

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – JULY 10, 2019

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 10th day of July 2019 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
Jeron Barnett, 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 Barnett

1. **Approval of Agenda.**

Motion to **approve** agenda with revisions to agenda items #11 and #17 by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

PUBLIC COMMENT

Travis Kelly commented on the proposed high speed rail.

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 - July 3, 2019 Regular Session**

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

(a) \$155.00 for invoice #19547407 [Courthouse, Hold-Up Alarm], and \$2,195.00 for invoice #19112407 [Courthouse Camera Surveillance], for a total of \$2,350.00 payable to TAC Security from line item 117-428-568425 [Courthouse Security/Misc. Security].

(b) \$100.00 for invoice payable to State Comptroller from line item 125-411-562300 [County Organizational Due] for Texas CO-OP annual membership.

(c) \$13,401.00 for Invoice #109688 to Bickerstaff Heath Delgado Acosta LLP from line item 125-411-540300 [Legal].

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

5. Request by County Engineer for the approval of an Access Easement from David Waggoner for cleaning outfall ditch on Rothen Road.
6. Request by County Engineer for the approval of an Access Easement from Dorothy Treichel for cleaning outfall ditch on Rothen Road.
7. Request by County Engineer to approve a Utility Permit for San Bernard Electric Cooperative, Inc. to place a power pole within the right-of-way of Rice Road.

Motion to **approve** consent agenda by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

<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>

TAX ASSESSOR COLLECTOR

8. **Presentation** of Bronze Level Award to the Tax Assessor Collector Office by Charlotte Kirk, Regional Manager of Texas Department of Motor Vehicles for participation in the Performance Quality Recognition Program. *No action required.*

ECONOMIC DEVELOPMENT

9. Discuss and take action to ratify Tax Abatement Agreement with P150, LLC.

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

Motion carried.

<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>

10. ~~Discuss and take action to terminate Tax Abatement Agreement with Clay Partners Pederson Distribution #1, L.P.~~ **Item WITHDRAWN.**

11. Discuss and take action to approve Tax Abatement Agreement with Medline Industries ~~Inc.~~ **Holding LP.**

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

Motion carried.

<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>

CONSTRUCTION MANAGER

12. ~~Update on Jail Center Project.~~ **Item WITHDRAWN.**

Advanced to Agenda Item #14

13. Discuss and take action to approve Replacement Roofing for the Hospital and Road and Bridge Buildings.

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

Motion to **approve** S&R Water Proofing and Roofing to replace the roof on the Road & Bridge building by Commissioner Beckendorff, seconded by Commissioner Amsler pursuant to the proposal for \$49,885.00. Funds to be paid from line item 125-442-544400.

Motion carried.

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

Proceeded to Agenda Item #15

14. Discuss and take action to approve Architectural, Structural Engineering, and code review study for the Hospital Building.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Returned to Agenda Item #13

JUSTICE OF THE PEACE, PRECINCT 3

15. Discuss and take action to approve transfer of \$1,000.00 from line item 125-420-531400 [Postage] to line item 125-420-563000 [Training and Conference].

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

JUVENILE PROBATION

16. Discuss and take action to approve transfer of \$10,000.00 from line item 125-507-565000 [Short Term Detention] to line item 125-506-545300 [Training] for training of four (4) employees.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

COUNTY ENGINEER

17. Discuss and take action to approve the following line item transfers from within the Road and Bridge Department Budget:

- \$60,000.00 from 110-530-587505 [Road Materials] to 110-530-581815 [Equipment Rental].
- ~~\$5,000.00~~ **\$2,000.00** from 110-524-587525 [911 Address Signs] **and \$3,000.00 from 110-524-544900 [Service Contracts]** to 110-524-530500 [Office & Drafting Supplies].
- \$10,000.00 from 110-530-537502 [Oil] and \$10,000.00 from 110-530-537504 [Stock] for a total of \$20,000.00 to 110-530-547509 [Outside Repairs].

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

COUNTY TREASURER

18. ~~Discuss and take action to approve Depository Pledge Contract with Prosperity Bank.~~
Item WITHDRAWN.

19. ~~Discuss and take action to approve Collateral Agreement with Prosperity Bank.~~

Item **WITHDRAWN**.

- 20. ~~Discuss and take action to approve the Resolution for the Designation of Officer.~~
Item **WITHDRAWN**.

AUDITOR

- 21. Discuss and take action to approve quarterly reimbursement of Juror Payments.
Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Smith.

Motion carried.

<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>

- 22. **Spread** upon the minutes the Certification of Funds for donation to the Waller County Library. *No action required.*

- 23. Discuss and take action to amend the 2019 Budget to accommodate the donation to the Waller County Library.

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

Motion carried.

<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>

EXECUTIVE SESSION

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

- 25. 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 Amsler, seconded by Commissioner Beckendorff.

Motion carried.

<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>

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

I ATTEST TO THE ACCURACY OF THE FORGOING MINUTES:



Debbie Hollan

Debbie Hollan, County Clerk
And Ex-Officio Clerk of the Commissioners' Court of Waller County, Texas

APPROVED this the 17th day of July 2019.

Trey Duhon

Garbett "Trey" J. Duhon, III
County Judge