

COMMISSIONERS COURT DOCKET  
DECEMBER 8, 2020  
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 8<sup>th</sup> day of December, 2020, the Honorable Commissioners Court of Montgomery County, Texas, was duly convened in a Regular Session in the Commissioners Courtroom of the Alan B. Sadler Commissioners Court Building, 501 North Thompson, Conroe, Texas, with the following members of the Court present:

County Judge	Mark J. Keough
Commissioner, Precinct 1	Mike Meador
Commissioner, Precinct 2	Charlie Riley
Commissioner, Precinct 3	James Noack
Commissioner, Precinct 4	James Metts
Also County Clerk's Office	Beverley Hinds

INVOCATION GIVEN BY Judge Wayne Mack.

THE PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA RECITED.

THE PLEDGE OF ALLEGIANCE TO THE TEXAS STATE FLAG RECITED.

1. COMMISSIONERS COURT AGENDA APPROVED.

Motion by Commissioner Noack, seconded by Commissioner Metts, to approve Commissioners Court Agenda for discussion and necessary action. Motion carried.

CITIZENS – AGENDA ITEM 7

NO CITIZENS ADDRESSED THE COURT AT THIS TIME.

2. PROCLAMATION APPROVED – JOE HALITI DAY

Motion by Commissioner Riley, seconded by Commissioner Meador, to proclaim December 8, 2020 as Joe Haliti Day in Montgomery County, Texas. Joe and his staff at Joe's Italian Restaurant prepared and donated 50,437 meals to support individuals including first responders, healthcare workers, local government workers and others affected by the Coronavirus Pandemic and the EF-3 tornado in Onalaska, Texas. Motion carried.

AGENDA ITEM 20 – MISCELLANEOUS WAS MOVED TO BE HEARD AFTER PROCLAMATIONS

PRESENTATIONS: Judge Jimmie Edwards presented Commissioner Mike Meador with the first Montgomery County Flag that flew over the new Veterans Memorial Park as a tribute to his 28 year career with Montgomery County. Commissioner Meador and Judge Edwards have been very instrumental in the creation of the Veterans Memorial Park. Commissioner Meador thanked Judge Edwards and his staff for all the work they have accomplished with the Park.

Robert Walker, Precinct 1 Commissioner-Elect, thanked Commissioner Meador for all he has done for Precinct 1 and the County as a whole.

Commissioner Noack thanked Commissioner Meador for being a sounding board, advisor and mentor to the whole court. He presented Commissioner Meador with a poster of a Colt .45 Gold Cup handgun that he and the other members of the Court have ordered for him.

3. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Noack, seconded by Commissioner Metts, to approve the Minutes from Regular Session of Commissioners Court dated November 10, 2020 and November 17, 2020. Motion carried.

AGENDA ITEM 10L3a was amended to read “3206 Dawnwood”, rather than “3206 Danwood”.

4. RESOLUTION AND ORDER APPROVED – CONSENT AGENDA – AGENDA ITEMS

Motion by Commissioner Noack, seconded by Commissioner Riley, to unanimously approve all actions, items, resolutions and authorizations shown on the Consent Agenda and County Judge is appointed and authorized to sign any contracts, approvals and other documents in connection with any items shown on the Consent Agenda, as follows:

COUNTY AUDITOR – AGENDA ITEMS 10A1-4

A1. REQUEST APPROVED to increase cash drawer funds and change reserve for a total increase of \$200 for Drug Court and DWI Court.

A2. REPORT ACCEPTED that complies with Local Government Code Section 114.024.

A3. COMPLETED AUDITS ACCEPTED as follows:

- Commissioner Pct. 3 – Quarters 2 and 3
- Constable Pct. 4 – Quarters 2 and 3

A4. PAYMENT OF ACCOUNTS APPROVED, as submitted by the County Auditor.

PURCHASING – AGENDA ITEMS 10B1-4

B1. RENEWAL OPTIONS APPROVED:

- a. Project #20-05 Animal Vaccines & Tests with Intervet, Inc., dba Merck Animal Health for Animal Services (exercising the first of five renewal options).
- b. Project #20-06 Veterinary Supplies with Midwest Veterinary Supply, Inc., for Animal Services (exercising the first of five renewal options).

B2. ADVERTISING APPROVED for the following bids/proposals:

- a. Cargo Van for Montgomery County Animal Services
- b. Traffic Signal Foundation Services for various precincts

B3. RENEWAL APPROVED of the Montgomery County Employee Benefit Plan & Trust 2021 Plan Year.

B4. CHANGE ORDERS APPROVED:

CO #2 to MHC Software for Project #2016-0038 ERP Software and Implementation Services to add Document Express 1099-NEC Software Module and Maintenance in the amount of \$3,640.

RISK MANAGEMENT – AGENDA ITEMS 10C1-3

C1. CHANGES, ADDITIONS AND RELEASES APPROVED for the following:

<u>BOND</u>	<u>NAME/DEPT</u>	<u>AMOUNT</u>	<u>ACTION</u>
62050750	Bohanon, Kelley/Tax Assessor		Rider-Change Desc
65099779	Garcia, Lorena/Tax Assessor		Rider-Change Desc
65223272	Keen, Daniel/Const.Pct 4	\$5,000	New Bond
64650827	Martin III, Kenneth/Tax Assessor		Rider-Change Desc
65025977	Mathew, Shobin/Tax Assessor	\$100,000	New Bond
65025977	Mathew, Shobin/Tax Assessor		Rider-Change Desc
14460323	White, Charles/Const.Pct 2	\$5,000	Continuation Cert
14460323	White, Charles/Const. Pct 2		Rider-Change Desc

- C2. RESOLUTION AND ORDER APPROVED granting settlement authority relating to Workers Compensation subrogation claims and Montgomery County Medical Plan subrogation claims to the County Attorney and Director of Risk Management. This also includes authority to sign any necessary forms including a release of liability, in an amount not to exceed \$100,000.00 per claim, and further grants authority to the County Auditor to accept and process payment(s) received on any claim so settled by the County Attorney and Director of Risk Management.
- C3. REQUEST APPROVED to have Group Policy Amendments No. 5 and No. 6 to be attached and made a part of Life Insurance Group Policy 605709, issued by Standard Insurance Company to Montgomery County Employee Benefit Plan as Policyholder, effective January 1, 2021. Virginia Little, Director of Risk Management, is authorized to complete all required formalities to facilitate same.

#### COMMISSIONERS – AGENDA ITEMS 10D1-5

##### D1. PRECINCT 2

- a. REQUEST APPROVED for the following appointments to ESD #3 for a two-year term beginning on January 1, 2021:
- Greg Holcombe
  - Kyle Bertrand
  - Robert Key
- b. REQUEST APPROVED for the following re-appointments to ESD #10 for a two-year term beginning on January 1, 2021:
- Johnnie Bryant
  - Tate Robinson
  - Tommy Gage

##### D2. PRECINCT 3

- a. REQUEST APPROVED for the re-appointment of Misty Perrine to ESD 8 for a two-year term beginning January 1, 2021.
- b. REQUEST APPROVED for the term ending on December 31, 2020 of John Rodriguez from ESD 8 and appointment of Justin Hill for a two-year term beginning January 1, 2021.

##### D3. PRECINCT 4

- a. REQUEST APPROVED for the following re-appointments to ESD #9 for a two-year term beginning on January 1, 2021:
- Paul Babb
  - Lois Clancy

- Mike Lee

D4. PRECINCT 1 AND 4

- REQUEST APPROVED for the following appointments of Tom Rozier to the Board of Commissioners for ESD #1 to begin a 2-year term on January 1, 2021; and the reappointment of Chuck Frank to the ESD #1 Board of Commissioners for a 2-year term, both terms ending December 31, 2023.

D5. PRECINCT 2 AND 4

- REQUEST APPROVED for the appointment of Karen Keels to ESD #4, completing the term for Howard Livesay, term ending December 31, 2021.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 10E1-4

E1. PRECINCT 1

- STREETS ACCEPTED in The Reserve on Lake Conroe, Section 1 into the county road maintenance system and bond is released.
- FINAL PLAT APPROVED of Heuermann-Burns Subdivision, Section 1. 10.139 Acres; Jacob Shannon Survey; A-35.

E2. PRECINCT 2

- STREETS ACCEPTED in Magnolia Reserve, Section 2 into the one-year maintenance period.

E3. PRECINCT 3

- STREETS ACCEPTED in Meandering Bend Drive Extension and Reserves into the one-year maintenance period.

E4. PRECINCT 4

- STREETS ACCEPTED in Crockett Reserve, Section 1 into the one-year maintenance period.
- FINAL PLAT APPROVED of Brooklyn Trails, Section 2. 40.62 Acres; Mary Owen Survey; A-405.

GRANTS – AGENDA ITEM 10F1

- REQUEST APPROVED of modification #1 for G20HN0017A High Intensity Drug Trafficking Area (HIDTA) grant in the amount of \$5,000 for the Sheriff's Office. Judge Mark J. Keough is authorized to sign all related paperwork.

HUMAN RESOURCES – AGENDA ITEMS 10G1-2

G1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of 435<sup>th</sup> District Court to increase salary of Heather Dessommes, Court Coordinator I, due to increase in responsibilities, effective November 24, 2020.

Request of 435<sup>th</sup> District Court to re-hire Jennifer Wade, Court Administrator, as replacement for Christopher Rivera, effective November 24, 2020.

Request of Custodial to change status of Karla Cortina, Custodian I, as replacement for Kathy Gomez, effective November 16, 2020.

Request of Custodial to accept the resignation of Kathy Gomez, Custodian, effective November 10, 2020. [25.63 hours or balance vacation].

Request of Custodial to accept the resignation of Nayeli Hernandez Diaz, Custodian, effective September 14, 2020. [No benefits due].

Request of Custodial to place Katlyni Linscomb, Custodian, on payroll as replacement for Nayeli Hernandez, effective November 23, 2020.

Request of Custodial to promote Jessica Pickering, Supervisor-Custodial, as replacement for Karla Cortina, effective November 30, 2020.

Request of Building Maintenance to accept the resignation of Adam Wright, Maint Tech III, effective December 4, 2020. [39.74 hours or balance vacation; 16.00 hours or balance holiday].

Request of Commissioner Precinct 1 to accept the retirement of Michelle Cook Comunale, Coordinator II-Facilities, effective December 31, 2020. [376.68 hours or balance vacation; 18.30 hours or balance grandfathered sick leave; 120.45 hours or balance comp; 16.00 hours or balance holiday].

Request of Commissioner Precinct 1 to accept the resignation of Michael L. Meador, Commissioner, effective December 31, 2020. [No benefits due].

Request of Commissioner Precinct 1 to bridge time of Frank Viniarski Jr., Sr. Foreman, for a leave anniversary date of 04/11/1985, effective January 20, 2020.

Request of Commissioner Precinct 1 to place Robert C. Walker, Commissioner, on payroll as replacement for Michael Meador, effective January 1, 2021.

Request of Commissioner Precinct 3 to accept the retirement of Jackie Thomas, Superintendent, effective December 31, 2020. [390.25 hours or balance vacation; 64.00 hours or balance grandfathered sick leave; 24.00 hours or balance holiday].

Request of Commissioner Precinct 4 to accept the resignation of Macey Kelsey, Clerk III, effective November 26, 2020. [24.35 hours or balance vacation; 0.040 hours or balance comp; 16.00 hours or balance holiday].

Request of Constable Precinct 3 to place Donald Ethredge, Deputy-Constable, on payroll due to return from Unpaid FMLA/Disability Leave, effective October 31, 2020.

Request of Constable 4 to increase salary of Tyler Dartez, Deputy, due to step increase, effective November 28, 2020.

Request of Constable 5 to increase salary of Lonnie Harrison, Corporal, due to step increase, effective January 9, 2021.

Request of County Attorney to place Jasper Brooks, Investigator II, on payroll effective December 7, 2020.

Request of County Auditor to accept the resignation of Chelsea Racine Rhodes, Receptionist/Data Entry, effective November 16, 2020. [No benefits due].

Request of District Attorney to accept the resignation of Sheri Lyn Culberson, Chief Prosecutor, effective January 4, 2021. [74.9388 hours or balance vacation; 16.00 hours or balance holiday].

Request of District Attorney to place Jerry David Stovall, Jr., Investigator II, on payroll as replacement for Dennis Lee Ward, effective December 14, 2020.

Request of District Clerk to promote Alexis Wall, Court Clerk II, as replacement for Deven Maropis, effective November 30, 2020.

Request of Elections to place Constance Landgraf, Voter Clerk, on payroll effective November 14, 2020.

Request of Elections to place Scott Singletary, Voter Clerk, on payroll effective November 28, 2020.

Request of Environmental Health to place Dawn Dorsey, Registered Sanitarian II, on payroll due to return from Unpaid FMLA/Disability Leave, effective November 25, 2020.

Request of IT Traffic Operations to place Kenneth Ackley, Signal Technician I, on Unpaid FMLA/Disability Leave, effective November 17, 2020.

Request of JP3 to accept the retirement of Patricia Cooke, Court Clerk IV, effective December 31, 2020. [171.4088 hours or balance vacation; 24.00 hours or balance holiday].

Request of JP3 to accept the resignation of Dawn Stabler, Court Clerk III, effective November 24, 2020. [No benefits due].

Request of Juvenile to place Nicole Leigh Allen, Juvenile Supervision Officer Substitute, on payroll, effective November 23, 2020.

Request of Juvenile to accept the resignation of Jamar Dijon Andrews, Juvenile Supervision Officer, effective November 17, 2020. [47.38 hours or balance vacation; 5.3750 hours or balance comp]. Is not eligible for re-hire.

Request of Juvenile to place Joseph Lee Green, Juvenile Supervision Officer Substitute, on payroll, effective November 23, 2020.

Request of Juvenile to place LaDontae Lamel Moore, Juvenile Supervision Officer Substitute, on payroll, effective November 23, 2020.

Request of Library to accept the resignation of Tori Nicole Broadus, Library Assistant II, effective December 11, 2020. [No benefits due].

Request of Library to accept the retirement of Donna W. Dzierlenga, Branch Manager, effective January 29, 2021. [221.01 hours or balance vacation; 16.00 hours or balance holiday].

Request of Library to re-hire Sarah B. Fischer, Shelving Clerk I, as replacement for Deborah Jackson, effective December 15, 2020.

Request of Library to accept the retirement of Jennifer L. Klinke, Clerk III-Acquisitions, effective December 31, 2020. [213.8450 hours or balance vacation; 16.00 hours or balance holiday].

Request of Library to accept the resignation of Shawna L. Smith, Library Assistant II, effective December 10, 2020. [No benefits due].

Request of Recycle Station –Precinct 3 to accept the retirement of David Gottberg, Recycle Technician, effective December 31, 2020. [262.85 hours or balance vacation; 16.00 hours or balance holiday].

Request of Sheriff to promote Damonuss Bernard Brooks, Comm Spec/Radio Tech II, as replacement for Milton L. Terry, effective December 12, 2020.



Request of Sheriff to increase salary of Michael Charles Burnett, Detective, due to step increase, effective November 28, 2020.

Request of Sheriff to transfer Felix Cantu, Jr., Detective, as replacement for Charles Sullivent, effective December 12, 2020.

Request of Sheriff to remove Kendrick L. Castillo, Deputy, from payroll, effective November 18, 2020. (Deceased) [280.00 hours or balance vacation; 236.83 hours or balance comp; 34.00 hours or balance holiday].

Request of Sheriff to accept the resignation of Austin Garrett Dorow, Officer-Civilian Deten, effective November 26, 2020. [15.40 hours or balance vacation; 24.00 hours or balance holiday].

Request of Sheriff to accept the resignation of Joshua Ryan Hunt, Officer-Civilian Deten, effective November 29, 2020. [178.91 hours or balance vacation; 305.2124 hours or balance comp; 24.00 hours or balance holiday].

Request of Sheriff to increase salary of Johnathan Logan, Deputy-Patrol, due to step increase, effective November 28, 2020.

Request of Sheriff to place Kathleen M. McLaughlin, Deputy-Bailiff, on payroll due to return from Unpaid FMLA/Disability Leave, effective November 9, 2020.

Request of Sheriff to accept the resignation of Trace Matthew McMahan, Officer-Civilian Deten, effective November 26, 2020. [24.00 hours or balance holiday].

Request of Sheriff to discharge Tucker Miller III, Officer-Civilian Deten, effective November 24, 2020. [16.00 hours or balance holiday].

Request of Sheriff to increase salary of Benjamin Walter Nichols, Detective, due to step increase, effective November 28, 2020.

Request of Sheriff to increase salary of Frank C. Pearson, Deputy-Patrol, due to step increase, effective November 28, 2020.

Request of Sheriff to place Brittani Simek-Carnevale, Records Specialist I, on payroll as replacement for Deborah G. Phalen, effective November 14, 2020.

Request of Sheriff to voluntarily demote Shawn Michael Thierry, Records Specialist I, as replacement for Kelly M. Abdelbaky, effective December 12, 2020.

Request of Sheriff to increase salary of Steven Ray Thomas, Detective, due to step increase, effective November 28, 2020.

Request of Sheriff to increase salary of Bryce W. Vaughan, Officer-Civil Det II, due to completion of certification requirements, effective November 28, 2020.

Request of Tax Assessor to increase salary of Ashley Dement, Deputy Specialist III, due to completion of education and tenure requirements, effective December 12, 2020.

- G2. REQUEST APPROVED to authorize payout of 240 hours of Grandfathered Sick Leave at the rate of \$22.71 per hour to Matthew Wayne Masden, in accordance with memo dated January 11, 2006. Funding source to be contingency.

ENVIRONMENTAL HEALTH – AGENDA ITEM 10H1

- H1. REQUEST APPROVED to Rescind Order to Abate Nuisance for 17405 Woods Dr., New Caney, Texas 77357. This property has been brought into compliance without county involvement of funds.

JUSTICE OF THE PEACE PRECINCT 4 – AGENDA ITEM 10I1

- I1. REQUEST APPROVED to accept the November 2020 Collection Report.

OFFICE OF COURT ADMINISTRATION – AGENDA ITEM 10J1

- J1. REQUEST APPROVED to approve the annual Techshare Resource Sharing Agreement and Addendum for Montgomery County's use of TechShare Indigent Defense. County Judge Mark J. Keough is authorized to sign documents on behalf of Montgomery County.

EMERGENCY MANAGEMENT – AGENDA ITEMS 10K1-2

- K1. REQUEST APPROVED for the 2015/2016 Storm and Flood CDBG-DR grant extension to November 30, 2021 and County Judge Mark Keough is named as the authorized official.
- K2. RESOLUTION AND ORDER APPROVED for the DHS Grant Award from the Texas Office of the Governor Homeland Security Grants Division to the Montgomery County Office of Homeland Security and Emergency Management in the amount of \$2,689,071.85. This award is from the UASI and SHSP grant program. Darren Hess is authorized to execute as the authorized official.

COUNTY ATTORNEY – AGENDA ITEMS 10L1-5

- L1. PRECINCT 1
  - a. REQUEST APPROVED for issuance of Donation Deed from Montgomery County to Habitat for Humanity of Montgomery to address reversionary

concerns of previously donated property approved on April 9, 2007. Judge Mark J. Keough is authorized to execute the Donation Deed on behalf of Montgomery County.

- b. RESOLUTION AND ORDER APPROVED to pay closing cost related to the acquisition of Parcel 219 of the expansion of FM 1097 in the amount of \$730.00 to Charter Title Company.
- c. RESOLUTION AND ORDER APPROVED to pay closing cost related to the acquisition of Parcel 102 of the expansion of FM 1097 in the amount of \$2,238.00 to Charter Title Company.
- d. ORDER APPROVED authorizing Payment of Special Commissioners Award and Payment of Special Commissioner Fees in the proceedings under Cause No. 20-06-07468, for the acquisition of Parcel 210 of the FM 1097 Road Project. The amount of \$19,170.00 previously tendered to the property owner will be deducted from said Award of the Special Commissioners. It is FURTHER ORDERED that the County Treasurer and County Auditor are authorized and directed to make payment in the amount of \$35,830.00 into the registry of the Court in which such proceeding was heard and such payment to be made for the benefit and use of the property owner named in such proceeding in eminent domain. It is FURTHER ORDERED that the County Treasurer and County Auditor are authorized and directed to make payment to the Special Commissioners in such cause.

L2. PRECINCT 2

- a. REQUEST APPROVED for Right-of-Way Development Agreement between Montgomery County and Audubon Magnolia Development, LLC for the construction of improvements in the Audubon development.

L3. PRECINCT 3

- a. RESOLUTION AND ORDER APPROVED to pay for acquisition of 3206 Dawnwood Drive, Spring, Texas 77380, in accordance with the Flood Mitigation Assistance Grant 2016 from Owner for the total sum of \$152,069.52, payable to First Priority Title of Texas, LLC for the benefit of Diana L. Champagne and Gerald L. Champagne, Jr., and to accept the executed or to be executed deed.

L4. PRECINCT 4

- a. ORDER APPROVED authorizing Notice of Public Hearing under Local Government Code 232.009(C-1) for the partial revision of 0.259 acre tract being all of unrestricted Reserve C, Block 1, Crockett Trace Estates Section 6, to be known as Crockett Trace Estates Section 6, Replat No. 1.

- b. ORDER APPROVED authorizing Notice of Public Hearing under Local Government Code 232.009(C-1) for the partial revision of Wood Lake Village Section 1, Lot 3-5, Block 9, part of Restricted Reserve "K" and part of Restricted Reserve "L", to be known as Harper's Way Channel Crossing.

L5. ALL PRECINCTS

- a. RESOLUTION AND ORDER APPROVED to settle claim no. A-19-0065; date of incident 04/30/19. Montgomery County's third party administrator, AS&G, is authorized to issue a check in the amount of \$170,000.00 to Sam Sherman PLLC for the benefit of Yareli Morales for a claim involving an automobile accident with a county vehicle.
- b. RESOLUTION AND ORDER APPROVED to make payment of \$42,000 to Magaly Gonzalez, for a claim involving an automobile/pedestrian accident with a county vehicle. Montgomery County's third party administrator, AS&G, is authorized to issue check to claimant in accordance with Claim No. B-18-0072.
- c. RESOLUTION AND ORDER APPROVED to defend claim No.C-20-0024; Civil Action numbers 4:20-CV-03657, 4:20-CV-03658, 4:20-CV-03659, and 4:20-CV-03660, and styled Sandra Mitchell v. Kathleen Hamilton, Sandra Mitchell v. Nancy Hebert, Sandra Mitchell v. Thomas Gannucci, and Sandra Mitchell and Celexia Smith v. Alonzo Humphrey; in the United States District Court for the Southern District of Texas, Houston Division. The Montgomery County Attorney is authorized to incur expenses as necessary for the proper defense and negotiation of said cases. The funding for said expenses will be from the Risk Management budget with the approval of the Director of Risk Management or the designee of the Director of Risk Management.
- d. RESOLUTION AND ORDER APPROVED to defend claim No.B-20-0038; Chapter 13 Case No. 19-36910, and styled In Re: Michael Frazier, Michael Frazier v. Troy Schrenk, Tiffany Ritter a/k/a Tiffany Schrenk, Michael Seiler, Kenna Seiler, Kelly Clark, Seiler Mitby, PLLC, and Montgomery County; in the United States District Court for the Southern District of Texas, Houston Division. The Montgomery County Attorney is authorized to incur expenses as necessary for the proper defense and negotiation of said cases. The funding for said expenses will be from the Risk Management budget with the approval of the Director of Risk Management or the designee of the Director of Risk Management.

COMMUNITY DEVELOPMENT AGENDA ITEM 10M1

- M1. REQUEST APPROVED to authorize County Judge Mark J. Keough to execute the FY2020 CDBG Grant Agreements between Montgomery County and the following non-profit agencies;

### **Community Development Block Grant Program (CDBG)**

- Society of Samaritans
- Conroe New Birth Ministries

### **Emergency Solutions Grants Program (HESG)**

- Montgomery County Youth Services

#### CONSTABLE PRECINCT 4 AGENDA ITEMS 10N1-2

- N1. REQUEST APPROVED to approve Equitable Sharing Agreement and Certification Report for fiscal year 2020.
- N2. REQUEST APPROVED of the acceptance of funds from the Walmart Foundation in the amount of \$1800 for the purchase of outer vest carriers for Constable Precinct 4 Office. The funds will be deposited in line 7400-730310. Check was forwarded to the Treasurer's Office for further processing.

Motion carried.

#### **END OF CONSENT AGENDA**

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5. REQUEST APPROVED – TRANSPORTATION POLICY COUNSEL – COUNTY JUDGE

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the reappointment of Judge Keough as the representative member and Commissioner Metts as the alternate to the Transportation Policy Counsel (TPC) at HGAC. The term begins January 1, 2021 through December 31, 2021. Motion carried.

6. RESOLUTION AND ORDER APPROVED – LOCAL DISASTER – COUNTY JUDGE

Motion by Commissioner Noack, seconded by Commissioner Riley, to renew and extend the Declaration of Local Disaster issued for Public Health Emergency for an additional period of thirty (30) days to expire on January 9, 2021 at 11:59 pm. Motion carried.

7. REQUEST APPROVED – RAPID COVID-19 TEST – EMERGENCY MANAGEMENT

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the purchase of rapid COVID-19 test from Next Level Urgent Care for use at Montgomery County Wellness Center and Next Level Locations in an amount not to exceed \$75,000. Funding to come from CARES Act funds. Motion carried.

8. REQUEST APPROVED – WAREHOUSE LEASE – EMERGENCY MANAGEMENT

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the renewal of 11,200 sq ft. warehouse lease with CW Rod Conroe LLC for OEM from January 1, 2021 through September 30, 2021. Base rent of \$9,800 per month with a pro rata share of \$2,005 per month. Total not to exceed \$11,805 per month. Darren Hess is authorized to execute agreements on behalf of Montgomery County. Funding will be from Contingency. Motion carried.

9. REQUEST APPROVED – HAND SANITIZER – EMERGENCY MANAGEMENT

Motion by Commissioner Meador, seconded by Commissioner Riley, authorizing OEM to purchase hand sanitizer from Farouk Systems in an amount not to exceed \$36,000. Funds to come from CARES Act funds.

10. REQUEST APPROVED – PPE – EMERGENCY MANAGEMENT

Motion by Commissioner Meador, seconded by Commissioner Riley, authorizing Emergency Management to purchase additional PPE and necessary supplies in an amount not to exceed \$250,000. Motion carried.

11. REQUEST APPROVED – JURISDICTION REIMBURSEMENTS – EMERGENCY MANAGEMENT

Motion by Commissioner Noack, seconded by Commissioner Metts, authorizing OEM to work with the following jurisdictions to secure necessary ILA's with the assistance of the County Attorney's office to effectuate the reimbursements. Further, Judge Mark J. Keough is authorized to execute the ILA's on behalf of Montgomery County. The expenses for these jurisdictions have been audited and confirmed by the County Auditor's office as a not to exceed the following amounts.

- The Woodlands Township - \$274,372.42
- City of Conroe - \$73,602.30
- City of Splendora - \$6,428.81
- City of Shenandoah - \$2,661.76
- City of Stagecoach - \$2,488.37
- City of Patton Village - \$750.00
- City of Magnolia - \$6,234.65
- ESD #8 - \$5,967.19

- ESD #6 - \$5,688.50
- ESD #1 - \$10,247.84
- ESD #10 - \$52,954.87
- ESD #2 - \$12,109.79

Motion carried. NOTE: DISCUSSION IN FULL CAN BE HEARD ON AUDIO OF MINUTES ON THE COUNTY WEBSITE.

12. REQUEST APPROVED – COVID TEST KITS AND LAB MACHINES – EMERGENCY MANAGEMENT

Motion by Commissioner Riley, seconded by Commissioner Metts, authorizing OEM to purchase from Abbott Labs COVID test kits and lab machines for use at Montgomery County Public Health in an amount not to exceed \$240,000. Funding to come from CARES Act Funds. Motion carried.

13. REQUEST APPROVED – TAX OFFICE QUEUING SYSTEM – EMERGENCY MANAGEMENT

Motion by Commissioner Meador, seconded by Commissioner Riley, to authorize the upgrade and installation of a queuing system for the tax offices in order to comply with CDC social distancing and occupancy recommendations in an amount not to exceed \$44,000. Tammy McRae is authorized to execute any necessary documents on behalf of Montgomery County. Funding for this equipment to come from CARES Act funds. This motion was amended to include the \$6,000 for installation, which will be funded from Contingency. Motion carried.

JASON MILLSAPS TOOK A MOMENT TO EXPRESS HIS APPRECIATION FOR THE JOB COMMISSIONER MEADOR HAS DONE.

14. REQUEST APPROVED – DONATION – CONSTABLE PRECINCT 1

Motion by Commissioner Meador, seconded by Commissioner Riley, to accept donation from Texans United for Freedom Organization in the amount of \$3,500 to be used for training purposes. The funds will be deposited into line 7100-740510. Constable Cash stated the donation would be used for Crisis Intervention Training for Mental Health Officers. Motion carried. County Clerk did not receive this check.

COMMISSIONER MEADOR LEFT THE COURTROOM.

15. REQUEST APPROVED – ENTITLEMENT FUNDS – COMMUNITY DEVELOPMENT

Motion by Commissioner Riley, seconded by Commissioner Metts, to accept additional entitlement funds in the amount of \$2,212,516 for continued COVID-19 relief efforts for low income households in Montgomery County. Judge Mark J. Keough is authorized to sign related paperwork. Motion carried.

COMMISSIONER MEADOR RETURNED TO THE COURTROOM.

16. REQUEST APPROVED – OPENING POSITIONS – COMMUNITY DEVELOPMENT

Motion by Commissioner Riley, seconded by Commissioner Meador, to open positions 642040-4283-2, Case File Monitor and 642040-4282-2, Finance Monitor effective December 26, 2020. Annualized salary each to be \$44,205. Both positions to be funded from multi-year HUD CDBG funds with no budget impact to county funds. These will be permanent full time positions, as opposed to temporary full time positions as they are currently. Commissioner Noack and Judge Keough opposed. Motion carried. NOTE: DISCUSSION IN FULL CAN BE HEARD ON AUDIO OF MINUTES ON THE COUNTY WEBSITE.

AGENDA ITEM 15A WAS DEFERRED.

17. REQUEST APPROVED – RESCIND AWARD PROJECT #21-10 – PURCHASING

Motion by Commissioner Riley, seconded by Commissioner Noack, to rescind award of Project #21-10, RFP Lead Based Paint Inspections and Other Services for Montgomery County, Texas Lead Hazard Control Program for MCCD, awarded on Commissioners Court November 17, 2020, with permission to re-advertise. Motion carried.

18. REQUEST APPROVED – AWARD PROJECT #21-03, CSP – PURCHASING

Motion by Commissioner Riley, seconded by Commissioner Noack, to approve the award for Project# 21-03, CSP - Montgomery County Sheriff's Substation District 2 for the Sheriff's Office, to LDF Construction, Inc., for \$3,533,900. Motion carried.

19. REQUESTS APPROVED – NRA GRANTS – GRANTS

Motion by Commissioner Riley, seconded by Commissioner Noack, to approve the following grants:

- A. Fiscal Year 2021 Training Equipment Project grant application to National Rifle Association (NRA) Foundation in the amount of \$5,248 for Sheriff's Office. No match required. Sgt. Roberts is authorized to submit grant electronically on behalf of Montgomery County.
- B. Fiscal Year 2021 Qualification Ammunition grant application to National Rifle Association (NRA) Foundation in the amount of \$4,258 for Constable Precinct 1



Office. No match required. Rebecca Ansley is authorized to submit grant application electronically on behalf of Montgomery County.

- C. Fiscal Year 2021 Training and Qualification Ammunition grant application to National Rifle Association (NRA) Foundation in the amount of \$9,481.03 for Constable Precinct 3 Office. No match required. Lt. Atkins is authorized to submit grant electronically on behalf of Montgomery County.

Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 18A: consider and approve Order Adopting Rules for Montgomery County, Texas for "On-Site Sewage Facilities" (OSSF) and accept public comments for the adoption of the proposed rules.

AGENDA ITEM 18B1: Consider the partial revision of the South Part of Lot 43, Capitol Hill Estates, Section 2, to be known as Capital Hill Storage.

AGENDA ITEM 18C1: Consider Memorandum of Understanding and Affidavit of No Objection between the County and Municipal Utility District No. 67's for an improvement of the Bear Branch Watershed to reduce the risk of flooding in the surrounding areas and accept public comments for the proposed project.

A CITIZEN HAD A QUESTION REGARDING AGENDA ITEM 18B1. COMMISSIONER RILEY SAID HE WOULD SPEAK WITH HIM AFTER COURT.

JIM STINSON, GM OF MUD 67, REQUESTED THE COURT'S APPROVAL OF AGENDA ITEM 18C1, WHICH HE SAID HAD TO DO WITH FUNDING FOR DRAINAGE IMPROVEMENT PROJECTS.

THERE BEING NO FURTHER COMMENTS FROM THE PUBLIC, THE PUBLIC HEARING WAS CONCLUDED AND COMMISSIONERS COURT RECONVENED.

20. REQUEST APPROVED – ON-SITE SEWAGE FACILITIES

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve Order Adopting Rules for Montgomery County, Texas for "On-Site Sewage Facilities" (OSSF). Commissioner Noack and Commissioner Metts abstained. Motion carried. NOTE: DISCUSSION IN FULL CAN BE HEARD IN AUDIO OF MINUTES ON THE COUNTY WEBSITE.

21. REQUEST APPROVED – MEMORANDUM OF UNDERSTANDING – COMMISSIONER PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve Memorandum of Understanding and Affidavit of No Objection between the County and Municipal Utility District No. 67 for an improvement of the Bear Branch Watershed to reduce the risk of flooding in the surrounding areas. There will be no cost to the County. Motion carried.

#### CITIZENS – AGENDA ITEM 19

Darin Bailey expressed her appreciation as a County employee and as a citizen, of Commissioner Meador. She thanked him for always looking out for the employees.

Commissioner Metts thanked Commissioner Meador for his help and support while Commissioner Metts was a Justice of the Peace and now that he is a Commissioner as well.

Commissioner Riley said he had leaned on Commissioner Meador for a long time, and there was no better person to lean on than Commissioner Meador. He said that he was going to miss him. He also told Commissioner-Elect Robert Walker that they welcomed him to become the new Commissioner, and thanked Commissioner Meador for his service.

Judge Keough stated that he appreciated the stability that Commissioner Meador brought to the Court and that he had the respect of everyone on the Court.

Mark Mooney said that he and Commissioner Meador went back a long way and that Commissioner Meador was not only the epitome of what a Commissioner should be, but also the epitome of what a friend should be.

Commissioner Meador said that he had enjoyed being a Commissioner and part of the Court so much.

#### 22. COURT ADJOURNS

Motion by Commissioner Meador, seconded by Commissioner Noack, to adjourn this session of Court. Motion carried.

The above and foregoing minutes were read and approved by the Court.

ATTEST:

Mark Turnbull, County Clerk  
Ex-Officio Clerk - Commissioners' Court  
Montgomery County, Texas

BY: Mark Turnbull  
COUNTY CLERK

[Signature]  
COUNTY JUDGE

