

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – OCTOBER 5, 2022

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 5th day of October 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 9:04 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.

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| <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

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. Chris Mixon <i>via teleconference</i> | 3. Rhonda Jordan | 5. Dr. Veda Brown | 7. Norma Yaldez |
| 2. Tracy Sebesta | 4. Larry Parr | 6. Dr. Denise Mattox | 8. 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 – September 28, 2022 Regular Session
3. Request by County Treasurer for approval of Payroll.
4. Request to approve payment on the following:
 - (a) \$1,295.00 for invoice dated August 24, 2022 to Magnolia Funeral Home, Inc. from line item 125-423-540705 [Transport to Morgue].
 - (b) \$4,183.00 for Invoice # 10022 to Harris County from line item 125-423-540702 [Autopsy].

(c) \$37,500.00 for Invoice #2203 to Waller County Economic Development from line item 125-411-547200 [Economic Development] as allocated in the 2022 Budget.

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

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

PROCLAMATION

6. Discuss and take action to approve the Proclamation declaring October 2022 as Domestic Violence Awareness Month in Waller County.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

(Judge Duhon read Proclamation)

Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

COMMISSIONER, PRECINCT 3

7. Discuss and take action to approve Peer Review Contract for Clay Road by DEC Engineering Firm.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Judge Duhon made motion to amend to be paid from line item 110-530-545800 [Professional Services], 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

Amended Motion carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

COUNTY ENGINEER

8. Discuss and take action to approve multiple variance requests to the Waller County Subdivision and Development Regulations for Maple Reserve Subdivision in Precinct 2 presented by Jennifer Curtis.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Commissioner Smith made motion to amend to grant 60' radius on the cul-de-sacs, 50' pavement in all cases, and then 60' right-of-way, and we exclude the variance on the collector street pavement, seconded by Commissioner Amsler.

Amendment carried by 5-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

Amended Motion carried by 5-0 vote. **Variance GRANTED as amended.**

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

9. Discuss and take action to approve the General Land Plan for Maple Reserve Subdivision in Precinct 2.

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

10. ~~Discuss and take action to approve the Development Agreement for the Trails at Cochran Ranch project in Precinct 3 with Fastboy Cochran Road, LLC presented by Jennifer Curtis. Item WITHDRAWN.~~

Commissioner Jones dismissed from meeting at 10:30 a.m.

TREASURER

11. Discuss and take action to amend the employee manual as recommended by the County Treasurer.

Motion made by Commissioner Beckendorff, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Absent

Commissioner Beckendorff – Yes

TAX ASSESSOR-COLLECTOR

12. **Spread** upon the minutes the Tax Assessor-Collector Association Professional County Collector Maintenance Transcripts for Ellen Shelburne and Elizabeth Matthews.

No action required.

Commissioner Jones returned to meeting at 10:34 a.m.

DISTRICT ATTORNEY

13. Discuss and take action to authorize the Waller County Auditor to conduct the District Attorney's annual Chapter 59 Asset Forfeiture/Seizure Audits. *(no backup submitted)*

Motion made by Commissioner Beckendorff, 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

FIRE MARSHAL

14. Discuss and take action on Burn Ban.

Commissioner Beckendorff made motion to reinstate the Burn Ban, 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

MISCELLANEOUS

- 15. Discuss and take action to approve a resolution directing the posting and publication of an Official Notice of Intention to Issue \$28,500,000 for “Waller County, Texas, Certificates of Obligation, Series 2023.” Notice will be published once a week for two consecutive weeks in the Waller County Express with funds to be paid from line item 125-401-544100 [Bid Notices & Printing].

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

- 16. Discuss and take action to deliberate business and financial issues in executive session based on a determination and recommendation from the District Attorney’s Office that deliberation in an open meeting regarding business and financial issues related to contract negotiations 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

- 17. Deliberate business and financial issues relating to a contract being negotiated pursuant to Government Code Section 551.0725.
- 18. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.

Court convened to Executive Session at 10:45 a.m.
Court reconvened from Executive Session at 11:06 a.m.

- 19. ~~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

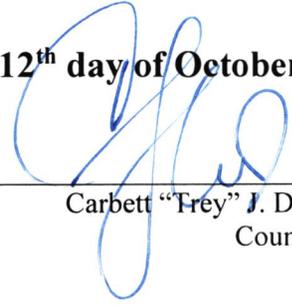
Meeting was **ADJOURNED** at 11:06 a.m.

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 12th day of October 2022.



Carbett "Trey" J. Duhon, III
County Judge