

#5 9/1

MAY 11 2021

COMMISSIONERS COURT DOCKET  
APRIL 27, 2021  
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 27th day of April, 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 Billy Graff.

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

CITIZENS – AGENDA ITEM 7 WAS MOVED TO BE HEARD DURING THE OPEN SESSION AFTER MOTION 7.

PRESENTATION – EMPLOYEE OF THE MONTH – EMPLOYEE COMMITTEE

Sergeant David Miller presented Gerald Martin from Commissioner Precinct 4 Office with the April Employee of the Month award.

PRESENTATION – AWARD FOR JUDGE MACK – BRAZOS COUNTY

Judge Rick Hill of Brazos County presented Judge Wayne Mack, Justice of the Peace Precinct 1, with the 2020 Justices of the Peace and Constables Association of Texas Judge of the Year Award.

2. PROCLAMATION – VETERANS RECOGNITION DAY

Motion by Commissioner Riley, seconded by Commissioner Noack, to proclaim May 1, 2021, to be Veterans Recognition Day. Ashley Taylor with Lone Survivor Foundation introduced General Hummer, a 3-Star General, retired from the Marine Corps, who discussed Combined Arms, and the services they provide to Veterans. He then read the Proclamation for Veterans Recognition Day. Motion carried.

3. PROCLAMATION – SOIL & WATER STEWARDSHIP WEEK

Motion by Commissioner Riley, seconded by Commissioner Metts, to approve the Proclamation for April 25 to May 2, 2021 to be Soil & Water Stewardship Week. Commissioner Riley read the Proclamation. Motion carried.

4. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Noack, seconded by Commissioner Metts, to approve the Minutes from Regular Session dated April 13, 2021. Motion carried.

AGENDA ITEM 10J3a WAS MOVED TO THE OPEN SESSION. SEE MOTION 6 FOR COURT ACTION.

5. 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 10A1-6

A1. REQUEST APPROVED to accept Final Arbitrage Rebate Analysis for the following:

Montgomery County, Texas  
\$14,925,000 Certificates of Obligation, Series 2012  
\$30,885,000 Limited Tax Refunding Bonds, Series 2012

Montgomery County, Texas  
\$56,190,000 Pass-Through Toll Revenue and Limited Tax Bonds, Series 2009

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

- A3. REQUEST APPROVED for Justice of the Peace Precinct 4 to use \$1,500.00 from the Justice of the Peace Technology Fund.
- A4. REPORT ACCEPTED that complies with Local Government Code Section 114.023.
- A5. REPORT ACCEPTED that complies with Local Government Code Section 114.024.
- A6. REPORT ACCEPTED that complies with Local Government Code Section 114.025.

BUDGET OFFICE – AGENDA ITEMS 10B1-2

- B1. REQUEST APPROVED to authorize transfers, adjustments, and amendments for special revenue departments and general fund departments for Fiscal Year 2021.
- B2. REQUEST APPROVED to authorize transfers, adjustments, and amendments for grant departments for Fiscal Year 2021.

TREASURER – AGENDA ITEMS 10C1-4

- C1. QUARTERLY INVESTMENT REPORT APPROVED for the Quarter ending March 31, 2021.
- C2. AMENDED MONTHLY STATEMENT OF BALANCE REPORT APPROVED for February 2021.
- C3. MONTHLY TREASURER REPORT APPROVED for March 2021, including:
  - a. Monthly Statement of Balances for March 2021
  - b. Monthly Investment Report for March 2021
  - c. MCTRA Monthly Investment Report for March 2021
  - d. Interest Summary Report for March 2021
  - e. Investments Purchased for March 2021
  - f. Debt Report (reported and maintained by the Auditor's Office)
  - g. Check Register for March 2021
- C4. REQUEST APPROVED to accept a donation of \$1,300 to the Animal Shelter from Linda A. Clark to be deposited into project DN0001 Animal Shelter Donation. County Clerk did not receive this check.

TAX ASSESSOR/COLLECTOR – AGENDA ITEMS 10D1-4

- D1. REQUEST APPROVED to acknowledge acceptance of Surety Bond #65BSBFE2563 for DeMontrond Auto Country, Inc. in the amount of \$100,000. Montgomery County has no responsibility for payment of this bond.
- D2. REQUEST APPROVED to acknowledge acceptance of Continuation Certificate of Surety Bond #71661702 for Conroe ISD-CISD Maintenance/Grounds Center in the amount of \$25,000. Montgomery County has no responsibility for payment of this bond.
- D3. REQUEST APPROVED to acknowledge acceptance of Continuation Certificate of Surety Bond #71661687 for Conroe ISD-CISD Transportation-Conroe Center in the amount of \$25,000. Montgomery County has no responsibility for payment of this bond.
- D4. REQUEST APPROVED to acknowledge acceptance of Continuation Certificate of Surety Bond #71661698 for Conroe ISD-CISD Transportation-Oak Ridge Center in the amount of \$25,000. Montgomery County has no responsibility for payment of this bond.

PURCHASING – AGENDA ITEMS 10E1-5

E1. RENEWAL OPTIONS APPROVED for the following:

- a. Project #18-37 Pavement Striping with Stripes & Stops Company Inc., for various departments (exercising the third of four renewal options).
- b. Project #18-38 Rehabilitation of Roads with Vulcan Materials Company for various departments (exercising the third of four renewal options).
- c. Project #19-47 Concrete Road Repair for Existing Roads and Replacing Concrete Curbs with Rebel Contractors Inc., for various departments (exercising the second of four renewal options).
- d. Project #19-37 Crushed Concrete with Cherry Crushed Concrete and Century Asphalt Ltd., for various departments (exercising the second of four renewal options).
- e. Project #2017-0030 Clearing House Bank Depository & Participating Bank with Zions Bancorporation, N.A., dba Amegy Bank for various departments (exercising the optional two-year renewal).
- f. Project #18-09 Sheriff's Office Inmate Technology System with Securus Technologies, Inc., for the Sheriff's Office (exercising the third of four renewal options).
- g. Project #18-30 All Hazards Preparedness, Planning, Consulting and Recovery Services with Hagerty Consulting Inc., for Emergency Management (exercising the third of four renewal options).
- h. Project #2017-0022 Five (5) Phase Treatment Services with Smith, Rebecca dba Counseling Center of Montgomery County, Heath, Peggy and Refuge Trauma &

Counseling Center for Drug and DWI Courts (exercising the fourth of four renewal options).

- i. Project #19-08 Workers Compensation Third Party Administrators with AS&G Claims Administrators, Inc., for Risk Management (exercising the second of four renewal options).

E2. ADVERTISING APPROVED for:

- a. Crack Seal Service for various departments.
- b. Polyethylene Corrugated Pipe & Culverts for various departments.
- c. False Alarm Management Program for Sheriff's Office.
- d. Big Buck Lake Dam for Commissioner Precinct 4.

E3. CHANGE ORDERS APPROVED:

- a. CO #3 to LDF Construction, Inc., for Project #21-03 Montgomery County Sheriff's Substation to excavate north end of tank soils as recommended by HTS, Inc. Consultants; fill excavated area in tank with cement stabilized sand and fill with select fill to final grade. Change Order includes removal of dirt, pipe and concrete already performed to uncover tank for an increase in the amount of \$47,344 for the Sheriff's Office.
- b. CO #4 to LDF Construction, Inc. for Project #21-03 Montgomery County Sheriff's Substation to revise monument sign design to be backlit and add power. Revise building signage/name and revise dedication plaque. Update emergency light fixtures, revise fuel station lighting to be on generator and provide credit for substitution of originally specified site light fixture for an increase in the amount of \$2,270.66 for the Sheriff's Office.

E4. AWARD ACCEPTED for Project 21-04, RFP Jail Food Service for Montgomery County Jail to Trinity Services Group, Inc.

E5. REQUEST APPROVED to cancel contract effective May 31, 2021, with Aramark Correctional Services, LLC., for Project #2012-0072 - Jail Food Services, entered into on December 1, 2012, for Montgomery County Jail.

RISK MANAGEMENT – AGENDA ITEM 10F1.

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

<u>BOND</u>	<u>NAME/DEPT</u>	<u>AMOUNT</u>	<u>ACTION</u>
65432315	Garcia, Robert/Const Pct. 2	\$5,000	New Bond

63627775	Mclaughlin, Toby/Const Pct. 2	\$5,000	Continuation
70089412	Thomas, Jerry/Sheriff	\$5,000	Continuation
14383649	Zemlicka, Leslee/Const Pct. 1	\$5,000	Continuation

## HUMAN RESOURCES – AGENDA ITEM 10G1

### G1. PAYROLL CHANGE REQUEST FORMS APPROVED:

Request of Animal Services to transfer Ana Hernandez, Clerk III, as replacement for Cheyenne Figge, effective April 17, 2021.

Request of Custodial to increase the salary of Jocson Alvarez, Custodian I, due to completion of probationary period, effective April 11, 2021.

Request of Custodial to increase salary of Christina Anderson, Custodian I, due to completion of probationary period, effective May 2, 2021.

Request of Custodial to increase salary of Hilmar Estalilla, Custodian, due to completion of probationary period, effective April 11, 2021.

Request of Custodial to accept the resignation of Angelene Kidd, Supervisor, effective April 7, 2021.

Request of Custodial to place Travis LeBlanc, Supervisor, on payroll as replacement for Jessica Pickering, effective April 26, 2021.

Request of Custodial to place Julie Pavlock, Custodian, on payroll as replacement for Obed Barrera, effective April 26, 2021.

Request of Custodial to increase salary of Ariel Perales, PT Custodian I, due to completion of probationary period, effective May 2, 2021.

Request of MCCD to accept the resignation of Kristen Trettenero-Rodriguez, Finance Monitor, effective April 2, 2021.

Request of Commissioner Precinct 2 to change position of William Bankhead, Operator II Comm 2-2, effective April 17, 2021.

Request of Commissioner Precinct 2 to change position of Brady Copeland, Sr. Foreman-Comm 2-2, effective April 17, 2021.

Request of Commissioner Precinct 2 to change position of John Dalzell, Field Supv-Comm 2, effective April 17, 2021.

Request of Commissioner Precinct 2 to change position of Michael Davis, Sr. Foreman, effective April 17, 2021.

Request of Commissioner Precinct 2 to change position of Ian Jensen, Operator III Comm 2-3, effective April 17, 2021.

Request of Commissioner Precinct 2 to change position of James Luna, Operator II Comm 2-4, effective April 17, 2021.

Request of Commissioner Precinct 2 to change position of Michael Manning, Operator I Comm 2-1, effective April 17, 2021.

Request of Commissioner Precinct 2 to change position of Shane Wishkoski, Super-Comm 2-2 Superintendent, effective April 17, 2021.

Request of Commissioner Precinct 4 to increase salary of Richard Welch, Operator I, due to merit increase, effective April 17, 2021.

Request of Constable Precinct 3 to transfer Zane Hoffmeyer, Deputy, effective February 4, 2021.

Request of Constable 4 to place Taylor Ivett, DPTY CONST 4-15, on payroll as replacement for Adolph Boudreaux, effective May 1, 2021.

Request of Constable 4 to promote Eric McHugh, CPT CONST 4-2, effective April 17, 2021.

Request of County Clerk to accept the resignation of Alyssa Ellen-Avery Drake, CTCK IV-CTCKL, effective April 30, 2021.

Request of District Attorney to place Enriqueta Cruz, Court Clerk IV, on payroll as replacement for Cassidy Eckhardt, effective April 26, 2021.

Request of District Attorney to place Shelby Schubert, Court Clerk IV, on payroll as replacement for Jacquelyn Rodriguez, effective April 26, 2021.

Request of Fire Marshall to increase salary of James Bagwell, ARS INVEST-FM INVST, due to step increase, effective April 14, 2021.

Request of Fire Marshall to increase salary of Thomas Baxter III, ARS INVEST-FM INVST, due to step increase, effective April 14, 2021.

Request of Fire Marshall to increase salary of David Lee Jr, Fire Inspector, due to step increase, effective April 14, 2021.

Request of Fire Marshall to increase salary of Paul Stanford, Fire Inspector, due to step increase, effective April 14, 2021.

Request of Traffic Operations to increase salary of Jacob Koehler, Signal Tech I-Traf, due to completion of probationary period, effective May 1, 2021.

Request of Traffic Operations to increase salary of Christian Potter, Comp Anlst I-Traf, due to completion of probationary period, effective May 1, 2021.

Request of JP3 to accept the resignation of Nicole Berglund, Court Clerk III, effective April 16, 2021.

Request of JP3 to accept the retirement of David Horton, Court Clerk II, effective April 30, 2021.

Request of Juvenile to accept the resignation of Kathleen Marie Appelbaum, JSO-Juv-21, effective April 2, 2021.

Request of Juvenile to place Christina Ann Thompson, Nurse LVN-Juv, on payroll as replacement for Vincient Alan Crawford, effective April 26, 2021.

Request of Library to transfer Brenna Webb Canaday, Library Assistant II, as replacement for Savannah Nicole Wright, effective May 15, 2021.

Request of Library to place Debra Escudero, Library Assistant II, on payroll due to return from unpaid FMLA/disability leave, effective January 4, 2021.

Request of Library to promote Angela Herrera, Catalog Technician/Clerk II, as replacement for Rebecca Roller, effective May 1, 2021.

Request of Library to accept the resignation of Brittney Nicole Nichols, Library Ast II-2, effective May 7, 2021.

Request of Library to accept the resignation of Savannah Nicole Wright, Library Assistant II, effective May 8, 2021.

Request of Sheriff to place Lilliana Cortez, DO-SO JAIL-144, on payroll as replacement for William Reeder, effective April 17, 2021.

Request of Sheriff to change position of Amy G. Guidry, DO II-SO JAIL-33, due to completion of certification, effective April 17, 2021.

Request of Sheriff to place Jessica Harper, Dispatch-SO-1, on payroll as replacement for Neely Cole, effective April 17, 2021.

Request of Sheriff to transfer Christopher Hoffmeyer, Sheriff-Patrol, effective April 17, 2021.

Request of Sheriff to transfer Ashleigh Nicole Jackson, Dispatch II-SO-2, as replacement for Tracey Kusmaul, effective April 17, 2021.



Request of Sheriff to transfer Stephen Lee Johnson, SGT PTRL-SO PTRL E, as replacement for Kenneth Joseph Provenzano, effective April 17, 2021.

Request of Sheriff to accept the retirement of Jennifer A. Kettler, Crime Anlst I-RTCC-7, effective April 30, 2021.

Request of Sheriff to accept the retirement of Thomas Edgar Matchett, PT DPTY BLF-SO HLSEC, effective March 31, 2021.

Request of Sheriff to place Matthew Navarro, DO-SO JAIL-55, on payroll as replacement for John Garcia, effective April 17, 2021.

Request of Sheriff to transfer Breanna Ortega, DPTYPTL-SO D5-23, as replacement for Brian Keith Reed, effective April 17, 2021.

Request of Sheriff to increase salary of Cortney Dean Poe, DO II-SO JAIL-32, due to completion of certification, effective April 17, 2021.

Request of Sheriff to transfer Kenneth Joseph Provenzano, SGT-SO PTRL D2-1, as replacement for Stephen Lee Johnson, effective April 17, 2021.

Request of Sheriff to place Ashlee Rebekah Shaw, DO-SO JAIL-167, on payroll due to return from unpaid leave of absence, effective February 3, 2021.

Request of Sheriff to place Zachary Tamayo, DO-SO JAIL-117, on payroll as replacement for Austin Ennis, effective April 17, 2021.

Request of Sheriff to place Trey Wied II, DO-SO JAIL-113, on payroll as replacement for Diego Gabriel, effective April 17, 2021.

#### COUNTY JUDGE – AGENDA ITEM 10H1

- H1. REQUEST APPROVED for the appointment of Todd Stowe with Stowe's Wrecker Service as a representative from the County Judge for the Towing Advisory Board.

#### COMMISSIONERS – AGENDA ITEMS 10I1-4

- I1. PRECINCT 1
  - a. REQUEST APPROVED for the appointment of Shae Adamick with Johnny Adamick Wrecker Service, LLC and Charlie Miller with Miller Towing & Recovery as representatives from Precinct 1 for the Towing Advisory Board.
- I2. PRECINCT 2

- a. REQUEST APPROVED for the appointment of Richard Wible with S & B Towing and Clint Bass with Bass Towing & Recovery as representatives from Precinct 2 for the Towing Advisory Board.

AGENDA ITEM 10I3a WAS MOVED TO THE OPEN SESSION. SEE MOTION 6 FOR COURT ACTION.

14. PRECINCT 4

- a. REQUEST APPROVED for the appointment of David Knox with Saddle Creek Towing and Dalton Knox with EMC Wrecker as representatives from Precinct 4 for the Towing Advisory Board.

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 10J1-5

J1. PRECINCT 1

- a. STREETS ACCEPTED of Arapaho Circle from Indian Hill Trail to end of the cul-de-sac in Arrowhead Lakes, Section 8 into the County Road Maintenance System upon finding of Prescriptive Right based on public use.
- b. FINAL PLAT APPROVED of Republic Grand Ranch, Section 2. 75.77 acres. Jose De La Garza Survey, A-15.

J2. PRECINCT 2

- a. REQUEST APPROVED to correct the road log to reflect the proper spelling of Schiel Road, formerly listed as Shields Road.
- b. STREETS ACCEPTED in Audubon Creekside North, Section 3A into the one-year maintenance period.
- c. STREETS ACCEPTED in Audubon Creekside North, Section 3B into the one-year maintenance period.
- d. FINAL PLAT APPROVED of Crown Ranch, Section 1 Amending Plat No. 1 Partial Replat. 3.828 acres, Joseph G. Ferguson Survey, A-221 and the Charles Weaver Survey, A-624.
- e. FINAL PLAT APPROVED of Williams Trace, Section 3. 46.68 acres, David C. Dickson Survey, A-180.
- f. FINAL PLAT APPROVED of The Woodlands Village of Alden Bridge, Section 116. 12.145 acres, John Thomas Survey, A-549.

J3. PRECINCT 3

- a. PUBLIC HEARING DATE SET of May 25, 2021, to consider and approve no parking zones and placement of signs "No Parking, Any Time, Tow-Away Zone" on both sides of Panther Bend Court and on the eastbound roadway of Woodland Field Crossing between Sawdust Road and Panther Bend Court.

- b. STREETS ACCEPTED in Forest Village, Section 11 into the county road maintenance system and bond is released.

J4. PRECINCT 4

- a. STREETS ACCEPTED in Azalea District, Section 5 into the county road maintenance system and bond is released.
- b. STREETS ACCEPTED in Tavola, Section 27 into the one-year maintenance period.
- c. STREETS ACCEPTED in Tavola, Section 29 into the one-year maintenance period.
- d. FINAL PLAT APPROVED of Peach Creek Plantation, Section 1 Partial Replat No. 3. 6.149 acres, Peter Whitaker Survey, A-598.
- e. FINAL PLAT APPROVED of Artavia, Section 7. 25.608 acres, Benjamin B. Foster Survey, A-785, and the S.S. Prossler Jr & W.T. Williams Survey, A-839.

J5. ALL PRECINCTS

- a. PUBLIC HEARING DATE SET of May 25, 2021, to consider and approve an amendment to the Montgomery County Subdivision Rules and Regulations allowing the use of corrugated polypropylene pipe for culvert and storm sewer applications.

JUSTICE OF THE PEACE PRECINCT 1 – AGENDA ITEM 10K1

- K1. REQUEST APPROVED to accept the Monthly collections Report for March 2021.

JUSTICE OF THE PEACE PRECINCT 2 – AGENDA ITEM 10L1

- L1. REQUEST APPROVED to accept the Monthly collections Report for March 2021.

JUSTICE OF THE PEACE PRECINCT 5 – AGENDA ITEM 10M1

- M1. REQUEST APPROVED to accept the Monthly collections Report for March 2021.

ENVIRONMENTAL HEALTH – AGENDA ITEMS 10N1-3

- N1. REQUEST APPROVED for the Order Assessing Cost of Abating Nuisance and Notice of Lien to be filed in Real Property Records to recover cost to the county for demolition for abate nuisance:

15090 Bonham Ln., Willis, Texas 77378

- N2. REQUEST APPROVED for demolition on the following property that is abandoned, deemed unsafe, or unlivable:

Precinct 4  
26460 Carol Ln., Splendora, Texas 77372

Estimated total cost: \$3,600  
Funded by: CDBG

- N3. REQUEST APPROVED for demolition on the following property that is abandoned, deemed unsafe, or unlivable:

Precinct 4  
14380 Leafy Ln., Conroe, Texas 77306

Estimated total cost: \$4,500  
Funded by: CDBG

#### SHERIFF – AGENDA ITEMS 1001-2

- O1. REQUEST APPROVED to accept \$19,180.25 in support of the Federal Bureau of Investigation Regional Computer Forensics Laboratory Task Force and the Montgomery County Sheriff's Office for fiscal year 2021. Funding pertains to overtime and expenses with benefits funded in 100-50-6000-790920.
- O2. REQUEST APPROVED to accept \$36,000 in donations to the Montgomery County Sheriff's Office K9 fund. Budget Office to provide distribution string. Checks have been forwarded to the Treasurer's Office for further processing.

#### COUNTY ATTORNEY – AGENDA ITEMS 10P1-4

##### P1. PRECINCT 1

- a. RESOLUTION AND ORDER TO PAY APPROVED for the settlement of eminent domain proceedings for parcel 228 of the FM 1097 Road Project, in Cause No. 19-09-12466, styled Montgomery County, Texas vs. Goethe Inglet Family Partners, LTD, et al, for the total sum of \$249,182.00 with due credit being given for the Special Commissioners Award in the amount of \$158,495.00. Commissioner Walker and/or B.D. Griffin, County Attorney, or his designee are authorized to execute all documents necessary to effect the Settlement and Final Judgment. County Auditor and County Treasurer are authorized to issue payment from Precinct 1 Right-of Way funds (FM 1097 Road Extension) to Melisa Miller, District Clerk FBO Goethe Inglet Family Partners, LTD., and Ravella Sound, Ltd.
- b. ORDER APPROVED authorizing Notice of Public Hearing under Local Government Code 232.009(C-1) for the partial replat Lot 25, Block 1, China

Grove Village, Section 1, to be known as China Grove Village, Section 1, Replat No.1, to be heard June 8, 2021.

P2. PRECINCT 2

- a. LICENSE AGREEMENT APPROVED between Montgomery County and Lake Creek Assets II, LLC for pedestrian and vehicular ingress and egress on an existing dirt and gravel road on a tract of land located at 9611 Palmetto Rd, Magnolia, TX 77355 and containing 7.090 acres, Lot 2 of Lake Creek Ranchettes, Section 3 of Montgomery County, Texas.

P3. PRECINCT 3

- a. ORDER APPROVED Accepting Drainage Easement of 6.353 acres located in the Caddo Allen Survey, conveyed to Montgomery County from the Woodlands Land Development Company, and County Clerk is authorized to record said Easement in the real property records.
- b. ORDER APPROVED Accepting Easement of 0.5513 acres located in the Caddo Allen Survey, conveyed to Montgomery County from the Woodlands Land Development Company, and County Clerk is authorized to record said Easement in the real property records.
- c. ORDER APPROVED Accepting Easement of 0.0554 acres located in the Caddo Allen Survey, conveyed to Montgomery County from the Woodlands Land Development Company, and further authorizing the County Clerk to record said Easement in the real property records.
- d. ORDER APPROVED Accepting Easement of 0.0404 acres located in the Caddo Allen Survey, conveyed to Montgomery County from the Woodlands Land Development Company, and further authorizing the County Clerk to record said Easement in the real property records.
- e. ORDER APPROVED authorizing License Agreement between County and Texas Wildlife Rehabilitation Coalition for the release of indigenous wildlife onto County property. Commissioner James Noack, or his designee, are authorized to sign said agreement on behalf of the County.

P4. PRECINCT 4

- a. ORDER APPROVED Authorizing Notice of Public Hearing under Local Government Code 232.009(C-1) for the partial replat of Lots 11-A and 11-B of Powell Subdivision in the Richard Peebles Survey, Abstract No. 414, to be known as Cedar Crossing, Section 1, to be heard on June 8, 2021.
- b. ORDER APPROVED Authorizing Notice of Public Hearing under Local Government Code 232.009(C-1) for the partial replat of east one-half of Lot 119 in the J.O.H. Bennette Subdivision to be known as J.O.H. Bennette Subdivision, Partial Replat No. 1, to be heard on June 8, 2021.

- c. ORDER APPROVED Authorizing Lease Agreement for property located at 20399 Olds Drive, Porter, TX 77365 and accepting payment of said lease in the amount of \$440 plus annual lease payment. Check has been forwarded to Treasurer's Office for further processing.

COUNTY CLERK – AGENDA ITEM 10Q1-2

- Q1. MEMORANDUM OF UNDERSTANDING APPROVED between Montgomery County, Texas and Synrgo, Inc., for electronic recording services.
- Q2. REQUEST APPROVED to acknowledge deputation of Donna Walters.

CONROE-NORTH HOUSTON REGIONAL AIRPORT – AGENDA ITEM 10R1

- R1. CONSENT OF PARTIAL ASSIGNMENT OF LAND LEASE APPROVED from JMW Enterprises, LLC to David Allen Giese for .073 acres of land at the Conroe North Houston Regional Airport.

GRANTS AND COMMUNITY DEVELOPMENT – AGENDA ITEMS 10S1-2

- S1. REQUEST APPROVED to authorize the execution of the CDBG-CV3 Grant agreements between Montgomery County and the following non-profit agencies:
  - Children's Books On Wheels
  - Henry's Home, Horse and Human Sanctuary
  - Humble Area Assistance Ministries
- S2. REQUEST APPROVED for participation in the Montgomery County Emergency Communication District's PSAP Improvement Program for fiscal year 2021. The district will provide up to \$125,000, with a 10% county match, for the purchase of the Equature Recording System, call center furniture and facility improvements. County match funding distribution 100-50-6000-790920.

Motion carried.

**END OF CONSENT AGENDA**

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6. REQUEST APPROVED – POSITION CHANGE – COMMISSIONER PRECINCT 3

Motion by Commissioner Metts, seconded by Commissioner Noack, to approve opening position 6303-5328 Deputy Specialist Commissioner Operations per PCR. Annualized salary to be \$89,440 and the position is on step plan. This position will be funded continuously out of Commissioner Precinct 3 budget. Commissioner Noack said that this

was to correct a position that has been funded by the General Fund and would now be funded from his budget. Motion carried.

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

7. REQUEST APPROVED – PCR – COMMISSIONER PRECINCT 3

Motion by Commissioner Metts, seconded by Commissioner Noack, to approve the PCR for the Position noted in Motion 6. Motion carried.

CITIZENS – AGENDA ITEM 7

Sherry Shorten spoke about the American Rescue Plan and suggested that the court put the first \$30 million they receive directly into the General Fund to cover the shortfall on fines and fees from 2020. She also suggested they should plan a budget without counting on the American Rescue Plan, and treat it as a safety net.

Mayor Sarah Countryman from the City of Montgomery stated that the reimbursement they had requested of Covid-related funds was \$15,619.40, rather than the approximately \$75,000 that had been mentioned by Jason Millsaps at a previous court. She requested the Court to approve the reimbursement request they had made.

Susan Scruggs spoke about how difficult times are right now, and especially for older people. She said that a property tax increase could create an issue for some of them to remain in their homes. She said that a lot of people are struggling with mental health issues due to the pandemic, and she requested the Court to not raise the taxes.

Ed Scruggs spoke about a Doctor that lives in the Woodlands whose surgeries were deemed non-essential, or elective, during the pandemic, and who has been severely affected financially. Their house was also affected by the recent freeze with burst water pipes, etc., and due to lack of income, they still do not have a residence to live in.

Billy Graf requested again for the Court to unanimously vote to not raise the taxes this year.

AGENDA ITEM 11A - AMANDA CARTER, BUDGET OFFICER, PRESENTED AN UPDATE ON FY2021 BUDGET AND HOW IT IMPACTS FY2022 BUDGET. SHE LISTED SEVERAL ITEMS FOR CONSIDERATION THAT WOULD IMPACT THE FY2022 BUDGET BY ABOUT \$4 MILLION. JUDGE KEOUGH ADVISED THAT HE EXPECTS TO SEE A BUDGET THAT DOES NOT RAISE TAXES, AND HE WANTS A NO NEW REVENUE RATE. HE SUGGESTED THAT THEY START WITH THE END IN MIND TO NOT RAISE TAXES. THE BUDGET OFFICE SAID THEY ANTICIPATE A LEAN BUDGET AND TO KEEP THE TAXES THE SAME OR LOWER THAN BEFORE.

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

JASON MILLSAPS WITH EMERGENCY MANAGEMENT GAVE AN UPDATE ON VACCINE DISTRIBUTION IN MONTGOMERY COUNTY. TO DATE, THE COUNTY HAS ADMINISTERED 309,463 VACCINES, INCLUDING 1<sup>ST</sup> AND 2<sup>ND</sup> DOSES. 67% OF ADULTS OVER 65 HAVE BEEN VACCINATED. NOTE: DISCUSSION IN FULL CAN BE HEARD IN AUDIO OF MINUTES ON THE COUNTY WEBSITE.

8. REQUEST APPROVED – OVERTIME PAYMENTS – EMERGENCY MANAGEMENT

Motion by Commissioner Noack, seconded by Commissioner Walker to authorize payments in an amount not to exceed \$50,000 for additional bailiffs for jury selection and court operations at the Lone Star Convention Center. This will be funded out of Fund Balance. Motion carried.

9. REQUEST APPROVED – COVID-RELATED REIMBURSEMENTS – EMERGENCY MANAGEMENT

Motion by Commissioner Riley, seconded by Commissioner Metts, to approve reimbursements for actual expenses incurred by the City of Montgomery for COVID related expenses in 2020. OEM is authorized to work with the jurisdiction to secure necessary Interlocal Agreements (ILA) with the assistance of the County Attorney's office to effectuate the reimbursement. Further, Judge Mark J. Keough is authorized to execute the interlocal agreements on behalf of Montgomery County. The audited amount subject to reimbursement is \$15,619.40. This will be funded out of Fund Balance. Jason Millsaps wanted to clarify that he had previously brought this item to Court before it had been reviewed by him or the Auditor, so he had said that it would be \$75,000 or less. He used a "not to exceed" amount of \$75,000. Commissioner Riley had asked them to audit the amount and bring it back to Court so they would have an actual amount to consider, which they have done. Motion carried.

10. REQUEST APPROVED – INTERLOCAL AGREEMENT – EMERGENCY MANAGEMENT

Motion by Commissioner Metts, seconded by Commissioner Noack, to approve an Interlocal Agreement between Montgomery County and ESD #4, in order to provide vaccine hub staffing in an amount not to exceed \$50,000. This will be funded out of Fund Balance. The County Clerk did not receive paperwork for this item. Motion carried.

TAMMY MCRAE, TAX ASSESSOR, GAVE AN UPDATE ON THE TAX ABATEMENT GRANTED TO HL CHAMPION HOLDING COMPANY LLC AND EXXONMOBIL



CORPORATION. THEY HAVE MOVED MORE EMPLOYEES TO THE TRACT 4-B2 BUILDING, AND ARE NOW IN COMPLIANCE.

**COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:**

AGENDA ITEM 14A1: Consider the partial replat of Lots 1 & 2 in Block 2 of Forest Trails recorded in Cabinet C, Sheet 154A of the Map Records of Montgomery County, Texas, to be known as Forest Trails Partial Replat No. 1.

AGENDA ITEM 14B1: Consider the partial replat of Lot 4, Block 2 of Peach Creek Plantation, Section Two according to the map or plat thereof recorded in Cabinet Z, Sheet 1322 of the Map Records of Montgomery County, Texas, to be known as Peach Creek Plantation, Section 2, Partial Replat No. 3.

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

11. REQUEST APPROVED – FOREST TRAILS – COUNTY ENGINEER

Motion by Commissioner Riley, seconded by Commissioner Metts, to approve the final plat of Forest Trails Partial Replat No. 1. 3.0988 acres, Timothy Cude Survey, A-12. Motion carried.

AGENDA ITEM 16A1: AT THE REQUEST OF COMMISSIONER NOACK, A REPRESENTATIVE FROM BGE GAVE AN UPDATE OF THE MAJOR THOROUGHFARE PLAN. BGE HAS HELD MEETINGS WITH THE COMMISSIONERS AND, WITH THEIR FEEDBACK, HAVE MADE SOME CHANGES TO THE MAPS. THE COMMISSIONERS AGREED ON THE SUGGESTION TO HAVE A VIRTUAL MEETING THAT WOULD BE AVAILABLE TO THE PUBLIC FOR 3 WEEKS. BGE REQUESTED THE COMMISSIONERS LOOK OVER THEIR MAPS TO APPROVE THEM AND THEN BGE CAN MOVE FORWARD WITH THE MEETING.

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

AGENDA ITEM 16A2 WAS MOVED TO 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 16A2: Consider discuss and take appropriate action on protecting Montgomery County’s aquifers and stemming subsidence.

EXECUTIVE SESSION – AGENDA ITEM 17A: Consultation with attorney regarding Cause no. 20-06-06977, Claim no. B-20-0031. (Section 551.071)

EXECUTIVE SESSION – AGENDA ITEM 17B: Consultation with attorney regarding use of and/or distribution of American Rescue Plan Act (ARPA) funds. (Section 551.071)

EXECUTIVE SESSION – AGENDA ITEM 17C: Consultation with attorney to discuss CJIS legal issues. (Section 551.071)

EXECUTIVE SESSION – AGENDA ITEM 17D: Consultation with attorney regarding legal issues and concerns in the event of incorporation of The Woodlands Township. (Section 551.071)

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

Although there was no action on Agenda Item 16A2, Judge Keough wanted to recognize Jim Springer and John Bouche with the Groundwater District and thank them for being at Court today.

**12. REQUEST APPROVED – AMERICAN RESCUE PLAN ACT FUNDS**

Motion by Commissioner Noack, seconded by Judge Keough, to authorize the Linebarger Law Firm to develop a plan for distribution of the American Rescue Plan Act funds for Montgomery County, and to authorize Judge Keough to sign any documents necessary. Motion carried.

**CITIZENS – AGENDA ITEM 19**

No Citizens addressed the court at this time.

**MISCELLANEOUS – AGENDA ITEM 20 - 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:

*Mark Turnbull*

\_\_\_\_\_  
COUNTY CLERK

*[Handwritten Signature]*

\_\_\_\_\_  
COUNTY JUDGE

