

# MINUTES

## WALLER COUNTY COMMISSIONER'S COURT REGULAR SESSION WEDNESDAY – DECEMBER 6, 2023

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 6<sup>th</sup> day of December 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 – 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 – November 29, 2023 Regular Session

### 3. Request by County Treasurer for approval of longevity payroll.

### 4. Request to approve payment on the following:

(a) \$1,041.25 for Invoice # 7408 to WALD Relocation Services LTD from line item 604-604-581837 [Construction].

(b) \$10,400.00 for Invoice # 1278 to Fort Bend Medical Examiner from line item 125-423-540702 [Autopsy].

(c) \$183,309.50 for Invoice # 11152023GWA to Waller County Appraisal District from line item 125-120-036000 [Prepaid Items] for 1<sup>st</sup> quarter allocation payment as allocated in the 2024 Budget.

### 5. Request by County Auditor for approval and/or ratification of Accounts Payable.

Motion to approve Consent Agenda 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**

6. Discuss and take action to approve bid received pursuant to RFP Solicitation #230906-06 Road and Bridge Fleet Vehicles and authorize the County Judge to enter into a contract with Cameron Country CDJR in the amount of \$225,680.00.

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*

7. Discuss and take action to approve amendments to the Subdivision and Development Regulations related to Drainage Criteria Manual – Stormwater Detention.

(a) Appendix E: Section 2: Administration- Drainage Plan Review

(b) Appendix E: Section 5: Detention Facilities- General Requirements

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*

8. Discuss and take action to approve amendments to the Subdivision and Development Regulations related to Road Acceptance.

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*

9. Discuss and take action to approve amendments to the Subdivision and Regulations related to Engineering Design Standards – Subgrade.

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*

10. Discuss and take action to approve amendments to the Subdivision and Regulations related to Engineering Design Standards – Base Material.

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*

11. Discuss and take action to approve amendments to the Subdivision and Development Regulations related to Engineering Design Standards – Wearing Surface – Concrete.

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*

12. Discuss and take action to approve amendments to the Subdivision and Development Regulations related to Engineering Design Standards – Wearing Surface – Hot Mix Asphaltic Concrete (HMAC).

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 JUDGE

13. Discuss and take action on Program Manager for 2023 Mobility Bond Projects.

*(No back up submitted for minutes)*

Judge Duhon made motion that we proceed forward with the RFQ where we're going to be seeking one (1) Program Manager for the mobility bond, seconded by Commissioner Jones.

**Motion carried** by 4-1 vote.

*Judge Trey Duhon – Yes                      Commissioner Amsler – Yes                      Commissioner Smith – Yes*  
*Commissioner Jones – No                      Commissioner Beckendorff – Yes*

### COMMISSIONER, PRECINCT 3

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

### DIRECTOR OF POLICY AND ADMINISTRATION

15. Discuss and take action to appoint members to the Parks Advisory Committee.

Judge Duhon made motion to approve the list plus Fred Collins, 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*

16. ~~Discuss and take action on County Purchasing Agent.~~

~~Item WITHDRAWN.~~

17. ~~Discuss and take action on appointing County Purchasing Board.~~

~~Item WITHDRAWN.~~

18. ~~Discuss and take action on funding for County Purchasing Agent.~~

~~Item WITHDRAWN.~~

### GRANT MANAGER

19. Discuss and take action to approve payment of \$31,929.00 to the owners of Parcel #2 for 0.1000 acres of land associated with the CDBG-DR Diemer Road Project (Contract No. 20-065-062-C180).

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*

20. Discuss and take action to award bid for the County's Hazard Mitigation Plan Update (RFP# 230927-14).

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Commissioner Beckendorff made motion to award bid to H2O Partners, 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*

## **AUDITOR**

21. Discuss and take action to approve 2023 budget amendments 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*

## **CONSTRUCTION MANAGER**

22. Discuss and take action to approve contract with KHR Environmental for JP4 routine septic inspection with an annual fee of \$840.00 to be paid from line-item 125-442-544700 [Repair and Replacement].

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*

23. Discuss and take action to approve contract with American Fire Systems Inc. for fire alarm monitoring at the Joe Kuciemba Annex with a quarterly fee of \$180.00. Funds to be paid from line-item 125-442-544700 [Repair and Replacement].

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 approve payment of \$30,840.00 to Granicus for Invoice # 174724 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*

25. Discuss and take action to approve proposal received from Embassy Records Management and Storage LLC for shredding services at the Courthouse and authorize the County Judge to enter into a contract with the firm in an amount not to exceed \$3,340.00. Funds to be paid 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**

26. Discuss and take action to approve payment of \$7,625.00 for Invoice # 23-2398 to Media Design Group from line item 125-600-583500 [Computer/Software/Equipment].

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Commissioner Beckendorff made motion to table, seconded by Commissioner Jones.

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

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Jones – Yes*

*Commissioner Beckendorff – Yes*

*(Court reconsiders agenda item #26 later in the meeting – page 6)*

27. Discuss and take action to approve the 2024 Appointment for the HGAC Transportation Policy Council.

Judge Duhon made motion to approve the 2024 appointments for HGAC Transportation Policy Council with Commissioner Beckendorff as our Primary and Commissioner Jones as our Alternate, 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*

28. Discuss and take action to approve the 2024 Appointment for the HGAC Transportation Advisory Committee.

Judge Duhon made motion to appoint Ross McCall as our Primary with Luke Fortkamp, our Assistant County Engineer as the Alternate, seconded by Commissioner Smith.

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

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Jones – Yes*

*Commissioner Beckendorff – Yes*

29. 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*

30. 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**

31. Deliberate the deployment of security personnel or devices pursuant to Government Code Section 551.076.
32. 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.
33. Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725.
34. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.

**Court convened to Executive Session at 11:00 a.m.**

**Court reconvened from Executive Session at 12:10 p.m.**

35. ~~Reconvene in Open Session to take any action necessary on matters discussed in Executive Session.~~ Item **WITHDRAWN**.

### ***Returned to Agenda Item #26***

Commissioner Jones made motion to reconsider agenda item #26, 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*

26. Discuss and take action to approve payment of \$7,625.00 for Invoice # 23-2398 to Media Design Group from line item 125-600-583500 [Computer/Software/Equipment].

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*

## **ADJOURN MEETING**

Motion to **adjourn** meeting 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*

Meeting was **ADJOURNED** at 12:11 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 13<sup>th</sup> day of December 2023.

*Carbett "Trey" J. Duhon, III*

Carbett "Trey" J. Duhon, III  
County Judge