

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – SEPTEMBER 15, 2021

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 15th day of September 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
Jenifer Deutrich, Deputy 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.com/live>.

The following public member(s) made public comment:

1. Larry Parr – Economic Development Budget

PUBLIC HEARING

2. **Public Hearing** – Proposed Tax Rate.

Judge Duhon announced Commissioners Court will vote on the proposed tax rate on September 15, 2021 at 9:00 a.m. at its meeting place in the Waller County Courthouse located at 836 Austin Street, Hempstead, Texas.

Public Hearing began at 9:09 a.m.

Judge Duhon explained the Tax Rate.

Tracy Sebesta thanked and complimented Commissioners Court.

Larry Parr asked why we can't make the Tax Rate lower.

Tracy Sebesta asked where the FEMA and ARP funds go.

Judge Duhon and Alan Younts (County Auditor) explained how the funds work.

Commissioner Smith and Commissioner Beckendorff commented on the Sheriff and the Road & Bridge budgets.

Commissioner Jones spoke about the budget and thanked the budget committee.
Larry Parr asked about the Courthouse plans.
Judge Duhon explained the Courthouse plans.
Public Hearing ended at 9:45 a.m.

ADJOURN MEETING

Motion to **adjourn** meeting by Commissioner Beckendorff, seconded by Commissioner Smith.
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

Meeting was **ADJOURNED** at 9:46 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, Waller County Clerk



By: *Jenifer Deutrich*
Jenifer Deutrich, Deputy Clerk

APPROVED this the **22nd** day of **September 2021**.

Carbett "Trey" J. Duhon, III
Carbett “Trey” J. Duhon, III
County Judge

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – SEPTEMBER 15, 2021

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 15th day of September 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 9:52 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
Jenifer Deutrich, Deputy County Clerk

1. Approval of Agenda.

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

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 Beckendorff made announcement about the Waller County Fair.

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 – September 8, 2021 Regular Session

3. Request to approve payment on the following:

(a) \$600.00 for Invoice # 3 to Stephens & Flowers Funerals and Cremations from line item 125-423-540705 [Transport to Morgue].

(b) \$450.00 for Invoice # SOP014894 to CIRA from line item 125-411-~~5~~-545001 [Maintenance Contracts].

(c) \$85.00 for Invoice # 21547409 [Courthouse, Hold-Up Alarm], and \$995.00 for Invoice # 21112409 [Courthouse Camera Surveillance], for a total of \$1,080.00 payable to TAC Security from line item 117-428-568425 [Courthouse Security/Misc. Security].

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) \$13,032.21 from line item 125-600-581618 [Waller County Courthouse Renovation & Annex].
6. Request by County Treasurer for approval of Treasurer's Monthly Report.
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)

Motion to approve consent agenda as corrected on 3b 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

WALLER COUNTY CHILD WELFARE BOARD

8. **Presentation** by Katina Harris on the status of the Child Welfare Board. *(no backup submitted)*
No action required.

COMMISSIONER, PRECINCT 3

9. ~~**Presentation** by Shekira Dennis, Founding Partner of Next Wave Strategies on COVID-19 Vaccine Outreach. Item WITHDRAWN.~~

COUNTY ENGINEER

10. Discuss and take action to purchase one (1) Kubota M6S-111SHDC2 4 WD Midsize Utility Tractor (Boom Mower) from Lansdowne-Moody through Sourcewell for the purchase price of \$134,898.02, funding to be paid from Capital Outlay.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Commissioner Jones made motion to amend to account for \$8,200.00 on the trade-in and then with the net price being \$126,898.02 and authorize for the unit to be traded in, seconded by Commissioner Beckendorff.

Amendment 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

Commissioner Jones made motion to amend to be paid from line item 110-530-581100, seconded by Commissioner Beckendorff.

Amendment 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

Amended 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 purchase one (1) Broce RJT-350 Broom (Sweeper) from R.B. Everett & Co. through BuyBoard for the purchase price of \$71,122.00, funding to be paid from Capital Outlay.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Commissioner Jones made motion to amend to be paid from line item 110-530-581100, seconded by Commissioner Amsler.

Amendment 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

Amended 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

12. ~~Open responses to Request for Proposals for Jail Food Services. Item WITHDRAWN.~~
13. ~~Discuss and take action to approve payment of \$113.52 for Invoice # 243340 to Four County Auction Center, Inc. and \$150.00 for Invoice # 332051 to John Frey for a total of \$263.52 to be paid from line item 125-516-545911 [Estray]. Item WITHDRAWN.~~
14. Discuss and take action to approve installation of vending machines at the Waller County Justice Center.

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

COUNTY TREASURER

15. Discuss and take action to amend the 2021 American Rescue Plan Funds Salary Order.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Commissioner Jones made motion to amend the District Judge’s position to change the title of the position to Assistant Court Coordinator, \$25.00 an hour at a budgeted amount of \$15,000.00 for 2021, seconded by Commissioner Beckendorff.

Amendment 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

Amended 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 JUDGE

16. Discuss and take action to set salaries, expenses, and other allowances of all elected county and precinct officers.

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

PUBLIC HEARING

17. **Public Hearing** – 2022 Proposed Budget.

Public Hearing began at 11:05 a.m.

Judge Duhon spoke about the budget.

Judge Woolley spoke about the budget and about the Court doing something for one department and not the other departments.

Tracy Sebesta asked if we have looked into doing stages for salaries or cap the salaries for all the positions.

Sheriff Guidry made comment that his department has been rearranged something similar to the stages that

Tracy Sebesta talked about.

Elton made comment about how pleased he is with his positions and their pay.

Larry Parr commented on capping the salaries.

Judge Duhon made comments about the 5% salary increase and about looking into salary stages in the future.

Public Hearing ended at 11:46 a.m.

18. Discuss and take action to adopt the 2022 Budget.

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

19. Discuss and take action to ratify the property tax increase based on new value reflected in the 2022 Budget.

Commissioner Beckendorff moved to ratify the property tax increase based on the new value reflected in the 2022 budget, seconded by Commissioner Jones.

Motion carried by 5-0 vote.

Vote by Roll Call: *Commissioner John Amsler* – Aye

Commissioner Walter Smith – Aye

Commissioner Kendric Jones – Aye

Commissioner Justin Beckendorff – Aye

Judge Carbett Duhon – Aye

20. Discuss and take action to adopt the Tax Rate for 2021.

Commissioner Beckendorff moved that the property tax rate be decreased by the adoption of a tax rate of \$.604632 which is effectively a 1.95 percent decrease in the tax rate. In adopting this 2021 total tax rate, the Court orders the total tax rate to be levied as follows for the following funds:

\$.519597 per \$100 of taxable property for maintenance and operation of the General Fund;

\$.028941 per \$100 of taxable property for the Farm-to- Market Roads;

\$.056094 per \$100 of taxable property for interest and sinking fund of the General Fund,

seconded by Commissioner Jones.

Motion carried by 5-0 vote.

Vote by Roll Call: *Commissioner John Amsler* – Aye

Commissioner Walter Smith – Aye

Commissioner Kendric Jones – Aye

Commissioner Justin Beckendorff – Aye

Judge Trey Carbett Duhon – Aye

MISCELLANEOUS

21. Discuss and take action to approve Agreement between Waller County and Fort Bend Seniors Meals on Wheels and payment of \$40,000.00 for Invoice # 4072 from line item 125-411-547315 [Ft. Bend Seniors Meals on Wheels] as allocated in the 2021 Budget.

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

22. Discuss and take action to approve Resolution Authorizing County Grant Program for the Texas Department of Agriculture Home-Delivered Meal Grant Program for 2022.

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

23. Discuss and take action to approve assignment of Tax Abatement Agreement with Medline Industries Holdings, L.P.

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

24. Discuss and take action on Burn Ban.

Commissioner Smith made motion to give Fire Marshal authority to rescind the Burn Ban if needed, 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

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

(no backup submitted)

No action taken.

26. 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 4 would have a detrimental effect on the position of the County in negotiations with third persons.

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 Jones – Yes

Commissioner Beckendorff – Yes

EXECUTIVE SESSION

27. Deliberate business and financial issues related to the purchase, exchange, lease, or value of real properties in Precinct 4 pursuant to Government Code Sections 551.072 and 551.0725.

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

Court convened to Executive Session at 12:00 p.m.

Court reconvened from Executive Session at 12:25 p.m.

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

Commissioner Beckendorff moved to approve land acquisition costs for the Diemer Road realignment, including offers to property owners for property ID's 8683, 167095, 8685, 259630, 8680, and 8706, 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*

Commissioner Beckendorff moved to approve land acquisition costs for the Woods Road expansion, including offers to property owners for property ID's 13313, 256758, and 140297, 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 Beckendorff.

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 12:27 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

By: *Jenifer Deutch, Deputy*
Jenifer Deutch, Deputy Clerk

APPROVED this the 22nd day of September 2021.

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