

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – JULY 22, 2020**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 22<sup>nd</sup> day of July 2020 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 9:00 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 by Commissioner Beckendorff, seconded by Commissioner Smith.

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

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – 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://wallercountytexas.com/live>.

Teleconference Call:

1. Denise Mattox commented on the Testing Sites for COVID19, Agenda Items #20 and #21.

**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 15, 2020 Regular Session
3. Request by County Tax Assessor Collector to approve refunds in excess of \$500.00 in accordance with section 31.11 Texas Tax Code.
4. Request by County Engineer to approve a Utility Permit for Comcast of Houston, LLC, to install 440 ft. of cable within the right-of-way of Schlipf Road.

5. Request to approve payment on the following:
  - (a) \$7,500.00 for invoice #07000 to Brazos Valley Council of Governments from line item 125-525-546900 [BVCOG].
  - (b) \$2,857.57 for invoice # 4862 to Blueline from line item 125-600-581610 [Precinct 4 Building].
  - (c) \$32,500.00 for invoice # 1975 to Waller County Economic Development from line item 125-411-547200 [Economic Development] as allocated in the 2020 budget.
6. Request by County Auditor for approval and/or ratification of Accounts Payable.

Motion to approve consent agenda by Commissioner Beckendorff, seconded by Commissioner Smith.

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

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

***Advanced to Agenda Item #26***

**MISCELLANEOUS**

26. Discuss and take action to approve an Order authorizing the issuance of \$4,870,000.00 Waller County, Texas Tax Notes, Series 2020; levying a continuing direct annual ad valorem tax on all taxable property within the county to, among other things: 1) Purchase, construct, reconstruct, improve and equip county facilities that house justice, law enforcement, and related facilities, to wit: A Judicial Center, Jail, Administrative Offices, Justice of the Peace Court and buildings other than the Courthouse; 2) Purchase Road & Bridge capital equipment and maintenance vehicle; 3) Pay the principal of and interest on said notes and to create a sinking fund for the redemption thereof and the assessment and collection of such taxes; and 4) Pay the costs of issuance; authorizing the sale thereof; enacting provisions incident and related to the issuance of said notes.

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

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

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

***(Note – Court returns to Agenda Item #26 further down the agenda after Item #20)***

***Proceeded to Agenda Item #7***

**COUNTY JUDGE**

7. **Presentation** of Distinguished Service Award to the Waller County Historical Commission for 2019 accomplishments. *No action required.*
8. **Presentation** by Truett Bell of current projects by the Waller County Historical Museum. *No action required.*

***Advanced to Agenda Items #28 and #29***

**EXECUTIVE SESSION**

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

Court convened to Executive Session at 9:21 a.m.

Court reconvened from Executive Session at 10:34 a.m.

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

No action taken from Executive Session.

*Proceeded to Agenda Item #9*

## **COUNTY ENGINEER**

9. Discuss and take action to approve a variance request to the Waller County 2019 Major Thoroughfare Plan regarding platting and ROW dedication from Mr. and Mrs. Jerry & Tanya Richardson.

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

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

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

10. Discuss and take action to approve a variance request to the Waller County 2019 Major Thoroughfare Plan regarding platting and ROW dedication from Mr. Salvador Ortega.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

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

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

11. Discuss and take action to approve a variance request to the Waller County 2019 Major Thoroughfare Plan regarding platting and ROW dedication from Mr. Stephen Lewis.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

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

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

12. Discuss and take action to approve a variance request to the Waller County 2019 Major Thoroughfare Plan regarding platting and ROW dedication from Ms. Angela Jones.

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

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

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

13. Discuss and take action to approve a variance request to the Waller County 2019 Thoroughfare Plan regarding platting and ROW dedication from Mr. Odis Styers, III.

Motion made by Commissioner Beckendorff, seconded by Commissioner Amsler.

**Motion carried** by 4-1 vote. **Variance Granted.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – No*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

14. Discuss and take action to approve a variance request to the Waller County Subdivision and Development Regulations regarding 2 single divisions within 12 months, the minimum 60 ft. right-of-way, and platting if the owner divides the tract into two or more parts from Ms. Janet Sasnett.

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

**Motion FAILED** by 0-5 vote. **Variance DENIED.**

Judge Trey Duhon – No

Commissioner Amsler – No

Commissioner Smith – No

Commissioner Barnett – No

Commissioner Beckendorff – No

15. Discuss and take action to approve a variance request to the Waller County Subdivision and Development Regulations regarding driveways that do not meet the maximum allowable radius from Empire West.

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

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

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

16. ~~Discuss and take action to approve a variance request to the Waller County Subdivision and Development Regulations to have C & D RV Park development approved prior to removing 4 RVs currently parking on C & D Grocery and C & D Liquor from Mr. and Mrs. El Kasih. Item WITHDRAWN.~~

17. Discuss and take action to approve contract with GrantWorks for Administrative Services for the County Transportation Infrastructure Fund.

Motion made by Commissioner Beckendorff, seconded by Commissioner Amsler.

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

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

18. ~~Discuss and take action to accept ROW dedication on Clemons Switch Road. Item WITHDRAWN.~~

## **FIRE MARSHAL**

19. ~~Discuss and take action to approve Burn Ban. Item WITHDRAWN.~~

## **COUNTY CLERK**

20. Discuss and take action to draw three (3) public members and three (3) alternate members to serve on the 2020 Salary Grievance Committee.

Motion made by Commissioner Beckendorff, seconded by Commissioner Amsler.

**The following public members were drawn:**

1. Melissa Hammontree
2. Randy Reed
3. Veronica Vela

**The following alternate members were drawn:**

1. Daron White
2. Yunuen Barriga
3. Verna Long

***Returned to Agenda Item #26***



23. Discuss and take action to approve changes to Precinct 4 drive thru teller window.  
Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.  
Judge Duhon made motion to amend so that we are approving the Contract Change Order #2 from Collier, seconded by Commissioner Beckendorff.

**Amendment carried** by 4-0 vote.

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

**Amended Motion carried** by 4-0 vote.

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

24. Discuss and take action to approve DirectTV System at Sheriff’s Office (Emergency Management) and Jail.

Motion made by Commissioner Smith, seconded by Commissioner Beckendorff.

**Motion carried** by 4-0 vote.

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

25. Discuss and take action to approve proposal to re-locate 911 Dispatch antennas and radio equipment to new Sheriff’s Office.

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

**Motion carried** by 4-0 vote.

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

## **MISCELLANEOUS**

26. *Court addressed agenda item #26 earlier in the agenda after items #6 and #20.*
27. Discuss and take action to amend County policies in relation to COVID-19.  
*No action taken.*

## **EXECUTIVE SESSION**

28. *Court addressed agenda items #28 and #29 earlier in the agenda after item #8.*
29. *Court addressed agenda items #28 and #29 earlier in the agenda after item #8.*

## **ADJOURN MEETING**

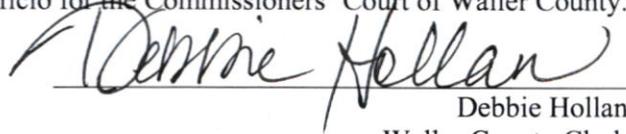
Motion to **adjourn** meeting by Commissioner Amsler, seconded by Commissioner Beckendorff

**Motion carried** by 4-0 vote.

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

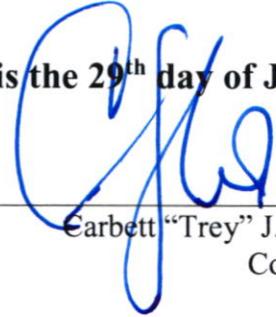
Meeting was **ADJOURNED** at 12:04 p.m.

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  
Waller County Clerk



**APPROVED** this the 29<sup>th</sup> day of July 2020.

  
\_\_\_\_\_  
Carbett "Trey" J. Duhon, III  
County Judge