

**MINUTES OF THE
9-1-1 BOARD OF MANAGERS'
SPECIAL MEETING**

October 12, 2010

LOCATION: 9-1-1 Board Room
150 Hilbig Road, Conroe, Texas

ATTENDING: Jody Binnion, President
Paul Virgadamo, Vice President
Ruben Garza, Secretary
Ann Carr, Treasurer
James Simon, Member
Larry Foerster, Legal Counsel
Gordon Lopez, Executive Director
Jeanne Frey, Database Manager
Russell Steffee, Systems Operations Manager
Terri Gill, Executive Assistant

GUESTS: Judge Alan B. Sadler, Montgomery County
Allen Johnson, Montgomery County Hospital District
Frank Marshall, Montgomery County Hospital District
Deputy Chief Jerry Bittner, The Woodlands Fire Department
Captain Peggy Frankhouser, Montgomery County Sheriff's Office
Lt. Joseph Sclider, Montgomery County Sheriff's Office
Chief Phillip Dupuis, Conroe Police Department
Adrian Heath,

ABSENT: John Young, Ex-Officio Member

Chief Jody Binnion, President, called the meeting to order at 9:05 a.m., noting that all board members were present.

PUBLIC COMMENTS

No one requested to address the Board of Managers.

MONTGOMERY COUNTY REQUEST THAT MCECD FUND SIX (6) ADDITIONAL PERSONNEL IN THE SHERIFF'S DISPATCH CENTER

Chief Binnion noted item one of the agenda, discuss and take action on the Montgomery County request that MCECD fund six additional personnel in the Sheriff's Dispatch Center.

Chief Binnion referred everyone's attention to the handout provided by Mr. Gordon Lopez, Executive Director of the Montgomery County Emergency Communication District.

Mr. Lopez stated he had put together a recap of some of the discussion items from the District's perspective, including how it would impact our budget to fund six additional personnel for the Sheriff's office in their dispatch center. Mr. Lopez took a moment to review 9-1-1 service fees, how they are collected and how much they are per month for residential and business lines. The District is not a taxing authority; it collects service fees

based on the Texas Health and Safety Code, Chapter 772. There are 24 9-1-1 districts in Texas. The wireless service fee is fifty cents, a flat monthly fee, collected by the comptroller, who then remits forty cents to the Districts, based on population. VoIP is also charged a flat monthly service fee of fifty cents. Prepaid wireless will be charged two percent of the total sale. However, the comptroller has not yet put in place a mechanism for the collection of the fee, nor the remittance to the Districts. The District's revenues have been flat. For the last two years there is a steady downward trend that we do not expect to change.

Mr. Lopez noted several budgetary considerations, the District is being asked to fund a much larger agency, whose budget for 2011 is \$50.5 million, while the District's 2011 budget is \$4,734,756 with capital purchases. In fiscal year 2009, the District was invoiced \$882,585 for seventeen people for the Sheriff's office. The District also carries one person on its payroll, for a total of eighteen. We predict the fiscal year 2010 total for the Sheriff's office will be \$886,659, and by adding the Conroe PD call-takers the projected 2010 total for call-takers is \$1,108,966. The fiscal year 2011 budget provides \$927,030 for the Sheriff's office, and with Conroe PD the projected total for 2011 is \$1,242,030, this is 31% of the MCECD operating budget, an increase of six personnel for the Sheriff's office would bring that to 35% of the MCECD operating budget, and adding in Conroe PD, the District would potentially be paying out 39% of its operating budget for 28 personnel.

Additionally, there are no salary caps in the interlocal agreements, we reimburse for all benefits, and pay a 5% administrative fee that is equal to five percent of the each invoice's benefits total, paid to Montgomery County.

Mr. Lopez noted there are several operational matters to consider. Approximately 30% of the calls answered in the Sheriff's office are 9-1-1 calls; the remaining 70% are ten digit calls, more than double the 9-1-1 call volume. Current calculations are based on the National Emergency Number Association (NENA) standards for staffing call centers. Based on the 9-1-1 call volume alone, the Sheriff's office should have 12 people, they have 17.

In the original interlocal agreement, the Sheriff's office was given 14 call-takers, in addition to the call-taker who is on our staff. In 2006, under an amendment to the interlocal agreement, four more were added for a total of 18. The minutes of the November 2006 board meeting indicate that the additional personnel were to bring the Sheriff's office up to the NENA standard of answering all 9-1-1 calls within 30 seconds. The standard has not been met since that time, nor since they took over the 9-1-1 call-taking. The equipment is more than adequate, the number of positions is sufficient. Mr. Lopez asked Captain Frankhouser to confirm that they do in fact need the additional staff for radio positions. Captain Frankhouser replied affirmatively.

Mr. Lopez noted that 9-1-1 call volumes have not really increased that much, and have remained pretty flat since 2005. A call arriving at a 9-1-1 public safety answering point should be answered within 10 seconds during the busy hour, and 95% of all calls should be answered within 20 seconds.

In the last year and a half, we have diversified networks into the facility. We now have multiple rings on fiber, and have made our networks more robust for all the PSAPs. We are putting six state-of-the-art back-up positions upstairs, to replace the back-up center in Shenandoah. They will be in place prior to the next hurricane season. This facility was built to telephone center standards and will withstand a level 4 to 5 hurricane. The facility is RF shielded and has bullet resistant windows. We are also looking into portable PSAPs, laptops and applications on steroids that provide mobile service able to plug into any broadband network.

We are moving into the digital era, and will have to provide Next Generation 9-1-1 applications that will accept texting, video and other types of data transfer. The standards have not been set by the FCC, APCO, and NENA. The hearing impaired community, 38 million people, wants to be able to text to 9-1-1. In fact, the Department of Justice (DOJ) has recently looked at modifying the Americans with Disabilities Act (ADA), on that basis, because TTY is the only method that is directly addressed in the original act. Truthfully, if we have to continue funding additional bodies for other agencies regardless of whether for 9-1-1 call-taking or other purposes, the District is going to be in trouble trying to meet the criteria for equipment and networks and applications. We don't even know how expensive they are going to be.

Chief Binnion asked if anyone had questions. Mr. Ruben Garza asked if they would be adjourning to executive session. Mr. Larry Foerster replied, no, this is a matter for the public. Chief of Staff Ann Carr noted that due to her association with the county, she will have to abstain from voting on the matter.

Judge Sadler expressed his gratitude to 9-1-1 for all its past service helping the county out. It was a wise decision to combine the Sheriff's office call-takers with 9-1-1 to avoid a duplication of service. However, he disagrees with Gordon on the flat revenue stream. All indications are that Montgomery County is getting ready to experience explosive growth, probably at the 6% rate. "What I would agree to, if you would fund these six positions, if I am wrong on the population and graph income data, if I am wrong we can always reverse the decision that you have made. We direly need these six call-takers. We recognize the shortfall. We have to fund this one way or the other. I would greatly appreciate your help in funding these six people".

Chief Binnion noted it takes twelve people to staff the 9-1-1 positions, where is the District's stopping point? Judge Sadler replied, "I will commit to you I will not ask for one person next year."

Mr. James Simon expressed his concern with the 9-1-1 District taking on the whole of this burden. 9-1-1 has not created a major problem in all this. I understand we have a problem, but for 9-1-1 to fund all of the positions, in the financial shape we are in and the economy as it is, I have a problem with that.

Chief Binnion stated people are moving in and are not getting home phone service, there is no income. What does the District do if it funds the positions this year and cannot next year. Judge Sadler stated that was his point, if he is wrong the District can always reverse the decision. If you need to cut two or three, so be it.

Mr. Allen Johnson of the Montgomery County Hospital District asked if a time and motion study has been conducted on the call-takers activities. He has heard that call entry is done on calls that are not law enforcement related, if that is the case, by immediately passing the call you could save 20 seconds. Twenty seconds here and there can add up to real time to be able to meet the standards.

Captain Peggy Frankhouser replied that they do begin the process of CAD entry so if a caller is lost they can call them back. If it is an EMS or fire call we transfer at the same time. Often calls require the call-taker to stay on the line due to a call-in-progress.

Mr. Adrian Heath inquired whether the differences are "due to manpower, equipment, the nature of the calls". Captain Frankhouser responded, frankly, it is the number of calls, in July they received 35,000 calls. It is not just the telephone calls, it is also the administrative work associated to law enforcement calls. The Sheriff's office handles all TCIC and NCIC information. It is more complex than a simple phone call.

Mr. Lopez noted we are talking 9-1-1 call volume and if you look at efficiencies, Conroe PD is more efficient, based on their call volume, and on that basis they actually need one or two more call-takers. So there are efficiencies in place at Conroe PD that may not be in the Sheriff's office. We have not done time and motion studies, but we have studied the duration of the calls. The average call duration at the Sheriff's office is over two minutes. Looking at the averages long-term, even two and a half minutes is probably too long, from a national standard.

Captain Frankhouser stated sheer number of phone calls do contribute to the length of call of service. She will be happy to look at efficiencies. We are short; the numbers are there and bear that out. The Sheriff has asked for positions every year, he has the jail and 650 people's salaries and benefits to deal with, all the equipment to deal with.

Mr. Paul Virgadamo noted "the responsibility to fund the sheriff is with Montgomery County, not 9-1-1". As a board we need to consider several things, one of those being 9-1-1's primary responsibility is to provide

equipment. Our revenues are flat, and probably decreasing. Based on staffing averages the Sheriff's office requires 12 people, they technically have eighteen. This would be a real financial burden placed on the 9-1-1 reserves. We have that money earmarked for improvements to the system. I am not sure we can take on this burden.

Mr. Ruben Garza stated he cannot see hiring more people, and does not understand how we got into the hiring people business anyway. I cannot find a statute or a law that says we are supposed to hire employees for call-takers. All it says is administration and equipment provision. I would support this if the county or the sheriff's department would include it in their budget at the end of next year and then we will get out of the employee business.

Mr. Lopez pointed out that of the twenty-four Districts we are one of four that funds call-takers. Chief Phillip Dupuis requested that if the District were to cease funding call-takers, they be given more than one year notice.

Mr. Virgadamo remarked, this would be such a financial burden on 9-1-1, and what would keep the city from requesting 35% more people, which would be another two for the city, which is over \$100,000. The board could not turn that down if the city made the request. Mr. Lopez stated that would put us into 40% of the operating budget, over 40%. Mr. Virgadamo responded that would be close to half a million dollars between the two entities for extra personnel.

Judge Sadler stated he had one more request, "if the District could at least fund it this year and we will take care of it the following year".

Mr. Johnson noted the Woodlands fire department provides dispatch services for the fire departments and the fire departments pay a pro rata share for the services. The way the legislature laid out funding for 9-1-1, they need to provide an increasing amount of service with an ever decreasing revenue stream. If there was a plan where the municipalities were each to pay a pro rata share to fund the dispatch services and NCIC/TCIC and everything else the sheriff's department is currently doing, those municipalities are enjoying today for no cost. Is there a model that could be worked out to make that happen?

Captain Frankhouser replied they had tried to when Guy Williams was Sheriff, and I do think it is appropriate to ask for, but they must have time to budget for that. Mr. Garza stated the cities have to understand that we are going broke by supporting and funding the employees they require. Judge Sadler state this can be explored further, but you are talking about major time and effort. It will take months and months, if not a year plus, to accomplish this.

Mr. Lopez stated he just came back from a legislative session in Austin. The state has a rainy day fund of nine billion dollars, and a budget shortfall of ten to twenty-one billion. That's a gap right? I looked at the budget for Montgomery County, and I see funds called general fund, special revenue funds, debt service funds, capital project funds, agency funds for total of \$146,819,896. Is that a rainy day fund? Judge Sadler replied "no, we keep approximately 13, 14, 15 percent as a rainy day fund, what you are looking at is the total tax collections that we use to pay bills every day. That is not the rainy day fund".

Mr. Lopez replied we depend on the wireless and the revenue funds to fund the District. The capital expenditures for fiscal year 2010 were about \$1.6 million, and we have paid out \$1.3 million of that with the balance due in 2011. I am concerned that I'm being asked to emasculate my reserve funds. I am going to use up a portion of the funds for the Next Generation 9-1-1 equipment, and the remainder will have to be built up for the next five or six year cycle. That is the way the District has handled business before, I am concerned that I will not be able to fund the upgrades five or six years down the road.

Judge Sadler responded he understands, and has to run. Did we need anything else from him? Mr. Garza asked for clarification of a statement made by the Judge that the county would fund it or see that it got funded next year

if we did it this year, how will he do that? Judge Sadler replied “they had assumed this had already been approved and that is why it is not in the 2011 budget. I would like the District to fund it this year, on a one time basis, then next year if the District’s revenues are flat, take them out”. Chief Binnion stated the District cannot afford all six positions, and asked if there is anybody in the county who could go half, and we all look at the numbers again next year. Judge Sadler replied, “I will do whatever I have to.” Mr. Simon stated the burden of all six call-takers should not be put on the District.

Mr. Lopez explained one of the issues is that benefits seem to rise at a higher rate than the wages have. We need to look at, over a three year period, cutting funding of benefits, bring it down to a wage basis.

Chief of Staff Carr stated Peggy has gone her limit, she has tried everything they know about, and if someone in this room can help, then step up to the table. Right now we need some more call-takers. They do not know when they answer the phone what it is going to be, 9-1-1 or a 10-digit. We need to come to a conclusion to do something to help her get over this crisis situation, we need to address this and take the responsibility that we said we would when we came on this board. Mr. Lopez stated it is absolutely known when the phone rings whether it is 9-1-1 or a backline, the call-taker knows.

Mr. Lopez addressed Captain Frankhouser, you feel that you have enough people for 9-1-1 call-taking; the problem is on the radio and the dispatch side. Captain Frankhouser replied the appropriate number of 9-1-1 call-takers are being provided. You are correct, we, the county, need to fund more positions. Based on the number of 9-1-1 calls, and the number of 9-1-1 call-takers that you have provided, based on the number of 10-digit numbers and back-line numbers that we have to answer, that you have provided an adequate number based on that percentage.

Mr. Simon stated he has no problem helping fund some of it, but not funding all of it. We should not have to fund any. I think helping would not be a problem, but not funding the whole thing.

Chief Binnion inquired of Judge Sadler, I know you cannot speak for commissioners’ court, but if we went halfway? Judge Sadler replied, “Chief, we’ll take whatever help we can get. We’re asking for whatever help you can provide, and I think it, it goes without saying, *these six people will be hired one way or the other*. You know the tax base in this county is, is, I think 2% tax based increase versus 10, 11, 12 in year’s past. You know we’re all having problems, everybody has problems, and we’ll take whatever help we can get.”

Chief Binnion stated with our upgrades at hand, over the next few years, if our revenue goes down again, even if we take three of these positions on, we may not be able to afford them again next year. That is something that has to be addressed now, so the county can understand that come budget time. Mr. Simon agreed. Judge Sadler responded, “Chief, I totally understand you have to work with the reality of what your budget is. If you have to cut them, you have to cut them. We understand that.” Mr. Virgadamo replied that should not be a burden placed on the District to cut positions. Chief Binnion stated the call-takers would not be working for the District anyway, we would cut the funding and the county would have to cover the positions. Judge Sadler, “Exactly.” Mr. Virgadamo stated there will be an outcry when that happens. Judge Sadler responded, “Well, we’re not talking about eliminating positions. We’re talking about the county picking the position up.”

Mr. Virgadamo inquired of Captain Frankhouser, are you fully staffed right now? How many positions do you have? Captain Frankhouser replied, no I am not, and I have five right now.

Judge Sadler inquired whether Chief Binnion needed anything else. Chief Binnion, Chief of Staff Carr and Mr. Lopez thanked Judge Sadler for attending the meeting. (Judge Sadler left at 10:05 a.m.)

Mr. Foerster noted, “There is no case law that gives the board any guidance on issues like this, other than simply saying allowable operating expenses of the District include all costs attributable to designing a 9-1-1 system and to allow all equipment and personnel necessary to establish and operate a public safety answering point and

other related answering points the board considers necessary. The discretion rests with the board. If relieving the 9-1-1 burden of the county would help the county, one of the options the board has is to take back the 9-1-1 call-taking operation. The board does have some obligation to make sure the 9-1-1 calls are being done properly. If they cannot be done under the county, one of your options is to look at terminating the contract, with maybe more than 120 days notice, and to re-assume those obligations. I am not sure that is what Gordon wants, I am not sure that is what the board wants, but that is an option.”

Chief Binnion asked Captain Frankhouser if she has looked into why the standards dropped. Captain Frankhouser replied that she cannot prove the standards were one way or another. But she does know that if you take eighteen people away from the Sheriff’s office, and the District goes back to 9-1-1 call-taking, 90% of those calls will be transferred to the Sheriff’s office. Ms. Gill responded in a neutral situation, when 9-1-1 is answering the call, we take care of all the kids who are pranking, we take care of all the non-emergency calls, so nobody would be getting those calls. Captain Frankhouser responded they will call on the backlines. We are looking at the back numbers, too. The IT department is sifting through data from the phone contractor. We are going to cease the transfer of calls to the dispatch center by having an automated voicemail on the switchboard.

Mr. Garza asked why they have so many 10-digit calls. Captain Frankhouser responded she could not answer that right now, an IT person is sorting through all the data and creating a spreadsheet, trying to figure out where all the calls are coming from, a lot of the calls are from our own officers. We know that the call-takers are burdened with things that perhaps they do not have to do, and we are actively trying to reduce those numbers now.

Mr. Foerster stated he understood the Judge to say if the 9-1-1 board does not fund the positions that the county will fund them. That is the first I’d heard of that, but that’s what I heard him say. Mr. Virgadamo noted he said they would be funded one way or another. Chief of Staff Carr remarked that is what he said.

Mr. Simon inquired of Captain Frankhouser, asking for these positions like you did, the commissioners just didn’t approve it? Chief of Staff Carr responded they were taken out by the auditor. Captain Frankhouser stated the sheriff’s office has not received position one, not just in dispatch, for three years, not one in three years. Mr. Simon stated it sounds like the crisis was created over years.

Chief Dupuis asked how much the sheriff’s department budget increased? Chief of Staff Carr responded it increased a little over five percent, six percent. Chief Dupuis stated, “As a taxpayer of Montgomery County, that makes no sense, how we could not increase the largest budget in the county, the most important budget in the county, but we can come and ask another government entity for money when you are increasing the budget for parks or the auditor or whoever got the increase when it should have gone to the Sheriff’s office. I say that as a taxpayer, but I also say it as somebody that has the largest department in my organization and I get fair dollars, I get equal share of the pie. It does not sound like the Sheriff’s getting equal pie and their just eating his pie. And I think it is wrong, the largest department in the county does not get a fair share of the money.” Chief of Staff Carr replied then the district attorney does not think he is getting a fair share. It is an IT project that is huge that is going to help all of law enforcement, that had to be budgeted for this year. It’s the IT project that goes into the Sheriff’s cars all law enforcement, it’s the judicial process.

Mr. Johnson stated there was a conversation early on in the discussions about consolidating call-taking and the discussion was operational about what does fire call-taking versus EMS call-taking versus law enforcement call-taking look like? How long does it take, what do the pre-arrival instructions look like? What are the credentialing bodies, what do the accrediting bodies say and so forth? If we went to that consolidated approach that 9-1-1 would fund based on the NENA standards. What the neutral part would cost and that each entity would have to come to the table with the part that would cover their call-taking, because at that time, fire was not doing the accredited protocols, EMS was. Fire call-taking is really easy when the house is on fire, get out, we’re sending help, and then a whole lot of radio traffic goes on after that. EMS is the opposite. EMS has a long call-taking process with pre-arrival instructions, and so the discussion among the players who were there, how do we fund

that disparate call-taking? So, I don't know if there's a future to go back to that sort of model and try to quantify what is 9-1-1 call-taking versus the job specific call-taking. Because you could have a situation in the future of the county where you might want to once again look at that consolidated model and you would have to go back to that. Mr. Lopez stated we are trying to get the numbers for the November meeting, basically, you are talking about a neutral, but we do have some numbers that Russ can address as far as a neutral is concerned. Chief Dupuis stated a neutral does not help law enforcement. Mr. Johnson stated there would only be one operator that would ever talk to a caller. But 9-1-1's charge is that neutral component of it, and then the City of Conroe's charge is that part that comes with "what color is the car?" Mr. Frank Marshall noted the NENA standard addresses that in that 30 second standard. It's verify and forward, basically that is the responsibility. Mr. Lopez stated when the District ran the numbers they bumped it up to 45 seconds.

Chief Dupuis remarked he does not know why we meet the NENA standard; we do not input anything into a CAD system. If they say they need fire or EMS we transfer it immediately. If we lose the call, we lose the call. You have to call back. We have the phone number to call them back. Mr. Lopez noted the call back numbers are always there. Ring times were one of the concerns in the neutral previously. The neutral would take the call, the call would be transferred and there was a concern that the ring times were too high, people weren't answering the phones once it was transferred. In the new system there are approaches that can be used with the new equipment. Queuing allows the call to be transferred immediately, and then queuing lets you know whether somebody is not answering phones on an immediacy basis on the transfers. Captain Frankhouser stated she would implement the model that we do not build a call, I will be happy to implement the model. Deputy Chief Jerry Bittner noted we are not picking up the phone fast enough, and that's what it boils down to. Captain Frankhouser replied the taxpayer does not care; it is our job to figure out how we are going to make it work. And I appreciate the opportunity to speak and address you today, very much.

Chief Binnion expressed thanks to Captain Frankhouser. Item number one of the agenda, do we have a motion? Does anybody want to make a motion to fund the additional six personnel?

Mr. Garza made the motion that we do not fund any of the positions at this time, maybe the next budget year. Because of what we have coming in, we already know what we have coming in, it's going to be the same, the costs may be more, but I can't see us, not with these figures.

Chief Binnion stated we have a motion not to fund the additional six personnel, any discussion? Have a second? Mr. Virgadamo seconded the motion. Chief Binnion, we have a motion and a second, all in favor say aye.

Mr. Garza: Aye, not to fund.

Mr. Virgadamo: Aye.

Mr. Simon: I am going to abstain.

Mr. Garza asked, how many do you want to fund? Mr. Simon replied, I would say two. Mr. Garza stated, do you think we could afford it? I'd fund all six, but we're just going to have to let them go next budget year. Mr. Simon stated that was true. Chief Binnion declared he does not have an issue with funding some positions, but not all six of them and next year, does not believe the District would be able to fund any of the positions at all. Mr. Simon agreed. Chief of Staff Carr stated she thought next year whatever positions are approved today by the District will be picked up by the court. Mr. Simon stated this crisis did not happen this year, it happened six years ago, it should have been taken care of and it was not taken care of, and it should not be put on our shoulders to take care of. Mr. Virgadamo stated he does not think it is our responsibility. Our responsibility is to provide equipment and that is it. Am I right? Mr. Foerster noted there is discretion to provide personnel. Mr. Virgadamo stated the District has done that, we have provided seventeen, a total of 22 personnel, and some of this burden should be put back on the county.

Chief Binnion asked Mr. Foerster for guidance with a motion on the table. Mr. Foerster stated you have a motion and a second not to provide any funding. Chief Binnion clarified not to provide any funding but just for the six. And that is what the agenda basically spells out here is six. Ann was never going to be part of the voting to begin with. Chief of Staff Carr stated no, I cannot vote. Mr. Simon noted basically it is passed. Mr. Foerster stated I guess it has, if you have an abstention and you have two votes. Chief Binnion stated I am a tie-breaker and there is no tie here. If he wanted to make a motion to fund two of the positions that is not what the agenda says. Mr. Foerster replied I think the agenda put the public on notice that there will be six additional personnel, if you choose to go with something less than six, I think you could do that. Chief Binnion clarified you do not have an issue with that? Mr. Foerster responded no, I do not have an issue with that. Now, that does not mean that this board cannot come back and entertain any other motion for something less than that, and I believe that the public is put on notice that you are going to be contemplating up to six additional personnel. Ms. Gill stated, "Mr. Garza's phrasing was no funding, not no funding for six, no funding." Mr. Lopez concurred, not fund now, possibly the next fiscal year. Mr. Foerster clarified the board, if they want to consider any other motions, they could, under the notice here. The motion as it stands and has been approved is that there would be no funding for six. Chief Binnion inquired any more motions?

Mr. Simon stated he would not want to make a motion if the county would not go back and change their budget to sponsor at least four call-takers. Mr. Virgadamo noted the only one that can make that decision is not even in this room, that is commissioners' court, and they are not in the room either. Mr. Simon agreed. Mr. Garza stated they had the chance to be here and let us know what they wanted to do, and they are not here. Mr. Simon agreed. Mr. Garza noted the only one who came was Judge Sadler. Chief of Staff Carr stated Judge Sadler supported the hiring of the six positions in the beginning when Peggy brought it before the commissioners' court. Mr. Virgadamo said if you are going to make a decision based on something the county is going to do, you need something passed by commissioners' court that tells you exactly what you want to hear. They cannot tell you that, the judge cannot tell you that by himself, all due respect to the judge, he cannot tell you that by himself. Mr. Simon agreed. Chief of Staff Carr stated he is one vote in five.

Mr. Lopez stated he had visited with two of the commissioners and had personally invited them. Mr. Simon stated he had invited one himself. Chief of Staff Carr asked what two commissioners did you visit with Gordon? Mr. Lopez replied Doyal and Meador. Chief of Staff Carr asked did they share with you where they stood on this? Mr. Lopez responded they were fairly neutral.

Chief Binnion asked if there would be any more motions? Mr. Simon replied no.

Chief Binnion requested a motion to adjourn. Mr. Garza made the motion to adjourn. Chief of Staff Carr seconded the motion. The motion carried with all in favor.

The special meeting adjourned at 10:35 a.m.

Attest:

Ruben Garza
Secretary

Jody Binnion
President