

COMMISSIONERS' COURT DOCKET, OCTOBER 31, 2005  
SPECIAL SESSION

THE STATE OF TEXAS  
COUNTY OF MONTGOMERY

Be it remembered that on this the 31st. of October, 2005, the Honorable Commissioners' Court of Montgomery County, Texas, was duly convened in a Special 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 MARY HAMMER-MENZEL

PLEDGE OF ALLEGIANCE RECITED BY EVERYONE PRESENT

1.COMMISSIONERS' COURT AGENDA APPROVED

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

2.REQUEST APPROVED - NAMING OF NEW SOUTH COUNTY COURTHOUSE -  
PRECINCT #3

Motion by Judge Sadler, seconded by Commissioner Doyal, to approve naming the New South Montgomery County Courthouse Facility "Ed Chance Courthouse Annex", as per Request on file. Motion carried.

3.PROCLAMATION APPROVED - "VETERANS DAY"

Motion by Judge Sadler, seconded by Commissioner Doyal, to approve a Proclamation to designate November 11, as the day to recognize and honor all past and present Veterans from all wars on this National Veterans Day, as per Proclamation on file. Motion carried.

4.RESOLUTION APPROVED - "HOSPICE MONTH"

Motion by Judge Sadler, seconded by Commissioner Meador, to approve a Proclamation to designate the month of November as "Hospice Month", and to encourage all Texans to learn more about hospice care and to recognize the countless volunteers and professionals for their support to patients and families, as per Resolution on file. Motion carried.

5.REQUEST APPROVED - COUNTY CHRISTMAS LUNCHEON - EMPLOYEES'  
COMMITTEE

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the Request to allow all Employees wishing to attend the County Christmas Lunch a two hour lunch, beginning at 11:30 a.m. to 1:30 p.m., on December 7, 2005, at the Lone Star Convention Center, as per Request on file. Motion carried.

## 6. MINUTES APPROVED - COMMISSIONERS' COURT MINUTES - COUNTY CLERK

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve Commissioners' Court Minutes for October 17, 2005, as presented by the County Clerk. Motion carried.

## 7. CONSENT AGENDA APPROVED - AGENDA ITEMS 8A THROUGH 8H

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

## COUNTY AUDITOR - AGENDA ITEMS 8A

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

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

1. Building Maintenance - to recognize and to allocate revenue
2. Building Maintenance - to recognize/allocate revenue & transfer funds for release 299751
3. Commissioner, Pct. #1 - to adjust line items
4. Commissioner, Pct. #2 - to adjust line items
5. Commissioner, Pct. #3 - to recognize/allocate reimbursements
6. Commissioner, Pct. #4 - to recognize and to allocate lease proceeds and adjust line items
7. Constable, Pct. #5 - to recognize/allocate reimbursements
8. County Auditor - to adjust line items
9. County Treasurer - to recognize/allocate Texpool deposit and adjust line items
10. Jail - to transfer funds for release 300856
11. Justice of Peace, Pct. #2 - to transfer funds for release 300061
12. Juvenile Probation - to adjust line items
13. Purchasing Agent - to transfer funds for release 298048
14. Risk Management - to transfer funds for damage claims
15. Risk Management - to recognize/allocate reimbursement
16. Sheriff Department - to adjust line items
17. Sheriff Department - to adjust line items and recognize/allocate reimbursement
18. Sheriff's Department - to adjust line items and recognize/allocate reimbursements
19. Sheriff's Department - to adjust line items
20. Airport Maintenance - to adjust line items
21. Animal Shelter - to recognize/allocate revenue 10-3 through 10-5 and 10-11 through 10-16, 2005
22. Constable, Pct. #1 - to adjust line items
23. County Clerk - to recognize/allocate revenue
24. County Court at Law #1 - to transfer funds to build cabinet in Courtroom
25. Drug Court - to recognize and to allocate portion of FY06 grant not previously budgeted
26. Elections Administrator - to adjust line items
27. Justice of Peace, Pct. #2 - to recognize/allocate restricted revenue as approved during budget hearings
28. Juvenile Probation - to recognize and to allocate JAIBG Grant for FY06
29. Purchasing Agent - to recognize/allocate revenue
30. Sheriff-JAG 2005 Grant - to recognize and allocate grant from US Department of Justice for purchase of body

armor

- 31.Sheriff-Step Speed Grant - to recognize and to allocate TxDot grant for speed-step for FY06
- 32.Sheriff - to transfer funds to build a desk and cabinets, recognize/allocate reimbursement and adjust line items
- 33.Sheriff - to recognize/allocate reimbursement
- 34.Tax Assessor/Collector - to transfer funds to build workstations and transfer funds for release 300120
- 35.Various - to allocate funds for FY2006 salary increases

as per Budget Amendments on file.

c.MONTHLY FINANCIAL REPORT approved for month ended September 30, 2005, as per Report on file.

d.REPORTS accepted - Interim Arbitrage Rebate Analysis for 9-30-05, as follows:

- 1.Certificates of Obligation - 2003
- 2.Unlimited Tax Road Bonds, 2003A
- 3.Limited Tax Library Bonds, 2003B

as per Reports on file.

COUNTY TREASURER - AGENDA ITEMS 8B

a.WEEKLY INVESTMENT REPORTS approved, for the week of October 24, 2005, through October 28, 2005, as per Report on file.

b.Pledges and/or Release of Collateral approved for October 31, 2005, as follows:

- 1.Pledge of Collateral - Woodforest National Bank, Cusip No. 313XBN92, par value \$5,000,000.00
- 2.Release of Collateral - Woodforest National Bank, Cusip #912828BN9, par value \$5,000,000.00
- 3.Release of Collateral - JPMorgan Chase Bank, Cusip No. 912810DX3, par value \$900,000.00

as per Report on file.

c.MONTHLY REPORT approved, of pledged securities for the month of September, 2005, as per Report on file.

d.REQUEST approved, to authorize the release of payroll checks on the 1st work day when pay date falls on a Friday County Holiday, as per Request on file.

e.RESOLUTION approved, to refund the overpayment of final judgment on forfeiture of bail bonds, to Jack and Lou West from the General Fund, \$5,856.00, as per Resolution on file.

f.MONTHLY FINANCIAL REPORT approved, for the month ending September 30, 2005. (no report received)

g.FINANCIAL REPORT approved, for the year beginning October 1, 2004, and ending September 30, 2005, as pe Report on file.

h.CERTIFICATES OF ACHIEVEMENT approved, from the Texas Association of Counties, to Bobby Light and Betty Graham, for passing their course of Certified

Investment Officer, as per Certification on file.

PURCHASING DEPARTMENT - AGENDA ITEMS 8C

a. AUTHORIZATION TO ADVERTISE approved, for the following bids/proposals:

1. Automotive Body Repair Services - Risk Management
2. Plumbing items and miscellaneous supplies - Building Maintenance
3. Air conditioning duct work and miscellaneous supplies - Building Maintenance
4. Air conditioning and heating items and miscellaneous supplies - Building Maintenance
5. Electrical items and miscellaneous supplies - Building Maintenance
6. Concrete (5 sack) delivered - Various Departments
7. Clearing and grubbing of Fish Creek Thoroughfare - Pct. #2

b. RENEWAL CONTRACTS approved, as follows:

1. ProCare Landscaping (PO#2005062) - for lawn maintenance service TxDot Park - Parks Department
2. ProCare Landscaping (PO#2005063) - for lawn maintenance service Lake Conroe Park - Pct. #1
3. Frazier Lawn Service (PO#2004109) for lawn maintenance service - Law Enforcement Center. Also, fuel surcharge of \$5.00 per cutting added to contract
4. Frazier Lawn Service (PO#2004110) - for lawn maintenance service Community Centers - Pct. #1. Also, fuel surcharge of \$5.00 per cutting added to contract
5. GEAC Public Safety (PO#2005136) - for computer aided dispatch, software - various Departments

as per Request on file.

c. CHANGE ORDER #12 approved, PO#2004315, to Bits Technical Corp. to provide changes to various items to contract for personal computers & accessories, as per Change Order on file.

d. CHANGE ORDER #5 approved, PO#2005128, to Hardco Pest Control, to add direct supervision wing of the Law Enforcement Center to the Pest Control Service contract, as per Change Order on file.

e. CHANGE ORDER #2 approved, PO#2005307, to Telecom Remarketing Corp of America to add items to the new and/or refurbished telephone equipment contract for C.I.S., as per Change Order on file.

f. CONTRACT approved, for juvenile residential services between Montgomery County Juvenile Department and Rockdale Regional Juvenile Justice Center, as per Contract on file.

g. CONTRACT approved, for juvenile residential services between Montgomery County Juvenile Department and Montgomery County Youth Services, as per Contract on file.

h. PAYMENT AND PERFORMANCE BONDS approved, for South Coast Construction, Inc., in the amount of \$2,942,172.39 each, as per Bonds on file.

i. CANCELLATION approved, PO#2005375, to Custom Crete to the

contract for portland cement concrete class "A" (5 sack), effective November 28, 2005, as per Notice on file.

BUDGET/COMMUNITY DEVELOPMENT - AGENDA ITEMS 8D

- a. RECEIPT acknowledged, of the "Montgomery County Expenditure Status Summary" and the "Montgomery County Expenditure Status Summary" - Sheriff's Department, as of October 26, 2005, as per Report on file.

COMMISSIONER, PRECINCT #1 - AGENDA ITEMS 8E1

- a. FINAL PLAT approved, for Grand Harbor, Section 4A, consisting of 17.403 acres, 8 lots, as per Plat on file.
- b. FINAL PLAT approved, for Montgomery Woods, Section 1, consisting of 30 acres, as per Plat on file.
- c. FINAL PLAT approved, for Timberline Estates, Section 4, consisting of 305.250 acres, 85 lots, as per Plat on file.
- d. ORDER approved, to acknowledge receipt of Amendment to Letter of Credit No. 536, to reduce the amount from \$65,250.00 to \$28,275.00, from Woodforest National Bank, for Bofemco, Inc., Sunrise Ranch, Section 4, as per Order on file.

COMMISSIONER, PRECINCT #2 - AGENDA ITEMS 8E2

- a. ROADS accepted, in Crown Oaks Subdivision, Section 4, consisting of 20,738.25 l.f., 3.93 miles, into the one year maintenance period, effective October 31, 2005, as per Request on file.
- b. ROADS accepted, in Thousand Oaks Subdivision, Section 2, consisting of 15,447.98 l.f., 2.92 miles, into the one year maintenance period, effective October 31, 2005, as per Request on file.

AGENDA ITEM 8E2C - ACCEPTANCE OF ROADS IN DEERWOOD SUBDIVISION, SECTION 2 - MOVED TO PRECINCT #4 COMMISSIONER. (SEE MOTION 8E4F)

- c. ROADS accepted, BOND released, in Deerwood Subdivision, Section 2, consisting of 4,906.52 l.f., .93 miles, by Montgomery County. Also, to release the Bond, as per Request on file.
- d. ROADS accepted, in Thousand Oaks Subdivision, Section 2, into the one year maintenance period, consisting of 15,447.98 l.f., 2.92 miles, effective October 31, 2005, as per request on file.
- e. ROADS accepted, in Thousand Oaks Subdivision, Section 3, consisting of 7,674.19 l.f., 1.45 miles, into the one year maintenance period, effective October 31, 2005, as per Request on file.

- f. UTILITY PERMIT approved, from Woodlands Joint Powers Agency, MUD #39, to place an 8" PVC Water Main and a Sanitary Sewer Line, within the right-of-way of Donwick Dr, South from Trade Center Parkway to Fawn Trail Rd., as per Permit on file.

g.ORDER approved, to authorize the purchase of right-of-way known as Parcel 19, from Chicago Title Insurance Company for the benefit of Charles Duke, in the amount of \$773.75, for the FM1488 Road Project, as per Order on file.

COMMISSIONER, PRECINCT #3 - AGENDA ITEMS 8E3

a.ORDER approved, to authorize the acquisition of Tax Lien Foreclosure Property, consisting of Tract 12, 0.360 acres, and Tract 12I, being an undivided 0.640 acres, both out of a 10.15 acre tract of land out of the Walker County School Land Survey, Abstract 599, as per Order on file.

b.ORDER approved, to authorize acquisition of Tax Lien Foreclosure Property, located in Spring Hills Subdivision, Section 1, Lot 89, as per Order on file.

c.ORDER approved, to accept the Texas Forest Service Urban Forestry Partnership Grant for the Spring Creek Greenway. Also, to appoint Robert W. Collins, as Special Commissioner, to execute said Grant Agreement, as per Order on file.

d.FINAL PLAT approved, for Canyon Lakes at Legends Ranch, Section 5, consisting of 1.5554 acres, as per Plat on file.

e.FINAL PLAT approved, for Riva Row Street Dedication, consisting of 1.954 acres, as per Plat on file.

f.FINAL PLAT approved, for Village of Panther Creek, Section 7, (Partial Replat No. 1), consisting of 4.196 acres, 22 lots, as per Plat on file.

g.FINAL PLAT approved, for Village of Sterling Ridge, Section 65, consisting of 29.089 acres, 67 lots, as per Plat on file.

h.FINAL PLAT approved, for Village of Sterling Ridge, Section 66, consisting of 17.24 acres 42 lots, as per Plat on file.

i.FINAL PLAT approved, for Village of Sterling Ridge, Section 67, consisting of 18.80 acres, 46 lots, as per Plat on file.

j.ORDER approved, to authorize the purchase of right-of-way for Parcels 11 & 13 from Wood Winds Merchants Association, Inc., in the amount of \$8,434.00, for the Budde and Pruitt Road Widening Project, as per Order on file.

k.ORDER approved, to authorize the purchase of right-of-way for Parcels 3 & 4 from Kathryn A. Aldridge, in the amount of \$31,216.50, for the Rayford Road Project, as per Order on file.

l.ORDER approved, to authorize the purchase of right-of-way for Parcel 6 from Magellan Pipeline Company, L.P., in the amount of \$3,338.00, for the Rayford Road Project, as per Order on file.

COMMISSIONER, PRECINCT #4 - AGENDA ITEMS 8E4

a.FINAL PLAT approved, for Riverwood at Oakhurst, Section 1,

consisting of 8.5406 acres, as per Plat on file.

- b.ROADS accepted - BOND released, for Gleneagles Subdivision, Section 4A, by Montgomery County, consisting of 5,224.52 l.f., 0.99 miles. Also, to release the Bond, as per Request on file.
  - c.ORDER approved, to acknowledge receipt of Letter of Cancellation to cancel lease between Montgomery County and Robert S. Saylor for various lots located in the Magnolia Bend Subdivision, as per Order on file.
  - d.ORDER approved, to acknowledge receipt of Letter of Cancellation of lease between Montgomery County and Robert S. Saylor for property located in Magnolia Bend Subdivision, Section 2, Lot 20, Block 4, as per Order on file.
  - e.ORDER approved, to authorize the Grant of a Water and Sanitary Sewer Easement to New Caney Municipal Utility District, as per Order on file.
- ALL PRECINCTS - AGENDA ITEMS 8E5
- a.OVERLOAD/OVERSIZE PERMITS approved, as follows:
    - 1.Fairway Contracting - to move various loads across various county roads. Movement to begin not earlier than April 6, 2005, and to be completed by April 6, 2006
    - 2.R. Hassell & Company - to move various loads over county roads. Movement to begin not earlier than October 8, 2005, and to be completed by January 8, 2006
    - 3.Hons Trucking, Inc. - to move various load over county roads. Movement to begin not earlier than November 13, 2005, and to be completed by February 13, 2006
    - 4.Park Construction Association, LLP - to move dirt and sand over county roads. Movement to begin not earlier than October 9, 2005, and to be completed January 7, 2006.
    - 5.Porter Ready Mix, Inc. - to move various loads over all county roads. Movement to begin not earlier than October 2, 2005, and to be completed by January 2, 2006.
    - 6.Samson Lone Star, LP - to move various equipment over county roads. Movement to begin not earlier than April 4, 2005, and to be completed by October 31, 2005
    - 7.Son-Way Agriculture Products - to move various loads over all county roads. Movement to begin not earlier than October 24, 2005, and to be completed by January 24, 2006
    - 8.Southern Star Concrete - to move various loads over all county roads. Movement to begin not earlier than February 23, 2005, and to be completed
    - 9.Woody's Construction, LP - to move various loads over county roads. Movement to begin not earlier than October 14, 2005, and to be completed by January 14, 2006

as per Permits on file.

SHERIFF'S DEPARTMENT - AGENDA ITEMS 8F

- a.DONATION accepted, of \$3,000.00, from Wal-Mart Foundation, to be used for the purchaser of bike patrol equipment, as per Request on file. (check forwarded to County Treasurer for further handling)
- b.DONATION accepted, of \$600.00, from The Limited Service Corporation, for the purpose of purchasing bike equipment into the 2006 budget, as per Request on file. (was accepted at the August 15, 2005, Court Session)
- c.REQUEST approved, for the creation of a new position entitled Mounted Patrol Deputy, which is to be funded by Commissioner Rinehart for the 2006 budget year, as per Request on file.

PARKS DEPARTMENT - AGENDA ITEMS 8G

- a.USE AGREEMENTS acknowledged, as follows:
  - 1.Veteran's Memorial Park - The Patriotic Historical Society
  - 2.Industrial Lane, Pct. #2 - Magnolia Little League
  - 3.Bull Sallas Park, Pct. #4 - East Montgomery County Sports Association
  - 4.Charles Traylor Memorial Park, Pct. #1 - Conroe YMCA

RISK MANAGEMENT - AGENDA ITEMS 8H

- a.PAYMENT acknowledged, to Tullos Collision Center, in the amount of \$392.40, for damage to vehicle. Claim #A-05-0058, as per Request on file.

Motion carried.

END OF CONSENT AGENDA

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AGENDA ITEM 9A - APPROVE THE NAMING OF THE NEW SOUTH MONTGOMERY COUNTY COURTHOUSE FACILITY - SEE MOTION #2 FOR TODAY'S COURT ACTION.

9.REQUEST APPROVED - LONE STAR GROUNDWATER CONSERVATION DISTRICT - COUNTY JUDGE

RESOLUTION APPROVED - CASTING VOTES MONTGOMERY CENTRAL APPRAISAL DISTRICT - COUNTY JUDGE

Motion by Judge Sadler, seconded by Commissioner Doyal, to approve the following Requests from the Montgomery Central Appraisal District Board of Directors:

- a.to allow Board Members (9) of the Lone Star Groundwater Conservation District, key passes to the County's Parking Garage to accommodate parking for Board Meetings of the district held on the 2nd Tuesday of each month, as per Request on file.



b. Resolution approved, casting vote(s) for candidate(s) for the election of the Montgomery Central Appraisal District Board of Directors, as follows:

Ed Chance        750 votes  
                  Mike Meador 233 votes

as per Requests and Resolution on file. Motion carried.

10. NOTICE OF INTENT APPROVED - EMERGENCY MANAGEMENT - COUNTY JUDGE

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve Montgomery County Office of Emergency Management submitting Notice of Intent to apply for Disaster Mitigation Grants under the HMGP Grant Program, as per Notice on file. Motion carried.

11. REQUESTS APPROVED - TRANSFER OF FUNDS - SHERIFF'S DEPARTMENT

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

- a. transfer \$205.14 from position #5601-5903-22 to position #5601-5903-66
- b. transfer \$2,770.88 from position #5121-5803-9 to position #5121-5803-35

as per Requests on file. Motion carried.

12. REQUEST APPROVED - UPGRADE POSITION GRADE - CONSTABLE, PCT. #1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve changing Jarrett Rhodes from a Grade 10 position to a Corporal Grade 11 Position, with sufficient funds available to make such a change. Motion carried.

13. FUNDING AGREEMENT APPROVED - CDBG GRANT - COMMUNITY DEVELOPMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the following Funding Agreements, as submitted by Community Development Block Grant:

- a. Funding for CDBG Grant Agreement for year 2005, in the amount of \$1,987,356.00, and
- b. Funding for Home Grant for the Home and American Dream Down Payment Initiative Programs for Grant year 2005, in the amount of \$536,769.00

as per Agreements on file. Motion carried.

14. EXPENSES APPROVED - DEVELOPMENT COMPUTER PROGRAM - INDIGENT DEFENSE

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve expenses for the Development of a computer Program for the appointment of Attorneys for Indigent Juvenile Respondents, as per Request on file. Motion carried.

15. REQUEST APPROVED - TRANSFER OF FUNDS - COUNTY CLERK

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the transfer of \$418.86 within the County Clerk's budget to compensate an employee of added responsibility of being on call outside of normal business hours, to issue

burial permits, as per Request on file. Motion carried.

16.REQUEST APPROVED - FUNDING FOR GEAC CAD SOFTWARE MAINTENANCE - CIS

REQUEST APPROVED - FUNDING OF MAINTENANCE - CIS

Motion by Judge Sadler, seconded by Commissioner Chance, to approve the funding of annual maintenance for GEAC CAD and all related third party software maintenance in the amount of \$57,187.50, and funding in the amount of \$15,960.00, for annual maintenance for checkpoint, as per Request on file. Motion carried. (fund from contingency)

17.REQUEST APPROVED - POSITION CHANGE - CIS

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the Request from CIS to change position title from Administrative Assistant I to Administrative Assistant II, as per Request on file. Motion carried.

18.REQUEST APPROVED - COUNTY COURT AT LAW JUDGES SALARY INCREASES - BUDGET OFFICE

Motion by Judge Sadler, seconded by Commissioner Meador, to approve the increase of County Court at Law Judges' salaries to comply with Texas Government Code Section 25.1722(d), to reflect their annual salaries to be \$126,500.00, plus \$5,000.00 juvenile board supplement, effective December 1, 2005, as per Request on file. Motion carried. (fund from contingency)

19.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 15138 Firetower Rd., Conroe, Texas, Pct. #4, for Ninea Salinas, as per Variance on file. Motion carried.

20.RESOLUTION APPROVED - H-GAC SOLID WASTE ENFORCEMENT GRANT - ENVIRONMENTAL HEALTH

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve a Resolution in support of Montgomery County to apply for H-GAC Solid Waste Enforcement Grant, as per Resolution on file. Motion carried.

21.REQUEST APPROVED - COMPUTER PURCHASE - 410TH DISTRICT COURT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Request to purchase a new computer in the amount of \$1,375.00, from the Court Reporter Service Fund, as per Request on file. Motion carried.

22.LEASES APPROVED - RESIDENTS FROM HURRICANE KATRINA - COUNTY AUDITOR

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve fifty-five (55) leases between Montgomery County and Various Apartment Owners for interim housing for victims of Hurricane Katrina, with 100% reimbursement from FEMA, as

per Leases on file. Motion carried.

23.REQUEST APPROVED - TIMESHEETS AUDIT - COUNTY AUDITOR

Motion by Commissioner Meador, seconded by Commissioner Chance, to acknowledge findings of Timesheet Audit for pay periods ended September 23, 2005 and October 7, 2005, for various reasons as outlined in memo from the County Auditor dated October 31, 2005 on file. Motion carried.

AGENDA ITEMS 20A 1,2,3,4,7,10,12,14,15,16,17,18, & 19 -  
RECOMMENDATIONS AND CONTRACTS - DEFERRED

24.BIDS/PROPOSALS REJECTED - VARIOUS DEPARTMENTS

BIDS/PROPOSALS REJECTED - AUTHORIZATION TO READVERTISE - VARIOUS  
DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Doyal, to reject the following Bids/Proposals:

a.RFP/Q Lease and Development of Aviation Hangar Area -Lone Star  
Executive Airport

Also, to reject the following Bids/Proposals, and to authorize  
the Purchasing Agent to re-advertise:

a.airshore usar rescue team set or urban search and rescue kit -  
Civil Defense/Emergency Management

b.20kw generator and night scan lighting - Civil  
Defense/Emergency Management

c.GE 120kVA uninterruptible power system or manufacturer  
recommended equal - Civil Defense/Law Enforcement Center

Motion carried.

25.PROPOSAL APPROVED - ENVIRONMENTAL REVIEW/ASSESSMENT - CDBG  
PROJECT

Motion by Commissioner Meador, seconded by Commissioner  
Chance, to award the Proposal, (opened August 6, 2005), to  
Terracon Consultants, Inc., for the Mental Health Facility  
and Multi-Family Transitional Housing Project. Motion  
carried. (Contract to follow at a later date)

26.RECOMMENDATION AND CONTRACT APPROVED - DEBRIS REMOVAL/DISPOSAL  
- PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Meador,  
to award the bid, (opened October 21, 2005), for debris  
removal/disposal to Woodlands Landscaping & Maintenance,  
Inc., as per Contract on file. Motion carried.

27.RECOMMENDATION AND CONTRACT APPROVED - EXEMPTION FROM  
BIDDING PROCESS - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Meador,  
to approve the Discretionary Exemption for paving inspection  
services for the reconstruction of Rayford Road from Smith

Paving Inspection, LLC, for a fee of 3% of construction cost, as per Request on file. Motion carried.

28.FUNDS APPROVED - DESIGN/BUILD OF NEW LIBRARY - PRECINCT #1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve funds in the amount of \$9,755.82, for voice and data cabling materials and installation for the design/build of the new library, as per Request on file. Motion carried. (funds to be taken from 05' bond monies)

29.PROPOSAL APPROVED - SURVEYING SERVICES - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to award the Proposal from Engle Surveying, Inc, for surveying services to re-survey parcels 9E and 10E along Sawdust Road, for a fee of \$3,795.00, as per Proposal on file. Motion carried.

30.PROPOSAL APPROVED - ENGINEERING SERVICES - PRECINCT #1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to award the Proposal from Carter & Burgess, Inc., for engineering services to prepare plans, specifications and estimate for the construction of Lone Star Parkway, from FM149 to SH105 West, for a fee of \$186,861.96, as per Proposal on file. Motion carried.

31.CONTRACT AND PROPOSAL APPROVED - ENGINEERING SERVICES - PRECINCT #1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve hiring Carter & Burgess, Inc., for engineering services to prepare plans, specifications and estimate for the construction of FM1484 from FM3083 to FM2432, (part of Montgomery County Transportation Program), for a fee of \$599,897.81). Motion carried. (contract to follow at a later date - fund from 05' bonds)

32.PROPOSAL APPROVED - ENGINEERING SERVICES - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the Proposal from Wilbur Smith Associates for engineering services for the installation of traffic signals and connecting/coordinating signals at Lake Woodlands Dr. from IH45 to Kuykendahl Rd., and at Grogans Mill/Sawdust Rd. from IH45 to Research Forest Dr., for a fee of \$163,500.00, as per Proposal on file. Motion carried.

33.PROPOSAL APPROVED - ENGINEERING SERVICES - PRECINCT #3

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve the Proposal from Traffic Engineers, Inc., for engineering services for the installation of traffic signals and connecting/coordinating signals at Lake Woodlands Dr. from IH45 to Kuykendahl Rd. and at Grogans Mill/Sawdust Road from IH45 to Research Forest Dr., for a fee of \$91,654.04, as per Proposal on file. Motion carried.

34.CHANGE ORDER #2 APPROVED - ENGINEERING SERVICES - PRECINCT #1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to

approve Change Order #2, PO#2002480, to Klotz Associates, Inc., for preliminary engineering services for the proposed FM830 Extension, as per Change Order on file. Motion carried.

35.AWARD ACKNOWLEDGED - PROCUREMENT AWARD FOR 2005 - PURCHASING DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to acknowledge the Purchasing Department for receiving the 10th Annual Achievement of Excellence in Procurement Award for 2005 for the National Purchasing Institute, as per Letter on file. Motion carried.

36.RESOLUTION AND ORDER APPROVED - CIVIL COURT FILING FEES - COUNTY ATTORNEY

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve a Resolution and Order to increase the Civil Court Filing Fees for purpose of Alternate Dispute Resolution, as per Resolution and Order on file. Motion carried.

37.REQUEST APPROVED - RIGHT-OF-WAY GRANTED - COUNTY ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve Right-of-Way Instrument to Entergy Gulf States, Inc., for a 36 foot easement for construction work on a 50 acre tract of land in the John Montgomery Survey, as per Instrument on file. Motion carried.

38.RESOLUTION AND ORDER APPROVED - RETURNED CHECKS COLLECTION - TAX ASSESSOR/COLLECTOR

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve a Resolution and Order, to increase fee to \$30.00, to be charged by the Tax Assessor/Collector for return checks, as per Resolution and Order on file. Motion carried.

39.RESOLUTION AND ORDER APPROVED - JUVENILE COURT FEES INCREASE - COUNTY ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve a Resolution and Order for the formation of a Juvenile Case Manager Fund and the collection of a fee of \$5.00 as cost of court, as per Resolution and Order on file. Motion carried.

40.PROFESSIONAL SERVICE AGREEMENT APPROVED - SPAYING AND NEUTERING SERVICES - COUNTY ATTORNEY

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the Professional Service Agreement with Michelle D. Iund, DVM, to assist in performing spaying and neutering services at the Montgomery County Animal Shelter. Also, to authorize exemption Pursuant to 262.024(a)(4) of the Texas Local Government Code from bidding requirements, as per Contract on file. Motion carried.

41.AGREEMENT APPROVED - CREATIVE OUTREACH MINISTRIES INTERNATIONAL, INC. - COMMUNITY DEVELOPMENT BLOCK GRANT

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve an Agreement between Montgomery County and

Creative Outreach Ministries Intl. Inc., for transfer of van purchased with CDBG Funds granted to Montgomery County, as per Agreement on file. Motion carried.

COURT RECESSED INTO EXECUTIVE SESSION, WITH ALL MEMBERS OF THE COURT PRESENT

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: Articles 551.071, Sub-Chapter D:

- 1.Consider and Discuss the Claim of Donna Parr
- 2.Consider and Discuss Claim of Bryan Schroeder against Montgomery County, Claim No. B-05-0093
- 3.Consider and Discuss Claim of Karen McPeters against Montgomery County, EOC Claim No., 360-2005-02541
- 4.Discuss Cause No. 02-10-07222-CV, styled David Park vs. Montgomery County

COURT RECONVENED WITH ALL MEMBERS OF THE COURT PRESENT.

42.PAYROLL CHANGE REQUESTS APPROVED - HUMAN RESOURCES

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

request of 221st. District Judge to place Kathy Jean Owens, Jury Shepherd, on payroll, effective October 17, 2005

request of County Court at Law #2 to place Sandra Kaye Ledbetter, Assistant Court Coordinator, on payroll, effective October 19, 2005

request of CIS to place Gary Veteto, Administrative Assistant II, (replacement for Tamara Weiland), on payroll, effective October 24, 2005

request of Library Director to accept the resignation of Cristen Williams, Reference Librarian, effective December 2, 2005

request of Commissioner, Pct. #2 to demote Ricky Getzie from Foreman, Sign Department to Operator I, effective October 22, 2005

request of Commissioner, Pct. #2 to promote Steven Prewitt from Operator I to Foreman, Sign Department, effective October 22, 2005

request of Commissioner, Pct. #3 to promote Paul Culbertson, Recycle Technician, effective October 10, 2005

request of Commissioner, Pct. #4 to place James Sherrod, Operator I, (replacement for Brandon Myrum), on payroll, effective October 31, 2005

request of Constable, Pct. #1 to promote Jarrett Lee Rhodes from Deputy to Corporal, effective October 22, 2005

request of Constable, Pct. #3 to place Matthew Brandt Finley, Deputy Constable, (replacement for Katie Allison), on payroll, effective October 24, 2005

- request of Custodial Services to rescind payroll of Irma Pantoja, Custodian part-time, effective October 10, 2005
- request of County Clerk to place Lucille C. Bordelon, Clerk II, (replacement for Patricia O'Hagan), effective October 24, 2005
- request of County Clerk to increase the salary of Stacey Wilson, Clerk II, effective October 22, 2005, due to additional job duties assigned
- request of District Attorney, to place Jill Williamson, Court Clerk IV, on payroll, effective October 24, 2005
- request of Elections Central to place Cardis Rodd, Temporary Voters Clerk, on payroll, effective October 8, 2005
- request of Elections Central to place Raymond E. Woodall, Temporary Election Voters Clerk, on payroll, effective November 5, 2005
- request of Juvenile Probation Director to accept the resignation of Jacquelyn Brantley, Detention Superintendent, effective November 4, 2005, with 236.435 vacation hours due
- request of Juvenile Probation Director to increase the salary of Curtis Collier, Officer, Substitute, effective October 22, 2005
- request of Juvenile Probation Director to change the status of Curtis Collier, Officer, Juvenile Detention, (replacement for Fred Proctor), effective November 5, 2005
- request of Juvenile Probation Director to increase the salary of Larry Freeman, Substitute Officer, effective October 22, 2005
- request of Juvenile Probation Director to place Kristy Gilliam, Officer, Juvenile Detention, (replacement for Carly Loomis), effective November 5, 2005
- request of Juvenile Probation Director to increase the salary of Sheneria Hamilton, Substitute Officer, on payroll, effective October 22, 2005
- request of Juvenile Probation Director to increase the salary of Luella Houston, Substitute Officer, effective October 22, 2005
- request of Juvenile Probation Director to increase the salary of Scherhanda Hughes, Substitute Officer, effective October 22, 2005
- request of Juvenile Probation Director to increase the salary of Laura Juan, Substitute Officer, effective October 22, 2005
- request of Juvenile Probation Director to place Travis Maxey, Juvenile Probation Officer - Detention, on payroll, (replacement for Terrick Wyatt), effective November 5, 2005
- request of Juvenile Probation Director to increase the salary of Luwanna Reed, Substitute Officer, effective October 22, 2005

request of Juvenile Probation Director to increase the salary of Daphna Schmidt, Substitute Officer, effective October 22, 2005

request of Juvenile Probation Director to change the status of Daphna L. Schmidt, (replacement for Ian Herran), effective November 5, 2005

request of Juvenile Probation Director to change the status of Cynthia Sneed, Substitute Officer, effective October 22, 2005

request of Juvenile Probation Director to increase the salary of Edgar Straughter, Substitute Officer, effective October 22, 2005

request of Juvenile Probation Director to place Giselle Walker, Officer, Juvenile Detention, (replacement for Cherry Henry), effective November 5, 2005

request of Juvenile Probation Director to increase the salary of Jaclyn Whaley, Substitute Officer, effective October 22, 2005

request of Juvenile Probation Director to accept the resignation of Alorda Renee Willis, Shift Supervisor, Juvenile Detention, effective October 27, 2005, with 61.76 vacation hours due, .63 comp hours due and 5 holiday hours due

request of Juvenile Probation Director to place Dominick Yanez, Substitute Officer, effective November 5, 2005

request of Sheriff's Department to place Brandon C. Baines, Detention Officer, on payroll, effective October 22, 2005

request of Sheriff's Department to place Jason Blackard, Detention Officer, on payroll, effective October 15, 2005

request of Sheriff's Department to place Michael Cox, Detention Officer, on payroll, effective October 15, 2005

request of Sheriff's Department to place Timothy Gosch, Detention Officer, on payroll, effective October 22, 2005

request of Sheriff's Department to place Kenneth Gray, Detention Officer, on payroll, effective October 22, 2005

request of Sheriff's Department to accept the resignation of Joseph Harrison, III, Detention Officer, effective October 20, 2005, with 13.50 comp hours due and 8 holiday hours due

request of Sheriff's Department to place Jason Hodges, Detention Officer, on payroll, effective October 22, 2005

request of Sheriff's Department to accept the resignation of Theresa Johnson, Detention Officer, effective October 10, 2005

request of Sheriff's Department to place Kyle Koonce, Detention Officer, on payroll, effective October 22, 2005

request of Sheriff's Department to place Delbert Wayne Russell, Detention Officer, on payroll, effective October 15, 2005

request of Sheriff's Department to place Michael J. Smith,



Detention Officer, on payroll, effective October 22, 2005

request of Sheriff's Department to transfer Phillip Smith from Deputy/Detention to Deputy/Patrol, (replacement for Charles Thompson), effective October 8, 2005

request of Sheriff's Department to transfer Stephanie Spiller from Deputy Patrol to Deputy Patrol, (replacement for Aaron Sumrall), effective October 8, 2005

request of Sheriff's Department to place Nicholas L. Stewart, Detention Officer, effective October 22, 2005

request of Sheriff's Department to place Michael Strait, Detention Officer, on payroll, effective October 29, 2005

request of Sheriff's Department to transfer Aaron Sumrall from Deputy Patrol to Deputy Patrol, (replacement for Stephanie Spiller), effective October 8, 2005

request of Sheriff's Department to transfer Charles Thompson from Deputy Patrol to Deputy Detention, (replacement for Phillip Smith), effective October 8, 2005

request of Sheriff's Department to place Ryan Zenor, Temporary Data Clerk, on payroll, effective November 5, 2005

request of Commissioner, Pct. #3 to accept the resignation of Daniel K. Linseisen, Operator I, effective October 26, 2005

request of Constable, Pct. #3 to correct the payroll change for Jeffrey Brown, Sergeant, effective October 1, 2005

request of Constable, Pct. #3 to accept the resignation of Gerald M. Smith, Deputy, effective October 14, 2005, with 30.25 comp hours due

request of District Attorney to place Vicki Johnson, Court Clerk IV, on payroll, effective October 31, 2005

request of Purchasing Department to place Kelly Vidall, Buyer III, (replacement for Michelle Parsley), on payroll, effective November 7 2005

request of Sheriff's Department to place Kenneth Gray, Officer, Detention, on payroll, effective October 22, 2005

request of Sheriff's Department to transfer Tracy Wade from Deputy Patrol, District III, to Mounted Patrol Deputy, effective October 1, 2005

request of Animal Control to place Brent Ballard, Officer, Animal Control, on payroll, effective October 31, 2005

as per Payroll Change Requests on file. Motion carried.

43.COURT ADJOURNS

Motion by Commissioner Meador, seconded by Commissioner , 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