

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – NOVEMBER 9, 2022

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 9th day of November 2022 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 9:03 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 Jones – Yes

Commissioner Smith – Yes

Commissioner Beckendorff – Yes

PUBLIC COMMENT

To slow the spread of COVID-19, the public may make public comment at the beginning of the meeting by teleconference. **Local callers should call 979-921-6212.** Non-local callers should call 800-576-1131. The user code for both numbers is **14329937**. Callers will be asked if they would like to make public comment. After public comment, the teleconference line will be closed. The public may continue to watch the meeting streamed online at <http://wallercountytexas.com/swagit.com/live>.

1. Bill Parks 2. Commissioner Kendric Jones

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 – November 2, 2022 Regular Session**

3. **Request to approve payment on the following:**

(a) \$1,464.00 for invoice # 100400953852 to Otis Elevator from line item 125-442-544910 [Service/Mechanical Equipment].

(b) \$ 8,751.00 for invoice # 10570, and \$ 4,813.00 for invoice # 3180, for a total of \$13,564.00 to Harris County from line item 125-423-540702 [Autopsy].

(c) \$1,295.00 for invoice dated October 27, 2022 to Magnolia Funeral Home, Inc. from line item 125-423-540705 [Transport to Morgue].

4. Request by County Treasurer for approval of Treasurer's Monthly Report.
5. Request by County Auditor for approval and/or ratification of Accounts Payable.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5-0 vote.

<i>Judge Trey Duhon</i> – Yes	<i>Commissioner Amsler</i> – Yes	<i>Commissioner Smith</i> – Yes
	<i>Commissioner Jones</i> – Yes	<i>Commissioner Beckendorff</i> – Yes

PROCLAMATION

6. Discuss and take action to approve the Veteran's Day Proclamation.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

(Judge Duhon read Proclamation)

Motion carried by 5-0 vote.

<i>Judge Trey Duhon</i> – Yes	<i>Commissioner Amsler</i> – Yes	<i>Commissioner Smith</i> – Yes
	<i>Commissioner Jones</i> – Yes	<i>Commissioner Beckendorff</i> – Yes

Advanced to Agenda Item #10

COUNTY ENGINEER

10. Discuss and take action to approve resolution to honor and recognize Charles "Jody" Hill, former Maintainer Operator of the Road and Bridge Department, who passed away on October 30, 2022 with 30 years and 7 months of service to Waller County.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

(County Engineer Yancy Scott read Resolution)

Motion carried by 5-0 vote.

<i>Judge Trey Duhon</i> – Yes	<i>Commissioner Amsler</i> – Yes	<i>Commissioner Smith</i> – Yes
	<i>Commissioner Jones</i> – Yes	<i>Commissioner Beckendorff</i> – Yes

Advanced to Agenda Item #14

14. Discussion regarding the Lower Brazos Regional Flood Plan.

No action required.

Proceeded with Agenda Item #7

COUNTY JUDGE

7. Discuss and take action to approve Official Bond and Oath for County Judge.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote.

<i>Judge Trey Duhon</i> – Yes	<i>Commissioner Amsler</i> – Yes	<i>Commissioner Smith</i> – Yes
	<i>Commissioner Jones</i> – Yes	<i>Commissioner Beckendorff</i> – Yes

ENVIRONMENTAL

8. Discuss and take action to approve a variance request to the Subdivision Development Regulations, Engineering Design Standards, Section 2-Lot size, regarding the minimum lot size dwelling, by Maria/Sandra Jimenez.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 0-5 vote. **Variance DENIED.**

Judge Trey Duhon – No

Commissioner Amsler – No

Commissioner Smith – No

Commissioner Jones – No

Commissioner Beckendorff – No

Advanced to Agenda Item 13

13. Discuss and take action to approve a variance request to the Waller County Subdivision and Development Regulations regarding platting from Mr. Juan Reyes in Precinct 4 Precinct 1.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5-0 vote. **Variance GRANTED.**

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

Proceeded with Agenda Item #9

GRANT MANAGER

9. **Open** proposals/statements of qualifications received pursuant to the County's Request for Qualifications solicitation seeking engineering and surveying services relative to the Community Development Block Grant-Mitigation (CDBG-MIT) Regional Mitigation Program.

The following Proposals were submitted and opened by the Court:

1. Ardurra Group, Inc. received November 8, 2022 at 10:59 a.m.
2. Amani Engineering received November 8, 2022 at 2:28 p.m.
3. Gauge Engineering received November 8, 2022 at 9:49 a.m.
4. LJA Engineering received November 8, 2022 at 12:22 p.m.
5. Scheibe Consulting received November 3, 2022 at 10:17 a.m.
6. Kaluza received November 1, 2022 at 11:06 a.m.
7. Goodwin Lasiter Strong received November 3, 2022 at 11:37 a.m.
8. Costello received November 8, 2022 at 12:48 p.m.
9. HALFF Engineering received November 8, 2022 at 1:56 p.m.
10. TLC Engineering received November 3, 2022 at 10:32 a.m.

COUNTY ENGINEER

10. *Court addressed Agenda Item #10 earlier in the meeting. (page 2)*
11. **Public Hearing:** Regarding the establishment of Speed Limits and the installation of Speed Limit signs on the following roads:
- Mellman Rd. – 45 mph
 - McAllister Rd. – 30 mph
 - Hoover Ln. – 45 mph
 - North Clear Creek Rd. – 30 mph
 - South Clear Creek Rd. – 30 mph
 - Frank Scott Blvd. – 30 mph
 - Garrett Rd. – 45 mph

Public Hearing began at 10:42 a.m.

No public comments received.

Public Hearing ended at 10:45 a.m.

Advanced to Agenda Item #15

15. Discuss and take action to approve funding for the total reconstruction and paving of Mellman Road to at a total cost of \$1,078,545.00. Funds to be paid from line item 241-595-561209 [ARPA Miscellaneous].

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 4-1 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – No

Proceeded with Agenda Item #12

12. Discuss and take action to approve the establishment of Speed Limits and the installation of Speed Limits signs on the following roads:

- Mellman Rd. – 45 mph
- McAllister Rd. – 30 mph
- Hoover Ln. – 45 mph
- North Clear Creek Rd. – 30 mph
- South Clear Creek Rd. – 30 mph
- Frank Scott Blvd. – 30 mph
- Garrett Rd. – 45 mph

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. *Court Addressed Agenda Item #13 earlier in meeting. (page 3)*

14. *Court addressed Agenda Item #14 earlier in meeting. (page 2)*

15. *Court Addressed Agenda Item #15 earlier in meeting. (page 4)*

CONSTRUCTION MANAGER

16. Discuss and take action to select firm for construction materials testing services for the courthouse construction project and related projects. *(no backup submitted)*

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion to amend made by Commissioner Beckendorff to select Alpha Testing on the recommendation of our Construction Manager and Sedalco, seconded by Commissioner Jones.

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

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

- 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.

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

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

Court convened to Executive Session at 11:38 a.m.

Court reconvened from Executive Session at 12:05 p.m.

Commissioner Beckendorff dismissed from Court at 12:05 p.m.

- 28. ~~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 Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Absent

Meeting was **ADJOURNED** at 12:05 p.m.

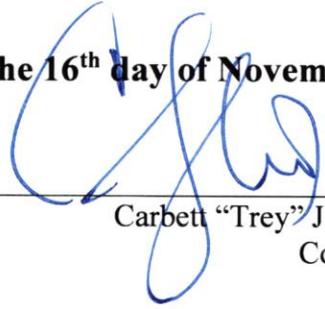
I **ATTEST** that the above proceedings are the true and correct minutes taken in my capacity as Ex-Officio for the Commissioners' Court of Waller County.

Debbie Hollan

Debbie Hollan
Waller County Clerk



APPROVED this the 16th day of November 2022.



Carbett "Trey" J. Duhon, III
County Judge