

COMMISSIONERS COURT DOCKET  
MARCH 23, 2021  
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 23rd day of March, 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 Charles Miller.

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 ITEM 7 – CITIZENS

No citizens addressed the court at this time.

PRESENTATION – EMPLOYEE OF THE MONTH – EMPLOYEE COMMITTEE

Michael Holbrook, Manager of IT Help Desk, presented the Employee of the Month award for March to Daniel Kinard, Operations Specialist.

PRESENTATION – PERFORMANCE RECOGNITION AWARD – TXDMV

TxDMV Executive Director Whitney Brewster presented a Performance Recognition Award to Tax Assessor-Collector Tammy McRae. This is a Gold Level Award, and only 4 counties have ever received this level.

2. RESOLUTION APPROVED – AGRILIFE EXTENSION OFFICE

Motion by Commissioner Noack, seconded by Commissioner Metts, to approve the Resolution for the Montgomery County “Walk Across Texas” Community Challenge for 2021. Motion carried.

3. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve the Minutes from Regular Session of Commissioners Court dated March 9, 2021. Motion carried.

AGENDA ITEM 10O2a WAS DEFERRED.

AGENDA ITEM 10Q6 WAS MOVED TO THE OPEN SESSION TO BE HEARD WITH AGENDA ITEM 21A2. SEE MOTION 18 FOR COURT ACTION.

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

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 10A1-5

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

A2. COMPLETED AUDIT ACCEPTED for:

- Inherent Risk Assessment, Commissioner Precinct 3 January 21, 2021

A3. REPORT ACCEPTED that complies with Local Government Code Section 114.023.

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

- A5. REPORT ACCEPTED that complies with Local Government Code Section 114.025.

BUDGET – AGENDA ITEM 10B1

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

COUNTY JUDGE – AGENDA ITEM 10C1

- C1. REQUEST APPROVED for the modification of Intergovernmental Agreement 79-00-0071 for Joe Corley Detention Facility, between Montgomery County and the United States Marshal Service. This modification is to increase the per diem rate of \$64.97 to \$65.08 to reflect the incorporated annual Department of Labor Wage Determination with no cost to the county. There is no change in the guard/transportation rate of \$37.93. County Judge Mark Keough is authorized to sign on behalf of Montgomery County.

TREASURER – AGENDA ITEM 10D1

- D1. REQUEST APPROVED to approve the Monthly Treasurer Report for February 2021, including:
1. Monthly Statement of Balances for February 2021
  2. Monthly Investment Report for February 2021
  3. MCTRA Investment Report for February 2021
  4. Interest Summary Report for February 2021
  5. Investments Purchased Report for the week ending February 28, 2021
  6. Investments Matured Report for the week ending February 28, 2021
  7. Debt Report (Reported and Maintained by the Auditor's Office)
  8. Check Register for February 2021

TAX ASSESSOR/COLLECTOR – AGENDA ITEM 10E1

- E1. REQUEST APPROVED to accept the monthly Tax Collection Report for the month ending February 2021.

PURCHASING – AGENDA ITEMS 10F1-9

- F1. CHANGE ORDERS APPROVED for the following:
- a. CO #3 to Salem Group, Inc., dba Complete Concrete for Project #20-33 Rectification of Detention Ponds at Wood Creek Estates to adjust the cost and scope of work and add sixty (60) calendar days for a deduction in the amount of \$3,110 for Commissioner Precinct 2.

- b. CO#2 to Intervet, Inc. dba Merck Animal Health for Project #20-05 Animal Vaccines for price increase on vaccines effective April 1, 2021 for Animal Services.
  - c. CO #2 to D & W Contractors, Inc. for Project# 20-29 Rayford Road and Birnham Woods Dr. Intersection Improvements and Rayford Road Improvements for CenterPoint Energy Reimbursement and additional demo for an increase in the amount of \$16,174.70 for Commissioner Precinct 3.
- F2. CONTRACT APPROVED with the following highly qualified provider per Government Code Chapter 2254; Architectural Design Services from Lancaster + Wyatt Architects, LLP., in the amount of \$116,300 for MCCD.
- F3. RENEWAL OPTIONS APPROVED for
- a. Project #2018-0004 Employee Assistance Program with Deer Oaks EAP Services, LLC., for Risk Management (exercising the third of ten renewal options).
- F4. MASTER COOPERATIVE PURCHASING AGREEMENT APPROVED with Sheriffs' Association of Texas, Inc. for Various Departments.
- F5. DISCRETIONARY EXEMPTION APPROVED for:
- a. Book Leasing as an item that can be obtained from only one source from Brodart Co., for the Library. Local Gov't Code §262.024(a)(7)(B).
  - b. Attorney Services on an as needed basis as a personal or professional service from Kemp Smith, LLP., for County Attorney §262.024(a)(4).
  - c. Utility Services as an item that can be obtained from only one source from the following utilized vendors: Entergy, NRG/Reliant, Sam Houston Electric Corp, Mid South Synergy, City of Conroe, City of Magnolia, City of Oak Ridge North, City of Splendora, City of Willis, Dobbin Plantersville WSC, Lake South Water Supply, MC MUD #16, MC MUD #8, MC MUD #94, New Caney MUD, Old Tamina Water Supply, Pinehurst Decker Prairie, Quadvest, Southern MCUD, The Woodlands Joint Power Agency, CenterPoint Energy, AT&T, Inc., Consolidated Communications, Centurylink, Frontier Communications Corporation, Wavemedia, Inc., Comcast of Houston, LLC., Phonoscope, Inc., for various departments. Local Gov't Code 262.024(a)(7)(C).
- F6. AWARD APPROVED for Project #21-16 Traffic Signal Foundation Services to Third Coast Services, LLC in the amount of \$26,985 for Various Precincts.

- F7. ADVERTISING APPROVED for Engineering Services for Rehabilitation/Reconstruction of Public Improvements for the Porter Heights and Tamina Communities Located in Montgomery County Precinct #4 for Emergency Management.
- F8. DISCRETIONARY EXEMPTION APPROVED pursuant to Chapter 262, Local Government Code for professional services and approve Professional Services Agreement with Gauntt, Koen, Binney & Kidd, LLP in an amount not to exceed \$142,000; Virginia Little, as authorized officer of the Montgomery County Employee Benefit Plan and Director of Risk Management, is authorized to complete any and all required documentation and formalities related thereto. Funding source to be Montgomery County Self Insurance Fund.
- F9. DISCRETIONARY SOLE SOURCE EXEMPTION APPROVED for billing agent for Houston Area Database Consortium with Amigos Library Services for Library. Local Gov't Code 262.024(a)(7)(D).

RISK MANAGEMENT – AGENDA ITEMS 10G1-2

- G1. CHANGES, ADDITIONS AND RELEASES APPROVED for the following:

<u>BOND</u>	<u>NAME/DEPT</u>	<u>AMOUNT</u>	<u>ACTION</u>
63623271	Croft, James/Const. Pct. 1	\$5,000	Continuation
65410735	Ivett, Taylor/Const. Pct. 4	\$5,000	New Bond
64935531	Keasling, Chadwick/Const. Pct.4		Rider
65333278	Pierson-Arias, Edlecia/Tax Assessor		Rider

- G2. ANNUAL RENEWAL APPROVED of the Public Entity Insurance Package (Property, Casualty and Workers' Compensation) for the 2021-2022 policy period.

COMMISSIONERS – AGENDA ITEMS 10H1-2

- H1. PRECINCT 1
- a. REQUEST APPROVED for a Use Agreement with Conroe Area Girls Softball Association to use the softball fields at Gene Campbell Sport Complex through December 31, 2021.
  - b. REQUEST APPROVED for a Use Agreement with Montgomery Girls Sports Association to use the softball fields at West Montgomery County Park through December 31, 2021.

- c. REQUEST APPROVED for a use agreement with Willis Youth Athletic Association to use the baseball fields at Charles Traylor Memorial Park through December 31, 2021.

H2. PRECINCT 4

- a. REQUEST APPROVED for a Use Agreement with Splendora Area Softball Association to use the softball fields at Ipes Park for practices scheduled now through December 31, 2021.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 10I1-4

I1. PRECINCT 1

- a. STREETS ACCEPTED in Summerwood Trails, Section 1 into the one-year maintenance period.
- b. FINAL PLAT APPROVED of Replat of Lots Six and Seven, Block 1, Gemstone Estates. 1.999 acres, Owen Shannon Survey, A-36

I2. PRECINCT 2

- a. FINAL PLAT APPROVED of Audubon Creekside North, Section 5. 10.70 acres, Charles Frazier Survey, A-206.
- b. STREETS ACCEPTED in Bonterra at Woodforest, Section 8 into the county road maintenance system and bond is released.
- c. FINAL PLAT APPROVED of The Reserve at High Meadows Estates. 98.00 acres, Lorenzo Jones Survey, A-294 and Henry J. Stansbury Survey, A-518.

I3. PRECINCT 3

- a. FINAL PLAT APPROVED of The Woodlands Metro Center, Section 1 Partial Replat No. 1. 1.53 acres, John Taylor Survey, A-547 and Walker County Land Survey, A-599.
- b. FINAL PLAT APPROVED of The Woodlands Metro Center, Section 86. 2.84 acres, Walker County Land Survey, A-599.
- c. FINAL PLAT APPROVED of The Woodlands Metro Center, Section 74 Partial Replat No. 1. 16.472 acres, Montgomery County School Land Survey, A-350, James Stephens Survey, A-536 and John Taylor Survey, A-547.
- d. FINAL PLAT APPROVED of The Woodlands Metro Center, Section 85. 8.611 acres, John Taylor Survey, A-547.
- e. FINAL PLAT APPROVED of The Woodlands Metro Center, Section 88. 1.97 acres, Walker County School Land Survey, A-599.
- f. FINAL PLAT APPROVED of The Woodlands Metro Center, Section 47 Partial Replat No. 1. 4.23 acres, James Stephens Survey, A-536.

- g. FINAL PLAT APPROVED of The Woodlands Metro Center, Section 82. 6.77 acres, Walker County School Land Survey, A-599.
- h. FINAL PLAT APPROVED of The Woodlands Metro Center, Section 45 Partial Replat No. 1. 7.814 acres, Walker County School Land Survey, A-599 and John Taylor Survey, A-547.
- i. FINAL PLAT APPROVED of The Woodlands Village of Sterling Ridge, Section 108. 47.192 acres, William White Survey, A-592 & Isaac Mansfield Survey, A-344.
- j. FINAL PLAT APPROVED of The Woodlands Village of Sterling Ridge, Section 109. 10.857 acres, James Brown Survey, A-78.
- k. FINAL PLAT APPROVED of The Woodlands Village of Sterling Ridge, Section 94 Partial Replat No. 1. 10.857 acres, James Brown Survey, A-78.
- l. FINAL PLAT APPROVED of Oasis Pointe Condominiums Partial Replat No. 1. 2.33 acres, John Taylor Survey, A-547.
- m. FINAL PLAT APPROVED of The Woodlands Metro Center, Section 29 Partial Replat No. 1. 4.111 acres, Walker County School Land Survey, A-599.
- n. FINAL PLAT APPROVED of The Woodlands Metro Center, Section 58 Partial Replat No. 1. 1.1956 acres, Walker County School Land Survey, A-599.
- o. FINAL PLAT APPROVED of ZM Commercial Estates. 0.54 acres, Montgomery County School Land Survey, A-350.
- p. FINAL PLAT APPROVED of Montgomery County Sheriffs Substation. 4.7655 acres, Montgomery County School Land Survey, A-350.

14. PRECINCT 4

- a. STREETS ACCEPTED in Harpers Preserve, Section 27 into the one-year maintenance period.
- b. FINAL PLAT APPROVED of Shah Estates, Section 1. 5.868 acres, Richard Vince Survey, A-583.
- c. STREETS ACCEPTED in Brookwood Forest, Section 8 into the one-year maintenance period.
- d. STREETS ACCEPTED in Deerwood Norte, Section 1 into the county road maintenance system and bond is released.
- e. STREETS ACCEPTED in Harpers Preserve, Section 32 into the one-year maintenance period.
- f. STREETS ACCEPTED in The Lakes at Crockett Martin, Section 1 into the one-year maintenance period.
- g. FINAL PLAT APPROVED of Country Colony, Section 7. 16.56 acres, M.H. Short Survey, A-535.
- h. FINAL PLAT APPROVED of Starbucks Conroe Amending Plat No. 1. 2.2560 acres, Richard Vince Survey, A-583.

- i. STREETS ACCEPTED in Montgomery Creek Ranch, Section 22 into the one-year maintenance period.
- j. FINAL PLAT APPROVED of Harpers Preserve, Section 30. 16.00 acres, Montgomery County School Land Survey, A-350.
- k. FINAL PLAT APPROVED of Harpers Preserve, Section 31. 11.91 acres, Montgomery County School Land Survey, A-350.
- l. FINAL PLAT APPROVED of Caney Mills Section 1. 36.59 acres, T.P. Davy Survey, A-162 and Bennett Blake Survey, A-4.

#### HUMAN RESOURCES – AGENDA ITEM 10J1

##### J1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of 418<sup>th</sup> District Court to increase salary of Lisa Shanahan, Court Coordinator I, due to merit increase, effective March 6, 2021.

Request of Animal Services to place Hayley Chatelain, Clinic Vet Tech, on unpaid FMLA/disability leave, effective March 12, 2021.

Request of Animal Services to accept the resignation of Cheyenne Figge, Clerk III, effective March 19, 2021. [16.56 hours or balance vacation]

Request of Animal Services to place Jaime Garza, Animal Control Officer, on payroll as replacement for Daniel Avalos, effective March 29, 2021.

Request of Animal Services to place Ana Hernandez, Clerk III, on payroll as replacement for a Pooled Position, effective March 10, 2021.

Request of Custodial to discharge Yamilet Herrera Abarca, Custodian-PT, effective March 8, 2021. [No benefits due]

Request of Custodial to increase salary of Reynaldo Junior Tinoco, Custodian-PT, due to completion of probationary period, effective March 5, 2021.

Request of Custodial to accept the resignation of Priscilla Trevino, Custodian-PT, effective February 5, 2021. [No benefits due]

Request of Building Maintenance to accept the resignation of Fayez Nassri, Maint Tech II, effective March 5, 2021. [No benefits due]

Request of Building Maintenance to place Raul Rios, MainTec II-BldMnt-5, on payroll as replacement for Fayez Nassri, effective March 29, 2021.

Request of Building Maintenance to place Kevin Smilie, MainTec III-BldMn-13, on payroll as replacement for Christopher Smith, effective March 15, 2021.



Request of Building Maintenance to promote Christopher Smith, Maint Tech III, as replacement for William Coleman, effective March 6, 2021.

Request of Building Maintenance to re-hire Roy Wilkins, Maint Tech III, as replacement for Jeremiah Zastrow, effective March 15, 2021.

Request of Commissioner Precinct 1 to accept the retirement of Harold Wayne Stockdale, Senior Foreman, effective March 31, 2021. [145.04 hours or balance vacation]

Request of Commissioner Precinct 1 to place Aiden L. Collier, Part-time Park Attendant, on payroll, effective March 20, 2021.

Request of Commissioner Precinct 1 to place Collin J. Curry, Part-time Park Attn, on payroll, effective March 13, 2021.

Request of Commissioner Precinct 1 to place David A. Soriano, Part-time Park Attn, on payroll, effective March 13, 2021.

Request of Commissioner Precinct 2 to transfer Joanne Ducharme, Clerk IV, effective March 9, 2021.

Request of Commissioner Precinct 3 to place Nathan Vaughn, Laborer, on payroll effective April 5, 2021.

Request of Commissioner Precinct 4 to accept the resignation of Curtis Smith, Operator II, effective March 25, 2021. [10.30 hours or balance vacation]

Request of Community Development to promote Rebecca Ansley, Director-Grants & Comm. Develop, effective March 9, 2021.

Request of Constable Precinct 3 to place Walter J. Dyches, Deputy-Constable, on payroll as replacement for Stephen Reese, effective March 20, 2021.

Request of Constable 4 to increase salary of Jose Amstutz, Deputy-Constable, due to step increase, effective March 20, 2021.

Request of Constable 4 to accept the retirement of Adolph Boudreaux III, Deputy-Constable, effective March 31, 2021. [222.93 hours or balance vacation, 30.00 hours or balance comp, 56.00 hours or balance holiday]

Request of County Auditor to place Dana Murphy, AP Ast-Audit, on payroll as replacement for Carla Foley, effective March 9, 2021.

Request of District Attorney to promote Susan U. Bond, Court Clerk IV, as replacement for Mary Butler, effective March 20, 2021.

Request of District Attorney to promote Jacquelyn Rodriguez, Court Clerk IV, as replacement for Susan Bond, effective March 20, 2021.

Request of District Clerk to promote Rachel Gallagher, Court Clerk II, as replacement for Rachel Johnson, effective March 22, 2021.

Request of District Clerk to accept the resignation of Rachel Johnson, Court Clerk II, effective March 19, 2021. [28.21 hours or balance vacation]

Request of District Clerk to place Terrell Mizell, Court Clerk II, on unpaid FMLA/disability leave, effective March 16, 2021.

Request of District Clerk to promote Patricia Morill, Court Clerk III, as replacement for Tony Beltran, effective March 8, 2021.

Request of IT Services to discharge Joseph L. Scarborough II, effective March 10, 2021. [No benefits due]

Request of Justice of the Peace Precinct 2 to correct PCR for Catherine Carter Reed, PT CTCLK2, approved in Commissioners Court on 3/9/21, to be effective February 18, 2021.

Request of Juvenile to change status of Jessica Marie Denmark, JSO-Juv-32, as replacement for Miguel Saldivar, effective March 20, 2021.

Request of Juvenile to accept the resignation of Elliott Ford Garlinger, JSO-Juv-22, effective February 14, 2021. [No benefits due]

Request of Juvenile to accept the resignation of Joseph Lee Green, JSO Sub, effective March 13, 2021. [No benefits due]

Request of Juvenile to change status of Clinton Brian Harvey, JSO-Juv-22, as replacement for Elliott Ford Garlinger, effective March 20, 2021.

Request of Juvenile to place Stefanie Ann Kestler, JPO-Juv-17, on unpaid FMLA/disability leave, effective March 16, 2021.

Request of Juvenile to change status of Cory Scott LeBlanc, JSO-Juv-20, as replacement for Phillip Patton, effective March 20, 2021.

Request of Juvenile to change status of Mitchell Lloyd Ley, JSO-Juv-33, as replacement for Raina Vaden, effective March 20, 2021.

Request of Library to place Kelley M. Hunt, Librarian II, on unpaid leave of absence, effective March 11, 2021.

Request of Library to accept the retirement of Kelley M. Hunt, Librarian II, effective March 31, 2021.

Request of Library to accept the resignation of Rebecca Sue Roller, Catalog Technician, effective March 19, 2021.

Request of Sheriff to transfer Michael L. Aldrich, DPTYPTL-SO TWT-21, as replacement for Nathan Hall, effective March 6, 2021.

Request of Sheriff to accept the retirement of Howard Lee Ansley, SGT DET-SO JAIL-10, effective March 31, 2021.

Request of Sheriff to place Angel M. Becerra, DO-SO JAIL-181, on payroll effective March 20, 2021.

Request of Sheriff to place Joel Cantu, Cadet, on payroll effective March 20, 2021.

Request of Sheriff to transfer Daniel Craig Cox, SHRF-DPTY TRN-CADET-5, effective March 20, 2021.

Request of Sheriff to transfer Sean M. Cyr, DPTY-SO PTRL D4-1, as replacement for Kendrick L. Castillo, effective March 20, 2021.

Request of Sheriff to transfer Donald Marquise Dorsey, SHRF-DPTYTRN-CADET6, effective March 20, 2021.

Request of Sheriff to transfer Austin Tyler Ennis, SHRF-DPTYTRN-CADET7, effective March 20, 2021.

Request of Sheriff to remove Debra A. Forbes, DISPATCH SUPV-SO-1, from payroll (deceased), effective March 9, 2021.

Request of Sheriff to transfer John Patrick Garcia, SHRF-DPTYTRN-CADET8, effective March 20, 2021.

Request of Sheriff to transfer Kevin Andrew Hataway, SPC-SO MOTORS-1, as replacement for Jonathan Chase Combs, effective March 20, 2021.

Request of Sheriff to transfer Thomas M. Hudson Jr., DPTY-SO PTRL D2-2, as replacement for Jared Thomas-Wayne Drew, effective March 20, 2021.

Request of Sheriff to promote Robert E. Layman Jr., SGT-SO HVC-3, effective March 20, 2021.

Request of Sheriff to transfer Angel Montes, SHRF-DPTYTRN-CADET9, effective March 20, 2021.

Request of Sheriff to transfer Pamela E. Munson, DPTY-SO PTRL D4-11, as replacement for Savannah Wroski, effective March 6, 2021.

Request of Sheriff to transfer Dustin Eugene Novak, SHRF-DPTYTRN-CADET10, effective March 20, 2021.

Request of Sheriff to place Joseph O'Neill, Cadet, on payroll effective March 20, 2021.

Request of Sheriff to increase salary of Justin W. Painter, DPTY-SO PTRL D3-55, due to step increase, effective March 20, 2021.

Request of Sheriff to transfer Phillip Patton, Cadet, effective March 20, 2021.

Request of Sheriff to promote Kenneth Joseph Provenzano, SGT-SO PTRL, effective March 20, 2021.

Request of Sheriff to accept the resignation of Brian Keith Reed, DPTY PTL-SO D5-23, effective March 19, 2021.

Request of Sheriff to discharge William L. Reeder, DO-SO JAIL-144, effective March 9, 2021.

Request of Sheriff to promote Christopher Jason Rose, DET-SO PTRL E-4, as replacement for Chantal Marie Ward, effective March 20, 2021.

Request of Sheriff to transfer Zachary David Rutledge, SHRF-DPTYTRN-CADET11, effective March 20, 2021.

Request of Sheriff to transfer Andrew Garner Smith, SHRF-DPTYTRN-CADET12, effective March 20, 2021.

Request of Sheriff to transfer Samuel David Smith, DPTYPTL-SO D4-25, as replacement for Pamela Munson, effective March 6, 2021.

Request of Sheriff to transfer Kyle Douglas Sullivan, DPTY-SO PTRL D4-21, as replacement for Samuel Smith, effective March 6, 2021.

Request of Sheriff to place Megan Tate, Cadet, on payroll effective March 20, 2021.

Request of Sheriff to place Taylor W. Thomas, DO-SO JAIL-58, on payroll effective March 20, 2021.

Request of Sheriff to accept the resignation of Aaron Scott Vaca, DPTY-SO PTRL D3-64, effective March 15, 2021.

Request of Sheriff to transfer Ismael Valdivia, SHRF-DPTYTRN-CADET13, effective March 20, 2021.

Request of Sheriff to transfer Chantal Marie Ward, DET-SO GANG-3, as replacement for Ryan Tones, effective March 20, 2021.

Request of Sheriff to place Alayah J. Whitehurst, DO-SO JAIL-18, on payroll effective March 20, 2021.

Request of Sheriff to transfer Patrik Thomas Wright, SHRF-DPTYTRN-CADET14, effective March 20, 2021.

Request of Sheriff to transfer Ryan Shane Yount, DPTYPTL-SO D5-24, as replacement for Brian Keith Reed, effective March 20, 2021.

Request of Tax Assessor to increase salary of Amanda Heine, Deputy Specialist III, due to completion of education and tenure requirements, effective March 20, 2021.

#### ENVIRONMENTAL HEALTH – AGENDA ITEM 10K1

K1. REQUEST APPROVED for demolition on the following properties that are abandoned, deemed unsafe, or unlivable:

Precinct 2  
30002 Rosebud St., Magnolia, Texas 77354

Estimated total cost: \$5,500  
Funded by: CDBG

#### JUSTICE OF THE PEACE PRECINCT 2 – AGENDA ITEM 10L1

L1. REQUEST APPROVED to accept the monthly collections report for February 2021.

#### EMERGENCY MANAGEMENT – AGENDA ITEM 10M1

M1. CONTRACT APPROVED between the state GLO and Montgomery County enacting the CDBG-DR Infrastructure projects for Harvey Round 1 Funding (Contract 20-065-136-C491).

#### LIBRARY – AGENDA ITEM 10N1

- N1. REQUEST APPROVED for submission of the Annual Report for Local Fiscal Year 2020 and for Judge Keough to sign the Accreditation in the State Library System Application.

COUNTY ATTORNEY – AGENDA ITEMS 1001-4

O1. PRECINCT 1

- a. ORDER APPROVED Authorizing Notice of Public Hearing under Local Government Code 232.009(C-1) for the partial replat of Lots 1 & 2 in Block 2 of Forest Trails, to be known as Forest Trails Partial Replat No. 1.
- b. ORDER APPROVED accepting donation deed for two tracts of land in the Samuel Lindley survey for use as a public right of way for the realignment of Rogers Road. Commissioner Walker is appointed as Special Commissioner to accept and sign the fully executed Donation Deed. The County Clerk and/or his designees are hereby directed to record the Donation Deed in the Official Public Records.
- c. ORDER APPROVED accepting temporary construction easement from Michael G. Manners, Trustee, for the realignment of Rogers Road. Commissioner Walker is appointed as Special Commissioner to accept and sign the fully executed Temporary Construction Easement. The County Clerk and/or his designees are hereby directed to record the Temporary Construction Easement in the Official Public Records.
- d. REQUEST APPROVED to approve Combination Utility Easement to City of Conroe and Judge Mark J Keough is authorized to sign.

AGENDA ITEM 1002a WAS DEFERRED.

O3. PRECINCT 4

- a. ORDER APPROVED Authorizing Notice of Public Hearing under Local Government Code 232.009(C-1) for the partial replat of Lot 4, Block 2 of Peach Creek Plantation, Section Two, to be known as Peach Creek Plantation, Section 2, Partial Replat No. 3.
- b. REQUEST APPROVED to accept and record fully executed Interlocal Cooperation Agreement between Montgomery County, Texas and Porter Special Utility District relating to the Sorters Road widening.
- c. ORDER APPROVED declaring the existence of a public necessity and authorizing the institution of eminent domain proceedings for the Ford Road Expansion Project. The County Judge or his designee is authorized to sign any papers or agreements associated with acquiring the properties. It is also ordered and decreed that the payment of compensation for any and all expenses and costs associated with the Project is authorized and approved.

O4. ALL PRECINCTS

- a. RESOLUTION AND ORDER APPROVED to defend claim No. A-19-0027; Cause No. 21-01-01063, and styled Joe Edward Harrison vs. Montgomery County, Texas in the 457th Judicial District Court of Montgomery County, Texas. Montgomery County Attorney is authorized to incur any expenses as necessary for the proper defense and negotiation of said case. Funding of said expenses is authorized from the Risk Management budget with the approval of the Director of Risk Management or designee of the Director of Risk Management.
- b. REQUEST APPROVED to accept "Order Adopting Rules for Montgomery County, Texas for On-Site Sewage Facilities (OSSF)" for recording in the Montgomery County Commissioners Court records and implementation in Montgomery County, Texas as authorized by the Texas Commission on Environmental Quality (TCEQ) on March 4, 2021.
- c. REQUEST APPROVED to approve Texas Department of Agriculture HDM County Grant Program Year 2020 supplemental documentation requested by Meals on Wheels Montgomery County, in reference to the County's 2019-2020 fiscal year Public Service Contract approved by Commissioners Court on September 24, 2019.

CONROE-NORTH HOUSTON REGIONAL AIRPORT – AGENDA ITEMS 10P1-2

- P1. REQUEST APPROVED for Consent of Partial Assignment of Land Lease from David Allen Giese to LT Hangars, LLC for 0.041 acres of land at the Conroe North Houston Regional Airport.
- P2. REQUEST APPROVED for Consent of Partial Assignment of Land Lease from Keven Dowell to Douglas G. Malloy and Stephen Michael Havemann for .033 acres of land at the Conroe North Houston Regional Airport.

COMMUNITY DEVELOPMENT – AGENDA ITEMS 10Q1-6

- Q1. AGREEMENTS APPROVED between HUD and Montgomery County for awarded CDBG-CV3 AND ESG CV2 funds related to the CARES act, and Montgomery County Judge Mark Keough is authorized to sign and execute the grant agreements.
- Q2. REQUEST APPROVED to authorize the execution of the ESG-CV2 Grant agreement between Montgomery County and Family Promise.
- Q3. REQUEST APPROVED to authorize the execution of the FY2019 HOME Grant Agreement between Montgomery County and the following non-profit agency:
  - Easter Seals of Greater Houston, Inc.

- Q4. REQUEST APPROVED to approve the grant funding deobligation of Fiscal Year 2020 Lead Based Paint Hazard Reduction grant to US Department of Housing and Urban Development Lead Hazard Control in the amount of \$1,000,000.
- Q5. REQUEST APPROVED to approve the FY 2019 Consolidated Annual Performance and Evaluation Report (CAPER).

AGENDA ITEM 10Q6 WAS MOVED TO THE OPEN SESSION TO BE HEARD WITH AGENDA ITEM 21A2. SEE MOTION 18 FOR COURT ACTION.

Motion carried.

### **END OF CONSENT AGENDA**

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5. RESOLUTION AND ORDER APPROVED – COUNTY JUDGE

Motion by Commissioner Noack, seconded by Commissioner Metts, to renew and extend the Declaration of Local Disaster for a Public Health Emergency for a period of 30 days, to expire on April 17, 2021 at 11:59 p.m. Motion carried.

JASON MILLSAPS WITH EMERGENCY MANAGEMENT GAVE AN UPDATE ON THE VACCINE DISTRIBUTION IN MONTGOMERY COUNTY. SO FAR, AROUND 153,000 VACCINES HAVE BEEN ADMINISTERED AMONG ALL THE PROVIDERS, WITH AROUND 97,000 FIRST DOSES AND AROUND 56,000 SECOND DOSES. THE TRAFFIC SITUATION HAS IMPROVED NOW THAT THEY ARE UTILIZING THE WOODFOREST STADIUM LOCATION. COMMISSIONER NOACK READ A STATEMENT FROM A CONSTITUENT PRAISING THE OPERATION AND HOW SMOOTHLY IT IS GOING.

6. REQUEST APPROVED – PURCHASES RELATED TO VACCINE SITES – EMERGENCY MANAGEMENT

Motion by Commissioner Noack, seconded by Commissioner Metts, authorizing Emergency Management to make necessary purchases related to vaccine distribution sites in an additional amount not to exceed \$50,000. Funding will be from Fund Balance. Motion carried.

7. REQUEST APPROVED – MEDICAL SUPPLIES PURCHASES – EMERGENCY MANAGEMENT

Motion by Commissioner Noack, seconded by Commissioner Metts, authorizing Emergency Management to make necessary medical supplies purchases for vaccine distribution efforts in an amount not to exceed \$100,000. Funding will be from Fund Balance. Motion carried.

8. REQUEST APPROVED – MEAL PURCHASES – EMERGENCY MANAGEMENT



Motion by Commissioner Riley, seconded by Commissioner Walker, authorizing Emergency Management to purchase meals for employees and volunteers working the vaccine sites in an additional amount not to exceed \$25,000 including sales tax and associated fees. This will be funded from Fund Balance. Commissioner Noack opposed. Motion carried.

9. REQUEST APPROVED – INTERLOCAL AGREEMENT – EMERGENCY MANAGEMENT

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve Interlocal Agreement between the City of Shenandoah and Montgomery County. The ILA will cover minimum staffing provided by the local entity to the vaccine distribution site at Woodforest Stadium in an amount not to exceed \$50,000. County Judge Mark J. Keough is authorized to execute agreements on behalf of Montgomery County. Funding will be from Fund Balance. Motion carried.

10. REQUEST APPROVED – RENTAL ASSISTANCE – COMMUNITY DEVELOPMENT

Motion by Commissioner Noack, seconded by Commissioner Metts, to approve the Emergency Rental Assistance Implementation Plan. Motion carried.

11. REQUEST APPROVED – GRANT FUNDS – COMMUNITY DEVELOPMENT

Motion by Commissioner Noack, seconded by Commissioner Metts, to accept the Emergency Rental Assistance Program grant funds in the amount of \$18,179,520.30 from the US Department of Treasury. Motion carried.

12. REQUEST APPROVED – TAX ABATEMENT – TAX ASSESSOR

Motion by Commissioner Noack, seconded by Commissioner Riley, to move to default in regards to the tax abatement that was granted to HL Champion Holding Company, LLC and Exxon Mobil Corporation for Tract 4-B2, 1.207 acres in The Woodlands, Texas on December 9, 2013, due to them being out of compliance. They were supposed to maintain 470 employees in Building B, but their maximum has only been 438. They will have 30 days in default to get into compliance. Motion carried.

JAMES BROWN WITH THE CONROE-NORTH HOUSTON REGIONAL AIRPORT GAVE AN UPDATE ON THE CURRENT STATE OF THE AIRPORT AND ITS FUTURE NEEDS. HE SAID THE AIRPORT OPERATIONS HAVE INCREASED BY 50% SINCE 2011, AND THE AIRPORT IS 33<sup>RD</sup> IN THE NATION FOR GENERAL AVIATION AIRPORTS. HE SAID THERE ARE REQUIREMENTS FOR CLEANING THE RUNWAYS, ETC., AND THAT WILL BE COMING UP. HE HAS LOOKED INTO A MACHINE TO PURCHASE FOR THIS PURPOSE THAT WOULD COST NOT MUCH MORE THAN THE COST TO

HIRE A COMPANY TO CLEAN ONE TIME. THIS WILL BE BROUGHT UP IN BUDGET HEARINGS FOR THE 2022 BUDGET.

13. REQUEST APPROVED – COVID SICK LEAVE – HUMAN RESOURCES

Motion by Commissioner Noack, seconded by Commissioner Walker, to approve extension of time for use by county employees of remaining balance of COVID sick leave until September 30, 2021 due to the American Rescue Plan amending the Families First Coronavirus Response Plan and extending tax credits. No additional hours will be added to employee banks. If the employee has any remaining COVID sick leave as of March 31, 2021, the employee will be able to use that leave until September 30, 2021. Use of code CVSK for COVID sick leave will end on September 30, 2021, unless extended by the Federal Government. Motion carried.

14. ITEM DEFERRED – POSITION CHANGE – LIBRARY

Commissioner Noack made a motion to defer this item until the next court to give time for Human Resources to look over the PCR as is standard practice. The next regular court will be 3 weeks. The motion died for lack of a second.

Motion by Commissioner Noack, seconded by Commissioner Walker, to defer this item until the Special Session of Court on March 30, 2021. Motion carried.

15. AWARD APPROVED – PROJECT #21-22 – PURCHASING

Motion by Commissioner Metts, seconded by Commissioner Noack, to approve the award for Project #21-22 RFP New Air Powered Water Vessel to American Airboat Corp in the amount of \$85,250 for Sheriff's Office. Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 19A1: Consider the partial replat of Lot 17 in Block 6, French Quarter on Lake Conroe, Section two recorded in Cabinet S, Sheet 168 of the map records of Montgomery County, Texas, to be known as French Quarter on Lake Conroe Section Two, Partial Replat No. 1.

AGENDA ITEM 19B1: Consider and approve lowering the speed limit from 30-mph to 20-mph on all streets in the Forest Crossing subdivision.

AGENDA ITEM 19B2: Consider the partial replat of Lots 40 & 41 in block 5 of Lake Conroe Village Section 1 recorded in Cabinet F, Sheet 6B of the map records of Montgomery County, Texas, to be known as Lake Conroe Village, Section 1, Partial Replat No. 2. This plat is Item 20B on the Agenda under Engineer.

AGENDA ITEM 19C1: Consider and approve changing the name of Southern Crescent to Southern Crescent Court in The Woodlands Village of Grogans Mill Lake Woodlands East Shore, Sec. 1 (Clerk File # 2004091096).

AGENDA ITEM 19D1: Consider and approve all-way stop sign control at the Galaxy Boulevard/Deer Run Lane and Peach Creek Drive intersection.

AGENDA ITEM 19D2: Consider the partial replat of a residual tract out of Deerwood Subdivision, Section 1, a subdivision map recorded in Cabinet D, Sheet 294A, of the Montgomery County Map Records, to be known as Deerwood Norte Section Two. This plat is Item 20A on the Agenda under Engineer.

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

16. REQUEST APPROVED – DEERWOOD NORTE AND LAKE CONROE VILLAGE PLATS– COUNTY ENGINEER

Motion by Commissioner Riley, seconded by Commissioner Metts, to approve the final plat of Deerwood Norte, Section 2. 15.396 acres, Richard Peebles Survey, A-414, and the final plat of Lake Conroe Village, Section 1 Partial Replat No. 2. 0.0940 acres, William Atkins Survey, A-3. Motion carried.

17. REQUEST APPROVED – SPEED LIMIT AND STOP SIGN CONTROL – PRECINCT 2 AND PRECINCT 4

Motion by Commissioner Noack, seconded by Commissioner Walker, to approve lowering the speed limit from 30-mph to 20-mph on all streets in the Forest Crossing subdivision, and to approve all-way stop sign control at the Galaxy Boulevard/Deer Run Lane and Peach Creek Drive intersection. Motion carried.

18. REQUEST APPROVED – MCCD DEPARTMENT OVERSIGHT – PRECINCT 2

Motion by Commissioner Riley, seconded by Commissioner Metts, to approve returning the Director of Community Development to reporting to the Commissioners Court and not to another Department Head. Commissioner Noack and Judge Keough opposed, with Commissioner Noack stating that there was still some work to be done in that department, and he wanted it to stay as is for a while longer. Motion carried. NOTE: DISCUSSION IN FULL CAN BE HEARD ON AUDIO OF MINUTES ON THE COUNTY WEBSITE.

19. REQUEST APPROVED – TOWING ROTATION – PRECINCT 2

Motion by Commissioner Noack, seconded by Commissioner Walker, to leave the towing rotation system as is. Commissioner Riley opposed, stating his concerns about the

safety of the 20 minute call time which sometimes results in wreckers speeding, cutting through parking lots, etc; his concerns about some of the wrecker companies not getting the amount of calls they need to make a living, as well as not being allowed to use some of the storage lots they could use before, due to the new 4 zone rules. He said that even though this has been turned over to the Sheriff's Office, he still gets calls from tow companies saying the Sheriff's Office told them to call the Commissioner. (Commissioner Noack left the courtroom for a moment, and then returned.) Commissioner Riley asked for comments from the tow companies as well as from the Sheriff's Office. Amy Milstead handed out some literature to the Judge and Commissioners, and stated that they are seeing improvements, and that the majority of tow companies are happy. The problem seems to be in the West zone where the companies feel that they are not getting enough rotations. Russell Schoonover stated that the rotation system is fair for some, but not for all. Motion carried. NOTE: DISCUSSION IN FULL CAN BE HEARD IN THE AUDIO OF MINUTES ON THE COUNTY WEBSITE.

**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 22A: Consultation with County Attorney regarding Claim No. U-21-0020 (Section 551.071).

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

20. REQUEST APPROVED – CLAIM NO. U-21-0020 – COUNTY ATTORNEY

Motion by Commissioner Noack, seconded by Commissioner Walker, to approve reimbursement to Commissioner Metts' Road & Bridge budget for vehicle purchase from Contingency or Fund Balance. Motion carried.

CITIZENS – AGENDA ITEM 24

No citizens addressed the court at this time.

MISCELLANEOUS – AGENDA ITEM 25

Commissioner Metts thanked the County Engineer's office and the County Attorney's office for pushing through all the plats that came through court today. He said it was probably more than had ever gone through court at one time before and he appreciated all the hard work that went in to getting them all done. Judge Keough said that it looks like Montgomery County is open for business.

21. 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

*[Signature]*

COUNTY JUDGE

