

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – MARCH 4, 2020

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 4th day of March 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 9:05 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
Stephanie Tompkins, Chief Deputy 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 – None

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 26, 2020 Regular Session

3. **Request by County Tax Assessor Collector to approve refunds in excess of \$500.00 in accordance with section 31.11 Texas Tax Code.**

~~4. **Request by Maintenance Supervisor to approve transfer of fixed assets.**~~

Pulled from Consent Agenda – to be voted on separately.

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

(a) \$ 2,190.00 for two invoices at \$1,095.00 each, dated February 24, 2020 to Magnolia Funeral Home Inc., from line item 125-423-540705 [Transport to Morgue].

(b) \$13,074.98 for Invoice # TH05055320 to Otis Elevator from line item 125-411-545001 [Maintenance Contracts].

6. **Request by County Auditor for approval and/or ratification of Accounts Payable.**

Motion to **approve consent agenda without #4** 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>

4. **Request by Maintenance Supervisor to approve transfer of fixed assets.**

Judge Duhon moved that we amend #4 to approve transfer of the fixed assets from the Library to Maintenance and to declare such assets as salvage so that they can be disposed, 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 Barnett – Yes</i>	<i>Commissioner Beckendorff – Yes</i>

COUNTY JUDGE

7. **Presentation** of report on delinquent tax and fine and fee collection by Otilia Gonzales of Perdue Brandon Fielder Collins & Mott LLP. *No action required.*

8. Discuss and take action to approve a contingent fee contract with Perdue Brandon Fielder Collins and Mott, LLP pursuant to Section 6.30 of the Tax Code, said contract being for the collection of delinquent government receivables owed to Waller County and notice of said contract is posted with the agenda in accordance with Section 2254 of the Government Code, and authorize County Judge to sign the contract and the written findings as posted on the public notice. And for a 4 year term.

Commissioner Beckendorff made motion to approve approve a contingent fee contract with Perdue Brandon Fielder Collins and Mott, LLP pursuant to Section 6.30 of the Tax Code, said contract being for the collection of delinquent government receivables owed to Waller County and notice of said contract is posted with the agenda in accordance with Section 2254 of the Government Code, and authorize County Judge to sign the contract and the written findings as posted on the public notice, for a four (4) year term, seconded by Commissioner Smith.

Motion carried by 4-1 vote.

<i>Judge Trey Duhon – Yes</i>	<i>Commissioner Amsler – No</i>	<i>Commissioner Smith – Yes</i>
	<i>Commissioner Barnett – Yes</i>	<i>Commissioner Beckendorff – Yes</i>

9. **Presentation** of the Texas Historical Commission Resources Survey Form by Truett Bell. *No action required.*

TAX ASSESSOR COLLECTOR

10. Discuss and take action to approve maintenance agreement with Cummins-Allison Corp for one JetScan. Annual cost of \$468.70 to be paid from line item 125-438-581800 [Furniture & Equipment].

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>

SHERIFF

11. **Spread** upon the minutes the Waller County Sheriff's Office 2019 Racial Profiling Report as presented to the Texas Commission on Law Enforcement. *No action required.*

AUDITOR

12. Discuss and take action to approve line item transfer for the County Clerk's 2020 budget.
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*
13. Discuss and take action to certify the STEP CMV grant award from TxDot in the amount of \$40,547 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*
14. Discuss and take action to certify the STEP Comprehensive grant award from TxDot in the amount of \$27,158 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*

CONSTRUCTION MANAGER

15. **Update** on Library Project. *No action required.*
16. Discuss and take action to approve payment of \$ 145,774.41 for application #2 to Dahvar Construction and Design from line item 600-600-587521 [Library].
Motion to **approve** by Commissioner Smith, 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*
17. **Open Bids** for Precinct 4 Water Well.
The following bids were submitted and opened in Court:
1. Precision Utility LLC – Received March 3, 2020 @ 2:00 p.m., Bid is \$120,145.00.
2. J & S Water Wells in Bellville – Received February 27, 2020 @ 11:43 a.m., Water Well Base Bid Proposal \$64,685.00.

MISCELLANEOUS

18. Discuss and take action to approve support letters for Fort Bend Access Health Center.
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*
19. Discuss and take action to request that the City of Waller annex the entirety of Cyrus Road.
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*

20. Discuss and take action to approve the Lexis Nexis Agreement for the Law Library.

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

Judge Duhon moved to **amend** to be paid out of line item #111-425-535000, 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

21. Discuss and take action to approve payment of \$10,729.07 for invoice # 111574 to Bickerstaff Heath Delgado Acosta LLP from line item 125-411-540300 [Legal].

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

TREASURER

22. ~~Discuss and take action to approve investment securities agreement with First National Bank. Item WITHDRAWN.~~

23. ~~Discuss and take action to deliberate business and financial issues in executive session based on a determination and recommendation from the District Attorney’s Office that deliberation in an open meeting regarding an investment securities agreement would have a detrimental effect on the position of the County in negotiations with third persons. Item WITHDRAWN.~~

EXECUTIVE SESSION

- 24. Deliberate business and financial issues related to an investment securities agreement pursuant to Government Code Section 551.0725.
- 25. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.
- 26. Reconvene in Open Session to take any action necessary on matters discussed in Executive Session.

No Executive Session needed.

ADJOURN MEETING

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

Motion carried.

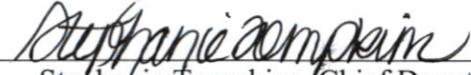
Judge Trey Duhon – Yes Commissioner Amsler – Yes Commissioner Smith – Yes
Commissioner Barnett – Yes Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 10:05 a.m.

We **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.



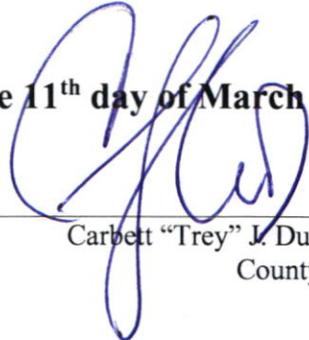
Debbie Hollan
Waller County Clerk



Stephanie Tompkins, Chief Deputy Clerk



APPROVED this the 11th day of March 2020.



Carbett "Trey" J. Duhon, III
County Judge