

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – NOVEMBER 6, 2019

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 6th day of November 2019 at its meeting place in the Commissioners Courtroom of the Waller County Courthouse, Hempstead, Texas. The meeting was called to order by Presiding Judge Commissioner Jeron Barnett at 9:05 a.m. with the following members of the Court present to-wit:

John A. Amsler, Commissioner Precinct 1
Walter Smith, Commissioner Precinct 2
Jeron Barnett, Commissioner Precinct 3 – *Presiding Judge*
Justin Beckendorff, Commissioner Precinct 4
Debbie Hollan, County Clerk

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

Delivery of Invocation by: Commissioner Amsler

Pledge to the American Flag and Texas Flag led by: Commissioner Beckendorff

1. **Approval of Agenda.**

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

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

PUBLIC COMMENT

1. Yancy Scott, Waller County Engineer introduced Mr. Jared Chen to the court who is filling the position of Assistant Civil Engineer.

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 – October 30, 2019 Regular Session
3. Request by County Treasurer for approval of Payroll.
4. Request by County Tax Assessor Collector to approve refunds in excess of \$500.00 in accordance with section 31.11 Texas Tax Code.
5. Request to approve payment on the following:
(a) \$ 7,500.00 to Brazos Valley Council of Governments from line item 125-525-546900 [BVCOG] as allocated in the 2019 Budget.
6. Request by County Auditor for approval and/or ratification of Accounts Payable.
7. Request by County Engineer to approve a Utility Permit for SiEnergy, to place a 6" polyethylene natural gas pipeline within the right-of-way of Woods Road.

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

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

PROCLAMATION

8. Discuss and take action to approve The Veterans Day Proclamation.

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

(Commissioner Jeron Barnett read Proclamation)

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

COMMISSIONER, PRECINCT 4

9. Discuss and take action to approve Resolution opposing the proposed Oakville Ranch R.V. Resort.

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

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

COUNTY ENGINEER

10. **Open** Competitive Bids for “Installation of Headwalls and Wingwalls at various locations in Precinct 1.” *No Bids were received nor submitted to Court.*

(Court took action on agenda item 10 further in the meeting)

Advanced to Agenda Item #13

JUSTICE OF THE PEACE, PRECINCT 2

13. Discuss and take action to approve purchase of a server and software for the Justice of the Peace, Precinct 2 office from Prime Intelligent Technology Solutions #000913 for \$8,338.67 with monthly fee of \$180.00 to be funded from line item 119-429-581817 [Technology Enhancements].

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

Commissioner Beckendorff made motion to **approve** the purchase of a server and software for the Justice of the Peace, Precinct 2 office to be paid for out of line item 119-429-581817 [Technology Enhancement] and the server price will be \$5,439.20 and the back up server will be \$205.00 per month, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

TAX ASSESSOR COLLECTOR

11. Discuss and take action to authorize the County Judge to sign 7 resale deeds for the private tax resale of 9 properties held in trust by Waller County pursuant to Section 34.05(h)(2) of the Texas Tax Code.

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

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Returned to Agenda Item #10

COUNTY ENGINEER

10. **Open** Competitive Bids for “Installation of Headwalls and Wingwalls at various locations in Precinct 1.” *No Bids were received nor submitted to Court.*

Commissioner Beckendorff made motion to extend the deadline on competitive bids for the installation of Headwalls and Wingwalls at various locations in Precinct 1 till 2:00 p.m. on Tuesday, November 12, 2019, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Motion to **approve** the extension for November the 12th 2:00 p.m. on Tuesday, Item #10 Competitive Bid by Commissioner Smith, seconded by Commissioner Amsler.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

COUNTY COURT AT LAW

12. Discuss and take action to approve the following line item transfers from within the County Court at Law Budget:

(a) \$6,000.00 from 125-412-510101 [Part Time]

\$2,685.00 from 125-412-563000 [Training & Conference Expense]

For a total of \$8,685.00 to 125-412-581800 [Furniture and Equipment] for the purchase of new Stenograph equipment for use of the Official Court Reporter and for the purchase office furniture.

(b) \$599.00 from 125-412-53500 [Books, Etc.]

\$330.00 from 125-412-562310 [Bar Dues]

\$1,200.00 from 125-412-568400 [Miscellaneous]

For a total of \$2,129.00 to 125-412-530200 [Supplies and Stationery].

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

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

COMMUNITY SUPERVISION & CORRECTIONS DEPARTMENT

14. Discuss and take action to approve the following line item transfer from within the Community Supervision & Corrections Budget:

\$420.00 from 125-519-530100 [Supplies] to 125-519-581800 [Furniture & Equipment].

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

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

CONSTRUCTION MANAGER

15. Discuss and take action to select vendors for the renovation of the Waller County Library in Hempstead.

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

Commissioner Beckendorff made motion to **accept** Dahvar Construction for the demo and new construction of the library and select Uretek for the leveling of the library, seconded by Commissioner Amsler.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

MISCELLANEOUS

16. Discuss and take action to authorize the County Judge to sign the contract for the 2020 SAVNS Maintenance Grant Contract.

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

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

17. Discuss and take action to approve the Amendment to Commercial Electric Service Agreement (ESA) by and between Waller County and AmeriPower, LLC.

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

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

18. Discuss and take action to approve Resolution that distributes votes for the Board of Directors of the Waller County Appraisal District.

Commissioner Beckendorff made motion that we make 100% of our votes towards Commissioner Amsler, seconded by Commissioner Barnett.

Motion carried by 3-0 vote with 1 Abstention.

Judge Trey Duhon – Absent

Commissioner Amsler – Abstained

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

19. Discuss and take action to approve the 2019 Appointment for the HGAC Transportation Policy Council.

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

Commissioner Barnett would like to submit Commissioner Walter Smith to be our secondary, replacing Yancy and keeping Commissioner Beckendorff as Primary.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

20. Discuss and take action to approve the 2019 Appointment for the HGAC Technical Advisory Committee.

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

Commissioner Barnett advised we have Yancy as the primary and being asked to add our new Assistant Engineer Jared Chen as the Alternate.

Motion carried by 4-0 vote.

21. Discuss and take action to approve Official Bond and Oath for County Judge.

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

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes
Commissioner Barnett – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

EXECUTIVE SESSION

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

Court convened into Executive Session at 10:19 a.m.

Court reconvened from Executive Session at 10:38 a.m.

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

Commissioner Beckendorff made motion to approve an exemption from the bond requirement for suit seeking extraordinary relief in connection with the mandamus action related to Cause No. 01-16-01005-CV, seconded by Commissioner Amsler.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes
Commissioner Barnett – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

ADJOURN MEETING

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

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes
Commissioner Barnett – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 10:39 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 13th day of November 2019.

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