



MINUTES

WALLER COUNTY COMMISSIONERS COURT REGULAR SESSION WEDNESDAY – JULY 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 July 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 9:04 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 9:32 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 Smith made motion to approve agenda, seconded by Commissioner Beckendorff.

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. Art Hernandez 2. Larry Parr 3. Jessica Holloman

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 – July 10, 2024 Regular Session, July 15, 2024 Special 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. Approve 2024 budget adjustments and departmental line-item transfers.
8. Request by County Auditor to approve official documents and all monthly reports.
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 to approve payments on the following:
\$1,375.00 for Invoice registered on July 2, 2024 to Clay's Mortuary & Cremations from line item 125-411-561502 [Pauper Burial Expense].
11. \$5,200.00 for Invoice #1367 to Fort Bend Medical Examiner from line item # 125-423-540702 [Autopsy].
12. \$695.00 for Invoice dated June 25, 2024 to Magnolia Funeral Home from line item 125-423-540705 [Transport to Morgue].
13. \$3,564.00 for Invoice #171859 to Alpha Testing from line item 604-604-545405 [Professional Services].
14. \$1,989.54 for Invoice #36 to King Architectural Consulting Services from line item 604-604-545405 [Professional Services].
15. \$38,853.13 for Invoice #2401500101 to Thompson Consulting Services from line item 110-530-569311 [DR-4784 Texas Severe Storm] for County debris monitoring associated with Texas Severe Storms, Straight-line Winds, Tornadoes, and Flooding.
16. Request by County Auditor to Approve and/or Ratify Accounts Payable.
17. Request by County Engineer to approve a Permit to Construct Utility in Waller County Right of Way by AT & T Communications for a bore and placement of a fiber optic cable within the right of way of Murrell Rd.
18. Request by County Engineer to approve a Permit to Construct Utility in Waller County Right of Way by American Communications Construction, Inc. for a bore and placement of under ground fiber optic cable within the right of way of Beckendorff Rd. and Emerald Ocean Drive.
19. Request by County Engineer to approve the Final Plat of La Segarra Water Plant in Precinct 3.
20. Request by County Engineer to approve the Final Plat of La Segarra Section One and accept the Construction Bond in Precinct 3.
21. Request by County Engineer to approve the Final Plat of La Segarra Boulevard Phase One and accept the Construction Bond in Precinct 3.

Motion to approve Consent Agenda made by Commissioner Beckendorff, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler
Commissioner Jones

– Yes
– Absent

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

COUNTY JUDGE

22. **Presentation** of Distinguished Service Award to the Waller County Historical Commission for 2023 accomplishments.

No action required.

TREASURER

23. Workplace Financial Wellness Program **presentation** by Samuel Vaughan, Associate Financial Advisor, with Ameriprise Financial Services.

No action required.

24. ~~Approve Ameriprise Financial Workplace Solutions Agreement.~~
Item WITHDRAWN.

25. Approve action on salary ranges from the classification and compensation study from Evergreen Studies.

Commissioner Jones arrived to meeting at 9:32 a.m.

Commissioner Beckendorff moved to accept the Tenure Pay for 2025 budget, take the recommendation of the study, seconded by Commissioner Smith.

Motion carried by 4 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

26. Approve 2024.9 Salary Order amendment effective 08/05/24.

Motion made by Commissioner Jones, 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

COUNTY ENGINEER

27. Approve Variance request to the Waller County Subdivision and Development Regulations regarding Section 3.4.8 Flag Lot access length, 1,752' more than 960' allowed by regulations, by Lucy Magana in Precinct 3.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

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

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

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

28. **Presentation** of General Land Plan for Marigold by Jennifer Curtis in Precinct 2.

No action required.

29. Approve General Land Plan for Marigold by Jennifer Curtis in Precinct 2.

Commissioner Smith made motion to approve Land Plan based on access easement with improvements, 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

30. **Public Hearing:** Proposed Major Thoroughfare Plan/Map Amendment, by Gamal 318 Acres LLC.

Public Hearing began at 10:11 a.m.

Public Comments were received including Stefan Gage with TXDOT, and Brad Sweitzer with EHRA.

Public Hearing ended at 10:32 a.m.

31. ~~Approve the Major Thoroughfare Plan/Map Amendment Gamal 318 Acres LLC, by Brad Sweitzer. Item WITHDRAWN.~~

32. ~~Approve Amendment to Subdivision and Development Regulations: Engineering Design Standards—Base Material. Item WITHDRAWN.~~

33. ~~Approved Amendment to Subdivision and Development Regulations: Engineering Design Standards—Lot Size. Item WITHDRAWN.~~

34. ~~Approve Amendment to Subdivision and Development Regulations: Engineering Design Standards—Minimum Street Requirements—Local Streets. Item WITHDRAWN.~~

35. ~~Approve Amendment to Subdivision and Development Regulations: Summary of Costs. Item WITHDRAWN.~~

36. ~~Approve Amendment to Subdivision and Development Regulations: Definition of Terms. Item WITHDRAWN.~~

37. Approve to repurpose a Truck Driver position into a GIS Technician position and expand roles of the GIS Manager. Changes requested will not increase the department budget.

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

38. Approve Amendment to the Waller County Road and Bridge Department Fee Schedule.

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. **Presentation** of Road and Bridge Department Quarterly Report.

No action required.

SHERIFF

40. Publicly **open** sealed bids submitted for a fleet vehicle for the Sheriff's Office (Resolicited RFP 240626-30).

The following bids were submitted and opened by the Court:

1. Received July 18, 2024 at 10:26 a.m. from Laredo Chevrolet / Sames Auto Group

41. Approve interlocal agreement with Waller ISD to provide school resource officers for the 2024-2025 school year.

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

42. Approve the creation of a new Sergeant SRO position pursuant to the approval of the contract with Waller Independent School District.

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

43. Approve purchase from PCN Strategies in the amount of \$40,715.22 for 7 Panasonic Toughbook computers and accessories for the 7 Tahoes previously purchased. 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.

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

44. Approve payment for invoice #45632 to Utility Associates Inc., for \$74,294.84 for 7 camera systems for the 7 Tahoes previously purchased. Funds to be paid from line item 125-600-581400 [Vehicle].

Motion made by Commissioner Smith, 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

45. Approve purchase from Command Communications in the amount of \$20,971.93 for 7 refurbished Motorola radios for the 7 Tahoes previously purchased. 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.

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

Commissioner Smith stepped away from meeting at 11:09 a.m.

DISTRICT ATTORNEY

46. Discuss and take action to authorize the Waller County Auditor to conduct the annual Chapter 59 Forfeiture/Seizure Accounts audits as required by law, and to report the results of the same to the Texas Attorney General.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 4-0 vote.

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

47. Approve purchase of a 2023 Ford Explorer PIU from Rockdale Country Ford in the amount of \$47,535.00 pursuant to BuyBoard Contract 724-23. Funding to be paid from line item 241-595-561209 [ARPA Miscellaneous].

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Absent
Commissioner Beckendorff – Yes

FIRE MARSHAL

48. Approve upgrades, including a generator and A/C unit purchase and installation, in the amount of \$19,238.25 to the Waller County Fire Marshal Office's Scene Response Trailer. Funds to be paid from line Item 241-595-561209 [ARPA Miscellaneous].

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Absent
Commissioner Beckendorff – Yes

Commissioner Smith returned to meeting at 11:12 a.m.

COUNTY CLERK

49. Draw three (3) public members and three (3) alternate members to serve on the Salary Grievance Committee pertaining to the 2025 Budget.

The following three (3) public members were drawn:

1. Wesley Mayer, Jr. of Hempstead
2. Jan Leo Tejano from Katy
3. William D. (Bill) Griffin from Katy

The following three (3) alternate members were drawn:

1. Carol Heath of Brookshire
2. Edmond Murrell of Brookshire
3. Jessica Rodriguez of Hockley

50. Approve Canon Copier Renewal Lease DIR Contract for 2 copiers in the County Clerk's office in the amount of \$461.91 per month for 60 months. Funds to be paid from line item 125-403-545510 [Equipment Rent/Lease].

Motion made by Commissioner Smith, 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

COMMISSIONER, PRECINCT 4

51. Approve contract and authorize payment to Pegasus Chevrolet LLC in the amount of \$54,268.75 for a 2024 Silverado Custom Trail Boss Crew Cab pursuant to RFP #240515-32. Funds to be paid from line Item 125-600-581400 [Capital Outlay Vehicle].

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

52. Approve payment for necessary upfitting and installation associated with Commissioner, Precinct 4's new vehicle in an amount not to exceed \$5,000.00. Funds to be paid from line Item 125-600-581400 [Capital Outlay Vehicle].

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

53. Approve advertisement of RFP for the purchase of one (1) new airboat to be published in the Waller County Express. Funds to be paid from line item 125-401- 544100 [Bid Notices and 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

54. Approve purchase of a hovercraft and trailer from Neoteric Hovercraft Inc. in an amount not to exceed \$109,920.00. 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

DIRECTOR OF FACILITIES

55. Approve the Texas Work Authorization Contract for BELFOR regarding the Tax Office roof.

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

56. Approve Agreement between Waller County and Fort Bend Seniors Meals on Wheels and payment of \$40,000.00 for Invoice #4330 from line item 125-411-547315 [Ft. Bend Seniors Meals on Wheels] 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

57. Approve Resolution Authorizing County Grant Program for the Texas Department of Agriculture Home-Delivered Meal Grant Program for 2025.

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

58. Approve payment of \$11,423.39 for Invoice #6157 to Randle Law Office from line item 125-411-540300 [Legal] for General Matters.

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

59. 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 Smith

– Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

60. 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 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

61. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.
62. 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.
63. Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725.

Court convened to Executive Session at 11:45 a.m.

Court reconvened from Executive Session at 1:08 p.m.

64. ~~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 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

Meeting was **ADJOURNED** at 1:08 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 August 2024.

Carbett "Trey" J. Duhon, III
County Judge