

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – JANUARY 22, 2020

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 22nd day of January 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 9:03 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
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 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

PUBLIC COMMENT

1. Dr. Veda Brown addressed the court in seeking ways for the county to find means of funds.

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 15, 2020 Regular Session

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

(a) \$1,728.20 for invoice #2020-12 to H-GAC from line item 125-411-562300
[County Organizational Dues].

(b) \$1,360.00 for invoice #64841 to Texas Association of Counties from line
item 125-411-562300 [County Organizational Dues].

(c) \$50.00 for invoice #1147 to Effort Event Supplies from line item 600-600-587521
[Library].

(d) \$2,887.00 for invoice #AH021207 and \$2,887.00 for invoice #AH021221 for a
total \$5,774.00 to Harris County Treasurer from line item 125-423-540702
[Autopsy].

(e) \$6,239.00 for invoice #AH021235 to Harris County Treasurer from line item 125-
422-541600 [Pro Rata Share Cost Expense].

4. Request by County Auditor for approval and/or ratification of Accounts Payable.
5. Request by County Engineer to approve the Final Replat of West Magnolia Forest, Section 9, Partial Replat No. 1.
6. Request by County Engineer to approve a Utility Permit for Tennessee Gas Pipeline Company to replace a pipeline within the right of way of Schlipf Road.

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

Motion carried by 5-0 vote.

<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>

WALLER COUNTY CHILD WELFARE BOARD

7. Discuss and take action to approve the appointment of Waller County Child Welfare Board members for 2020.

Judge Duhon made motion to **approve** the appointment of the following individuals: Katina Harris for a 2 year term, Tracy Sebesta for a 2 year term, Kathy Dobbs a new appointment for a 1 year term, and Esel Andrea Miller for a 1 year term, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote.

<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>

(Judge Duhon swore in the newly appointed members)

ECONOMIC DEVELOPMENT

8. Discuss and take action to approve Tax Abatement Agreement with Grundfos USA, Inc. Grundfos USA, Inc. applied for a tax abatement for property owned by Grundfos CBS Inc. The property, located at the intersection of FM 1489 and Cooper Road in Brookshire, has been designated as Waller County Project Eagle Reinvestment Zone 6. Grundfos USA, Inc. will construct a corporate office building on the property at an estimated cost of \$22,000,000.

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

Motion carried by 5-0 vote.

<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>

COUNTY ENGINEER

9. Discuss and take action for the approval of a variance to the Subdivision and Development Regulations which do not allow two flag lots side by side, by Mr. Oscar Hernandez.

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

Motion carried by 5-0 vote.

<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>

10. Discuss and take action to accept funds for the costs of repairs on Durkin Road in the City of Pattison.

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

Motion carried by 5-0 vote.

- 11. Discuss and take action to approve a proposal from Halff Associates for the Hydraulic Impact Study for the proposed bridge replacement at Robinhood Road over Brushy Creek.

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

Judge Duhon made motion to **amend** #11 to be paid out of line item 110-530-590000, seconded by Commissioner Beckendorff.

Amendment carried by 5-0 vote.

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

Amended Motion carried by 5-0 vote.

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

- 12. Discuss and take action to approve the Infrastructure Development Plan of Country Home Mobile Home Community by Clay McDaniel.

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

Judge Duhon made motion to **amend** to make it a Preliminary Approval, seconded by Commissioner Smith.

Amendment carried by 5-0 vote.

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

Amended Motion carried by 5-0 vote.

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

COMMISSIONER, PRECINCT 3

- 13. Discuss and take action to approve the re-appointment of Commissioner Jeron Barnett to the Southeast Texas Housing Board (SETH) for a two (2) year term beginning January 2020.

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

CONSTABLE, PRECINCT 4

- 14. Discuss and take action to accept donation in the amount of \$2,757.00 from the Waller County District Attorney. Funds to be deposited to line item 125-514-568400 [Miscellaneous].

Judge Duhon made **motion** to discuss and take action to accept donation in the amount of **\$1,000.00** from the Waller County District Attorney. Funds to be deposited to line item 125-514-568400 [Miscellaneous], 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

TAX ASSESSOR COLLECTOR

15. Discuss and take action to authorize the County Judge to sign one resale deed, and one correction resale deed for the private tax resale of properties currently held in trust by Waller County pursuant to Section 34.05(h)(2) of the Texas Tax Code.

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

DISTRICT CLERK

16. **Spread** upon the Minutes Certification of Completion awarded to Liz Pirkle, Waller County District Clerk for completing the required 20 Hours of Continuing Education for 2019 as prescribed by Section 51.605 of the Texas Government Code.

No action required.

AUDITOR

17. Discuss and take action to certify the donation from CALH (Citizens Against the Landfill Hempstead) in the amount of \$124,000.00 and amend the 2020 budget.

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

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

18. Discuss and take action to certify the grant award from the 2019 ODMP (Officer Down Memorial Program) in the amount of \$1,000.00 and amend the 2020 budget.

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

MISCELLANEOUS

19. ~~Discuss and take action to approve Resolution for the Nomination for Board of Director for the Waller County Appraisal District. Item WITHDRAWN.~~

20. Discuss and take action to approve the appointment of Tom Paben, replacing Charles Muse, for agricultural interests as the Waller County representative for the Bluebonnet Groundwater Conservation District. This will be for the four (4) year term beginning January 2020.

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

Court recessed at 10:35 a.m.

Court reconvened at 10:40 a.m.

CONSTRUCTION MANAGER

21. **Update** on Jail Center Project. *No action required.*

22. Discuss and take action to approve payment of \$34,302.21 for invoice #30 to Brinkley Sargent Wiginton Architects from line item 601-601-545405 [Professional Services Jail].

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

23. **Update** on Precinct 4 Building Project. *No action required.*

24. **Update** on Library Project. *No action required.*

25. Discuss and take action to approve payment of \$78,913.65 for application #6 #1 to Dahvar Construction and Design from line item 600-600-587521 [Library].

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

Advanced to Agenda Item #28

EXECUTIVE SESSION

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

Court convened to Executive Session at 11:23 a.m.

Court convened from Executive Session 11:49 a.m.

Returned to Agenda Item #26

26. Discuss and take action to approve proposal from Tucker Construction for the installation of a sidewalk at the Waller County Community Center.

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

Judge Duhon made motion to **amend** to be paid from 125-442-54440, seconded by Commissioner Beckendorff.

Amendment carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Amended Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

27. Discuss and take action to approve proposal from Cannon Construction for the installation of an 8-inch water line and an irrigation meter at the Waller County Community Center. To be paid from line item 125-442-54440.

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

29. ~~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 Smith.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

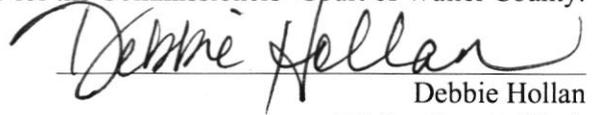
Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

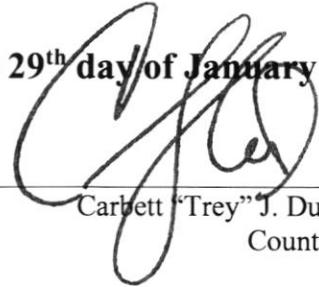
Meeting was **ADJOURNED** at 11:51 a.m.

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

APPROVED this the 29th day of January 2020.



Carbett "Trey" J. Duhon, III
County Judge