

**MINUTES**  
**WALLER COUNTY COMMISSIONER’S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – FEBRUARY 1, 2023**

**BE IT REMEMBERED** that the Honorable Commissioner’s Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 1<sup>st</sup> day of February 2023 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 Justin Beckendorff at 9:04 a.m. with the following members of the Court present to-wit:

John A. Amsler, Commissioner Precinct 1  
Walter Smith, Commissioner Precinct 2  
Kendric D. Jones, Commissioner Precinct 3  
Justin Beckendorff, Commissioner Precinct 4 – *Presiding Judge*  
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 made by Commissioner Jones, seconded by Commissioner Smith.

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

*Judge Trey Duhon – Absent*

*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.swagit.com/live>.

1. Larry Parr
2. Brett Sebastian

**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 – January 25, 2023 Regular Session
3. Request to approve payment on the following:
  - (a) \$1,295.00 for Invoice dated January 13, 2023 to Magnolia Funeral Home, Inc. from line item 125-423-540705 [Transport to Morgue].
4. Request by County Auditor for approval and/or ratification of Accounts Payable.

5. Request for approval to renew subscription with OnSolve LLC for CodeRed and payment of annual service fee of \$19,741.29 to be paid from line item 125-411-545001 [Maintenance Contracts].
6. *Item #6 removed from Consent Agenda – Court voted on separately (page 6)*
7. *Item #7 removed from Consent Agenda – Court voted on separately (page 6)*
8. Request by County Engineer to accept Waller County’s allotment of 1,612.00 Cubic Yards of RAP material for 2023 from Texas Department of Transportation and authorize the County Judge to sign an acceptance letter. The allotment is valued at \$32,240.00 and will be available for pick up by Waller County trucks at TxDOT maintenance yard at 400 FM 1488, Hempstead, Texas.

Commissioner Jones made motion to remove #6 & #7 from the Consent Agenda, seconded by Commissioner Smith.

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

<i>Judge Trey Duhon – Absent</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Smith – Yes</i>
	<i>Commissioner Jones – Yes</i>	<i>Commissioner Beckendorff – Yes</i>

Motion to approve Consent Agenda with # 6 & 7 removed made by Commissioner Jones, seconded by Commissioner Smith.

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

<i>Judge Trey Duhon – Absent</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Smith – Yes</i>
	<i>Commissioner Jones – Yes</i>	<i>Commissioner Beckendorff – Yes</i>

***Returned to Public Comment for Brett Sebastian to speak.***

**PROCLAMATION**

9. Discuss and take action to approve Proclamation observing February as Black History Month.

Commissioner Jones read Proclamation.

Motion to approve made by Commissioner Jones, seconded by Commissioner Smith.

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

<i>Judge Trey Duhon – Absent</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Smith – Yes</i>
	<i>Commissioner Jones – Yes</i>	<i>Commissioner Beckendorff – Yes</i>

**EXTENSION OFFICE**

10. **Presentation** by Texas A&M AgriLife District Extension Administrator, Eric Zimmerman, of final candidate for court approval to fill vacant County Extension Agent Position for 4-H and Youth Development.

*No action required.*

**COUNTY ENGINEER**

11. ~~Discuss and take action to approve the Final Plat of Lakeview Section 1 and accept the Letter of Credit. (Pet. 3). Item WITHDRAWN.~~
12. ~~Discuss and take action to approve the Final Plat of Lakeview Section 2 and accept the Letter of Credit. (Pet. 3). Item WITHDRAWN.~~

- 13. ~~Discuss and take action to approve the Final Plat of Lakeview Section 3 and accept the Letter of Credit. (Pet. 3). Item WITHDRAWN.~~
- 14. ~~Discuss and take action to approve the Final Plat of Lakeview Section 4 and accept the Letter of Credit. (Pet. 3). Item WITHDRAWN.~~

*Advanced to Agenda Items #16-34*

**COMMISSIONER, PRECINCT 3**

- 15. *Court addressed item #15 later in the meeting. (page 6)*

**SHERIFF**

- 16. **Open** responses to RFP for Body Cam Systems.

Commissioner Jones moved to extend the deadline to submit proposals for Body Cam Systems to Tuesday – February 7, 2023 at 2:00 p.m., seconded by Commissioner Smith.

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

<i>Judge Trey Duhon – Absent</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Smith – Yes</i>
	<i>Commissioner Jones – Yes</i>	<i>Commissioner Beckendorff – Yes</i>

- 17. **Open** responses to RFP for Inmate Phone System.

Commissioner Jones moved to extend the deadline to submit proposals for Inmate Phone Systems to Tuesday – February 7, 2023 at 2:00 p.m., seconded by Commissioner Smith.

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

<i>Judge Trey Duhon – Absent</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Smith – Yes</i>
	<i>Commissioner Jones – Yes</i>	<i>Commissioner Beckendorff – Yes</i>

- 18. Discuss and take action to declare two vehicles no longer in service as surplus or salvage property and to enlist the services of Rene Bates Auctioneers to auction the vehicles.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

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

<i>Judge Trey Duhon – Absent</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Smith – Yes</i>
	<i>Commissioner Jones – Yes</i>	<i>Commissioner Beckendorff – Yes</i>

- 19. Discuss and take action to approve the County Auditor to certify funds received from auction and TAC (insurance) and add to budget line item 125-516-581700 [Equipment].

Motion made by Commissioner Jones, seconded by Commissioner Smith.

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

<i>Judge Trey Duhon – Absent</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Smith – Yes</i>
	<i>Commissioner Jones – Yes</i>	<i>Commissioner Beckendorff – Yes</i>

- 20. ~~Discuss and take action to accept funds from ESD and create a separate budget GL line for use of the funds by the Sheriff for training, equipment, and personnel.~~

Motion made by Commissioner Jones, seconded by Commissioner Smith.

**Motion and Second withdrawn – Item WITHDRAWN.**

- 21. **Spread** upon the minutes the Waller County Sheriff’s Office Federal Forfeiture (Equitable Sharing) Fund 2023 Budget.

*No action required.*

**CONSTABLE, PRECINCT 2**

- 22. **Spread** upon the minutes the annual Texas Commission on Law Enforcement Racial Profiling Report for the Precinct 2 Constables Office.  
*No action required.*

**GRANT MANAGER**

- 23. Discuss and take action to approve an Interlocal Agreement with the Brookshire-Katy Drainage District relative to the proposed Waller County HUD MID Drainage Improvement application (proposed CDBG-MIT HUD-MID funded project).

Motion made by Commissioner Jones, seconded by Commissioner Smith.

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

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

- 24. Discuss and take action to solicit bids and negotiate with pre-qualified demolition service firm(s) relative to the County’s CDBG-DR Buyout Program.

Commissioner Beckendorff moved to solicit sealed bids with pre-qualified demolition service firms relative to the County’s CDBG-DR Buyout Program, seconded by Commissioner Jones.

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

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

**DIRECTOR OF POLICY AND ADMINISTRATION**

- 25. Discuss and take action to approve agreement for Classification and Compensation Study services between Waller County and Evergreen Solutions, LLC.

Motion to approve pending the receipt of Exhibit A made by Commissioner Jones, seconded by Commissioner Smith.

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

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

**DISTRICT ATTORNEY**

- 26. Discuss and take action to approve resolution authorizing the District Attorney’s Office to seek continued funding for the Victims’ Assistance Program through the Criminal Justice Division of the Texas Governor’s Office for the State fiscal year 2024/2025 and to appoint Judge Trey Duhon as the authorized official on the grant.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

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

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

**TREASURER**

- 27. Discuss and take action to approve Affordable Care Act Reporting and Tracking Service (ARTS) 2023 Renewal Confirmation Program Agreement.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

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

**MISCELLANEOUS**

- 28. Discuss and take action on the appointment of Brian Rowland to the Bluebonnet Groundwater Conservation District Board of Directors, filling an unexpired term which ends on December 31, 2023.

Motion made by Commissioner Smith, seconded by Commissioner Jones.

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

- 29. 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 would have a detrimental effect on the position of the County in negotiations with third persons.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

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

- 30. 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 contract negotiations for it would have a detrimental effect on the position of the County in negotiations with third persons.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

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

**EXECUTIVE SESSION**

- 31. Deliberate business and financial issues related to the purchase, exchange, lease or value of real properties pursuant to Government Code Sections 551.072 and 551.0725.
- 32. Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725.
- 33. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.

**Court convened to Executive Session at 9:47**

**Court reconvened from Executive Session at 10:36 a.m.**

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

*Returned to Agenda Items #15, #6 & #7*

**COMMISSIONER, PRECINCT 3**

- 15. Discussion on Clay Road and Sunterra Development.  
*No action required.*
- 6. Request by County Engineer to approve the Final Plat of Stockdick Road Street Dedication Section 5 and accept the Construction Bond in Precinct 3.  
Motion made by Commissioner Beckendorff, no second made.  
**Motion died due to lack of a second.**
- 7. Request by County Engineer for the approval of the Final Plat of Sunterra Section 32 and accept the Construction Bond in Precinct 3.  
Motion made by Commissioner Beckendorff, no second made.  
**Motion died due to lack of a second.**

**ADJOURN MEETING**

Motion to **adjourn** meeting by Commissioner Jones, seconded by Commissioner Amsler.  
**Motion carried** by 4-0 vote.

<i>Judge Trey Duhon – Absent</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Smith – Yes</i>
	<i>Commissioner Jones – Yes</i>	<i>Commissioner Beckendorff – Yes</i>

Meeting was **ADJOURNED** at 11:42 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 8<sup>th</sup> day of February 2023.**

*Trey Duhon*

Carbett "Trey" J. Duhon, III  
County Judge