



MINUTES

WALLER COUNTY COMMISSIONERS COURT REGULAR SESSION WEDNESDAY – APRIL 3, 2024

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 4th day of April 2024 at its meeting place at the Waller County Joe Kuciemba Annex, Hempstead, Texas.

CALL TO ORDER

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
Kendric D. Jones, Commissioner Precinct 3
Justin Beckendorff, Commissioner Precinct 4
Debbie Hollan, County Clerk

Absent: Walter Smith, Commissioner Precinct 2

Delivery of Invocation by: Commissioner Amsler

Pledge to the American Flag and Texas Flag led by: Commissioner Beckendorff

Commissioner Jones made motion to approve agenda, seconded by Commissioner Beckendorff.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Jones – Yes

Commissioner Smith – Absent

Commissioner Beckendorff – Yes

PUBLIC COMMENT

1. Larry Parr

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 Minutes – March 20, 2024 Regular Session
3. Request by County Treasurer for approval of Payroll disbursements.
4. Request by County Auditor to approve 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. Place roads in Sunterra -Section 53 into a one year warranty period beginning March 8th, 2024, as recommended by the County Engineer.

Requests to approve payments

7. \$7,800.00 for Invoice # 1320 to Fort Bend Medical Examiner from line item 125-423-540702 [Autopsy].
8. \$1,360.00 for Invoice #88985 to Texas Association of Counties from line item 125-411-562300 [County Organizational Dues].
9. \$75,000.00 for Invoice # 2454 to Waller County Economic Development from line item 125-411-547200 [Economic Development].
10. \$500.00 for Invoice # 0531 and \$500.00 for Invoice # 0492 for a total of \$1,000.00 to Clay's Funeral Home from line item 125-423-540705 [Transport to Morgue].
11. \$1,984.43 for Invoice #27 to King Architectural Consulting Services from line-item 604-604-545405 [Professional Services].
12. \$2,592.00 for Invoice dated March 12, 2024 to the County Judges and Commissioners Association of Texas from line item 125-411-562300 [County Organizational Dues].

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

Motion carried by 4-0 vote.

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

Advanced to Agenda Items #22 & #26

22. Approve replacement of existing link from Waller County Radio System to Harris County RNOC (Radio Network Operations Center). One time charge of \$350.00 and a monthly cost of \$1,145.74 for a three (3) year term or one time charge of \$350.00 and a monthly cost of \$1,115.74 for a five (5) year term. Funds to be paid from line item 125-411-542502 [Internet Services].

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Judge Duhon made motion to amend we go with the five (5) year term at a cost of \$1,115.74 a month, seconded by Commissioner Jones.

Motion carried by 4-0 vote.

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

26. Approve ICS proposal for replacement of AT & T phone lines and Fax line with six (6) phones and one (1) fax line. Monthly cost of \$219.75 for a 60 month term to be paid from line item 125-411-542501 [Telephone/Equip & Svc].

Motion made by Commissioner Jones, 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> – Absent
	<i>Commissioner Jones</i> – Yes	<i>Commissioner Beckendorff</i> – Yes

Proceeded with Agenda Item #13

PROCLAMATION

- 13. Approve Proclamation recognizing April as Child Abuse Awareness and Prevention Month in Waller County.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 4-0 vote.

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

COUNTY ENGINEER

- 14. Publicly **open** statements of qualifications received pursuant to the Traffic-Specific Engineering Services solicitation (RFQ#240306-20).

The following statements of qualifications were opened by the Court:

- 1. Received April 1, 2024 at 9:43 a.m. from Westwood
- 2. Received April 2, 2024 at 1:36 p.m. from Teds
- 3. Received April 1, 2024 at 9:43 a.m. from Goodman Cooperation
- 4. Received April 1, 2024 at 10:55 a.m. from Kimley Horn
- 5. Received April 2, 2024 at 11:36 a.m. from Gradient Group
- 6. Received April 1, 2024 at 1:38 p.m. from McDonough Engineering Cooperation
- 7. Received April 1, 2024 at 1:15 p.m. from CobbFendley
- 8. Received April 2, 2024 at 2:07 p.m. from BGE, Inc.

- 15. Approve the Infrastructure Development Plan of Finca Agave Retreat in Precinct 1.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 4-0 vote.

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

- 16. Approve revised fee schedule.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 4-0 vote.

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

- 17. Approve Subdivision Development Agreement with Sofi Lakes LLC for the Sofi Lakes subdivision.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Judge Duhon made motion to amend to approve contingent upon adding development regulations, infrastructure and services, and municipal management sections to the Plan of Development, seconded by Commissioner Jones

Amendment carried by 4-0 vote.

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

Amended Motion carried by 4-0 vote.

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

- 18. Approve Subdivision Development Agreement with Woodmere Development Co., Ltd. for the Pattison Farms subdivision.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Commissioner Beckendorff made motion to amend to approve contingent on conveying the necessary easements for Neuman Road prior to submitting the first plat and constructing the future realignment of Morton Road when 1,000 homes are platted, seconded by Commissioner Jones.

Amendment carried by 4-0 vote.

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

Amended Motion carried by 4-0 vote.

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

Advanced to Agenda Item #25

25. Discuss vehicle purchase options for a vehicle for Precinct 4 Commissioner.
No action required.

Proceeded with Agenda Item #19

SHERIFF

19. Approve purchase of seven (7) Chevrolet Tahoe's from Caldwell Chevrolet for a total of \$347,110.00 to be paid from ARPA funds.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 4-0 vote.

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

Commissioner Amsler made motion to bring agenda item #25 back to the table, seconded by Commissioner Beckendorff.

Motion carried by 3-1 vote.

Judge Trey Duhon – Yes	Commissioner Amsler – Yes	Commissioner Smith – Absent
	Commissioner Jones – No	Commissioner Beckendorff – Yes

Returned to Agenda Item #25

25. Discuss vehicle purchase options for a vehicle for Precinct 4 Commissioner.
No action required.

Advanced to Agenda Items #23 & 24

23. Rescind approval of First Amendment to Interlocal Agreement for Law Enforcement Services with Waller ISD approved on March 20, 2024.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 4-0 vote.

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

24. Approve updated First Amendment to Interlocal Agreement for Law Enforcement Services with Waller ISD.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 4-0 vote.

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

Proceeded with Agenda Item #20

20. Approve service agreement with NEOGOV for purchase of PowerDMS policy management software and user licenses. Purchase price is \$14,859.10 to be paid from line item 125-516-581700 [Equipment].

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Absent
Commissioner Beckendorff – Yes

- 21. Approve advertisement in The Waller County Express for a request for proposals for one (1) Chevrolet HD2500 truck and six (6) Chevrolet Equinox.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Absent
Commissioner Beckendorff – Yes

- 22. Court addressed agenda item #22 earlier in the meeting. (page 2)
- 23. Court addressed agenda item #23 earlier in the meeting. (page 4)
- 24. Court addressed agenda item #24 earlier in the meeting. (page 4)

COMMISSIONER, PRECINCT 4

- 25. Court addressed Agenda Item #25 earlier in meeting. (page 4)

LIBRARY

- 26. Court addressed Agenda Item #26 earlier in the meeting. (page 2)

GRANT MANAGER

- 27. Authorize the County Judge to execute GLO Contract No. 24-065-016-E173 in the amount of \$2,041,703.00 with the Texas General Land Office relative to the Waller County HUD MID Water Improvement (Waller County Prairie View Water Plant) and Planning (Waller County Planning Study) projects.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Absent
Commissioner Beckendorff – Yes

- 28. Authorize and approve Change Order #1 in the amount of \$61,818.90 relative to the Goya Road Drainage Improvements Project. Total project cost is now \$709,693.63. Funds to be paid from line item 241-595-561209 [ARPA Miscellaneous].

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Absent
Commissioner Beckendorff – Yes

TREASURER

- 29. Request to amend the 2024 Salary Order.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Absent
Commissioner Beckendorff – Yes

AUDITOR

- 30. ~~Approve 2024 budget adjustments and line item transfers.~~ Item **WITHDRAWN**.

MAINTENANCE

31. Publicly **open** proposals received pursuant to the Maintenance Department Fleet Vehicles solicitation (RFP # 240220-25).

The following proposals were opened by the Court:

1. Received April 1, 2024 at 9:42 a.m. from Silsbee Ford

MISCELLANEOUS

32. Authorize appraisal of 425 Business 290 by Southwest Realty Consultants to be paid from line item #125-600-581901.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Jones – Yes

Commissioner Smith – Absent

Commissioner Beckendorff – Yes

33. Approve a Resolution Expressing Intent to Finance and Reimburse Expenditures to be Incurred by Waller County, Texas.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Jones – Yes

Commissioner Smith – Absent

Commissioner Beckendorff – Yes

34. Select outside counsel for mobility bond projects (RFP 240207-24).

Judge Duhon made motion to enter into negotiations with Husch Blackwell for an agreement for outside counsel for mobility bond projects, seconded Commissioner Beckendorff.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Jones – Yes

Commissioner Smith – Absent

Commissioner Beckendorff – Yes

- ~~35. Approve deliberation of 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.~~

- ~~36. Approve deliberation of 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

- ~~37. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071. Item WITHDRAWN.~~

- ~~38. 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.~~

- ~~39. Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725. Item WITHDRAWN.~~

40. ~~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 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Absent
Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 11:15 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 17th day of April 2024.

Justin Beckendorff

Commissioner Justin Beckendorff
Presiding Judge