

MINUTES
WALLER COUNTY COMMISSIONER’S COURT
REGULAR SESSION
WEDNESDAY – SEPTEMBER 20, 2023

BE IT REMEMBERED that the Honorable Commissioner’s Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 20th day of September 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 9:01 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.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

PUBLIC COMMENT

1. Harley Mauldin 2. Brian Cantrell

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** – September 13, 2023 Regular Session
3. **Request by County Treasurer for approval of Payroll.**
4. **Request by County Treasurer for approval of Treasurer’s Monthly Report.**
5. **Request by County Treasurer for approval of payment for retiree insurance.**
6. **Request to approve payment on the following:**
- (a) \$85.00 for Invoice # 23547409 [Courthouse, Hold-Up Alarm], and \$995.00 for Invoice # 23112409 [Courthouse Camera Surveillance], for a total \$1,080.00 payable to TAC Security from line item 117-428-568425 [Courthouse Security/Misc. Security].
- (b) \$2,016.00 for Invoice dated September 5, 2023 to Magnolia Funeral Home, Inc. from line item 125-411-561502 [Pauper Burial].
7. **Request by County Auditor for approval and/or ratification of Accounts Payable.**

8. ~~Spread upon the minutes the Agreed Orders to both the County and District Clerk transferring cases from the County Court at Law No. 1 and the 506th District Court to the County Court at Law No. 2. Item REMOVED.~~

Motion to approve Consent Agenda with item #8 removed 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

EXTENSION SERVICES

9. **Presentation** by the Waller County 4-H Ambassadors of the Texas A & M AgriLife Extension 4-H and Youth Development Program.

No action required.

10. Discuss and take action to approve the proclamation presented by the Waller County 4-H Ambassadors declaring October 1-7, 2023 as “4-H Week in Waller County”.

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

AUDITOR

11. **Presentation** by Lewis Crain from the audit firm of Rutledge Crain & Company, PC of the fiscal year 2022 Waller County Financial Audit Report.

No action required.

12. Discuss and take action to approve the fiscal year 2022 Waller County Financial Audit Report.

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

13. Discuss and take action to approve 2023 budget adjustments 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

COUNTY ENGINEER

14. **Public Hearing:** On notice of application for replat of Shiloh Subdivision, to revise Lot 5 Block 1, subdivide 1 residential lot to create 3 residential lots by Laura Angela Frayre and Misael Frayre-Sierra.

Public Hearing began at 9:46 a.m.

Public Comments were received from Cynthia Reese, Laura Frayre, Robert Merchant.

Public Hearing ended at 9:59 a.m.

15. Discuss and take action to approve the General Land Plan for Morton 180 tract in Precinct 4.

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

ELECTIONS

16. Discuss and take action to approve the Notice of the State Constitutional Amendment Election and Joint Special/General Uniform Election to be held on November 7, 2023 and approval to post Official Notice in the Waller County Express newspaper.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Judge Duhon made motion to amend to include The Hotline, The Waller Times, and The Katy Times, seconded by Commissioner Smith.

Amendment carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

Amended 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

- ~~17. Discuss and take action to approve Interlocal Agreement between the City of Prairie View, Prairie View A&M University, and Waller County.~~

~~Item WITHDRAWN.~~

18. Discussion on pre-qualifications of engineering firms for professional services.

No action required.

COMMISSIONER, PRECINCT 4

- ~~19. Discuss and take action on Houston Executive Airport Road Agreement.~~

~~Item WITHDRAWN.~~

JUVENILE PROBATION

20. Discuss and take action to approve funding for IT, security, and furniture associated with Juvenile Probation's Modular Office in an amount not to exceed \$20,000.00. Funds to be paid from line item 241-595-561209 [ARPA Miscellaneous].

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

Advanced to Agenda Items #22-31

DIRECTOR OF POLICY AND ADMINISTRATION

22. Discuss and take action to approve payment of \$20,351.40 for Invoice # 10103635 payable to Halff from line item 125-401-540900 [Prof. Consultant Services].

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

23. ~~Discuss and take action on Burn Ban.~~
Item WITHDRAWN.

Commissioner Jones left meeting at 10:30 a.m.

CONSTRUCTION MANAGER

24. Discuss and take action to advertise in the Katy Times, The Hotline Press, Waller Times, and The Waller County Express Request for Proposals (RFP) for Courthouse Shredding Services. Funds to be paid from line item 125-401-544100 [Bid Notices and Printing].

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 – Absent

Commissioner Beckendorff – Yes

25. Discuss and take action to approve check request to City of Hempstead for \$40,330.00 for Plan Check and Fees for the Waller County Courthouse Replacement Project. (Building Permit not included).

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

Commissioner Beckendorff made motion to amend #25 to be paid from line item 604-604-581000, seconded by Commissioner Smith.

Amendment carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Absent

Commissioner Beckendorff – Yes

Amended Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Absent

Commissioner Beckendorff – Yes

MISCELLANEOUS

26. 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 Smith.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Absent

Commissioner Beckendorff – Yes

27. 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 – Absent *Commissioner Beckendorff – Yes*

28. 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 Smith.

Motion carried by 5-0 vote.

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

EXECUTIVE SESSION

29. 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.
30. Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725.
31. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.

Court convened to Executive Session at 10:39 a.m.

Court reconvened from Executive Session at 11:20 a.m.

Returned to Agenda Item #12

GRANT MANAGER

21. Discuss and take action to approve payment of \$14,500.00 to the owner of Parcel #3 for a .200-acre strip of land associated with the CDBG-DR Diemer Road Project (Contract No. 20-065-062-C180) **to be paid from line item 125-411-569900.**

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 – Absent *Commissioner Beckendorff – Yes*

Proceeded with Agenda Item #32

32. ~~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 Smith.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Absent

Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 11:21 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 27th day of September 2023.

Trey Duhon

Carbett "Trey" J. Duhon, III
County Judge