

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – JANUARY 9, 2019

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 9th day of January 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 9:02 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** agenda by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

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** – January 2, 2019 Regular Session

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

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

(a) \$44.97 for invoice #E1118WCA1801 to TurnerDuran Architects from item line item 125-600-581610 [Precinct 4 Bldg.].

(b) \$1,095.00 for invoice dated December 20, 2018 to Magnolia Funeral Home, Inc. from line item 125-423-540705 (Transport to Morgue).

(c) \$9,883.00 for invoice # 39488 to HTS, Inc. Consultants from line item 601-601-545405 [Professional Services – Jail].

(d) \$2,065.00 for invoice dated December 28, 2018 to Schmidt Funeral Home from line item 125-411-561502 [Pauper Burial Expense].

(e) \$2,447.00 for invoice # 108245 to Bickerstaff Heath Delgado Acosta LLP from line item 125-411-540300 [Legal].

5. Request by County Auditor for approval and/or ratification of Accounts Payable.
6. Request by County Engineer to approve a Utility Permit for Texas Eastern Transmission, LP, for the installation of Service Pipe within the right-of-way of Old Houston Highway.

Motion to **approve** consent agenda with the removal of agenda item #7 by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

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

7. Request by County Engineer to approve an Amending Plat for CenterPoint Magnolia Storage Yard.

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

Motion carried.

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

WALLER COUNTY CHILD WELFARE BOARD

8. **Presentation** by Katina Harris on the status of the Child Welfare Board.

No action required.

9. Discuss and take action to approve the appointment of Waller County Child Welfare Board members for 2019.

Motion made by Judge Duhon, seconded by Commissioner Barnett to **appoint** Sherry McIntire and Dr. Shelby Smith.

Motion carried.

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

Motion made by Judge Duhon, seconded by Commissioner Barnett to **re-appoint** Annette Baker.

Motion carried.

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

Advanced to Agenda Item #14

COUNTY ENGINEER

10. Discuss and take action to approve services with Raba Kistner Consultants to perform geotechnical and material testing on Heise Road Bridge, amount not to exceed \$14,000.00.

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

Motion carried.

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

SHERIFF

11. Discuss and take action to approve the submission of a grant to fund to the Texas Department of Transportation for a Waller County Sheriff’s Office Selective Traffic Enforcement Program (STEP) grant proposal in the amount of ~~\$53,000.00~~ **\$63,000.00**.

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

Motion to **amend** agenda item by Commissioner Beckendorff, seconded by Commissioner Barnett to correct grant proposal amount to \$63,000.00.

Amendment carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Amended Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

TAX ASSESSOR COLLECTOR

12. **Spread** upon the minutes the continuing education certificates of completion for Ellen Shelburne, Tara Schovajsa, and Elizabeth Matthews in compliance with Section 6.231 of the Texas Tax Code. *No action required.*

13. Discuss and take action to authorize County Treasurer to receive additional funds from the Tax Assessor Collector for the purpose of paying salary supplements and increases in benefits to employees of the Tax Assessor Collector's office for 2019.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Proceeded to Agenda Item #15

MISCELLANEOUS

14. Discuss and take action to approve request by Dean Allred to use the Community Center on a continued basis once a month for the 4H Horse Club.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Returned to Agenda Item #10

15. Discuss and take action to approve the adoption of a Citizen Participation Plan and Citizen Complaint Procedures to be followed during implementation of Texas Community Development Block Grant Program projects.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

16. Discuss and take action approve the execution of a resolution that authorizes the submission of an application to the Texas Department of Agriculture for a 2019-2020 Texas Community Development Grant Program – Community Development Fund grant of up to \$350,000.00 to construct water improvements on behalf of G & W Water Supply Corporation and designates the County Judge as the County's authorized signatory.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

17. Discuss and take action to authorize the execution of Project Agreement with the G & W Water Supply Corporation related to the Texas Department of Agriculture's 2019-2020 TX-CDBG Community Development Fund application for infrastructure improvements.

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

Motion to **table** agenda item by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried - Item TABLED.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Proceeded to Agenda Item #18

Returned to agenda item #17 after approval of item #21

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Advanced to Agenda Items #23-25

18. 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 contract negotiations for the Justice Center Project 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 Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

AUDITOR

19. **Spread** upon the minutes Certification of Funds for the Sheriff's Office Radio Interoperability and Operational Grant. *No action required.*

20. Discuss and take action to approve to amend the 2019 Grant Budget to accommodate the Sheriff's Office Radio Interoperability and Operational Grant.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

CONSTRUCTION MANAGER

21. Discuss and take action to approve the Precinct 4 Design Development Building floor plan and budget.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Returned to Agenda Item #17

22. ~~Discuss and take action to approve add alternates for the Justice Center project.~~
Item WITHDRAWN.

Advanced to Adjournment

EXECUTIVE SESSION

Court convened to Executive Session at 10:08 a.m.

23. Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725.
24. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.
25. Reconvene in Open Session to take any action necessary on matters discussed in Executive Session.

Court reconvened from Executive Session at 11:04 a.m.

Returned to agenda item #22

ADJOURN MEETING

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

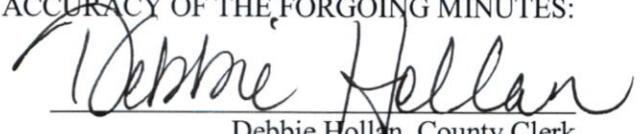
Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 11:05 a.m.

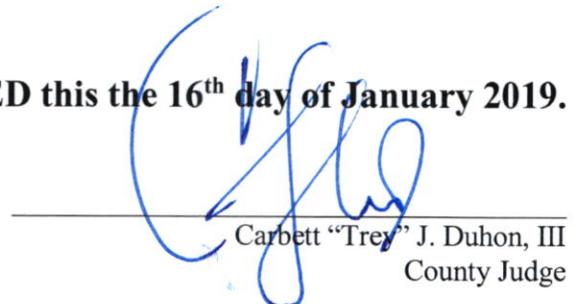
I ATTEST TO THE ACCURACY OF THE FORGOING MINUTES:



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



APPROVED this the 16th day of January 2019.



Carbett "Trey" J. Duhon, III
County Judge