

COMMISSIONERS' COURT DOCKET, AUGUST 25, 2003
SPECIAL SESSION

THE STATE OF TEXAS
COUNTY OF MONTGOMERY

Be it remembered that on this the 25th day of August, 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 GENE DEFOREST, CONSTABLE, PCT. #2

PLEDGE OF ALLEGIANCE RECITED BY EVERYONE PRESENT

MR. WEBB MELDER GAVE A BRIEF SUMMARY ON VARIOUS PURCHASES FOR LAW ENFORCEMENT EQUIPMENT AND FAMILIES THEY HAVE ASSISTED IN THE PAST THROUGH THE 100 CLUB ORGANIZATION.

1. COMMISSIONERS' COURT AGENDA APPROVED

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

2. MINUTES APPROVED - COUNTY CLERK

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve Commissioners' Court Minutes for August 11, 2003, as presented by the County Clerk. Motion carried.

3. CONSENT AGENDA APPROVED - AGENDA ITEMS 8A THROUGH 8G

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

COUNTY AUDITOR - AGENDA ITEMS 8A

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

b. BUDGET AMENDMENTS approved, as follows:

1. 221st. District Court - to absorb a portion of the 2-1/2% cut for FY03
2. 284th. District Court - to adjust line items
3. 410th. District Court - to absorb a portion of the 2-1/2% cut for FY03
4. Animal Shelter - to adjust line items
5. Animal Shelter - to adjust line items
6. Bail Bond Board - to adjust line items
7. Building Maintenance/Construction - to recognize/allocate restitution from S. English, Jr.
8. Civic Center Complex - to transfer funds to cover release 263521 for crushed concrete
9. Commissioner, Pct. #1 - to adjust line items
10. Commissioner, Pct. #1 - to transfer funds to cover security at the Lake Park for July 4-27, 2003

11. Commissioner, Pct. #1 - to absorb the 2-1/2% cut for FY03
12. Commissioner, Pct. #3 - to adjust line items and to absorb 2-1/2% cut for FY03
13. Commissioner, Pct. #3 - to recognize/allocate reimbursement from B. Smith
14. Commissioner, Pct. #3 - to recognize/allocate reimbursement from D. Baker
15. Commissioner, Pct. #3 - to recognize/allocate reimbursement from WJPA
16. Commissioner, Pct. #3 - to absorb 2-1/2% cut for FY03 for recycling center
17. Commissioner, Pct. #3 - to recognize/allocate reimbursement from Scott Yager
18. Commissioner, Pct. #3 - to recognize/allocate reimbursement from Bob Alvarado
19. Commissioner, Pct. #3 - to recognize/allocate reimbursement from Wells Custom Homes
20. Commissioner, Pct. #3 - to adjust line items
21. Commissioner, Pct. #4 - to reimburse department from bond proceeds, as approved by Commissioners' Court, 4-7-03 - Motion #34
22. Constable, Pct. #4 - to adjust line items
23. Contingency - to transfer funds to cover shortage in non-departmental
24. Contingency - to transfer funds to cover shortage in Court Operations
25. County Judge - to absorb the 2-1/2% cut for FY03
26. County Judge - to transfer funds for burial expense
27. County Park - to absorb a portion of the 2-1/2% cut for FY03
28. Court Collections - to adjust line items
29. Court Collections - to absorb the 2-1/2% cut for FY03
30. Court Operations - to allocate funds from state reimbursement for sexual predator costs
31. Custodial Services - to absorb a portion of the 2-1/2% cut for FY03
32. District Attorney - to recognize/allocate juror donation
33. Drug Court - to absorb a portion of the 2-1/2% cut for FY03
34. Drug Court - to adjust line items
35. Elections Administration - to recognize/allocate reimbursement from State
36. Environmental Health - to adjust line items
37. Environmental Health - to recognize/allocate additional revenue
38. Extension Agents - to recognize/allocate donation from Montgomery County Horticultural
39. Extension Agents -to adjust line items
40. Justice of Peace, Pct. #5 - to absorb a portion of the 2-1/2% cut for FY03
41. Juvenile Probation - to adjust line items
42. Juvenile Probation - to recognize/allocate reimbursement for April/03
43. Juvenile Probation - to recognize/allocate reimbursement for May/03
44. Memorial Library - to adjust line items
45. Memorial Library - to absorb a portion of 2-1/2% cut for FY03
46. Risk Management - to recognize/allocate reimbursement for damage Unit #713
47. Road and Bridge fund - to recognize and to allocate portion of bond proceeds from issuance of

- Certificates of Obligation 2003
48. Sheriff - to recognize/allocate reimbursement from State

COUNTY TREASURER - AGENDA ITEMS 8B

- a. WEEKLY INVESTMENT REPORT approved, for the week of August 18, 2003, through August 22, 2003, as per Report on file.

AGENDA ITEM 8B2 - THERE WERE NO PLEDGES AND/OR RELEASES OF COLLATERAL SUBMITTED THIS COURT SESSION.

- b. MONTHLY REPORT approved, for pledged securities for period July 1, through July 31, 2003, as per Report on file.

TAX ASSESSOR/COLLECTOR - AGENDA ITEMS 8C

- a. CANCELLATION OF BONDS approved, as follows:
1. Kroger Texas L.P., Store #357 - Bond #200797668
2. Kroger Texas L.P. - Bond #285017564

as per Notice on file.

PURCHASING DEPARTMENT - AGENDA ITEMS 8D

- a. AUTHORIZATION TO ADVERTISE FOR BIDS/PROPOSALS approved, as follows:
1. Travel Service - Various Departments
2. Lawn Maintenance - Various Departments
e. Fleet Management Software - Sheriff's Department
- b. BIDS/PROPOSALS OPENED acknowledged, as follows:
1. Portland Cement Concrete Class "A" (5-sack) - Various Precincts - Project #2003-0084 (opened 8-13-03)
2. Labor for the removal of old drainage/culvert pipe and the installation of new drainage/culvert pipe - Various Precincts - Project #2003-0086 - (opened 8-20-03)
3. RFP new personal computers and accessories - Various Departments - Project #2003-0081 (opened 8-22-03)
- c. RENEWAL CONTRACTS approved, as follows:
a. LONE STAR SERVICES, INC. - PO#2002041 - for pavement striping and road marker installation - Various Departments/Precincts
b. LONE STAR SERVICES, INC. - PO#2002043 - for concrete road repair for existing roads and replacing - Various Departments
c. HART INTERCIVIC - PO#2003114 - for printing elections and voters registration forms and related materials - Elections
d. CONROE COURIER - PO#2003017 - for legal advertisement - Various Departments
e. CHEMCO ANALYSIS, INC. - PO#2003163 - to maintain breath alcohol testing program - Various Departments
f. FRIENDLY TRAVEL - PO#2002038 - to travel service - Various Departments - month to month basis
g. BRODART CO/DBA McNAUGHTON BOOK SERVICE -

PO#2002001 - for book leasing - Library - renewal for two additional years, on one (1) year intervals

- d. CHANGE ORDER #1 approved, PO#2003443 - for residential placement for Juvenile Services to A World for Children, as per Change Order on file.
- e. CHANGE ORDER #4 approved, PO#2002411 - for commercial air conditioning filters to American Eagle Air, Inc., for changes noted in memo on file.
- f. CHANGE ORDER #1 approved, PO#2003276 - for lawn maintenance services to Hellard Services, as per changes noted in memo on file.
- g. CANCELLATION approved - for PO#2003158 for purchase of uniforms for law enforcement/Jail Division, to Wearform, effective October 13, 200, as per Notice on file.
- h. REQUEST approved, to add Bank One to the state awarded contract for airline transportation, as per Request on file.
- i. CANCELLATION approved - for PO#2000259 for airline transportation services to Bank of America, effective August 31, 2003, as per Notice on file.
- j. ITEM DECLARED SALVAGE approved, from the Lone Star Convention Center to declare Fluke clamp meter and a Motorola radio as salvage, as per Request on file.
- k. REQUEST approved, to authorize September 16, 2003, as the cut off date for purchase orders. (no paperwork)

COMMISSIONER, PRECINCT #1 - AGENDA ITEMS 8E1

AGENDA ITEM 8E1 - DEFERRED - ORDER AUTHORIZING COUNTY JUDGE TO SIGN DRAW ON MAINTENANCE BOND FOR SETTLERS CROSSING, SECTION 1, PER COMMISSIONER MEADOR'S REQUEST.

- a. UTILITY EASEMENT approved, at the Willis Agriculture Barn to Sam Houston Electric Cooperative, Inc. Also, to authorize the County Judge to execute said document. (no paperwork)

COMMISSIONER, PRECINCT #1 - AGENDA ITEMS 8E2

- a. FINAL PLAT approved, for High Meadow Ranch, Section 17, consisting of 147.275 acres, 49 lots, as per Plat on file.
- b. ROADS accepted, in Sierra Woods Subdivision, consisting of 1,784.33 l.f., .34 miles, into the one year maintenance period, effective August 25, 2003, as per Request on file.
- c. UTILITY PERMIT approved, from Montgomery Gas Transmission, Inc., to place a 4" high pressure natural gas line within the right-of-way of Forest Hills Road, as per Permit on file.
- d. UTILITY PERMIT approved, from Montgomery Gas Transmission, Inc., to place a 4" high pressure natural gas line within the right-of-way of Keenan Cutoff Road, as per Permit on file.

- e. UTILITY PERMIT approved, from Montgomery Gas Transmission, Inc., to place a 4" high pressure natural gas line within the right-of-way of Hills Parkway, as per Permit on file.
- f. ORDER approved, to authorize the County Judge to sign Draws on Maintenance Bonds with Surety for Thousands Oaks Subdivision, Section 1, Section 2, and Section 3, as per Order on file.

COMMISSIONER, PRECINCT #3 - AGENDA ITEMS 8E3

- a. FINAL PLAT approved, for Briar Rock Apartments, consisting of 8.778 acres, 200 units, as per Plat on file.
- b. FINAL PLAT approved, for Rayford Ridge Subdivision, Section 1, consisting of 17.6245 acres, 71 lots, as per Plat on file.
- c. FINAL PLAT approved, for Woodlands Car Care Replat and Extension No. 1, consisting of 4.4955 acres, 1 lot, as per Plat on file.
- d. FINAL PLAT approved, for Village of Sterling Ridge, Section 29, The Woodlands, consisting of 40.84 acres, 135 lots, as per Plat on file.
- e. FINAL PLAT approved, for Waterway Village, The Woodlands, consisting of 2.29 acres, 30 lots, as per Plat on file.
- f. ROADS accepted, in the Village of Sterling Ridge, Section 19, consisting of 2,944.32 l.f., .56 miles, into the one year maintenance period, effective August 25, 2003, as per Request on file.
- g. ORDER approved, to accept donation of right-of-way for the expansion of Hanna Road, known as Parcel 12. Also, to authorize the County Judge to execute same, as per Order on file.

COMMISSIONER, PRECINCT #4 - AGENDA ITEMS 8E4

- a. CHECK accepted, from the City of Roman Forest in the amount of \$1,004.88, for the purchase of fuel for the months of May and June, 2003, in accordance with an interlocal agreement dated October 7, 2002, as per Request on file. (check forwarded to County Treasurer to be deposited in Account #615-7357)
- b. CHECK accepted, from the City of Patton Village in the amount of \$200.00, for reimbursement of road materials used in the Peach Creek Colony Project, as per Request on file. (check forwarded to County Treasurer to be deposited in Account #615-7340).

AGENDA ITEM 8E4C - FINAL PLAT FOR KINGS MANOR, SECTION 12 - REMOVED FROM AGENDA. (WRONG WORDING)

- c. ROADS accepted, BOND released, in Windwood Forest Subdivision, Section 1, consisting of 2,221.65 l.f., .42 miles, into the County Road System. Also, to release the Bond, as per Request on file.
- d. UTILITY PERMIT approved, from the City of Splendor to place a 4" water line within the right-of-way of

Green Forest Road, as per Permit on file.

- e. ORDER approved, to authorize payment of Special Commissioners' award and payment of Special Commissioners' Fees, in Cause No. 03-06-04182-CV, for acquisition of real property described as Parcels 38 and 40, FM1314, as per Order on file.

ALL PRECINCTS - AGENDA ITEMS 8E5

- a. OVERLOAD/OVERSIZE PERMITS approved, for the following Vendors, to move various loads over all County Roads:
 1. Steely Lumber Company, Inc., to move logs and pulpwood across various county roads, with movement to begin not earlier than August 11, 2003, and to be completed by November 15, 2003, as per Permit on file.
 2. Woody's Construction, to move tree brush and building materials across various county roads, with movement to begin not earlier than September 7, 2003, and to be completed by December 7, 2003, as per Permit on file.

PARKS DEPARTMENT - AGENDA ITEMS 8F

- a. USE AGREEMENTS ratified, for Conroe Symphony League, Scholastic Book Fair and Conroe Noon Lions, as per Agreements on file.

RISK MANAGEMENT - AGENDA ITEM 8G

- a. OFFICIAL BONDS AND OATHS approved, for various County Employees, as follows:
 1. Daniel Cain - Deputy Constable, Pct. #1 - Bond #14383640 - Renewal
 2. Willie Lee Gladden, Jr. - Deputy Constable, Pct. #1 - Bond #14382031 - Renewal
 3. Robert D. Knight, Reserve Deputy Constable, Pct. #1 - Bond #15452623 - Expired (2002)
 4. Robert D. Knight, Constable, Pct. #1 - Deputy Constable, Pct. #1 - Bond #15452623 - Renewal
 5. Kenneth C. Murrell, Jr., Deputy Constable, Pct. #1 - Bond #14330509 - Renewal
 6. William Randall Sanson, Deputy Constable, Pct. #1 - Bond #12744636 - Renewal
 7. Jerry Stovall, Deputy Constable, Pct. #1 - Bond #14383648 - Renewal
 8. Gloria Siracusa, Reserve Deputy Constable, Pct. #2 - Bond #15487517 - Expired (2002)
 9. Lonnie Bruce Harrison, Reserve Deputy Constable, Pct. #3 - Bond #18135748 - Renewal
 10. Jerome A. Jandl, Reserve Deputy Constable, Pct #3 - Bond #14330017 - Renewal
 11. Kenneth A. Porter, Reserve Deputy Constable, Pct. #3 - Bond #15487495 - Renewal
 12. Les Tarrance, Jr., Reserve Deputy Constable, Pct. #3 - Bond #14329348 - Renewal
 13. Billy Allen Fletcher, Jr., Reserve Deputy Constable, Pct. #5 - Bond #15416496 - Renewal
 14. Glen A. Arnold, Deputy Constable, Pct. #5 - Bond #15527653 - New
 15. Thomas Russell Fox, Deputy Constable, Pct. #5 - Bond #14382969 - Renewal
 16. Andra Hamm, Deputy Constable, Pct. #5 - Bond #15486564 - Renewal

17. Daniel Hatfield, Deputy Constable, Pct. #5 - Bond #15527652 - Renewal
18. Deborah Marie Hodge, Deputy Reserve Constable, Pct. #5 - Bond #15527654 - Renewal
19. Chris Jones, Deputy Constable, Pct. #5 - Bond #15487494 - Renewal
20. Marshall Williams, Deputy Constable, Pct. #5 - Bond #15486565 - Renewal
21. Pamela Elliott, Collections Manager/Tax Office - Bond #14383155 - Renewal
22. Robbie Wood, Tax Assessor/Collector, Chief Deputy, MV - Bond #13750624 - Renewal

as per Bonds on file.

Motion carried.

END OF CONSENT AGENDA

4. REQUEST APPROVED - CATFISH FESTIVAL FOR 2003 - COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Request from the Friends of Conroe to use the county properties during the Catfish Festival, October 10, 2003, through October 12, 2003, as per Schedule on file. Motion carried.

5. Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the salary increases for the following Justice of the Peaces to \$62,660.00 annually, as agreed on by the Salary Grievance Committee for Elected Officials on August 20, 2003:

- a. Lanny Moriarty, Pct. #1
- b. Grady T. Spikes, Pct. 2
- c. Edie Connelly, Pct. #3
- d. James Metts, Pct. #4
- e. Carolyn Cox, Pct. #5

Motion carried. (no paperwork)

6. RESOLUTION AND ORDER APPROVED - AMENDMENT TO 2003/2004 BUDGET - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve a Resolution and Order to the 2003/2004, Montgomery County Budget, to trigger automatic amendments to the budget in event of a vacancy of any budgeted position of employment, in departments other than the Tax Assessor/Collector's Department, as per Resolution and Order on file. Motion carried.

7. BUDGET ADOPTED - 2003/2004 MONTGOMERY COUNTY BUDGET - COUNTY JUDGE

Motion by Commissioner Chance, seconded by Commissioner Meador, to adopt the budget for the fiscal year 2003/2004, in the total amount of \$112,438,384.00, as presented by the County Auditor. Motion carried. (Copy for files will be forthcoming)

8. AMENDMENT APPROVED - FY2003 COUNTY BUDGET - COUNTY AUDITOR

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve an Amendment to the FY2003 County Budget to draw \$2,035,510.00 from the fund balance in order to satisfy estimated obligations in the Sheriff's Department

for the remainder of FY2003, as per Request on file. Motion carried.

9. RESOLUTION AND ORDER APPROVED - AD VALOREM TAX RATE FY2003 - TAX ASSESSOR/COLLECTOR

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve a Resolution and Order to set the FY2003 Ad Valorem Tax Rate for Maintenance and Operation at .4150 cents per hundred dollars, as per Resolution and Order on file. Motion carried.

10. RESOLUTION AND ORDER APPROVED - AD VALOREM TAX RATE FY-2003 - TAX ASSESSOR/COLLECTOR

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve a Resolution and Order to set the FY2003 Ad Valorem Tax Rate for Debt Service, (interest and sinking fund), for Montgomery County at .0678 cents per hundred dollars, as per Resolution and Order on file. Motion carried.

11. REQUEST APPROVED - HGAC REGIONAL MITIGATION PLAN - CIVIL DEFENSE

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the Request to fund County Share, not to exceed \$18,000.00, of HGAC Regional Mitigation Plan in FY2004 County's Budget. Motion carried. (no paperwork)

12. REQUEST APPROVED - COMPUTER PORTS - COMMUNICATION INFORMATION SERVICES

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the Request to close necessary Ports to protect the County Computer Systems from EMail viruses, as per Request on file. Motion carried.

13. FIVE-YEAR PLAN APPROVED - COMMUNITY DEVELOPMENT AND HOUSING CONSOLIDATED (CDBG)

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the Five-Year Consolidated Plan, October 1, 2003, through September 30, 2007, as presented by CDBG, as per Plan on file. Motion carried.

14. REQUEST APPROVED - REVENUE FOR ADDITIONAL EMPLOYEE - ELECTIONS ADMINISTRATOR

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the Revenue Source of \$35,724.00, (1/2 of said amount to be paid from Elections Budget now, and the remainder amount when funds are available in Elections Budget - Position will be deleted if funds are not met), for one additional full-time employee to Elections 2003-04 budget, as per Request on file. Motion carried.

15. REQUEST APPROVED - SHIFT SUPERVISOR POSITION - JUVENILE PROBATION

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the Request to fill a vacant Shift Supervisor position for Juvenile Probation, as per Request on file. Motion carried.

16. REQUEST APPROVED - SUBSTITUTE DETENTION OFFICER POSITION - JUVENILE PROBATION

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve the Request to fill a vacant Substitute Detention Officer's position for Juvenile Probation, as per Request on file. Motion carried.

17. REQUEST APPROVED - REPLACEMENT OF EMPLOYEES - DISTRICT ATTORNEY

Motion by Judge Sadler, seconded by Commissioner Meador, to approve replacement of two job openings, (Receptionist and In-take Attorney), in the District Attorney's Office, as per Request on file. Motion carried.

18. REQUEST APPROVED - TRANSFER OF FUNDS - LIBRARY DIRECTOR

Motion by Commissioner Meador, seconded by Commissioner Chance, to authorize the transfer of funds, (\$6,000.00 transfer), from FY2004 Budget for Montgomery County Memorial Library System, in order to increase the hours of three Shelving Clerks, beginning October 1, 2003, as per Request on file. Motion carried.

19. REQUEST APPROVED - FILLING CURRENT VACANT POSITION - LIBRARY DIRECTOR

Motion by Commissioner Meador, seconded by Commissioner Chance, to authorize the Library Director to continue to recruit, interview, and offer employment for current vacant positions. Also, to approve hiring Cheryl Pursley as Catalog Technician, and to temporarily increase the hours of Lakeisha Charles until a permanent replacement for a fulltime Library Assistant II is fulfilled, as per Request on file. Motion carried.

20. REQUEST APPROVED - RESERVE OFFICERS - CONSTABLE, PRECINCT #2

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve two new Officers to the Reserve Department for Constable, Pct. #2, as per Request on file. Motion carried. (names not available)

21. REQUEST APPROVED - REPLACEMENT FOR VACANT POSITION - CONSTABLE, PCT. #2

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve the Request to replace a vacant Clerical Position, (Secretary/Clerk), for Constable, as per Request on file. Motion carried.

22. RESOLUTION APPROVED - GRANT APPLICATION - DRUG COURT

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve a Resolution for the submission of a Grant Application for the Drug Court for Montgomery County's Court Assisted Rehabilitation Experience, (CARE), Program to the Office of the Governor, as per Resolution on file. Motion carried.

23. PAYMENT APPROVED - TEXAS DEPARTMENT OF TRANSPORTATION AVIATION DIVISION - AIRPORT

Motion by Commissioner Chance, seconded by Commissioner Meador, to declare a "public interest" to enter into a participation agreement, without benefit of a Contract, and to approve payment under said Agreement to Texas Department of Transportation Aviation Division of matching funds to construct Capital Improvement Project at the Montgomery County Airport. Motion carried. (no paperwork)

24. RESOLUTION APPROVED - NAMING OF AIRPORT AND LOGO - AIRPORT

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve a Resolution to rename the Montgomery County Airport to Lone Star Executive Airport, and approve the new Logo, as per Resolution on file. Motion carried.

25. GRANT APPLICATION APPROVED - LLEBG GRANT - SHERIFF'S DEPARTMENT

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve Grant Application for FY2003, Local Law Enforcement Block Grant, as per Application on file. Motion carried.

AGENDA ITEMS 23A 3, 5, & 6 - RECOMMENDATIONS AND CONTRACTS - DEFERRED.

26. RECOMMENDATIONS AND CONTRACTS APPROVED - EMERGENCY EQUIPMENT - SHERIFF'S DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Chance, to award bids, (opened July 20, 2003), for Emergency Equipment, as follows:

- a. GT Distributors, Inc. - Items 1-4, 6 and 11
- b. Galls, Inc. - Item 7
- c. Emergency Vehicle Equipment - Item 9
- d. Adamson Industries Corp. - Items 5 & 10
- e. Scientific Dimensions - Item 8

as per Contracts on file. Motion carried.

27. RECOMMENDATION AND CONTRACT APPROVED - LASER PRINTING - TAX OFFICE

Motion by Commissioner Chance, seconded by Commissioner Meador, to award the bid, (opened August 5, 2003), for laser printing of County Tax Statements and Related Reports, to Laser Printers & Mailing Services, LLC, as per Contract on file. Motion carried.

28. RECOMMENDATION AND CONTRACT APPROVED - CEMENT CONCRETE CLASS "A" - VARIOUS PRECINCTS

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to award the bid, (opened August 13, 2003), for Portland Cement Concrete Class "A" (5-Sack), to Campbell Concrete & Materials, L.P., as per Contract on file. Motion carried.

29. CHANGE ORDER #1 APPROVED - SMITH AND COMPANY - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve Change Order #1, PO#2003267, to Smith and Company for roadway improvement on Riley Fuzzel Rd. from Spring Creek to Old Rayford Rd., as per Change Order on file. Motion carried.

30. CHANGE ORDER #15 APPROVED - COMMUNITY CENTER - EAST MONTGOMERY COUNTY - CDBG PROJECT

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve Change Order #15, PO#2002347, to Alliance Construction, Inc., for the construction of East Montgomery County Community Development Center, to Alliance Construction, Inc., as per Change Order on file. Motion carried.

31. CHANGE ORDER #2 APPROVED - RELOCATION OF BASEBALL/SOFTBALL COMPLEX - PRECINCT #1

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve Change Order #2, PO#2000470, to Bleyl & Associates for changes to the planning of the relocation of Montgomery County Baseball/Softball Complex, as per Change Order on file. Motion carried.

32. CONTRACT APPROVED - FAIRWEATHER GROUP - PARKS DEPARTMENT - PRECINCT #1

Motion by Commissioner Meador, seconded by Commissioner Chance, to award the Contract, (awarded July 14, 2003), to Fairweather Group, for the design/build of AG Barn Concession Stand, as per Contract on file. Motion carried.

33. PROPOSAL APPROVED - ENGINEERING SERVICES - PURCHASING DEPARTMENT

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the Proposal from Pate Engineers for Engineering Services to develop Road Bond Program previously approved in Commissioners' Court on July 28, 2003, as per Proposal on file. Motion carried. (to be funded one-fourth from each Precinct)

34. PROPOSAL APPROVED - PRELIMINARY ENGINEERING SERVICES - PRECINCT #3

Motion by Judge Sadler, seconded by Commissioner Meador, to approve the Proposal from Huitt-Zollars, Inc., for a feasibility study and ROW abstracting on Nursery Road, east of Maple Branch to IH-45 Frontage Road, for a fee of \$19,500.00, (fund from Bond Funds 2003 - discretionary), as per Proposal on file. Motion carried.

35. REQUEST APPROVED - "LIGHT THE NIGHT WALK" - PURCHASING DEPARTMENT

Motion by Judge Sadler, seconded by Commissioner Meador, to designate September 23, 2003, as the "Light the Night Walk", for the Leukemia and Lymphoma Society, to be held at the Lone Star Convention Center. Motion carried. (no paperwork)

36. RESOLUTION AND ORDER APPROVED - MENTAL COMMITMENT FEES - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve a Resolution and Order for the payment of mental health commitment fees incurred by Anderson County, Texas, in Cause No. 5,421, styled The State of Texas vs. Juanita Corkern, in the amount of \$175.00, as per Resolution and Order on file.

AGENDA ITEM 25A1 - PARTIAL REPLAT OF WESTWOOD SECTION 1, BLOCK 1, LOTS 39-45, TO BE KNOWN AS WOODFOREST PLAZA - WESTWOOD, WAS DISCUSSED BY THE COURT, BUT COMMISSIONER DOYAL IS TO DISCUSS THIS MATTER FURTHER WITH THE HOMEOWNERS ASSOCIATION, BEFORE FINAL APPROVAL OF REPLAT - PCT. #2

37. FINAL REPLAT APPROVED - GREENFIELD FOREST ESTATES (PARTIAL REPLAT NO. 1) - PRECINCT #2

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the final Partial Replat No. 1, of Greenfield Forest Estates, consisting of 46.458 acres, 94

lots, as per Replat 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 - (Section 551.071)
2. Consider and Discuss Claims of Pam Hernandez and Phyllis Traylor - (Section 551.071)
3. Discuss Smith and Jones vs. Montgomery County, Texas - (Section 551.071)
4. Consider and Discuss Claims of Eddie Laway and Renell Pdigo (Section 551.071)
5. Discuss Bax vs. Montgomery County, et al, including possible settlement agreement (Section 551.071)

COURT RECONVENED WITH ALL MEMBERS OF THE COURT PRESENT.

38. PAYROLL CHANGE REQUESTS APPROVED - HUMAN RESOURCES

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

request of County Auditor to promote Stephanie Sprowl, General Ledger Clerk, effective August 30, 2003

request of County Auditor to transfer Jackie Tucker from General Ledger Clerk to Receptionist, effective August 30, 2003

request of Collections Department to place Geraldine Lara, Data Entry Clerk, (replacement for Sandy Relander), effective August 13, 2003

request of Collections Department to place Karen McPeters, Collections Specialist, (replacement for Kimberly Thompson), on payroll, effective August 18, 2003

request of Collections Department to discharge Kimberly Thompson, Collection Specialist, with 105.69 vacation hours due, effective August 12, 2003

request of Commissioner, Pct. #2 to place Ralph Holmes, Truck Foreman, on payroll, effective September 2, 2003

request of Commissioner, Pct. #4 to accept the resignation of Brian Butcher, Mosquito Sprayer, effective August 20, 2003

request of Commissioner, Pct. #4 to accept the retirement of Donald Hammock, Operator, effective July 31, 2003, with 83.2632 vacation hours due and 4.63 comp hours due

request of Constable, Pct. #2 to promote Mary Gilbreath, Receptionist/Clerk, (replacement for Wanda Graziadei), effective August 16, 2003

request of Constable, Pct. #2 to discharge Wanda L. Graziadei, Sales Assistant Clerk, effective August 19, 2003, with 22.87 vacation hours due

request of District Attorney to increase the salary of Marc Brumberger, Assistant District Attorney, effective June 1, 2003, due to HB178

request of District Attorney to promote Brandy Forester, Misdemeanor Assistant/Coordinator, (replacement for Torre Scifo), effective August 16, 2003

request of District Attorney to increase the salary of Michael Griffin, Assistant District Attorney, effective May 1, 2003, due to HB178

request of District Attorney to transfer Anita Hutsen, Receptionist, (replacement for Brandy Forester), effective September 8, 2003

request of District Attorney to increase the salary of Gail McConnell, Assistant District Attorney, effective June 1, 2003, due to HB178

request of District Attorney to increase the salary of James Prewitt, Assistant District Attorney, effective May 1, 2003, due to HB178

request from District Attorney to accept the resignation of Torre Scifo, Misdemeanor Assistant I Coordinator, effective August 8, 2003

request of District Attorney to increase the salary of Michael Seiler, Assistant District Attorney, effective August 1, 20203, due to HB178

request of District Attorney to accept the resignation of Adam Tabak, Assistant District Attorney, effective August 29, 2003, with 68.40 vacation hours due

request of Elections Administrator to place Debora Everhart, Temporary Voters Clerk, on bi-weekly hourly status, effective September 10, 2003

request of Elections Administrator to place Elizabeth Robinson, Temporary Voters Registration Clerk, on hourly status, effective September 10, 2003

request of Elections Administrator to place Gwenda Stephan, Temporary Voters Clerk, on hourly status, effective September 10, 2003

request of Elections Administrator to place Virginia Taylor, Temporary Voters Clerk, on hourly status, effective September 10, 2003

request of Elections Administrator to place Martha Williams, Temporary Voters Clerk, on hourly status, effective September 10, 2003

request of Environmental Health to promote Miriam Huerta from Receptionist to Office Manager, (replacement for Frankie Bemrose), effective August 2, 2003

request of Fire Marshal to increase the salary of Cathy A. Holloter, Secretary, effective August 16, 2003, due to probation period completed

request of Sheriff's Department to accept the resignation of Carolyn Allen, Detention Officer I, effective August 8, 2003, with 4.44 vacation hours due and 2.96 holiday hours due

request of Sheriff's Department to place Britteny Johnson, Dispatcher I, (replacement for Michael Numm), effective September 6, 2003

request of Tax Assessor/Collector to accept the resignation of Melba Casey, Deputy Specialist II, effective August 22, 2003, with 87.44 vacation hours due and 3.50 comp hours due

request of Tax Assessor/Collector to place Arlita Fleming, Deputy Specialist I, (replacement for Lisa Lovelady), on payroll, effective August 25, 2003

request of Tax Assessor/Collector to place Teresa King, Deputy Specialist II, on payroll, effective August 25, 2003, returning from FMLA status

request of Tax Assessor/Collector to accept the resignation of Lisa Lovelady, Deputy Specialist I, effective August 22, 2003, with 21.25 vacation hours due and 6.13 comp hours due

request of District Judge, 9th Judicial District court, to bridge the time of Donna Owen, Briefing Attorney, effective August 15, 2003

request of Commissioner, Pct. #3 to accept the retirement of Thomas Gustavus, Assistant Field Supervisor, effective August 28, 2003, with 238.575 vacation hours due and 100 sick leave hours due (grandfathered)

request of District Clerk to place Holly Underwood, Deputy Clerk, (replacement for Janet Fearington), on payroll, effective August 25, 2003

request of Library Director to change the status of Lakeisha Charles from Part-time Library Assistant II to Full-time Temporary Library Assistant II, effective August 25, 2003

request of Library Director to place Cheryl Pursley, Catalog Technician, (replacement for Deborah Dumond), on payroll, effective September 2, 2003

as per Payroll Request on file. Motion carried.

39. REQUEST APPROVED - CALCULATING SALARY INCREASES - HUMAN RESOURCES

Motion by Judge Sadler, seconded by Commissioner Meador, to approve the new method for calculating salary increases, i.e. percentage of increase would be calculated on base salaries only, as per Request on file. Motion carried.

40. ROADS ACCEPTED - KINGS MANOR, SECTION 12 - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Judge Sadler, to accept the Roads into the one year maintenance period in Kings Manor Subdivision, Section 12, consisting of 2.190.57 l.f., .42 miles, as per Request on file. Motion carried.

41. INTERLOCAL COOPERATION AGREEMENT APPROVED - MAGNOLIA INDEPENDENT SCHOOL DISTRICT - PRECINCT #5

Motion by Judge Sadler, seconded by Commissioner Doyal, to approve the Interlocal Cooperation Agreement by and between Montgomery County and Magnolia Independent School District for school security services. Also, the spelling of Commissioner Doyal and Commissioner Rinehart's names which were misspelled on the original Contract has been corrected that was approved on July 28, 2003, by Commissioners' Court,

as per Agreement on file. Motion carried.

42. 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