

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – OCTOBER 18, 2023

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 18th 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 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 – *Present via Zoom*
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 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** – October 11, 2023 Regular Session
3. **Request by County Treasurer for approval of Payroll.**
4. **Request to approve payment on the following:**
 - (a) \$1,987.92 for Invoice # 17 to King Architectural Consulting Services PLLC from line item 604-604-545405 [Professional Services].
 - (b) \$85.00 for Invoice # 23547410 [Courthouse, Hold-Up Alarm], and \$995.00 for Invoice # 23112410 [Courthouse Camera Surveillance], for a total \$1,080.00 payable to TAC Security from line item 117-428-568425 [Courthouse Security/Misc. Security].
 - (c) \$2,600.00 for Invoice # 1264 to Fort Bend Medical Examiner from line item 125-423-540702 [Autopsy].
 - (d) \$200.00 for Invoice # 239595 to Texas Judicial Academy from line item 125-411-562300 [County Organizational Dues].
5. **Request by County Auditor for approval and/or ratification of Accounts Payable.**

6. Request by County Treasurer for approval of payment for the State Quarterly Fuel Tax Report.
7. Request by County Treasurer for approval of payment for the State Quarterly Fee reports.
8. Request by County Treasurer for approval of Treasurer's Monthly Report.
Motion to approve Consent Agenda 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

9. **Presentation** of the County Specific Incentive plan by TAC Wellness Consultant, Ashley Cureton-Whitfield.
No action required.

10. Discuss and take action to approve the Waller County Specific Incentive Plan for 2024.
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

11. ~~Discuss and take action to approve a variance request to the Waller County Subdivision and Development Regulations regarding Appendix A – Engineering Design Standards 2.1 Lot Size by Juan Plata in Precinct 2. Item WITHDRAWN.~~
12. ~~Discuss and take action to approve a Uniform Rental Service Agreement for ALSCO to serve the Road and Bridge Department. Total amount of \$17,340.00 to be paid from line item 110-530-547522 [Health, Safety & Hazard]. Item WITHDRAWN.~~

GRANT MANAGER

13. **Open** sealed bids associated with the County's Hazard Mitigation Plan Update (RFP# 230927-14)

The following bids were submitted and opened by the Court:

1. From IEM received October 17, 2023 at 11:45 a.m.
2. From IEM received October 17, 2023 at 12:54 p.m.
3. From H2O Partners received October 17, 2023 at 1:20 p.m.
4. From Integrated Solutions received October 17, 2023 at 2:33 p.m.

COMMISSIONER, PRECINCT 3

14. ~~Discuss and take action to approve Subdivision Development Agreement with LGI Homes Texas, LLC for the Dewberry Hills subdivision. Item WITHDRAWN.~~
15. ~~Discuss and take action to approve Open Space License Agreement for Due Diligence Studies. Item WITHDRAWN.~~

COUNTY COURT AT LAW #2

16. Discuss and take action to approve Lease Agreement with Xerox for a Xerox C8135H2. Monthly rate of \$149.86 for a 48-month term to be paid from line item 125-430-581813 [Copier/Printer].

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

AUDITOR

17. 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

TAX ASSESSOR-COLLECTOR

18. **Spread** upon the minutes the Tax Assessor-Collector Association Professional County Collector Maintenance Transcript for Ellen Shelburne and County Tax Office Professional Maintenance Transcript for Elizabeth Matthews.

No action required.

FIRE MARSHAL

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

DIRECTOR OF POLICY AND ADMINISTRATION

20. Discuss and take action to approve payment of \$17,099.00 for Invoice #10105556 payable to Halff from line item 125-401-540900 [Prof. Consultant Services].

Motion made by Commissioner Beckendorff, 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. Discuss and take action to approve the 2024 Commissioners Court Meeting Schedule.

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

CONSTRUCTION MANAGER

22. **Presentation** on moving the Courthouse Staff to various locations.

No action required.

23. Discuss and take action to award contract for Request for Proposals #230913-25 for Courthouse Moving Services.

Commissioner Beckendorff made motion that we select Wald Relocation for the moving of the Courthouse, in the amount of \$52,194.00, 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

24. **Update** on the Waller County Courthouse Replacement and Annex Project.

No action required.

25. ~~Discuss and take action to approve payment of \$260,621.86 to Sedaleo for Payment app #11 from line item 604-604-545405 [Professional Services].~~

Item WITHDRAWN.

26. **Presentation** on modular building swing space plan.

No action required.

27. ~~Discuss and take action to approve modular building swing space plan.~~

Item WITHDRAWN.

28. **Open** responses to Request for Proposals #230920-24 for Courthouse Shredding Services.

No bids were received nor submitted.

Commissioner Smith lost internet connection

29. Discuss and take action to rescind Request for Proposals #230920-24.

Motion made by Commissioner Beckendorff, seconded by Commissioner Amsler.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Absent

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

MISCELLANEOUS

30. Discuss and take action to approve the location for the Waller County Commissioners Court 2024 Regular Sessions.

Commissioner Beckendorff made motion to approve location 425 FM 1488, seconded by Commissioner Jones.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Absent

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

31. 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 Jones.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

32. 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 Jones – Yes

Commissioner Smith – Yes

Commissioner Beckendorff – Yes

EXECUTIVE SESSION

33. 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.
34. Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725.
35. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.

Court convened to Executive Session at 11:19 a.m.

(Commissioner Smith joined Executive Session via Zoom)

Court reconvened from Executive Session at 1:27 p.m.

36. ~~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 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Jones – Yes

Commissioner Smith – Absent

Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 1:27 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

Debbie Hollan
Waller County Clerk

APPROVED this the 25th day of October 2023.

Carbett "Trey" J. Duhon, III

Carbett "Trey" J. Duhon, III
County Judge