



## MINUTES

### WALLER COUNTY COMMISSIONERS COURT REGULAR SESSION WEDNESDAY – APRIL 17, 2024

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 17<sup>th</sup> day of April 2024 at its meeting place at the Waller County Joe Kuciemba Annex, Hempstead, Texas.

#### CALL TO ORDER

The meeting was called to order by Presiding Judge Commissioner Justin Beckendorff at 9:03 a.m. with the following members of the Court present to-wit:

John A. Amsler, Commissioner Precinct 1  
Kendric D. Jones, Commissioner Precinct 3  
Justin Beckendorff, Commissioner Precinct 4 – *Presiding Judge*  
Debbie Hollan, County Clerk

Absent: Carbett "Trey" J. Duhon III, County Judge  
Walter Smith, Commissioner Precinct 2

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Commissioner Jones made motion to approve agenda with items #24 & #26 withdrawn, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

|                  |          |                     |       |                          |          |
|------------------|----------|---------------------|-------|--------------------------|----------|
| Judge Trey Duhon | – Absent | Commissioner Amsler | – Yes | Commissioner Smith       | – Absent |
|                  |          | Commissioner Jones  | – Yes | Commissioner Beckendorff | – Yes    |

#### PUBLIC COMMENT

1. Brad Goudy    2. Larry Parr    3. Denise Mattox    4. 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 Minutes – April 4, 2024 Regular Session
3. Request by County Treasurer for approval of Payroll disbursements.
4. Request by County Treasurer to approve disbursement of funds for Retiree Insurance Premiums.

5. Request by County Treasurer for approval of Monthly Report.
6. Request by County Treasurer to approve disbursement of funds for State Quarterly Reports.
7. Request to approve payments on the following:  
 \$695.00 for Invoice dated March 7, 2024 to Magnolia Funeral Home from line-item 125-423-540705 [Transport to Morgue].
8. \$1,175.00 for Invoice dated March 11, 2024, \$1,175.00 for Invoice dated March 25, 2024, \$1,175.00 for Invoice dated March 27, 2024 for a total of \$3,525.00 to Magnolia Funeral Home from line-item 125-423-540705 [Transport to Morgue].
9. \$2,271.76 for Invoice # 2024-12 to Houston-Galveston Area Council from line-item 125-411-562300 [County Organizational Dues].
10. \$35.00 for Invoice dated March 21, 2024 to Texas Social Security Program from line-item 125-411-562300 [County Organizational Dues].
11. Request by County Auditor to approve and/or ratification of Accounts Payable.
12. Request by County Engineer to approve a Permit to Construct Utility in Waller County Right of Way by A T & T to bore and place a fiber optic cable within the right of way of Penick Rd.
13. Request by County Engineer to approve the Final Plat of Bluestem Waste Water Treatment Plant in Precinct 3.
14. Request by County Engineer to approve the Final Plat of Bluestem Phase 1 Detention Reserve in Precinct 3.
15. Request by County Engineer to approve the Final Replat of Shiloh Subdivision Lot 5 in Precinct 3.

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

**Motion carried** by 3-0 vote.

*Judge Trey Duhon – Absent*

*Commissioner Amsler*

– Yes

*Commissioner Smith*

– Absent

*Commissioner Jones*

– Yes

*Commissioner Beckendorff – Yes*

## PROCLAMATION

16. Approve Proclamation recognizing April as Child Abuse Awareness and Prevention Month in Waller County.

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

*Judge Trey Duhon – Absent*

*Commissioner Amsler*

– Yes

*Commissioner Smith*

– Absent

*Commissioner Jones*

– Yes

*Commissioner Beckendorff – Yes*

**Court recessed at 9:26 a.m. – audio was not working, had to reset system.**

**Court reconvened at 9:33 a.m.**

## TAX ASSESSOR-COLLECTOR

17. Authorize the County Judge to sign a resale deed for the private tax resale of property currently held in trust by Waller County pursuant to Section 34.05(h)(2) of the Texas Tax Code.

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

*Judge Trey Duhon – Absent*

*Commissioner Amsler*

– Yes

*Commissioner Smith*

– Absent

*Commissioner Jones*

– Yes

*Commissioner Beckendorff – Yes*

## COUNTY ENGINEER

18. **Public Hearing:** Proposed Major Thoroughfare Plan/Map Amendment, by Maple Park Development LLC.

**Public Hearing began at 9:33 a.m.**

Jennifer Curtis with META gave presentation and information regarding proposed major thoroughfare plan.

**Public Hearing ended at 9:49 a.m.**

19. Approve the Major Thoroughfare Plan/Map Amendment, by Maple Park Development LLC.

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

*Judge Trey Duhon – Absent*

*Commissioner Amsler*

– Yes

*Commissioner Smith*

– Absent

*Commissioner Jones*

– Yes

*Commissioner Beckendorff – Yes*

20. Approve Subdivision Development Agreement with Maple Park Development LLC for the Maple Park subdivision.

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

*Judge Trey Duhon – Absent*

*Commissioner Amsler*

– Yes

*Commissioner Smith*

– Absent

*Commissioner Jones*

– Yes

*Commissioner Beckendorff – Yes*

21. Approve an Interlocal Agreement with the Harris County Flood Control District for the installation and maintenance of seven (7) gage stations.

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

*Judge Trey Duhon – Absent*

*Commissioner Amsler*

– Yes

*Commissioner Smith*

– Absent

*Commissioner Jones*

– Yes

*Commissioner Beckendorff – Yes*

22. Approve recommendation of award and authorize negotiations relative to a Program Manager for the County's Mobility Bond Program (RFQ #240207-26).

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

Commissioner Jones made motion to authorize negotiations with LJA, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

*Judge Trey Duhon – Absent*

*Commissioner Amsler*

– Yes

*Commissioner Smith*

– Absent

*Commissioner Jones*

– Yes

*Commissioner Beckendorff – Yes*

23. Approve recommendation of award and authorize negotiations relative to traffic-specific engineering services (RFQ #240306-20).

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

Commissioner Jones made motion to amend to authorize negotiations with Cobb, Fendley & Associates, seconded by Commissioner Amsler.

**Amendment carried by 3-0 vote.**

Judge Trey Duhon – Absent

Commissioner Amsler

– Yes

Commissioner Smith

– Absent

Commissioner Jones

– Yes

Commissioner Beckendorff – Yes

**Amended Motion carried by 3-0 vote.**

Judge Trey Duhon – Absent

Commissioner Amsler

– Yes

Commissioner Smith

– Absent

Commissioner Jones

– Yes

Commissioner Beckendorff – Yes

## COMMISSIONER, PRECINCT 4

24. ~~Discuss a take home vehicle for Commissioner Beckendorff.~~  
Item **WITHDRAWN**.

## COUNTY JUDGE

25. Approve Official Bond and Oath for County Judge to serve as a Probate Judge.

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

**Motion carried by 3-0 vote.**

Judge Trey Duhon – Absent

Commissioner Amsler

– Yes

Commissioner Smith

– Absent

Commissioner Jones

– Yes

Commissioner Beckendorff – Yes

## DIRECTOR OF POLICY & ADMINISTRATION

26. ~~Discussion on FY25 Budget.~~  
Item **WITHDRAWN**.

## COUNTY COURT AT LAW #2

27. Approve designation of the Hempstead High School Auditorium, an authorized location within the corporate limits of Hempstead, Texas, for the purpose of conducting court proceedings and trials for Waller County Court at Law #2.

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

**Motion carried by 3-0 vote.**

Judge Trey Duhon – Absent

Commissioner Amsler

– Yes

Commissioner Smith

– Absent

Commissioner Jones

– Yes

Commissioner Beckendorff – Yes

## FIRE MARSHAL

28. **Introduction** of Texas Division of Emergency Management County Liaison Officer (CLO) Al Martinez to Waller County Emergency Management.

*No action required.*

29. Approve a one-year contract extension with DRC Emergency Services relative to debris removal services.

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

**Motion carried by 3-0 vote.**

Judge Trey Duhon – Absent

Commissioner Amsler

– Yes

Commissioner Smith

– Absent

Commissioner Jones

– Yes

Commissioner Beckendorff – Yes

30. Approve advertisement in The Waller County Express of a request for proposals for All Hazards Preparedness, Planning, Consulting, and Recovery Services. Funds to be paid from line-item 125-401-544100 [Bid Notices and Printing].

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

**Motion carried by 3-0 vote.**

Judge Trey Duhon – Absent

Commissioner Amsler

– Yes

Commissioner Smith

– Absent

Commissioner Jones

– Yes

Commissioner Beckendorff – Yes

## GRANT MANAGER

31. Approve contract with LJA Engineering relative to the CDBG-MIT Planning and Capacity Building Project (County-Wide Master Drainage Plan).

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

Commissioner Jones made motion to amend to approve contract with LJA Engineering relative to the CDBG-MIT Planning and Capacity Building Project-County-Wide Master Drainage Plan (GLO Contract No. 24-065-016-E173), seconded by Commissioner Amsler.

**Amendment carried** by 3-0 vote.

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

**Amended Motion carried** by 3-0 vote.

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

32. Approve engineering services contract with Pape-Dawson Consulting Engineers, LLC relative to the CDBG-MIT Hurricane Harvey HUD MID Infrastructure Projects.

Commissioner Jones made motion to approve engineering services contracts with Pape-Dawson Consulting Engineers, LLC relative to the CDBG-MIT Hurricane Harvey Infrastructure Projects – (1) Contract for Waller County – Brookshire Detention Pond, GLO Contract No. 24-065-015-E172; and (2) Contract for Waller County Prairie View Water Plant, GLO Contract No. 24-065-016-E173, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

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

33. Approve ratification of Amendment #2 relative to the County's CDBG-DR Infrastructure Grant (GLO Contract No. 20-065-062-C180) that increases the total grant award by \$295,549.00 (total contract award now \$4,332,148.00) and extends the contract termination date to December 31, 2024.

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

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

## SHERIFF

34. Approve advertisement in The Waller County Express for a request for proposals for patrol vehicle upfitting and installation. Funds to be paid from line item 125-401-544100 [Bid Notices and Printing].

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

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

## CONSTABLE, PRECINCT 3

35. Approve 48-month Lease Agreement for a Xerox C8170H2 at the monthly cost of \$236.33 to be paid from line-item 125-513-581700 [Equipment].

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

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

## TREASURER

### 36. Approve amendments to the 2024 Salary Order.

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler

– Yes

Commissioner Smith

– Absent

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

### 37. Approve payment of \$12,125.00 for Invoice # 1174-4 to Evergreen Solutions, LLC from line item 125-401-540900 [Prof. Consultant Services].

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler

– Yes

Commissioner Smith

– Absent

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

## DIRECTOR OF FACILITIES

### 38. Approve payment of \$34,903.00 for Invoice #305033 to Innovative Communication Systems from line-item 604-604-581837 [Swing Space].

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler

– Yes

Commissioner Smith

– Absent

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

### 39. **Update** On Modular Buildings.

*No action required.*

### 40. Approve Payment of \$5,952.00 for Application #2 to Sedalco, Inc. to be paid from line-item 125-600-581619 [Modular Buildings].

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler

– Yes

Commissioner Smith

– Absent

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

### 41. **Update** on Courthouse Project.

*No action required.*

### 42. Approve Payment of \$1,366,571.75 for Application #17 to Sedalco, Inc. to be paid from: \$66,053.82- 604-604-545045 [Professional Services] \$1,300,517.33 - 604-604-581000 [Bldg Purch, Const, or Improv].

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler

– Yes

Commissioner Smith

– Absent

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

## MISCELLANEOUS

### 43. ~~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. Item WITHDRAWN.~~

44. ~~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. Item WITHDRAWN.~~

## EXECUTIVE SESSION

45. ~~Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071. Item WITHDRAWN.~~
46. ~~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.~~
47. ~~Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725. Item WITHDRAWN.~~
48. ~~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 3-0 vote.

*Judge Trey Duhon – Absent*

*Commissioner Amsler*

*– Yes*

*Commissioner Smith*

*– Absent*

*Commissioner Jones*

*– Yes*

*Commissioner Beckendorff – Yes*

Meeting was **ADJOURNED** at 10:47 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 1<sup>st</sup> day of May 2024.**

Carbett "Trey" J. Duhon, III  
County Judge