

**MINUTES**  
**WALLER COUNTY COMMISSIONER’S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – NOVEMBER 1, 2023**

**BE IT REMEMBERED** that the Honorable Commissioner’s Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 1<sup>st</sup> day of November 2023 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 9:01 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.

<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** – *None*

**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 25, 2023 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 the County Engineer to approve the application for replat of: Twinwood Commerce Center, to revise Reserve 15, Block 1, to create 3 separate commercial reserves by Urban Twinwood, LP, and authorize the Road and Bridge Department to issue a public notice in the Katy Times, for three consecutive weeks, establishing a public hearing during the regular session of Commissioners Court on December 13, 2023.**
6. **Request by the County Engineer to approve the application for replat of: West Magnolia Forest, to revise West Magnolia Forest Section 11, Lot 62 to create 2 residential lots, and authorize the Road and Bridge Department to issue a public notice in the Katy Times, for three consecutive weeks, establishing a public hearing during the regular session of Commissioners Court on December 13, 2023.**

7. Request by the County Engineer for the following item(s) to be approved:
  - (a) Accept the Woods Road Traffic Signal into the County Maintained Road Log and Release the Maintenance Bond;
  - (b) Accept the Bluestem Offsite Utility Extension and Substantially Complete and place into a one-year maintenance phase, reducing required security/bond to 50% of original amount;
  - (c) Accept the Sunterra Bartlett Road – Section 2 & 3 as Substantially Complete and place in a two-year maintenance phase, reducing required security/bond to 50% of original amount.

Motion to approve 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>

## PROCLAMATION

8. Discuss and take action to approve The Veteran's Day Proclamation.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

**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>

## COUNTY ENGINEER

9. ~~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, regarding use of 3:1 side slope instead of 4:1 for Katy Freeway Truck Parking by Mario Lanza (Precinct 4). Item WITDRAWN.~~

## COUNTY JUDGE

10. Discuss and take action to approve Official Bond and Oath for County Judge.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

**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 Items #12 – 28**

## I.T

12. Discuss and take action to approve payment of \$1,379.00 for the Service Order to Atron Solutions for internet access to the Tax Office during Courthouse construction. Funds to be paid from line-item 125-411-542502 [Internet Services].

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

**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>

13. Discuss and take action to approve payment of \$725.00 for the Service Order to Atron Solutions for internet access to the Community Center. Funds to be paid from line-item 125-411-542502 [Internet Services].

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*

## LIBRARY

14. Discuss and take action to accept a \$75.00 donation from The Wednesday Study Club of Hempstead to Waller County Library and add to budget line item 125-537-536600 [Donations/Library].

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*

## TREASURER

15. Discuss and take action to approve 48-month Lease Agreement for a Xerox C8155H2 at the monthly cost of \$192.11 to be paid from line-item 125-436-581813 [Copier/Printer].

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

16. Discuss and take action to approve 2023 budget adjustments and departmental line-item transfers.

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

17. ~~Discuss and take action on Burn Ban.~~

**Item WITHDRAWN.**

## CONSTRUCTION MANAGER

18. ~~Presentation on modular building swing space plan.~~

**Item WITHDRAWN.**

19. ~~Discuss and take action to approve modular building swing space plan.~~

**Item WITHDRAWN.**

20. ~~Discuss and take action to approve Exhibit G to the agreement with SEDALCO for design-build services. Exhibit G is for the design of the modular building swing space.~~

**Item WITHDRAWN.**

**MISCELLANEOUS**

21. Discuss and take action to approve Resolution that distributes votes for the Board of Directors of the Waller County Appraisal District.

Commissioner Beckendorff made motion to give 259 votes to Royce Rape, Jim Sette, Rick Welch and 260 votes to Jaime Davis, and Brenda Nicholas, 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*

22. Discuss and take action to approve Resolution Naming County Annex Building as the Waller County Joe Kuciemba Annex.

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 Order Designating a Site for Commissioners Court Term to relocate Commissioners Court meetings to the Waller County Joe Kuciemba Annex for the remainder of the 2023 meetings.

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 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 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 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 it 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 5-0 vote.

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

**EXECUTIVE SESSION**

- 26. 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.
- 27. Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725.
- 28. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.

**Court convened to Executive Session at 9:32 a.m.**

**Court reconvened from Executive Session at 10:02 a.m.**

***Returned to Agenda Item #11***

**GRANT MANAGER**

- 11. Discuss and take action to award bid for the County’s Hazard Mitigation Plan Update (RFP# 230927-14).

Commissioner Beckendorff moved to instruct the Grant Manager to provide notice to IEM and Integrated Solutions pursuant to Local Government Code 262.027, 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>

***Proceeded with Agenda Item #29***

- 29. ~~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 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>

Meeting was **ADJOURNED** at 10:04 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 15<sup>th</sup> day of November 2023.**

*Trey Duhon*  
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 Carbett “Trey” J. Duhon, III  
 County Judge