

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – JULY 21, 2021

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 21st day of July 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 9:03 a.m. with the following members of the Court present to-wit:

Carbett "Trey" J. Duhon III, County Judge
Walter Smith, Commissioner Precinct 2
Justin Beckendorff, Commissioner Precinct 4
Debbie Hollan, County Clerk
Absent: John A. Amsler, Commissioner Precinct 1
Kendric D. Jones, Commissioner Precinct 3

Delivery of Invocation by: Commissioner Smith
Pledge to the American Flag and Texas Flag led by: Commissioner Beckendorff

1. **Approval of Agenda.**

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

Motion carried by 3-0 vote.

<i>Judge Trey Duhon</i>	<i>- Yes</i>	<i>Commissioner Amsler</i>	<i>- Absent</i>	<i>Commissioner Smith</i>	<i>- Yes</i>
		<i>Commissioner Jones</i>	<i>- Absent</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://wallercountytx.swagit.com/live>.

1. The following public members addressed the court with their concerns on the Diemer Road project:
Georgia York, Clair Menning, Dr. Denise Mattox.
2. Art Hernandez commented on the use of COVID grant Funds

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 14, 2021 Regular Session
3. **Request to approve payment on the following:**
 - (a) \$600.00 for Invoice # 1, \$550.00 for Invoice #2 and \$600.00 for Invoice #3 for a total of \$1,750.00 to Stephens & Flowers Funerals and Cremations from line item 125-423-540705 [Transport to Morgue].

4. Request by County Auditor for approval and/or ratification of Accounts Payable.
5. Request by County Auditor for approval and/or ratification of Accounts Payable for Construction Projects.
 - (a) \$1,907.00 from line item 602-602-581000 [Bldg Purch, Const, or Improv/Jail-Judicial].
 - (b) \$7,942.00 from line item 125-600-581610 [Pct. 4 Building].
 - (c) \$1,050.00 from line item 125-600-587526 [Library].
6. Request by County Tax Assessor Collector to approve refunds in excess of \$500.00 in accordance with section 31.11 Texas Tax Code.
7. 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)*
8. *Removed from Consent Agenda – Court addressed further in the meeting. (page 2 under County Engineer)*

Motion to approve Consent Agenda with item #8 removed made by Commissioner Beckendorff, seconded by Commissioner Smith.

Motion carried by 3-0 vote.

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

SHERIFF

9. **Presentation** by Sergeant Jeron Barnett and Cindy Wells with UBEO Business Services on Thermal Scanners. *No action required.*
10. ~~Discuss and take action to approve purchase of thermal scanners.~~
Item WITHDRAWN.

COUNTY ENGINEER

Returned to Agenda Item #8

8. Request by County Engineer for approval of advertising bid for Hot-Mix Asphaltic Concrete Pavement Installation. Advertising to be posted in a newspaper of general circulation, payment for advertising to be funded from 125-401-544100 [Bid Notices and Printing].

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

Motion carried by 3-0 vote.

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

Proceeded with Agenda Item #11

11. Discuss and take action to approve Agreement Execution Resolution, Revised Draft Contract and completed of other related documents with the Texas Water Development Board related to the Flood Infrastructure Fund Brazos River (PN13806) project for Waller County.

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

Motion carried by 3-0 vote.

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

12. Discuss and take action to approve Agreement Execution Resolution, Revised Draft Contract and completion of other related documents with the Texas Water Development Board related to the Flood Infrastructure Fund Spring Creek (PN 13807) project for Waller County.

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

Motion carried by 3-0 vote.

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

506TH DISTRICT JUDGE

13. **Spread** upon the minutes that on July 14, 2021, the Honorable Gary W. Chaney, Judge of the 506th Judicial District Court, and Presiding Administrative District Judge of Waller County, appointed Mr. Alan R. Younts to the office of Waller County Auditor, for a two-year term of office. A copy of the Oath of Office and Appointment of County Auditor are included in these minutes.

No action required.

ENVIRONMENTAL DEPARTMENT

14. Discuss and take action to approve a variance request to the Subdivision Development Regulations, Engineering Design Standards, Section 2-Lot size, regarding the minimum lot size per dwelling, by Mr. Freddie Lewis.

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

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

Motion carried by 3-0 vote. **Item TABLED.**

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

15. Discuss and take action to approve a variance request regarding plat exemption to the Subdivision Development Regulations, Engineering Design Standards, Section 2-Lot size, regarding minimum lot size dwelling, by Ms. Donna Attwell.

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

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

Motion carried by 3-0 vote. **Item TABLED.**

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

TAX ASSESSOR COLLECTOR

16. Discuss and take action to authorize the County Judge to sign two resale deeds 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 Smith.

Motion carried by 3-0 vote.

AUDITOR

- 17. Discuss and take action to certify the \$3,060.49 donation for the Waller County Sheriff’s Mounted Patrol Division and amend the 2021 budget, WC 2021-28.

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

Motion carried by 3-0 vote.

MISCELLANEOUS

- 18. Discussion and take action to approve Resolution Declaring the Existence Of A Public Necessity For The Acquisition, Establishment, Development, And Construction To Widen A Portion Of Woods Road, Located South Of Interstate 10, From Its Current Width Of 80 Feet To An Expanded Width Of 120 Feet, And Authorizing The Acquisition, By Donation, Purchase, Or Exercise Of The Power Of Eminent Domain, Of Property And Property Interests Necessary For Such Facilities In Connection With The Woods Road Phase 2 Project.

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

Motion carried by 3-0 vote.

- 19. Discuss and take action to approve agreement with Burchfield Ministries International, Inc. regarding the expansion of Woods Road.

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

Motion carried by 3-0 vote.

- 20. ~~Discuss and take action to approve Services Agreement with Catapult Health.~~
Item WITHDRAWN.

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

(no backup submitted)

No action taken.

- 22. ~~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 Precincts 1 and 4 would have a detrimental effect on the position of the County in negotiations with third persons.~~

Item WITHDRAWN.

EXECUTIVE SESSION

- 23. ~~Deliberate business and financial issues related to the purchase, exchange, lease, or value of real properties in Precincts 1 and 4 pursuant to Government Code Sections 551.072 and 551.0725. Item WITHDRAWN.~~
- 24. ~~Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071. Item WITHDRAWN.~~
- 25. ~~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 Smith, seconded by Commissioner Beckendorff.

Motion carried by 3-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Absent

Commissioner Smith – Yes

Commissioner Jones – Absent

Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 10:56 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 28th day of July 2021.

Trey Duhon

Carbett "Trey" J. Duhon, III
County Judge