

COMMISSIONERS' COURT DOCKET, OCTOBER 21, 2002
SPECIAL SESSION

THE STATE OF TEXAS
COUNTY OF MONTGOMERY

Be it remembered that on this the 21st 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, CRAIG DOYAL, PRECINCT #2.
PLEDGE OF ALLEGIANCE WAS RECITED BY EVERYONE PRESENT.

1. COMMISSIONERS' COURT AGENDA APPROVED

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

AGENDA ITEM 5A - A PLAQUE WAS PRESENTED TO COMMISSIONERS' COURT BY THE MEMBERS OF THE SOIL AND WATER CONSERVATION DISTRICT, FOR ALL THE WORK AND SUPPORT THAT WAS GIVEN TO THEIR DISTRICT.

2. RESOLUTION APPROVED - RELOCATION OF HOUSTON TRACON FACILITY - AIRPORT

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve the Resolution supporting the relocation of the Houston Tracon Facility to Montgomery County Airport, as per Resolution on file. Motion carried.

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

Motion by Judge Sadler, seconded by Commissioner Meador, to approve Commissioners' Court Minutes for October 7, 2002, as presented by the County Clerk. Motion carried.

4. CONSENT AGENDA APPROVED - AGENDA ITEMS 2A THROUGH 2B4

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

- a. ACCOUNTS approved, as submitted by the County Auditor.
- b. BUDGET AMENDMENTS approved, for Fiscal Year 2002, as follows:
 1. 410th District Court - to allocate funds to cover release #248150
 2. Child Welfare - to adjust line items
 3. Commissioner Pct #2 - (1 of 8) - to allocate funds to cover PO#22505674
 4. Commissioner, Pct. #2 - to allocate funds to cover release #250656, #250657 & 250658
 5. Commissioner, Pct. #2 - to allocate funds to cover release #250275 & #250501
 6. Commissioner, Pct. #2 - to allocate funds to cover release #250537

7. Commissioner, Pct. #2 - to recognize/allocate reimbursement from Glenmont Estates Property Owners Association
8. Commissioner, Pct. #2 - to recognize/allocate reimbursement from City of Stagecoach
9. Commissioner, Pct. #2 - to adjust lien items
10. Commissioner, Pct. #2 - to recognize/allocate real property lease from L. Joyce
11. Commissioner, Pct. #3 - to recognize/allocate reimbursement from Gilbert construction & Porter Ready Mix
12. Commissioner, Pct. #3 - to recognize/allocate reimbursement from D. Mowery
13. Commissioner, Pct. #3 - to recognize/allocate September 2nd vending machine commission
14. Commissioner, Pct. #4 - to adjust line items
15. Constable, Pct. #5 - to allocate funds to cover PO#22508581
16. Constable, Pct. #5 - to allocate funds to cover release #250324
17. Contingency - to recognize/allocate additional revenue
18. Contingency - to allocate funds to cover shortage in non-departmental
19. Contingency - to allocate funds to cover shortage in restricted line
20. Contingency - to allocate funds to cover shortage in restricted line
21. Contingency - to allocate funds to cover shortage in restricted lines
22. County Court at Law #3 - to allocate funds to cover release #250431 & #250413
23. County Engineer - to recognize/allocate revenue
24. Court Collections - to allocate funds to cover release #250256
25. Jail - to allocate funds to cover release #250761
26. Justice of the Peace, Pct. #5 - to allocate funds to cover release #250526
27. Justice of Peace, Pct. #5 - to allocate funds to cover PO#22508427
28. Juvenile Probation - to allocate funds to cover release #248896
29. Juvenile Probation - to recognize/allocate reimbursement from Travelers Indemnity Co.
30. Sheriff's Department - to adjust line items
31. Sheriff's Department - to adjust line items
32. Various Departments - to sweep salary & benefits

BUDGET AMENDMENTS - FY2003

1. Commissioner, Pct. #1 - to adjust line items
2. Commissioner, Pct. #4/Building Maintenance/Construction - to allocate funds for remodeling East County Courthouse Annex
3. Commissioner, Pct. #4 - to allocate funds to cover damage claim
4. Collections/Alarm Division - to adjust line items
5. Constable Pct. #4/Building Maintenance/Construction - to allocate funds for addition to office
6. County Engineer/Environmental Health - to transfer funds due to transfer of employees
7. District Attorney - to allocate funds to cover damage claim

8. Juvenile Probation/Building Maintenance/Construction - to allocate funds for remodeling a portion of Juvenile building
9. Memorial Library - to adjust line items
10. Non-Departmental - to allocate funds to cover shortage in restricted line
11. Non-Departmental - to repay contingency for funds appropriated in FY03 budget to be used for parking lot
12. Sheriff/Jail - to adjust line items for final adjustment to FY03 budget
13. Sheriff - to adjust line items
14. Tax A/C-Vehicle Inv. Tax - to adjust line items

as per Budget Amendments on file.

- c. OFFICIALS' FEE REPORT approved, as audited for August, 2002, as per Report

on file.

- d. NOTICE OF ASSIGNMENT acknowledged, from Wells Fargo Brokerage Services LLC, Lessor, to Mike Moore, Assignee, as per Notice on file.

COUNTY TREASURER - AGENDA ITEMS 7B

- a. MONTHLY REPORT approved, for pledged securities for a period from September 1 through September 30, 2002, as per Report on file.

AGENDA ITEMS 7B1,2 & 3 - COUNTY TREASURER'S WEEKLY INVESTMENT REPORT, PLEDGES AND/OR RELEASE OF COLLATERAL AND BANK RESOLUTIONS - REMOVED FROM AGENDA.

PURCHASING DEPARTMENT - AGENDA ITEMS 7C

- a. AUTHORIZATION to advertise for the following bids/proposals:

1. Video Vehicle Detection System - Pct. #3
2. Landscaping Service - Various Departments
3. Re-roof flight service center - Airport
4. Vehicles for the fiscal year 2003 - Various Departments
5. New Portable Brush Chipper - Various Departments

- b. BIDS/PROPOSALS OPENED acknowledged, as follows:

1. RFQ Design/Build parking garage extension with lease/purchase option - Pct. #3 - Project #2002-0116 - (opened 10-10-02)
2. Disposal Service - Various Departments - Project #2003-0001 - (bids opened 10-15-02)
3. Replacement of culvert located on County Line Rd. - Pct. #1 - Project #2003-0007 - (bids opened 10-15-02)
4. Construction of maintenance type work on Honea-Egypt from FM2854 to Windcrest Estates Blvd. - Pct. #2 - Project #2003-0008 - (bids opened 10-16-02)
5. Construction of steel sheet piling to replace head wall - Pct. #2 - Project #2002-0118 - (bids opened 10-16-02)
6. RFP Tax Office automation system - Tax Office - Project #2002-0115 - (bids opened 10-16-02)

- c. RENEWAL CONTRACTS approved, as follows:

1. Boise Cascade - PO#2001160 - for office, computer, paper and supplies - Various Department
2. Pavers Supply Company - PO#2002159 - for miscellaneous Bulk Road Materials - Pct. #1
3. Pavers Supply Company - PO#2002160 - for miscellaneous bulk road materials - Pct. #2
4. Pavers Supply Company - PO#2002161 - for miscellaneous bulk road materials - Pct. #3
5. Pavers Supply Company -PO#200162 - for miscellaneous bulk road materials -Pct. #4
6. Quality Materials - PO#2002163 - for miscellaneous bulk road materials - Pct. #1
7. Quality Materials - PO#2002164 - for miscellaneous bulk road materials - Pct. #2
8. Quality Materials - PO#2002165 - for miscellaneous bulk road materials - Pct. #3
9. Quality Materials - Po#2002166 - for miscellaneous bulk road materials - Pct. #4
10. Martin Marietta Materials - Po#2002167 - for miscellaneous bulk road materials - Pct. #1
11. Martin Marietta Materials - PO#2002168 - for miscellaneous bulk road materials -

- Pct. #2
12. Martin Marietta Materials - PO#2002169 - for miscellaneous bulk road materials - Pct. #3
 13. Martin Marietta Materials - PO#2002170 - for miscellaneous bulk road materials - Pct. #4
 14. Deanco, Inc. - PO#2002171 - for miscellaneous bulk road materials - Pct. #1
 15. Deanco, Inc. - PO#2002172 - for miscellaneous bulk road materials - Pct. #2
 16. Deanco, Inc. - PO#2002173 - for miscellaneous bulk road materials - Pct. #3
 17. Hallett Materials - PO#2002174 - for miscellaneous bulk road materials - Pct. #4
 18. Moffit Oil Co. - PO#2002151 - for bulk fuel - Various Departments
- d. CHANGE ORDER #10 approved, PO#2000151 - to Waste Management to provide for changes noted in memo dated October 21, 2002, for dumpster addition and garbage pick up at the Sheriff's Department, as per Change Order on file.
 - e. CHANGE ORDER #9 approved, PO#2001117 - to Willis Pest Control for pest control service to delete item #.026 from previous contract, as per Change Order on file.
 - f. CHANGE ORDER #1 approved, PO#2002139 - to Hughes Supply, Inc., for electrical supplies to provide for additions to the previous electrical supplies contract, as per Change Order on file.
 - g. CHANGE ORDER #1 approved, PO#2003060 - to Portable Computer Systems, Inc., for Laptop Pc/Toughbooks and accessories. (no paperwork)
 - h. CHANGE ORDER #2 approved, PO#2002501 - to Antennex to provide for changes noted in memo dated October 21, 2002, to the contract for Motorola VRM modems hardware and software for Law Enforcement, as per Change Order on file.
 - i. CHANGE ORDER #1 approved, PO#2002297, to Gaylord Brothers, Inc., to provide changes to the Library Specialty Supplies contract, as per Change Order on file.
 - j. CHANGE ORDER #2 approved, PO#2002445, to Signal Measurement Corporation contract to add a universal docking station for in-vehicle applications for the Sheriff's Department, as per Change Order on file.
 - k. CHANGE ORDER #1 approved, PO#2002512, to Synergy Systems LLC to add GPS for mobile data and GPS tracking Antennas to previous contract, as per Change Order on file.
 - l. CHANGE ORDER #1 approved, PO#2003037, to Aramark Correctional Services for manual food service at the Jail, as per change Order on file.
 - m. CHANGE ORDER #1 approved, PO#2002434, to Geotech Engineering & Testing, Inc., for geotechnical services for road rehabilitation testing, Precinct #1, as per Change Order on file.
 - n. CHANGE ORDER approved, to Alliance Development, Inc., for changes to contract for the design/build parking garage, in the amount of \$51,588.00, as per Change Order on file.
 - o. ITEMS SOLD acknowledged, from the June 8, 2002 auction that were not stated on the original list, as per List on file.

TAX ASSESSOR/COLLECTOR - AGENDA ITEMS 7D

- a. MONTHLY TAX COLLECTION REPORT approved, for month ending September 30, 2002, and year ending collection report for October 1, 2001, through September 30, 2002, as per Report on file.

- b. BOND CANCELLATION approved, for Albertson's Inc., Bond #5728349, as per Request on file.

COMMISSIONER, PRECINCT #1 - AGENDA ITEMS 7D1

- a. FINAL PLAT approved, for Timber Line Estates, Section 1, consisting of 179.92 acres, as per Plat on file.
- b. PUBLIC HEARING DATE set, for November 25, 2002, to consider the partial replat of unrestricted reserve "B" of Walden on Lake Conroe, Section II, to be known as Golf Villas at Walden

COMMISSIONER, PRECINCT #2 - AGENDA ITEMS 7D2

- a. ROADS accepted, BOND released - Crighton Ridge, Section 2, consisting of 10,909.69 l.f., 2.07 miles, be accepted by Montgomery County. Also, to release the Bond, as per Request on file.
- b. DONATION DEED accepted, from Gail R. Haack for the Gwen Hruska Memorial Park, located in River Plantation Subdivision, Lots 129 and 130, Section 4, as per Donation Deed on file.

COMMISSIONER, PRECINCT #3 - AGENDA ITEMS 7D3

- a. ROADS accepted - Woodlands Parkway from Branch Crossing Drive to Crane Brook Drive, into the one year maintenance period, as per Request on file.
- b. ROADS accepted - Six Pines Drive into the one year maintenance system, as per Request on file
- c. ROADS accepted - Woodlands Road Utility District No. 1, Lake Front Circle Phase 1, (Grogans Mill Road to Lake Woodlands Drive), into the one year maintenance period, as per Request on file.
- d. ROADS accepted - Pinecroft Drive and Six Pines Drive at Research Forest Drive, into the one year maintenance period, as per Request on file.
- e. ROADS accepted - into the one year maintenance period in the Sterling Ridge Subdivision, Section 17, as follows: Spruce Canyon Place, E. Majestic Woods Place and W. Majestic Woods Place, consisting of 1,688.35 l.f., as per Request on file.
- f. ROADS accepted - into the one year maintenance period located in Sterling Ridge Subdivision, Section 23, as follows: Player Bend Drive, Sterling Dale Place, St. Peter's Gate, S. Gary Glen Circle, N. Gary Glen Circle, N. Gary Glen Circle, Clubview Court, Player Pond Place, So. Cul-de-sac and No. Cul-de-sac, consisting of 8,254.34 l.f., as per Request on file.
- g. ROADS accepted - into the one year maintenance period located in the Woodlands, as follows: Woodlands Parkway at Cochran's Crossing Dr., Woodlands Parkway at Falconwing Dr., Woodlands Parkway at Gosling Road and Gosling Road at Woodlands Parkway, as per Request on file.
- h. MEDIAN OPENING accepted into the one year maintenance period for Lake Woodlands Drive, as per Request on file.
- i. ROAD accepted - Flintridge Drive (West), between Woodlands Parkway and Kuykendahl Road, into the County's road system, as per Request on file.
- j. ROAD accepted, for section of Indigo Sky Drive, (between Flintridge Dr. and Rush Haven Dr.), into the county's road system. Also, to release the bond, as per Request on file.
- k. ROAD accepted - for the left turn lane/median opening, (Woodlands Parkway at Forestgate), be accepted into the county's road system. Also, to release the bond, as per Request on file.

- l. ROAD accepted - Sterling Ridge Drive, (between Branch Crossing and Carlton Woods Drive), into the county's road system. Also, to release the Bond, as per request on file.
- m. ROAD accepted - for section of Sterling Ridge Drive, (between Carlton Woods Dr. and Lake Woodlands Dr.), into the county's road system. Also, to release the Bond, as per Request on file.
- n. ROAD accepted - Village of Cochran's Crossing, Section 58, into the county's road system. Also, to Release the Bond, as per Request of file.
- o. ROADS accepted, in the Village of Carlton Woods, Section 7. Roads are private and will not be maintained by Montgomery County. Also, to release the Bond, as per Request on file.
- p. ROADS accepted - Village of Sterling Ridge, Section 2, into the county's road system. Also, to release the Bond, as per Request on file.
- q. ROADS accepted - Village of Sterling Ridge, Section 3, into the county's road system. Also, to release the Bond, as per Request on file.
- r. ROAD accepted - Stoneyhurst Drive, (between Woodlands Parkway and Sterling Ridge Dr.), Village of Sterling Ridge, Section 8, into the county's road system, consisting of 5,767.98 l.f. Also, to release t he Bond, as per Request on file.
- s. UTILITY PERMIT approved, for Montgomery County MUD No. 60 to place a force main line within the right-of-way of Flintridge Dr., Woodlands Parkway, Sterling Ridge Rd., and future Kuykendahl Rd., as per Permit Request on file.
- t. PUBLIC HEARING DATE SET, to consider changing the following street names in the Woodlands - Carlton Woods at the Village of Sterling Ridge, Section 6, (replat):

Present Name	Requested New Name
Patina Pines Drive	Cartouche Drive
East Patina Pines Circle	East Cartouche Circle
West Patina Pines Circle	West Cartouche Circle
Evan Ridge Place	Frontenac Way
Marble Wood Place	Charmaine Way
Marble Wood Court	Margaux Way
Mason Grove Place	Angelique Way

as per Request on file.

- u. PUBLIC HEARING DATE set, for November 25, 2002, to consider changing the street names located in the Village of Sterling Ridge, Section 23, as follows:

Present Name	Requested New Name
Knightsgate Court	St. Peter's Gate
Sterling Dale Drive	Sterling Dale Place
North Garyglen Circle	North Gary Glen Circle
South Garyglen Circle	South Gary Glen Circle

as per Request on file.

- v. AGREEMENT approved, with Texas Department of Transportation for the replacement of Dry Creek Road at Dry Creek Bridge. County financial participation, (except utility and right-of-way), is waived by TxDot's acceptance of Resolution passed by Commissioners' Court on August 26, 2002, as per Agreement on file.

COMMISSIONER, PRECINCT #4 - AGENDA ITEMS 7D4

- a. PUBLIC HEARING DATE set, for November 18, 2002, to consider the placement of stop sign on Rebel Road at Midline Road East, as per Request on file.
- b. UTILITY PERMIT approved, from Duke Energy Field Service to place a 4" drisco line within the right-of-way of Johnson Mallard Road, as per Permit on file.
- c. AGREEMENT approved, with Texas Department of Transportation for the replacement of the McShan, (Morgan Cemetery), at Peach Creek Bridge. County financial participation, (except utility and right-of-way), is waived by TxDot's acceptance of Resolution passed by Commissioners' Court on August 26, 2002, as per Agreement on file.
- d. AGREEMENT approved, with Texas Department of Transportation for the replacement of the Exxon Road at Crystal Creek Bridge. County financial participation, (except utility and right-of-way), is waived by TxDot's acceptance of Resolution passed by Commissioners' Court on August 26, 2002, as per Agreement on file.
- e. AGREEMENT approved, with Texas Department of Transportation for the replacement of the Firetower Road at Caney Creek Bridge. County financial participation, (except utility and right-of-way), is waived by TxDot's acceptance of Resolution passed by Commissioners' Court on August 26, 2002, as per Agreement on file.
- f. ORDER approved, to acknowledge receipt of a check in the amount of \$12.00, from Martha S. and Joel E. Rolan, for the lease of real property located in the Village of Alpestrine, as per Order on file.
- g. ORDER approved, to authorize the County Judge to accept and sign easements and deed from Champion Realty Corporation for FM1314-Met Road project, as per Order on file.

ALL PRECINCTS - AGENDA ITEMS 7D5

- a. OVERLOAD/OVERSIZE PERMIT approved, from Champion Dirt to move dirt across various county roads. Movement to begin not earlier than October 11, 2002, and to be completed by January 11, 2003, as per Permit on file.
- b. OVERLOAD/OVERSIZE PERMIT approved, from Southern Ready Mix to move various loads over all county roads. Movement to begin not earlier than October 11, 2002, and to be completed by January 11, 2003, as per Permit on file.

CONSTABLE, PRECINCT #2 - AGENDA ITEMS 7G

- a. REQUEST approved, to transfer funds in the amount of \$15,000.00, to Constable, Pct. #2 budget for 2003 budget year, which are the renovation funds previously granted in FY2002, as per Request on file.

COMMUNITY DEVELOPMENT - AGENDA ITEMS 7H

- a. ACCEPTANCE NOTICE AND GRANT AGREEMENT approved, for CDBG year 2002, in the amount of \$1,880,000.00, as per Notice/Agreement on file.
- b. SOCIAL SERVICE CONTRACTS approved, for sub-recipients of CDBG Funds for 2002, pursuant to the CDG Action Plan for 2002, as follows:
 - 1. Montgomery County Homeless Coalition

- 2. The Friendship Center
- 3. The Montgomery County Women's Center
- 4. The Montgomery County Food Bank
- 5. Montgomery County Youth Services (MCYS)
- 6. The Friendship Center
- 7. Community Clinic
- 8. Society of Samaritans
- 9. Samuel McKay Everett Foundation

as per Contracts on file.

CHILDREN'S PROTECTIVE SERVICES - AGENDA ITEMS 7I

- a. Appointments approved, Judy Egan, Pct. #3, and Amalia Montgomery, Pct. #1, as Board Members for Children's Protective Services, as per Request on file.

LIBRARY DEPARTMENT - AGENDA ITEMS 7J

- a. DONATION accepted, from Hastings Entertainment in the amount of \$533.38, to the Montgomery County Memorial Library System. (check forwarded to County Treasurer for further handling)

PARKS DEPARTMENT - AGENDA ITEMS 7K

- a. LEASE AGREEMENT approved, between Montgomery County and Magnolia Little League Baseball Association, Inc., beginning October 21, 2002 and ending on October 21, 2012, as per Agreement on file.
- b. LEASE AGREEMENT approved, between Montgomery County and Willis Softball League, beginning October 21, 2002, and ending October 21, 2007, as per Agreement on file.

RISK MANAGEMENT - AGENDA ITEMS 7L

- a. REQUEST approved, to authorize the Director of Risk Management to review and/or acquire alternate reinsurance coverage for Employee Benefit Plan for 2003 year. (no paperwork)
- b. RELEASE OF ALL CLAIM approved, for Sue Zschokke in the amount of \$1,662.35, for damages to her vehicle and personal injury due to an incident which occurred on or about April 30, 2002, as per Release on file.
- c. RELEASE OF ALL CLAIM approved, for Jennifer Balbuena in the amount of \$651.00, for damages occurred from an accident on August 13, 2002, as per Release on file.
- d. RELEASE OF ALL CLAIMS approved, for Marissa Olivares in the amount of \$768.75, for damages occurred from an accident which occurred on or about August 6, 2002, as per Release on file.
- e. RELEASE OF ALL CLAIMS approved, for Annette Thorrell in the amount of \$24.00, for damages occurred from an accident which occurred on or about August 29, 2002, as per Release on file.
- f. RELEASE OF ALL CLAIMS approved, for Miguel A. Hernandez in the amount of \$525.00, for damages occurred from an accident which occurred on or about August 7, 2002, as per Release on file.

Motion carried.

END OF CONSENT AGENDA

- 5. PAYMENT APPROVED - MEMBERSHIP RENEWAL - HGAC - COUNTY JUDGE

Motion by Commissioner Doyal, seconded by Commissioner Chance, to approve payment of membership renewal to HGAC, (Houston-Galveston Area Council), for January 1, 2003, through December 31, 2003, in the amount of \$11,750.72, as per Invoice on file. Motion carried.

AGENDA ITEM 8B - FUNDING FOR SOLID WASTE GRANT EXPENDITURES PENDING REIMBURSEMENT - REMOVED FROM AGENDA

6. TRANSFER OF FUNDS APPROVED - ANIMAL CONTROL TO ANIMAL SHELTER - ANIMAL CONTROL

Motion by Commissioner Rinehart, seconded by Commissioner chance, to approve the transfer of funds from the FY2002 Animal Control budget #633, to FY2002 Animal Shelter budget #6331, in the total amount of \$15,052.00, as per Request on file. Motion carried.

7. VARIANCES APPROVED - AEROBIC SEPTIC SYSTEM - ENVIRONMENTAL HEALTH

Motion by Commissioner Meador, seconded by Commissioner Rinehart, to approve the following Variances:

- a. Harvey Coe - 2735 Bobville Road - Montgomery, Texas
 - b. Harvey Coe - 2739 Bobville Road - Montgomery, Texas
- as per Variances on file. Motion carried.

8. VARIANCE APPROVED - DRIP EMITTER SYSTEM - ENVIRONMENTAL HEALTH

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to inst all a drip emitter system with aerobic treatment in the flood plain located at 25779 Almarie, Peach Creek Oaks, New Caney, as per Variance on file. Motion carried.

AGENDA ITEM 11A - REQUEST TO MOVE THE MAIL ROOM OPERATIONS TO DISTRICT ATTORNEY'S SPACE WHEN THEY MOVE TO THEIR NEW LOCATION IN 2004 - REMOVED FROM THE AGENDA - COMMISSIONERS DID NOT WANT TO ALLOCATE SPACE TO ANY DEPARTMENT AT THIS TIME, SINCE THE NEW BUILDING WILL NOT BE BUILT UNTIL YEAR 2004.

9. RECOMMENDATIONS APPROVED - VARIOUS INSURANCE COVERAGES - RISK MANAGEMENT

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the following Recommendations, as submitted by the Risk Management Director:

- a. Renewals and Recommendations for Group Life and Accidental Death and Dismemberment Group Policy and Dependent Life Policy with Standard Life Insurance Company - no paperwork
- b. Renewals and Recommendations for Dental Coverage, includes rate increase - no paperwork
- c. Renewals and Recommendations for Vision coverage with Spectera - no change in price but includes some upgrades - no paperwork
- d. Renewals and Recommendations for Boiler Policy #FBP7317532 through Soules Insurance Agency. Also, invoice for the premium due, \$9,715.20, is to be funded from Risk Management's Budget, as per Policy and Invoice on file.
- e. Recommendations approved for well person portion of employee benefit plan to

be expanded to include annual a physical exam benefit and a bone density test.
(no paperwork)

- f. SURETY BONDS approved, for the following Employees:
1. Willie Le Gladden, Jr., Deputy Constable, Pct. #1 - Bond #14382031 - Renewal
 2. Kenneth C. Murrell, Jr., Deputy Constable, Pct. #1 - Bond #141330509 - Renewal
 3. Larry Charles Medearis, Deputy Constable, Pct. #5 - Bond #154541748 - Renewal
 4. Kenneth Hayden, Deputy Constable, Pct. #5 - Bond #15486566 - New
 5. Thomas W. Ellis, Adult Probation - Bond #15487504 - Renewal

Bonds on file.

Motion carried.

10. ORDER APPROVED - TEXAS COUNTY AND DISTRICT RETIREMENT SYSTEM - COUNTY AUDITOR

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve an Order, amending the annually determined contribution rate plan for participation in the Texas County and District retirement System, as per Order on file. Motion carried.

11. REPORT ACCEPTED - ARBITRAGE REBATE ANALYSIS - COUNTY AUDITOR

Motion by Commissioner Chance, seconded by Commissioner Meador, to accept the Report of Arbitrage Rebate Analysis from Bond Logistix, LLC, in reference to Certificates of Obligation, Series 1997A and Refunding Bonds, Series 1997, as per Report on file.

AGENDA ITEMS 14A2,3,5,8 9 - RECOMMENDATIONS AND CONTRACTS - DEFERRED.

12. RECOMMENDATION AND CONTRACT APPROVED - AIRBOAT PURCHASE - SHERIFF'S DEPARTMENT

Motion by Commissioner Meador, seconded by Commissioner Chance, to award the bid, (opened July 19, 2002), for a 2003 Diamondback Airboat from Diamondback Airboats. Financing will be provided by Wells Fargo Bank for 3 annual payments of \$9,515.09, as per Contract on file. Motion carried.

13. REQUEST FOR PROPOSAL APPROVED - DESIGN/BUILD PARKING GARAGE EXTENSION - PRECINCT #3

Motion by Commissioner Chance, seconded by Commissioner Meador, to approve the proposal from Fairweather Construction Co., for the design/build parking garage extension with lease/purchase Option. Motion carried. (contract forthcoming at a later date)

14. RECOMMENDATION AND CONTRACT APPROVED - REPLACEMENT OF CULVERT - PRECINCT #1

Motion by Commissioner Meador, seconded by Commissioner Doyal, to award the bid, (opened October 15, 2002), to Smith and Company for the replacement of culvert located on County Line Rd., in the amount of \$104,799.33, as per Contract on file. Motion carried.

15. RECOMMENDATION AND CONTRACT APPROVED - HONEA-EGYPT ROAD CONSTRUCTION - PRECINCT #2

Motion by Commissioner Doyal, seconded by Commissioner

Meador, to award the bid for the construction of maintenance type work on Honea-Egypt from FM2854 to Windcrest Estates Blvd., to Hasara Land Services in the amount of \$259,999.40, as per Contract on file. Motion carried.

- 16. CHANGE ORDER #1 APPROVED - TXDOT ROAD SEWER LINE EXTENSION - PRECINCT #1

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve Change Order #1, PO#2002220, to Gen-Co. Contracting LLC, for changes noted in file, dated October 21, 2002. Motion carried.

- 17. PROPOSAL APPROVED - GEOTECHNICAL SERVICES - PRECINCTS #2 AND #3

Motion by Commissioner Meador, seconded by Commissioner Chance, to approve the Proposal from Atser (Advanced Technology Science Engineering Research), to provide Geotechnical Services for road cores and ridge borings, (Highland Bridge replacement), for a fee of \$19,800.00, as per Proposal on file. Motion carried.

- 18. PROPOSAL APPROVED - GEOTEST ENGINEERING, INC. - PRECINCTS #1, #2 AND #3

Motion by Commissioner Doyal, seconded by Commissioner Meador, to approve the proposal from Geotest Engineering, Inc., to provide Geotechnical Services for road cores and bridge borings for a fee of \$20,581.00, as per Proposal on file. Motion carried.

- 19. PROPOSAL APPROVED - BASELINE CORPORATION - PRECINCT #4

Motion by Commissioner Rinehart, seconded by Commissioner Chance, to approve the proposal from Baseline Corporation for surveying and right-of-way mapping services on FM1314 from Fatheree Dr. to Mett Rd., for a fee of \$299,715.00, as per Proposal on file. Motion carried.

- 20. CONTRACT APPROVED - PROFESSIONAL SERVICES - JAIL FACILITIES

Motion by Commissioner Meador, seconded by Commissioner Doyal, to approve and execute the contract for professional services with Dr. Unal Gurol, to perform medical services for persons incarcerated in Montgomery County Jail facilities, as per Contract on file. Motion carried.

- 21. ORDER APPROVED - DISSOLVING DRAINAGE DISTRICT #7 - COUNTY ATTORNEY

Motion by Commissioner Rinehart, seconded by Commissioner chance, to approve an Order dissolving Montgomery County Drainage District #7, and that all prior orders relating to the creation of proposed District No. 7, be repealed, revoked, rescinded and of no further force and effect, as per Order on file. Motion carried.

AGENDA ITEM 15C - CONSIDER COUNTY ATTORNEY'S REAL PROPERTY DIVISION REQUEST TO MOVE TO OFFICE SPACE NOW OCCUPIED BY THE DISTRICT ATTORNEY'S OFFICE WHENEVER THE NEW COUNTY BUILDING IS BUILT AND THE DISTRICT ATTORNEY'S OFFICE IS RELOCATED - REMOVED FROM AGENDA

Motion carried.

END OF CONSENT AGENDA

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 Discuss Complaint of David Park
2. Consider and authorize retention of Allison, Bass & Associates in connection with class action suit entitled Caldwell vs. Rylander, et al
3. Consider acceptance settlement offer and execute appropriate settlement documents in connection with Sebago, Inc., et al vs. Beazer East, Inc.
4. Consider entering into Arbitration Agreement in Gawerc vs. Montgomery County
5. Discuss Bax vs. Montgomery County, et al

22. AGREEMENT APPROVED - GAWERC VS. MONTGOMERY COUNTY

Motion by Commissioner Meador, seconded by Commissioner Doyal, to authorize County Attorney to enter into Arbitration Agreement in Gawerc vs. Montgomery County lawsuit. Motion carried. (no paperwork)

CITIZENS - AGENDA ITEM 18 - MATTHEW POTTER, Spring, Texas, addressed the Court to discuss the library issue.

J. V. MEACHEN, Precinct #4 resident addressed the Court concerning Magnolia Bend Fire Department being dissolved. Also, other citizens were present to address the Magnolia Bend Fire Department situation.

COURT RECONVENED WITH ALL MEMBERS OF THE COURT PRESENT.

23. 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 Animal Control to place Dana Essenpreis, Animal Control Officer, (replacement of Roy Pechacek), effective October 21, 22002

request of Animal Control to accept the resignation of Susan Spencer, Clerk/Dispatcher, effective October 11, 2002

request of CIS to place John Melvin Burnett, Assistant Communication Manager, on an annual auto allowance of \$6,000.00

request of Commissioner, Pct. #1 to place Jesse Pawalowski, Park Attendant, on payroll, effective October 8, 2002

request of Commissioner, Pct. #2 to place Peter Saker, Truck Driver, on payroll, (replacement for John Schmidt), effective October 14, 2002

request of Commissioner, Pct. #3 to increase the salary of Ray Stevenson, Driver, Asphalt, effective November 9, 2002, due to probation period completed

request of Commissioner, Pct. #4 to place David B. Wallace, on payroll, effective October 14, 2002

request of Constable, Pct. #4 to place Ricky Warwick, Deputy Constable, Precinct #4 on payroll, effective October 21, 2002. Also, an annual auto allowance

request of Custodial Services to accept the resignation of Jose Rodriguez, Part-time Custodian, effective September 27, 2002

request of District Clerk to place Shannon Alworth, Deputy Clerk, on payroll, (replacement for Abbie Flowers), effective October 14, 2002

request of District Clerk to place Regina DeLeon, Deputy Clerk, (replacement for Shirley Williams), effective October 28, 2002

request of Elections Administrator to place Henry Burton, Temporary Voter Registration Clerk, on payroll, effective October 19, 2002

request of Elections Administrator to place Miriam A. Burton, Temporary Voter Clerk, on payroll, effective October 14, 2002

request of Elections Administrator to place Kerry L. Carpenter, Temporary Voter Clerk, on payroll, effective October 14, 2002

request of Elections Administrator to place Vergie Colt, Temporary Voter Clerk, on payroll, effective October 14, 2002

request of Elections Administrator to place Lisa Erwin, Temporary Voter Clerk, on payroll, effective October 14, 2002

request of Elections Administrator to place Debora Everhart, Temporary Voter Registration Clerk, on payroll, effective October 19, 2002

request of Elections Administrator to place Sophia Isaac, Temporary Voter Clerk, on payroll, effective October 14, 2002

request of Elections Administrator to place Margaret Kendall, Temporary Voter Clerk, on payroll, effective October 14, 2002

request of Elections Administrator to place Ruby Knox, Temporary Voter Clerk, on payroll, effective October 14, 2002

request of Elections Administrator to place Donna Riddick, Temporary Voter Registration Clerk, on payroll, effective October 19, 2002

request of Elections Administrator to place Elizabeth Robinson, Temporary Voter Registration Clerk, on payroll, effective October 19, 2002

request of Elections Administrator to place James Southern, Temporary Voter Clerk, on payroll, effective October 14, 2002

request of Elections Administrator to place Gwen Stephan, Temporary Voter Registration Clerk, on payroll, effective October 19, 2002

request of Elections Administrator to place Virginia Taylor, Temporary Voter Registration Clerk, on payroll, effective October 19, 2002

request of Elections Administrator to place Lee Williams, Temporary Voter Clerk, on payroll, effective October 12, 2002

request of Elections Administrator to place John Wolfe, Temporary Voter Clerk, on payroll, effective October 14, 2002

request of Fire Marshal, to place Shannon R. Holmes, Part-time Arson Investigator, on payroll, effective October 12, 2002

request of Fire Marshal to accept the resignation of Donald Schifani, Arson Investigator, effective October 4, 2002, with 25.10 vacation hours due and 8 holiday hours due

request of Juvenile Probation Director to promote Michael Ward Countz from Detention Officer to Juvenile Probation Officer, effective October 26, 2002

request of Juvenile Probation Director to increase the salary of Jackie Pinchback, Detention Officer, to reflect a 4% increase, effective September 28, 2002

