

COMMISSIONERS' COURT DOCKET, JUNE 16, 2003
SPECIAL SESSION

THE STATE OF TEXAS
COUNTY OF MONTGOMERY

Be it remembered that on this the 16th day of June, 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 WAYNE MACK, CUSTODIAL SERVICES.

PLEDGE OF ALLEGIANCE RECITED BY EVERYONE PRESENT

1.COMMISSIONERS' COURT AGENDA APPROVED

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

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

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve Commissioners' Court Minutes for June 2, 2003, as presented by the County Clerk. Motion carried.

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

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the Consent Agenda, as follows:

COUNTY AUDITOR - AGENDA ITEMS 7A

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

b.BUDGET AMENDMENTS approved, as follows:

- 1.Child Welfare - to adjust line items
- 2.Commissioner, Pct. #1 - to transfer funds for security at Lake Park for May 4-26, 2003
- 3.Commissioner, Pct. #2 - to recognize/allocate contribution from Carriage Hills, C.I.A.
- 4.Commissioner, Pct. #3 - to adjust line item
- 5.Commissioner, Pct. #3 - to recognize/allocate reimbursement from Tanya Meiners
- 6.Commissioner, Pct. #3 - (3 of 5) - to recognize and allocate reimbursement from D. Leverett
- 7.Commissioner, Pct. #3 - (4 of 5) - to recognize and to allocate reimbursement from Montgomery Capital

8. Commissioner, Pct. #3 - to recognize/allocate reimbursement from Ronald Page
9. Commissioner, Pct. #4 (1 of 4) - to recognized and to allocate sale of dump truck to San Jacinto County

10. Commissioner, Pct. #4 (2 of 4) - to transfer funds to cover John Pruitt damage claim
11. Commissioner, Pct. #4 - to recognize/allocate real property lease from Tapal
12. Commissioner, Pct. #4 - to recognize/allocate reimbursement from City of Roman Forest
13. Communication Information Services (CIS) - to adjust line items
14. Constable Pct. #2 - to absorb a portion of 2-1/2% cut to FY03 budget
15. Constable, Pct. #4 - to adjust line items
16. County Auditor - to transfer funds to cover 2-1/2% budget cut for FY03
17. County Treasurer - to carryover funds from FY02 to cover release 251661
18. Court Collections - to adjust line items
19. Court Operations - to transfer funds to cover shortage in Court Operations budget
20. District Attorney - to transfer funds to cover damage to Unit #767
21. District Clerk - to adjust line items
22. Elections Administrator - to adjust line items
23. Environmental Health - to adjust line items
24. Juvenile Probation - to adjust line items
25. Juvenile Probation - to adjust line items
26. Juvenile Probation - to adjust lien items
27. Risk Management - to transfer funds to absorb 2-1/2% cut for FY2003
28. Sheriff's Department - to adjust line items
29. Sheriff's Department - to recognize/allocate restitution from A. Villareal
30. Tax Assessor/Collector - to transfer funds to cover release 260880

as per Budget Amendments.

c.OFFICIALS' FEE REPORT approved, as audited by the County Auditor for the month of February 2003.

COUNTY TREASURER - AGENDA ITEMS 7B

a.WEEKLY INVESTMENT REPORT approved, for the week of June 2 through June 6, 2003, as per Report on file.

AGENDA ITEM 7B2 - WEEKLY INVESTMENT REPORT FOR WEEK OF JUNE 9-13, 2003 - DEFERRED.

b.RELEASE OF SECURITIES approved, for Woodforest National Bank, Cusip #9128277M8, par value \$3,000,000.00, as per Release on file.

b.REPORT approved, for pledged collateral for the month of May, 2003, as per Report on file.

- c. CORRECTED REPORT approved - monthly financial report for the month of March, 2003, as per Report on file.

TAX ASSESSOR/COLLECTOR - AGENDA ITEM 7C

- a. MONTHLY TAX COLLECTION REPORT approved, for the month ending May 31, 2003, as submitted by the Tax Assessor/Collector.

PURCHASING DEPARTMENT - AGENDA ITEMS 7D

- a. BIDS/PROPOSALS accepted, as opened by the Purchasing Department, as follows:

- 1. MC30 Asphaltic Oil - Various Precincts
- 2. Design-Build of AG Barn Concession Stand - Parks Department
- 3. Sale of Fuel Cap Tester - Pct. #3
- 4. Emergency Equipment - Sheriff's Department
- 5. Seal Coating - Various Precincts

- b. ALSO, to acknowledge receipt of the following bids/proposals, opened by the Purchasing Department:

- 1. RFP Equipment and Installation of Surveillances Security Systems for Montgomery County Central and South Libraries - Project #2003-0059 (opened 6-3-03)
- 2. RFP Inmate Dental Service - Montgomery County Jail - Project #2003-0065 (opened 6-5-03)
- 3. Construction of a left turn lane and right turn lane on Hanna Rd. at Dolly Vogel School - Pct. #3 - Project #2003-0070 (opened 6-11-03)

- c. RENEWAL CONTRACTS approved, as follows:

- 1. Addco, Inc. - PO#2002452 and #2002452X - for contract support services - CIS
- 2. Pavers Supply Company - PO#2001447 - for bulk road materials asphaltic emulsions - Pct. #1
- 3. Pavers Supply Company - PO#2001449 - for bulk road materials asphaltic emulsions - Pct. #2
- 4. Pavers Supply Company - PO#2001452 - for bulk road materials asphaltic emulsions - Pct. #3
- 5. Prime Materials & Supply - PO#2002442 - for bulk road materials asphaltic emulsions - Pct. #2
- 6. Prime Materials & Supply - PO#2002443 - for bulk road materials asphaltic emulsions - Pct. #3
- 7. Prime Materials & Supply - PO#2002444 - for bulk road materials asphaltic emulsions - Pct. #4
- 8. ASIA Source, Inc. - PO#2002437 - for laptop pc/toughbook - Various Departments
- 9. Montgomery County Hospital District - PO#2000389 - PO#2000389X - for interlocal agreement to maintain certain radios belonging to county that operate on the Ericsson EDACS system - Various Departments
- 10. Exxon Mobil Corporation - PO#2002442 - for fleet fuel credit card - Various Departments
- 11. Shell - PO#2002398 - for fleet fuel credit card - Various Departments
- 12. Diamond Shamrock Corporation - PO#2002436 - for additional fleet fuel credit card - Various Departments

- d.LIST approved, of seized, forfeited, abandoned and surplus items for the June 21, 2003, County Auction, as per List on file. (no list submitted)
- e.REQUEST approved, from Precinct #4 to declare miscellaneous fencing materials as salvage, as per Request on file.
- f.REQUEST approved, to create an "X" Purchase Order for Purchase Order #2003169 to Recovery Technologies Group for transporting, processing and recycling used tires, as per Request on file.
- g.REQUEST approved, to credit line item 407-7310 for \$180.00, that should have been charged to 407-74208, (jail fund), for payment to the Water's Group for Texas County Salaries on the Web, as previously approved in Commissioners' Court on April 7, 2003. (no paperwork)

COMMISSIONER, PRECINCT #1 - AGENDA ITEMS 7E1

- a.PUBLIC HEARING DATE set, for July 14, 2003, to consider the partial replat of Grand Harbor Subdivision, Section 6A, as per Notice on file.
- b.PUBLIC HEARING DATE set, for the July 14, 2003, to consider the partial replat of Bentwater Subdivision, Section 15, as per Notice on file.

COMMISSIONER, PRECINCT #2 - AGENDA ITEMS 7E2

- a.LEASE AGREEMENT approved, for lease property located in Pine Vista Mobile Home Village, Lot 56, to Mark T. Kee, Lessee, as per Lease on file.
- b.ORDER approved, to acknowledge receipt of a check in the amount of \$10.00, from Mark T. Kee for the lease of real property described as Lot 56, Pine Vista Mobile Home Village, as per Order on file. (check forwarded to County Treasurer for further processing)
- c.ORDER approved, to acknowledge receipt of Replacement Maintenance Bond #531717S, issued by Developers Surety & Indemnity Co., for the account of Grand Lake Estates, Section 3, as per Order on file.
- d.ORDER approved, to acknowledge receipt of Replacement Maintenance Bond #531718S, issued by Developers Surety & Indemnity Co., for the account of Grand Lakes Estates, Section 4, as per Order on file.
- e.ORDER approved, to acknowledge receipt of Replacement Maintenance Bond #531719S, issued by Developers Surety & Indemnity Co., for the account of Grand Lake Estates, Section 6, as per Order on file.

AGENDA ITEM 7E2F - REPLACEMENT MAINTENANCE BOND WITH SURETY FOR THE ACCOUNT OF GRAND LAKE ESTATES, SECTION 8 - DEFERRED

- g.ORDER approved, to acknowledge receipt of Amendment to Letter of Credit No. 645 for the Account of Decker Oaks Estates, Section 2, issued by Omni Bank, as per Order on file.
- h.ORDER approved, to allow the partial lot conveyance without a replat in Hilltop Ranch, Section 1, Lot 24, Block 1
- i.UTILITY PERMIT approved, for Hughes Natural Gas, Inc., to place a 3" natural gas (PE3408), line within the right-of-way of Goodson Loop Road, as per Permit on file.
- j.UTILITY PERMIT approved, for Hughes Natural Gas, Inc., to place a 3" natural gas (PE3408) line within the right-of-way of Wright Rd, as per Permit on file.

COMMISSIONER, PRECINCT #3 - AGENDA ITEMS 7E3

- a.FINAL PLAT approved, for Lake Woodlands Drive, (from Six Pines Drive to Windward Cove), as per Plat on file.

AGENDA ITEM 7E3B - ACCEPTANCE FOR PLACEMENT OF UTILITY POLES WITH RIGHT-OF-WAY OF LAKE ROBBINS DRIVE, SIX PINES ROAD AND TIMBERLOCH PLACE BY PHONOSCOPE, LTD. - DEFERRED

COMMISSIONER, PRECINCT #4 - AGENDA ITEMS 7E4

- a.CHECK accepted, from the City of Roman Forest for the purchase of fuel for the month of March, 2003, in the amount of \$589.01, as per Request on file. (Check forwarded to County Treasurer for further handling)
- b.CHECK accepted, from the City of Roman Forest for the purchase of fuel for the month of April, 2003, in the amount of \$707.88, as per Request on file. (Check forwarded to County Treasurer for further handling)
- c.ORDER approved, to authorize the temporary closure of a portion of West Knightsbridge Drive in the Woodlands, Harpers Landing at College Park, Section 2, as per Order on file.
- d.ORDER approved, to authorize and direct and initiate condemnation proceedings, to acquire real property, (parcel 5), for improvement to F.M. 1314, approximately 2.6 miles SW of Loop 494 to 0.9 miles NW of Loop 494. Also, to direct the County Auditor and County Treasurer to pay into the Registry of the County Court at Law, the amount awarded to Defendants, as per Order on file.
- e.ORDER approved, to authorize and direct and initiate condemnation proceedings, to acquire real property, (parcel 57B), for improvement to F.M. 1314, approximately 2.6 miles NW of Loop 494 to 0.9 miles NW of Loop 494. Also, to direct the County Auditor and County Treasurer to pay into the Registry of the County Court at Law, the amount awarded to Defendants, as per Order on file.

- f.ORDER approved, to authorize the Purchase of right-of-way easement from Pedro Medina, Porter, Tx, for the F.M. Hwy. 1314 widening project, in the amount of \$18,422.00. (fund from road bond series 2002). Also, to authorize the County Attorney's Office to act as agent for closing on behalf of Montgomery County, as per Order on file.
- g.ORDER approved, to authorize the purchase and payment of \$107,460.00, for Parcel No. 55, to Patricia Elaine Hill, Shepherd, Texas. (fund from road bond series 2002), for the F.M. 1314 widening project. Also, to authorize the County Attorney's Office to act as agent for closing on behalf of Montgomery County, as per Order on file.
- h.ORDER approved, to authorize payment of award in the amount of \$3,776.00 into the registry of the Court, for Parcel No. 50 for the FM1314 widening project. Also, authorize payment to Special Commissioners for Cause No. 03-02-01392-CV, for \$500.00 each, to Chris D. Baughman, Steve Hailey and Kevin Kneisley, (fund from road bond series 2002), as per Order on file.
- i.ORDER approved, to authorize payment of award in the amount of \$4,923.80, into the registry of Court, for Parcel No. 33 for the FM1314 widening project. Also, authorize payment to Special Commissioners for Cause No. 03-02-01547-CV, for \$400.00 each, (fund from road bond series 2002), to Carroll B. Tharp, Nelda Blair, and Don Granger, as per Order on file.
- j.FINAL PLAT approved, for Flying J Travel Plaza, consisting of 20 acres, as per Plat on file.
- k.UTILITY PERMIT approved, for Phonoscope, Ltd. Company to place bore/trench within the right-of-way of Donwick Drive, as per Permit Notice on file.

CONVENTION CENTER - AGENDA ITEMS 7F

- a.AMENDMENT TO PURCHASE ORDER #2003173 approved, to allow partial payment of \$24,635.00, to Nuway Signs for the electronic sign to be installed at the Lone Star Convention Center, as per Request on file.

SHERIFF'S DEPARTMENT - AGENDA ITEM 7G

- a.ITEMS FOR AUCTION approved, from the Sheriff's Department to sell at the County's Public Auction on June 21, 2003, abandoned/found/unclaimed/seized properties. Funds received from such sale are to be placed in budget line item #56019-7390, as per List on file.

COMMUNITY DEVELOPMENT - AGENDA ITEM 7H

- a.SUBSTANTIAL COMPLETION REPORT approved, for the East Montgomery County Community Development Center, as per Report on file.

- b.REQUEST approved, to accept the East Montgomery County Community Development Center into the County's inventory, and assume the responsibility for the operational expenses. (no paperwork)
- c.REQUEST approved, to officially name the building as East Montgomery County Community Development Center, and the official address to be 16401 First Street, Splendora, Texas, 77372, as per Request on file.

RISK MANAGEMENT - AGENDA ITEMS 7I

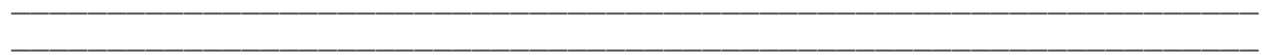
- a.CLAIM SETTLEMENT approved, to pay Wendy Alford \$132.81, for property damages incurred on April 22, 2003 - Precinct #2. (no paperwork)
- b.CLAIM SETTLEMENT approved, to pay the Claim of Tammy Zimmerman, in the amount of \$929.40, payable to Masters Touch for an incident that occurred on March 14, 2003 -Animal Control. (no paperwork)
- c.CLAIM SETTLEMENT approved, to pay Richard Chimene \$455.16, for vehicle damage which occurred on May 20, 2003 - Animal Control (no paperwork).
- d.OFFICIAL BONDS AND OATHS approved, as presented by Risk Management:
- 1.Charles E. Lowrie, Deputy Constable, Pct. #3 - Bond #13744096 - Renewal
 - 2.Billy Perry, Deputy Constable, Pct. #3, Reserve - Bond #14490801 - New
 - 3.Carl C. Gamble, Deputy Constable, Pct. #4 - Bond #13750627 - Continuation Certificate
 - 4.Troy L. Bennett, Deputy Constable, Pct. #5 - Bond #14382945 - Renewal
 - 5.Johnny Carroll, Deputy Constable, Pct. #5 - Bond #14382020 - Renewal
 - 6.Bobbie J. Foster, Deputy Constable, Pct. #5, Reserve - Bond #68724122 - Renewal
 - 7.Lee G. Fusselman, Deputy Constable, Pct. #5, - Bond #68724991 - Renewal
 - 8.J. David Garcia, Deputy Constable, Pct. #5 - Bond #14383152 - Renewal
 - 9.Charles Hayden, Deputy Constable, Pct. #5 - Bond #14383158 - Renewal
 - 10.Scott Hazlewood, Deputy Constable, Pct. #5 - Bond #14382019 - Renewal
 - 11.Jerry Jordan, Deputy Constable, Pct. #5 - Bond #14382016 - Renewal
 - 12.Billy Masden, Deputy Constable, Pct. #5 - Bond #14382015 - Renewal
 - 13.Matthew Wayne Masden, Deputy Constable, Pct. #5 - Bond #12745642 - Renewal
 - 14.Mark Wayne Stephens, Deputy Constable, Pct. #5, Reserve - Bond #15416493 - Renewal
 - 15.Jimmy Wayne Thornton, Deputy Constable, Pct. #5, Reserve - Bond #15527651 - Renewal
 - 16.Dallas Westmoreland, Deputy Constable, Pct. #5, Reserve - Bond No.14382013 - Renewal

- 17. Ronald Willcox, Deputy Constable, Pct. #5, Reserve - Bond #15486572 - Renewal
- 18. Charles R. Williams, Deputy Constable, Pct. #5, Reserve - Bond #68724136 - Renewal
- 19. John K. Wolff, Deputy Constable, Pct. #5, Reserve - Bond #14329939 - Renewal
- 20. David Robert Wood, Deputy Constable, Pct. #5 - Reserve - Bond #14382946 - Renewal
- 21. Darren Hess, Arson Investigator - Bond #15487491 - Renewal
- 22. Rhonda Deluish, Library - Bond #15487161 - Renewal
- 23. Stephanie Anne Burton, Chief Deputy, Tax Assessor/Collector - Bond #15487509 - Renewal/Rider
- 24. Deborah Colby, Tax Assessor/Collector - Accounting Manager - Bond #14383153 - Renewal
- 25. Susan Dodson, Tax Assessor/Collector - Accounting Administrator - Bond #14383154 - Renewal
- 26. John Rivas, Tax Assessor/Collector - Compliance Officer - Bond #14382024 - Renewal/Rider

as per Bonds on file.

Motion carried.

END OF CONSENT AGENDA



4. SPACE UTILIZATION REPORT APPROVED - COUNTY OFFICES - COUNTY JUDGE

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the Space Utilization Report, submitted by Bob Lindberg with Central Consulting Service, as per Report on file. Motion carried.

5. AGREEMENT DISCUSSED - PARTICIPATION IN HGAC "MITIGATION" PLAN - CIVIL DEFENSE

Motion by Commissioner Meador, seconded by Commissioner Chance, not to participate in HGAC Regional "Mitigation" Plan. Motion carried.

AGENDA ITEM 9B - PURCHASE OF MOBILE MEDICAL UNIT - CIVIL DEFENSE

Jim Strong, Emergency Management Director, addressed the Court concerning the possible purchase of a mobile medical unit from Montgomery County Hospital District, MCHD, which would be available to any county law enforcement agency.

The Court discussed this matter and directed Mr. Strong to pursue this matter further and report back to the Court in two weeks to discuss funding and other details involved in the purchase of said mobile unit.

6. REQUEST APPROVED - UPGRADE NPSPAC CAPABILITY - CIVIL DEFENSE

Motion by Judge Sadler, seconded by Commissioner Meador, to approve existing funds to upgrade existing NPSPAC capability, as per Request on file. Motion carried.

7. GRANT APPLICATION RATIFIED - "COP'S" GRANT - CONSTABLE, PRECINCT #3

Motion by Commissioner Chance, seconded by Judge Sadler, to ratify Judge Sadler's signature on a "COP's" Grant Application for ten (1) Deputy Constables, as per Application on file. Motion carried. (Constable to submit copy of Application for files).

8. REQUEST APPROVED - TRANSFER OF FUNDS - ANIMAL CONTROL

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the transfer of \$2,000.00, from estray proceeds, to replenish funds until new budget year, as per Request on file. Motion carried.

9. REQUEST APPROVED - EXPENSES FOR PROMOTIONAL AND MARKETING MATERIALS - AIRPORT

Motion by Judge Sadler, seconded by Commissioner Rinehart, to approve the Request from the Airport Director for funds in the amount of \$10,613.74, (funds allocated from unclaimed monies available under Section 381.004, Local Government Code, per County Auditor), to be used for promotional and marketing materials, as per Request on file. Motion carried.

10. REQUEST DEFERRED - CONSOLIDATION OF PRECINCTS - ELECTIONS CENTRAL

Motion by Commissioner Chance, seconded by Commissioner Meador, to defer action on the consolidation of precincts for the September 13, 2003, and funding source, for the Constitutional Amendment Election, until next Court Session on June 30, 2003. Motion carried.

11. VARIANCE APPROVED - REPLACEMENT OF SEPTIC SYSTEM - ENVIRONMENTAL HEALTH

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve the replacement of a malfunctioning septic system with an aerobic system for Becky Spoto, Splendora, Texas, as per Variance Request on file. Motion carried.

AGENDA ITEM 14B - REQUEST TO INSTALL TWO 500 GALLON PRETREATMENT TANKS AND TWO 750 GALLON PUMP TANKS IN FLOOD PLAIN FOR ROBERT RICE, 28522 E. BENDERS LANDING, BLK. 11, LOTS 9/10, SPRING, TEXAS, PCT. #3 - DEFERRED UNTIL NEXT COURT SESSION.

AGENDA ITEM 15A - APPROVE CERTIFICATION AND REQUEST FOR ALLOCATION OF UNCLAIMED MONIES AVAILABLE UNDER SECTION 381.004 OF LOCAL GOVERNMENT CODE - APPROVED EARLIER THIS COURT SESSION. (SEE MOTION #9 - AIRPORT)

AGENDA ITEMS 16A 1,2,4,5,6,7, & 8 - RECOMMENDATIONS AND CONTRACTS
- DEFERRED

12.RECOMMENDATION AND CONTRACT APPROVED - PRE-ENGINEERED METAL
BUILDING - CUSTODIAL DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Chance,
to award the bid, (opened May 28, 2003), for pre-engineered
metal building to Mueller, Inc., in the amount of
\$29,804.75, as per Contract on file. Motion carried.

13.REQUESTS APPROVED - VARIOUS DEPARTMENTS - PURCHASING
DEPARTMENT

Motion by Commissioner Chance, seconded by Commissioner Meador,
to approve the following Requests, submitted by the
Purchasing Department:

- a.INTERLOCAL AGREEMENT approved, between Montgomery County and
Bexar County, for participation in the Electronic
Purchasing Document Distribution System, as per
Interlocal Agreement on file.
- b.CHANGE ORDER #1 approved, PO#2003317, to Turner Collie &
Braden, Inc., for changes to Montgomery County Pavement
Management Plan, to reflect a price increase not to
exceed \$30,000.,00, (fund from CIS), as per Change
Order on file.
- c.CHANGE ORDER #14 approved, PO#2002347, to Alliance
Construction, Inc., for changes to the Construction of
East Montgomery County Community Development Center,
Pct. #4/CDBG, with a price increase of \$4,908.00, as
per Change Order on file.
- d.PURCHASE approved, to purchase back up power supplies for UPS
requirements and two digital line cards for the new
jail addition, as per Request on file.
- e.PROPOSAL approved, for acquisition services for required right-
of-way on Richards Road from Joe Cheatham, for a fee
not to exceed \$6,000.00, as per Proposal on file - Pct.
#3
- f.PROPOSAL approved, for acquisition services for required right-
of-way on Riley-Fuzzel Road from Joe Cheatham, for a
fee not to exceed \$9,000.00, as per Proposal on file -
Pct. #3
- g.PROPOSAL approved, from Traffic Engineers, Inc, for engineering
services to prepare construction plans for the
installation of traffic signal at Gosling Road at
Marisco Place, (park and ride entrance), for a fee not
to exceed \$15,500.00, as per Proposal on file - Pct. #2

AGENDA ITEM 17I - PROPOSAL FROM CARTER & BURGESS, INC., FOR
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TO REPLACE
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EXISTING
BRIDGE ON
MARRY
WAGNER
ROAD AT
HOSTETTER
CREEK FOR
A FEE OF
\$17,982.62
- DEFERRED
- PCT. #1

14.REQUEST APPROVED - PURCHASE OF SERVICES AND CERTIFICATE -
COUNTY ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Doyal, to authorize the County Judge to execute budget for purchase of services and certificate regarding debarment in reference to Texas Department of Protective and Regulatory Services Contracts, as per Certification on file. Motion carried.

15.AGREEMENT APPROVED - LAW LIBRARY/EDIE GRIFFIN - COUNTY
ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve the Personal Services Agreement between Montgomery County Law Library and Edie Griffin, to assist or substitute for the Manager of the County's Law Library on days needed, as per Agreement on file. Motion carried.

16.ROAD NAME CHANGE APPROVED - GENE CAMPBELL BOULEVARD - PRECINCT
#4

Motion by Rinehart, seconded by Commissioner Chance, to change the name of Met Road to Gene Campbell Boulevard, as per Request on file. Motion carried. Commissioner Rinehart presented Mr. Campbell with a personal street sign.

17.REQUEST APPROVED - NUMBER ASSIGNED FOR PROPOSED MUD DISTRICT -
PRECINCT #2

Motion by Commissioner Doyal, seconded by Commissioner Meador, to Reserve #96, (assigned by the County Clerk), as the next consecutive number assigned to Montgomery County Municipal Utility District within Montgomery County, reserved in the name of Schwartz, Page & Harding, L.L.P., as per Request on file. Motion carried.

18.OWNERSHIP CHANGE APPROVED - TAX ABATEMENT FOR LEXICON -
PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the proposed ownership change of the Tax Abatement Agreement for Lexicon to LexGen, as per Request on file. Motion carried.

AGENDA ITEM 20C1 - PROPERTY DEED FROM EAST MONTGOMERY COUNTY IMPROVEMENT DISTRICT AND STATUS OF THE EAST MONTGOMERY COUNTY LIBRARY PROJECT - DEFERRED UNTIL AFTER EXECUTIVE SESSION THIS DATE. (SEE DISCUSSION A21 THIS COURT SESSION)

19.BOARD MEMBERS APPROVED - MONTGOMERY COUNTY ESD #11 - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve the appointments of the following Board Members to serve on the Montgomery County Emergency Service District #11:

- a.Jack Meek - President
- b.Kenneth Hayden - Vice President
- c.Ben McKee, Ala Barrileaus and Faye Sitton - Board Members

as per Request on file. Motion carried.

EXECUTIVE SESSION

The Court recessed into Executive Session in the County Judge's Chambers to discuss matters authorized under Article 551.071 thru 551.076, and Articles 551.084 and 551.087, Texas Government Code, as follows:

- 1. Consider and Discuss Claims of David Parks - Section 551.071
- 2.Consider and Discuss Claims of Pam Hernandez and Phyllis Traylor Section 551.071
- 3.Consider and Discuss claim of Socrates Gonzales Lopez - Section 551.071
- 4.Consider and Discuss Claim of Debra Foster -section 551.071
- 5.Consider and Discuss Claim of Verizon Wireless - Section 551.071
- 6.Consider and Discuss Claims of ASAP Bail Bonds and A-1 Bail Bonds - Section 551.071
- 7.Discuss Caldwell vs. Rylander, et al - Section 551.071

COURT RECONVENED WITH ALL MEMBERS OF THE COURT PRESENT.

20.RESOLUTION AND ORDER APPROVED - LAWFIRM RETAINED - FOSTER VS. MONTGOMERY COUNTY LAWSUIT - COUNTY ATTORNEY

Motion by Commissioner Doyal, seconded by Judge Sadler, to approve a Resolution and Order to retain the legal services of Bracewell & Patterson, L.L.P., in connection with the Foster vs. Montgomery County, et al lawsuit, as per Resolution and Order on file. Motion carried. (fund from Risk Management Budget)

21.ORDER APPROVED - OUTSIDE COUNSEL RETAINED - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Chance, to authorize the retention of Mike Aduddell for outside legal counsel to assist in the pending litigation case of Bax vs. Montgomery County, et al, as per Order on file. Motion carried. (fund from Risk Management budget).

CITIZENS - AGENDA ITEM 23 CITIZENS

MS. ALANNA DELL KESSNER, a resident of Precinct #4, addressed the Court concerning property she owns in Allendale Subdivision, Section 2, complaining of water standing on her lot(s).

This matter was discussed by the Court and the County Engineer, and Ms. Kessner was advised to check back on this situation in approximately 10 days, and perhaps the Court would have an opinion from the County Attorney's office concerning her problems.

AGENDA ITEM 20C1 - EAST MONTGOMERY COUNTY LIBRARY PROJECT

MEMBERS OF THE COURT AND THE EAST MONTGOMERY COUNTY IMPROVEMENT DISTRICT STAFF, discussed the status of the East Montgomery County Library Project which is to be constructed on approximately 3 acres of land donated by East Montgomery County Improvement District.

After much discussion on the cost of said project, which is estimated to be approximately \$4.175 million, for a 26,000/30,000 sq. ft. building, the Court agreed to move forward on said project. East Montgomery County Improvement District, has agreed to donate \$500,000.00, to be use for library aesthetic. Commissioner Rinehart and Mark Bosma, Purchasing Agent, to oversee project and approve purchase orders and change orders for the construction of said building.

22.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 Candice Retherford, Animal Care Specialist Part-time, effective June 3, 2003

request of Commissioner, Pct. #2 to accept the resignation of Edward Albinus, Truck Driver, effective May 29, 20203, with 4.44 vacation hours due, .50 comp hours due and 2.00 holiday hours due

request of Commissioner, Pct. #4 to place Darryl Jones, Operator I, on payroll, effective June 7, 2003

request of Custodial Services to place Isabel Alvarez, Custodian, on family leave of absence, effective June 5, 2003

request of Custodial Services to return Isabel Alvarez, Custodian, on payroll, effective June 10, 2003

request of Custodial Services to accept the resignation of Johnnie Reece, Part/time Custodian, effective June 2, 2003

request of Custodial Services to place Ercilia Vasquez on Part-time status, effective June 9, 2003

request of Custodial Services to place Jesus Villasenor, Floor Custodian on full-time status, (replacement for Ercilia Vasquez), effective June 9, 2003

request of County Attorney to place Jennifer Ellisor, Clerk, (replacement for Martha Strozier), on payroll, effective June 16, 2003

request of County Attorney to increase the salary of Chrissy Strozier, Clerk, effective June 16, 2003, due to merit increase

request of County Clerk to promote Lisa Afill from Courtroom Clerk to Chief Court Clerk, (replacement for Marleane Gates), effective June 7, 2003

request of County Clerk, to promote Darin Bailey to Chief Deputy/Court Administrator, effective June 7, 2003

request of County Clerk to increase the salary of Johnny C. Deavours, Chief Research Clerk, effective June 7, 2003, due to merit increase

request of County Clerk to increase the salary of Lorrie Denman, Courtroom Clerk, effective June 7, 2003, due to merit increase

request of County Clerk to increase the salary of Alice Freeman, Chief Court Clerk, effective June 7, 2003, due to merit increase

request of County Clerk to increase the salary of Dianne Killingsworth, Chief Court Clerk, effective June 7, 2003, due to merit increase

request of County Clerk to increase the salary of Patricia O'Hagan, Vital Statistic Clerk, effective June 7, 2003, due to merit increase

request of County Clerk to increase the salary of Theresa Ruppert, Courtroom Clerk, effective June 7, 2003, due to merit increase

request of County Clerk to increase the salary of Stacey Wilson, Courtroom Clerk, effective June 7, 2003, due to merit increase

request of County Clerk to increase the salary of Ruthie Zwisler, Chief Court Clerk, effective June 7, 2003, due to merit increase

request of District Clerk to place David Chapa, Deputy Clerk, (replacement for Linda LaCoure), on payroll, effective June 16, 2003

request of Drug Court to place Katie M. Golding, Summer Intern - Full time-temporary, on payroll, effective June 6, 2003

request of Environmental Health to accept the resignation of Frankie Bemrose, Office Manager, effective June 20, 2003, with 42.76 vacation hours due

request of Environmental Health to place Frankie Bemrose, Office Manager, on payroll, effective July 14, 2003

request of Environmental Health to layoff Frankie Bemrose, Office Manager, effective August 7, 2003

request of Environmental Health to promote Julianna Edwards from Sanitarian in Training to Sanitarian I, effective May 30, 2003, (title change only)

request of Environmental Health to promote Miriam Huerta, Secretary

as per Payroll Change Requests on file. Motion carried.

COURT RECESSED FOR A WORKSHOP SESSION TO DISCUSS CHANGES TO SUBDIVISION RULES AND REGULATIONS.

COURT RECONVENED, WITH ALL MEMBERS OF THE COURT PRESENT.

30.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