



MINUTES

WALLER COUNTY COMMISSIONERS COURT REGULAR SESSION WEDNESDAY – JANUARY 10, 2024

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 10th day of January 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 9:05 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
Debbie Hollan, County Clerk

Absent: Justin Beckendorff, Commissioner Precinct 4

Delivery of Invocation by: Commissioner Amsler

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

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

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler

– Yes

Commissioner Smith

– Yes

Commissioner Jones

– Yes

Commissioner Beckendorff

– Absent

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 Minutes – December 20, 2023 Regular Session
3. Approval of Payroll.
4. Request by County Auditor for approval and / or ratification of Accounts Payable.
5. Request by County Engineer to approve the Final Partial Replat of Sunterra Section 14, in Precinct 3.

6. Request by County Engineer to approve the Final Partial Replat of Sunterra Section 16 in Precinct 3.
7. Request by County Engineer to approve the Final Partial Replat of Sunterra Section 24 in Precinct 3.
8. Request by County Engineer to approve the Final Partial Replat of Sunterra Section 29 in Precinct 3.
9. Request by County Engineer to approve the Final Partial Replat of Sunterra Section 30 in Precinct 3.
10. Request by County Engineer to approve the Final Partial Replat of Sunterra Section 31 in Precinct 3.
11. Request by County Engineer to approve the Final Partial Replat of Sunterra Shores Drive Street Dedication and Lift Station No. 4 in Precinct 3.
12. Request by County Engineer to approve the Final Plat of Sunterra Section 48 Subdivision, in Precinct 3.
13. Request by County Engineer to approve the Final Plat of Bluestem Section 1 and accept the Construction Bond in Precinct 3.
14. Request by County Engineer to approve the Final Partial Replat of Sunterra Section 25 in Precinct 3.
15. Request by County Engineer to approve a permit to construct utility in Waller County Right of Way by Elite Utility, BTEC for a proposed placement of a Fiber Optic Cable in the Right of Way of Woods Rd.
16. Request by County Engineer to approve a Permit to Construct Utility in Waller County Right of Way by BTEC - Elite Utility for a proposed Fiber Optic Cable on Jordan Ranch Blvd.

Requests to approve payments on the following:

17. \$2,977.00 for Invoice # 0000015267 to Harris County Accounts Receivable from line item 125-423-540702 [Autopsy].
18. \$1,295.00 for Invoice December 8, 2023 to Magnolia Funeral Home from line item 125-423-540705 [Transport to Morgue].
19. \$679.00 for Invoice # 202326754 to National Association of Counties from line item 125-411-562300 [County Organizational Dues].

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

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Absent

COUNTY ENGINEER

20. Authorize the County Judge to execute an Interlocal Agreement with the H-GAC relative to the LiDAR 2024 Program. This program has a local match requirement of \$94,000.00. Funds to be paid from line item 110-530-547518 (Engineering Expenses).

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

21. Approve a variance request to the Waller County Rural Residential Subdivision Regulations regarding Lot Size, approximately two (2) acres of public ROW are being dedicated as part of the proposed plat resulting in lots less than 5 acres in Precinct 2 by Mr. Scott Wright with W5 Texas Investments.

Motion to approve made by Commissioner Jones, seconded by Commissioner Smith.

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

<i>Judge Trey Duhon</i> – No	<i>Commissioner Amsler</i> – No	<i>Commissioner Smith</i> – No
	<i>Commissioner Jones</i> – No	<i>Commissioner Beckendorff</i> – Absent

22. Approve roads in Sunterra Section 23, meeting construction requirements to be privately maintained in Precinct 3.

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

23. Approve to apply for FY24-25 Flood Infrastructure Funding through the Texas Water Development Board in order to produce County-wide flood mapping updates.

(no backup submitted)

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

ENVIRONMENTAL DEPARTMENT

24. Approve a variance request to the Subdivision Development Regulations, Engineering Design Standards, Section 2-Lot size, regarding the minimum lot size per dwelling, by Mr. & Mrs. Celia Perez.

Motion to approve made by Commissioner Jones, seconded by Commissioner Smith.

Commissioner Jones made motion to table agenda item, seconded by Commissioner Smith.

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

<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> – Absent

COMMISSIONER, PRECINCT 3

25. Approve TxDOT County Corridor Agreement.

Motion to approve made by Commissioner Jones, seconded by Commissioner Smith.

Commissioner Jones made motion to table agenda item, seconded by Commissioner Smith.

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

<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> – Absent

GRANT MANAGER

26. Award bid for professional home demolition services associated with the County's CDBG-DR Buyout Program (CDBG-DR Project 20-066-011-C074).

Commissioner Jones left meeting.

Judge Duhon made motion to award the bid to RNDI Companies for professional home demolition services associated with the County's CDBG-DR Buyout Program (CDBG-DR Project 20-066-011-C074), seconded by Commissioner Smith.

Motion carried by 3-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler

– Yes

Commissioner Smith

– Yes

Commissioner Jones – Absent

Commissioner Beckendorff – Absent

COUNTY CLERK

27. Approve renewal of the Interlocal Cooperation Contract with the Department of State Health Services to allow access to the Texas Electronic Vital Events Registrar effective thru August 31, 2027.

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

Motion carried by 3-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler

– Yes

Commissioner Smith

– Yes

Commissioner Jones – Absent

Commissioner Beckendorff – Absent

RECYCLE CENTER

28. Approve to amend the 2024 budget and salary order. *(no backup submitted)*

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

Motion carried by 3-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler

– Yes

Commissioner Smith

– Yes

Commissioner Jones – Absent

Commissioner Beckendorff – Absent

Commissioner Jones returned to meeting.

TREASURER

29. Approve amendments to the 2024 Salary Order.

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

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler

– Yes

Commissioner Smith

– Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Absent

AUDITOR

30. Approve 2024 budget adjustments and departmental line item transfers.
Item WITHDRAWN.

DIRECTOR OF FACILITIES

31. Approve payment for Invoice #1054C for \$41,860.00, Invoice #1061C for \$2,209.45, Invoice #1055C for \$4,975.00, Invoice #1052C for \$690.00, Invoice #1070C for \$3,436.00, and Invoice #1049C for \$642.50 for a total of \$53,812.95 to Telomack Cabling Solutions to be paid from line item 604 604 581000 [Courthouse Construction].
Item WITHDRAWN.

32. Approve payment of Invoice # 640414-1 for \$11,853.86 to Bluum USA, Inc. for purchase and installation of audio and video equipment at the Waller County Joe Kuciemba Annex.

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

Judge Duhon made motion to be paid from line item 604-604-581837 [Swing Space], seconded by Commissioner Jones.

Amendmnet 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> – Yes	<i>Commissioner Beckendorff</i> – Absent

Amended 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> – Yes	<i>Commissioner Beckendorff</i> – Absent

MISCELLANEOUS

33. Approve order to raise the micro-purchase threshold under 2 C.F.R. 200 to \$50,000.00 for fiscal year 2024.

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

34. Approve Court order setting allowances for travel outside the County in 2024.

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

35. Approve Court Order setting the pay for Jurors in 2024 and providing food and lodging for Jurors in certain cases and instances.

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

36. Approve payment of \$7,500.00 to Gulf Coast Rail District for the 2024 General Purpose Fund.

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

37. ~~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.~~

38. ~~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

39. ~~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**.

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

41. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.

Court convened to Executive Session at 10:28 a.m.
Court reconvened from Executive Session at 10:49 a.m.

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

Judge Duhon made motion to join in Brookshire-Katy Drainage District's lawsuit against the concrete plant on Cardiff Road, cause of action number CV24-01-0991, 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> – Yes	<i>Commissioner Beckendorff</i> – Absent

ADJOURN MEETING

Motion to **adjourn** meeting by Commissioner Amsler, 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> – Yes
	<i>Commissioner Jones</i> – Yes	<i>Commissioner Beckendorff</i> – Absent

Meeting was **ADJOURNED** at 10:50 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 24th day of January 2024.

Carbett "Trey" J. Duhon, III

Carbett "Trey" J. Duhon, III
County Judge