#### **MINUTES**

## WALLER COUNTY COMMISSIONER'S COURT REGULAR SESSION WEDNESDAY – DECEMBER 23, 2020

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 23<sup>rd</sup> day of December 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 9:01 a.m. with the following members of the Court present to-wit:

Carbett "Trey" J. Duhon III, County Judge Walter Smith, Commissioner Precinct 2 Jeron Barnett, Commissioner Precinct 3 Justin Beckendorff, Commissioner Precinct 4 Debbie Hollan, County Clerk

Absent: John A. Amsler, Commissioner Precinct 1

Delivery of Invocation by: Commissioner Smith

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

1. Approval of Agenda.

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

Judge Trey Duhon - Yes

Commissioner Amsler – Absent

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 <a href="http://wallercountytx.swagit.com/live">http://wallercountytx.swagit.com/live</a>.

Commissioner Barnett thanked everyone for the support and friendships over the years he served as Commissioner, Precinct 3.

Interim Sheriff Joe Hester thanked the Court and everyone for the support and assistance during the last few months serving as Sheriff.

## 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 December 16, 2020 Regular Session
- 3. Request by County Treasurer for approval of Payroll.
- 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 to approve payment on the following:
  - (a) \$12,088.00 for invoice No 3088 to Harris County from line item 125-423-540702 [Autopsy].
- 6. Request by County Auditor for approval and/or ratification of Accounts Payable.
- 7. Request by County Auditor for approval and/or ratification of Accounts Payable for Construction Projects.
  - (a) \$172,722.90 \$190,997.27 from line item 602-602-581000 [Bldg Purch, Consts., or Improv/Jail Judicial]
- 8. Request by County Engineer to approve a Utility Permit for Communications Construction Inc. (Comcast) to place a conduit/cable in the right-of-way of Owens Road.
- 9. Request by County Engineer to approve the acceptance of existing right-of-way on Penick Road dedicated by Frank Springer Jr.

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

Commissioner Beckendorff made motion to amend 7(a) to \$190,997.27, seconded by Commissioner Smith.

Amendment carried by 4-0 vote.

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

**Amended Motion carried** by 4-0 vote.

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

#### ECONOMIC DEVELOPMENT

10. Discuss and take action to approve publication in the Waller County Express of notice of a public hearing to establish a reinvestment zone at the Houston Executive Airport. Funding to be paid from line item 125-401-544100 [Bid Notices and Printing].

Motion made by Commissioner Smith, seconded by Commissioner Beckendorff.

Motion carried by 4-0 vote.

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

## **COUNTY ENGINEER**

11. **Public Hearing:** On the application for replat of Rosebud Subdivision, to partition Lot 5 into two lots, by Cristobel and Maria Ramos, Baudelio Marin Covarrubias, Sandra Vergara, Aquino and Maria Teresa Marin.

Public Hearing began at 9:21 a.m. No public comments received.

Public Hearing ended at 9:23 a.m.

12. Discuss and take action to purchase one (1) CrackPro 260 DA Crack Sealer from SealMaster Houston through HGACBuy for the purchase of \$68,625.00, funding to be paid from line item 110-530-581100 [Construction Equipment] within the Road and Bridge Department Budget.

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

# Commissioner Smith made motion to table agenda item, seconded by Commissioner Beckendorff Motion carried by 4-0 vote. Item TABLED. Court revisits agenda item further in meeting (page 3) Judge Trey Duhon – Yes Commissioner Amsler – Absent Commissioner Smith – Yes Commissioner Barnett – Yes Commissioner Beckendorff – Yes

#### Advanced to Agenda item #25

25. Discuss and take action to approve the Road and Bridge Department budget line item transfer, WC 2020-62.

Motion made by Commissioner Smith, seconded by Commissioner Beckendorff.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Absent
Commissioner Smith – Yes
Commissioner Barnett – Yes
Commissioner Beckendorff – Yes

#### Returned to agenda item #12

12. Discuss and take action to purchase one (1) CrackPro 260 DA Crack Sealer from SealMaster Houston through HGACBuy for the purchase of \$68,625.00, funding to be paid from line item 110-530-581100 [Construction Equipment] within the Road and Bridge Department Budget.

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Absent
Commissioner Smith – Yes
Commissioner Barnett – Yes
Commissioner Beckendorff – Yes

## IT

13. Discuss and take action to approve proposal from Power Associates for \$11,470.00 for 3 year maintenance on the UPS systems in the Justice Center. Funds to be paid from line item 602-602-581005 [Misc. Const. Cost / Judicial Center].

Motion made by Commissioner Beckendorff, seconded by Commissioner Barnett.

Judge Duhon made motion to amend 13 to be paid from line item 125-517-545515 [Communications], seconded by Commissioner Barnett.

Amendment carried by 4-0 vote.

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

Amended Motion carried by 4-0 vote.

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

## COUNTY TREASURER

14. Discuss and take action for annual review and approval of Waller County Investment Policy.

Motion made by Commissioner Barnett, seconded by Commissioner Beckendorff.

Motion carried by 4-0 vote.

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

15. Discuss and take action to approve 2021 Salary Order.

Motion made by Commissioner Beckendorff, seconded by Commissioner Barnett. **Motion carried** by 4-0 vote.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Absent
Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

## **SHERIFF**

17. Discuss and take action to approve Memorandum of Understanding between Waller County Sheriff's Office and Aaron Buzzard, MD.

Motion made by Commissioner Beckendorff, seconded by Commissioner Barnett. **Motion carried** by 4-0 vote.

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

18. Discuss and take action to approve Memorandum of Understanding between Waller County Sheriff's Office and Waller County Volunteer EMS, Inc.

Motion made by Commissioner Beckendorff, seconded by Commissioner Barnett.

**Motion carried** by 4-0 vote.

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

19. Discuss and take action to approve 2 1 -year renewal to the Jail Physician Agreement for inmate care at the Waller County Sheriff's Office Jail.

Motion made by Commissioner Beckendorff, seconded by Commissioner Barnett.

Judge Duhon made motion to amend to change to a 1 year renewal, seconded by Commissioner Beckendorff.

Amendment carried by 4-0 vote.

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

**Amended Motion carried** by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Absent
Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

# **DISTRICT ATTORNEY**

20. Discuss and take action to approve the First Contract Renewal Agreement for the Statewide Automated Victim Notification Service (SAVNS).

Motion made by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried by 4-0 vote.

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

# TAX ASSESSOR-COLLECTOR

21. **Spread** upon the minutes the Tax Assessor-Collector Association Professional County Collector Maintenance Transcripts for Ellen Shelburne, Tara Schovajsa, and Elizabeth Matthews.

No action required.

#### **AUDITOR**

22. Discuss and take action to approve 2020 Engagement Letter between Waller County and Rutledge, Crain and Company, PC.

Motion made by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried by 4-0 vote.

Judge Trey Duhon - Yes

Commissioner Amsler – Absent

Commissioner Smith

- Yes

Commissioner Barnett – Yes

Commissioner Beckendorff - Yes

23. Discuss and take action to approve annual review of Fund Balance Policy.

Motion made by Commissioner Beckendorff, seconded by Commissioner Barnett.

Judge Duhon made motion to amend our fund balance policy so that we have 4.5 months in the rainy day fund and then we do \$1,000,000.00 from unassigned fund balance to a commitment for capital improvement, seconded by Commissioner Beckendorff.

Amendment carried by 4-0 vote.

Judge Trey Duhon - Yes

Commissioner Amsler – Absent Commissioner Barnett – Yes Commissioner Smith

- Yes

Amended Motion carried by 4-0 vote.

Judge Trey Duhon - Yes

Commissioner Amsler - Absent

Commissioner Smith

- Yes

Commissioner Barnett - Yes

Commissioner Beckendorff - Yes

Commissioner Beckendorff - Yes

24. Discuss and take action to approve the \$300.00 donation form Manny Zamora and amend the Sheriff Department budget, WC 2020-61.

Motion made by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried by 4-0 vote.

Judge Trey Duhon - Yes

Commissioner Amsler – Absent

Commissioner Smith

- Yes

Commissioner Barnett - Yes

Commissioner Beckendorff - Yes

- 25. Court addressed agenda item #25 earlier in meeting. (page 3)
- 26. Discuss and take action to approve Maintenance Department budget line item transfer, WC 2020-63.

Motion made by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried by 4-0 vote.

Judge Trey Duhon - Yes

Commissioner Amsler - Absent

Commissioner Smith

- Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

# **MISCELLANEOUS**

27. Discuss and take action to approve the 2021 Interlocal Agreement with Grimes County for the Cost Sharing of the 506th District Court Coordinator and Court Reporter.

Motion made by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried by 4-0 vote.

Judge Trey Duhon - Yes

Commissioner Amsler - Absent

Commissioner Smith

- Yes

Commissioner Barnett - Yes

Commissioner Beckendorff – Yes

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28. Discuss and take action to approve the appointment/re-appointment of a Director for the 2-year term on the Gulf Coast Rail District (GCRD) beginning January 23, 2021.

Motion made by Commissioner Beckendorff, seconded by Commissioner Barnett.

Commissioner Beckendorff moved to amend to re-appoint Trey (Judge Duhon), seconded by Commissioner Barnett.

| Amendment carried by 4-0 vote.      |                              |                                |
|-------------------------------------|------------------------------|--------------------------------|
| Judge Trey Duhon - Yes              | Commissioner Amsler – Absent | Commissioner Smith – Yes       |
|                                     | Commissioner Barnett - Yes   | Commissioner Beckendorff - Yes |
| Amended Motion carried by 4-0 vote. |                              |                                |
| Judge Trey Duhon - Yes              | Commissioner Amsler - Absent | Commissioner Smith – Yes       |
|                                     | Commissioner Barnett - Yes   | Commissioner Beckendorff - Yes |
| Discuss and take action             | on to approve members        | of the Waller County I         |

29. Discuss and take action to approve members of the Waller County Historical Commission for 2021 & 2022.

Motion made by Commissioner Barnett, seconded by Commissioner Beckendorff.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Absent Commissioner Smith – Yes

Commissioner Barnett – Yes Commissioner Beckendorff – Yes

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

Commissioner Beckendorff moved to extend the policy to March the 31<sup>st</sup>, seconded by Commissioner Barnett.

Motion carried by 4-0 vote.

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

31. Discuss and take action to approve payments of CARES Act funds to local school districts pursuant to interlocal agreements.

Discussion only, no action taken.

## **EXECUTIVE SESSION**

- 32. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071. Item WITHDRAWN.
- 33. 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 Barnett. **Motion carried** by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Absent
Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 11:01 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 Waller County Clerk

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APPROVED this the 6th day of January 2021.

Carbett "Trey" J. Duhon, III County Judge