

MINUTES
WALLER COUNTY COMMISSIONER’S COURT
REGULAR SESSION
WEDNESDAY – MARCH 29, 2023

BE IT REMEMBERED that the Honorable Commissioner’s Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 29th day of March 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 9:00 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. Jackie Craver & Roland Stasny 2. Bill Parks 3. Malcolm Jackson

Commissioner Jones stepped away from meeting at 9:13 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** – March 22, 2023 Regular Session
3. **Request to approve payment on the following:**
- (a) \$2,095.00 for Invoice # 579822 to W.L. Simon Mortuary Transport from line item 125-423-540705 [Transport to Morgue].
 - (b) \$1,995.00 for Invoice dated March 15, 2023 to Magnolia Funeral Home, Inc. from line item 125-411-561502 [Pauper Burial].
 - (c) \$5,819.00 for Invoice # 11972 and \$90.00 for Invoice # 11978 for a total of \$5,909.00 to Harris County from line item 125-423-540702 [Autopsy].
 - (d) \$3,200.00 for Invoice # SOP017390 to CIRA from line item 125-411-5545001 [Maintenance Contracts].
 - (e) \$2,592.00 for Invoice dated March 2, 2023 to County Judges and Commissioners Association of Texas from line item 125-411-562300 [County Organizational Dues].

4. Request by County Auditor for approval and/or ratification of Accounts Payable.
5. Request by County Auditor for approval of official documents and all monthly reports.
6. Request to approve Order Authorizing San Jacinto Fireworks Sales.
7. Request by County Tax Assessor Collector to approve refunds in excess of \$500.00 in accordance with section 31.11 Texas Tax Code.
8. Request by County Treasurer for approval of payment for retiree insurance.
9. Request by County Clerk for approval of Fixed Asset Transfer.
10. Request by County Engineer to approve a Utility Permit for GCP Technologies, on behalf of AT&T to place a fiber optic cable along Murrell Road in Precinct 2.

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

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Absent

Commissioner Beckendorff – Yes

COUNTY ENGINEER

11. **Open bids for:**

EMULSIFIED ASPHALT & HAULING
HYDRATED LIME

HOT MIX ASPHALTIC CONCRETE PAVEMENT (HMAC) (PCT.1 & PCT.2)

HOT MIX ASPHALTIC CONCRETE PAVEMENT (HMAC) (PCT.3 & PCT.4)

The following Bids were submitted and opened by the Court:

1. Received March 16, 2023 at 8:10 a.m. from P2 Emulsions sealed bid for Emulsified Asphalt & Hauling.
2. Received March 24, 2023 at 10:57 a.m. from Cleveland Asphalt Products for Emulsified Asphalt & Hauling.
3. Received March 24, 2023 at 10:57 a.m. from Ergon Asphalt & Emulsions for Emulsified Asphalt & Hauling.

Commissioner Jones returned to the meeting at 9:15 a.m.

COMMISSIONER, PRECINCT 3

12. **Discuss** Cochran Road Development and potential impacts.

No action required.

13. Discuss and take action to approve agreement with HALFF Associates for Mobility Planning and Project Prioritization Study.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 3-2 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – No

Commissioner Smith – No

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

AUDITOR

14. Discuss and take action to approve 2023 budget amendments and departmental line-item transfers.

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*

FIRE MARSHAL

15. Discuss and take action to accept the donation of \$6,000.00 from Tri-County Health Department/Tomball Health Coalition for the purchase of tourniquets to support the Waller County OEM's "Stop The Bleed" program.

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*

CONSTRUCTION MANAGER

16. Discuss and take action to adopt 2022-23 Prevailing Wage Rates for Waller County.

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*

MISCELLANEOUS

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 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 Smith.

Motion carried by 5-0 vote.

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

18. 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 Smith – Yes*
Commissioner Jones – Yes *Commissioner Beckendorff – Yes*

EXECUTIVE SESSION

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

Court convened to Executive Session at 11:10 a.m.
Court reconvened from Executive Session at 11:34 a.m.

- 22. ~~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 5-0 vote.

Judge Trey Duhon - Yes

Commissioner Amsler - Yes

Commissioner Smith - Yes

Commissioner Jones - Yes

Commissioner Beckendorff - Yes

Meeting was **ADJOURNED** at 11:34 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 5th day of April 2023.

Justin Beckendorff

Commissioner Justin Beckendorff
 Presiding Judge