

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – NOVEMBER 18, 2020**

**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 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 9:01 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  
Jeron Barnett, Commissioner Precinct 3 – *dismissed from Court at 12:24 p.m.*  
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 Barnett

1. **Approval of Agenda.**

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

1. Carrie Gourley addressed the court with concerns regarding the November 3, 2020 General Election.
2. Commissioner Barnett thanked everyone for the Veteran's Memorial dedication program last week.
3. Judge Duhon announced the ribbon cutting of the new Justice Center to take place November 21, 2020.

**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** – November 10, 2020 Regular Session
3. **Request by County Treasurer for approval of Payroll.**
4. **Request to approve payment on the following:**
  - (a) \$119,900.00 for Invoice # 29513 to Santex Truck Center, LTD from line item 602-602-581100 [Construction Equipment].

5. Request by County Auditor for approval and/or ratification of Accounts Payable.  
 Motion to approve consent agenda by Commissioner Barnett, seconded by Commissioner Smith.  
**Motion carried by 5-0 vote.**  
*Judge Trey Duhon – Yes                      Commissioner Amsler – Yes                      Commissioner Smith – Yes*  
*Commissioner Barnett – Yes                      Commissioner Beckendorff – Yes*

**IT**

6. Discuss and take action to approve Agreement with AT&T for antenna system located at the Justice Center.  
 Motion made by Commissioner Smith, seconded by Commissioner Beckendorff.  
**Motion carried by 5-0 vote.**  
*Judge Trey Duhon – Yes                      Commissioner Amsler – Yes                      Commissioner Smith – Yes*  
*Commissioner Barnett – Yes                      Commissioner Beckendorff – Yes*

**SHERIFF**

7. Discuss and take action to approve the following additional items for the Jail and the Justice Center for a total of \$75,456.75 to paid from line item 602-602-581000 [Bldg./Purch./Const./or Improv. /Jail Project]  
 (a) 30 UHF Radios, 6-unit chargers, speaker microphones and ear pieces - \$9,350.00  
 (b) Jail mattresses, covers, and inmate clothing sets (deck shoes, t-shirts, uniform coveralls, briefs) - \$13,343.02  
 (c) Guard1 PIPE Equipment and RFID Mobile Devices - \$17,825.98  
 (d) Five (5) Air-Pak SCBA cylinder systems with harnesses, assembly, and carrying case - \$34,937.75  
 Motion made by Commissioner Beckendorff, 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*

*Advanced to Agenda Item #10 & #11*

**AUDITOR**

10. Discuss and take action to approve R&B Department line item transfer, WC2020-50.  
 Motion made by Commissioner Smith, seconded by Commissioner Beckendorff.  
**Motion carried by 5-0 vote.**  
*Judge Trey Duhon – Yes                      Commissioner Amsler – Yes                      Commissioner Smith – Yes*  
*Commissioner Barnett – Yes                      Commissioner Beckendorff – Yes*
11. Discuss and take action to approve All Other Department – Legal line item transfer, WC2020-51.  
 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 Barnett – Yes                      Commissioner Beckendorff – Yes*

*Proceeded with Agenda Item #8*

## CONSTRUCTION MANAGER

8. Discuss and take action to approve payment of invoice # 2384 for \$49,269.00 and invoice # 2385 for \$15,841.00 for a total of \$65,110.00 to Precision Utility from line item 125-600-581610 [Precinct 4. Building].

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 Barnett – Yes*

*Commissioner Beckendorff – Yes*

9. Discuss and take action to approve proposal from Anchor Group Inc. for additional fencing at Precinct 4 staff parking lot.

Motion made by Commissioner Beckendorff, seconded by Commissioner Barnett.

Commissioner Smith made motion to amend the motion to read that we're purchasing the galvanized fence, seconded by Commissioner Barnett and the access gooseneck pedestal and plus authorizing \$1,035.00 for a back gate.

**Amendment carried** by 5-0 vote.

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

**Amended Motion carried** by 5-0 vote.

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

10. *Court addressed agenda item #10 earlier in meeting. (page 2 of 5)*

11. *Court addressed agenda item #11 earlier in meeting. (page 2 of 5)*

12. **Update** on Justice Center project.

*No action required.*

13. **Discussion** of upcoming courthouse renovation and annex project.

*No action taken.*

## MISCELLANEOUS

14. Discuss and take action to approve payment of Invoice # 113294 for \$146,662.48 to Bickerstaff heath Delgado Acosta LLP from line item 125-411-540300 [Legal] for Early Voting Lawsuit.

Motion made 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*

15. Discuss and take action to approve Interlocal Agreement with Harris County for Performance of Postmortem Examinations by Harris County Institute of Forensic Sciences.

Motion made by Commissioner Smith, seconded by Commissioner Beckendorff.

**Motion carried** by 5-0 vote.

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

16. Discuss and take action to approve Interlocal Agreement with the Regional Public Defender Office Local Government Corporation (RPDO-LGC) for public defender services for capital cases.

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 Barnett – Yes*                      *Commissioner Beckendorff – Yes*

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

*No action taken.*

18. 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 Beckendorff, seconded by Commissioner Smith.

**Motion carried** by 5-0 vote.

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

## **EXECUTIVE SESSION**

19. 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.

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

**Court convened to Executive Session at 11:44 a.m.**

*Commissioner Barnett dismissed from Court at 12:24 p.m.*

**Court reconvened from Executive Session at 12:41 p.m.**

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 Beckendorff, seconded by Commissioner Amsler.

**Motion carried** by 5-0 vote.

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

Meeting was **ADJOURNED** at 12:41 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*

Debbie Hollan  
Waller County Clerk

**APPROVED this the 25<sup>th</sup> day of November 2020.**

*Carbett "Trey" J. Duhon, III*

Carbett "Trey" J. Duhon, III  
County Judge