

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – MAY 24, 2023

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 24th day of May 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
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 Smith.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Jones – Yes

Commissioner Smith – Yes

Commissioner Beckendorff – Yes

PUBLIC COMMENT

1. Carole Nemec 2. Cam Jackson

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 – May 17, 2023 Regular Session**

3. **Request to approve payment on the following:**

- (a) \$1,295.00 for Invoice dated May 9, 2023 to Magnolia Funeral Home, Inc. from line item 125-423-540705 [Transport to Morgue].
- (b) \$800.00 for Invoice # 25 to Stephens & Flowers Funerals and Cremations from line item 125-423-540705 [Transport to Morgue].
- (c) \$1,225.00 for Invoice dated April 6, 2023 to Schmidt Funeral Home from line item 125-423-540705 [Transport to Morgue].
- (d) \$27,600.00 for Invoice # 226954 for Invoice # 226954 to Alpha Testing, LLC from line item 604-604-581000 [Bldg, Purch, Const, or Improv].
- (e) \$1,350.00 for Invoice # CBO41423.01 to DCG Environmental, LLC [604-604-581837 [Swing Space].

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 of the Texas Tax Code.
6. Request by County Treasurer for approval of election payroll.
7. Request by County Treasurer for approval of payment for retiree insurance
8. Request by County Engineer to approve appointing Ross McCall to the HGAC Transportation Advisory Committee.
9. Request by County Engineer to be assigned a take home vehicle – Unit #91, a 2022 Chevrolet Silverado, VIN 3GCPYDEK8NG145184.
10. Request by County Engineer to approve a Utility Permit for San Bernard Electric Cooperative, Inc., to install 6 poles 2’ in the right-of-way of Rock Island Road in Pct. 1.
11. Request by County Engineer to approve a Utility Permit for San Bernard Electric Cooperative, Inc., to install 8 poles 1’ in the right-of-way of Courtney Road in Pct. 2
12. Request by County Engineer to approve a Utility Permit for Cable Tex Communications, LLC, to place a buried fiber cable within the right-of-way of Riley Road in Pct. 2.
13. *Court addressed Item #13 later in the meeting. (page 2)*
14. Request by County Engineer to approve the Final Plat of Lazy West in Pct. 2.
 Motion to approve Consent Agenda with Item #13 removed 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

15. Discuss and take action to approve the Proclamation recognizing June as Elder Abuse Awareness Month.
 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

Returned to Agenda Item #13

13. Request by County Engineer to purchase the following equipment, to be paid from line item 110-530-581100 [Construction Equipment].
 - a. One (1) 2023 Chevy 1500 Truck in the amount of \$47,459.95, from Mac Haik Chevrolet.
 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

COUNTY ENGINEER

16. Discuss and take action to approve a variance request to the Waller County Subdivision and Development Regulations regarding an access easement right-of-way 30 ft. width instead of 40ft. width from Antonio Perez in Pct. 3.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 5-0 vote. **Variance GRANTED.**

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

SHERIFF

17. Discuss and take action to approve the purchase of a 2017 Chevrolet Colorado from Road and Bridge for a purchase price of \$24,000.00 paid from line item 125-516-581700 [Equipment] to line item 110-530-581100 [Construction Equipment].

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Judge Duhon made motion to amend to approve the transfer of a 2017 Chevrolet Colorado from Road and Bridge to the Sheriff's Office in the amount of \$24,000.00 with a line item transfer to be done at a later, next week, 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

18. Discuss and take action to approve the County Auditor to certify \$14,745.00 received from auction and add to line item 125-516-581700 [Equipment].

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 payment of \$161,000.00 to BS Correctional Medicine Services, PLLC.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Commissioner Smith made motion to table agenda item #19, 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

COUNTY TREASURER

20. Discuss and take action to approve policies and invoices through Texas Association of Counties for Law Enforcement Liability, Public Officials Liability, and Property coverages effective 07/01/2023. Total premium of \$348,287.00 to be paid from line item 125-411-560300 [Ins Equip/Build/Pub Liab.].

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

GRANT MANAGER

21. Discuss and take action to authorize the Grant Manager to submit a FY2023 State Criminal Alien Assistant Program Grant Application to the Bureau of Justice, United States Department of Justice in an amount not to exceed \$25,000.

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 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

23. 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

24. 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.
25. Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725.
26. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.

Court convened to Executive Session at 9:40 a.m.

Court reconvened from Executive Session at 11:24 a.m.

27. ~~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 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 11:24 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 31st day of May 2023.

Kendric D. Jones

Commissioner Kendric Jones
Presiding Judge