

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – MARCH 24, 2021

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 24th day of March 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 9:05 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
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.**

Judge Duhon made motion to approve agenda with #11 and #12 amended, 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

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/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** – March 17, 2021 Regular Session

3. **Request by County Treasurer for approval of Payroll.**

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

(a) \$2,167.50 for two (2) Invoices dated March 09, 2021 and \$1,227.50 for Invoice dated March 12, 2021 for a total amount of \$3,395.00 to Schmidt Funeral Home from line item 125-423-540705 [Transport to Morgue].

5. Request by County Auditor for approval and/or ratification of Accounts Payable.
6. Request by County Auditor for approval and/or ratification of Accounts Payable for Construction Projects.
 - (a) \$1,635.00 from line item 125-600-581610 [Pct. 4 Building].
 - (b) \$350.00 from line item 125-600-587526 [Library].
7. Request by County Tax Assessor Collector to approve refunds in excess of \$500.00 in accordance with section 31.11 Texas Tax Code.
8. Request to approve Order Authorizing San Jacinto Day Fireworks Sales.
9. Request by Commissioner Jones to approve Agreement with Purchasing Cooperative of America.
10. 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.
11. Request by County Engineer to approve a Utility Permit for American Communications Construction Inc., to place ~~a power pole~~ *an underground conduit* in the right-of-way of Spindle Tree Lane.
12. Request by County Engineer to approve the Final Plat of Lake House Section 4 which consists of 48.226 acres which will include 91 Lots, 2 Blocks, and 7 Reserves, in Precinct 4 *and acceptance of the Maintenance Bond.*

Motion to approved Consent Agenda 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

COUNTY JUDGE

13. Discuss and take action to approve the re-appointment of Carl Bowles to the H-GAC Workforce Development Board as the Waller County Representative.

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

COUNTY ENGINEER

14. **Award** Bids for:

COLD MIX ASPHALTIC PAVEMENT
CRUSHED LIMESTONE
HIGH DENSITY POLYETHYLENE (HDPE) PIPE

Commissioner Beckendorff moved that we accept the recommendations of the County Engineer on the Cold Mix Pavement, the Crushed Limestone, and the High Density Pipe, seconded by Commissioner Amsler.

(Cold Mix being awarded to Vulcan Construction Materials LLC, the Crushed Limestone bid for delivery to Hempstead Yard to Heise Trucking LLC, delivery to Brookshire and to Job Site to BWF Freight, LLC; and the High Density Polyethylene Pipe bid is awarded to Ferguson Enterprise, LLC)

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 a variance request regarding existing plat issues at Larry Riemer Estate located at 38253 Zadelsky Rd. in Precinct 4 from Mrs. Corinne Vahalik, Attorney.

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

Motion to amend made by Commissioner Beckendorff by adding that the cesspool needs to be removed and 60 days for the owners to install a new septic system, and the Portacans brought in the interim and this is conditional on these terms being met, seconded by Commissioner Jones.

Amendment carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

Amended Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

16. Discuss and take action to approve proposal for engineering and surveying services with IDCUS in the amount of \$57,729.00 for the re-alignment of a portion of Murrell Rd. in Precinct 2.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion to Amend made by Commissioner Smith to be paid out of 110-530-545800, seconded by Commissioner Beckendorff.

Amendment carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

Amended 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 open Requests for Proposals for Grant Administrative Services for the CDBG-MIT funding program.

The following Proposals were submitted and opened by the Court:

1. Dated March 8, 2021, received 8:38 a.m. from APSI Construction Management
2. Received March 4, 2021 12:56 p.m., Langford Community Management Services

18. Discuss and take action to open Requests for Qualifications for On-Call Engineering Review Services.

The following Qualifications were submitted and opened by the Court:

1. Received March 15, 2021 1:18 p.m. from Kelly R. Kaluza and Associates
2. Received March 22, 2021 1:42 p.m. from Civil Tech Engineering
3. Received March 18, 2021 3:26 p.m. from Bleyl Engineering
4. Received March 22, 2021 12:49 p.m. from Haff Associates

19. ~~Discuss and take action to approve the acceptance of Twinwood Parkway from Woods Rd to FM 359 into the County Maintained Road Log. Item WITHDRAWN.~~

SHERIFF

20. Discuss and take action to approve contract with Correctional Behavioral Health to provide TeleMental health services to the Waller County Jail for a monthly cost of \$2,050.00.

Motion made by Commissioner Jones, 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

21. ~~Spread upon the minutes the Waller County Sheriff's Office Federal Forfeiture (Equitable Sharing) Fund 2021 Budget. Item WITHDRAWN.~~

22. Discuss and take action to approve contract agreement with Southern Software.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion made by Commissioner Beckendorff to table, seconded by Commissioner Smith.

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

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

AUDITOR

23. ~~Discuss and take action to approve Waller County 2021 budgetary line item transfers. Item WITHDRAWN.~~

24. Discuss and take action to certify revenues and Waller County 2021 budget amendments.

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

MISCELLANEOUS

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

26. Discuss and take action to approve update to the Waller County Financial Procedures.

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

27. ~~Discuss and take action to publish notice of a public hearing on the designation of reinvestment zone Waller County Duro Hilex Reinvestment Zone 10 in the Waller County Express. Funds to be paid from line item 125 401 544100 [Bid Notices and Printing]. Item WITHDRAWN.~~

28. ~~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 4 would have a detrimental effect on the position of the County in negotiations with third persons.~~

~~Item WITHDRAWN.~~

EXECUTIVE SESSION

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

Meeting was **ADJOURNED** at 11:41 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 31st day of March 2021.

Trey Duhon

Carbett "Trey" J. Duhon, III
County Judge