



MINUTES

WALLER COUNTY COMMISSIONERS COURT REGULAR SESSION WEDNESDAY – NOVEMBER 13, 2024

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 13th day of November 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 9:05 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. Chief James Flynt

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 – October 30, 2024 Regular Session
3. Request by County Treasurer for Approval of Payroll Disbursements.
4. Request by County Treasurer for approval of Monthly Report.
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:
\$1,375.00 for Invoice #0581 to Clay's Mortuary and Cremations to be paid from line item 125-411-561502 [Pauper Burial Expense].
7. \$200.00 for Invoice #239595 to Texas Association of Counties (Judicial Academy) from line item 125-411-562300 [County Organizational Dues].
8. \$2,016.79 for Invoice #42 to King Architectural Consulting Services PLLC from line item 604-604-545405 [Professional Services].
9. \$106,286.00 for Invoice #11514 to Neoteric Hovercraft, Inc. from line item 241-595-561209 [ARPA Miscellaneous] for a hovercraft, trailer, and accompanying accessories.
10. \$2,666.00 for Invoice #11535 to Neoteric Hovercraft, Inc. from line item 241-595-561209 [ARPA Miscellaneous] for a hovercraft spare parts kit.
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 three consecutive weeks, establishing a public hearing during the regular session of Commissioners Court on December 18, 2024 Replat of Bartlett Road Corner Reserve. The revision will revise the lot line for Unrestricted Reserve "A" out of Sunterra Market Reserve. This amendment will create 2 Reserves by KA Great Minds West LLC.
13. Request by County Engineer to approve the Final Plat of Beckendorff Road Street Dedication Section 5 and accept the Construction Bond in Precinct 3.
14. Request by County Engineer to approve the Final Plat of Sunterra Section 70 and accept the Construction Bond in Precinct 3.
15. Request by County Engineer to approve the Final Plat of Grange Section 3 and accept the Construction Bond in Precinct 4.
16. ~~Request by County Engineer to approve the Final Plat of New Day Ranches and accept the Subdivision Bond in Precinct 2. Item WITHDRAWN.~~
17. Approve revisions to purchase contract for property located at 425 Business 290 E., Hempstead, TX 77445.

Motion to approve Consent Agenda with #16 withdrawn 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

18. Approve tax abatement agreement with CIV FCD Jordan Ranch, LLC and TMEIC Corporation Americas. TMEIC is the tax abatement applicant and tenant for property owned by CIV FCD Jordan Ranch LLC and located at 4006 Westport Drive in Brookshire, Texas. The property is located in Waller County Jordan Ranch Reinvestment Zone 14, located south of Interstate 10 near the intersection of Jordan Ranch Boulevard and Kingsland Boulevard. CIV FCD Jordan Ranch LLC will make improvements to the existing building on the property at an estimated cost of \$3,000,000. TMEIC will install new machinery and equipment at an estimated cost of \$10,000,000.

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

19. Modify or terminate Tax Abatement Agreement with CIV FCD Jordan Ranch, LLC for spec building 4 (Contract ID 221130-15d).

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. **Presentation and update** by the Waller County Economic Development Partnership.
No action required.

21. Approve contract with the Waller County Economic Development Partnership for 2025.

Motion made by Commissioner Beckendorff, 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

DIRECTOR OF POLICY & ADMINISTRATION

22. Approve Clay Road Mobility Bond Project precinct and consultant assignments and authorize staff to enter into negotiations with assigned firms. *(no backup submitted)*

Court discussed agenda item.

Commissioner Beckendorff made a motion to call for the vote, seconded by Commissioner Amsler.

Commissioner Beckendorff made motion that to allow the Commissioner Precinct 4 to basically select the firms to be on the Clay Road portion that’s in Precinct 4 for the Mobility Bond, seconded by Commissioner Amsler.

Discussion held

Commissioner Amsler called for the vote, seconded by Commissioner Beckendorff.

Motion carried by 3-2 vote.

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

Court took vote on motion to allow the Commissioner Precinct 4 to basically select the firms to be on the Clay Road portion that’s in Precinct 4 for the Mobility Bond.

Motion carried by 3-2 vote.

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

23. Discuss and approve professional service assignments for 2023 Waller County Bond engineering and design projects.

Commissioner Beckendorff made motion to approve the list provided and authorization for staff to start negotiations, 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

SHERIFF

24. Approve purchase of VisitationLink and subscription services from Tarmac Technologies, LLC in the amount of \$14,500.00 for the first year, \$12,000.00 for year 2 with an option for a third year at \$12,000. Funding to be paid annually from Inmate Commissary funds in accordance with Texas Government Code section 351.0415(c)(5).

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

25. Approve creation of a Workforce Development Advisory Committee and the appointment of committee members.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Commissioner Beckendorff made motion to amend to add those names, seconded by Commissioner Jones. (David Lee – Pct 2, David Laird – Pct 4, Robert Pechucas – County Judge, Kendric Jones – Pct 3, and John Amsler – Pct 1)

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

26. ~~Approve the hiring of additional patrol officers for the southern end of the County~~
Item WITHDRAWN.

Advanced to Agenda Items #30, 28, and 29.

COUNTY COURT AT LAW II

30. Approve 2025 indigent criminal defense attorney contracts for Waller County Court at Law II.

Motion made by Commissioner Beckendorff, 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

506TH DISTRICT JUDGE

28. Approve the Contract Indigent Defense attorneys for Waller County District Felony Contract for Calendar Year 2025, and authorize the County Judge to sign the 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

COUNTY COURT AT LAW

29. Approve the Contract Attorneys for Child Protection Court/Juvenile cases for Waller County for Calendar Year 2025, and authorize the County Judge to sign the 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

Proceeded with Agenda Item #27

COMMISSIONER, PRECINCT 2

27. Approve non-binding letter of intent between Waller County and Drake Auxilio Divono for possible lease and purchase of land.

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

506TH DISTRICT JUDGE

28. Court addressed agenda item #28 earlier in the meeting. (page 4)

COUNTY COURT AT LAW

29. Court addressed agenda item #29 earlier in the meeting. (page 5)

COUNTY COURT AT LAW II

30. Court addressed agenda item #30 earlier in the meeting. (page 4)

IT DEPARTMENT

31. Approve Hardware/IT needs for the Sheriff's Office and County for the IT Department for 2024.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Judge Duhon made motion to amend 31 to approve the purchase in the amount of \$539,100.00, seconded by Commissioner Beckendorff.

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

MAINTENANCE

32. Approve credit applications for L&W Supply (Commercial Building Materials), Brady Plus (Cleaning Supplies) and, City of Electrical Supply (Electric Supplies).

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

Court recessed at 11:17 a.m.

Court reconvened at 11:25 a.m.

TREASURER

33. Approve updates to the take home vehicle schedule.

Motion made by Commissioner Beckendorff, 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

34. Approve amendments to the Waller County Personnel Policy Manual.

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

35. Approve annual review of Waller County Investment Policy.

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

36. Approve continuation of policy and payment for Texas Association of Counties Auto Liability, Auto Physical Damage, and General Liability coverages effective 01/01/2025.

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 continuation of policy and payment for Texas Association of Counties Workers' Compensation coverage effective 01/01/2025.

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

GRANT MANAGER

38. Approve payment of \$174,935.11 to K-C Lease Service, Inc. DBA Matagorda Construction and Materials, Diemer Road, GLO Grant No. 20-065-0692-C180. Funds to be paid from line item 239-589-582805 [Construction].

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

39. Approve payment of \$1,131.00 for Invoice #114891 and \$9048.00 for Invoice #114845 for a total of \$10,179.00 to H2O Partners from line Item 244-240-545405 [Engineering] for services rendered associated with the County's Multijurisdictional Hazard Mitigation Plan Update (GLO Local Hazard Mitigation Plan Update).

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

40. Approve the donation of a generator trailer from CenterPoint Energy.

(no backup submitted)

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

(Value \$117,200.00)

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler

– Yes

Commissioner Smith

– Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

41. Approve Out of State travel for 3 County Employees. Travel expenses to be paid from line items 125-401-563040 [Training & Conf. Exp/Comm 4] and 125-509-563000 [Training & Conference Expense]. *(no backup submitted)*

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

DIRECTOR OF FACILITIES

42. **Update** on Courthouse Project. *No action required.*

43. Approve Payment of \$2,228,410.83 for Application #24 to Sedalco, Inc. to be paid from the following line items:

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

\$2,195,383.92 - 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 Smith

– Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

44. Approve payment of \$26,822.88 for Invoice #8 to Sedalco. Funds to be paid from line item 125-600-581620 [Justice Center Modular Building Design Fees].

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

45. Approve the reappointment of Kendric Jones to the Gulf Coast Rail District Board for a 2-year term beginning January 23, 2025. *(no backup submitted)*

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

46. ~~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.~~
47. ~~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

48. ~~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.~~
49. ~~Consultation with District Attorney related to advice about pending or contemplated litigation or a settlement offer. Item WITHDRAWN.~~
50. ~~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.~~
51. ~~Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725. Item WITHDRAWN.~~
52. ~~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 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler

– Yes

Commissioner Smith

– Yes

Commissioner Jones

– Yes

Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 11:54 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
Waller County Clerk

APPROVED this the 20th day of November 2024.

Carbett "Trey" J. Duhon, III
County Judge