

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – JULY 28, 2021

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 28th day of July 2021 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
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 Beckendorff, seconded by Commissioner Jones.

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>

PUBLIC COMMENT – *None*

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.com/live>.

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 21, 2021 Regular Session

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

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

(a) \$2,887.00 for Invoice # 4960 and \$8,841.00 for Invoice # 5268 for a total of \$11,728.00 to Harris County from line item 125-423-540702 [Autopsy].

(b) \$7,500.00 for Invoice # 07342 to Brazos Valley Council of Governments from line item 125-525-546900 [BVCOG] for quarterly payment as allocated in the 2021 Budget.

5. Request by County Auditor for approval and/or ratification of Accounts Payable.
6. Request by County Engineer to accept Right-of-Way and/or Exclusive Easement dedications along Woods Road, from IH-10 southward, necessary to expand the roadway. *(no backup submitted)*
7. Request by County Engineer to approve the Final Plat of Sunterra Market Reserve Subdivision.
8. ~~Request by County Engineer to approve the Final Replat of Rosebud Subdivision Lot 5, Partial Replat. Item WITHDRAWN.~~

Motion to approve consent agenda with #8 withdrawn made by Commissioner Beckendorff, seconded by Commissioner Amsler.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

TAX ASSESSOR COLLECTOR

9. Discuss and take action to authorize the County Judge to sign one resale deed for the private resale of property currently held in trust by Waller County pursuant to Section 34.05(h)(2) of the Texas Tax Code.

Motion 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

Advanced to Agenda Item #20

20. Discussion and update on Diemer Road realignment and grant status. *(no backup submitted)*
No action required.

Proceeded with Agenda Item #10

COUNTY ENGINEER

10. Discuss and take action to approve a variance request to the Waller County Subdivision and Development Regulations regarding platting from Mr. Joseph Headley.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5-0 vote. **Variance Granted.**

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

11. Discuss and take action to approve multiple variance requests to the Waller County Subdivision and Development Regulations for Stallion Lakes LLC in Precinct 2 by Kickerillo Company.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5-0 vote. **Variance Granted.**

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

12. Discuss and take action to approve multiple variance requests to the Waller County Subdivision and Development Regulations for 290 Acres in Precinct 3 by BlueStem Development Company.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Commissioner Beckendorff moved to amend to approve all the variances with the exception of the 25 foot set back line in addition with them being consistent with the spacing on the culdesac with the other developer agreements, seconded by Commissioner Jones.

Amendment carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

Amended Motion carried by 3-2 vote. **Variance Granted.**

Judge Trey Duhon – Yes

Commissioner Amsler – No
Commissioner Jones – Yes

Commissioner Smith – No
Commissioner Beckendorff – Yes

13. **Public Hearing:** On the establishment and installation of speed limit signs on Charter Lane, 35 mph.

Public Hearing began at 11:05 p.m.

No Public Comments received.

Public Hearing ended at 11:05 a.m.

14. Discuss and take action to approve the establishment of a speed limit and the installation of speed limit signs on Charter Lane, 35 mph. (no backup submitted)

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

15. Discuss and take action to approve the price increase with Vulcan for 2021.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

TREASURER

16. Discuss and take action to approve the distribution the balance of Available School Funds to the four (4) school districts within Waller County in accordance with the Texas Education Code.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

AUDITOR

17. Discuss and take action to approve the certification of \$30,000.00 of Pretrial Diversion Funds and amend the District Attorney’s 2021 budget, WC 2021-29.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

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

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

MISCELLANEOUS

19. Discuss and take action to approve Services Agreement with Catapult Health.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

20. Court addressed agenda item earlier in the meeting. (page 2)

21. Discuss and take action to approve the Waller County 2022 Holiday Schedule.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

22. Discuss and take action to approve Imposition of Optional Fees for Calendar Year 2022.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Jones – Yes

Commissioner Smith – Yes
Commissioner Beckendorff – Yes

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

(No backup submitted)

No action taken.

24. ~~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 Precincts 1 and 4 would have a detrimental effect on the position of the County in negotiations with third persons.~~

Item WITHDRAWN.

EXECUTIVE SESSION

25. ~~Deliberate business and financial issues related to the purchase, exchange, lease, or value of real properties in Precincts 1 and 4 pursuant to Government Code Sections 551.072 and 551.0725. Item WITHDRAWN.~~

26. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.

Court convened to Executive Session at 11:23 a.m.

Court reconvened from Executive Session at 11:35 a.m.

Judge Duhon dismissed from Court after Executive Session

27. 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 11:35 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 4th day of August 2021.

Trey Duhon

Carbett "Trey" J. Duhon, III
County Judge