

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – NOVEMBER 10, 2020

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Tuesday, the 10th day of November 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
Debbie Hollan, County Clerk
Absent: Jeron Barnett, Commissioner Precinct 3
Justin Beckendorff, Commissioner Precinct 4

Delivery of Invocation by: Commissioner Amsler
Pledge to the American Flag and Texas Flag led by: Commissioner Smith

1. **Approval of Agenda.**

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

Motion carried by 3-0 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 – Absent</i>

PUBLIC COMMENT – *None*

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://wallercountytx.swagit.com/live>.

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 28, 2020 Regular Session
3. **Request to approve payment on the following:**
 - (a) \$85.00 for Invoice # 20547411 [Courthouse, Hold-Up Alarm], and \$995.00 for invoice # 20112411 [Courthouse Camera Surveillance], for a total of \$1,075.00 payable to TAC Security from line item 117-428-568425 [Courthouse Security/Misc. Security].
 - ~~(b) \$2,062.50 for Invoice # 98860 payable to Bobcat Crane L.L.C from line item 602-602-581610 [Pet. 4 Building].~~ **Item REMOVED.** *Court addressed separately. (page 2 of 6)*
4. **Request by County Auditor for approval and/or ratification of Accounts Payable.**

5. Request for approval of Treasurer's Monthly Report.
6. Request by County Tax Assessor Collector to approve refunds in excess of \$500.00 in accordance with section 31.11 Texas Tax Code.
7. Request by County Engineer to approve the application for replat of Rosebud Subdivision, to partition Lot 5 into two lots, by Cristobel and Maria Ramos, Baudelio Marin Covarrubias, Sandra Vergara, Aquino and Maria Teresa Marin, and authorize the 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 Commissioners' Court on December 9, 2020.

Motion made to approve consent agenda with 3(b) being removed by Commissioner Smith, seconded by Commissioner Amsler.

Motion carried by 3-0 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 – Absent</i>

3. (b) \$2,062.50 for Invoice # 98860 payable to Bobcat Crane L.L.C from line item 602-602-581610 [Pct. 4 Building].

Commissioner Smith made motion to amend 3(b) to include the authorization to use the service for Bobcat Crane, seconded by Commissioner Amsler.

Amendment carried by 3-0 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 – Absent</i>

Amended Motion carried by 3-0 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 – Absent</i>

PROCLAMATION

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

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

(Judge Duhon read Proclamation)

Motion carried by 3-0 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 – Absent</i>

Court reconsiders #8 later in the meeting. (page 6 of 6)

Advanced to Agenda Item #17

IT

17. Discuss and take action to approve upgrade to the District Attorney's Office Newwave Internet Connection.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

Motion carried by 3-0 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 – Absent</i>

Proceeded with Agenda Item #9

TAX ASSESSOR COLLECTOR

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

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

Motion carried by 3-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Absent

ELECTIONS

10. Discuss and take action to approve canvass for the 2020 General Election.

Court holds on item #10. Court revisits item #10 later in the meeting. (page 6 of 6)

COUNTY ENGINEER

11. **Award Bid** for “Type A, Grade 2, Flex Base”.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

Judge Duhon made motion to amend to award the entire bid to Vulcan Construction Materials for the bid amount of \$31.55 per ton delivered to Hempstead Yard \$33.08 per ton delivered to Brookshire Yard \$33.08 per ton delivered to job site in Waller County, seconded by Commissioner Amsler.

Amendment carried by 3-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Absent

Amended Motion carried by 3-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Absent

12. Discuss and take action to approve Change Order No. 1 for Professional Engineering Services for bridge structure on Robinhood Lane over Brushy Creek with EHRA.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

Motion carried by 3-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Absent

13. Discuss and take action to approve advertising for Competitive Bids in the Katy Times, Hot Line Press and Waller County Express **and The Waller Times**, payment for advertising to be funded from line item 125-401-544100 [Bid Notices and Printing] for:

ALL SEASON PRE-COATED PATCHING MIXTURE (ASPPM) GRADATION IV

COLD MIX ASPHALTIC PAVEMENT

CRUSHED LIMESTONE

EMULSIFIED ASPHALT & HAULING

GASOLINE AND DIESEL FUELS

HAULING SERVICES FOR GRAVEL & AGGREGATE MATERIAL

HIGH DENSITY POLYETHYLENE (HDPE) PIPE

HOT MIX ASPHALTIC CONCRETE PAVEMENT & HAULING FOR PCT.1 AND PCT. 2

HOT MIX ASPHALTIC CONCRETE PAVEMENT & HAULING FOR PCT.3 AND PCT.4

HYDRATED LIME

MOWING CONTRACT

PRECOATED AGGREGATE

RECLAIMED ASPHALTIC PAVEMENT

REINFORCED CONCRETE PIPE

ROADSIDE VEGETATIVE MANAGEMENT
STABILIZED SAND
**TYPE A BLACK BASE
USED TANK CARS**
PAVEMENT MARKINGS AND REFLECTIVE PAVEMENT MARKERS
BRIDGE GUARDRAIL REPAIR AND IMPROVEMENTS

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

Commissioner Amsler made motion to amend to add The Waller Times, seconded by Commissioner Smith.

Amendment carried by 3-0 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 – Absent</i>

Amended Motion carried by 3-0 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 – Absent</i>

DISTRICT CLERK

14. Discuss and take action to approve Lease Agreement with Xerox for a Xerox C8155H2 Copier Multifunction Printer at the District Clerk’s Office located at the Waller County Justice Center. Monthly rate of \$165.81 for 48 months to be paid from line item ~~125-417-545510 [Equip Rent/Lease]~~ **125-417-581813 [Copier/Printer]**.

Motion made by Judge Duhon, seconded by Commissioner Smith.

Motion carried by 3-0 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 – Absent</i>

AUDITOR

15. **Presentation** of Waller County Series 2017 & 2018 bond transactions for the Jail and Judicial Center. *No action required.*
16. Discuss and take action to certify the Center for Tech and Civic Life Grant award of \$39,106.25 and amend the 2020 budget, WC 2020-49.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

Motion carried by 3-0 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 – Absent</i>

IT

17. *Court addressed agenda item earlier in meeting. (page 2 of 6).*

MISCELLANEOUS

18. Discuss and take action to approve the 2021 Appointment for the HGAC Transportation Policy Council.

Judge Duhon made motion to approve the 2021 Appointment for the HGAC Transportation Policy Council with the Primary being Commissioner Beckendorff, and the Alternate being Commissioner Smith, seconded by Commissioner Amsler.

Motion carried by 3-0 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 – Absent</i>

19. Discuss and take action to approve the 2021 Appointment for the HGAC Transportation Advisory Committee.

Judge Duhon made motion to approve the 2021 Appointment for the HGAC Transportation Advisory Committee to be those individuals in the same roles as Primary Yancy and Alternate Jared, seconded by Commissioner Amsler.

Motion carried by 3-0 vote.

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

20. Discuss and take action to amend County policies in relation to COVID-19.
No action taken.

21. 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 Precincts 1, 3, and 4 would have a detrimental effect on the position of the County in negotiations with third persons.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

Motion carried by 3-0 vote.

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

EXECUTIVE SESSION

22. Deliberate business and financial issues related to the purchase, exchange, lease, or value of real properties in Precincts 1, 3, and 4 pursuant to Government Code Sections 551.072 and 551.0725.

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

Court convened to Executive Session at 9:57 a.m.

Court reconvened from Executive Session at 10:59 a.m.

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

No action taken from Executive Session.

Motion made to recess until 10:30 a.m. tomorrow morning when we will take up agenda item #10 by Commissioner Smith, seconded by Commissioner Amsler.

Motion carried by 3-0 vote.

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

Court recessed at 11:00 a.m.

Court reconvened at 10:34 a.m. November 11, 2020 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

ELECTIONS

10. Discuss and take action to approve canvass for the 2020 General Election.

Motion made by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried by 5-0 vote.

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

Judge Duhon made motion to reconsider agenda item #8, seconded by Commissioner Beckendorff.

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

Motion carried by 5-0 vote.

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

ADJOURN MEETING

Motion to **adjourn** meeting by Commissioner Smith, 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

Meeting was **ADJOURNED** at 10:41 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 18th day of November 2020.

Trey Duhon

Carbett “Trey” J. Duhon, III
County Judge