

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – DECEMBER 9, 2020**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 9<sup>th</sup> day of December 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 8:30 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  
Justin Beckendorff, Commissioner Precinct 4  
Debbie Hollan, County Clerk  
Absent: Jeron Barnett, Commissioner Precinct 3

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 Smith.

**Motion carried** by 4-0 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 – Yes</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://wallercountytexas.com/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 – December 2, 2020 Regular Session
3. Request by County Treasurer for approval of Longevity Payroll.
4. ~~Request by County Treasurer for approval of Elections Payroll.~~  
*Item removed from Consent Agenda, Court voted on separately (page 2)*
5. Request to approve payment on the following:
  - (a) \$1,742.00 for Invoice dated November 23, 2020 to Schmidt Funeral Home from line item 125-411-561502 (Pauper Burial).

(b) \$85.00 for invoice # 20547412 [Courthouse, Hold-Up Alarm], and \$995.00 for invoice # 20112412 [Courthouse Camera Surveillance], for a total \$1,080.00 payable to TAC Security from line item 117-428-568425 [Courthouse Security/Misc. Security].

6. Request by County Auditor for approval and/or ratification of Accounts Payable.
7. Request by County Auditor for approval and/or ratification of Accounts Payable for Construction Projects.
  - (a) \$1,591.97 from line item 602-602-581005 [Misc. Const. Costs/Jail-Judicial].
  - (b) \$41,325.10 from line item 125-600-587526 [Library].
8. Request by County Engineer to approve Change Order #1 to County Transportation Infrastructure Fund (CTIF) grant program Contract # 02-237 for County road improvements to authorize updated labor standards requirements.
9. Request by County Engineer to approve the acceptance of existing right-of-way on Menke Rd. dedicated by Mr. Ortega.
10. Request by the 4H Horse Club to use the Community Center on a reoccurring monthly basis every 2<sup>nd</sup> Tuesday in 2021.

Motion made by Commissioner Beckendorff to approve consent agenda without #4, seconded by Commissioner Smith.

**Motion carried** by 4-0 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 – Yes</i>

4. Request by County Treasurer for approval of Elections Payroll.

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

**Motion carried** by 4-0 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 – Yes</i>

## **506<sup>TH</sup> DISTRICT JUDGE**

11. Discuss and take action to approve the Contract Indigent Defense attorneys for Waller County for Calendar Year 2021 and authorize the County Judge to sign the contracts on behalf of the County.

Motion made by Commissioner Smith, seconded by Commissioner Beckendorff.

**Motion carried** by 4-0 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 – Yes</i>

### ***Advanced to Agenda Item #20***

20. Discuss and take action to approve the following private tax resale bids and authorize the County Judge to sign a deed for said properties to Mr. Thomas Coen:
  - (a) Lot 24, Block 4, of Deerwood Lakes, Section 6, Waller County, Texas, tax account R18355, in the amount of \$2,000.00 by Mr. Thomas Coen.
  - (b) Lot 25, Block 4, of Deerwood Lakes, Section 6, Waller County, Texas, tax account R18356, in the amount of \$2,000.00 by Mr. Thomas Coen.

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

**Motion carried** by 4-0 vote.

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

***Proceeded to Agenda item #12***

**COUNTY ENGINEER**

12. **Open bids 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  
MOWING CONTRACT  
PRE-COATED 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

The following Bids were submitted and opened by the Court:

1. Waller County Asphalt, received December 8, 2020 at 12:24 p.m. for Road Materials.
2. Preferred Pipe Distributors, received December 7, 2020 at 4:42 p.m. for High Density Polyethylene Pipe.
3. Ferguson Waterworks LLC, received December 7, 2020 at 10:34 a.m. for High Density Polyethylene Pipe.
4. BWF Freight LLC, received December 7, 2020 at 1:10 p.m. for Crushed Limestone Base.
5. Heise Trucking LLC, received December 7, 2020 at 10:01 a.m. for Crushed Limestone Base.
6. Ben E. Smith Tractors, Inc., received December 8, 2020 at 9:59 a.m. for Mowing Contract.
7. MLR Services LLC, received December 8, 2020 at 1:19 p.m. for Mowing Contract.
8. Three L, received December 7, 2020 at 3:02 p.m. for Gasoline and Diesel Fuels.
9. Petroleum Traders Corporation, received December 4, 2020 at 3:05 p.m. at the County Clerk's Office and received December 7, 2020 8:30 a.m. at the County Auditor's Office for Fuel.
10. Cleveland Asphalt Products, Inc., received December 3, 2020 at 2:51 p.m. for Emulsified Asphalt & Hauling.
11. PSquared Emulsion Plants LLC, received December 7, 2020 at 11:39 a.m. for Emulsified Asphalt & Hauling.
12. JMHP Inc., received December 2, 2020 at 12:25 p.m. for Bridge Guardrail Repair and Improvements.
13. Digg Commercial LLC, received December 8, 2020 at 8:46 a.m. for Crushed Limestone, Used Tank Cars, and bid for Hydrated Lime.
14. BWF Freight LLC, received December 7, 2020 at 1:10 p.m. for Hauling Services for Gravel & Aggregate Material.
15. Anomtech Services LLC, received November 25, 2020 at 9:43 a.m. for Hydrated Lime.
16. Stripes and Stops Company, received December 3, 2020 at 9:26 a.m. for Pavement Markings and Reflective Pavement Markers.

(continued on page 4)

- 17. IVM Solutions LLC, received December 8, 2020 at 10:25 a.m. for Roadside Vegetative Management.
- 18. The Railroad Yard, received December 3, 2020 at 3:19 p.m. for Used Tank Cars.

**IT**

- 13. Discuss and take action to approve Sparklight internet for the DPS office replacing the existing AT&T DSL line. Total monthly cost of \$214.92 to be paid from line item 125-411-542501 [Telephone/Equip & Svc].

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

**Motion carried** by 4-0 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 – Yes</i>

- 14. Discuss and take action to approve modification to the Guard1 PIPE Equipment and RFID Mobile Devices previously approved in Court on November 18, 2020 for an additional cost of \$4,499.94 for installation and \$2,505.00 annually to be paid from line item 602-602-581000 [Bldg. Purch. Const. or Improv].

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

**Motion carried** by 4-0 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 – Yes</i>

**CONSTRUCTION MANAGER**

- 15. **Open** responses to Request for Qualifications for Design-Build Services.

The following responses were submitted and opened by the Court:

- 1. Gensler-Manhattan, received December 8, 2020 at 12:05 p.m.
- 2. Turner Construction Company, received December 8, 2020 at 11:50 a.m.
- 3. SpawGlass, received December 8, 2020 at 1:10 p.m.
- 4. Flintco Page, received December 8, 2020 at 11:58 a.m.
- 5. Sedalco, received December 8, 2020 at 12:33 p.m.

- 16. Discuss and take action to approve additional cost of \$2,200.00 for Irrigation and Landscaping for Precinct 4 Project for a total of \$59,077.50 for Invoice # 20-0799 to Cannon Companies from line item 125-600-581610 [Precinct 4 Building].

Motion made by Commissioner Smith, seconded by Commissioner Beckendorff.

**Motion carried** by 4-0 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 – Yes</i>

- 17. Discuss and take action to approve proposal from Intrado to relocate Waller County 911/Dispatch center. Total cost of \$14,691.02 to be paid from line item 602-602-581005 [Misc. Const. Cost / Judicial Center].

Motion made by Commissioner Smith, seconded by Commissioner Beckendorff.

**Motion carried** by 4-0 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 – Yes</i>

18. Discuss and take action to approve uninterrupted power source system in Justice Center 911 Telecom room for all 911 and Dispatch related equipment from Power Associates. Cost to be paid from line item 602-602-581005 [Misc. Const. Cost / Judicial Center].

Motion made by Commissioner Smith, seconded by Commissioner Beckendorff.

**Motion carried** by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

19. Discuss and take action to approve uninterrupted power source system in Justice Center IT and Radio rooms for all Radio equipment and IT Core level hardware from Power Associates. Cost to be paid from line item 602-602-581005 [Misc. Const. Cost / Judicial Center].

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

**Motion carried** by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

## MISCELLANEOUS

20. Court addressed Agenda Item #20 earlier in meeting (pages 2-3)

21. ~~Discuss and take action to approve Order prohibiting or restricting certain fireworks in unincorporated areas of Waller County. Item WITHDRAWN.~~

22. Discuss and take action to approve payment of \$19,930.80 for Invoice # 113517 to Bickerstaff Heath Delgado Acosta LLP from line item 125-411-540300 [Legal].

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

**Motion carried** by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

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

*No action taken.*

## EXECUTIVE SESSION

24. ~~Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071. Item WITHDRAWN.~~

25. ~~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 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 9:33 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 16<sup>th</sup> day of December 2020.**

*Trey J. Duhon, III*

Trey J. Duhon, III  
County Judge