



## MINUTES

### WALLER COUNTY COMMISSIONERS COURT REGULAR SESSION WEDNESDAY – DECEMBER 11, 2024

**BE IT REMEMBERED** that the Honorable Commissioner’s Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 11<sup>th</sup> day of December 2024 at its meeting place at the Waller County Joe Kuciemba Annex, Hempstead, Texas.

#### CALL TO ORDER

The meeting was called to order by Waller County Judge Trey Duhon at 9:06 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

Commissioner Jones made motion to approve agenda, 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

1. 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 Minutes – November 20, 2024 Regular Session
3. Request by County Treasurer for Approval of Payroll Disbursements.
4. Request by County Treasurer for approval of Elections Payroll disbursements.
5. Request by County Auditor to approve and/or ratify 2024 budget adjustments and departmental line-item transfers.

6. Request to approve payments on the following:  
\$1,832.00 for Invoice #34150087 to Boxx Modular Inc. from line Item 605-605-545405 [Professional Services].
7. \$10,362.57 for Invoice #34149750 to Boxx Modular Inc. to be paid from the following line items:  
\$5,626.07 from 125-434-532000 [Election Expense] and  
\$4,736.50 from 605-605-545405 [Professional Services].
8. \$484.67 for Invoice #45 to King Architectural Consulting Services PLLC from line item 604-604-545405 [Professional Services].
9. \$7,500.00 for invoice dated November 13, 2024 to Gulf Coast Rail District from line item 125-411-562300 [County Organizational Dues].
10. \$202,539.75 for Invoice #11152024GWA to Waller County Appraisal District from line item 125-423-540500 [Tax Appraisal District].
11. Request by County Auditor to Approve and/or Ratify Accounts Payable.
12. Request by County Engineer to 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 Commissioner's Court January 22, 2025 to Amend the Major Thoroughfare Plan/Map by Blumberg 209 LLC.
13. Request by County Engineer to approve the Final Plat of Stockdick Road Street Dedication Section 6 and accept the Construction Bond in Precinct 3.
14. Request by County Engineer to approve the Final Plat of Bartlett Road Street Dedication and Reserves and accept the Construction Bond in Precinct 3.
15. Request by County Engineer to approve the Final Plat of Beckendorff Road Street Dedication and Reserve and accept the Construction Bond in Precinct 3.

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 Jones*

– Yes

*Commissioner Smith*

– Yes

*Commissioner Beckendorff – Yes*

## ECONOMIC DEVELOPMENT

16. Approve tax abatement agreement with TMEIC Corporation Americas (TMEIC) to be effective upon TMEIC's final acquisition of the property. TMEIC is the tax abatement applicant and will be the property owner upon final acquisition of the property. The property is located in the Waller County Twinwood Business Park Reinvestment Zone 12, located south of Interstate 10, between Woods Road and FM 359 in Brookshire, Texas 77423. TMEIC will build an approximately 250,000 square foot manufacturing and distribution facility with an estimated cost of \$48,000,000, and install new manufacturing machinery and equipment, with an estimated cost of \$4,000,000.

Motion made by Commissioner Smith, seconded by Commissioner Beckendorff.

*(Shannon Birkelbach made public comment)*

**Motion carried** by 5-0 vote.  
Judge Trey Duhon – Yes

Commissioner Amsler – Yes  
Commissioner Jones – Yes

Commissioner Smith – Yes  
Commissioner Beckendorff – Yes

## COUNTY ENGINEER

17. Approve payment of \$51,938.54 for Invoice #202436656 to LJA Engineering, Inc. for Professional Services rendered 09/01/2024 through 09/27/2024 (3rd Invoice). Funds to be paid from line item 605-605-545405 [Prof. Services].

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

18. Approve contract with Mustang Machinery Company, LLC d/b/a Mustang Cat for a cooperative program purchase of heavy equipment under Sourcewell contract number 011723-CAT in an amount not to exceed \$282,032.52. Funds to be paid from line item 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

19. Approve contract with Cimline, Inc. for a cooperative program purchase of heavy equipment under Sourcewell contract number 080521-CME in an amount not to exceed \$131,035.00. 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

20. Approve contract with Chastang Enterprises - Houston, LLC d/b/a Chastang Ford for a cooperative program purchase of heavy equipment under BuyBoard contract number 723-23 in an amount not to exceed \$83,875.00. 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

21. Accept and approve Revisions of Right of Way Permitting Guidelines to now include Performance and/or Perpetual Bonds for all Utility Permits and for the inclusion to the mygovernmentonline.org portal system.

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

22. Approve one-year contract renewal-extensions for 2024 Material Bids Awards  
 Bid 240320-73 County Wide Tree Removal Services - Arbor True, LLC.  
 Bid 240320-74 County Wide Roadside Vegetation Management - IVM Solutions, LLC.  
 Bid 240320-75 County Wide Right of Way Mowing - Ben E. Smith Tractors, Inc.  
 Bid 240320-76 Road Base and Construction Materials - Texas Star Transport, LLC.  
 Bid 240320-77 Oils and Asphalts Products and Services - Waller County Asphalt, Inc.  
 Bid 240320-77 Oils and Asphalts Products and Services - Cleveland Asphalt Products, Inc.  
 Bid 240320-77 Oils and Aphalts Products and Services - Vulcan Construction Materials, LLC.

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

## SHERIFF

23. Accept and approve check for \$500.00 from the Texas Association of Property and Evidence Inventory Technicians.

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

24. Approve contract with Dana Safety Supply, Inc. for the cooperative program purchase of vehicle upfitting pursuant to Buyboard contract #698-23 in the amount of \$181,530.16. Funds to be paid from line item 125-600-581400 (Vehicle).

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

25. Approve contract with Panasonic Corporation of North America ("PCN") for the cooperative program purchase of eight computers and related services and equipment pursuant DIR contract number DIR-CPO-5225 in an amount not to exceed \$52,362.24. Funds to be paid from line item 125-600-581400 (Vehicle).

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

26. Approve contract with Motorola Solutions, Inc. for the cooperative program purchase of eight radios pursuant to HGACBuy contract number RA05-21 ID 7290 in an amount not to exceed \$43,244.40. Funds to be paid from line item 125-600-581400 (Vehicle).

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

27. Discuss and take action on Sheriff's Office Salary Plan. (no backup submitted)

(Angela Turner discussed plan)

Commissioner Beckendorff made motion to approve plan presented by the Sheriff's Department, 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

**GRANT MANAGER**

28. Authorize the County Judge to execute a grant agreement in the amount of \$500,000.00 with the Texas Comptroller of Public Accounts relative to the Rural Law Enforcement Salary Assistance Program for FY25 (Award# IA-0000001227).

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

29. Approve Change Order No. 001 to the contract with K-C Lease Service, Inc. DBA Matagorda Construction & Materials in the amount of \$152,678.55 for work associated with the Diemer Road Realignment Project (CDBG-DR Contract 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

**FIRE MARSHAL**

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

31. Approve payment of \$29,855.11 for invoice from Twin Oak Landfill for the removal of debris ash under DR-4781-TX.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Judge Duhon made motion to amend to be paid from line item 110-411-569311, seconded by Commissioner Smith.

**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

32. Approve payment of \$22,918.66 for Invoice #15327868 to OnSolve [Code Red Emergency Notifications System] from line item 125-401-545001 [Maintenance Contracts].

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

## DISTRICT ATTORNEY

33. Approve multi-year Subscription Agreement with Utility Associates, Inc. for evidence management software for the District Attorney's Office. Funds for Annual Fee 1 and Annual Fee 2 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

## DIRECTOR OF FACILITIES

**Court address Agenda Items #34-35 after Executive Session. (page 8)**

**Advanced to Agenda Items #36, 38, 37, and 39.**

36. **Update** on Courthouse Project.

*No action required.*

38. Approve Payment of \$1,442,401.52 for Application #25 to Sedalco, Inc. to be paid from the following line items:

\$33,026.91 - 604-604-545045 [Professional Services].

\$1,409,374.61- 604-604-581000 [Bldg Purch, Const, or Improv].

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. Approve payment of \$23,613.12 for Invoice #9 to Sedalco, Inc. to be paid from line item 125-600-581620 [Justice Center Modular Building Design Fees].

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

39. ~~Discuss and approve purchase of Marque Sign for Pct 4 in the amount of \$31,893.50 to be paid from line item of 125-600-581901 [Buildings].~~ **Item WITHDRAWN.**

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

**Motion and Second withdrawn.**

## DIRECTOR OF POLICY & ADMINISTRATION

40. **Discussion** on 2024 Mobility Bond.

*No action required.*

## MISCELLANEOUS

41. Approve the 2025 Appointment of Members for the HGAC Transportation Policy Council.

Commissioner Jones made motion to approve appointing Commissioner Beckendorff with Commissioner Jones as the backup (alternate) on the Transportation Policy Council who are currently serving in that position, seconded by Commissioner Beckendorff. (Commissioner Beckendorff is serving as Chairman this year, been on TPC 10 years)

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

Judge Trey Duhon – Yes

Commissioner Amsler – Yes  
Commissioner Jones – Yes

Commissioner Smith – Yes  
Commissioner Beckendorff – Yes

42. Approve the 2025 Appointment of Members for the HGAC Transportation Advisory Committee.

Commissioner Beckendorff made motion to approve appointing Ross McCall, our County Engineer and Luke, our Assistant Engineer as Alternate, 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

43. ~~Approve Order prohibiting or restricting certain fireworks in unincorporated areas of Waller County. Item WITHDRAWN.~~

44. ~~Approve proposed amendments to update the Waller County Community Center regulations. Item WITHDRAWN.~~

45. ~~Approve proposed amendments to the Waller County Community Center regulations related to the reservation of the Community Center by elected officials. Item WITHDRAWN.~~

46. **Update** regarding the administration of funds the Sheriff's Office receives through the federal Equitable Sharing Program. *No action required.*

47. Approve settlement offers in matter of Texas Opioid multi-district litigation and authorize execution of settlement documents. *(no backup submitted)*

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

48. **Presentation** by CenterPoint Energy on donated Generator. Item WITHDRAWN.

49. Approve deliberation of 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 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

50. Approve deliberation of 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**

- 51. ~~Consultation with District Attorney and outside counsel, including consultation with outside counsel regarding procurement and ethics compliance pursuant to Government Code Section 551.071. Item WITHDRAWN.~~
- 52. ~~Consultation with District Attorney related to advice about pending or contemplated litigation or a settlement offer. Item WITHDRAWN.~~
- 53. 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.
- 54. Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725.

**Court convened to Executive Session at 11:30 a.m.**  
**Court reconvened from Executive Session at 12:18 p.m.**

**Returned to Agenda Items #34-35**

- 34. Presentation and approval of Modular Building Project by Sedalco-GMP.

*(no backup submitted)*

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

**Motion carried** by 4-0 vote with 1 Abstained.

Judge Trey Duhon - Yes	Commissioner Amsler - Abstained	Commissioner Smith - Yes
	Commissioner Jones - Yes	Commissioner Beckendorff - Yes

- 35. **Update** on Modular Buildings. *(agenda Item #35 combined with agenda item #34)*

**Proceeded with Agenda Item #55**

- 55. ~~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 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

Meeting was **ADJOURNED** at 12:37 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*  
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 Debbie Hollan  
 Waller County Clerk

**APPROVED this the 18<sup>th</sup> day of December 2024.**

*Carbett "Trey" J. Duhon, III*  
 \_\_\_\_\_  
 Carbett "Trey" J. Duhon, III  
 County Judge