

COMMISSIONERS COURT DOCKET
SEPTEMBER 28, 2021
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 28th day of September, 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	Holly Pinkard

INVOCATION GIVEN BY JASON SMITH.

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.

CITIZENS – AGENDA ITEM 7

Bob Coats addressed the court regarding the purchase of new Elections equipment. He praised Suzie Harvey and her employees for their work during the process of looking into new equipment.

Commissioner Noack left the courtroom.

Kathy Rosetta addressed the court regarding the purchase of new Elections equipment. She stated that she believes the County should cancel the purchase of new Elections equipment, stating that all electronic equipment is hackable.

Ginger Russell addressed the court regarding the donation of moneys for charity. She stated that it is incorrect for the County to take citizens money and distribute the money to charities of the County's choice.

Commissioner Noack returned to the courtroom.

Maria Sanchez addressed the court regarding road work being done within the precinct she resides. She expressed thankfulness, and also stated that there was someone attempting to interrupt the process at the job location, and asked for this to be checked into.

Steve Lawrence presented a hand out to the panel regarding the Elections equipment. He stated he likes the specific hardware being purchased. However, he states he has concerns with this specific version of the software.

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

PROCLAMATION/RESOLUTION/PRESENTATION – AGENDA ITEM 8A

Darin Bailey, Chief Deputy County Clerk, presented Karen Anz, Clerk IV, with the Employee of the Month award. Karen has been serving Montgomery County for 15 years and was thanked for her efforts and dedication.

2. MINUTES APPROVED – COUNTY CLERK

Motion by Commissioner Metts, seconded by Commissioner Riley, to approve the Minutes from Regular Session of Commissioners Court dated September 14, 2021. Motion carried.

AGENDA ITEM 10C1 WAS MOVED TO OPEN SESSION. SEE MOTION 4 FOR COURT ACTION.

3. RESOLUTION AND ORDER APPROVED – CONSENT AGENDA – AGENDA ITEMS 10A-V

Motion by Commissioner Riley, seconded by Commissioner Walker, 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 10A1-7

- A1. PAYMENT OF ACCOUNTS APPROVED, as submitted by the County Auditor.
- A2. REPORT ACCEPTED that complies with Local Government Code § 114.024.

- A3. REQUEST APPROVED by Justice of the Peace Precinct 1 to use an amount not to exceed \$2,500 from the Justice of the Peace Technology Fund.
- A4. REQUEST APPROVED by Justice of the Peace Precinct 4 to use an amount not to exceed \$69,000 from the Justice of the Peace Technology Fund.
- A5. COMPLETED AUDITS ACCEPTED, as submitted by the County Auditor.
- A6. REPORT ACCEPTED that complies with Local Government Code § 114.023.
- A7. REPORT ACCEPTED that complies with Local Government Code § 114.025.

TREASURER – AGENDA ITEM 10B1

- B1. MONTHLY TREASURER REPORT APPROVED for August 2021, including:
 - a. Monthly Statement of Balances for August 2021
 - b. Monthly Investment Report for August 2021
 - c. MCTRA Investment Report for August 2021
 - d. Interest Summary Report for August 2021
 - e. Investments Purchased Summary Report for August 2021
 - f. Investments Matured Report for August 2021
 - g. Debt Report (Reported and Maintained by Auditor's Office)
 - h. Check Register for August 2021
 - i. Manual Check Register for August 2021

TAX ASSESSOR/COLLECTOR – AGENDA ITEMS 10C1-5

- C1. AGENDA ITEM 10C1 WAS MOVED TO OPEN SESSION. SEE MOTION 4 FOR COURT ACTION.
- C2. TAX ASSESSOR-COLLECTOR 2021 DEPUTATIONS ACKNOWLEDGED of Halen Quintana, Kimberly Wachter and Shantell Velasquez as Deputy Tax Assessor-Collectors.
- C3. MONTHLY TAX COLLECTION REPORT ACCEPTED for month ending August 2021.
- C4. CERTIFICATION OF EXCESS COLLECTIONS ACCEPTED in the amount of \$441,000. County Auditor is authorized to recognize and allocate funds to line 3210-740500.
- C5. REQUEST APPROVED to take appropriate action on proposed Amended and Restated Agreement for the Financing and Construction of Road Improvements between Montgomery County and Montgomery County Management District No.

1. Funding source for the 2021 annual reimbursement payment to be line item 3210-740500.

PURCHASING – AGENDA ITEMS 10D1-7

- D1. DISCRETIONARY EXEMPTION APPROVED with Cross Development/Montgomery, LP., dba Montgomery Westland and Lease of Space from Houston Bunker, LLC., for a Master Services Agreement for IT Department per Local Government Code 262.024 (a)(1)/262.024 (a)(2).
- D2. REQUEST APPROVED to acknowledge and accept the proceeds received from Rene Bates Auctioneers, Inc., in the amount \$361,473.47 from the August 30, 2021 Montgomery County online auction of seized and surplus items.
- D3. CHANGE ORDERS APPROVED for the following:
- a. CO #5 to Isani Consulting, LP. for Additional Engineering Design Services on Sorters Rd.
 - b. CO #4 to MHC Software for Project #2016-0038 ERP Software and Implementation Services to add e-Pay module in the amount of \$7,770.
 - c. CO #5 to INFOR agreement for a reduction of \$278,129.11 for descoped milestones related to Phase 4 Workforce Budgeting. Additionally, a reduction to annual subscription fees of \$26,000 and a credit of \$50,841.
 - d. CO #7 to LDF Construction, Inc., for Project #21-03 Montgomery County Sheriff's Substation for a deduction in the amount of \$623.30 for Sheriff's Office.
- D4. DISCRETIONARY EXEMPTION APPROVED per Local Government Code 262.024 (a)(4) and approving the following contract for professional services: Emergency Rental Assistance (ERA) Compliance & Monitoring Oversight and Technical Assistance Services from MPACT Strategic Consulting, LLC., in an amount not to exceed \$85,000. Funding source to be ARPA.
- D5. RENEWAL OPTIONS APPROVED for the following:
- a. Project #18-68 Vehicle Striping Kits and Installation with Shona Bryant dba Bryant's Signs for various departments (exercising the third of four renewal options).
 - b. Project #19-19 Land Surveying Services with Pape-Dawson Consulting Engineers, Inc. dba Pape-Dawson Engineers, Inc., for Emergency Management (exercising the second of four renewal options).

- D6. AWARD APPROVED for agreement with CherryRoad Technologies Inc., pursuant to RFP #21-23 Budget, Project Financial Management and Reporting Software Solution.
- D7. ADVERTISING APPROVED for Asbestos Survey/Testing and Air Monitoring for Emergency Management.

RISK MANAGEMENT – AGENDA ITEM 10E1

- E1. CHANGES, ADDITIONS AND RELEASES APPROVED for the following:

BOND	NAME/DEPT	AMOUNT	ACTION
64851503	BURRELL, DUANE/ CONSTABLE PCT. 5	\$5,000	CONTINUATION CERTIFICATE
16041478	CLENDENNEN, BUCK/ CONSTABLE PCT. 4	\$5,000	CONTINUATION CERTIFICATE
64848348	DODGE, CHAD/ CONSTABLE PCT. 4	\$5,000	CONTINUATION CERTIFICATE
64851462	ENER, STEPHEN/ CONSTABLE PCT. 3	\$5,000	CONTINUATION CERTIFICATE
62191190	ESPINOSA, ROBERTO/ CONSTABLE PCT. 3	\$5,000	CONTINUATION CERTIFICATE
64848299	ESTEVES, JOSE/ CONSTABLE PCT. 4	\$5,000	CONTINUATION CERTIFICATE
63834874	GAY, MICHAEL/ CONSTABLE PCT. 1	\$5,000	CONTINUATION CERTIFICATE
61499182	JAIMES, MICHAEL/ CONSTABLE PCT. 4	\$5,000	CONTINUATION CERTIFICATE
63835577	LINTON, CARL/ LIBRARY	\$3,000	CONTINUATION CERTIFICATE
61176069	MAST, EILEEN/ TAX OFFICE	\$100,000	CONTINUATION CERTIFICATE
63834857	ROSARIO, MIGUEL/ CONSTABLE PCT. 1	\$5,000	CONTINUATION CERTIFICATE
62222046	SLACK, JAMES/ CONSTABLE PCT. 4	\$5,000	CONTINUATION CERTIFICATE
64848452	TAYLOR, THERESA/ CONSTABLE PCT. 3	\$5,000	CONTINUATION CERTIFICATE
63835180	TORRES, JOSE/ CONSTABLE PCT. 2	\$5,000	CONTINUATION CERTIFICATE
14454538	WARWICK, RICKY/ CONSTABLE PCT. 4	\$5,000	CONTINUATION CERTIFICATE

61491346	WEIS, DAVID W./ CONSTABLE PCT. 3	\$5,000	CONTINUATION CERTIFICATE
16041473	WELCH, BARRY/ CONSTABLE PCT. 4	\$5,000	CONTINUATION CERTIFICATE
64851545	ZATZKIN, BRENT/ CONSTABLE PCT. 5	\$5,000	CONTINUATION CERTIFICATE

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 10F1-4

F1. PRECINCT 1

a. FINAL PLAT APPROVED of Republic Grand Ranch, Section 5; 481.98 acres; Jose Maria De La Garza Survey, A-15.

F2. PRECINCT 2

a. STREETS ACCEPTED INTO THE ONE-YEAR MAINTENANCE PERIOD in Woodtrace, Section 15.

b. STREETS ACCEPTED INTO THE ONE-YEAR MAINTENANCE PERIOD in Woodtrace, Section 14.

c. STREETS ACCEPTED INTO THE ONE-YEAR MAINTENANCE PERIOD in Woodtrace, Section 13.

d. FINAL PLAT APPROVED of Woodforest, Section 106; 9.2344 acres; James Hodge Survey, A-19.

e. FINAL PLAT APPROVED of Woodforest, Section 87; 5.68 acres; James Pevehouse Survey, A-29.

f. FINAL PLAT APPROVED of Capitol Hill Storage; 9.191 acres; John Shaffold Survey, A-527, and Robert P. Stewart Survey, A-478.

g. FINAL PLAT APPROVED of Hughes Subdivision, Section 1; 9.532 acres; James Pevehouse Survey, A-29.

F3. PRECINCT 3

a. STREETS ACCEPTED INTO THE ONE-YEAR MAINTENANCE PERIOD in Woodsons Reserve, Section 18.

b. FINAL PLAT APPROVED of Northgrove, Sec. 17; 14.87 acres; Joseph Miller Survey, A-27, and James Brown Survey, A-78.

c. FINAL PLAT APPROVED of Honeycomb Ridge Replat No. 2; 5.772 acres; Walker County School Land Survey, A-599.

F4. PRECINCT 4

- a. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Montgomery Creek Ranch, Section 21, and bond has been released.
- b. REQUEST APPROVED TO ACKNOWLEDGE that the roads in Harpers Preserve, Section 7 have been built to county standards and have completed the one-year maintenance period, and bond has been released. These roads are private and will not be maintained by Montgomery County.
- c. FINAL PLAT APPROVED of Highland Pines Drive Phase Two Street Dedication; 4.245 acres; William Vince Survey, A-581.
- d. FINAL PLAT APPROVED of Harpers Preserve, Section 21; 8.40 acres; Richard Vince Survey, A-583.
- e. FINAL PLAT APPROVED of Harpers Preserve, Section 22-B; 3.91 acres; Richard Vince Survey, A-583.

HUMAN RESOURCES – AGENDA ITEM 10G1

G1. PAYROLL CHANGE REQUEST FORMS APPROVED:

DEPARTMENT	EMPLOYEE/POSITION	ACTION	EFFECTIVE DATE
359th DISTRICT COURT	HASEK, DAYNA/ COURT COORDINATOR I	MERIT INCREASE	09/18/2021
	WILSON, SUSAN/ COURT ADMINISTRATOR	MERIT INCREASE	09/18/2021
ANIMAL SERVICES	HOLLIFIELD, SUZANNE/ FOSTER COORDINATOR – ANSVC	RE-HIRE/ REPLACEMENT FOR GAWEL, COURTNEY	09/22/2021
	KUNKLE, BILLIE/ CLERK III	DISCHARGED	09/08/2021
CUSTODIAL SERVICES	BARCENAS, ERIKA/ CUSTODIAN PT	NEW HIRE/ REPLACEMENT FOR VANPELT, JESSICA	09/27/2021
	MATEOS, NAOMI/ CUSTODIAN PT	DISCHARGED	09/17/2021

	RABADAN, JAVIER SALGADO/ CUSTODIAN PT	NEW HIRE/ REPLACEMENT FOR LOPEZ, KEVIN	09/27/2021
COMMISSIONER PRECINCT 2	HOSFORD, DOUGLAS/ OPERATOR I	RETURN FROM UNPAID LEAVE OF ABSENCE	09/14/2021
COMMISSIONER PRECINCT 3	ESTELLE JR., MARK WAYNE/ RECYCLE TECH	TRANSFERRED/ CORRECTION TO POSITION AND PAY	06/19/2021
COMMISSIONER PRECINCT 4	GILL, TY/ LABORER	NEW HIRE/ REPLACEMENT FOR FULLER, GARRETT	09/20/2021
	GRIMES, SHIRLEY/ COM FAC WORK – COM 4	RESIGNED	09/20/2021
CONSTABLE PRECINCT 1	GAY, AUSTIN/ MH SERGEANT – ARPA	PROMOTION/ ARPA POSITION	09/18/2021
	MARTIN, SCOTT/ MH DEPUTY – ARPA	TRANSFERRED/ ARPA POSITION	09/18/2021
	ROGERS, CHRISTOPHER/ MH SERGEANT – ARPA	PROMOTION/ ARPA POSITION	09/18/2021
CONSTABLE PRECINCT 4	GORDON, AMANDA/ CLK III CONST 4-2	TRANSFERRED/ REPLACEMENT FOR PERRY, KATRINA	09/18/2021
	LEWIS, NOLAN/ DPTY 4-15	TRANSFERRED/ REPLACEMENT FOR WOOTEN III, JOHNNY	09/18/2021

	MUNGIA, TROY/ DPTY CONST 4-21	STEP INCREASE	09/18/2021
	WOOTEN III, JOHNNY/ EMCMUD DPTY 4-1	TRANSFERRED/ REPLACEMENT FOR LEWIS, NOLAN	09/18/2021
COUNTY AUDITOR	HLISTER, AMBER/ FINANCIAL ANALYST	PROMOTION/ REPLACEMENT FOR OUGHTON, MELISSA	09/18/2021
	OUGHTON, MELISSA/ SR. FINANCIAL ANALYST	RESIGNED	09/17/2021
	PADILLA, DEVIN R./ MCTRA FINANCIAL ANALYST	NEW HIRE/ REPLACEMENT FOR ECKERT, STEPHANIE	09/20/2021
DISTRICT ATTORNEY	BRATCHER, KEVIN/ DA ATTORNEY II-B	RESIGNED	10/15/2021
	COLE, CHRISTOPHER/ DA ATTORNEY I-A	NEW HIRE/ REPLACEMENT FOR WIETHORN, KATHERINE	09/20/2021
DISTRICT CLERK	BELTRAN, TONY/ COURT CLERK IV	PROBATIONARY PERIOD COMPLETED	09/18/2021
	LYNN, CHELSEY/ COURT CLERK II	NEW HIRE/ REPLACEMENT FOR WILKINSON, ROBERT	09/20/2021
	TAVAREZ, MARCOS/ COURT CLERK II	DISCHARGED	09/03/2021

	TAYLOR, CHRISTOPHER A./ COURT CLERK II	PROBATIONARY PERIOD COMPLETED	09/04/2021
ELECTIONS	CHAUVIN JR., THERON/ VOTER CLERK ELEC	DECEASED	09/04/2021
EMERGENCY MANAGEMENT	BALLARD, MEGHAN/ PLAN HL SEC-OEM-1	UNPAID FMLA/ DISABILITY LEAVE	09/16/2021
	LEDBETTER III, WILLIAM/ LOGISTICS & INVENTORY CONTROL	PROBATIONARY PERIOD COMPLETED	09/13/2021
	MUNIZ VIGIL, KAREN/ CLERK II	RETURN FROM UNPAID FMLA/ DISABILITY LEAVE	09/27/2021
INFORMATION TECHNOLOGY	WINSLETT, CHASE/ COMPUTER ANALYST I-TRAF	NEW HIRE/ REPLACEMENT FOR POTTER, CHRISTIAN	09/20/2021
JUVENILE PROBATION – DETENTION	ADAMS, DELILAH MARISHA/ JSO SUB	NEW HIRE	09/20/2021
	BERGER, SARIAH CORALLYN/ JSO SUB	NEW HIRE	09/20/2021
	BONBRIGHT, JOSEPH COLE/ JSO-JUV-1	NEW HIRE/ REPLACEMENT FOR SILER, NICHOLAS	09/20/2021
	CABALLERO, JANIN JAMILEK/ JSO SUB	NEW HIRE	09/20/2021

	GARICA, JOSHUA HAROS/ JSO-JUV 33	NEW HIRE/ REPLACEMENT FOR LEY, MITCHELL	09/20/2021
	MARTINEZ, JULIANNA ELYSE/ JSO SUB	NEW HIRE	09/20/2021
	MCCALL, FABIAN CHRISTOPHER/ JSO SUB	NEW HIRE	09/20/2021
	MITCHELL JR., BYRON ELVIS/ JSO-SUB	RESIGNED	09/03/2021
	PUENTE, ANDRES GABRIEL/ JSO SUB	NEW HIRE	09/20/2021
	RODRIGUEZ III, LORENZO ANTHONY/ JSO SUB	NEW HIRE	09/20/2021
	VAZQUEZ, ESAI/ JSO- JUV-8	NEW HIRE/ REPLACEMENT FOR JONES, LOGAN	09/20/2021
LIBRARY	MARTIN, ASHLEY G./ COMPUTER ANALYST I	UNPAID LEAVE OF ABSENCE	09/15/2021
MENTAL HEALTH COURT SERVICES	ROSS-HOGG, BROOKE/ MNTLHTH CASE WORK – 1	RE-HIRE/ REPLACEMENT FOR SYMMONDS, ANDRA	09/27/2021
OFFICE OF COURT ADMINISTRATION	JARDON, MARTA/ CERTIFIED COURT INTERPRETER	NEW HIRE/NEW POSITION	09/20/2021
	LACEY, ELIZABETH/ JAIL LIAISON/	RETURN FROM UNPAID LEAVE OF ABSENCE	09/13/2021

	COMPLIANCE MONITOR		
	MORENO, KASSANDRA/ JAIL LIAISON/ COMPLIANCE MONITOR	NEW HIRE/ REPLACEMENT FOR BERENEO, ESTEPHANY	09/27/2021
PURCHASING	POWELL, DONIELLE/ BUYER III	UNPAID FMLA/DISABILITY LEAVE	08/24/2021
SHERIFF	CONNELL, CHARLES/ DPTY-SO PTRL D2-18	EMPLOYEE DECLINED POSITION	09/18/2021
	KNUDSEN, LEE/ SHERIF-SPC SO ADM-2	UNPAID FMLA/DISABILITY LEAVE	08/09/2021
	LEHMANN, LACEY/ REC SPC I-SO-4	UNPAID FMLA/DISABILITY LEAVE	08/09/2021
	NOVARIA, HANNAH/ DO-SO JAIL-20	RESIGNED	09/28/2021
	SALINAS, JAVIER/ DPTY BLF-SO HLSEC- 24	RETIRED	09/30/2021
	STREHLE, MICHAEL/ DO-SO JAIL-159	NEW HIRE/ REPLACEMENT FOR MARTIN, KELLAR	09/18/2021
	ZAHARIADES, JR., CLEO/ DO-SO JAIL-191	RESIGNED	09/17/2021
TAX ASSESSOR- COLLECTOR	LA HAIR, CAS SANDRA/ DEPUTY SPECIALIST I	DISCHARGED	09/13/2021

CONSTABLE PRECINCT 3	ACOSTA, ADAM/ LT. CONST 3-3	TRANSFERRED/ REPLACEMENT FOR FURCHES, RALPH	09/04/2021
	FURCHES, RALPH/ CPT CONST 3-1	TRANSFERRED	09/04/2021
	RANDALL, ALEXANDER/ LT. CONST 3-3	PROMOTION/ REPLACEMENT FOR ACOSTA, ADAM	09/04/2021
CONSTABLE PRECINCT 4	PERRY, KATRINA/ CLK III – CONST 4-2	JOB ABANDONMENT	08/19/2021

ENVIRONMENTAL HEALTH – AGENDA ITEMS 10H1-3

- H1. REQUEST APPROVED to Rescind Order to Abate Nuisance for 17513 Woods Dr., New Caney, Texas 77357. This property has been brought into compliance without county involvement of funds.
- H2. 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: 8828 Old Creek, Willis, Texas 77318.
- H3. REQUEST APPROVED to Rescind Order to Abate Nuisance for 26698 Frye Rd., Splendora, Texas 77372. This property has been brought into compliance without county involvement of funds.

COUNTY JUDGE – AGENDA ITEMS 10I1-2

- I1. 2022 COMMISSIONERS COURT MEETING SCHEDULE AND COUNTY HOLIDAYS APPROVED.
- I2. REQUESTS APPROVED from the Friends of Conroe, Inc. to use the following county properties before and during the Catfish Festival as follows:
 - Notice of road closures beginning Thursday, October 7, 2021 at 5:00 p.m. include Main Street at Davis to Pacific; Thompson from Davis to Metcalf; San Jacinto from Davis to Metcalf; Metcalf from San Jacinto to

Pacific; Simonton from Frazier to Pacific and Newton from Davis to Simonton.

- Use of courthouse square including courthouse steps, lawn area, curbs and plaza beginning Thursday, October 7th at 5:00 p.m. through Sunday, October 10th at 12:00 midnight. However, nothing will impede pedestrian traffic into the courthouse until Friday, October 8th at 5:00 p.m.
- All vehicles to exit garage on Simonton Street by 4:00 p.m. Friday, October 8th via Simonton and travel west to San Jacinto and south to Metcalf.

JUSTICE OF THE PEACE PRECINCT 2 – AGENDA ITEM 10J1

- J1. MONTHLY COLLECTIONS REPORT ACCEPTED for August 2021.

JUSTICE OF THE PEACE PRECINCT 5 – AGENDA ITEM 10K1

- K1. MONTHLY COLLECTIONS REPORT ACCEPTED for August 2021.

ELECTIONS – AGENDA ITEMS 10L1-2

- L1. RESOLUTION AND ORDER APPROVED regarding First Addendum, thereby memorializing and ratifying boundary descriptions through associated maps and/or descriptions per Resolution on file.
- L2. RESOLUTION AND ORDER APPROVED regarding First Addendum to Order for Changes to County Election Precinct Boundaries and Designation of Polling Places adopted on September 14, 2021, thereby memorializing and ratifying the boundary descriptions through associated maps as described under Exhibit A to the Order, per Resolution on file.

EMERGENCY MANAGEMENT – AGENDA ITEM 10M1

- M1. CARRYOVER OF FUNDS APPROVED from Grant Funded Auction in the amount of \$3,750.70 from line item 5200-790900.

SHERIFF – AGENDA ITEM 10N1

- N1. RESOLUTION AND ORDER APPROVED adopting the Second Amendment to Ordinance Regulating Incident Management Towing Rotation and Storage Services.

COUNTY ATTORNEY – REAL PROPERTY - AGENDA ITEMS 1001-4

O1. PRECINCT 1

a. RESOLUTION AND ORDER TO PAY APPROVED authorizing the settlement of the eminent domain proceedings in Cause No. 19-08-10440, to settle acquisition of Parcel 231 for FM 1097 Road Project, styled Montgomery County, Texas vs. JAP Consulting Inc., et al., for the total sum of \$705,000.00, with due credit being given for the Special Commissioners Award in the amount of \$293,642.00, partially paid through a Possession and Use Agreement in the amount of \$155,305.00, which was previously deposited into the registry of the Court. Precinct 1 Commissioner Robert C. Walker and/or B.D. Griffin, County Attorney, or his designee, are authorized to execute all documents necessary to effect the Settlement and Final Judgement. County Auditor and County Treasurer of Montgomery County are authorized to issue payment from Precinct No. 1 Right-of-Way funds (FM 1097 Road Extension), to Melissa Miller, District Clerk (FBO JAP Consulting, Inc.) and in the amount of \$411,358.00.

O2. PRECINCT 2

a. RESOLUTION AND ORDER TO PAY APPROVED for acquisition of 604 Jeb Stuart Lane, Conroe, Texas 77302, in accordance with the Flood Mitigation Assistance Grant 2016, from Jerry Lynn Faulkner and Mary Julia Faulkner, for the total sum of \$284,193.83 and to accept the deed.

b. RESOLUTION AND ORDER APPROVED between Montgomery County and the Montgomery County Municipal Utility District No. 131, for the Financing and Construction of Mill Creek Road Realignment.

O3. PRECINCT 3

a. RESOLUTION AND ORDER TO PAY APPROVED for acquisition of Parcel 36 of the Ford Road expansion project, from Alice J. Hooker, for the total sum of \$39,046.25 and to accept the deed.

b. RESOLUTION AND ORDER TO PAY APPROVED for acquisition of Parcel 46 of the Ford Road expansion project, from Suban Properties, L.L.C., for the total sum of \$48,330.70 and to accept the deed.

c. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition of Parcel 102 of the Ford Road expansion project, from Alvara Villarreal and Gabriela Martinez, for the total sum of \$29,081.05 and to accept the deed.

d. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition of Parcel 123 of the Ford Road expansion project, from Tiffany Ortiz Villarreal, for the total sum of \$34,636.58 and to accept the deed.

e. RESOLUTION AND ORDER TO PAY APPROVED for the acquisition of Parcel 194 of the Ford Road expansion project, from Christopher Paul Kennedy and Shelley Lawson-Kennedy, for the total sum of \$6,891.25 and to accept the deed.

f. AGREEMENT APPROVED between Montgomery County, Texas, and D.R. Horton – Texas LTD., authorizing the placement of Improvements within right-of-way on Roman Forest Boulevard.

g. RESOLUTION AND ORDER TO PAY APPROVED for acquisition of 20396 Russell Drive, Porter, Texas 77365, in accordance with the Flood Mitigation Assistance Grant 2016, from Ronald W. Gunnels, Jr., for the total sum of \$251,028.52 and to accept the deed.

O4. PRECINCT 4

a. PUBLIC SERVICE CONTRACTS FOR THE 2021-2022 FISCAL YEAR APPROVED as follows:

Access Builds Children
Children's Safe Harbor
Crisis Assistance Center
Family Promise
Montgomery County Committee on Aging
Montgomery County Women's Center
Montgomery County Youth Services
Soil and Water Conservation District
Texas Parks and Wildlife
Tri-County Behavioral Healthcare
Veterans Memorial Commission

COUNTY CLERK – AGENDA ITEM 10P1

P1. 2022 SHERIFFS' AND CONSTABLES' FEES APPROVED as required under Texas Local Government Code, § 118.131. No changes from the 2021 fee structure were submitted for 2022.

DISTRICT CLERK – AGENDA ITEM 10Q1

Q1. DEPUTATION ACCEPTED of District Clerk's Deputy, Chesley Lynn.

CONROE-NORTH HOUSTON REGIONAL AIRPORT – AGENDA ITEMS 10R1-2

R1. CONSENT OF PARTIAL ASSIGNMENT OF LAND LEASE APPROVED from William B. Day and Twilia M. Day to Final Fix of Texas, LLC for 0.156 acres of land at the Conroe North Houston Regional Airport.

R2. CONSENT OF PARTIAL ASSIGNMENT OF LAND LEASE from William B. Day to Final Fix of Texas, LLC for 0.181 acres of land at the Conroe North Houston Regional Airport.

CONSTABLE PRECINCT 1 – AGENDA ITEMS 10S1-2

S1. APPOINTMENTS ACCEPTED for the following deputies for Montgomery County Constable Precinct 1: Max McGee Jr., Christopher Rogers, Joneatta Brown, Scott Martin, Stacie Martin, Britney Jozwiak, and Adam Culak.

S2. TACTICAL DIVERSION TASK FORCE AGREEMENT RATIFIED with United States Department of Justice, Drug Enforcement Administration for year 2022.

CONSTABLE PRECINCT 3 – AGENDA ITEM 10T1

T1. INTERLOCAL AGREEMENT APPROVED between Montgomery County and Montgomery County Municipal Utility District No. 88. Mark J. Keough is authorized to sign agreement on behalf of Montgomery County.

CONSTABLE PRECINCT 4 – AGENDA ITEMS 10U1-2

U1. RESOLUTION AND ORDER APPROVED to recognize and honor patrol canine Dino for his years of service and allow Dino to live out his life with Detective Eric Prado.

U2. DONATION ACCEPTED of one Z-Plus AED machine valued at \$1,500 from Clayton Hagerman and Dulce Gonzalez of Rabbit Hill Rentals.

GRANTS AND COMMUNITY DEVELOPMENT – AGENDA ITEMS 10V1-5

V1. REQUEST APPROVED to accept the Texas State and Archives Commission Interlibrary Loan grant funds in the amount of \$18,039.36 for Montgomery County Library System. Jeri Williams is authorized to accept grant on behalf of Montgomery County.

- V2. REQUEST APPROVED authorizing County Judge Mark Keough to sign the FY2021 funding grant agreements between HUD and Montgomery County that incorporates the following Entitlement Grants:
- Community Development Block Grant Program (CDBG)
 - HOME Investment Partnerships Program (HOME)
 - Emergency Solutions Grant Program (ESG)
- V3. SECOND AMENDMENT APPROVED to the Agreement between Montgomery County and Conroe New Birth Ministries. The original agreement was approved by Commissioners Court on December 8, 2020 and first amended on May 11, 2021.
- V4. FISCAL YEAR 2022 IMPAIRED DRIVING MOBILATION (IDM) GRANT APPLICATION APPROVED to Texas Department of Transportation (TxDOT) for Constable Precinct 2 Office in the amount of \$8,984.04 with a match of \$2,342.85 from Constable Precinct 2 budget. Rebecca Ansley is authorized to submit grant electronically on behalf of Montgomery County.
- V5. AGREEMENT APPROVED between Montgomery County, Texas and Access Builds Children in an amount not to exceed \$55,850; funding source to be \$20,000 from CDBG 2020 grant, \$17,925 from Commissioner Precinct 1 and \$17,925 from Commissioner Precinct 2. Budget Office is authorized to make all necessary changes to effectuate the same.

Motion carried.

END OF CONSENT AGENDA

4. ACCEPTANCE ACKNOWLEDGED – NORTHSIDE LEXUS BOND – TAX ASSESSOR/COLLECTOR
- Motion by Commissioner Noack, seconded by Commissioner Metts, to acknowledge and accept the indefinite continuation of Surety Bond #022224818 for Northside Lexus in the amount of \$200,000. Montgomery County has no responsibility for payment of this bond. Judge Keough abstains. Motion carried.
5. RESOLUTION APPROVED – REDISTRICTING – COUNTY JUDGE
- Motion by Commissioner Noack, seconded by Commissioner Riley, to approve a Resolution relating to Redistricting by the Texas Legislature. Motion carried.
6. SALARY SCHEDULE APPROVED – FY 2022 SALARY SCHEDULE – BUDGET

Motion by Commissioner Riley, seconded by Commissioner Metts, to approve the salary schedule for FY 2022, to be effective October 2, 2021. Motion carried.

AGENDA ITEM 13A: MICHAEL HOWARD PRESENTED A POWERPOINT PRESENTATION AND THE COURT DISCUSSED FY2021 MONTGOMERY COUNTY SELF-INSURANCE PROGRAM, TO INCLUDE PROPERTY AND CASUALTY, WORKERS' COMPENSATION, AND MEDICAL PLANS.

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

7. COOPERATIVE AGREEMENT APPROVED – AGRILIFE EXTENSION

Motion by Commissioner Walker, seconded by Commissioner Noack, to approve the cooperative agreement between Texas A&M AgriLife Extension Service and Montgomery County. County Judge Mark Keough is authorized to sign the documents on behalf of Montgomery County. Motion carried.

AGENDA ITEM 15A: EMERGENCY MANAGEMENT ADDRESSED THE COURT REGARDING COVID-19 PANDEMIC AND GAVE AN UPDATE ON THE STATISTICS THROUGHOUT THE COUNTY.

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

AGENDA ITEM 15B WAS MOVED TO EXECUTIVE SESSION. SEE MOTION 11 FOR COURT ACTION.

8. RESOLUTION AND ORDER APPROVED – MUNICIPAL UTILITY DISTRICT NO. 180 – TAX ASSESSOR AND COLLECTOR

Motion by Commissioner Riley, seconded by Commissioner Walker, to approve the Resolution and Order for Agreement for the Financing and Construction of Road Improvement by and between Montgomery County, Texas and Montgomery County Municipal Utility District No. 180. County Judge Mark J. Keough or Commissioner Charlie Riley (without the joinder of the other) are authorized to execute the Agreement in multiple counterparts on behalf of Montgomery County, Texas. Motion carried.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 17A1: Consider the partial replat of Lot 3 of Splendor Farms, Section 1, as recorded in Volume 5, Page 103 of the Map Records of Montgomery County, Texas, to be known as Splendor Farms, Replat of Lot 3, Section 1. The purpose of the proposed partial replat is to create 2 residential lots.

Brandy Mccullough addressed the court, stating that she and her sister own the property being discussed, and offered the court any assistance that may be needed from her at this time.

AGENDA ITEM 17A2: Consider the partial replat of Lots 1, 2, and 3 of Dogwood Forest, Section 1, as recorded in Volume 7, Page 219 in the Montgomery County Map Records, to be known as DML Conroe Replat. The purpose of the proposed partial replat is to create an unrestricted reserve.

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

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 18A: Consultation with attorney regarding use of and/or distribution of American Rescue Plan Act (ARPA) funds. (Section 551.071)

EXECUTIVE SESSION – AGENDA ITEM 18B: Consultation with attorney regarding recent request by Senator Creighton to Attorney General Paxton. (Section 551.071)

EXECUTIVE SESSION – AGENDA ITEM 18C: Consultation with attorney regarding legal issues and concerns in the event of incorporation of The Woodlands Township. (Section 551.071)

EXECUTIVE SESSION – AGENDA ITEM 18D: Consultation with attorney regarding 2021 redistricting. (Section 551.071)

COMMISSIONERS COURT RECONVENED WITH ALL MEMBERS PRESENT.

9. REQUEST APPROVED – ARPA FUNDS

Motion by Commissioner Noack, seconded by Judge Keough, to authorize the County Attorney and Office of Emergency Management to construct a plan to authorize up to \$5 million in premium pay to be put towards internal Montgomery County Employees, who qualify through the federal qualification process, and qualifying external entities. Motion carried.

10. REQUEST APPROVED – COUNTY ATTORNEY RESPONSE

Motion by Judge Keough, seconded by Commissioner Metts, to authorize the County Attorney to respond to Senator Creighton in his request for an opinion to the Attorney General of the State of Texas concerning the distribution of Cares Funds, as it relates to The Woodlands Township. Motion carried.

11. FUNDING APPROVED – EMERGENCY MANAGEMENT

Motion by Commissioner Noack, seconded by Commissioner Walker, to approve additional funding of \$4.5 million to go towards nurse staffing at local county hospitals, to expire October 31, 2021. Funds will be provided by ARPA funds. Motion carried.

CITIZENS – AGENDA ITEM 20

Dale Fastendone addressed the court regarding Loop 336. He stated that he believes the southeast portion of Loop 336 is neglected. He requested that the two Precinct Commissioners that this location resides, take leadership over the situation.

MISCELLANEOUS – AGENDA ITEM 21 – NO ITEMS LISTED

12. COURT ADJOURNS

Motion by Commissioner Noack, seconded by Commissioner Riley, to adjourn this session of Court. Motion carried.

The above and foregoing minutes were read and approved by the Court.

ATTEST:

Mark Turnbull, County Clerk
Ex-Officio Clerk - Commissioners' Court
Montgomery County, Texas

BY: _____
COUNTY CLERK

COUNTY JUDGE