

MINUTES

WALLER COUNTY COMMISSIONER'S COURT REGULAR SESSION WEDNESDAY – SEPTEMBER 29, 2021

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 29th 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
Debbie Hollan, 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.

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.com/swagit.com/live>.

The following Public Members made public comment:

1. Tracy Sebesta – Future plans for bicycle trails.
2. Larry Parr – Fire and Building Codes
3. Sylvia Cedillo – Vaccine Resolution
4. Malcolm Jackson – Pct 3 Commissioner

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 22, 2021 Regular Session
3. Request to approve payment on the following:
(a) \$15,821.00 for Invoice # 5864 to Harris County from line item 125-423-540702 [Autopsy].

4. Request by County Auditor for approval and/or ratification of Accounts Payable.
5. Request by District Clerk for approval to transfer fixed assets to the IT Department.
6. 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)
7. Request by County Engineer to approve the application for Partial replat of Clear Creek Forest, Section 1, and Spring Creek Estates, Section 2, by Mr. Pat Andrew Wagner, Mr. Matthew Garney and Mrs. Brandy Garner, and authorize the County Road and Bridge Department to issue a public notice in the Katy Times, for three consecutive weeks, establishing a public hearing during the regular session of the Commissioners' Court on October 27, 2021.
8. Request by County Engineer to authorize the County Judge to sign necessary documents from San Bernard Electric Cooperative to facilitate the accounting for new area lighting for Laneview Rd. This is part of the repaving project.
Court returns to agenda item #8 further in the meeting. (page 2)

Motion to approve consent agenda 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

COUNTY ENGINEER

9. Discuss and take action to authorize the County Judge to sign the necessary Documents for the Reimbursement Agreement for Preliminary Engineering Services with Union Pacific Railroad for the relocation of the rail crossing at McAllister Rd/Woods Rd. near US-90 in Pct. 4

Motion made by Commissioner Smith, seconded by Commissioner Beckendorff.

Commissioner Smith made motion to **reconsider consent agenda**, 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

Court returns to agenda item 9 further in the meeting. (page 3)

Returned to Consent Agenda

Motion made to approve Consent Agenda with #8 removed 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

8. Request by County Engineer to authorize the County Judge to sign necessary documents from San Bernard Electric Cooperative to facilitate the accounting for new area lighting for Laneview Rd. This is part of the repaving project.

Judge Duhon made motion on #8 to approve the request by County Engineer to authorize the County Judge to sign necessary documents from San Bernard Electric Company to facilitate the accounting for new area lighting for Laneview Road. This is part of the repaving project to be paid from line item 110-524-542600 [Utilities], 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

Returned to Agenda Item #9

- 9. Discuss and take action to authorize the County Judge to sign the necessary Documents for the Reimbursement Agreement for Preliminary Engineering Services with Union Pacific Railroad for the relocation of the rail crossing at McAllister Rd/Woods Rd. near US-90 in Pct. 4

Previous motion was made by Commissioner Smith, seconded by Commissioner Beckendorff. (page 2)

Judge Duhon made motion to amend #9 to be paid from 110-530-545800 [Professional Consulting/Floodplain Management], seconded by Commissioner Jones.

Amendment carried by 5-0 vote.

Judge Trey Duhon – Yes Commissioner Amsler – Yes Commissioner Smith – Yes
Commissioner Jones – Yes Commissioner Beckendorff – Yes

Amended Motion carried by 5-0 vote.

Judge Trey Duhon – Yes Commissioner Amsler – Yes Commissioner Smith – Yes
Commissioner Jones – Yes Commissioner Beckendorff – Yes

- 10. Discuss and take action to approve updated fees for Non-Residential/Commercial Development projects.

Motion made by Commissioner Smith, seconded by Commissioner Beckendorff.

Judge Duhon made motion to amend to approve the updated fees as presented to be effective October 1st, 2021, seconded by Commissioner Smith.

Amendment carried by 5-0 vote.

Judge Trey Duhon – Yes Commissioner Amsler – Yes Commissioner Smith – Yes
Commissioner Jones – Yes Commissioner Beckendorff – Yes

Amended Motion carried by 5-0 vote.

Judge Trey Duhon – Yes Commissioner Amsler – Yes Commissioner Smith – Yes
Commissioner Jones – Yes Commissioner Beckendorff – Yes

SHERIFF

- 11. Discuss and take action to select vendor for jail food services and approve food services contract.

Commissioner Beckendorff made motion to select Trinity Services Group for jail food services and approve food services contract, 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

- 12. Discuss and take action to terminate existing jail food services contract as of October 31, 2021. *(no backup submitted)*

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

Advanced to Agenda Items #14 thru #19

14. Discuss and take action to approve First Amendment to the agreement with AccessHealth for COVID-19 vaccination services.

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

15. Discuss and take action to approve Cooperative Agreement between Texas A&M AgriLife Extension Service and Waller County.

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

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

(no backup submitted)

Denise Mattox, Mr. Parks, and Tracy Sebesta made public comments concerning agenda item #16

No action taken.

Court recessed at 10:22 a.m.

Court reconvened at 10:34 a.m.

17. **Presentation and discussion** of initial assessment regarding the need to redistrict County Commissioner precincts based on 2020 Census data. *(no backup submitted)*

No action required.

18. Discuss and take action to adopt redistricting criteria for the County’s redistricting process.

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

Denise Mattox made public comments concerning agenda item #18

19. Discuss and take action to adopt redistricting guidelines for public participation in the redistricting process.

Motion made by Commissioner Smith, 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

Proceeded to Agenda Item #13

FIRE MARSHAL

13. Discuss and take action on Burn Ban. *(no backup submitted)*

Judge Duhon made motion if the number drops below 500 to give Marshal Cantrell the authority to rescind the burn ban between now and the next meeting, 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

MISCELLANEOUS

- 14. Court addressed agenda item 14 earlier in meeting. (page 3)
- 15. Court addressed agenda item 15 earlier in meeting. (page 4)
- 16. Court addressed agenda item 16 earlier in meeting. (page 4)
- 17. Court addressed agenda item 17 earlier in meeting. (page 4)
- 18. Court addressed agenda item 18 earlier in meeting. (page 4)
- 19. Court addressed agenda item 19 earlier in meeting. (page 4)

EXECUTIVE SESSION

- 20. ~~Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071. Item WITHDRAWN.~~
- 21. ~~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 Amsler, 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

Meeting was **ADJOURNED** at 11:06 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 8th day of October 2021.

Trey Duhon

Carbett “Trey” J. Duhon, III
County Judge