

COMMISSIONERS' COURT DOCKET, JANUARY 23, 2006  
SPECIAL SESSION

THE STATE OF TEXAS  
COUNTY OF MONTGOMERY

Be it remembered that on this the 23rd day of January, 2006, 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 CARA WOODS, COUNTY ATTORNEY'S OFFICE

PLEDGE OF ALLEGIANCE RECITED BY EVERYONE PRESENT.

1.COMMISSIONERS' COURT AGENDA APPROVED

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

2.TAX ABATEMENT APPLICATION ACKNOWLEDGED - REEDHYCALOG, L.P. - TAX ASSESSOR/COLLECTOR (AGENDA ITEM 8C1)

Motion by Commissioner Meador, seconded by Commissioner Chance, to acknowledge the Tax Abatement Application from ReedHycalog, L.P., and, to authorize the Abatement Committee to draft an Agreement in compliance with County Policy, as per Request on file. Motion carried.

3.RESOLUTION APPROVED - LAKE CONROE AREA CONVENTION & VISITOR BUREAU

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the Resolution to support the Lake Conroe Area Convention & Visitor Bureau's Wayfinding Signage Plan, and to authorize county employees to cooperate in the implementation of said Plan, as per Resolution on file. Motion carried.

4.PROCLAMATION APPROVED - AMERICAN HEART ASSOCIATION

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve a Proclamation to support the fight against heart disease and stroke, and to proclaim February 3, 2006, as "Wear Red for Women" Day, as per Proclamation on file. Motion carried.

AGENDA ITEM 6C - EMPLOYEE OF THE MONTH - EMPLOYEES' COMMITTEE

APRIL KNUDSEN, an employee in the District Attorney's Office, was selected as the "Employee of the Month", for January, 2006. Ms. Knudsen, was presented with a gift certificate and a plaque from the Employees' Committee.

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

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve Commissioners' Court Minutes for January 9, 2006, as presented by the County Clerk. Motion carried.

6.REQUEST APPROVED - SALARY GRIEVANCE COMMITTEE, 2006 - COUNTY CLERK

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve that the 2006 Salary Grievance Committee for Elected Officials, be comprised of six (6) elected officials and three (3) Citizens, as per Request on file. Motion carried.

7.REQUEST APPROVED - SALARY GRIEVANCE COMMITTEE 2006 - COUNTY CLERK

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to draw 3 Primary and 3 Alternate names of Citizens to serve on the 2006 Salary Grievance Committee for Elected Officials. Said names were drawn from the 2005 List of Grand Jurors from the District Clerk's Office, as follows:

PRIMARY MEMBERS:Joe O. Clark, New Caney, Tx.  
Jane E. Malone, The Woodlands, Tx.  
Michael Sullivan, Montgomery, Tx.

ALTERNATE MEMBERS:Martin Benson, The Woodlands, Tx.  
Angela K. Dykes, Conroe, Tx.  
Marcus L. Winberry, Conroe, Tx.

as per Request on file. Motion carried.

8.CONSENT AGENDA APPROVED - AGENDA ITEMS 8A THROUGH 8L

Motion by Commissioner Meador, seconded by Commissioner Doyal, 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:

- 1.359th District Court - to transfer funds for release #301842
- 2.Animal Shelter - to recognize and to allocate revenue 12/21/05
- 3.CDBG - to adjust line items
- 4.Commissioner, Pct. #2 - to transfer funds for release #302844
- 5.Commissioner, Pct. #2 - to transfer funds for mosquito spraying and recognize/allocate lease proceeds
- 6.Commissioner, Pct. #3 - to recognize/allocate reimbursement and lease proceeds
- 7.Commissioner, Pct. #4 - to adjust line items
- 8.Commissioner, Pct. #4 - to recognize/and to allocate lease proceeds
- 9.Constable, Pct. #1 - to recognize and to allocate reimbursement
- 10.Constable, Pct. #5 - to recognize and to allocate donation
- 11.District Attorney - to recognize and to allocate juror donations
- 12.Extension Agents - to recognize and to allocate donation
- 13.Memorial Library - to recognize and to allocate donations
- 14.Sheriff's Department - to adjust line items
- 15.Sheriff's Department - to adjust line items
- 16.Sheriff's Department - to recognize and to allocate donation and to adjust line items
- 17.Various - to fund personal use of County owned vehicles for calendar year 2005
- 18.Various - to carryover FY05 encumbrances outstanding at 9-30-05
- 19.Commissioners, Pct. #4 - to carryover unused funds from FY05

as per Budget Amendments on file.

COUNTY TREASURER - AGENDA ITEMS 8B

- a. WEEKLY INVESTMENT REPORT approved, for the week of January 9, 2006, through January 13, 2006, as per Report on file.
- b. WEEKLY INVESTMENT REPORT approved, for the week of January 16, 2006, through January 20, 2006, as per Report on file.

AGENDA ITEM 8B3 - PLEDGES AND/OR RELEASES OF COLLATERAL - REMOVED FROM AGENDA

c. BANK RESOLUTIONS approved, for the following Accounts:

- 1. J. R. Moore, Jr., Tax Assessor/Collector, Account #181487, and
- 2. Rendition Penalties County Tax A/C: MCAD, Account #323378

as per Resolutions on file.

d. MONTHLY FINANCIAL REPORT approved, for the month of November, 2005, as presented by the County Treasurer

e. PLEDGED SECURITIES approved, for the month of November, 2005, as presented by the County Treasurer

f. PLEDGED SECURITIES approved, for the month of December, 2005, as presented by the County Treasurer

TAX ASSESSOR/COLLECTOR - AGENDA ITEMS 8C

AGENDA ITEM 8C1 - ACKNOWLEDGED RECEIPT OF TAX ABATEMENT APPLICATION FROM REEDHYCALOG, L.P. (SEE MOTION #2 FOR TODAY'S COURT ACTION)

- a. MONTHLY TAX COLLECTION REPORT approved, to reflect taxes collected from October 1, 2005, thru December 31, 2005, for Montgomery County and all entities collected by the County, as per Report on file.
- b. BOND CONTINUATION CERTIFICATE approved, for the Continuation Certificate #61BSBAC9179, for Sterling McCall Honda of Kingwood, as per Bond on file.

PURCHASING DEPARTMENT - AGENDA ITEMS 8D

a. AUTHORIZATION TO ADVERTISE approved, for bids/proposals, as follows:

- 1. Lawn Maintenance Service - Various Departments
- 2. RFQ - Design - Build of New Office Building - Precinct #1
- 3. RFQ - Consulting Services - Various Departments
- 4. Mowing Right-of-Ways - Precincts #2
  
- 5. Fire Alarm System and installation for Ed Chance Courthouse Annex - Precinct #3
- 6. Fire Protection System and installation for Ed Chance Courthouse Annex - Precinct #3
- 7. Clearing, Excavation and Restoration of all of upper Taylor Gully and the portion of Bentwood Outfall Channel from Sorters to 500 feet upstream - Precinct #4

b. RENEWAL CONTRACTS approved, as follows:

1. Genuine Parts Company dba NAPA Distribution Center, aka Doyle's Auto Parts #5 - PO#2006186 - for vehicle brake parts - Various Precincts
2. T P Tractor Service - PO#2005208 - for right-of-ways - Precinct #1
3. Metrocall Wireless - PO#2004306 - for pagers and paging service - Various Departments
4. Arch Wireless - PO#2004307 - for pagers and paging service - Various Departments
5. Berkeley Outside Services, Inc. - PO#2004241 - for pressure washing services - Various Departments
6. Lone Star Pavement Services - PO#2005377 - for crack seal service - Various Precincts
7. Carquest Auto Parts #167 - PO#2004392 - for automotive filters - delivered and picked up - Various Departments
8. Carquest/Straus-Frank Co. - PO#2004335 - for automotive filters - delivered and picked up - Various Departments
9. O'Reilly Auto Parts/Hi Lo-O'Reilly Store #39 - PO#2004333 - for automotive filters - delivered and picked up - Various Departments
10. O'Reilly Auto Parts/Hi Lo-O'Reilly Store #725 - PO#2004387 - for automotive filters - delivered and picked up - Various Departments
11. O'Reilly Auto Parts/Hi Lo-O'Reilly Store #506 - PO#2004334 - for automotive filters - Various Departments
12. O'Reilly Auto Parts/Hi Lo-O'Reilly Store #8 - PO#2004332 - for automotive filters - Delivered and Picked up - Various Departments
13. O'Reilly Auto Parts/Hi Lo-O'Reilly Store #38 - PO#2004331 - for automotive filters - delivered and picked up - Various Departments
14. Green Acres Lawn - PO#2005183 - for lawn maintenance at the Lone Star Convention & Expo Centers
15. Telephone Data & Sound - PO#2001150 - for telephone maintenance - Montgomery County Inmate Telephone Service
16. Consolidated Communications - PO#2004330 - for local line service - Montgomery County Inmate Telephone Service
17. Bits Technical Corp. - PO#2004315 - for personal computers and accessories - Various Departments
18. Western Union Financial Services - PO#2003243 - for service providing money transfers for collection of fines - Collections
19. Montgomery County Hospital District - PO#2005233 - for installation of communication equipment, emergency equipment and graphic kits for Montgomery County

Sheriff's Office Patrol Vehicles/Labor charges -  
Sheriff's Department

- c. REQUEST approved, for sole source purchase of law books and subscriptions, to be purchased from Westlaw/West Group, as per Request on file.
- d. CHANGE ORDER #1 approved, PO#2004126 - to Elinear Solutions/Netview Tech, Inc., to add an item to the present contract for new computer equipment and peripherals, as per Change Order on file.
- e. CHANGE ORDER #1 approved, PO#2006013 - to Aramark Correctional Services, to add an item to the present manual food service contract for the Sheriff's Department Jail Division, as per Change Order on file.
- f. PAYMENT AND PERFORMANCE BONDS approved, from Eubank Excavation L.L.C., for clearing and grubbing of Fishcreek Thoroughfare, Pct. #2, as per Request on file.
- g. CHECK accepted, from Lone Star Groundwater Conservation District in the amount of \$7,414.20, for the lease of office space for the year 2006. (check not submitted to Clerk)
- h. CHECK accepted, from Bamko-Surplus, in the amount of \$565.00, for sale of miscellaneous lab equipment, Pct. #3. (check not submitted)

BUDGET DEPARTMENT - AGENDA ITEM 8E

- a. RECEIPT acknowledged, of the "Montgomery County Expenditure Status Summary" and the "Montgomery County Expenditure Status Summary - Sheriff" as of January 18, 2006

AIRPORT - AGENDA ITEM 8F

- a. PLAN accepted, from Ratcliff Development Group, LLC, to proceed with 2nd hangar under terms and conditions of airport lease, executed December 22, 2003, as per Plan on file.

COMMISSIONER - AGENDA ITEMS 8G1

- a. REQUEST approved, to assign No. 116 for the Montgomery County Municipal Utility District, (MUD), to be reserved in the name of Marlin Atlantis White, Ltd, as per Request on file.
- b. AGREEMENT approved, between Montgomery County and Indigo Lake Estates Garden Club, to permit the Group to adopt a county road which consist of a one (1) mile section of Nichol Sawmill Road between Indigo Lake Drive and Forest Ridge Dr., in an effort to maintain a litter-free roads, as per Agreement on file.
- c. CHECK accepted, from Magnolia Volunteer Fire Department in the amount of \$777.92, for fuel expenses during Hurricane Rita for emergency use, as per Request on file. (Check forwarded to County Treasurer for further processing)

COMMISSIONER, PRECINCT #3 - AGENDA ITEM 8G2

- a. APPOINTMENTS approved, for the following officers to serve on the Emergency Service District #14 Board, (ESD), for

2006

Alan D. Dreesen, Spring, Tx. President  
Gladys Martin, Spring, Tx. Asst. Treasurer  
Danny Olsen, Spring, Tx. Vice-President  
Jim Waters, Spring, Tx. Secretary/Treasurer

as per Request on file.

b. ORDER approved, to authorize the acquisition of Tax Lien Foreclosure Properties and the purchase of said tax foreclosure parcel in the amount of \$9,273.19, from Timber Lakes and Timber Ridge Subdivision, as per Order and Agreement on file.

c. ORDER approved, to authorize Commissioner Ed Chance to execute Contract between Montgomery County and Logos Communications, LLC, Pursuant to the Texas Forest Service Urban Forestry Partnership Grant for the Spring Creek Greenway Project, as per Order on file.

COMMISSIONER, PRECINCT #4 - AGENDA ITEMS 8G3

a. APPOINTMENTS approved, of the following Members to serve on the Emergency Service District 9, for a two year term, commencing January 1, 2006, through December 31, 2007, for the following:

Floyd E. Dees - Don E. Granger - Edwin E. Stephan

as per Request on file.

COMMISSIONERS - COUNTY ATTORNEY - ROAD AND BRIDGES

COMMISSIONER, PRECINCT #1 - AGENDA ITEMS 8H1

a. ORDER approved, to acknowledge receipt of Amendment No. 1, Letter of Credit No. SC3622, for the account of Bentwater, Section 43, as per Order on file.

b. ORDER approved, to acknowledge receipt of Amendment No. 1, to Letter of Credit No. SC3217, for the account of Bentwater, Section 74, issued by Amegy Bank, N.A., as per Order on file.

c. ORDER approved, to acknowledge receipt of Amendment No. 1, to Letter of Credit No. SC3621, for the account of Bentwater, Section 88, issued by Amegy Bank, N.A., as per Order on file.

COMMISSIONER, PRECINCT #2 - AGENDA ITEMS 8H2

a. ORDER approved, to acknowledge receipt of Continuation Certificate for Bond No. 26-13-51, for the account of Ridgelake Shores, Section 2, as per Order on file.

b. ORDER approved, to acknowledge receipt of Amendment to Letter of Credit No. 645, for the account of Decker Oaks Estates, Section 2, as per Order on file.

c. PUBLIC HEARING DATE set, for February 27, 2006, to consider closing, abandoning, discontinuing, and vacating county road right-of-way, located south of Skipper Lane and adjacent to Lot 1, Block 3 & 7, of Ridgelake Shores Subdivision, Section 2, as per Notice on file.

COMMISSIONER, PRECINCT #3 - AGENDA ITEM 8H3

- a. ORDER approved, to consent to street construction, repair, and maintenance by Montgomery County to set culverts to be located at Players Bend & Oriel Oaks and Players Bend & Terramont Drive, in accordance with an Interlocal Agreement dated May 10, 1993, with Woodlands Joint Powers Agency, (WJPA), as per Order on file.

COMMISSIONER, PRECINCT #4 - AGENDA ITEMS 8H4

- a. ORDER approved, to acknowledge receipt of a check in the amount of \$8.00 from Keven D. and Mary Dowell, for lease of real property located in Forest Hills Green Subdivision, Lot 42, as per Order on file. (check forwarded to County Treasurer for further handling)
- b. ORDER approved, to acknowledge receipt of a check in the amount of \$12.00 from Mark Schmidt for lease of real property described as Lake Adams, Lots 27 and 28, as per Order on file. (check forwarded to County Treasurer for further handling)
- c. AGREEMENT approved, to authorize the placement of improvements within the right-of-way at Valley Ranch Crossing Drive and Valley Ranch Bend Drive, as per Agreement between Sig-Valley Ranch, Ltd, and Montgomery County, as per Agreement on file.
- d. PUBLIC HEARING DATE set, for February 27, 2006, to consider the closing, abandoning, discontinuing and vacating of all Roads in Whispering Oaks Subdivision, Section 3, except the following:
  - 1. Rivercrest Drive
  - 2. Rivercrest Circle
  - 3. Woodhollow Drive (except the Westernmost 210 Linear Feet)
  - 4. Laurel Lea Lane (except the Southernmost 210 Linear Feet)as per Notice on file.
- e. PUBLIC HEARING DATE set, for February 27, 2006, to consider the partial replat of Texaba, to be known as Texaba Partial Replat No. 1, as per Notice on file.

COMMISSIONERS - COUNTY ENGINEER

COMMISSIONER, PRECINCT #2 - AGENDA ITEMS 8I-1

- a. ROADS accepted - BOND released - in High Meadow Ranch Subdivision, Section 12, consisting of 10,999.83 l.f., 2.08 miles, be accepted by Montgomery County. Also, to release the Bond, as per Request on file.
- b. ROADS accepted, BOND released - in Hilltop Ranch Subdivision, consisting of 8,804.45 l.f., 1.68 miles, be accepted by Montgomery County. Also, to release the Bond, as per Request on file.
- c. ROADS accepted, in Village of Decker Oaks, Section 1, consisting of 7606.45 l.f., 1.4 miles, into the one year maintenance period, effective January 23, 2006, as per Request on file.
- d. REQUEST approved, from County Engineer, to clarify the Road

name change in the Court Minutes dated July 24, 2000, Motion #28, to reflect that North and South Windvale Ridge Circle was changed to West Windvale Circle. The name change was to apply to the entire section of the Road that was originally dedicated in the plat titled Windvale Ridge Circle Street Dedication Plat, Cab. N, Sheet 64. (no paperwork)

COMMISSIONER, PRECINCT #3 - AGENDA ITEMS 8I-2

- a.FINAL PLAT approved, for Spring Trails Bend Street Dedication Plat, consisting of 3.3594 acres, as per Plat on file.
- b.FINAL PLAT approved, for Spring Trails School Site No. 1, consisting of 15.9938 acres, as per Plat on file.
- c.ROADS accepted, in Rayford Ridge Subdivision, Section 2, into the one year maintenance period. (no paperwork)
- d.ROADS accepted, in the Village of Sterling Ridge, Section 65, the Woodlands, into the one year maintenance period. (no paperwork)
- e.ROADS accepted, in the Village of Sterling Ridge, Section 66, the Woodlands, into the one year maintenance period. (no paperwork)
- f.ROAD accepted - BOND released - Flintridge Drive, (from Rushhaven to Falconwing), in the Woodlands, into the county road system. Also, to release the Bond. (no paperwork)
- g.ROAD accepted - BOND released - Lake Front Circle, Phase 1, (from Grogan's Mill Road to Lake Woodlands), The Woodland, into the county road system. Also, to release the Bond. (no paperwork)
- h.ROADS accepted - BOND released - Village of Sterling Ridge, Section 24, The Woodlands, into the county road system. Also, to release the bond. (no paperwork)
- i.PUBLIC HEARING DATE set, for February 6, 2006, to consider to change the name of Players Green Court to Chamberlain Court, The Woodlands, Village of Sterling Ridge, Section 33. (no paperwork)

COMMISSIONER, PRECINCT #4 - AGENDA ITEMS 8H3

- a.FINAL PLAT approved, for East Montgomery County Improvement District Industrial Park, Section 1, consisting of 49.439 acres, as per Plat on file.
- b.ROADS accepted - BOND released - Harpers Landing, Section 16, by Montgomery County, consisting of 2115.36 l.f., .40 miles. Also, to release the Bond.

ALL PRECINCTS - AGENDA ITEM 8I-4

- a.OVERLOAD/OVERSIZE PERMIT approved, from Campbell Concrete & Materials, L.P., to move various loads over all county roads. Movement to begin not earlier than January 1, 2006, and to be completed by March 31, 2006, as per Permit on file.

SHERIFF DEPARTMENT - AGENDA ITEMS 8J



a. TRANSFER OF FUNDS approved, as follows:

1. request to transfer \$813.54 from position #5121-6009-2 to Position #5121-5803-11
2. request to transfer \$693.68 from position 5121-5933-6+ to position #5121-5933-4

as per Request on file.

b. TRANSFER OF FUNDS approved, as follows:

1. request to transfer \$2,056.48 from position #5601-5903-21 to position #5601-5903-25
2. request to transfer \$125.47 from position #5601-5903-31 to position #5601-5903-62

as per Request on file.

AGENDA ITEM 8K - ENVIRONMENTAL HEALTH - ACKNOWLEDGE RECEIPT OF FORMAL H-GAC CONTRACTS FOR 2006 SOLID WASTE ENFORCEMENT OFFICER GRANT - DELETED FROM TODAY'S AGENDA.

PARKS DEPARTMENT - AGENDA ITEMS 8L

a. USE AGREEMENTS approved, as follows:

1. Lady Bandito's 8U - Gene Campbell Park
2. Wildkat Select Ball - Charles Traylor Memorial Park

as per Agreements on file.

Motion carried.

END OF CONSENT AGENDA

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AGENDA ITEM 9A - STEVE SUMNER, WITH THE TRANSPORTATION TASK FORCE COMMITTEE, ADDRESSED THE COURT TO GIVE AN UPDATE ON THE PUBLIC TRANSPORTATION PROJECT FOR MONTGOMERY COUNTY.

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

Motion by Judge Sadler, seconded by Commissioner Doyal, to approve the appointment of Sam Baker to serve on the Lone Star Groundwater Conservation District, as per Request on file. Motion carried.

10. REQUEST APPROVED - TERMINATION OF FEMA PROGRAM - EMERGENCY MANAGEMENT

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the Termination of the FEMA Public Assistance Program through Montgomery County, effective February 28, 2006. Emergency Management will give written notification outlining the cessation of services on the part of Montgomery County, along with information regarding the transition to FEMA control, as per Request on file. Motion carried.

11. FUNDING APPROVED - ACCRUED VACATION TIME - 359TH DISTRICT COURT

Motion by Commissioner Doyal, seconded by Commissioner Rinehart, to approve funding to pay Laura Marburger, who resigned effective January 6, 2006, her accrued vacation in the

approximate amount of \$1632.00 plus benefits, to be absorb from the end of the year sweep, as per Request on file. Motion carried.

12. GRANT APPLICATION APPROVED - SELECTIVE TRAFFIC ENFORCEMENT PROGRAM - SHERIFF'S DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve Fiscal Year 2007 Proposal for Highway Safety Funding for selective Traffic Enforcement Program, for a period from October 1, 2006, through September 30, 2007, as per Grant Application on file. Motion carried.

13. REQUEST APPROVED - GRANT PROJECT DIRECTOR DESIGNEE - SHERIFF'S DEPARTMENT

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve designating Lt. Dan Norris, as Grant Project Director. Also, to authorize Lt. Norris to provide information requested throughout the Grant Project, as per Request on file. Motion carried.

14. RESOLUTION APPROVED - TXDOT AVIATION DIVISION - AIRPORT

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve a Resolution of support to TxDot Aviation Division for New Airport Project 0612LONES, as per Resolution and Order on file. Motion carried.

15. REQUEST APPROVED - MERIT INCREASE - BUILDING MAINTENANCE

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve a Request to transfer \$620.62 from position 510-5702-7 to 510-5702-5, in order to give James Paul Dyess, Maintenance Tech II, a merit increase, as per Request on file. Motion carried.

16. REQUEST APPROVED - AUTO ALLOWANCE INCREASE - COMMUNICATION INFORMATION SERVICES (CIS)

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve an increase of the car allowance of Computer Analyst I, Class 5503, Position 2 from \$5,624.84 to \$10,624.90 annually, with funding from CIS budget, as per Request on file. Motion carried.

17. REQUEST APPROVED - STORAGE SPACE - DISTRICT ATTORNEY

Motion by Judge Sadler, seconded by Commissioner Doyal, for the Purchasing Agent to begin looking for a solution for some temporary storage for the District Attorney's Office to use for storage of large quantities of evidence presently in their possession, as per Request on file. Motion carried. (funding to come from the DA's Forfeiture fund)

18. REQUEST APPROVED - LIBRARY HOURS - LIBRARY DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Request for revised hours for public service operations for the new Charles B. Stewart-West Branch Library, to become effective when the new location is opened, as per Request on file. Motion carried.

19. REQUEST APPROVED - LIBRARY SERVICE SUSPENSION - LIBRARY DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to authorize the suspension of library service and closing the existing West Branch Facility for the time needed to accomplish the move and preparations for the opening of the Charles B. Stewart-West Branch Library, as per Request on file. Motion carried.

20.LEASE APPROVED - FEMA OCCUPANTS - COUNTY AUDITOR

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve Lease between Montgomery County and Forest View Apartments for temporary housing of Hurricane Katrina Victims, as per Lease on file. Motion carried.

AGENDA ITEMS 19A 2,3,4,6,7,9,12,14,15,16,17,18 AND 19  
RECOMMENDATIONS AND CONTRACTS - DEFERRED

21.RECOMMENDATION AND CONTRACT APPROVED - URINE SAMPLES SERVICES  
- DRUG COURT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to award the bid, (opened September 2, 2005), for Immunoassay Type Laboratory Analysis of Urine Samples Services, to Redwood Toxicology, as per Contract on file. Motion carried.

22.RECOMMENDATIONS AND CONTRACTS APPROVED - VETERINARIAN SERVICES  
- ANIMAL SHELTER

Motion by Commissioner Meador, seconded by Commissioner Chance, to award the bids, (opened January 5, 2006), for Veterinarian Services, to the following:

- |                      |                       |
|----------------------|-----------------------|
| VETERINARY DOCTOR    | VETERINARY TECHNICIAN |
| a. Genevieve Keillor | a. Elissa Holt        |
| b. Darrell Dudczak   | b. Jon Pickartz       |
| c. Michelle D. Iund  |                       |

as per Contracts on file. Motion carried.

23. RECOMMENDATION AND CONTRACT APPROVED - CABLE PARTS AND ACCESSORIES - COMMUNICATION INFORMATION SERVICES (CIS)

Motion by Commissioner Meador, seconded by Commissioner Doyal, to award the bid, (opened 01/04/06), for cables, cable parts and accessories for data and voice network, to Anixter, Inc. as per Contract on file. Motion carried.

24. RECOMMENDATIONS AND CONTRACTS APPROVED - PLUMBING SUPPLIES - PURCHASING DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Chance, to award the bids, (opened January 5, 2006), for plumbing items and miscellaneous supplies, to the following:

- a. Moore Supply Company - primary vendor for pick up only
- b. Hughes Supply - primary vendor for delivery only

as per Contracts on file. Motion carried.

25. RECOMMENDATION AND CONTRACT APPROVED - A/C AND HEATING ITEMS - PURCHASING DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to award the bid, (opened January 5, 200), for a/c heating items and miscellaneous supplies, to Century A/C

Supply, as per Contract on file. Motion carried.

26. RECOMMENDATION AND CONTRACT APPROVED - ELECTRICAL SUPPLIES - PURCHASING DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to award the bid, (opened January 11, 2006) for electrical items and miscellaneous supplies, to Dealers Electrical Supply Co. (not to exceed \$2,000.00 for Trade Service Yearly Subscription and User License Catalog), as per Contract on file. Motion carried.

27. CHANGE ORDER #6 APPROVED - CONSTRUCTION OF NEW LIBRARY - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve Change Order #6, PO#2004425, to Gaskey Construction Corp. to provide for changes noted, as per Change Order on file.

28. CHANGE ORDER #2 APPROVED - RECONSTRUCTION OF RAYFORD ROAD - PRECINCT #2

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve Change Order #2, PO#2006043, to South Coast Construction Inc., for changes to the Reconstruction of Rayford Road Contract, as per Change Order on file. Motion carried.

29. REQUEST APPROVED - PURCHASE OF MISCELLANEOUS EQUIPMENT - PRECINCT #1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the following purchase of miscellaneous equipment through H-GAC:

a. 2006 Ford F750 Cab and Chassis from Chastang's Bayou City Ford in the amount of \$44,305.00;

b. Mack Granite Tandem Axle Dump Truck from Houston Mack Truck Sales in the amount of \$84,690.00; and

c. 2006 Ingersoll-Rand DD-16 Tandem Drum Vibratory Roller from Romco Equipment Co., in the amount of \$24,776.00

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

30. CONTRACT APPROVED - CARTER & BURGESS, INC. - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve the Contract from Carter & Burgess, Inc., for the preparation of plans, specifications and estimates for the construction of the FM1314 Project, from 0.75 miles South of SH242 to Fatheree Drive, which is part of the Montgomery County Transportation Program, as per Contract on file. Motion carried.

31. REQUEST APPROVED - ENGINEERING SERVICES - MONTGOMERY COUNTY TRANSPORTATION PROGRAM - PURCHASING DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Request accepting the yearly appropriation for

Pate Engineers for the period beginning January, 2006, through December 2006, covering the Montgomery County Pass-Through Projects, in the approximate amount of \$3.5 million, as per Request on file. Motion carried.

32. PURCHASE APPROVED - PATROL VEHICLES - SHERIFF'S DEPARTMENT

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the purchase of two (2) 2006 Ford Crown Victoria Patrol Vehicles from Philpott Motors, Ltd, for a total amount of approximately \$39,806.00 through H-GAC, as per Request on file. Motion carried.

33. REQUEST APPROVED - DISPOSAL OF MISCELLANEOUS SURPLUS - PURCHASING DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Request from Emergency Management, for the disposal of miscellaneous items which were supplied to various Hurricane Katrina Victims provided by FEMA, as per Request on file. Motion carried.

34. PROPOSAL APPROVED - ENGINEERING SERVICES - PRECINCT #1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the proposal from Wilbur Smith Associates for engineering services, in connection with FM 1484 Project, in the amount of \$102,000.00 as per Proposal on file. Motion carried.

35. RESOLUTION AND ORDER APPROVED - REVISIONS TO THE MONTGOMERY COUNTY RULES AND REGULATIONS - COUNTY ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve Resolution and Order to adopt the Revisions to the Montgomery County Rules and Regulations Policy, covering non-consent towing and storage services as per Resolution and Order on file. Motion carried.

36. RESOLUTION AND ORDER APPROVED - POLICY FOR ADVERTISING ON COUNTY VEHICLES - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the Policy to allow advertising space on specific county owned vehicles, in accordance to HB 2120, as per Resolution and Order on file. Motion carried.

37. GRANT AGREEMENT APPROVED - TEXAS STATE LIBRARY - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Loan Star Grant Agreement between Montgomery County and Texas State Library and Archives Commission. Also, to authorize the County Judge to execute said Agreement, as per Grant Agreement on file. Motion carried.

38. AMENDMENT APPROVED - TAX ABATEMENT - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve Amendment to the Tax Abatement Agreement between Montgomery County and ARC Holding LTD, as per Agreement on file. Motion carried.

39. CONTRACTS APPROVED - SOCIAL SERVICES - COUNTY ATTORNEY.

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the following Social Services Contracts, as follows:

- a. The Community Clinic
- b. Montgomery County Women's Center
- c. Montgomery County Youth Services

as per Contracts on file. Motion carried.

40. REQUEST APPROVED - NAMING OF ROAD - PRECINCT #2

REQUEST APPROVED - PLACEMENT OF SIGN - PRECINCT #3

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

- a. to name an unnamed road Garland Drive - not to be maintained by Montgomery County - Precinct #2
- b. to place a "No Parking" sign on Pecan Path Drive from S. Concord Forest Circle to 160 feet Southwest - Precinct #3

as per Notice on file. Motion carried.

41. REQUEST APPROVED - CARRY OVER VACATION HOURS - PRECINCT #2

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve Douglas Welch to carry over 295 vacation hours to calendar year 2006, as per Request 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: Articles 551.071, Sub-Chapter D:

1. Consider and Discuss the Claim of Donald Criner
2. Consider and Discuss 05-10-09451; Robert Gold and AAAA Betterway Bail Bonds vs. David Bluestein, Individually
3. Consider and Discuss in Re: Ebco Land Development Ltd. and John Bennett Ebner and Kay Ebner; in the United States Bankruptcy Court, Cause No. 04-30519-H4-11
4. Consider and Discuss Case No. H-05-3903, Styled Audrie R. Linton vs. Montgomery County, et al

COURT RECONVENED, WITH ALL MEMBERS OF THE COURT PRESENT.

42. REQUEST REJECTED - DONALD R. CRINER - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to deny the Request from Donald R. Criner for reimbursement/compensation of legal fees. Motion carried (no paperwork).

43. REQUEST APPROVED - OUTSIDE COUNSEL - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the hiring of outside counsel to represent David Bluestein, First Assistant District Attorney, in lawsuit styled: Robert Gold and AAAA Betterway Bail Bonds vs. David Bluestein, Individually. Motion carried (no paperwork).

44. REQUEST APPROVED - EBCO LAND DEVELOPMENT, ET AL - COUNTY ATTORNEY

Motion by Commissioner Doyal, seconded by Commissioner Rinehart, to authorize Preston Goodwin to execute the Final Settlement Agreement in the United States Bankruptcy Court, in regards to the Ebco Land Development Ltd. and John Bennett Ebner, et ux, Lawsuit, on behalf of Montgomery County. Motion carried (no paperwork).

CITIZENS - AGENDA ITEMS 26 - ALEX PETRUSHANSKY WAS NOT PRESENT TO ADDRESS THIS COURT SESSION

DONALD CRINER ADDRESSED THE COURT CONCERNING REIMBURSEMENT OF LEGAL FEES. (SEE MOTION #42 FOR TODAY'S COURT ACTION)

45. PAYROLL CHANGE REQUESTS APPROVED - HUMAN RESOURCES

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

request of Animal Control to accept the resignation of Wanda Baker, Clerk I, effective January 20, 2006, with 4.25 vacation hours due

request of Maintenance Director to promote Jose Beltran from Maintenance Tech II to Maintenance Tech III, (replacement for Robert Cochran), effective January 28, 2006

request of Maintenance Director to accept the resignation of Robert Cochran, Maintenance Tech III, effective January 10, 2006, with 43.76 vacation hours and 55.5 comp hours due

request of Maintenance Director to accept the resignation of Gustavo Cubero, Maintenance Tech II, effective January 10, 2006, with 7.28 vacation hours and .50 comp hours due

request of Maintenance Director to increase the salary of James Paul Dyess, Maintenance Tech II, effective January 28, 2006, due to merit increase

request of Maintenance Director to promote Davin Hilsgen from Maintenance Tech I to Maintenance Tech II, (replacement for Gustavo Cubero), effective January 28, 2006

request of Maintenance Director to correct payroll change request for Steve Lucas, Maintenance Tech II, to correct effective date to January 10, 2006

request of CIS Director to increase the annual auto allowance for Shawn Craddick, Computer Analyst I, effective January 13, 2006

request of Commissioner Precinct #2 to change status of Allen C. Fleming, Jr. from Temporary Laborer to Operator I, (replacement for Jackie Matthews), effective January 23, 2006

request of Constable, Pct. #3 to correct payroll change request for Kimberly Franklin, Sergeant, effective October 1, 2005, due to increase in certification pay

request of Constable, Pct. #3 to promote Kimberly Franklin from Sergeant to Lieutenant, (replacement for C. Lowrie), effective January 2, 2006

- request of Constable, Pct. #3 to promote Charles Lowrie from Lieutenant to Captain, (replacement for T. Gage), effective January 2, 2006
- request of Constable, Pct. #3 to correct payroll change request for Frank Mitchell, Deputy, effective October 1, 2005, due to increase in certification pay
- request of Custodial Services to accept the resignation of Silvia Castillo, Custodian Part-Time, effective January 13, 2006
- request of Environmental Health Services to increase the salary of Dawn Dorsey, Sanitarian I, effective December 31, 2005 due to passed state exam
- request of Justice of the Peace, Pct. #3 to promote Amy Rushing from Court Clerk III to Court Clerk IV, (replacement for Judith Newsoroff), effective December 31, 2005
- request of Justice of the Peace, Pct. #3 to promote Brenda Diane Saxon from Court Clerk II to Court Clerk III, (replacement for Amy Rushing), effective January 28, 2006
- request of Justice of the Peace, Pct. #4 to accept transfer for Kimberly A. Parker from Sign Technician to Court Clerk II, effective January 14, 2006
- request of Juvenile Probation Director to promote Vanessa Casner from Juvenile Probation Officer to Shift Supervisor - Juvenile, (replacement for Renee Willis), effective January 14, 2006
- request of Sheriff's Department to promote Robert Shane Albritton from Corporal Detention to Sergeant Detention, (replacement for Martha Kitchens), effective January 28, 2006
- request of Sheriff's Department to transfer James Blackwell from Detention Deputy to Deputy Patrol, (replacement for Stephen Thompson), effective January 14, 2006
- request of Sheriff's Department to promote Tiffani Breneman, Deputy Detention, (replacement for Todd Dishman), effective January 14, 2006
- request of Sheriff's Department to place Johnnie Carlos, Officer - Civilian Detention, (replacement for Tiffani Breneman) on payroll, effective January 14, 2006
- request of Sheriff's Department to transfer Darrel Conn, Lieutenant Patrol, (replacement for Rand Henderson), effective January 14, 2006
- request of Sheriff's Department to promote David Scott Davis from Deputy Detention to Corporal Detention, (replacement for Robert Shane Albritton), effective January 28, 2006
- request of Sheriff's Department to transfer Todd Dishman from Deputy Detention to Deputy Patrol, (replacement for Jimmy Dean Simmons), effective January 14, 2006
- request of Sheriff's Department to transfer Kenneth Dunlap, Lieutenant - CID, (replacement for Darrel Conn), effective January 14, 2006
- request of Sheriff's Department to transfer Thomas Duroy from



- Detective to Detective - Cold Case, effective January 14, 2006
- request of Sheriff's Department to place Connie Espinoza, Officer Civilian Detention, (replacement for Jeremy Scott Kurtz), on payroll, effective January 14, 2006
- request of Sheriff's Department to place Deanna Graziose, Officer Civilian Detention, (replacement for Linda Springer), on payroll, effective January 14, 2006
- request of Sheriff's Department to place Gary Harman, Jr., Officer Civilian Detention, (replacement for Russell Waters), on payroll, effective January 14, 2006
- request of Sheriff's Department to transfer Rand Henderson, Lieutenant - DIU, (replacement for Kenneth Dunlap), effective January 14, 2006
- request of Sheriff's Department to transfer Mark Hendon from Deputy Detention to Deputy Patrol, (replacement for Harvey Smitherman, Jr.), effective January 14, 2006
- request of Sheriff's Department to promote Brian R. Johns from Corporal Patrol to Sergeant Patrol, (replacement for Herbert Dickson), effective January 28, 2006
- request of Sheriff's Department to demote Martha Kitchens from Sergeant Detention to Deputy Detention, (replacement for David Scott Davis), effective January 28, 2006
- request of Sheriff's Department to promote Jeremy Scott Kurtz, Deputy Detention, (replacement for Mark Hendon), effective January 14, 2006
- request of Sheriff's Department to accept retirement of Dennis Montrell, Medic, with 132 comp hours due, effective January 31, 2006
- request of Sheriff's Department to promote Mandy Pieper from Deputy Patrol to Detective, (replacement for Thomas Duroy), effective January 14, 2006
- request of Sheriff's Department to bridge the time of Stephanie Spiller, Corporal Detention, effective January 14, 2006
- request of Sheriff's Department to promote Russell Waters, Deputy Detention, (replacement for James Blackwell), effective January 14, 2006
- request of Sheriff's Department to transfer Denise Wilkins from Deputy Detention to Deputy Patrol, (replacement for Fred Telschow), effective January 14, 2006
- request of Sheriff's Department to transfer Tammy Zavadil, Deputy Detention, (replacement for Denise Wilkins), effective January 14, 2006
- request of Tax Assessor/Collector to promote Susan Dodson from Accounting Supervisor to Manager - Accounting, (replacement for Deborah Colby), effective January 28, 2006
- request of Tax Assessor/Collector to promote Judy Jones from Deputy Specialist IV - Research Supervisor to Supervisor - Accounting (replacement for Susan Dodson), effective January 28, 2006
- as per Payroll Change Request on file. Motion carried.

46.REQUEST APPROVED - REVISIONS TO EMPLOYEE'S POLICY MANUAL - HUMAN RESOURCES

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Revision to the Employee Policy Manual, Section 4.6-16, (Sick Leave), submitted by Human Resources, as per Revision on file. Motion carried.

47.REQUEST APPROVED - REVISION TO MILITARY LEAVE - HUMAN RESOURCES

Motion by Judge Sadler, seconded by Commissioner Chance, to approve the Revision to the Employee Policy Manual, Section 4.12 (Military Leave), submitted by Human Resources, as per Revision on file. Motion carried.

JUDGE SADLER DISCUSSED THE STORAGE ISSUE FOR THE COUNTY AND WAS SUGGESTED THAT ANOTHER METAL BUILDING BE BUILT AT THE LONE STAR CONVENTION CENTER, NEXT TO THE BUILDING WHICH WILL SOON BE OCCUPIED BY ELECTIONS CENTRAL, WITH CLIMATE CONTROL FEATURES FOR STORAGE USE ONLY.

48.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