

COMMISSIONERS' COURT DOCKET, OCTOBER 03, 2005
SPECIAL SESSION

THE STATE OF TEXAS
COUNTY OF MONTGOMERY

Be it remembered that on this the 3rd day of October, 2005, 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, County Judge
Commissioner,	Precinct #1 - Mike Meador
Commissioner,	Precinct #2 - Craig Doyal
Commissioner,	Precinct #3 - Ed Chance
Commissioner,	Precinct #4 - Ed Rinehart
Also -	Alice Drake, Deputy County Clerk

INVOCATION GIVEN BY CONNIE REAVES, COUNTY ATTORNEY

PLEDGE OF ALLEGIANCE RECITED BY EVERYONE PRESENT.

1. COMMISSIONERS' COURT AGENDA APPROVED

Motion by Commissioner Meador, seconded by Commissioner Doyal, 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 Chance, to approve the Commissioners' Court Minutes for September 22, 2005 and September 26, 2005, as per Minutes on file. Motion carried.

3. CONSENT AGENDA APPROVED - AGENDA ITEMS 7A THRU 8G

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

4. BUDGET AMENDMENTS APPROVED - AGENDA ITEMS 7A

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

b. BUDGET AMENDMENTS approved, as follows:

1. 284th District Court - to adjust line items
2. Airport Maintenance - to transfer funds for RSA token
3. Animal Shelter - to recognize/allocate fees for 8/8 to 9/4, 2005
4. Animal Shelter - to recognize/allocate revenue
5. Building Maintenance - to adjust line items
6. Commissioner, Pct. #1 - to transfer funds for Lake Park Security & recognize/allocate reimbursement
7. Commissioner, Pct. #2 - to adjust line items
8. Commissioner, Pct. #2 - to recognize/allocate lease proceeds
9. Commissioner, Pct. #3 - to recognize/allocate reimbursements
10. Commissioner, Pct. #4 - to adjust line items
11. Commissioner, Pct. #4 - to adjust line items
12. Commissioner, Pct. #4 - to recognize/allocate reimbursement from City of Roman Forest
13. Communications/Info Service - to adjust line items
14. Constable, Pct. #1 - to transfer funds for release 297879
15. Constable, Pct. #2 - to adjust line items
16. Constable, Pct. #2 - to transfer funds for PO#25507994

17. Constable, Pct. #5 - to adjust line items
18. Contingency - to transfer funds to cover shortage
19. County Auditor - to adjust line items
20. County Court at Law #2 - to adjust line items
21. County Court at Law #3 - to adjust lien items
22. County Engineer - to transfer funds for release 299056
23. Court Collections - to adjust line items
24. Custodial Services - to adjust line items
25. District Attorney - to recognize/allocate juror donation
26. District Clerk - to adjust line items
27. Drug Court - to adjust line items
28. Elections Administrator - to adjust line items
29. Environmental Health - to adjust line items
30. Environmental Health - to recognize/allocate revenue
31. Fire Marshal - to adjust line items
32. Juvenile Probation - to recognize/allocate May 05'
reimbursement
33. Juvenile Probation - to adjust line items
34. Risk Management - to transfer funds for damage claims
35. Risk Management - to transfer funds for damage claims
36. Sheriff/District Attorney - to recognize/allocate
forfeitures
37. Sheriff's Department - to adjust line items
38. Sheriff's Department - to recognize/allocate reimbursement
and to adjust line items

as per Budget Amendments on file.

c. OFFICIALS' FEE REPORT approved, for June, 2005, as audited by the County Auditor.

d. VISUAL INSPECTION REPORT approved, of capital assets, as per Report on file.

e. FINANCIAL REPORT approved, for the month of August, 2005, as per Report on file.

COUNTY TREASURER - AGENDA ITEMS 7B

a. WEEKLY INVESTMENT REPORT approved, for the week of September 26-30, 2005, as per Report on file.

b. PLEDGES AND/OR RELEASES OF COLLATERAL - AGENDA ITEM 7B2 - NO REPORT SUBMITTED

c. MONTHLY REPORT approved, for pledges securities for August 1 through August 31, 2005, as per Report on file.

d. MONTHLY FINANCIAL REPORT approved, for the month of August, 2005, as per Report on file.

TAX ASSESSOR/COLLECTOR - AGENDA ITEM 7C

a. BOND RIDER approved, #61BSBAC9179 for Sterling McCall Honda of Kingwood, as per Rider on file.

PURCHASING DEPARTMENT - AGENDA ITEMS 7D

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

1. Services for pumping out sewer and kitchen grease tanks - Sheriff's Department Jail Division
2. Clearing and Grubbing of Riley Fuzzel Road and Tamina Road - Pct. #3
3. Sale of eight-liner machines
4. Shelving/installation for the new library - Pct. #1

5. One (1) or more new vehicles for FY-2006 - Various Departments
6. Labor and/or materials for miscellaneous maintenance and new construction - Various Departments

b. RENEWAL CONTRACTS approved, as follows:

1. Chemco Analysis, Inc. - PO#2005028 - to maintain breath alcohol testing program - Various Departments
2. Tele-Works, Inc. - PO#2005107 - for programming/technical resources services - Various Departments
3. Strategy 7 Corporation - P.O.#2005106 - for programming/technical resources services - Various Departments
4. Dynamic Computing Services - PO#2005076 - for programming/technical resources services - Various Departments
5. Optimum Computer Solutions, Inc. - PO#2005075 - for programming/technical resources services - Various Departments
6. Elinear Solutions - PO#2005074 - for programming/technical resources services - Various Departments
7. Image Software, Inc. - PO#2005073 - for programming/technical resources services - Various Departments
8. Goodpointe Technology Corporation - PO#2005072 - for programming/technical resources services - Various Departments
9. Addco, Inc. - PO#2005071 - for programming/technical resources services - Various Departments
 10. JCL Associates, Inc. - PO#2005070 - for programming/technical resources services - Various Departments
 11. Conroe Courier - PO#2005044 - for legal advertisement - Various Departments
 12. Gowan, Inc. - PO#2004171 - for labor for master plumber services - Various Departments
 13. Weisinger Gardens, Inc. - PO#2003124 - for landscaping services - Various Departments
 14. Littlefield Brothers Concrete Construction - PO#2004302 - for labor for master concrete finisher laborer services - Various Departments
 15. Coin Copiers, Inc. - PO#2002126 - for coin operated copy machines and computer printer services - Various Departments

as per Request on file.

- c. CHANGE ORDER #2 approved, PO#2005269 - to Outdoor Concepts for mowing right-of-ways, as per Change Order on file - Pct. #1
- d. CHANGE ORDER #7 approved, PO#2003104 - to Paradigm Traffic Systems, Inc., for video processor systems, as per Change Order on file - Various Departments
- e. CHANGE ORDER #7 approved, PO#2004469, to Wavemedia, Inc., for the delivery of dark fiber optic network and hardware, as per Change Order on file - Various Departments
- f. CANCELLATION approved, of PO#2005105, to Oil Patch-Brazos Valley, Inc., for bulk fuel, effective immediately - Various Departments
- g. CHANGE ORDER #1 approved, PO#2005136, to GEAC Public Safety, for computer aided dispatch software, as per Change Order on file.
- h. REQUEST approved, PO#2005450, to create an "X" P.O. to Purchase Order #2005450, to Gray's Wholesale for tires and

tubes, as per Request on file.

BUDGET/COMMUNITY DEVELOPMENT - AGENDA ITEMS 7E

- a. RECEIPT acknowledged, of the "Montgomery County Expenditure Status Summary", and the "Montgomery County Expenditure Status Summary - Sheriff", as of September 28, 2005, as per Report on file.

COMMISSIONER, PRECINCT #1 - AGENDA ITEMS 7F1

- a. FINAL PLAT approved, for Camellia Subdivision, Section 1, consisting of 12.31 acres, 37 lots, as per Plat on file.
- b. AGENDA ITEM 7F1B - FINAL PLAT OF TIMBERLINE ESTATES, SECTION 4 - DEFERRED
- c. ROADS accepted, BOND released - Grand Harbor Subdivision, Section 4, consisting of 3918.73 l.f., .74 miles, Also, to Release the Bond, as per Notice on file.
- d. PUBLIC HEARING DATE set, for October 17, 2005, to consider increasing the speed limit for Spring Branch Road to 45 mph for the portion that lies in Precinct 1 only. Also, to place signs at the locations as per Maps. (no paperwork - no maps attached)
- e. PUBLIC HEARING DATE set, for November 14, 2005, to consider closing, abandoning, discontinuing and vacating county road right-of-way known as Deer Run Road, aka Deer Run Street, as per Notice on file.
- f. PUBLIC HEARING DATE set, for November 14, 2005, to consider the partial replat of Hunters Landing, Section 2, to be known as Hunters Landing, Section 2A, as per Notice on file.
- g. ORDER acknowledged, for receipt of Replacement Letter of Credit No. 199-05, for the Account of Hidden Springs Ranch, Section 1, as per Order on file.
- h. ORDER acknowledged, to allow the partial lot conveyance without a replat for Lot 11, Block 1, Bentwater Subdivision, Section 42, as per Order on file.

COMMISSIONER, PRECINCT #2 - AGENDA ITEMS 7F2

- a. REQUEST approved, to authorize the Purchasing Agent to advertise for bids for a clearing Contract on Fish Creek Through-fare, as per Request on file.

COMMISSIONER, PRECINCT #3 - AGENDA ITEMS 7F3

- a. FINAL PLAT approved, for Canyon Gate at Legends Ranch, Section 7, consisting of 24.347 acres, 115 lots, as per Plat on file.
- b. FINAL PLAT approved, for Elan Boulevard and Birnham Woods Drive Street Dedication, consisting of 19.407 acres, as per Plat on file.
- c. FINAL PLAT approved, for Forest Village, Sec. 1, consisting of 30.579 acres, 111 lots, per Plat on file.
- d. FINAL PLAT approved, for Imperial Lakes, Section 1, consisting of 34.30 acres, 82 lots, as per Plat on file.

- e.FINAL PLAT approved, for Spring Trails, Section 8 (SF-10), consisting of 23.3343 acres, as per Plat on file.
- f.FINAL PLAT approved, for The Woodlands, Village of Indian Springs, Section 29, consisting of 11.607 acres, as per Plat on file.
- g.ORDER approved, to authorize the purchase of Real Property for the Spring Creek Greenway, Lots 337, 338, 340, 341 & 342, Timber Lakes Section 3A & 3B. Also, to appoint Ed Chance as Special Commissioner for closing on behalf of Montgomery County, as per Order on file.
- h.ORDER approved, to authorize payment of Special Commissioners' Fees for Cause No. 05-04-03706-CV, Montgomery County vs. Aspen Premier Assets Ltd., in connection with the Sawdust Road Project, as per Order on file.
- i.ORDER approved, to accept Right-of-Way Deed for Parcels 1A, 1B, 2A and 2B, of the Rayford Road Project, being approximately 0.0370 acres of land. Also, to authorize County Judge to execute same, as per Order on file.
- j.ORDER approved, to authorize the Purchase of Right-of-Way known as Parcels 11 and 12, for Robinson Road project. Also, to authorize the County Attorney to close on behalf of Montgomery County, as per Order on file.
- k.ORDER approved, to authorize the purchase of right-of-way known as Parcel 7E for the Sawdust Road project, from C.F.W. Properties, II, Inc., in the amount of \$33,437.00, as per Order on file.
- l.ORDER approved, to authorize the purchase of right-of-way known as Parcel 9E for the Sawdust Road project, from Sirajali M. Virani, in the amount of \$26,550.00, as per Order on file.
- m.ORDER approved, for Right-of-Way Easement Dedication from The Woodlands Land Development Company, to Montgomery County, consisting of 0.0015 acres out of Restricted Reserve "B" of The Woodlands, Village of Grogan's Mill, Lake Woodlands, E. Shore, Section 1, for the expansion of Lake Front Circle, as per Order on file. Also, authorize the County Judge to execute same.

AGENDA ITEMS 7F4 - COMMISSIONER, PRECINCT #4

- a.APPOINTMENT approved, to appoint Roxanne McDaniel to the Emergency Services District Board #4, for the remainder term of Board Member John McDaniel who recently passed away, as per Request on file.
- b.REQUEST approved, to transfer funds in the amount of \$47,258.00, from Commissioner, Pct. #4 to Sheriff's Department, for the funding of Deputy Tracy Wade's position for FY2006, as per Request on file.
- c.FINAL PLAT approved, for Mills Branch Extension, Section 2, consisting of 5.5722 acres, as per Plat on file.
- d.ORDER approved, to acknowledge the termination of Kathleen Tapal for lots 348, 349 & 350, located in Tanglewood Manor, effective September 26, 2005, due to default in annual lease payment, as per Order on file.
- e.ORDER approved, to acknowledge receipt of a check in the amount of \$12.00 from Joel Rolan, for lease of real property

described as Lot 117, Village of Alpestrine, as per Order on file.

- f.ORDER approved, to authorize an Interlocal Agreement for Storm Sewer Construction and Maintenance between Montgomery County and New Caney Independent School District. Also, to authorize the County Judge to execute same, as per Order and Interlocal Agreement on file.
- g.ORDER approved, to accept a Storm Sewer Easement from New Caney ISD on the FM185 Drainage Project. Also, to authorize the County Judge to execute same, as per Order and Easement on file.
- h.ORDER approved, to allow the partial lot conveyances without a replat for Lots 3 and 4, Block 5, Texaba Subdivision, as per Order on file.
- i.ORDER approved, to authorize the Old Sorters Road Project, Decree of Public Necessity and Convenience, known as Parcel 1. Also, to authorize and direct acquisition and payment of compensation, as per Order on file.
- j.ORDER approved, to authorize Title Opinion for Old Sorters Road Project, and to approve payment to Montgomery County Title Company at a rate of Two Hundred dollars per parcel, as per Order on file.
- k.ORDER approved, to accept Right-of-Way Deed for Parcel 1 of the FM1485 Road Project. Also, to authorize the County Judge to execute the acceptance of the Right-of-Way Deed, as per Order and Deed on file.
- l.ORDER approved, to authorize a Ground Lease for the FM1485 Drainage Project, as per Order and Lease Agreement on file.

RISK MANAGEMENT - AGENDA ITEM 7G

- a.PAYMENT approved, to Francine Stancill in the amount of \$43.93, for loss of personal property, Claim #B-05-0071, as per Request on file.

Motion carried.

END OF CONSENT AGENDA

PUBLIC HEARING - AGENDA ITEM 16A - CONSIDER THE PARTIAL REPLAT OF RIVER PLANTATION, SECTION 1, TO BE KNOWN AS RIVER PLANTATION, SECTION 11

Mr. Bill Dark, a resident of River Plantation and former Country Club Board Member, addressed the Court to request approval of a replat to allow sale of two (2) lots along the golf course to help with the Club's financial burdens.

Richard Ramirez with the River Plantation Municipal Utility District and Laura Davis with River Plantation CIA Board, also discussed their concerns with the Court Members of the proposed replat.

After all matters were discussed, the Court stated that the County will not make their decision on this matter until the City of Conroe takes action.

4.REQUEST APPROVED - CERTIFICATION PAY - SHERIFF'S DEPARTMENT

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the Request to pay Deputy Mark Handler for his polygraph certification in the amount of \$400.00 per month from 2006 budget, as per Request on file. Motion carried.

5.REQUEST APPROVED - MISD OFFICERS' SALARIES - CONSTABLE, PCT. #1

REQUEST APPROVED - SAN JACINTO RIVER AUTHORITY OFFICERS' SALARIES - CONSTABLE, PCT. #1

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

a.salary request for Sgt. Robert Knight for 2005-06 - \$44,133.00 - to be paid by Montgomery Independent School District, and

salary request for Deputy Nicholas Vaughn for 2005-06 - \$34,849.98 - to be paid by Montgomery Independent School District

b.salary request for Lt. Bryan DuBose for 2005-06 - \$1,515.80 - to be paid by San Jacinto River Authority, and

salary request for Deputy Larry Evans for 2005-06 - \$522.34 - to be paid by San Jacinto River Authority

as per Requests on file. Motion carried.

6.BUDGET AMENDMENT APPROVED - VEHICLE MAINTENANCE - SHERIFF'S DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve Budget Amendment for \$19,589.00, into Vehicle Maintenance for the Operation and Maintenance for two (2) trucks and boats transferred to Constable, Pct. #1 Department April 2005 from the Sheriff's Department. Motion carried. (no paperwork)

AGENDA ITEM 10A - ADULT PROBATION - CREATION OF MONTGOMERY COUNTY PRE-TRAIL RELEASE AND TO ALLOCATE \$100,000.00 FOR START-UP COST FOR PROGRAM - DEFERRED

7.ORDER APPROVED - CONSOLIDATE POLLING LOCATIONS - ELECTIONS CENTRAL

Motion by Judge Sadler, seconded by Commissioner Meador, to approve an Order to consolidate polling locations, set early voting locations and times, and appoint election judges and alternates for the November 8, 2005, Constitutional Amendment Election, as per Order on file. Motion carried.

8.CARRYOVER OF FUNDS APPROVED - ELECTIONS CENTRAL

Motion by Judge Sadler, seconded by Commissioner Meador, to approve the carryover of funds in 4901 Election Budget and 4903 HAVA Funds, in the amount of approximately \$4,500.00. Motion carried. (no paperwork)

AGENDA ITEM 12A - DISCUSS FY06 SALARY SCHEDULE

JULANE TOLBERT, BUDGET DIRECTOR, advised the Court that the county employees' pay raises for FY06 budget year, will be delayed beyond the October 14, 2005 date, due to problems that arose while implementing a new computer system within the Budget Department. Also, the Court agreed not to make the raises retroactive.

AGENDA ITEMS 13A1,2,5,6,8,9,10,11,12, & 13 - RECOMMENDATIONS AND CONTRACTS - DEFERRED

9.RECOMMENDATIONS AND CONTRACTS APPROVED - HEAVY DUTY TOUGHBOOKS - VARIOUS DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Doyal, to award the bids, (opened August 25, 2005), for heavy duty toughbooks to the following:

- a.Tech Depot - See Contract on file for items awarded
- b.Portable Computer Systems, Inc. - See Contract on file for items awarded

as per Contracts on file. Motion carried.

10.RECOMMENDATION AND CONTRACT APPROVED - VEHICLE BRAKE ROTORS - VARIOUS DEPARTMENTS

Motion by Commissioner Chance, seconded by Commissioner Meador, to award the bid, (opened September 7, 2005), for vehicle brake rotors to O'Reilly Auto Parts, as per Contract on file. Motion carried.

11.RECOMMENDATION AND CONTRACT APPROVED - PROCUREMENT/TRAVEL CARDS - VARIOUS DEPARTMENTS

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to award the bid, (opened September 13, 2005), for procurement/travel (purchasing) credit cards to Bank of America, as per Contract on file. Motion carried.

12.RECOMMENDATION AND CONTRACT APPROVED - BULK FUEL - VARIOUS DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to award the bid, (opened November 30, 2005), for bulk fuel to J.A.M. Distributing Co. as an alternate vendor, as per Contract on file. Motion carried.

13.INTERLOCAL AGREEMENT APPROVED - CITY OF CONROE - PURCHASING DEPARTMENT

Motion by Judge Sadler, seconded by Commissioner Doyal, to approve an Interlocal Agreement with the City of Conroe for the purchase of goods utilizing Montgomery County's blanket contracts and construction manager services, as per Agreement on file. Motion carried.

14.INTERLOCAL AGREEMENT APPROVED - TRI-COUNTY MENTAL HEALTH RETARDATION - PURCHASING DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve an Interlocal Agreement with Tri-County Mental Health Mental Retardation Services, for the purchase of goods from Montgomery County's blanket contracts, as per Agreement on file. Motion carried.

15.CHANGE ORDER #1 APPROVED - SURVEYING SERVICES - PRECINCT #2

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve Change Order #1, PO#2004510, to LJA Engineering & Surveying, Inc., to extend the Surveying Services for FM1488 from Superior Rd. to FM2987 for an additional eight (8) months, as per Change Order on file. Motion carried.

16.AMENDMENT APPROVED - ADVANCED FUNDING AGREEMENT - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the Amendment to the Advanced Funding Agreement, (Third Party Funding), for the Rayford Road Project, as per Amendment on file. Motion carried.

17.REQUEST APPROVED - OFFICE SPACE/CHILDREN'S SAFE HARBOR - PURCHASING DEPARTMENT

Motion by Judge Sadler, seconded by Commissioner Meador, to approve temporary office space in the Administration Building for Children's Safe Harbor. Motion carried. (no paperwork)

18.DISCRETIONARY EXEMPTION APPROVED - APPRAISAL SERVICES - PRECINCT #1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Discretionary Exemption for Appraisal Services by Whitney & Associates, for FM830 right-of-way appraisals, for a fee not to exceed \$26,200.00, as per Request on file. Motion carried.

19.DISCRETIONARY EXEMPTION APPROVED - APPRAISAL SERVICES - PRECINCT #1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Discretionary Exemption for Appraisal Services by Fox & Bubela, Inc., for the FM1097 Project, in the amount of \$222,400.00, as per Request on file. Motion carried. (leverage funding)

20.CHECK ACKNOWLEDGED - REBATE CHECK - PURCHASING DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to acknowledge receipt of a check in the amount of \$1,941.75, from Bank of America for rebates. Motion carried. (check forwarded to County Treasurer for further handling)

21.CHECK ACKNOWLEDGED - LEASE OF COUNTY FACILITY - PURCHASING

Motion by Commissioner Meador, seconded by Commissioner Doyal, to accept \$1.00 cash, from Pate Engineers, Inc., for the lease of county facility located at 520 North San Jacinto, Conroe, for the operations of the Montgomery County Pass-Through Tolling Program. Motion carried. (\$1.00 forwarded to County Treasurer for further processing)

22.RESOLUTION AND CERTIFICATE APPROVED - ISSUANCE OF BONDS - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve a Resolution for the issuance of Bonds by Harris County Health Facilities Development Corporation to refinance certain projects for Memorial Hermann Hospital System, as per Resolution and Certificate on file. Motion carried.

23.RESOLUTION AND ORDER APPROVED - MONTGOMERY COUNTY EMERGENCY ASSISTANCE AND THE FRIENDSHIP CENTER - COUNTY ATTORNEY

Motion by Commissioner Doyal, seconded by Commissioner Rinehart, to approve a Resolution and Order for Montgomery County Emergency Assistance and The Friendship Center to purchase fuel and vehicle maintenance supplies, as per Agreements on file. Motion carried.

24.AGREEMENT APPROVED - LAW ENFORCEMENT SERVICES - CONSTABLE, PCT. #2

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve an Agreement for Law Enforcement Services for Montgomery Trace Property Owners Association (MTPOA), by Constable Deputies, as per Agreement on file. Motion carried.

25. INTERLOCAL AGREEMENT APPROVED - COLLECTION OF RENDITION PENALTIES - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve an Interlocal Agreement between Montgomery County, Montgomery County Tax Assessor/Collector and Montgomery County Central Appraisal District, for the collection of rendition penalties. Also, to authorize the County Judge to execute same, as per Agreement on file. Motion carried.

26. CONTRACT TRAINING AGREEMENT - MONTGOMERY COLLEGE - COUNTY ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the Contract Training Agreement between Montgomery County and Montgomery College, for software training. Also, to authorize Discretionary Exemption from competitive bidding procedure Pursuant to Art. 262.024(a)(4) and (5), Texas Local Government Code. Also, to authorize the County Judge to execute same, as per Contract Agreement on file. Motion carried.

27. CONTRACT APPROVED - MONTGOMERY COUNTY FIRE CHIEF'S ASSOCIATION - COUNTY ATTORNEY

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve Contract with Montgomery County Fire Chief's Association, to permit attachment of microwave antennas to county's monopole at the Criminal Justice Center, as per Agreement on file. Motion carried.

AGENDA ITEM 16A - PUBLIC HEARING CONCERNING THE PARTIAL REPLAT OF RIVER PLANTATION SECTION 1 TO BE KNOWN AS RIVER PLANTATION SECTION 11 - WAS DISCUSSED AT THE BEGINNING OF THIS COURT SESSION, AND NO ACTION WAS TAKEN AT THIS TIME. (SEE DISCUSSION AFTER MOTION #3)

EXECUTIVE SESSION

The Court Recess for Executive Session Pursuant to one or more of the following Provisions of the Texas Government Code, to-wit: Chapter 551, Sub-Chapter D;

ARTICLES 551.071

1. Consider and Discuss Cause No. H-05-0086-CV, Styled John O'Dowd, et al vs. Montgomery County, et al; in the United States District Court for the Southern District of Texas-Houston; Claim No. D-03-0005 (Section 551.071)
2. Consider and Discuss Claim of Karen McPeters against Montgomery County; EEOC Claim #360-2005-02541; Claim No. B-04-0110

COURT RECONVENED WITH ALL MEMBERS OF THE COURT PRESENT.

AGENDA ITEM 20A - TRANSFER OF \$2,250.70 FROM POSITION 401-8406-1 TO POSITION 401-8402-1 FOR DISTRIBUTION AT THE SAME TIME AS OTHER FY06 MERIT INCREASES - REMOVED FROM AGENDA - HUMAN RESOURCES

28. PAYROLL CHANGE REQUESTS APPROVED - HUMAN RESOURCES

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

- request of Collections Department to place James Dodson, Collection Specialist, on payroll, effective October 10, 2005
- request of Collections Department to place Leslie Demaio, Collection Specialist - Temporary, on payroll, (replacement for John Street), effective October 10, 2005
- request of Collections Department to transfer John Street, Collection Specialist, effective October 8, 2005
- request of Collections Department to place John West, Collection Specialist, on payroll, effective October 10, 2005
- request of Constable, Pct. #3 to transfer George Biernesser, Deputy, (replacement for Frank Mitchell), effective October 8, 2005
- request of Constable, Pct. #3 to increase the salary of Joshua L. Hansen, Deputy, effective October 1, 2005, due to merit increase
- request of Constable, Pct. #3 to increase the salary of Gerald M. Smith, Deputy, effective October 1, 2005, due to merit increase
- request of Constable, Pct. #3 to increase the salary of Anneliese M. Stafford, Deputy, effective October 1, 2005, due to merit increase
- request of Constable, Pct. #3 to increase the salary of Mary Stucey to increase the salary of Mary Stucey, Clerk III, effective October 1, 2005, due to merit increase
- request of Custodial Services to place Jason Harrington, Custodian II, on payroll, effective October 10, 2005
- request of Custodial Services to place Jan Miles, Custodian, Part-time, on payroll, effective October 10, 2005
- request of Custodial Services to place Irma Pantoja, Custodian/Part-time, on payroll, effective October 10, 2005
- request of Dispute Resolution to increase the salary of Kathy Bivings-Norris, Executive Director, effective October 1, 2005, due to merit increase
- request of Dispute Resolution Director to promote Ramah Eisenbeil, Case Manager, (replacement for Cornelia Raiser-Nelson), effective October 1, 2005
- request of District Clerk to place Diana Molina, Part-time Clerk II, on payroll, (replacement for Shannon Alworth), effective September 26, 2005
- request of District Clerk to place Monica Vian, Part-time Clerk II, on payroll, (replacement for Earnestine McCauley), effective September 26, 2005
- request of Human Resources to increase the salary of Peggy Smith, Human Resources, effective September 24, 2005, due to merit increase
- request of Justice of the Peace, Pct. #1 to change title for Brandie Lopez from Part-time Administrative Assistant I to

- Administrative Assistant I, effective October 8, 2005
- request of Juvenile Probation Director to place Gregory Dunn, Advisor, JJAEP, on military leave, effective September 12, 2005
- request of Juvenile Probation Director to change title for Mary Aubrey Gates from Clerk II to Clerk IV, effective October 8, 2005
- request of Juvenile Probation Director to discharge Ian Herran, Officer, Juvenile Detention, effective September 27, 2005, with 38.92 vacation hours due, 2.69 comp time due and 16 holiday hours due
- request of Juvenile Probation Director to promote Aleen Mock to Clerk II, effective October 8, 2005
- request of Juvenile Probation Director to discharge Fredrick Proctor, Officer, Juvenile Detention, effective September 26, 2005, with 5.74 vacation hours due and 1.64 comp hours due
- request of Juvenile Probation Director to change the status of Terrick J. Wyatt, Juvenile Probation Officer-Detention to Officer, Juvenile Detention, effective October 8, 2005
- request of Library Director to accept the resignation of Nancy Statz, Reference Librarian Children's, effective October 31, 2005, with 46.88 vacation hours due
- request of Purchasing Agent to place Tracy Eldridge, Secretary-Administrative Assistant, (replacement for Cynthia Snoe), on payroll, effective October 10, 2005
- request of Purchasing Agent to promote Cnythia Snoe from Secretary/Administrative Assistant to Buyer II, effective October 10, 2005
- request of Purchasing Agent to place Pamela Taras, Buyer I, on payroll, effective October 10, 2005
- request of Sheriff's Department to place Rhonda Bailey, Detention Officer, on payroll, effective September 24, 2005
- request of Sheriff's Department to place Stacey Baumgartner, Detention Officer, on payroll, effective September 24, 2005
- request of Sheriff's Department to place Jordan Jesse Alan Greenhaw, Detention Officer, effective September 24, 2005
- request of Sheriff's Department to place Christopher Lopez, Detention Officer, on payroll, effective September 24, 2005
- request of Sheriff's Department to place Tina Lovett, Detention Officer, on payroll, effective September 24, 2005
- request of Sheriff's Department to place Benjamin W. Nichols, Detention Officer, on payroll, effective September 24, 2005
- request of Sheriff's Department to place Robert Oelsner, Detention Officer, on payroll, effective September 24, 2005
- request of Sheriff's Department to accept the resignation of Robert Matthew, Deputy-Patrol District II, effective September 30, 2005, with 229.10 vacation hours due, 43.76

comp hours due and 19.50 holiday hours due

request of Sheriff's Department to place Ryan Savage, Detention Officer, on payroll, effective October 8, 2005

request of Sheriff's Department to place Devin Steffen, Detention Officer, on payroll, effective October 1, 2005

request of Sheriff's Department to place Jeffrey Neal Thompson, Detention Officer, on payroll, effective September 24, 2005

request of Sheriff's Department to place Harold Eugene Trammel, Detention Officer, on payroll, effective September 24, 2005

request of Sheriff's Department to place Veith Brett Morgan, Jr., on payroll, effective September 24, 2005

request of 284th District Court to increase the salary of Jesse Felipe Rodriguez, Jr. Jury Shepherd, effective October 8, 2005, due to merit increase

request of 284th District Court to accept the retirement of Olen Underwood, District Judge, effective September 30, 2005

request of Building Maintenance to place Peggy Klink, on payroll, effective October 10, 2005

request of Constable, Pct. #1 to transfer James R. Loggins, Deputy Constable, (replacement for W. L. Gladden), effective October 8, 2005

request of Constable, Pct. #3 to transfer Katie Allison, Deputy, effective October 1, 2005

request of Constable, Pct. #3 to transfer James Barber, Deputy, (replacement for Katie Allison), effective October 1, 2005

request of Constable, Pct. #3 to promote Jeffrey Brown from Deputy to Sergeant, effective October 1, 2005

request of Constable, Pct. #3 to transfer Todd Lehn, Deputy, (replacement for Brent Nickerson), effective October 8, 2005

request of Constable, Pct. #3 to transfer Frank Mitchell, Deputy, (replacement for George Biernesser), effective October 8, 2005

request of Constable, Pct. #3 to transfer Brent Nickerson, Deputy, (replacement for Lisa Stafford), effective October 8, 2005

request of County Attorney to transfer Michelle Black from Legal Assistant II, to Legal Assistant II, effective September 24, 2005

request of County Attorney to transfer Adrienne Livsey from Attorney II to Attorney II, effective September 24, 2005

request of County Attorney to transfer Patricia O'Hagan from County Clerk to County Attorney, Legal Assistant II, effective October 8, 2005

request of District Attorney to place Robbie Barker, Attorney I,
on payroll, effective October 10, 2005

request of District Attorney to place Charles B. Morton,
Investigator II, on payroll, effective October 10, 2005

request of District Attorney to place D. Lee Romero on payroll,
effective October 10, 2005

request of Elections Central to place Jennifer Calvert, Temp.
Voter Registration Clerk, on payroll, effective October 8,
2005

request of Elections Central to layoff Lisa Erwin, Temporary
Voter Clerk, effective October 8, 2005

request of Elections Central to promote Sandra George, Temporary
Voter Registration Clerk, effective October 8, 2005

request of Elections Central to layoff Victoria Hardie, Temporary
Clerk, effective October 8, 2005

request of Elections Central to promote Jason Lay, Systems
Administrator II, (replacement for Andrew Laham), effective
September 24, 2005

request of Elections Central to layoff Lucinda McGee, Temporary
Clerk, effective October 8, 2005

request of Elections Central to place Rick Nusz, Election
Equipment Specialist, (replacement for Jason Lay), effective
September 30, 2005

request of Elections Central to promote Katherine Prater,
Temporary Voters Clerk, effective October 8, 2005

request of Elections Central to promote Annette Rascoe, Temporary
Elections Clerk, effective October 8, 2005

request of Elections Central to increase the salary of Michelle
Russell, Temporary Voters Clerk, effective October 8, 2005,
due to merit increase

request of Elections Central to increase the salary of Gwen
Stephan, Temporary Voters Clerk, effective October 8, 2005,
due to merit increase

request of Elections Central to increase the salary of Shirley
Sutton, Temporary Voters Registration Clerk, effective
October 8, 2005

request of Elections Central to layoff Arie Taras, Temporary
Clerk, effective October 8, 2005

request of Elections Central to layoff Sarah Taras, Temporary
Clerk, effective October 8, 2005

request of Juvenile Probation Director to discharge Johnny Dixon,
Jr., effective September 28, 2005

request of Juvenile Probation Director to make salary adjustment

to Cherry Henry, Officer, Juvenile Detention, salary, as noted on payroll change request form, effective September 24, 2005

request of Juvenile Probation Director to make salary adjustment to Tanya Young, Officer, Juvenile Detention, salary, as noted on payroll change request form, effective September 24, 2005

request of Sheriff's Department to transfer Libby Bones from Clerk IV to Administrative Assistant II, (replacement for Rose Goodwin), effective October 1, 2005

request of Sheriff's Department to place Andrew Dimambro, Detention Officer, on payroll, effective October 8, 2005

request of Sheriff's Department to transfer Eric R. Neill from Res. Care Specialist to Dispatcher, (replacement for Amber Gilliland), effective October 8, 2005

request of Sheriff's Department to place Holly Wallis, Dispatcher, on payroll, (replacement for Doris Mills), effective October 8, 2005

as per Payroll Change Requests on file. Motion carried.

29.RESOLUTION APPROVED - SALARY GRADE AND FUNDING POSITION - COUNTY COURT AT LAW #2

REQUEST APPROVED - ROLL OVER OF FUNDS - HUMAN RESOURCES

Motion by Judge Sadler, seconded by Commissioner Doyal, to approve the following, as Requested by Human Resources:

a.RESOLUTION of salary grade and funding of new position for County Court at Law #2 (no paperwork)

b.ROLL OVER to FY-06 any remaining funds in line items 401-7310 (stationary & supplies), 401-7390 (supplies/other), 401-7418 (Professional Development), 401-7425 (travel), and 401-7481 (association dues) - (no paperwork)

Motion carried.

#30.COURT ADJOURNS

Motion by Commissioner Meador, seconded by Commissioner Doyal, that this Session of Court be adjourned. Motion carried.

The above and foregoing Minutes were read and approved by Court.

ATTEST:

Mark Turnbull, County Clerk
Ex-Officio Clerk - Commissioners' Court
Montgomery County, Texas

BY: _____
COUNTY CLERK

COUNTY JUDGE

