

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – JUNE 14, 2023**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 14<sup>th</sup> day of June 2023 at its meeting place in the Commissioners Courtroom of the Waller County Courthouse, Hempstead, Texas. 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  
Walter Smith, Commissioner Precinct 2  
Justin Beckendorff, Commissioner Precinct 4 – *Presiding Judge*  
Debbie Hollan, County Clerk  
Absent: Carbett "Trey" J. Duhon III, County Judge  
Kendric D. Jones, Commissioner Precinct 3

Delivery of Invocation by: Commissioner Amsler  
Pledge to the American Flag and Texas Flag led by: Commissioner Smith

1. **Approval of Agenda.**

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

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

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

**PUBLIC COMMENT** – *None*

**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 the minutes** – June 7, 2023 Regular Session
3. **Request by County Treasurer for approval of Payroll.**
4. **Request to approve payment on the following:**
  - (a) \$85.00 for Invoice # 23547406 [Courthouse, Hold-Up Alarm], and \$995.00 for Invoice # 23112406 [Courthouse Camera Surveillance], for a total \$1,080.00 payable to TAC Security from line item 117-428-568425 [Courthouse Security/Misc. Security].
5. **Request by County Auditor for approval and/or ratification of Accounts Payable.**
6. **Request by County Tax Assessor Collector to approve refunds in excess of \$500.00 in accordance with section 31.11 Texas Tax Code.**
7. **Request by County Treasurer for approval of Treasurer's Monthly Report.**
8. **Request by County Engineer to approve a Utility Permit for GCP Technologies to place a fiber optic cable within the right-of-way of Joseph Road in Pct. 2.**

9. Request by County Engineer to approve a Utility Permit for Midtown Engineers to place an underground electric duct bank within the right-of-way of Penick Road in Pct. 2.
10. Request by County Engineer to approve a Utility Permit for Consolidated Communication to place a fiber optic cable within the right-of-way of Schlipf Road and Quail Street in Pct. 4.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

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

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

***Advanced to Agenda Items #15-17***

**506<sup>th</sup> DISTRICT JUDGE**

15. Discuss and take action to appoint a Law Librarian for the Waller County Law Library.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

Commissioner Smith made motion to appoint Judge JR Woolley as the Law Librarian for Waller County Law Library, seconded by Commissioner Amsler.

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

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

16. Discuss and take action to approve Subscription Agreement with Westlaw for Legal Research for all Judge’s in Waller County through the Law Library. Funds to be paid from line item 111-425-53500 [Books, Etc.].

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

Commissioner Smith, made motion to table agenda item, seconded by Commissioner Amsler.

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

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

17. ~~Discuss and take action to update the equipment and supplies in the current Law Library.~~  
**Item WITHDRAWN.**

***Proceeded with Agenda Item #11***

**ECONOMIC DEVELOPMENT**

11. Discuss and take action to approve four Tax Abatement Agreements with Twinwood Industrial Owner, LLC, the owner and tax abatement applicant, for properties located on Discovery Hills Parkway in Brookshire. The property is in the reinvestment zone known as Waller County Twinwood Business Park Reinvestment Zone 12, located west of and adjacent to Woods Road and south of Interstate10. Twinwood Industrial Owner will construct four spec distribution buildings as follows:
  - a. Building 1: approximately 91,000 square feet with an estimated cost of \$5,000,000
  - b. Building 2: approximately 91,000 square feet with an estimated cost of \$5,000,000
  - c. Building 3: approximately 181,000 square feet with an estimated cost of \$9,000,000
  - d. Building 4: approximately 181,000 square feet with an estimated cost of \$9,000,000

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

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

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

12. Discuss and take action to approve a Tax Abatement Agreement with Clay Partners – Twinwood Distribution #3, L.P., the owner and tax abatement applicant, for property located at 2193 Discovery Hills Parkway in Brookshire. The property is in the reinvestment zone known as Waller County Twinwood Business Park Reinvestment Zone 12, located west of and adjacent to Woods Road and south of Interstate 10. Clay Partners will construct a spec distribution building of approximately 760,000 square feet at an estimated cost of \$33,000,000.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

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

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

### **COUNTY ENGINEER**

13. **Presentation** by HGAC on area wide LiDAR project.  
*No action required.*
14. **Discuss** proposed House Bill 14 related to plan reviews, amending Local Government Code Chapter 247.  
*No action required.*

### **506<sup>TH</sup> DISTRICT JUDGE**

15. *Court addressed Agenda Item #15 earlier in meeting. Page 2*
16. *Court addressed Agenda Item #16 earlier in meeting. Page 2*
17. *Court addressed Agenda Item #17 earlier in meeting. Page 2*

### **LIBRARY**

18. Discuss and take action to accept \$69.00 donation to the Brookshire-Pattison Library and post the donation to revenue budget line 125-537-536600 [Donations/Library].

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

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

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

### **JUSTICE OF THE PEACE, PRECINCT 3**

19. Discuss and take action to approve Lease Agreement with Xerox for a Xerox C8130H2. Monthly rate of \$152.42 for a 48-month term to be paid from line item 125-420-581817 [Technology Enhancements].

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

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

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

## GRANT MANAGER

20. Discuss and take action to publish a notice of public hearing for the purpose of providing an update on the Brazos River Flood Study (TWBD Commitment No. G1001319) in the Katy Times, the Hotline Press, and the Waller County Express. Funds to be paid from line item 125-401-544100 [Bid Notices and Printing].

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

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

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Jones – Absent*

*Commissioner Beckendorff – Yes*

## AUDITOR

21. Discuss and take action to approve 2023 budget amendments and departmental line-item transfers.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

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

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Jones – Absent*

*Commissioner Beckendorff – Yes*

## MISCELLANEOUS

22. **Presentation** by Jeff Bryant with Blackfin Pipeline LLC to discuss a proposed pipeline in Waller County.

*No action required.*

23. Discuss and take action to approve termination of Retainer Agreement with Allison, Bass & Magee regarding assistance reviewing and updating subdivision regulations (contract ID# 221109-22)

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

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

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Jones – Absent*

*Commissioner Beckendorff – Yes*

24. Discuss and take action to approve agreement with Husch Blackwell LLP for assistance reviewing and updating subdivision regulations.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

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

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Jones – Absent*

*Commissioner Beckendorff – Yes*

25. ~~Discuss and take action to 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. Item WITHDRAWN.~~

26. ~~Discuss and take action to 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. Item WITHDRAWN.~~

**EXECUTIVE SESSION**

27. ~~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.~~
28. ~~Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725. Item WITHDRAWN.~~
29. ~~Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071. Item WITHDRAWN.~~
30. ~~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 Smith.

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

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

Meeting was **ADJOURNED** at 10:34 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*  
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 Debbie Hollan  
 Waller County Clerk

**APPROVED this the 21<sup>st</sup> day of June 2023.**

*Trey Duhon*  
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 Carbett "Trey" J. Duhon, III  
 County Judge