

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – MARCH 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 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 9:01 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
Kendric D. Jones, Commissioner Precinct 3
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 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

PUBLIC COMMENT

1. John Erwin 2. Sean Burch 3. Larry Parr 4. Dean Hensley

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 8, 2023 Regular Session
3. **Request to approve payment on the following:**
(a) \$85.00 for Invoice # 23547403 [Courthouse, Hold-Up Alarm], and \$995.00 for Invoice # 23112403 [Courthouse Camera Surveillance], for a total \$1,080.00 payable to TAC Security from line item 117-428-568425 [Courthouse Security/Misc. Security].
(b) \$1,325.00 for Invoice dated February 27, 2023 to Schmidt Funeral Home from line item 125-423-540705 [Transport to Morgue].
4. **Request by County Auditor for approval and/or ratification of Accounts Payable.**
5. **Request by County Tax Assessor Collector to approve refunds in excess of \$500.00 in accordance with section 31.11 Texas Tax Code.**
6. **Request by County Treasurer for approval of Treasurer's Monthly Report.**

7. Request by County Grant Manager to accept a \$121,273.26 grant award provided to the County pursuant to the FEMA Public Assistance Grant 4485-Texas Covid-19 Pandemic Grant Program.
8. Request by County Engineer to approve a Utility Permit for Aspen Utility Company on behalf of Comcast to place fiber cable within the right-of-way of Liendo Parkway, Wyatt Chapel Road, Kirkpatrick Road, Owens Road, Briarmeadow Drive, Poole Road, and Old Houston Highway.
9. Request by County Engineer to accept the application to Amend The Major Thoroughfare Plan/Map by Eugene Mattern, and authorize the Road and Bridge Department to issue a public notice in the Katy Times, for two consecutive weeks, establishing a public hearing during the regular session of Commissioners' Court on April 12, 2023.

Motion to approve Consent Agenda 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

WALLER COUNTY CHILD WELFARE BOARD

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

Judge Duhon made motion to discuss and take action to approve both of them (Carolyn Menke and Candice Adams) for appointment as Waller County Child Welfare Board Members for 2023, for both of them to be appointed to 2 year terms, seconded by Commissioner Amsler.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

COUNTY ENGINEER

11. **Open Request for Qualifications (RFQ) for On-Call Engineering Services and Inspections.**

Judge Duhon made motion that the RFQ due date be moved from March 13th at 2:00 p.m. with opening on March 15, 2023 to March 21, 2023 at 2:00 p.m. with RFQ's to be opened March 22, 2023, 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

12. ~~**Award bid for Road and Bridge Software Application Services.**~~
Item WITHDRAWN.

COMMISSIONER, PRECINCT 3

13. Discuss and take action to approve a partial assignment of the Bluestem Subdivision Development Agreement to Benchmark Acquisitions LLC.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote.

SHERIFF

14. ~~Discuss and take action to approve service agreement with ICSolutions for inmate phone services. Item WITHDRAWN.~~

15. ~~Discuss and take action approve agreement with Utility Associates, Inc. for purchase of Body Worn camera systems at a cost of \$383,480.90 from ARP funds. Item WITHDRAWN.~~

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

17. Discuss and take action to approve out of state travel for one Detective to attend the 2023 Human Trafficking Summit in Branson, MO.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote.

FIRE MARSHAL

18. Discuss and take action to accept a donation of two (2) Safe Wake Smoke Detectors from American Fire Systems INC. in the amount of \$600.00.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote.

19. Discuss and take action to accept a donated 2022 Utility Trailer from Nationwide Insurance with estimated fair market value of \$21,000.00 to be purposed as a Disaster Recovery Trailer.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote.

TREASURER

20. Discuss and take action to approve appointment of Lynda Fairchild as the Healthy County Coordinator.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote.

AUDITOR

21. Discuss and take action to certify revenue (unspent prior year Equitable Sharing Program funds in the amount of \$221,369.00) and create the 2023 Equitable Sharing Program budget, WC 2023-05.

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

22. Discuss and take action to approve Fire Marshal's department line-item budget transfer, WC 2023-06.

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 Sheriff's department line-item transfer, WC 2023-07.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Commissioner Smith made motion to table, seconded by Commissioner Beckendorff.

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

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

Advanced to Agenda Items #28 – 34

MISCELLANEOUS

28. 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

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 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.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

EXECUTIVE SESSION

30. 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.
31. Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725.
32. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.
33. ~~Deliberate the evaluation and duties of the County Engineer pursuant to Government Code Section 551.074. Item WITHDRAWN.~~

Court convened to Executive Session at 9:43 a.m.

Court reconvened from Executive Session at 10:46 a.m.

34. ~~Reconvene in Open Session to take any action necessary on matters discussed in Executive Session. Item WITHDRAWN.~~

Proceeded with Agenda Item #24

CONSTRUCTION MANAGER

24. **Presentation** on status of building designs for future construction projects in Hempstead.

No action required.

25. Discuss and take action to approve payment of Invoice # 6 for a total of \$4,100,648.32 to Sedalco from line item 603-603-545405 [Professional Services].

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

26. **Presentation** on status of Courthouse project.

No action required.

27. ~~Discuss and take possible action to approve Courthouse design and add alternates. Item WITHDRAWN.~~

ADJOURN MEETING

Motion to **adjourn** meeting by Commissioner Amsler, 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

Meeting was **ADJOURNED** at 1:35 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 22nd day of March 2023.

Carbett "Trey" J. Duhon, III

Carbett "Trey" J. Duhon, III
County Judge