

COMMISSIONERS' COURT DOCKET, OCTOBER 7, 2002
SPECIAL SESSION

THE STATE OF TEXAS
COUNTY OF MONTGOMERY

Be it remembered that on this the 7th day of October, 2002, the Honorable Commissioners' Court of Montgomery County, Texas, was duly convened in a Special Session in the Commissioners' Courtroom of the Montgomery County Courthouse Annex, Conroe, Texas, with the following Members of the Court present:

County Judge,	Alan "Barb" Sadler
Commissioner,	Precinct 1, Mike Meador
Commissioner,	Precinct 2, Craig Doyal
Commissioner,	Precinct 3, Ed Chance
Commissioner,	Precinct 4, Ed Rinehart
Also -	Alice Drake, County Clerk's Office

INVOCATION GIVEN BY COMMISSIONER, ED CHANCE, PRECINCT #3.
PLEDGE OF ALLEGIANCE WAS RECITED BY EVERYONE PRESENT.

1. COMMISSIONERS' COURT AGENDA APPROVED

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

2. PROCLAMATION APPROVED - "NATIONAL BREAST CANCER AWARENESS" MONTH

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve a Proclamation to designate the Month of October, 2002, as "Breast Cancer Awareness Month, as per Resolution on file. Motion carried.

3. PROCLAMATION APPROVED - "SENIOR GAME" WEEK

Motion by Commissioner Doyal, seconded by Commissioner Meador, to proclaim the week of October 21, 2002, as "Senior Games Week", and to urge all citizens and civic organization to acquaint themselves with the issues involving and relating to active, healthy lifestyles for Senior Adults, as per Proclamation on file. Motion carried.

4. RESOLUTION APPROVED - DR. FRANK HOFFMANN - LIBRARY BOARD REPRESENTATIVE - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve a Resolution to recognize and to honor Dr. Frank Hoffmann for all his efforts and work serving on the Library Board as a Representative of Precinct #3, since November 1990, as per Resolution on file. Motion carried.

5. EMPLOYEE OF THE MONTH - DONALD FELLOW - COMMUNICATION

INFORMATION SERVICES

BOSS OF THE YEAR/2002 - MARK BOSMA - PURCHASING AGENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to accept the nomination of Donald Fellow, Programmer, as Employee of the Month for October, 2002. Several recommendation letters were read nominating Mr. Fellow as "Employee of the Month". Mr. Fellow was presented with a plaque and a gift certificate from the Employees' Committee. Also, Mark Bosma, Purchasing Agent, was selected as "Boss of the Year" for 2002 by the Employees' Committee. Mr. Bosma was presented with a plaque and a gift certificate from the Employees' Committee. Motion carried.

6. PROCLAMATION APPROVED - "DOMESTIC VIOLENCE AWARENESS" MONTH

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve a Proclamation to proclaim the month of October, 2002, as "Domestic Violence Awareness" month, and to urge all citizens to observe this month by becoming aware of the tragedy of domestic violence, as per Proclamation on file. Motion carried.

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

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve Commissioners' Court Minutes for September 23, 2002, as presented by the County Clerk. Motion carried.

8. REQUEST APPROVED - CARRYOVER OF FUNDS - COUNTY CLERK

Motion by Commissioner Chance, seconded by Commissioner Rinehart, to approve a carryover to the 2003 budget year to fund temporary position in Clerk's office to assist with special projects. Motion carried.

9. CONSENT AGENDA APPROVED - AGENDA ITEMS 7A THROUGH 7K

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

COUNTY AUDITOR - AGENDA ITEMS 7A

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

b. BUDGET AMENDMENTS approved, as follows:

FISCAL YEAR 2002

1. Building Maintenance/Construction - to adjust line items
2. Building Maintenance/Construction - to adjust line items
3. Civic Center Complex - to adjust line items
4. Commissioner, Pct. #2 - to adjust line items
5. Commissioner, Pct. #2 - to recognize/allocate lease of real property from L. Fritsche
6. Commissioner, Pct. #3 - to recognize/allocate

reimbursement from Dinino, Weatherford & Woodlands Joint Powers Agency

7. Commissioner, Pct. #3 - to adjust line items
8. Commissioner, Pct. #4 - to allocate funds to cover payoff on animal Control vehicle
9. Constable, Pct. #2 - to adjust line items
10. Constable, Pct. #2 - to adjust line items
11. Constable, Pct. #3 - to adjust line items
12. Constable, Pct. #5 - to adjust line items
13. Constable, Pct. #5 - to adjust line items
14. Contingency - to allocate funds to cover shortage in restricted line
15. Contingency - to allocate funds to cover shortage in Court Operations
16. Contingency - to allocate funds to cover shortages in restricted line
17. Contingency - to allocate funds to cover shortage in Court Operations
18. County Auditor - to adjust line items
19. County Auditor - to adjust line items
20. County Auditor - to adjust line items
21. County Auditor - to adjust line items
22. County Court at Law #3 - to allocate funds to cover travel reimbursement
23. County Court at Law #4 - to adjust line items
24. County Engineer - to adjust line items
25. County Engineer - to adjust line items to cover release #250173
26. District Attorney - to adjust line items
27. Elections Administrator - to adjust line items
28. Emergency Management - to adjust line items
29. Emergency Management - to allocate funds to cover release #250406
30. Fire Marshal - to adjust line items
31. Jail - to adjust line items
32. Justice of the Peace, Pct. #1 - to adjust line items
33. Justice of the Peace, Pct. #3 - to allocate funds to cover purchase order #22508476
34. Justice of the Peace, Pct. #3 - to allocate funds to cover release #249975
35. Justice of the Peace, Pct. #3 - to adjust line items
36. Non-Departmental - to allocate funds to cover shortage in restricted line
37. Non-Departmental - to allocate funds to cover repairs for '97 Lumina
38. Non-Departmental - to allocate funds to cover shortage in restricted line
39. Non-Departmental - to allocate funds to cover shortage in restricted line
40. Non-Departmental - to allocate funds to cover shortage in restricted line
41. Non-Departmental - to allocate funds to cover shortage in restricted line
42. Non-Departmental - to allocate funds to cover shortage in restricted line
43. Sheriff's Department - LLEBG - FY02 - to set up funding for LLEB Grant for FY02
44. Sheriff's Department - to adjust line items
45. Sheriff's Department - to allocate funds to cover purchase order #22508719

FISCAL YEAR 2003

1. Risk Management - to correct allocation for restricted line

as per Budget Amendments on file.

COUNTY TREASURER - AGENDA ITEMS 7B

- a. WEEKLY INVESTMENT REPORT approved, for the week of September 23, 2002, through September 27, 2002, as per Report on file.

AGENDA ITEMS 7B2,3, & 4 - WEEKLY INVESTMENT REPORT, PLEDGES AND/OR RELEASE OF COLLATERAL AND BANK RESOLUTIONS - DEFERRED.

- b. AUDIT REPORT approved, for August 1, 2002, to August 31, 2002, as submitted by the County Auditor.

PURCHASING DEPARTMENT - AGENDA ITEMS 7C

- a. AUTHORIZATION TO ADVERTISE FOR BIDS/PROPOSALS approved, as follows:
 1. Gwen Hruska Hike and Bike Trail on Brandon Road in River Plantation - Parks Department
 2. TVR and Software - Various Departments
 3. Replacement of culvert located on County Line Rd. - Pct. #1
 4. Bentwood Diversion Channel - Clearing and Grubbing - Pct. #4
 5. Construction of maintenance type work on Honea-Egypt from FM2854 to Windcrest Estates Blvd. - Pct. #2
- b. BIDS/PROPOSALS opened by the Purchasing Department, as follows:
 1. RFP Printers for E-Tickets - Law Enforcement Project - #2002-0112 - (opened 9-25-02)
 2. Laptop PCT/Toughbooks and Accessories - Various Departments - Project #2002-0114 - (opened 9-25-02)
- c. RENEWAL CONTRACTS approved, as follows:
 1. Bank of America - for Procurement Credit Cards - PO#2001123 - Various Departments
 2. Coin Copiers, Inc. - for coin operated copy machines and computer printer services - PO#2002126 - Library Department
- d. CHANGE ORDER #1 approved, PO#2002424, to Conroe Door and Hardware to add additional items to present contract for hardwood lumber, supplies and miscellaneous items, as per Change Order on file.
- e. CHANGE ORDER #1 approved, PO#2002411, to American Eagle Air, Inc., for additional items to be added to present contract for Commercial Air Conditioning filters, as per Change Order on file.
- f. CHANGE ORDER #1 approved, PO#2002469, to Walter Y. Quijano, Phd., PC, to add additional class sessions to present contract for non-residential services, Juvenile Services, as per Change Order on file.

- g. CHANGE ORDER #10 approved, PO#2000248, to M/A Com for radio equipment contract to create an X purchase order, as per Change Order on file.
 - h. CHANGE ORDER #1 approved, PO#2002501, to Antenex for changes to the Motorola VRM Modems Hardware and Software contract for law enforcement, as per Change Order on file.
 - i. CHANGE ORDER #4 approved, PO#2000259, to Bank of America for Airline Transportation contract to extend the expiration date of the card to January 31, 2003, as per Request on file.
 - j. CHANGE ORDER #1 approved, PO#2002462, to Carter and Burgess, Inc. for engineering services for environmental assessment for FMI314 project, as per Change Order on file.
 - k. PERFORMANCE BOND accepted, from Aramark Correctional Services, Inc., for manual food service for jail and juvenile services, in the amount of \$150,000.00, as per Bond on file.
- l. ITEMS DECLARED SALVAGE, from the Purchasing Department and the Lone Star Convention Center of a computer monitor and a motorola radio as salvage, as per Request on file.

COMMISSIONER, PRECINCT #1 - AGENDA ITEMS 7D1

- a. APPOINTMENT approved - R. A. (Mickey) Deison to serve on the Airport Board, replacement for Barry Kelly, as per Request on file.
- b. ROADS accepted, BOND released, in Bay Pointe Estates Subdivision, consisting of .08 miles, 438.19 l.f. - roads have completed the one year maintenance period and will not be maintained by Montgomery County - (private streets). Also, to release the Bond, as per Request on file.
- c. PUBLIC HEARING DATE SET, for November 18, 2002, to consider setting speed limit of 35 mph on Dobbin Road, aka, Old Dobbin Plantersville Road, as per Notice on file.
- d. PUBLIC HEARING DATE SET, for November 18, 2002, to consider setting a speed limit of 40 mph for Forest Service Road 224, as per Notice on file.

COMMISSIONER, PRECINCT #2 - AGENDA ITEMS 7D2

- a. FINAL PLAT approved, for Hidden Lake Estates, Section 1, consisting of 43.2902 acres, as per Plat on file.
- b. PUBLIC HEARING DATE SET, for November 18, 2002, to consider setting a speed limit of 35 mph for Coe Loop, as per Study on file.
- c. UTILITY PERMIT approved, for Mid-South Synergy Company to place an underground, 14.4 kv power line within the right-of-way of Osborne Road, as per

Permit on file.

- d. UTILITY PERMIT approved, for DDCHLE, L.P. to place a force main line within the right-of-way of Dobbin Huffsmith Road, Ascot Farms Road and Champion Ridge Road, as per Permit on file.
- e. AGREEMENT authorized, for the placement of improvements within the right-of-way of Hidden Lake Estates, as per Agreement on file.

COMMISSIONER, PRECINCT #3 - AGENDA ITEMS 7D3

- a. FINAL PLAT approved, for Aldine-Westfield Street Dedication, consisting of 1.1509 acres, as per Plat on file.
- b. ROADS accepted, BOND released - Oakridge Forest Subdivision, Section 2, consisting of 765.23 l.f., .14 miles, be accepted by Montgomery County. Also, to release the Bond, as per Letter on file.
- c. ROADS accepted, BOND released - Oakridge Forest Subdivision, Section 3, consisting of 1,788.2 l.f., .34 miles, be accepted by Montgomery County. Also, to release the Bond, as per Letter on file.
- d. ORDERS approved - for various road maintenance and repairs, pursuant to an Interlocal Agreement between Montgomery County and the Woodlands Joint Powers Agency, (WJPA), dated May 10, 1993, as per Orders on file.
- e. ORDER approved - for road maintenance and repairs, for the City of Shenandoah, in accordance with an Interlocal Agreement between Montgomery County and the "City", dated November 4, 1991, to redesign and reconfigure eastbound left turn signal at Research Forest and Holly Hill, as per Order on file.
- f. ORDER approved - to acknowledge receipt of an Amendment to Maintenance Bond #187-47-12, for Park Construction Associates, LP/Imperial Oaks Joint Venture, Developer of Imperial Oaks Park, Section 5, as per Order and Rider on file.

COMMISSIONER, PRECINCT #4 - AGENDA ITEMS 7D4

- a. ROADS accepted - Walgreens in Porter, consisting of 540.57 l.f., .10 miles, into the one year maintenance period, effective October 7, 2002, as per Request on file.
- b. INTERLOCAL AGREEMENT approved, between Montgomery County and the City of Roman Forest, to purchase certain goods and services, as per Agreement on file.
- c. ORDER approved, to authorize the purchase of right-of-way easement from James C. and Faye Cook, in the amount of \$6,694.00, to be used for the widening project of FM1314. Also, to order the Assistant County Attorney to handle closing on behalf of Montgomery County, as per Order on file.
- d. ORDER approved, to authorize the purchase of right-of-way easement from

Jeannie Holley, for the widening project of FMI314, in the amount of \$11,774.00. Also, to order the Assistant County Attorney to handle closing on behalf of Montgomery County, as per Order on file.

- e. ORDER approved, to authorize the purchase of right-of-way easement from Kathryn Mills, for the widening project of FMI314, in the amount of \$8,643.76. Also, to order the Assistant County Attorney to handle closing on behalf of Montgomery County, as per Order on file.
- f. ORDER approved, to authorize the purchase of right-of-way easement from Rhonda Johnson, for the widening project of FMI314, in the amount of \$4,780.00. Also, to order the Assistant County Attorney to handle closing on behalf of Montgomery County, as per Order on file.
- g. ORDER approved, to authorize the purchase of right-of-way easement from Mark Wayne Oakley, for the widening project of FMI314, in the amount of \$4,127.00. Also, to order the Assistant County Attorney to handle closing on behalf of Montgomery County, as per Order on file.

ALL PRECINCTS - AGENDA ITEMS 7D5 AB & - C

- a. OVERLOAD/OVERSIZE PERMITS approved, as follows:
 - 1. Campbell Concrete & Materials, L.P. - Cleveland, Texas - to move various loads over all county roads, except the roads noted on permit. Movement to begin not earlier than October 1, 2002, and to be completed by December 31, 2002.
 - 2. Park Construction Associates, LLP, Rosenberg, Texas - to move various loads over all county roads, except the roads noted on permit. Movement to begin not earlier than January 30, 2003, and to be completed by April 30, 2003.
 - 3. Sprint Sand & Clay - Houston, Texas - to move various loads over all county roads. Movement to begin not earlier than October 1, 2002, and to be completed by December 31, 2002,

as per Permits on file.

CONSTABLE, PRECINCT #3 - AGENDA ITEM 7E1

- a. REQUEST approved, to revise the effective date of the New Constables' Fee Schedule to January 1, 2003, in accordance with the Texas Local Government Code Section 118.131.

CONSTABLE, PRECINCT #5 - AGENDA ITEM 7F1

- a. REQUEST approved, for Reserve Deputy Jan Curtis to attend the Texas Gang Investigators Association Training Conference in San Antonio, in place of Billy

Masden, Deputy Constable, as per Request on file.

DISTRICT ATTORNEY - AGENDA ITEM 7G1

- a. RESOLUTION approved, for the Report on proceeds of Criminal Asset Forfeitures requested by the office of the Governor-Criminal Justice Division, as per Resolution on file.

ELECTIONS - AGENDA ITEMS 7H1

- a. CHANGES approved, in the appointments of Election Judges and Alternate Judges for the November 5, 2002, General Election, as submitted by the Elections Administrator.

JUVENILE PROBATION DEPARTMENT - AGENDA ITEMS 7I1

- a. CONTRACT approved, for the Juvenile Department to provide detention services for Waller County, as per Contract on file.

LIBRARY DEPARTMENT - AGENDA ITEMS 7J1

- a. REQUEST approved, for early closing of the County Library System Facilities for FY2003, as follows:

SATURDAYS CLOSING:

April 19, following Good Friday

November 29, following Thanksgiving

December 27, which follows Christmas and allows library staff to have the same holiday break as other county employees

EARLY CLOSING DATES PRECEDING HOLIDAYS, AT 5:00 O'CLOCK P.M.

Tuesday, December 31, New Year's Eve

Wednesday, November 26, before Thanksgiving

Wednesday, December 24, Christmas Eve

as per Request on file.

CONVENTION CENTER - AGENDA ITEM 7K

- a. AMENDMENT approved, to add the word COMMISSION(S) to the Fee Schedule and the Discretionary Authority of Director of the Lone Star Convention and Expo Center. (previously approved March 25, 2002, Court Session)

Motion carried.

END OF CONSENT AGENDA

10. GRANT APPROVED - SOLID WASTE GRANT (HGAC) - COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve HGAC awarded Solid Waste Grant, and to ratify County Judge signing same. Motion carried. (no paperwork)

AGENDA ITEM 9A - LIBRARY - APPOINTMENT OF FIVE (5) CITIZENS TO SERVE ON THE CURRENT LIBRARY REVIEW COMMITTEE BOARD ARE AS FOLLOWS:

Jo Ann Arnold, County Judge's Appointee
Patti Bozman, Pct. #1 Appointee
LaVerne Sexton, Pct. #2 Appointee
Teresa Domino, Pct. #3 Appointee
Linda Ruonovar, Pct. #4 Appointee

11. REVISED POLICY APPROVED - MONTGOMERY COUNTY MEMORIAL LIBRARY SYSTEM - LIBRARY DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the revised policy for materials challenge in the public libraries, as per Revised Policy on file. Motion carried.

SEVERAL CITIZENS ADDRESSED THE COURT ONCE AGAIN CONCERNING THE BANNING OF CERTAIN BOOKS FROM THE LIBRARIES, AND ALSO, WAS AGAINST THE COURT APPOINTING FIVE (5) CITIZENS TO SERVE ON THE CURRENT LIBRARY REVIEW BOARD.

12. REQUEST APPROVED - CRIME STOPPERS ASSISTANT/CLERK SALARY - CRIME STOPPERS

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the Sheriff's Request to allow his

department to absorb the Crime Stoppers Assistant/Clerk Salary position for FY2003, (approximately \$25,000.00). Funding source from the Sheriff's Budget will be forthcoming. Motion carried.

13. RENEWAL POLICIES APPROVED - PROPERTY AND CASUALTY - RISK MANAGEMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the renewal of various Property and Casualty Policies, with Dean & Draper, Insurance Agency, Inc. Funding to be from the 2002/2003 FY budget, as per Request on file. Motion carried.

14. REQUEST APPROVED - ADDITIONAL PROPERTY POLICIES - RISK MANAGEMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the endorsement from Travelers Insurance Company for the following buildings:

- a. Community Building - 14865 County Line Road, Willis, Texas, and
- b. East County Annex - 21134 Hwy. 59 North, New Caney, Texas

as per Endorsements on file. Motion carried.

15. REPORTS ACCEPTED - FOLLOW-UP AUDITS - LONE STAR CONVENTION CENTER

Motion by Commissioner Doyal, seconded by Commissioner Meador, to accept the four (4) Reports of follow-up audit of Lone Star Convention and Expo Center internal accounting controls, as per Reports on file. Motion carried.

16. REQUEST APPROVED - CORRECTION TO SALARY - JUVENILE PROBATION DIRECTOR

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the correction to FY2003 Salary for Ron Leach, Juvenile Probation Director to reflect \$77,714.00 annually, as per Request on file. Motion carried.

17. REQUEST APPROVED - BRIDGE TIME JULANE TOLBERT - COUNTY AUDITOR

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve to bridge time served for Julane Tolbert who returned to employment with Montgomery County in year 2001, as per Request on file. Motion carried.

AGENDA ITEMS 13A 1,2, & 4 - RECOMMENDATIONS AND CONTRACTS - DEFERRED.

18. RECOMMENDATION AND CONTRACT APPROVED - INSTALLATION OF DRAINAGE/CULVERT PIPE - VARIOUS DEPARTMENTS

Motion by Commissioner Meador, seconded by Commissioner Doyal, to award the bid, (opened September 11, 2002), for the removal and installation of drainage/culvert pipe to Hasara Culvert & Contracting, Inc., as per Contract on file. Motion carried.

19. RECOMMENDATION AND CONTRACT APPROVED - PRINTER FOR 3-TICKETS - LAW ENFORCEMENT

Motion by Commissioner Chance, seconded by Commissioner Meador, to award the bid, (opened September 25, 2002), for printer of E-Tickets to Datanywhere.com, Inc., as per Contracts on file. Motion carried.

20. RECOMMENDATION AND CONTRACT APPROVED - LAPTOP PC/TOUGHBOOKS AND ACCESSORIES - VARIOUS DEPARTMENTS

Motion by Commissioner Chance, seconded by Commissioner Meador, to award the bid, (opened September 5, 2002, for laptop pc/toughbooks and accessories to Portable Computer Systems, Inc., as per Contract on file. Motion carried.

21. CHANGE ORDER #1 APPROVED - EAST MONTGOMERY COUNTY COMMUNITY CENTER - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve Change Order #1, PO#2002347, to Alliance Construction, Inc. for changes to contract for construction of the East Montgomery County Community Development Center, (CDBG) building, as per Change Order on file. Motion carried.

22. DONATION ACCEPTED - SAM'S CLUB PRE-PAID PHONE CARD - PURCHASING DEPARTMENT

Motion by Commissioner Doyal, seconded by Commissioner Meador, to accept an AT & T pre-paid phone card from Sam's Club, as per Request on file. Motion carried.

AGENDA ITEM 13D - PROPOSAL FROM BLEYL & ASSOCIATES TO REVIEW EXISTING DRAINAGE CRITERIA MANUAL AND TO DEVELOP AN UPDATED STORMWATER DETENTION METHODOLOGY FOR A FEE OF \$9,350.00 - DEFERRED.

23. PROPOSAL APPROVED - JGD ENGINEERING & SURVEYING, INC. - PRECINCT #2

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve a proposal from JGD Engineering & Surveying, Inc., for Montgomery County Construction projects, as per Proposal on file. Motion carried. (fund from Bond monies - Pct. #2)

24. PROPOSAL APPROVED - ENGINEERING SERVICES - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the proposal from Huitt-Zolars for final design services for Richards Rd. from Rayford Rd. to Hanna Rd. for a fee of \$127,525.00, (fund from bond monies, Pct. #3), as per Proposal on file. Motion carried.

25. PROPOSAL APPROVED - ENGINEERING SERVICES - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve the proposal from Carter and Burgess, Inc., for preliminary design and environmental investigation services for FMI485 from Loop 494 to Kidd Cemetary Rd., for a fee of \$265,905.12, (fund from bond monies, Pct. #4), as per Proposal on file. Motion carried.

26. PROPOSAL APPROVED - ENGINEERING SERVICES - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the proposal from D. A. Vogt, Engineering, Inc., for final design service for Tamina Rd. from David Memorial Dr. to Hardy Rd., for a fee of \$46,990.00, (fund from bond monies, Pct.

#3), as per Proposal on file. Motion carried.

27. REQUEST APPROVED - SIGNAGE IN PARKING GARAGE - PURCHASING DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve hanging signs regarding skates and rollers blades in the County's Parking Garage. Also, to authorize the elevator be turned off in the parking garage on weekends. Motion carried. (no paperwork)

28. REQUEST APPROVED - OFFICE SPACE - VARIOUS DEPARTMENT

Motion by Commissioner Chance, seconded by Commissioner Meador, to allow Purchasing Department, Risk Management and Parks Department to occupy the misdemeanor section of the District Attorney's office, whenever they move to their new location. Motion carried. (no paperwork)

29. FUNDING APPROVED - BRICK FOR PARKING GARAGE - PURCHASING DEPARTMENT

Motion by Judge Sadler, seconded by Commissioner Meador, to approve funding \$51,588.00, from contingency, for the brick used for the parking garage. Motion carried. (no paperwork) - (See Motion #35 for landscaping funding for parking garage)

30. CONTRACT APPROVED - PROFESSIONAL SERVICES - COUNTY ATTORNEY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve the Contract a Contract between Montgomery County and Patricia A. McDaniel, for Professional Services. Ms. McDaniel is to assist the County Attorney's Real Estate Division in obtaining right-of-way acquisition for the construction and/or improvement of roads and highways, as per Contract on file. Motion carried. (funding from bond funds - each project to be funded individually)

31. ROAD NAME CHANGE APPROVED - CORPORATE WOODS DRIVE - PRECINCT #2

Motion by Commissioner Doyal, seconded by Commissioner Meador, to change the name of Sierra Woods, (off F.M. 1488), to Corporate Woods Drive, as per Notice on file. Motion carried.

32. RE-APPOINTMENTS APPROVED - PLANNING COMMISSION MEMBERS - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the re-appointment of Ed Chance, Commissioner, Pct. #3, as Representative to the City of Houston Planning Committee and Mark Mooney, as Alternate, as per Request on file. Motion carried.

33. REQUEST APPROVED - PLACEMENT OF STOP SIGNS - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Meador, to place 4-way

stop signs on Woodson Road, Oakridge School Road, Hanna Road and Chateau Woods Boulevard, as per Request on file. Motion carried.

34. CHECK ACCEPTED - CITY OF PATTON VILLAGE - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to accept a check in the amount of \$1,000.01, (remaining balance is \$8,499.99), from the City of Patton Village for the reimbursement of road material used in the Peach Creek Project. Motion carried. (check forwarded to County Treasurer for further handling)

EXECUTIVE SESSION

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

1. Consider and Execute Release submitted in connection with Hermann Memorial Hospital System vs. Montgomery County, Texas
2. Consider Claim of Marvin Maness, Pct. #1
3. Consider Claim of Terri Case
4. Consider Claim of Kevin Arbough
5. Consider Claim of Edward Call
6. Consider Claim of Jerry Kelly

COURT RECONVENED WITH ALL MEMBERS OF THE COURT PRESENT.

AGENDA ITEM 16 - EXECUTIVE SESSION - CLAIM OF HERMANN MEMORIAL HOSPITAL SYSTEM VS. MONTGOMERY COUNTY - SETTLEMENT AGREEMENT AND RELEASE SUBMITTED BY ROBERT ROSENQUIST, ASSISTANT COUNTY ATTORNEY, FOR JUDGE SADLER'S SIGNATURE. (NO OTHER COURT ACTION WILL BE REQUIRED.)

35. FUNDING APPROVED - LANDSCAPING/PARKING GARAGE - PURCHASING DEPARTMENT

Motion by Judge Sadler, seconded by Commissioner Meador, to approve funding in the amount of \$20,917.50, (fund from Contingency), for landscaping of the County's Parking Garage, as per Request on file. Motion carried. Commissioner Chance "opposed", giving the job to David Kleimann and Carter Nursery without first bidding the job.

36. ORDERS APPROVED - PURCHASE OF REAL PROPERTY - COUNTY ATTORNEY

Motion by Commissioner Rinehart, seconded by Commissioner Meador, to approve the following Purchases of Real Property, for the future construction of Custodial Services Building:

- a. 0.290 acre tract of land in the Lemuel Smith Survey - Purchased from Ernest L. Butler, Jr., in the amount of \$22,500.00, (fund from contingency), and
- b. 0.058 acre tract of land in the Lemuel Smith Survey - Purchased from Assistance League of Lake Conroe, in the amount of \$7,500.00, (fund from contingency),

Also, to authorize the Assistant County Attorneys as Special Commissioner for closing on behalf of Montgomery County, as per Orders on file. Motion carried.

CITIZENS - BRENDA J. THOMPSON, A RESIDENT OF SPRING, TEXAS, ADDRESSED THE COURT CONCERNING A COMPLAINT SHE HAS WITH THE COUNTY'S ENVIRONMENTAL HEALTH DEPARTMENT CONCERNING THE SANITARY SEWAGE SYSTEM INSTALLED AT HER RESIDENCE APPROXIMATELY 3 YEARS AGO. JUDGE SADLER REQUESTED THAT JIM STRONG LOOK INTO THIS MATTER TO DETERMINE THE PROBLEM WITH MS. THOMPSON SEPTIC SYSTEM.

37. PAYROLL CHANGE REQUESTS APPROVED - HUMAN RESOURCES

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

request of 359th District Judge to place Jamie Knox, Court Coordinator, (replacement for Carol Raica), effective October 1, 2002

request of Animal Control to place Barbara Owens, Animal Control Officer, (replacement for Miriam Aluprez), effective October 3, 2002

request of Animal Control to transfer Chastity Proutt from Animal Shelter, Receptionist to Animal Control, Animal Control Officer, effective September 14, 2002

request of Animal Control to place Swan Spencer, Clerk/Dispatcher, (replacement for Wendy Alvarez), on payroll, effective September 24, 2002

request of Animal Control to accept the resignation of Roy Pechacek, Animal Control Officer, effective September 23, 2002, with 1.875 comp time due

request of Animal Control to place Jennifer McKean, Receptionist, (replacement for Chastity Proutt), on payroll, effective September 30, 2002

request of Convention Center Director to place Jessica Walsh, Facility/Grounds Worker, on payroll, effective October 1, 2002

request of Collection Director to transfer Kimberly Thompson, Collection Specialist, effective October 12, 2002

request of Commissioner, Pct. #4 to discharge Justin H. Bridges, Operator I, effective September 25, 2002, with 15.78 vacation hours due and 16.0 comp hours due

request of Constable, Pct. #1 to place Paul Hubbard, Deputy, on payroll, effective October 1, 2002

request of Constable, Pct. #1 to place Jerry Daniel Lafferty, Deputy, (replacement for Tracey Gordon), on payroll, effective October 1, 2002

request of Constable, Pct. #1 to increase the salary of Daniel Cain, Sergeant, effective October 1, 2002

request of Constable, Pct. #4 to place Johnnie E. Massey, Constable Deputy, on payroll, effective October 2, 2002

request of Custodial Director to correct the payroll of Request form of Johnnie F. Reece, Part/Time Custodian, as outlined on payroll change form, effective September 28, 2002

request of Custodial Director to increase the salary of Jose Rodriguez, Part-time Custodian, effective September 28, 2002, due to probation period completed

request of County Attorney to place Suzanne Laechelin, Litigation Chief, on family leave of absence, from October 7, 2002 to November 18, 2002

request of County Clerk to place Lisa Afill, Courtroom Clerk, on family leave of absence, effective October 8, 2002

request of County Clerk to continue temporary part-time Clerk position for FY2003 for Cirilo Haynes, (funded with carryover funds), effective September 30, 2002

request of County Clerk to increase the salary of Connie Kinney, Courtroom Clerk, effective September 28, 2002, due to probation period completed

request of District Clerk to accept the resignation of Virginia Gonzales, Deputy Clerk, effective October 4, 2002, with 4.32 vacation hour due

request of Elections Administrator to place Agnes Beavis, Temporary Voter Clerk, effective September 28, 2002

request of Elections Administrator to place Evelyn Cloyd, Temporary Voter Clerk, on payroll, effective September 28, 2002

request of Elections Administrator to correct the hourly rate for Debora Everhart, Temporary Voter Clerk, effective September 28, 2002

request of Elections Administrator to place Linda Darlene Wagner, Temporary Voter Clerk, on payroll, effective September 28, 2002

request of Elections Administrator to place Catherine M. Whitmire, Temporary Voter Clerk, on payroll, effective September 28, 2002

request of Fire Marshal to increase the salary of Richard Birdwell, Part-time Arson Investigator, effective September 29, 2002

request of Fire Marshal to reduce the working hours for Darren Hess, Arson Investigator, effective September 28, 2002

request of Fire Marshal to reduce the working hours for Donald Schifani, Arson Investigator, effective September 28, 2002

request of Fire Marshal to increase the salary of Gary Schroeder, Part-time Arson Investigator, effective October 1, 2002

request of Justice of the Peace, Pct. #1 to accept the resignation of Kimberly Wilson,

effective September 26, 2002, with 112.163 vacation hours due and 74.45 comp hours due

request of Justice of the Peace, Pct. #2 to place Barbara Bailey, Juvenile Traffic Clerk, (replacement for Patricia Wagon), effective October 1, 2002

request of Library Director to increase the hours for Beverly Norris, Library Assistant, from 30 hours to 40 hours, effective September 28, 2002

request of Library Director to increase the hours for Jack Stroud, Shelving Clerk, from 20 hours to 29 hours, effective September 28, 2002

request of Sheriff's Department to place Kenneth Culbreath, Detective I, (replacement for Edward Mitchell), on payroll, effective October 5, 2002

request of Sheriff's Department to transfer Steven Dresel from District I Patrol Deputy to Detention Deputy, (replacement for Monte Koerner, effective September 28, 2002

request of Sheriff's Department to promote Cornelia Fain from Shift Coordinator Trainer to Dispatch Supervisor, (replacement for Kenneth Best), effective October 1, 2002

request of Sheriff's Department to promote Rand Henderson from District I Patrol Sergeant to Administrative Lieutenant, (replacement for George Frost), effective September 28, 2002

request of Sheriff's Department to transfer Ward Hammons from District II Patrol, Deputy to SIU "Hot Spot" Deputy, (replacement for Tracy Wade), effective October 5, 2002

request of Sheriff's Department to transfer Leldon Hamilton from Detention Lieutenant to District IV Patrol Lieutenant, effective September 28, 2002

request of Sheriff's Department to transfer Sammy Lynch from District IV Patrol Lieutenant to Communications Lieutenant, (replacement for Thomas Wolff), effective September 28, 2002

request of Sheriff's Department to increase the salary of David T. Moore, Detective Lieutenant, due to masters certificate pay, effective September 28, 2002

request of Sheriff's Department to place Jason Salter, District IV, Patrol Deputy, (replacement for Dewey Bonner), on payroll, effective October 5, 2002

request of Sheriff's Department to decrease the salary of William F. Saunders, Detention Officer II, effective September 28, 2002 (did not pass firearms qualifications)

request of Sheriff's Department to place Stephanie Spiller, District III, Patrol Deputy, (replacement for Kenneth Hayden), on payroll, effective September 28, 2002

request of Sheriff's Department to accept the resignation of Claudia Tutt, Clerk II, effective September 27, 2002, with .65 vacation hours due and 1.01 comp hours due

request of Sheriff's Department to promote Tracy Wade from SIU Detective to District I, Patrol Corporal, (replacement for Gary Welch), effective September 28, 2002

request of Sheriff's Department to promote Gary Welch from District I, Patrol Corporal to

