

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – NOVEMBER 29, 2023

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 29th 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 9:02 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. Larry Parr 2. Dr. Denise Mattox

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 15, 2023 Regular Session
3. **Request by County Treasurer for approval of Payroll.**
4. **Request by County Treasurer for approval of Elections Payroll.**
5. **Request by County Treasurer for approval of payment of retiree insurance.**
6. **Request by County Treasurer for approval of Fixed Asset Transfer from Treasurer to IT.**
7. **Request to approve payment on the following:**
- (a) \$2,932.00 for invoice # 15089 and \$2,887.00 for invoice # 14142 for a total of \$5,819.00 to Harris County from line item 125-423-540702 [Autopsy].
- (b) \$995.00 for invoice # 23112411 to TAC Security & Video from line item 117-428-568425 [Courthouse Security/Misc. Security].
- (c) \$1,907.74 for invoice # 21 to King Architectural Consulting Services PLLC from line item 604-604-545405 [Professional Services].

8. Request by County Auditor for approval and/or ratification of Accounts Payable.
9. Request by Grant Manager to ratify executed Amendment No. 4 to the County's GLO Contract No. 20-066-011-C074 (CDBG-DR-Buyout Program).
10. Request by County Engineer to advertise for sealed bids in the Hotline Press, the Katy Times and the Waller County Express to sell one lot of Scrap Metal at the 775 Bus 290 E, Road and Bridge facility. Advertising to be paid from line item 125-401-544100 [Bid Notices and Printing].
11. Request by County Engineer to approve a Permit to Construct Utility in Waller County Right of Way by Consolidated Communication for CCI purposes of proposed placement of a fiber optic cable in the south right of way of Twinwood parkway, for approximately 9,866 feet from Woods Rd. going west to FM 359S.
12. Request by County Engineer to approve the Final Plat of Twinwood Distribution Center 3 in Precinct 4.
13. Request by County Engineer to allow Unit #125 to utilized as an On-Call Standby unit to aid in downed trees and mechanical breakdowns.

Motion to approve the Consent Agenda made by Commissioner Jones, seconded by Commissioner Smith.

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

ECONOMIC DEVELOPMENT

14. Discuss and take action to approve Waller County Tax Abatement and Incentive Policy Guidelines and Criteria.

Motion made by Commissioner Smith, 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

15. Discuss and take action to approve Tax Abatement Agreement with Urban Twinwood, LP, the tax abatement applicant and owner of the property leased to Q-Trade International Corp. and located in the Twinwood Business Park. The property is in the reinvestment zone known as Waller County Twinwood Business Park Reinvestment Zone 12, located south of Interstate 10 and west of Woods Road. Twinwood Urban, LP will construct an office, manufacturing, and warehouse facility of approximately 85,000 square feet at an estimated cost of approximately \$10,000,000. Q-Trade International Corp. will install manufacturing and additional personal equipment at an estimated value of \$2,000,000.

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

16. **Presentation** and update by the WCEDP.
No action required.

17. Discuss and take action to approve contract with the Waller County Economic Development Partnership 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

18. **Open** sealed bids received pursuant to RFP Solicitation Number: 230906-06 for fleet vehicles for the County's Road and Bridge Department.

The following Bid was submitted and opened in Court:

1. Cameron Country CDJR received 10:19 a.m. November 27, 2023.

19. Discuss and take action to approve a variance request to the Waller County Subdivision and Development Regulations-Drainage Criteria Manual (Appendix E) Section VII Design Parameters, regarding use of 3:1 side slope instead of 4:1 for Katy Freeway Truck Parking by Mario Lanza (Precinct 4).

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote. Variance GRANTED.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

20. **Public Hearing:**

- On notice of application for partial replat of Sunterra Sec 14, to be allowed to revise the partial replat of 0.10 acre right-of-way. The revision will change the street name from "Sunset Gables Drive" to "Sunrise Gables Drive", by Astro Sunterra LP, a Delaware Limited Partnership.
- On notice of application for partial replat of Sunterra Sec 16, to be allowed to revise the partial of 0.04 acre right-of-way. The revision will change the street name from "Sunset Gables Drive" to Sunrise Gables Drive" by Astro Sunterra, LP, a Delaware Limited Partnership.
- On notice of application for partial replat of Sunterra Sec 24, to be allowed to revise the 26.73 acres of Sunterra Sec 24. The revision will be for the purpose of creating 112 Lots, 4 Reserves and 2 Blocks, by Astro Sunterra Drive, LP, a Delaware Limited Partnership.
- On notice of application for partial replat of Sunterra Sec 25, to allow the partial replatting of 1.59 acres of right-of-way, a portion of Reserve "A" Block 1 and Reserve "E" Block 3 within Sunterra 25. The revision will be for the purpose of changing the street name "Sunray Beach Drive" to "Malibu Glen Drive", by Astro Sunterra LP, a Delaware Limited Partnership.
- On notice of application for partial replat of Sunterra Sec 29, to be allowed to revise the partial replatting of 0.53 acre right-of-way. The revision will change the street name "Sol Vida Drive: to "Apple Rose Lane" and Harbor Ridge Drive" to Golden Dust Drive", by Astro Sunterra, LP, a Delaware Limited Partnership.

- On notice of application for partial replat of Sunterra Sec 30, to be allowed to revise the partial replat of Sunterra Sec 30, to be allowed to revise the partial replat of 0.32 are right-of-way. The revision will change the street name “Seawest Lake Drive” to “Sorrento Hill Drive”, by Astro Sunterra, LP, a Delaware Limited Partnership.
- On notice of application for partial replat of Sunterra Sec 31, to be allowed to revise the partial replat of 0.63 acre right-of-way. The revision will change the street name “Myrtle Glass Drive (PVT)” to Stingray Cove Drive (PVT)”, by Astro Sunterra, LP, a Delaware Limited Partnership.
- On notice of application for partial replat of Sunterra Shores Drive Street Dedication and Lift Station No. 4, to be allowed to revise the partial replat of 0.04 acre right-of-way. The revision will change the street name “Sunray Beach Drive” to “Malibu Glen Drive” by Astro Sunterra, LP, a Delaware Limited Partnership.

Public Hearing began at 10:31 a.m.

1. Quiddity Representative addressed proposed changes
2. Dr. Denise Mattox

Public Hearing ended at 10:36 a.m.

21. **Presentation** of the Road and Bridge Department’s Quarterly Operations Report by the County Engineer, Ross McCall.
No action required.

COMMISSIONER, PRECINCT 3

22. ~~Discuss and take action to approve Subdivision Development Agreement with LGI Homes Texas, LLC for Dewberry Hills Subdivision. Item WITHDRAWN.~~

TREASURER

23. Discuss and take action to approve Waller County Personnel Policy updates.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

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>

24. Discuss and take action to approve continuation of policy and payment of invoice for Texas Association of Counties Worker’s Compensation coverage effective 01/01/2024.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

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>

25. Discuss and take action to approve continuation of policy and payment of invoice for Texas Association of Counties for Auto Liability, Auto Physical Damage, and General Liability coverages effective 01/01/2024.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote.

SHERIFF

- 26. Discuss and take action to approve amendment to Utility contract for the lease of 8 in-car and body camera systems.

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

- 27. ~~Discuss and take action to approve service agreement with IDCore to begin at the expiration of current contract with TLOxp in February 2024.~~

Item WITHDRAWN.

COUNTY COURT AT LAW No. 1

- 28. Discuss and take action to approve the Contract Indigent Defense attorneys for Misdemeanor/Juvenile cases for Waller County for Calendar Year 2024, and authorize the County Judge to sign contracts on behalf of the County.

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

RECYCLE CENTER

- 29. Discuss and take action to approve the purchase of a new security camera for the Recycle Center for \$3,099.00 from Ageint Security. Funds to be paid from line item 125-527-581700 [Equipment].

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion to amend by Commissioner Smith, seconded by Commissioner Jones to purchase the \$5,697.00 for option number one (1).

Amendment carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

Amended Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

CONSTABLE, PRECINCT 2

- 30. Discuss and take action to approve the purchase of storage device for camera systems that store recorded data for \$2,428.99. Funds to be paid from line item ~~241-595-5612090~~ **241-595-561209** [ARPA Miscellaneous].

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

FIRE MARSHAL

31. Discuss and take action to approve payment of \$1,900.00 to Southern Software for a renewal support fee associated with the Records Management System utilized by the Fire Marshal's office. Funds to be paid from line item ~~241-595-5612090~~ **241-595-561209** [ARPA Miscellaneous].

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

32. **Open** sealed bids for construction services affiliated with the County's CDBG-DR Diemer Road Realignment Project (Waller County Contract No. (20-065-062-C180).

The following Bids were submitted and opened in Court:

1. Matagorda Construction Materials received November 28, 2023 at 2:57 p.m.
2. Icon GC LLC received November 28, 2023 at 2:28 p.m.
3. Ford Construction Company Inc. received November 28, 2023 at 1:42 p.m.
4. Main Lane Industries received November 28, 2023 at 1:33 p.m.
5. TLC Construction Contract Services Inc. received November 28, 2023 at 10:56 a.m.

AUDITOR

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

Motion made 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

CONSTRUCTION MANAGER

34. Discuss and take action to approve payment of invoice # 7346 for \$38,179.25 to Wald Relocation Services LTD. from line item [604-604-581837 [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

MISCELLANEOUS

35. ~~**Presentation** by Quiddity on Clay Road Project.~~
Item WITHDRAWN.

36. Discuss and take action to approve payment in the amount of \$2,100.00 to Southern Software for a renewal support fee associated with the Records Management System utilized by Waller County Constables. 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 Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

- 37. Discuss and take action to approve the Agreement between Waller County and Fort Bend Children’s Advocacy Center and the payment of \$12,500.00 from line item 125-411-542249 [Fort Bend Children’s Advocacy] as allocated in the 2023 Budget.

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

- ~~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 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.~~
- ~~39. 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

- ~~40. 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.~~
- ~~41. Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725. Item WITHDRAWN.~~
- ~~42. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071. Item WITHDRAWN.~~
- ~~43. 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 Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 11:53 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 6th day of December 2023.

Carbett "Trey" J. Duhon, III
Carbett "Trey" J. Duhon, III
County Judge