

COMMISSIONERS' COURT DOCKET, DECEMBER 6, 2004
SPECIAL SESSION

THE STATE OF TEXAS
COUNTY OF MONTGOMERY

Be it remembered that on this the 6th day of December, 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 COMMISSIONER DOYAL, PCT. #2

PLEDGE OF ALLEGIANCE RECITED BY EVERYONE PRESENT

1.COMMISSIONERS' COURT AGENDA APPROVED

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

AGENDA ITEM 6A - EMPLOYEE OF THE MONTH PRESENTATION FOR DECEMBER, 2004 - DEFERRED UNTIL NEXT COURT SESSION.

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

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve Commissioners' Court Minutes for November 15, 2004, as presented by the County Clerk. Motion carried.

3.CONSENT AGENDA APPROVED - AGENDA ITEMS 8A1 THROUGH 8G

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

COUNTY AUDITOR - AGENDA ITEMS 8A

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

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

FY2004'

- 1.Animal Shelter - to transfer funds to cover shortage for telephone
- 2.Commissioner, Pct. 1 - to transfer funds for dam security
- 3.Constable, Pct. #1 - to transfer funds to cover shortage in salaries
- 4.Constable, Pct. #5 (1 of 2) - to recognize and to allocate reimbursement for reserve officers for 8/26/04 - 9/25/04
- 5.Constable, Pct. #5 - (2 of 2) - to recognize and to allocate reimbursement for reserve officers for 9/2/04 - 10-04-04
- 6.Court Collections - to transfer funds to cover release 285952
- 7.Elections Administrator - to transfer funds in utilities restricted to cover shortage
- 8.LIRAP-Grant - to recognize and to allocate additional grant

- funding for vehicle emissiONs program
9. Risk Management (1 of 2) - to recognize and to allocate reimbursement for Claim U040089
 10. Risk Management (2 of 2) - to transfer funds for damage Claim B040101

FY2005'

1. 221st District Court - to adjust line items
2. Budget Officer - to adjust line items
3. Civic Center - to transfer funds to cover shortage in restricted line
4. Commissioner Pct. 1 - to transfer funds for dam security
5. Commissioner Pct. 1 & 3 - to transfer funds for FY05 allocation to Heritage Museum, as approved 10/18/04, Motion #20
6. Commissioner, Pct. #3 (1 of 8) - to recognize and to allocate reimbursement from R. Tompkins
7. Commissioner, Pct. #3 (2 of 8) - to recognize and to allocate reimbursement from C. Falcone
8. Commissioner, Pct. #3 (3 of 8) - to recognize and to allocate reimbursement from N. Dyke
9. Commissioner Pct. #3 (4 of 8) - to recognize and to allocate reimbursement from Liberty Mutual for damage to school sign
10. Commissioner Pct. #3 (5 of 8) - to recognize and to allocate reimbursement from Schany Homes & Remodeling
11. Commissioner Pct. #3 (6 of 8) - to recognize and to allocate reimbursement from San Jacinto Valley Builders
12. Commissioner Pct. #3 (7 of 8) - to recognize and to allocate reimbursement from City of Oak Ridge
13. Commissioner Pct. #3 (8 of 8) - to recognize and to allocate reimbursement from Woodlands Joint Powers
14. Commissioner Pct. #4 (1 of 2) - to transfer funds to cover P025500883
15. Commissioner Pct. 4 (2 of 2) - to adjust line items
16. Constable Pct. #1 - to recognize and to allocate reimbursement for dam security
17. Constable Pct. #3 - to adjust line items
18. Constable Pct. #5 (1 of 3) - to recognize and to allocate reimbursement for reserve officers for 10/1/04
19. Constable Pct. #5 (2 of 3) - to recognize and to allocate reimbursement for reserve officers for October 8 through 22, 2004
20. Constable Pct. #5 (3 of 3) - to adjust line items
21. Contingency (1 of 2) - to recognize and to allocate donation from Lonestar Groundwater Conservation District
22. Contingency (2 of 2) - to recognize and to allocate revenue
23. County Auditor - to transfer funds for release 286268
24. County Clerk - to recognize and to allocate donation from Montgomery County Bar Association
25. District Attorney - to recognize and to allocate reimbursement for prosecutor longevity for September through November, 2004
26. Drug Court - to recognize and to allocate portion of FY05 grant not included in original budget
27. Jail - to adjust line items
28. Juvenile Probation (1 of 2) - to adjust line items
29. Juvenile Probation (2 of 2) - to recognize and to allocate donation from Sooner Pipe
30. Memorial Library - to recognize and to allocate donation from So. Montgomery County Friends of Library
31. Purchasing (1 of 3) - to transfer funds for trip to

- inspect jail operations (PO286380)
- 32.Purchasing (2 of 3) - to transfer funds from Montgomery County Bar Association
- 33.Purchasing (3 of 3) - to correct allocation of donation from Montgomery County Bar Association
- 34.Risk Management (1 of 6) - to transfer funds for damage claim U040093
- 35.Risk Management (2 of 6) - to recognize and to allocate insurance proceeds for claim U050007
- 36.Risk Management (3 of 6) - to transfer funds for damage claim U040100
- 37.Risk Management (4 of 6) - to transfer funds for damage claim D050014
- 38.Risk Management (5 of 6) - to transfer funds for settlement for Joseph Meriwether
- 39.Risk Management (6 of 6) - to transfer funds to cover damage claim G040102

as per Budget Amendments on file.

COUNTY TREASURER - AGENDA ITEMS 8B - WEEKLY INVESTMENT REPORT FOR NOVEMBER 29 THRU DECEMBER 3, 2004 AND PLEDGES AND/OR RELEASES OF COLLATERAL - REMOVED FROM AGENDA.

PURCHASING DEPARTMENT - AGENDA ITEMS 8C

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

- 1.FM1314 Outfall Ditch - Pct. #4

AGENDA ITEMS 8C1B - RFP TRAVEL SERVICE - VARIOUS DEPARTMENTS - REMOVED FROM AGENDA.

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

- 1.Drinking Water Purification System - Various Departments - Project #2005-0011 (opened 11-16-04)

AGENDA ITEM 8C2B - RFQ PROFESSIONAL SERVICES CONTRACT - MONTGOMERY COUNTY LONE STAR AIRPORT - PROJECT #2005-0009 OPENED 11-16-04) - REMOVED FROM AGENDA

- 2.Demolition of the Old Youth Services Building on the Southwest Corner of Avenue G and 2nd Street - Project #2005-0015 (opened 11-17-04)

- 3.Removal/Replace existing roof on East and West Canopies of Montgomery County - Project #2005-0017 (opened 11-19-04)

- 4.Bulk Fuel - Various Departments -Project #2005-0020 (opened 11-30-04)

- 5.Chain Link Fencing Labor and Materials - Various Departments - Project #2005-0016 (opened 12-01-04)

- 6.One (1) or more new 2004/2005 trucks - Various Departments - Project #2005-0010 (opened 12-02-04)

- 7.Construction of two (2) bridges on Lone Star Parkway Road - Pct. #1 - Project #2005-0022 (12-03-04)

- 8.Fire Alarm System Inspection and Certification - Law Enforcement Center - Project #2005-0013 (opened 12-03-04)

- 9.FM 1314 outfall ditch - Pct. #4 - Project #2005-0023
(opened 12-14-04)
- 10.RFP/Q drug analysis service - Drug Court - Project #2005-0018 (opened 12-07-04)
- 11.RFP automated fingerprint and palm print identification system - Montgomery County Sheriff's Department - Project #2005-0019 (12-09-04)
- 12.Pest Control Service - Various Departments - Project #2005-0005 (opened 12-10-04)
- 13.Approximately sixty (60) new 2005 full size patrol vehicles - Various Departments - Project #2005-0021 (opened 12-10-04)
- 14.Opening day collection service - Montgomery County Memorial Library System - Project #2005-0014 (opened 12-13-04)

c.RENEWAL CONTRACTS approved, as follows:

- 1.Pavers Supply Company - for bulk road materials - Pct. #1 - PO#2004129
- 2.Pavers Supply Company - for bulk road materials - Pct. #2
- 3.Pavers Supply Company - for bulk road materials -Pct. #3 - PO#2004137
- 4.Pavers Supply Company - for bulk road materials - Pct. #4 - PO#2004141
- 5.Deanco, Inc. - for bulk road materials - Pct. #1 - PO#2004132
- 6.Deanco, Inc. - bulk road materials, Pct. #2 - PO#2004136
- 7.Deanco, Inc. - bulk road materials - Pct. #3 - PO#2004140
- 8.Deanco, Inc. - bulk road materials Pct. #4 -PO#2004144
- 9.Southern Crushed Concrete, Inc. - bulk road materials, Pct. #1 - PO#2004131
- 10.Southern Crushed Concrete, Inc. - bulk road materials, Pct. #2 - PO#2004135
- 11.Southern Crushed Concrete, Inc. - bulk road materials, Pct. #3 - PO#2004139
- 12.Southern Crushed Concrete, Inc. - bulk road materials, Pct. #4 - PO#2004143
- 13.Hallett Materials - bulk road materials, Pct. #4 - PO#2004145
- 14.Doyle's Auto Parts - vehicle brake parts - Various Precincts - PO#2004128
- 15.Aramark Uniform Services - purchase of uniform polo style shirts and tee shirts - Law Enforcement - PO#2004224

- 16.Walter Y. Quijano, PHD PC for Five (5) Phase Treatment Program Services - Drug Court PO#2003244 to Peggy Heath dba Mental Health for Five (5) Phase Treatment Program Services - Drug Court PO#2003245 to Peggy Heath dba Mental Health for Five (5) Phase Treatment Program Services - Drug Court
- 17.Boise Cascade Office Products Corp. dba Office Max/a Boise Co. for office, computer, paper supplies and accessories with on-line ordering - Various Departments
- 18.Stephens Office Supply, Inc. - for office, computer, paper supplies and accessories with on-line ordering - PO#2004219 - Various Departments
- 19.Cingular Wireless - Cellular Services - PO#2002305 -

Various Departments
20.A T & T Wireless - cellular services - Various
Departments - PO#2002182

as per Request on file.

- d.SOLE SOURCE PURCHASE approved, from ProQuest Information & Learning Co., for ProQuest Data Bases and Microform Version of The Wall Street Journal - Library, as per Request on file.
- e.CANCELLATION REQUEST approved, to Polaris Business Products, Inc., PO#2000045, for printing of letterhead stationery, envelopes and business cards, as per Request on file.
- f.CANCELLATION REQUEST approved, to Omega Travel & Tour, for travel service, effective November 19, 2004, as per Request on file.
- g.CANCELLATION REQUEST approved, to R. B. Everett & Company, PO#2000385, Mustang Rental Services, Inc. PO#2000386, Nations Rent, PO#2000387, and Rental Service Corporation/Prime Industrial, PO#2000388, for heavy machinery rental, effective December 6, 2004, as per Request on file.
- h.ITEM DECLARED SALVAGE, from Pct. #4 Commissioner, one (1) computer monitor, in accordance to Texas Local Government Code, as per Request on file.
- i.CHANGE ORDER #2 approved, PO#2004469, to Wavemedia, Inc., for delivery of Dark Fiber Optic Network and Hardware, as per Change Order on file.
- j.CHANGE ORDER #5 approved, PO#2004126, to Elinear Solutions for changes to the new computer equipment and peripherals Contract, as per Change Order on file.
- k.CONTRACT AGREEMENT approved, between Montgomery County and Dr. Unal Gurol, M.D., for medical services for inmates incarcerated in the Montgomery County Jail Facilities, as per Agreement on file.

COMMISSIONER, PRECINCT #1 - AGENDA ITEMS 8D1

- a.RE-APPOINTMENTS approved, for the following existing Commissioners to serve on the Emergency Service District #2 Board:

- 1.Henry Burton
- 2.Ted Granhold
- 3.David Francis

as per Request on file.

- b.ROADS accepted, in Riverstone Point, Section 1, consisting of 1373.49 l.f., .26 miles, into the one year maintenance, effective December 6, 2004, as per Request on file.
- c.PUBLIC HEARING DATE set, for December 20, 2004, to consider the placement of stop signs on all "T" Intersections except

Wakiki Lane at Diamondhead South, Section 1 and Wakiki at Diamondhead North which have existing stop signs, as per Request on file.

COMMISSIONER, PRECINCT #2 - AGENDA ITEMS 8D2

- a. ORDER approved, to acknowledge receipt of Amendment No. 3 to Letter of Credit No. 1318, issued by Klein Bank for the account of Tejas Creek, Section 3, as per Order on file.
- b. ORDER approved, to acknowledge receipt of Amendment No. 2 to Letter of Credit No. 020S00282 for the account of Woodtrace Boulevard Street Dedication, Woodtrace Section One (1), Woodtrace Section Two (2) and Woodtrace Section Three (3), as per Order on file.
- c. ORDER approved, to acknowledge receipt of Amendment No. 1 to Letter of Credit No. 020S00283 for the account of Woodtrace Boulevard Street Dedication, Woodtrace, Section One (1), Woodtrace, Section Two (2) and Woodtrace, Section Three (3), as per Order on file.
- d. SEWER EASEMENT approved, between Montgomery County and 1774 Utilities Corporation, for 0.414 acre tract of land out of the William Gibson Survey, as per Easement Agreement on file.
- e. ORDER approved, to acknowledge receipt of a check in the amount of \$30.00, for lease of real property in Holly Springs, Section 5, as per Order on file. (check forwarded to County Treasurer for further processing)
- f. AGREEMENT approved, to authorize placement of improvements within right-of-way located in Woodlane Forest Subdivision, as per Agreement on file.
- g. ORDER approved, to allow a partial lot conveyances without a replat in High Meadow Ranch Subdivision, Section 4, as per Order on file.
- h. FINAL PLAT approved, for Village of Decker Oaks, Section 2, consisting of 22.819 acres, 124 lots, as per Plat on file.
- i. PUBLIC HEARING DATE SET, for December 20, 2004, to consider setting a speed limit of 35 mph for Pine Lake Road from State Highway 105 to Rabon Chapel Road. Motion carried. (no paperwork)

COMMISSIONER, PRECINCT #3 - AGENDA ITEMS 8D3

- a. FINAL PLAT approved, for Canyon Gate at Legends Ranch, Section 5, consisting of 29.510 acres, 143 lots, as per Plat on file.
- b. FINAL PLAT approved, for Canyon Gate at Legends Ranch, Section 6, consisting of 25.580 acres, 150 lots, as per Plat on file.

COMMISSIONER, PRECINCT #4 - AGENDA ITEMS 8D4

- a. CHECK accepted, in the amount of \$65,767.41 from Woodbranch Village Road and Ditch Fund for the resurfacing

project, in accordance with an Interlocal Agreement dated June 5, 1995, as per Request on file. (check forwarded to County Treasurer for further processing)

b.ORDER approved, to authorize Appraisal Services and Acquisition Services for the FM1314 lift station project, as per Order on file.

c.ROADS accepted, in Deer Run Subdivision into the one year maintenance period, consisting of 1878.90 l.f., 0.35 miles, effective December 6, 2004, as per Request on file.

d.ROADS accepted, in Oakhurst Fairways, Section 1, consisting of 1517.21 l.f., 0.3 miles, into the one year maintenance period, effective December 6, 2004

ALL PRECINCTS - AGENDA ITEMS 8D5

a.OVERLOAD/OVERSIZE PERMITS approved, as follows:

1.Park Construction Associates, LLP - to move various loads over all county roads, except the roads noted on said permit. Movement to begin not earlier than January 10, 2005, and to be completed by April 10, 2005

2.K J Plunkett Sand & Base - to move various loads over all county roads. Movement to begin not earlier than January 25, 2005 and to be completed by April 25, 2005

3.Woody's Construction, LP - to move various loads over all county roads. Movement to begin not earlier than January 11, 2005, and to be completed by April 11, 2005

as per Permits on file.

COMMUNICATION INFORMATION SERVICES - AGENDA ITEM 8E

a.LEASE approved, for a Pitney Bowes DM1000 postage meter and mailing machine for a period of 48 months, as per Request on file.

LIBRARY DEPARTMENT - AGENDA ITEM 8F

a.DONATION accepted, from the Conroe Bargain Box, Inc., in the amount of \$1,000.00, to be deposited into the Memorial Gift Account of the Library, as per Request on file.

RISK MANAGEMENT - AGENDA ITEM 8G

a.REQUEST approved, to acknowledge in the records of Commissioners' Court payment to Soules Insurance Agency in the amount of \$12,206.00, in reference to the renewal of the Hartford Steam Boiler Policy #FBP7317532, coverage from 10-01-04 to 10-01-05, as per Request on file.

Motion carried.

END OF CONSENT AGENDA

4.MEMBERSHIP DUES APPROVED - HOUSTON-GALVESTON AREA COUNCIL

(HGAC) - COUNTY JUDGE

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve payment of the 2005 Membership Dues in the amount of \$11,750.72 to Houston-Galveston Area Council (HGAC), as per Request on file. Motion carried.

5.APPOINTMENT APPROVED - COUNTY HEALTH DOCTOR - COUNTY JUDGE

Motion by Judge Sadler, seconded by Commissioner Doyal, to approve the appointment of Daniel R. Walker, M.D., as Montgomery County Health Officer, (replacement for Dr. Watson), for a term of two years, beginning January 1, 2005, as per Appointment on file. Motion carried.

6.APPOINTMENT APPROVED - VETERANS SERVICE OFFICER - COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the appointment of Kay Lynn Lee as Veterans Service Officer for Montgomery County, effective March 1, 2005. Motion carried. (no paperwork)

7.REQUEST APPROVED - DHS GRANTS PROJECTS - CIVIL DEFENSE

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve in concept only, establishment of DHS Grants Projects Line-Item Accounts in the 406 Budget. Also, approve hiring of a grant funded position, subject to funding approval and availability, as per Request on file. Motion carried.

8.VARIANCE APPROVED - AEROBIC SEPTIC SYSTEM - ENVIRONMENTAL HEALTH

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve the variance to install an aerobic septic system in the flood plain for Bluegreen Southwest Land, Ridgelake Shores, 245 Ridgelake Drive, Montgomery, as per variance on file. Motion carried.

9.VARIANCE APPROVED - AEROBIC SEPTIC SYSTEM - ENVIRONMENTAL HEALTH

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve a variance to install an aerobic septic system in the flood plain at 17129 Oak Grove Lane, New Caney, for Lazaro Yanez, as per Variance on file. Motion carried.

10.VARIANCE APPROVED - AEROBIC SEPTIC SYSTEM - ENVIRONMENTAL HEALTH

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the variance to install an aerobic septic system in the flood plain at 14114 Horseshoe Bend, Conroe for David Cadriel, as per Variance on file. Motion carried.

11.VARIANCE APPROVED - AEROBIC SEPTIC 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 17022 Concord Dr., Conroe for Richard Birdwell, as per Variance on file. Motion carried.

12.REQUEST APPROVED - CARRYOVER EXPENSES - 9TH DISTRICT COURT

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the carryover of an expense from the FY2004 to FY2005 Budget Year, in the amount of \$59.40 on our Bank of America Credit Card, as per Request on file. Motion carried.

13.REQUEST APPROVED - PART-TIME POSITIONS COMBINED - JUSTICE OF THE PEACE - PCT. #4

Motion by Judge Sadler, seconded by Commissioner Rinehart, to approve combining two part-time positions into a full-time hourly position, (working 34 hours per week), as per Request on file. Motion carried. (position will effect future budget)

14.RESERVE DEPUTY ACKNOWLEDGED - CONSTABLE, PRECINCT #2

Motion by Commissioner Meador, seconded by Commissioner Doyal, to acknowledge Charles D. Roper, Reserve Constable Deputy, as per Request on file. Motion carried.

15.REQUEST APPROVED - CONSULTING SERVICES FUNDING - BUDGET DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve funding of Consulting Services, provided by Ray Armstead, Jr., Addco, Inc., to facilitate expanded use of Pentamation's Budget Analyst Module, as per Request on file. Motion carried. (not to exceed \$5,000.00)

16.SOCIAL SERVICE CONTRACTS APPROVED - CDBG RECIPIENTS - MONTGOMERY COUNTY COMMUNITY DEVELOPMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the following Social Service Contracts for Sub-recipients of CDBG Funds for 2004, Pursuant to the CDBG Action Plan for 2004:

- a.Children's Advocacy Center/Children's Safe Harbor
- b.The Montgomery County Women's Center
- c.The Friendship Center
- d.Montgomery County Youth Services (MCYS)

as per Contracts on file. Motion carried.

17.PROMOTION APPROVED - AUTO ALLOWANCE APPROVED - COMMUNICATION INFORMATION SERVICES

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the promotion of Keith Chilek to System Administrator II, replacement for Horace Rambo. Also, to approve an auto allowance of \$326.92 bi-weekly, to be funded for the current fiscal year from 503-73911, as per Request on file. Motion carried.

18.FUNDING APPROVED - ELECTION EXPENSES - ELECTIONS ADMINISTRATOR

Motion by Commissioner Doyle, seconded by Commissioner Meador, to approve funding in the amount of \$29,770.69 from 2004 contingency fund to pay outstanding expenses incurred for the following items: (fund from FY04 contingency with balance to follow in FY05 budget)

a.\$29,138.00 - for ballots for November General Election

b.\$ 632.69 - credit card purchases from Boise for supplies for November 2, 2004, General Election

as per Request on file. Motion carried.

19.RENEWAL APPROVED - ARTHUR J. GALLAGHER COMPANY - RISK MANAGEMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Property, Casualty, Liability and Workers Compensation Governmental Risk Pool Program with Arthur J. Gallagher Company. Funding from Risk Management Budget 4022 & 4021. Also, to authorize Risk Management Director to execute same. Motion carried. (no paperwork)

20.RENEWAL APPROVED - GALLAGHER-BASSETT SERVICES, INC. - RISK MANAGEMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the renewal of Administrative Contracts with Gallagher-Bassett Services, Inc., to be funded from Risk Management Budget 4022 & 4021. Also, to authorize Risk Management Director to execute same. Motion carried. (no paperwork)

21.REQUEST APPROVED - CONTRACT YEARS CHANGE - RISK MANAGEMENT

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve moving the contract years from December 1 to October 1, which will allow the contract years to follow the county's fiscal year. Motion carried. (no paperwork)

AGENDA ITEM 19D - SETTLEMENT PAYMENT TO KARI JEAN CROOK VAUGHN FOR PERSONAL PROPERTY LOSS - SHERIFF'S DEPARTMENT/JAIL - DEFERRED.

22.REQUEST APPROVED - PURCHASE OF COMPUTER EQUIPMENT - 410TH DISTRICT COURT

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the request from the 410th District Court to use \$1,288.00, from the Court Reporters' Service Fund, to purchase various computers and supplies, as per Request on file. Motion carried.

23.REPORT ACCEPTED - VISUAL INSPECTION OF FIXED ASSETS - COUNTY AUDITOR

Motion by Commissioner Doyal, seconded by Commissioner Chance, to accept the Report on Visual Inspection of Fixed Assets for year ended September 30, 2004, as per Report on file. Motion carried.

24.INTERIM ARBITRAGE REBATE ANALYSIS ACCEPTED - BOND ISSUES - COUNTY AUDITOR

Motion by Commissioner Meador, seconded by Commissioner Doyal, to accept the following Analysis, as presented by the County Auditor:

a.Certificates of Obligation, Series 1997A and Refunding Bonds, Series 1997

- b.Certificates of Obligation, Series 1998
- c.Certificates of Obligations, Series 2003
- d.Road Bonds, Series 2003A
- e.Library Bonds, Series 2003B

as per Rebate Analysis on file. Motion carried.

AGENDA ITEMS 21A 1, 4, 7, 11, 12 & 14 - RECOMMENDATIONS AND CONTRACTS - DEFERRED

25.RECOMMENDATIONS AND CONTRACTS APPROVED - HEAVY/LIGHT DUTY EQUIPMENT RENTAL - VARIOUS DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the following Contracts for Heavy/Light Duty Equipment Rental:

PRIMARY VENDOR:

- a.Nations Rent, Inc. - primary vendor - picked-up and delivered

ALTERNATE VENDORS:

- b.Hertz Equipment Rental Corp.
- c.Rental Service Corp.
- d.Mustang Rental Service
- e.Romco Equipment Co.
- f.R. B. Everett & Co.
- g.Conroe Tools Party Rental
- h.Summit Equipment Co., Inc.

as per Contracts on file. Motion carried.

26.PROPOSAL AWARDED - COMPUTER AIDED DISPATCHING SOFTWARE - VARIOUS DEPARTMENTS

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to award the Proposal for computer aided dispatching software to Geac Public Safety, as per Proposal on file. Motion carried. (contract and funding to follow at a later date)

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

Motion by Commissioner Meador, seconded by Commissioner Doyal, to award the proposals for Programming/Technical Resources Services to the following:

- a.Strategy 7 Corporation
- b.Tele-Works, Inc.

as per Contracts on file. Motion carried.

28.RECOMMENDATIONS AND CONTRACTS APPROVED - DRINKING WATER PURIFICATION - VARIOUS DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Doyal, to award the bids, (opened November 16, 2004), for drinking water purification to the following:

- a. Quality Water Systems, and
- b. Clear Water Solution

as per Contracts on file. Motion carried.

29. RECOMMENDATION AND CONTRACT APPROVED - DEMOLITION OF BUILDING
- PURCHASING DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Chance, to award the bid, (opened November 17, 2004), to Inland Environments Ltd., for demolition of Old Youth Services building on the Southwest Corner of Avenue G and 2nd Street, in the amount of \$8,488.00, as per Contract on file. Motion carried. (fund from contingency)

30. RECOMMENDATION AND CONTRACT APPROVED - REMOVAL/REPLACE OF
CANOPIES - PURCHASING DEPARTMENT

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to award the bid, (opened November 19, 2004), for the removal/replace existing roof on East and West Canopies of the Montgomery County Courthouse to Rooftop Service Co., in the amount of \$26,592.00, as per Contract on file. Motion carried.

31. RECOMMENDATIONS AND CONTRACTS APPROVED - BULK FUEL - VARIOUS
DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Chance, to award the bids, (opened November 30, 2004), to the following for bulk fuel:

- a. Petroleum Traders Corporation - Prime Vendor
- b. Oil-Patch Brazos Valley, Inc. - Alternate Vendor

as per Contracts on file. Motion carried.

32. RECOMMENDATION AND CONTRACT APPROVED - CONSTRUCTION OF BRIDGES
- PRECINCT #1

Motion by Commissioner Meador, seconded by Commissioner Chance, to award the bid, (opened December 3, 2004), for construction of two bridges on Lone Star Parkway Road to Smith & Company in the amount of \$884,420.99, as per Contract on file. Motion carried. (fund from 03' budget)

33. LOAN AGREEMENT APPROVED - STATE ENERGY CONSERVATION PROJECT -
PURCHASING DEPARTMENT

Motion by Commissioner Chance, seconded by Judge Sadler, to approve the 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 at an interest rate of 3%. Motion carried. (no paperwork)

34. REQUEST APPROVED - DISCRETIONARY EXEMPTION - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the Discretionary Exemption for right-of-way acquisition and related support services from KDM Property Acquisitions for the widening of Rayford Road, for a fee of \$12,600.00, as per Request on file. Motion carried.

35. PROPOSAL APPROVED - ENGINEERING SERVICES - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve the Proposal from Carter & Burgess, Inc., to provide engineering services for the development of final construction plans for FM1485 from Loop 494 to Kidd Cemetery Road, for a fee of \$425,229.94, as per Proposal on file. Motion carried. (fund from 03' leverage bond project)

36. LEASE PURCHASE AGREEMENT APPROVED - VEHICLE PURCHASES - CONSTABLE, PCT #1 AND CUSTODIAL SERVICES

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the following Lease Purchases:

- a. One (1) 2005 Chevrolet C4500 Kodiak Crew Cab and Chassis with a 16' supreme aluminum van body, and
- b. Two (2) 2005 Ford F350 Crew Cab Trucks with manual for Custodial Services

Payment to be in three (3) annual payments of \$27,455.89 each, for a total of \$82,367.67, at an interest rate of 4.25%, and a purchase option of \$1.00, also

- c. One (1) Ford E150 XL Passenger Wagon for Constable, Pct. #1. The lease purchase provides for three (3) annual payments of \$5,768.58 each, for a total of \$17,305.74, with an interest rate of 4.25%, and a final purchase option of \$1.00

as per Agreement on file. Motion carried.

37. FUNDS APPROVED - INSTALLATION OF AWNINGS - PURCHASING DEPARTMENT

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve funds in the amount of \$5,049.50 to install awnings between the parking garage and the Commissioners' Court Building. Afterflo Awnings will be paid \$4,988.00 and \$61.50 will be paid to the City of Conroe for a permit, as per Request on file. Motion carried.

38. CHANGE ORDER #2 APPROVED - CONSTRUCTION OF LIBRARY - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve Change Order #2, PO#2004425, to Gaskey Construction Corp. for changes as per attached. Motion carried.

39. REQUEST APPROVED - UPDATING CREDIT CARD USAGE - PURCHASING DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, discussed updating credit card usage fees, but were no recommendations at this time. Motion carried.

40. CHECK ACKNOWLEDGED - ON-LINE OPINION SURVEY - PURCHASING DEPARTMENT

Motion by Commissioner Doyal, seconded by Commissioner Chance, to acknowledge check in the amount of \$25.00 from IBRC, Inc., for on-line opinion survey. Motion carried. (check forwarded to County Treasurer for further handling)

41. GRANT AGREEMENT APPROVED - HOME PROGRAM-TITLE II NATIONAL AFFORDABLE HOUSING ACT - COUNTY ATTORNEY

Motion by Judge Sadler, seconded by Commissioner Chance, to accept the Grant Agreement and Home Investment Partnerships Agreement - Title II of the National Affordable Housing Act. Said Grant will be administered through CDBG. Motion carried.

42.RESOLUTIONS AND ORDERS APPROVED - OCCUPANCY AGREEMENTS - PRECINCT #2

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the following Resolutions and Orders, for continuation of the following Occupancy Agreements:

- a.The Women's Center - for the continuation of specialized programs to the County's victims of domestic violence at the West Montgomery County Community Development Center
- b.The Society of Samaritans - for the continuation of specialized programs to serve low income and indigent citizens at the West Montgomery County Community Development Center
- c.The Friendship Center - for the continuation of specialized programs to serve the County's senior and disabled citizens at the West Montgomery County Community Development Center
- d.Montgomery County Youth Services - for the purpose of providing and administering specialized programs for the County's youth and families, Pct. #2

as per Resolutions and Orders on file. Motion carried.

43.RESOLUTIONS AND ORDERS APPROVED - OCCUPANCY AGREEMENTS - PCT. #4

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve the following Resolutions and Orders which amends and renews the Occupancy Agreements to the following Contracts:

- a.Dr. N. K. Karimjee - to amend the Occupancy Agreement between the County and Dr. N. K. Karimjee, doing business as Lakewood Family Practice, to occupy space in the East Montgomery County Community Development Center, for the purpose of providing medical treatment for low income citizens.
- b.The Salvation Army - to amend the Occupancy Agreement between Montgomery County and the Salvation Army, to provide office, gymnasium and educational training space in the East Montgomery County Community Development Center for implementation of specialized programs to the County's youth and families.

as per Resolutions and Orders on file. Motion carried.

44.TAX ABATEMENT APPROVED - KEYSTEEL, L. P. - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve the Tax Abatement Agreement between Montgomery County and Keystone, L. P., for the granting of a Tax Abatement pertaining to use of property in Pct. #4, as per Agreement on file. Motion carried.

45.INTERLOCAL AGREEMENT APPROVED - EMERGENCY SERVICE DISTRICT #7 - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve an Interlocal Agreement between Montgomery County and Montgomery County ESD #7, for the Building Maintenance Department to build office furnishings for use by the New Caney VFD in its New Caney facility, as per Agreement on file. Motion carried.

46. PERSONAL SERVICES AGREEMENTS APPROVED - CONSTABLE RESERVE DEPUTIES - PRECINCT #5

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the following Personal Services Agreements for law enforcement services:

- a. Lana Galik
- b. Ashton Hedrick
- c. Dale Park
- d. John R. Wolff
- e. Thomas R. Fox

as per Agreements on file. Motion carried.

AGENDA ITEMS 23 J & K - INTERLOCAL AGREEMENT BETWEEN MONTGOMERY COUNTY AND TOWN CENTER IMPROVEMENT DISTRICT FOR LAW ENFORCEMENT SERVICES BY THE SHERIFF'S DEPARTMENT - DEFERRED AND

INTERLOCAL AGREEMENT BETWEEN MONTGOMERY COUNTY AND TOWN CENTER IMPROVEMENT DISTRICT FOR FUNDING ASSISTANCE FOR PERSONNEL IN PRECINCT #3 JUSTICE OF THE PEACE AND CONSTABLE'S OFFICE - DEFERRED

47. REQUEST APPROVED - PLACEMENT OF SIGNS - PRECINCT #1

REQUEST APPROVED - PARTIAL REPLAT - PRECINCT #4

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

- a. Placement of "No Parking" signs on Northridge Drive at F.M. 1484 (Airport Road), to cover approximately 200 feet each side of Northridge Drive - Pct. #1
- b. Partial Replat of White Oak Plantation to be known as White Oak Place - Pct. #4

as per Notices 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

1. Discuss Schelsteder vs. Montgomery County, Texas, et al - Claim No. D-03-0001 (Section 551.071)
2. Consider and Discuss EEOC The Claim of Darol Stoneham; EEOC Charge No. 330-2005-00091; (Claim No. B-04-0099) (Section 551.071)

3.Consider and Discuss Settlement of Utah Probate Matter regarding the Claims of Montgomery County, Texas against Charles W. Hanna (Section 551.071)

COURT RECONVENED WITH ALL MEMBERS OF THE COURT PRESENT.

48.SETTLEMENT AGREEMENT APPROVED - UTAH PROBATE MATTER - COUNTY ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve payment in the amount of \$60,000.00, from Charles W. Hanna, in the Settlement, Release and Assignment of Claims, regarding the Claims of Montgomery County against Charles W. Hanna, as per Agreement on file. Motion carried.

AGENDA ITEM 27 - CITIZENS - K-9 CORRAL ADDRESSED THE COURT CONCERNING THE PROBLEMS THEY HAVE ENCOUNTERED WITH THE MONTGOMERY COUNTY ANIMAL CONTROL DEPARTMENT IN RESCUING ANIMALS FROM SAID SHELTER. JUDGE SADLER REQUESTED THAT HE MEET WITH K-9 CORRAL AND ANIMAL CONTROL, IN AN EFFORT TO WORK OUT A WORKING RELATIONSHIP BETWEEN THE TWO AGENCIES IN ORDER TO CONTINUE WITH THE RESCUE PROGRAM.

49.PAYROLL CHANGE REQUESTS APPROVED - HUMAN RESOURCES

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

request of Animal Control to place Lucina Carpenter, Clerk I, (replacement for Jessica Gertson), on payroll, effective December 4, 2004

request of Animal Control to accept the resignation of Darol Stoneham, Animal Control Officer, effective September 13, 2004 (correction to payroll change that was approved 9-27-04)

request of CIS to promote Keith Chilek from Assistant Network Administrator to System Administrator II, (replacement for Horace Rambo), effective December 18, 2004

request of CIS to accept the retirement of Horace Michael Rambo, System Administrator II, effective November 30, 2004, with 253.875 vacation pay due, 80 hours sick leave due and 240 compensatory time due

request of Constable, Pct. #3 to place Steven Sprague, Deputy, (replacement for James Barber), on payroll, effective November 23, 2004

request of Custodial Services to accept the retirement of Imogene Bolton, Supervisor, effective November 30, 2004, with 313.875 vacation hours due, 68 sick leave due and 59 compensatory hours due

request of Custodial Services to promote Joy Carter from Custodian II to Supervisor, (replacement for Imogene Bolton), effective December 4, 2004

request of Custodial Services to place Karla Melendez, Custodian, on unpaid FMLA, effective December 14, 2004

request of Custodial Services to place Jamecia Murillo,

- Custodian, (replacement for Senaida Martinez), on payroll, effective December 4, 2004
- request of County Attorney to re-evaluate the position of Angela Walker from Clerk IV to Court Clerk IV, effective November 17, 2004
- request of District Attorney to place Daniel Davis, Attorney I, on payroll, (replacement for Michael Corey Young), effective December 6, 2004
- request of District Attorney to accept the resignation of Michael Corey Young, Attorney I, effective November 29, 2004
- request of County Engineer to accept the retirement of Thomas Earl McAlister, Engineering Assistant, effective December 31, 21004, with 193.2742 vacation hours due
- request of County Engineer to place Rosa Alba Vera, Clerk III, on unpaid FMLA, effective November 17, 2004
- request of Environmental Health to place Yesenia G. Gonzalez, Clerk III, (replacement for Stephanie Price), on payroll, effective November 22, 2004
- request of Sheriff's Department to promote Jack Armstrong, Deputy Detention, (replacement for Jason Whittington), effective December 4, 2004, due to receiving law enforcement certificate
- request of Sheriff's Department to place Daniel Pena, Detention Officer I, on payroll, (replacement for Jeremy Wooldridge), effective December 4, 2004
- request of Sheriff's Department to place Mark Handler, Deputy, Recruiting, (replacement for John Sanchez, Jr.), on payroll, effective December 4, 2004
- request of Sheriff's Department to accept the retirement of Sammy Carl Lynch, Captain, effective December 31, 2004, with 307.765 vacation hours due, 480 sick leave due and 350.76 compensatory time due
- request of Sheriff's Department to accept the retirement of Larry Melton, Sergeant (District IV Patrol), effective December 31, 2004, with 351.745 vacation hours due, 292 sick leave due, 116.18 compensatory time due and 84.50 holiday time due
- request of Sheriff's Department to accept the retirement of Patricia Rutledge, Administrative Assistant II, effective December 31, 2004, with 190.0682 vacation hours due and 214.40 sick leave due
- request of Sheriff's Department to accept the retirement of Guy Lynn Williams, Sheriff, effective December 31, 2004, with 117 vacation hours due and 480 sick leave due and 21 holiday hours due
- request of Sheriff's Department to accept the retirement of Janet Young, Lieutenant, effective December 31, 2004, with 276.52 vacation hours due, 480 sick leave due and 480 compensatory time due, and minus 1 hour holiday time

request of Tax Assessor/Collector to increase the salary of Nancy Animas, Branch Office Manager, effective December 4, 2004, due to merit increase

request of Tax Assessor/Collector to increase the salary of Stephen Bowering, Computer Analyst III, effective December 4, 2004, due to probationary period completed

request of Tax Assessor/Collector to increase the salary of Wendi Foster, Deputy Specialist I, effective December 4, 2004, due to probationary period completed

request of Tax Assessor/Collector to increase the salary of Sandra Lowe, Deputy Specialist III, effective December 4, 2004, due to merit increase

request of Tax Assessor/Collector to increase the salary of Carolyn Marchione, Deputy Specialist III, effective December 4, 2004, due to merit increase

request of Tax Assessor/Collector to increase the salary of Debra Mayton, Deputy Specialist I, effective December 4, 2004, due to probationary period completed

request of Tax Assessor/Collector to promote Ryan McKinnies, Deputy Specialist II, effective December 4, 2004

request of Tax Assessor/Collector to place Michele M. Reeh, Deputy Specialist I, on payroll, (replacement for Brandi Goodnight), effective December 6, 2004

request of Tax Assessor/Collector to increase the salary of Lisa Smith, Deputy Specialist III, effective December 04, 2004, due to merit increase

request of Tax Assessor/Collector to increase the salary of Ruby Smith, Deputy Specialist II, effective December 4, 2004, due to merit increase

request of Tax Assessor/Collector to increase the salary of Misty Stansel, Deputy Specialist III, due to merit increase

request of Tax Assessor/Collector to increase the salary of Susan Whiddon, Deputy Specialist III, effective December 4, 2004, due to merit increase

request of CIS to accept the resignation of William D. Golding, Programmer Analyst, III, effective December 10, 2004, with 104.76 vacation hours due and 8 hours holiday pay due

request of County Engineer to place Rosa Alba Vera, Clerk II, on payroll, effective December 16, 2004, (returning from FMLA)

as per Payroll Change Requests on file. Motion carried.

50.COURT ADJOURNS

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

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

ATTEST:

Mark Turnbull, County Clerk

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

BY: _____
County Clerk

County Judge