

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**TUESDAY – FEBRUARY 11, 2020**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Tuesday, the 11<sup>th</sup> day of February 2020 at its meeting place in the Commissioners Courtroom of the Waller County Courthouse, Hempstead, Texas. The meeting was called to order by Presiding Judge Commissioner Jeron Barnett at 9:00 a.m. with the following members of the Court present to-wit:

John A. Amsler, Commissioner Precinct 1  
Walter Smith, Commissioner Precinct 2  
Jeron Barnett, Commissioner Precinct 3 – *Presiding Judge*  
Stephanie Tompkins, Chief Deputy Clerk

Absent: Carbett "Trey" J. Duhon III, County Judge  
Justin Beckendorff, Commissioner Precinct 4

Delivery of Invocation by: Pastor John Fitz-Chapman  
Pledge to the American Flag led by: Commissioner Amsler  
Pledge to the Texas Flag led by: Commissioner Smith

1. **Approval of Agenda.**

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

**Motion carried** by 3-0 vote.

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Barnett – Yes*

*Commissioner Smith – Yes*

*Commissioner Beckendorff – Absent*

**PUBLIC COMMENT**

1. Pastor John Fitz Chapman addressed the court with his desire to continue using the Waller County Community Center.

**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 – February 5, 2020 Regular Session
3. Request by County Treasurer for approval of Payroll.
4. Request by County Treasurer for approval of Treasurer's Monthly Report.
5. Request to approve payment on the following:
  - (a) \$5,000.00 for invoice to Gulf Coast Rail District from line item 125-401-540900 [Prof Consultant Fees] for 2020 General Purpose Fund.
  - (b) \$201.85 for invoice #1158 to Effort Event Supplies from line item 600-600-587521 [Library].
  - (c) \$150.00 for invoice #26068 to Metro Container LLC from line item 600-600-587521 [Library].

- (d) \$6,627.09 for invoice #238160 to Innovative Communication Systems from line item 125-411-545001 [Maintenance Contracts].
- (e) \$80.00 for invoice #20547402 [Courthouse, Hold-Up Alarm], and \$995.00 for invoice # 20112402 [Courthouse Camera Surveillance], for a total of \$1,075.00 payable to TAC Security from line item 117-428-568425 [Courthouse Security/Misc. Security].
- (f) \$3,112.00 for invoice #AH021367 and \$2,887.00 for invoice #AH021366 for a total \$5,999.00 to Harris County Treasurer from line item 125-423-540702 [Autopsy].
- (g) \$1,065.00 for invoice dated January 5, 2020 to Schmidt Funeral Home from line item 125-423-540705 [Transport to Morgue].

- 6. Request by County Auditor for approval and/or ratification of Accounts Payable.
- 7. Request by County Engineer to approve a Utility Permit for Consolidated Communications to place a fiber optic cable within the right-of-way of Wilpitz Road.
- 8. Request by County Engineer to approve a Utility Permit for San Bernard Electric Coop., Inc. to add 3 poles within the right-of-way of Tompkins Road.
- 9. Request by County Engineer to approve Utility Permit for San Bernard Electric Coop., Inc. to add 1 pole within the right-of-way of Meath Street.
- 10. Request by County Engineer to approve a Utility Permit for San Bernard Electric Coop., Inc. to add 1 pole within the right-of-way of Kildare Road.
- 11. Request by County Engineer to remove the Road Load Zone Designation on Owens Road as a result of the execution of Interlocal Agreement with MUD #33.
- 12. Request to approve Order Authorizing Texas Independence Day Fireworks Sales.

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

**Motion carried** by 3-0 vote.

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Barnett – Yes*

*Commissioner Smith – Yes*

*Commissioner Beckendorff – Absent*

***Advanced to Agenda Items #22 & #23***

**ELECTIONS**

- 22. Discuss and take action to approve Joint Resolutions for Election Services for 2020 Primary Election and Runoff, and May 2, 2020 Entity Elections.

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

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

**Motion carried** by 3-0 vote. **Item TABLED.**

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Barnett – Yes*

*Commissioner Smith – Yes*

*Commissioner Beckendorff – Absent*

**MISCELLANEOUS**

- 23. Discuss and take action to approve request by Pastor John Fitz-Chapman with The Church PV to rent the Community Center on a continued basis during the afternoons for every available Sunday in 2020 beginning February 16<sup>th</sup> – December 27<sup>th</sup>.

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

**Motion carried** by 3-0 vote.

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Absent*

***Returned to Agenda Item #13***

**CONSTRUCTION MANAGER**

13. Discuss and take action to approve payment of \$1,552,157.51 for invoice #11151 to Sedalco, Inc. from line item 601-601-581000 [Bldg. Purch. Cons., or Improv].

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

**Motion carried** by 3-0 vote.

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Absent*

14. Discuss and take action to approve payment of \$110,314.29 to Collier Construction, LLC from line item 125-600-581610 [Precinct 4 Building].

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

**Motion carried** by 3-0 vote.

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Absent*

15. Discuss and take action to approve payment of \$60,772.00 for invoice #200007 to Urelift Gulf Coast, L.P. from line item 600-600-587521 [Library].

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

**Motion carried** by 3-0 vote.

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Absent*

**WALLER COUNTY CHILD WELFARE BOARD**

16. 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] as allocated in the 2020 Budget.

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

**Motion carried** by 3-0 vote.

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Absent*

**FIRE MARSHAL**

17. **Spread** upon the minutes of the Waller County Fire Marshal's Office racial profiling report. *No action required.*

18. Discuss and take action to authorize the Office of Emergency Management to seek funding from the State Homeland Security Program through Houston-Galveston Area Council. The purpose of this grant is to purchase approximately 10 hand-held radios to support the new Emergency Operation Center.

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

**Motion carried** by 3-0 vote.

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Absent*

## COUNTY ENGINEER

19. Discuss and take action to approve a proposal from EHRA for the Professional Surveying, Engineering and Construction Phase Services for the replacement of existing culvert crossing with a new bridge on Robinhood Lane over Brushy Creek.

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

**Motion carried** by 3-0 vote.

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Absent*

20. Discuss and take action to approve advertising for the installation of “No Parking Signs” on the following roads:

- Willowmoor Lane (south of Kingsland Blvd) - No Parking between 7:30 - 8:30am and 3:00 - 4:00pm.
- Ashcreek Court- No Parking Residents Only

Advertising to be posted in a newspaper of general circulation, payment for advertising to be funded from line item 125-401-544100 [Bid Notices and Printing], followed by a public hearing during the regular session of Commissioners’ Court on March 11, 2020.

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

**Motion carried** by 3-0 vote.

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Absent*

## DISTRICT ATTORNEY

21. Discuss and take action to authorize Resolution in Support of 2020/2021 Victim’s Assistant Grant Continuation Project in the District Attorney’s Office.

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

**Motion carried** by 3-0 vote.

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Absent*

## MISCELLANEOUS

24. Discuss and take action to approve payment of \$31,062.09 for invoice #111427 to Bickerstaff Heath Delgado Acosta LLP from line item 125-411-540300 [Legal].

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

**Motion carried** by 3-0 vote.

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Absent*

## EXECUTIVE SESSION

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

**Court convened to Executive Session at 9:36 a.m.**

**Court reconvened from Executive Session at 9:47 a.m.**

26. Reconvene in Open Session to take any action necessary on matters discussed in Executive Session.

Commissioner Amsler moved to appeal the trial court's order in Cause Number 16-07-23803, seconded by Commissioner Smith.

**Motion carried** by 3-0 vote.

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Absent*

## ADJOURN MEETING

Motion to **adjourn** meeting by Commissioner Amsler, seconded by Commissioner Smith.

**Motion carried** by 3-0 vote.

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Absent*

Meeting was **ADJOURNED** at 9:48 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

By: *Stephanie Tompkins*  
Stephanie Tompkins, Chief Deputy Clerk



**APPROVED** this the 19<sup>th</sup> day of February 2020.

*[Signature]*  
Carbett "Trey" J. Duhon, III  
County Judge