

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – FEBRUARY 15, 2023

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 15th 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 Waller County Judge Trey Duhon at 9:04 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
Kendric D. Jones, Commissioner Precinct 3 – *Arrived at 9:05 a.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 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 Jones – Absent</i>	<i>Commissioner Beckendorff – Yes</i>

Commissioner Jones arrived to meeting at 9:05 a.m.

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.com/live>.

1. Scott Saenger and Sean Burch 2. Tracy Sebesta

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** – February 8, 2023 Regular Session
3. **Request to approve payment on the following:**
(a) \$1,360.00 for invoice # 239595/2370 to Texas Association of Counties from line item 125-411-562300 [County Organizational Dues].

(b) \$7,500.00 for invoice # 7784 to Brazos Valley Council of Governments from line item 125-525-546900 [BVCOG] for 4th Quarterly Payment as allocated in the 2022 Budget.

(c) \$85.00 for Invoice # 23547402 [Courthouse, Hold-Up Alarm], and \$995.00 for Invoice # 23112402 [Courthouse Camera Surveillance], for a total \$1,080.00 payable to TAC Security from line item 117-428-568425 [Courthouse Security/Misc. Security].

4. Request by County Auditor for approval and/or ratification of Accounts Payable.

5. *Item #5 removed from Consent Agenda for Court to discuss and vote on separately.*

Judge Duhon made motion to approve Consent Agenda items 1 thru 4 with #5 removed, seconded by Commissioner Smith.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

5. Request by County Engineer to approve the information Sharing Access Agreement (ISAA) between the Department of Homeland Security/Federal Emergency Management Agency (DHS/FEMA) and Waller County, Texas.

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 Jones – Yes

Commissioner Beckendorff – Yes

COUNTY ENGINEER

6. **Open bids for:**

COLD MIX ASPHALTIC PAVEMENT
EMULSIFIED ASPHALT & HAULING
HAULING SERVICES FOR GRAVEL & AGGREGATE MATERIAL
HIGH DENSITY POLYETHYLENE (HDPE) PIPE
HYDRATED LIME
RECLAIMED ASPHALTIC PAVEMENT
USED TANK CARS

HOT MIX ASPHALTIC CONCRETE PAVEMENT (HMAC) INSTALLATION (Pct.1 & Pct.2)

HOT MIX ASPHALTIC CONCRETE PAVEMENT (HMAC) INSTALLATION (Pct.3 & Pct.4)

PAVEMENT MARKINGS AND REFLECTIVE PAVEMENT MARKERS

BRIDGE GUARDRAIL REPAIR AND IMPROVEMENTS

The following Bids were submitted and opened by the Court:

1. Received February 14, 2023 at 11:36 a.m. from Coburn Supply Company for High Density Polyethylene Pipe.

2. Received February 9, 2023 at 2:12 p.m. from Stripes & Stops Company, Incorporated for Pavement Markings and Reflective Pavement Markers.

3. Received February 13, 2023 at 2:36 p.m. for High Density Polyethylene Pipe from South Texas Corrugated Pipe, Incorporated.

4. Received February 10, 2023 at 11:12 a.m. from P2 Emulsions for Emulsified Asphalt & Hauling.

7. Discuss and take action to approve the Final Plat of Stockdick Road Street Dedication Section 5 and accept the Construction Bond (Pct. 3).

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

Motion carried by 4-1 vote.

Judge Trey Duhon – Yes Commissioner Amsler – Yes Commissioner Smith – Yes
Commissioner Jones – No Commissioner Beckendorff – Yes

8. Discuss and take action to approve the Final Plat of Sunterra 32 and accept the Construction Bond (Pct. 3).

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

Motion carried by 4-1 vote.

Judge Trey Duhon – Yes Commissioner Amsler – Yes Commissioner Smith – Yes
Commissioner Jones – No Commissioner Beckendorff – Yes

9. Discuss and take action to approve the Final Plat of Lakeview Section 1 and accept the Letter of Credit. (Pct. 3) **and amendment contingent on receipt from the bank.**

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote.

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

10. Discuss and take action to approve the Final Plat of Lakeview Section 2 and accept the Letter of Credit. (Pct. 3) **and amendment contingent on receipt from the bank.**

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote.

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

11. Discuss and take action to approve the Final Plat of Lakeview Section 3 and accept the Letter of Credit. (Pct. 3) **and amendment contingent on receipt from the bank.**

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote.

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

12. Discuss and take action to approve the Final Plat of Lakeview Section 4 and accept the Letter of Credit. (Pct. 3) **and amendment contingent on receipt from the bank.**

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote.

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

SHERIFF

13. Discuss and take action to select vendor from responses to Body Cam Systems RFP.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Commissioner Jones made motion to amend to select Utility Body Worn Camera System, seconded by Commissioner Beckendorff.

Amendment carried by 5-0 vote.

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

Amended Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

14. Discuss and take action to select vendor from responses to Inmate Phone System RFP.

Commissioner Jones made motion to select IC Solutions, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

15. Discuss and take action to approve Equitable Sharing Agreement and Certification.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

JUVENILE PROBATION DEPT.

16. Discuss and take action to approve funding for the purchase of a 24x60 Modular Office and associated costs in an amount not to exceed \$171,613.00. Funds to be paid from line item 241-595-561209 [ARPA Miscellaneous].

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

DISTRICT CLERK

17. **Spread** upon the minutes the Certificate of Completion for the required hours of Continuing Education for 2022 as prescribed by Section 51.605 of the Texas Government Code.

No action required.

COUNTY CLERK

18. **Spread** upon the minutes the Certificate of Completion for the required hours of Continuing Education for 2022 as prescribed by Section 51.605 of the Texas Government Code.

No action required.

MISCELLANEOUS

19. 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 Beckendorff.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

20. 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 Beckendorff.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

EXECUTIVE SESSION

21. 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.
22. Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725.
23. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.

Court convened to Executive Session at 9:49 a.m.

Court reconvened from Executive Session at 10:42 a.m.

24. ~~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 Amsler, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 10:42 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 21st day of February 2023.

Justin Beckendorff
Commissioner Justin Beckendorff
Presiding Judge