



MINUTES

WALLER COUNTY COMMISSIONERS COURT REGULAR SESSION WEDNESDAY – MARCH 5, 2025

BE IT REMEMBERED that the Honorable Commissioner’s Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 5th day of March 2025 at its meeting place at the Waller County Joe Kuciemba Annex, Hempstead, Texas.

CALL TO ORDER

The meeting was called to order by Presiding Judge Commissioner Justin Beckendorff at 9:13 a.m. with the following members of the Court present to-wit:

Walter Smith, Commissioner Precinct 2
Kendric D. Jones, Commissioner Precinct 3
Justin Beckendorff, Commissioner Precinct 4 – *Presiding Judge*
Stephanie Tompkins, Chief Deputy County Clerk
Absent: Carbett “Trey” J. Duhon III, County Judge
John A. Amsler, Commissioner Precinct 1

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

Commissioner Smith made motion to approve agenda, seconded by Commissioner Jones.

Motion carried by 3-0 vote.

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

PUBLIC COMMENT

(Audio/Video System went down, had to reboot/reset the system 9:16-9:21 a.m.)

- | | | |
|-----------------------|----------------------------------|---|
| 1. Shannon Birkelbach | 2. Mrs. Johnyne Rees | 3. Linda Akins |
| 4. Gayle Brown | 5. Ross McCaul – County Engineer | 6. Danny Rothe – Director of Facilities |

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 – February 18, 2025 Regular Session
3. Request by County Treasurer for Approval of Payroll Disbursements.
4. Request by County Auditor to Approve and/or Ratify 2025 Budget Adjustments and Departmental Line-Item Transfers. *(no backup submitted)*

Request to approve payment on the following:

5. \$1,832.00 for Invoice #BXHS34151383 and \$1,832.00 for Invoice #BXHS34151820 for a total of \$3,664.00 to BOXX Modular to be paid from line item 605-605-545405 [Professional Services].
6. \$1,861.94 for Invoice #050 to King Architectural Consulting Services to be paid from line item 604-604-545405 [Professional Services].
7. \$300.00 for the 2025 Membership Dues to South Texas County Judge's & Commissioner's Association from line item 125-411-562300 [County Organizational Dues].
8. \$300.00 for Invoice dated February 1, 2024 to South Texas County Judge and Commissioners Association from line item 125-411-562300 [County Organizational Dues].
9. \$4,296.38 for Invoice #201707177 to JBI, Ltd. *(to be paid from line item 212-488-540800 per amended motion)*
10. \$1,360.00 for Invoice #239595 to Texas Association of Counties from line item 125-411-562300 [County Organizational Dues].
11. \$625.00 for Invoice #2024-11-03 to W.L. Simon Mortuary Transport from line item 125-423-540705 [Transport to Morgue].
12. Request by County Auditor to Approve and/or Ratify Accounts Payable.
13. Request by County Engineer to approve the Final Plat of Simarron Estates in Precinct 3.
14. Request by County Engineer to approve the Final Plat of Sunterra Northeast Commercial Development in Precinct 3.
15. Request by County Engineer to approve the Final Plat of New Day Ranches and accept the Subdivision Bond in Precinct 2.
16. Request by County Engineer to approve the Final Plat of Bluestem Phase 2 Detention Reserve in Precinct 3.
17. ~~Request by County Engineer to approve the Amending of Plat No. 3, for Houston Oaks Section 6 in Precinct 2. Item WITHDRAWN.~~
18. Spread upon the minutes the 2024-25 Certificates of Compliance awarded to Joan Sargent, County Treasurer.

Motion to approve Consent Agenda with #17 withdrawn made by Commissioner Smith, seconded by Commissioner Jones.

Commissioner Beckendorff moved to amend agenda item #9 to be paid from line item 212-488-540800, seconded by Commissioner Smith.

Amendment carried by 3-0 vote.

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

Amended Motion carried by 3-0 vote.

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

ECONOMIC DEVELOPMENT

- 19. Approve the Tax Abatement Agreement between Waller County, Texas, Tesla Inc., and SRPF B/Empire West Phase II L.P. to be effective upon Tesla Inc. leasing certain property from SRPF B/Empire West Phase II L.P., and provided that Tesla Inc. and SRPF B/Empire West Phase II L.P. enter into a Tax Abatement Agreement with the City of Brookshire, Texas. Tesla Inc. is the tax abatement applicant, and intends to lease property owned by SRPF B/Empire West Phase II L.P. The property is located in the reinvestment zone known as the City of Brookshire Reinvestment Zone Number 20-01, generally located north of Interstate 10, west of Woods Road, and south of U.S. 90 in Brookshire, Texas 77423. SRPF B/Empire West Phase II L.P. will improve a manufacturing facility with an estimated cost of \$44,000,000. The improvements to the manufacturing facility include improvements to the facility’s electrical capacity, and heating and cooling equipment. Tesla Inc. will install manufacturing equipment with an estimated cost of approximately \$150,000,000.00.

Motion made by Commissioner Jones, seconded by Commissioner Smith.
(Agenda Item #20 is combined with Agenda Item #19)

Motion carried by 3-0 vote.

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

- 20. Approve the Tax Abatement Agreement between Waller County, Texas, Tesla Inc., and SRPF B/Empire West Phase III L.P. to be effective upon Tesla Inc. leasing certain property from SRPF B/Empire West Phase III L.P., and provided that Tesla Inc. and SRPF B/Empire West Phase III L.P. enter into a Tax Abatement Agreement with the City of Brookshire, Texas. Tesla Inc. is the tax abatement applicant, and intends to lease property that will be owned by SRPF B/Empire West Phase III L.P. upon final acquisition. The property is located in the reinvestment zone known as the City of Brookshire Reinvestment Zone Number 20-01, generally located north of Interstate 10, west of Woods Road, and south of U.S. 90 in Brookshire, Texas 77423. SRPF B/Empire West Phase III L.P. will build a manufacturing facility with an estimated cost of approximately \$31,000,000, and Tesla Inc. will install distribution equipment and building improvements, including HVAC system upgrades, with an estimated cost of approximately \$2,000,000.00.

(Commissioner Beckendorff read Agenda Item #20 only – Item #20 is combined with #19)

CONSTABLE, PRECINCT 2

- 21. Approve Professional Services Contract for Online Auctioneering Services with GOVDEALS and authorize the County Judge to sign.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 3-0 vote.

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

22. Approve the auctioning of seven (7) surplus Precinct 2 Constable Office vehicles on GOVDEALS and authorize the County Judge to sign.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 3-0 vote.

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

CONSTABLE, PRECINCT 3

23. Approve to waive the fee for the Community Center for a Juneteenth Celebration hosted by Precinct 3 Constable, Herschel Smith on June 19, 2025.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 3-0 vote.

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

IT DEPARTMENT

24. Approve payment of \$15,540.00 for Invoice #195090 for audio recording for Commissioners Court meetings. Funds to be paid from line item 125-401-540900 [Prof Consulting Services].

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 3-0 vote.

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

COUNTY ENGINEER

25. **Public Hearing:** Proposed Major Thoroughfare Plan/Map Amendment, by Maple Development Group for Sagebrush.

Public Hearing began at 9:47 a.m.

County Engineer Ross McCall explained proposed amendment.

No Public Comments received

Public Hearing ended at 10:03 a.m.

26. Approve the Major Thoroughfare Plan/Map Amendment, by Maple Development Group for Sagebrush.

Motion made by Commissioner Smith, seconded by Commissioner Jones.

Motion carried by 3-0 vote.

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

27. Discuss and take action on amendments to the development agreement for Lakes of Cane Island, formerly known as Morton 180.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 3-0 vote.

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

28. **Award** Contract Bid(s) for the following:

2025-02 Pavement Markings

2025-06 Fuel-Bulk Diesel and Gasoline

2025-10 Ditch Cleaning

2025-09 Guardrail Repairs and Improvements
2025-01 Seal Coating.

Motion to award contract bids for Pavement Markings to Stripes & Stops, Fuel-Bulk Diesel and Gasoline to Petroleum Traders, Seal Coating to H & C Construction made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 3-0 vote.

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

COMMISSIONER, PRECINCT 3

29. Discuss and take action on mobility bond firm assignments in Precinct 3.

Motion made by Commissioner Smith, seconded by Commissioner Jones.

Motion FAILED by 1-2 vote.

Judge Trey Duhon	– Absent	Commissioner Amsler	– Absent	Commissioner Smith	– No
		Commissioner Jones	– Yes	Commissioner Beckendorff	– No

30. Discuss and take action on submitting a request for Federal funds for a Community Center in Sunterra. *(no backup submitted)*

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 3-0 vote.

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

31. Approve to waive the fee for the Community Center for a Housing Fair hosted by PVAMU Cooperative Extension Program and Precinct 3 Commissioner, Kendric Jones on March 20, 2025.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 3-0 vote.

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

32. Approve to waive the fee for the Community Center for a health clinic hosted by PVAMU Royal Courts, Busy Bee Wellness Center, and Commissioner Precinct 3, Kendric Jones on March 21, 2025.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 3-0 vote.

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

33. Approve to waive the fee for the Community Center for a Recycling Event hosted by Prairie View Chapter TTA/TLOD, Alpha Kappa Alpha Sorority, Incorporated Zeta Gamma Omega Alpha Chapter and Precinct 3 Commissioner, Kendric Jones on March 22, 2025.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 3-0 vote.

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

TREASURER

34. Approve renewal of Affordable Care Act Reporting and Tracking Service (ARTS) agreement with Texas Association of Counties.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 3-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Absent
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

DIRECTOR OF POLICY & ADMINISTRATION

35. Approve Resolution supporting efforts to preserve night skies.

Motion made by Commissioner Smith, seconded by Commissioner Jones.

Motion carried by 3-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Absent
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

DIRECTOR OF FACILITIES

36. Approve payment of \$1,422,808.00 for Application #28 to SEDALCO, Inc. to be paid from the following line items:

\$ 33,026.91 - 604-604-545045 [Professional Services].

\$1,389,781.49 - 604-604-581000 [Bldg Purch, Const, or Improv].

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 3-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Absent
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

37. Approve payment of \$205,057.73 for Invoice #12 to Sedalco. Funds to be paid from line item 125-600-581620 [Justice Center Modular Building Design Fees].

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 3-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Absent
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

MISCELLANEOUS

38. Approve the Appointment of Brian Cantrell as County Fire Marshal for a term of two years.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 3-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Absent
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

39. Approve request by Alfred Johnson with Prairie View EDC to rent the Community Center on a continued basis during the evening time slot for the third Thursday of each month in 2025.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 3-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Absent
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

40. Approve Official Bonds and Oaths for County Court at Law Judge Carol Chaney.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 3-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Absent
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

41. Approve request to seek Federal funding for potential regional detention project.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 3-0 vote.

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

42. Approve letter of intent for real properties purchased from the City of Houston.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 3-0 vote.

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

43. ~~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.~~

44. 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 Smith.

Motion carried by 3-0 vote.

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

EXECUTIVE SESSION

45. ~~Consultation with District Attorney and outside counsel, including consultation with outside counsel regarding procurement and ethics compliance pursuant to Government Code Section 551.074. Item WITHDRAWN.~~

46. ~~Consultation with District Attorney related to advice about pending or contemplated litigation or a settlement offer. Item WITHDRAWN.~~

47. ~~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.~~

48. Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725.

Court convened to Executive Session at 11:00 a.m.

Court reconvened from Executive Session at 11:29 a.m.

49. Reconvene in Open Session to take any action necessary on matters discussed in Executive Session.

No action taken.

ADJOURN MEETING

Motion to **adjourn** meeting by Commissioner Smith, seconded by Commissioner Jones.

Motion carried by 3-0 vote.

Judge Trey Duhon –Absent

Commissioner Amsler

– Absent

Commissioner Smith

– Yes

Commissioner Jones

– Yes

Commissioner Beckendorff

– Yes

Meeting was **ADJOURNED** at 11:29 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



By: Stephanie Tompkins
Stephanie Tompkins, Chief Deputy Clerk

APPROVED this the 19th day of March 2025.

[Signature]
Carbett "Trey" J. Duhon, III
County Judge