

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – APRIL 5, 2023

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 5th day of April 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 9:00 a.m. with the following members of the Court present to-wit:

John A. Amsler, Commissioner Precinct 1
Walter Smith, Commissioner Precinct 2
Kendric D. Jones, Commissioner Precinct 3
Justin Beckendorff, Commissioner Precinct 4 – *Presiding Judge*
Debbie Hollan, County Clerk
Absent: Carbett "Trey" J. Duhon III, County Judge

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 Smith.

Motion carried by 4-0 vote.

<i>Judge Trey Duhon – Absent</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Smith – Yes</i>
	<i>Commissioner Jones – Yes</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** – March 29, 2023 Regular Session

3. **Request by County Treasurer for approval of Payroll.**

4. **Request to approve payment on the following:**

(a) \$ 1,341.00 for Invoice # 12026, \$2,932.00 for Invoice # 12025, and \$ 4,048.00 for Invoice # 12023 for a total of \$8,321.00 to Harris County from line item 125-423-540702 [Autopsy].

5. **Request by County Auditor for approval and/or ratification of Accounts Payable.**

Motion to approve Consent Agenda made by Commissioner Smith, seconded by Commissioner Amsler.

Motion carried by 4-0 vote.

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

PROCLAMATION

6. Discuss and take action to approve the Proclamation recognizing April as Sexual Assault Awareness and Prevention Month in Waller County.

Motion made by Commissioner Smith, seconded by Commissioner Jones.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

ENVIRONMENTAL

7. 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 dwelling, by Mr. Edwin Averitt.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

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

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

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

GRANT MANAGER

8. Discuss and take action to authorize the County Judge to execute an Interlocal Agreement with the City of Brookshire relative to the County's proposed CDBG-MIT HUD-MID project (Waller County/Brookshire Detention Pond.)

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

9. Discuss and take action to authorize the County Judge to execute an Interlocal Agreement with the City of Prairie View relative to the County's proposed CDBG-MIT State-MID project (Waller County Prairie View Water Plant).

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

10. Discuss and take action to authorize the County Judge to sign all closing documents affiliated with the purchase of 20705 Pearl Street, Prairie View, TX. 77446 at a purchase price of \$104,951.00 pursuant to the County's CDBG-DR Buyout Program (Contract 20-066-011-C074).

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

DIRECTOR OF POLICY AND ADMINISTRATION

11. Discuss and take action on the Cardiff Road Conceptual Design Proposal.

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

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

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

AUDITOR

12. Discuss and take action to approve quarterly reimbursement of Juror Payments.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

MISCELLANEOUS

13. Discuss and take action to designate the Assistant County Engineer to perform the duties of the County Engineer beginning April 7, 2023 until a new County Engineer is appointed.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

14. Discuss and take action to amend the job posting for the County Engineer.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

15. Discuss and take action to approve Resolution Opposing H.B. 1372 and S.B. 1034 regarding public nuisance actions.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

16. ~~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.~~

17. ~~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

- 18. ~~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.
- 19. ~~Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725.~~ **Item WITHDRAWN.**
- 20. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.
- 21. Deliberate the appointment of a County Engineer pursuant to Government Code Section 551.074.

Court convened to Executive Session at 9:34 a.m.

Court reconvened from Executive Session at 11:56 a.m.

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

No action taken from Executive Session.

ADJOURN MEETING

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

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 11:56 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

Debbie Hollan

Waller County Clerk

APPROVED this the 12th day of April 2023.

Trey Duhon

Trey "Trey" J. Duhon, III
County Judge