

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – SEPTEMBER 22, 2021**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 22<sup>nd</sup> 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 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 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*

**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** – September 15, 2021 Regular Session
3. **Request by County Treasurer for approval of Payroll.**
4. **Request by County Auditor for approval and/or ratification of Accounts Payable.**
5. **Request by County Tax Assessor for approval of the 2021 Tax Roll.**
6. **Request by County Tax Assessor Collector to approve refunds in excess of \$500.00 in accordance with section 31.11 Texas Tax Code.**

7. Request by County Engineer to accept Right-of-Way and/or Exclusive Easement dedications along Woods Rd, from IH-10 southward, necessary to expand the roadway.  
*(no backup submitted)*
8. Request by County Engineer to approve a Utility Permit for San Bernard to place 2 power poles in the right-of-way of Rice Road in Precinct 2.
9. Request by County Engineer to approve a Utility Permit for San Bernard to place 1 power poles in the right-of-way of Lazy Ridge Road in Precinct 2.
10. Request by County Engineer to approve a Utility Permit for CenterPoint Energy to install 2", 4", & 6" HP Replacement in the right-of-way of Morton Road.
11. *Removed from Consent Agenda per the request of Commissioner Smith.*
12. Request by County Engineer to approve the Final Plat of V –Energy Industrial Park.

Motion to approve with #11 removed from the consent agenda 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>

11. Request by County Engineer for the approval of the plat and accept maintenance bond for Freeman Ranch Subdivision, Section 4.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

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

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

***Advanced to Agenda Item #23***

23. **Presentation** by Lewis Crain from the audit firm of Rutledge Crain & Company, PC of the fiscal year 2020 Waller County Financial Audit Report.  
*No action required.*

***Proceeded with Agenda Item #13***

**EXTENSION SERVICES**

13. **Presentation** by the Waller County 4-H Ambassadors of the Texas A&M AgriLife Extension 4-H and Youth Development Program.  
*No action required.*

14. Discuss and take action to approve the Proclamation presented by the Waller County 4-H Ambassadors declaring October 3-9, 2021 as “4-H Week in Waller County.”

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>

***Advanced to Agenda Item #32***

32. Discuss Petition to Abandon a County Right of Way regarding a portion of Wilpitz Road.

*No action required.*

***Proceeded with Agenda Item #15***

**COUNTY JUDGE**

15. Discuss and take action to approve Resolution in opposition to a Federal Vaccine Mandate.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

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

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

**COUNTY ENGINEER**

16. 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 Jones, seconded by Commissioner Beckendorff.

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

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

**SHERIFF**

17. **Open** responses to Request for Proposals for Jail Food Services.

The following bids were received and opened by the Court:

1. 5 Star Correctional Services, received September 13, 2021 at 12:14 p.m.
2. Trinity Services Group, received September 13, 2021 at 11:25 a.m.
3. Summit, received September 13, 2021 at 10:18 a.m.

18. Discuss and approve amendment to 2021 Salary Order to increase LVN pay from \$22.59 to \$23.00. *(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 Smith – Yes  
Commissioner Jones – Yes                      Commissioner Beckendorff – Yes

**ENVIRONMENTAL**

19. Discuss and take action to approve a variance request to the Subdivision Development Regulations, Section 2-Lot Size, regarding the minimum lot size per dwelling, by Scott Hartley.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Commissioner Beckendorff made motion to amend for us to approve variance that would keep both (house and parent's suite) on 1 water well and 1 bigger, better aerobic system, seconded by Commissioner Jones.

**Amendment carried** by 5-0 vote.

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



Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

29. Discuss and take action to approve the certification of the donation of a 2021 Cargo Utility Trailer valued at \$2,800.00 and amend the 2021 Fire Marshal budget WC 2020-37.

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

30. Discuss and take action to approve official documents and all monthly reports.  
(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 Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

## MISCELLANEOUS

31. Discuss and take action to amend County policies in relation to COVID-19.  
(no backup submitted)  
No action taken.

32. Court addressed agenda item 32 earlier in meeting. (page 3)

33. ~~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

34. ~~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.
35. ~~Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.~~ Item WITHDRAWN.
36. ~~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 11:43 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*  
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Debbie Hollan  
Waller County Clerk

**APPROVED this the 29<sup>th</sup> day of September 2021.**

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