

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

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 5<sup>th</sup> day of July 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 9:04 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 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. Kevin Woods
2. Brooke Bacuetes

**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** – June 28, 2023 Regular Session

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

(a) \$1,295.00 for Invoice dated June 23, 2023 to Magnolia Funeral Home, Inc. from line item 125-423-540705 [Transport to Morgue].

(b) \$1,225.00 for Invoice dated June 20, 2023 to Schmidt Funeral Home from line item 125-423-540705 [Transport to Morgue].

(c) \$1,075.00 for Invoice dated June 16, 2023 to Schmidt Funeral Home from line item 125-423-540705 [Transport to Morgue].

(d) \$2,932.00 for Invoice # 11999 to Harris County from line item 125-423-540702 [Autopsy].

(e) \$37,500.00 for Invoice # 2338 to Waller County Economic Development for 3rd quarterly payment as allocated in the 2023 Budget from line item 125-411-547200 [Economic Development].

(f) \$6,537.50 for Invoice #'s 3267753, 3279617, 3292080, 3307507, 3322658, and 3337374 to Husch Blackwell for Total Professional Services for the Woods Road Project from line item 125-411-540300 [Legal].

(g) \$24,318.75 for Invoice #'s 3267760, 3279618, 3292081, 3307508, 3322659, and 3337376 to Husch Blackwell for Total Professional Services for the Diemer Road Re-Alignment Project from line item 125-411-540300 [Legal].

4. Request by County Auditor for approval and/or ratification of Accounts Payable.
5. Request by County Engineer to accept the roads in Freeman Ranch Subdivision, Section 4 into the County Maintained Road Log.
6. Request by County Engineer to accept Pattison Road in Sunterra Subdivision, Section 1 into the County Maintained Road Log.
7. Request by County Engineer to approve a Utility Permit for Black & Veatch (permitting on behalf of Comcast of Houston, L.L.C.), to install an underground coax cable within the right-of-way of Robinhood Road and Little John Circle in Precinct 2.
8. *Agenda Item #8 removed from Consent Agenda for Court to discuss and approve separately.*

Motion to approve Consent Agenda with #8 removed 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> |

8. Request by County Engineer to approve drainage work to be performed in the Sky Lakes Subdivision, Section 2.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

**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> |

## **GRANT MANAGER**

9. Discuss and take action to authorize the County Judge to execute Amendment No. 2 relative to the County's Texas Water Development Board Flood Infrastructure Fund Grant (TWDB Commitment No. G1001319-Brazos River Flood Update Study).

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 authorize the County Judge to execute Amendment No. 2 relative to the County's Texas Water Development Board Flood Infrastructure Fund Grant (TWDB Commitment No. G1001333-Spring Creek Watershed Flood Protection Study).

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*

## **TREASURER**

11. Discuss and take action to approve an amendment to the 2023 Salary Order effective July 10, 2023.

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*

## **AUDITOR**

12. Discuss and take action to approve 2023 budget amendments and departmental line-item transfers.

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*

13. **Spread** upon the minutes the certification of the Juvenile Probation 2023 Supplemental and Emergency grant funds in the amount of \$15,000.00 and amend the 2022-2023 TJJD grant budget.

*No action required.*

## **FIRE MARSHAL**

14. ~~Discuss and take action on Burn Ban.~~  
**Item WITHDRAWN.**

## **MISCELLANEOUS**

15. ~~Discuss and take action to withdraw bid notice and approve a discretionary exemption pursuant to Section 262.024(a)(2) of the Texas Local Government Code relative to contracts associated with deceased body transport services.~~

**Item WITHDRAWN.**

16. ~~Discuss and take action to approve Waller County Deceased Body Transport Services Policy and Procedures.~~ **Item WITHDRAWN.**

17. Discuss and take action to approve letter of commitment and payment of \$1,800.00 for annual dues to Post Oak RC&D Area Inc. Funds to be paid from line item 125-411-562300 [County Organizational Dues].

Motion made by Commissioner Jones, 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. 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 Smith – Yes*

*Commissioner Jones – Yes*

*Commissioner Beckendorff – Yes*

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 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 Smith – Yes*

*Commissioner Jones – Yes*

*Commissioner Beckendorff – Yes*

## **EXECUTIVE SESSION**

20. 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.
21. Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725.
22. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.

**Court convened to Executive Session at 9:26 a.m.**

**Court reconvened from Executive Session at 9:53 a.m.**

23. ~~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 9:53 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 12<sup>th</sup> day of July 2023.**

*[Signature]*  
Carbett "Trey" J. Duhon, III  
County Judge