

MINUTES
WALLER COUNTY COMMISSIONER’S COURT
REGULAR SESSION
WEDNESDAY – OCTOBER 4, 2023

BE IT REMEMBERED that the Honorable Commissioner’s Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 4th day of October 2023 at its meeting place in the Commissioners Courtroom of the Waller County Courthouse, Hempstead, Texas. The meeting was called to order by Presiding Judge Commissioner Justin Beckendorff at 2:01 p.m. with the following members of the Court present to-wit:

Carbett “Trey” J. Duhon III, County Judge – *Present via Zoom Video*
John A. Amsler, Commissioner Precinct 1
Walter Smith, Commissioner Precinct 2 – *Present via Zoom Video*
Kendric D. Jones, Commissioner Precinct 3
Justin Beckendorff, Commissioner Precinct 4 – *Presiding Judge*
Debbie Hollan, County Clerk

Delivery of Invocation by: Commissioner Amsler
Pledge to the American Flag and Texas Flag led by: Commissioner Jones

1. **Approval of Agenda.**

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

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 - *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 ~~Approval of the minutes.~~ **Item WITHDRAWN.**

3. Request by County Treasurer for approval of Payroll.

4. Request to approve payment on the following:

(a) \$37,500.00 for Invoice # 2373 to Waller County Economic Development for 4th quarterly payment as allocated in the 2023 Budget from line item 125-411-547200 [Economic Development].

(b) \$1,295.00 for Invoice dated September 19, 2023 to Magnolia Funeral Home, Inc. from line item 125-423-540705 [Transport to Morgue].

(c) \$1,600.00 for Invoice # WC-PU-001 to Stephens & Flowers Funerals and Cremations 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 County Tax Assessor for approval of the 2023 Tax Roll.

7. Request by the County Engineer to accept a Formal Notice of Proposed Utility Work for American Communication Construction Inc. to place (1) – 2” HDPE Conduit with wireline/fiber cable within the right of way of Urban Rd and Mitchmore Rd in Precinct 1 a total of 681 ft.
8. Request by the County Engineer to accept a Formal Notice of Proposed Utility Work for American Communication Construction Inc. to attach a fiber by conduit/cable to existing poles within the right of way of Urban Rd and Cemetery Rd. in Precinct 1.
9. Request by the County Engineer to accept a Formal Notice of Proposed Utility Work for AT&T to place a Fiber Optic Cable within the right of way of Betka Rd. in Precinct 3 a proposed distance of 6,847 ft.

Motion to approve Consent Agenda with #2 withdrawn made 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

COUNTY ENGINEER

10. ~~Discuss and take action to approve a Subdivision Variance Request to the Waller County Subdivision and Development Regulations, Section 3.4.8 Flag Lot access length, by Ernesto Arriaga Bernac in Precinct 1. Item WITHDRAWN.~~

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

Motion and Second withdrawn.

11. Discuss and take action to accept a Change Rider on Liberty Mutual Surety Bond, #58S215981 from Triple B Services, LLP, increasing the term of the Maintenance Bond from current 1 (one) year to a 2 (two) year term for Paving Facilities of Schlipf Rd.

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

JUSTICE OF THE PEACE, PRECINCT 1

12. Discuss and take action to approve the purchase of a Garrett Walk-Through Metal Detector and Metal Detector Casters in the amount of \$6,021.71 to be paid from line-item 123-431-568425 [Misc. Security].

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

GRANT MANAGER

13. Discuss and take action to authorize the acceptance of a grant award in the amount of \$29,267.38 from the Office of the Governor, Public Safety Office’s Homeland Security Grants Division for the 2023 State Homeland Security Program-Regular Projects (SHSP-R).

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

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 authorize the acceptance of a grant award in the amount of \$33,300.00 from the Office of the Governor, Public Safety Office’s Criminal Justice Division for the Rifle-Resistant Body Armor Grant Program, FY2024.

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

- 15. Discuss and take action to authorize the acceptance of a grant award in the amount of \$50,854.00 from the Office of the Governor, Public Safety Office’s Criminal Justice Division for the General Victim Assistance Grant Program, FY2024.

Motion made 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

DIRECTOR OF POLICY AND ADMINISTRATION

- 16. Discuss and take action to approve Subdivision Development Agreement with Texas Land Holdings, LLC for the Morton 180 development.

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

TREASURER

- 17. Discuss and take action to approve the distribution of Available School Funds to the four school districts within Waller County in accordance with the Texas Education Code.

Motion made 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

AUDITOR

- 18. Discuss and take action to approve 2023 budget adjustments and departmental line-item transfers.

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

FIRE MARSHAL

- 19. ~~Discuss and take action on Burn Ban.~~
Item WITHDRAWN.

CONSTRUCTION MANAGER

20. Discuss and take action to approve Change Orders for Swing Space Annex Project.
Motion made by Commissioner Jones, seconded by Commissioner Amsler.
Motion carried by 5-0 vote.
Judge Trey Duhon – Yes Commissioner Amsler – Yes Commissioner Smith – Yes
Commissioner Jones – Yes Commissioner Beckendorff – Yes
21. **Presentation** by SEDALCO and BSW Architects of the bid results and GMP for the Courthouse Renovation Project.
No action required.
22. Discuss and take action to approve Exhibit F to the agreement with SEDALCO for design-build services. Exhibit F establishes the GMP for the Courthouse demolition and construction.
Commissioner Jones made motion to approve with all of the Ad Alternates included, seconded by Commissioner Amsler.
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 #24-29

MISCELLANEOUS

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. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.
Court convened to Executive Session at 3:27 p.m.
Court reconvened from Executive Session at 3:51 p.m.

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

Returned to Agenda Item #23

Judge Duhon did not return via Zoom Video after Executive Session

23. Discuss and take action to approve proposal from Granicus to move and update Swagit system for Commissioners Court meetings.

Motion made by Commissioner Jones, 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

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

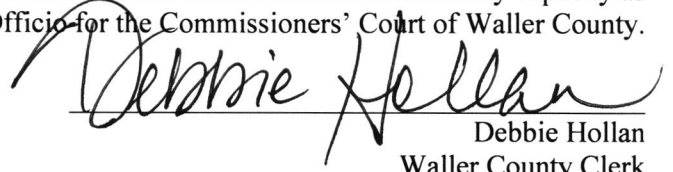
Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 3:53 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 11th day of October 2023.


Commissioner Justin Beckendorff
Presiding Judge