

**MINUTES**  
**WALLER COUNTY COMMISSIONER’S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – JANUARY 11, 2023**

**BE IT REMEMBERED** that the Honorable Commissioner’s Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 11<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 9:04 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 9:08 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 to approve agenda with grammatical corrections to items #6 and #8 by Commissioner Beckendorff, seconded by Commissioner Smith.

**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**

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.swagit.com/live>.

1. Bill Parks
2. David Allen
3. Larry Parr *via teleconference*

*Commissioner Jones arrived to meeting at 9:08 a.m.*

**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** – January 4, 2023 Regular Session
3. **Request by County Treasurer for approval of Payroll.**

4. Request to approve payment on the following:
  - (a) \$2,271.76 for Invoice # 2023-12 to H-GAC from line item 125-411-562300 [County Organizational Dues] for Membership Dues.
  - (b) \$4,183.00 for Invoice # 10977 to Harris County from line item 125-423-540702 [Autopsy].
  - (c) \$1,050.00 and \$1,100.00 for invoices dated December 2, 2022 for a total of \$2,150.00 to Schmidt Funeral Home from line item 125-423-540705 [Transport to Morgue].
5. Request by County Auditor for approval and/or ratification of Accounts Payable.
6. Request by Grant Manager for approval to accept a \$6,000.00 grant award provided by to the County's Juvenile Probation Department by the Houston-Galveston Area Council for Regional Juvenile Mental Health Services.
7. **Spread** upon the minutes the submittal of a STEP Comprehensive FY24 Grant Application to the Texas Department of Transportation in the amount of \$21,359.40.
8. **Spread** upon the minutes the submittal of a STEP CMV FY24 Grant Application to the Texas Department of Transportation in the amount of \$36,721.25.

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 Smith – Yes*

*Commissioner Jones – Yes*

*Commissioner Beckendorff – Yes*

### **COMMISSIONER PRECINCT 3**

9. **Presentation** by Hawes Hill and Associates on County Tax Increment Reinvestment Zones.  
*No action required.*

*Commissioner Smith stepped away from meeting at 10:15 a.m.*

### **SHERIFF**

10. Discuss and take action to approve renewal of Motorola contract and annual renewal payment of \$25,238.91 to be paid from line item 125-517-545515 [Equipment Rental/Repairs].

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 Smith returned to meeting at 10:19 a.m.*

### **GRANT MANAGER**

11. Discuss and take action to authorize the County Judge to execute two contracts relative to grant administration services associated with projects funded by the County's CDBG-MIT State MID and CDBG-MIT HUD MID funds.

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*

**TREASURER**

- 12. **Open Request For Proposals (RFP)** for the Classification and Compensation Study and Analysis.

The following bids were submitted and opened by the Court:

- 1. Received January 10, 2023 at 9:33 a.m. from Gallagher Benefit Services
- 2. Received January 6, 2023 at 10:13 a.m. from Baker Tilly
- 3. Received January 9, 2023 at 9:58 a.m. from Evergreen Solutions LLC

**COUNTY ENGINEER**

- 13. Discuss and take action to approve the price increase from Petroleum Traders Corporation for 2023.

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*

- 14. Discuss and take action to approve the price increase from Ben E. Smith Tractors for 2023.

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*

- 15. **Award** 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

Judge Duhon made motion that we award those three (3) bids that he outlined earlier All Season Pre-Coated Patching Mixture Gradation IV to Waller County Asphalt, Crushed Limestone to Heise Trucking LLC, Roadside Vegetative Management to IBM Solutions LLC dba Roadside, seconded by Commissioner Smith. Judge Duhon amended his motion that we are rejecting the bids on Pavement Markings and Reflective Pavement Markers, seconded by Commissioner Smith.

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

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Jones – Yes*

*Commissioner Smith – Yes*

*Commissioner Beckendorff – Yes*

## **JUSTICE OF THE PEACE, PRECINCT 4**

16. Discuss and take action to approve RICOH quote 32424795 to lease a RICOH IMC3000 copier/printer/fax machine for a monthly fee of \$150.89 plus \$0.0078 per black and white copy and \$0.046 per color copy. Payment to be taken from line item 125-421-581817 [Technology Enhancements].

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*

## **IT**

17. Discuss and take action to approve Xpernet Services professional services agreement.

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*

18. Discuss and take action to approve Xpernet Services professional services agreement for Mobile device management.

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*

19. Discuss and take action to approve Xpernet Services professional services agreement for Data backup and archiving of county owned systems and data.

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*

## **MISCELLANEOUS**

20. ~~Discuss and take action to approve interlocal agreement with the Brookshire Katy Drainage District for a Community Development Block Grant Project.~~

**Item WITHDRAWN.**

21. Discuss and take action to approve Court Order setting the pay for Jurors in 2023 and providing food and lodging for Jurors in certain cases and instances.

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*

22. Discuss and take action to approve Court Order setting allowances for travel outside the County in 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*

23. Discuss and take action to approve Order Designating an Area for the Sale of Real Property for the relocation of tax sales during the courthouse demolition and construction.

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*

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. Item WITHDRAWN.~~

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. Item WITHDRAWN.~~

## **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. Item WITHDRAWN.~~

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

28. Deliberate the evaluation and duties of the Director of Policy and Administration pursuant to Government Code Section 551.074.

29. Deliberate the evaluation and duties of the Fire Marshal pursuant to Government Code Section 551.074.

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

Court convened to Executive Session at 10:54 a.m.

Court reconvened from Executive Session at 11:44 a.m.

*Judge Duhon dismissed from meeting at 11:44 a.m.*

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

*No action taken.*

**ADJOURN MEETING**

Motion to **adjourn** meeting by Commissioner Amsler, seconded by Commissioner Jones.

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

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Jones – Yes*

*Commissioner Beckendorff – Yes*

Meeting was **ADJOURNED** at 11:44 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 18<sup>th</sup> day of January 2023.**

*Trey Duhon*

Carbett "Trey" J. Duhon, III  
County Judge