

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – APRIL 14, 2021

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 14th day of April 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 Jones, seconded by Commissioner Beckendorff.

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 – *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.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** – April 7, 2021 Regular Session
3. **Request by County Treasurer for approval of Treasurer's Monthly Report.**
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 Exclusive Easement dedications along Woods Rd., from IH-10 southward, necessary to expand the roadway.**
(no backup submitted)

6. Request by County Engineer to approve the Final Plat of Fieldstore Commercial, which consist of 10.068 acres which will include 5 Lots, 1 Block and 2 Reserves, in Pct. 2
7. Request by County Engineer to approve the Final Plat of Jordan Ranch Distribution Center, which consist of 30.687 acres which will include 1 Block and 1 Reserve in Pct. 4.

Motion to approve Consent Agenda 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

COUNTY ENGINEER

8. Discuss and take action to post notice for Competitive Bids for “Robin Hood Ln. Bridge Replacement over Brushy Creek.” Notice to be posted in the Katy Times, on the Waller County website, and the designated areas in the Waller County Courthouse. Advertising to be funded from line item 125-401-544100 [Bid Notices and Printing].

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

9. Discuss and take action to approve the contract *language* with Texas Water Development Board for the Waller County Brazos River Flood Update Study 940033-CAT 1) (40033-CAT 1).

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

10. Discuss and take action to approve the contract *language* with Texas Water Development Board for the Waller County Spring Creek Watershed Flood Protection Study (40035-CAT 1).

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

11. ~~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.~~

TAX ASSESSOR COLLECTOR

12. Discuss and take action to authorize the County Judge to sign one resale deed for the private resale of property currently held in trust by Waller County pursuant to Section 34.05(h)(2) of the Texas Tax Code.

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

TREASURER

- 13. **Spread** upon the minutes the 2019-20 Certificates of Compliance awarded to Joan Sargent, Waller County Treasurer, for required hours of Continuing Education and Public Funds Investment established by section 83.003 of the Texas Local Government Code and chapter 2256 of the Texas Government Code.
No action required.

SHERIFF

- 14. Discuss and take action to approve the Correctional Behavioral Health contract.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

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

- 15. Discuss and take action to approve fringe funding and STEP pay for deputies working in the TXDOT Selective Traffic Enforcement Program.

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

- 16. Discuss and take action to approve agreement with Southern Software.

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

- 17. Discuss and take action to terminate Amendment for Incode Public Safety Subscription with Tyler Technologies. *(no backup submitted)*

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

- 18. ~~Discuss and take action to approve financing proposal with Government Capital for Southern Software purchase.~~ **Item WITHDRAWN.**

FIRE MARSHAL

- 19. Discuss and take action to authorize Waller County to issue requests for proposals (RFPs) for administrative services and requests for qualifications (RFQs) for professional services for the American Rescue Plan Act of 2021. *(no backup submitted)*

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

AUDITOR

20. Discuss and take action to approve quarterly reimbursement of Juror Payments.

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

21. Discuss and take action to approve Application #10 for \$38,921.50 to Davhar 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

22. Discuss and review photographs and completion of the Library Project. *(no backup submitted)*

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

23. Discuss and take action to approve final Deductive Change Order #4 for the amount of (\$111,574.33) from SEDALCO Construction Services.

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

24. Discuss and take action to approve Pay Application #29 (final) for \$37,265.31 to SEDALCO Construction Services 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

MISCELLANEOUS

25. Discuss and take action to approve Interlocal Agreement for Animal Control Services with the City of Brookshire.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Judge Duhon made motion to table, seconded by Commissioner Beckendorff.

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

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

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

(no backup submitted)

No action taken.

EXECUTIVE SESSION

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

Court convened to Executive Session at 10:12 a.m.
Court reconvened from Executive Session at 10:41 a.m.

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

Commissioner Beckendorff moved to approve an appeal on Case Number 07-20-00297-CV, 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*

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 10:42 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 21st day of April 2021.

Trey Duhon

Carbett “Trey” J. Duhon, III
County Judge