

COMMISSIONERS COURT DOCKET  
FEBRUARY 9, 2021  
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 9<sup>th</sup> day of February, 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 Chief Barry Welch.

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

THE PLEDGE OF ALLEGIANCE TO THE TEXAS STATE FLAG RECITED.

AGENDA ITEMS 9A AND 9B WERE REMOVED.

1. COMMISSIONERS COURT AGENDA APPROVED.

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

AGENDA ITEM 7 – CITIZENS

No citizens spoke at this time.

PRESENTATION – COMMISSIONER PRECINCT 2

COMMISSIONER RILEY PRESENTED A VIDEO HONORING GEORGE HERZOG, AN EMPLOYEE THAT HAD WORKED FOR PRECINCT 2 FOR 25 YEARS, AND WHO HAD, SADLY, RECENTLY PASSED AWAY. A NUMBER OF MR. HERZOG'S FAMILY MEMBERS WERE ON HAND FOR THIS PRESENTATION.

AGENDA ITEMS 9A AND 9B WERE REMOVED.

2. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Noack, seconded by Commissioner Metts, to approve the Minutes from Regular Sessions of Commissioners Court dated January 12, 2021, and January 26, 2021. Motion carried.

AGENDA ITEM 10L2a WAS DEFERRED.

AGENDA ITEM 10L3a WAS DEFERRED.

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

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

COUNTY AUDITOR – AGENDA ITEMS 10A 1-4

A1. REQUEST APPROVED to authorize the County Judge to sign for the Montgomery County, Texas Arbitrage Rebate Compliance Services Addendum.

A2. PAYMENT OF ACCOUNTS APPROVED, as submitted by the County Auditor.

A3. REQUEST APPROVED to accept the following completed audits:

Compliance Audits FY20 – Commissioner Pct. 1 – Quarters 2, 3 & 4

Compliance Audits FY21:

- Commissioner Pct. 1 – Quarter 1
- Commissioner Pct. 1 – Closeout Audit

A4. REPORT ACCEPTED that complies with Local Government Code Section 114.024.

BUDGET OFFICE – AGENDA ITEM 10B1

B1. REQUEST APPROVED to authorize transfers, adjustments, and amendments for special revenue departments and general fund departments for Fiscal Year 2021.

TREASURER – AGENDA ITEMS 10C1

- C1. REQUEST APPROVED to accept a donation of \$10,000 to the Animal Shelter from Geneva Baker and John H. Baker III to be deposited into project DN0001 Animal Shelter Donation. County Clerk did not receive this check.

PURCHASING – AGENDA ITEMS 10D1-5

D1. CHANGE ORDERS APPROVED:

- a. CO #2 to Salem Group, Inc., dba Complete Concrete for Project #20-33 Rectification of Detention Ponds at Wood Creek Estates to add sixty (60) additional calendar days for Commissioner Precinct 2.
- b. CO #1 to BGE, Inc., for Engineering Services for I-45 at Woodlands Parkway/Robinson Rd. Signalization and Related Roadway Modifications for temporary traffic signal design for an increase in the amount of \$4,558.54 for Commissioner Precinct 3.
- c. CO #2 to Teamwork Construction Services, Inc., for Project #20-36 Intersection Improvements Grogan's Mill at South Millbend to add yellow paint for curb for an increase in the amount of \$6,337.33 for Commissioner Precinct 3.
- d. CO #2 to Huffco Services, Inc., for Project #19-03 Montgomery County Clerk's Office Records Repository for electrical and concrete changes, additional temporary general expenses and additional thirty (30) calendar days for an increase in the amount of \$76,764.85 for County Clerk.
- e. CO #1 to Bleyl Engineering for Engineering Services for David Memorial Extension for additional engineering services for an increase in the amount of \$287,250 for Commissioner Precinct 4.

D2. ADVERTISING APPROVED for the following:

- a. Budgeting, Project Financial Management and Reporting Software Solution Provider for Montgomery County.
- b. New Air Powered Water Vessel for Sheriff's Office.

D3. RENEWAL OPTIONS APPROVED:

- a. Customer Credit Card Payment Service with Certified Payments for various departments (exercising the fifth of six renewal options).
- b. Vending Machine Services with Hometown Vending Services, Inc., for various departments (exercising the first of four renewal options).
- c. Project #19-27 Demolition and Site Clearing with Inland Environments, Ltd., prime vendor and Cherry Moving Company, Inc., dba Cherry Demolition, alternate vendor for Emergency Management (exercising the first of five renewal options).
- d. Project #19-33 Collection of Urine Samples with Davis Investigation Services for Drug and DWI Courts (exercising the second of four renewal options).

D4. DISCRETIONARY EXEMPTIONS APPROVED:

- a. DISCRETIONARY EXEMPTION APPROVED for Laboratory Testing Services as a professional service from American Institute of Toxicology, Inc., for Forensics Services. Local Gov't Code §262.024(a)(4).

D5. ACTION TAKEN on bid(s) and/or contract(s) awarded:

- a. AWARD APPROVED for Project #21-12 Calvary Road Culvert Crossings for Commissioner Precinct 1 to Rebel Contractors, Inc.

COMMISSIONERS – AGENDA ITEMS 10E1-3

E1. PRECINCT 1

- a. REQUEST APPROVED for a Use Agreement with Montgomery Little League to use the baseball fields at West Montgomery County Park through December 31, 2021.
- b. REQUEST APPROVED from Sanford, Kuhl, Hagan, Kugle, Parker, Kahn, LLP for the creation and naming of the next available Municipal Utility District #206.

E2. PRECINCT 2

- a. REQUEST APPROVED for the assignment of Montgomery County Municipal Utility District #200 to be reserved in the name of Muller Law Group.
- b. AGREEMENT APPROVED between Montgomery County and Montgomery County Toll Road Authority for safety officer services.
- c. REQUEST APPROVED to remove Rene Hancock from the Montgomery County Housing Authority Board and appoint Kelly McDonald as a replacement for the remainder of the term.

E3. PRECINCT 4

- a. REQUEST APPROVED for the transfer of salvage item 1994 Vermeer model 1250BC, serial number 1VRC14134P1004014, unit 5019, to the City of Roman Forest for \$50.00 as provided for by Local Government Code 263.152(a)(1).
- b. REQUEST APPROVED to accept a Use Agreement with East Montgomery County Sports Association (EMCSA) to use the baseball/softball fields at Ed Rinehart Park for practices as scheduled now through December 31, 2021.
- c. REQUEST APPROVED to accept a Use Agreement with Splendor Youth Baseball Association to use baseball fields at Ipes Park for practices as scheduled from now through December 31, 2021.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 10F1-3

F1. PRECINCT 2

- a. STREETS ACCEPTED in Fosters Ridge, Section 16 into the one-year maintenance period.
- b. STREETS ACCEPTED in Fosters Ridge, Section 17 into the one-year maintenance period.
- c. STREETS ACCEPTED in Cimarron Creek, Section 8 into the one-year maintenance period.
- d. FINAL PLAT APPROVED of Street Dedication Plat of Grosbeak Lane; 1.1058 acres, James Brown Survey, A-78.

F2. PRECINCT 3

- a. PUBLIC HEARING DATE SET of March 9, 2021 to consider and approve establishing a no parking zone and placement of signs "No Parking, Any Time" on both sides of Old Riley Fuzzel Road from Loddington Street to Fox Run Boulevard.
- b. STREETS ACCEPTED in Meadows at Imperial Oaks, Section 11 into the one-year maintenance period.
- c. FINAL PLAT APPROVED of Woodson's Reserve, Section 18; 11.56 acres, Montgomery County School Land Survey, A-351.
- d. FINAL PLAT APPROVED of Northgrove, Section 15; 11.73 acres, James Brown Survey, A-78.

F3. PRECINCT 4

- a. REQUEST APPROVED to acknowledge fully executed Agreement to Contribute Right of Way funds for right of way improvements to SH 105 from San Jacinto County Line to Liberty County Line with Texas Department of Transportation approved in Commissioners Court on November 10, 2020 (M#3 10E2b).
- b. REQUEST APPROVED to acknowledge that the roads in Harpers Preserve, Section 12 have been built to county standards and have completed the one-year maintenance period, and the bond is released. These roads are private and will not be maintained by Montgomery County.
- c. REQUEST APPROVED to acknowledge that the roads in Harpers Preserve, Section 13-B 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.
- d. REQUEST APPROVED to acknowledge that the roads in Harpers Preserve, Section 14 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 to acknowledge that the roads in Harpers Preserve, Section 15 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 Azalea District, Section 1 into the county road maintenance system and bond is released.
- g. STREETS ACCEPTED in Azalea District, Section 2 into the county road maintenance system and bond is released.
- h. STREETS ACCEPTED in Azalea District, Section 3 into the county road maintenance system and bond is released.
- i. STREETS ACCEPTED in Azalea District, Section 4 into the county road maintenance system and bond is released.
- j. STREETS ACCEPTED in Harpers Preserve, Section 28 into the one-year maintenance period.
- k. FINAL PLAT APPROVED of The Woodlands Trade Center, Section 15; 37.28 acres, James McCambridge Survey, A-390.
- l. FINAL PLAT APPROVED of The Woodlands Trade Center, Section 14; 24.84 acres, James McCambridge Survey, A-390.
- m. FINAL PLAT APPROVED of Crockett Trace Estates, Section 11; 35.714 acres, Bennett Blake Survey, A-4.
- n. FINAL PLAT APPROVED of Hidden Acres, Section 2 Partial Replat No. 1; 5.003 acres, Elijah Votaw Survey, A-584.
- o. FINAL PLAT APPROVED of The Woodlands Trade Center, Section 12; 4.35 acres, James McCambridge Survey, A-390.
- p. FINAL PLAT APPROVED of Brookwood Forest, Section 8; 11.161 acres, William Birch Survey, A-74.
- q. FINAL PLAT APPROVED of The Woodlands Trade Center, Section 13; 2.898 acres, James McCambridge Survey, A-390.

#### HUMAN RESOURCES – AGENDA ITEM 10G1

##### G1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of Airport to place Amanda Haneline, Clerk III, on payroll as replacement for Stormi Erickson, effective February 16, 2021.

Request of Custodial to correct the name of Jocson Alvarez, on PCR approved on 01.26.21 Commissioners Court, effective January 11, 2021.

Request of Custodial to place Christina Anderson, Custodian I, on payroll as replacement for Jessica Pickering, effective February 1, 2021.

Request of Custodial to increase salary of Nathen House, Custodian, due to completion of probationary period, effective February 7, 2021.

Request of Custodial to place Ariel Pereles, Custodian I, on payroll as replacement for James Spencer, effective February 1, 2021.

Request of Building Maintenance to accept the retirement of William M. Coleman, Maint Tech III, effective February 28, 2021. [36.5050 hours or balance vacation; 0.0050 hours or balance comp]

Request of Commissioner Precinct 1 to transfer Efren Gramillo Velazquez, Operator I, as replacement for Michael Mock, effective February 1, 2021.

Request of Commissioner Precinct 1 to increase salary of Carla Hensley, Coordinator II-Facilities, due to completion of probationary period, effective February 6, 2021.

Request of Commissioner Precinct 1 to transfer Magellen Leyva, Mechanic I, effective February 6, 2021.

Request of Commissioner Precinct 1 Lake Park to transfer Clifford F. Williams, Director, effective January 23, 2021.

Request of Commissioner Precinct 2 to place Scott Beumer, Laborer, on payroll as replacement for Richard Alexander, effective January 26, 2021.

Request of Commissioner Precinct 2 to place Logan Durham, Operator I, on payroll effective February 2, 2021.

Request of Commissioner Precinct 2 to remove George Herzog Jr., Sr. Foreman, from payroll (deceased), effective February 3, 2021. [208.92 hours or balance vacation; 188.17 hours or balance comp; 8.00 hours or balance holiday]

Request of Commissioner Precinct 2 to increase salary of Douglas Hosford, Operator I, due to merit increase, effective January 30, 2021.

Request of Commissioner Precinct 2 to place Terry Huchison, Operator 1, on payroll as replacement for Jordan Stancil, effective February 2, 2021.

Request of Commissioner Precinct 2 to increase salary of Ian Jensen, Operator I, due to merit increase, effective January 30, 2021.

Request of Commissioner Precinct 2 to promote James Luna, Operator II, as replacement for Wyatt Albert, effective January 30, 2021.

Request of Commissioner Precinct 2 to promote Quinton Wilson II, as replacement for Edward Ottes, effective January 30, 2021.

Request of Commissioner Precinct 3 to accept the resignation of Walter Rodriguez, Operator I, effective February 1, 2021. [6.16 hours or balance vacation]

Request of Commissioner Precinct 4 to place Charles Owen, Operator I on payroll as replacement for Adam Arnold, effective February 1, 2021.

Request of Constable Precinct 2 to place Robert L. Garcia, Deputy-Constable, on payroll as replacement for Jason Smith, effective February 6, 2021.

Request of Constable Precinct 2 to promote Janie Lee McCown, Sergeant Constable, effective February 6, 2021.

Request of Constable Precinct 3 to transfer Brent M. Ryan, Deputy-Constable, as replacement for Stephen Reese, effective January 23, 2021.

Request of Constable Precinct 3 to promote David Wayne Weis, Sergeant-Constable, as replacement for Matthew Rodrigue, effective January 23, 2021.

Request of Constable Precinct 3 to transfer Marisela Jesus Diaz, Deputy-Constable, as replacement for Mariah Shay Burke, effective January 23, 2021.

Request of Constable Precinct 3 to transfer Mariah Shay Burke, Deputy-Constable, as replacement for Colin Pritz, effective January 23, 2021.

Request of Constable 3 to transfer Stephen Alexander Reese, Deputy-Constable, as replacement for Brent Ryan, effective January 23, 2021.

Request of Constable Precinct 3 to transfer Colin Edward Pritz, Deputy Constable, as replacement for Marisela De Jesus Diaz, effective January 23, 2021.

Request of County Auditor to place Johnia Henderson, Internal Audit Lead, on payroll as replacement for Eric Grove, effective February 8, 2021.

Request of Court Operations to pay Suzanne Brooks, Visiting Judge, as contractor, effective January 1, 2021.

Request of Court Operations to pay John Delaney, Visiting Judge, as contractor, effective January 1, 2021.

Request of Court Operations to pay E. Mason Martin II, Visiting Judge, as contractor, effective January 1, 2021.

Request of Court Operations to pay K. Michael Mayes, Visiting Judge, as contractor, effective January 1, 2021.

Request of Court Operations to pay William McAdams, Visiting Judge, as contractor, effective January 1, 2021.



Request of Court Operations to pay Joseph Ottis, Visiting Judge, as contractor, effective January 1, 2021.

Request of Court Operations to pay John Phillips, Visiting Judge, as contractor, effective January 1, 2021.

Request of Court Operations to pay James Squier, Visiting Judge, as contractor, effective January 1, 2021.

Request of Court Operations to pay Suzanne Stovall, Visiting Judge, as contractor, effective January 1, 2021.

Request of Court Operations to pay Cleburn Don Taylor, Visiting Judge, as contractor, effective January 1, 2021.

Request of Court Operations to pay Olen Underwood, Visiting Judge, as contractor, effective January 1, 2021.

Request of Court Operations to pay Douglas Warne, Visiting Judge, as contractor, effective January 1, 2021.

Request of Court Operations to pay Judy Warne, Visiting Judge, as contractor, effective January 1, 2021.

Request of District Attorney to accept the resignation of Cassidy J. Eckhardt, Court Clerk IV, effective February 5, 2021. [21.56 hours or balance vacation]

Request of District Attorney to place Mary Elizabeth Garcia, Special Victims Assistant, on payroll, effective February 4, 2021.

Request of District Attorney to place Kayla Ann Igal, Intern, on Unpaid Leave of Absence, effective February 1, 2021.

Request of District Attorney to accept the resignation of Brooke Lanelle Ross-Hogg, Social Worker, due to end of Grant Funding, effective February 28, 2021.

Request of District Clerk to place Rachel Gallagher, Part Time Clerk, on payroll as replacement for Meredith Dunaway, effective February 8, 2021.

Request of District Clerk to accept the retirement of Robert C. Wilkinson, Court Clerk II, effective January 22, 2021. [42.8150 hours or balance vacation]

Request of Elections to promote Darla R. Brooks, Supervisor-Voter Registration, as replacement for Debora Ann Everhart, effective February 1, 2021.

Request of Elections to accept the retirement of Debora Ann Everhart, Supervisor-Voter Registration, effective January 31, 2021. [177.55 hours or balance vacation; 206.91 hours or balance comp]

Request of Information Technology to re-hire Phillip John Crawford, Systems Admin III, as replacement for Eric Lowry, effective February 1, 2021.

Request of Justice of the Peace 3 to correct PCR of Tiffany Hartin, Administrative Manager II, replacement for Natalie Laurent, effective November 6, 2020.

Request of Justice of the Peace 4 to place Heather Brown, Court Clerk III, on payroll as replacement for Cassandra Gilbert, effective February 1, 2021.

Request of Justice of the Peace 4 to promote Cassandra Gilbert, Court Clerk IV, as replacement for Nicole Thomson, effective January 25, 2021.

Request of Justice of the Peace 4 to place Amber McNamara, Court Clerk III, on Unpaid FMLA/Disability leave effective January 12, 2021.

Request of Juvenile to re-hire Irma Dunmire, Juvenile Probation Officer, as replacement for Andrew Rodriguez, effective February 1, 2021.

Request of Juvenile to change status of Destiney Nicole Landers, Juvenile Supervision Officer, as replacement for Jazmyne Brown, effective February 6, 2021.

Request of Juvenile to accept the resignation of Gabriela Leambria Denise Singleton, Juvenile Supervision Officer-JJAEP, effective January 29, 2021. [12.75 hours or balance vacation; 0.1250 hours or balance comp]

Request of Library to promote April Ann Chastain, Administrative Assistant I, as replacement for Rhonda DeLuish, effective March 1, 2021.

Request of Library to accept the retirement of Rhonda Jean DeLuish, Administrative Assistant I, effective February 28, 2021. [166.0063 hours or balance vacation]

Request of Library to promote Amber Nicolette Fritschel-Manolovitz, Branch Manager, as replacement for Donna Dzierlenga, effective February 1, 2021.

Request of Library to place Scarlett M. St. Julian, Library Assistant II, on payroll due to return from Unpaid FMLA/Disability leave, effective January 26, 2021.

Request of Library to promote Savannah Nicole Wright, Library Assistant II, as replacement for Nyla Ashton, effective February 6, 2021.

Request of Office of Court Administration to place Tannya Badillo, Jail Liaison/Compliance Monitor, on payroll as replacement for Gabriela Garza, effective February 6, 2021.

Request of Office of Court Administration to increase salary of Estephany Bermeo, Jail Liaison/Compliance Monitor, due to completion of probationary period, effective February 6, 2021.

Request of Office of Court Administration to increase salary of Silvia Casas, Jail Liaison/Compliance Monitor, due to completion of probationary period, effective February 6, 2021.

Request of Office of Court Administration to accept the resignation of Gabriela Garza, Jail Liaison/Compliance Monitor, effective January 15, 2021. [115.56 hours or balance vacation]

Request of Office of Court Administration to increase salary of Elizabeth Lacey, Jail Liaison/Compliance Monitor, due to completion of probationary period, effective February 6, 2021.

Request of Office of Court Administration to increase salary of Camara McWashington, Administrative Assistant I, due to completion of probationary period, effective February 6, 2021.

Request of Recycle Station-Precinct 1 to place Travis Traylor, Recycle Technician, on payroll as replacement for Clifford Szymczak, effective February 8, 2021.

Request of Recycle Station Precinct 3 to transfer Owen DuBois, Recycle Technician, as replacement for David Gottberg, effective January 25, 2021.

Request of Sheriff to transfer Gladys Cristina Acosta, Deputy-Patrol, as replacement for Floyd Self Jr., effective February 6, 2021.

Request of Sheriff to increase salary of Christopher Ansley, Sergeant, due to step increase, effective February 6, 2021.

Request of Sheriff to promote Keith Mihail Billiris, Detective, as replacement for Jacob Suther Erickson, effective January 23, 2021.

Request of Sheriff to transfer Joshua Herbert Boone, Deputy, as replacement for Kristine Kadelia Hanks, effective January 23, 2021.

Request of Sheriff to transfer T. Phillip Epperson, Deputy-Patrol, as replacement for Joshua Daniel Reuscher, effective January 23, 2021.

Request of Sheriff to transfer Kristine Kadelia Hanks, Deputy-Patrol, as replacement for T. Phillip Epperson, effective January 23, 2021.

Request of Sheriff to accept the resignation of Zane Christopher Hoffmeyer, Deputy, effective February 4, 2021. [212.60 hours or balance vacation; 184.48 hours or balance comp; 48.00 hours or balance holiday]

Request of Sheriff to place Michael D. Holdridge, Install Technician, on payroll as replacement for Steven Worth Speed, effective January 23, 2021.

Request of Sheriff to transfer Steven Tyler Hollingsworth, Deputy, as replacement for Travis Aaron Wood, effective February 6, 2021.

Request of Sheriff to place Chandler Holloway, Officer-Civil Deten, on payroll as replacement for Tucker Miller III, effective January 23, 2021.

Request of Sheriff to transfer Lauren Ashley Homeyer, Deputy, as replacement for Clifford D. Wood, effective February 6, 2021.

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

Request of Sheriff to increase salary of Jackie Ray Mitchell Jr., Deputy-Bailiff, due to step increase, effective February 6, 2021.

Request of Sheriff to transfer Magdalena Edith Pickering, Deputy-Bailiff, as replacement for Marcus B. Duval Jr., effective February 6, 2021.

Request of Sheriff to transfer Brian Keith Reed, Deputy-Patrol, as replacement for Joshua Herbert Boone, effective January 23, 2021.

Request of Sheriff to transfer Joshua Daniel Reuscher, Deputy, as replacement for Brian Keith Reed, effective January 23, 2021.

Request of Sheriff to re-hire Corey A. Rice, Deputy, as replacement for David S. Aragon, effective February 6, 2021.

Request of Sheriff to place Ramiro Salazar III, Officer-Civilian Deten, on payroll due to return from Unpaid Leave of Absence, effective January 23, 2021.

Request of Sheriff to place Taweeporn T. Satitpunwaycha, Dispatcher, on payroll as replacement for Candace Brooke Calico, effective January 23, 2021.

Request of Sheriff to accept the resignation of Dustin S. Schaper, Officer-Civilian Deten, effective February 3, 2021. [117.41 hours or balance vacation; 149.43 hours or balance comp; 40.00 hours or balance holiday]

Request of Sheriff to place Taiwo J. Sekoni, Officer Civilian Deten, on Unpaid FMLA/Disability leave, effective January 15, 2021.

Request of Sheriff to accept the resignation of Taiwo J. Sekoni, Officer-Civilian Deten, effective February 3, 2021. [No benefits due]

Request of Sheriff to place Jennifer Rose Stringer, Tech I/Property Evidence, on payroll due to return from Unpaid Leave of Absence, effective December 28, 2020.

Request of Sheriff to place Kyle Tidwell, Officer-Civil Deten, on payroll as replacement for Trace Matthew McMahon, effective January 23, 2021.

Request of Sheriff to increase salary of Dowell K. True Jr., Officer-Civil Det II, due to completion of certification requirements, effective January 23, 2021.

Request of Sheriff to transfer Sandi Marie Walker, Deputy, as replacement for Zane Christopher Hoffmeyer, effective February 6, 2021.

Request of Sheriff to transfer Travis Aaron Wood, Deputy-Patrol, as replacement for Steven Tyl Hollingsworth, effective February 6, 2021.

Request of Tax Assessor to demote Kellie Alford, Accounting Analyst, as replacement for Edlecia Pierson Arias, effective February 6, 2021.

Request of Tax Assessor to increase salary of Lourdes Etanislado, Branch Manager, due to equity adjustment, effective February 20, 2021.

Request of Tax Assessor to promote Radhika Murthy, Branch Manager, as replacement for Vicki Willis, effective February 20, 2021.

Request of Tax Assessor to promote Edlecia Pierson Arias, Supervisor-Accounting, as replacement for Kellie Alford, effective February 6, 2021.

COUNTY JUDGE – AGENDA ITEM 10H1

- H1. REQUEST APPROVED to approve the updated 2021 Commissioners Court Dates and County Holiday Schedule.

JUSTICE OF THE PEACE PRECINCT 2 – AGENDA ITEM 10I1

- I1. REQUEST APPROVED to accept the Monthly Collections report for December 2020.

JUSTICE OF THE PEACE PRECINCT 4 – AGENDA ITEM 10J1

J1. REQUEST APPROVED to accept the Monthly Collections Report for January 2021.

JUSTICE OF THE PEACE PRECINCT 5 – AGENDA ITEM 10K1

K1. REQUEST APPROVED to accept the Monthly Collections report for December 2020 and January 2021.

COUNTY ATTORNEY – AGENDA ITEM 10L1-5

L1. PRECINCT 1

- a. ORDER APPROVED authorizing Notice of Public Hearing under Local Government Code 232.009(C-1) for the partial replat of Lot 17 in Block 6, French Quarter on Lake Conroe, Section two to be known as French Quarter on Lake Conroe Section Two, Partial Replat No. 1.

AGENDA ITEM 10L2a WAS DEFERRED.

L2. PRECINCT 2

- b. ORDER APPROVED authorizing Notice of Public Hearing under Local Government Code 232.009(C-1) for the replat of Lots 40 & 41 in block 5 of Lake Conroe Village, Section 1 to be known as Lake Conroe Village Section 1, Partial Replat No. 2.

AGENDA ITEM 10L3a WAS DEFERRED.

L4. PRECINCT 4

- a. ORDER APPROVED authorizing Notice of Public Hearing under Local Government Code 232.009(C-1) for the partial replat of a residual tract out of Deerwood Subdivision, Section 1, to be known as Deerwood Norte Section Two.
- b. ORDER APPROVED authorizing the public auction of a lease of real property located at 20399 Olds Drive, Porter, Texas 77365 for open space, recreational, or wetlands management. Jennifer Fox is appointed as special commissioner to conduct the lease auction on behalf of Montgomery County.
- c. ORDER APPROVED authorizing the acquisition by the Texas Department of Transportation of a 0.0390 acre parcel of land owned by Montgomery County for the expansion of State Highway 105. Commissioners Court accepts and approves the value of Parcel 442 of the SH105 Project reflected by the Appraisal Report in the amount of \$7,290.00, accepts and approves the independent consideration for TxDOT's possession and use of Parcel 442 in the amount of \$3,000.00, authorizes the conveyance of Parcel 442 to TxDOT for said sum, and authorizes and appoints

County Judge Mark J. Keough and/or Precinct 4 Commissioner James Metts to execute all necessary documents to accomplish this conveyance as may be required.

- d. INTERLOCAL COOPERATION AGREEMENT APPROVED between Montgomery County, Texas and Valley Ranch Town Center Management District relating to the Valley Ranch Parkway expansion project.
- e. ORDER APPROVED authorizing Payment of Special Commissioners Award in the proceedings under Cause No. 20-03-03049, in the amount of \$25,833.00 for Parcel 68 of the Sorters Road Project. The sum of \$23,420.00 previously tendered to the property owner is deducted from said Award of the Special Commissioners. The County Treasurer and County Auditor are authorized and directed to make payment in the amount of \$2,413.00 to be deposited into the registry of the Court in which such proceeding was heard and such payment to be made for the benefit and use of the property owner named in such proceeding in eminent domain. It is further ordered that the County Treasurer and County Auditor are authorized and directed to make payment to the Special Commissioners in such cause.

L5. ALL PRECINCTS

- a. INTERLOCAL COOPERATION AGREEMENT APPROVED between Montgomery County, Texas and the City of Conroe relating to Real Property and Assignment of Rights of Reverter for 5.00 acres in the R. House Survey, A-245 owned by Compassion United, Inc., a non-profit corporation.
- b. REQUEST APPROVED for Assignment and Assumption of Property Documents between Conroe BTS, LLC and Conroe Owner, LLC., relating to property located at 1101 Conroe Park W. Drive, Conroe, Texas 77303.

COUNTY CLERK – AGENDA ITEM 10M1

- M1. REQUEST APPROVED to acknowledge the deputation (name change) of Shari Klein.

DISTRICT CLERK – AGENDA ITEM 10N1

- N1. REQUEST APPROVED for construction project for the District Clerk's office. Building maintenance anticipates a not to exceed amount of \$500 due to having most of the supplies and materials. Funding to come from the District Clerk's budget.

CONROE-NORTH HOUSTON REGIONAL AIRPORT – AGENDA ITEM 10O1

- O1. REQUEST APPROVED to execute land lease agreement between Black Forest Ventures Aviation Real Estate, LLC and Montgomery County for approximately .229 acres of land at the Conroe North Houston Regional Airport.

CONSTABLE PRECINCT 1 – AGENDA ITEM 10P1-2

- P1. REQUEST APPROVED to accept the appointment of Reserve Deputies for Montgomery County Constable Precinct 1, as listed on Agenda.
- P2. REQUEST APPROVED to approve the 2020 Racial Profiling report from Montgomery County Constable Precinct 1.

CONSTABLE PRECINCT 2 – AGENDA ITEM 10Q1

- Q1. REQUEST APPROVED for remodeling project for Constable Precinct 2 to create more usable space for the evidence room. Building Maintenance has supplies and materials; therefore, no additional cost or supplies are required. There is no change to FY 2021 budget.

CONSTABLE PRECINCT 3 – AGENDA ITEM 10R1

- R1. REQUEST APPROVED to accept the Montgomery County Constable Precinct 3 Racial Profiling Report for the 2020 calendar year.

GRANTS – AGENDA ITEMS 10S1-3

- S1. REQUEST APPROVED to accept the Environmental Assessment and Finding of No Significant Impact (FONSI) for River Oaks Drive Drainage Improvement Project. Judge Keough is authorized to sign all related documents.
- S2. REQUEST APPROVED to approve Fiscal Year 2022 First Responder Mental Health grant application to the Governor's Office of Texas in the amount of \$139,067.27 for the Sheriff's Office, with a match of \$34,766.82 from Sheriff's Office budget. Rebecca Ansley is the authorized official of this grant.
- S3. REQUEST APPROVED to approve Fiscal Year 2022 Accident Reconstruction and Traffic Investigation Unit grant application to the Governor's Office of Texas in the amount of \$114,259.24 for the Sheriff's Office, with no match required. Rebecca Ansley is the authorized official for this grant.

Motion carried.

**END OF CONSENT AGENDA**

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- 4. REQUEST APPROVED – DECLARATION OF LOCAL DISASTER – COUNTY JUDGE



Motion by Commissioner Noack, seconded by Commissioner Metts, to approve a Resolution and Order renewing and extending the Declaration of Local disaster issued for a Public Health Emergency for a period of 30 days, to expire on March 11, 2021 at 11:59 p.m. Motion carried.

#### AGENDA ITEM 12A – EMERGENCY MANAGEMENT

JASON MILLSAPS GAVE AN UPDATE ON THE PRIORITIZATION AND DISTRIBUTION OF COVID-19 VACCINATIONS. A CALL CENTER HAS BEEN OPENED TO ASSIST IN THE REGISTRATION OF SENIORS 65+ FOR THE VACCINE. LONE STAR FAMILY HEALTH SYSTEM AND MEALS ON WHEELS PUT TOGETHER AN EVENT AT PRECINCT 2 AND PRECINCT 4, WHERE THEY GOT 450 SENIORS VACCINATED. JASON SAID ALL OF THE PROGRESS THE COUNTY HAS MADE WITH THE VACCINATION PROCESS WOULD NOT BE POSSIBLE WITHOUT THE COLLABORATION OF MULTIPLE ENTITIES, SUCH AS MCHD, LONE STAR FAMILY HEALTH, ST. LUKE'S, A NUMBER OF FIRE DEPARTMENTS AND LAW ENFORCEMENT FROM EVERY AGENCY IN THE COUNTY, ALONG WITH MULTIPLE CITY LAW ENFORCEMENT AGENCIES. NOTE: DISCUSSION IN FULL CAN BE HEARD IN AUDIO OF MINUTES ON THE COUNTY WEBSITE.

#### 5. REQUEST APPROVED – REGISTRATION SOFTWARE – EMERGENCY MANAGEMENT

Motion by Commissioner Noack, seconded by Commissioner Metts, to grant an exemption to the formal competitive bid process as authorized by Section 262.024 (a)(2) for an item necessary to preserve or protect the public health and safety of the residents of the county from Global Medical Response Inc and American Medical Response Inc for vaccination registration software (SafeRestart) and implementation service in an amount not to exceed \$285,000. Funding will be from Fund Balance. Director of MCOHSEM is authorized to execute agreement on behalf of Montgomery County. Motion carried.

#### AGENDA ITEM 12C WAS DEFERRED.

#### 6. REQUEST APPROVED – MEAL PURCHASES – EMERGENCY MANAGEMENT

Motion by Commissioner Riley, seconded by Commissioner Walker, to authorize OEM to purchase meals for employees working vaccine sites, not to exceed \$15,000, including sales tax and associated fees. Funding will be from Contingency. Commissioner Noack opposed. Motion carried.

#### 7. REQUEST APPROVED – APPOINTMENT OF MCTRA DIRECTORS – PRECINCT 2

Motion by Judge Keough, seconded by Commissioner Metts, to appoint Commissioner Noack and Commissioner Walker as Directors of the Montgomery County Toll Road Authority, and to remove Commissioner Meador, retired. Motion carried.

8. REQUEST APPROVED – APPOINTMENT OF MCTRA CHAIRPERSON AND VICE CHAIRPERSON – PRECINCT 2

Motion by Judge Keough, seconded by Commissioner Metts, to appoint Commissioner Riley as Chairperson and Commissioner Walker as Vice Chairperson of the Montgomery County Toll Road Authority. Motion carried.

ITEM 13B1 WAS MOVED TO BE HEARD AFTER EXECUTIVE SESSION.

**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 13B1: CONSIDER AND DISCUSS and take all appropriate action to amend, modify, or update the Montgomery County, Texas Ordinance Regulating Incident Management Towing rotation and Storage Services.

**COMMISSIONERS COURT RECONVENED WITH ALL MEMBERS PRESENT.**

CITIZENS – AGENDA ITEM 14

Amy Milstead stated that she was in favor of the proposal that would be made today regarding the towing rotation.

Clinton Bass stated that as he had turned down a call due to him being in court today, he had been advised to lie to the County so he could be put back in rotation.

T.J. Knox said that with this current rotation, he had lost  $\frac{3}{4}$  of his business, going from about 2 cars per day to 1 every 2 days. He said this rotation does not work.

Charles Miller stated that the current rules need to be enforced in order to help make this rotation system fair to everyone. He said that his business has suffered a 75% loss.

Shae Adamick stated that since this new rotation has been implemented, they have only towed 4 cars, when they normally would have towed 4 cars per day. She would like to have the option of adding equipment, etc. in the event of any changes that are approved.

Russell Schoonover said this rotation is not working. He said that as long as all the DPS and municipalities are not on the same system, it can't work. He said in a lot of situations, the officer on scene is not utilizing the rotation system, but choosing a wrecker that is already on scene.

Dale Bell stated the rotation doesn't work. He said the software system caught them off guard, and there is not enough detail on the app to let them know the actual location, or what equipment is needed. He would like to have a live dispatcher so they can get the details they need.

9. Motion by Commissioner Metts, seconded by Commissioner Riley, to amend the Montgomery County Ordinance Regulating Incident Management Towing rotation and Storage Services to having only 4 districts. The towing company could only operate in one of the four districts and need to have a licensed storage facility in that district.

Discussion was invited and Sheriff Henderson addressed some of the logistics issues and time constraints on completing the current tow rotation ordinance that are part of the problems people are experiencing at this time.

Commissioner Noack called the question to be voted on. The County Attorney asked for clarification on the motion, so they can accurately memorialize any change to the Ordinance.

The motion terminology was clarified to direct the County Attorney to amend the ordinance consistent with the comments Commissioner Metts made. The County Attorney will bring back a recommended amended Ordinance. The current Ordinance will continue until it has been amended. Commissioner Noack opposed. Motion carried.

#### MISCELLANEOUS – AGENDA ITEM 15

Commissioner Riley suggested to suspend the Towing Ordinance for 90 days until the new Ordinance can be implemented. The County Attorneys left the court room to confer on what can be done in the meantime. They determined the Ordinance could not be suspended as it hadn't been sufficiently noticed, but it can be put on a future agenda to be suspended.

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

#### 10. COURT ADJOURNS

Motion by Commissioner Noack, seconded by Commissioner Walker, 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

