

COMMISSIONERS' COURT DOCKET, FEBRUARY 10, 2003
REGULAR SESSION

THE STATE OF TEXAS
COUNTY OF MONTGOMERY

Be it remembered that on this the 10th day of February, 2003, the Honorable Commissioners' Court of Montgomery County, Texas, was duly convened in a Regular Session in the Commissioners' Courtroom of the Montgomery County Courthouse Annex, Conroe, Texas, with the following Members of the Court present:

County Judge, Alan "Barb" Sadler
Commissioner, Precinct 1, Mike Meador
Commissioner, Precinct 2, Craig Doyal
Commissioner, Precinct 3, Ed Chance
Commissioner, Precinct 4, Ed Rinehart
Also - Alice Drake, County Clerk's Office

INVOCATION GIVEN BY DAVID WALKER, COUNTY ATTORNEY.

PLEDGE OF ALLEGIANCE WAS RECITED BY EVERYONE PRESENT.

1. COMMISSIONERS' COURT AGENDA APPROVED

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

2. PROCLAMATION ACKNOWLEDGED - "ROTARY FRIENDSHIP BRIDGE"

Motion by Commissioner Meador, seconded by Commissioner Chance, to acknowledge the Proclamation to designate a particular bridge, located at Lake Conroe, the "Rotary Friendship Bridge", as a means of promoting goodwill and friendship in Montgomery County, as per Proclamation on file. Motion carried.

AGENDA ITEM 5B - EMPLOYEES' COMMITTEE - PEGGY SMITH, an employee in Human Resources Department, was selected to be Employee of the Month for February, 2003. Ms. Smith was presented with a gift certificate and a plaque from said Committee.

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

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve Commissioners' Court Minutes for January 27, 2003, as presented by the County Clerk. Motion carried.

FRANK HILDEBRANDO, WITH RBC DAIN RAUSCHER INC., FINANCIAL ADVISORS, PRESENTED THE COURT WITH THE PROPOSAL FOR THE ISSUANCE OF CO'S AND REFINANCING OPPORTUNITIES, FOR VARIOUS UPCOMING PROJECTS WITHIN THE COUNTY.

AGENDA ITEM 19D - LOCATION OF A SATELLITE OFFICE OF NINTH COURT OF APPEALS IN CONROE

The Members of the Court gave strong support for proposed legislation that would bring the state's 9th District Court of Appeals to Conroe. State Representative Ruben Hope, Jr., will draft a bill to be considered by the State Legislators which would allow a satellite appellate court facility to Conroe. The cost to set up the courtroom, office space and video conference equipment would be borne by the County.

If said bill is passed, the Court suggested that it would be in January, 2004, before cases are heard in Montgomery County, in order to give the Court time to budget for funds in the upcoming budget.

4. REQUEST APPROVED - SATELLITE OFFICE SPACE - NINTH COURT OF APPEALS

Motion by Commissioner Chance, seconded by Commissioner Meador, to provide space for a satellite office of Ninth Court of Appeals in Conroe, based on a January 1, 2004, date before hearing cases. Motion carried.

AGENDA ITEM 16B - MASTER PLAN PRESENTATION - BOB LINDBERG

Bob Linberg with Central Consulting Service presented the Court with a Master Plan which he completed in Collin County. The Court discussed the presentation given by Mr. Lindberg, and decided to appoint a committee to come up with a Plan on County needs throughout the County and present it back to the Court in 30 days for discussion and consideration. The following Members will serve on the Planning Committee:

Linda Breazeale
Jim Strong
Mark Bosma
Bob Lindberg

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

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the following Items listed under Today's Court Agenda:

COUNTY AUDITOR - AGENDA ITEMS 6A

- a. ACCOUNTS approved, as presented by the County Treasurer.
- b. BUDGET AMENDMENTS approved, as follows:
 1. 359th District Court - to carryover unused FY02 budget as approved by Commissioners' Court in FY03 budget hearings
 2. CDBG/\$1.7 Mil. - Year 2 - to adjust line items
 3. Commissioners - to carryover unused FY02 budget appropriation to FY03
 4. Commissioner, Pct. #2 - to recognize/allocate real property lease from Carter
 5. Commissioner, Pct. #2 - to recognize/allocate real property lease from Hicks
 6. Commissioner, Pct. #3 - to recognize/allocate reimbursement from WJPA
 7. Commissioner, Pct. #3 - to recognize/allocate reimbursement from Munoz
 8. Commissioner, Pct. #3 - to recognize/allocate reimbursement from Staines
 9. Commissioner, Pct. #4/Bldg. Maintenance/Construction - to transfer funds for East County Annex remodeling
 10. Commissioner, Pct. #4 - to recognize/allocate reimbursement from Sierra Woods Development Corp.
 11. C.I.S. - to carryover unused FY02 budget as approved by Commissioners' Court on 9/23/02, Motions 7 and 6
 12. Communications/Information Service - to adjust line items

13. Constable, Pct. #2 - to carryover unused FY02 budget for building remodel, as approved by Commissioners' Court in FY03 budget hearings
14. Constable, Pct. #2 - to recognize/allocate grant from Texas Department Public Safety
15. Contingency - to transfer funds for payment of Claim to U.S. Department of Justice as approved by Commissioners' Court 1/27/03, Motion #16
17. County Clerk - to carryover surplus funds for temporary position, as approved by Commissioner's Court 10-7-02, Motion 8
18. County Court at Law #2 - to adjust line items to cover release 255736
19. County Judge - to carryover funds as approved by Commissioners' Court 9/9/02, Motion #4a
20. Elections - to carryover unused FY02 budget as approved by Commissioners' Court in FY03 budget hearings
21. Justice of Peace, Pct. #2 - to adjust line items
22. Juvenile Probation - to carryover funds as approved by Commissioners' Court in FY03 budget hearings to fund (a) pay adjustments and (b) JAIB Grant salaries
23. Sheriff/Risk Management - to transfer deductible for 2 accidents
24. Sheriff - to adjust line items
25. Sheriff - to recognize/allocate restitution from Patterson
26. Tax Assessor/Collector - to carryover unused funds for remodeling, as approved by Commissioners' Court in FY03 budget hearings
27. Various - to carryover FY02 encumbrances
28. Various Law Enforcement - to carryover unused FY02 allocations restricted by TCLEOSE for law enforcement

as per Budget Amendments on file.

COUNTY TREASURER - AGENDA ITEMS 7B

- a. WEEKLY INVESTMENT REPORTS approved, for the week of January 27, through January 31, 2003, and February 3, 2003, through February 7, 2003, Corrected Copy, as per Reports on file.
- b. PLEDGES AND/OR RELEASE OF SECURITIES RELEASED, as follows:
 1. JPMorgan Chase Bank, par value \$10,000,000.00 - MBIA Ins. Cert. #1498
 2. JPMorgan Chase Bank, par value \$20,000,000.00 - MBIA Ins. Cert. #1599
 3. JPMorgan Chase Bank, par value \$10,000,000.00 - MBIA Ins. Cert. #1603

as per Report on file.

- c. REPORT approved, for Quarterly Investment for quarter ending December 31, 2002, as per Report on file.
- d. REPORT approved, for pledged securities for January 2003, as per Report on file
- e. STATEMENT OF BALANCES approved, for November 1, 2002, to November 2002, as per Report on file.

TAX ASSESSOR/COLLECTOR - AGENDA ITEM 7C

- a. REQUEST approved, to void a Tax "Re-sale" on property that was doubled assessed in error when the Appraisal District converted multiple tax records in 1981. Also, to approve refunding the purchaser, Mary Philio \$1,000.00, which reflect the purchase price of said property, as per Request on file.

PURCHASING DEPARTMENT - AGENDA ITEMS 7D

- a. REQUEST approved, for the Purchasing Agent to advertise for the following bids and/or proposals:
 - 1. Bridge Replacement for Highland Blvd. over Dry Creek - Highland Blvd. over Dry Creek Relief - Veterans Rd. over Arnold Branch - Thompson Rd. over Live Branch - Pcts. #1 and #2
 - 2. On-site drug and alcohol screening - Juvenile Probation Department
 - 3. Traffic signal installation on Research Forest Dr. at Six Pines Dr. - Pct. #3
 - 4. Traffic signal installation on Research Forest Dr. at Green Bridge Dr. - Pct. #3
 - 5. Traffic Signal installation on Research Forest Dr. at Bear Branch Park - Pct. #3
 - 6. Computer/Printer repair parts and labor - Various Departments
 - 7. Technical Services - County Clerk
- b. BIDS/PROPOSALS acknowledged, which were opened by the Purchasing Agent, as follows:
 - 1. Vehicle Batteries - Various Departments - Project #2003-0030 - (bids opened 1-30-03)
 - 2. Dust Mop, Floor Mat, Shop, Textile, Bath Towel and Fender Cover - Various Departments - Project #2003-0036 (bids opened 2-4-03)
- c. RENEWAL CONTRACTS approved, as follows:
 - 1. Campbell Concrete & Materials LP, (PO#2002429), for concrete (5-sack) delivered - Precinct #4
 - 2. 1488 Land Development LLC, (PO#2001193) - for iron ore gravel - Pct. #2
 - 3. Official Payments Corporation, (PO#2002404) - for customer credit card payment service - Various Departments
 - 4. Southwest Signal Supply, Inc. (PO#2001283 and #2001283X) - for traffic signal maintenance and repair - Various Precincts
 - 5. American Eagle Air, Inc. (PO#2002422) - for commercial air conditioning filters - Various Departments
 - 6. Pinnacle Employee Testing Service, (PO#2001177) - for drug and alcohol screening - Human Resources
 - 7. Woodforest National Bank, (PO#2002315) - for automatic teller machine - Various Departments
 - 8. Advances Drainage Systems, Inc. (PO#2001230), for polyethylene corrugated pipe - Various Departments

9. Graybar Electric Co., (PO#2002257 and #2002257X) -
for cable, cable parts and related supplies -
as per Request on file.
- d. SOLE SOURCE ITEM approved, for Law Books Subscription
for Various Departments, purchased from
Westlaw/WestGroup, as per Request on file.
- e. CHANGE ORDER #1 approved, (PO#2003175), to Nueces
County Juvenile Department for residential services, as
outlined in Memo dated February 10, 2003, on file.
- f. CHANGE ORDER #3 approved, (PO#2002084), to Cintas to
add five (5) sets of jeans and cotton shirts to present
contract for uniform rental and services, as per Change
Order on file.
- g. CHANGE ORDER #8 approved, (PO#2000252), to cancel
Contract with Cintas for dust mop, floor mat, shop,
textile, bath towel and fender cover service - Various
Departments
- h. CHANGE ORDER # 1 approved, (PO#2002296), to Brodart Co.
to add the following to the Library Specialty Supplies
Contract: VHS case w/full window #84-149-003, as per
Change Order on file.
- i. PAYMENT AND PERFORMANCE BONDS acknowledged, from J. J.
Contracting, Inc., for Gwen Hruska Hike and Bike Trail,
in the amount of \$94,050.00, each, as per Bonds on
file.
- j. PAYMENT AND PERFORMANCE BONDS acknowledged, from G. T.
T., Inc., for the Montgomery County Annex project, in
the amount of \$3,485,400.00, each, as per Bonds on
file.
- k. REQUEST approved, from the Sheriff's Department to
declare miscellaneous items as salvage, as per attached
list on file.
- l. REQUEST approved, to change the date for the Montgomery
County Auction from June 14, 2003, to June 21, 2003, as
per Request on file.

COMMISSIONER, PRECINCT #1 - AGENDA ITEMS 7E1

- a. PARTIAL RELEASE OF ASSESSMENT LIEN approved, for lot
owner Paul Ray Wells, Woodcreek Subdivision, Section 1,
Lot 71. Also, to authorize the County Judge to execute
same, as per Release on file.

COMMISSIONER, PRECINCT #1 - AGENDA ITEMS 7E2

- a. ROADS accepted, in Blue Heron Bay Subdivision, Section
2, consisting of .55 miles, 2,869.63 l.f., into the one
year maintenance period, effective February 10, 2003,
as per Request on file.
- b. ROADS accepted, in the Woodlands, North Gosling Road
Extension, consisting of 224.60 l.f., .04 miles, into
the one year maintenance period, effective February 10,
2003, as per Request on file.

- c. ROADS accepted, BOND released - The Woodlands, Grogan's Forest, Section 1, consisting of 1,729.19 l.f., .33 miles, by Montgomery County. Also, to release the Bond, as per Request on file.
- d. ROADS accepted, BOND released - The Woodlands, Grogan's Forest, Section 2, consisting of 890.84 l.f., .17 miles, by Montgomery County. Also, to release the Bond, as per Request on file.
- e. ROADS accepted, BOND released - The Woodlands, Grogan's Forest, Section 3, consisting of 1,370.72 l.f., .26 miles, by Montgomery County. Also, to release the Bond, as per Request on file.
- f. ROADS accepted, BOND released - The Woodlands, Grogan's Forest, Section 4, consisting of 2,272.07 l.f., .43 miles, by Montgomery County, as per Request on file.
- g. ROADS accepted, BOND released - The Woodlands, Village of Alden Bridge, Section 84, consisting of 4,800.90 l.f., .91 miles, by Montgomery County. Also, to release the Bond, as per Request on file.
- h. ROADS accepted, BOND released - The Woodlands, Village of Alden Bridge, Section 86, consisting of 6,196.92 l.f., 1.17 miles, by Montgomery County. Also, to release the Bond, as per Request on file.
- i. PUBLIC HEARING DATE set, for March 24, 2003, to consider changing the name of Sonnenuntergang Drive to Sunset Ranch Drive, as per Request on file.

COMMISSIONER, PRECINCT #3 - AGENDA ITEMS 7E3

- a. DONATION DEED accepted, from Patricia P. Hubbard in connection with the Riley Fuzzel Road Re-Alignment, as per Deed on file.
- b. ROADS accepted, in Spring Trails Subdivision, Section 1, consisting of 5,467.31 l.f., 1.04 miles, into the one year maintenance period, effective February 10, 2003, as per Request on file.
- c. ROADS accepted, in Spring Trails Subdivision, Section 2, consisting of 3,331.44 l.f., .63 miles, into the one year maintenance period, effective February 10, 2003, as per Request on file.
- d. ROADS accepted, in Spring Trails Subdivision, Section 3, consisting of 3,627.80 l.f., .69 miles, into the one year maintenance period, effective February 10, 2003, as per Request on file.
- e. ROADS accepted, in Spring Trails Subdivision, Section 4, consisting of 4,554.10 l.f., .86 miles, into the one year maintenance period, effective February 10, 2003, as per Request on file.
- f. ROADS accepted, BOND released - The Woodlands, Village of Grogan's Mill, Section 63, consisting of 3,081 l.f., .58 miles, by Montgomery County. Also, to release the Bond, as per Request on file.

- g. ROADS accepted, BOND released - The Woodlands, Woodlands Parkway, (Kuykendahl Road to Gosling Road), by Montgomery County, consisting of 7,500 l.f., 1.42 miles. Also, to release the Bond, as per Request on file.
- h. UTILITY PERMIT approved, for Spring Creek Utility District to place a 4" sanitary force main line within the right of way of Rayford Road (1200 l.f.), as per Permit on file.

COMMISSIONER, PRECINCT #4 - AGENDA ITEMS 7E4

- a. CHECKS accepted, from the City of Roman Forest for the purchase of fuel for the month of December, 2002, in accordance with an Interlocal Agreement dated 10/7/02, as follows:
 - 1. Check #09991 in the amount of \$338.84
 - 2. Check #10030 in the amount of \$ 64.44

(checks forwarded to County Treasurer for further handling)

- b. ORDER approved, to acknowledge receipt of a check in the amount of \$12.00, for lease of real property located in Magnolia Bend Subdivision, Section 2, Block 4, Lot 20, as per Order on file. (Check forwarded to County Treasurer for deposit in Acct. #615.7419)
- c. ORDER approved, to acknowledge receipt of a check in the amount of \$12.00, from Mark A. Schmidt for the lease of real property located at Lake Adams Subdivision, Lots 27 & 28, as per Order on file. (check forwarded to County Treasurer for deposit in Acct. #615.7419)
- d. ORDERS approved, (Agenda Items 7E4d 7E4n), to authorize the purchase of right-of-ways for the F.M. Highway 1314 Widening Project from 2.6 miles NW of Loop 494 to .9 miles NW of Loop 494 from the following Grantors:

1. Lonnie G. and Sherry L. Wright	\$14,752.75
2. Travis L. and Paula G. Bishop	\$ 3,786.00
3. Jack P. and Sandra Ann Nicholson	\$19,524.00
4. Sy H. Harper, Jr.	\$12,545.00
5. Lee Jurecka	\$ 5,066.25
6. Lewis M. Clark	\$16,579.00
7. Twin Grove Associates, Ltd	\$ 8,102.00
8. Johnnie Marie Cook	\$16,655.00
9. Johnnie Marie Cook	\$ 7,429.75
10. Tryco Machine Works, Inc.	\$18,493.75
11. Twin Grove Associates, Ltd.	\$ 9,659.00

as per Orders on file. (to be funded from Road Bond Series 2002)

- o. ORDER approved, to consent to the sale of a 1991 Ford Ranger Pickup Truck by the City of Roman Forest, in accordance with an Interlocal Agreement dated October 7, 2002, between the City of Roman Forest and Montgomery County, as per Order on file.

AGENDA ITEM 7E4P - UTILITY EASEMENT WITH ENTERGY FOR IPES ROAD PARK - DEFERRED

- q. FINAL PLAT approved, for Porter Place, consisting of 28.598 acres, as per Plat on file.
- r. ROADS accepted, BOND released, in White Oak Crossing Subdivision, Section 1, by Montgomery County, consisting of 7,556.07 l.f., 1.43 miles. Also, to release the Bond.

ALL PRECINCTS - AGENDA ITEM 7F5

- a. PUBLIC HEARING DATE SET, for March 24, 2003, to discuss an Addendum to the Subdivision Rules and Regulations. (no paperwork)

DISTRICT CLERK - AGENDA ITEMS 7F1

- a. APPOINTMENT approved, for a Storage Space Committee to be made up of the following:
 - 1. District Clerk
 - 2. County Clerk
 - 3. Purchasing Agent
 - 4. Jim Strong
 - 5. Diane Bass
 - 6. Mike McDougal

as per Request on file.

SHERIFF'S DEPARTMENT - AGENDA ITEMS 7G

- a. DONATION accepted, of nine (9) hospital beds w/mattresses from Conroe Regional Medical Center, as per Request on file. (estimate value is \$500.00 each)

Motion carried.

END OF CONSENT AGENDA

- 6. FEES APPROVED - LOCAL RESCUE AND ADOPTION GROUPS - ANIMAL CONTROL

FUNDS ALLOCATED - ANIMAL SHELTER BUDGET - ANIMAL CONTROL

Motion by Commissioner Rinehart, seconded by Commissioner Doyal, to approve the implementation of fees for the local Rescue and Adoption Groups. Also, to approve the monies from said fees be placed back to the Animal Shelter Budget, as per Fee Schedule and Request on file. Motion carried.

- 7. AGREEMENT APPROVED - CANDYLAND AMUSEMENTS - MARTIN LUTHER KING JR., CENTER - RISK MANAGEMENT

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve an User Agreement between Montgomery County and Candyland Amusements, and Martin Luther King Jr. Center, for use of the county parking lot located on Main Street. Said parking lot will be used for a carnival and parade benefitting Afro-American Month, beginning February 22, 2003 through February 23, 2003. Also, to amend said motion to include the signature of the Park's Director, Corliss O'Shaughnessy on the User Agreement, as per Agreement on file. Motion carried.

AGENDA ITEM 10 - DISTRICT ATTORNEY - STORAGE SPACE FOR DISTRICT ATTORNEY CRIMINAL FILES WAS DISCUSSED EARLIER THIS COURT SESSION. (SEE COURT ACTION 7F1)

8. PAYMENT APPROVED - LICENSE OF GENOVEVA PEREZ - COURT ADMINISTRATION

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve payment, in the amount of \$100.00, for Court Interpreter License for Genoveva Perez, as per Request on file. Motion carried.

9. APPOINTMENT APPROVED - SHERYL A. NOLEN - EXTENSION SERVICES

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the appointment of Ms. Sheryl A. Nolen to fill the position for Montgomery County Extension Agent-Urban Youth Development, effective March 1, 2003, as per Request on file. Motion carried.

10. VARIANCE APPROVED - AEROBIC SEPTIC SYSTEM - ENVIRONMENTAL HEALTH

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve the replacement of a malfunctioning septic system with an aerobic septic system for Jerry Alexander, Magnolia Bend, as per Variance Request on file. Motion carried.

11. VARIANCE APPROVED - AEROBIC SEPTIC SYSTEM - ENVIRONMENTAL HEALTH

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the replacement of a malfunctioning septic system with an aerobic septic system for Joseph Alan Lee, Magnolia, Texas, as per Variance Request on file. Motion carried.

12. REQUEST REJECTED - INCREASE SALARY FOR JAN CURTIS - CONSTABLE, PRECINCT #5

Motion by Commissioner Doyal, seconded by Commissioner Meador, to reject the request to increase the annual salary of Janette Curtis, Deputy/Clerk Dispatcher to \$27,000.00. Motion carried.

13. REQUEST APPROVED - ACCUMULATED TIME - PATROL AND DETECTIVES - SHERIFF'S DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the Request to allow Patrol Deputies and Detectives carry over accumulated time to year 2003 as they were not able to take time off due to increased workload in year 2002, as per Request on file. Motion carried.

14. PAYMENT APPROVED - ANNUAL DUES - COUNTY JUDGE

Motion by Judge Sadler, seconded by Commissioner Rinehart, to approve payment of annual dues in the amount of \$1,000.00, to the County Judges and Commissioners Association of Texas, as per Request on file. Motion carried.

AGENDA ITEM 16B - PRESENTATION BY BOB LINBERG WITH CENTRAL CONSULTING SERVICE ON THE MASTER PLAN FOR MONTGOMERY COUNTY - DISCUSSED EARLIER THIS COURT SESSION.

15. PURCHASE APPROVED - COMPUTER - COUNTY COURT AT LAW #3

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the purchase of a computer for the Court Reporter, County Court at Law #3, for approximately \$1,415.00, to be funded from the Court Reporters' Service Fund, as per Request on file. Motion carried.

16. CARRYOVER OF FUNDS DEFERRED - VARIOUS DEPARTMENTS

Motion by Commissioner Chance, seconded by Commissioner Meador, to defer the following Requests to carryover funds of unused FY2002:

a.	County Court at Law #4	\$ 438.00
b.	District Attorney	\$ 8,426.00
c.	284th District Court	\$24,063.00
d.	District Clerk	\$94,333.00
e.	Drug Court	\$42,360.00
f.	Parks	\$34,666.00
g.	Civic Center	\$30,085.00
h.	Juvenile Probation	\$153,370.00
i.	County Engineer	\$37,055.00
j.	Library	\$128,748.00

as per Requests on file. Motion carried.

17. FORMULA GRANT AWARD ACCEPTED - INDIGENT DEFENSE - COUNTY AUDITOR

Motion by Commissioner Doyal, seconded by Commissioner Chance, to accept the Task Force on Indigent Defense grant for FY2003, in the amount of \$142,374.00, as per Award on file. Motion carried.

AGENDA ITEMS 18A 2, 4 & 5 - DEFERRED

18. PROPOSALS REJECTED - TAX OFFICE AUTOMATION SYSTEM - TAX OFFICE

Motion by Commissioner Meador, seconded by Commissioner Doyal, to reject the proposals received for Tax Office Automation System, per the Request of Purchasing Agent. Motion carried.

19. RECOMMENDATION AND CONTRACT APPROVED - TELEPHONE AND INTERNET ACCESSIBLE INTERACTIVE SERVICES - VARIOUS DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Doyal, to award the bid, (opened January 23, 2003), to Tele-Works, Inc., for Option 1, Software and Hardware for Internal Development of Telephone and Internet Accessible Interactive Services, for a fee of \$31,200.00, as per Contract on file. Motion carried.

20. RECOMMENDATION AND CONTRACT APPROVED - DUST MOP, FLOOR MAT, ETC. - VARIOUS DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Doyal, to award the bid, (opened February 4, 2003), for dust mop, floor mat, shop, textile, bath towel & fender cover service, to Wilkens Linen & Dust Control Service, as per Contract on file. Motion carried.

21. CHANGE ORDER #2 APPROVED - ALLIANCE CONSTRUCTION, INC. - CDBG PROJECT - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve Change Order #2, PO#2002347, to Alliance Construction, Inc., for construction of East Montgomery County Community Development Center, as per Change Order on file. Motion carried. (fund cost increase from CDBG funds)

22. RESOLUTION AND ORDER APPROVED - RENEWAL OF DESIGNATION OF REINVESTMENT ZONE - COUNTY ATTORNEY

Motion by Commissioner Chance, seconded by Judge Sadler, to approve the Resolution and Order to renew the designated reinvestment zone area which lies outside the taxing jurisdiction of any municipality, for a period not to exceed five years, as per Resolution and Order on file. Motion carried.

AGENDA ITEM 19B - VARIANCE TO CITY OF CONROE WAS BRIEFLY DISCUSSED BUT THE COURT DEFERRED ANY FURTHER DISCUSSION UNTIL AFTER TODAY'S EXECUTIVE SESSION. (NOTHING WAS DISCUSSED AFTER EXECUTIVE SESSION OTHER THAN THE COUNTY OFFICIALS WERE GOING TO CALL A MEETING WITH CITY OFFICIALS TO DISCUSS SAID VARIANCE REQUEST)

AGENDA ITEM 19C - TEXAS TASK FORCE ON INDIGENT DEFENSE PROGRAM - REMOVED FROM AGENDA.

AGENDA ITEM 19D - LOCATION OF SATELLITE OFFICE OF NINTH COURT OF APPEALS IN CONROE WAS DISCUSSED EARLIER THIS COURT SESSION.

23. CONTRACT APPROVED - TEXAS STATE LIBRARY & ARCHIVES COMMISSION - LIBRARY DEPARTMENT

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the Contract between Texas State Library & Archives Commission, (Lone Star Libraries Grant), which said grant is to provide funds to maintain, improve, and enhance local library services, as per Contract on file. Motion carried.

24. CONTRACT APPROVED - TEXAS DEPARTMENT OF TRANSPORTATION - AIRPORT

Motion by Commissioner Doyal, seconded by Judge Sadler, to approve the Contract between Texas Department of Transportation and Montgomery County, for Routine Airport Maintenance Program Grant, as per Contract on file. Motion carried.

25. CONTRACT APPROVED - HOUSTON-GALVESTON AREA COUNCIL (HGAC) - COUNTY JUDGE

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the Houston-Galveston Area Council FY03 Solid Waste Implementation Program Contract, as per Contract on file. Motion carried.

AGENDA ITEM 20D - INTERLOCAL AGREEMENT BETWEEN EMERGENCY COMMUNICATION DISTRICT AND MONTGOMERY COUNTY - DEFERRED

26. REQUEST APPROVED - ABANDONMENT OF ROAD - HUNTERS POINT SUBDIVISION - PRECINCT #1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the abandonment of 23' in Hunters Point Subdivision, in order to install a gate at the entrance of said subdivision, as per Request on file. Motion carried.

27. APPOINTMENT APPROVED - BOARD MEMBER - EMERGENCY SERVICE DISTRICT #14

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the appointment of Gladys Martin, to serve as a Board Member for Emergency Service District #14, as per Request on file. Motion carried.

EXECUTIVE SESSION

The Court recessed into Executive Session in the County Judge's Chambers to discuss matters authorized under Article 551.071 thru 551.076, Texas Government Code, as follows:

- a. Claim of Jeff Hendrick against Montgomery County
- b. Claim of Wayne Bart and Tina Wright
- c. Claims of Contract Workers

COURT RECONVENED WITH ALL MEMBERS OF THE COURT PRESENT

28. CLAIM REJECTED - JEFF HENDRICK - PRECINCT #2

Motion by Commissioner Doyal, seconded by Commissioner Meador, to reject the Claim of Jeff Hendrick. Motion carried. (no paperwork)

29. CLAIM VOID - WAYNE BART AND TINA WRIGHT

Motion by Commissioner Chance, seconded by Commissioner Meador, to void the Claim of Wayne Bart and Tina Wright. Motion carried. (no paperwork)

AGENDA ITEM 24 - CITIZENS - LEONARD VICARIO WAS NOT PRESENT TO ADDRESS COURT THIS SESSION.

30. REVISED POLICY APPROVED - "PERSONAL LEAVE" - HUMAN RESOURCES

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the Revised Personal Leave Section to the Montgomery County Personnel Policy Manual, as per Revised Copy on file. Motion carried.

31. PAYROLL CHANGE REQUESTS APPROVED - HUMAN RESOURCES

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

request of Animal Control to place Candice Retherford, Animal Care Specialist/Part-time, (replacement for Barbara Matney), on payroll, effective January 28, 2003

request of County Auditor to transfer Ronald W. Wyatt from Parks Director to Fiduciary Compliance Clerk, (replacement for Kevin Krastin), effective February 3, 2003

request of Convention Center Director to place Robert Wright, Facility Worker/Ground Maintenance, (replacement for David Pullin), effective February 3, 2003

request of Commissioner, Precinct #2 to accept the resignation of Christopher Lanning, Operator II, effective January 31, 2003, with 23.439 vacation hours due and 8.00 holiday hours due

request of Commissioner, Pct. #3 to increase the salary of Amy Drummond, Assistant Office Manager, effective February 1, 2003, due to probation period completed

request of Fire Marshal to increase the salary of Kevin Bates, Arson Investigator, effective February 1, 2003 - received Law Enforcement Certification

request of Fire Marshal to increase the salary of Shirley Pitzer, Inspector, effective February 1, 2003

request of Fire Marshal to increase the salary of James Williams, Sr. Arson Investigator, effective February 1, 2003, due to merit increase

request of Justice of the Peace, Pct. #1 to place Margaret Alford, Clerk, on payroll, (replacement for Maria Elizardo), effective February 5, 2003

request of Justice of the Peace, Pct. #4 to place Marsha Edwards, Clerk I, on payroll, effective February 3, 2003

request of Juvenile Probation Director to place April Adams, Substitute Detention Officer/Part-time, effective February 8, 2003

request of Juvenile Probation Director to place William David Butler, Detention Officer, effective February 8, 2003

request of Juvenile Probation to place Vanessa Casner, Substitute Detention Officer/Part-time, on payroll, effective February 8, 2003

request of Juvenile Probation Director to place Jeanine Marie Copeland, Substitute Detention Officer/Part-time, effective February 8, 2003

request of Juvenile Probation Director to accept the resignation of Johnnie Mae Davis, Substitute Detention Officer, effective January 26, 2003

request of Juvenile Probation Director to place Qiana Alcenia Hamilton, Substitute Detention Officer/Part-time, on payroll, effective February 8, 2003

request of Juvenile Probation Director to place Alonzo Humphrey, Detention Officer, effective February 8, 2003

request of Juvenile Probation Director to place Stephan Joseph Paras, Detention Officer, effective of February 8, 2003

request of Juvenile Probation Director to change the status of Fredrick D. Proctor from Substitute Detention Officer to Detention Officer, (replacement for Paula Simon), effective February 1, 2003

request of Juvenile Probation Director to place Donald Ray Rose, Detention Officer, on payroll, effective February 8, 2003

request of Library Director to place Tamara Frazier, Shelving Clerk, on payroll, (replacement for Karen Ford), effective January 30, 2003

request of Building Maintenance to place William Wells, Mechanic II, on payroll, effective February 3, 2003

request of Sheriff's Department to accept the resignation of Angela Bolling, Detention Officer II, effective February 14, 2003, with 39.78 vacation hours, 12.38 comp hours and 48.00 holiday hours due

request of Sheriff's Department to accept the resignation of Cody Dowden, Dispatcher II, effective February 8, 2003, with 87.54 vacation hours, 240.0000 comp time and 36.0000 holiday hours due

request of Sheriff's Department to add one additional certificate for Gary Franks, Jail Maintenance, effective January 18, 2003

request of Sheriff's Department to transfer Chad May from Detention Deputy to District II, Patrol Deputy, (replacement for Billy Perry), effective January 24, 2003

request of Sheriff's Department to transfer Leslie McCauley from Town Center Deputy to District II, Patrol Deputy, (replacement for Jackie McDonald), effective February 1, 2003

request of Sheriff's Department to transfer Jackie McDonald from District II, Patrol Deputy to Town Center Deputy, (replacement for Leslie McCauley), effective February 1, 2003

request of Sheriff's Department to discharge Billy Perry, District II, Patrol Deputy, effective January 24, 2003, with 76.09 vacation hours, 63.7500 comp hours and 40.0000 holiday hours due

request of Tax Assessor/Collector to place Regina Casey, Deputy Specialist I, on family leave of absence, effective February 11, 2003

request of Convention Center to discharge Ronnie Mason, Facility Worker, effective January 31, 2003, with 26.05 vacation hour due and 1.13 comp hours due

request of Commissioner, Pct. #4 to promote Jerry Tharp from Operator III to Lead Operator, effective February 1, 2003

request of Commissioner, Pct. #4 to increase the salary of Billy Kelly, Shop-Operator I, effective February 1, 2003, due to probation period completed

request of Juvenile Probation Director to place Louis Pantalion, Detention Officer, on payroll, effective February 8, 2003

as per Payroll Change Requests on file. Motion carried.

32. COURT ADJOURNS

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

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

ATTEST:

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

BY: _____
County Clerk

County Judge