

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – MARCH 16, 2022**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 16<sup>th</sup> day of March 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 9:00 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  
Stephanie Tompkins, Chief Deputy Clerk

Delivery of Invocation by: Commissioner Smith  
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.

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

**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://wallercountytexas.com/swagit.com/live>.

The following public members made public comment:

- |                                      |                  |
|--------------------------------------|------------------|
| 1. Larry J. Pawlak                   | 4. Larry Parr    |
| 2. Mrs. Carpenter via teleconference | 5. Denise Mattox |
| 3. Tracy Sebesta                     |                  |

**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 – March 9, 2022 Regular Session
3. Request by County Treasurer for approval Treasurer's Monthly Report.
4. Request by County Treasurer for approval of Election payroll.
5. Request by County Auditor for approval of Fixed Asset Transfers.

6. Request to approve payment on the following:
  - (a) \$2,160.00 for Invoice to County Judges and Commissioners Association of Texas from line item 125-411-562300 [County Organizational Dues].
  - (b) \$6,292.00 for Invoice # 7996 to Harris County from line item 125-422-541600 [Pro Rata Share Court Expense] for Appellate Fund – Court Reimbursements.
7. Request by County Auditor for approval and/or ratification of Accounts Payable.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

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

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

## SHERIFF

8. **Spread** upon the minutes the 2021 Texas Commission on Law Enforcement Racial Profiling Report for the Waller County Sheriff’s Office.

*No action required.*

9. Discuss and take action to approve Animal Control Interlocal Agreements with the municipalities of Brookshire, Hempstead, Pattison, Pine Island, and Prairie View.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

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

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

10. ~~Discuss and take action to approve implementation of alarm permit policy and procedures.~~ **Item WITHDRAWN.**

## IT DEPT.

11. Discuss and take action to approve Smarsh agreement for archival services.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

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

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

12. Discuss and take action to modify Sheriff’s Department Smarsh Account.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

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

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

## ELECTIONS

13. Discussion of Elections Procedures as requested by Commissioner Smith.

*No action required.*

**Commissioner Amsler briefly left meeting at 10:18 a.m.**

14. Discuss and take action to approve amendment of Consolidated Polling Locations for May 7, 2022 Election.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

**Motion carried** by 4-0 vote.

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

15. Discuss and take action to approve authorization to publish amendment to Notice of Joint Special General Election in a newspaper of general circulation.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

**Motion carried** by 4-0 vote.

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

## **FIRE MARSHAL**

16. Discuss and take action to accept donation of two (2) insta 360 Cameras from Zentech Technical Services valued at \$1,000.00.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

**Motion carried** by 4-0 vote.

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

## **MISCELLANEOUS**

17. Discuss and take action to approve Amendment to Tax Abatement Agreement with Brookshire Drying Co, Inc. and Texas Rice Milling, Inc. Brookshire Drying Company, Inc. applied for a tax abatement for property owned by Brookshire Drying Company, Inc. The property, located at 1019 Bains, in Brookshire, has been designated as Waller County Brookshire Rice Dryer Reinvestment Zone 7. Brookshire Drying Company, Inc. will construct a rice milling facility on the property at an estimated cost, including real and personal property, of \$6,300,000.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

**Commissioner Amsler returned to meeting at 10:25 a.m.**

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

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

18. Discuss and take action to approve Invoice # 116905 for \$1,015.00 to Bickerstaff Heath Delgado Acosta LLP from line item 125-411-540300 [Legal].

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

19. Discuss and take action to approve Official Bonds and Oaths for County Court at Law Judge Carol Chaney.

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

20. Discuss and take action approve deposit of \$229,680.00 into the registry of the court for cause number C-269 for the Woods Road expansion project. Funds to be paid from line item 125-600-581520 [Capital Outlay]. *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

21. Discuss and take action to amend County policies in relation to COVID-19.

*No action taken.*

22. ~~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 in Precinct 1, Precinct 3, and Precinct 4 would have a detrimental effect on the position of the County in negotiations with third persons. Item WITHDRAWN.~~

### EXECUTIVE SESSION

23. ~~Deliberate business and financial issues related to the purchase, exchange, lease, or value of real properties in Precinct 1, Precinct 3, and Precinct 4 pursuant to Government Code Sections 551.072 and 551.0725. Item WITHDRAWN.~~
24. ~~Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071. Item WITHDRAWN.~~
25. ~~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 10:39 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 23<sup>rd</sup> day of March 2022.**

Carbett "Trey" J. Duhon, III  
County Judge