

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – JANUARY 4, 2023**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 4<sup>th</sup> day of January 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 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*

**PUBLIC COMMENT**

To slow the spread of COVID-19, the public may make public comment at the beginning of the meeting by teleconference. **Local callers should call 979-921-6212.** Non-local callers should call 800-576-1131. The user code for both numbers is **14329937**. Callers will be asked if they would like to make public comment. After public comment, the teleconference line will be closed. The public may continue to watch the meeting streamed online at <http://wallercountytexas.com/swagit.com/live>.

1. Bill Parks
2. Commissioner Kendric Jones

**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** – December 21, 2022 Regular Session
3. **Request by County Treasurer for approval of one-time COLA Stipend.**
4. **Request to approve payment on the following:**
  - (a) \$37,500.00 for invoice No. 2259 to Waller County Economic Development from line item 125-411-547200 [Economic Development] as allocated in the 2023 Budget.

(b) \$1,295.00 for invoice dated December 13, 2022 to Magnolia Funeral Homes, Inc. from line item 125-423-540705 [Transport to Morgue].

(c) \$6,224.00 for invoice # 11035 to Harris County from line item 125-423-540702 [Autopsy].

5. Request by County Auditor for approval and/or ratification of Accounts Payable.
6. Authorize Grant Manager to submit an application to the H-GAC relative to the FY2023 State Homeland Security Program in an amount not to exceed \$100,000.
7. Request by Grant Manager to accept a \$50,000 grant award provided to the County by the Southeast Texas Housing Finance Corporation.
8. **Spread** upon the minutes the submittal of a Coronavirus (COVID-19) Pandemic Public Assistance application to the Federal Emergency Management Agency for eligible expenses the County incurred related to COVID-19.

Motion made to approve Consent Agenda 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

9. Discuss and take action to approve Proclamation in recognition of Law Enforcement Appreciation Day.

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*

### *Advanced to Agenda Item #14*

14. Discuss and take action to approve request by the 4-H Horse Club to use the Community Center on a continued basis for the 2<sup>nd</sup> Tuesday each month for 2023 beginning January 10, 2023.

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*

### *Proceeded with Agenda Item #10*

## EXTENSION OFFICE

10. ~~**Presentation** by Texas A&M AgriLife District Extension Administrator, Eric Zimmerman, of final candidate for court approval to fill vacant County Extension Agent Position for 4-H and Youth Development. Item WITHDRAWN.~~

## GRANT MANAGER

11. Discuss and take action to authorize the County Judge to execute required documents associated with the County's two CDBG-MIT applications (State-MID and HUD-MIT), and authorize GrantWorks to submit the County's CDBG-MIT applications to the GLO.

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*

## COUNTY ENGINEER

12. **Open bids for:**

ALL SEASON PRE-COATED PATCHING MIXTURE (ASPPM) GRADATION IV  
COLD MIX ASPHALTIC PAVEMENT  
CRUSHED LIMESTONE  
EMULSIFIED ASPHALT & HAULING  
HAULING SERVICES FOR GRAVEL & AGGREGATE MATERIAL  
HIGH DENSITY POLYETHYLENE (HDPE) PIPE  
HYDRATED LIME  
TYPE A GRADE 2 BASE  
RECLAIMED ASPHALTIC PAVEMENT  
REINFORCED CONCRETE PIPE  
ROADSIDE VEGETATIVE MANAGEMENT  
STABILIZED SAND  
USED TANK CARS  
PAVEMENT MARKINGS AND REFLECTIVE PAVEMENT MARKERS  
BRIDGE GUARDRAIL REPAIR AND IMPROVEMENTS

The following bids were submitted and opened by the Court:

1. IBM Solutions LLC for Roadside Vegetative Management received January 3, 2023 at 8:34 a.m.
2. Received January 3, 2023 at 1:20 p.m. from Greendream for Crushed Limestone.
3. Received January 3, 2023 at 11:16 a.m. for Pavement Markings and Reflective Pavement Markers from StripeLines Incorporated.
4. Received January 3, 2023 from Waller County Asphalt for All Season Pre-Coated Patching Mixture.
5. Received January 3, 2023 at 9:08 a.m. for Crushed Limestone.

## CONSTABLE, PRECINCT 2

13. ~~Discuss and take action to approve the change from one full time bailiff to two part time bailiffs for Pet. 2 Constable office. Item WITHDRAWN.~~

## MISCELLANEOUS

14. *Court addressed Agenda Item #14 earlier in meeting. (page 2)*
15. Discuss and take action to approve Interlocal Agreement with Harris County for Performance of Postmortem Examinations by Harris County Institute of Forensic Sciences.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

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

Judge Trey Duhon – Yes

Commissioner Amsler – Yes  
Commissioner Jones – Yes

Commissioner Smith – Yes  
Commissioner Beckendorff – Yes

- 16. 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 Jones – Yes

Commissioner Smith – Yes  
Commissioner Beckendorff – Yes

- 17. 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 Jones.

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

Judge Trey Duhon – Yes

Commissioner Amsler – Yes  
Commissioner Jones – Yes

Commissioner Smith – Yes  
Commissioner Beckendorff – Yes

**EXECUTIVE SESSION**

- 18. 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.
- 19. Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725.
- 20. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.

**Court convened to Executive Session at 9:33 a.m.**

**Court reconvened from Executive Session at 10:28 a.m.**

- 21. Reconvene in Open Session to take any action necessary on matters discussed in Executive Session.

Judge Duhon made motion to offer \$900,000.00 to the estate of Joe Kuciemba to purchase property ID 169747, which is the Julio's Restaurant, seconded by Commissioner Beckendorff.

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

Judge Trey Duhon – Yes

Commissioner Amsler – Yes  
Commissioner Jones – Yes

Commissioner Smith – Yes  
Commissioner Beckendorff – Yes

**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 Jones – Yes

Commissioner Smith – Yes  
Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 10:28 a.m.

**Court Reconvened at 10:38 a.m.**

Judge Duhon made motion to reconvene meeting, 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

**Meeting reconvened at 10:39 a.m.**

Judge Duhon made motion to revisit #12 on the Agenda, seconded by Commissioner Amsler.

**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

**12. Open bids**

Opened additional bid received December 27, 2022 at 10:21 a.m. for Roadside Vegetative Management from NaturChem Incorporated.

**RE-ADJOURN MEETING**

Motion to **re-adjourn** meeting 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

Meeting was **ADJOURNED** at 10:41 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*  
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Debbie Hollan

Waller County Clerk

**APPROVED** this the 11<sup>th</sup> day of January 2023.

*Trey Duhon*  
\_\_\_\_\_  
Carbett "Trey" J. Duhon, III  
County Judge