

MINUTES
WALLER COUNTY COMMISSIONER’S COURT
REGULAR SESSION
WEDNESDAY – MAY 31, 2023

BE IT REMEMBERED that the Honorable Commissioner’s Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 31st 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 Presiding Judge Commissioner Kendric Jones at 9:02 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 – *Presiding Judge*
Debbie Hollan, County Clerk
Absent: Carbett “Trey” J. Duhon III, County Judge
Justin Beckendorff, Commissioner Precinct 4

Delivery of Invocation by: Commissioner Amsler
Pledge to the American Flag and Texas Flag led by: Commissioner Kendric Jones

1. **Approval of Agenda.**

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

Motion carried by 3-0 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 – Absent</i>

PUBLIC COMMENT – *None*

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 24, 2023 Regular Session
3. **Request by County Treasurer for approval of Payroll.**
4. **Request to approve payment on the following:**
 - (a) \$1,295.00 for Invoice dated May 15, 2023 to Magnolia Funeral Home, Inc. from line item 125-423-540705 [Transport to Morgue].
 - (b) \$165,895.25 for Invoice # 5152023GWA to Waller County Appraisal District from line item 125-437-540500 [Tax Appraisal District] for 3rd quarter allocation payment as allocated in the 2023 Budget.
 - (c) \$5,950.00 for Invoice # 23050901 to CapRisk Consulting Group from line item 125-411-540901 [Actuarial Valuation/Prof Srv].
5. **Request by County Auditor for approval and/or ratification of Accounts Payable.**
6. **Request by County Auditor for approval of Fixed Asset Transfers.**
7. **Request by County Auditor for approval of official documents and all monthly reports.**

8. Request by County Tax Assessor Collector to approve refunds in excess of \$500.00 in accordance with section 31.11 Texas Tax Code.
9. Request by County Engineer to approve a Utility Permit for CenterPoint Energy, to place an 8" and 4" IP PLA gas line in the right-of-way of Lakeview Way, Cochran Road, and Davis Road in Pct. 3.
10. Request by County Engineer to approve the application for replat of Indian Oaks Estates, to revise Tract 26 and 27 into two lots, by Jackie Noland, William Reynolds IV, and Amy Reynolds, and authorize the Road and Bridge Department to issue a public hearing during the regular session of Commissioners' Court on July 12, 2023.
11. Request by County Engineer to approve a Utility Permit for Black & Veatch, to place an underground coax cable within the right-of-way of Jordan Ranch Blvd. in Pct. 4.

Motion to approve Consent Agenda made by Commissioner Smith, seconded by Commissioner Amsler.

Motion carried by 3-0 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 – Absent</i>

PROCLAMATION

12. Discuss and take action to approve Proclamation declaring May 31, 2023 as Junior and Peggy McKay Day.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.
(Commissioner Jones read Proclamation)

Motion carried by 3-0 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 – Absent</i>

WALLER COUNTY CHILD WELFARE BOARD

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

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

Motion carried by 3-0 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 – Absent</i>

(Commissioner Jones swore in new member – Wendy Wilson)

COUNTY ENGINEER

14. Discuss and take action to approve the purchase of one (1) 2023 Chevy 1500 Truck in the amount of \$47,459.95 from Mac Haik Chevy. Funds to be paid from line item 110-530-581100 [Construction Equipment].

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

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

Motion carried by 3-0 vote. **Item TABLED.**

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

15. Discuss and take action to approve the acceptance of roads in Sunterra Subdivision Section 10 into the Waller County Maintained Road Log and Release the Maintenance Bond.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

Motion carried by 3-0 vote.

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

COMMISSIONER, PRECINCT 3

16. ~~Discuss and take action to authorize the County Judge to execute a contract with Astro Sunterra LP/Astro Sunterra GP LLC and KCI relative to the final inspection services affiliated with Clay Road. Item WITHDRAWN.~~

17. Discuss and take action to approve Maple Grove Development General Plan.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

Motion carried by 3-0 vote.

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

GRANT MANAGER

18. Discuss and take action to reject all proposals for a Wetland Determination and Delineation associated with the CDBG-DR Diemer Road Project (RFQ 230503-07).

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

Motion carried by 3-0 vote.

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

19. Discuss and take action to reject all proposals for All Hazards Preparedness, Planning, Consulting, and Recovery Services (RFP 23-03-013).

Motion made by Commissioner Amsler, seconded by Commissioner Smith.

Motion carried by 3-0 vote.

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

20. Discuss and take action to advertise in the Katy Times, The Hotline Press, and The Waller County Express the Request for Qualifications (RFQ) for All Hazards Preparedness, Planning, Consulting, and Recovery Services. Funding to be paid from line item 125-401544100 [Bid Notices and Printing].

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

Motion carried by 3-0 vote.

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

21. ~~Discuss and take action to authorize the County Grant Manager to submit a detailed application for a Vision Zero plan to the Texas Department of Transportation pursuant to its Transportation Alternatives Set Aside (TA) Program.~~

Item WITHDRAWN.

22. Discuss and take action to authorize the County Grant Manager to submit a detailed application for the San Felipe de Austin Historic Texas Bicycle Tourism Trail to the Texas Department of Transportation pursuant to its Transportation Alternatives Set-Aside (TA) Program.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

Motion carried by 3-0 vote.

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

23. **Open** statement(s) of qualifications received pursuant to the County’s Real Property Appraisal Services (CDBG-DR Diemer Road Project) Request for Qualifications solicitation (RFQ# 230517-22).

The following Statement(s) of qualifications were submitted and opened in Court:

1. Received from Atrium Real Estate Services
2. Received from Titan Valuation

24. **Open** statement(s) of qualifications received pursuant to the County’s Independent Real Property Appraisal Review Services (CDBG-DR Diemer Road Project) Request for Qualifications solicitation (RFQ# 230517-23).

The following Statement(s) of qualifications were submitted and opened in Court:

1. Received from Atrium Real Estate Services

AUDITOR

25. Discuss and take action to approve 2023 budget amendments and departmental line-item transfers.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

Motion carried by 3-0 vote.

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

CONSTRUCTION MANAGER

26. ~~Update on the design phase of the Waller County Courthouse Replacement and Annex Project. Item WITHDRAWN.~~

27. ~~Discuss and take action to approve payment of Invoice # 7 for \$1,564,598.00 to Sedaleo from line item 603-603-545405 [Professional Services]. Item WITHDRAWN.~~

28. Discuss and take action to approve the proposal in the amount of \$2,073.00 for the inspection of the Schwartz building.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

Commissioner Smith made motion to amend to approve the line item, 125-442-544400, seconded by Commissioner Amsler.

Amendment carried by 3-0 vote.

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

Amended Motion carried by 3-0 vote.

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

MISCELLANEOUS

29. Discuss and take action to approve amended termination date of June 30, 2023 for medical services contract with Dr. Glenn Berry.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

Motion carried by 3-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Absent

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 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. Item WITHDRAWN~~

31. ~~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. Item WITHDRAWN~~

EXECUTIVE SESSION

32. ~~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. Item WITHDRAWN~~
33. ~~Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725. Item WITHDRAWN~~
34. ~~Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071. Item WITHDRAWN~~
35. ~~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 Smith.

Motion carried by 3-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Absent

Meeting was **ADJOURNED** at 9:38 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 7th day of June 2023.

Carbett "Trey" J. Duhon, III

Carbett "Trey" J. Duhon, III
County Judge