

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – JANUARY 27, 2021**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 27<sup>th</sup> day of January 2021 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 9:04 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  
Kendric D. Jones, 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 Beckendorff

1. **Approval of Agenda.**

Motion made by Commissioner Beckendorff, seconded by Commissioner Amsler.

**Motion carried** by 5-0 vote.

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

**PUBLIC COMMENT** – None

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.com/live>.

**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 20, 2021 Regular Session
3. **Request by County Treasurer for approval of Payroll.**
4. **Request by County Auditor for approval and/or ratification of Accounts Payable.**
5. **Request for approval of Treasurer's Monthly Report.**
6. **Request by County Judge to approve the assignment and designation of the 2021 GMC Sierra 1500 pickup as a take home vehicle for Department 440 as per schedule adopted by Waller County Commissioners Court.**

7. Request by County Treasurer to approve amendment to the 2021 Salary Order to remove department 440 County Judge travel allowance effective 01/18/2021.
8. Request by County Engineer to accept Waller County's allotment of 1,548 Cubic Yards of RAP material for 2021 from Texas Department of Transportation and authorize the County Judge to sign an acceptance letter. The allotment is valued at \$30,960.00 and will be available for pick up by Waller County trucks at TxDOT maintenance yard at 400 FM 1488, Hempstead, Texas.
9. Request by County Engineer to approve payment in the amount of \$46,083.37 to the Texas Division of Emergency Management (TDEM) for funds that were received for the McAllister Road Project.

Motion to approved Consent Agenda made by Commissioner Beckendorff, seconded by Commissioner Amsler.

**Motion carried** by 5-0 vote.

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

**COUNTY ENGINEER**

10. Discuss and take action to approve a variance request to the Waller County Subdivision and Development Regulations regarding platting from Mr. and Mrs. John Bradley.

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

**Motion carried** by 5-0 vote. **Variance Granted.**

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

11. Discuss and take action to approve a variance request to the Waller County Subdivision and Development Regulations, Section 3.2, regarding maximum block length from Venergy.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

**Motion carried** by 5-0 vote. **Variance Granted.**

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

12. Discuss and take action to approve the publication of the public hearing notice and 30 day public comment period, for proposed ATLAS 14 related revisions to The Flood Damage Ordinance in a newspaper of general circulation followed by a public hearing during the regular session of Commissioners' Court on February 10, 2021. Advertising to be paid from line item 125-401-544100 [Bid Notices and Printing].

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Judge Duhon made motion to amend that we go ahead and print it in all of the local newspapers (The Hotline, The Waller Times, The Waller County News Express, and the Katy Times), seconded by Commissioner Amsler.

**Amendment carried** by 5-0 vote.

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

**Amended Motion carried** by 5-0 vote.

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

13. Discuss and take action to approve the publication of the public hearing notice and 30 day public comment period, for proposed ATLAS 14 related revisions to The Subdivision and Development Regulations in a newspaper of general circulation followed by a public hearing during the regular session of Commissioners' Court on February 10, 2021. Advertising to be paid from line item 125-401-544100 [Bid Notices and Printing].

Commissioner Beckendorff made motion that we do that, publish it in all 4 of the same papers that the previous mentioned (*The Hotline, The Waller Times, The Waller County News Express, and the Katy Times*), seconded by Commissioner Jones.

**Motion carried** by 5-0 vote.

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Jones – Yes*

*Commissioner Beckendorff – Yes*

#### ***Advanced to Agenda Item #20***

20. Discuss and take action to approve letter to the Texas Department of Transportation regarding the Beacon Hill development.

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

**Motion carried** by 5-0 vote.

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Jones – Yes*

*Commissioner Beckendorff – Yes*

#### ***Proceeded to Agenda Item #14***

### **SHERIFF**

14. Discuss and take action to accept \$60.00 donation from Sema Reynua and post the donation to revenue budget line 125-000-470200 [Donations/Animal Control]. The proceeds will be expended from budget line 125-515-536700 [Donation/Animal Control].

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

**Motion carried** by 5-0 vote.

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Jones – Yes*

*Commissioner Beckendorff – Yes*

15. ~~Discuss and take action to approve Amendment to Global Tel Link Phone Agreement.~~  
**Item WITHDRAWN.**

### **AUDITOR**

16. Discuss and take action to approve Sheriff Jail Department budget line item transfer WC 2021-01.

Motion made by Commissioner Smith, seconded by Commissioner Jones.

**Motion carried** by 5-0 vote.

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Jones – Yes*

*Commissioner Beckendorff – Yes*

17. Discuss and take action to approve official documents and all monthly reports.

Motion made by Commissioner Smith, seconded by Commissioner Beckendorff.

**Motion carried** by 5-0 vote.

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Jones – Yes*

*Commissioner Beckendorff – Yes*

**FIRE MARSHAL**

- 18. **Spread** upon the minutes the submission of the Waller County Fire Marshal’s Office Annual Racial Profiling report for FY2020 with the Texas Commission on Law Enforcement.  
*No action required.*

**MISCELLANEOUS**

- 19. Discuss and take action to approve Agreement between Waller County and Waller County Child Welfare Board and payment of \$15,000.00 from line item 125-411-547220 [Waller Co. Child Welfare Board].

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

**Motion carried** by 5-0 vote.

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

- 20. *Court addressed Agenda Item #20 earlier in meeting. (page 3)*

- 21. Discuss and take action to amend County policies in relation to COVID-19.  
*No action taken.*

- 22. Discuss and take action to approve Third Amendment to the agreement with AccessHealth for COVID-19 testing services.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

**Motion carried** by 5-0 vote.

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

- 23. Discuss and take action to approve agreement with AccessHealth for COVID-19 vaccination services.

Motion made 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 Jones – Yes</i>	<i>Commissioner Beckendorff – Yes</i>

- 24. Discuss and take action to approve filing an amicus brief in litigation regarding the high speed rail.

Motion made by Commissioner Smith, seconded by Commissioner Jones.

**Motion carried** by 5-0 vote.

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

**EXECUTIVE SESSION**

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

- 26. ~~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 Smith, seconded by Commissioner Amsler.

**Motion carried** by 5-0 vote.

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Jones – Yes*

*Commissioner Beckendorff – Yes*

Meeting was **ADJOURNED** at 10:45 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*  
\_\_\_\_\_  
Debbie Hollan  
Waller County Clerk

**APPROVED** this the 3<sup>rd</sup> day of February 2021.

*Trey Duhon*  
\_\_\_\_\_  
Carbett "Trey" J. Duhon, III  
County Judge