

MINUTES
WALLER COUNTY COMMISSIONER’S COURT
REGULAR SESSION
WEDNESDAY – SEPTEMBER 6, 2023

BE IT REMEMBERED that the Honorable Commissioner’s Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 6th day of September 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
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.

| | | |
|-------------------------------|----------------------------------|---------------------------------------|
| <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. Lesha Roberts 2. County Engineer Ross McCall 3. Larry Parr

PUBLIC HEARING

2. **Public Hearing – Proposed Tax Rate.**

Judge Duhon announced the Waller County Commissioners are proposing to adopt a total tax rate of \$.522943 cents per \$100 valuation, the same rate being a combination of rates for the Waller County General Fund rate \$.436122 and the Farm to Market Flood control rate of \$.024252 and to the Debt Service Fund rate of \$.062569.

Commissioners Court will vote on the proposed tax rate on September 13, 2023 at 9:00 a.m. at its meeting place in the Waller County Courthouse located at 836 Austin Street, Hempstead, Texas.

Public Hearing began at 9:12 a.m.

1. Tracy Sebesta 2. John Erwin 3. Larry Parr

Public Hearing ended at 9:58 a.m.

ADJOURN MEETING

Motion to **adjourn** meeting 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> |

Meeting was **ADJOURNED** at 9:58 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 13th day of September 2023.

Carbett "Trey" J. Duhon, III

Carbett "Trey" J. Duhon, III
County Judge

MINUTES

WALLER COUNTY COMMISSIONER'S COURT REGULAR SESSION WEDNESDAY – SEPTEMBER 6, 2023

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 6th day of September 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 9:58 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

1. Approval of Agenda.

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

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 – August 30, 2023 Regular Session

3. Request by County Treasurer for approval of Payroll.

4. Request to approve payment on the following:

(a) \$1,827.76 for Invoice # 11 to King Architectural to be paid from line item 604-604-545405 [Professional Services].

(b) \$600.00 for Invoice # CB062326.01 to DCG Environmental to be paid from line item 604-604-581837 [Swing Space].

(c) \$1,600.00 for Invoice dated 08/24/2023 to Barrie Inspections to be paid from line item 125-600-581901 [Buildings].

(d) \$8,837.00 for Invoice # 1044 and \$3,927.00 for Invoice # 1045 for a total of \$12,764.00 to La Gracia Consulting Solutions LLC to be paid from line item 604-604-545507 [Demolition].

5. Request by County Auditor for approval and/or ratification of Accounts Payable.

6. Request by County Engineer to advertise the Competitive Bids for Four (4) New ¾ Ton Pick-Up Trucks. (Gasoline Engine Only 4x4) Advertising to be posted in the newspaper of general circulation and payment for advertising to be funded from line item 125-401-544100 [Bid Notices and Printing].
7. Request by County Engineer to approve the following equipment purchases to be funded from line item 110-530-581100 [Construction Equipment].
 - (a) 2023 John Deere 333G Track Loader, S/N 1T033GMPPF453313. Sourcewell Contract #G32119-JDC, purchase price \$97,500.00.
 - (b) 2023 Bomag BW120SL-5 dual drum roller, S/N 101880801053. Buyboard Contract #685-22, purchase price \$54,052.00.
 - (c) 2023 John Deere 310P Backhoe Loader, S/N 099799. Sourcewell Contract # G32119-JDC, purchase price \$138,500.00.
 - (d) 2023 Gradall XL4100 6X4 series 5, S/N 4140000478-EQ0145129. Buyboard Contract # 685-22, purchase price \$561,069.00.

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 Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

PRESENTATION

8. **Presentation** on Choice Partners Co-op Membership Benefits by Jeff Drury.
No action required.

PROCLAMATION

9. Discuss and take action to approve the Proclamation Declaring September 11, 2023 as Patriot Day and National Day of Service and Remembrance 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 Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

PUBLIC HEARING

10. **Public Hearing:** 2024 Proposed Budget.

Public Hearing began at 10:19 a.m.

1. Tracy Sebesta 2. John Erwin

Public Hearing ended at 10:33 a.m.

SHERIFF

11. Discuss and take action to approve Interlocal Agreement for Law Enforcement Services with Waller ISD.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote.

GRANT MANAGER

- 12. **Open** sealed bids for home demolition services affiliated with the County’s CDBG-DR Buyout Program (20705 Pearl Street, Prairie View, TX 77446).

The following bids were submitted and opened by the Court:

- 1. James W. Turner Construction
- 2. RNDI Companies, Inc.

- 13. Discuss and take action to ratify an executed Change Order with the Houston-Galveston Area Council relative to the County’s FY23 Regional Juvenile Mental Health Services Project in the amount of \$1,080.00. New Contract Price now \$7,080, original award \$6,000.00.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5-0 vote.

- 14. Discuss and take action to authorize the County Judge to accept the FY24 SAVNS Grant Award in the amount of \$18,030.39 and execute the Grant Contract with the Office of the Texas Attorney General.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote.

COMMISSIONER, PRECINCT 2

- 15. **Discussion** of detention ponds and maintenance for developments outside of Municipal Utility Districts.

No action required.

COMMISSIONER, PRECINCT 3

- 16. Discuss and take action to approve Maple Grove Development Agreement.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote.

IT

- 17. Discuss and take action to approve quote from ICS for ~~\$238.00~~ **\$283.00** a month for 60 months for phone system and related services for Community Supervision & Corrections Department. Funds to be paid from line item 125-411-542501 [Telephone/Equip Svc].

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Commissioner Beckendorff made motion to amend #17 to be paid from line item 125-519-542501, 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

TREASURER

18. **Spread** upon the minutes the TJJD Grant Salary Order for FY24.

No action required.

AUDITOR

19. **Spread** upon the minutes the certification of the \$1,080.00 additional grant award from HGAC and amend the Juvenile Probation Detention budget, WC 2023-38.

No action required.

20. **Spread** upon the minutes the certification of the Juvenile Probation Department, TJJD grant award, in the amount of \$334,375.00 and create the 2023-2024 grant budget, JP 2023-06.

No action required.

21. Discuss and take action to approve 2023 budget adjustments and departmental line-item transfers.

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

FIRE MARSHAL

22. ~~Discuss and take action on Burn Ban.~~

Item WITHDRAWN.

23. Discuss and take action to approve the purchase of MyGovernment Online permitting software for the Waller County Fire Marshal's Office with a monthly fee of \$250.00.

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

ENVIRONMENTAL

24. Discuss and take action to approve the purchase of MyGovernment Online permitting software for the Waller County Environmental Office with a monthly fee of \$250.00.

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

MISCELLANEOUS

25. **Spread** upon the minutes the Certificate of Convenience and Necessity Number 21139 for Kickapoo Utility LLC as approved by the Public Utility Commission.

No action required.

26. Discuss and take action to approve bonds and oaths for County Court at Law Number 2 Judge, Elton Mathis.

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

27. 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 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

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 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 Smith.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

EXECUTIVE SESSION

29. 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.
30. Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725.
31. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.

Court convened to Executive Session at 11:21 a.m.

Court reconvened from Executive Session at 11:50 a.m.

32. ~~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 11:51 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 13th day of September 2023.

Trey Duhon

Carbett "Trey" J. Duhon, III
County Judge