



MINUTES

WALLER COUNTY COMMISSIONERS COURT REGULAR SESSION WEDNESDAY – JANUARY 24, 2024

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 24th day of January 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 9:00 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 Smith

– Yes

Commissioner Jones

– Yes

Commissioner Beckendorff

– Yes

PUBLIC COMMENT

1. Brian Cantrell – Fire Marshal

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 – January 10, 2024 Regular Session
3. Request by County Treasurer for approval of Payroll.
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 by County Auditor for approval and / or ratification of Accounts Payable.
8. Request by County Auditor to approve 2 Quarterly Reimbursement of Juror Payments.
9. Request by County Tax Assessor-Collector to approve refunds in excess of \$500.00 in accordance with Article 31.11 State Property Tax Code.
10. Request approval to Transfer fixed Assets to the IT Department.
11. Request by County Engineer to advertise for annual competitive bids.
12. Request by County Engineer to place the roads in Bluestem Section 2 into a one-year warranty period beginning December 14th, 2023 (date of substantial completion).
13. Request by County Engineer to approve a Permit to Construct Utility in Waller County Right of Way by American Communications Construction, Inc. for Comcast to install a proposed placement of 188 ft. of conduit/ cable via a directional bore along Clay Road right of way.
14. Request by County Engineer to approve the Final Plat of Estates on Stockdick Section 1 in Precinct 3.
15. Request by County Engineer to approve a Permit to Construct Utility in Waller County Right of Way by San Bernard Electric Cooperative, Inc. for the purpose of proposed placement of 9 Power Poles within the right of way of Adams Flat Road and 5 Power Poles within the right of way of Wilson Road.

Requests to approve payments

16. \$75,000.00 for Invoice #2432 to Waller County Economic Development from line-item 125-411-547200 [Economic Development].
17. \$625.00 for Invoice #111223 to Schmidt Funeral Home from line item 125-423-540705 [Transport to Morgue].

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

COUNTY ENGINEER

18. Approve Substantial Completion of roads meeting County requirements within Sunterra Section 5, with all roads being Privately Maintained: Santa Rosa Hills Drive, Grayton Bay Lane, and Maui Bend Drive.

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

19. Approve a variance request to the Waller County Subdivision and Development Regulations regarding Platting Procedure 3.4.7 Lots widths range from 40' wide to 60' instead of 50' wide for Sofi Lakes Development in Precinct 3 by Chrishone Peterson.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote. Variance GRANTED.

Judge Trey Duhon – Yes	Commissioner Amsler – Yes	Commissioner Smith – Yes
	Commissioner Jones – Yes	Commissioner Beckendorff – Yes

20. Approve a variance request to the Waller County Subdivision and Development Regulations regarding Minimum Street Requirements 4.3.5 Centerline radius 300' instead of 650' for Sofi Lakes Development in Precinct 3 by Chrishone Peterson.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote. Variance GRANTED.

Judge Trey Duhon – Yes	Commissioner Amsler – Yes	Commissioner Smith – Yes
	Commissioner Jones – Yes	Commissioner Beckendorff – Yes

21. Approve a variance request to the Waller County Subdivision and Development Regulations regarding Minimum Right of way Requirements 4.3.4 Cul-de-sac 60' instead of 70' for Sofi Lakes Development in Precinct 3 by Chrishone Peterson.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote. Variance GRANTED.

Judge Trey Duhon – Yes	Commissioner Amsler – Yes	Commissioner Smith – Yes
	Commissioner Jones – Yes	Commissioner Beckendorff – Yes

22. **Presentation** by County Engineer on Pattison Farms General Plan for Precinct 3 and Precinct 4. *No action required.*

23. Conditionally approve Pattison Farms General Plan with the condition that drainage impact analysis, and traffic impact analysis, be submitted and approved.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Commissioner Beckendorff made motion to amend to include an approved development agreement, 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

24. Authorize the County Judge to execute a contract with the Lonnie Lischka Company in an amount not to exceed \$647,874.73 for construction services associated with the Goya Road Drainage Improvement Project and the County Engineer to issue a Notice to Proceed post contract execution. Funds to be paid from line item 241-595-561209 [ARPA Miscellaneous]. *(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

25. Approve extension of date to open bids for one lot of scrap metal to January 24, 2024 pursuant to Local Government Code Section 262.026.

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

26. **Open bids** for one lot of scrap metal.

The following bids were opened by the Court:

1. Received December 7, 2023 8:51 a.m. Dennis Murphy from Brookshire
2. Received January 11, 2024 Mike Hudson

DIRECTOR OF POLICY & ADMINISTRATION

27. Receive presentation and take action on Mobility Needs Assessment.

Presentation only – no action taken.

COMMISSIONER, PRECINCT 3

28. Approve TxDOT County Corridor Agreement.

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

SHERIFF

29. Approve appointment of Animal Control Officer James Miller as the Local Rabies Control Authority for 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

30. Approve agreement with Julie Jones of Hockley to temporarily house dogs impounded by Animal Control at a cost of \$10.00 per dog per day.

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

31. Approve termination of TransUnion Risk and Alternative Data Solutions, Inc. agreement.

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

32. Approve agreement and pricing amendment with Interactive Data, LLC.

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 COURT AT LAW #2

33. **Report** from Judge Mathis on the progress and status of County Court at Law Number Two and the needs of the Court. *No action required.*

JUSTICE OF THE PEACE, PRECINCT 2

34. **Spread** upon the minutes the appointment of Judge J.R. Woolley to the Texas Judicial Commission on Mental Health by the Texas Supreme Court and the Court of Criminal Appeals of Texas for a three-year term which began January 1, 2024.
No action required.

GRANT MANAGER

35. Approve select road maintenance projects in an amount not to exceed \$551,226.61. 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 Smith – Yes
Commissioner Jones – Yes Commissioner Beckendorff – Yes
36. Authorize the County Grant Manager to submit an application to the Office of the Governor, Public Safety Office pursuant to the FY24 State Homeland Security Program-Regular Projects grant program.
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
37. Authorize the County Grant Manager to submit an application to the Office of the Governor, Public Safety Office pursuant to the FY25 General Victim Assistance Grant Program.
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

FIRE MARSHAL

38. **Spread** upon the minutes the 2023 Racial Profiling Report for the Waller County Fire Marshal's Office. *No action required.*

ENVIRONMENTAL DEPARTMENT

39. Approve payment of \$2,305.50 for Invoice #IN1537 to Kyle Office Products for buyout of copier/printer for 911 addressing. Funds to be paid from line item 125-443-544900[?].
Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.
Commissioner Beckendorff made motion to amend to be line item 125-443-581800, 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

IT DEPARTMENT

40. Approve monthly payment of \$1,867.00 to Atron Solutions for the network at the Justice Center.

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

TREASURER

41. Approve eGoldFax service plan contract with Kyle Office Products with an initial service fee of \$50.49 and monthly fee of \$30.49, funds to be paid from line item 125-411-542501 [Telephone/Equip & Svc].

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

AUDITOR

42. ~~Approve 2024 budget adjustments and departmental line item transfers.~~
Item **WITHDRAWN**.

DIRECTOR OF FACILITIES

43. Approve Amazon account for purchasing online through purchase orders.

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

44. Approve payment of \$23,880.00 for Invoice #123247-1 to Southwest Solutions Group 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 Jones

– Yes

Commissioner Smith

– Yes

Commissioner Beckendorff – Yes

45. Approve payment of \$9,806.00 for Invoice #7527 to Wald Relocation Services, LTD 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 Jones

– Yes

Commissioner Smith

– Yes

Commissioner Beckendorff – Yes

46. ~~Approve payment for Invoice #1054C for \$41,860.00, Invoice #1061C for \$2,209.45, Invoice #1055C for \$4,975.00, Invoice #1052C for \$690.00, Invoice #1070C for \$3,436.00, Invoice #1049C for \$642.50, and Invoice 1065C for \$1,606.56 for a total of \$55,419.51 to Telomack Cabling Solutions to be paid from line item 604-604-581000 [Courthouse Construction]. Item **WITHDRAWN**.~~

47. **Update** on the design phase of the Waller County Courthouse Replacement and Annex Project. *No action required.*

48. Approve payment of \$224,104.97 for Invoice # 14 to Sedalco from line item 603-604-581837[Construction].

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Commissioner Smith made motion to amend to pay from line item 604-604-581800, 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

49. Present and discuss 2nd time capsule that was found in the top of the cornerstone of the Courthouse. *No action required.*

MISCELLANEOUS

50. Approve contract with Clear Channel Outdoor for advertising of public service announcements.

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

51. Approve appointments to the Long Range Planning Committee.

Judge Duhon made motion to get the Long Range Planning Committee back up and running with our County Engineer Ross (McCall), Commissioner Amsler, Commissioner Jones, Robert Pechukas, Danny Rothe, Alan Younts, Mike Boehnke, and Liz Dorsey, 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

52. **Spread** upon the minutes the Assignment and Assumption of Lease for the County's lease of the building housing the District Attorney's Office. *No action required.*

53. 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 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

54. 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 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

EXECUTIVE SESSION

55. 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.
56. Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725.
57. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.

Court convened to Executive Session at 11:42 a.m.

Court reconvened from Executive Session at 12:00 p.m.

58. ~~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 12:00 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
Waller County Clerk

APPROVED this the 7th day of February 2024.

Carbett "Trey" J. Duhon, III
County Judge