

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – SEPTEMBER 1, 2021

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 1st day of September 2021 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*
Debbie Hollan, County 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Motion to approve agenda with items #18 and #21 withdrawn made by Commissioner Jones, seconded by Commissioner Smith.

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>.

The following public members made public comment:

Dewayne Charleston regarding Re-districting.
Hershel Smith regarding the 2022 Budget.
Francine Riley regarding tax re-sale property.

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 – August 25, 2021 Regular Session**

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

(a) \$4,567.50 for Invoice # 3033626 to Husch Blackwell from line item 125-411-540300 [Legal].

(b) \$2,887.00 for Invoice # 5620 to Harris County from line item 125-423-540702 [Autopsy].

4. Request by County Auditor for approval and/or ratification of Accounts Payable.
5. Request by County Tax Assessor Collector to approve refunds in excess of \$500.00 in accordance with section 31.11 Texas Tax Code.
6. Request by Commissioner Precinct 3 to approve advertising for the installation of “No Thru Trucks” signs on the following road:
 - Roehen Rd.Advertising to be posted in the Katy Times Newspaper, payment to be funded from line item 125-401-544100 [Bid Notices and Printing], followed by a public hearing during the regular session of the Commissioners Court on September 22, 2021. *(no backup submitted)*
7. Request by County Engineer to accept Right-of-Way and/or Exclusive Easement dedications along Woods Rd, from IG-10 southward, necessary to expand the roadway. *(no backup submitted)*
8. Request by County Engineer for approval of the Final Plat of Sunterra Lagoon Subdivision Plat and accept the Construction Bond (Pct. 4).
9. Request by County Engineer for the approval of the Final Plat of Sunterra Section 6 Subdivision Plat and accept the Construction Bond (Pct. 4).
10. Request by County Engineer for the approval of the Final Plat of Sunterra Section 11 Subdivision Plat and accept the Construction Bond (Pct. 4).
11. Request by County Engineer for the approval of the Final Plat of Sunterra Shores Drive, Section 1 (Street Dedication Plat) and accept the Construction Bond (Pct. 4).
12. Request by County Engineer for the approval of the Final Plat of Sunterra Shores Drive, Section 2 (Street Dedication Plat) and accept the Construction Bond (Pct.4).
13. Request by County Engineer to approve the Final Plat of Arc of Katy (Pct. 4).
14. Request by County Engineer to approve the Final Plat of Kingsland Heights Section 3 and accept the Construction Bond (Pct. 4).
15. Request by County Engineer to approve the Final Replat of Rosebud Subdivision Lot 5, Partial Replat.
16. Request by the County Engineer for the following items to be approved:
 - Accept the roads in Kingsland Heights Subdivision, Section 2 into the County Maintained Road Log.
 - Release the Maintenance Bond.
17. Request by County Engineer to approve a Utility Permit for American Communications Construction Inc. (Comcast) to place a conduit/cable in the right-of-way of Owens Road.

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 Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

COMMISSIONER, PRECINCT 3

18. ~~Presentation by Shekira Dennis, Founding Partner of Next Wave Strategies on COVID-19 Vaccine Outreach. Item WITHDRAWN.~~

COUNTY ENGINEER

19. Discuss and take action to approve a variance request to the Waller County Subdivision and Development Regulations regarding platting from Veronica Herrera.

Motion made by Commissioner Smith, seconded by Commissioner Jones.

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

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

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

20. Discuss and take action to approve a variance request to the Waller County Subdivision and Development Regulations regarding platting from Raquel Lopez.

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

Motion to table agenda item made by Commissioner Smith, 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

21. ~~Discuss and take action to approve the Project Development Agreement for the Woodhaven Estates project in Precinct 2. Item WITHDRAWN.~~

22. ~~Discuss and take action to approve multiple variance requests to the Waller County Subdivision and Development Regulations for the Woodhaven Estates project in Precinct 2. Item WITHDRAWN.~~

Court addresses Item #22 further in the meeting and action is taken (bottom of page 3)

23. Discuss and take action to approve General Land Plan/Master Plan for Stallion Lakes Subdivision.

Motion made by Commissioner Smith, 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

Returned to Agenda Item #22 per Commissioners Jones request

22. Discuss and take action to approve multiple variance requests to the Waller County Subdivision and Development Regulations for the Woodhaven Estates project in Precinct 2.

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

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

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

Proceeded to Agenda Item #24

24. Discuss and take action to approve a variance request to the Waller County Subdivision and Development Regulations regarding a Right-of-Way of 60 ft. instead of 70 ft. for Agarita Ranch.

Motion made by Commissioner Jones, seconded by Commissioner Smith.

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

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

25. Discuss and take action to approve professional engineering services contracts with Halfff Associates related to the Flood Infrastructure Fund projects.

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*

26. Discuss and take action to authorize the County Judge to sign the appropriate forms (Assignment of Agreement) related to Angel Bros Construction being sold to Texas Material Group, Inc.

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*

27. Discuss proposed increases to Non-Residential/Commercial Development Fees.

Motion made by Commissioner Smith, seconded by Commissioner Jones.

No action required, discussion only.

COUNTY JUDGE

28. Discuss and take appropriate action regarding the 2021 tax rate.

Commissioner Jones moved that the Waller County Commissioners Court propose to adopt a total tax rate of **\$.604632** cents per \$100 valuation, the same rate being a combination of rates for the Waller County General Fund rate of **\$.519597** per \$100 valuation and the Farm to Market Flood control rate of **\$.028941** and to the Debt Service Fund rate of **\$.056094** and to schedule the Public Hearing for the 2021 tax rate on September 15, 2021 at 9:00 a.m. at the Waller County Courthouse in Hempstead, Texas, 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*

Commissioner Beckendorff announced the meeting to adopt the tax rate will be held on September 15, 2021 at 9:00 a.m. at the Waller County Courthouse in Hempstead, Texas.

29. Discuss and take action to authorize the County Judge to publish the Notice of 2021 Tax Year Proposed Tax Rate for Waller County in the Katy Times, Waller Times, Hot Line Press, The Waller County Express and on the County website to be paid from line item 125-401-544100 [Bid Notices & Printing].

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*

30. Discuss and take action to authorize the County Judge to publish the Notice of Budget Hearing in the Katy Times, Waller Times, Hot Line Press, and The Waller County Express and on the County website. Funds to be paid from line item 125-401-544100 [Bid Notices & Printing].

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*

COUNTY TREASURER

31. **Spread** upon the minutes the TJJJ Salary Order for FY22.

No action required.

32. Discuss and take action to approve the 2021-2022 Renewal Notice and Benefit Confirmation for medical, dental, and life insurance coverages through the Texas Association of Counties.

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 approve the 2022 Post-65 Group Retiree Healthcare Program.

Motion made by Commissioner Smith, 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*

ELECTION ADMINISTRATOR

34. Discuss and take action to approve to Order the November 2, 2021 General Election.

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*

35. Discuss and take action to approve Early Voting Locations for the November 2, 2021 Joint General Location.

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*

36. Discuss and take action to approve the consolidation of Elections Day precincts for the 2021 Joint General Election.

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*

CONSTRUCTION MANAGER

37. **Update** on Waller County Courthouse Renovation project.
No action required.
38. Discuss and take action to approve SEDALCO Pay App #2, for \$13,032.21, from line item 125-600-581618 [Waller County Courthouse Renovation and Annex].
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

AUDITOR

39. **Spread** upon the minutes the Certification of the Juvenile Probation Department, TJJD Grant, in the amount of \$237,197.00 and create 2021-2022 grant budget JP 2021-04.
No action required.

MISCELLANEOUS

40. Discuss and take action to amend County policies in relation to COVID-19.
No action taken.
41. ~~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 Precinct 4 would have a detrimental effect on the position of the County in negotiations with third persons.~~
Item WITHDRAWN.

EXECUTIVE SESSION

42. ~~Deliberate business and financial issues related to the purchase, exchange, lease, or value of real properties in Precinct 4 pursuant to Government Code Sections 551.072 and 551.0725.~~ Item WITHDRAWN.
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 10:50 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 8th day of September 2021.

Carbett "Trey" J. Duhon, III

Carbett "Trey" J. Duhon, III
County Judge