

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – SEPTEMBER 11, 2019**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 11<sup>th</sup> day of September 2019 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 9:03 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  
Justin Beckendorff, Commissioner Precinct 4  
Debbie Hollan, County Clerk

Absent: Jeron Barnett, Commissioner Precinct 3

Delivery of Invocation by: Commissioner Amsler

Pledge to the American Flag and Texas Flag led by: Commissioner Beckendorff

1. **Approval of Agenda.**

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

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

**PUBLIC COMMENT** – None

**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** – September 4, 2019 Regular Session

3. **Request to approve payment on the following:**

(a) \$2,086.00 for invoice to Schmidt Funeral Home, \$1,721.00 from line item 125-411-561502 [Pauper Burial Expense] and \$365.00 from line item 125-423-540705 [Transport to Morgue].

4. **Request by the IT Department for approval of Fixed Asset Transfers.**

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

6. **Request by County Auditor for approval and/or ratification of Accounts Payable.**

7. **Request by County Engineer to approve the final plat of Pederson Road West Business Park.**

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

**Motion carried.**

**PUBLIC HEARING**

8. **Public Hearing** – Proposed Tax Rate, second hearing.

**Judge Duhon announced:** The Waller County Commissioners are proposing to adopt a total tax rate of **\$.662225** cents per \$100 valuation, the same rate being a combination of rates for the Waller County General Fund rate of **\$.564298** and the Farm to Market Flood control rate of **\$.032098** and to the Debt Service Fund rate of **\$.065829**.

Commissioners Court will vote on the proposed tax rate on September 18, 2019 at 9:00 a.m. at its meeting place in the Waller County Courthouse located at 836 Austin Street, Hempstead, Texas.

**Public Hearing began at 9:06 a.m.**

The following public members addressed the court regarding the Proposed Tax Rate hearing:

- 1. Tracy Sebesta

**Public Hearing ended at 9:38 a.m.**

**COMMISSIONER, PRECINCT 2**

9. **Discuss** effects of House Bill 3167 on Plat Review Process and possible impact on personnel requirements for County Engineer’s Office. *No action required.*

**COUNTY ENGINEER**

10. **Award** Competitive Bid for: McAllister Road Bridge Replacement Over Brookshire Creek.

Commissioner Beckendorff made motion to **reject** the bid on McAllister Road, seconded by Commissioner Amsler.

**Motion carried – Bid Rejected**

Judge Trey Duhon – Yes                      Commissioner Amsler – Yes                      Commissioner Smith – Yes  
Commissioner Barnett – Absent                      Commissioner Beckendorff – Yes

11. Discuss and take action to approve the following line item transfers from within the Road and Bridge Department Budget:

- Transfer \$5,000.00 from 110-530-587400 [Contract Service/Mowing] to 110-530-547522 [Health, Safety & Hazard]
- Transfer ~~\$30,000.00~~ **\$45,000.00** from 110-530-587400 [Contract Service/Mowing], and \$30,000.00 from 110-530-587516 [Bridge Material] for a total of ~~\$60,000.00~~ **\$75,000.00** to line item 110-530-581815 [Equipment Rental].

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

Motion to **amend** by Commissioner Beckendorff to increase the \$30,000.00 for contract mowing to \$45,000.00, seconded by Commissioner Smith, making the total to \$75,000.00

**Amendment carried.**

Judge Trey Duhon – Yes                      Commissioner Amsler – Yes                      Commissioner Smith – Yes  
Commissioner Barnett – Absent                      Commissioner Beckendorff – Yes

**Amended Motion carried.**

Judge Trey Duhon – Yes                      Commissioner Amsler – Yes                      Commissioner Smith – Yes  
Commissioner Barnett – Absent                      Commissioner Beckendorff – Yes

12. Discuss and take action to exercise renewal option on bids for Road and Bridge materials and services and mail out notifications for renewal to vendors.

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

**Motion carried.**

Judge Trey Duhon – Yes                      Commissioner Amsler – Yes                      Commissioner Smith – Yes  
Commissioner Barnett – Absent                      Commissioner Beckendorff – Yes

13. Discuss and take action to approve advertising for the establishment of speed limit and the installation of speed limit signs on the following road:

- Pappas Drive between Kingsland Blvd. and Redwood Peak Ln. – 30 mph.

Advertising to be posted in a newspaper of general circulation, payment for advertising to be funded from line item 125-401-544100 [Bid Notices and Printing], followed by a public hearing during the regular session of Commissioners' Court on October 9, 2019.

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

Motion to **amend** by Commissioner Beckendorff to post in the Brenham Banner, seconded by Commissioner Smith.

**Amendment carried.**

Judge Trey Duhon – Yes                      Commissioner Amsler – Yes                      Commissioner Smith – Yes  
Commissioner Barnett – Absent                      Commissioner Beckendorff – Yes

**Amended Motion carried.**

Judge Trey Duhon – Yes                      Commissioner Amsler – Yes                      Commissioner Smith – Yes  
Commissioner Barnett – Absent                      Commissioner Beckendorff – Yes

**TREASURER**

14. Discuss and take action to approve budget transfer of \$1040.00 from line item 125-436-581813 [Copier/Printer] to line item 125-436-581800 [Furniture & Equipment].

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

**Motion carried.**

Judge Trey Duhon – Yes                      Commissioner Amsler – Yes                      Commissioner Smith – Yes  
Commissioner Barnett – Absent                      Commissioner Beckendorff – Yes

**FIRE MARSHAL**

15. ~~Discuss and take action on Burn Ban.~~ Item WITHDRAWN.

**SHERIFF**

16. Discuss and take action to authorize travel and training for Sheriff's Office Lieutenant Robert Fields to attend the 2019 Southern States Livestock and rural Enforcement Association Seminar in Natchitoches, Louisiana, September 29<sup>th</sup> thru October 2, 2019. Approximate costs of \$775.00 to be paid from line item 125-516-563000 [Training/Sheriff].

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

**Motion carried.**

Judge Trey Duhon – Yes                      Commissioner Amsler – Yes                      Commissioner Smith – Yes  
Commissioner Barnett – Absent                      Commissioner Beckendorff – Yes

**IT DEPARTMENT**

17. ~~Discuss and take action on Senate Bill 944 regarding public information archiving.~~  
Item WITHDRAWN.

18. ~~Discuss and take action to approve contract with Verizon Wireless for wireless telephones. Item WITHDRAWN.~~
19. ~~Discuss and take action to approve contract with SMARSH for archiving services. Item WITHDRAWN.~~

**MISCELLANEOUS**

20. Discuss and take action to approve transfer of \$67,000.00 from line item 125-411-569600 [Contingency] to line item 125-411-540300 [Legal].

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

**Motion carried.**

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

21. Discuss and take action to approve payment of invoice # 110137 for \$57,061.25 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.**

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

**AUDITOR**

22. Discuss and take action to approve amendment to subscription agreement between Waller County and Tyler Technologies, and authorize County Judge to sign said agreement.

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

**Motion carried.**

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

**EXECUTIVE SESSION**

23. Deliberate personnel matters related to the County Engineer pursuant to Government Code Section 551.074.

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

**Court convened to Executive Session at 11:33 a.m.**

**Court reconvened from Executive Session at 1:59 p.m.**

25. Reconvene in Open Session to take any action necessary on matters discussed in Executive Session.

Commissioner Beckendorff made motion to approve the Joint Representation Agreement for cause of action 4:19-cv-02908, Estate of Robert Coy v. Waller County, Texas, seconded by Commissioner Smith.

**Motion carried.**

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

**ADJOURN MEETING**

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

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

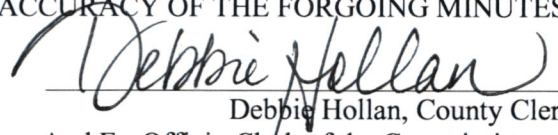
*Commissioner Smith – Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

Meeting was **ADJOURNED** at 1:59 p.m.

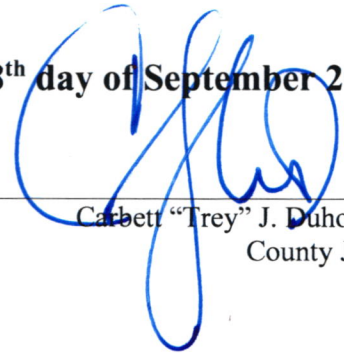
I ATTEST TO THE ACCURACY OF THE FORGOING MINUTES:



Debbie Hollan, County Clerk  
And Ex-Officio Clerk of the Commissioners'  
Court of Waller County, Texas



**APPROVED** this the 18<sup>th</sup> day of September 2019.



Carbett "Trey" J. Duhon, III  
County Judge