

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – SEPTMEBER 18, 2019**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 18<sup>th</sup> day of September 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 9:04 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  
Jeron Barnett, Commissioner Precinct 3  
Justin Beckendorff, Commissioner Precinct 4  
Stephanie Tompkins, Deputy County Clerk  
Absent: Walter Smith, Commissioner Precinct 2

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 Barnett.

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Absent*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

**PUBLIC COMMENT**

1. Sidney Marie Chipman gave an update on the House of Help.

**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 11, 2019 Regular Session

3. Request by County Treasurer for approval of Treasurer's Monthly Report.

4. Request to approve payment on the following:

(a) \$159.50 for invoice # E0719WCA1801 to Turner Duran Architects from line item 125-600-581610 [Precinct 4 Building].

**(b) removed from consent agenda**

(c) \$44,503.07 to Brinkley Sargent Wiginton Architects from line item 601-601-545405 [Professional Services Jail].

(d) \$80.00 for invoice #19547409 [Courthouse, Hold-Up Alarm], and \$995.00 for invoice # 19112409 [Courthouse Camera Surveillance], for a total of \$1,075.00 payable to TAC Security from line item 117-428-568425 [Courthouse Security/Misc. Security].

- (e) \$285.80 for invoice # NRDD-0005160, \$60.00 for invoice # NRDD-0005098, and \$1,340.60 for a total of \$1,686.40 to Texas Association of Counties Risk Management Pool from line item 125-411-560300 [Ins Equip/Build/Pub Liab].
- (f) \$1,015.00 for invoice dated September 4, 2019 and three (3) invoices for \$1,015.00 each dated September 9, 2019 for a total of \$4,060.00 to Schmidt Funeral from line item 125-423-540705 [Transport to Morgue].

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

Motion to **approve** consent agenda with the removal of item 4(b) by Commissioner Beckendorff, seconded by Commissioner Barnett.

**Motion carried.**

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

4. (b) Request to approve payment on the following: \$3,319,417.47 for invoice # 11042 to Sedalco, Inc. from line item 601-601-581000 [Bldg Purch. Cons., or Improv].

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 – Absent</i>
	<i>Commissioner Barnett – Yes</i>	<i>Commissioner Beckendorff – Yes</i>

**PUBLIC HEARING**

6. Public Hearing – 2020 Proposed Budget.

**Public Hearing began at 9:12 a.m.**

The following public members addressed the court regarding the 2020 Proposed Budget:

1. Tracy Sebesta
2. Pat Bruegger

**Public Hearing ended at 9:59 a.m.**

7. Discuss and take action to adopt the 2020 Budget.

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

**Motion carried.**

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

8. Discuss and take action to ratify the property tax increase reflected in the 2020 Budget.

Commissioner Beckendorff made motion to ratify the property tax increase that is reflected in the 2020 Budget, seconded by Commissioner Barnett.

**Motion carried.**

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

***Returned back to Agenda Items #7 and #8 for a Roll Call Vote***

**Roll Call Vote for Agenda Item #7**

<i>Judge Trey Duhon – In Favor</i>	<i>Commissioner Amsler – Aye</i>	<i>Commissioner Smith – Absent</i>
	<i>Commissioner Barnett – In Favor</i>	<i>Commissioner Beckendorff – Yea</i>

**Roll Call Vote for Agenda Item #8**

<i>Judge Trey Duhon – In Favor</i>	<i>Commissioner Amsler – Aye</i>	<i>Commissioner Smith – Absent</i>
	<i>Commissioner Barnett – In Favor</i>	<i>Commissioner Beckendorff – Aye</i>

9. Discuss and take action to adopt the Tax Rate for 2019.

Commissioner Beckendorff made motion that the property tax rate be decreased by the adoption of a tax rate of \$.662225, which is effectively a 3.71 % decrease in the tax rate. In adopting this 2019 total tax rate, the court orders the total tax rate to be levied as follows for the following funds:  
\$.032098 per \$100 of taxable property for the Farm to Market Roads  
\$.564298 per \$100 of taxable property for maintenance and operation of the General Fund  
\$.065829 per \$100 of taxable property for interest and sinking fund of the General Fund  
Seconded by Commissioner Barnett.

**Roll Call Vote – Motion Carried**

Judge Trey Duhon – In Favor      Commissioner Amsler – Aye      Commissioner Smith – Absent  
Commissioner Barnett – In Favor      Commissioner Beckendorff – Aye

**COMMISSIONER, PRECINCT 2**

10. Discussion of possible Agreement for use of parking spaces at the Precinct 1 facility by adjoining offices.

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

Motion to **table** agenda item by Commissioner Amsler, seconded by Commissioner Beckendorff.

**Motion carried – item TABLED.**

Judge Trey Duhon – Yes      Commissioner Amsler – Yes      Commissioner Smith – Absent  
Commissioner Barnett – Yes      Commissioner Beckendorff – Yes

**FIRE MARSHAL**

11. Discuss and take action on Burn Ban.

Judge Duhon made motion to give Marshal Cantrell the authority to rescind the Burn Ban should the KBDI drop below 500 between now and next Wednesday, seconded by Commissioner Amsler.

**(Judge Duhon announced we are not rescinding the Burn Ban, the Burn Ban is still on)**

**Motion carried.**

Judge Trey Duhon – Yes      Commissioner Amsler – Yes      Commissioner Smith – Absent  
Commissioner Barnett – Yes      Commissioner Beckendorff – Yes

**COUNTY JUDGE**

12. Discuss and take action to approve the following line item transfers from within the County Judge’s Budget:

\$2,200.00 from 125-440-581800 [Furniture & Equipment] to the following:

\$500.00 to line 125-440-581816 [Air Card/Wireless] and

\$1,700.00 to 125-440-563000 [Training & Conference Expense].

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

**Motion carried.**

Judge Trey Duhon – Yes      Commissioner Amsler – Yes      Commissioner Smith – Absent  
Commissioner Barnett – Yes      Commissioner Beckendorff – Yes

**ELECTIONS ADMINISTRATOR**

13. Discuss and take action to approve the Notice of Joint General Election to be held on November 5, 2019 and authorize the Elections Administrator to publish said Notice in a newspaper of general circulation in Waller County as required by Sec 4.003 of the Texas Election Code. Advertising to be paid from line item 125-434-544200 [Publications/Elec Notices].

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

**Motion carried.**

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

14. Discuss and take action to approve Proclamation in recognition of National Voter Registration Day.

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

**Motion carried.**

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

15. Discuss and take action to approve the change in voting locations in Precinct 418.

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

**Motion carried.**

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

16. Discuss and take action to set rate of pay for Election Judges and Clerks.

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

**Motion carried.**

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

## **SHERIFF**

17. **Spread** upon the minutes the Program Funded State and Local Task Force Agreement, between the Drug Enforcement Administration and the Waller County Sheriff's Office.  
*No action required.*

18. Discuss and take action to approve to authorize the County Treasurer and/or County Auditor office to seek reimbursement for overtime funds that occur during the working agreement between the Waller County Sheriff's Office and the Drug Enforcement Agency (DEA).

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

**Motion carried.**

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

## **COUNTY CLERK**

19. Discuss and take action to approve the 2020 Sheriffs' and Constables' Fees as recommended by the County Sheriff.

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

**Motion carried.**

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

**Court recessed at 10:24 a.m.**

**Court reconvened at 10:33 a.m.**

## **CONSTRUCTION MANAGER**

20. **Update** on Jail Center Project. *No action required.*

**AUDITOR**

21. **Spread** upon the minutes the Certification of Funds for the Road & Bridge Department.  
*No action required.*

22. Discuss and take action to approve to amend the 2019 Budget to accommodate the Road & Bridge HGAC Clean Vehicles Program Funds in the amount of \$170,017.50.  
Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Barnett.

**Motion carried.**

*Judge Trey Duhon – Yes                      Commissioner Amsler – Yes                      Commissioner Smith – Absent*  
*Commissioner Barnett – Yes                      Commissioner Beckendorff – Yes*

**MISCELLANEOUS**

23. Discuss and take action to publish notice for a public hearing to establish a reinvestment zone for Waller County Project Eagle Reinvestment Zone 6.

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

Motion to **amend** by Commissioner Beckendorff, seconded by Judge Duhon to publish in the Brenham Banner.

**Amendment carried.**

*Judge Trey Duhon – Yes                      Commissioner Amsler – Yes                      Commissioner Smith – Absent*  
*Commissioner Barnett – Yes                      Commissioner Beckendorff – Yes*

**Amended Motion carried.**

*Judge Trey Duhon – Yes                      Commissioner Amsler – Yes                      Commissioner Smith – Absent*  
*Commissioner Barnett – Yes                      Commissioner Beckendorff – Yes*

24. Discuss and take action to approve Designation of Representatives for Houston-Galveston Area Council 2020 General Assembly and Board of Directors.

Judge Duhon announced he has served on the HGAC Board of Directors since he came into the office and would like to continue in that capacity, Commissioner Beckendorff is his Alternate and then for the General Assembly we have John Amsler as an Alternate and then Walter Smith, Commissioner Smith was also listed as an Alternate.

Judge Duhon made the motion to nominate and keep the positions, the same individuals in those positions, seconded by Commissioner Barnett.

**Motion carried.**

*Judge Trey Duhon – Yes                      Commissioner Amsler – Yes                      Commissioner Smith – Absent*  
*Commissioner Barnett – Yes                      Commissioner Beckendorff – Yes*

25. Discuss and take action to approve Resolution for the Nomination for Board of Directors of the Waller County Appraisal District.

Judge Duhon made motion to nominate John Amsler and Rick Welch for consideration for the Board of Directors for Waller County Appraisal District, seconded by Commissioner Beckendorff.

**Motion carried.**

*Judge Trey Duhon – Yes                      Commissioner Amsler – Yes                      Commissioner Smith – Absent*  
*Commissioner Barnett – Yes                      Commissioner Beckendorff – Yes*

**EXECUTIVE SESSION**

~~26. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.~~

~~27. 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 Beckendorff, seconded by Commissioner Barnett.

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Absent*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

Meeting was **ADJOURNED** at 11:09 a.m.

I **ATTEST** TO THE ACCURACY OF THE FOREGOING MINUTES:

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

By: *Stephanie Tompkins*  
Stephanie Tompkins, Deputy County Clerk



**APPROVED** this the 25<sup>th</sup> day of September 2019.

Carbett "Trey" J. Duhon, III  
County Judge