MINUTES

WALLER COUNTY COMMISSIONER'S COURT REGULAR SESSION WEDNESDAY – JUNE 24, 2020

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 24th day of June 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 - None

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.

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 June 17, 2020 Regular Session
- 3. Request by County Auditor for approval and/or ratification of Accounts Payable.
- 4. Request by County Tax Assessor Collector to approve refunds in excess of \$500.00 in accordance with section 31.11 Texas Tax Code.
- 5. Request by County Engineer to approve a Utility Permit for Comcast of Houston, LLC to install a 2" fiber optic cable within the right-of-way of Schlipf Road.

6. Request by County Engineer to release the Maintenance Bond from LGI Homes, Inc., for Freeman Ranch Section 1 & 2 and Freeman Ranch Drive. Motion to approve consent agenda 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 Advanced to Agenda Item #16 **Presentation** by Ben Rosenberg with U.S. Capital Advisors on upcoming Waller 16. County Tax Notes, Series 2020. No action required. Returned to Agenda Item #7 **COUNTY ENGINEER** 7. Discuss and take action to approve a variance request to the Waller County Subdivision and Development Regulations regarding platting from Ms. Karen Shannon Becerra and Ms. Joann Napier. Motion to approve by Commissioner Beckendorff, seconded by Commissioner Smith. Commissioner Smith made motion to grant the variances as listed on the memorandum except on #4 it's 3 tracks, 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 8. Discuss and take action to approve a variance request to the 2019 Major Thoroughfare Plan regarding platting and ROW dedication from Mr. Kenneth Fusilier. Motion to approve by Commissioner Beckendorff, seconded by Commissioner Smith. Motion carried by 5-0 vote. Commissioner Amsler - Yes Judge Trey Duhon - Yes Commissioner Smith Commissioner Barnett - Yes Commissioner Beckendorff - Yes 9. Discuss and take action to approve a variance request to the Waller County Subdivision and Development Regulations regarding a building line encroachment from LGI Homes. Motion to approve by Commissioner Beckendorff, seconded by Commissioner Barnett. Motion carried by 4-0 vote-1 Abstained. Judge Trey Duhon - Yes Commissioner Amsler - Yes Commissioner Smith - Abstained Commissioner Barnett - Yes Commissioner Beckendorff - Yes Discuss and take action to award the proposal for professional services as related to the 10. Texas Flood Transportation Infrastructure Fund program (FIF). Motion to approve by Commissioner Beckendorff, seconded by Commissioner Smith. Motion to amend to Transportation and to award to GrantWorks by Commissioner Beckendorff, seconded by Commissioner Smith. Amendment carried by 5-0 vote. Judge Trey Duhon - Yes Commissioner Amsler - Yes Commissioner Smith - Yes

Amended Motion carried by 5-0 vote. Commissioner Amsler - Yes Commissioner Smith - Yes Commissioner Barnett - Yes Commissioner Beckendorff - Yes

Commissioner Beckendorff - Yes

Commissioner Barnett - Yes

Judge Trey Duhon - Yes

11. Discuss and take action to approve General Land Plan for Sunterra, contingent upon development agreement being executed.

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

Motion to **table** agenda item by Commissioner Barnett, seconded by Commissioner Amsler **Motion carried** by 4-1 vote. **Item TABLED.**

Judge Trey Duhon – Yes Commissioner Amsler – Yes Commissioner Smith – Yes Commissioner Barnett – Yes Commissioner Beckendorff – No

12. Discuss and take action to approve Change Order No. 1 for Professional Engineering Services for new bridge structure on McAllister Road over Brookshire Creek with EHRA.

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

13. **Discussion** regarding the removal of the requirement that eligible applicants for plat exemptions must comply with the 2019 Major Thoroughfare Plan.

No action required.

AUDITOR

- 14. **Spread** upon the minutes the Juvenile Probation Department (county funded) budgetary line item transfer # 2020-31. *No action required.*
- 15. **Spread** upon the minutes the certification of the Juvenile Probation Department, TJJD Regional Diversion Alternative Grant R, in the amount of \$8,302.98 and amend the 2020 budget # 2020-32. *No action required.*
- 16. Court addressed #16 after agenda item #6
- 17. Discuss and take action to approve official documents and all monthly reports.

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

18. Discuss and take action to select a vendor for the Precinct 4 Generator.

Commissioner Beckendorff made motion to select Cummins bid for the generator and approve the Change Order, 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

MISCELLANEOUS

19. Discuss and take action to approve the re-nomination of Vince Yokom for the June 2020
 - May 2023 term to the HGAC Advisory Committee for the Gulf Coast Economic Development District representing Waller County.

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 amend County policies in relation to COVID-19. *No action taken.*

EXECUTIVE SESSION

- 21. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071. Item WITHDRAWN.
- 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 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 11:32 a.m.

I ATTEST that the above proceedings are the true and correct minutes taken in my capacity as

Just 1

Ex-Officio for the Commissioners' Court of Waller County.

Debbie Hollan

Waller County Clerk

APPROVED this the 1st day of July 2020.

Commissioner Justin Beckendorff

Presiding Judge