

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – MAY 20, 2020**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 20<sup>th</sup> day of May 2020 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  
Jeron Barnett, 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 Barnett

1. **Approval of Agenda.**

Motion to **approve** by Commissioner Smith, seconded by Commissioner Beckendorff.

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

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – 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>.

1. Tim Chipman, representative with the House of Help provided information regarding future food distribution from the Houston Food Bank in Waller County.
2. Commissioner Beckendorff announced Sammy Catalena passed away, former Commissioner of Brazos County.

**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 13, 2020 Regular Session
3. **Request by County Treasurer for approval of Payroll.**

4. Request to approve payment on the following:
  - (a) \$1,065.00 for invoice dated May 11, 2020 to Schmidt Funeral Home from line item 125-423-540705 [Transport to Morgue].
  - (b) ~~\$90.00 for invoice # 20547405 [Courthouse, Hold-Up Alarm], and \$995.00 for invoice # 20112405 [Courthouse Camera Surveillance], for a total of \$1,085.00 payable to TAC Security & Video from line item 117-428-568425 [Courthouse Security/Misc. Security].~~ **Item WITHDRAWN.**
  - (c) \$90.00 for invoice #20547405 [Courthouse, Hold-Up Alarm], and \$995.00 for invoice # 20112405 [Courthouse Camera Surveillance], for a total of \$1,085.00 payable to TAC Security & Video from line item 117-428-568425 [Courthouse Security/Misc. Security].
  - (d) \$11,923.60 for invoice # W10530A to Telomack Cabling Solutions from line item 601-601-581000 [Bldg. Purch. Const. or Improv.]
5. Request by County Auditor for approval and/or ratification of Accounts Payable.
6. Request by County Engineer for the approval of an Easement from Glenn Hegar for the purpose of cleaning an outfall ditch on Mathis Road.

Motion to **approve** consent agenda with 4(b) removed by Commissioner Beckendorff, seconded by Commissioner Smith.

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

|                               |                                   |                                       |
|-------------------------------|-----------------------------------|---------------------------------------|
| <i>Judge Trey Duhon</i> – Yes | <i>Commissioner Amsler</i> – Yes  | <i>Commissioner Smith</i> – Yes       |
|                               | <i>Commissioner Barnett</i> – Yes | <i>Commissioner Beckendorff</i> – Yes |

## PROCLAMATION

7. Discuss and take action to approve the Proclamation recognizing May as Older American’s Month in Waller County.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Smith.

(Judge Duhon read Proclamation)

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

|                               |                                   |                                       |
|-------------------------------|-----------------------------------|---------------------------------------|
| <i>Judge Trey Duhon</i> – Yes | <i>Commissioner Amsler</i> – Yes  | <i>Commissioner Smith</i> – Yes       |
|                               | <i>Commissioner Barnett</i> – Yes | <i>Commissioner Beckendorff</i> – Yes |

## COUNTY JUDGE

8. **Presentation** by Quintes Stark, 4H ALPA Chairperson on changes to the 4H Annual BBQ. *No action required.*

## ENVIRONMENTAL

9. Discuss and take action to approve a variance request to the Subdivision Development Regulations, Engineering Design Standards, Section 2-Lot size, regarding the minimum lot size dwelling, by Mrs. Brooke Robinson.

Motion to **approve** by Commissioner Smith, seconded by Commissioner Amsler.

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

|                               |                                   |                                       |
|-------------------------------|-----------------------------------|---------------------------------------|
| <i>Judge Trey Duhon</i> – Yes | <i>Commissioner Amsler</i> – Yes  | <i>Commissioner Smith</i> – Yes       |
|                               | <i>Commissioner Barnett</i> – Yes | <i>Commissioner Beckendorff</i> – Yes |

## COUNTY ENGINEER

10. Open the Competitive Bids for Repair of Headwalls on Buller Road at Dry Branch.  
*None received.*
11. Discuss and take action to accept County Road Report(s) for filing in the minutes of the Commissioners' Court.

Motion to **approve** by Commissioner Smith, seconded by Commissioner Amsler.

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

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

## TAX ASSESSOR COLLECTOR

12. Discuss and take action to authorize the County Judge to sign three resale deeds for the private tax resale of properties currently held in trust by Waller County pursuant to Section 34.05(h)(2) of the Texas Tax Code.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Smith.

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

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

## TREASURER

13. Discuss and take action to approve policies and invoices through Texas Association of Counties for Property, Law Enforcement Liability, and Public Officials Liability coverages effective 07/01/20. Total premium of \$168,671.00 to be paid from line item 125-411-560300 [Ins Equip/build/Pub Liab].

Motion to **approve** by Commissioner Smith, seconded by Commissioner Beckendorff.

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

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

14. Discuss and take action to approve payment of unemployment deficit to TAC in the amount of \$13,805.46 from line item 125-685-520500 [Unemployment].

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Smith.

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

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

## CONSTRUCTION MANAGER

15. **Update** on Jail Center Project. *No action required.*
16. Discuss and take action to approve payment of \$1,245,245.28 for invoice #11209 to Sedalco, Inc. from line item 601-601-581000 [Bldg. Purch. Cons., or Improv].

Motion to **approve** by Commissioner Smith, seconded by Commissioner Beckendorff.

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

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

17. Discuss and take action to approve Change Order from Sedalco in reference to the test and balance company for the Justice Center project.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Smith.

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

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

## **MISCELLANEOUS**

18. Discuss and take action to approve Agreement between Waller County and Focusing Families and payment of \$15,000.00 from line item 125-411-547310 [Focusing Families] as allocated in the 2020 Budget.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Smith.

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

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

19. Discuss and take action to approve Lease Extension Agreement for the Karisch Building.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Smith.

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

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

20. Discuss and take action to approve payment of \$2,758.00 for invoice # 112091 to Bickerstaff Heath Delgado Acosta LLP from line item 125-411-540300 [legal].

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Smith.

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

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

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

*No action taken.*

22. 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 value of real property in Precinct 1 would have a detrimental effect on the position of the County in negotiations with third persons.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Smith.

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

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

## **EXECUTIVE SESSION**

23. Deliberate business and financial issues related to the value of real property in Precinct 1 pursuant to Government Code Sections 551.072 and 551.0725.

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

**Court convened to Executive Session at 11:07 a.m.**

**Court reconvened from Executive Session at 11:54 p.m.**

25. ~~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 Beckendorff, seconded by Commissioner Smith.

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

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

Meeting was **ADJOURNED** at 11:54 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 27<sup>th</sup> day of May 2020.

*Trey Duhon*

Carbett "Trey" J. Duhon, III  
County Judge