

COMMISSIONERS' COURT DOCKET, JUNE 30, 2003
SPECIAL SESSION

THE STATE OF TEXAS
COUNTY OF MONTGOMERY

Be it remembered that on this the 30th 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 DAVID PARKS, SHERIFF'S DEPARTMENT.

PLEDGE OF ALLEGIANCE RECITED BY EVERYONE PRESENT.

1.COMMISSIONERS' COURT AGENDA APPROVED

Motion by Commissioner Doyal, 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 Rinehart, seconded by Commissioner Chance, to approve Commissioners' Court Minutes for June 16, 2003, and June 23, 2003, as presented by the County Clerk. Motion carried.

3.DEPUTATION APPROVED - RHONDA M. ROBEY - COUNTY CLERK

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Deputation of Rhonda M. Robey for Deputy County Clerk, as per Deputation on file. Motion carried.

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

Motion by Commissioner Chance, seconded by Commissioner Rinehart, 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:

- 1.221st. District Court - to adjust line items
- 2.359th District Court - to transfer funds to build a desk
- 3.Animal Control - to transfer funds for deductible on Unit 70

4. Animal Control - to transfer funds to cover Richard Chimene damage claim
5. Animal Control - to transfer funds to cover Tammy Zimmerman damage claim
6. Animal Control - to recognize/allocate rescue fees as approved 2/10/03, Motion 6
7. Commissioner, Pct. #1 - to recognize/allocate reimbursement from U.S. Treasury
8. Commissioner, Pct. #2 - to transfer funds to cover Wendy Alford damage claim
9. Commissioner, Pct. #2 - to transfer funds to Emergency Management Special Project
 10. Commissioner, Pct. #3 - to recognize/allocate reimbursement from Maria Osani
 11. Commissioner, Pct. #3 - to recognize/allocate reimbursement from Bert Patton
 12. Commissioner, Pct. #3 - to recognize/allocate reimbursement from Jeffrey Spoon
 13. Commissioner, Pct. #3 - to recognize/allocate reimbursement from Jitters Java Hut
 14. Commissioner, Pct. #4 - to transfer funds to cover shortage in restricted line
15. Constable, Pct. #2 - to absorb a second portion of 2-1/2% cut to FY03 budget
16. Contingency - to fund shortage in Court Operations for FY03
17. County Treasurer - to transfer funds to cover PO#23505938
18. District Attorney - to transfer funds to cover shortage in restricted line
19. District Attorney - to transfer funds to build furniture and remodel office space
20. District Attorney - to recognize/allocate Juror donations
21. Drug Court - to adjust line items
22. Drug Court - to adjust line items
23. Elections Administrator - to adjust line items
24. Justice of Peace, Pct. #1 - to transfer funds to expand work area in Courtroom
25. Memorial Library - to adjust line items
26. Risk Management - to adjust line items
27. Risk Management - to recognize/allocate insurance reimbursement for Unit 70
28. Risk Management - to recognize/allocate insurance reimbursement for Unit 646
29. Sheriff - to transfer deductible on Unit 646
30. Tax Assessor/Collector - to transfer funds to cover release 261070
31. Tax Assessor/Collector - to transfer funds to cover PO#23505866

as per Budget Amendments on file.

COUNTY TREASURER - AGENDA ITEMS 7B

- a. WEEKLY INVESTMENT REPORT approved, for the week of June 23, through June 27, 2003, as per Report on file.

AGENDA ITEMS 7B2 AND 7B4 - PLEDGES AND/OR RELEASES OF COLLATERAL AND BANK RESOLUTIONS - REMOVED FROM AGENDA

b.MONTHLY INVESTMENT REPORT approved, for the month of April, 2003, as audited by the County Auditor

AGENDA ITEM 7B4 - BANK RESOLUTION - THERE WERE NO BANK RESOLUTIONS SUBMITTED.

TAX ASSESSOR/COLLECTOR - AGENDA ITEMS 7C

a.SUPPLEMENTAL CHANGES approved, to the 2002 consolidated taxroll for omitted property for the City of Splendora, as per Report on file.

b.REQUEST approved, to authorize the County Judge to sign a request from TSC Engineering Company that allows for a survey of Texas Highway 105 East on Tax Trust Property, as per Request on file.

c.REQUEST approved, to authorize the County Judge to execute the following Amendments to the Collections Contract for taxing jurisdictions using the County to collect their taxes:

Montgomery County Utility District #3
City of Splendora
City of Stagecoach
Point Aquarius MUD

as per Amendments on file.

PURCHASING DEPARTMENT - AGENDA ITEMS 7D

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

1.Lazer Printing of County Tax Statement and Related Reports - Tax Office

b.BIDS/PROPOSALS acknowledged, which were opened by the Purchasing Department:

1.RFQ Design-Build of AG Barn Concession Stand - Parks Department - Project #2003-0072 -(opened 6-24-03)

c.RENEWAL CONTRACTS approved, as follows:

1.Cashner Funeral Home - PO#2003018 - for transport of cadaver - Various Justice of the Peaces

2.Lab Corp - PO#2001432 and #2001432X - for lab testing and courier service - Law enforcement Center/Jail

3.Moore Medical Corporation - PO#2002423 - for medical supplies - Jail

4.Hart Intercivic - PO#2002435 - for printing of ballots - Elections Service

- 5.Home Dept. - PO#2002475 - for alternate provider for miscellaneous maintenance materials and supplies - Various Departments
- 6.Lowe's - PO#2002457 - for miscellaneous maintenance materials and supplies - Various Departments
- 7.Monarch Paint Company - PO#2002458 - for miscellaneous maintenance materials and supplies - Various Departments
- 8.Harris County, Texas/fund 1000 -PO#2002307 - for autopsy/use of morgue facility - Various Justice of the Peaces - (renewed until August 31, 2003)
- 9.Montgomery County Genealogical and Historical Society, Inc. - PO#9900525 - for office space - Central Branch Library
- 10.Magnolia Library Friends - PO#9900526 - for office space - Malcolm Purvis Branch Library
- 11.Friends of the Willis Library - PO#9900480 - for office space - Meador Branch Library
- 12.Friends of the West Branch Library - PO#9900479 - for office space
- 13.Friends of the R. B. Tullis Library - PO#9900478 - for office space - R. B. Tullis Library
- 14.South County Friends of the Library - PO#9900477 - for office space - South County Library
- 15.Library Friends of the Library - PO#9900476 - for office space - Central Branch Library
- 16.North Harris Montgomery Community College District - PO#9900042 - for library automation resources - Library Department
- 17.Conroe Independent School District - PO#9600598 - for fuel charge back - Sheriff's Department
- 18.Northwest Pest Patrol - PO#2001437 - for mosquito spraying - Various Precincts
- 19.Gillen Pest Control, Inc. - PO#2001438 - for mosquito spraying - Various Precincts
- 20.M/A-Com - PO#2000248 - #2000248X - for radio equipment - Various Departments
- 21.Motorola, Inc. - PO#2002500 - for Motorola RM modems hardware and software-Law Enforcement - CIS
- 22.Antenex - PO#2002501 - for Motorola VRM modems hardware and software-Law Enforcement - CIS

23.Synergy Systems LLC - PO#20022512 - for GPS for mobile data and GPS tracking antenna - Various Departments

24. Addison Smith Funeral Home - PO#2003013 - for transport of cadaver - Various Justice of the Peace

25.Recycled Stone Co. - PO#2001480 - for crushed concrete flexible base material - Pct. #1

26.Southern Crushed Concrete, Inc. - PO#2001481 - for crushed concrete flexible base material - Pct. #1

27.RAC Materials, Inc. - PO#2001482 - for crushed concrete flexible base material - Pct. #2

28.Southern Crushed Concrete, Inc. - PL#2001483 - for crushed concrete flexible base material - Pct. #3

29.Southern Crushed Concrete, Inc. - PO#2001484 - or crushed concrete flexible base material - delivered - Pct. #4

d.CONTINUATION OF SOLE SOURCE ITEMS approved, in accordance with Texas Local Government Code Ann. Sect. 262.024(a)(7)(Vernon 2002), as follows:

1.Scholastic Library Publishing - for miscellaneous books, CD Rom's and On-line services - Library Department

2.Amigos Library Services, Inc. - Membership Agreement - Library

3.Buckalew Chevrolet, Inc. - captive/component parts - Various Departments

4.Gullo Ford Mercury of Conroe - captive/component parts - Various Departments

5.Buckalew Chevrolet, Inc. - captive/component parts - Sheriff's Fleet

6.Gullo Ford Mercury of Conroe - captive/component parts - Sheriff's Fleet

7.Cleveland Mack Sales, Inc. - mack parts only - Various Precincts

8.Hi-Way Equipment Co. - gradall excavator parts only - Various Precincts

9.Mustang Tractor & Equipment Co. - caterpillar engine and earth moving products - Various Precincts

as per Request on file.

e.CHANGE ORDER #2 approved, PO#2002506 - to Strouhal Tire Recapping Plant, Inc., for changes to the Tires and Tubes Contract, as per Changes on file.

f.REQUEST approved, to utilize Cherokee County for Rusk Commitments, as per Request on file.

- g.AMENDMENT approved, to the contract for inmate phone system maintenance with MakeSense Inc. Also, to change the name from Makesense, Inc. to Makesense Utility Bill Auditors, as per Request on file.
- h.INTERLOCAL AGREEMENT approved, for Interlocal Participation for the Texas Local Government Purchasing cooperative, to facilitate compliance with state bidding requirements, etc, as per Agreement on file.
- i.CHANGE ORDER #6 approved, PO#2000379, and Change Order #4, PO#2000379X, to Crown Paper & Chemical, for janitorial products and chemicals - Various Departments

COMMISSIONER, PCT. #1 - AGENDA ITEM 7E1

- a.FINAL PLAT approved, for Sunrise Ranch Subdivision, Section 3, consisting of 7.5 acres, as per Plat on file.
- b.FINAL PLAT approved, for Deer Run Subdivision, Section 3, consisting of 29.424 acres, as per Plat on file.
- c.ROADS accepted, in Paradise Cove Subdivision, Section 3, into the County Road System, consisting of 643.32 l.f., 0.12 miles. Also, to Release the Bond, as per Request on file.
- d.ROADS acknowledged, in White Oak Ranch Subdivision, Section 1, consisting of 6,348.86 l.f., (1.20 miles), having been built to Montgomery County Standards. Also, to release the bond. (roads are private and will not be maintained by the County)
- e.ORDER approved, to acknowledge receipt of Amendment to Letter of Credit No. 473, issued by Woodforest National Bank for the account of Grand Harbor Subdivision, Section 5, as per Order on file.
- f.ORDER approved, to acknowledge receipt of Amendment to Letter of Credit No. 470, issued by Woodforest National Bank, for the account of Grand Harbor Subdivision, Section 6, as per Order on file.
- g.ORDER approved, to accept donation of right-of-way along Diamondhead Road, and to authorize the County Judge to sign for said donation, as per Order on file.

COMMISSIONER, PRECINCT #2 - AGENDA ITEMS 7E2

AGENDA ITEM 7E2A - FINAL PLAT OF WOODLANDS PLAYERS CLUBHOUSE ACCEPTED, BUT PER THE COUNTY ATTORNEY'S REQUEST, "DO NOT" RECORD PLAT AT THIS TIME.

- a.ROADS accepted, in Hidden Lake Estates, Section 1, consisting of 5,745.78 l.f., 1.09 miles, into the one year maintenance period, effective June 30, 2003, as per Request on file.

- b.ROADS accepted, in Ranch Crest Subdivision, Section 1, consisting of 9,073.42 l.f., 1.72 miles, into the one year maintenance period, effective June 30, 2003, as per Request on file.
- c.UTILITY PERMIT approved, for MSEC Enterprises, Inc., to place a 6" and 4" water line within the right-of-way of Honea Egypt Rd., Tobacco, Rd. and Rue Ann St., as per Permit on file.
- d.ORDER acknowledged, for receipt of Replacement Maintenance Bond with Surety for the account of Grand Lakes Estates, Section 8, issued by Merchants Mortgage & Trust Corporation, as per Order on file.
- e.AGREEMENT approved, to authorize the placement of improvements within the right-of-way of Decker Oaks Drive and Hardin Store Road, as per Agreement on file.
- f.ORDER approved, to allow the partial lot conveyances without a replat for Sonny Ray Wolfe, Lot 9, Holly Estates, Section 2, as per Order on file.

COMMISSIONER, PRECINCT #3 - AGENDA ITEMS 7E3

- a.ANNUAL REPORT acknowledged, from Montgomery County Emergency Services District No. 8, for FY2002, as per Report on file.
- b.FINAL PLAT approved, for Imperial Oaks Park, Section 7, consisting of 47.82 acres, 115 lots, as per Plat on file.
- c.ROADS accepted - BOND released - Roads are build to Montgomery County Standards, and have completed the one year maintenance period. Also, to release the Bonds on same, as follows: (streets are private and will not be maintained by Montgomery County)
 - 1.Village of Carlton Woods, Section 11, Phase 1 - The Woodlands
 - 2.Carlton Woods, Section 11, Phase 2 - The Woodlands
 - 3.Village of Carlton Woods, Section 12 - The Woodlands
 - 4.Village of Carlton Woods, Section 13 - The Woodlands
 - 5.Village of Grogan Mill, Section 67 - The Woodlands
 - 6.Village of Grogan's Mill, Section 69 - The Woodlandsas per Request on file.
- d.ROAD accepted - Woodlands Parkway, Phase 1 (Kuykendahl Road to first drainage ditch), into the County Road System. Also, to Release the Bond, as per Request on file.
- e.UTILITY PERMIT approved, from Phonoscope, Ltd. to place underground conduit within the right-of-way of Lake

Robbins Dr., Six Pines Rd., and Timberloch Pl., as per Permit on file.

COMMISSIONER, PRECINCT #4 - AGENDA ITEM 7E4

- a.CHECK accepted, #3209, in the amount of \$500.00, from the City of Patton Village, for the reimbursement of road materials used in the Peach Creek Colony Project. (remaining balance is \$7,499.99). Check forwarded to County Treasurer for further processing.
- b.PUBLIC HEARING DATE SET, for July 28, 2003, to consider placement of "No Parking Signs" on East Heritage Oaks and West Heritage Oaks, off of Oak Lane in Heritage Oaks Subdivision, as per Notice on file.
- c.ORDER acknowledged, for receipt of Amendment to Letter of Credit No. SC2804 for the account of Walgreen's - Porter, as per Order on file.
- d.ORDER approved, to accept Donation of right-of-way for the realignment of Frank Plunk Road. Also, to authorize the County Judge to sign acceptance, as per Order on file.
- e.PUBLIC HEARING DATE set, for July 28, 2003, to consider the closure, abandonment and vacation of Frank Plunk Road, as per Notice on file.
- f.ORDER approved, to authorize payment of Title Insurance Premium for acquisition of Parcel 19, in connection with the FM1314 right-of-way project, (from 2.6 -.9 miles NW of Loop 494). Also, to authorize the County Auditor and County Treasurer to pay the title insurance premium, in the amount of \$258.00, payable to First Surety Title Company, as per Order on file.

ALL PRECINCTS - AGENDA ITEMS 7E5

- a.OVERLOAD/OVERSIZE PERMIT approved, for Campbell Concrete & Materials, L.P., to haul various loads over all County Roads, except the roads noted on said permit. Movement to begin not earlier than July 1, 2003, and to be completed by September 30, 2003, as per Permit on file.

DISTRICT CLERK - AGENDA ITEMS 7F

- a.DEPUTATION approved, for David Chapa, Deputy District Clerk, as per Deputation on file.
- b.DEPUTATION approved, for Cynthia Fountain, Deputy District Clerk, as per Deputation on file.

c.DEPUTATION approved, for Carolyn Bennett, Deputy District Clerk, as per Deputation on file.

d.REQUEST approved, for Commissioners' Court to add education for Tomorrow Alliance and CASA Child Advocates of Montgomery County to the Juror's donation authorization form, to allow the Jurors the opportunity of donating their compensation for Jury Service to a non-profit organization.

CITIZENS - AGENDA ITEMS 18

LELDON HAMILTON, with the Montgomery County Sheriff's Association, presented petitions signed by various county's employees, supporting Civil Service for County Employees. The Petitions were presented to the Court and given to the Elections Administrator for review of signatures.

ELLEN DUBUISSON, a resident of The Woodlands, addressed the Court concerning Judge Sadler's comments in the local newspapers concerning selections of books for public use for our local libraries.

ALANNA DELL KESSNER, a property owner in the Allendale Subdivision, Section 2, Pct. #4, returned to the Court concerning drainage problems she made the Court aware of at the June 16, 2003, Court Session. Commissioner, Pct. #4 agreed to meet with Ms. Kessner on July 1, 2003, at her property in Allendale to determine if something could be done to drain water from her property.

6.REQUEST APPROVED - NEGOTIATIONS FOR MOBIL CLINIC UNIT - CIVIL DEFENSE

Motion by Judge Sadler, seconded by Commissioner Doyal, to authorize Jim Strong to continue negotiations with the Hospital District for the possible purchase of the mobil clinic unit. Motion carried. (Jim Strong to discuss details next court session)

7.GRANT ACCEPTED - ENTITLEMENT GRANT FUNDS - COMMUNITY DEVELOPMENT (CDBG)

Motion by Judge Sadler, seconded by Commissioner Doyal, to accept \$750,000.00 of Entitlement Grant Funds from the U. S. Department of Housing & Urban Development Home Investment Partnerships Program (Home). Motion carried. (no paperwork)

8.DESIGNATION OF LIAISON DECLINED - HOME GRANT - COMMUNITY DEVELOPMENT (CDBG)

Motion by Commissioner Meador, seconded by Commissioner Chance, to decline the request of Nancy Mikeska, Director of CDBG, for the Court to designate her as the County's liaison for

the preparation of the Home Program Grant. Motion carried. Judge Sadler "opposed" (no paperwork) - Judge Sadler stated that he does not want to lose this opportunity in receiving \$750,000.00 grant monies, but the other Members of the Court would not agree paying the Director of CDBG, Nancy Mikeska, \$20,000.00, for the preparation of said Grant.

9.RECOMMENDATIONS ADOPTED - COMMUNITY DEVELOPMENT CITIZENS
ADVISORY COMMITTEE - CDBG

Motion by Commissioner Chance, seconded by Commissioner Meador, to adopt the Seven Recommendations from the Community Development citizens Advisory Committee, as per Recommendations on file. Motion carried.

10.REQUEST APPROVED - VOIDING TAX "RE-SALE" - TAX
ASSESSOR/COLLECTOR

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the request to void a Tax "Re-Sale" on property that was double assessed in error by the Appraisal District and subsequently deleted. Also, to approve refunding the purchaser, L & K Thurston Enterprises LLC, a total of \$5,004.69, for their purchase price and subsequent taxes paid, as per Request on file. Motion carried.

11.CHANGE APPROVED - TAX ABATEMENT AGREEMENT - TAX
ASSESSOR/COLLECTOR

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve an ownership change to the Tax Abatement Agreement with Wells Fargo Bank Northwest, National Association for Anadarko to Wachovia Development Corporation, a North Carolina Corporation, for Anadarko, as per Request on file. Motion carried.

12.VARIANCE APPROVED - AEROBIC SEPTIC SYSTEM - ENVIRONMENTAL
HEALTH

Motion by Commissioner Rinehart, seconded by Commissioner Doyal, to approve a variance for Donna and Tilman Arledge, Tall Timbers Subdivision, for the replacement of a malfunctioning septic system with an aerobic septic system in the flood plain, as per Request on file. Motion carried.

13.GRANT APPLICATION ACCEPTANCE - AUTO THEFT TASK FORCE -
SHERIFF'S DEPARTMENT

Motion by Judge Sadler, seconded by Commissioner Rinehart, to accept the Revised Grant Application for State Assistance for Auto Theft Task Force, as per Application on file. Motion carried.

AGENDA ITEMS 13A 3,4, 5 & 8 - RECOMMENDATIONS AND CONTRACTS -
DEFERRED

14.BIDS REJECTED - CONSTRUCTION OF TURN LANES - PRECINCT #3

BIDS REJECTED - AUTHORIZATION TO RE-ADVERTISE - COMPACT STORAGE SYSTEM - SHERIFF'S DEPARTMENT

Motion by Commissioner Chance, seconded by Commissioner Meador, to reject the following bids, and re-advertise:

a.Bids rejected - Authorization to Re-advertise - for electrical compact storage system - Project #2003-0049 - Sheriff's-Jail Division

b.Bids rejected - for left turn lane and right turn lane on Hanna Rd. at Dolly Vogel School - Project #2003-0070

Motion carried.

15.RECOMMENDATION AND CONTRACT APPROVED - ELEVATOR MAINTENANCE - VARIOUS DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Doyal, to award the bid, (opened April 25, 2003), for elevator maintenance to Amtech Elevator Services, as per Contract on file. Motion carried.

16.PROPOSAL AWARDED - INMATE DENTAL SERVICE - SHERIFF'S DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Chance, to award the Proposal, (opened June 5, 2003), for inmate dental service to Gayle Fletcher, DDS, P.A., as per Contract on file. Motion carried.

17.CONTRACT AGREEMENT APPROVED - RWS ARCHITECTS - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the Contract for architectural services for the new South County Library, to RWS Architects Incorporated, as per Contract on file. Motion carried.

18.PROPOSAL APPROVED - HALFF ASSOCIATES - PCT. #3

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the Proposal from Halff Associates, Inc., to survey and develop necessary sidewalk easements for Sawdust Rd. widening project for a fee of \$5,700.00, (fund from Bond funds 2002), as per Proposal on file. Motion carried.

19.PROPOSAL APPROVED - DODSON & ASSOCIATES, INC. - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve the proposal from Dodson Associates, Inc., for hydraulic analysis and recommendations on the FM1314 outfall channel project for a fee of \$28,410.00, (fund from Bond funds 2003/discretionary), as per Proposal on file. Motion carried.

20.PROPOSAL APPROVED - CARTER & BURGESS, INC. - PRECINCT #1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Proposal from Carter & Burgess, Inc., for

environmental assessments for FM1097 from IH45 to Lake Conroe for a fee of \$155,634.96, (fund from Budget 2003' levage), as per Proposal on file. Motion carried.

21.AMENDMENT APPROVED - MANUAL FOOD SERVICE - SHERIFF'S DEPARTMENT

Motion by Judge Sadler, seconded by Commissioner Doyal, to approve the amendment to the Manual Food Services for Jail Division. Motion carried. (no paperwork)

22.SPEED LIMIT SET - NORTH CLARK ROAD - PRECINCT #1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve setting a speed limit of 30 mph on North Clark Road, (East and South from Mt. Zion Road), as per Notice on file. Motion carried.

23.APPOINTMENTS APPROVED - MONTGOMERY COUNTY IMPROVEMENT DISTRICT - PRECINCT #2

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the following seven Board Members Appointments to serve on the Southwest Montgomery County Improvement District:

- Barney Barnwell
- Kathy Sanders, Position #1
- Brian Arceneaux, Position #2
- Greg Storch, Position #3
- Ann Anderson, Position #4
- Greg Odgers, Position #5
- Tim Moeller, Position #6

as per Request on file. Motion carried.

24.NUMBER APPROVED - CREATION OF M.U.D. #96 - PRECINCT #2

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve the assignment of #96 to the Montgomery County Municipal Utility District, currently reserved under the name of Schwartz, Page & Harding, L.L.P., as per Request on file. Motion carried.

EXECUTIVE SESSION

The Court recessed into Executive Session in the County Judge's Chambers to discuss matters Pursuant to one or more of the following Provisions of the Texas Government Code to-Wit: Chapter 551, Sub-Chapter D; Articles 551.071, 551.072, 551.073, 551.074, 551.075, 551.076, 551.084, and 551.087

1.Consider and Discuss Claims of David Parks

- 2.Consider and Discuss Claims of Pam Hernandez and Phyllis Traylor
- 3.Consider and Discuss retention of Local Counsel in Park vs. Montgomery County, Texas
- 4.Discuss Caruthers vs. City of Houston, Texas Department of Public Safety and Montgomery County
- 5.Discuss Morgan vs. Montgomery County, Texas
- 6.Discuss miscellaneous tools vs. Darrell Conn

COURT RECONVENED WITH ALL MEMBERS OF THE COURT PRESENT.

25.RESOLUTION AND ORDER APPROVED - RETENTION OF LOCAL COUNSEL - COUNTY ATTORNEY

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve Resolution and Order to authorize the County Attorney to retain the legal services of Gilbert Garcia and his Firm, Garcia & Garcia, P. C., in the litigation styled: Park vs. Montgomery County, et al, as per Resolution and Order on file. Motion carried. (fund from Contingency/Risk Management)

26.PAYROLL CHANGE REQUESTS APPROVED - HUMAN RESOURCES

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

request of 359th District Judge to increase the salary of Leona Devine, Court Coordinator, due to merit increase, effective July 5, 2003

request of 359th District Judge to increase the salary of Donna King, Court Reporter, effective July 5, 2003, due to merit increase

request of 359th District Judge to increase the salary of Elsa Sanchez, Assistant Court Coordinator, effective July 5, 2003, due to merit increase

request of Animal Control to increase the salary of LaJeane Thompson, Field Supervisor, effective June 21, 2003, due to probation period completed

request of Commissioner, Pct. #2 to layoff Ralph Holmes, Truck Driver, effective June 24, 2003

request of Commissioner, Pct. #3 to place Shirley Grimes, Part-time Clerk, on payroll, effective June 17, 2003

request of Commissioner, Pct. #3 to place Anita Huie, Desk, Part-time Clerk, on payroll, effective June 17, 2003

request of Commissioner, Pct. #3 to placed Kathy L. Huie, Part-time Desk Clerk, on payroll, effective June 17, 2003

request of Commissioner, Pct. #3 to place Faye Jones, Part-time Desk Clerk, on payroll, effective June 17, 2003

request of Commissioner, Pct. #3 to place Cari Schroeder, part-time Desk Clerk, effective June 17, 2003

request of Commissioner, Pct. #3 to place David Stalker, Truck Driver, on payroll, effective July 5, 2003

request of Commissioner, Pct. #4 to increase the salary of Jana Lea, Administrative Assistant, effective June 21, 2003, due to probation period completed

request of Constable, Pct. #1 to bridge the time of David W. Davis, Deputy, effective June 26, 2003

request of Constable, Pct. #1 to place Sherry McCorey, Administrative Assistant, (replacement for Julie Nolkamper), on payroll, effective July 7, 2003

request of Constable, Pct. #1 to accept the resignation of Julie Nolkamper, Clerk, effective July 3, 2003, with 8.34 vacation hours due, 10.00 comp time hours due and 12 holiday hours due

request of Custodial Services to change the status of Joy Carter from Custodian to Floor Technician, effective June 21, 2003

request of Custodial Services to accept the resignation of Jesus Villasenor, Floor Custodian, effective June 19, 2003

request of County Clerk to increase the salaries of the following, due to finalize reorganization of Department, effective June 21, 2003:

- a.Lisa Afill, Chief Court Clerk
- b.Lisa Afill, Chief Court Clerk, increase due to probation period completed, effective August 30, 2003
- c.Sandra Bonds, Sr. Indexing Clerk
- d.Edna Bubela, Chief Clerk - So. County Annex
- e.Louise Cheshire, Chief Vital Stat. Clerk
- f.Susan Clark, Court Clerk - Probate
- g.Johnny (J.C.) Deavours, Chief Research Clerk
- h.Alicia Decker, Indexing Clerk
- i.Lillie Denman, Vital Stat. Clerk
- j.Lorrie Denman, Court clerk
- k.Alice Drake, Chief Court Clerk
- l.Victoria Emerson, Indexing Clerk
- m.Alice Freeman, Chief Court Clerk
- n.Norma Gipson, Research Clerk
- o.Vanessa Hartnett, Court clerk
- p.Maria Hill, Recording/Scan Clerk
- q.Maria Hill, Recording/Scan Clerk, increase due to probation period completed, effective August 2, 2003
- r.Claudette Johnson, Utility Clerk
- s.Andrea Jones, Research Clerk

t.Andrea Jones, Research Clerk, due to probation period completed, effective August 2, 2003
u.Barbara R. Jones, Temporary Clerk, (replacement for Cirilo Haynes), effective June 23, 2003
v.Dinne Killingsworth, Chief Court Clerk
w.Connie L. Kinney, Court Clerk
x.Ellen Lawson, Court Clerk
y.Stella Luton, Research Clerk
z.Terri Mericle, Receptionist
aa.Katherine Mosher, Indexing Clerk
bb.Patricia O'Hagan, Vital Stat. Clerk
cc.Amy Patene, Chief Recording Clerk
dd.Kristina Pierce, Temporary Clerk, Full-time temporary for (Edna Bubela), effective June 30, 2003
ee.Brenda Randall, Utility Assistant
ff.Brenda Randall, Utility Assistant, increase in salary due to probation period completed, effective August 2, 2003
gg.Brenda Rashall, Chief Clerk/Annex
hh.Judy Reed, Receptionist
ii.Rhonda Robey, Recording/Scan
jj.Theresa Ruppert, Court Clerk
kk.Sharon Smith, Utility/Adm. Assistant
ll.Beverly Smythe, Research Clerk
mm.Sheila Walton, Chief Bookkeeper
nn.Stacey Wilson, Court Clerk
oo.Ruthie Zwisler, Chief Court Clerk

request of County Clerk to accept the transfer of Floresthela Sollie from Collections, (replacement for Karen Christianson), with an increase in salary, effective June 21, 2003

request of County Clerk to increase the salary of Floresthela Sollie, Recording/Scan Clerk, effective August 30, 2003, due to probation period completed

request of County Clerk to discharge Karen Christianson, Recording /Scan Clerk, effective June 18, 2003

request of District Attorney to increase the salary of Susan Bingham, Intake/Grand Jury Clerk, effective July 5, 2003

request of District Attorney to increase the salary of Brandy Forester, Receptionist, effective July 5, 2003, due to merit increase

request of District Attorney to increase the salary of Tonnie Jones, Misdemeanor-Legal Assistant, effective July 5, 2003, due to a merit increase

request of District Attorney to increase the salary of April Knudesn, Legal Assistant, effective July 5, 2003, due to merit increase

request of District Attorney to increase the salary of Sandra Martin, Misdemeanor, Legal Assistant, effective July 5, 2003, due to merit increase

request of District Attorney to increase the salary of Barndy McKinley, Receptionist, effective July 5, 2003, due to merit increase

request of District Attorney to increase the salary of Sheri Mericle, Intake Clerk, effective July 5, 2003, due to merit increase

request of District Attorney to increase the salary of Barbara Morgan, Administrative Assistant, effective July 5, 2003, due to merit increase

request of District Attorney to increase the salary of Torre Scifo, Misdemeanor-Legal Assistant, effective July 5, 2003, due to merit increase

request of District Attorney to increase the salary of Peggy Sondeen, System Coordinator, effective July 5, 2003, due to merit increase

request of District Attorney to transfer Andrea Thompson, Assistant District Attorney, effective June 21, 2003

request of District Clerk to place Carolyn Bennett, Deputy Clerk, on payroll, (replacement for Maria Elizardo), effective June 23, 2003

request of Elections Administrator to layoff Margaret Kendall, Temporary VR Clerk, effective June 20, 2003

request of Elections Administrator to layoff Donna Riddick, Temporary VR Clerk, effective June 20, 2003

request of Elections Administrator to layoff Katherine Wells, Temporary VR Clerk, effective June 20, 2003

request of Elections Administrator to layoff Catherine Whitmire, Temporary VR Clerk, effective June 20, 2003

request of Elections Administrator to layoff Brad Winski, Temporary VR Clerk, effective June 20, 2003

request of Elections Administrator to layoff Jessica Winski, Temporary VR Clerk, effective June 20, 2003

request of Environmental Health to place Daniel D. Kiblinger, Designated Representative Inspector on an annual auto allowance, effective June 23, 2003

request of Fire Marshal to increase the auto allowance of Darren Hess, Investigator, effective June 21, 2003

request of Justice of the Peace, Pct. #2 to increase the salary of Anna Medina, Civil Clerk, effective June 21, 2003, due to merit increase

request of Justice of the Peace, Pct. #2 to increase the salary of Amy L. Sanchez, Traffic Clerk, effective June 21, 2003, due to merit increase

request of Justice of the Peace, Pct. #2 to increase the salary of Juanita Surgers, Office Manager, effective June 21, 2003, due to merit increase

request of Justice of the Peace, Pct. #2 to increase the salary of Kayce Tipton, Traffic Clerk, effective June 21, 2003, due to merit increase

request of Juvenile Probation Director to change the status of Tena Arceneaux from Substitute Detention Officer to Detention Officer, (replacement for Morlin Wade), effective July 5, 2003

request of Juvenile Probation Director to discharge Dartanya Bean, Substitute Detention Officer, effective June 19, 2003, effective June 19, 2003

request of Juvenile Probation Director to accept the resignation of Thomas Clinton, Detention Officer, effective June 18, 2003, with 27.39 vacation hours due and 27.26 comp hours due

request of Juvenile Probation Director to change the status of Jeanine Marie Copeland from Substitute Detention Officer to Detention Officer, (replacement for Kimberly Lawrence), effective July 5, 2003

request of Juvenile Probation Director to change the status of David L. Furr from Substitute Detention Officer to Detention Officer, (replacement for Ronald Burchfield), effective July 5, 2003

request of Juvenile Probation Director to promote Joe Kevin Hyden, Probation Officer/Detention Shift Supervisor, (replacement for Malcolm Purvis), effective July 5, 2003

request of Juvenile Probation Director to change the status of Preston McBride from Substitute Detention Officer to Detention Officer, effective July 5, 2003

request of Juvenile Probation Director to change the status of Jason Milo from Substitute Detention Officer to Detention Officer, (replacement for Lorene Newton), effective July 5, 2003

request of Juvenile Probation Director to accept the resignation of Lorene Newton, Jr., Detention Officer, effective June 11, 2003, with 43.12 vacation hours due and 24.38 comp hours due

request of Juvenile Probation Director to discharge Jackie Pinchback, Substitute Detention Officer, effective June 12, 2003

request of Juvenile Probation Director to change the status of Nathaniel Wilbert from Substitute Detention Officer to Detention Officer, (replacement for Joel Hyden), effective July 5, 2003

request of Library Director to rescind payroll change approved on June 16, 2003, for Delaina Bales, Library Assistant II, to reflect replacement for Robin Bamburg, rather than Lois Breeland, effective June 23, 2003

request of Library Director to place George Earle, Library Assistant II, (replacement for Elizabeth Evans), effective June 23, 2003

request of Library Director to accept the retirement of Edna Senter, Library Assistant II, effective June 30, 2003

request of Sheriff's Department to promote Tierni Adamick from Detention Officer II to Detention Deputy, effective June 21, 2003

request of Sheriff's Department to promote Billy Ballard from Detective I to Detective II, effective July 19, 2003, due to one year probation completed

request of Sheriff's Department to promote Kimberly Ehrhardt from Dispatcher I to Dispatcher II, effective July 19, 2003, due to one year probation period completed

request of Sheriff's Department to promote Brian E. Forey from Medic I to Medic II, effective July 19, 2003, due to one year probation completed

request of Sheriff's Department to transfer Takeya Johnson from CJR Specialist II to Detention Officer I, (replacement for Brandon Mabry), effective June 14, 2003

request of Sheriff's Department to promote Don Lacy from Sergeant to Lieutenant, effective June 21, 2003

request of Sheriff's Department to promote Michael Landrum from Detective I to Detective II, effective July 19, 2003, due to one year probation period completed

request of Sheriff's Department to promote Randy Lewis from Detective I to Detective II, effective July 19, 2003, due to one year probation period completed

request of Sheriff's Department to change position of James Reed, Jail Maintenance, (replacement for Troy Smith), effective June 18, 2003

request of Sheriff's Department to promote the salary of Johnnie Rodriguez from Detention Officer I to Detention Officer II,

effective July 19, 2003, due to one year probation period completed

request of Sheriff's Department to promote Marvin Rogers from Detective I to Detective II, effective July 19, 2003, due to one year probation period completed

request of Sheriff's Department to place Donald Rooney, Detention Deputy on unpaid family leave of absence, effective June 17, 2003

request of Sheriff's Department to promote Celestina Rossi-Golsby from Investigator I to Investigator II, effective July 19, 2003, due to one year probation period completed

request of Sheriff's Department to change status for Derrick Trott from Detention Officer II to Detention Deputy, effective June 21, 2003

request of Tax Assessor/Collector to promote Jennifer Hover from Deputy Specialist I to Deputy Specialist II, effective June 21, 2003

request of Animal Control to place Christopher Bess, Animal Control Officer, (replacement for Lajeane Thompson), effective June 30, 2003

request of Collections Department to place Hortencia Schneider, Collection Specialist, (replacement for Floresthela Sollie), effective June 30, 2003

request of Commissioner, Pct. #3 to place James Johnson, on payroll, effective June 28, 2003

request of Commissioner, Pct. #3 to increase the salary of Daniel Linseisen, Driver-Helper, effective June 21, 2003, due to merit increase

request of District Clerk to accept the resignation of Janet Fearrington, Deputy Clerk, effective June 27, 2003, with 14.76 vacation hours due

request of Sheriff's Department to place Kent Burton, Detention Deputy, (replacement for Roland Henrici), effective June 28, 2003

as per Payroll Change Requests on file. Motion carried.

27.COURT ADJOURNS

Motion by Commissioner Meador, seconded by Commissioner Doyal, 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