

COMMISSIONERS' COURT DOCKET, AUGUST 23, 2004  
SPECIAL SESSION

THE STATE OF TEXAS  
COUNTY OF MONTGOMERY

Be it remembered that on this the 23rd day of August, 2004, the Honorable Commissioners' Court of Montgomery County, Texas, was duly convened in a Special Session in the Commissioners' Courtroom of the Montgomery County Courthouse Annex, Conroe, Texas, with the following Members of the Court present:

County Judge, Alan "Barb" Sadler  
Commissioner, Precinct 1, Mike Meador  
Commissioner, Precinct 2, Craig Doyal  
Commissioner, Precinct 3, Ed Chance  
Commissioner, Precinct 4, Ed Rinehart  
Also - Alice Drake, County Clerk's Office

INVOCATION GIVEN BY CRAIG DOYAL, PRECINCT #2 COMMISSIONER

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.MINUTES APPROVED - COMMISSIONERS' COURT MINUTES - COUNTY CLERK

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve Commissioners' Court Minutes for August 9, 2004, as presented by the County Clerk. Motion carried.

3.CONSENT AGENDA APPROVED - AGENDA ITEMS 7A THROUGH 7H

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

COUNTY AUDITOR - AGENDA ITEMS 7A

a.BUDGET AMENDMENTS approved, as presented by the County Auditor:

- 1.9th District Court - to adjust line items
- 2.Adult Probation - to adjust line items
- 3.Building Maintenance - to adjust line items
- 4.Cert Grant - to adjust line items
- 5.Commissioner, Pct. #1 - to transfer funds for security at Lake Park for June 6 thru July 18, 2004
- 6.Commissioner, Pct. #1 - to recognize/allocate donation from Panorama village
- 7.Commissioner, Pct. #3 - to recognize/allocate reimbursed from Unique Custom Homes
- 8.Commissioner, Pct. #3 - to recognize/allocate reimbursement from Tracy A. Huggins
- 9.Commissioner, Pct. #3 - to recognize/allocate reimbursement from Timothy Evans
- 10.Commissioner, Pct. #3 - to recognize/allocate reimbursement form Gateway Baptist Church
- 11.Commissioner, Pc.t #3 - to recognize/allocate reimbursement from John Karnes
- 12.Commissioner, Pc.t #3 - to recognize/allocate reimbursement from Jean Breland Construction for Auther Wheat

13. Communication/Info Service - to adjust line items
14. Constable, Pct. #1 - to recognize/allocate reimbursement for dam security
15. Constable, Pct. #1 - to recognize/allocate reimbursement from SJRA for dam security
16. Constable, Pct. #4 - to adjust line items
17. Contingency - to transfer funds to cover shortage in Court Operations
18. Contingency - to transfer funds to security line item
19. Contingency - to transfer funds for shortage in non-departmental
20. Contingency - to transfer funds for shortage in court operations
21. Contingency - to transfer fund for shortage in non-departmental
22. County Auditor - to adjust line items
23. County Courts at Law - to recognize, reimbursement from state and allocate to contingency
24. County Court at Law 2 - to adjust line items
25. County Court at Law 3 - to adjust line items
26. Court Collections - to adjust line items
27. County Judge - to transfer funds to cover release 276949
28. County Park - to adjust line items
29. Court Operations - to recognize grant and program revenues and to allocate for expenditure as approved in FY2005 budget hearings
30. District Attorney - to recognize/allocate reimbursement for prosecutor longevity for Q/E August 04
31. District Attorney - to recognize/allocate juror donation
32. Drug Court - to adjust line items
33. Elections Administrator - to adjust line items
34. Fire Marshal - to transfer funds for purchase of computer, as approve by Commissioners during FY05 budget hearings
35. Justice of Peace, Pct. #4 - to adjust line items
36. Juvenile Probation - to recognize/allocate surplus detention revenue
37. Juvenile Probation - to recognize/allocate level 5 reimbursement for June
38. Juvenile Probation - to recognize/allocate level 5 reimbursement for May
39. Juvenile Probation - to adjust line items
40. Memorial Library - to recognize/allocate donation from Wal-Mart foundation
41. Risk Management - to adjust line items
42. Risk Management - to transfer funds for damage claim B040073
43. Risk Management - to transfer funds for damage claim X040077
44. Risk Management - to transfer funds for Claim U040014
45. Road & Bridge Fund - to recognize and to allocate reimbursement of funds previously transferred for purchase of right of way projects
46. Sheriff's Department - to adjust line items
47. Sheriff's Department - to adjust line items

as per Budget Amendments on file.

COUNTY TREASURER - AGENDA ITEMS 8B

- a. WEEKLY INVESTMENT REPORT approved, for the week of August 9, 2004, through August 13, 2004, as per Report on file.

b.WEEKLY INVESTMENT REPORT approved, for the week of August 16, 2004, through August 20, 2004, as per Report on file.

AGENDA ITEM 7B3 - THERE WERE NO PLEDGES AND/OR RELEASES OF COLLATERAL REPORT SUBMITTED THIS COURT SESSION.

c.COLLATERAL REPORT approved, for the month of July, 2004, as per Report on file.

PURCHASING DEPARTMENT - AGENDA ITEMS 7C

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

- 1.mechanical assist mobile shelving units - District Clerk
- 2.internal network security - Various Departments

b.ALSO, to acknowledge receipt of the following bids/proposals, opened by the Purchasing Department:

- 1.mosquito spraying service - Various Precincts - Project #2004-0078 - (opened 8-10-04)
- 2.water service - Various Departments - Project #2004-0084 - (opened 8-10-04)
- 3.emergency equipment - prisoner cage - Sheriff's Department - Project #2004-0088 - (opened 8-10-04)
- 4.laboratory testing and courier service specimen pick-up and delivery - Law Enforcement Center - Project #2004-0086 - (opened 8-19-04)

c.RENEWAL CONTRACTS approved, as follows:

- 1.Harts Auto Supply - PO#2003041 - for brake parts/pads - Various Departments
- 2.O'Reilly auto Parts/Hilo-O'Reilly - PO#2003042 - for brake parts/pads - Various Departments
- 3.Nextel of Texas - PO#2001082 - for two-way/cellular airtime services - Various Departments
- 4.Compro Wireless, Inc. - PO#2001082A - for two-way/cellular equipment - Various Departments
- 5.Telestar Corporation - PO#2004089 - for video conferencing equipment - Various Departments
- 6.Weisinger Gardens, Inc. - PO#2003124 - for landscaping services - Various Departments
- 7.Alpha Diamond Electric, Inc. - PO#2004075 - for labor for electrical services - Various Departments
- 8.Nexus Recovery Center, Inc. - PO#2003436 - for residential services - Juvenile Services
- 9.Eagle Services, Inc. - PO#2004049 and #2004049X - for miscellaneous repairs dump trucks, haul trucks and miscellaneous heavy equipment - Pct. #4
- 10.Mustang Machinery Co. LTD DBVA Mustang Cat - PO#2004415 and #2004415X - for miscellaneous repairs dump trucks, haul trucks and miscellaneous heavy equipment - Pct. #4
- 11.Masters Touch Collision Repair - PO#2003115 - for automotive body repair services - Risk Management
- 12.D J Paint & Body - PO#2003116 - for automotive body repair services - Risk Management

c.REQUEST approved, for the continuation of the following sole source Item:

- 1.Texas Department of Health - for electronic birth certificates - County Clerk

as per Request on file.

- d.CHANGE ORDER #5 approved, PO#2002084 - to Cintas to add the following to contract for uniform rental and services:
- 1.furnish 2 uniforms, two changes per week, 100% cotton, pants and shirts - \$2.00, as per Change Order on file.
- e.CHANGE ORDER #2 approved, PO#2004394 - to Crown Paper & Chemical - for Janitorial Products and Chemicals, as per Change Order on file. (see changes on file)
- f.CHANGE ORDER #1 approved, PO#2004285 - to Mueller, Inc., to add additional structure materials to the pre-engineered metal building contract, as per List on file.
- g.CHANGE ORDER #1 approved, PO#2004439 - to World for Children to provide various changes for residential placement for Juvenile Services, as per change Order on file.
- h.CHANGE ORDER #1 approved, PO#2004442 - to Therapeutic Family Life, to provide changes for residential placement, as per Change Order on file.
- i.CHANGE ORDER #1 approved, PO#2004436 - to Gulf Coast Trade Center for non-residential placement for Juvenile Services, as per Change Order on file.
- j.CHANGE ORDER #1 approved, PO#2004438 - to Hays County Juvenile Center for non-residential placement for Juvenile Services, as per Change Order on file.
- k.CHANGE ORDER #1 approved, PO#2004435 - to Incentives Boy Ranch for residential placement for Juvenile Services, as per Change Order on file.
- l.CONTRACT approved, with Psychological Services Center for residential placement previously renewed in Commissioners' Court on August 9, 2004, as per Contract on file.
- m.NAME CHANGE approved, to change Incentives Boys Ranch to Incentives, as per Request on file.
- n.NAME CHANGE approved, to change Hardwood Lumber Co., Inc. to Clark's Hardwood Lumber Co., LP, as per Request on file.
- o.PERFORMANCE BOND accepted, from Aramark Correctional Services, for manual food services for Law Enforcement Center and Juvenile Services, in the amount of \$150,000.00, as per Bond on file.
- p.PERFORMANCE BOND AND PAYMENT BOND approved, for Gaskey Construction Corporation in the amount of \$3,546,949.00, for construction of Pct. #4 library, as per Bonds on file.
- q.REQUEST approved, to set September 17, 2004, as the cut off date for purchase orders, as per Request on file.

COMMISSIONER, PRECINCT #2 - AGENDA ITEM 7D1

- a.REPORT approved, for Emergency Service District #10 annual audit for fiscal year ending September 30, 2003, as per Report on file.

AGENDA ITEMS 7D1B & C - ACCEPTANCE OF ROADS IN CRIGHTON RIDGE, SECTION 3, AND PLYMOUTH LANE IN CRIGHTON RIDGE, SECTION, INTO THE COUNTY ROAD SYSTEM - DEFERRED

- b.ORDER approved, to acknowledge receipt of Amendment No. 4 to Letter of Credit No. 388 for the account of Ranch Crest Section 1, as per Order on file.
- c.ORDER approved, to acknowledge acceptance of maintenance Bond #BD37174 and Letter of Credit 459 & Amendment No. 1, issued by Woodforest National Bank for Shady Oak Estates, Sections 1,2, & 3, as per Order on file.
- d.ORDER approved, consenting to amending to sale of goods and services to the City of Magnolia in accordance with an Interlocal Agreement dated February 23, 2004, as per Order on file. (sale of 1988 Gradall and 1991 GMC Truck)

COMMISSIONER, PRECINCT #3 - AGENDA ITEMS 7D2

- a.REQUEST approved, of the General Plan of Creekside Village Subdivision. (no paperwork/Plan in County Engineer's office)
- b.ORDER approved, for placement of culverts at various locations for the Woodlands Joint Powers Agency, (WJPA), in accordance to a certain Interlocal Agreement dated May 10, 1993, as per Order on file.
- c.ORDER approved, to accept Warranty Deed from Clinton D. Pendleton, Grantor, for the expansion of Riley Fuzzel Road, and to authorize the County Judge to execute same, as per Deed on file.
- d.ORDER approved, to accept Warranty Deed for right-of-way from Lone Star Services, Inc., (Parcel 15), for the expansion of Hanna Road. Also, to authorize the County Judge to execute same, as per Deed on file.

COMMISSIONER, PRECINCT #4 - AGENDA ITEMS 7D3

- a.FINAL PLAT approved, for Bentwood Extension and Section 1, (partial replat No. 2), consisting of 1.5613 acres, 8 lots, as per Plat on file.
- b.ROADS accepted, BOND released, for Riverwalk, Section 4, consisting of 17,646.95 l.f., 3.34 miles. Also, to release the Bond, as per Request on file.
- c.PUBLIC HEARING DATE set, for September 13, 2004, to consider the placement of stop signs on all "T" intersections located in Wood Hollow Subdivision, Sections 1 and 2, except Wickway Dr. at Sandlewood Dr., which has existing stop sign, as per Request on file.
- d.PUBLIC HEARING DATE set, for September 13, 2004, to consider

changing the name of Stowe Road to Jim Stowe Road located in Circle Oaks Subdivision, as per Request on file.

e.ORDER approved, to authorize payment of \$300.00 each to Special Commissioners appointed for Parcel 61B, Montgomery County vs. Ziniben Corporation, et al, in connection with the FM1314 ROW Project. Special Commissioners are Steve Law, Marshall Anderson and Steve Hailey, as per Order on file.

f.ORDER approved, to acknowledge receipt of a check in the amount of \$12.00, from Robert Saylor for the lease of various lots located in Magnolia Bend, Section 2, as per Order on file. (check forwarded to County Treasurer for further handling)

g.ORDER approved, to authorize the purchase of right-of-way easement from National Convenience Stores, Inc., Parcel 13, in the amount of \$10,781.00, in connection with the FM1314 project, as per Order on file.

ALL PRECINCTS - AGENDA ITEMS 7D4

a.OVERLOAD/OVERSIZE PERMIT approved, from Langston Timber Company, to move various loads over all county roads. Movement to begin not earlier than August 9, 2004, and to be completed by Nov. 9, 2004, as per permit on file.

LIBRARY - AGENDA ITEM 7E

a.APPOINTMENT approved, to appoint Sharon Walters as Lay Representative and Dick Judge as Alternate Lay Representative to the Houston Area Library System for a term of two (2) years, as per Request on file.

RISK MANAGEMENT - AGENDA ITEM 7F

a.PAYMENT acknowledged, of payment to Enterprise Rent-A-Car in the amount of \$1,438.00, for the Claim of Evelyn Johnson for car rental due from an accident on July 2, 2004, as per Request on file.

BUDGET OFFICE - AGENDA ITEM 7G

a.REPORT acknowledged, of the "Montgomery County Expenditure Status Summary", and the "Montgomery County Expenditure Status Summary-Sheriff", as of August 18, 2004, as per Report on file.

PARKS DEPARTMENT - AGENDA ITEMS 7H

a.USE AGREEMENTS approved, for the following:

- 1.Scholastic Book Fairs
- 2.Church of God in Christ
- 3.East County Sports Association

as per Agreements on file.

Motion carried.

END OF CONSENT AGENDA

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3.APPOINTMENT APPROVED - UNITED WAY 2005 CAMPAIGN MANAGER - COUNTY JUDGE

Motion by Commissioner Chance, seconded by Commissioner Meador, to appoint Mike Meador to serve as Chairman for the 2005 United Way Campaign for Montgomery County Employees, as per Request on file. Motion carried.

4.REQUEST APPROVED - HOME PROGRAM FUNDING - COUNTY JUDGE

Motion by Judge Sadler, seconded by Commissioner Chance, to place Home Program funding under the Montgomery County Housing Authority, with the Housing Authority to administer the Grant monies for years one and two. Also, to authorize a Contract be prepared by the Montgomery County's Contract Committee for Court's approval. Mark Bosma, Purchasing Agent, was appointed to represent the Court in the Contract negotiation process, as per Request on file. Motion carried.

5.BUDGET APPROVED - EMERGENCY ASSISTANCE BUDGET FY2005 - COUNTY JUDGE

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve Montgomery County Emergency Assistance Budget for FY2005. Motion carried. (no paperwork)

6.BUDGET APPROVED - MONTGOMERY COUNTY'S ANNUAL BUDGET FOR FY2004-05 - COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the annual budget for Montgomery County FY2004-05, as submitted. Motion carried.

7.RESOLUTION AND ORDER APPROVED - 2004 AD VALOREM TAX RATE - TAX ASSESSOR/COLLECTOR

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve a Resolution and Order fixing the 2004 Ad Valorem Tax Rate for Maintenance and Operation at .4350 cents per hundred dollars, as per Resolution and Order on file. Motion carried.

8.RESOLUTION AND ORDER APPROVED - 2004 AD VALOREM TAX RATE FOR DEBT SERVICE - TAX ASSESSOR/COLLECTOR

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Ad Valorem Tax Rate for Debt Service, (interest and sinking fund), at .4963 cents per hundred dollars, as per Resolution and Order on file. Motion carried.

9.REQUEST APPROVED - PENALTY AND INTEREST WAIVED - TAX ASSESSOR/COLLECTOR

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve waiving the penalty and interest for property owned by Shiu Mei Lee and Alfred Lee and donated to St. Joseph Foundation of Bryan. Amount to be waived is \$2,241.86, which represents the penalty and interest for 2003 taxes on the property located in the South Shore Estates, Section 4, in Montgomery County, as per Request on file. Motion carried. (Deed was inadvertently recorded in Brazos County instead of Montgomery County).

10.ACCEPTANCE OF GRANT RATIFIED - FY'04 UASI-II GRANT - CIVIL DEFENSE

Motion by Judge Sadler, seconded by Commissioner Doyal, to ratify the acceptance of FY-04 UASI-II Grant Award of \$850,989.00, and to authorize the County Judge to execute same, as per Acceptance on file. Motion carried. (no-match funding)

11.REQUEST APPROVED - OUTSTANDING BILLS - BAIL BOND ADMINISTRATOR

Motion by Commissioner Chance, seconded by Commissioner Doyal, to pay \$262.66 from Contingency for bills incurred by the Bail Bond Administrator, Matthew Thomas, as per Request on file. Motion carried.

12.TRANSFER OF FUNDS APPROVED - POSITION CHANGES - SHERIFF'S DEPARTMENT

Motion by Judge Sadler, seconded by Commissioner Chance, to approve the following transfer of funds:

- a.Transfer \$1,265.00 from Patrol Corporal slot to Patrol Deputy slot for David Koth
- b.Transfer \$3,930.00 from Patrol Sergeant slot to Patrol Corporal slot for Steve Degner

as per Request on file. Motion carried.

13.RESOLUTION AND ORDER APPROVED - JUROR'S DONATION REQUEST - DISTRICT CLERK

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve adding Interfaith of the Woodlands and the Court Assisted Rehabilitation Experience (CARE) Program to the juror's donation authorization form, as per Request on file. Motion carried.

14.ORDER APPROVED - 2004 EARLY VOTING LOCATIONS - ELECTIONS CENTRAL

Motion by Judge Sadler, seconded by Commissioner Doyal, to approve the November 2, 2004, Election and Early Voting Locations and Times, as per List on file. Motion carried.

15.REQUEST APPROVED - PURCHASE OF LAPEL PINS - ELECTIONS CENTRAL

Motion by Commissioner Meador, seconded by Commissioner Chance, to authorize the expenditure of approximately \$1,500.00 for 500 lapel pins for poll workers. (fund from election contract fund). Motion carried. (no paperwork)

16.REQUEST APPROVED - LAPEL PINS PURCHASES - ELECTIONS CENTRAL

Motion by Commissioner Meador, seconded by Judge Sadler, to pre-approve lapel pin purchases in the future from the surplus funds in the elections contract fund. Motion carried. (no paperwork)

17.REIMBURSEMENT APPROVED - 9TH DISTRICT COURT - COUNTY AUDITOR

REQUEST APPROVED - 284TH DISTRICT COURT - COUNTY AUDITOR

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

- a.reimbursement to the 9th District Court to use \$200.00 from the Court Reporter Service Fund for the cost of the registration fee to attend court reporting seminar, and
- b. 284th District Court to use \$938.28, from the Court Reporter

Service Fund for the StenoCat Seminar, September  
22, through September 25, 2004

as per Requests on file. Motion carried.

AGENDA ITEMS 16A 4 AND 7 - RECOMMENDATIONS AND CONTRACTS -  
DEFERRED

18.BIDS REJECTED - AUTHORIZATION TO RE-ADVERTISE - COURIER  
SERVICE - LAW ENFORCEMENT CENTER

Motion by Commissioner Meador, seconded by Commissioner Chance,  
to reject the bids received for laboratory testing and  
courier service specimen pick-up and delivery, and to  
authorize the Purchasing Department to re-advertise for  
bids. Motion carried.

19.RECOMMENDATION AND CONTRACT APPROVED - WIRELESS AIR NETWORK  
SERVICE - VARIOUS DEPARTMENTS

Motion by Commissioner Doyal, seconded by Commissioner Meador, to  
award the bids, (opened June 23, 2004), for wireless air  
network card/service to Verizon Wireless and Cingular, as  
per Contracts on file. Motion carried.

20.RECOMMENDATION AND CONTRACT APPROVED - BULK ROAD MATERIALS -  
VARIOUS PRECINCTS

Motion by Commissioner Chance, seconded by Commissioner Rinehart,  
to award the bid, (opened July 13, 2004), for bulk road  
materials asphaltic emulsion to the following Vendors:

- a.Cleveland Asphalt Products, Inc.
- b.Pavers Supply, Inc.
- c.Prime Materials and Supply

as per Contracts on file. Motion carried.

21.RECOMMENDATION AND CONTRACTS APPROVED - LAWN MAINTENANCE  
SERVICE - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Chance,  
to award the bid, (opened July 30, 2004), for lawn  
maintenance services to Green Acres Lawn Care, as per  
Contract on file. Motion carried.

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

Motion by Commissioner Chance, seconded by Commissioner Rinehart,  
to award the bids, (opened August 6, 2004), to Gullo Ford  
for three (3) 2005 Ford Taurus SE, in the amount of  
\$13,998.30 each, as per Contract on file. Motion carried.

23.RECOMMENDATION AND CONTRACT APPROVED - MOSQUITO SPRAYING  
SERVICE - VARIOUS PRECINCTS

Motion by Commissioner Doyal, seconded by Commissioner Meador, to  
award the bid, (opened August 10, 2004), for mosquito  
spraying service to Gillen Pest Control, as per Contract on  
file. Motion carried.

24. RECOMMENDATIONS AND CONTRACTS APPROVED - EMERGENCY EQUIPMENT - SHERIFF'S DEPARTMENT

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to award the bids, (opened August 10, 2004), for emergency equipment/prisoner cage, to the following Vendors:

a. G. T. Distributors, Inc., for the prisoner cage and transfer kit, and

b. Gall's Inc., for full/lower extension panel

as per Contracts on file. Motion carried.

25. INTERLOCAL AGREEMENT APPROVED - PURCHASE OF GOODS - PURCHASING DEPARTMENT

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve an Interlocal Agreement with Montgomery County Emergency Service District No. 4 for the purchase of a 1984 pumper truck in the amount of \$10,000.00, as per Agreement on file. Motion carried.

26. PURCHASE APPROVED - PERSONAL COMPUTERS - PURCHASING DEPARTMENT

Motion by Judge Sadler, seconded by Commissioner Doyal, to approve the purchase of two (2) personal computers from Bits Technology in the amount of \$2,240.00, (fund from bond monies), for Constable, Pct. #1 Mental Health Division, as per Request on file. Motion carried.

27. REPORT APPROVED - TURNER COLLIE & BRADEN, INC. - PURCHASING DEPARTMENT

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the final report from Turner Collie & Braden, Inc., for the Montgomery County Pavement Management Plan, as per Report on file. Motion carried.

28. CHANGE ORDER #1 APPROVED - MOBILITY BOND PROGRAM - PURCHASING DEPARTMENT

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve Change Order #2, PO#2002177, to Carter & Burgess, Inc., for changes noted on List in file. Motion carried.

29. SUPPLEMENTAL AGREEMENT APPROVED - STATEWIDE IMPROVEMENT PROGRAM - PURCHASING DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the Supplemental Agreement No. 1 for Professional Engineering Services with Klotz Associates, Inc., for the Statewide Improvement Program, as per Agreement on file. Motion carried.

AGENDA ITEM 7G - K. R. MOORE AND ASSOCIATES ADDRESSED THE COURT TO DISCUSS AND CLARIFY THE PROCESS OF SALARY ADMINISTRATION GUIDELINES FOR FY2005 IMPLEMENTATION.

30. RESOLUTION AND ORDER APPROVED - REFILEING OF TAX ABATEMENT AGREEMENT - COUNTY ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve a Resolution and Order to rescind the Tax Abatement Agreement previously offered by Montgomery County to Woodlands VTO 2000 Commercial, L.P., as owner, and Huntsman LLC, as Lessee, as per Resolution and Order on file. Motion carried.

31.UTILITY EASEMENT APPROVED - ENTERGY GULF STATES, INC. - COUNTY ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve a Right-of-Way Instrument for Entergy Gulf States, Inc., to provide extension of utility service at the Lone Star Executive Airport. Also, to authorize the County Judge to execute same, as per instrument on file. Motion carried.

32.REQUEST APPROVED - CRIME VICTIM NOTIFICATION PROGRAM - COUNTY ATTORNEY

GRANT CONTRACT APPROVED - CONSTRUCTION OF AGREEMENT - COUNTY ATTORNEY

Motion by Commissioner Doyal, seconded by Commissioner Rinehart, to approve the following:

- a.to authorize the County Judge to execute the Texas Vine Services Agreement to enable Montgomery County to participate in the Crime Victim Notification Program, and
- b.to approve Grant Contract with the office of the Attorney General for the State of Texas for purpose of Contract is to reimburse County for certain cost incurred in the participation in the statewide crime victim notification services,

as per Agreement and Grant Contract on file. Motion carried.

AGENDA ITEM 18B - AGREEMENT BETWEEN MONTGOMERY COUNTY AND MONTGOMERY COUNTY DEPARTMENT OF COMMUNITY SUPERVISION AND CORRECTIONS (CSR), FOR WORK ASSIGNMENTS - DEFERRED

33.PUBLIC NOTICES APPROVED - VARIOUS PRECINCTS

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the following Notices:

- a.placement of a stop sign on Fox Sparrow at Kittiwake in the Woodlands - Village of Grogans Mill, Section 23
- b.increasing the speed limit to 40 mph for Tram Road from F.M. 2090 to Roman Forest Boulevard, except in the vicinity of the little league ball field, which will be 30 mph.
- c.approve establishing minimum infrastructure standards for manufactured home rental communities (no paperwork)

as per Notices on file. Motion carried.

34.ORDERS APPROVED - ACCEPTANCE OF ROADS - PRECINCT #1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to

approve the following Orders:

- a. Order accepting West Lee Shore, located in Shadow Bay Subdivision, into the Montgomery County Road Maintenance System by prescriptive right, as per Order on file.
- b. Order accepting South Lee Shore, located in Shadow Bay Subdivision, into Montgomery County Road Maintenance System by prescriptive right, as per Order on file.
- c. Order accepting Anchor Court, located in Shadow Bay Subdivision, into Montgomery County Road Maintenance System by prescriptive right, as per Order on file.
- d. Order accepting Lookout Court, located in Shadow Bay Subdivision, into Montgomery County Road Maintenance System by prescriptive right, as per Order on file.

Motion carried.

35. ORDER APPROVED - ACCEPTANCE OF ROAD - PRECINCT #1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to accept Shadow Bay Drive, located in Shadow Bay Subdivision, into the Montgomery County Road Maintenance System by prescriptive right, as per Order on file. Motion carried.

36. REQUEST APPROVED - NUMBER ASSIGNMENT FOR EAST MUD DISTRICT - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve the next consecutive number assignment for an East Montgomery County Municipal Utility District, to be reserved in the name of Winstead, Sechrest & Minick, are 5, 6 & 7, as per Request on file. Motion carried.

37. VARIANCES APPROVED - AEROBIC SEPTIC SYSTEM - ENVIRONMENTAL HEALTH

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve the following Variances:

- a. installation of an aerobic septic system in the flood plain at 18956 Clark St., Conroe, Texas
- b. installation of an aerobic septic system in the flood plain at 16987 Concord Dr., Conroe, Texas
- c. installation of an aerobic septic system in the flood plain at 15118 Firetower Road, Conroe, Tx. 77306

Motion carried. (no paperwork)

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 and

- a. Consider and Discuss Utah Probate Action involving Montgomery

County, Texas (Section 551.071)

COURT RECONVENED, WITH ALL MEMBERS OF THE COURT PRESENT.

38. RESOLUTION AND ORDER APPROVED - ESTATE OF RONALD JACKSON - COUNTY ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve an Order in connection with the settlement of the County's claim against Charles W. Hanna regarding a Utah Probate Matter involving the Estate of Ronald Jackson, as per Resolution and Order on file. Motion carried.

39. PAYROLL CHANGE REQUESTS APPROVED - HUMAN RESOURCES

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

request of 359th District Court to place Laura Marburger, Briefing Attorney, on payroll, effective August 30, 2004

request of 359th District Court to accept the resignation of Elsa Sanchez, Assistant Coordinator, effective August 13, 2004, with 30.36 vacation hours due and 44.045 comp hours due

request of 359th District Court to change the hire date of Christa Townes, Official Court Reporter to reflect July 12, 2004

request of Animal Control to accept the resignation of Cody Sherrouse, Officer, Animal Control, effective August 13, 2004, with 24.64 vacation hours due and 73.635 comp hours due

request of Animal Control to place Darol Stoneham, Officer-Animal Control, (replacement for Jarrett Smilie), effective August 16, 2004

request of Animal Control to change Brenda Philpot from Kennel Help part-time to Kennel Help full-time, (replacement for Patricia Porter), effective August 10, 2004

request of Animal Control to abandon Patricia Porter, Kennel Help, position, effective August 10, 2004

request of County Auditor to place Rachael DuPaul, Part-time Clerk, (replacement for Shelley Smith), on payroll, effective August 30, 2004

request of Collections Director to accept the resignation of San-Juanita Guerrero, Collection Specialist, effective August 17, 2004

request of Commissioner, Pct. #3 to promote Chad Jamieson from Operator I to Mechanic II, (replacement for David Vollbrecht), effective August 16, 2004

request of Commissioner, Pct. #3 to accept the resignation of David Vollbrecht, Mechanic II, effective August 16, 2004, with 9.28 vacation hours due

request of Constable, Pct. #1 to promote Leslee Cade, Lieutenant, effective September 1, 2004 (WISD funded)

- request of Constable, Pct. #1 to promote Timothy Cade from Corporal Constable to Sergeant Constable, effective September 1, 2004 (WISD funded)
- request of Constable, Pct. #1 to increase the salary of Mary Kipness, Deputy Constable, effective September 1, 2004 (MISD funded)
- request of Constable, Pct. #1 to increase the salary of Robert Knight, Sergeant Constable, effective September 1, 2004 (MISD funded)
- request of Constable, Pct. #1 to increase the salary of Alton Mathis, Deputy Constable, effective September 1, 2004 (WISD funded)
- request of Constable, Pct. #1 to increase the salary of James Patrick, Deputy Constable, effective September 1, 2004 (WISD funded)
- request of Constable, Pct. #1 to increase the salary of Chris Schkade, Corporal Constable, effective September 1, 2004 (WISD funded)
- request of Constable, Pct. #1 to increase the salary of Nicholas Vaughn, Deputy Constable, effective September 1, 2004 (WISD funded)
- request of Custodial Services to increase the salary of Silvia L. Castillo, Custodian, Part-time, effective August 28, 2004, due to probation period completed
- request of Custodial Services to place Alesha N. Schuster, Custodian Part-time, (replacement for Berenice Souto), on payroll, effective August 23, 2004
- request of County Attorney to promote Phyllis Rainey from Attorney II to Attorney III, effective September 3, 2004 (job was misclassified during job survey)
- request of County Attorney to place Julie Stewart, Attorney I, on payroll, (replacement for Robert Collins), effective August 23, 2004
- request of County Attorney to promote Cara Wood from Attorney II to Attorney III, effective September 3, 2004 (position was misclassified during job survey)
- request of County Auditor to accept the resignation of Shelley Smith, Part-time Clerk, effective August 13, 2004
- request of County Clerk to increase the salary of Virginia AE. Collins, Clerk III, effective August 14, 2004, due to probation period completed
- request of District Attorney to accept the resignation of Joseph D. Delos Reyes, Part-time Clerk, effective August 10, 2004
- request of District Attorney to place Lauren Kolby Townsend, Part-time Clerk, (replacement for Joseph Delos Reyes), effective August 23, 2004
- request of District Clerk to increase the salary of Ellen Blakeway, Court Clerk II, effective August 16, 2004, due to probation period completed

request of District Clerk to demote Regina Land from Clerk IV to Clerk II, effective August 16, 2004

request of District Clerk to increase the salary of Stella Luton, Court Clerk II, effective August 16, 2004, due to probation period completed

request of Elections Administrator to place Victoria Hardie, Temporary Voters Clerk, Part-time, effective August 14, 2004

request of Elections Administrator to place Irene Kerr, Temporary Voters Clerk, on payroll, effective August 14, 2004

request of Elections Administrator to place Debra Marshall, Temporary Voters Clerk, Part-time, on payroll, effective August 14, 2004

request of Elections Administrator to place Carol Mayer, Temporary Voters Clerk, Part-time, on payroll, effective August 14, 2004

request of Elections Administrator to place Darlene M. Morello, Temporary Voters Clerk, Part-time, effective August 14, 2004

request of Elections Administrator to place Mary D. Muirhead, Temporary Voters Clerk, Part-time, on payroll, effective August 14, 2004

request of Extension Services to place Cody E. Ferguson, Volunteer Coordinator, (replacement for Judith Evans), effective August 18, 2004

request of Extension Services to layoff Betsy Jones, Part-time Volunteer Coordinator, effective August 27, 2004

request of Fire Marshal to increase the salary of Robert Carnes, Investigator, effective August 14, 2004, due to probationary period completed

request of Fire Marshal to place William Wilkerson, Investigator, (replacement for Richard Birdwell), effective August 28, 2004

request of Library Director to layoff Steve N. Warren, Jr., Library Assistant II, effective August 16, 2004 (was unable to return from family leave of absence)

request of Sheriff's Department to discharge Brent Ballard, Dispatcher, effective August 10, 2004, with 79.0200 vacation hours due, 2240.0000 comp hours due and 14.0000 holiday hours due

request of Sheriff's Department to demote Steve Degner from Sergeant, Patrol, District 3, to Corporal, Patrol, District 1, (replacement for William B. Steward)

request of Sheriff's Department to promote Brady Fitzgerald, Corporal Patrol, (replacement for David Koth), effective August 14, 2004

request of Sheriff's Department to demote David Koth from Corporal, Patrol, District 2 to Deputy, Patrol, District 3, (replacement for Brady Fitzgerald), effective August 14, 2004

request of Sheriff's Department to discharge Darrell Murray, Dispatcher, effective August 10, 2004, with 92.6200 vacation hours due, 240.0000 comp hours due and 72.0000 holiday hours due

request of Sheriff's Department to accept the resignation of Patricia Rogers, Dispatcher, effective August 24, 2004, with 36.96 vacation hours due, 47.75 comp hours due and 14 holiday hours due

request of Sheriff's Department to place David R. Simpson, Temporary Data Clerk, (replacement for Cole Zenor), on payroll, effective August 21, 2004

request of Sheriff's Department to promote William B. Steward, Patrol Sergeant, (replacement for Steve Degner), effective August 14, 2004

request of Sheriff's Department to accept the retirement of Mary Tolbert, Deputy Bailiff, effective September 30, 2004, with 137.3422 vacation hours due and 109.60 comp hours due

request of Tax Assessor/Collector to promote Arlita Fleming, Deputy Specialist II, effective August 14, 2004

request of Tax Assessor/Collector to increase the salary of Ruby Smith, Deputy Specialist II, effective August 28, 2004

request of Animal Control to place Jarrad Mears, Officer-Animal Control, (replacement for Cody Sherrouse), effective August 23, 2004

request of Collections Director to place Sherri Lancaster, Collections Specialist, (replacement for San Juanita Guerrero), effective August 23, 2004

request of Constable, Pct. #3 to increase the salary of Felicity Davis, Administrative Assistant I, effective August 23, 2004, due to salary adjustment

request of Constable, Pct. #3 to place Joshua Merilatt, Clerk III, on payroll, (replacement for Jennifer Willems), effective August 23, 2004

request of Constable, Pct. #3 to accept the resignation of Jennifer Willems, Clerk III, effective August 20, 2004

request of Custodial Services to accept the resignation of Sharon Watson, Part-time Custodian, effective August 13, 2004

request of Justice of the Peace, Pct. #2 to place Heather Baker, Part-time Clerk, on payroll, effective August 20, 2004

request of County Treasurer to promote Janice L. Avery from Accounting Assistant to Bail Bond Assistant - Assistant Deputy Treasurer, effective August 20, 2004

as per Payroll Change Requests on file. Motion carried.

40.COURT ADJOURNS

Motion by Commissioner Rinehart, 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