

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – AUGUST 2, 2023**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 2<sup>nd</sup> day of August 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 9:02 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.

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Smith – Yes*

*Commissioner Jones – Yes*

*Commissioner Beckendorff – Yes*

**PUBLIC COMMENT**

1. Commissioner Kendric Jones

**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 26, 2023 Regular Session

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

(a) \$600.00 for Invoice # CB062823.02 to DCG Environmental, LLC from line item 604-604-581837 [Swing Space].

(b) \$12,125.00 for Invoice # 1174-3 to Evergreen Solutions, LLC from line item 125-401-540900 [Professional Consultant Services].

(c) \$8,096.00 for Invoice # 13305 to Harris County from line item 125-423-540702 [Autopsy].

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

4. Request by County Auditor for approval and/or ratification of Accounts Payable.

Motion to approve Consent Agenda 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*

***Advanced to Agenda Item #6***

6. **Presentation** of report on delinquent tax and fine and fee collection by Otilia Gonzales of Perdue Brandon Fielder Collins & Mott LLP.

*No action required.*

***Proceeded with Agenda Item #5***

**CONSTRUCTION MANAGER**

5. Discuss and take action to approve change orders at Swing Space by Eric Taylor with Sedalco.

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*

**COUNTY JUDGE**

6. *Court addressed Agenda Item #6 earlier in the meeting. (page 2)*

7. Discuss and take action to accept the Certification of the 2023 Waller County Appraisal Roll as required under Property Tax Code 26.04 (b).

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*

**COUNTY COURT AT LAW**

8. Discuss and take action to designate the Knights of Columbus Hall located at 22892 Mack Washington Lane, Hempstead, Tx. 77445 as an alternate location to hold court proceedings within the city limits of Hempstead, Tx.

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*

9. ~~Discuss and take action for Waller County to accept donations from Jay Sears for the and improvements of the Knights of Columbus Hall for the purpose of court proceedings. Item WITHDRAWN.~~



**FIRE MARSHAL**

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

**AUDITOR**

16. 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*

**MISCELLANEOUS**

17. Discuss and take action to appoint Judge of Waller County Court at Law Number Two.

Judge Duhon made motion to appoint Elton Mathis as County Court at Law Number Two Judge effective September 1<sup>st</sup>, seconded by Commissioner Jones.

**Motion carried** by 4-0 vote with 1 Abstained.

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

18. Discussion of Employee Compensation for the 2024 Budget.

*No action required.*

19. Discuss and take action to approve Texas Department of Motor Vehicles Imposition of Optional Fees for Calendar Year (CY) 2024 for Waller County.

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 appointment of the following appointed Officials for a four-year term effective September 1, 2023:

- Lynda Fairchild, Library Director
- Brian Derrick, Recycling Center Manager
- Robert Holloman, Maintenance Supervisor
- Danny Rothe, Construction Manager
- Tonya Mewis, Environmental Designated Representative

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*

21. ~~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. Item WITHDRAWN.~~

22. ~~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. Item WITHDRAWN.~~

### EXECUTIVE SESSION

23. ~~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. Item WITHDRAWN.~~
24. ~~Deliberate business and financial issues related to contract negotiations pursuant to Government Code 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 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 11:05 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 9<sup>th</sup> day of August 2023.

*Trey Duhon*

Carbett "Trey" J. Duhon, III  
County Judge