

MINUTES

WALLER COUNTY COMMISSIONER'S COURT REGULAR SESSION WEDNESDAY – JUNE 2, 2021

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 2nd day of June 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 9:04 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>	<i>– Yes</i>	<i>Commissioner Amsler</i>	<i>– Yes</i>	<i>Commissioner Smith</i>	<i>– Yes</i>
		<i>Commissioner Jones</i>	<i>– Yes</i>	<i>Commissioner Beckendorff</i>	<i>– Yes</i>

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://wallercountytexas.gov/swagit.com/live>.

Commissioner John Amsler reminded everyone that today there will be an Open House at the Library starting at 2:00 p.m.

Judge Duhon thanked the Hempstead Commerce & Civic Association and others for the Memorial Day Parade and Program. Judge also advised there are COVID vaccines being done today at Hempstead ISD Stadium and second doses being administered at Igloo in Brookshire.

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 – May 26, 2021 Regular Session
3. Request by County Treasurer for approval of Payroll.

4. Request to approve payment on the following:
 - (a) \$1,195.00 for Invoice dated May 24, 2021 to Magnolia Funeral Home, Inc. from line item 125-423-540705 [Transport to Morgue].
 - (b) \$140.00 for Invoice # 114662 to Bickerstaff Heath Delgado Acosta LLP from line item 125-411-540300 [Legal].
5. Request by County Auditor for approval and/or ratification of Accounts Payable.

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

TAX ASSESSOR COLLECTOR

6. 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

ENVIRONMENTAL DEPARTMENT

7. Discuss and take action to approve a variance request to the Waller County Subdivision and Development Regulations regarding platting of the Estate of Larry Reimer by Ricardo Urquiza.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5-0 vote. **Variance GRANTED**

<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

COMMISSIONER, PRECINCT 2

8. Discuss and take action to approve a letter of support for the City of Waller Sidewalk Grant application.

Motion made by Commissioner Smith, 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

SHERIFF

9. Discuss and take action to accept \$100.00 donation from John McKelvey and post the donation to revenue budget line 125-000-470200 (Donations/Animal Control). The proceeds will be expended from budget line 125-515-536700 [Donation/Animal Control]. *(no backup submitted)*

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

- 10. Discuss and take action to approve 60 month lease renewal of \$8,466.60 for postage machine from Quadient Leasing USA, Inc. Monthly fee of \$141.11 to be paid from line item 125-516-531400 [Postage].

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

IT DEPARTMENT

- 11. Discuss and take action to approve the Quote for the renegotiation of the Smarsh Service Agreement for 2021.

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

AUDITOR

- 12. Discuss and take action to certify the NRA Foundation grant award in the amount of \$2,625.00 and amend the 2021 budget, WC 2021-24.

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

Advanced to Agenda Item #16

- 16. Discuss and take action to approve a Resolution for a public tax resale of trust property as set forth on Exhibit A of the Resolution, and authorize the County Judge to sign the Resolution authorizing a public tax resale.

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

Proceeded with Agenda Item #13

CONSTRUCTION MANAGER

- 13. **Presentation** of Hempstead Library Project. *(no backup submitted)*
No action required.

- 14. Discuss and take action to approve payment of \$22,538.75 for Application # 11 and \$37,832.75 for Application # 12 for a total of \$60,371.50 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

15. Discuss and take action to approve increase in credit line at HD Supply.

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

16. Court addressed Agenda Item #16 earlier in meeting (page 3).

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

(no backup submitted)

No action taken.

Advanced to Agenda Items #19 - #22

19. 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 1 would have a detrimental effect on the position of the County in negotiations with third persons.

(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

EXECUTIVE SESSION

20. Deliberate business and financial issues related to the purchase, exchange, lease, or value of real properties in Precinct 1 pursuant to Government Code Sections 551.072 and 551.0725.

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

Court convened to Executive Session at 9:42 a.m.

Court reconvened from Executive Session at 10:40 a.m.

22. ~~Reconvene in Open Session to take any action necessary on matters discussed in Executive Session. Item WITHDRAWN.~~

18. ~~Discuss and take action to approve representation agreement with Hegemeyer Realty & Associates LLC. 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 10:40 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 9th day of June 2021.

Trey Duhon

Carbett "Trey" J. Duhon, III
County Judge