

COMMISSIONERS COURT DOCKET
JANUARY 26, 2021
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 26th day of January, 2021, 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	Robert Walker
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 Constable Gable.

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

AGENDA ITEMS 8A6 AND 8A7 WERE DEFERRED.

AGENDA ITEM 8E4 WAS MOVED TO THE OPEN SESSION. SEE MOTION 3 FOR COURT ACTION.

AGENDA ITEMS 8S3a-e WERE MOVED TO EXECUTIVE SESSION. SEE MOTIONS 11 AND 12 FOR COURT ACTION.

2. RESOLUTION AND ORDER APPROVED – CONSENT AGENDA – AGENDA ITEMS 8A-Y

Motion by Commissioner Noack, seconded by Commissioner Metts, 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 8A1-10

- A1. REPORT ACCEPTED that complies with Local Government Code Section 114.023.
- A2. REPORT ACCEPTED that complies with Local Government Code Section 114.024.
- A3. REPORT ACCEPTED that complies with Local Government Code Section 114.025.
- A4. PAYMENT OF ACCOUNTS APPROVED, as submitted by the County Auditor.
- A5. REQUEST APPROVED by Justice of the Peace Precinct 1 to use an amount not to exceed \$89,500 from the Justice of the Peace Technology Fund.

ITEM 8A6 WAS DEFERRED.

ITEM 8A7 WAS DEFERRED.

- A8. REQUEST APPROVED by Justice of the Peace Precinct 5 to use an amount not to exceed \$47,000 from the Justice of the Peace Technology Fund.
- A9. COMPLETED AUDITS ACCEPTED for:
Compliance Audits FY2020 County Clerk – Quarters 1 & 2
- A10. INVOICES APPROVED in the amount of \$3,330 and \$400 received from the Joint Commission for the annual fees for the accreditation/certification program participation as required by the Agreement between Montgomery County and the Texas Department of State Health Services (Section I, A-2; approved by Commissioners Court on November 24, 2015 - Motion #4).

BUDGET – AGENDA ITEMS B1-4

- B1. REQUEST APPROVED to authorize the line item transfers and adjustments for Fiscal Year 2020.

- B2. REQUEST APPROVED to authorize the line item transfers and adjustments for Fiscal Year 2021.
- B3. REQUEST APPROVED to authorize the line item transfers and adjustments for special revenue departments and general fund departments for Fiscal Year 2021.
- B4. REQUEST APPROVED to authorize adjustments and amendments for Grant Departments for Fiscal Year 2020 and 2021.

TREASURER – AGENDA ITEMS 8C1-2

- C1. REQUEST APPROVED to approve the Monthly Treasurer Report for December 2020, including:
 - 1. Monthly Statement of Balances for December 2020
 - 2. Monthly Investment Report for December 2020
 - 3. MCTRA Investment Report for December 2020
 - 4. Interest Summary Report for December 2020
 - 5. Debt Report (Reported and Maintained by the Auditor's Office)
 - 6. Check Register for December 2020
 - 7. Manual Check Runs for December 2020
- C2. REQUEST APPROVED to approve the Quarterly Investment Report for quarter ending December 31, 2020.

TAX ASSESSOR/COLLECTOR – AGENDA ITEMS 8D1-2

- D1. REQUEST APPROVED to acknowledge the Tax Assessor-Collector's 2021 deputation of 62 deputy clerks.
- D2. REQUEST APPROVED to accept the monthly Tax Collection Report for the month ending December 2020.

PURCHASING – AGENDA ITEMS 8E1-5

- E1. RENEWAL OPTIONS APPROVED:
 - a. Project #19-16 Electrical Items and Miscellaneous Supplies with Consolidated Electrical Distributor for various departments.
 - b. Professional Services Agreement Inmate Dental Services with Gayle Fletcher, DDS., PA, for Sheriff's Office Jail (exercising the second of five renewal options).

- E2. CONTRACT APPROVED with the following highly qualified provider per Government Code Chapter 2254; professional appraisal services with Whitney & Associates for Commissioner Precinct 4.
- E3. CHANGE ORDERS APPROVED for the following:
- a. CO #1 to James Construction Group, LLC., for Project #19-24 Keenan Cutoff Road: BNSF RR & FM 2854 Overpass to add new item for an increase in the amount of \$33,623.15 for Commissioner Precinct 2.
 - b. CO #1 to Huffco Services, Inc., for Project #20-09 West County Community Development Center Expansion for City of Magnolia Building Permit Fee and credit from contractor for the re-design of an exterior wall for an increase in the amount of \$4,195.56 for MCCD/Commissioner Precinct 2.
 - c. CO #1 to Salem Group, Inc. dba Complete Concrete for Project #20-33 Rectification of Detention Ponds at Wood Creek Estates to add Well Points and fourteen (14) additional calendar days for an increase in the amount of \$20,000 for Commissioner Precinct 2.
 - d. CO #2 to Davis Investigation Services for Project #19-33 for Collection of Urine Samples for change in hours of operation and increase in cost per participant for Drug/DWI Courts.

ITEM 8E4 WAS MOVED TO THE OPEN SESSION. SEE MOTION 3 FOR COURT ACTION.

- E5. REQUEST APPROVED to reject all bids for Project #21-09 Drone with LiDAR Camera and Accessories for Information Technology.

RISK MANAGEMENT – AGENDA ITEM 8F1

- F1. CHANGES, ADDITIONS AND RELEASES APPROVED for the following:

<u>BOND</u>	<u>NAME/DEPT</u>	<u>AMOUNT</u>	<u>ACTION</u>
62306534	Bagwell, James/Fire Marshall	\$5,000	Continuation
62296623	Bridges, Sean/Const. Pct. 3	\$5,000	Continuation
61244059	Bullinger, Jesse/Const. Pct. 4	\$5,000	Continuation
64957446	Cavitt, James/Const. Pct. 1	\$5,000	Continuation
16072460	Crabtree, Boyd/Const. Pct. 1	\$5,000	Continuation
14795895	Dubose, Bryan/Const. Pct. 1	\$5,000	Continuation

14934419	Johnston, Ryan/Const. Pct. 5	\$5,000	Continuation
61601188	McGalliard, Warren/Const. Pct. 1	\$5,000	Continuation
61237970	Prado, Eric/Const. Pct. 4	\$5,000	Continuation
64957420	Seaton, Laci/Const. Pct. 1	\$5,000	Continuation
15454713	Welch, Gordon/Const. Pct. 5	\$5,000	Continuation
65312977	Zaruba, Tyler/Const. Pct. 1	\$5,000	New Bond

DISTRICT ATTORNEY – AGENDA ITEM 8G1

- G1. REQUEST APPROVED to open position 4353-7611-1, full-time Special Victims Assistant with an annualized salary of \$54,953.60, effective February 1, 2021. A total of \$53,454.60 in salaries and benefits is needed for the remainder of the fiscal year, to be paid out of District Attorney Forfeiture Funds. No impact on general fund budget. Budget Office is authorized to effectuate all changes.

COMMISSIONERS – AGENDA ITEMS 8H1-4

H1. PRECINCT 1

- a. REQUEST APPROVED to recognize Open Meetings Act Training Confirmation and Certificate, and Public Information Act Training Confirmation and Certificate for Commissioner Precinct 1, Robert Walker; and Commissioner Precinct 1 Chief of Staff, Jim Pfeil. Confirmations issued effective January 13, 2021.

H2. PRECINCT 2

- a. REQUEST APPROVED for a Use Agreement with Magnolia Baseball Association to use the fields at Magnolia Sports Park through December 31, 2021.
- b. REQUEST APPROVED for a Use Agreement with Magnolia Lacrosse Association to use the fields at Magnolia Sports Park through December 31, 2021.

H3. PRECINCT 3

- a. REQUEST APPROVED for the reappointment of Jim Waters and James Cox to Montgomery County Emergency Service District (MCESD) #14 for a two-year term ending December 31, 2022.

H4. PRECINCT 4

- a. REQUEST APPROVED for a Use Agreement with Wildcat Sports Association (WSA) to use the football fields at Tram Road Park for practices as scheduled from now through December 31, 2021.
- b. REQUEST APPROVED for a Use Agreement with East Montgomery County Sports Association (EMCSA) to use the football/baseball/softball fields at Bull Sallas Park for practices as scheduled now through December 31, 2021.
- c. REQUEST APPROVED to accept the re-appointment of Wesley Swanson and TJ Knox to the MCESD #7 Board of Commissioners for a two-year term ending December 31, 2022.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 8I1-2

II. PRECINCT 2

- a. STREETS ACCEPTED in Mill Creek South, Section 1 into the one-year maintenance period.
- b. STREETS ACCEPTED in Mill Creek North, Section 1 into the one-year maintenance period.
- c. STREETS ACCEPTED in Fosters Ridge, Section 18 into the county road maintenance system and bond is released.
- d. REQUEST APPROVED acknowledging that the roads in Woodforest, Section 94 have been built to county standards and have completed the one-year maintenance period. The bond is released. These roads are private and will not be maintained by Montgomery County.
- e. REQUEST APPROVED acknowledging that the roads in Pine Island at Woodforest, Section 2 have been built to county standards and have completed the one-year maintenance period. The bond is released. These roads are private and will not be maintained by Montgomery County.
- f. STREETS ACCEPTED in Pine Market at Woodforest, Section 1 into the county road maintenance system and the bond is released.
- g. STREETS ACCEPTED in Woodforest at Pine Market Tract 3B-1 into the county road maintenance system and the bond is released.
- h. PUBLIC HEARING DATE SET of February 23, 2021 to change the name of Longleaf Pine Drive to Crest Park Drive in Woodforest, section 90.
- i. FINAL PLAT APPROVED of Woodforest, Section 68; 30.804 acres; James Hodge Survey; A-19.
- j. FINAL PLAT APPROVED of Silver Creek Ranch, Section 1; 31.868 acres; John Niles Survey; A-396.

I2. PRECINCT 4

- a. STREETS ACCEPTED in Brooklyn Trails, Section 2 into the one-year maintenance period.
- b. FINAL PLAT APPROVED of Spring Branch, Section 1; 3.000 acres; Michael H. Hinch Survey; A-253.
- c. FINAL PLAT APPROVED of Valley Ranch East Reserves; 39.34 acres; William Massey Survey; A-387.

ENVIRONMENTAL HEALTH – AGENDA ITEMS 8J1-2

- J1. ORDER APPROVED to Release Lien and acknowledge receipt of check as payment in full of assessment lien to recover cost to the county for demolition of a public nuisance. Total cost of lien has been met.

Lot 49, Section 2, Hidden Forest Estates

Check has been forwarded to the Treasurer for further processing.

- J2. ORDER APPROVED to Release Lien and acknowledge receipt of check as payment in full of assessment lien to recover cost to the county for demolition of a public nuisance. Total cost of lien has been met.

8540 Felder Lane, Conroe, Texas 77304

Check has been forwarded to the Treasurer for further processing.

HUMAN RESOURCES – AGENDA ITEM 9K1

K1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of Custodial to place Jacson Alvarez, Custodian, on payroll as replacement for Rafael Raya, effective January 11, 2021.

Request of Custodial to place Hilmar Estalilla, Custodian, on payroll as replacement for Alexie Esquer, effective January 11, 2021.

Request of Custodial to remove James Spencer, Custodian I, from payroll due to job abandonment, effective December 31, 2020. [No benefits due]

Request of County Court at Law #4 to discharge Flor Rubio, Court Coordinator I, effective January 11, 2021. [111.02 hours or balance vacation; 0.39 hours or balance comp; 8.00 hours or balance holiday]

Request of Commissioner Precinct 1 to transfer Matthew Dodd, Operator II, as replacement for Manny Gibbs, effective January 9, 2021.

Request of Commissioner Precinct 1 to increase salary of Mitchael Q. Hodges, Operator I, due to job re-evaluation, effective January 23, 2021.

Request of Commissioner Precinct 1 to increase salary of Gerald W. Shehane, Operator II, due to job re-evaluation, effective January 23, 2021.

Request of Commissioner Precinct 1 to transfer Clifford Szymczak, Operator II, as replacement for Toby Mathis, effective January 23, 2021.

Request of Commissioner Precinct 2 to accept the resignation of Richard Alexander, Laborer, effective December 17, 2020. (This is to correct the effective date approved in CC January 12, 2021.)

Request of Commissioner Precinct 2 to discharge Gregory Weaver, Sr. Foreman, effective January 14, 2021. [64.40 hours or balance vacation; 37.50 hours or balance comp; 24.00 hours or balance holiday]

Request of Commissioner Precinct 3 to discharge Michael Crocker, Operator II, effective January 8, 2021. [No benefits due]

Request of Constable 4 to accept the resignation of Gregory Langdon Jr., Deputy-Constable, effective December 31, 2020. [55.56 hours or balance vacation; 20.12 hours or balance comp]

Request of Auditor to discharge Eric Grove, Internal Audit Lead, effective January 5, 2021. [No benefits due]

Request of County Auditor to place Patti Johnson, Accts Payable Asst, on payroll as replacement for Federico Ollivier, effective January 19, 2021.

Request of County Auditor to remove Karen Zandi, Accts Payable Asst, from payroll as she withdrew her application, effective December 28, 2020.

Request of County Clerk to increase salary of Karen R. Anz, Clerk II, due to merit increase, effective January 23, 2021.

Request of County Clerk to increase salary of Catherine Michelle Gutierrez, Clerk III, due to completion of probationary period, effective January 23, 2021.

Request of County Clerk to increase salary of Lindsay Anne Jones, Clerk II, due to completion of probationary period, effective January 23, 2021.

Request of County Clerk to increase salary of Stephanie Theresa Norris, Clerk II, due to merit increase, effective January 23, 2021.

Request of County Clerk to place Amanda L. Springer, Clerk II, on payroll as replacement for Virginia Soto, effective January 11, 2021.

Request of District Clerk to accept the retirement of Denise Twitty, Court Clerk IV, effective January 31, 2021. [198.93 hours or balance vacation; 8.00 hours or balance holiday]

Request of Elections to increase salary of Darla Brooks, Contract Elections Clerk, due to increase in responsibilities, effective January 9, 2021.

Request of JP4 to accept the resignation of Nicole F. Thomson, Court Clerk IV, effective January 19, 2021. [10.32 hours or balance vacation; 8.00 hours or balance holiday]

Request of Juvenile to change status of Nicole Leigh Allen, Juvenile Supervision Officer-JJAEP, as replacement for Richard Bryant, III, effective January 9, 2021.

Request of Juvenile to discharge Jazmyne Sharae Brown, Juvenile Supervision Officer, effective January 8, 2021. [5.08 hours or balance vacation; 0.25 hours or balance comp; 14.25 hours or balance holiday]

Request of Juvenile to change status of LaDontae Lamel Moore, Juvenile Supervision Officer, as replacement for Ethan Anderson, effective January 9, 2021.

Request of Library to change status of Chelsea Nicole Bollom, Library Assistant II, as replacement for Lisa Christine Evans Ganim, effective January 23, 2021.

Request of Library to place Stephanie Flowers, Library Assistant II, on payroll as replacement for Tori Broadus, effective January 26, 2021.

Request of Library to place Jennifer Stroup, Shelving Clerk I, on payroll as replacement for Kasey Hudspeth, effective January 26, 2021.

Request of Commissioner Precinct 1 to transfer Cory D. Fay, Recycle Technician, as replacement for Matthew Dodd, effective January 23, 2021.

Request of Sheriff to increase salary of Alfredo Aguirre, Deputy, due to step increase, effective January 9, 2021.

Request of Sheriff to transfer Rudy Almendarez, Sergeant, effective January 9, 2021.

Request of Sheriff to transfer Joshua G. Averitt, Deputy, as replacement for Daniel Hernandez, effective January 9, 2021.

Request of Sheriff to increase salary of Luke Joseph Beauchamp, Deputy-Patrol, due to step increase, effective January 9, 2021.

Request of Sheriff to accept the resignation of James Cory Bryant, Officer-Civilian Deten, effective January 15, 2021. [54.00 hours or balance vacation; 277.73 hours or balance comp; 16.00 hours or balance holiday]

Request of Sheriff to transfer Tony R. Bybee, Sergeant, effective January 9, 2021.

Request of Sheriff to transfer David Campos, Deputy-Bailiff, as replacement for Randy G. Lewis, effective January 23, 2021.

Request of Sheriff to transfer Federico L. Cano, Sergeant, effective January 9, 2021.

Request of Sheriff to accept the resignation of Stephen Malone Carni, Officer-Civilian Deten, effective January 8, 2021. [No benefits due]

Request of Sheriff to accept the resignation of Charles Wyatt Cline, Officer-Civilian Deten, effective January 13, 2021. [103.48 hours or balance vacation; 114.20 hours or balance comp; 24.00 hours or balance holiday]

Request of Sheriff to transfer Derek Cogdill, Sergeant, effective January 9, 2021.

Request of Sheriff to accept the resignation of Jonathan Chase Combs, Specialist, effective January 4, 2021. [No benefits due]

Request of Sheriff to increase salary of Corey Taylor Cooke, Deputy, due to step increase, effective January 9, 2021.

Request of Sheriff to place Melissa Dawson, Officer-Civilian Deten, on payroll as replacement for Scott Andrew Vautrain, effective January 9, 2021.

Request of Sheriff to increase salary of Kevin D. Douglas, Deputy, due to step increase, effective January 9, 2021.

Request of Sheriff to promote Marcus B. Duval Jr., Detective, as replacement for Felix Cantu Jr., effective January 23, 2021.

Request of Sheriff to transfer Jacob Suther Erickson, Detective, as replacement for Stephen L. Mullis, effective January 23, 2021.

Request of Sheriff to transfer Brian H. Fleming, Detective, effective January 9, 2021.

Request of Sheriff to transfer David Lawrence Foreman, Sergeant, effective January 9, 2021.

Request of Sheriff to increase salary of Christopher Martin Forman, Deputy, due to step increase, effective January 9, 2021.

Request of Sheriff to transfer Zackary P. Fredricksen, Deputy-Patrol, effective January 9, 2021.

Request of Sheriff to transfer Ricardo A. Garza, Deputy-Patrol, effective January 9, 2021.

Request of Sheriff to transfer Ryan Scott Graves, Deputy-Patrol, effective January 9, 2021.

Request of Sheriff to transfer Ward A. Hammons, Sergeant, effective January 9, 2021.

Request of Sheriff to place Cory D. Hardwick, Dispatcher, on payroll as replacement for Thomas Alexander Stees, effective January 9, 2021.

Request of Sheriff to transfer David R. Hernandez Jr., Sergeant, effective January 9, 2021.

Request of Sheriff to transfer Daniel Hernandez, Deputy-Patrol, as replacement for Joshua G. Averitt, effective January 9, 2021.

Request of Sheriff to transfer Jeromy S. Howze, Detective, effective January 9, 2021.

Request of Sheriff to increase salary of James R. Hulse, Corporal, due to step increase, effective January 9, 2021.

Request of Sheriff to accept the resignation of Christopher A. Jackson, Officer-Civilian Deten, effective December 30, 2020. [No benefits due]

Request of Sheriff to transfer Barbara Annette Jenkins, Officer-Civilian Deten, effective January 9, 2021.

Request of Sheriff to transfer David Aaron Kelman, Detective, effective January 9, 2021.

Request of Sheriff to increase salary of Jeremy Scott Kurtz, Sergeant, due to step increase, effective January 23, 2021.

Request of Sheriff to transfer Richard Gene Lafont, Sergeant, effective January 9, 2021.

Request of Sheriff to transfer Aaron M. Lamphier, Detective, effective January 9, 2021.

Request of Sheriff to transfer Collin Allen Lankford, Deputy-Patrol, effective January 9, 2021.

Request of Sheriff to increase salary of Kaylee Gail Lewis, Officer-Civil Det II, due to completion of certification requirements, effective January 9, 2021.

Request of Sheriff to transfer Tony Eric Madison, Detective, effective January 9, 2021.

Request of Sheriff to transfer Jason D. Moore, Sergeant, effective January 9, 2021.

Request of Sheriff to promote Prudencio Ochoa III, Detective, as replacement for Andrew Lawrence Senn, effective January 23, 2021.

Request of Sheriff to increase salary of Michael R. Page, Sergeant-Detention, due to step increase, effective January 9, 2021.

Request of Sheriff to place Cortney Dean Poe, Officer-Civilian Deten, on payroll due to return from Unpaid Leave of Absence, effective October 4, 2020.

Request of Sheriff to increase salary of Elvinas Polatovas, Deputy-Detention, due to step increase, effective January 23, 2021.

Request of Sheriff to transfer Jason Marlin Prince, Detective, effective January 9, 2021.

Request of Sheriff to transfer Weldon D. Richards, Jr., Sergeant, effective January 9, 2021.

Request of Sheriff to increase salary of Christopher Jason Rose, Deputy, due to step increase, effective January 9, 2021.

Request of Sheriff to increase salary of Tammy L. Rowell, Deputy-Bailiff, due to step increase, effective January 23, 2021.

Request of Sheriff to place James B. Russell, Mental Health Coordinator, on payroll effective January 9, 2021.

Request of Sheriff to transfer Judd Wayne Russell, Sergeant, effective January 9, 2021.

Request of Sheriff to demote Andrew Lawrence Senn, Deputy, as replacement for Nicholas Tyler Cooke, effective January 9, 2021.

Request of Sheriff to place Ashlee Rebekah Shaw, Officer Civilian Deten, on Unpaid Leave of Absence, effective January 1, 2021.

Request of Sheriff to transfer Mackenzie Joel Smith, Deputy-Bailiff, as replacement for Jerry Daniel Lafferty, effective January 23, 2021.

Request of Sheriff to increase salary of Brannock T. Snellgrove, Deputy-Patrol, due to step increase, effective January 9, 2021.

Request of Sheriff to increase salary of David L. Snider, Deputy-Bailiff, due to step increase, effective January 23, 2021.

Request of Sheriff to transfer Anneliese Marlena Stafford, Deputy-Bailiff, effective January 23, 2021.

Request of Sheriff to increase salary of Richard Allen Stein, Deputy, due to step increase, effective January 9, 2021.

Request of Sheriff to transfer Vicente Rafael Suarez, Detective, effective January 9, 2021.

Request of Sheriff to increase salary of Burdette Winfield Taylor, Detective, due to step increase, effective January 9, 2021.

Request of Sheriff to transfer Joe Angel Thomason, Deputy-Patrol, effective January 9, 2021.

Request of Sheriff to transfer Troy O. Triplett, Deputy-Patrol, effective January 9, 2021.

Request of Sheriff to transfer Jason Edward Turner, Officer-Civilian Deten, as replacement for Taiwo J. Sekoni, effective January 9, 2021.

Request of Sheriff to transfer Jack Valenzuela, Sergeant, effective January 9, 2021.

Request of Sheriff to transfer Phillip Lee Viands Jr., Sergeant, effective January 9, 2021.

Request of Sheriff to transfer Japheth Evan Villalobos, Deputy-Patrol, effective January 9, 2021.

Request of Sheriff to increase salary of Stephen W. Walker, Officer-Civil Det II, due to completion of certification requirements, effective January 23, 2021.

Request of Sheriff to increase salary of Russell Stacey Waters, Deputy-Detention, due to step increase, effective January 23, 2021.

Request of Sheriff to transfer Cory Thomas Watson, Deputy-Patrol, effective January 9, 2021.

Request of Sheriff to place Alan J. White, Officer-Civilian Deten, on payroll as replacement for Christopher D. Crisp Jr., effective January 9, 2021.

Request of Sheriff to transfer Leslesy Demon Williams, Deputy-Patrol, effective January 9, 2021.

Request of Sheriff to transfer Timothy S. Williamson, Deputy-Patrol, effective January 9, 2021.

Request of Sheriff to increase salary of Amber Rae Wilson, Deputy-Detention, due to step increase, effective January 9, 2021.

Request of Sheriff to accept the resignation of Calvin W. Wilson, Sergeant-Detention, effective January 6, 2021. [No benefits due]

Request of Sheriff to accept the retirement of Chana Lee Woodrow, Telecom Records Special, effective March 31, 2021. [82.98 hours or balance vacation; 60.0488 hours or balance comp; 8.25 hours or balance holiday]

Request of Sheriff to transfer Savannah Claire Wroski, Sergeant, as replacement for Dwayne B. Finley, effective January 23, 2021.

Request of Sheriff to transfer Michael Christopher Lyn Yow, Detective, effective January 9, 2021.

Request of Tax Assessor to increase salary of Edlecia Pierson Arias, Accounting Analyst, due to completion of probationary period, effective February 6, 2021.

Request of Tax Assessor to increase salary of Erica Bane, Manager-Quality Control, due to equity adjustment, effective February 6, 2021.

Request of Tax Assessor to increase salary of Whitney Black, Branch Manager, due to equity adjustment, effective February 6, 2021.

Request of Tax Assessor to increase salary of Kelley Bohanon, Accounting Analyst, due to equity adjustment, effective February 6, 2021.

Request of Tax Assessor to increase salary of Amy Crowson, Manager-Accounting, due to completion of probationary period, effective February 6, 2021.

Request of Tax Assessor to increase salary of Kenneth Martin II, due to equity adjustment, effective February 6, 2021.

Request of Tax Assessor to increase salary of Kimberly Roe, Chief Deputy-Operations, due to equity adjustment, effective February 6, 2021.

Request of Tax Assessor to increase salary of Mikka Thiem, Accounting Analyst, due to completion of probationary period, effective February 6, 2021.

Request of Tax Assessor to increase salary of Vicki Willis, Branch Manager, due to equity adjustment, effective February 6, 2021.

Request of Tax Assessor to place Lisa Yohner, Deputy Specialist I, on payroll as replacement for Kara Welch, effective January 11, 2021.

COUNTY JUDGE – AGENDA ITEM 8L1

- L1. REQUEST APPROVED for correction of following agenda items approved in Commissioners Court on January 12, 2021.
- a. E1a - MCESD#2 should read terms will begin January 1, 2021 and end on December 31, 2022.
 - b. E2a - MCESD#6 should read terms will begin January 1, 2021 and end on December 31, 2022.
 - c. E3a - MCESD#4 should read terms will begin January 1, 2021 and end on December 31, 2022.

JUSTICE OF THE PEACE PRECINCT 1 – AGENDA ITEM 8M1

- M1. REQUEST APPROVED to accept the monthly collections report for December 2020.

JUSTICE OF THE PEACE PRECINCT 2 – AGENDA ITEM 8N1

- N1. REQUEST APPROVED to accept the monthly collections report for November 2020.

JUSTICE OF THE PEACE PRECINCT 3 – AGENDA ITEM 8O1

- O1. REQUEST APPROVED to accept the monthly collections reports for November 2020 and December 2020.

JUSTICE OF THE PEACE PRECINCT 4 – AGENDA ITEM 8P1

- P1. REQUEST APPROVED to accept the monthly collections report for December 2020.

OFFICE OF COURT ADMINISTRATION – AGENDA ITEM 8Q1

- Q1. REQUEST APPROVED for First Amendment to Contract for Legal Representation of Eligible Indigent Juveniles by and between Montgomery County and Law Office of William Pattillo III. The purpose of this amendment is to comply with Article 26.05(d) and Article 26.052(h) Texas Code of Criminal Procedure.

SHERIFF – AGENDA ITEM 8R1

- R1. REQUEST APPROVED to authorize Sheriff Rand Henderson to appoint reserve deputies as attached herewith for the Montgomery County Sheriff's Office pursuant to Local Government Code Section 85.004 (a).

Charles Andrews, James Barber, John Blackwelder, David Borchardt, Bill Bucks, Edward Chance, Daryl Conn, Jay Coons, Rich Dye, Richard Fisher, Joshua Hunter, Roy Jimenez, George Kiss, Sam Lynch, Carey Mace, Casey McAdams, Christine Ramirez, Troy Reddehase, Floyd (Joey) Self, Robert Self, Tim Slusher, Jimmy Snelson, Les Tarrance

COUNTY ATTORNEY – AGENDA ITEMS 8S1-3

S1. PRECINCT 1

- a. ORDER APPROVED Authorizing Notice of Public Hearing under Local Government Code 232.009(C-1) for the replat of Lot Nineteen (19) in Block Six (6), of the Final Plat of The French Quarter on Lake Conroe, Section Three (3), to be known as French Quarter on Lake Conroe Section Three, Partial Replat No. 1.

S2. PRECINCT 4

- a. ORDER APPROVED Authorizing Notice of Public Hearing under Local Government Code 232.009(C-1) for the partial replat of unrestricted reserve "C" of Kellyn Oaks, Section 1, and a replat of Danika Oaks Drive, to be known as Timber Creek Estates.

AGENDA ITEMS 8S3a-e WERE MOVED TO EXECUTIVE SESSION. SEE MOTIONS 11 AND 12 FOR COURT ACTION.

COUNTY ATTORNEY – MENTAL HEALTH TREATMENT FACILITY – AGENDA ITEM 8T1

- T1. REQUEST APPROVED to accept the Table of Organization as recommended by MCMHTF Advisory Board.

CONSTABLE PRECINCT 4 – AGENDA ITEMS 8U1-2

- U1. REQUEST APPROVED to approve the Memorandum of Understanding between the Organized Crime Drug Enforcement Task Forces (OCDETF) and the Montgomery County Constable Precinct 4 office. The agreement includes \$6,030 for equipment rental and overtime funding for FY 2021 in the amount of \$19,180.25 with fringe benefits of \$3825 to be paid from 7400.790920.

- U2. REQUEST APPROVED to approve the appointment of the following Reserve Deputy Constables for Montgomery County Constable Pct. 4:

Abel Rodriguez, Eric Herzog, James Willis

CONSTABLE PRECINCT 5 – AGENDA ITEM 8V1

- V1. REQUEST APPROVED to accept the Constable Precinct 5 2020 Racial Profiling Statistical Data Report.

COMMUNITY DEVELOPMENT – AGENDA ITEM 8W1

- W1. AMENDMENTS APPROVED to the FY2019 Consolidated Action Plan, and Judge Keough is authorized to sign and implement amendments including payments and reclassification of Community Development budget as submitted.

BUILDING MAINTENANCE – AGENDA ITEM 8X1

- X1. REQUEST APPROVED to accept Covenant for Maintenance of Storm Water Collection System for Montgomery County.

GRANTS – AGENDA ITEMS 8Y1-5

- Y1. REQUEST APPROVED for the deobligation of \$41,759.85 for grant award G19HNOO17A High Intensity Drug Trafficking Area (HIDTA) for the Sheriff's Office. Judge Mark Keough is authorized to sign all related paperwork.
- Y2. REQUEST APPROVED for the deobligation of \$145.80 from the Vector Control grant from Texas Health and Human Services for Commissioner Precinct 3 office.
- Y3. REQUEST APPROVED to approve the Fiscal Year 2020 State Criminal Alien Assistance Program (SCAAP) grant application in the estimated amount of \$153,000 for the Sheriff's Office. No match required. Rebecca Ansley is authorized to submit grant application electronically on behalf of Montgomery County.
- Y4. REQUEST APPROVED to approve the Fiscal Year 2022 Child Victim Coordinator grant application to the Governor's Office of Texas in the amount of \$82,891.29 for District Attorney's Office with a match of \$21,102.43 from District Attorney's Office budget. Rebecca Ansley is the authorized official for this grant.
- Y5. REQUEST APPROVED to approve the Fiscal Year 2022 Domestic Violence Investigator grant application to the Governor's Office of Texas in the amount of

\$74,777.11 for the District Attorney's Office with a match of \$38,350.13 from District Attorney's Office. Rebecca Ansley is the authorized official of this grant.

Motion carried.

END OF CONSENT AGENDA

3. REQUEST APPROVED – CHANGE ORDERS - PURCHASING

Motion by Commissioner Noack, seconded by Commissioner Riley, to authorize Tim Stewart, Building Maintenance Director, to approve change orders for the Forensic Facility construction project up to \$50,000, as authorized by Section 262.031(b) Texas Local Government Code. Motion carried.

4. POSITION APPROVED – VMS TECHNICIAN – INFORMATION TECHNOLOGY

Motion by Commissioner Riley, seconded by Commissioner Noack, to approve opening position 503-3963-2, Video Management Software (VMS) Technician, with an annualized salary to be \$48,993.62, to be funded out of Commissioner Precinct 2 budget. Any and all necessary action is authorized to effectuate same. Motion carried.

Commissioner Noack requested the IT Department to bring a proposal to the next court for a technician who would be dedicated to assist with all the new technology equipment that is being utilized in the County offices, such as zoom rooms, etc.

JASON MILLSAPS WITH OFFICE OF EMERGENCY MANAGEMENT GAVE AN UPDATE ON THE PROGRESS OF THE PRIORITIZATION AND DISTRIBUTION OF COVID-19 VACCINATIONS IN THE COUNTY. AS THE PROVIDERS OF THE VACCINATIONS RECEIVE SUPPLIES, OEM IS HELPING TO COORDINATE AND FACILITATE THE DISTRIBUTION OF THE VACCINATIONS. SOME STATE PERSONNEL WERE ON SITE AND COMMENDED THE EFFICIENCY OF THE OPERATION. THEY DISCUSSED HAVING MONTGOMERY COUNTY BE A REGIONAL HUB FOR SOME OF THE SURROUNDING COUNTIES. NOTE: DISCUSSION IN FULL CAN BE HEARD ON AUDIO OF MINUTES ON THE COUNTY WEBSITE.

5. REQUEST APPROVED – VACCINE DISTRIBUTION PURCHASES – EMERGENCY MANAGEMENT

Motion by Commissioner Riley, seconded by Commissioner Metts, to authorize OEM to make necessary purchases related to vaccine distribution and vaccine distribution sites in an amount not to exceed \$100,000. This will bring the total for this project to not exceed \$200,000. Funds to come from CARES Act funds. Motion carried.

Commissioner Noack requested OEM to bring an update of purchases and amount of CARES Act funds remaining to the next court.

6. REQUEST APPROVED – FORENSICS AND CUSTODIAL OVERTIME – EMERGENCY MANAGEMENT

Motion by Commissioner Riley, seconded by Judge Keough, to authorize the use of overtime for Forensic Services and Building Custodial not to exceed \$50,000. Funds to come from Cares Act Funds. Motion carried.

7. REQUEST APPROVED – INTERLOCAL AGREEMENTS – EMERGENCY MANAGEMENT

Motion by Commissioner Noack, seconded by Commissioner Walker, to approve Interlocal Agreements between Montgomery County and the following local entities. The ILA will cover minimum staffing provided by the local entities to various vaccine distribution sites in Montgomery County in the amounts listed below. County Judge Mark J. Keough is authorized to execute agreements on behalf of Montgomery County. Funding to come from CARES Act funds.

- City of Conroe – Not to Exceed \$250,000
- The Woodlands Township – Not to Exceed \$250,000 (edited to be Fire Dept Only)
- Montgomery County Hospital District – Not to Exceed \$500,000
- North Montgomery County Fire Department – Not to Exceed \$100,000
- Porter Fire Department – Not to Exceed \$100,000

The ILA's with the edit will be presented at the next Court. Motion carried.

8. REQUEST APPROVED – UPDATED GRANT AGREEMENTS – COMMUNITY DEVELOPMENT

Motion by Commissioner Noack, seconded by Commissioner Riley, to authorize County Judge Mark Keough to sign the updated and corrected FY2020 funding grant agreements between HUD and Montgomery County that incorporates the Community Development Block Grant Program (CDBG), and the HOME Investment Partnerships Program (HOME). Minor adjustments were provided by HUD. Motion carried.

9. RESOLUTION APPROVED – NEW CCL – OFFICE OF COURT ADMINISTRATION

Motion by Commissioner Noack, seconded by Commissioner Metts, to approve Resolution memorializing support for the creation of one new County Court at Law for Montgomery County, Texas in the 87th Legislature. Motion carried.

10. REQUEST APPROVED – POSITION CHANGE – COMMISSIONER PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Noack, to approve closing position 5521-5910-1, Deputy, and opening position 5521-6010-2, Sergeant. Salary as defined on step plan. An additional \$13,261.90 is needed to fund increased salaries and benefits, to be funded out of Commissioner Precinct 2 operations budget. Budget Office is authorized to effectuate all necessary changes. Motion carried.

THE COURT RECESSED FOR EXECUTIVE SESSION PURSUANT TO ONE OR MORE OF THE FOLLOWING PROVISIONS OF THE TEXAS GOVERNMENT CODE, TO WIT: CHAPTER 551, SUB-CHAPTER D, ARTICLE 551.071.

EXECUTIVE SESSION – AGENDA ITEM 14A: CONSULTATION with County Attorney regarding issues with utility and fiber installation within county right of ways. (Section 551.071).

THE FOLLOWING AGENDA ITEMS WERE MOVED TO EXECUTIVE SESSION:

EXECUTIVE SESSION – AGENDA ITEM 8S3a: CONSIDER AND DISCUSS Resolution and Order to defend claim No. B-21-0001; Civil Action numbers 4:20-CV-04243 and styled Douglas and Pamela Petersen Individually, and as Administrator of the Estate of Brian Petersen vs. Montgomery County, Texas, Bridgitt Johnson, Southwest Correctional Medical Group, Inc., and Wellpath Recovery Solutions, LLC.; in the United States District Court for the Southern District of Texas, Houston Division.

EXECUTIVE SESSION – AGENDA ITEM 8S3b: CONSIDER AND DISCUSS Resolution and Order to defend claim No. B-18-0113; Civil Action numbers 4:20-cv-03550 and styled Dave Spencer and Faye Spencer vs. Gregory Wayne Abbott, Warren Kenneth Paxton, Robert “Bob” Wilson, Houston SPCA, Jennifer Cartwright, Amy Blackwelder, Ronald Chin, Edie Connelly, Claudia Laird, Aaron Johnson, Joseph Guidry and Montgomery County, Texas; in the United States District Court for the Southern District of Texas, Houston Division.

EXECUTIVE SESSION- AGENDA ITEM 8S3c: CONSIDER AND DISCUSS Resolution and Order to defend claim No. D-21-0001; Civil Action numbers 4:20-cv-03882 and styled Terrence Burks vs. Montgomery County, Deputy Cory Brown and Deputy Clifford Wood; in the United States District Court for the Southern District of Texas, Houston Division.

EXECUTIVE SESSION – AGENDA ITEM 8S3d: CONSIDER AND DISCUSS Order and Letter of Approval for ProCare EMS, LLC for the operation of private EMS Services in Montgomery County pursuant to Chapter 773 of the Texas Health and Safety Code.

EXECUTIVE SESSION – AGENDA ITEM 8S3e: CONSIDER AND DISCUSS Order and Letter of Approval for Greater Care EMS, LLC for the operation of private EMS Services in Montgomery County pursuant to Chapter 773 of the Texas Health and Safety Code.

COMMISSIONERS COURT RECONVENED WITH ALL MEMBERS PRESENT.

11. RESOLUTIONS AND ORDERS APPROVED – CLAIM NO. B-21-0001 – CLAIM NO. B-18-0113 – CLAIM NO. D-21-0001 – COUNTY ATTORNEY

Motion by Commissioner Noack, seconded by Commissioner Metts to approve the following:

Resolution and Order to defend claim No. B-21-0001; Civil Action numbers 4:20-CV-04243 and styled Douglas and Pamela Petersen Individually, and as Administrator of the Estate of Brian Petersen vs. Montgomery County, Texas, Bridgitt Johnson, Southwest Correctional Medical Group, Inc., and Wellpath Recovery Solutions, LLC.; in the United States District Court for the Southern District of Texas, Houston Division.

Resolution and Order to defend claim No. B-18-0113; Civil Action numbers 4:20-cv-03550 and styled Dave Spencer and Faye Spencer vs. Gregory Wayne Abbott, Warren Kenneth Paxton, Robert “Bob” Wilson, Houston SPCA, Jennifer Cartwright, Amy Blackwelder, Ronald Chin, Edie Connelly, Claudia Laird, Aaron Johnson, Joseph Guidry and Montgomery County, Texas; in the United States District Court for the Southern District of Texas, Houston Division.

Resolution and Order to defend claim No. D-21-0001; Civil Action numbers 4:20-cv-03882 and styled Terrence Burks vs. Montgomery County, Deputy Cory Brown and Deputy Clifford Wood; in the United States District Court for the Southern District of Texas, Houston Division. Motion carried.

12. ORDERS APPROVED – PRIVATE EMS SERVICES – COUNTY ATTORNEY

Motion by Commissioner Noack, seconded by Commissioner Metts, to approve Order and Letter of Approval for ProCare EMS, LLC for the operation of private EMS Services in Montgomery County pursuant to Chapter 773 of the Texas Health and Safety Code, and Order and Letter of Approval for Greater Care EMS, LLC for the operation of private EMS Services in Montgomery County pursuant to Chapter 773 of the Texas Health and Safety Code. The Commissioners, subject to the approval provided by the Montgomery County Hospital District, have determined that (1) the addition of another licensed emergency medical services provider will not adversely affect the provision of emergency medical services by the licensed emergency medical services providers operating in the county and (2) the addition of another licensed emergency medical services provider will remedy an existing shortage that cannot be resolved through the

use of the licensed emergency medical services providers operating in the county. Motion carried.

CITIZENS – AGENDA ITEM 16

Russell Scoonover with Texas Towing discussed the towing rotation system and said that it is unfair and is not working. He said they have been begging for some help, but no actions have been taken. He said the system is not fair to the community or the towing companies and they are now demanding some actions be taken.

MISCELLANEOUS – AGENDA ITEM 17 – NO OTHER ITEMS LISTED

13. 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:



COUNTY CLERK



COUNTY JUDGE

