



MINUTES

WALLER COUNTY COMMISSIONERS COURT REGULAR SESSION WEDNESDAY – AUGUST 21, 2024

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 21st day of August 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 9:10 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 – *arrived at 9:13 a.m.*
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 Beckendorff made motion to approve agenda, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler

– Yes

Commissioner Jones

– Absent

Commissioner Smith

– Yes

Commissioner Beckendorff

– Yes

PUBLIC COMMENT

1. Dewayne Charleston

Commissioner Jones arrived to meeting at 9:13 a.m.

2. Mildred Jeffries

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 – August 7, 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 Auditor to approve 2024 budget adjustments and departmental line-item transfers. *(no backup submitted)*
7. Request by County Auditor to approve official documents and all monthly reports.

Requests to approve payments

8. Request to approve payments on the following:
\$10,400.00 for invoice #1376 to Fort Bend Medical Examiner from line item 125-423-540702 [Autopsy].
9. \$1,125.00 for invoice dated August 5, 2024 to Schmidt Funeral Home from line item 125-423-540705 [Transport to Morgue].
10. ~~\$7,022.40 for invoice #313584 to CivicPlus from line item 115-426-545512 [Co. Clerk Records Management & Preservation Fund].~~ **Item WITHDRAWN**
11. \$1,987.38 for invoice #38 to King Architectural Consulting Services from line item 604-604-545405 [Professional Services].
12. Request by County Auditor to Approve and/or Ratify Accounts Payable.
13. Request by County Engineer to approve a Permit to construct within the right of way of Lakeside Dr., Robinhood Ln., Friar Tuck Dr., King Arthur Ct., Sherwood Green Dr., Sir Lancelot Cir., Castle Ln., Shoreline Rd., Forest Cir., Shady Oak Dr., Winding Way., River Run, Silver Springs Rd., and Ridgeview Rd. for a placement of Fiber Optic Lines by AT & T - Millenium Geospatial. 24.UP.026.
14. Request by County Engineer to approve a Permit to construct within the right of way of Joseph Rd., Greenbriar Dr., Walnut Hill Dr., Hickory Hill Dr., Live Oak Dr., Sweetgum Dr., W Pinewood Dr., Hickory Dr., Holly Dr., N Pinewood Dr., and Hillcrest Dr. for a placement of Fiber Optic Lines by AT & T - Millenium Geospatial. 24.UP.026.
15. Request by County Engineer to approve a Permit to construct a Utility in the County right of way on Morton Rd. and Pitts Rd. for Tennessee Gas Pipeline to excavate and replace 30" pipeline.
16. Request by County Engineer to approve the Final Plat of Courtney Estates in Precinct 2.
17. Request by County Engineer to approve the Final Partial Replat of Blinka Estates No.1 in Precinct 3.
18. Request by County Engineer to approve the Final Plat of Sunterra Section 67 and accept the Construction Bond in Precinct 3.

19. Request by County Engineer to approve the Final Plat of Sunterra Section 68 and accept the Construction Bond in Precinct 3.
20. Request by County Engineer to approve the Final Plat of Sunterra Section 69 and accept the Construction Bond in Precinct 3.
21. Request by County Engineer to approve the Final Plat of Sunterra Section 71 and accept the Construction Bond in Precinct 3.
22. Request by County Engineer to approve the Final Plat of Sunterra Section 72 and accept the Construction Bond in Precinct 3.
23. Request by County Engineer to approve the Final Plat of Bartlett Road Street Dedication Section 4 and accept the Construction Bond in Precinct 3.
24. Request by County Engineer to approve the Final Plat of Bartlett Road Street Dedication Section 5 and accept the Construction Bond in Precinct 3.
25. Request by County Engineer to approve the Final Plat of Caymus Creek Drive Street Dedication and accept the Construction Bond in Precinct 3.
26. Request by County Engineer to approve the Amendment of Plat No.1, for Houston Oaks Section 6 in Precinct 2.
27. ~~Request by County Engineer to approve the Final Plat of Arborwood Estates and accept the Construction Bond in Precinct 2.~~ **Item WITHDRAWN**
28. Request by County Engineer to approve the Final Plat of Tantara Bend Drive Street Dedication and Detention Reserves and accept the Construction Bond in Precinct 3.
29. Request by County Engineer for approval of advertisement to seek bids for ARPA - Funded Seal Coating Road Projects (08/2024). Funds to be paid from line item 125-401-544100 [Bid Notices and Printing].

Motion to approve Consent Agenda with #10 and #27 withdrawn 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

COUNTY JUDGE

30. Approve appropriate action regarding the 2024 tax rate.

Judge Duhon moved that the Waller County Commissioners Court propose to adopt a total tax rate of \$.496021 cents per \$100 valuation, the same rate being a combination of rates for the Waller County General Fund rate of \$.413977 cents per \$100 valuation and the Farm to Market Flood control rate of \$.023043 cents and to the Debt Service Fund rate of \$.059001 cents and to schedule the Public Hearing for the 2024 tax rate on September 18, 2024 at 9:00 a.m. at the Waller County Joe Kuciamba Annex in Hempstead, Texas, seconded by Commissioner Amsler.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler

– Yes

Commissioner Smith

– Yes

Commissioner Jones

– Yes

Commissioner Beckendorff – Yes

31. Approve action to set salaries, expenses, and other allowances of all elected county and precinct officers.

Commissioner Beckendorff made motion to approve the cost of living raises to all the elected officials minus the County Judge, seconded by Judge Duhon.

Motion carried by 4-1 vote.

Judge Trey Duhon – Yes

Commissioner Amsler

– No

Commissioner Smith

– Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

32. Approve authorization for the County Judge to publish the Notice of Salary Increases for Elected Officials in the Katy Times, Waller Times, and The Waller County Express and on the County website. Funds to be paid from line item 125-401-544100 [Bid Notices & Printing].

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

33. Approve authorization for the County Judge to publish the Notice of 2024 Tax Year Proposed Tax Rate for Waller County in the Katy Times, Waller Times, The Waller County Express, and on the County website. Funds to be paid from line item 125-401-544100 [Bid Notices & Printing].

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

34. Approve authorization for the County Judge to publish the Notice of Budget Hearing in the Katy Times, Waller Times, The Waller County Express, and on the County website. Funds to be paid from line item 125-401-544100 [Bid Notices & Printing].

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

35. Approve Task Order #1 to Cobb Fendley & Associates for traffic impact analysis review, not to exceed \$100,000.00, in accordance with Traffic Specific Engineering Services Master Contract dated May 29, 2024. Funds to be paid from line item 110-530-545800 [Prof Consult/Flood Mgmt].

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

36. Approve purchase of a new tractor with shredder and claw grapppler utilizing the State Cooperative Program - SOURCEWELL - Vendor Lansdowne Moody Company in the amount of \$64,820.82. Funds to be paid from line item 110-530-581100 [Construction Equipment].

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion to amend by Commissioner Smith approval be subject to Ross fulfilling the requirement for ~~BUYBOARD~~ SOURCEWELL to acknowledge, 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

37. Approve purchase of a 2024 Crew Cab Dodge Pick-Up (for sign division) utilizing the State Cooperative Program - BUYBOARD #723-23 from Grapevine DCJ in the amount of \$80,704.00. Funds to be paid from line item 110-530-581100 [Construction Equipment].

Motion made by Commissioner Beckendorff to approve subject to obtaining BUYBOARD approval of the purchase, 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

38. Approve purchase of (6) 2024 Crew Cab Dodge Pick-Ups utilizing the State Cooperative Program - BUYBOARD #724-23 from Grapevine DCJ in the amount of \$282,796.00. Funds to be paid from line item 110-530-581100 [Construction Equipment].

Motion made by Commissioner Jones to approve subject to obtaining BUYBOARD approval of the purchase, 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

39. Approve purchase of a 2024 Crew Cab Dodge Pick-Up (for shop service truck) utilizing the State Cooperative Program - BUYBOARD #724-23 from Grapevine DCJ in the amount of \$81,189.00. Funds to be paid from line item 110-530-581100 [Construction Equipment].

Motion made by Commissioner Smith to approve subject to obtaining BUYBOARD approval of the purchase, 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

40. Approve the authorization for County Engineer to enter into negotiations with IEA, Inc., for design services related to the emergency bridge repair on Riley Road Bridge at Birch Creek Draw in Precinct 2.

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

SHERIFF

41. Ratify action previously taken by the Court on agenda item #23 of the August 7, 2024 Commissioners Court meeting awarding bid for Sheriff's Office fleet vehicle associated with Resolicited RFP #240626-30 to Sames Auto Group for the amount of \$50,500.00.

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

42. Approve payment of \$50,500.00 to Sames Automotive Group, LLC for a 2024 Chevrolet Silverado pursuant to RFP #240626-30. Funding to be paid from line item 125-600-581400 [Vehicle].

Motion made by Commissioner Jones, 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

43. Approve purchase of eight (8) ~~2024~~ **2023** Chevrolet Tahoe PPV ~~2WD~~ **4WD** vehicles for a total of \$388,800.00 from Caldwell Country Chevrolet pursuant to BuyBoard Contract No. 724-23. Funding to be paid from the following line items:
\$291,400.00 from 192-489-581814 [Federal Forfeiture Equipment] and \$97,400.00 from 125-600-581400 [Vehicle].

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Commissioner Smith made motion to amend to correct to 2023 and 4WD vehicles, 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

TAX ASSESSOR-COLLECTOR

44. Approve authorization for 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 Beckendorff.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler

– Yes

Commissioner Smith

– Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

ELECTIONS

45. Approve Order by the County Judge for the 2024 General Election in Waller County.

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 addition of two Early Voting Locations for the 2024 General Election.~~
Item WITHDRAWN.

Public Comments made regarding Agenda Item #46: Walter Pendleton, Denise Mattox, Marva Wills.

COUNTY CLERK

47. Approve Xerox Lease Agreement for copier located in the County Clerk's Records Room in the amount of \$138.62 per month for 48 months. Funds to be paid from line item 125-403-545510 [Equipment Rent/Lease].

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

48. Accept quote from Revolution Data Systems, Choice Partners Contract #21/031KN-53 for scanning project of Waller County Deed Records from 1837 to 1993 in the amount of \$532,685.30. Funds to be paid from line item 115-426-545512 [Co Clerk Records Management & Preservation Fund].

Motion made by Commissioner Jones, 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

TREASURER

49. Review and approve list of departmental take home vehicles.

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

GRANT MANAGER

50. Accept FY24 Formula Grant Award in the amount of \$45,868.00 from the Texas Indigent Defense Commission (TIDC) and authorize County Judge to execute the required TIDC Grant Resolution.

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

51. Authorize the County Judge to execute Amendment No. 4 relative to the Brazos River Watershed Study associated with Texas Water Development Board's Flood Infrastructure Grant (TWDB Commitment No. G1001319).

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

52. Authorize the County Judge to execute Amendment No. 4 relative to the Spring Creek Watershed Study associated with Texas Water Development Board's Flood Infrastructure Grant (TWDB Commitment No. G1001333).

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

53. Re-approve purchase of one (1) 2023 Ford F-150 Crew 4X4 for Constable, Precinct 4 from Silsbee Ford pursuant to TIPS Contract. Funding 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 Smith

– Yes

Commissioner Jones

– Yes

Commissioner Beckendorff – Yes

COMMISSIONER, PRECINCT 4

54. Publicly **open** proposals received for the purchase of an airboat and trailer pursuant to RFP #240724-53.

The following proposals were submitted to and opened by the Court:

1. Received August 7, 2024 at 11:11 a.m. from Patriot Airboat Corporation.

COMMISSIONER, PRECINCT 3

55. Discuss and take action to approve proposed site development of county land in Sunterra.

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 2

56. ~~Discuss and take action on Mathews Park Donation Agreement.~~
Item WITHDRAWN.

57. Discuss and take action on survey services required for Mathews Park acquisition and authorize County Judge to sign necessary documents.

Motion made by Commissioner Smith to accept the proposal contingent upon an agreement with landowner, 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

58. Approve the Design-Build Change order form #004 for the County to be credited in the amount of (\$4,360.56) for the Waller County Swing Space.

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

MISCELLANEOUS

59. Approve payment of \$20,000.00 to Waller County Historical Museum from line item 125-539-547236 [County Museum] as allocated in the 2024 Budget.

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

60. Approve payment of \$15,000.00 to Waller County Historical Society from line item 125-538-568400 [Miscellaneous] as allocated in the 2024 Budget.

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

61. Approve payment of \$12,362.68 for Invoice # 6215 to Randle Law Office from line item 125-411-540300 [Legal] for General Matters.

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

62. Court addresses agenda item # 62 later in the meeting. (page 9)

63. ~~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.~~

64. ~~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

65. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.
66. ~~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.~~
67. ~~Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725. Item WITHDRAWN.~~

Court convened to Executive Session at 11:15 a.m.

Court reconvened from Executive Session at 11:40 a.m.

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

Returned to Agenda Item #62

62. ~~Discuss contract negotiations related to the design of precinct buildings for Precincts 2 and 3. 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 11:40 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 4th day of September 2024.

Carbett "Trey" J. Duhon, III
County Judge