

COMMISSIONERS' COURT DOCKET, NOVEMBER 15, 2004
SPECIAL SESSION

THE STATE OF TEXAS
COUNTY OF MONTGOMERY

Be it remembered that on this the 15th day of November, 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 CONNIE REAVES, SHERIFF'S DEPARTMENT

PLEDGE OF ALLEGIANCE RECITED BY EVERYONE PRESENT

1.COMMISSIONERS' COURT AGENDA APPROVED

Motion by Commissioner Chance, seconded by Commissioner Meador, 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 November 1, 2004, as presented by the County Clerk. Motion carried.

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

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

COUNTY AUDITOR - AGENDA ITEMS 7A

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

BUDGET AMENDMENTS FY04'

- 1.Animal Shelter - to transfer funds to cover PO#25500392
- 2.Commissioner, Pct. #1 - to recognize and to allocate reimbursement from WISD
- 3.Commissioner, Pct. #3 (1 of 4) - to recognize and to allocate reimbursement from P. Maddux
- 4.Commissioner, Pct. #3 (2 of 4) - to recognize and to allocate reimbursement from D. Harrell
- 5.Commissioner, Pct. #3 (3 of 4) - to recognize and to allocate reimbursement from A. Sankowski
- 6.Commissioner, Pct. #3 (4 of 4) - to recognize and to allocate reimbursement from F. Kirsch
- 7.Commissioner, Pct. #4 (1 of 3) - to adjust line items
- 8.Commissioner, Pct. #4 (2 of 3) - to adjust line items
- 9.Commissioner, Pct. #4 (3 of 3) - to adjust line items

- 10.Constable, Pct. #1 - to recognize and to allocate reimbursement for dam security
- 11.Risk Management (1 of 2) - to transfer funds to cover claim B040086
- 12.Risk Management (2 of 2) - to transfer funds for damage claim for Meeks

- 13.Sheriff (1 of 3) - to recognize and to allocate reimbursement from State for M.I.G.
- 14.Sheriff (2 of 3) - to adjust line items
- 15.Sheriff (3 of 3) - to adjust line items

BUDGET AMENDMENTS FOR FY05

- 1.410th District Court - to transfer funds for remodel courtroom
- 2.Civic Center - to adjust line items
- 3.Commissioner, Pct.#3 (1 of 3) - to recognize and to allocate reimbursement from H. Bayer
- 4.Commissioner, Pct. #3 (2 of 3) - to recognize and to allocate vending machine commission
- 5.Commissioner, Pct. #3 (3 of 3) - to recognize and to allocate reimbursement from R. Roberts
- 6.Commissioner, Pct. #4 - to adjust line items
- 7.Communications/Info Serv. - to adjust line items
- 8.Constable, Pct. #1 (1 of 2) - to adjust line items
- 9.Constable, Pct. #1 (2 of 2) - to transfer funds for office remodel
- 10.Constable, Pct. #2 - (1 of 2) - to adjust line items
- 11.Constable, Pct. #2 (2 of 2) - to transfer funds to build furniture
- 12.Constable, Pct. #4 - to adjust line items
- 13.County Court at Law 3 - to adjust line items
- 14.Jail - to adjust line items
- 15.Justice of Peace Pct. #3 - to transfer funds to build furniture
- 16.Juvenile Probation - to adjust line items
- 17.Memorial Library (1 of 2) - to recognize and to allocate memorial gifts
- 18.Memorial Library (2 of 2) - to recognize and to allocate donation from Hastings
- 19.Risk Management - to transfer funds for damage claim G050005
- 20.Sheriff - to adjust line items

as per Budget Amendments on file.

b.OFFICIALS' FEES REPORT approved, for the month of August 2004, as per Report on file.

COUNTY TREASURER - AGENDA ITEMS 7B

a.WEEKLY INVESTMENT REPORT approved, for the week of November 8-12, 2004. (no paperwork)

b.PLEDGES AND/OR RELEASE OF COLLATERAL approved, for Southwest Bank/Tx., Cusip No. A014906, par value \$15,000.00

c.MONTHLY FINANCIAL REPORT approved, for the month of September, 2004, as per Report on file.

d.PLEDGE OF SECURITIES REPORT approved, for the month of October, 2004, as per Report on file.

e.ANNUAL FINANCIAL REPORT approved, for year October, 2003 through September, 2004, as per Report on file.

f.REQUEST approved, to release payroll checks at 8:00 A.M. on November 24th and December 22nd, 2004 (replaces Motion made at the November 1, 2004, Commissioners' Court Session - 8b5)

TAX ASSESSOR/COLLECTOR - AGENDA ITEM 7C

a. MONTHLY TAX COLLECTION REPORT approved, for the month ending October 31, 2004, as per Report on file.

PURCHASING DEPARTMENT - AGENDA ITEMS 7D 1 thru 7

a. AUTHORIZATION TO ADVERTISE approved, for the following:

1. Bulk Fuel - Various Departments

b. ALSO, to acknowledge the opening of the following Bids/Proposals:

1. RFP/Q Lease and Development of Aviation Hangar Area - Airport - Project #2005-0008 (opened 11-04-04)

2. One (1) or more new 2005 Trucks - Various Departments - Project #2005-0006 (opened 11-04-04)

3. RFP/Q Programming/Technical Resources Service - Various Departments - Project #2005-0004 (opened 11-05-04)

4. One (1) or more new 2004-2005 Vehicle(s) - Various Departments - Project #2005-0001 (opened 11-05-04)

c. RENEWAL CONTRACTS approved, as follows:

1. Brodart Co. d/b/a McNaughton Book Service - (PO#2003089) - for audio book leasing program - Library Department

2. Transcor America, Inc. - (PO#2003123) - for extradition services for prisoners - Sheriff's Department

d. CHANGE ORDER #1 approved, PO#2005046 - to State Metropolitan & County Service to add E-check guarantee service with a convenience fee of 4% charged to all end users, as per Change Order on file.

e. CHANGE ORDER #1 approved, PO#2004317, to Salam International, Inc., for changes to the black crash bags and white body bags contract for the Justice of the Peaces, as per Change Order on file.

f. CANCELLATION approved, PO#2004499, to Lone Star Pavement Services, Inc., for concrete road repair for existing roads and replacing concrete curbs, to be effective November 15, 2004, as per Change Order on file.

g. NAME CHANGE approved, for Duane Leach dba Circle M Lawn Service to be changed to Kevin Lougee dba Procure Landscaping, as per Request on file.

COMMISSIONER PRECINCT #1 - AGENDA ITEMS 7E1

a. PUBLIC HEARING DATE set, for December 6, 2004, to consider the placement of "No Parking" signs on Northridge Drive at F.M. 1484, (Airport Road), approximately 200 feet each side of Northridge Drive, as per Request on file.

b. ORDER approved, to authorize acceptance of one or more donation deeds for right-of-way for a proposed county road to be

named Lone Star Parkway. Also, to appoint Commissioner Meador, as Special Commissioner to execute the acceptance of said Deeds, as per Order on file.

COMMISSIONER, PRECINCT #2 - AGENDA ITEMS 7E2

- a.FINAL PLAT approved, for Village of Grogan's Forest, Section 8, The Woodlands, consisting of 15.52 acres, 40 lots, as per Plat on file.
- b.FINAL PLAT approved, for Village of Grogan's Forest, Section 9, consisting of 15.725 acres, 40 lots, as per Plat on file.

COMMISSIONER, PRECINCT #3 - AGENDA ITEMS 7E3

- a.FINAL PLAT approved, for Benders Landing, Section 3, consisting of 17.578 acres, 8 lots, as per Plat on file.
- b.FINAL PLAT approved, for Village of Grogan's Mill-Lake Woodlands East Shore, Section 3, consisting of 29.24 acres, as per Plat on file.
- c.FINAL PLAT approved, for Village of Sterling Ridge, Section 43, consisting of 44.81 acres, 77 lots, as per Plat on file.
- d.FINAL PLAT approved, for Village of Sterling Ridge, Section 44, consisting of 20.96 acres, 36 lots, as per Plat on file.
- e.FINAL PLAT approved, for Village of Sterling Ridge, Section 45, consisting of 14.27 acres, 28 lots, as per Plat on file.
- f.ORDER approved, to authorize the purchase of right-of-way for Parcel one (1) of the Budde and Pruitt Road widening project from Tom Boren, Individually and Tom Boren d/b/a Nystrom Business Parks, in the amount of \$15,904.00, as per Order on file.
- g.ORDER approved, to authorize Agreement for cash contribution for relocation of electric facilities for the widening of Hanna Road from Todd Road to Woodson Road, as per Order on file.

COMMISSIONER, PRECINCT #4 - AGENDA ITEMS 7E4

- a.CHECK accepted, in the amount of \$25,761.81, from New Caney Independent School District for road work on Briar Berry Lane, in accordance with an Interlocal Agreement dated September 13, 2004, as per Notice on file. (check forwarded to County Treasurer for further processing).
- b.CHECK accepted, in the amount of \$681.77, from the City of Roman Forest for the purchase of fuel for the month of September, 2004, in accordance with an Interlocal Agreement dated October 07, 2002, as per Notice on file. (check forwarded to County Treasurer for further processing).
- c.ORDER approved, to declare the existence of a public necessity for the Wilshire Drive project. Also, to authorize the institution of condemnation proceedings, as per Order on file.

d.ORDER approved, to declare the existence of a public necessity for the FM1314 Lift Station Project. Also, to authorize the institution of condemnation proceedings, as per Order on file.

ALL PRECINCTS - AGENDA ITEMS 7E5A THRU 7E5D

a.OVERLOAD/OVERSIZE PERMITS approved, as follows:

1.Gulf Coast Stabilized Materials, (a Division of Campbell Concrete & Materials) - to move various loads over all County Roads. Movement to begin not earlier than December 1, 2004, and to be completed by February 28, 2005.

2.Hasara Land Services - to move various loads over all County Roads. Movement to begin not earlier than December 23, 2004, and to be completed by March 23, 2005

3.K & K Construction, Inc. - to move various loads over all County Roads. Movement to begin not earlier than December 25, 2004, and to be completed by March 25, 2005

4.Southern Ready Mix - to move various loads over all County Roads. Movement to begin not earlier than December 20, 2004, and to be completed by March 20, 2005

as per Permits on file.

PARKS DEPARTMENT - AGENDA ITEMS 7F

a.USE AGREEMENTS approved, as submitted by the Parks Department:

1.Sam Houston Trail Ride - West Park, Pct. #1

2.North County Football League - Charles Traylor Memorial Park, Pct. #1

3.Magnolia Diamond Dogs - Magnolia Little League Fields, Pct. #2

4.Willis High School Softball Team - Gene Campbell Sports Complex, Pct. #1

as per Use Agreements on file.

SHERIFF'S DEPARTMENT - AGENDA ITEMS 7G

a.DONATION accepted, from Wal-Mart Foundation in the amount of \$3,000.00, to be used for the Bicycle Patrol Units, as per Request on file. (check forwarded to County Treasurer for further processing).

Motion carried.

END OF CONSENT AGENDA

4.VARIANCE APPROVED - AEROBIC SEPTIC SYSTEM - ENVIRONMENTAL HEALTH

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve the variance to install an aerobic septic system in the flood plain at 13251 Calhoun Rd., Conroe, Pct #4, as per Permit on file. Motion carried.

5.VARIANCE APPROVED - AEROBIC SYSTEM - ENVIRONMENTAL HEALTH

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the variance to install an aerobic septic system in the flood plain at 4003 Rondelet, Spring, Texas, Pct. #3, as per Permit on file. Motion carried.

6.ORDER APPROVED - CANVASS OF NOVEMBER 2, 2004, ELECTION RESULTS - ELECTIONS ADMINISTRATOR

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the Canvass of the November 2, 2004, Election results, as presented by the Elections Administrator. Motion carried.

7.REQUEST APPROVED - OPENING POSITION - ELECTIONS ADMINISTRATOR

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the Request to authorize the Elections Administrator to fill an open position, (Administrative Assistant II). Also, to transfer any unused funds in Positions 4229-1 and 4140-1 to Election's budget for possible reallocation of some duties with hiring new personnel. Motion carried. (no paperwork)

8.REQUEST APPROVED - 2004 BUDGET FUNDS - COUNTY COURT AT LAW NO. 4

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve unused funds from 2004 budget be used for various office furniture and other expenses. Also, to defer the transfer of unused funds from FY04 budget to FY05 budget until later in this budget year, as per Request on file. Motion carried.

9.REQUEST APPROVED - FUNDING OF SHORTAGE - CONSTABLE, PCT. #4

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve funds in the amount of \$1,000.00, (not to exceed), from FY05 budget to offset last year's expenses in the Constable's office, as per Request on file. Motion carried.

10.REQUESTS APPROVED - PAYMENT TO WITNESSES - DISTRICT ATTORNEY

MOTION RESCINDED - TRAVEL REIMBURSEMENT - DISTRICT ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the following in connection with the murder case styled: State vs. Morris:

a.to pay \$22,817.50 for expert witnesses needed for the conviction in the above case. One-half to be paid from the District Attorney's Forfeiture Account and one-half from Contingency, also

b.to rescind Motion #15, October 18, 2004, Court Session, which approved funds in the amount of \$5,587.00, for witnesses' travel.

as per Requests on file. Motion carried.

11.REQUEST APPROVED - REALLOCATION OF FUNDS - LIBRARY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to transfer \$415.00 from Position #6511-7051-24 to Position #6511-7252-1, as per Request on file. Motion carried.

12.REQUEST APPROVED - CARRYOVER OF FUNDS - LIBRARY DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve carryover of funds from Library FY2004 Budget to cover costs of fiber connections for the Central Library and other library locations, as per Request on file. Motion carried.

13.ACCEPTANCE ACKNOWLEDGED - INTERIM ARBITRAGE REBATE ANALYSIS - COUNTY AUDITOR

Motion by Judge Sadler, seconded by Commissioner Doyal, to accept the following Interim Arbitrage Rebate Analysis from Bond Logistix, LLC:

- a.Road Bonds, Series 2002A
- b.Refunding Bonds, Series 2002B
- c.Jail Bonds, Series 2000

as per Reports on file. Motion carried.

PURCHASING DEPARTMENT - AGENDA ITEMS 15A1,4,6 & 7 - RECOMMENDATIONS AND CONTRACTS - DEFERRED.

14.RECOMMENDATION AND CONTRACT APPROVED - CONCRETE ROAD REPAIR - VARIOUS PRECINCTS

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to award the bid, (opened October 12, 2004), for concrete road repair for existing roads and removing and replacing concrete curbs, to JM Sales and Services, as per Contract on file. Motion carried.

15.RECOMMENDATION AND CONTRACT APPROVED - PRINTING OF LETTERHEAD, ETC. - VARIOUS DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Doyal, to award the bid, (opened October 13, 2004), for printing of letterhead, stationery, envelopes and business cards, to American Solutions for Business, as per Contract on file. Motion carried.

16.RECOMMENDATIONS AND CONTRACTS APPROVED - ATTORNEY SERVICES - VARIOUS DEPARTMENTS

Motion by Commissioner Chance, seconded by Commissioner Meador, to award the following Proposals for Attorney Services:

- a.Chamberlain, Hrdlicka, White, Williams & Martin
- b.Lueders & Boanerges, P.C.
- c.Olson & Olson, L.L.P.
- d.Garcia & Garcia

as per Proposals on file. Motion carried.

17.RECOMMENDATIONS AND CONTRACTS APPROVED - NEW 2005 TRUCKS - CUSTODIAL SERVICES

Motion by Commissioner Meador, seconded by Commissioner Doyal, to award the bids, (opened November 4, 2004), for one or more new 2005 Trucks, as follows:

- a.Gullo Ford for two (2) 2005 Ford F-350 crew cab trucks, and

b. Buckalew Chevrolet for one (1) 2005 C4500 Kodiak crew cab and chassis, and one (1) 2005 Supreme Corporation 16 ft. aluminum van

as per Contracts on file. Motion carried. (financing to follow at a later date)

18. RECOMMENDATIONS AND CONTRACTS APPROVED - TECHNICAL RESOURCES SERVICES - VARIOUS DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the following Proposals, (opened November 5, 2004), for Programming/Technical Resources Services:

- a. JCL Associates, Inc.
- b. Addco, Inc.
- c. Goodpointe Technology
- d. Image Software, Inc.
- e. Elinear Solutions
- f. Optimum Computer Solutions, Inc.
- g. Dynamic Computing Services Corporation

as per Contracts on file.

19. RECOMMENDATION AND CONTRACT APPROVED - 2004/2005 NEW VEHICLES - CONSTABLE, PCT. #1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to award the bid, (opened November 5, 2004), for one (1) or more new 2004/2005 vehicles to Anderson Ford, as per Contract on file. Motion carried. (financing to follow at a later date)

20. CHANGE ORDER #1 APPROVED - CONSTRUCTION OF NEW LIBRARY - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve Change Order #1, PO#2004425, to Gaskey Construction Corporation for the construction of a new library, as per Change Order on file. Motion carried.

21. PROPOSAL APPROVED - PROFESSIONAL AND SURVEYING SERVICES - PCT. #3

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the Proposal from Engle Surveying, Inc., for professional services and boundary survey of 19.419 acres tract and 10.0 acre tract in the R.O.W. McManus Survey, A-346, for a fee of \$7,065.00, as per Proposal on file. Motion carried.

22. DISCRETIONARY EXEMPTIONS APPROVED - PURCHASING DEPARTMENT

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

- a. Appraisal Services from Cervenka & Associates, Inc., for the Robinson Road Project for a fee not to exceed \$29,000.00, and

b.Appraisal Services from Cervenka & Associates, Inc., for the Rayford Road Project for a fee not to exceed \$12,000.00 as per Request on file. Motion carried.

23.ADDITIONAL FUNDS APPROVED - MONTGOMERY COUNTY 4D COURT

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve funds in the amount of \$30.00 plus shipping and handling to TESSCO for an Eliminator GE prism for the wireless duress notification system, previously approved in Commissioners' Court on November 1, 2004, as per Request on file. Motion carried. (fund from Courthouse Security)

24.LOAN AGREEMENT DEFERRED - STATE ENERGY CONSERVATION OFFICE - PURCHASING DEPARTMENT

Motion by Judge Sadler, seconded by Commissioner Meador, to Defer Loan Agreement in the amount of \$594,866.00, between the State Energy Conservation Office and Montgomery County, to provide project financing through the Loanstar Revolving Loan Program. Motion carried.

25.RESOLUTION AND ORDER APPROVED - JOSEPH FREDERICK MERIWETHER LAWSUIT - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve a Resolution and Order to pay \$18,000.00, (from Sheriff's budget to Risk Management budget), for settlement in Cause No. 99-10-06006-CV; styled: Joseph Frederick Meriwether vs. Guy Williams, et al. Also to authorize the County Judge to execute Settlement Documents, as per Resolution and Order on file Motion carried.

26.GRANT AGREEMENT DEFERRED - HOME PROGRAM - COUNTY ATTORNEY

Motion by Commissioner Doyal, seconded by Commissioner Meador, to defer the Grant Agreement for Home Program. Motion carried. (no paperwork)

27.RESOLUTION AND ORDER APPROVED - TAX ABATEMENT AGREEMENT - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve a Resolution and Order to enter into a Tax Abatement Agreement only with Trammell Crow Houston, LTD, and McKesson Corporation, as per Resolution and Order on file. Motion carried.

28.AGREEMENT APPROVED - PERSONAL SERVICES AND RELEASE OF LIABILITY - COUNTY ATTORNEY

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve a Personal Services Agreement between Montgomery County and Constable Reserve Deputy Mike Dietrich, Pct. #5, to perform law enforcement services as designated by Constable David Hill. Also, to authorize the County Judge to execute same, as per Agreement on file. Motion carried.

29.SANITARY SEWER EASEMENT APPROVED - R.B. TULLIS LIBRARY CONSTRUCTION - COUNTY ATTORNEY

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve an Agreement for easement granted by the East County Community Improvement District or the use of the sanitary sewer easement by Montgomery County for the purposes of the R. B. Tullis Library construction. Also, to authorize the County Judge to execute said Agreement, as per Easement on file. Motion carried.

30.INTERLOCAL AGREEMENT APPROVED - WELLMAN ROAD PROJECT - COUNTY ATTORNEY

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve an Interlocal Agreement between the City of Shenandoah and Montgomery County for the construction and improvement of Wellman Road, as per Interlocal Agreement on file. Motion carried. (fund from discretionary 02' Bonds - Pct. #2)

31.MODIFICATION OF LEASE AGREEMENT APPROVED - WOODLANDS LAND DEVELOPMENT COMPANY

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve the Extension, Modification and Ratification of Lease Agreement between the Woodlands Development Company, L.P., and Montgomery County, for land on High Timbers, (0.6328 acres), to be used in conjunction with the Montgomery County Annex building on Grogan's Mill Road, as per Agreement on file. Motion carried.

32.REQUESTS APPROVED - PUBLIC HEARINGS - PRECINCT #3 & #4

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

- a.Placement of "No Thru Trucks" signs on Flintridge Drive between Woodlands Parkway and Kuykendahl Road, and
- b.Partial Replat of Reserve "K" of Texaba Subdivision to be known as Deer Run Section 4

as per Notices on file. Motion carried.

33.REQUESTS APPROVED - PAYMENT OF COMPENSATORY TIME - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve payment of compensatory time for the following employees:

- a.Sidney Hollis - 120 Hours from his balance of 270.84 hours
- b.Henry Murray - 80.78 Hours from his balance of 320.775 hours

as per Request on file. Motion carried.

34.REQUEST APPROVED - RELEASE OF BOND - CRIGHTON RIDGE, SECTION 4 - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to release bond for Crighton Ridge Subdivision, Section 4, which was annexed by the City of Conroe. Roads will not be maintained by Montgomery County due to annex, as per Request on file. Motion carried.

35.FINAL PLAT APPROVED - DEER RUN SUBDIVISION - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve the final plat for Deer Run Subdivision, Section

4, consisting of 20.940 acres, as per Plat 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 EEOC the Claim of Darol Stoneham - EEOC Charge No. 330-2005-00091
2. Consider and Discuss Claim of Valerie Ford; Claim No. D-05-0014

COURT RECONVENED WITH ALL MEMBERS OF THE COURT PRESENT

36. ORDER APPROVED - PAYMENT OF CLAIM - SHERIFF'S DEPARTMENT

Motion by Commissioner Chance, seconded by Commissioner Meador, to pay the Claim of Valerie Ford in the amount of \$1,540.00, as per Order on file. Motion carried. (fund from Sheriff's Budget)

CITIZENS - AGENDA ITEM 22 - DR. FARBER ADDRESSED THE COURT ON ISSUES FACING HEALTHCARE IN MONTGOMERY COUNTY

37. PAYROLL CHANGE REQUESTS APPROVED - HUMAN RESOURCES

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

request of Animal Control to accept the resignation of Jessica Gertson, Clerk I, effective November 5, 2004, with 67.80 vacation pay due and 42.005 comp hours due

request of County Auditor to place Amanda Vance, Clerk, on payroll, (replacement for Kaetheryne Kyriell), effective November 8, 2004

request of Commissioner, Pct. #4 to accept the resignation of Arvin Carnine, Driver, Seasonal Sprayer, effective November 8, 2004

request of Commissioner, Pct. #4 to accept the resignation of Dan Everitt, Driver, Seasonal Sprayer, effective November 8, 2004

request of Custodial Services to accept the resignation of Senaida Martinez, Custodian I, effective October 27, 2004

request of County Clerk to place Brandi M. Goodnight, Clerk II, (replacement for Lindsey Smith), effective November 15, 2004

request of District Clerk to promote Kathy Edwards, Accounting Assistant, effective November 8, 2004

request of District Clerk to increase the salary of Stephanie Pobitschka, Court Clerk II, effective November 6, 2004, due to probation period completed

request of District Clerk to promote Cari Sodolak from Court Clerk II to Court Clerk IV, (replacement for Kathy Edwards), effective November 8, 2004

- request of Environmental Health to discharge Stephanie Price, Clerk III, effective November 4, 2004
- request of Sheriff's Department to promote Eric Hensley from Detention Officer to Detention Deputy, (replacement for Aaron Sumrall), effective November 20, 2004 (certification received)
- request of Sheriff's Department to place Jackie McDonald, Detention Officer, on payroll, (replacement for Kristy Cater), effective November 6, 2004
- request of Sheriff's Department to place Bradley Phelan, Detention Officer, (replacement for Elizabeth Dunlap), on payroll, effective November 20, 2004
- request of Justice of the Peace, Pct. #3 to accept the resignation of Diane Coalson, Court Clerk II, effective October 28, 2004
- request of Justice of the Peace, Pct. #4 to promote Kacey L. Braddick from Court Clerk I to Court Clerk II, effective November 1, 2004, due to job evaluation
- request of Justice of the Peace, Pct. #4 to promote Marsha Edwards from Court Clerk I to Court Clerk II, effective November 1, 2004, due to job evaluation
- request of Justice of the Peace, Pct. #4 to promote Donna Reynolds from Court Clerk I to Court Clerk II, effective November 1, 2004, due to job evaluation
- request of Justice of the Peace, Pct. #4 to promote Jackie Sherrouse from Court Clerk I to Court Clerk II, effective November 1, 2004, due to job evaluation
- request of Justice of the Peace, Pct. #4 to promote Delonna Snow from Court Clerk IV to Office Supervisor, effective November 1, 2004, due to job evaluation
- request of Library Director to transfer Barbara Miller Librarian III from Central Library to South Regional Library, effective November 15, 2004
- request of Sheriff's Department to accept the resignation of Helen E. Caldwell, Dispatcher, effective November 17, 2004
- request of Sheriff's Department to increase the salary of Keith Echols, Detective, effective November 6, 2004, due to probation period completed
- request of Sheriff's Department to place Susie Gray, Temporary Data Clerk, on payroll, effective November 9, 2004
- request of Sheriff's Department to increase the salary of Rosa M. Lopez, Dispatcher, effective November 20, 2004, due to probation period completed
- request of Sheriff's Department to transfer Aaron Sumrall from Detention Deputy to Patrol Deputy, District III, (replacement for Christopher Tate), effective November 20, 2004
- request of Sheriff's Department to transfer Christopher Tate from Patrol Deputy, District III to Patrol Deputy, Woodlands, (replacement for Mark Wright), effective November 20, 2004

request of County Treasurer to increase the salary of Janice L. Avery, Bail Bond Assistant/Deputy Treasurer, effective November 20, 2004, due to probation period completed

request of Commissioner, Pct. #1 to transfer Robert J. Wright from Grounds Maintenance to Operator I, (replacement for J. D. Schneider), effective November 22, 2004

request of Commissioner, Pct. #3 to promote Robert W. Collins from Attorney to Attorney III, effective September 15, 2004

request of County Clerk to increase the salary of Virginia Elanor Collins, Clerk IV-Utility, effective November 22, 2004, due to probation period completed

request of Justice of the Peace, Pct. #3 to place Linda C. Clements, Court Clerk II, on payroll, (replacement for Diane Coalson), effective November 29, 2004

request of Justice of the Peace, Pct. #3 to accept the resignation of Emma Iracheta, Court Clerk II, effective December 22, 2004, with 17.28 vacation hours due, 5.62 comp time due and 5.25 holiday hours due

request of Sheriff's Department to increase the salary of Erin Porreca, Dispatcher, effective September 25, 2004, due to one year probation completed

as per Payroll Change Requests on file. Motion carried.

COURT ADJOURNS

Motion by Commissioner Chance, seconded by Commissioner Rinehart, 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