

COMMISSIONERS COURT DOCKET
NOVEMBER 19, 2019
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 19th day of November, 2019, 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 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	Amber Twiddy

INVOCATION GIVEN BY Linda Harper.

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

THE PLEDGE OF ALLEGIANCE TO THE TEXAS STATE FLAG RECITED.

JUDGE KEOUGH RECOGNIZED STATE REPRESENTATIVE WILL METCALF, WHO WAS PRESENT IN COURT.

COMMISSIONER RILEY WELCOMED THE MAGNOLIA ISD STUDENT LEADERSHIP GROUP THAT WAS IN ATTENDANCE.

CITIZENS COMMENTS:

Jay Sittleburg spoke in opposition to the Gun Sanctuary Resolution. He told the court that they had no home rule authority and very limited regulatory authority.

Holly Novak spoke in opposition to the Gun Sanctuary Resolution. She told the court about the the non-partisan grass roots movement Moms Demand Action. She stated they believe in common sense solutions to the nation's gun violence epidemic.

Blake Mow spoke in support of the Gun Sanctuary Resolution. He stated that we need to be on the offensive to stop a liberal apocalypse.

Linda Harper spoke in support of the Gun Sanctuary Resolution. She said she hopes the Commissioners do not confuse evil, mental illness, convicts with the actual weapon.

Amy Hamrick spoke in opposition to the Gun Sanctuary Resolution. She asked why the courts should have more protection than the citizens.

Mark Anthony Garza spoke in support of the Gun Sanctuary Resolution. He stated he looked at a gun as an equalizer for those who cannot protect their families.

Eric Yollick spoke in support of the Gun Sanctuary Resolution. He stated we should be a sanctuary for the American and Texas Constitutions.

Sue Ellen Meyers spoke in opposition to the Gun Sanctuary Resolution. She stated that the court is offering sanctuary to an idea over human beings.

1. COMMISSIONERS COURT AGENDA APPROVED.

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

AGENDA ITEM 7A – MONTGOMERY COUNTY EMPLOYEES COMMITTEE PRESENTED EMPLOYEE OF THE MONTH TO NANCY ISAACKS WITH THE SHERIFF’S DEPARTMENT FOR THE MONTH OF DECEMBER, 2019.

AGENDA ITEM 7B – LARRY FOERSTER WITH THE MONTGOMERY COUNTY HISTORICAL COMMISSION PRESENTED THE WILLIAM HARLEY GANDY DISTINGUISHED SERVICE AWARD TO JANE SANFORD KEPPLER AND JEAN HUOT SMOORENBURG.

2. RESOLUTION – GUN SANCTUARY COUNTY

Motion by Commissioner Riley, seconded by Commissioner Metts, to designate Montgomery County as a “Gun Sanctuary County” in order to preserve for the People of, on, and in Montgomery County. Motion carried.

3. PROCLAMATION APPROVED – NATIONAL ADOPTION DAY

Motion by Commissioner Meador, seconded by Commissioner Riley, to proclaim November 22, 2019 as National Adoption Day in Montgomery County. Motion carried.

4. RESOLUTION – MONTGOMERY COUNTY ANIMAL SHELTER

Motion by Commissioner Noack, seconded by Commissioner Riley, to recognize the Montgomery County Animal Shelter for their exemplary lifesaving work which led to the presentation of the 2019 Lifesaving Impact Award by the Petco Foundation. Motion carried.

AGENDA ITEMS 8M2a, 8M2b, 8M2c, AND 8O1 WERE DEFERRED.

JUDGE KEOUGH REFERRED TO AGENDA ITEM 8O1 AS 8 ZERO 1 (801) WHEN REMOVING IT FROM THE CONSENT AGENDA.

AGENDA ITEM 8G3b WAS MOVED TO THE OPEN SESSION. SEE MOTION 6 FOR COURT ACTION.

AGENDA ITEM 8G3c WAS MOVED TO THE OPEN SESSION. SEE MOTION 7 FOR COURT ACTION.

5. RESOLUTION AND ORDER APPROVED – CONSENT AGENDA – AGENDA ITEMS 8A-P

Motion by Commissioner Meador, 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 save and except the items removed from the consent agenda, as follows:

COUNTY AUDITOR – AGENDA ITEMS 8A1-7

- A1. REPORT ACCEPTED that complies with Local Government Code Section 114.023.
- A2. REQUEST APPROVED to increase cash drawer funds and change reserve for a total funds increase of \$300 at Justice of the Peace Precinct 3.
- A3. REPORT ACCEPTED that complies with Local Government Code Section 114.024.
- A4. REPORT OF OFFICIALS' FEES ACCEPTED as audited for April-July, 2019.
- A5. REPORT ACCEPTED that complies with Local Government Code Section 114.025.
- A6. INTERIM ARBITRAGE REBATE ANALYSIS REPORT ACCEPTED for the following:
 - a. Montgomery County, Texas
Pass-Through Toll Revenue and Limited Tax Bonds, S2009
 - b. Montgomery County, Texas
Certificates of Obligation, S2010A

c. Montgomery County, Texas
Certificate of Obligation, Taxable S2010B

d. Montgomery County, Texas
Certificates of Obligation, S2012
Limited Tax Refunding Bonds, S2012

e. Montgomery County, Texas
Certificates of Obligation, S2012A

f. Montgomery County, Texas
Pass-Through Toll Revenue and Limited Tax Refunding Bonds, S2012

g. Montgomery County, Texas
Unlimited Tax Road Bonds, S2016A
Limited Tax Refunding Bonds, S2016A

h. Montgomery County, Texas
Unlimited Tax Road Bonds, S2018

i. Montgomery County, Texas
Limited Tax Refunding Bonds, S2014A

j. Montgomery County, Texas
Unlimited Tax Road Bonds, S2016
Limited Tax Refunding Bonds, S2016

- A7. REQUEST APPROVED to use of the District/County Court Technology Fund (Fund 241) in the amount of \$1,536.66. This is to fix ELMO in Overflow Courtroom and annotator used by County Court at Law No. 5.

BUDGET OFFICE – AGENDA ITEMS 8B1-5

- B1. ADJUSTMENTS AND AMENDMENTS APPROVED AND AUTHORIZED for Grant Departments for fiscal year 2020.
- B2. LINE ITEM TRANSFERS AND ADJUSTMENTS APPROVED AND AUTHORIZED for FY 2019 Budget according to Budget Policy.
- B3. LINE ITEM TRANSFERS AND ADJUSTMENTS APPROVED AND AUTHORIZED for FY 2020 Budget according to Budget Policy.
- B4. ADJUSTMENTS AND AMENDMENTS APPROVED AND AUTHORIZED for Grant Departments for fiscal year 2019.

- B5. PREVIOUS ACTIONS TAKEN MEMORIALIZED from prior Commissioners Court Meetings on changes to the Fiscal Year 2020 Budget related to carryovers from Fiscal Year 2019 to Fiscal Year 2020.

TREASURER – AGENDA ITEM 8C1-4

- C1. INVESTMENTS MATURED REPORT-RECEIPTING ACCEPTED for 10-18-19.
- C2. INVESTMENTS MATURED REPORT ACCEPTED for 10-25-19.
- C3. MONTHLY INVESTMENT REPORT APPROVED for 10-31-19.
- C4. MONTHLY STATEMENT OF BALANCES REPORT APPROVED for October 2019.

TAX ASSESSOR/COLLECTOR – AGENDA ITEMS 9D1-2

- D1. ANNUAL COUNTY COLLECTIONS REPORT ACCEPTED for October 1, 2018- September 30, 2019.
- D2. ACCEPTANCE ACKNOWLEDGED of rider for Surety Bond #POB8365450 for H. E. Butt Grocery Company, increasing bond from \$200,000 to \$250,000. Montgomery County has no responsibility for payment of this bond.

PURCHASING – AGENDA ITEMS 8E1-4

- E1. RENEWALS OPTIONS APPROVED:
 - a. Project #2017-0007 Job Order Contract for Minor Construction Trades with Horizon International Group, LLC, Nash Industries, Inc., TAS Mechanical, Inc. dba Total Air Service, and Emcor-Gowan, Inc. for various departments(exercising the second of three renewal options).
- E2. CHANGE ORDERS APPROVED:
 - a. CO #3 Project 18-46 to Randy Roan Construction, Inc. for Airport Road Parking Lot Construction to add new unit items: trench drain and bored conduit in the amount of \$17,650 for Commissioner Precinct 1 and Extension Office.
 - b. CO #1 Project 19-21 to WadeCon, LLC for Firehouse Road Reconstruction and Widening to add unit items required to complete the project in the amount of \$6,480 for Commissioner Precinct 4.

- E3. AWARD APPROVED for the following:
 - a. Project #20-04 Demolition and Site Clearing to Inland Environments, LTD for various departments.
- E4. INTERLOCAL PARTICIPATION AGREEMENT APPROVED for the GoodBuy Purchasing Cooperative, Education Service Center, Region 2 for Various Departments. Local Gov't Code §271.102

COMMISSIONERS – AGENDA ITEMS 8F1-3

- F1. PRECINCT 1
 - a. USE AGREEMENT APPROVED with BGB Youth Baseball (Bullets) to use the baseball fields at West Montgomery Park for practices as scheduled by Montgomery Little League through August 1, 2020.
- F2. PRECINCT 3
 - a. USER AGREEMENT, RULES, AND REGULATIONS APPROVED for Precinct 3 Community Center.
- F3. PRECINCT 4
 - a. CHECK ACCEPTED from City of Roman Forest in the amount of \$1,349.41 for the purchase of fuel for October 2019. This will be deposited into line item number 615-7926. Check has been forwarded to the Auditor for further processing.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 8G1-3

- G1. PRECINCT 2
 - a. AGREEMENT APPROVED for A Local On-System Improvement Project for Fish Creek Thoroughfare Overpass with Texas Department of Transportation and Commissioner Charlie Riley is authorized to sign all related paperwork. No local match is required.
 - b. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE SYSTEM in Fosters Ridge, Section 18.
 - c. FINAL PLAT APPROVED of Mill Creek Estates, Section 1; 46.48 acres; John B. Richards Survey, A-449.

- d. FINAL PLAT APPROVED of Pine Market at Woodforest, Section 3; 5.7529 acres; Thomas Curry Survey, A-136.
- e. FINAL PLAT APPROVED of Bluejack Southern Living Enclave; 4.351 acres; Thomas C. Bradberry Survey, A-91

G2. PRECINCT 3

- a. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Honeycomb Ridge and bond is released.

G3. PRECINCT 4

- a. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Timberland Cove, Section 1.
- b. AGENDA ITEM 8G3b WAS MOVED TO THE OPEN SESSION. SEE MOTION 6 FOR COURT ACTION.
- c. AGENDA ITEM 8G3c WAS MOVED TO THE OPEN SESSION. SEE MOTION 7 FOR COURT ACTION.
- d. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Harper's Preserve, Section 16-B.
- e. STREETS ACCEPTED INTO THE ONE YEAR MAINTENANCE PERIOD in Meadow Glen, Section 2.

HUMAN RESOURCES – AGENDA ITEM 8H1

H1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of Animal Control to place Janela Lian Tan, Animal Care Technician, on payroll, effective November 18, 2019.

Request of Custodial to discharge Rebecca Lynn Greer, Custodian, effective November 7, 2019. [No benefits due]

Request of Custodial to increase the salary of Nayeli Hernandez Diaz, Custodian, due to completion of probationary period, effective December 8, 2019.

Request of Custodial to increase salary of Yamilet Abarca Herrera, Custodian, due to completion of probationary period, effective December 2, 2019.

Request of Custodial to increase salary of Rafael Raya, Custodian, due to completion of probationary period, effective November 24, 2019.

Request of Commissioner Precinct 2 to increase salary of Campbell Alan Van Winkle, Operator I, due to merit increase, effective November 16, 2019.

Request of Commissioner Precinct 4 to place Michael Belz, Inspector, on payroll, effective November 4, 2019.

Request of Commissioner Precinct 4 to correct hour rate of Joel Hugo Sanchez Salas, Projects & Logistics Coordinator, effective November 4, 2019.

Request of County Auditor to place Eric Grove, Internal Audit Lead, on payroll as replacement for Suzanne Dubois, effective November 18, 2019.

Request of County Clerk to place Stephanie Norris, Clerk II, on payroll due to return from unpaid FMLA/disability leave, effective November 4, 2019.

Request of District Clerk to place Kayla Adams, Court Clerk II, on payroll as replacement for Shari Taylor, effective November 12, 2019.

Request of Elections to decrease salary of Leah Vivar, Voter Clerk, due to a change in duties, effective November 16, 2019.

Request of Extension Agents to place Jennifer Derks, 4-H Coordinator, on payroll due to return from unpaid FMLA/disability leave, effective November 12, 2019.

Request of Forensic Services to place Alison Batchelor, Forensic Lab Tech I, on payroll as replacement for Andrew Smith, effective November 25, 2019.

Request of Justice of the Peace Precinct 4 to correct certification pay of Victoria Thornton, Admin Manager I, as replacement for Harry Brian Stanley, effective October 21, 2019.

Request of Juvenile to change status of Nathan Bailey Fletcher, Juvenile Supervision Officer, as replacement for Jeffrey Andrews, effective November 16, 2019.

Request of Juvenile to change status of Mirline Smith, Juvenile Supervision Officer, as replacement for Rhonda Richardson, effective November 16, 2019.

Request of Library to change status Victoria Dahcotah Allums, Library Assistant II, as replacement for Deborah Lynn Wood, effective November 16, 2019.

Request of Library to place Stephanie Hiser, Shelving Clerk, on payroll, effective November 18, 2019.

Request of Library to accept the resignation of Dorothea Morgan-Richter, Clerk III, effective December 6, 2019. [23.44 hours or balance vacation; 8.00 hours or balance holiday]

Request of Office of Court Administration to accept the resignation of Nathan Jensen, Director-Court Administration, effective December 6, 2019. [153.4250 hours or balance vacation; 8.00 hours or balance holiday]

Request of Office of Court Administration to place Chad Peace, Director-Court Administration, on payroll as replacement for Nathan Jensen, effective December 9, 2019.

Request of Sheriff to increase salary of Tina Louise Birch, Deputy, due to step increase, effective November 16, 2019.

Request of Sheriff to place Marisa Dowden, Dispatcher, on payroll as replacement for Jose Angelo Teoxon, effective November 16, 2019.

Request of Sheriff to increase salary of Hector Raciél Estrada, Detective, due to step increase, effective November 16, 2019.

Request of Sheriff to place Michael Ford, Officer Civilian Deten, on payroll, as replacement for Trevor Conway Powers, effective November 16, 2019.

Request of Sheriff to place Kane Gideon, Officer Civilian Deten, on payroll as replacement for Shana Amber Hales, effective November 16, 2019.

Request of Sheriff to place John Glover, Officer Civilian Deten, on payroll as replacement for Zachary Ryan Britton, effective November 16, 2019.

Request of Sheriff to accept the resignation of Angelique Hollier, Records Specialist I, effective November 11, 2019. [No benefits due]

Request of Sheriff to promote Barbara Annette Jenkins, Officer Civil Det II, as replacement for Samuel Alamazon Jr., effective November 16, 2019.

Request of Sheriff to increase salary of Brian Scott Kovacs, Deputy Bailiff, due to step increase, effective November 16, 2019.

Request of Sheriff to place Sarah Lee, Dispatcher, on payroll as replacement for Maria R. Ferri, effective November 16, 2019.

Request of Sheriff to place Angel Montes, Officer Civilian Deten, on payroll as replacement for Dianna H. Smith, effective November 16, 2019.

Request of Sheriff to increase salary of Duane Rohde, Deputy Patrol, due to step increase, effective November 16, 2019.

Request of Sheriff to transfer Sarah Michelle Rose, Deputy Detention, as replacement for Kathleen M. McLaughlin, effective November 16, 2019.

Request of Sheriff to promote Dianna H. Smith, Officer Civil Det II, effective November 16, 2019.

Request of Sheriff to promote Malissa Marie Westerfield, Corporal, as replacement for Ashley M. Mellon, effective November 16, 2019.

Request of Tax Assessor-Collector to accept the resignation of Amy Garcia, Deputy Specialist III, effective December 2, 2019. [59.89 hours or balance vacation; 0.38 compensatory time; 8.00 hours or balance holiday]

ENVIRONMENTAL HEALTH – AGENDA ITEMS 8I1-4

- I1. ORDER APPROVED to abate a public nuisance and approve a request for demolition on the following property that is abandoned, deemed unsafe, or unlivable Precinct 1 14177 Shadow Bay Dr., Willis, Texas 77378 at an estimated total cost of \$4,500.00 funded by CDBG.
- I2. ORDER APPROVED to abate a public nuisance and approve a request for demolition on the following property that is abandoned, deemed unsafe, or unlivable Precinct 4 25694 Pine Dr., New Caney, TX 77357 with an estimated total cost of \$3,500 to be funded by Precinct 4 Commissioner.
- I3. ORDER APPROVED assessing cost of abating nuisance and notice of lien to be filed in real property records to recover cost to the County for demolition for abate nuisance for 11990 Nelwood St., Willis, Texas 77318.
- I4. ORDER APPROVED assessing cost of abating nuisance and notice of lien to be filed in real property records to recover cost to the County for demolition for abate nuisance for 16106 S. Ravenwood Dr. Magnolia, Texas 77354.

COUNTY JUDGE – AGENDA ITEM 8J1

- J1. APPOINTMENTS APPROVED of Joy Montgomery, Ryan Londeen, and Olivia “Dell” Wise to the Montgomery County Historical Commission.

OFFICE OF COURT ADMINISTRATION – AGENDA ITEMS 8K1-2

- K1. ANNUAL TECHSHARE RESOURCE SHARING AGREEMENT AND ADDENDUM APPROVED for Montgomery County’s use of TechShare.Indigent

Defense. County Judge Mark J. Keough is authorized to sign documents on behalf of Montgomery County.

- K2. APPOINTMENT APPROVED of Berenice Greathouse as TechShare Stakeholder Committee appointee for Montgomery County. This appointment is to replace Nate Jensen.

EMERGENCY MANAGEMENT – AGENDA ITEM 8L1

- L1. ORDER APPROVED to accept the Information Sharing Access Agreement (ISAA) with FEMA. Darren Hess is authorized to sign on behalf of Montgomery County.

COUNTY ATTORNEY – AGENDA ITEMS 8M1-3

M1. PRECINCT 1

- a. RESOLUTION AND ORDER TO PAY APPROVED to approve the Possession and Use Agreement and authorize funding of the agreement for Parcel 104 of the FM 1097 Project between Montgomery County and Duane Corley. County Judge is authorized to execute the agreement on behalf of Montgomery County and County Auditor and Treasurer are authorized and ordered to issue payment from line item 6124017.7598582 and project code RD100011 to McFarland PLLC for the benefit of Duane Corley in the amount of \$27,179.00.
- b. RESOLUTION AND ORDER APPROVED for the independent consideration for the possession and use of grantor's property for parcel 104 between Montgomery County and Duane Corley. County Judge is authorized to execute the agreement on behalf of Montgomery County and County Auditor and Treasurer are authorized and ordered to issue payment from line item 6124017.7598582 and project code RD100011 to McFarland PLLC for the benefit of Duane Corley in the amount of \$4,530.00.
- c. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 2 for the Shepherd Hill Road Right of Way Acquisition Project from Melvin Moore for the total sum of \$13,405.20 and to accept the executed or to be executed deed.
- d. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 3 for the Shepherd Hill Road Right of Way Acquisition Project from James D. Poole for the total sum of \$13,531.34 and to accept the executed or to be executed deed.

M2. PRECINCT 3

- a. AGENDA ITEM 8M2a WAS DEFERRED.
- b. AGENDA ITEM 8M2b WAS DEFERRED.
- c. AGENDA ITEM 8M2c WAS DEFERRED.

M3. PRECINCT 4

- a. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 21 for the widening of Sorters Road from Melvin M. Engel, Joseph P. Conte Jr. and Susan Carol Conte, Tony Miglicco and Holly D. Perry Testamentary Trust for the total sum of \$11,105.45 and to accept the executed or to be executed deed.
- b. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 32 for the widening of Sorters Road from Joseph A. Ceal for the total sum of \$193,825.82 and to accept the executed or to be executed deed.
- c. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition, purchase and funding of the acquisition of Parcel 64 for the widening of Sorters Road from Maria Julisa Ochoa and Jorge Luis Ochoa for the total sum of \$18,769.70 and to accept the executed or to be executed deed.
- d. ORDER APPROVED authorizing First Amended Access Authorization Agreement between Red Oak Pipeline, LLC and Montgomery County.
- e. ORDER APPROVED authorizing conveyance of Lot 32 Block 4 River Ridge Subdivision Precinct 4 from Montgomery County to Harold J. Schultz and Mary Louise Schultz and acceptance of cashiers check in the amount of \$10,000. Check has been forwarded to the Auditor for further processing.

COUNTY ATTORNEY – MENTAL HEALTH TREATMENT FACILITY – AGENDA ITEM 8N1

- N1. EMERGENCY OPERATIONS PLAN APPROVED for 2019.

CONSTABLE PRECINCT 4 – AGENDA ITEM 8O1

- O1. AGENDA ITEM 8O1 WAS DEFERRED.

GRANTS – AGENDA ITEM 8P1

- P1. FISCAL YEAR 2020 STATE AUTOMATED VICTIM NOTIFICATION SYSTEM (SAVNS) SERVICE AGREEMENT ACCEPTED. The grant was accepted in Commissioners Court on 11/12/2019.

Motion carried.

END OF CONSENT AGENDA

6. STREETS ACCEPTED – ONE YEAR MAINTENANCE – COUNTY ENGINEER-PRECINCT 4

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the acceptance of streets into the one year maintenance period in Forest Trace, Section 2. Commissioner Metts abstained. Motion carried.

7. STREETS ACCEPTED – ONE YEAR MAINTENANCE – COUNTY ENGINEER-PRECINCT 4

Motion by Commissioner Riley, seconded by Commissioner Meador, to approve the acceptance of streets into the one year maintenance period in Forest Trace, Section 3. Commissioner Metts abstained. Motion carried.

CITIZENS – AGENDA ITEM 10

Commissioner Meador left the court room.

Russell Schoonover addressed the court concerning the towing rotation ordinance. He was concerned with the 15 minute time limit to get to a scene. He also was concerned with the heavy duty, medium duty and light duty weights. He stated the group needs to come together and the Commissioners need to look at it a little deeper.

Commissioner Meador returned to the court room.

Charles Miller also addressed the court concerning the towing rotation ordinance. He is concerned with the vague tow truck definitions used in the ordinance, the fact that new vehicles cannot be used until the next calendar year, and the 15 minute time limit.

Dennis Blake also addressed the court concerning the towing rotation ordinance. He stated that it is not going to work. He was concerned about the 15 minute time limit. He stated that this will not work for smaller companies.

Clinton Bass also addressed the court concerning the towing rotation ordinance. He stated that the ordinance is not a solution to the problem. He stated the Sheriff Deputies should work the accident scenes. He would like the ordinance tabled until the census comes out.

Justin Baack also addressed the court concerning the towing rotation ordinance. He stated that the rotation will effects jobs. He stated that the solution is to clear scenes quicker and have the Sheriff Deputies work accidents.

Brandon Baack also addressed the court concerning the towing rotation ordinance. He stated that he agreed there were way too many wreckers on scene. He stated that the rotation is not going to fix the problem. He stated maybe regulating the amount of wreckers per car would work. He would like the item tabled until a policy can be found that works for everyone.

Ricky Baack also addressed the court concerning the towing rotation ordinance. He is against the ordinance. He stated that the ordinance will put single truck drivers out of business.

Ken Ulmer also addressed the court concerning the towing rotation ordinance. He commended the county for putting together a policy and pointed out various issues with the policy.

Jay Burgess also addressed the court concerning the towing rotation ordinance. He stated that deputies need to work the scenes. He stated that the wrecker drivers are not the problem and that it is a problem with the county and deputies not working the scene.

Brian Loveday also addressed the court concerning the towing rotation ordinance. He did not like the fact that all would be required to have a storage lot or the 15 minute time limit. He stated that the rotation is not the way to go

Glen Bryant also addressed the court concerning the towing rotation ordinance. He stated that the issue with the storage lot will effect all drivers and storage lot operators.

Del Harris also addressed the court concerning the towing rotation ordinance. He stated that a rotation works with some things in the industry, but not accidents. He stated that a rotation and chip system would work best. He said first officer on scene needs to stop additional wreckers from racing to the scene.

Charles Duke also addressed the court concerning the towing rotation ordinance. He stated that the wreck should be worked sooner and long wait times hurt local competition.

8. OPEN AGENDA APPROVED – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the open agenda. Motion carried.

9. APPOINTMENTS APPROVED – TRANSPORTATION POLICY COUNCIL – COUNTY JUDGE

Motion by Commissioner Noack, seconded by Commissioner Meador, to appoint Judge Keough as representative to the Transportation Policy Council and Commissioner Metts as alternate for the 2020 term. Motion carried.

10. APPOINTMENTS APPROVED – HGAC’S TECHNICAL ADVISORY COMMITTEE – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Metts, to approve the appointments of Jeff Johnson, P.E. as representative and Brian C. Clark, P.E. as alternate representative to HGAC’s Technical Advisory Committee. Motion carried.

11. REQUEST APPROVED – CARRYOVERS – BUDGET OFFICE

Motion by Commissioner Noack, seconded by Commissioner Meador, to authorize additional carry-overs from Fiscal Year 2019 to Fiscal Year 2020, but not authorize the purchase of radios until stock is used. Motion carried.

12. MOTION TABLED – TOWING ROTATION – SHERIFF

Motion by Commissioner Noack, seconded by Commissioner Riley, to table the proposed Ordinance Regulating Incident Management Towing Rotation and Storage Services. Motion carried.

13. WORKSHOP APPROVED – TOWING ROTATION – SHERIFF

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve setting a workshop on January 9, 2020 at 6:00-8:00 p.m. to discuss the proposed Ordinance Regulating Incident Management Towing Rotation and Storage Services. Motion carried.

14. TAX ABATEMENT OPPOSED – LEVITATED METALS HOLDINGS, LLC – TAX ASSESSOR-COLLECTOR

Motion by Commissioner Noack, seconded by Commissioner Riley, to oppose the Tax Abatement Agreement between Montgomery County and Levitated Metals Holdings, LLC. Motion carried.

15. TAX ABATEMENT APPROVED – BUSKE LINES, INC. – TAX ASSESSOR-COLLECTOR

Motion by Commissioner Meador, seconded by Commissioner Riley, to approve the Tax Abatement Agreement between Montgomery County and Conroe RE 2019, LLC and Buske Lines, Inc. Judge Keough and Commissioner Noack voted “No.” Motion carried.

16. PAYMENT OF ACCOUNTS APPROVED – AUDITOR

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve the payment of accounts. Motion carried.

17. CHANGE ORDER APPROVED – GLENN FUQUA, INC. – COMMISSIONER PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Noack, to approve CO #2 to Glenn Fuqua, Inc. for Project# 18-31 Grand Pines Road Construction to add new unit item, additional materials and additional ten (10) days for an increase of \$196,750.00 for Commissioner Precinct 2. Motion carried.

AGENDA ITEM 16A - CONSIDER AND TAKE APPROPRIATE ACTION ON AMENDMENT TO MANAGEMENT AND OPERATIONS AGREEMENT BETWEEN MONTGOMERY COUNTY AND WELLPATH RECOVERY SOLUTIONS WAS DEFERRED

AGENDA ITEM 17A – WEBB MELDER GAVE A PRESENTATION CONCERNING THE LONESTAR GROUND WATER CONSERVATION DISTRICT BOARD.

COMMISSIONER METTS LEFT THE COURTROOM, BUT RETURNED BEFORE THE END OF THE PRESENTATION.

He stated that the board is challenged with issues that even that State have not seen and the board is working diligently to do things proper, legal and quick for the benefit of the citizens of all of Montgomery County. He also discussed a study based on Montgomery County subsidence.

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

AGENDA ITEM 18A – EXECUTIVE SESSION WAS NOT NECESSARY AT THIS TIME.

CITIZENS – AGENDA ITEM 20

COMMISSIONER NOACK LEFT THE COURTROOM.

Rob Miller addressed the court concerning feral hogs in Windsor Hills. He discussed a USDA program for feral swine eradication. He presented the paperwork to Commissioner Riley.

COMMISSIONER NOACK RETURNED TO THE COURTROOM.

Michael Tower also addressed the court concerning the feral hogs in Windsor Hills and the program used in Cypress to eradicate the hogs.

Kevin Langley addressed the court concerning parking issues in Kings Manor. He stated that the area is not patrolled unless they are called.

Larry Rogers suggested a pig killing contest to kick off the Gun Sanctuary Resolution.

Carlos Wehby also addressed the court concerning feral hogs. He asked that the county consider applying for the funds to find a solution to the problem.

MISCELLANEOUS – AGENDA ITEM 21 – NO OTHER ITEMS LISTED.

18. 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

