

COMMISSIONERS' COURT DOCKET, APRIL 28, 2003
SPECIAL SESSION

THE STATE OF TEXAS
COUNTY OF MONTGOMERY

Be it remembered that on this the 28th 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 COMMISSIONER CHANCE.

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.

AGENDA ITEM 5 - THERE WERE NO PROCLAMATIONS/RESOLUTIONS THIS COURT SESSION.

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

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve Commissioners' Court Minutes for April 7, 2003, as presented by the County Clerk. Motion carried.

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

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

COUNTY AUDITOR - AGENDA ITEMS 7A

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

b. BUDGET AMENDMENTS approved, as follows:

1. 359th District Court/Bldg. Maint./Construction - to transfer funds to build furniture
2. Civic Center/Commissioner, Pct. #4
3. Commissioner, Pct. #1 - Risk Management - to transfer funds for Goleman damage claim
4. Commissioner, Pct. #1 - to transfer funds to pay damage claim to Lawrence Pawalowski
5. Commissioner, Pct. #2 - to recognize/allocate reimbursement 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 R. Borremans
8. Commissioner, Pct. #3 - to recognize/allocate reimbursement from Feda Realty Corp.

9. Commissioner, Pct. #4/ Building Maintenance/Construction - to transfer funds for East County Annex remodeling
10. Constable, Pct. #1/ Building Maintenance/Construction - to transfer funds to build wall
11. Contingency/Commissioner, Pct. #4 - to transfer funds for repair of park lights
12. Court Administration - to transfer funds to set up restricted line
13. Elections Administrator - to adjust line items
14. Indigent Defense Grant - to set up budget for discretionary grant awarded by TFID, 3/24/03, Motion #14
15. Juvenile Probation - to recognize/allocate Oct.-Dec. 2002 lunch/breakfast receipts
16. Risk Management - to recognize/allocate insurance reimbursement for Unit 760
17. Sheriff - to adjust line items
18. Tax Assessor/Collector - to transfer funds to cover release #258017

as per Budget Amendments on file.

COUNTY TREASURER - AGENDA ITEMS 7B

AGENDA ITEM 7B1 - AND 7B5 - THERE WERE NO WEEKLY INVESTMENT REPORT FOR THE WEEK OF APRIL 21-25, 2003. ALSO, NO QUARTERLY INVESTMENT REPORT FOR QUARTER JANUARY-MARCH, 2003 - DEFERRED

- a. PLEDGES AND/OR RELEASES OF COLLATERAL approved, as follows:
 1. Pledge of Security - Woodforest Bank, Cusip #9128277M8, par value \$3,000,000.00
 2. Pledge of Security - Woodforest Bank, Cusip #9128275S7, par value \$3,000,000.00

as per Report on file.

- b. FINANCIAL REPORT approved, for the month of February, 2003, as submitted.
- c. PLEDGED SECURITIES approved, for the month of March, 2003, as submitted.
- d. REQUEST approved, to increase the fee for insufficient checks from \$15.00 to \$25.00 for each check returned, as per Request on file.

TAX ASSESSOR/COLLECTOR - AGENDA ITEM 7C

- a. MONTHLY TAX COLLECTION REPORT approved, for month ending March 31, 2003, as per Report on file.
- b. REQUEST approved, to void a Tax "Re-Sale" on property that was doubled assessed in error when Appraisal District converted tax records in 1982 from Willis ISD. Also, to approve refunding Purchaser, Debbie L. Griffith, c/o G & P Trust, \$3,050.00 payment, as per Request on file.

PURCHASING DEPARTMENT - AGENDA ITEMS 7D

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

1. High density polyurethane injection service for concrete roads - Various Precincts
 2. Wood Recycling Service - Pct. #3
 3. Surveillance Systems - Library Department
 4. New South County Library - Library
 5. Leasing Space on the County Radio Tower - CIS
 6. Computer Paper - Various Departments
 7. Raising and Undersealing Concrete Slabs and Roadways - Various Precincts
 8. Disaster Recovery System for financial system (new or used) - Various Departments
 9. Construction of a building - Pct. #2
- b. ALSO, to acknowledge the opening of the following bids/proposals, which are on file in the Purchasing Department:
1. Electrical Compact Storage System - Sheriff's Department Jail Division - Project #2003-0049 - (bids opened April 23, 2002)
 2. Elevator Maintenance - Various Departments - Project #2003-0057 - (bids opened 4-25-03)
- c. RENEWAL CONTRACTS approved, as follows:
1. Recorded Books, Inc. - (PO#2000349), for service to supply audio/visual materials - Library Department
 2. Baker & Taylor, Inc. - (PO#2000350), for service to supply audio/visual materials - Library Department
 3. Ingram Library Services, Inc. - (PO#2000351), for service to supply audio/visual materials -library Department
 4. Educational Record Center, Inc. - (PO#2000352), for service to supply audio/visual materials - Library Department
 5. Random House DBA Books on Tape and Listening Library, Inc. - (PO#2001222), for service to supply audio/visual materials - Library Department
 6. Critics Choice Video & Collectors Choice Music - (PO#2000355), for service to supply audio/visual materials - Library Department
 7. Rainbow Educational Media, Inc. - (PO#2000356), for service to supply audio/visual materials - Library Department
 8. Smith and Company - (PO#2000380), for contract dump truck with operator - Various Precincts
 9. Earth Material Services LLC - (PO#2000381), for contract dump truck with operator - Pct. #1
 10. Earth Material Services LLC - (PO2000382), for contract dump truck with operator - Pct. #2
 11. Earth Material Services LLC - (PO#2000383), for contract dump truck with operator -Pct. #3
 12. Earth Material Services LLC - (PO#2000384), for contract dump truck with operator - Pct. #4
 13. Battery Zone, Inc. - (PO#2000420), for new LPE batteries - Various Departments
 14. Conroe Door and Hardware - (PO#2002424), for hardwood lumber, supplies and miscellaneous items - Various Departments
 15. Hardwood Lumber Co., Inc. - (PO#2002425), for hardwood lumber, supplies and miscellaneous items - Various Departments
 16. Commissioners' Court of Harris County - (PO#2002397) - for an interlocal agreement for use of Harris County's 800 MHz Public Radio System - Various Departments

17. TXU Communications Telephone - (PO#2001387, #2001387 and #2001388) - for long distance services - Various Departments/Inmate Phone System as per Budget Amendments on file.
- d. REQUEST approved, from CIS to rescind the renewal of leasing space on county road tower to Devon Gas Services LP, which was approved in Commissioners' Court on April 7, 2003. (no paperwork)
 - e. CHANGE ORDER #1 approved, PO#2002370, to Lone Star Services to add additional to contract for crack seal, as per Change Order on file.
 - f. CHANGE ORDER #1 approved, PO#2003041, to Harts Auto Supply for brake parts, as per Change Order on file.
 - g. CHANGE ORDER #1 approved, PO#2002506, to Strouhal Tire Recapping Plant, Inc., for tires and tubes, to provide for changes noted in memo dated April 28, 2003, on file.
 - h. CHANGE ORDER #1 approved, PO#2002472, to Victor Love for non-residential services, Juvenile Department, for an increase not to exceed \$15,000.00 to \$20,000.00, as per Change Order on file.
 - i. CHANGE ORDER #1 approved, PO#2003195, to Tele-Works Inc., to add TTY Port-Hearing Impaired Functionality to the Software and Hardware for Internal Development of Telephone and Internet Accessible Interactive Services, as per Change Order on file.
 - j. CHANGE ORDER #1 approved, PO#2002460, to Turner Collie & Braden, Inc., for preliminary engineering services for Fish Creek Thoroughfare, Pct. #2. (no paperwork)
 - k. REQUEST approved, to correct description of services, PO#2002036, to Dennis McMahon to reflect Contract Risk Management Services rather than Insurance Benefit Advisor, previously approved in Commissioners' Court on March 24, 2003, as per Request on file.
 - l. CANCELLATION approved, PO#2003274, to Polaris Business Products, Inc., for computer paper (non-recycled), for Various Departments, as per Request on file.
 - m. CONTRACT approved, with Communication Line for telephone/data cabling materials and installation, which was previously approved in Commissioners' Court on April 7, 2003, as per Contract on file.
 - n. PAYMENT AND PERFORMANCE BONDS approved, from TJ & T Enterprises, Inc., (Bond #61SB104012780BCM), for bridge replacements on Highland Blvd. over Dry Creek, Highland Blvd. over Dry Creek Relief, Veterans Rd. over Arnold Branch and Thompson Rd. over Live Branch, Pct. #1 and #2, as per Bonds on file.
- COMMISSIONER, PRECINCT #1 - AGENDA ITEMS 7E1
- a. ORDER approved, to acknowledge receipt of Amendment to Letter of Credit No. SB210085, for the Account of Crescent Cove, Section 3, as per Order on file.

- b. UTILITY PERMIT approved, for Far Hills Utility District to place a storm sewer line within the right-of-way of Bruce Road, as per Permit on file.
- c. PUBLIC HEARING DATE SET, for May 19, 2003, to consider establishing a speed limit of 30 mph for all roads in Bee Creek Subdivision, as per Study on file.
- d. PUBLIC HEARING DATE SET, for May 19, 2003, to consider placement of stop signs on all intersection streets in Tri Lake Estates Subdivision, as per Study on file.

COMMISSIONER, PRECINCT #2 - AGENDA ITEMS 7E2

- a. ORDER approved, to acknowledge receipt of a Replacement Letter of Credit No. 194 for the account of Crown Oaks Subdivision, Section 2, as per Order on file.
- b. ORDER approved, to acknowledge receipt of a Replacement Letter of Credit No. 197 for the account of Crown Oaks Subdivision, Section 3, as per Order on file.
- c. ORDER approved, to authorize the lease of real property for open space, recreational, or wetlands management purposes, being Lot 56, Pine Vista Mobile Home Village. Also, to appoint Robert W. Collins as Special Commissioner to conduct lease auction on May 30, 2003, as per Order on file.
- d. FINAL PLAT approved, for Ridgelake Shores, Section 3, consisting of 289.93 acres, 123 lots, as per Plat on file.
- e. ROADS accepted, BOND released, for High Meadow Ranch, Section 2B, by Montgomery County, consisting of .35 miles, 1,867.79 l.f. Also, to release the Bond, as per Request on file.
- f. UTILITY PERMIT approved, for Universal Natural Gas, Inc. to place a natural gas distribution pipeline main line within the right-of-way of Honea-Egypt Road, as per Permit on file.
- g. PUBLIC HEARING DATE SET, for May 19, 2003, to consider placement of a stop sign on Pinebough at Spring Stream Bend in Lake Conroe Forest Subdivision, as per Request on file.

COMMISSIONER, PRECINCT #3 - AGENDA ITEMS 7E3A

- a. ORDER approved, to authorize the acceptance of a donation of Real Property from The Woodlands Land Development Company, L.P., for a public library. Also, to appoint Commissioner Chance as Special Commissioner, as per Order on file.
- b. FINAL PLAT approved, for Jones Tract Subdivision, consisting of 3.6461 acres, as per Plat on file.
- c. FINAL PLAT approved, for Montgomery County MUD No. 19 Water Plant No. 3, consisting of 6.378 acres, as per Plat on file.

COMMISSIONER, PRECINCT #4 - AGENDA ITEMS 7E4

- a. PUBLIC HEARING DATE SET, for June 2, 2003, to consider the proposed partial replat of 38.392 acres, originally

platted in Texaba Subdivision, to be known as Deer Run, Section 2, as per Notice on file.

- b. PUBLIC HEARING DATE SET, for June 2, 2003, to consider the proposed Partial Replat of 29.427 acres, originally platted as Reserve "M" and Lot 1, Block 2 of Texaba Subdivision, to be known as Deer Run, Section 3, as per Notice on file.
- c. PUBLIC HEARING DATE SET, for June 2, 2003, to consider the proposed Partial Replat of 9.591 acres, originally platted as Summerset Estates, Section 1, to be known as Summerset Estates, Section 2, as per Notice on file.
- d. ORDER approved, between Montgomery County and San Jacinto County, to consent to the sale of goods to San Jacinto County, pursuant to an Interlocal Agreement dated July 9, 2001, as per Order on file.
- e. ORDER approved, to authorize the purchase of right-of-way for the widening project of F.M. Highway 1314 from Ferrell Gas L.P., in the amount of \$14,734.00, (to be funded from Road Bond Series 2002), as per Order on file.
- f. QUIT CLAIM DEED approved, for Parcel No. 114E to Texas Department of Transportation in connection with the FM1314 Drainage Channel Project, as per Deed on file.
- g. ORDER acknowledged, for receipt of a check in the amount of \$10.00, from Terry Williams for lease of 7.84 acres, Precinct #4, as per Order on file. (money order was not received by the County Clerk)
- h. PUBLIC HEARING DATE set, for May 19, 2003, to consider the placement of a stop sign on Deer Ridge Drive at Firetower Road, as per Notice on file. - Pct. #4
- i. PUBLIC HEARING DATE set, for May 19, 2003, to consider the placement of a stop sign on Reba Lane at Firetower Road, as per Notice on file. - Pct. #4
- j. PUBLIC HEARING DATE set, for May 19, 2003, to consider the placement of a stop sign on Tower Lane at Firetower Road, as per Notice on file. - Pct. #4
- k. PUBLIC HEARING DATE set, for May 19, 2003, to consider the placement of a stop sign on Southern Pines Drive at Gulf Coast Road, as per Notice on file. - Pct. #4

ALL PRECINCTS - AGENDA ITEM 7E5

- a. OVERLOAD/OVERSIZE PERMIT approved, for Park Construction Associates to move various loads over all County Road, with the exception of the Road excluded on said Permit. Movement to begin not earlier than May 1, 2003, and to be completed by July 30, 2003, as per Permit on file.

DISTRICT CLERK - AGENDA ITEM 7F

- a. DEPUTATION approved, for Susan Mitchell, Deputy District Clerk, as per Deputation on file.

PARKS DEPARTMENT - AGENDA ITEM 7G

- a. USE AGREEMENTS approved, for the following Vendors:

1. Texas For Equal Justice
2. Greater Conroe/Lake Conroe Chamber
3. Tri County Mental Health Mental Retardation Services
4. The Art Festival/City of Conroe Arts and Cultural Department

as per Agreements on file.

Motion carried.

END OF CONSENT AGENDA

AGENDA ITEM 8A - BUILDING MAINTENANCE - DISCUSSED FUTURE OF ELECTIONS CENTRAL BUILDING

DON LaFITTE, Building Maintenance Director, addressed the Court concerning the Elections Central Building repairs. Mr. LaFitte stated that the building is of a wood structure in bad need of immediate repairs, also the electrical problems and the need of a roof. The Court discussed all the problems of said building with Mr. LaFitte, and Commissioner Chance stated that he would like to go forward with the remodeling of said building rather than building a new structure.

The Court instructed the Maintenance Director to proceed and make a good survey of the building needs and perhaps come up with a figure to remodel the building totally for Elections Central's offices. It was estimated that the cost to completely remodel said facility would cost approximately \$100 to \$125 thousand dollars, which is less than what a new structure would cost.

4. VARIANCE APPROVED - SURFACE APPLICATION SYSTEM - PRECINCT #2

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve the installation of a surface application system with the flood plain at 2401 Conostoga Court, Carriage Hills Subdivision, for Craig Tobola, as per Variance on file. Motion carried.

5. VARIANCE APPROVED - AEROBIC SEPTIC SYSTEM - PRECINCT #2

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the installation of an Aerobic Septic System in the flood plain at 33203 Alton Wright Road, Walnut Creek Forest Subdivision, for Michael and Shelly Ludwig, as per Variance on file. Motion carried.

6. VARIANCE APPROVED - AEROBIC SEPTIC SYSTEM - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve the installation of an Aerobic Septic System in the flood plain at 15395 Rusty Oak Trail, for Dale Hock, as per Variance on file. Motion carried.

7. INTERLOCAL AGREEMENT APPROVED - BAIL BOND BOARD - JUSTICE OF THE PEACE, PCT. #3

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve an Interlocal Agreement between Montgomery County and Montgomery County Bail Bond Board, to hire one full time employee to perform the duties and responsibilities of an Administrator to the Bail Bond Board. The County is to provide adequate office space, furniture

and other items necessary for the Administrator to perform their functions. Also, County agrees to fund any shortfall or negative balance if bail bond fees are depleted, as per Agreement on file. Motion carried.

8. REQUEST APPROVED - NEW RESERVE OFFICERS - CONSTABLE, PRECINCT #2

Motion by Commissioner Chance, seconded by Commissioner Meador, to accept two (2) new Reserve Officers, Kevin W. Johnson and Leah Chapa Fauster, for Constable, Pct. #2 Department, as per Request on file. Motion carried.

9. GRANT APPLICATION APPROVED - AUTO THEFT TASK FORCE - SHERIFF'S DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the Grant Application and Interlocal Agreements for year 2004 grant funding for the Montgomery County Auto Theft Task Force, as per Agreements and Application on file. Motion carried.

10. REQUESTS APPROVED - VARIOUS REPORTS - COUNTY AUDITOR

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the following Requests by the County Auditor:

- a. Compliance Report for Federal and State Grant Funding for Year ended 9/30/02, along with Auditors' Opinion.
- b. Communication of Reportable Conditions for Year ended 9/30/02, along with Management's Plan of Corrective Action.
- c. Inmate Trust Fund Balance Sheet Analysis for four months ended 1/31/03
- d. Management Letter Comments and Suggestions for Year ended 9/30/02

as per Reports on file. Motion carried.

AGENDA ITEM 13E - COUNTY AUDITOR DISCUSSED GUIDELINES FOR PREPARATION OF FY2003/04 BUDGET. BUDGET HEARINGS WILL BEGIN JULY 28, THROUGH AUGUST 1, 2003, FOR MONTGOMERY COUNTY. ANNUAL BUDGET FOR FY2003/04 TO BE ADOPTED ON AUGUST 25, 2003.

11. RECOMMENDATION AND CONTRACT APPROVED - TECHNICAL SERVICES - COUNTY CLERK

Motion by Commissioner Meador, seconded by Commissioner Chance, to award the bid, (opened March 4, 2003), to JCL Associates, Inc., for Technical Services for the County Clerk, in the amount of \$71,025.00, as per Contract on file. Motion carried.

12. RECOMMENDATION AND CONTRACT APPROVED - FRONT END LOADER - VARIOUS DEPARTMENTS

Motion by Commissioner Doyal, seconded by Commissioner Meador, to award the bid, (opened March 25, 2003), to Hi-Way Equipment, for one (1) used 1997 Kawasaki 70Z IV-2 front end loader for a cash price of \$79,947.00, as per Contract on file. Motion carried.

13. RECOMMENDATION AND CONTRACT APPROVED - X-RAY SERVICES - LAW ENFORCEMENT CENTER

Motion by Commissioner Doyal, seconded by Commissioner Meador, to award the bid, (opened April 2, 2003), to

Symphony Mobilex for X-ray services, as per Contract on file. Motion carried.

14. RECOMMENDATION AND CONTRACT APPROVED - USED HAUL TRUCK - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to award the bid, (opened April 3, 2003), for one (1) used 2000 Mack haul truck to Performance Truck for a cash price of \$68,650.00, as per Contract on file. Motion carried.

AGENDA ITEMS 14A5 & 6 - ELECTRICAL COMPACT STORAGE SYSTEM FOR SHERIFF'S DEPT. JAIL DIVISION AND ELEVATOR MAINTENANCE - VARIOUS DEPARTMENTS - DEFERRED

15. PROPOSAL APPROVED - ENGINEERING SERVICES - PRECINCT #2

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve a Proposal from JGD Engineering and Surveying for engineering services related to drainage improvements on Honea-Egypt Road, for a fee not to exceed \$17,500.00, (fund from Bond funds), as per Proposal on file. Motion carried.

16. PROPOSAL APPROVED - ENGINEERING SERVICES - PRECINCT #1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve a Proposal from Geotech Engineering & Testing for engineering services for bridge bore and foundation report for the replacement of Mary Wagner Rd. bridge at Hostetter Rd., for a fee of \$4,984.50, (fund from bond funds), as per Proposal on file. Motion carried.

17. REQUEST APPROVED - LOANER PROGRAM - SHERIFF'S DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the Request to participate in the 2003 Polaris Watercraft Government Loaner Program, as per Request on file. Motion carried.

18. CONTRACT AGREEMENT APPROVED - RESIDENTIAL TREATMENT - JUVENILE SERVICES

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the Contract Agreement between Montgomery County and Hays County Juvenile Center for residential treatment, as per Contract on file. Motion carried.

19. CHANGE ORDER #1 APPROVED - PRELIMINARY ENGINEERING SERVICES - PRECINCT #2

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve Change Order #1, PO#2002460, to Turner Collie & Braden for changes to Contract for Preliminary Engineering Services for Fish Creek Thoroughfare, as per Change Order on file. Motion carried. (fund from Bond funds)

20. CHANGE ORDERS APPROVED - EAST MONTGOMERY COUNTY DEVELOPMENT CENTER - PRECINCT #4 - CDGB

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve Change Orders #8, #9, #10, #11 and #12, PO#2002347, to Alliance Construction, Inc., for changes to the Contract for the construction of East Montgomery County Community Development Center, CDBG, as per Change Orders on file. Motion carried.

21. CHANGE ORDER #2 APPROVED - CONSTRUCTION OF MONTGOMERY COUNTY ANNEX

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve Change Order #2, PO#2003178, to G.T.T., Inc., for changes to the Contract for construction of Montgomery County Annex, as per Change Order on file. Motion carried.

22. AMENDMENT TO AGREEMENT APPROVED - TXDOT CONTRACT - AIRPORT

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve Amendment No. 1 to the Agreement between Montgomery County and TxDot, to increase Project Number TXDOT CSJ #0212CONRE funding for Airport Drainage, as per Agreement on file. Motion carried.

23. INTERLOCAL AGREEMENT APPROVED - EXCHANGE OF MAPPING INFORMATION - COUNTY CLERK

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the Interlocal Agreement between Montgomery County and City of Conroe, for computer networking link to allow County and City to mutually research mapping information, as per Agreement on file. Motion carried.

24. INTERLOCAL AGREEMENT APPROVED - ELECTION EQUIPMENT PURCHASE - ELECTIONS CENTRAL

Motion by Commissioner Chance, seconded by Commissioner Doyal, to approve an Interlocal Agreement between Montgomery County and Harris County, for the purchase of elections equipment in the amount of \$19,700.00, as per Agreement on file. Motion carried.

25. AGREEMENT APPROVED - GULF COAST MUTUAL AID - COUNTY ATTORNEY

Motion by Commissioner Doyal, seconded by Commissioner Meador, to execute the Gulf Coast Planning Region Regional County-Level Mutual Aid Agreement comprising of various Gulf Coast Counties, for mutual aid and protection of life and property in the event of a disaster and/or emergency, as per Agreement on file. Motion carried.

26. PARTIAL REPLAT APPROVED - CRIGHTON RIDGE, SECTION 3 - PRECINCT #2

SPEED LIMIT APPROVED - OLD CONROE ROAD - PRECINCT #2

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

- a. Partial Replat of Crighton Ridge, Section 3
- b. to change the speed limit on Old Conroe Road to 30 mph rather than 45 mph

as per Notices on file. Motion carried.

27. AGREEMENT APPROVED - ROAD ACCEPTANCE AND REPAIR - PRECINCT #2

Motion by Commissioner Doyal, seconded by Commissioner Meador, to accept Arlene Drive within Glenmont Estates into the Montgomery County Road Maintenance System. Also, to acknowledge receipt of a check in the amount of \$5,215.50, for road acceptance by prescriptive rights, as per Agreement on file. Motion carried. (check forwarded to County

Treasurer for further processing)

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 Barry Cohen
- b. Consider and Approve Retention of Expert and legal counsel in Foster vs. Montgomery County, Texas, et al
- c. Consider and Discuss Claims of David Park
- d. Consider and Discuss Claims of Pam Hernandez and Phyllis Traylor
- e. Discuss Foster vs. Montgomery County

COURT RECONVENED WITH ALL MEMBERS OF THE COURT PRESENT.

28. RESOLUTIONS AND ORDERS APPROVED - LEGAL COUNSEL AND FORENSIC INVESTIGATION CONSULTANT - FOSTER VS. MONTGOMERY COUNTY, ET AL LAWSUIT

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the following Resolutions and Orders for retaining Legal Counsels and Consultants in connection with the Foster vs. Montgomery County, et al lawsuit:

- a. Resolution and Order to retain the legal services of Magenheim, Bateman & Helfand
- b. Resolution and Order to retain the legal services of Bracewell & Patterson, L.L.P., and
- c. Resolution and Order to retain CyberEvidence, Inc., to provide computer forensic investigation, consulting and/or data recovery and retrieval services

as per Resolutions and Orders on file. Motion carried.

AGENDA ITEM 20 - CITIZENS - THERE WERE NO CITIZENS TO ADDRESS THE COURT THIS SESSION.

29. POLICY CHANGE REQUESTED - SICK LEAVE AND FAMILY LEAVE OF ABSENCE - HUMAN RESOURCES

Motion by Commissioner Meador, seconded by Commissioner Chance, to authorize the Human Resources Director to make changes to the Policies pertaining to (a) an employee using more than three consecutive days of sick leave, and (b) if an employee uses more than 40 hours of sick leave during the same pay period, as per Request on file. Motion carried. Judge Sadler "opposed" and Commissioner Doyal "opposed".

30. 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 County Auditor to place Stephanie Sprowl, Receptionist, (replacement for Jackie Tucker), on payroll, effective April 14, 2003

request of Maintenance Director to rescind previous request to place James Hulse, Mechanic, on payroll, (replacement for Gary Franks), on payroll, effective April 7, 2003 -

(applicant received another job out of county)

request of Collections Department to increase the salary of Floresthela Sollie, Collections Specialist, effective April 28, 2003

request of Commissioner, Pct. #2 to place Christopher Lanning, Operator II, (replacement for Chris Lanning), on payroll, effective April 15, 2003

request of Commissioner, Pct. #4 to place Daniel Miller, Mosquito Sprayer, on payroll, effective April 19, 2003

request of Commissioner, Pct. #4 to place James Wade, Mosquito Sprayer, on payroll, effective April 19, 2003

request of Constable, Pct. #1 to accept the resignation of James Blackwell, Deputy, effective April 17, 2003, with 184.88 vacation hours due, 128.5 comp hours due and 16 holiday hours due

request of Custodial Services to layoff Nallely Ontiveros, Part-time Temporary Custodian, effective April 22, 2003

request of Custodial Services to bridge the time of Joshua Warren, Floor Technician, as noted on payroll change request form, effective April 14, 2003

request of County Clerk to promote Darin Bailey from Court Administrator to Chief Deputy and Court Administrator, (replacement for Sandra White), effective April 26, 2003

request of County Clerk to layoff Cirilo C. Haynes, Temporary Clerk, effective April 4, 2003

request of County Clerk to place Maria Hill, Recording/Scan Clerk, (replacement for Rhonda M. Robey), effective April 28, 2003

request of County Clerk to promote Andrea Jones, Research Clerk, (replacement for Dixie Reed), effective May 10, 2003

request of County Clerk to transfer Stella Luton from Recording/Scan Clerk to Research Clerk, (replacement for Andrea Jones), effective May 10, 2003

request of County Clerk to promote Brenda Randall from Recording/Scan Clerk to Utility Assistant, (replacement for Sharon Smith), effective April 26, 2003

request of County Clerk to accept the retirement of Dixie Reed, Research Clerk, effective April 30, 2003, with 36.904 vacation hours due and 1.50 comp hours due

request of County Clerk to transfer Rhonda Robey, Recording/Scan Clerk, (replacement for Brenda Randall), effective April 26, 2003

request of County Clerk to transfer Sharon Smith from Utility Assistant to Utility/Adm. Assistant, effective April 26, 2003

request of District Attorney to increase the salary of Marc Brumberger, Assistant District Attorney, effective April 12, 2003

request of District Clerk to accept the retirement of Linda LaCoure, Deputy Clerk, effective April 11, 2003

request of District Clerk to promote Cathy McDaniel from Senior Clerk to Court Clerk, (replacement for Melisa Miller), effective March 24, 2003

request of District Clerk to place Susan Mitchell, Deputy Clerk, (replacement for Carole Lane), effective April 14, 2003

request of Elections Administrator to place Frank Williams, Temporary Voters Registration Clerk, on payroll, effective April 26, 2003

request of Elections Administrator to place Marshall Wyrick, Temporary Voter Clerk, on payroll, effective April 28, 2003

request of Fire Marshal to accept the resignation of Richard Birdwell, Arson Investigator, effective April 1, 2003

request of Fire Marshal to accept the resignation of Sandra Brautigam, Investigator, effective April 1, 2003

request of Fire Marshal to accept the resignation of Van Roller, Arson Investigator, effective April 1, 2003

request of Library Director to place Teresa Coskrey, Shelving Clerk, (replacement for Tamara Frazier), effective April 14, 2003

request of Library Director to place Teresa DeHovos, Copy Cataloger, on family leave of absence, effective April 14, 2003

request of Library Director to place Sherry Vest, Library Assistant II, (replacement for Lois Breeland), effective April 28, 2003

request of Library Director to place Sherry Vest, Library Assistant II, (replacement for Lois Breeland), effective April 28, 2003

request of Sheriff's Department to accept the retirement for Gloria Aschenbeck, Warrants Deputy, effective April 30, 2003, with 239.74 vacation hours due, 378.72 sick leave hours due and 457.7500 comp hours due

request of Sheriff's Department to transfer George Alan Bell, District II, Patrol Deputy, (replacement for Chad May), effective May 3, 2003

request of Sheriff's Department to place Jarrod Bruce, Detention Deputy, (replacement for Meredith Miller), effective April 26, 2003

request of Sheriff's Department to promote Darrell Conn from Detective II to ATTF Sgt. (replacement for Randall Eaves), effective April 12, 2003

request of Sheriff's Department to accept the resignation of Rebecca Duval, Temporary Data Clerk, effective March 9, 2003

request of Sheriff's Department to transfer Randall Eaves, from ATTF Sgt. to Mobile Inf. Serv. Sgt., (replacement for Sam Lynch), effective April 12, 2003

request of Sheriff's Department to place Amber Gilliland, Dispatcher, (replacement for Megan Weaver), effective April 14, 2003

request of Sheriff's Department to place Barbara Gordy, Dispatcher I, (replacement for Kathryn Villalobos), effective April 14, 2003

request of Sheriff's Department to promote Roland Henrici, Detention Corporal, (replacement for James Anderson), effective April 26, 2003

request of Sheriff's Department to transfer Christopher Holcomb, Town Center Patrol Deputy, (replacement for Daniel Lozano), effective May 3, 2003

request of Sheriff's Department to place Willie Kendrick, Detention Deputy, (replacement for Richard Vogel), effective April 28, 2003

request of Sheriff's Department to transfer Daniel Trent Lozano, District II, Patrol Deputy, (replacement for Christopher Holcomb), effective May 3, 2003

request of Sheriff's Department to promote Jimmy Malmaya from Woodlands Patrol Deputy to Detective I, (replacement for Monte Morast), effective May 3, 2003

request of Sheriff's Department to place Joseph Manz, Jr., Detention Deputy, (replacement for Eric Ward), effective April 28, 2003

request of Sheriff's Department to transfer Chad May from District II, Patrol Deputy, to Town Center Patrol Deputy, (replacement for George Alan Bell), effective May 3, 2003

request of Sheriff's Department to transfer Monte Morast from Detective II to Warrants Specialist, (replacement for Gloria Aschenbeck), effective May 3, 2003

request of Sheriff's Department to promote Phyllis Traylor from Secretary II to Financial Contract Specialist (replacement for Rene DUEWALL), effective April 14, 2003

request of Sheriff's Department to discharge Richard J. Vogel, Detention Deputy, effective April 17, 2003

request of Sheriff's Department to promote Keith Winford, Detective I, (replacement for Darrel Conn), effective May 3, 2003

request of Tax Assessor/Collector to place Kimberly Bates, Deputy Specialist I, (replacement for Regina Casey), effective May 5, 2003

request of Tax Assessor/Collector to accept the resignation of Regina Casey, effective April 21, 2003

request of CIS to correct the salary of Rhonda Hovater, Administrative Assistant, to reflect \$1,614.19 bi-weekly rather than \$1,598.82, effective April 26, 2003

request of County Clerk to place Edna Bubela, Chief Clerk-South Co. annex, on unpaid family leave of absence, effective April 16, 2003

request of Juvenile Probation Director to promote Jerry Hoke from Juvenile Detention Officer to Detention Intake Supervisor, (replacement for Georgan Guerrero), effective April 26, 2003

request of Tax Assessor/Collector to promote Jody Shanks, Deputy Specialist I, effective April 12, 2003, due to probation period completed

request of Tax Assessor/Collector to promote Vicki Coon Willis, Deputy Specialist I, effective April 12, 2003, due to probation period completed

as per Payroll Change Requests on file. Motion carried.

30. COURT ADJOURNS

Motion by Judge Sadler, seconded by Commissioner Meador, 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