

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – OCTOBER 26, 2022

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 26th 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
Kendric D. Jones, Commissioner Precinct 3
Justin Beckendorff, Commissioner Precinct 4
Debbie Hollan, County Clerk
Absent: Walter Smith, Commissioner Precinct 2

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://wallercountytx.swagit.com/live>.

1. Tracy Sebesta 2. Dr. Denise Mattox 3. 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 – October 26, 2022 Regular Session**
3. **Request to approve payment on the following:**
(a) \$1,200.00 for Invoice dated October 17, 2022 to Schmidt Funeral Home, from line item 125-423-540705 [Transport to Morgue].
(b) \$4,012.00 for Invoice # 10308 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 Treasurer for approval of accounts payable for retiree insurance.
6. Request by County Treasurer for approval of quarterly State Comptroller Reports.
7. Request by County Clerk for approval to renew annual licenses for Eagle Recorder Software and upgrades in the amount of \$38,937.00. Funds to be paid from line item 115-426-545512 [County Clerk Records Management & Preservation Fund].
8. Request by County Engineer to approve advertising for a Public Hearing on November 9, 2022 for the establishment and the installation of proposed Speed Limit signs on the following roads:
 - Mellman Rd. – 45 mph
 - McAllister Rd. – 30 mph
 - Hoover Ln. – 45 mph
 - North Clear Creek Rd. – 30 mph
 - South Clear Creek Rd. – 30 mph
 - Frank Scott Blvd. – 30 mph
 - Garrett Rd. – 45 mph

Advertising to be posted in the Katy Times Newspaper, funds to be paid from line item 125-401-544100 [Bid Notices and Printing].

Motion to approve Consent Agenda made by Commissioner Jones, seconded by Commissioner Beckendorff.

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>

PROCLAMATION

9. Discuss and take action to approve Proclamation declaring October 28, 2022 as National First Responders Day in Waller County.

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>

COUNTY ENGINEER

10. Discuss and take action to approve a variance request to the Waller County Subdivision and Development Regulations-Drainage Criteria Manual (Appendix E) Section VII Design Parameters, requiring 4:1 side slopes instead of 3:1 side slopes for Bluestem by Cam Jackson (Precinct 3).

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Commissioner Beckendorff made motion to table, seconded by Judge Duhon.

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

<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>

ENVIRONMENTAL

11. Discuss and take action to approve a variance request to the Subdivision Development, Regulations, Engineering Design Standard Section 2- Lot size, regarding the minimum lot size per dwelling, by Ms. Karina Yanez de Escobar.

Motion made by Commissioner Jones, seconded by Commissioner Amsler.

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

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

COMMISSIONER, PRECINCT 3

12. Discuss and take action to approve the Development Agreement for Enclave Gassner project in Precinct 3 by Brad Sweitzer.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 4-0 vote.

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

SHERIFF

13. Discuss and take action to approve DEA Task Force overtime agreement renewal for their first fiscal year: October 1, 2022 – September 30, 2026.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 4-0 vote.

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

AUDITOR

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

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 4-0 vote.

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

FIRE MARSHAL

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

CONSTRUCTION MANAGER

16. Discuss and take action to approve payment of Invoice # 4 for \$364,585.37 to Sedalco from line item 603-603-545405 [Professional Services].

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 4-0 vote.

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

17. Update on the design phase of the Waller County Courthouse Replacement and Annex Project #4.

No action required.

MISCELLANEOUS

18. Discuss and take action to approve revised Waller County 2023 Holiday Schedule.

Motion made by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Absent

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

19. Discussion on Waller-Harris Emergency Services District No. 200.

No action required.

20. 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 would have a detrimental effect on the position of the County in negotiations with third persons.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Absent

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

21. 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 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Absent

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

EXECUTIVE SESSION

22. Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725.

23. 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.

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

Court convened to Executive Session at 10:39 a.m.

Court reconvened from Executive Session at 11:07 a.m.

25. ~~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 Beckendorff.

Motion carried by 4-0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Absent

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 11:07 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 2nd day of November 2022.

Trey Duhon

Carbett "Trey" J. Duhon, III
County Judge