

MINUTES
WALLER COUNTY COMMISSIONER’S COURT
REGULAR SESSION
WEDNESDAY – MARCH 8, 2023

BE IT REMEMBERED that the Honorable Commissioner’s Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 8th day of March 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 9:03 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 – *present via videoconference call*
Walter Smith, Commissioner Precinct 2
Kendric D. Jones, Commissioner Precinct 3
Justin Beckendorff, Commissioner Precinct 4
Debbie Hollan, County Clerk

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

1. **Approval of Agenda.**

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5-0 vote.

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

PUBLIC COMMENT

1. John Irwin 2. Sean Burch & Scott Saenger

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** – March 1, 2023 Regular Session
3. **Request by County Treasurer for approval of Payroll.**
4. **Request to approve payment on the following:**
(a) \$1,175.00 for Invoice dated February 21, 2023 to Schmidt Funeral Home from line item 125-423-540705 [Transport to Morgue].
(b) \$1,295.00 for Invoice dated February 22, 2023 to Magnolia Funeral Home, Inc. from line item 125-423-540705 [Transport to Morgue].
(c) \$45,307.00 for invoice # 38098-WC2 to Texas Association of Counties from line item 125-685-520400 [Workers’ Compensation].
(d) \$14,767.68 for Invoice # 100401082462 to Otis Signature Service from line item 125-411-545001 [Maintenance Contracts].
5. **Request by County Auditor for approval and/or ratification of Accounts Payable.**

6. Request by County Tax Assessor Collector to approve refunds in excess of \$500.00 in accordance with section 31.11 of the Texas Tax Code.

Motion to approve Consent Agenda 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

PROCLAMATION

7. Discuss and take action to approve Proclamation designating March 2023 as American Red Cross Month in Waller County.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

(Judge Duhon read Proclamation)

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

WALLER COUNTY CHILD WELFARE BOARD

8. Discuss and take action to approve the appointment of Waller County Child Welfare Board member(s) for 2023.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Judge Duhon made motion to amend to appoint Susan Cardiff to a 2 year term for the Waller County Child Welfare Board, seconded by Commissioner Smith.

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

COUNTY ENGINEER

9. **Open Proposals for Road and Bridge Software Application & Services.**

The following Proposals were submitted to and opened by the Court:

1. Received February 21, 2023 at 10:10 a.m. from Iwork
2. Received February 21, 2023 at 10:10 a.m. from Brightly Software

10. Discuss and take action to approve the Final Plat of Bartlett Road Street Dedication Section 2 and Water Plant No. 2 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

11. Discuss and take action to approve the Final Plat of Bartlett Road Street Dedication Section 3 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

SHERIFF

12. **Spread** upon the minutes the annual Texas Commission on Law Enforcement Racial Profiling Report for the Waller County Sheriff’s Office.

No action required.

13. ~~Discuss and take action to approve service agreement with ICSolutions.~~
Item WITHDRAWN.

14. ~~Discuss and take action approve purchase of Body Worn camera systems at a cost of \$383,480.90 from ARP funds.~~ **Item WITHDRAWN.**

15. ~~Discuss and take action to approve service agreement and purchase of Total Response software from Powerphone at a cost of \$61,497.00 from ESD funds.~~
Item WITHDRAWN.

16. Discuss and take action to approve request for funding of medical services in the amount of \$161,000.00.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Commissioner Beckendorff moved to table, seconded by Commissioner Jones.

Motion carried by 5-0 vote. – **Item TABLED**

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

17. ~~Discuss and take action to approve medical services agreement with BS, Correction Medical Services, PLLC.~~ **Item WITHDRAWN.**

ELECTIONS

18. Discuss and take action to approve new lease agreement with Quadient for upgrade/replacement of current postage meter. Funds to be paid from line item 125-434-531400 [Postage].

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

19. Discuss and take action to approve Notice of Joint Election for May 6, 2023.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Commissioner Smith made motion to amend to include the City of Waller, 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

20. Discuss and take action to approve posting Notice of Joint Election in a newspaper of general circulation.

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 ATTORNEY

21. Discuss and take action to authorize the County Treasurer to accept discretionary funds from the D.A. for the purpose of paying a salary supplement in the amount of \$5,000.00 per year for the Civil Attorney I position.

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*

MISCELLANEOUS

22. Discuss and take action to reappoint Brian Cantrell as Waller County Fire Marshal for a two-year term beginning March 15, 2023.

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*

23. Discuss and take action to approve Official Bonds and Oaths for County Court at Law Judge Carol Chaney.

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*

24. 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*

25. 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 Beckendorff, seconded by Commissioner Jones.

Motion carried by 5-0 vote.

EXECUTIVE SESSION

- 26. 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.
- 27. Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725.
- 28. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.
- 29. Deliberate the evaluation and duties of the County Engineer pursuant to Government Code Section 551.074.

Court convened to Executive Session at 10:14 a.m.

Court reconvened from Executive Session at 1:49 p.m.

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

No action taken from Executive Session.

ADJOURN MEETING

Motion to **adjourn** meeting by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5-0 vote.

Meeting was **ADJOURNED** at 1:49 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 15th day of March 2023.

Trey Duhon

Carbett “Trey” J. Duhon, III
County Judge