

#4 93  
SEP 22 2020

COMMISSIONERS COURT DOCKET  
AUGUST 25, 2020  
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 25<sup>th</sup> day of August, 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 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 Nelda Blair.

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 Meador, to approve Commissioners Court Agenda for discussion and necessary action. Motion carried.

CITIZENS – Agenda Item 7

John Nicks stated that the Tri-County facility needs more funding.

Pam Dixon with Mission Northeast was thankful for help from CDBG.

PRESENTATION – MONTGOMERY COUNTY EMPLOYEES' COMMITTEE – EMPLOYEE  
OF THE MONTH

Berenice Greathouse was presented with the Employee of the Month award for August by Chad Peace.

2. PROCLAMATION APPROVED – 100<sup>TH</sup> ANNIVERSARY

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the proclamation celebrating the 100<sup>th</sup> anniversary of the certification of the 19<sup>th</sup> Amendment to the United States Constitution granting women the right to vote. Motion carried.

3. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve the Minutes from Regular Session of Commissioners Court dated August 11, 2020. Motion carried.

AGENDA ITEM 10C4 WAS MOVED TO THE OPEN SESSION; SEE MOTION 5 FOR COURT ACTION.

AGENDA ITEM 10C5 WAS MOVED TO THE OPEN SESSION; SEE MOTION 6 FOR COURT ACTION.

AGENDA ITEM 10R1a WAS MOVED TO THE OPEN SESSION; SEE MOTION 7 FOR COURT ACTION.

4. RESOLUTION AND ORDER APPROVED – CONSENT AGENDA – AGENDA ITEMS 10A-S

Motion by Commissioner Riley, seconded by Commissioner Meador, 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 10A1-5

A1. PAYMENT OF ACCOUNTS APPROVED, as submitted by the County Auditor.

A2. REPORT ACCEPTED that complies with Local Government Code Section 114.023.

A3. REPORT ACCEPTED that complies with Local Government Code Section 114.024.

A4. REPORT ACCEPTED that complies with Local Government Code Section 114.025.

A5. COMPLETED AUDITS ACCEPTED FOR THE FOLLOWING:

- a. Compliance Audits FY2020 Quarter 1
- b. District Clerk Registry funds – FY2019

BUDGET OFFICE – AGENDA ITEMS 10B1-2

- B1. LINE ITEM TRANSFERS AND ADJUSTMENTS APPROVED for Fiscal year 2020 Budget according to Budget Policy.
- B2. ADJUSTMENTS AND AMENDMENTS APPROVED for Grant Departments for Fiscal Year 2020.

TREASURER – AGENDA ITEMS 10C1-5

- C1. DONATION ACCEPTED of \$5,049.46 to the Animal Shelter from the Humane Society of the United States. This will be deposited into project DN0001 Animal Shelter Donation. The County Clerk did not receive this check.
- C2. MONTHLY STATEMENT OF BALANCES REPORT APPROVED for July 2020.
- C3. MONTHLY INVESTMENT REPORT APPROVED for July 2020.

AGENDA ITEM 10C4 WAS MOVED TO THE OPEN SESSION; SEE MOTION 5 FOR COURT ACTION.

AGENDA ITEM 10C5 WAS MOVED TO THE OPEN SESSION; SEE MOTION 6 FOR COURT ACTION.

TAX ASSESSOR/COLLECTOR – AGENDA ITEM 10D1

- D1. MONTHLY TAX COLLECTION REPORT ACCEPTED for the month ending July 2020.

PURCHASING – AGENDA ITEMS 10E1-5

- E1. RESOLUTION AND ORDER APPROVED to donate surplus materials to civic or charitable organization and to further authorize the donation of 39 surplus/salvageable mobile phone devices to the Montgomery County Women's Center as authorized by Section 263.152(a)(4) Texas Local Government Code.
- E2. CHANGE ORDERS APPROVED:
  - a. CO #3 to Bey Commercial Construction, Ltd., for Project #20-12 - Sallas Park Improvements to delete items in the amount of \$35,258.50 for MCCC/Precinct #4.

b. CO #2 to Main Lane Industries, Ltd., for Project #20-08 - Widening of Lake Woodlands Dr. (Project "A") in the amount of \$80,817.59 and IH-45 Parkway Traffic Signalization and Robinson Rd. Widening (Project "B") in the amount of \$120,723 for a total increase amount of \$201,540.59 for Commissioner Precinct 3.

c. CO #1 to Consolidated Communications for Project #20-17 RFP Internet Protocol Telephony (VoIP) Services for additional lines for Information Technology

E3. AWARD APPROVED to Teamwork Construction Services, Inc. for Project #20-36 Intersection Improvements Grogans Mill at South Millbend for Commissioner Precinct 3.

E4. RENEWAL OPTIONS APPROVED:

a. Project #2017-0047 Temporary Manual Labor with FW Services, Inc., dba Pacesetter Personnel Services for various departments (exercising the third of three renewal options).

b. Project #19-40 Real Property Appraisal Services with Bowden Appraisal Group, Inc., and The Gerald A. Teel Company, Inc., dba Valbridge Property Advisors for Emergency Management (exercising the first of four renewal options).

E5. DISCRETIONARY EXEMPTIONS APPROVED:

EXEMPTION APPROVED to the competitive bid requires as authorized by Section 262.024(a)(2) for an item necessary to preserve and protect the health or safety of the residents of the county – 100 Ligature resistant, ADA toilets and lavatories from Holland Plumbing at the Montgomery County Mental Health Treatment Facility in an amount not to exceed \$395,000.

#### RISK MANAGEMENT – AGENDA ITEMS 10F1-3

F1. RESOLUTION AND ORDER APPROVED regarding the imprest balance in the Third Party Administrator's claim account.

F2. CHANGES, ADDITIONS AND RELEASES APPROVED for the following:

<u>BOND</u>	<u>NAME/DEPT</u>	<u>AMOUNT</u>	<u>ACTION</u>
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13397681	Adams, Craig/Const. Pct. 1	\$5,000	Continuation Certificate
61134607	Arnold, Cory/Const. Pct. 4	\$5,000	Continuation Certificate
14512838	Arnold, Glen/Const. Pct. 3	\$5,000	Continuation Certificate
14512838	Arnold, Glen/Const. Pct. 3		Rider- Description Change
61452205	Atkins, Michael/Const. Pct. 3	\$5,000	Continuation Certificate
15037335	Bergland, Josh/Const. Pct. 4	\$5,000	Continuation Certificate
63753809	Chastun, Jarrod/Const. Pct. 5	\$5,000	Continuation Certificate
61424436	Gable, Ryan/Const. Pct. 3	\$10,000	Continuation Certificate
61308495	Gilbert, Shawn/Const. Pct. 3	\$5,000	Continuation Certificate
61308495	Gilbert, Shawn/Const. Pct. 3		Rider- Description Change
14382031	Gladden Jr., Willie/Const. Pct. 2	\$5,000	Continuation Certificate
18135748	Harrison, Lonnie/Const. Pct. 5	\$5,000	Continuation Certificate
61149212	Harvey, Helen/Elections	\$5,000	Continuation Certificate
64743591	Hoye, Blake/Const. Pct. 3	\$5,000	Continuation Certificate
63753876	Justice, Daniel/Const. Pct. 5	\$5,000	Continuation Certificate
65165416	Kimmons, Robbie/Const. Pct. 1	\$5,000	New Bond
65007518	Loucks, Justin/Const. Pct. 3	\$5,000	New Bond
24808977	Luly, Mickey/Const. Pct. 1	\$5,000	Continuation Certificate
14512862	Manz Jr., Joe/Fire Marshal	\$5,000	Continuation Certificate
65165332	McGee, Max/Const. Pct. 1	\$5,000	New Bond
14883210	Morrow, Dwayne/Const. Pct. 4	\$5,000	Continuation Certificate
64767106	Oelsner, Robert/Const. Pct. 4	\$5,000	Continuation Certificate
63769728	Perkins, Teresa/Const. Pct. 5	\$5,000	Continuation Certificate

64743606	Reese, Stephen/Const. Pct. 3	\$5,000	Continuation Certificate
61436477	Rodrigue, Matthew/Const. Pct. 3	\$5,000	Continuation Certificate
61436477	Rodrigue, Matthew/Const. Pct. 3		Rider- Description Change
63714830	Sanson, William/Const. Pct. 1	\$5,000	Continuation Certificate
63753856	Seibert, Richard/Const. Pct. 5	\$5,000	Continuation Certificate
63753857	Seibert, Richard/Const. Pct. 5		Rider- Description Change
61145302	Walling, Chad/Const. Pct. 5	\$5,000	Continuation Certificate
15486565	Williams, Marshall/Const. Pct. 5	\$5,000	Continuation Certificate
63752980	Wolsey, Ryan/Const. Pct. 3	\$5,000	Continuation Certificate

- F3. COVID-19 RELATED ENDORSEMENT ACCEPTED to certain MetLife Group Dental Insurance Policy(ies), providing for limited premium credit to participating employees. Risk Management and other concerned departments are authorized to take all appropriate steps to facilitate same.

DISTRICT ATTORNEY – AGENDA ITEM 10G1

- G1. EXEMPTION APPROVED to Montgomery County Policy 5.1-6 and 5.1-18 authorizing payment to exempt employees and program eligible employees in reference to the "No Refusal" TxDOT grant allowing for overtime payment for employees working no refusal weekends. The match for the Assistant District Attorney fringe will come from the District Attorney's Office. Andrew James is authorized to electronically accept on behalf of Montgomery County.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 10H1-2

H1. PRECINCT 2

- a. STREETS ACCEPTED into the one-year maintenance period in Arbor Trace.
- b. STREETS ACCEPTED into the one-year maintenance period in Woodtrace, Section 12.
- c. FINAL PLAT APPROVED of Woodforest, Section 89; 9.265 Acres; James Pevehouse Survey; A-29.
- d. FINAL PLAT APPROVED of Garages of Texas At The Woodlands; 11.108 Acres; Thomas Taylor Survey; A-546.

- e. FINAL PLAT APPROVED of Audubon Creekside North, Section 1; 3.1836 Acres; Tyler Owen Survey; A-409, John B. Richards Survey; A-449, Charles Frazier Survey; A-206.
- f. FINAL PLAT APPROVED of Audubon Creekside North, Section 2A; 11.53 Acres; Charles Frazier Survey; A-206.

## H2. PRECINCT 4

- a. STREETS ACCEPTED into the county road maintenance system in Ricewood Drive Street Dedication, Section 2, and bond is released.
- b. STREETS ACCEPTED into the one-year maintenance period in Hills of Westlake, Section 2.
- c. STREETS ACCEPTED into the county road maintenance system in Country Colony, Section 5, and bond is released.
- d. STREETS ACCEPTED into the county road maintenance system in Country Colony, Section 6, and bond is released.
- e. FINAL PLAT APPROVED of Valley Ranch Town Center Apartments; 21.50 Acre; William Massey Survey; A-387.

## HUMAN RESOURCES – AGENDA ITEM 10I1

### II. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of Animal Services to accept the resignation of Mangala Krishnappa, Veterinarian, effective September 4, 2020. [163.5158 hours or balance vacation; 45.00 hours or balance holiday]

Request of Custodial to accept the resignation of Jonathan Carbajal, Custodian, effective August 7, 2020. [No benefits due]

Request of Commissioner Precinct 2 to discharge Edward Otter, Operator II, effective August 7, 2020. [104.78 hours or balance vacation; 122.50 hours or balance comp; 32.00 hours or balance holiday]

Request of Commissioner Precinct 4 to accept the resignation of Justin Mallard, Operator II, effective August 13, 2020. [No benefits due]

Request of Constable 5 to promote Paul Brown, Sergeant Constable, as replacement for Joshua Carley, effective August 22, 2020.

Request of Constable 5 to promote Joshua Carley, Lieutenant Constable, as replacement for Laurie Bagwell, effective August 22, 2020.

Request of County Attorney to correct PCR effective date for Laura (Christy) Parker, Legal Assistant III, to August 31, 2020.

Request of District Attorney to place Elliott R. Blott, Court Clerk IV, on payroll as replacement for Renee D. Rhinefort, effective August 24, 2020.

Request of District Attorney to place Gracey M. Doane, Court Clerk IV, on payroll as replacement for Erica K. Jankowski, effective August 24, 2020.

Request of District Attorney to promote Shannon Jackson, Legal Assistant I, as replacement for Meagan Moerbe, effective September 7, 2020.

Request of District Attorney to place Jared M. Kennedy, Attorney I, on payroll as replacement for Erica Elena Ortega, effective August 31, 2020.

Request of District Attorney to change position of Meagan M. Moerbe, Legal Assistant I, as replacement for Victoria L. Swenceski, effective September 7, 2020.

Request of District Attorney to place Zayna Radwan, Attorney I, on payroll as replacement for Carmen R. Morales, effective August 31, 2020.

Request of District Attorney to promote Renee Rhinefort, Legal Assistant I, as replacement for Alyssa Fortner, effective August 4, 2020.

Request of District Attorney to promote Kristina S. Schulz, Admin Manager II, as replacement for Kelly L. Lester, effective September 7, 2020.

Request of District Attorney to promote Victoria L. Swenceski, Legal Assistant II, as replacement for Kristina S. Shulz, effective September 7, 2020.

Request of East MC Senior Center to transfer Connie Carle, Coordinator I-Facilities, effective August 10, 2020.

Request of East MC Senior Center to place Tracy Long, Coordinator I-Facilities, on payroll effective August 10, 2020.

Request of East MC Senior Center to transfer Dorothy Welch, Coordinator I-Facilities, effective August 10, 2020.

Request of Elections to place Michelle L. Acreman, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to accept the resignation of Dalanie Michelle Aufill, Voter Clerk, effective August 10, 2020. [No benefits due]

Request of Elections to increase salary of Janet Batchelor, Voter Clerk, due to increase in responsibilities, effective August 22, 2020.



Request of Elections to place Lisa C. Beaty, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to increase salary of Alejandra Beltran, Voter Clerk, due to increase in responsibilities, effective August 22, 2020.

Request of Elections to place Janet W. Bentley, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to place Diana L. Berrier, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to place Kathleen S. Bradley, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to place Albert F. Brice, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to place Irma Q. Candia, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to increase salary of Paula Clark, Voter Clerk, due to increase in responsibilities, effective August 22, 2020.

Request of Elections to increase salary of Linda Crawford, Voter Clerk, due to increase in responsibilities, effective August 22, 2020.

Request of Elections to place Tina R. Crowder, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to accept the resignation of Dusty Ann Day, Voter Clerk, effective August 10, 2020. [No benefits due]

Request of Elections to place Paul J. Desmarais, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to accept the resignation of Shaun L. Donahue, Voter Clerk, effective August 10, 2020. [No benefits due]

Request of Elections to accept the resignation of Jennifer Draper, Voter Clerk, effective August 10, 2020. [No benefits due]

Request of Elections to place Violin Dupasquier, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to accept the resignation of Alanna Floyd, Voter Clerk, effective August 10, 2020. [No benefits due]

Request of Elections to accept the resignation of Angela M. Floyd, Voter Clerk, effective August 10, 2020. [No benefits due]

Request of Elections to increase salary of Lynn Gay, Voter Clerk, due to increase in responsibilities, effective August 22, 2020.

Request of Elections to accept the resignation of Bruce Thomas Gilchrist, Voter Clerk, effective August 10, 2020. [No benefits due]

Request of Elections to increase salary of Annie Newton Graves, Voter Clerk, due to increase in responsibilities, effective August 22, 2020.

Request of Elections to accept the resignation of Martha M. Haskell, Voter Clerk, effective August 10, 2020. [No benefits due]

Request of Elections to place Cynthia M. Herrera, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to accept the resignation of Kelly A. Hill, Voter Clerk, effective August 10, 2020. [No benefits due]

Request of Elections to accept the resignation of June Hinkle, Voter Clerk, effective August 10, 2020. [No benefits due]

Request of Elections to place Yvonne I. Horan, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to place Sheila S. Johnson, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to accept the resignation of Thomas C. Kurland, Voter Clerk, effective August 10, 2020. [No benefits due]

Request of Elections to increase salary of Fonda Brookshire Lee, Voter Clerk, due to increase in responsibilities, effective August 22, 2020.

Request of Elections to place Teresa T. Loparo, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to place Gloria J. Lowery, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to place Beatriz H. Martinez-Gerstl, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to place Donna M. McAleer, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to place Lannie M. McShan, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to increase salary of Phyllis Miller, Voter Clerk, due to increase in responsibilities, effective August 22, 2020.

Request of Elections to place Robert B. Murphy, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to place Wendy B. Peterson, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to place Marilyn J. Poppert, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to place Linda K. Samac, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to place Carolyn D. Satcherwhite, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to place Rexine H. Scarborough, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to place Shirley F. Schwarz, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to place Wayne S. Schwarz, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to place Roxanne R. Stage, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to accept the resignation of Peggy Marie Strickland, Voter Clerk, effective August 10, 2020. [No benefits due]

Request of Elections to accept the resignation of Doris Thomas, Voter Clerk, effective July 31, 2020. [No benefits due]

Request of Elections to increase salary of Melinda Way, Voter Clerk, due to increase in responsibilities, effective August 22, 2020.

Request of Elections to place Harold D. Weatherwax, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to place Ellen J. Whitfield, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to place Sheila R. Williams, Voter Clerk, on payroll effective August 22, 2020.

Request of Elections to place Michael T. Wilson, Voter Clerk, on payroll effective August 22, 2020.

Request of Emergency Management to place Christopher W. Perkins, Senior Planner, on payroll as replacement for Miranda Hahs, effective August 24, 2020.

Request of Forensic Services to place Paul Hoag, Medicolegal Death Investigator, on payroll as replacement for Tamara Ciaciura, effective August 17, 2020.

Request of IT to accept the retirement of Tamera Mikusek, Systems Admin II, effective August 31, 2020. [138.56 hours or balance vacation]

Request of IT Traffic Ops to correct effective date of PCR for Patrick Hibbard to be effective July 20, 2020.

Request of Office of Court Administration to place Estephany Bermeo, Jail Liaison/Compliance Monitor, on payroll as replacement for Esliyerd Reyes, effective August 10, 2020.

Request of Sheriff to increase salary of Kevin J. Adams, Officer – Civil Det II, due to completion of certification requirements, effective August 8, 2020.

Request of Sheriff to accept the retirement of Allison Allen, Captain-Sheriff, effective September 30, 2020. [156.10 hours or balance vacation]

Request of Sheriff to increase salary of Broderick Oneal Booker, Officer Civil Deten II, due to completion of certification requirements, effective August 8, 2020.

Request of Sheriff to increase salary of Marcus B. Duval, Jr., Deputy-Bailiff, due to step increase, effective August 22, 2020.

Request of Sheriff to increase salary of Andrew J. Folkes, Officer – Civil Det II, due to completion of certification requirements, effective August 8, 2020.

Request of Sheriff to increase salary of Kyle A. Greene, Officer – Civilian Det II, due to completion of certification requirements, effective August 8, 2020.

Request of Sheriff to accept the resignation of Alexander J. Hill, Officer – Civilian Deten, effective July 26, 2020. [58.32 hours or balance vacation; 74.05 hours or balance comp; 48.00 hours or balance holiday]

Request of Sheriff to promote Ashlie Taylor Johnson, Deputy-Bailiff, as replacement for Todd M. Dishman, effective August 22, 2020.

Request of Sheriff to increase salary of Christopher Lynn Loftin, Officer- Civil Det II, due to completion of certification requirements, effective August 8, 2020.

Request of Sheriff to accept the resignation of Lucille Nyeba Saah, Deputy, effective August 21, 2020. [77.96 hours or balance vacation; 80.56 hours or balance comp; 48.00 hours or balance holiday]

Request of Sheriff to discharge Steven Worth Speed, Install Technician, effective August 7, 2020. [7.7132 hours or balance vacation]

Request of Sheriff to transfer James E. Sprayberry, Deputy-Bailiff, as replacement for Ovidio Salinas, effective August 22, 2020.

Request of Sheriff to accept the resignation of Meghan Elizabeth Van Ham, Clerk IV, effective September 4, 2020. [16.07 hours or balance vacation]

Request of Tax Assessor to place Elizabeth Crawford, Deputy Specialist I, on payroll, as replacement for Kenneth Martin III, effective August 24, 2020.

Request of Tax Assessor to place Misty Douglas, Deputy Specialist I, on payroll, as replacement for Leslie Benyo, effective August 17, 2020.

Request of Tax Assessor to place Larissa Gassett, Deputy Specialist I, on payroll, as replacement for Aaron Gonzalez, effective August 24, 2020.

Request of Tax Assessor to accept the resignation of Whitney Hair, Deputy Specialist II, effective August 28, 2020. [55.32 hours or balance vacation].

Request of Tax Assessor to place Heidi Smith, Deputy Specialist I, on payroll, as replacement for Federico Ollivier, effective August 17, 2020.

- J1. RE-APPOINTMENT APPROVED of Constable Ryan Gable to the Montgomery County Emergency Communication District Board of Managers for a two-year term to expire September 30, 2022.
- J2. AMENDMENT/MODIFICATION RATIFIED for No. P00009 to the amendment of solicitation/modification of contract 70CDCR18DIG000013, between Montgomery County and Immigration and Customs Enforcement, Office of Acquisitions Management to revise detention standards to NDS 2019.
- J3. AMENDMENT/MODIFICATION RATIFIED for No. P00014 to the amendment of solicitation/modification of contracts 70CDCR18DIG000013 and 70CDCR18FIGR00319, between Montgomery County and Immigration and Customs Enforcement, Office of Acquisitions Management to address the de-obligation of funds in the amount of \$1,886,088.52 from IGSA Task Orders.

EMERGENCY MANAGEMENT – AGENDA ITEMS 10K1-3

- K1. ADDENDUM APPROVED to the Montgomery County Multi-Jurisdictional Hazard Mitigation Plan.
- K2. RESOLUTION APPROVED authorizing designated signatories for the Texas Disaster Hurricane Harvey Community Development Block Grant Program - Disaster Recovery Contract #20-65-136-C491 and designated signatories are authorized to sign all related documents.
- K3. GENERAL TERMS AND CONDITIONS APPROVED with Athena Security for the elevated temperature detection system, and Darren Hess is authorized to sign on behalf of Montgomery County. Funds for the system were approved in Commissioners Court on August 11, 2020 authorizing expense to Cares Act funding.

JUVENILE PROBATION – AGENDA ITEMS 10L1-3

- L1. DETENTION CONTRACT APPROVED for Matagorda County.
- L2. DETENTION CONTRACT APPROVED for Wharton County.
- L3. DETENTION CONTRACT APPROVED for Bowie County.

SHERIFF – AGENDA ITEM 10M1

- M1. DONATION ACCEPTED from April Roberts of State Farm on behalf of the Montgomery County Sheriff's Office SWAT Division. Please allocate the \$500 donation to 6100.730270. Check has been forwarded to Treasurer for further processing.

COUNTY ATTORNEY – AGENDA ITEMS 10N1-5

N1. PRECINCT 1

- a. RESOLUTION AND ORDER APPROVED for the purchase and funding of the acquisition of Parcel 216 of the expansion of FM 1097 for the total sum of \$1,768.00 to Charter Title for the benefit of Cactus Lounge, Inc. and to accept the deed or to be executed deed.
- b. RESOLUTION AND ORDER APPROVED for the purchase and funding of the acquisition of Parcel 225 of the expansion of FM 1097 for the total sum of \$1,267.00 to Wen C. Yang and Phet Yang, and to accept the deed or to be executed deed.
- c. RESOLUTION AND ORDER APPROVED for the purchase and funding of the acquisition of the Outdoor Advertising Improvements on Parcel 225 of the expansion of FM 1097 for the total sum of \$8,984.00 to Midway Fast Foods, L.P., and to accept the Quitclaim or to be executed Quitclaim.
- d. RESOLUTION AND ORDER APPROVED for the Possession and Use Agreement between Montgomery County and Beatrice G. Kleimann and Jeanette K. Rae, Co-Trustees of the Bypass Trust Created under the Kleimann Family Revocable Trust, and hereby authorizes County Judge, Mark J. Keough to execute the Agreement on behalf of Montgomery County, Texas for Parcel 210. County Auditor and Treasurer are authorized and ordered to issue payment from line item 6124017.7598582 and project code RD100011to the payee in the amount of \$19,170.00.
- e. RESOLUTION AND ORDER APPROVED for the independent consideration for the possession and use of Grantor's Property between Montgomery County and Beatrice G. Kleimann and Jeanette K. Rae, Co-Trustees of the Bypass Trust Created under the Kleimann Family Revocable Trust, and hereby authorizes County Judge, Mark J. Keough to execute the Agreement on behalf of Montgomery County, Texas for Parcel 210. County Auditor and Treasurer are authorized and ordered to issue payment from line item 6124017.7598582 and project code RD100011to the payee in the amount of \$3,000.00.
- f. RESOLUTION AND ORDER APPROVED for the Possession and Use Agreement between Montgomery County and Beatrice G. Kleimann and Jeanette K. Rae, Co-Trustees of the Bypass Trust Created under the Kleimann Family Revocable Trust, and hereby authorizes County Judge, Mark J. Keough to execute the Agreement on behalf of Montgomery County, Texas for Parcel 218. County Auditor and Treasurer are authorized and ordered to issue payment from line item 6124017.7598582 and project code RD100011to the payee in the amount of \$427,884.00.
- g. RESOLUTION AND ORDER APPROVED for the independent consideration for the possession and use of Grantor's Property between Montgomery County and Beatrice G. Kleimann and Jeanette K. Rae, Co-Trustees of the Bypass Trust Created

under the Kleimann Family Revocable Trust, and hereby authorizes County Judge, Mark J. Keough to execute the Agreement on behalf of Montgomery County, Texas for Parcel 218. County Auditor and Treasurer are authorized and ordered to issue payment from line item 6124017.7598582 and project code RD100011 to the payee in the amount of \$25,000.00.

N2. PRECINCT 2

- a. ORDER APPROVED accepting Improvements in the Right-of-Way Agreement between the County and Montgomery County Utility District No. 139 for the placement of underground drainage improvements in the rights-of-way of Kings Canyon Lane, Rock Island Trail, and Leigh Lake Lane in Fosters Ridge, Section 15.
- b. ORDER APPROVED accepting Replacement Bond with Surety issued by Philadelphia Indemnity Insurance Company in the amount of Two Hundred Seventy Seven Thousand Two Hundred Thirty Eight and 80/100 Dollars (\$277,238.80) for High Meadows Estates, Section 4, and previously issued Letter of Credit is authorized to be released.
- c. ORDER APPROVED accepting Irrevocable Standby Letter of Credit No. 2020-17 issued by Allegiance Bank, in the amount of One Hundred Five Thousand Seven Hundred Forty-One and 60/100 Dollars (\$105,741.60) for the account of Ranch Crest Subdivision, Section IV, and releasing Irrevocable Letter of Credit #50006545 issued by Integrity Bank, SSB, dated August 15, 2016 for the same account.
- d. ORDER APPROVED accepting Irrevocable Standby Letter of Credit No. 2020-18 issued by Allegiance Bank, in the amount of Sixty One Thousand Sixty-Six and 80/100 Dollars (\$61,066.80) for the account of Street Dedication-Atascosa Trail, Wichita Trail and Lavaca Trail, and releasing Irrevocable Letter of Credit #758 issued by Woodforest National Bank, dated September 4, 2009 for the same account.

N3. PRECINCT 3

- a. AGREEMENT ACCEPTED between Montgomery County and Montgomery County MUD 89 authorizing improvements in the right-of-way of Birnham Woods Drive for the construction of a concrete sidewalk extension. Commissioner Noack, or his designee, is authorized to sign Agreement on behalf of Montgomery County.

N4. PRECINCT 4

- a. ORDER APPROVED authorizing payment of Special Commissioners Award in the proceedings under cause No. 19-11-15487, for the acquisition of real property described as Parcel 39, Sorters Road Project, in the amount of \$12,786.00 into the registry of the Court in which such proceeding was heard, such payment to be made



for the benefit and use of the property owners named in such proceeding in eminent domain. County Treasurer and Auditor are authorized and directed to make payment to the Special Commissioners in such cause, payable to the individuals and in the amounts set out in the Award.

- b. ORDER APPROVED for the purchase and funding of the acquisition of parcel 86 for the widening of Sorters Road from Exxon Land Development for the total sum of \$10,847.20 and to accept the deed or to be executed deed.
- c. ORDER APPROVED accepting Irrevocable Standby Letter of Credit No. 2020-16 issued by Allegiance Bank, in the amount of \$1,406,900.80 for the account of White Oak Crossing Section IV, and releasing Irrevocable Letter of Credit #50006535 issued by Integrity Bank, SSB, dated August 15, 2016.
- d. ORDER APPROVED accepting Irrevocable Standby Letter of Credit No. 2020-15 issued by Allegiance Bank, in the amount of \$216,920.00 for the account of White Oak Crossing Section V, and releasing Irrevocable Letter of Credit #50006525 issued by Integrity Bank, SSB, dated August 15, 2016.
- e. ORDER APPROVED Authorizing Notice of Public Hearing on October 13, 2020 for the partial revision of the remainder of Lots 18, 19, 20, and 21 of Dogwood Forest, Section One to be known as Aqua Super Express Carwash 242 Replat.

#### N5. ALL PRECINCTS

- a. REQUEST APPROVED of Allen Boone Humphries Robinson to reserve utility district numbers 184 and 185 to be named Montgomery County Municipal Utility District Nos. 184 and 185.

#### CONSTABLE PRECINCT 3 – AGENDA ITEM 1001

- 01. REQUEST APPROVED for the retirement of K9 Tek from Montgomery County Constable Pct. 3 effective August 25, 2020 and Tek is authorized to live out his life with Jarod Tunstall.

#### CONSTABLE PRECINCT 4 – AGENDA ITEMS 10P1-2

- P1. CHECK ACCEPTED in the amount of \$500 from Terry Guidry State Farm. The funds will be used to help purchase emergency equipment. Funds will be placed in line 7400.730270. Check has been forwarded to the Treasurer for further processing.
- P2. GIFT CARD ACCEPTED in the amount of \$250 from The Rusty Buckle BBQ Company for an “Officer Appreciation Luncheon”.

#### COMMUNITY DEVELOPMENT – AGENDA ITEMS 10Q1

- Q1. OCCUPANCY AGREEMENTS APPROVED between Montgomery County, Texas and the following nonprofit agencies to lease space in the East Montgomery County Community Development Center.
- a. Children's Safe Harbor
  - b. Community Assistance Center
  - c. Montgomery County Youth Services

COMMISSIONERS – AGENDA ITEM 10R1 WAS MOVED TO OPEN SESSION. SEE MOTION 7 FOR ACTION.

GRANTS – AGENDA ITEMS 10S1-3

- S1. REQUEST APPROVED to approve the Fiscal Year 2021 No Refusal Grant funding from Texas Department of Transportation (TxDOT) in the amount of \$143,624 for the District Attorney's Office, with a match of \$98,487.29 from the District Attorney's Office budget. Rebecca Ansley is authorized to accept grant electronically on behalf of Montgomery County. Grant application was approved in Commissioners Court on 12/17/2019.
- S2. REQUEST APPROVED to accept the Fiscal Year 2021 Auto Theft Task Force grant from Motor Vehicle Crime Prevention Authority (MVCPA) in the amount of \$324,640 for the Sheriff's Office, with a match of \$400,726 which will be a combination from Montgomery Sheriff's Office budget and other participating entities. Grant application was approved in Commissioners Court on 6/09/2020.
- S3. REQUEST APPROVED to accept the Fiscal Year 2021 Statewide Automated Victim Notification Services (SAVNS) grant in the amount of \$30,122.51 for the Sheriff's Office, with no match required. Judge Mark J. Keough is authorized to sign all related paperwork.

Motion carried.

**END OF CONSENT AGENDA**

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5. REQUEST APPROVED – INVESTMENT POLICY – TREASURER

Motion by Commissioner Riley, seconded by Commissioner Metts, to adopt the 2020-2021 Montgomery County Investment Policy. Motion carried.

6. REQUEST APPROVED – BROKER DEALER LIST – TREASURER

Motion by Commissioner Noack, seconded by Commissioner Riley, to accept the Approved Broker Dealer List for Investments. Motion carried.

7. RESOLUTION AND ORDER APPROVED – COMMISSIONER PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve procedures primarily governing the authority of Elected Officials in relation to employees' salaries, effective September 5, 2020 through September 30, 2021. During the aforementioned period, no more than 5% aggregate increase in salary may be authorized by an Elected Official, any increase in salary must be consistent with the County approved salary administration plan, and must be approved by Human Resources. Funding for all increases must be from the Elected Official's Salary budget line. Commissioner Riley and Commissioner Metts voted "NO". Motion carried.

8. MOTION FAILED – DEPARTMENT HEADS' SALARIES – COMMISSIONER PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Metts, to approve Resolution and Order related to Department Heads' authority to modify and administer employees' salaries for the period of 09/05/20 – 09/30/21. Judge Keough, Commissioner Noack, and Commissioner Meador voted "NO". Motion failed.

9. INTERLOCAL AGREEMENT APPROVED – CONROE ISD - COUNTY JUDGE

INTERLOCAL AGREEMENT APPROVED – SPLENDORA ISD – COUNTY JUDGE

INTERLOCAL AGREEMENT APPROVED – MONTGOMERY ISD – COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve an Interlocal Agreement between Montgomery County and Conroe ISD, Splendora ISD, and Montgomery ISD. Judge Mark Keough is authorized to execute said agreements on behalf of Montgomery County. Motion Carried.

10. INTERLOCAL AGREEMENTS – MONTGOMERY COUNTY SCHOOL DISTRICTS- COUNTY JUDGE

Motion by Commissioner Meador, seconded by Commissioner Noack, to allow Judge Mark Keough to enter into Interlocal Agreements with other Montgomery County School Districts. Motion carried.

11. REIMBURSEMENT APPROVED – CARES ACT – EMERGENCY MANAGEMENT

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve the reimbursement of \$13,761.00 which has already been spent on health and safety related items as a result of the COVID-19 pandemic. Motion carried.

12. CONSULTING SERVICES – FLOOD MITIGATION – EMERGENCY MANAGEMENT

Motion by Commissioner Meador, seconded by Commissioner Noack, to approve proposals from Hagerty Consulting to assist with the application development, submittal and FRI responses for flood mitigation grant projects benefiting all precincts in Montgomery County. The amount is not to exceed \$350,000.00, and will be divided between each Commissioner's budget. This amount may be reimbursable later. Commissioner Metts abstained. Motion carried.

AGENDA ITEM 13A – Members of the Court discussed having the meeting set up for the Proposed Budget on August 27, 2020 at 8:30 am. They also discussed what would need to be done if the meeting couldn't be held because of the possible Hurricane. NOTE: FURTHER DISCUSSION CAN BE HEARD ON AUDIO OF MINUTES ON THE COUNTY WEBSITE.

AGENDA ITEM 13B WAS DEFERRED

13. MAINTENANCE PROJECT APPROVED – FORENSIC SERVICES

Motion by Commissioner Riley, seconded by Commissioner Noack, to approve exterior building maintenance not to exceed \$1,100. Funding will come from existing Forensic Services departmental budget. Motion carried.

14. ORDER APPROVED - BURN BAN – FIRE MARSHALL

Motion by Commissioner Noack, seconded by Commissioner Riley, to implement a burn ban for Montgomery County. Motion carried.

15. GRANT APPLICATION APPROVED - FERAL HOG – GRANTS

Motion by Commissioner Riley, seconded by Commissioner Noack, to approve the Fiscal Year 2021 Feral Hog grant application from Texas A&M AgriLife Extension Wildlife Service Program for Commissioner Precincts 2 and 3, with no match required. Rebecca Ansley is authorized to submit grant application electronically on behalf of Montgomery County. Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 17A1: Consider and approve the partial revision of Lots 1 through 8 and Restricted Reserve "B", Block 2, of the Proposed Partial Replat of Villas at White Oak

Ranch, Section 2, and Lots 1 through 6, Block 1 of the proposed Replat of Villas at White Oak Ranch, Section 2, to be known as Villas at White oak Ranch Section 1 Partial Replat No. 1.

AGENDA ITEM 17A2: Consider and Approve the partial revision of Lots 10 and 11 in Big Oak Ranchettes, a Subdivision with the map or plat thereof recorded in Cabinet H, Sheet 52-A of the Map Records of Montgomery County, Texas, to be known as Big Oaks Ranchettes Replat No. 1.

COMMISSIONER MEADOR LEFT THE COURTROOM.

AGENDA ITEM 17B1: Consider and approve establishing a 20-mph speed limit in Country Colony, Section 4 on Ricewood Drive from North Lake Houston Parkway to Northwood Mill Drive.

AGENDA ITEM 17B2: Consider and Approve the partial revision of Lots 2, 3, and 4, Block 1, Tavola Sec.30, a Subdivision recorded in Cabinet Z, Sheets 5869-5872, of the Map Records of Montgomery County, Texas, to be known as Tavola Section 30 Amending Plat No. 1.

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

16. PLAT APPROVED – COUNTY ENGINEER – PRECINCT 1

REQUEST APPROVED – SPEED LIMIT – COMMISSIONER PRECINCT 4

Motion by Commissioner Metts, seconded by Commissioner Riley, to approve the following items discussed during public hearing:

- a. final plat approved of Big Oak Ranchettes Replat No. 1; 5.331 Acres; John H. Wood Survey; A-603.
- b. Request approved to establish a 20-mph speed limit in Country Colony, Section 4 on Ricewood Drive from North Lake Houston Parkway to Northwood Mill Drive.

Motion carried.

AGENDA ITEM 18 WAS ADDRESSED IN MOTION 16.

AGENDA ITEM 19A1 FAILED. SEE MOTION 8 FOR COURT ACTION.

COMMISSIONER MEADOR RETURNED TO THE COURTROOM.

17. ORDER APPROVED – COMMISSIONERS – PRECINCT 3

Motion by Commissioner Noack, seconded by Commissioner Meador, to approve an order authorizing the issuance of Montgomery County, Texas Limited Tax Refunding Bonds, Series 2020; delegating authority to approve final pricing terms of the bonds and to execute final agreements; authorizing the preparation and distribution of an official statement; and authorizing matters incident thereto, and taking advantage of refunding opportunities for debt service savings, as presented by John Robuck, BOK Financial Securities. Motion carried.

AGENDA ITEM 19B3 WAS DEFERRED.

CITIZENS – AGENDA ITEM 20

Don Johnson of Good Brothers and Good Sisters spoke about the detrimental effects of COVID-19 in the community and wanted to know where help would be coming from for people who were becoming desperate.

MISCELLANEOUS – AGENDA ITEM 21- NO OTHER ITEMS LISTED

18. COURT ADJOURNS

Motion by Commissioner Noack, seconded by Commissioner Metts, 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

Mike Meador  
COUNTY JUDGE

Mike Meador, County Judge Pro Tem

