

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – JUNE 7, 2023**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 7<sup>th</sup> day of June 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 9:02 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 9:16 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 Smith, seconded by Commissioner Beckendorff.

**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>

**PUBLIC COMMENT**

1. Tracy Tidwell Philp    2. Bill Parks

**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 31, 2023 Regular Session
3. **Request to approve payment on the following:**  
(a) \$1,120.00 for Invoice dated April 17, 2023 and \$1,125.00 for Invoice dated May 26, 2023 for a total of \$2,245.00 to Schmidt Funeral Home from line item 125-423-540705 [Transport to Morgue].  
(b) \$395.00 for Invoice payable to ARCIT from line item 125-411-562300 [County Organizational Dues].
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 Engineer for approval of Fixed Asset Transfer.**

7. Request by County Engineer to add unit #116, a 2023 Chevrolet 1500 4x4, as a take home vehicle and remove unit #51, a 2021 Chevrolet Silverado 4x4, from the available take home vehicle list.
8. Request by County Engineer to approve the Final Plat of Oak Grove Section 1 in Pct. 2.
9. Request by County Engineer to approve the Final Plat of Oak Grove Section 2 in Pct. 2.

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

**Motion carried** by 4-0 vote.

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

***Advanced to Agenda Items #11 –19***

**COUNTY ENGINEER**

11. Discuss and take action to approve the purchase of one (1) 2023 Chevy 1500 truck in the amount of \$48,546.45 from Mac Haik Chevy through HGACBuy. Funds to be paid from line item 110-530-581100 [Construction Equipment].

Motion made by Commissioner Smith, seconded by Commissioner Beckendorff.

**Motion carried** by 4-0 vote.

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

**COUNTY TREASURER**

12. Discuss and take action to approve amendments to the 2023 Salary Order effective June 11, 2023.

Motion made by Commissioner Smith, seconded by Commissioner Beckendorff.

**Motion carried** by 4-0 vote.

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

**ENVIRONMENTAL**

13. Discuss and take action to approve a policy and assistance application relative to the Waller County Septic Assistance Program.

Motion made by Commissioner Smith, seconded by Commissioner Beckendorff.

***Commissioner Jones arrived to meeting at 9:16 a.m.***

Motion made by Commissioner Smith, seconded by Commissioner Beckendorff.

Judge Duhon made motion to amend the policy to waive the fee for an applicant who qualifies the County portion of the fee, seconded by Commissioner Beckendorff.

**Amendment carried** by 5-0 vote.

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

**Amended Motion carried** by 5-0 vote.

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

## GRANT MANAGER

14. Discuss and take action to ratify Amendment No. 1 relative to the County's Texas Water Development Board Flood Infrastructure Fund Grant (TWDB Commitment No. G1001319-Brazos River Flood Update Study).

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*

15. Discuss and take action to ratify Amendment No. 1 relative to the County's Texas Water Development Board Flood Infrastructure Fund Grant (TWDB Commitment No. G1001333-Spring Creek Watershed Flood Protection Study).

Motion made by Commissioner Jones, 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*

16. Discuss and take action to issue a notice of award and authorize the County Grant Manager to commence negotiations relative to Real Property Appraisal Services associated with the County's CDBG-DR Infrastructure Grant-Diemer Road Project (Waller County Contract No. 20-065-062-C180).

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*

*Court reconsiders #16 later in meeting. (page 4)*

17. Discuss and take action to issue a notice of award and authorize the County Grant Manager to commence negotiations relative to Independent Real Property Appraisal Reviews associated with the County's CDBG-DR Infrastructure Grant-Diemer Road Project (Waller County Contract No. 20-065-062-C180).

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Commissioner Beckendorff made motion to give Atrium the contract to do the appraisal review, seconded by Commissioner Jones.

**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*

### ***Court reconsiders Agenda Item #16***

Commissioner Beckendorff made motion to reconsider agenda item #16, 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*

16. Discuss and take action to issue a notice of award and authorize the County Grant Manager to commence negotiations relative to Real Property Appraisal Services associated with the County's CDBG-DR Infrastructure Grant-Diemer Road Project (Waller County Contract No. 20-065-062-C180).

Commissioner Beckendorff made motion to amend to give the contract to Titan Valuation, seconded by Commissioner Jones.

**Amendment carried** by 5-0 vote.

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

**Amended Motion carried** by 5-0 vote.

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

***Continued to Agenda Item #18***

18. Discuss and take action to authorize the County Judge to submit an amendment request to the Texas General Land Office relative to the County's CDBG-DR Infrastructure Grant (Waller County Contract No. 20-065-062-C180).

Motion made by Commissioner Smith, seconded by Commissioner Beckendorff.

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

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

**AUDITOR**

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

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

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

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

***Advanced to Agenda Items #22-23***

22. **Public Hearing:** On the adoption of amended 911 Addressing Regulations.

**Public Hearing began at 9:44 a.m.**

No public comments received.

**Public Hearing ended at 9:44 a.m.**

23. Discuss and take action to adopt 911 Addressing Regulations as amended.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

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

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

***Proceeded with Agenda Item #20***

## CONSTRUCTION MANAGER

20. Design Team update on the following Waller County Design Projects:
- Maintenance Node – Thru Design Development
  - Judicial Node – Thru Design Development
  - Swing Space – 100% Construction Documents
  - Business Node – New Courthouse design – 75+% Construction Documents

*No action required.*

## CONSTRUCTION MANAGER

21. Discuss and take action to approve payment of Invoice # 7 for \$1,564,598.00 to Sedalco from the following line items:
- \$97,504.92 Business Node from Tax Notes – 603-603-545405 [Professional Services]
  - \$608,936.08 Business Node from CO's 604-604-545405 [Professional Services]
  - \$858,157.00 Maintenance and Judicial Nodes 125-600-581619 [Design Development Facility Fees]

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. *Court addressed Agenda Item #22 earlier in meeting. (page 4)*
23. *Court addressed Agenda Item #23 earlier in meeting. (page 4)*
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 Jones, seconded by Commissioner Beckendorff.

**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.

**Court convened to Executive Session at 12:02 p.m.  
Court reconvened from Executive Session at 12:38 p.m.**

*Returned to Agenda Item #10*

**COMMISSIONER, PRECINCT 3**

- 10. ~~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.~~

*Proceeded with Agenda Item #29*

- 29. ~~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 12:38 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 14<sup>th</sup> day of June 2023.**

*Justin Beckendorff*  
\_\_\_\_\_  
Commissioner Justin Beckendorff  
Presiding Judge