

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – MAY 19, 2021**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 19<sup>th</sup> day of May 2021 at its meeting place in the Commissioners Courtroom of the Waller County Courthouse, Hempstead, Texas. The meeting was called to order by Waller County Judge Trey Duhon at 9:00 a.m. with the following members of the Court present to-wit:

Carbett "Trey" J. Duhon III, County Judge  
John A. Amsler, Commissioner Precinct 1  
Walter Smith, Commissioner Precinct 2  
Kendric D. Jones, Commissioner Precinct 3  
Justin Beckendorff, Commissioner Precinct 4  
Debbie Hollan, County Clerk

Delivery of Invocation by: Commissioner Amsler  
Pledge to the American Flag and Texas Flag led by: Commissioner Beckendorff

1. **Approval of Agenda.**

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

**Motion carried** by 5-0 vote.

<i>Judge Trey Duhon</i> – Yes	<i>Commissioner Amsler</i> – Yes	<i>Commissioner Smith</i> – Yes
	<i>Commissioner Jones</i> – Yes	<i>Commissioner Beckendorff</i> – Yes

**PUBLIC COMMENT**

To slow the spread of COVID-19, the public may make public comment at the beginning of the meeting by teleconference. **Local callers should call 979-921-6212.** Non-local callers should call 800-576-1131. The user code for both numbers is **14329937**. Callers will be asked if they would like to make public comment. After public comment, the teleconference line will be closed. The public may continue to watch the meeting streamed online at <http://wallercountytx.swagit.com/live>.

Commissioner Amsler announced the Library will be having an Open House on Wednesday the 2<sup>nd</sup> day of June at 2:00 p.m., light refreshments will be served.

Brian Cantrell thanked all the first responders and Sheriff's Department for being prepared and on standby for last night's rain storm.

*Due to technical difficulty with the teleconference, public members trying to call in were given an opportunity to speak towards the end of the meeting (page 4).*

**CONSENT AGENDA**

Items identified within the consent agenda are of a routine nature, and will be passed with one vote without being discussed separately. If a member of the court or public requests that a particular item be discussed, that agenda item will be pulled from the Consent Agenda and discussed as part of the regular agenda at the appropriate time. One vote will approve the remaining items on the Consent Agenda.

2. **Approval of the minutes** – May 12, 2021 Regular Session

3. **Request by County Treasurer for approval of Payroll.**

4. Request to approve payment on the following:
  - (a) \$11,593.00 for Invoice # 4740 to Harris County from line item 125-423-540702 [Autopsy].
  - (b) \$85.00 for Invoice # 21547405 [Courthouse, Hold-Up Alarm], and \$995.00 for Invoice #21112405 [Courthouse Camera Surveillance], for a total of \$1,080.00 payable to TAC Security from line item 117-428-568425 [Courthouse Security/Misc. Security].
  - (c) \$395.00 for Invoice # 2021-4-3048 to Association of Rural Communities in Texas (ARCIT) to be paid from line item 125-411-562300 [County Organizational Dues].
  - (d) \$135.00 for Invoice # 1015596 to Texas Department of Licensing and Regulation to be paid from line item 125-411-545001 [Maintenance Contracts].
5. Request by County Auditor for approval and/or ratification of Accounts Payable.
6. Request by County Auditor for approval and/or ratification of Accounts Payable for Construction Projects.
  - a) \$13,642.45 from line item 602-602-581000 [Bldg Purch, Const, or Improv/Jail-Judicial].
7. Request by County Elections Administrator to approve Fixed Asset Transfers.
8. Request by County Engineer to accept Right-of-Way and/or Exclusive Easement dedications along Woods Rd., from IH-10 southward, necessary to expand the roadway. *(no backup submitted)*
9. *Item #9 removed from Consent Agenda.*

Motion to approve Consent Agenda with #9 removed made by Commissioner Beckendorff, seconded by Commissioner Jones.

**Motion carried** by 5-0 vote.

<i>Judge Trey Duhon</i> – Yes	<i>Commissioner Amsler</i> – Yes	<i>Commissioner Smith</i> – Yes
	<i>Commissioner Jones</i> – Yes	<i>Commissioner Beckendorff</i> – Yes

9. Request by County Engineer to approve a Utility Permit for Pape-Dawson Engineers., to place a sanitary force main in the right-of-way of Clay Rd.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

**Motion carried** by 4-0, 1 Abstained vote.

<i>Judge Trey Duhon</i> – Yes	<i>Commissioner Amsler</i> – Yes	<i>Commissioner Smith</i> – Abstained
	<i>Commissioner Jones</i> – Yes	<i>Commissioner Beckendorff</i> – Yes

## **COUNTY JUDGE**

10. Discuss and take action to approve the Waller County Parks Master Plan. *(no backup submitted)*

Motion made by Commissioner Beckendorff to adopt the Parks Master Plan, seconded by Judge Duhon.

**Motion carried** by 5-0 vote.

<i>Judge Trey Duhon</i> – Yes	<i>Commissioner Amsler</i> – Yes	<i>Commissioner Smith</i> – Yes
	<i>Commissioner Jones</i> – Yes	<i>Commissioner Beckendorff</i> – Yes

**WALLER COUNTY CHILD WELFARE BOARD**

- 11. Discuss and take action to approve the appointment of Waller County Child Welfare Board member(s) for 2021.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.  
Judge Duhon made motion to appoint Joe VanEst to a 3 year term on the Waller County Child Welfare Board, seconded by Commissioner Jones.

**Motion carried** by 5-0 vote.

*Judge Trey Duhon – Yes*                      *Commissioner Amsler – Yes*                      *Commissioner Smith – Yes*  
*Commissioner Jones – Yes*                      *Commissioner Beckendorff – Yes*

**COUNTY ENGINEER**

- 12. **Open** Competitive Bids for “Robin Hood Ln. Bridge Replacement Over Brushy Creek.”

The following bids were submitted and opened by the Court:

- 1. Received May 11, 2021 1:30 p.m. from WadeCon, LLC
- 2. Received May 11, 2021 1:28 p.m. from J.D. Abrams, L.P.
- 3. Received May 11, 2021 1:25 p.m. from ABC Aranda Brothers Construction Company
- 4. Received May 11, 2021 1:07 p.m. from Earth Builders
- 5. Received May 11, 2021 11:30 a.m. from JMHP, Inc.

**COUNTY CLERK**

- 13. Discuss and take action to approve Lease Agreement with Xerox for a Xerox Copier C8155H2 for the new County Clerk’s office located at the Waller County Annex in Brookshire. Monthly payment of \$171.69 for 48 months to be paid from line item 125-403-581813 [Copier/Printer].

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

**Motion carried** by 5-0 vote.

*Judge Trey Duhon – Yes*                      *Commissioner Amsler – Yes*                      *Commissioner Smith – Yes*  
*Commissioner Jones – Yes*                      *Commissioner Beckendorff – Yes*

**TREASURER**

- 14. Discuss and take action to approve policies and invoices through Texas Association of Counties for Property coverage effective 07/01/21. Total premium of \$157,661.00 to be paid from line item 125-411-560300 [Ins Equip/Build/Pub Liab].

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

**Motion carried** by 5-0 vote.

*Judge Trey Duhon – Yes*                      *Commissioner Amsler – Yes*                      *Commissioner Smith – Yes*  
*Commissioner Jones – Yes*                      *Commissioner Beckendorff – Yes*

**AUDITOR**

- 15. Discuss and take action to certify the \$57,253.00 grant award from the Texas Indigent Defense Commission (Formula Grant Program) and amend the 2021 budget, WC 2021-19.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

**Motion carried** by 5-0 vote.

*Judge Trey Duhon – Yes*                      *Commissioner Amsler – Yes*                      *Commissioner Smith – Yes*  
*Commissioner Jones – Yes*                      *Commissioner Beckendorff – Yes*

16. Discuss and take action to approve Maintenance Department budget line item transfer, WC 2021-20.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

**Motion carried** by 5-0 vote.

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Jones – Yes*

*Commissioner Beckendorff – Yes*

## **CONSTRUCTION MANAGER**

17. Discuss and take action to approve irrigation repairs and purchase of two boulders at Precinct 4 and approve payment of \$3,365.20 for Quote # 2021-203 to Cannon Companies from line item 125-600-581610 [Precinct 4 Building].

Judge Duhon made motion to pay \$965.20 from line item 125-442-544700 [Repair & Replacement] and \$2,400.00 from line item 125-600-581610 [Precinct 4 Building], seconded by Commissioner Beckendorff.

**Motion carried** by 5-0 vote.

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Jones – Yes*

*Commissioner Beckendorff – Yes*

## **MISCELLANEOUS**

18. Discuss and take action to amend County policies in relation to COVID-19.

*(no backup submitted)*

*No action taken.*

### ***Returned to Public Comment***

The following public members called in to voice their concerns with future tax abatements and big industrial buildings being built near the residences at Willow Creek Farms.

1. Amy McKenna
2. Mande Holms
3. Matthew McKenna
4. Jada Powell
5. Sandra Gilly

### ***Proceeded with Agenda Item #19***

19. Discuss and take action to deliberate business and financial issues in executive session based on determination and recommendation from the District Attorney's Office that deliberation in an open meeting regarding business and financial issues related to the purchase, exchange, lease, or value of real properties in Precinct 4 would have a detrimental effect on the position of the County in negotiations with third persons.

*(no backup submitted)*

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

**Motion carried** by 5-0 vote.

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Jones – Yes*

*Commissioner Beckendorff – Yes*

**EXECUTIVE SESSION**

20. Deliberate business and financial issues related to the purchase, exchange, lease, or value of real properties in Precinct 4 pursuant to Government Code Section 551.072 and 551.0725.

21. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.

**Court convened to Executive Session at 11:04 a.m.**

**Court reconvened from Executive Session at 11:34 a.m.**

22. ~~Reconvene in Open Session to take any action necessary on matters discussed in Executive Session.~~ **Item WITHDRAWN.**

**ADJOURN MEETING**

Motion to **adjourn** meeting by Commissioner Amsler, seconded by Commissioner Jones.

**Motion carried** by 5-0 vote.

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Jones – Yes*

*Commissioner Beckendorff – Yes*

Meeting was **ADJOURNED** at 11:35 a.m.

I **ATTEST** that the above proceedings are the true and correct minutes taken in my capacity as Ex-Officio for the Commissioners' Court of Waller County.



*Debbie Hollan*  
\_\_\_\_\_  
Debbie Hollan  
Waller County Clerk

**APPROVED this the 26<sup>th</sup> day of May 2021.**

*Trey Duhon*  
\_\_\_\_\_  
Carbett "Trey" J. Duhon, III  
County Judge