

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – MARCH 31, 2021

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 31st 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 9:01 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.**

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5-0 vote.

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

PUBLIC COMMENT

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://wallercountytx.swagit.com/live>.

1. Art Hernandez commented there are a lot of items on the agenda today that will impact Waller County and when making decisions to consider how it will affect the families of Waller County.

(Additional Public Comment given later in the meeting, page 5)

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 24, 2021 Regular Session

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

(a) \$1,227.50 for Invoice dated March 18, 2021 to Schmidt Funeral Home from line item 125-423-540705 [Transport to Morgue].

(b) \$745.00 for Invoice dated March 16, 2021 to Magnolia Funeral Home, Inc. from line item 125-423-540705 [Transport to Morgue].

(c) \$5,774.00 for Invoice # 4282, \$5,774.00 for Invoice # 2226, \$2,887.00 for Invoice # 1773, and \$9,021.00 for invoice # 1706 for a total of \$23,456.00 to Harris County from line item 125-423-540702 [Autopsy].

4. Request by County Auditor for approval and/or ratification of Accounts Payable.
5. Request by County Engineer to accept Right-of-Way and/or Easement dedications along Woods Rd, from IH-10 southward, necessary to expand the roadway.
6. Request by County Engineer to approve a Utility Permit for Landshark to place a Hydrovac truck in the right-of-way of Woods Road.
7. Request by County Engineer to accept existing right-of-way on Penick Road dedicated by Mr. Frank Springer Jr.
8. Request by County Engineer to accept existing right-of-way on Buller Road dedicated to Mr. Jose Armando Alvarenga.

Motion to approve Consent Agenda 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

ECONOMIC DEVELOPMENT

9. Discuss and take action to approve Tax Abatement Agreement with WCF, LLC. WCF, LLC owns the property and applied for a tax abatement. The property is located in Waller County HEA Reinvestment Zone 9 at 1900 Cardiff Road, Brookshire, Texas. The improvements subject to the agreement include an aircraft hangar and additional office space. The estimated cost of the improvements is approximately \$2,600,000.

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

10. **Presentation** by Vince Yokom on Waller County Economic Development.

No action required.

COMMISSIONER, PRECINCT 3

11. Discuss and take action to approve general fund reimbursement resolution included in possible issuance of Waller County Tax Notes, Series 2021.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

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

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

COUNTY JUDGE

12. Discuss and take action to approve the design for the Official Waller County Flag.

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

13. ~~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

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

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Commissioner Beckendorff made motion 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

15. **Spread** upon the minutes the Waller County Sheriff's Office Federal Forfeiture (Equitable Sharing) Fund 2021 Budget.

No action required.

JUSTICE OF THE PEACE, PRECINCT 4

16. Discuss and take action to approve ICS quote to purchase the equipment and install 8 keypad card readers in the amount of \$16,430.00. Payment to be taken from line item 125-600-581610 [Precinct 4 Building].

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

CONSTRUCTION MANAGER

17. Discuss and take action to approve payment of \$1,025,956.71 for Application # 28 to Sedalco, Inc. from line item 602-602-581000 [Bldg. Purch. Const. or Improv.].

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

18. Discuss and take action to approve payment of \$47,203.60 for Application # 9 to Dahvar Construction and Design from line item 125-600-587526 [Library].

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

19. Discuss and take action to approve ICS quote in the amount of \$8,830.00 for Card Readers and Maglocks for the Justice Center. Funds to be paid from line item 602-602-581000 [Bldg. Purch. Const. or Improv.].

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5-0 vote.

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

20. Discuss and take action to approve the ICS quote in the amount of \$7,239.00 for 19 additional phones for the Precinct 4 Building. Funds to be paid from line item 125-600-581610 [Precinct 4 Bldg.].

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5-0 vote.

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

21. Discuss and take action to approve outstanding Telomack Invoices related to Construction Projects for a total of \$13,917.25. Funds to be paid from the following line items:

\$3,957.50 from 602-602-581000 [Misc. Const. /Judicial Center]

\$7,929.75 from 125-600-~~581600~~ **581610** [Precinct 4 Building] and

\$2,030.00 from 125-441-581700 [Equipment].

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Commissioner Jones stepped away at 11:40 a.m.

Motion carried by 5-0 vote.

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

22. Discuss and take action to approve quotes in the amount of \$4,849.00 from Automated Shade for roll down shades for Teller Windows at the following three buildings: Sheriff's Office, Courthouse Annex, and Precinct 4 Courthouse Annex. Funds to be paid from the following line items:

\$2,942.00 from 125-600-581610 [Precinct 4 Bldg.] and

\$1,907.00 from 602-602-581000 [Bldg. Purch. Const. or Improv.].

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

Motion carried by 5-0 vote.

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

23. Discuss and take action to approve quote from Wilson Office Interiors for \$67,227.72 for additional furniture for Precinct 4. Funds to be paid from line item 125-600-581610 [Precinct 4 Bldg.].

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

Commissioner Jones returned to meeting at 11:43 a.m.

Motion carried by 5-0 vote.

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

24. Discuss and take action to approve quotes for \$4,200.00 for trees and \$5,000.00 for boulders for a total of \$9,200.00 from Cannon Companies for Precinct 4. Funds to be paid from line item 125-600-581610 [Precinct 4 Bldg.].

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Commissioner Beckendorff made motion to amend to just do the Boulders from Cannon Companies and the \$200.00 repair for the broken PVC pipe, seconded by Commissioner Jones.

Amendment carried by 5-0 vote.

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

Amended Motion carried by 5-0 vote.

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

AUDITOR

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

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5-0 vote.

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

MISCELLANEOUS

26. Discuss and take action to approve payment of \$980.00 for Invoice # 114298 to Bickerstaff Heath Delgado Acosta LLP from line item 125-411-540300 [Legal].

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5-0 vote.

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

27. Discuss and take action to approve Fourth Amendment to the agreement with AccessHealth for COVID-19 testing services.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5-0 vote.

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

28. Discuss and take action to amend County policies in relation to COVID-19.

No action taken.

Returned to Public Comment

Commissioner Amsler stepped away at 12:14 p.m.

PUBLIC COMMENT

Tom with ICS announced his retirement and introduced his replacement.

Proceeded to Agenda Item #29

29. 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.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Absent

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

EXECUTIVE SESSION

30. 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.

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

Court convened to Executive Session at 12:15 p.m.

Commissioner Amsler returned to meeting at 12:16 p.m.

Court reconvened from Executive Session at 12:58 p.m.

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

Commissioner Beckendorff made motion to approve the initial offers to the land owners along Woods Road in accordance with the recommendations from Sun Coast Land Services, Woods Road South of I-10, seconded by Commissioner Amsler.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

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 12:59 p.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 7th day of April 2021.

Trey Duhon

Carbett "Trey" J. Duhon, III
County Judge