

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – FEBRUARY 22, 2022

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 22nd day of February 2022 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 Justin Beckendorff at *10:30 a.m. with the following members of the Court present to-wit:

John A. Amsler, Commissioner Precinct 1
Walter Smith, Commissioner Precinct 2
Justin Beckendorff, Commissioner Precinct 4
Debbie Hollan, County Clerk
Absent: Carbett "Trey" J. Duhon III, County Judge
Kendric D. Jones, Commissioner Precinct 3

Delivery of Invocation and the Pledge to the American Flag and Texas Flag led by Commissioner Smith.

1. **Approval of Agenda.**

Motion made by Commissioner Smith, seconded by Commissioner Amsler

Motion carried by 3-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Absent

Commissioner Beckendorff – 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.gov/swagit.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** – February 16, 2022 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 by County Treasurer for approval of accounts payable for retiree insurance.**
6. **Request to approve payment on the following:**
 - (a) \$4,032.00 for two invoices at \$2,016.00 each dated February 10, 2022 to Magnolia Funeral Home, Inc. from line item 125-411-561502 [Pauper Burial].

- (b) \$1,165.00 for invoice dated February 8, 2022 to Schmidt Funeral Home from line item 125-423-540705 [Transport to Morgue].
 - (c) \$1,300.00 for invoice dated February 12, 2022 to Magnolia Funeral Home, Inc. from line item 125-423-540705 [Transport to Morgue].
 - (d) \$4,725.00 for invoice # 7797 and \$2,887.00 for invoice # 7800 for a total of \$7,612.00 to Harris County from line item 125-423-540702 [Autopsy].
7. Request by County Auditor for approval and/or ratification of Accounts Payable.
 8. Request by County Engineer for approval to advertise for a Public Hearing on April 13, 2022 for installation of “No Thru Trucks” signs on the following roads:
 - Berry Lane – Penick Road to Mathis Rd
 - Hoover Lane – FM 362 to Penick Rd
 - Baethe Road – FM 362 to Penick Rd
 - Betka Road – FM 362 to Penick Rd
 - Penick Road – Hebert Rd to Waller City Limits
 - Mathis Road – Berry Rd to Harris County Line

Advertising to be posted in the Katy Times Newspaper, payment to be funded from line item 125-401-544100 [Bid Notices and Printing]. *No backup submitted.*

9. Request by County Engineer to accept Right-of-Way and/or Exclusive Easement dedications along Woods Rd, from IH-10 southward, necessary to expand the roadway. *No backup submitted.*

Motion to approve Consent Agenda made by Commissioner Smith, seconded by Commissioner Amsler.

Motion carried by 3-0 vote.

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

COMMISSIONER, PRECINCT 3

10. ~~Discuss and take action to approve the appointment of a committee to review the OPEB Liability. Item WITHDRAWN.~~

SHERIFF

11. ~~Discuss and take action to approve Waller County Towing Ordinance. Item WITHDRAWN.~~

COUNTY ENGINEER

12. ~~Discuss and take action to approve a variance request to the Waller County Subdivision and Development Regulations regarding Appendix A – Engineering Design Standards 4.3.5 650’ minimum centerline radius from Bluestem Development Company. Item WITHDRAWN.~~
13. ~~Discuss and take action to approve the contract with EHRA for Professional Surveying, Engineering and Construction Services for the replacement of Clemons Switch Road~~

~~Bridge over Bessies Creek at a cost of \$115,867.00. Funding to be paid from 110-530-590000 (Bridge Replacement). Item WITHDRAWN.~~

14. ~~Discuss and take action to approve the transfer of \$40,000.00 from ARP Funds to 110-524-581800 (Furniture) for the cost of office furniture for new employees and staffing moves at the Road & Bridge Department. Item WITHDRAWN.~~

Addressed the following Elections Agenda Items in Reverse Order per Election Administrator.

ELECTIONS

17. Discuss and take action to approve the Early Voting locations for the May 7, 2022 election.

Motion made by Commissioner Smith, seconded by Commissioner Amsler

Motion carried by 3-0 vote.

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

16. Discuss and take action to approve the consolidation of precincts for the May 7, 2022 election.

Motion made by Commissioner Smith, seconded by Commissioner Amsler

Motion carried by 3-0 vote.

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

15. Discuss and take action to approve the Order of the May 7, 2022 Special Election.

Motion made by Commissioner Smith, seconded by Commissioner Amsler

Motion carried by 3-0 vote.

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

AUDITOR

18. Discuss and take action to certify revenue (unspent donated and grant funds) and approve Library County Library Department budget amendment, WC 2022-04.

Motion made by Commissioner Smith, seconded by Commissioner Amsler

Motion carried by 3-0 vote.

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

19. Discuss and take action to certify \$5,000.00 cash donation and approve Fire Marshal Department budget amendment, WC 2022-05.

Motion made by Commissioner Smith, seconded by Commissioner Amsler

Motion carried by 3-0 vote.

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

20. Discuss and take action to certify value of \$4,500.00 in donated equipment and approve Fire Marshal Department budget amendment, WC 2022-06.

Motion made by Commissioner Smith, seconded by Commissioner Amsler

Motion carried by 3-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Absent

Commissioner Beckendorff – Yes

21. Discuss and take action to certify revenue from various donations totaling \$200.00 and approve Animal Control Department budget amendment, WC 2022-07.

Motion made by Commissioner Smith, seconded by Commissioner Amsler

Motion carried by 3-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Absent

Commissioner Beckendorff – Yes

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

Motion made by Commissioner Smith, seconded by Commissioner Amsler

Motion carried by 3-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Absent

Commissioner Beckendorff – Yes

MISCELLANEOUS

23. Discuss and take action to approve payment of \$560.00 for Invoice # 07507116647 to Bickerstaff Heath Delgado Acosta LLP from line item 125-411-540300 [Legal].

Motion made by Commissioner Smith, seconded by Commissioner Amsler

Motion carried by 3-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Absent

Commissioner Beckendorff – Yes

24. Discuss and take action to approve the Agreement for Child Welfare Board Services and payment of \$15,000.00 from line item 125-411-547220 [Waller Co. Child Welfare Board] as allocated in the 2022 Budget.

Motion made by Commissioner Smith, seconded by Commissioner Amsler

Motion carried by 3-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Absent

Commissioner Beckendorff – Yes

25. ~~Discuss and take action to approve settlement offers in the matter of Texas Opioid multi-district litigation, cause number 2018-63587, currently pending in the 152nd District Court in Harris County, Texas, and authorize execution of settlement documents. Item WITHDRAWN.~~

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

27. ~~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, Precinct 3, and Precinct 4 would have a detrimental effect on the position of the County in negotiations with third persons. Item WITHDRAWN.~~

EXECUTIVE SESSION

- 28. ~~Deliberate business and financial issues related to the purchase, exchange, lease, or value of real properties in Precinct 1, Precinct 3, and Precinct 4 pursuant to Government Code Sections 551.072 and 551.0725. Item WITHDRAWN.~~
- 29. ~~Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071. Item WITHDRAWN.~~
- 30. ~~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 3-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Absent

Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 10:34 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 2nd day of March 2022.

Trey Duhon

Carbett "Trey" J. Duhon, III
County Judge

**meeting was postponed until 10:30 a.m. in order for there to be a quorum present.*