

COMMISSIONERS' COURT DOCKET, MARCH 24, 2003  
SPECIAL SESSION

THE STATE OF TEXAS  
COUNTY OF MONTGOMERY

Be it remembered that on this the 24th day of March, 2003, the Honorable Commissioners' Court of Montgomery County, Texas, was duly convened in a Special Session in the Commissioners' Courtroom of the Montgomery County Courthouse Annex, Conroe, Texas, with the following Members of the Court present:

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

INVOCATION GIVEN BY ED CHANCE, COMMISSIONER, PRECINCT #3.

PLEDGE OF ALLEGIANCE WAS RECITED BY EVERYONE PRESENT.

1. COMMISSIONERS' COURT AGENDA APPROVED

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

2. PROCLAMATION APPROVED - "MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES MONTH"

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve a Proclamation to proclaim the month of March 2003, as Mental Retardation and Developmental Disabilities Month, as per Proclamation on file. Motion carried.

3. PROCLAMATION APPROVED - "CRIME VICTIMS' RIGHTS WEEK"

Motion by Commissioner Chance, seconded by Commissioner Meador, to proclaim the week of April 6, through April 12, 2003, as Montgomery County Crime Victims' Rights Week, as per Proclamation on file. Motion carried.

4. PROCLAMATION APPROVED - SUPPORT OF SENATE BILL AND HOUSE BILLS - ELECTIONS CENTRAL

Motion by Judge Sadler, seconded by Commissioner Doyal, to approve a Resolution in support of Senate Bill 703 and House Bills 1701 and 2827, which will amend the Texas Election Code Section 42.006 to increase the maximum number of registered voters in county voting precinct, as per Resolution on file. Motion carried.

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

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve Commissioners' Court Minutes for March 10, 2003, as presented by the County Clerk. Motion carried.

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

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

## COUNTY AUDITOR - AGENDA ITEMS 7A

- a. ACCOUNTS approved, as presented by the County Treasurer.
- b. BUDGET AMENDMENTS approved, as follows:
  1. Bail Bond Board - to establish separate budget for Bail Bond Board, using restricted revenues
  2. CDBG/\$1.8 million - Year 3 - to adjust line items
  3. Commissioner, Pct. #1 - to transfer funds to pay damage claim to Bill Twyman
  4. Commissioner, Pct. #1 - to recognize/allocate reimbursement from State for Req. #3
  5. Commissioner, Pct. #2 - to recognize/allocate donation from River Plantation Community Improvement Association
  6. Commissioner, Pct. #3 - to recognize/allocate reimbursement from Woodlands Community Facilities Development Corp.
  7. Commissioner, Pct. #3 - to recognize/allocate reimbursement from Woodlands Joint Powers Agency
  8. Commissioner, Pct. #3 - to recognize/allocate reimbursement for Unit 312
  9. Commissioner, Pct. #3 - to recognize/allocate reimbursement from Rummage
  10. Commissioner, Pct. #3 - to recognize/allocate reimbursement from City of Oak Ridge North
  11. Commissioner, Pct. #3 - to recognize/allocate reimbursement from Chad Stultz
  12. Commissioner, Pct. #4 - to fund damage claim to Romco Equipment
  13. Commissioner, Pct. #4 - to adjust line items
  14. Commissioner, Pct. #4 - to transfer funds for Arturo Corona damage claim
  15. Commissioner, Pct. #4 - to recognize/allocate restitution from R. Gilcrease
  16. Communications/Info Service - to adjust line items
  17. Constable, Pct. #1 - to adjust line items
  18. County Judge - to transfer burial expense
  19. Drug Court - to adjust line items
  20. Elections Administrator - to adjust line items
  21. Juvenile Probation - Local - to adjust line items
  22. Juvenile Probation - Local - to set up budget
  23. Sheriff's Department - to adjust line items
  24. Sheriff's Department - to carryover encumbered PO#2002395 - from FY02
  25. Sheriff/Risk Management - to transfer funds for repair of Units 712 and 718
  26. Tax Assessor/Collector - to adjust line items

as per Budget Amendments on file.

## COUNTY TREASURER - AGENDA ITEMS 7B

AGENDA ITEM 7B1 - WEEKLY INVESTMENT REPORT FOR THE WEEK OF MARCH 17 THROUGH MARCH 21, 2003 - REMOVED FROM AGENDA

- a. RELEASE OF COLLATERAL approved, from JP Morgan Chase Bank, cusip #912810EP9, par value - \$20,000,000.00
- as per Report on file.
- b. MONTHLY REPORT approved, for Pledged Securities for the month ending February, 2003, as per Report on file.

- c. RESOLUTION approved, to authorize Montgomery County to open and maintain an Investment Account with Banc One Capital Markets, Inc., as per Resolution on file.

## TAX ASSESSOR/COLLECTOR - AGENDA ITEMS 7C

- a. SUPPLEMENTAL CHANGES acknowledged, to the January 2003 Supplemental Changes to the 2002 Consolidated Taxroll, as per Report on file.
- b. MONTHLY TAX COLLECTION REPORT approved, for the month ending February 28, 2003, as per Report on file.

## PURCHASING DEPARTMENT - AGENDA ITEMS 7D

- a. BIDS/PROPOSALS acknowledged, which were opened by the Purchasing Department, as follows:
  - 1. computer, printer, and copier repair, parts and labor - CIS - Project #2003-0048 - (bids opened 3-11-03) as per bids opened on file in the Purchasing Department.
  - 2. removal/haul off of fire pump water tank, pump, engine and building - Building Maintenance - Project #2003-0037 - (bids opened 3-18-03)
  - 3. roadway improvement on Riley Fuzzel Rd. from Spring Creek to Old Rayford Rd. - Pct. #3 - Project #2003-0052 - (bids opened 3-19-03)
  - 4. computer paper, (non-recycled), - Various Departments - Project #2003-0054 - (bids opened 3-20-03)
  - 5. sale and removal of used option 51C meridian switch - CIS - Project #2003-0051 - (bids opened 3-21-03)
  - 6. telephone/data cabling materials and installation - CIS - Project #2003-053 - (bids opened 3-21-03)
- b. RENEWAL CONTRACTS approved, as follows:
  - 1. Signal Measurement Corporation - PO#2002445 - for universal docking station for in-vehicle applications - Sheriff's Department
  - 2. One Office Furniture - PO#2001282 - for purchase of furniture - Various Departments
  - 3. Dennis B. McMahon - PO#2002036 - for insurance benefit advisor - Risk Management
  - 4. Telephone Data & Sound, PO#2001242 and #2001242X - or telephone system maintenance - CIS
  - 5. Southern Crushed Concrete, Inc. - PO#2002384 - for milled/rejected hot mix asphaltic concrete - delivered/picked up - Pct. #1
  - 6. Southern Crushed Concrete, Inc. - PO#2002385 - for milled/rejected hot mix asphaltic concrete - delivered/picked up - Pct. #2
  - 7. Southern Crushed Concrete, Inc. - PO#2002386 - for milled/rejected hot mix asphaltic concrete - delivered/picked up - Pct. #3
  - 8. Southern Crushed Concrete, Inc. - PO#2002387 - for milled/rejected hot mix asphaltic concrete - delivered/picked up - Pct. #4
  - 9. Petracom, Inc. - PO#2002390 - for new and/or refurbished telephone equipment - CIS
  - 10. Smith and Company - PO#2002321 - for rehabilitation of roads - Various Departments

11. Platinum Grass Services LLC - PO#2002406 - for St. Augustine Grass - Picked up - Pct. #3
  12. Turfgrass America - PO#2002407 - for St. Augustine Grass - Picked up - Pct. #3
- c. CHANGE ORDER #4 approved, PO#2000438, to Liberty Vending Services, Inc., for price changes noted on file.
  - d. CHANGE ORDER #2 approved, PO#2003100, to Waste Management, to delete item #.036 from the contract for disposal services, and to add an X P.O., as per Change Order on file.
  - e. NAME CHANGE approved, to change North Harris Montgomery Community College District Administrative Office to North Harris Montgomery College District, District Services and Training Center, as per Request on file.
  - f. REQUEST approved, to sell a diamond necklace that was unclaimed in a vehicle that was seized, as per Request on file.
  - g. CONTRACT approved, with Recovery Technologies Group for the recycling, transporting, processing and recycling used tires, as per Contract on file.
  - h. CONTRACT approved, with Wilkins Linen & Dust Control Service for dust mop, floor mat, shop, textile, bath towel and fender cover service, as per Contract on file.
  - i. PURCHASES approved, with Procurement Card not to exceed \$400.00, on a single item, and \$1,000.00, on each transaction. (no paperwork)

COMMISSIONER, PRECINCT #1 - AGENDA ITEMS 7E1

- a. FINAL PLAT approved, for Bentwater, Section 74, consisting of 10.7894 acres, 23 lots, as per Plat on file.
- b. FINAL PLAT approved, for Bentwater, Section 89, consisting of 5.2663 acres, 10 lots, as per Plat on file.
- c. FINAL PLAT approved, for Spring Branch Trails, Section 1, consisting of 45 acres, 35 lots, as per Plat on file.
- d. ROADS accepted, BOND released, in Bentwater, Section 67, consisting of 625.55 l.f., .118 miles. Streets are private and will not be maintained by Montgomery County. Also, to release the Bond, as per Request on file.
- e. ROADS accepted, BOND released, in Bentwater, Section 84, consisting of 783.49 l.f., 0.148 miles. Streets are private and will not be maintained by Montgomery County. Also, to release the Bond, as per Request on file.

COMMISSIONER, PRECINCT #2 - AGENDA ITEMS 7E2

- a. PUBLIC HEARING DATE SET, for April 28, 2003, to consider the partial replat of Crighton Ridge, Section 3, as per Notice on file.
- b. ROADS accepted, BOND released, in Bridle Creek Subdivision, consisting of 1.30 miles, 6,848.92 l.f. Streets are private and will not be maintained by Montgomery County. Also, to release the Bond, as per Request on file.
- c. UTILITY PERMIT approved, from MSEC Enterprises, Inc. to place a water and electrical control line within the right-of-way of Park Drive & Lakeshore Drive, as per Permit on file.
- d. PUBLIC HEARING DATE set, for April 28, 2003, to consider reducing the speed on Old Conroe Road from 45 mph to 30 mph, as per Request on file.

COMMISSIONER, PRECINCT #3 - AGENDA ITEMS 7E3

- a. FINAL PLAT approved, for Canyon Gate at Legends Ranch, Section 1, consisting of 29.38 acres, 112 lots, as per Plat on file.
- b. FINAL PLAT approved, for Imperial Oaks Center, consisting of 18.3 acres, as per Plat on file.
- c. ROADS accepted, BOND released - The Woodlands, Village of Sterling Ridge, Section 9, Phase 2, be accepted by Montgomery County, consisting of 1,209.82 l.f., .23 miles. Also, to release the Bond, as per Request on file.
- d. ROADS accepted, BOND released - The Woodlands, Village of Sterling Ridge, Section 10, (Cantwell Court and Farrington Court only), by Montgomery County, consisting of 868 l.f., .16 miles. Also, to release the Bond, as per Request on file.
- e. ROADS accepted, BOND released - The Woodlands - Village of Sterling Ridge, Section 12, consisting of 3,120.57 l.f., .59 miles, by Montgomery County. Also, to release the Bond, as per Request on file.

COMMISSIONER, PRECINCT #4 - AGENDA ITEMS 7E4

- a. ORDER approved, to acknowledge receipt of Amend  
ment  
to  
Lette  
r of  
Credi  
t  
No.  
428  
for  
the  
accou  
nt of  
Timbe  
rland  
North  
,  
Secti

on 1,  
issue  
d by  
Woodf  
orest  
Natio  
nal  
Bank,  
as  
per  
Order  
on  
file.

- b. ORDER approved, to authorize the purchase of right-of-way, (Parcel 42), from James M. Ainsworth, Porter, Texas, for the F.M. Hwy. 1314 widening Project, in the amount of \$20,363.00, as per Order on file.
- c. ORDER approved, to authorize the purchase of right-of-way, (Parcel 29), from Levene Jeane Hankins, Porter, for the F.M. Hwy. 1314 widening Project, in the amount of \$18,383.00, as per Order on file.
- d. ORDER approved, to authorize the County Attorney to hire a Korean interpreter to communicate with an owner of said property in a condemnation proceedings, (Parcel 18), styled: Montgomery County vs. Byung D. Kwon and Helen H. Kwon, for the FM1314 right-of-way project. Funding for said services will be from Road Bond Series 2002, in an amount not to exceed \$500.00, as per Order on file.
- e. FINAL PLAT approved, for New Caney Realty Addition, consisting of 8.33 acres, 2 blocks, as per Plat on file.
- f. FINAL PLAT approved, for Olmos Estates, consisting of .2069 acres, 1 lot, as per Plat on file.
- g. ROADS accepted, in Lone Star Ranch, Section 4, into the one year maintenance period, consisting of 3.2 miles, 16,768.01 l.f., effective March 24, 2003, as per Request on file.

ALL PRECINCTS - AGENDA ITEMS 7E5

- a. OVERLOAD/OVERSIZE PERMIT approved, for the following:
  - 1. Campbell Concrete & Materials, L.P. - to move various loads over all county roads beginning April 1, 2003, and to be completed by June 30, 2003, and
  - 2. Woody's Construction - to move various loads over all county roads, beginning March 5, 2003, and to be completed by June 5, 2003,

as per Permits on file.

CONSTABLE, PRECINCT #1 - AGENDA ITEMS 7F

- a. RACIAL PROFILE REPORT approved, from Constable, Precinct #1, for year 2002, as per Report on file.

RISK MANAGEMENT - AGENDA ITEM 7G1

- a. OFFICIALS' BONDS AND OATHS approved, as follows:
1. Wayne L. Mack, Deputy Constable, Pct. #1- Reserve - Bond #15486571 - Renewal
  2. Paul Cooke, Deputy Constable, Pct. #3 - Bond #15487516 - Renewal
  3. Bruce Gilchrist, Deputy Constable, Pct. #3 - Bond #15487514 - Renewal
  4. Shane Hatton, Deputy Constable, Pct. #3 - Bond #15487511 - Renewal
  5. Raymond J. Kelly, Deputy Constable, Reserve, Precinct #3 - Bond #14331527 - Renewal
  6. Joseph W. McGalliard, Deputy Constable, Pct. #3 - Bond #15454718 - Renewal
  7. Frank Mitchell, Deputy Constable, Pct. #3 - Bond #15487515 - Renewal
  8. Gerald M. Smith, Deputy Constable, Pct. #3 - Bond #15487510 - Renewal
  9. Anneliese Stafford, Deputy Constable, Pct. #3 - Bond #15487513 - Renewal
  10. Michael Uber, Deputy Constable, Pct. #3 - Bond #15487512 - Renewal
  11. Charles Fuller, Deputy Constable, Pct. #4 - Bond #13402637 - Renewal
  
  12. Michael Reinecke, Deputy Tax Assessor Collector - Bond #13747351 - Renewal

as per Bonds on file.

Motion carried.

END OF CONSENT AGENDA

7. AGREEMENT DEFERRED - MUTUAL AID AGREEMENT - COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Chance, to defer the Regional Mutual Aid Agreement for emergency mutual aid, until next Court Session. Motion carried.

8A. REQUEST APPROVED - REIMBURSEMENT TO BUDGET - COUNTY COURT AT LAW #4

Motion by Judge Sadler, seconded by Commissioner Meador, to approve the reimbursement to budget line item #7418 for \$170.00, from the Court Reporting Fund, as per Request on file. Motion carried.

8B. REQUEST APPROVED - TRANSFER OF FUNDS - LONE STAR CONVENTION CENTER

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the transfer of approximately \$83,000.00, from the Hotel Occupancy Tax Fund to Line Item 7390 for the purchase of materials to be used on the parking area between the Convention Center, Expo Center and the Park, as per Request on file. Motion carried.

CONVENTION CENTER - THE COURT REQUESTED THE DIRECTOR OF LONE STAR CONVENTION CENTER TO PROVIDE A FEE SHEET ON CHARGES FOR SECURITY SERVICES AT THE CONVENTION CENTER.

## 9. DONATION ACCEPTED - 1990 BUICK REGAL - AUTO THEFT TASK FORCE

Motion by Commissioner Chance, seconded by Commissioner Meador, to accept the donation of a 1990 Buick Regal from Patsy R. Wood to the Auto Theft Task Force. Vehicle to be sold at the June, 2003 auction, with all proceeds being placed in said Department's budget, as per Request on file. Motion carried.

## 10. REQUEST APPROVED - OVER 65 HOMESTEAD EXEMPTION - TAX ASSESSOR/COLLECTOR

Motion by Commissioner Chance, seconded by Commissioner Meador, to verify the Homestead, Over-65 and disability exemptions for 2003, as presented by the Tax Assessor/Collector. Motion carried.

## 11. REQUEST APPROVED - REFUND OF PROPERTY TAXES - TAX ASSESSOR/COLLECTOR

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the payment to Ford Bazar in the amount of \$848.07, for double payment of 1999 taxes on his property, as per Request on file. Motion carried.

## 12. REQUESTS APPROVED - COURT REPORTER SERVICE FUNDS - COUNTY AUDITOR

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the following use of the Court Reporter Service Funds:

- a. 9th District Court - \$980.00 - to purchase a computer
- b. 9th District Court - \$965.34 - travel expense for seminar
- c. 221st. District Court - \$116.88 - courtroom equipment
- d. 284th District Court - \$249.00 - software support license

as per Requests on file. Motion carried.

## 13. RESOLUTION APPROVED - AMENDMENT TO LEASE-PURCHASE AGREEMENT - COUNTY AUDITOR

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve a Resolution to authorize an Amendment to a Lease-Purchase Agreement with Wells Fargo Brokerage Services, LLC, relating to the East Montgomery County Community Development Building, as per Amendment on file. Motion carried.

## 14. GRANT AWARD APPROVED - TASK FORCE ON INDIGENT DEFENSE - COUNTY AUDITOR

Motion by Commissioner Meador, seconded by Commissioner Chance, to accept the grant award from the Task Force on Indigent Defense, with no county match, as per Grant award on file. Motion carried.

## 15. CONTRACTS APPROVED - PROFESSIONAL SERVICES - COUNTY AUDITOR

Motion by Commissioner Chance, seconded by Commissioner

Doyal, to approve the following Contracts:

- a. Andrews & Kurth LLC - Disclosure Counsel
- b. RBC Dain Rauscher, Inc. - Financial Advisor
- c. Vinson & Elkins, LLP - Bond Counsel

as per Contracts on file. Motion carried.

PURCHASING DEPARTMENT - AGENDA ITEMS 14A

AGENDA ITEMS 14A 1,2,3,6,9,10 & 11 - RECOMMENDATIONS AND CONTRACTS - DEFERRED.

- 16. RECOMMENDATION AND CONTRACT APPROVED - BLUE CHIP COMPUTER SERVICE - COMMUNICATION INFORMATION SERVICES

Motion by Commissioner Chance, seconded by Commissioner Doyal, to award the bid, (opened March 5, 2003), for computer, printer and copier repair, parts and labor, to Blue Chip Computer Services, Inc., as per Contract on file. Motion carried.

- 17. RECOMMENDATION AND CONTRACT APPROVED - ONE OR MORE NEW VEHICLES - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to award the bid, (opened October 30, 2002), to

Lawrence Marshall Chevrolet, for one (1) 2003 Chevrolet regular cab truck, in the amount of \$15,496.00, as per Contract on file. Motion carried.

- 18. RECOMMENDATION AND CONTRACT APPROVED - REMOVAL/HAUL OFF MISCELLANEOUS MATERIALS - BUILDING MAINTENANCE

Motion by Commissioner Chance, seconded by Commissioner Meador, to award the bid, (opened March 18, 2003), to Wagner Services, Inc., for the removal/haul off of fire pump water tank, pump, engine and building for Building Maintenance Department, as per Contract on file. Motion carried. (no cost to county)

- 19. RECOMMENDATION AND CONTRACT APPROVED - ROADWAY IMPROVEMENT - PRECINCT #3

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to award the bid, (opened March 19, 2003), or roadway improvement on Riley Fuzzel Rd. from Spring Creek to Old Rayford Rd., to Smith and Company, in the amount of \$2,355,724.14, as per Contract on file. Motion carried.

- 20. CHANGE ORDER #1 APPROVED - STATEWIDE TRAFFIC SIGNAL COMPANY - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve Change Order #1, PO#2002492, to Statewide Traffic Signal Company for the construction of traffic signalization on Lake Woodlands Dr. at Gosling Rd., ad per Chance Order on file. Motion carried.

- 21. CHANGE ORDER #1 APPROVED - RADIO SHELTER BUILDING - SHERIFF'S DEPARTMENT

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve Change Order #1, PO#2002513, to GFRC Shelters for radio shelter building, to reflect a price increase, as noted in Memo on file. Motion carried.

## 22. CHANGE ORDER #1 APPROVED - G.T.T., INC. - PURCHASING DEPARTMENT

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve Change Order #1, PO#2003178, to G.T.T., Inc., for the Montgomery County Annex, to reflect a price increase not to exceed \$110,000.00 as per Change Order on file. Motion carried.

## 23. CHANGE ORDER #3 APPROVED - ALLIANCE CONSTRUCTION, INC. - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Doyal, to approve Change Order #3, PO#2002347, to Alliance Construction, Inc., for the construction of East Montgomery County Community Development Center, as per Change Order on file. Motion carried.

## AGENDA ITEM 15A - REQUEST OF ROAD SIGNS FOR BICYCLISTS

Several Bicyclists addressed the Court this Session to request that signs be placed on various county roads to warn motorists to "SHARE THE ROAD" with bicyclists.

County Attorney, David Walker, wants his office to thoroughly investigate any possible liability the county may be liable for before signage is approved for the County's roadways.

## 24. RESOLUTIONS APPROVED - PENDING LITIGATION EXPENDITURES - COUNTY ATTORNEY

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve the Resolutions and Orders, in regard to the expenditure of funds associated with pending litigation lawsuits, styled as follows:

- a. State of Texas vs. Miscellaneous Tools and Equipment, (aka Darrell Conn), et al
- b. Nikita Van Goffney vs. Montgomery County, Michael McDougal and Jim Prewitt
- c. Henri Cruse vs. Anthony Lewis
- d. Earl Van Jones vs. Montgomery County, et al
- e. Debra Foster vs. Montgomery County
- f. Joe Bax vs. Montgomery County
- g. Marcie Caldwell vs. Carole Keeton Rylander, Montgomery County, et al
- h. Anna McGinnis, Ronald McGinnis, and Christopher McGinnis vs. The State of Texas, Montgomery County, et al
- i. Joseph Meriwether vs. Guy Williams and David Davis
- j. Norman Frank Reed and Casey Albinus vs. Montgomery County Precinct #1
- k. David Parks vs. Montgomery County

as per Resolutions and Orders on file. Motion carried.

## 25. MOTION FAILS - PROCEDURES TO ENFORCE PROVISIONS OF CHAPTER 683/TEXAS TRANSPORTATION CODE - COUNTY ATTORNEY

Motion by Judge Sadler, seconded by Commissioner Rinehart, to authorize the County Attorney to prepare procedures to enforce the provisions of Chapter 683, Subchapter E, Texas Transportation Code. Motion fails (3-2). (Commissioner Chance, Commissioner Doyal, and Commissioner Meador

"opposed")

26. REPLAT APPROVED - PUBLIC HEARING - LAKE CONROE BUSINESS PARK, SECTION 2, RESERVE A - PRECINCT #2

STREET NAME CHANGE APPROVED - SUNSET RANCH SUBDIVISION - PRECINCT #2

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

- a. REPLAT of Lake Conroe Business Park, Section Two, Reserve A, consisting of 8.390 acres, 6 lots, as per public hearing request on file, and
- b. ROAD name change approved, from Sonnenuntergang Drive to Sunset Ranch Drive,

as per Requests on file. Motion carried.

27. PUBLIC NOTICES APPROVED - PRECINCT #4

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

- a. Partial Replat of Emerson Estates, Section 1 and 2, to be known as Kellyn Oaks
  
- b. Speed Limit approved for First Street from Hill and Dale Avenue to F.M. 2090, FROM 45 MPH to 35 mph
- c. Placement of Stop Sign on Jireh Road at Metts Road, making a "T" intersection
- d. Placement of Stop Sign on Oakwood Drive at Creekwood Lane in the Creekwood Subdivision

as per Requests on file. Motion carried.

AGENDA ITEM 16C - APPROVAL OF AN ADDENDUM TO THE SUBDIVISION RULES AND REGULATIONS ACKNOWLEDGED BY THE COURT. THE COUNTY ENGINEER REQUESTED TO ALLOW ONE MORE MONTH BEFORE COURT'S APPROVAL, IN ORDER TO GIVE THE CONTRACTORS AN OPPORTUNITY TO REVIEW AND DISCUSS ADDENDUM.

28. APPOINTMENT APPROVED - MONTGOMERY COUNTY HOUSING AUTHORITY BOARD - PRECINCT #1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the appointment of Walter L. Houser to the Montgomery County Housing Authority Board, as per Request on file. Motion carried.

29. PAYMENT APPROVED - MONTGOMERY COUNTY SOIL AND WATER CONSERVATION DISTRICT - PRECINCT #1

Motion by Commissioner Meador, seconded by Judge Sadler, to approve payment in the amount of \$6,000.00 to the Montgomery County Soil and Water Conservation District which was previously approved at budget hearings, as per Request on file. Motion carried.

30. REQUEST APPROVED - ADDITIONAL PAYMENT - MONTGOMERY COUNTY SOIL AND WATER CONSERVATION DISTRICT - PRECINCT #1

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve additional payment of \$9,000.00, to the Montgomery County Soil and Water Conservation District, as per Request on file. Motion carried. (fund from contingency)

- 31. ORDER APPROVED - ROADS ACCEPTED BY PRESCRIPTIVE RIGHTS - PRECINCT #1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve an Order to accept Heritage Lane into the Montgomery County Road Maintenance System by prescriptive right, located in The Oaks Subdivision, as per Order on file. Motion carried.

- 32. APPOINTMENT APPROVED - CHILDREN'S PROTECTIVE SERVICES BOARD - PRECINCT #2

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the appointment of Marjanna Russell to serve on the Children's Protective Services Board, a per Request on file. Motion carried.

- 33. FINAL REPLAT APPROVED - LAKE CONROE BUSINESS PARK, SECTION 2 RESERVE "A" - PRECINCT #2

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the Replat of Lake Conroe Business Park, Section Two, Reserve "A":, consisting of 8.390 acres, 6 lots, as per Plat on file. Motion carried.

- 34. RESOLUTION APPROVED - HARDY TOLL ROAD STUDY - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve a Resolution to Request a Study be performed by HCTRA for the extension of the Hardy Toll Road, as per Request on file. Motion carried.

- 35. ORDER APPROVED - ROAD ACCEPTED BY PRESCRIPTIVE RIGHT - PRECINCT #3

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve an Order to accept Sims Road into the Montgomery County Road Maintenance System upon finding of Prescriptive Right, as per Order 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. Consider and Discuss Claim of David Park
b. Consider and Discuss Claims of Pam Hernandez and Phyllis Traylor
c. Consider and Discuss Claim of Ellen Garcia

COURT RECONVENED WITH ALL MEMBERS OF THE COURT PRESENT.

AGENDA ITEM 20 - CITIZENS

ELLEN GARCIA, a resident of Precinct #4, addressed the Court concerning a tree that fell on her trailer house in June,

2002. Ms. Garcia stated that the property next to their home belongs to Montgomery County, which the tree was located when fell through their roof. Ms. Garcia asked the Court to please have someone to come and repair their roof and other damages sustained by the falling tree. Commissioner Rinehart said he would see that her trailer get the repairs needed due to the tree damage to her home.

AGENDA ITEM 21A - HUMAN RESOURCES DIRECTOR REQUESTED THAT SHE BE ALLOWED TO CARRYOVER FUNDS FROM THEIR FY-2002 BUDGET IN ORDER TO USE THE MONIES TO PAY BACK THE 2.5% THAT ALL COUNTY DEPARTMENTS WERE REQUESTED TO PAY BACK BY THE END OF FY2003. THE COURT TOOK NO ACTION ON THIS REQUEST AT THIS TIME.

36. PAYROLL CHANGE REQUESTS APPROVED - HUMAN RESOURCES

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

request of Animal Control to accept the resignation of Barbara Matney, Clerk/Dispatcher, effective March 18, 2003, with .375 comp hours due and 8 hours holiday hours

request of County Auditor to accept the resignation of Renee Needham, General Ledger Clerk, effective March 11, 2003, with 57.52 vacation hours

request of County Auditor to promote Jackie Tucker from Receptionist to General Ledger Clerk, (replacement for Renee Needham), effective March 15, 2003

request of County Auditor to increase the salary of Denise Riebold, Accounts Payable Clerk, effective March 15, 2003, due to probation period completed

request of Collections Director to place Sharon Beck, Collection Specialist, on payroll, Part-time, effective March 17, 2003

request of Collections Director to accept the resignation of Melissa Bridges, Collections Specialist, effective March 12, 2003, with 16.54 vacation hours due and 7.39 comp hours due

request of Collections Director to change the Status of Laura Rowlett from part-time mail Clerk to Collection Specialist, (replacement for Melissa Bridges), effective March 17, 2003

request of Constable, Pct. #2 to increase the salary of Charles Michael White, Deputy, effective March 29, 2003, due to probation period completed

request of Constable, Pct. #4 to transfer Meredith D. Miller from Detention Deputy to Constable Deputy, (replacement for Raymond S. Moore). Also, to place him on a car allowance, effective March 15, 2003

request of Custodial Services to transfer Nallely Ontiveros, Part-time Temporary Custodian, (temporary replacement for Candie Bussey), effective March 17, 2003

request of Custodial Services to place Dora Pacheco, Floor Custodian, on payroll, effective March 17, 2003, (returning from family leave of absence)

request of District Attorney to increase the salary of Brenda Martin, Assistant District Attorney, effective March 1, 2003, due to HB178 - Longevity mandated pay

request of District Attorney to place Andrea M. Thompson, Assistant District Attorney, (replacement for Daniel Bradley), effective March 31, 2003

request of District Clerk to accept the resignation of Carole Lane, Deputy Clerk, effective March 28, 2003, with 3.08 vacation hours due

request of District Clerk to place Melisa Miller, Deputy Court Clerk, (replacement for Virginia Gonzalez), effective March 24, 2003

request of Elections Administrator to transfer Linda Henry from County Clerk to Elections, (replacement for Marcy Zwall), effective March 24, 2003

request of Elections Administrator to promote Sophia Isaac, Voter Registration Clerk, effective March 15, 2003

request of Elections Administrator to increase the salary of Pamela Taras, Administrative Assistant, effective March 5, 2003, due to merit increase

request of Elections Administrator to increase the salary of Mary J. Voss, Chief Voters Registration Clerk, effective March 15, 2003, due to merit increase

request of Elections Administrator to increase the salary of Marcy Zwall, Tech Systems Coordinator, effective March 15, 2003

request of Justice of the Peace, Pct. #4 to place Maria Castro, Temporary Clerk I, effective March 17, 2003

request of Juvenile Probation Director to accept the resignation of Georgen Guerrero, Detention Intake Supervisor, effective March 27, 2003, with 112.08 vacation hours due, .13 comp hours due and 8 holiday hours

request of Juvenile Probation Director to accept the resignation of Justin Meyers, JJAEP Drill Instructor, effective March 7, 2003, with 49.28 vacation hours due and 23.26 comp hours due

request of Library Director to layoff Cheryl Crayton, Library Assistant, effective March 7, 2003 (temporary assignment completed)

request of Sheriff's Department to transfer Allison Allen from I.D. Investigator II to District II Patrol Deputy, (replacement for Leslie McCauley), effective March 22, 2003

request of Sheriff's Department to accept the resignation of James Anderson, Detention Corporal, effective march 18, 2003, with 158.3900 vacation hours due, 65.9000 Comp hours due and 40.0000 holiday hours due

request of Sheriff's Department to promote Leslie McCauley from District II Patrol Deputy to I.D. Investigator II, (replacement for Allison Allen), effective March 22, 2003

request of Sheriff's Department to accept the retirement of William T. Robertson, Jail Captain, effective March 28, 2003, with 161.07 vacation hours due, 477.56 sick leave due and 480.0000 comp hours due

request of Sheriff's Department to promote Denny Simpson from Detention Officer I to Detention Deputy, (replacement for Chad May), effective March 15, 2003

request of Sheriff's Department to place Fred Telchow, Detention Officer I, (replacement for Denny Simpson), effective March 12, 2003

request of Sheriff's Department to increase the salary of Elaine Nevarez, Deputy Specialist I, effective March 17, 2003

request of District Clerk to accept the resignation of Jacque Carlisle, Deputy Clerk, effective March 28, 2003, with 3.08 vacation hours due

request of County Clerk, to place Rhonda Robey, Recording/Scan Clerk, (replacement for Linda Henry), effective March 24, 2003

request of Commissioner, Pct. #3 to transfer Dewey Lawhorn, Part-time Recycle Technician, effective March 15, 2003

request of Commissioner, Pct. #3 to place Patrick Korhonen, Mosquito Sprayer/Part-time, on payroll, effective March 24, 2003

request of Commissioner, Pct. #3 to place Rhonda Clark, Mosquito Sprayer/Part-time, on payroll, effective March 24, 2003

request of Commissioner, Pct. #3 to place Steve Hodel, Mosquito Sprayer/Part-time, on payroll, effective March 24, 2003

request of Commissioner, Pct. #3 to place Patricia Faust, Mosquito Sprayer/Part-time, on payroll, effective March 24, 2003

request of Juvenile Probation Director to place Tena Arceneaux, Substitute Detention Officer, on payroll, effective March 29, 2003

request of Juvenile Probation Director to place Dartanya Bean, Substitute Detention Officer, on payroll, effective March 29, 2003

request of Juvenile Probation Director to accept the resignation of Mary Aubrey Gates, Receptionist/Secretary, effective March 25, 2003, with 95.44 vacation hours due

request of Juvenile Probation Director to place Kathy Marie Musgrove, Receptionist/Secretary/Financial, on payroll, effective March 26, 2003

as per Payroll Change Requests on file. Motion carried.

37. 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