

MINUTES
WALLER COUNTY COMMISSIONER’S COURT
REGULAR SESSION
WEDNESDAY – MAY 25, 2022

BE IT REMEMBERED that the Honorable Commissioner’s Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 25th day of May 2022 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*
Daisy Metcalf, Deputy 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 Smith

1. **Approval of Agenda.**

Motion made by Commissioner Smith, seconded by Commissioner Jones.

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

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>.

1. Bill Parks
2. Dr. Denise Mattox

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 – May 18, 2022 Regular Session
3. Request to approve payment on the following:
 - (a) \$1,295.00 for Invoice dated May 11, 2022 to Magnolia Funeral Home, Inc. from line item 125-423-540705 [Transport to Morgue].
 - (b) \$2,977.00 for Invoice # 8797 to Harris County from line item 125-423-540702 [Autopsy].

(c) \$152,201.75 for Invoice # 05132022GWA to Waller County Appraisal District from line item 125-437-540500 [Tax Appraisal District] for 3rd quarter allocation payment as allocated in the 2022 Budget.

4. Request by County Auditor for approval and/or ratification of Accounts Payable.
5. Request by County Treasurer for approval of Election payroll.
6. Request by County Treasurer for approval of accounts payable for retiree insurance.
7. 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)
8. Request by County Engineer to approve a Utility Permit for American Communications, Inc. (Comcast) to place an underground and aerial fiber cable within the right-of-way of Morton & Neuman Road in Precinct 4.
9. Request by County Engineer to approve the application for replat of West Magnolia Forest Subdivision, to revise Lot 45 and a portion of Lot 46 in Section 1, by Hector Lara and authorize the Road and Bridge Department to issue a public notice in the Katy Times, for three consecutive weeks, establishing a public hearing during the regular session of Commissioners' Court on July 13, 2022.
10. Request by County Engineer to approve the final Plat of Fife Farmstead Subdivision (Precinct 1).
11. Approval of fixed asset transfer from the District Attorney's Office to IT.

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

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Jones – Yes

Commissioner Smith – Yes

Commissioner Beckendorff – Yes

SHERIFF

12. Discuss and take action to authorize the Grant Manager to submit a MVCPA Auxiliary Grant Program application to the Motor Vehicle Crime Prevention Authority.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Jones – Yes

Commissioner Smith – Yes

Commissioner Beckendorff – Yes

CONSTABLE, PRECINCT 4

13. Discuss and take action for the Waller County Auditor to complete an audit of the Waller County Constable Precinct 4 Article 59 Forfeiture account.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Jones – Yes

Commissioner Smith – Yes

Commissioner Beckendorff – Yes

ECONOMIC DEVELOPMENT

14. Discuss and take action to approve publication of notices for public hearings to establish reinvestment zones for Kingsland Ranch Logistics Park and Woods Road Industrial. Funding to be paid from line item 125-401-544100 [Bid Notices and Printing].

(no backup submitted)

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

IT

15. Discuss and take action to approve modifications to existing internet connections for the following locations: Courthouse, DA Office, Agrilife/JP1, Environmental/Maintenance and Road and Bridge.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

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

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

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

COUNTY ENGINEER

- ~~16. Discuss and take action to open and award bid for Used RCP.~~

No Bids received – **Item WITHDRAWN.**

17. Discuss and take action to open and award bid for HMAC Installation.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

The following bids were submitted to and opened by the Court:

1. Gulf Coast - received May 9, 2022 at 1:01 p.m.

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

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

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

Advanced to Agenda Items #39 and #22

39. Discuss and take action to approve Development Agreement with Woodhaven Estates.

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

22. Discuss and take action to approve a variance request to the Waller County Subdivision and Development Regulations-Engineering Design Standards (Appendix A) Section 4.3.5 regarding the 650' minimum centerline radius for The Trails at Cochran Farms by Jennifer Curtis (Precinct 3).

Motion made by Commissioner Jones, seconded by Commissioner Smith.

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

Commissioner Smith dismissed from Court.

Proceeded with Agenda Item #18

- 18. Discuss and take action to approve a variance request to the Waller County Subdivision and Development Regulations regarding a shared access easement with multiple properties by Blake Rampy.

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

Commissioner Smith returned to Court.

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

- 19. Discuss and take action to approve a variance request to the Waller County Subdivision and Development Regulations regarding a shared access easement for multiple properties. An Access Agreement is now in place by Graciela Antonio.

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

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

- 20. Discuss and take action to approve a variance request to the Waller County Subdivision and Development Regulations-Drainage Criteria Manual (Appendix E) Section VII Design Parameters, regarding use of 3:1 side slopes instead of 4:1 for Kickapoo Asset by Josh Milne (Precinct 2).

Motion made by Commissioner Jones, seconded by Commissioner Smith.

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

- 21. Discuss and take action to approve a variance request to the Waller County Subdivision and Development Regulations regarding a shared access easement right-of-way with multiple properties from Richard Hallman (Precinct 1).

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

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

- 22. Court addressed Agenda Item #22 earlier in meeting. (page 3)

- 23. Discuss and take action to approve multiple variance requests to the Waller County Subdivision and Development Regulations for Pattison Farms by Woodmere Development Co. (Precinct 3 and 4).

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

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

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

24. Discuss and take action to accept the termination of the bid contract with Ferguson Waterworks for HDPE Pipe.

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

25. Discuss and take action to approve the price increase request from Waller County Asphalt for Hot Mix Asphaltic Concrete.

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

Commissioner Jones moved to accept the Gulf Coast Bid for the following: Betka Road FM 362 to Cochran Road at \$432,000.00; Penick Road from Waller City Limits to Betka Road \$330,000.00; Penick Road Roehen Road to Berry Road \$278,000.00; Hoover Lane from 362 to Penick Road \$200,000.00; Mellman Road from FM 2979 to FM 1736 \$512,000.00; Bell Road from FM 359 to Cochran Road \$357,000.00; Murrell Road from Magnolia Road to the Harris County Line \$419,000.00 for a total lump sum of \$2,528,000.00; additional paving is necessary is going to be at \$110.00 a ton, they did produce all the required documents and then for Transition Milling it's going to be \$16,800.00; 5 foot Intersection Taper is \$3,600.00; 3 foot Driveway Taper is \$38,400.00 for a total of \$58,800.00, 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

26. Discussion on the Economy/Supply Chain Issues versus Road and Bridge Department Equipment.

No action required.

Court recessed at 10:42 a.m.

Court reconvened at 10:50 a.m.

AUDITOR

27. Discuss and take action to certify revenue (unspent prior year donated and Tobacco grant funds) and approve to amend the 2022 Constable Precinct 2 budget, WC 2022-17.

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

28. Discuss and take action to certify the \$9,325.00 cash donation from Tex B. Martin and approve to amend the 2022 Constable Precinct 2 budget, WC 2022-18.

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

Motion carried by 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

29. Discuss and take action to certify revenue (unspent prior year LEOSE and Forfeiture funds plus current year LEOSE allocation in the amount of \$554.65) and approve to amend the 2022 Constable Precinct 1 budget, WC 2022-19.

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

Motion carried by 4-0 vote.

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

30. Discuss and take action to certify revenue (unspent prior year LEOSE funds) and approve to amend the 2022 Constable Precinct 3 budget, WC 2022-20.

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*

31. Discuss and take action to certify revenue (unspent prior year LEOSE and Forfeiture funds plus current year LEOSE allocation in the amount of \$554.65) and approve to amend the 2022 Constable Precinct 4 budget, WC 2022-21.

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*

32. Discuss and take action to certify revenue (unspent prior year ODMP grant funds) and amend the Sheriff's Administration budget, WC 2022-22.

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*

33. Discuss and take action to certify revenue (unspent prior year LEOSE funds plus current year LEOSE allocation in the amount of \$4,583.30) and approve to amend the 2022 Sheriff Administration budget, WC 2022-23.

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*

34. Discuss and take action to approve official documents and all monthly reports.

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*

TREASURER

35. ~~Discuss and take action to amend the 2022 Salary Order.~~
Item WITHDRAWN.

MISCELLANEOUS

36. Discuss and take action to approve Resolution No. 220525-36 regarding compliance with the City of Houston's Major Thoroughfare and Freeway Plan for land located near the intersection of FM 362 and Owens Road.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

- 37. Discuss and take action to approve Resolution No. 220525-37 regarding compliance with the City of Houston’s Major Thoroughfare and Freeway Plan for land located on Cameron Road.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

Motion carried by 4-0 vote.

- 38. Discuss and take action to approve Resolution No. 220525-38 regarding compliance with the City of Houston’s Major Thoroughfare and Freeway Plan for land located at the intersection of Washington Road and Blinka Road.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Commissioner Smith made motion table, seconded by Commissioner Jones.

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

- 39. Court addressed Agenda Item #39 earlier in meeting. (page 3)

- 40. ~~Discuss and take action to terminate the Interlocal Agreement for utilities payments to Royal ISD for office space being provided for DPS.~~

Item WITHDRAWN.

- 41. Discuss and take action on Agreement with EzTask to provide County website upgrades in an amount not to exceed \$2,500, fund to be paid from line item 241-595-561209 [ARP Miscellaneous]. (no backup submitted)

Motion made by Commissioner Jones, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

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

No action taken.

EXECUTIVE SESSION

- 43. ~~Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071. Item WITHDRAWN.~~

- 44. ~~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 4-0 vote.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 11:37 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: *Daisy Metcalf*
Daisy Metcalf, Deputy Clerk



APPROVED this the 1st day of June 2022.

Justin Beckendorff
Commissioner Justin Beckendorff
Presiding Judge