

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – JULY 12, 2023**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 12<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 9:01 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  
Debbie Hollan, County Clerk  
Absent: Kendrick D. Jones, Commissioner Precinct 3  
Justin Beckendorff, Commissioner Precinct 4

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 Smith, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

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

**PUBLIC COMMENT**

1. 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 – July 5, 2023 Regular Session

3. Request by County Treasurer for approval of Payroll.

4. Request to approve payment on the following:

(a)\$85.00 for Invoice # 23547407 [Courthouse, Hold-Up Alarm], and \$995.00 for Invoice # 23112407 [Courthouse Camera Surveillance], for a total \$1,080.00 payable to TAC Security from line item 117-428-568425 [Courthouse Security/Misc. Security].

(b)\$100.00 for Invoice dated July 5, 2023 payable to Texas Comptroller of Public Accounts for the Texas SmartBuy Membership Program from line item 125-411-562300 [County Organizational Dues].

(c)\$1,050.00 for Invoice # 3352848 to Husch Blackwell for Total Professional Services for the Woods Road Project from line item 125-411-540300 [Legal].

(d)\$3,562.50 for Invoice # 3352849 to Husch Blackwell for Total Professional Services for the Diemer Road Re-Alignment Project from line item 125-411-540300 [Legal].

5. Request by County Auditor for approval and/or ratification of Accounts Payable.
6. Request by County Engineer to approve the Final Plat of OLO Brookshire Reserve Addition in Precinct 4.
7. Request by County Engineer to approve the Final Plat of Bluestem Prairie Drive Subdivision and accept the Construction Bond in Precinct 3.

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

**Motion carried** by 3-0 vote.

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

## **COUNTY ENGINEER**

8. **Public Hearing:** On notice of application for partial replat of Indian Oaks Estates, to revise Tract 26 and 27 into two lots, by Jackie Noland, William Reynolds IV, and Amy Reynolds.

**Public Hearing began at 9:04 a.m.**

No public comments received.

**Public Hearing ended at 9:04 a.m.**

## **COUNTY JUDGE**

9. Discuss and take action to approve a Non-Terminal Agency Agreement with the Waller County Sheriff's Office.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

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

## **SHERIFF**

10. Discuss and take action to approve Lease Agreement with Xerox for a Xerox C8145H2. Monthly rate of \$179.48 for a 48-month term to be paid from line item 125-505-581813 [Copier/Printer].

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

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

## **AUDITOR**

11. Discuss and take action to approve 2023 budget adjustments and departmental line-item transfers. *(no backup submitted)*

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

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

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

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Jones – Absent*

*Commissioner Beckendorff – Absent*

## **FIRE MARSHAL**

13. ~~Discuss and take action on Burn Ban.~~

**Item WITHDRAWN.**

## **MISCELLANEOUS**

14. Discuss and take action to authorize the County Judge or other authorized officials to execute Settlement participation and release forms regarding new settlement offers from Walgreens, CVS, and Walmart in the matter of Texas opioid multi-district litigation for the County in the matter of *County of Waller v. Purdue Pharma, L.P., et. al.*, MDL PRETRIAL CAUSE NO. 2018-63587, in the 152<sup>nd</sup> District Court of Harris County, Texas.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

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

**Motion carried** by 3-0 vote. **Item TABLED.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Jones – Absent*

*Commissioner Beckendorff – Absent*

***Court returns to Item #14 later in meeting, after Executive Session. (Page 14)***

15. 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 Smith, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Jones – Absent*

*Commissioner Beckendorff – Absent*

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 contract negotiations for it would have a detrimental effect on the position of the County in negotiations with third persons.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Jones – Absent*

*Commissioner Beckendorff – Absent*

## EXECUTIVE SESSION

17. 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.
18. Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725.
19. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.

**Court convened to Executive Session at 9:12 a.m.**

**Court reconvened from Executive Session at 9:25 a.m.**

### ***Returned to Agenda Item #14***

14. Discuss and take action to authorize the County Judge or other authorized officials to execute Settlement participation and release forms regarding new settlement offers from Walgreens, CVS, and Walmart in the matter of Texas opioid multi-district litigation for the County in the matter of *County of Waller v. Purdue Pharma, L.P., et. al.*, MDL PRETRIAL CAUSE NO. 2018-63587, in the 152<sup>nd</sup> District Court of Harris County, Texas.

Motion made by Commissioner Smith, seconded by Commissioner Amsler.

**Motion carried** by 3-0 vote.

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Jones – Absent*

*Commissioner Beckendorff – Absent*

### ***Proceeded with Agenda Item #20***

20. ~~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 Smith.

**Motion carried** by 3-0 vote.

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Jones – Absent*

*Commissioner Beckendorff – Absent*

Meeting was **ADJOURNED** at 9:26 a.m.

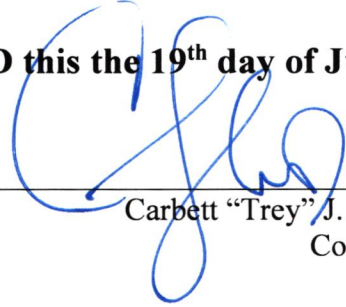
I **ATTEST** that the above proceedings are the true and correct minutes taken in my capacity as  
Ex-Officio for the Commissioners' Court of Waller County.



Debbie Hollan  
Waller County Clerk



**APPROVED this the 19<sup>th</sup> day of July 2023.**

A handwritten signature in blue ink, appearing to be 'C. Duhon', written over a horizontal line.

Carbett "Trey" J. Duhon, III  
County Judge