

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – NOVEMBER 15, 2023

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 15th day of November 2023 at its meeting place at the Waller County Joe Kuciemba Annex, 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
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. Carrie Gourley
2. Kathy Carpenter

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 1, 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 ~~**Request by County Treasurer for approval of Elections payroll.**~~ **Item WITHDRAWN.**
6. **Request to approve payment on the following:**
 - (a) \$1,125.00 for Invoice dated October 24, 2023 to Schmidt Funeral Home from line item 125-423-540705 [Transport to Morgue].
 - (b) \$3,500.00 for Invoice dated October 13, 2023 to Southwest Realty Consultants from line item 125-600-581901 [Buildings].
7. **Request by County Auditor for approval and/or ratification of Accounts Payable.**
8. **Request by County Engineer to approve the Final Plat of Bluestem Section 2 and accept the Construction Bond (Pct. 3).**

9. Request by County Engineer to approve the Final Plat of Bluestem Section 4 and accept the Construction Bond (Pct. 3).
10. ~~Request by County Engineer to approve the Final Partial Replat of Briar Meadow Estates Subdivision Lots 3 and 5 in Section 1, to create 4 lots in Pet. 2.~~
Item pulled to discuss with Agenda Item #12.
11. Request by County Engineer to approve the application to Amend the Major Thoroughfare Plan/Map by Thomas C. Sikora, North Pines 1488 LP, and authorize the Road and Bridge Department to issue a public notice in the Katy Times, for two consecutive weeks, establishing a public hearing during the regular session of Commissioners' Court on December 6, 2023.

Motion to approve Consent Agenda with #5 withdrawn and #10 pulled 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

12. **Public Hearing:** On notice of application for partial replat of Briar Meadow Estates Subdivision, to revise lots 3 and 5 Section 1, by Tanya Coury.

Public Hearing began at 9:16 a.m.

1. Joshua Allen 2. Kim Dickey 3. Jonathon Foelker 4. Wesley Ponder 5. Carol Kellum
6. Elvin Dickey

Public Hearing ended at 9:46 a.m.

10. ~~Request by County Engineer to approve the Final Partial Replat of Briar Meadow Estates Subdivision Lots 3 and 5 in Section 1, to create 4 lots in Pet. 2.~~

Item WITHDRAWN.

13. Discuss and take action to approve Uniform Rental Service Agreement for ALSCO to serve the Road and Bridge Department at an estimated annual rental cost of \$7,615.20. Funds to be paid from line item 110-530-547522 [Health, Safety & Hazard].

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

COMMISSIONER, PRECINCT 3

14. Discussion on County property in Sunterra.
No action required.

DISTRICT ATTORNEY

15. Discuss and take action to approve the creation of a civil attorney position. Funding to be approved from 241-595-510027 [Staff Salary].

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

TREASURER

16. Discuss and take action to approve 2023-24 CJD VOCA Grant Salary Order.
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*
17. Discuss and take action to approve amendments to the 2023 Salary Order effective 11/26/23.
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*

ELECTION ADMINISTRATOR

18. Discuss and take action to approve Canvass of the 2023 Special Constitutional Amendment Election.
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*

GRANT MANAGER

19. Discuss and take action to approve payment of \$65,730.00 to the owners of Parcel #4 for 1.140 acres of land associated with the CDBG-DR Diemer Road Project (Contract No. 20-065-062-C180).
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*
20. Discuss and take action to authorize the County Judge to execute a contract in the amount of ~~\$243,079.17~~ **\$245,773.93** for the purchase of 24155 Joseph Road, Hockley, TX 77447 as part of the County's CDBG-DR Buyout Program (Contract No. 20-066-011-C074) **to be paid from line item 238-586-560200**.
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*
21. Discuss and take action to adopt revised County Procurement Policies and Procedures.
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*
22. ~~Discuss and take action to award bid for the County's Hazard Mitigation Plan Update (RFP# 230927-14).~~ **Item WITHDRAWN.**

DIRECTOR OF POLICY AND ADMINISTRATION

23. Discuss and take action to appoint members to the Parks Advisory Committee.
Judge Duhon made motion to table agenda item, seconded by Commissioner Smith.

Motion carried by 5-0 vote. **Item TABLED.**

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| <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 |

24. Discuss and take action to approve the 2025 Budget Calendar.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote.

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| <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 |

AUDITOR

25. Discuss and take action to approve 2023 budget amendments and departmental line-item transfers.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5-0 vote.

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| <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 |

FIRE MARSHAL

26. ~~Discuss and take action on Burn Ban.~~ **Item WITHDRAWN.**

27. Discuss and take action to approve the donation of Fire Investigator tools and equipment from Baker Hughes, estimated value \$2,500.00, donated value to be recorded under line item 125-509-581801.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5-0 vote.

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| <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 |

SHERIFF

28. Discuss and take action to approve Amendment No. 1 to the Inmate Telephone Services Agreement with ICSolutions.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote.

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| <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 |

CONSTRUCTION MANAGER

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

No action required.

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

Motion made by Commissioner Smith, 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

31. Discuss and take action to approve Exhibit G to the agreement with SEDALCO for design-build services. Exhibit G is for the design of the modular building swing space.

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

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

No action required.

33. Discuss and take action to approve payment of \$2,336,520.17 to Sedalco for Payment app #12 from line-item 604-604-581837 [Construction].

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

MISCELLANEOUS

34. Discuss and take action to appoint Waller County Representatives for the Bluebonnet Groundwater Conservation District for a four (4) year term beginning January 2024. Current Representatives are Brian Rowland for Rural Water Suppliers Interests and Charles Muse for Agricultural Interests.

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

35. Discuss and take action to approve payment of \$20,000.00 to Waller County Historical Museum from line item 125-539-547236 [County Museum] as allocated in the 2023 Budget.

Motion made by Commissioner Smith, 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

36. Discuss and take action to approve payment of \$15,000.00 to Waller County Historical Society from line item 125-538-568400 [Miscellaneous] as allocated in the 2023 Budget.

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

37. 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

38. 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 Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

EXECUTIVE SESSION

39. 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.
40. Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725.
41. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.

Court convened to Executive Session at 11:40 a.m.

Court reconvened from Executive Session at 1:23 p.m.

42. ~~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 Smith, 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

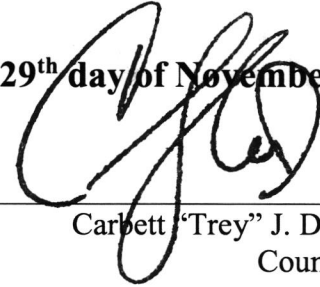
Meeting was **ADJOURNED** at 1:24 p.m.

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 November 2023.



Carbett "Trey" J. Duhon, III
County Judge