

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – FEBRUARY 27, 2019

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 27th day of February 2019 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 9:00 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** agenda by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

PUBLIC COMMENT

1. Xante Wallace – Councilman for the City of Prairie View
2. Dr. Veda Brown – Prairie View Chamber of Commerce

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 19, 2019 Regular Session
3. Request by County Treasurer for approval of Payroll.
4. Request to approve payment on the following:
(a) \$5,761.00 to Harris County Treasurer from line item 125-422-541600 [Pro Rata Share Court Expense].
5. Request by County Auditor for approval and/or ratification of Accounts Payable.
6. Request by County Tax Assessor Collector to approve refunds in excess of \$500.00 in accordance with section 31.11 Texas Tax Code.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

ECONOMIC DEVELOPMENT

7. Public Hearing: Designating the following property as a reinvestment zone under Chapter 312 of the Texas Tax Code. Interested persons may speak or present evidence for or against the designation.

Portions of Property ID 13311 and Property ID 13313

Public Hearing began at 9:10 a.m.

Vince Yokom provided information to the court regarding reinvestment zone.

Public Hearing ended at 9:11 a.m.

8. Discuss and take action to approve the Reinvestment Zone Order and authorize the County Judge to sign Order Designating Reinvestment Zone for Waller County P150 Reinvestment Zone 1.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

9. Discuss and take action to approve addendums to Order Designating Reinvestment Zone 2018-10-001 Lone Star Spec Waller and Order Designating Reinvestment Zone 2018-10-002 Clay Pederson Spec 01.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Advanced to Agenda Item #20

CONSTRUCTION MANAGER

10. **Presentation** on roofing systems for future replacement on the Road and Bridge and Hospital Buildings. *No action required.*

11. Discuss and take action to approve Replacement Roofing for Road and Bridge and Hospital Buildings.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Abstained

Commissioner Beckendorff – Yes

12. Discuss and take action to approve request from San Bernard Electric Co-op for right-of-way easement for the Waller County Criminal Justice Center line move.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

13. Discuss and take action to approve contract with EHRA for professional engineering consulting services for the Precinct 4 Annex project.

Motion to **approve** subject to legal clarification by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

TREASURER

- 14. Discuss and take action to appoint Walter Smith, Commissioner Precinct 2 to the Investment Advisory Committee as per Investment Policy 2.05.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Abstained

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

- 15. Discuss and take action to appoint Walter Smith, Commissioner Precinct 2 to the Depository Advisory Committee.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Abstained

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

SHERIFF

- 16. **Spread** upon the minutes the Waller County Sheriff’s Office 2018 L.E.O.S.E. Fund Allocation Basis Report. *No action required.*

- 17. **Spread** upon the minutes the Waller County Sheriff’s Office 2018 Chapter 59 Asset Forfeiture Report. *No action required.*

- 18. Discuss and take action to approve Fixed Asset Transfer from Sheriff’s Office to Maintenance Dept.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

COUNTY ENGINEER

- 19. Discuss and take action to designate the following vehicles as take home vehicles for the Road and Bridge Department:

- Unit 109, a 2017 Chevrolet pick-up
- Unit 130, a 2018 Ford Explorer

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Proceeded to Agenda Item #21

- 20. Discuss and take action to approve a variance request to the Subdivision Development Regulations, Engineering Design Standards, by Mr. and Mrs. Yanez. This is a follow up request from October 24, 2018.

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

Motion FAILED – Variance Denied

Advanced to Executive Session

- 21. Discuss and take action to accept a price increase by Cleveland Asphalt Products for the Emulsified Asphalt and Hauling bid for 2019.

Motion to **accept** price increase by Cleveland Asphalt Products by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – No
Commissioner Barnett – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

- 22. Discuss and take action to accept price increase by Vulcan Materials Company for the Precoated Aggregate and Cold Mix Asphaltic Pavement bids for 2019.

Motion to **accept** price increase by Vulcan Materials Company by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Barnett – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

- 23. Discuss and take action to approve proposal for Surveying Services from EHRA, Inc. for the Penick Road Bridge over Mound Creek project, to help get the project under design quickly for a 2020 letting.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Barnett – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

- 24. Discuss and take action to approve proposal for Surveying Services from A-Survey Inc., for Clemons Switch Road including existing bridge at Irons Creek, for approximately 500 feet. Funding to be paid from line item 110-530-545800 [Prof Consult/Flood Plain Mgmt.].

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Barnett – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

MISCELLANEOUS

- 25. Discuss and take action to approve the following private tax resale bids:
 - a. ~~A tract of land being 1.28 acres, more or less, also known as Lot 22, in Block 10, Oak Hollow, Section 1, Waller County, Texas, tax account R24311, in the amount of \$15,685.17 by JASY Investment, and authorize the County Judge to execute a deed for said property to JASY Investment; Item WITHDRAWN.~~
 - b. ~~Lot 50, Block 4, Monticello Estates, Waller County, Texas, tax account R23746, in the amount of \$5,845.00 by JASY Investment, and authorize the County Judge to execute a deed for said property to JASY Investment; Item WITHDRAWN.~~
 - c. Lot 235 of Deerwood Lakes, Section 2, Waller County, Texas, tax account R17439, in the amount of \$1,000.00 by Mr. Greg Graham, and authorize the County Judge to execute a deed for said property to Mr. Greg Graham.

Motion to **approve** 25. b and c. by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Motion to **remove** 25. b. by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

26. Discuss and take action to approve the Inspection Contract Renewal Agreement with South Texas Environmental for the JP Precinct 4 office for an annual cost of \$185.00. Funds to be paid from line item 125-442-544910 [Service/Mechanical Equipment].

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

AUDITOR

27. **Spread** upon the minutes Certification of Funds for Constable, Precinct 1, 2019 LEOSE Funds in the amount of \$682.00. *No action required.*

28. Discuss and take action to amend the 2019 Budget to accommodate Constable, Precinct 1, LEOSE Funds.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

29. **Spread** upon the minutes the Certification of Funds for Constable, Precinct 4, 2019 LEOSE Funds in the amount of \$682.00. *No action required.*

30. Discuss and take action to amend the 2019 Budget to accommodate Constable, Precinct 4, LEOSE Funds.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

31. **Spread** upon the minutes Certification of Funds for the Sheriff's Office, 2019 LEOSE Funds in the amount of \$5,483.00. *No action required.*

32. Discuss and take action to amend the 2019 Budget to accommodate the Sheriff's Office, LEOSE Funds.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

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

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

Motion carried.

Proceeded to Adjournment

EXECUTIVE SESSION

Court convened to Executive Session at 9:44 a.m.

- 34. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.
- 35. Reconvene in Open Session to take any action necessary on matters discussed in Executive Session.

Court reconvened from Executive Session at 10:15 a.m.

No action taken from Executive Session.

Returned to Agenda Item #10

ADJOURN MEETING

Motion to **adjourn** meeting by Commissioner Barnett, seconded by Commissioner Beckendorff.

Motion carried.

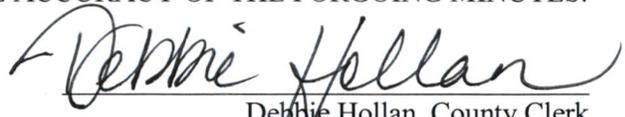
Judge Trey Duhon – Yes

*Commissioner Amsler – Yes
Commissioner Barnett – Yes*

*Commissioner Smith – Yes
Commissioner Beckendorff – Yes*

Meeting was **ADJOURNED** at 12:03 p.m.

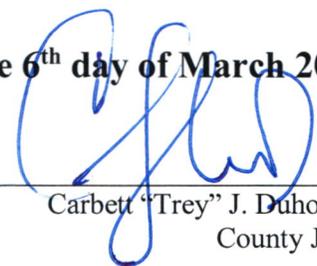
I **ATTEST** TO THE ACCURACY OF THE FORGOING MINUTES:



Debbie Hollan, County Clerk
And Ex-Officio Clerk of the Commissioners'
Court of Waller County, Texas



APPROVED this the 6th day of March 2019.



Carbett "Trey" J. Duhon, III
County Judge