

#296
DEC 08 2021

COMMISSIONERS COURT DOCKET
NOVEMBER 16, 2021
REGULAR SESSION

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BE IT REMEMBERED that on this the 16th day of November, 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 Tim Stewart.

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

PROCLAMATIONS/RESOLUTIONS/PRESENTATIONS – AGENDA ITEM 8A

Marcel Khouw, President of American Public Works Association (APWA), presented Commissioner Charlie Riley with the Project of the Year award. This project was awarded a State level, and in 2022, will move on to compete at a National level. Precinct 2 played a video presentation about the Texas State Highway 249 Extension Project.

CITIZENS – AGENDA ITEM 7

Nancy Clark addressed the court regarding road developments in the area she lives in. She stated that Tamina Road is a gridlock. She stated that the citizens do not have enough road in the area. She requested help for the area.

2. RESOLUTION AND ORDER APPROVED – CONSENT AGENDA – AGENDA ITEMS 9A-O

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

COUNTY AUDITOR – AGENDA ITEMS 9A1-5

- A1. REPORT ACCEPTED that complies with Local Government Code Section 114.024.
- A2. PAYMENT OF ACCOUNTS APPROVED, as submitted by the County Auditor.
- A3. COMPLETED AUDITS ACCEPTED, as submitted by the County Auditor.
- A4. REPORT ACCEPTED that complies with Local Government Code Section 114.025.
- A5. REPORT ACCEPTED that complies with Local Government Code Section 114.023.

BUDGET OFFICE – AGENDA ITEMS 9B1-4

- B1. TRANSFERS, ADJUSTMENTS, AND AMENDMENTS APPROVED AND AUTHORIZED for special revenue departments and general fund departments for Fiscal Year 2022.
- B2. OPERATIONAL CARRY-OVERS APPROVED for Special Revenue Funds and General Fund Departments from Fiscal Year 2021 to Fiscal Year 2022 Budget.
- B3. LINE ITEM TRANSFERS AND ADJUSTMENTS AUTHORIZED AND APPROVED for Fiscal Year 2022 Budget according to Budget Policy.
- B4. LINE ITEM TRANSFERS AND ADJUSTMENTS AUTHORIZED AND APPROVED for Fiscal Year 2021 Budget according to Budget Policy.

TREASURER – AGENDA ITEM 9C1-2

- C1. MONTHLY TREASURER REPORT APPROVED for October 2021, including:
 - a. Monthly Statement of Balance Report for October 2021
 - b. Monthly Investment Report for October 2021

- c. MCTRA Investment Report for October 2021
- d. Interest Summary Report for October 2021
- e. Investments Purchased report for October 2021
- f. Debt Report (Reported and Maintained by Auditor's Office)
- g. Check Register for October 2021
- h. Manual Check Register for October 2021

C2. DONATION ACCEPTED of \$2,250.00 to the Animal Shelter from Bissell Pet Foundation to be deposited into project DN0001 Animal Shelter Donation. County Clerk did not receive payment.

TAX ASSESSOR/COLLECTOR – AGENDA ITEMS 9D1-2

- D1. AGREEMENT APPROVED for tax assessment and collection services between Montgomery County, Texas and Corinthian Point Municipal Utility District No. 2. Judge Mark Keough is authorized to sign on behalf of Montgomery County.
- D2. DEPUTATION ACKNOWLEDGED of Deputy Tax Assessor-Collector, Alejandra Gonzales.

PURCHASING – AGENDA ITEMS 9E1-3

- E1. REQUEST APPROVED to grant change order approval authorization to Building Maintenance Director for Forensics Facility project from Brookstone, L.P., which is necessary due to supply chain shortages/delays involving roofing system, in the amount not to exceed \$250,000.
- E2. REQUEST APPROVED to utilize the following contract:
 - a. Public Safety Video Surveillance through Sourcewell contract #010720-AXN in the amount of \$2,101,520.00 for a sixty (60) month term from Axon Enterprise, Inc. for Information Technology. Local Gov't Code §271.102.
- E3. RENEWAL OPTION APPROVED for Project #20-07 Mosquito Spraying Services with Northwest Pest Patrol Inc., with changes for various precincts (exercising the second of five renewal options).

RISK MANAGEMENT – AGENDA ITEM 9F1

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

BOND	NAME/DEPT	AMOUNT	ACTION
61533843	ALFORD, KELLIE/ TAX OFFICE	\$100,000	CONTINUATION CERTIFICATE

64460684	CASTILLO, ROXANA/ CONSTABLE PRECINCT 4	\$5,000	CONTINUATION CERTIFICATE
65662089	COWL, LUCAS/ CONSTABLE PRECINCT 1	\$5,000	NEW BOND
64460693	CROWDER, RANDY/ CONSTABLE PRECINCT 4	\$5,000	CONTINUATION CERTIFICATE
61891606	HANKS, TAMARA/ CONSTABLE PRECINCT 5	\$5,000	CONTINUATION CERTIFICATE
61891606	CRABTREE, TAMARA/ CONSTABLE PRECINCT 5		RIDER – CHANGE DESCRIPTION
15229663	HEDRICK, ASHTON/ CONSTABLE PRECINCT 5	\$5,000	CONTINUATION CERTIFICATE
15229663	HEDRICK, ASHTON/ CONSTABLE PRECINCT 5		RIDER – CHANGE DESCRIPTION
64919102	HIGGENBOTHAM, TRAVIS/ CONSTABLE PRECINCT 1	\$5,000	CONTINUATION CERTIFICATE
65683471	HODGES, JASON LOREN/ CONSTABLE PRECINCT 1	\$5,000	NEW BOND
61541121	LEE JR., DAVID/ FIRE MARSHAL	\$5,000	CONTINUATION CERTIFICATE
64900219	RINGLER, CHARLES/ CONSTABLE PRECINCT 5	\$5,000	CONTINUATION CERTIFICATE
64900203	SMITH, JASON/ CONSTABLE PRECINCT 2	\$5,000	CONTINUATION CERTIFICATE
14468470	WILLIAMS, JEFF/ FIRE MARSHAL	\$5,000	CONTINUATION CERTIFICATE

COMMISSIONERS – COUNTY ENGINEER – AGENDA ITEMS 9G1-2

G1. PRECINCT 3

- a. STREETS ACCEPTED INTO THE COUNTY ROAD MAINTENANCE SYSTEM in Northgrove, Section 12 and bond has been released.

G2. PRECINCT 4

- a. STREETS ACCEPTED INTO THE ONE-YEAR MAINTENANCE PERIOD in Valley Ranch Town Center North.
- b. STREETS ACCEPTED INTO THE ONE-YEAR MAINTENANCE PERIOD in Park Lake View Drive Street Dedication.

HUMAN RESOURCES – AGENDA ITEM 9H1

H1. PAYROLL CHANGE REQUEST FORMS APPROVED:

DEPARTMENT	EMPLOYEE/POSITION	ACTION	EFFECTIVE DATE
418 TH DISTRICT COURT	SHANAHAN, LISA/ CT COORD I-418 DC	CORRECTION	10/02/2021
CUSTODIAL SERVICES	MADRID, BLANEY/ CUSTODIAL SUPV	PROMOTION/ REPLACEMENT FOR LEBLANC, TRAVIS	11/15/2021
	MIRAMON, KATY/ ADMAS11-CUST	RESIGNED	11/05/2021
COMMISSIONER PRECINCT 2	COX, CHARLES/ OPERATOR I	NEW HIRE/ REPLACEMENT FOR POTTER, RICKY	11/15/2021
	GRATE JR., RICHARD/ OPERATOR I	CORRECTION	10/18/2021
CONSTABLE PRECINCT 1	DURENBERGER, JERRY/ DPTY CONST 1-20	RETIRED	11/30/2021
CONSTABLE PRECINCT 2	SOUTH, PATRICK/ DPTY CONST 2-6	NEW HIRE/ REPLACEMENT FOR MADUZIA, CHRISTOPHER	11/13/2021
CONSTABLE PRECINCT 3	BRATTON, JUSTIN/ DPTY CONSTABLE 3-17	STEP INCREASE	11/18/2021
	CUPIT, STEVEN E./ RMUD DPTYCONST 3-7	NEW HIRE/ REPLACEMENT FOR LAND, KRIS	11/13/2021
	MIXON, BRADLEY/ DPTY CONST 3-24	STEP INCREASE	11/18/2021

	RANDALL, ALEXANDER/ SGT. CONST 3-1	CORRECTION	10/10/2021
	TAYLOR, THERESA/ RMUD DPTY CONST 3-29	CORRECTION	10/04/2021
	WASHINGTON, JOMO K./ SGT CONST 3-6	STEP INCREASE	11/03/2021
ELECTIONS	BAUER, LISA/ VOTER CLK-ELEC	CORRECTION	10/02/2021
	PICKERING, LISA/ VOTER CLK-ELEC	CORRECTION	10/02/2021
JUVENILE PROBATION DETENTION	PARKER, LAKEN ALANE/ JSO-JUV-31	STATUS CHANGE/ REPLACEMENT FOR BRADFORD, MAYA	11/13/2021
LIBRARY	FISCHER, SARAH B./ SHELVING CLK-LIB	RESIGNED	11/17/2021
	MILLIFF, KIMBERLY D/ LEAD CATALOG TCH-LIB	PROMOTION	11/13/2021
	SWIMMER, CRYSTAL/ COORDINATOR CHILDYOUTH-LIB	RETURN FROM UNPAID FMLA/DISABILITY LEAVE	11/08/2021
	WESTPHAL, DENISE/ LIBRARY AST IV-1	EQUITY ADJUSTMENT	10/30/2021
SHERIFF	HINKEL, JAMES/ DPTY-SO PTRL D4-16	STEP INCREASE	11/14/2021
	IBARRA, LISA/ REC SPC I- SO-8	NEW HIRE/ REPLACEMENT FOR ANDERSON, AI	11/13/2021
	LAMBERT III, THOMAS/ DET-SO SVU-6	STEP INCREASE	11/17/2021

	MACIAS, LUIS/ SPC-SO SWAT-5	STEP INCREASE	11/17/2021
	PETERSON, DARREN C./ DO-SO JAIL-191	NEW HIRE/ REPLACEMENT FOR ZAHARIADES JR., CLEO	11/13/2021
	QUINLIN, DANIELLE/ DISPATCH-SO-28	RESIGNED	11/07/2021
	ROSARIO, KAREN/ DET- SO PTRL E-10	STEP INCREASE	11/14/2021
	THOMAS, STEVEN R./ DET-SO GANG-1	STEP INCREASE	11/23/2021
	THOMPSON, DEBORAH/ ADMAST I-SO D1	RETIRED	12/31/2021
	TOWLER, ANGELIA/ REC SPC I-SO WARR-3	RESIGNED	11/07/2021
	VEITH, KRISTY/ DET-SO PTRL W-2	STEP INCREASE	11/18/2021

JUSTICE OF THE PEACE PRECINCT 2 – AGENDA ITEM 9J1

II. MONTHLY COLLECTIONS REPORT ACCEPTED for October 2021.

JUSTICE OF THE PEACE PRECINCT 3 – AGENDA ITEM 9J1

J1. MONTHLY COLLECTIONS REPORT ACCEPTED for October 2021.

OFFICE OF COURT ADMINISTRATION – AGENDA ITEM 9K1

K1. REQUEST APPROVED to close position 8103-4197, Admin Assistant I-OCA and reduce position 8103-4193 by one full-time equivalency spot. Open position 8103-5425, OCA Supervisor-Court Admin, annualized salary to be \$51,985.40 and position 8103-5426, OCA-Clerk II, annualized salary to be \$29,099.20. Personnel changes are budget neutral with no funding source required. Budget Office is authorized to effectuate all changes.

SHERIFF – AGENDA ITEM 9L1

- L1. REQUEST APPROVED to accept the FY2021 Montgomery County Sheriff's Office ESAC Report.

CONSTABLE PRECINCT 1 – AGENDA ITEM 9M1

- M1. REQUEST APPROVED to accept the appointment of Reserve Deputy Jason L. Hodges for Montgomery County Constable Pct. 1 for this term.

GRANTS AND COMMUNITY DEVELOPMENT – AGENDA ITEMS 9N1-3

- N1. DEOBLIGATION APPROVED of Emergency Rental Assistance (ERA) funding to the Department of Treasury in the amount of \$7,106,368.27.
- N2. RENEWAL APPROVED of Title IV-E Legal Services grant contract with Child Protective Services (CPS) for County Attorney's Office. County Judge Mark Keough is authorized to execute contract and all appropriate documents related to the same.
- N3. RENEWAL APPROVED of Title IV-E Child Welfare Services grant contract with Child Protective Services (CPS) for County Attorney's Office. County Judge Mark Keough is authorized to execute contract and all appropriate documents related to the same.

COUNTY ATTORNEY – AGENDA ITEM 9O1

O1. PRECINCT 4

- a. ORDER APPROVED Authorizing Notice of Public Hearing under Local Government Code 232.009(C-1) for a partial replat of a portion of Reserve B and a portion of Reserve A of Deer Trail Estates, Section 1, to be known as Deer Trails Estates, Section 1, Replat. The purpose of the proposed partial replat is to construct a roadway over a portion of Reserve A and B of Deer Trail Estates, Section 1.
- b. ISSUANCE APPROVED of a Purchase Agreement for an approximate 1 acre tract of land in the James Taylor Survey and Judge Mark Keough, Commissioner James Metts, and B.D. Griffin as Special Commissioners are authorized to sign any and all documents to facilitate acquisition of said property.

Motion carried.

END OF CONSENT AGENDA

3. REQUEST APPROVED – CARRYOVER OF FY 2021 – AUDITOR

Motion by Commissioner Noack, seconded by Commissioner Riley, to approve carryover of FY 2021 unused benefits in an amount not to exceed \$400,000 in order to activate “Partial Lump Sum” option at retirement with TCDRS. Motion carried.

AGENDA ITEM 11A – GRANTS AND COMMUNITY DEVELOPMENT – WAS MOVED TO EXECUTIVE SESSION. SEE MOTION 5 FOR COURT ACTION.

AGENDA ITEM 12A – CONSTABLE PRECINCT 1 – WAS DEFERRED.

4. AWARD APPROVED – ELECTION CARTS – PURCHASING

Motion by Commissioner Noack, seconded by Commissioner Mettis, to approve the award for Project 22-01 to Rebuild Election Carts to Texas Fabricators. Motion carried.

AGENDA ITEM 14A – ADULT PROBATION – WAS MOVED TO EXECUTIVE SESSION. SEE MOTION 6 FOR COURT ACTION.

COMMISSIONERS COURT IS RECESSED FOR PUBLIC HEARING ON THE FOLLOWING:

AGENDA ITEM 15A1: Consider the partial replat of the residue of Restricted Reserve L of Wood Lake Village Section 1 as recorded in Cabinet V, Sheets 95-99 of the Montgomery County Map Records, to be known as Harper’s Preserve, Section 17 Replat. The purpose of the proposed partial replat is to conform to a revised land plan and dedicated preservation easements.

THERE BEING NO 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, ARTICLES 551.071, 551.072.

AGENDA ITEM 11A – GRANTS AND COMMUNITY DEVELOPMENT – Consider, discuss and take appropriate action regarding the reallocation of \$43,227.54 from 1-220-30-4300-740640-20CDBGCV3-IR-GR to another funding source. Please name funding source.

AGENDA ITEM 14A – ADULT PROBATION – Consider, discuss and take appropriate action regarding the request to open two new positions, 8403-5427 Mental Health Counselor and 8403-5428 Bond Supervision Officer, with annualized salary being \$57,782.00 and \$42,085.00 respectively. Positions are needed to address increase in mental health defendants ordered by the courts to probation. \$149,406.51 is still needed to fund salaries and benefits for fiscal year, please name a funding source.

EXECUTIVE SESSION – AGENDA ITEM 16A: Discuss the purchase, exchange, lease or value of real property. (Section 551.072).

EXECUTIVE SESSION – AGENDA ITEM 16B: Consultation with legal counsel regarding anticipated litigation and associated obligations in relation to employee 13307. (Section 551.071)

EXECUTIVE SESSION – AGENDA ITEM 16C: Consultation with County Attorney regarding Claim No. 800.5141 WAS DEFERRED. (Section 551.071)

EXECUTIVE SESSION – AGENDA ITEM 16D: Consultation with County Attorney to discuss legal issues regarding future uses of American Rescue Plan Act (ARPA) funds. (Section 551.071)

EXECUTIVE SESSION – AGENDA ITEM 16E: Consultation with County Attorney regarding potential liabilities associated with CDBG Grants. (Section 551.071)

COMMISSIONERS COURT RECONVENED WITH ALL MEMBERS PRESENT.

5. REQUEST APPROVED – REALLOCATION OF FUNDS – GRANTS AND COMMUNITY DEVELOPMENT

Motion by Commissioner Noack, seconded by Commissioner Riley, to reallocate \$43,227.54 from 1-220-30-4300-740640-20CDBGCV3-IR-GR to Contingency. Motion carried.

6. REQUEST APPROVED – NEW POSITIONS – ADULT PROBATION

Motion by Commissioner Noack, seconded by Commissioner Metts, to approve request to open two new positions until September 30, 2022: 8403-5427 Mental Health Counselor, annualized salary of \$57,782.00, and 8403-5428 Bond Supervision Officer, annualized salary of \$42,085.00. Positions are needed to address increase in mental health defendants ordered by the courts to probation. Funds not to exceed \$85,000 are to come from ARPA. Motion carried.

CITIZENS – AGENDA ITEM 18

Kristen Plaisance addressed the court regarding election integrity. She requested that the court read a lawsuit that is to be filed November 23, 2021, with the United States Supreme Court regarding the country's elections.

Cindy Phillips addressed the court regarding Senate Bill 8. She requested that the court watch a video online that gives information on injuries caused by the COVID-19 vaccines.

MISCELLANEOUS – AGENDA ITEM 19 – NO ITEMS LISTED

NOTICES – AGENDA ITEM 20 – NO ITEMS LISTED

7. 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

M. K. Noack

COUNTY JUDGE

