

COMMISSIONERS' COURT DOCKET, APRIL 7, 2003
SPECIAL SESSION

THE STATE OF TEXAS
COUNTY OF MONTGOMERY

Be it remembered that on this the 7th day of April, 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 DAVID WALKER, COUNTY ATTORNEY.

PLEDGE OF ALLEGIANCE WAS RECITED BY EVERYONE PRESENT.

1. COMMISSIONERS' COURT AGENDA APPROVED

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

2. PROCLAMATION APPROVED - "SEXUAL ASSAULT AWARENESS MONTH"

Motion by Judge Sadler, seconded by Commissioner Meador, to approve a Proclamation to designate April 2003, as "Sexual Assault Awareness Month", and to urge all citizens to participate in various activities and programs sponsored by the Montgomery County Women's Center, as per Proclamation on file. Motion carried.

3. PROCLAMATION APPROVED - "NATIONAL LIBRARY WEEK"

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve a Proclamation to proclaim April 7 through April 12, 2003, as "National Library Week", and to encourage all residents to use their library, as per Proclamation on file. Motion carried.

4. PROCLAMATION APPROVED - "CHILD ABUSE PREVENTION MONTH"

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve a Proclamation to proclaim April, 2003, as "Child Abuse Prevention Month", in Montgomery County, and to urge everyone to participate in an effort to prevent child abuse, as per Proclamation on file. Motion carried.

5. PROCLAMATION APPROVED - "SOIL AND WATER STEWARDSHIP WEEK"

RESOLUTION APPROVED - "SOIL AND WATER CONSERVATION BOARD"

Motion by Judge Sadler, seconded by Commissioner Meador, to approve the following Proclamations:

- a. Proclamation to proclaim April 27, through May 4, 2003, as Soil and Water Stewardship Week, and
- b. Resolution to oppose placing the Soil and Water Conservation Board under the direction of the Texas Department of Agriculture

as per Proclamation and Resolution on file. Motion carried.

6. RESOLUTION AND ORDER APPROVED - COUNTY BASIC PLAN - EMERGENCY MANAGEMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve a Resolution and Order to acknowledge and approve the County's Basic Plan for Emergency Management, as per Resolution, Order and Basic Plan on file. Motion carried.

AGENDA ITEM 5G - EMPLOYEE OF THE MONTH - EMPLOYEES' COMMITTEE

JACKIE TUCKER, an employee in the County Auditor's office was awarded "Employee of the Month" by the Employees' Committee. The nominating letter was read by the County Auditor, and Ms. Tucker was awarded with a plaque and a gift certificate from the Employees' Committee.

CITIZENS - AGENDA ITEM 21

Several Citizens from Pine Acres Estates and Windsor Estates, Precinct 3 residence, addressed the Court concerning the possibility of a Boys Ranch being located in their residential area. The Citizens stated that Williams, Williams & Hanks purchased a home in their area with the intent of having a Boys Ranch facility to house boys with problems.

The Citizens are very much opposed of such a facility being opened, since most of the residence are at retirement age, and they feel that a residential area is not a good place for a Boys Ranch.

The Court agrees with the Citizens concerns and will support a Resolution when time is appropriate.

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

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve Commissioners' Court Minutes for March 24, 2003 and March 31, 2003, as submitted by the County Clerk. Motion carried.

8. CONSENT AGENDA APPROVED - AGENDA ITEMS 7A THROUGH 7F

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. 359th District Court - to adjust line items
 2. Animal Control/Risk Management - to transfer deductible for Unit 701/Animal Control
 3. Building Maintenance/Construction - to adjust line items
 4. Commissioner, Pct. #3 - to recognize/allocate reimbursement from Steven Maxwell
 5. Commissioner, Pct. #3 - to recognize/allocate reimbursement from Stan Crane Construction, Inc.
 6. Commissioner, Pct. #3 - to adjust line items
 7. District Attorney - to adjust line items
 8. District Clerk - to fund shortage in restricted

- line
9. Juvenile Probation - to adjust line items
 10. Risk Management - to recognize/allocate insurance proceeds for Unit 803
 11. Risk Management - to recognize/allocate insurance proceeds for Unit 712
 12. Risk Management - to recognize/allocate insurance proceeds for Unit 701
 13. Sheriff/Building Maintenance/Construction - to transfer funds to build a counter
 14. Sheriff - to adjust line items
 15. Tax Assessor/Collector - to allocate funds to cover release 258043

as per Budget Amendments on file.

- c. OFFICIALS' FEES REPORT approved, as audited for the month of January, 2003, as per Report on file.

COUNTY TREASURER - AGENDA ITEMS 7B

- a. WEEKLY INVESTMENT REPORT approved, for the week of March 24, through March 28, 2003, as per Report on file.

AGENDA ITEMS 7B2, 3 & 4 - WEEKLY INVESTMENT REPORT FOR WEEK OF MARCH 31, THROUGH APRIL 4, 2003/PLEDGES AND/OR RELEASES OF COLLATERAL - NO REPORTS WERE SUBMITTED THIS COURT SESSION.

- b. CORRECTED FINANCIAL REPORT approved, for the month of January 31, 2003, as per Report on file.

TAX ASSESSOR/COLLECTOR - AGENDA ITEMS 7C

- a. SUPPLEMENTAL CHANGES approved, for 2002 Consolidated Taxroll, as submitted by the Tax Assessor/Collector.
- b. AMENDMENT approved, to change the name on the Contract for the collection of delinquent taxes to reflect Linebarger Goggan Blair & Sampson, L.L.P., as per Amendment on file.

PURCHASING DEPARTMENT - AGENDA ITEMS 7D

- a. AUTHORIZATION approved, for the Purchasing Agent to advertise for bids/proposals for Elevator Maintenance for Various Departments.
- b. BIDS/PROPOSALS acknowledged, as follows:
 1. One (1) or more used front end loader - Various Departments - Project #2003-0055 - (bids opened 3-25-03)
 2. X-ray Services - Law Enforcement Center - Project #2003-0056 - (bids opened 4-2-03)
 3. One (1) or more used haul truck - Various Department - Project #2003-0046 - (bids opened 4-3-02)
- c. RENEWALS approved, to the following Contracts:
 1. Randall's Food & Pharmacy - PO#2000317 - for pharmaceutical - prescriptions - Various Departments

2. Crown Paper & Chemical - PO#2000379 and #2000379X - for janitorial products and chemicals - Various Departments
 3. Devon Gas Services LP - PO#2001235 - for leasing space on the County Radio Tower - CIS
 4. Baker & Taylor, Inc. - PO#2001220 - for continuation service - Library Department
 5. Smith & Company - PO#2002393 - for surface treatment - Various Precincts
- d. CHANGE ORDER #3 approved - PO#2002411 - to American Eagle Air, Inc., for commercial air conditioning filters - Various Departments
 - e. CHANGE ORDER #1 approved - PO#2002393 - to Smith and Company, for surface treatment - Various Precincts
 - f. CHANGE ORDER #6 approved - PO#2002318 - to Vulcan, Inc., for traffic signs, posts and related supplies - Various Precincts
 - g. ITEMS DECLARED SALVAGE approved, from Precinct #4, as per list of items on file.
 - h. REQUEST approved, to accept the Revised Purchasing Manual. (no manual submitted)
 - i. PERFORMANCE AND PAYMENT BONDS accepted, for Smith & Company, in the amount of \$2,355,724.14 each, for roadway improvement on Riley Fuzzel Rd. from Spring Creek to Old Rayford Rd., Pct. #3, as per Bonds on file.
 - j. AMENDMENT approved, to Contract with Tele-Works, Inc., for software and hardware, for internal development of telephone and internet accessible interactive services for various departments, as per Amendment on file.

COMMISSIONER, PRECINCT #1 - AGENDA ITEMS 7E

- a. FINAL PLAT approved, for Riverstone Pointe, Section 1, consisting of 6.293 acres, as per Plat on file.
- b. MOTION RESCINDED - Agenda Item 7E1D, from Commissioners' Court Meeting of March 24, 2003, which stated that the Roads in Bentwater, Section 67, completed the one year maintenance period and release the Bond. Roads have not completed the one year maintenance and the Bond should not be released. (no paperwork)
- c. MOTION RESCINDED - Agenda Item 7E1E, from Commissioners' Court Meeting of March 24, 2003, which stated that the Roads in Bentwater, Section 84, completed the one year maintenance period and release the Bond. Roads have not completed the one year maintenance and the Bond should not be released. (no paperwork)

COMMISSIONER, PRECINCT #2 - AGENDA ITEMS 7E2

- a. REIMBURSEMENT acknowledged, from River Plantation Community Association, for culverts to be placed at the Gwen Hruska Hike and Bike trails, in the amount of

\$1,742.80, as per request on file. (Check forwarded to County Treasurer for further processing).

- b. AGREEMENT approved, in regard to the repairs to improvements within county road right-of-way and drainage easement across pipeline easement located in Ranch Crest Subdivision, Section 2, as per Agreement on file.
- c. FINAL PLAT approved, for Ranch Crest, Section 2, consisting of 136.720 acres, as per Plat on file.
- d. FINAL PLAT approved, for Tejas Creek, Section 2, consisting of 11.870 acres, as per Plat on file.
- e. ROADS accepted, BOND released, in High Meadow Ranch, Section 11, consisting of 8,891.51 l.f., 1.69 miles, by Montgomery County. Also, to release the Bond, as per Request on file.
- f. ROADS accepted, BOND released, in High Meadow Ranch, Section 11A, consisting of 312.56 l.f., .06 miles, by Montgomery County. Also, to release the Bond, as per Request on file.
- g. UTILITY PERMIT approved, for Seitel Data, Ltd./Eagle Geophysical Company, to place a seismic 3-D Project line within the right-of-way of various roads, as per Utility Permit on file.

COMMISSIONER, PRECINCT #3 - AGENDA ITEMS 7E3

- a. FINAL PARTIAL REPLAT approved, for The Woodlands-Metro Center, Section 16, consisting of 4.0243 acres, as per Replat on file.
- b. FINAL PLAT approved, for Metro Center, Section 53, The Woodlands, consisting of 2.4243 acres, as per Plat on file.
- c. FINAL PLAT approved, for the Village of Sterling Ridge, Section 25, consisting of 31.44 acres, 76 Lots, as per Plat on file.
- d. DONATION DEED accepted, from Midway Spring Trails Partners, L.P., in connection with the Riley Fuzzel Road realignment project, as per Deed on file.
- e. DONATION DEED accepted, from Midway Townsen Partners, O.P., in connection with the Riley Fuzzel Road realignment project, as per Deed on file.
- f. ORDER approved, to authorize purchase of Real Property, consisting of two (2) Tracts: (a) 3.561 acres in the Walker County School Land Survey, A599, and (b) 3.282 acres in the Walker County School Land Survey, A599. Also, to appoint Ed Chance as Special Commissioner for closing on behalf of Montgomery County, as per Order on file.
- g. ORDER approved, to consent to the sale of goods and/or services to the City of Shenandoah for mosquito spraying, as per Order on file.
- h. ORDER approved, to consent to the sale of goods and/or services to Woodlands Joint Powers Agency for mosquito spraying, as per Order on file.

- i. ORDER approved, to consent to the sale of goods and/or services to Montgomery County Drainage District No. 6 for mosquito spraying, as pe Order on file.

COMMISSIONER, PRECINCT #4 - AGENDA ITEMS 7E4

- a. CHECK accepted, from the City of Roman Forest in the amount of \$604.15, for the purchase of fuel for the month of February, 2003, per Interlocal Agreement dated 10-07-02, as per Request on file. (check forwarded to County Treasurer for further handling)
- b. FINAL PLAT approved, for Circle Oaks Subdivision, Section 1, consisting of 36.592 acres, as per Plat on file.
- c. FINAL PLAT approved, for Stowe Road Estates, consisting of 6.182 acres, as per Plat on file.
- d. ROADS accepted, in Kings Manor Subdivision, Section 10, into the one year maintenance period, consisting of 3,396.06 l.f., and .64 miles, effective April 7, 2003, as per Request on file.
- e. ROADS accepted, in Kings Manor Subdivision, Section 11, into the one year maintenance period, consisting of 2,561.80 l.f., .49 miles, effective April 7, 2003
- f. ORDER approved, to declare the existence of a public necessity, and to authorize the institution of condemnation proceedings on Parcel 38, for the widening of F.M. 1314, as per Order on file.
- g. ORDER approved, to declare the existence of a public necessity, and to authorize the institution of condemnation proceedings on Parcel 40, for the widening of F.M. 1314, as per Order on file.

DISTRICT CLERK - AGENDA ITEMS 7F

- a. DEPUTATIONS approved, for the following Deputy District Clerks:
 - 1. Melisa Miller
 - 2. Patricia Chamberlain

as per Deputations on file.

Motion carried.

END OF CONSENT AGENDA

AGENDA ITEM 8A - ADOPT NEW COUNTY BASIC PLAN FOR EMERGENCY MANAGEMENT - APPROVED EARLIER THIS COURT SESSION. (SEE MOTION #6)

- 9. VARIANCE APPROVED - INSTALLATION OF AEROBIC SEPTIC SYSTEM - ENVIRONMENTAL HEALTH

Motion by Commissioner Doyal, seconded by Commissioner Rinehart, to approve a variance to install an aerobic septic system with drip emitter for Lady Edwards, Leisure Wood Subdivision, Magnolia, Texas, as per Variance on file.
 Motion carried.

10. USE AGREEMENTS APPROVED - VARIOUS LOCATIONS - PARKS DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the following Use Agreements, as follows:

- a. Conroe Cruisers Car Show - use of Courthouse Plaza
- b. Montgomery Youth Sports/Rudy Gonzales - for the use of Lake Park Ball Field
- c. City of Conroe/Oscar Johnson Center - for use of the Courthouse Plaza

as per Agreements on file. Motion carried.

11. POLICIES AND PROCEDURES APPROVED - HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA) - RISK MANAGEMENT

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve the Health Insurance Portability and Accountability Act (HIPAA) Privacy Act Policies and Procedures as they relate to Montgomery County and the administration of the Montgomery County Employees' Benefit Plan, as per Policies and Procedures on file. Motion carried.

12. PROPOSED AGREEMENT APPROVED - SEWER SERVICES - EAST MONTGOMERY COUNTY COMMUNITY DEVELOPMENT CENTER - CDBG

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve the Proposed Agreement for MUD 16 provide sewer services for the East Montgomery County Community Development Center, as per Agreement on file. Motion carried.

13. PROPOSED EASEMENT APPROVED - WASTEWATER LINE ROUTE - EAST MONTGOMERY COUNTY COMMUNITY DEVELOPMENT CENTER - CDBG

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve the Proposed Easement for Wastewater Line Route for the East Montgomery County Community Development Center. Also, to authorize the County Judge to accept said Easement when completed. Motion carried. (no paperwork)

14. REQUEST APPROVED - EASEMENT COMPENSATION - CDBG

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve \$3,500.00, Easement Compensation to Duane E. Webb, to be paid by CDBG, as per Request on file. Motion carried.

15. ENVIRONMENTAL ASSESSMENT APPROVED - EAST MONTGOMERY COUNTY COMMUNITY DEVELOPMENT CENTER - CDBG

PROPOSED UTILITY LINES - WATER, SEWER LINES AND LIFT STATION - TAMINA WATER AND SEWER PROJECT - CDBG

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the following, as submitted by Community Development:

- a. Environmental Assessment - Proposed East Montgomery Community Development Center/Splendora and Montgomery County Project

- b. Proposed Water Lines, Sewer Lines and Lift Station
- Tamina Water Supply and Sanitary Service
Corporation,

and to authorize the County Judge to execute Certification of said Assessments and Findings. Also, to release funds for both projects, as per Paperwork on file. Motion carried.

16. REQUEST APPROVED - BUDGET ADJUSTMENTS - CDBG

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve budget adjustments, and to authorize payment and reclassification, as per Request on file. Motion carried.

AGENDA ITEM 13A - JUSTICE OF THE PEACE, PCT. #3 - DISCUSSED THE EMPLOYMENT OF A FULL TIME ADMINISTRATOR FOR THE BAIL BOND BOARD, WAS DISCUSSED INDEPTH BY THE COURT, AND WAS DEFERRED UNTIL VARIOUS ISSUES ARE RESOLVED BEFORE COURT ACTION.

17. GRANT APPROVED - CHILD ABUSE CONFERENCE - HGAC - JUVENILE PROBATION

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve a Grant with HGAC for an amount not to exceed \$16,355.00, to host a Child Abuse Conference, as per Grant on file. Motion carried. (no cost to county)

18. ANNUAL REPORT APPROVED - MONTGOMERY COUNTY LIBRARY SYSTEM

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the Annual Report for FY2002, for the Montgomery County Memorial Library System. Also, to authorize the County Judge to execute same, as per Report on file. Motion carried.

AGENDA ITEM 16A4,8,9 & 10 - RECOMMENDATIONS AND CONTRACTS - DEFERRED.

19. RECOMMENDATION AND CONTRACT APPROVED - BRIDGE REPLACEMENTS - PRECINCTS #1 AND #2

Motion by Commissioner Doyal, seconded by Commissioner Meador, to award the bid, (opened February 21, 2003), to T J & T Enterprises, Inc., in the amount of \$418,000.00, for bridge replacements for Highland Blvd. over Dry Creek, Highland Blvd. over Dry Creek, Highland Blvd. over Dry Creek Relief, Veterans Rd. over Arnold Branch and Thompson Rd. over Live Branch, as per Contract on file. Motion carried.

20. RECOMMENDATIONS AND CONTRACTS APPROVED - LAWN MAINTENANCE SERVICE - VARIOUS DEPARTMENTS

Motion by Commissioner Doyal, seconded by Commissioner Meador, to award the following bids, (opened February 27, 2003), as follows:

- a. Frazier Lawn Service, Inc.
- b. Hellard Services
- c. Montgomery County Environmental Services

as per Contracts on file. Motion carried.

21. PROPOSAL APPROVED - DRUG TESTING - JUVENILE SERVICES

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to award the Proposal for Drug Testing, (opened March 11, 2003), to Compliance Drug and Paternity Testing, as per Recommendation on file. Motion carried.

22. RECOMMENDATIONS AND CONTRACTS APPROVED - COMPUTER PAPER - VARIOUS DEPARTMENTS

Motion by Commissioner Chance, seconded by Commissioner Meador, to award the Bids, (opened March 20, 2003), for computer paper - non-recycled) -, to Polaris Business Products, Inc., and Boise Cascade, as per Contracts on file. Motion carried.

23. RECOMMENDATION AND CONTRACT APPROVED - MERDIAN SWITCH - CIS

Motion by Commissioner Meador, seconded by Commissioner Doyal, to award the bid, (opened March 21, 2003), for sale and removal of used Option 51C Merdian Switch, to Telephone Data & Sound, in the amount of \$800.00, as per Contract on file. Motion carried.

24. RECOMMENDATION AND CONTRACT APPROVED - TELEPHONE/DATA CABLING - CIS

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to award the bid, (opened March 21, 2003), to Communication Line for telephone/data cabling materials and installation, as per Contract on file. Motion carried.

25. PURCHASE APPROVED - BOX CULVERT - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the purchase of a 256' ASTM C 789 Box Culvert, for Precinct #3. Also, approve discretionary exemption for such item in accordance with Texas Local Gov't. Code Ann. Sect. 262.024, as per Request on file. Motion carried.

26. PROPOSAL APPROVED - ROAD JOB TESTING SERVICES - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to award the Proposal for job control testing services to Atser in the amount, not to exceed, \$10,000.00, as per Proposal on file. Motion carried.

27. PROPOSAL APPROVED - ENGINEERING SERVICES - PRECINCT #1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to award the Proposal for Engineering Services to Klotz Associates, Inc., for develop construction plans to replace the existing bridge on Jackson Rd. at Lake Creek Draw, for a fee of \$13,600.00, as per Proposal on file. Motion carried.

28. CHANGE ORDERS APPROVED - EAST MONTGOMERY COUNTY COMMUNITY DEVELOPMENT CENTER - PRECINCT #4 - CDBG

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve Change Orders #4, #5, #6, and #7, PO#2002347, to Alliance Construction, Inc., as per Change Orders on file. Motion carried.

29. CHANGE ORDER APPROVED - ARCHITECTURAL DESIGN/SERVICES - LAW ENFORCEMENT CENTER AND JUVENILE CENTER

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve Change Order #1, PO#9900372, to Di Stefano/Santopetro Architects, for Architectural Design/Services for the Law Enforcement Center and Juvenile Center, as per Change Order on file. Motion carried.

30. AGREEMENTS APPROVED - MASTER PLANS STUDY - PURCHASING DEPARTMENT

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

- a. Central Consulting Service - space utilization study
- b. Turner Collie & Braden, Inc. - pavement management plan
- c. DiStefano/Santpetro Architects - facility planning study

as per Agreements on file. Motion carried.

31. CONTRACT APPROVED - MARKET SURVEY ANALYSIS - HUMAN RESOURCES

Motion by Judge Sadler, seconded by Commissioner Chance, to award the Proposal to K. R. Moore & Associates, (not to exceed \$56,000.00), for Market Survey Analysis, as per Proposal on file. Motion carried.

32. PUBLIC HEARING APPROVED - PARTIAL REPLAT OF STILLWATER ESTATES, SECTION 1 - PRECINCT #2

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the Partial Replat of Stillwater Estates, Section 1, to be known as Stillwater Estates, Section 2, as per Notice on file. Motion carried.

33. FINAL PLAT APPROVED - STILLWATER ESTATES, SECTION 2 - PRECINCT #2

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve the Final Plat of Stillwater Estates, Section 2, consisting of 86.953 acres, as per Plat on file. Motion carried.

34. PROPOSAL APPROVED - INSTALLATION AT SALLAS BALL FIELDS - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Judge Sadler, to approve Proposal and Quote of \$168,8000.00, from Diamond Electrical Contractors for materials and installation at Sallas Ball Fields. Also, to approve discretionary exemption for the above project, in accordance with Texas Local Gov't. Code Anno. Section 262.024, Purchasing Plan. Motion carried. (no paperwork)

AGENDA ITEM 18B2 - ADOPTION OF PROCEDURES TO ENFORCE PROVISIONS OF CHAPTER 683, SUBCHAPTER E, TEXAS TRANSPORTATION CODE - DEFERRED - PRECINCT #4

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. Jones vs. Williams, et al
- b. Smith vs. Williams, et al
- c. Foster vs. Montgomery County, et al

COURT RECONVENED WITH ALL MEMBERS OF THE COURT PRESENT.

35. REQUEST APPROVED - OUTSIDE CONSULTANT RETAINED - FOSTER VS. MONTGOMERY COUNTY LAWSUIT

Motion by Commissioner Meador, seconded by Commissioner Chance, to retain the services of Paul E. Brown, Consultant, in connection with the Foster vs. Montgomery County, et al lawsuit. Motion carried. (no paperwork)

36. REQUEST APPROVED - OUTSIDE COUNSEL RETAINED - FOSTER VS. MONTGOMERY COUNTY LAWSUIT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to retain the services of Jay Aldis, Attorney with the lawfirm of Bracewell & Patterson, in connection with the Foster vs. Montgomery, et al lawsuit. Motion carried. (no paperwork)

AGENDA ITEM 21A - CITIZENS - MR. WAYNE NUNEZ WAS NOT PRESENT TO ADDRESS COMMISSIONERS' COURT.

37. PAYROLL CHANGE REQUESTS APPROVED - HUMAN RESOURCES

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

request of Airport Director to accept the resignation of Christina M. Crossland, Part-time Unicom Operator, effective March 28, 2003

request of Airport Director to accept the resignation of Sean F. Sherrouse, Part-time Unicom Operator, effective March 28, 2003

request of Animal Control to place Jeanette York, Clerk/Dispatcher, (replacement for Barbara Matney), effective March 24, 2003

request of County Auditor to place Zona G. King, A/P Clerk, on payroll, (replacement for Lisa Hamaker), effective March 31, 2003

request of Collections Director to discharge Sharon Beck, Collection/Part-time, effective March 28, 2003

request of Collections Director to place Ofelia Juan, Collection Specialist, Part-time, on payroll, effective April 2, 2003

request of Commissioner, Pct. #3 to increase the salary of Thomas Curry, Driver, effective April 12, 2003, due to probation period completed

request of Commissioner, Pct. #3 to place Daniel K. Linseisen, Driver, on payroll, (replacement for Gregory Nicewonger), effective March 27, 2003

request of Commissioner, Pct. #3 to accept the resignation of Gregory B. Nicewonger, Driver, effective March 21, 2003, with 28.28 vacation hours due

request of Commissioner, Pct. #4 to place Anthony Mattingly, Operator I, (replacement for Ronnie Brochard), on payroll, effective April 7, 2003

request of Commissioner, Pct. #4 to transfer Ronald Wyatt from Auditor's Department to Pct. #4, Parks Director, effective April 12, 2003

request of Custodial Services to increase the salary of Berenice Souto, Part-time Custodian, effective March 29, 2003, due to probation period completed

request of District Clerk to place Patricia Chamberlain, Deputy Clerk, (replacement for Jacqueline Carlisle), effective March 31, 2003

request of District Clerk to place Jason Bauer, Temporary Voter Clerk, on payroll, effective April 5, 2003

request of Justice of the Peace, Pct. #2, to place Angela Lynette Gordon, Part-time Clerk, (replacement for Erin M. Leitko), effective April 7, 2003

request of Juvenile Probation Director to place Ronald E. Kelly, JJAEP Full-Time Drill Instructor, (replacement for Justin Meyers), effective March 31, 2003

request of Library Director to accept the retirement of Lois Breeland, Library Assistant, II, effective April 25, 2003, with 237.24 vacation hours due and 396.48 hours sick leave due

request of Library Director to discharge Tamara Frazier, Shelving Clerk, effective March 28, 2003

request of Maintenance Department to place James Hulse, Mechanic I, on payroll, effective April 7, 2003

request of Sheriff's Department to accept the retirement of John Davidson, Jail Maintenance Supervisor, effective April 25, 2003, with 96.3600 vacation hours due and 240.0000 comp hours due

request of Sheriff's Department to increase the salary of Richard Hickey, Detention Deputy, (replacement for Michael Stephens), due to Law Enforcement Certification, effective March 29, 2003

request of Sheriff's Department to promote Sammy Lynch from Lt. Communications to Detention Captain, with an increase in salary, (replacement for William (Terry) Robertson), effective April 5, 2003

request of Commissioner, Pct. #4 to increase the salary of Thomas A. Fulgham, Jr., Road Foreman, effective March 29, 2003, due to probation period completed

request of Commissioner, Pct. #4 to increase the salary of Lonnie Smith, Operator I, effective March 29, 2003, due to merit increase

request of Commissioner, Pct. #4 to increase the salary of

Joseph Cordy Young, Operator II, effective March 29, 2003,
due to probation period completed

as per Payroll Change Requests on file. Motion carried.

38. COURT ADJOURNS

Motion by Commissioner Chance, seconded by Commissioner
Rinehart, 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