

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – OCTOBER 12, 2022**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 12<sup>th</sup> 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 – *arrived at 9:09 a.m.*  
Kendric D. Jones, Commissioner Precinct 3  
Justin Beckendorff, Commissioner Precinct 4  
Stephanie Tompkins, Chief Deputy Clerk  
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 4-0 vote.

<i>Judge Trey Duhon – Yes</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Smith – Absent</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.com/live>.

1. Danny Rothe 2. Bill Parks 3. Larry Parr 4. Rhonda Jordan 5. Lesha Roberts 6. Dr. Denise Mattox

**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** – October 5, 2022 Regular Session

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

(a) \$1,295.00 for Invoice dated September 26, 2022 to Magnolia Funeral Home, Inc. from line item 125-423-540705 [Transport to Morgue].

(b) \$3,067.00 for Invoice # 10049 to Harris County from line item 125-423-540702 [Autopsy].

(c) \$85.00 for Invoice # 22547410 [Courthouse, Hold-Up Alarm], and \$995.00 for Invoice # 22112410 [Courthouse Camera Surveillance], for a total \$1,080.00 payable to TAC Security from line item 117-428-568425 [Courthouse Security/Misc. Security].

4. Request by County Auditor for approval and/or ratification of Accounts Payable.
5. Request by County Treasurer for approval of Treasurer's Monthly Report.
6. Request by County Grant Manager to authorize the County Judge to sign a resolution in support of the County's pursuit of the Texas Indigent Defense Commission's FY2023 Formula Grant Request for its Indigent Defense Grant Program.
7. Request by County Grant Manager to approve the advertising for Requests for Qualifications (RFQs) for Engineering Services related to the Texas General Land Office's Community Development Block Grant-Mitigation (CDBG-MIT) Regional Mitigation Program.
8. Request by County Engineer to approve the Amending of Plat No. 1, for Sunterra, Section 4 in Precinct 3.
9. Request by County Engineer to approve a Utility Permit for Black & Veatch (Permitting on behalf of Comcast of Houston, L.L.C.), to place a fiber optic cable, within the right-of-way along Texas Heritage Parkway.

Motion to approve Consent Agenda 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**

10. Discuss and take action to approve proclamation recognizing October 12, 2022 as Gary Nemec Day 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*

11. Discuss and take action to approve proclamation for National Hispanic Heritage Month.

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*

## **COUNTY ENGINEER**

12. 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.

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

13. Agenda Item #13 to be discussed further in the meeting. (page 6)

**ELECTIONS**

14. Discuss and take action to post Notice of Joint General Election.

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

15. Discuss and take action to appoint County Election Judges and Alternate Election Judges for the 2022-2023 Term.

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

16. ~~Discuss and take action to approve Temporary Early Voting location to include Fieldstore, PVAMU MSC, Pattison, and Katy. Item WITHDRAWN.~~

**DIRECTOR OF POLICY AND ADMINISTRATION**

17. Discuss and take action on proposed 2023 Legislative Agenda.

Commissioner Beckendorff made motion to approve all (Resolutions) except the two, the Drainage District and the ESD 200, 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

Commissioner Smith made motion to amend that Resolution to insert the language creating “An opportunity for voters to approve or disapprove” a new Waller County Drainage District, 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

Commissioner Beckendorff made motion for the ESD 200 to be just Waller County, seconded by Commissioner Smith.

**Motion carried** by 3-2 vote.

Judge Trey Duhon – No

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – No

Commissioner Beckendorff – Yes

**COMMISSIONER, PRECINCT 3**

18. Discuss and take action to approve Interlocal Agreement between the City of Prairie View, Prairie View A&M University, and Waller County for repairs on Old F.M. 1098.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Commissioner Jones made motion to include amendments to agreement - B covers if they pay us more up front than the total cost, we would reimburse them if the actual cost is less; and 4 is if the actual cost is greater, seconded by Commissioner Smith.

**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

**CONSTABLE, PRECINCT 3**

19. Discuss and take action to approve the purchase and installation of prisoner cage and partition to support the installation of previously purchased police video cameras. Total cost of \$1,770.00 to be paid to the following:

- \$695.00 for Invoice # 10653 to Thin Line Upfitters, LLC
- \$1,075.00 for Invoice # 2412999 to Siddons-Martin Emergency Group.

Funds to be paid from line item 241-595-561209 [ARP Miscellaneous].

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

**TREASURER**

20. Discuss and take action to approve Voluntary Term Life product for employees offered by Texas Association of Counties (TAC).

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

***Advanced to Agenda Item #33***

33. Discuss and take action to approve an Order authorizing the issuance of “Waller County, Texas Certificates of Obligation, Series 2022” in an aggregate principal amount not to exceed \$3,500,000; authorizing the sale thereof; and enacting provisions incident and related to the issuance of said certificates.”

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Commissioner Smith made motion to amend to accept the bid by Fidelity Capital as presented by Ben Rosenberg, seconded by Judge Duhon.

**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

***Proceeded with Agenda Item #21***

**AUDITOR**

21. Discuss and take action to approve Maintenance Department line-item transfer, WC 2022-39.

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*

22. Discuss and take action to certify \$110.00 in Animal Control Department donations and approve budget amendment, WC 2022-40.

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*

23. Discuss and take action to approve Justice of the Peace, Precinct 3 Department line-item transfer, WC 2022-41.

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*

24. Discuss and take action to approve Tax Assessor Collector Department line-item transfer, WC 2022-42.

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*

25. Discuss and take action to certify TxDot grant award of \$45,797.60 and approve budget amendment, WC 2022-43.

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 certify TxDot grant award of \$21,977.60 and approve budget amendment, WC 2022-44.

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 quarterly reimbursement of Juror Payments.

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*

## **FIRE MARSHAL**

28. ~~Discuss and take action on burn ban.~~ **Item WITHDRAWN.**

## MISCELLANEOUS

29. Discuss and take action to approve agreement with CivicPlus for Municode meeting and records management software services. Funds to be paid from line item 115-426-545512 [Co. Clerk Records Management & Preservation Fund].

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*

30. Discuss and take action to approve the purchase of 13 tablets to be used for the Municode Meetings Agenda Program with CivicPlus. Funds to be paid from line item 114-427-545512 [Records Preservation]. *(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*

31. Discuss and take action to approve Agreement between Waller County and Fort Bend Children’s Advocacy Center and payment of \$12,500.00 from line item 125-411-542249 [Fort Bend Children’s Advocacy] 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*

### ***Advanced to Agenda Item #34***

34. Discuss and take action to approve Third Party Architect Consultant Agreement for Design-Build Project with King Architectural Consulting Services PLLC.

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*

### ***Proceeded with Agenda Item #32***

32. Discuss and take action to approve job description and posting for the Waller County Veteran Services Officer.

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*

33. *Court addressed Agenda Item #33 earlier in the meeting. (page 4)*

34. *Court addressed Agenda Item #34 earlier in the meeting. (page 6)*

### ***Returned to Agenda Item #13***

13. Discussion regarding Road and Bridge needs as it relates to the 2022 budget.  
*No action required.*

***Proceeded with Agenda Item #35***

35. 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 the 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*

36. 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**

37. Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725.
38. 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.
39. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.

**Court convened to Executive Session at 1:53 p.m.**

**Court reconvened from Executive Session at 2:31 p.m.**

40. ~~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 2:31 p.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 19<sup>th</sup> day of October 2022.

*Carbett "Trey" J. Duhon, III*

Carbett "Trey" J. Duhon, III  
County Judge