MINUTES

WALLER COUNTY COMMISSIONER'S COURT REGULAR SESSION WEDNESDAY – NOVEMBER 2, 2022

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 2nd day of November 2022 at its meeting place in the Commissioners Courtroom of the Waller County Courthouse, Hempstead, Texas. The meeting was called to order by Waller County Judge Trey Duhon at 9:01 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

1. Approval of Agenda.

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

PUBLIC COMMENT

To slow the spread of COVID-19, the public may make public comment at the beginning of the meeting by teleconference. **Local callers should call 979-921-6212.** Non-local callers should call 800-576-1131. The user code for both numbers is **14329937**. Callers will be asked if they would like to make public comment. After public comment, the teleconference line will be closed. The public may continue to watch the meeting streamed online at http://wallercountytx.swagit.com/live.

1. Yancy Scott, County Engineer

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 October 26, 2022 Regular Session
- 3. Request by County Treasurer for approval of Payroll.
- 4. Request by County Treasurer for approval of Elections Payroll.
- 5. Request to approve payment on the following:
 (a) \$1,295.00 for invoice dated October 17, 2022 to Magnolia Funeral Home, Inc. from line item 125-423-540705 [Transport to Morgue].

- 6. Request by County Auditor for approval and/or ratification of Accounts Payable.
- 7. Item #7 removed from Consent Agenda – to be discussed and voted on separately. (page 2)

Motion to approve Consent Agenda with Item #7 removed 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

7. Request by County Engineer to approve the Final Plat of Joseph Ranch Subdivision in Precinct 2.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

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

Motion carried by 5-0 vote. Item TABLED.

Judge Trey Duhon - Yes

Commissioner Amsler - Yes

Commissioner Smith

- Yes

Commissioner Jones - Yes

Commissioner Beckendorff - Yes

COUNTY ENGINEER

Discuss and take action to approve a variance request to the Waller County Subdivision 8. and Development Regulations-Drainage Criteria Manual (Appendix E) Section VII Design Parameters, requiring 4:1 side slopes instead of 3:1 side slopes for Bluestem by Cam Jackson (Precinct 3).

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

ENVIRONMENTAL

9. Discuss and take action to approve a variance request to the Subdivision Development Regulations, Engineering Design Standards, Section 2-Lot size, regarding the minimum lot size per dwelling, by Mr. Ricardo Rodriguez.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote. Variance DENIED.

Judge Trey Duhon - No

Commissioner Amsler - No

Commissioner Smith

Commissioner Jones - No

Commissioner Beckendorff - No

COUNTY CLERK

Discuss and take action to approve 48 month Lease Agreement with Kyle Office 10. Products for an Epson SureColor T5470 Plotter to be used in the County Clerk's office for recording Plats. The monthly rate of \$275.00 to be paid from line item 115-426-545512 [County Clerk Management & Preservation Fund].

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

11. Discuss and take action on Burn Ban.

Motion to rescind the Burn Ban made by Commissioner Jones, seconded by Commissioner Beckendorff. Burn Ban RESCINDED.

Motion carried by 5-0 vote.

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

MISCELLANEOUS

12. 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.

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

- 13. 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.
- 14. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.

Court convened to Executive Session at 9:50 a.m. Court reconvened from Executive Session at 10:33 a.m.

15. 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 10:33 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 9th day of N	ovember 2022.
Carbett	'Trey" J. Duhon, III County Judge