

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – SEPTEMBER 28, 2022

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 28th day of September 2022 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 9:06 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

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>.

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| 1. Daniel Franklin | 4. Dr. Denise Mattox <i>via teleconference</i> |
| 2. Larry Cullen | 5. Veda Brown |
| 3. Dani Post | 6. Malcolm Jackson |

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 21, 2022 Regular Session
3. **Request to approve payment on the following:**
(a) \$1,295.00 for Invoice dated August 24, 2022, \$1,295.00 for Invoice dated September 6, 2022, and two (2) Invoices dated September 12, 2022 at \$1,295.00 each for a total of \$5,180.00 to Magnolia Funeral Home, Inc. from line item 125-423-540705 [Transport to Morgue].

4. Request by County Auditor for approval and/or ratification of Accounts Payable.
5. Request by County Treasurer for approval of accounts payable for retiree insurance.
6. Request by County Treasurer for approval of Fixed Asset Transfer to the Maintenance Department.
7. Request by County Tax Assessor for approval of the 2022 Tax Roll.
8. Request by County Grant Manager to authorize the County Judge to execute an amendment to the contract between the County and Halff Associates, Inc. relative to the County's Texas Water Development Board Flood Infrastructure Fund Spring Creek Watershed Flood Protection Study.
9. Request by County Grant Manager to authorize the County Judge to execute an amendment to the contract between the County and Halff Associates, Inc. relative to the County's Texas Water Development Board Flood Infrastructure Fund Brazos River Flood Protection Study.
10. Request by County Engineer to approve the Final Replat of West Magnolia Forest Section 1, Partial Replat of lot 45 and portion of lot 46 in Precinct 2.
11. Request by County Engineer to approve the Final Replat of Quinteros Subdivision Tract 4, in Precinct 4.
12. ~~Request by County Engineer to approve the Amending of Plat No. 1, for Sunterra, Section 4, in Precinct 3. Item WITHDRAWN.~~
13. Request by County Engineer to approve the Amending of Plat No. 1, for Sunterra, Section 9, in Precinct 3.
14. Request by County Engineer to approve the Final Plat of Sunterra Section 29 and accept the Construction Bond in Precinct 3.
15. Request by County Engineer to approve the Final Plat of Sunterra Section 30 and accept the Construction Bond in Precinct 3.
16. Request by County Engineer to approve the Final Plat of Sunterra Section 31 and accept the Construction Bond in Precinct 3.

Motion to approve Consent Agenda with item #12 withdrawn 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

ECONOMIC DEVELOPMENT

17. Discuss and take action to approve two Tax Abatement Agreements with Woods Road Industrial LLC, the tax abatement applicant and owner of the property located near the southeastern corner of the intersection of Interstate 10 and Woods Road. The property is in the reinvestment zone known as Waller County Woods Road Industrial Park Reinvestment Zone 13. The Tax Abatement Agreements will be for the following spec buildings:

- a. Building 1, a Class A tilt wall industrial warehouse of approximately 800,000 square feet, with accompanying driveways and improvements, at an estimated cost of \$37,000,000; and
- b. Building 2, a Class A tilt wall industrial warehouse of approximately 200,000 square feet, with accompanying driveways and improvements, at an estimated cost of \$10,000,000.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote with 1 Abstained.

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

COUNTY ENGINEER

18. **Public Hearing:** To consider the establishment of load limits and the installation of load limit signs at the following location:

- Twinwood Parkway – Tandem Axle Load – 28,900(lbs.)

Public Hearing began at 9:33 a.m.

No public comments received.

Public Hearing ended at 9:34 a.m.

19. Discuss and take action to approve the establishment and installation of Load Limit signs on the following road:

- Twinwood Parkway – Tandem Axle Load – 28,900(lbs.)

Motion made by Commissioner Smith, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote.

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

20. Discuss and take action to approve multiple variance requests to the Waller County Subdivision and Development Regulations for Cane Lakes Subdivision in Precinct 4 from Brad Sweitzer.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Commissioner Beckendorff made motion to amend to do a minimum of 5,000 square feet on one block, seconded by Commissioner Smith.

Amendment carried by 5-0 vote.

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

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

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

ENVIRONMENTAL

21. Discuss and take action to approve a variance request to the Subdivision Development Regulations, Engineering Design Standards, Section 2 – Lot size, regarding the minimum lot size per dwelling, by Mr. & Mrs. Johnnie Hooper.

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

DISTRICT ATTORNEY

22. Discuss and take action to approve continuation of Victim Assistant Position in the District Attorney's Office and authorize the County Treasurer to pay salary and benefits for the same. *(no backup submitted)*

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

AUDITOR

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

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

24. ~~Discuss and take action to update the Community Center Rules and Regulations and rental documents. Item WITHDRAWN.~~

25. Discuss and take action to approve request by Pastor John Fitz-Chapman with Win Church to rent the Community Center on a continued basis during the evenings for every available Thursday beginning November 10, 2022-June 2023. *(no backup submitted)*

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

26. Discuss and take action to approve Agreement between Waller County and Fort Bend Seniors Meals on Wheels and payment of \$40,000.00 for Invoice # 4189 from line item 125-411-547315 [Ft. Bend Seniors Meals on Wheels] as allocated in the 2022 Budget.

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

27. Discuss and take action to approve Resolution Authorizing County Grant Program for the Texas Department of Agriculture Home-Delivered Meal Grant Program for 2023.

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

28. 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 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

EXECUTIVE SESSION

31. 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.
32. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.

Court convened to Executive Session at 10:14 a.m.

Court reconvened from Executive Session at 10:59 a.m.

33. ~~Reconvene in Open Session to take any action necessary on matters discussed in Executive Session.~~ **Item WITHDRAWN.**

Returned to Public Comment for Veda Brown to make additional comments.

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 11:03 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 5th day of October 2022.

Carbett "Trey" J. Duhon, III

Carbett "Trey" J. Duhon, III
County Judge