

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – MARCH 22, 2023**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 22<sup>nd</sup> day of March 2023 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  
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**

1. Larry Parr    2. Scott Saenger & Sean Burch    3. Claire Zadou

**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 – March 15, 2023 Regular Session
3. Request by County Treasurer for approval of Payroll.
4. Request to approve payment on the following:  
(a) \$1,500.00 for invoice # 2023-1040 to Highway 36A Coalition from line item 125-411-561302 [Highway 36A Coalition].
5. Request by County Auditor for approval and/or ratification of Accounts Payable.
6. Request by County Engineer to approve the Final Plat of Kingsland Heights Section 5 and accept the Construction Bond in Pct. 4.
7. Request by County Engineer to approve a Utility Permit for GCP Technologies, on behalf of AT&T, to place a new fiber optic cable within the Right-of-Way of Joseph Road in Precinct 2.

8. Request by County Engineer to approve a Utility Permit for GCP Technologies, on behalf of AT&T, to place a new fiber optic cable within the Right-of-Way of Kickapoo Road in Precinct 2.

Motion to approve Consent Agenda 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*

## **COUNTY ENGINEER**

9. **Open** Request for Qualifications (RFQ) for On-Call Engineering Services and Inspections.

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

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

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Jones – Yes*

*Commissioner Beckendorff – Yes*

10. Discuss and take action to approve the price increase from Great Southern Stabilized, LLC.

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*

## **TREASURER**

11. **Spread** upon the minutes the 2022 Certificates of Compliance awarded to Joan Sargent, Waller County Treasurer, for required hours of Continuing Education and Public Funds Investment established by section 83.003 of the Texas Local Government Code and chapter 2256.008 of the Texas Government Code.

*No action required.*

## **ENVIRONMENTAL**

12. 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 for Robert Orta.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

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*

## **GRANT MANAGER**

13. Discuss and take action to publish request for proposals for professional hazards preparedness, planning, consulting, and recovery services in the Waller County Express and Katy Times. Funding to be paid from line item 125-401-544100 [Bid Notices and Printing].

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Judge Duhon made motion to amend to add The Waller Times and The Hotline, seconded by Commissioner Smith.

**Amendment 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>

**Amended 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>

- 14. Discuss and take action to publish request for proposals for debris removal services in the Waller County Express and Katy Times. Funding to be paid from line item 125-401-544100 [Bid Notices and Printing].

Judge Duhon made motion to discuss and take action to publish request for proposals for debris removal services in the Waller County Express, Katy Times, Waller Times and The Hotline. Funding to be paid from line item 125-401-544100 [Bid Notices and Printing], 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>

**FIRE MARSHAL**

- 15. Discuss and take action to accept a \$1,000.00 donation from National Insurance Crime Bureau to the Waller County Fire Marshal’s Office to support a fire extinguisher presentation to Waller County residents. Donation to be deposited into line item 125-509-536710 [Donation/Fire Marshal] for the purchase of fire extinguishers.

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>

***Advanced to Agenda Items #17-24***

**MISCELLANEOUS**

- 17. **Spread** upon the minutes the resignation letter of the County Engineer.

*No action required.*

- 18. Discuss and take action to approve job description for County Engineer job posting.

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>

- 19. 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 Jones – Yes

Commissioner Smith – Yes  
Commissioner Beckendorff – Yes

- 20. 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.

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

**EXECUTIVE SESSION**

- 21. 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.
- 22. Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725.
- 23. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.

**Court convened to Executive Session at 9:40 a.m.**

**Court reconvened from Executive Session at 10:42 a.m.**

- 24. ~~Reconvene in Open Session to take any action necessary on matters discussed in Executive Session.~~ **Item WITHDRAWN.**

*Proceeded with Agenda Item #16*

**CONSTRUCTION MANAGER**

- 16. Discuss and take possible action to approve Courthouse design and add alternates.

Judge Duhon made motion to approve the add alternates as described by Russ, 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

**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 Jones – Yes

Commissioner Smith – Yes  
Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 12:00 p.m.

**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*

Debbie Hollan  
Waller County Clerk



**APPROVED** this the 29<sup>th</sup> day of March 2023.

*Carbett "Trey" J. Duhon, III*

Carbett "Trey" J. Duhon, III  
County Judge