

MINUTES
WALLER COUNTY COMMISSIONER’S COURT
REGULAR SESSION
WEDNESDAY – JANUARY 12, 2022

BE IT REMEMBERED that the Honorable Commissioner’s Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 12th day of January 2022 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
Walter Smith, Commissioner Precinct 2
Kendric D. Jones, 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 Beckendorff

1. **Approval of Agenda.**

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Absent

Commissioner Smith – Yes

Commissioner Jones – 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://wallercountytexas.swagit.com/live>.

The following Public Members made Public Comment:

1. Tracy Sebesta
2. Constable Smith introduced his new Chief.
3. Larry Parr
4. Dr. Denise Mattox
5. Judge JR Woolley

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 5, 2022 Regular Session**
3. **Request by County Treasurer for approval of Payroll.**

4. Request to approve payment on the following:
 - (a) \$1,115.00 for Invoice dated December 20, 2021 and \$1,065.00 for Invoice dated January 3, 2022 for a total of \$2,180.00 to Schmidt Funeral Home from line item 125-423-540705 [Transport to Morgue].
 - (b) \$1,080.00 for Invoice dated December 27, 2021 to Magnolia Funeral Home, Inc. from line item 125-423-540705 [Transport to Morgue].
 - (c) \$6,935.00 for Invoice # 7083 to Harris County from line item 125-423-540702 [Autopsy].
 - (d) \$37,500.00 for Invoice # 2139 to Waller County Economic Development for the 1st quarterly payment as allocated in the 2022 Budget from line item 125-411-547200 [Economic Development].
5. Request by County Auditor for approval and/or ratification of Accounts Payable.
6. Request by County Clerk for approval of Fixed Asset Transfers.
7. Request by County Engineer to accept existing Right-of-Way on Bell Rd., Schmidt Rd., and Morgan Rd. by Mr. Timothy J. Phelan.
8. Request by County Engineer to approve a utility permit for Center Point Energy to place a gas pipeline in the right-of-way of Clay Rd.

Motion to approve Consent Agenda made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 4-0 vote.

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

COMMISSIONER, PRECINCT 4

9. Discuss and take action on Road and Bridge culvert permit fees. *(no backup submitted)*
 Commissioner Beckendorff moved to establish an agricultural culvert permit fee at \$125.00, seconded by Commissioner Jones.
 Commissioner Beckendorff made motion to table agenda item, seconded by Commissioner Smith.
Motion carried by 4-0 vote. **Item TABLED.**

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

COUNTY ENGINEER

10. **Public Hearing:** On the installation of “No Thru Trucks” signs on Roehen Road (between FM 362 and Mathis Rd.).
Public Hearing began at 9:42 a.m.
 Comments were received from various public members in favor of the installation of “No Thru Trucks”.
Public Hearing ended at 9:55 a.m.
11. Discuss and take action to approve installation of “No Thru Trucks” signs on Roehen Rd. (between FM 362 and Mathis Rd.). *(no backup submitted)*
 Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.
Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Absent
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

12. **Public Hearing:** Regarding the establishment of a Controlled Intersection and the Installation of Stop Signs at the intersection of Morton Rd. and Pitts Rd. (from Cane Island development), making it an All-Way Stop.

Public Hearing began at 9:56 a.m.

1. Anas Garfaoui from City of Katy

Public Hearing ended at 10:08 a.m.

13. Discuss and take action to approve the establishment of a Controlled Intersection and the Installation of Stop Signs at the intersection of Morton Rd. and Pitts Rd. (from Cane Island development), making it an All-Way Stop. *(no backup submitted)*

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Absent
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

14. Discuss and take action to approve the Change Order with EHRA for Professional Surveying, Engineering and Construction Phase Services for the relocation of the UPRR crossing at McAllister Rd./Woods Rd. at a cost of \$111,358.00. Funding to be paid from line item 110-530-545800 [Prof. Consult/Flood Plain].

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Absent
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

ENVIRONMENTAL

15. 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 per dwelling, by Miguel Sanchez.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

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

Judge Trey Duhon – Yes

Commissioner Amsler – Absent
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

COMMISSIONER, PRECINCT 3

16. Discuss and take action to approve the cost of Dashboard and Body Cameras for the Constables offices.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Judge Duhon made motion to amend to pay \$82,600.00 to be paid from line item 241-595-561209, seconded by Commissioner Jones.

Amendment carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Absent
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

Amended Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Absent
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

SHERIFF

17. Discuss and take action to accept a \$50 donation to Animal Control from Jada Lore.
(no backup submitted)
Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.
Motion carried by 4-0 vote.
Judge Trey Duhon – Yes Commissioner Amsler – Absent Commissioner Smith – Yes
Commissioner Jones – Yes Commissioner Beckendorff – Yes
18. ~~Discuss and take action to approve request to set aside funds for paid overtime for personnel assigned to various federal task forces. Item WITHDRAWN.~~

ELECTIONS

19. Discuss and take action to approve Resolution appropriating funds to replace/retrofit DRE voting systems purchased since 2014 with auditable voting systems as required as a result of S.B 59S and amending the Texas Election Code by adding Section 129.003 and authorizing County Judge to execute grant application and vendor quote.
Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.
Motion carried by 4-0 vote.
Judge Trey Duhon – Yes Commissioner Amsler – Absent Commissioner Smith – Yes
Commissioner Jones – Yes Commissioner Beckendorff – Yes
20. Discuss and take action to approve Polling Locations to correspond with recently created election precinct boundary lines.
Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.
Motion carried by 4-0 vote.
Judge Trey Duhon – Yes Commissioner Amsler – Absent Commissioner Smith – Yes
Commissioner Jones – Yes Commissioner Beckendorff – Yes
21. ~~Discuss and take action to approve Waller County Election Worker Payroll Policy. Item WITHDRAWN.~~

Court recessed at 10:56 a.m. for Tree Dedication on the back lawn of Courthouse
Court reconvened at 11:40 a.m.

TREASURER

22. Discuss and take action to approve Amended 2022 ARP Budget Salary Order.
Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.
Motion carried by 4-0 vote.
Judge Trey Duhon – Yes Commissioner Amsler – Absent Commissioner Smith – Yes
Commissioner Jones – Yes Commissioner Beckendorff – Yes

IT DEPARTMENT

23. Discuss and take action to approve the Cybersecurity training at no cost to Waller County initiated by the County's IT department utilizing KnowBe4 as a Certified training program listed in Texas Government Code 2054.519 and to implement a requirement that all those required to complete the half-hour online training by June 10, 2022 in accordance with Texas Government Code Section 2054.519 & 2054.5191

– State Certified Cybersecurity Training Programs and Training Required.

(no backup submitted)

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 4-0 vote.

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

FIRE MARSHALL

24. Discuss and take action to approve procurement of JLL Valuation to provide appraisal review services for the Waller County CDBG-DR Voluntary Buyout Program GLO Contract #20-066-011-C074. Bids collected under 2 CFR 200 Small Purchase rules.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 4-0 vote.

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

25. Discuss and take action to change the Fire Marshal Residential Foster Home inspection fee from \$110.00 to \$0 dollars. *(no backup submitted)*

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 4-0 vote.

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

26. Discuss and take action to purchase a 2022 Ford F250 Truck and associated emergency equipment at the total cost of \$60,865.00 to support transporting COVID-19 vaccine and testing trailer, funds to be paid with ARP Funds.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Judge Duhon made motion to amend to be paid out of line item 241-595-561209, seconded by Commissioner Jones.

Amendment carried by 4-0 vote.

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

Amended Motion carried by 4-0 vote.

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

27. **Spread** upon the minutes the 2021 Texas Commission on Law Enforcement Racial Profiling Report for the Waller County Fire Marshal’s Office.

No action required.

CONSTRUCTION MANAGER

28. Discuss and take action to approve letter to the Texas Historical Commission in Austin concerning the future of the Waller County Courthouse.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Commissioner Beckendorff made motion to table agenda item, seconded by Commissioner Jones.

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

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

AUDITOR

29. Discuss and take action to approve quarterly reimbursement of Juror Payments.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Absent

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

MISCELLANEOUS

30. Discuss and take action to approve Care Coordination Agreement Memorandum of Understanding between Texana Center and Waller County Indigent Health Care Program.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Absent

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

31. Discuss and take action to approve electric service agreement with Texpo Power.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Absent

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

32. Discuss and take action to approve resolutions to accept right-of-way dedications in connection with the Woods Road Phase 2 Project.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Absent

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

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

No action taken.

34. ~~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 purchase, exchange, lease, or value of real properties in Precinct 1 and Precinct 4 would have a detrimental effect on the position of the County in negotiations with third persons. Item WITHDRAWN.~~

EXECUTIVE SESSION

35. ~~Deliberate business and financial issues related to the purchase, exchange, lease, or value of real properties in Precinct 1 and Precinct 4 pursuant to Government Code Sections 551.072 and 551.0725. Item WITHDRAWN.~~

36. ~~Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071. Item WITHDRAWN.~~

37. ~~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 Jones.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Absent

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 12:15 p.m.

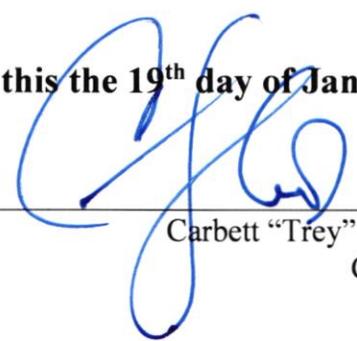
I **ATTEST** that the above proceedings are the true and correct minutes taken in my capacity as
Ex-Officio for the Commissioners' Court of Waller County.





Debbie Hollan
Waller County Clerk

APPROVED this the 19th day of January 2022.



Carbett "Trey" J. Duhon, III
County Judge