



MINUTES

WALLER COUNTY COMMISSIONERS COURT REGULAR SESSION

WEDNESDAY – MAY 15, 2024

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 15th day of May 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 Presiding Judge Commissioner Justin Beckendorff at 9:04 a.m. with the following members of the Court present to-wit:

John A. Amsler, Commissioner Precinct 1
Walter Smith, Commissioner Precinct 2
Kendric D. Jones, Commissioner Precinct 3
Justin Beckendorff, Commissioner Precinct 4 – *Presiding Judge*
Debbie Hollan, County Clerk

Absent: Carbett "Trey" J. Duhon III, County Judge

Delivery of Invocation by: Commissioner Amsler

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

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

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

PUBLIC COMMENT

1. Waller County 4H Representatives – Harley Mauldin & Hailey Hill
2. Ross McCall – County Engineer
3. Brenda Nichols

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 – *May 1, 2024 Regular Session*
3. Request by County Treasurer for approval of Payroll disbursements.
4. Request by County Treasurer for approval of Election Payroll disbursements.

5. Request to approve payment on the following:
\$1,175.00 for Invoice dated April 17, 2024 to Schmidt Funeral Home from line item 125-423-540705 [Transport to Morgue].
6. \$7,500.00 for Invoice #08733 to Brazos Valley Council of Governments from line item 125-525-546900 [BVCOG].
7. \$500.00 for Invoice dated April 15, 2024 to Clay's Funeral Home from line item 125-423-540705 [Transport to Morgue].
8. \$1,986.30 for Invoice #31 to King Architectural Consulting Services from line item 604-604-545405 [Professional Services].
9. Request by County Auditor to approve and/or ratify Accounts Payable.
10. Request by County Tax Assessor-Collector to approve refunds in excess of \$500.00 in accordance with Article 31.11 State Property Tax Code.
11. Request by County Treasurer for approval of Monthly Report.
12. Approve copier lease agreement with Xerox for the District Attorney's Office. Monthly rate of \$267.41 for 48 months. Funds to be paid from line item 125-416-581813 [Copier/Printer].
13. Request by County Engineer to approve the Final Plat of Sunterra Section 47 and accept the Construction Bond in Precinct 3.
14. Request by County Engineer to place the roads in Bluestem Section 3 into a one-year warranty period beginning April 17th, 2024 (date of substantial completion).
15. Request by County Engineer to approve the Final Plat of Sunterra Section 55 and accept the Construction Bond in Precinct 3.
16. Request by County Engineer to approve the Final Plat of Sunterra Section 65 and accept the Construction Bond in Precinct 3.
17. Request by County Engineer to accept Clay Road - Section I for county maintenance (from 6,100 LF west of Pitts Rd to 150 LF west of Pitts Rd).
18. Request by County Engineer to approve Final Plat of Sunterra Section 66 and accept the Construction Bond in Precinct 3.
19. Request by County Engineer to approve a 60 month Lease Agreement, for the Road and Bridge Department, with XBS Southwest for a Xerox Copier Lease and Maintenance Agreement. Funds to be paid from line item 110-524-544900 [Service Contracts/Repairs Lease].
20. Request by County Engineer for acceptance of Private Roads in Sunterra Section 6 with roads meeting minimum requirements and to be privately maintained.
21. Request by County Engineer for acceptance of Private Roads in Sunterra Section 7 with roads meeting minimum requirements and to be privately maintained.
22. Request by County Engineer for acceptance of roads in Sunterra Section 28 for county road maintenance with roads meeting minimum requirements.
23. Request by County Engineer for acceptance of roads in Sunterra Section 30 for county road maintenance with roads meeting minimum requirements.

Motion to approve Consent Agenda made by Commissioner Smith, 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

PROCLAMATION

24. Approve Proclamation Declaring May 12th through May 18th, 2024 as National Police Week and May 15th, 2024 as National Peace Officers Memorial Day in Waller County.

Motion made by Commissioner Smith, seconded by Commissioner Jones.

(Commissioner Beckendorff read Proclamation)

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler

– Yes

Commissioner Smith

– Yes

Commissioner Jones

– Yes

Commissioner Beckendorff

– Yes

COUNTY ENGINEER

25. Approve Professional Services Agreement for Bond Program Management with LJA Engineering.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler

– Yes

Commissioner Smith

– Yes

Commissioner Jones

– Yes

Commissioner Beckendorff

– Yes

26. Approve Riverway Farms Development Agreement.

Motion made by Commissioner Smith, 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

27. Approve contract with Texas Drainage for ditch maintenance services in Peregrine Estates (Pct 3).

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler

– Yes

Commissioner Smith

– Yes

Commissioner Jones

– Yes

Commissioner Beckendorff

– Yes

28. Approve purchase of one 2025 F-750 Diesel Regular Cab Base from Chastang Ford, Houston, Texas in the amount of \$83,875.00 from Buyboard. Funds to be paid from line item 110-530-581100 [Construction Equipment].

Motion made by Commissioner Smith, 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

29. Approve purchase of P3 Skid Mount Patcher with T4 Final Diesel Engine from Cimline, in the amount of \$131,035.00 for Sourcewell Contract #080521-CME. Funds to be paid from line item 110-530-581100 [Construction Equipment].

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Commissioner Jones stepped away from meeting at 9:36 a.m.

Motion carried by 3-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler

– Yes

Commissioner Smith

– Yes

Commissioner Jones

– Absent

Commissioner Beckendorff

– Yes

30. **Presentation** of Road and Bridge Department Quarterly Report. *No action required.*

Commissioner Jones returned to the meeting at 9:45 a.m.

COMMISSIONER, PRECINCT 3

31. **Discussion** on potential Precinct 3 TIRZ.

No action required.

COMMISSIONER, PRECINCT 4

32. Approve advertisement of RFP for a take home vehicle for Commissioner Beckendorff to be published in the Waller County Express. Funds to be paid from line item 125-401-544100 [Bid Notices and Printing].

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler

– Yes

Commissioner Smith

– Yes

Commissioner Jones

– Yes

Commissioner Beckendorff

– Yes

SHERIFF

33. Publicly **open** sealed bids received for Sheriff's Office Patrol Vehicle Upfitting and Installation (RFP #240417-34).

The following bids were submitted to and opened by the Court:

1. Received from Cypress Fleet Services on May 14, 2024 at 3:12 p.m.

2. Received from Chiefs Pursuit Surplus on May 14, 2024 at 2:35 p.m.

3. Received from Dana Safety Supply, Inc. on May 13, 2024 at 10:39 a.m.

34. Approve service agreement with Southwest Solutions Group that expired in July 2023. Funds to be paid from line item 125-516-545515 [Equipment Rental/Repairs].

Motion made by Commissioner Smith, 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

AUDITOR

35. Approve 2024 Budget Adjustments and line-item transfers.

Motion made by Commissioner Smith, 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

36. Approve the creation of an Auditor's office AP assistant position. Funding of \$40,000 (prorated for FY24) for salary and benefits. Funds to be paid from line item 241-595-510027 [Staff Salary] and \$10,000 for technology/furniture from line item 241-595-561209 [ARPA Miscellaneous].

Motion made by Commissioner Smith, 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

TREASURER

37. Approve amendments to the Waller County Personnel Policy.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

38. Approve amendments to the 2024 Salary Order.

Motion made by Commissioner Smith, seconded by Commissioner Jones.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

39. Approve schedule with additional take home vehicles for the Sheriff's Department.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

JUSTICE OF THE PEACE, PRECINCT 2

40. **Spread** upon the minutes the completion of the Texas Association of Counties Leadership 254 Course for Judge Woolley.

No action required.

FIRE MARSHAL

41. Approve renewal agreement between Waller County and the Southeast Texas Regional Advisory Council (SETRAC) and their Catastrophic Medical Operations Center (CMOC).

Motion made by Commissioner Smith, seconded by Commissioner Jones.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

42. ~~Approve purchase of ESO Plan Review and Inspection software in the amount of \$2,475.00 (Year 1) and total recurring annual fee of \$1,385.00. Funds to be paid from line item 132-509-568400 [Miscellaneous]. Item WITHDRAWN.~~

DIRECTOR OF POLICY & ADMINISTRATION

43. Approve Memorandum of Understanding between the City of Katy and Waller County relating to the Texas Heritage Marketplace Development.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

44. **Discussion** of County Assistance Districts.

No action required.

GRANT MANAGER

45. Approve ratification of Amendment #6 relative to the County's CDBG-DR Buyout Grant (GLO Contract No. 20-066-011-C074) that extends the contract termination date to June 30, 2024.

Motion made by Commissioner Smith, 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

46. Approve payment to the previous owner(s) of 24155 Joseph Road, Hockley, TX 77447 in the amount of \$5,000.00 for eligible relocation incentives as participant(s) in the County's CDBG-DR Buyout Program (GLO Contract No. 20-066-011-C074).

Motion made by Commissioner Smith, 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

47. Approve and adopt a County Fraud, Waste, and Abuse Policy.

Motion made by Commissioner Smith, 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

48. Approve and adopt a County VINE/SAVNS Maintenance Plan.

Motion made by Commissioner Smith, 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

DIRECTOR OF FACILITIES

49. **Update** on the Construction of the new Waller County Courthouse.

No action required.

50. **Update** on the Modular Building Compound at the Judicial Building.

No action required.

51. Approve Payment of \$723,703.85 for Application #18 to Sedalco, Inc. to be paid from the following line items:

\$33,026.91 - 604-604-545045 [Professional Services].

\$690,676.94 - 604-604-581000 [Bldg Purch, Const, or Improv].

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler

– Yes

Commissioner Smith

– Yes

Commissioner Jones

– Yes

Commissioner Beckendorff – Yes

52. Approve payment of \$147,855.43 for Invoice #2 to Sedalco for PAY APP #1. Funds to be paid from line item 125-600-581620 [Justice Center Modular Building Design Fees].

Motion made by Commissioner Smith, 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

Court reconsiders agenda item #52 later in meeting. (page 7)

MAINTENANCE

53. Reject sole bid received on April 1, 2024 at 9:42 a.m. from Silsbee Ford pursuant to the Maintenance Fleet Vehicles solicitation [RFP# 240220-25].

Motion made by Commissioner Smith, seconded by Commissioner Jones.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

54. Approve purchase for two 24 Crew Cab 4x4 Long Bed Trucks from Grapevine Dodge Chrysler Jeep through BuyBoard for \$125,572.00. Funds to be paid from line item 125-442-581400 [Vehicle].

Motion made by Commissioner Smith, seconded by Commissioner Jones.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

MISCELLANEOUS

55. **Discuss** progress of the Long Range Planning Committee and give the Committee feedback on how to proceed.

No action required.

Commissioner Jones made motion to reconsider agenda item #52, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

Returned to Agenda Item #52

52. Approve payment of ~~\$147,855.43~~ **\$49,443.08** for Invoice #2 to Sedalco for PAY APP #1. Funds to be paid from line item 125-600-581620 [Justice Center Modular Building Design Fees].

Commissioner Beckendorff made motion to strike the original number and replace it with \$49,443.08, seconded by Commissioner Smith.

Amendment carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

Amended Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

Proceeded with Agenda Item #56

56. Approve the 2024 Interlocal Agreement with Grimes County for the Cost Sharing of the 506th District Court Coordinator, Assistant Court Coordinator, and Court Reporter.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

57. Approve payment of \$23,079.80 for Invoice #3926 to CRC for Kennels.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

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

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

Judge Trey Duhon – Absent

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

58. 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.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

59. 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.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

EXECUTIVE SESSION

60. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.
61. 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.
62. Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725.

Court convened to Executive Session at 12:47 p.m.

Court reconvened from Executive Session at 1:20 p.m.

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

Commissioner Beckendorff moved to offer the owners of address 425 Business 290 in Hempstead, Texas the amount of \$650,000.00 to purchase the property, seconded by Commissioner Jones.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

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 Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 1:21 p.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
Waller County Clerk

APPROVED this the 29th day of May 2024.


Commissioner Justin Beckendorff
Presiding Judge