

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – APRIL 13, 2022

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 13th day of April 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
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.

<i>Judge Trey Duhon</i> – Yes	<i>Commissioner Amsler</i> – Yes	<i>Commissioner Smith</i> – Yes
	<i>Commissioner Jones</i> – Yes	<i>Commissioner Beckendorff</i> – 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://wallercountytexas.swagit.com/live>.

The following Public Members made public comment:

1. Dr. Denise Maddox *via teleconference*
2. John Nicks
3. Rhonda Jordan

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** – April 6, 2022 Regular Session
3. **Request to approve payment on the following:**

- (a) \$3,157.00 for invoice # 8231, \$4,102.00 for invoice # 8232, and \$6,494.00 for invoice # 8380 for a total of \$13,753.00 to Harris County from line item 125-423-540702 [Autopsy].
- (b) \$175.00 for invoice # 117122 to Bickerstaff Health Delgado Acosta LLP from line item 125-411-540300 [Legal] for Early Voting Lawsuit.
- (c) \$7,876.10 for invoice # 3128522 , \$12,636.52 for invoice # 3135863, and \$7,045.21 for invoice # 3105913 for a total of \$27,557.83 to Husch Blackwell from line item 125-411-540300 [Legal] for Woods Road Project.
- (d) \$85.00 for Invoice # 22547404 [Courthouse, Hold-Up Alarm] and \$1,145.00 for Invoice # 2212404 [Courthouse Camera Surveillance] for a total of \$1,230.00 to TAC Security from line item 117-428-568425 [Courthouse Security/Misc. Security].
4. Request by County Auditor for approval and/or ratification of Accounts Payable.
 5. Request by County Engineer to accept Right-of-Way and/or Exclusive Easement dedications along Woods Rd, from IH-10 southward, necessary to expand the roadway.
(no backup submitted)
 6. Request by County Engineer to approve access easement for drainage work near Sunny Side Rd.
 7. Request by County Engineer to approve a Utility Permit for AnSCO & Associates LLC to place fiber optic cable and handholes in the right-of-way of Magnolia Rd and Murrell Rd.
 8. Request by County Engineer to approve a Utility Permit for AnSCO & Associates LLC to place fiber optic cable within the right-of-way of Murrell Road.
 9. Request by County Engineer to approve a Utility Permit for American Communications Construction, Inc. (Comcast) to place fiber cable within the right-of-way of Liendo Pkwy., Wyatt Chapel Rd., BriarMeadow Dr., and Old Houston Hwy. in Precincts 1, 2, & 3.
 10. Request by County Engineer to approve a Utility Permit for American Communications Construction, Inc. (Comcast) to place an underground and aerial fiber cable within the right-of-way of multiple roads in Precinct 2.
 11. Request by County Engineer to approve advertising for Competitive Bids in the Katy Times, Hot Line Press, and Waller County Express, payment for advertising to be funded from line item 125-401-544100 [Bid Notices and Printing] for: *(no backup submitted)*
Hot Mix Asphaltic Concrete
Used Reinforced Concrete Pipe
 12. Request by County Engineer to approve advertising for a Public Hearing on May 11, 2022 for the establishment of a Stop Controlled Intersections and the Installation of Stop Signs at the following roads: *(no backup submitted)*
North Franklin Rd. at Mikeska Rd.
South Franklin Rd. at Hamilton Rd.
Pattison Rd. at Morrison Road (Make an All Way Stop)

Advertising to be posted in the Katy Times Newspaper, payment for advertising to be funded from line item 125-401-544100 [Bid Notices and Printing].

Motion to approve Consent Agenda 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

PROCLAMATION

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

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

(Judge Duhon read Proclamation)

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

TREASURER

14. **Spread** upon the minutes the 2021 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 of the Texas Government Code.

No action required.

FIRE MARSHAL

15. Discuss and take action to approve Burn Ban. *(no backup submitted)*

Judge Duhon made motion to give Marshal Cantrell the ability to institute a Fire Ban if we reach a level that he deems is unsafe he can institute the Burn Ban between now and next meeting, seconded by Commissioner Smith.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

COUNTY ENGINEER

16. **Public Hearing:** Regarding the establishment of Speed Limits and Stop Controlled Intersections and the Installation of Speed Limit and Stop signs (respectively) on the following roads:

Speed Limit – Baethe Rd, 45 mph

Speed Limit – Lake Rd, 30 mph

Speed Limit – Black Falcon Rd, 30 mph

Stop Sign – Lake Rd at North Reids Prairie Rd

Stop Sign – Lake Rd at Clark Rd

Stop Sign – Sumac Rd at Buckeye Rd

Stop Sign – Lonestar Rd at Buckeye Rd

Stop Sign – Pinyon Rd at Lonestar Rd

Stop Sign – Pinyon Rd at Sumac Rd

Public Hearing began at 9:30 a.m.

No public comments received.

Public Hearing ended at 9:30 a.m.

17. Discuss and take action to approve the establishment of Speed Limits and Stop Controlled Intersections and the Installation of Speed Limit and Stop signs (respectively) on the following roads: *(no backup submitted)*

Speed Limit – Baethe Rd, 45 mph
Speed Limit – Lake Rd, 30 mph
Speed Limit – Black Falcon Rd, 30 mph
Stop Sign – Lake Rd at North Reids Prairie Rd
Stop Sign – Lake Rd at Clark Rd
Stop Sign – Sumac Rd at Buckeye Rd
Stop Sign – Lonestar Rd at Buckeye Rd
Stop Sign – Pinyon Rd at Lonestar Rd
Stop Sign – Pinyon Rd at Sumac Rd

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

18. **Public Hearing:** Regarding the establishment of “No Thru Truck” Zones and the Installation of “No Thru Truck” signs on the following roads:

Berry Ln – Penick Rd to Mathis Rd
Hoover Ln – FM 362 to Penick Rd
Baethe Rd – FM 362 to Penick Rd
Betka Rd – FM 362 to Penick Rd
Penick Rd – Hebert Rd to Waller City Limits
Mathis Rd – Berry Rd to Harris County Line

Public Hearing began at 9:32 a.m.

1. Rhonda Jordan

Public Hearing ended at 9:35 a.m.

19. Discuss and take action to approve the establishment of “No Thru Truck” Zones and the installation of “No Thru Truck” signs on the following roads: *(no backup submitted)*

Berry Ln – Penick Rd to Mathis Rd
Hoover Ln – FM 362 to Penick Rd
Baethe Rd – FM 362 to Penick Rd
Betka Rd – FM 362 to Penick Rd
Penick Rd – Hebert Rd to Waller City Limits
Mathis Rd – Berry Rd to Harris County Line

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 to approve the proposal from Raba Kistner Consultants, Inc. for Geotechnical Engineering Services for an Allowable Load Limit Analysis for Twinwood Parkway (Precinct 4) at a cost of \$27,400.00. Funding to be paid from line item 110-530-587505 [Road Materials].

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

MISCELLANEOUS

21. Discuss and take action to approve the Agreement between Waller County and CASA for Kids of South Central Texas and payment of \$10,000.00 from line item 125-411-546100 [Casa/Child Advocate] as allocated in the 2022 Budget.

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

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

No action taken.

23. ~~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

24. ~~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.~~
25. ~~Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071. Item WITHDRAWN.~~
26. ~~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 Beckendorff.

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 10:00 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 20th day of April 2022.

Carbett "Trey" J. Duhon, III

Carbett "Trey" J. Duhon, III
County Judge