contract #2003063186 and #2003063187 Title IV-E County Legal Services Contract, between Montgomery County and Texas Department of Protective and Regulatory Services,

as per Contracts on file. Motion carried.

## 17. PROPOSALS REJECTED - RECYCLING USED TIRES - VARIOUS DEPARTMENTS

RECOMMENDATION AND CONTRACT DEFERRED - MISCELLANEOUS MAINTENANCE MATERIALS - VARIOUS DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Doyal, to reject the proposals received for transporting, processing and recycling used tires, Project #2002-0076. Also, to defer contract for miscellaneous maintenance materials and supplies Project #2002-0071, as per request of Purchasing Agent. Motion carried.

18. RECOMMENDATION AND CONTRACT APPROVED - VARIOUS CONTRACTS - VARIOUS DEPARTMENTS

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to award the following bids, as requested by the Purchasing Agent:

- a. ASI Computer Technologies - laptop pc/toughbook - various departments
- b. Southwest Century Communications, Option B - for telephone switch in the amount of \$23,220.00 for Sheriff's Department
- c. Conroe Door - for picked up items of hardwood lumber, supplies and miscellaneous - various departments, (2) Hardwood Lumber - for delivered items of hardwood lumber, supplies and miscellaneous
- d. Diamond Shamrock Refining and Marketing - for additional fleet fuel credit cards for various departments
- e. Anderson Ford - for two 2002 crew cab ford F250 trucks for Precinct #4
- f. Hart Intercivic, Inc. - for printing of ballots for Elections
- g. Univar USA - for item #3, mosquito adulticide spray for various precincts - (all other items to be awarded at a later date)
- h. SMC Advanced Products - for universal docking station for in vehicle applications - law enforcement
- i. W. T. Byler, Co. - for construction of two left turn lanes on Nichols Sawmill Rd. at J.L.Lyon Elementary and Nichols Sawmill Elementary - Pct. #2

as per Contracts on file. Motion carried.

19. CHANGE ORDERS APPROVED - VARIOUS VENDORS

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the following Change Orders:

- a. Change Order #1 - PO#2002088 - to Southwest Signal Supply, Inc., to provide for price increase for the installation of flashing signals at Rabon Chapel Rd. and Highline Dr. - Pct. #2
- b. Change Order #1 - PO#2002377 - to Government Capital Corporation, to provide for changes to the Lease/Purchase Agreement, as noted in memo dated July 15, 2002, on file.
- c. Change Order #1 - PO#20023379 - to Smith and Company, to provide for price increase on the Mett Road construction project - Pct. #4

as per Change Orders on file. Motion carried.

20. CHANGE ORDER #3 APPROVED - MONTGOMERY COUNTY PARK PHASE ii - PRECINCT #1

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve Change Order #3, PO#2002149, to Diamond Commercial Construction, Inc., for changes to the Montgomery County Park Phase II - buildings, field appurtenances, etc. project, as per Change Order on file. Motion carried.

21. PROPOSAL APPROVED - GEOTECHNICAL SERVICES - PRECINCT #1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the proposal from Geotech Engineering and Testing for Geotechnical Services for road rehabilitation testing for a fee of \$30,000.00, as per Proposal on file. Motion carried.

22. LEASE PURCHASE AGREEMENT APPROVED - BLUE BIRD COMPANY - SHERIFF'S DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Lease/Purchase Agreement with Blue Bird body Company for the lease of one (1) jail transportation bus, as per Agreement on file. Motion carried.

23. FUNDING APPROVED - BRICK FOR PARKING GARAGE - PURCHASING DEPARTMENT

Motion by Judge Sadler, seconded by Commissioner Meador, to approve funding in the amount of \$51,588.00, for brick to be added to the parking garage, as per Request on file. Motion carried. (fund from 2002-03 budget)

24. FUNDING APPROVED - COURTHOUSE AND ANNEX SECURITY SYSTEM REPAIRS - PURCHASING DEPARTMENT

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to fund \$1,000.00, for unforeseen repairs to the courthouse and annex security system. Motion carried. (fund from courthouse security)

25. REBATE CHECK ACKNOWLEDGED - SAM'S CLUB - PURCHASING DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Chance to acknowledge receipt of a rebate check in the amount of \$15.00, from Sam's Club. Motion carried. (check forwarded to County Treasurer for further processing).

26. PROPOSALS DEFERRED - ENGINEERING SERVICES - VARIOUS PRECINCTS

Motion by Commissioner Meador, seconded by Commissioner Doyal, to defer the following Proposals:

- a. Turner, Collie and Braden - preliminary engineering services for Fish Creek thoroughfare - Pct. #2
- b. Carter & Burgess - for engineering services to develop environmental documents for FM1314 to FM242 to Fatheree Rd. - Pct. #2
- c. Klotz & Associates - for engineering services on FM830 - Pct. #1

Motion carried.

27. SCHEMATIC DESIGN APPROVED - PROPOSED THREE STORY BUILDING/COUNTY ANNEX - PURCHASING DEPARTMENT

Motion by Judge Sadler, seconded by Commissioner Chance, to approve the Schematic Design for the proposed new three story building with attic /county annex, as presented by DiStefano/Santopetro Architects, Inc. Also, to authorize the architects to begin with the Design Development Phase, as per schematic design on file. Motion carried.

28. VARIANCE APPROVED - SEPTIC SYSTEM - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve replacing a failed conventional system with a Drip Emitter system within the flood plain for Melody Fullen, Cleveland, Texas, as per Request on file. Motion carried.

29. VARIANCE APPROVED - AEROBIC SEPTIC SYSTEM - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the installation of an aerobic septic system in the flood plain for Curtis Gardner, Magnolia, Texas, as per Request on file. Motion carried.

30. VARIANCE APPROVED - AEROBIC SEPTIC SYSTEM - PRECINCT #4
- Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the installation of an aerobic septic system in the flood plain for Mark Becker, Conroe, as per Request on file. Motion carried.
31. GRANT APPLICATION APPROVED - LOCAL LAW ENFORCEMENT BLOCK GRANT - SHERIFF'S DEPARTMENT
- Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the Grant Application for Local Law Enforcement Block Grant in the amount of \$206,425.00, for a two (2) year period, with a county match of \$22,937.00, as per Request on file. Motion carried. (Application not submitted)
32. FUNDING APPROVED - PAYOFF ON VEHICLE - ANIMAL CONTROL
- Motion by Commissioner Chance, seconded by Commissioner Meador, to authorize the payoff of a 2000 Ford F-150 pickup, operated by Animal Control, in the amount of and not to exceed \$3,775.00, temporary funding from the General Fund, which is to be reimbursed from Insurance payment at a later date, as per Request on file. Motion carried.
33. ORDER APPROVED - ABANDONMENT OF RIGHT-OF-WAY - PRECINCT #1
- Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve an Order for the abandonment and vacating of right-of-way described as a portion of Old Willis-Montgomery Road, as per Order on file. Motion carried.
34. ORDER APPROVED - ABANDONMENT OF RIGHT-OF-WAY - PRECINCT #1
- Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve an Order for the abandonment and vacating of right-of-way described as a portion of an unbuilt and unused right-of-way of a cul-de-sac along the east side of Valley Drive North, Hawthorn Ridge Subdivision, as per Order on file. Motion carried.
35. SPEED LIMIT APPROVED - PEEL ROAD - PRECINCT #1
- Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the speed limit of 30 mph on Peel Road from 1097 to Lake Tree Subdivision, as per Notice on file. Motion carried.
36. REQUEST APPROVED - PLACEMENT OF "NO PARKING" SIGNAGE - PRECINCT #1
- Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the placement of "No Parking" signs on Lake Point Boulevard, as per Notice on file. Motion carried.
37. REQUEST APPROVED - ROAD NAME - PRECINCT #1
- Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve naming a Road at 11686-FM2432, Inkjet Way, as per Notice on file. Motion carried.
38. ORDER APPROVED - ABANDONMENT OF RIGHT-OF-WAY - PRECINCT #2
- Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve an Order to close, abandon and vacate a right-of-way known as Dean Court off of Mesa Verde Subdivision, as per Order on file. Motion carried.
39. REQUEST APPROVED - PLACEMENT OF STOP SIGN - PRECINCT #2
- Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the

placement of a 4-way stop sign at the intersection of Rabon Chapel Road and Highline Drive, as per Request on file. Motion carried.

40. REQUEST APPROVED - PLACEMENT OF STOP SIGNS - PRECINCT #2

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve the placement of stop signs on West Alden Bridge Drive at Intersection of Goldvine, as per Notice on file. Motion carried.

41. STREETS NAME CHANGES APPROVED - VILLAGE OF STERLING RIDGE, SECTION 18 - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the following street name changes:

- a. Autumn Golf Place to be changed to Player Green Place
- b. North Castlewyck Circle to be changed to Knightsgate Circle
- c. South Castlewyck Circle to be changed to South Knightsgate Circle

as per Request on file. Motion carried.

42. STREET NAME CHANGES APPROVED - VILLAGE OF HARPER'S LANDING - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve changing the street name in the Village of Harper's Landing at College Park, Section 10, as follows:

- a. Ginger Springs Place to be changed to Hollow Glen Place
- b. Glen Haven Drive to be changed to Ginger Springs Place

as per Request on file. Motion carried.

EXECUTIVE SESSION

The Court recessed into Executive session in the County Judge's Chambers to discuss matters authorized under Article 551.071 thru 551.076, Texas Government Code, as follows:

- 1. Consider and Approve Settlement and Payment in Neely vs. Montgomery County - Animal Control
- 2. Consider and Discuss settlement offer in Provost vs. Montgomery County

COURT RECONVENED WITH ALL MEMBERS OF THE COURT PRESENT.

43. CONTRACT APPROVED - PROFESSIONAL SERVICES - K. R. MOORE & ASSOCIATES - SHERIFF'S DEPARTMENT

Motion by Judge Sadler, seconded by Commissioner Doyal, to approve the Professional Services Contract between Montgomery County and K. R. Moore & Associates for salary analysis of seven positions in the Sheriff's Department, as per Contract on file. Motion carried. (fund from Sheriff's budget)

44. RESOLUTION AND ORDER APPROVED - NEELY VS. MONTGOMERY COUNTY LAWSUIT - ANIMAL CONTROL

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the Resolution and Order to settle the claim with Brian Neely in the amount of \$14,250.00. Check is to be made payable to Brian Neely and his attorney, John E. Choate, Jr., as per Resolution and Order on file. Motion carried.

CITIZENS - AGENDA ITEM 24 - LORIE YOUNG, PRECINCT #4

Ms. Young, a Representative of the "Quality of Life Panel of Team City East Montgomery County Planning Summit" read a letter listing several suggestions to improve and compliment services and agencies in operation in East Montgomery County.

EMERGENCY SERVICE DISTRICT #5 - Several concerned citizens addressed this session of Court to air their opinion as to why ESD#5 should continue to be an active fire station and not be merged with River Plantation Fire Department. No action was taken on this matter, although, Commissioner Rinehart stated that he would support keeping ESD#5 District in operation.

45. PAYROLL CHANGE REQUESTS APPROVED - HUMAN RESOURCES

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

request of District Judges to place Genoveva Perez, Appointment Designee, on payroll, effective July 1, 2002

request of District Judge to change the status of Casanda Cranfill, Administrative Assistant, from part-time status to full-time status, effective May 1, 2002

request of District Judge, 9th Judicial District, to place Monika Barahona, Briefing Attorney, on leave of absence, effective July 1, 2002, through July 31, 2002

request of County Auditor to accept the resignation of Kimberly Dove, Clerk - FC Section, effective July 12, 2002, with 68.57 vacation hours due

request of Collections to increase the salary of Lisa Lovelady, Collection Specialist, effective July 8, 2002, due to probation period completed

request of Collections to accept the resignation of Diana McGaugh, Quality Assurance Supervisor, effective July 5, 2002, with 83.79 vacation hours due, and 25.12 comp hours due

request of Collections to place Lisa Street, Collections Specialist, on payroll, effective July 5, 2002

request of Commissioner, Pct. #3 to increase the salary of Lovelis Pierson, Truck Driver/Helper, effective August 3, 2002, due to probation period completed

request of Commissioner, Pct. #3 to increase the salary of John Williamson, Truck Driver/Helper, effective August 3, 2002, due to probation period completed

request of Commissioner, Pct. #4 to place Billy W. Kelly, Operator I, (replacement for Larry Doyle), on payroll, effective June 26, 2002

request of Constable, Pct. #1 to place Jarrett Rhodes, Deputy, (replacement for James Scott Moore), on payroll, effective July 10, 2002

request of Constable, Pct. #2 to transfer Mary Gilbreath from Part-time Court Clerk to Receptionist/Clerk, (replacement for Anita LaCarter Geiser), effective July 8, 2002

request of Constable, Pct. #3 to transfer Paul Cooke from Deputy to Deputy, Rayford Road Municipal Utility District, effective May 10, 2002

request of Constable, Pct. #3 to promote Kimberly Franklin from Deputy to Sergeant, effective July 6, 2002

request of Constable, Pct. #3 to transfer Tony E. Madison from Deputy to Deputy (K-9), effective July 6, 2002

request of Constable, Pct. #3 to transfer Michael Uber, Deputy, (replacement for Paul Cooke), effective May 10, 2002

request of Constable, Pct. #5 to transfer Andrea Hamm from Clerk to School Deputy, (replacement for Christopher Jones), effective July 6, 2002

request of Constable, Pct. #5 to promote Christopher Jones from School Deputy to Deputy, (replacement for Ollie Nell Gage), effective July 6, 2002 - annual car allowance added

request of Constable, Pct. #5 to place Deanne Riley, Clerk/Dispatcher, (replacement for Andrea Hamm), on payroll, effective July 8, 2002

request of Custodial Services to place Debra Garza, Secretary/Receptionist, (replacement for Elizabeth Reagan), effective July 11, 2002

request of Custodial Services to accept the resignation of Elizabeth Reagan, Secretary, with 10.29 vacation hours due and 4.38 comp hours due, effective June 21, 2002

request of Custodial Services to place Jose Tito Rodriguez, Part-time Custodian, (replacement for Jacqueline Freeman), effective June 24, 2002

request of County Clerk to place Alicia Decker, Indexing Clerk, (replacement for Lorrie Denman), on payroll, effective July 1, 2002

request of County Clerk to promote Lorrie J. Denman from Indexing Clerk to Courtroom Clerk, (replacement for Dianne Killingsworth), effective July 1, 2002

request of County Clerk to place Cirilo Haynes, Temporary Clerk, (replacement for Patricia Wischnewsky), on payroll, effective June 25, 2002

request of County Clerk to promote Dianne Killingsworth from Courtroom Clerk to Chief Court Clerk, for County Court at Law #4, effective July 6, 2002

request of County Clerk to increase the salary of Theresa A. Ruppert, Courtroom Clerk, effective July 6, 2002, due to probation period completed

request of County Clerk to place Stacey Wilson, Courtroom Clerk, County Clerk at Law #4, on payroll, effective July 1, 2002

request of District Attorney to discharge Emily Casperson, Part time, effective July, 2002

request of District Attorney to place Joseph Delos Reyes, Part-time on payroll, effective July 8, 2002

request of District Attorney to place Brandy McKinley, Part-time, on payroll, effective July 8, 2002

request of District Attorney to place Torre Scifo, Misdemeanor Assistant Coordinator, (replacement for Diane Stockbridge), effective July 8, 2002

request for District Clerk to place Bobbie McBride, Deputy Clerk, Part-time, (replacement for Jessica Jones), on payroll, effective July 15, 2002

request of Elections Administrator to place Carolyn Brayshaw, Temporary Voter Registration Clerk, on payroll, effective July 8, 2002

request of County Engineer to place Jennifer Heimer, Building Permit Flood Plain Clerk, on payroll, effective June 21, 2002 (returning from unpaid FMLA status)

request of County Engineer to place J. Marie Moore, Administrative Assistant, on payroll, effective June 19, 2002 (returning from unpaid FMLA status)

request of Justice of the Peace, Pct. #1 to place Shelby Rushing, Clerk, on unpaid FMLA, effective July 1, 2002

request of Justice of the Peace, Pct. #2 to place Erin Leitko, Part-time Clerk, on payroll, effective July 9, 2002

request of Juvenile Probation Director to place Billie L. Catron, Nurse's Aide, (replacement for Beverly Aikens), effective July 1, 2002

request of Juvenile Probation Director to accept the resignation of Jermaine Henderson, Substitute Detention Officer, effective June 30, 2002

request of Juvenile Probation Director to accept the resignation of Travis Thompson, effective June 30, 2002

request of Library Director to accept the resignation of April Norman, Library Assistant, II, effective July 11, 2002, with 15.40 vacation hours due

request of Library Director to accept the resignation of Samantha Petkosek, Shelving Clerk I, effective July 5, 2002,  
request of Risk Management Director to transfer Rebekah Cooper, Benefits Specialist, effective July 22, 2002

request of Sheriff's Department to place Justin H. Bailey, Detention Officer, I, (replacement for Brian Bagwell), effective June 29, 2002

request of Sheriff's Department to promote Billy Ballard from District I, Patrol Deputy IV, to Detective I, (replacement for Joseph Johns), effective July 13, 2002

request of Sheriff's Department to transfer George Bell from Detention Deputy III to T.C. Patrol Deputy III, (replacement for Eric Ward), effective July 13, 2002

request of Sheriff's Department to place Marcus Brooks, Detention Officer I, (replacement for Charles Hood), effective June 29, 2002

request of Sheriff's Department to place Felix Cantu, District I Patrol Deputy III, (replacement for Billy Ballard), effective July 13, 2002

request of Sheriff's Department to transfer Jerry Crabb from Detention Deputy III to District IV, Patrol Deputy III, (replacement for Aniel Fecik), effective July 13, 2002

request of Sheriff's Department to place Brian E. Forey, Medic I, (replacement for Joanne Perry), on payroll, effective July 20, 2002

request of Sheriff's Department to transfer Kristopher Krolczyk from Detention Deputy III to District I, Patrol Deputy III, (replacement for Roger D. Thompson), effective July 13, 2002

request of Sheriff's Department to promote Michael Landrum from District II Patrol Deputy IV, to Detective I, (replacement for Weldon Atwood), effective July 13, 2002

request of Sheriff's Department to promote Randy Lewis from District III Patrol Deputy IV, to Detective I, (replacement for Jalena Page), effective July 13, 2002

request of Sheriff's Department to transfer Daniel Lozano from Detention Deputy III to T.C. patrol Deputy III, (replacement for John Niquette), effective July 13, 2002

request of Sheriff's Department to transfer John Niquette from Town Center Patrol Deputy III to District II Patrol Deputy III, (replacement for Celestina Rossi-Golsby), effective July 13, 2002

request of Sheriff's Department to increase the salary of Casey Parks, Detention Deputy I, effective June 22, 2002, due to law enforcement certification

request of Sheriff's Department to accept the resignation of Joanne Perry, Detention Officer I, effective July 19, 2002, with 67.40 vacation hours due, 62.50 comp hours due and 19 holiday hours due

request of Sheriff's Department to transfer Mandy Pieper from District I Patrol Deputy IV to "Hot Spot Unit" Deputy, effective July 13, 2002

request of Sheriff's Department to place Johnny J. Rodriguez, Detention Officer I, (replacement for Paul Hahs), effective July 13, 2002

request of Sheriff's Department to promote Marvin Rogers from District I Patrol Deputy IV to Detective I, (replacement for Christopher Smith), effective July 13, 2002

request of Sheriff's Department to promote Celestina Rossi-Golsby from District II Patrol Deputy IV to Crime Scene Investigator I, replacement for Jennifer Cranford), effective July 13, 2002

request of Sheriff's Department to promote Wilson Shotwell from Detention Officer I to Detention Deputy I, effective June 22, 2002, due to law enforcement certification

request of Sheriff's Department to promote William B. Steward from District II Patrol Deputy IV to District I Patrol Corporal, (replacement for Kenneth Henderson), effective July 13, 2002

request of Sheriff's Department to transfer Thomas Thompson from District IV Patrol Deputy IV to "Hot Spot Unit" Deputy, effective July 13, 2002

request of Sheriff's Department to place Jack Valenzuela, District I Patrol Deputy III, (replacement for Marvin Rogers), effective July 13, 2002

request of Sheriff's Department to transfer Eric Ward from Town Center Patrol Deputy III to District II Patrol Deputy III, (replacement for Michael Jimmy Landrum), effective July 13, 2002

request of Tax Assessor/Collector to place Melissa Fletcher, Deputy Specialist I, on family leave of absence, effective July 10, 2002

request of County Judge to place Mary Ann Turner, Judge, County Court at Law #4, on payroll, effective July 16, 2002

request of Commissioner, Pct. #2 to increase the salary of Ernest Lee Johnston, Jr., Truck Driver, effective July 20, 2002, due to probation period completed

request of Commissioner, Pct. #2 to increase the salary of Thomas Michael Thompson, Truck Driver, effective July 6, 2002, due to probation period completed

request of Elections Administrator to place Randy Porter, Technology Systems, (replacement for Stacey Pate), on payroll, effective July 15, 2002

request of Library Director to place Teresa DeHoyos, Copy Cataloger, on payroll, effective July 22, 2002, returning from unpaid FMLA status

request of Library Director to accept the transfer of Erlinda M. Roche, Library Assistant II, effective July 29, 2002

as per Payroll Change Requests on file. Motion carried.

#### 46. FUNDING APPROVED - OFFICE FURNITURE - COUNTY CLERK

Motion by Commissioner Meador, seconded by Judge Sadler, to approve funding for office furniture and supplies for Clerks assigned to the newly created County Court at Law #4 Court. Funding in the approximate amount of \$3,258.02, to be taken from unused salary monies in County Clerk's budget.

Motion carried.

#### 47. 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