

MINUTES
WALLER COUNTY COMMISSIONER’S COURT
REGULAR SESSION
WEDNESDAY – NOVEMBER 24, 2021

BE IT REMEMBERED that the Honorable Commissioner’s Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 24th day of November 2021 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 9:00 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 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 to **approve** by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5 to 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

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>.

Larry Parr – Sites that contain too many trailers on an acre and half property.
Tracy Sebesta – Latest COVID Anti-Vaccination issues transpiring in Australia.

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** – November 17, 2021 Regular Session

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

(a) \$1,195.00 for invoice dated November 12, 2021 to Magnolia Funeral Home from line item 125-423-540705 [Transport to Morgue].

(b) \$400.00 for Invoice to Post Oak RC&D Area, Inc. from line item 125-411-562300 [County Organizational Dues].

- (c) \$679.00 for Invoice # 202107290 to National Association of Counties from line item 125-411-562300 [County Organizational Dues].
- (d) \$10,937.00 for Invoice # 115932 and \$4,689.00 for Invoice # 115910 for a total of \$15,626.00 to Bickerstaff Heath Delgado LLP from line item 125-411-540300 [Legal].
- 4. Request by County Auditor for approval and/or ratification of Accounts Payable.
- 5. Request by County Auditor for approval and/or ratification of Accounts Payable for Construction Projects.
 - (a) \$16,250.00 from line item 125-600-581610 [Pct. 4 Building].
- 6. Request by County Engineer to accept Right-of-Way dedications and/or General Warranty Deeds along Woods Rd, from IH-10 southward, necessary to expand the roadway.
- 7. Request by County Engineer to approve a Utility Permit for American Communications Construction, Inc. (Comcast) to place a conduit/fiber cable within the right-of-way of Wilson Road.
- 8. Request by County Engineer to approve the Final Partial Replat of Clear Creek Forest Section 1 and Spring Creek Estates Section 2.
- 9. Request by County Engineer to authorize advertisement of a Public Hearing regarding the establishment of a Controlled Intersections and the Installation of Stop Signs at the intersection of Morton Road and Pitts Road (from Cane Island Development) making it an All-Way Stop. *(no backup submitted)*

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

Motion carried by 5 to 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

- 10. Discuss and take action to approve a variance request to the Waller County Subdivision and Development Regulations regarding a shared access easement right-of-way with multiple properties and Flag lot over Flag lot from Pauline Roach.

Motion to **approve** by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 5 to 0 vote. Variance GRANTED.

<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>

- 11. Discuss and take action to approve a variance request to the Waller County Subdivision and Development Regulations regarding a shared access easement right-of-way with multiple properties from Thomas Hakemack.

Motion to **approve** by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 5 to 0 vote. Variance GRANTED.

<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>

12. **Public Hearing:** on the Proposed Replat of Pineridge Subdivision, Section 5 partial replat No. 1, by Mr. & Mrs. Roy Nelson.

Public Hearing began at 9:18 a.m.

Several Public Members commented on the proposed replat.

Public Hearing ended at 9:32 a.m.

DISTRICT ATTORNEY

13. ~~Presentation by members of the Waller County African American Heritage Committee, a local 501 [c][3] organization. Item WITHDRAWN.~~
14. ~~Discuss and take action to authorize placement of temporary and then permanent markers by the Waller County African American Heritage Committee next to the oak tree on the Courthouse lawn planted by Waller County Commissioners' Court in 1998 to commemorate the memory and suffering of African American slaves in Texas. Item WITHDRAWN.~~

COMMISSIONER, PRECINCT 3

15. Discuss and take action to approve yearly dues for the following Cooperative Extension Program Agents:

- \$125 for Clara Walker (District & State Family and Consumer Sciences)
- \$100 for Russell Ford (District & State TEA4HA)
- \$100 for Steadman Douglas (AAAG)

(No backup submitted)

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Jones.

Judge made motion to amend to be paid out of line item 125-540-568400 [Miscellaneous], seconded by Commissioner Beckendorff.

Amendment carried by 5 to 0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

Amended motion carried by 5 to 0 vote.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Smith – Yes

Commissioner Jones – Yes

Commissioner Beckendorff – Yes

DISTRICT CLERK

16. ~~Discuss and take action to approve agreement with RCI (Record Consultant, Inc.) for Document Imaging Services of the District Clerk's case files. Cost of services estimated to be approximately \$340,000.00 with \$55,000.00 being paid from line item 113-000-451315 [Records Management-DC], \$35,000.00 from line item 128-000-451308 [Court Record Preservation], and \$250,000.00 to be paid from line item 241-595-561209 [ARP Miscellaneous]. Item WITHDRAWN.~~

IT DEPT.

17. ~~Discuss and take action regarding Smarsh Proposal for 2021 Archival fees and future costs. Item WITHDRAWN.~~

AUDITOR

- 18. Discuss and take action to approve Library Department line item budget transfer, WC 2021-53.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5 to 0 vote.

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

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

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5 to 0 vote.

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

FIRE MARSHAL

- 20. Discuss and take action to accept a \$2,500 donation from ATMOS Energy Pipeline to purchase fire investigative equipment. *(no backup submitted)*

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5 to 0 vote.

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

MISCELLANEOUS

- 21. Discuss and take action to amend County policies in relation to COVID-19.
(no backup submitted)
No action taken.

- 22. 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 in Precinct 1 and Precinct 4 would have a detrimental effect on the position of the County in negotiations with third persons.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Jones.

Motion carried by 5 to 0 vote.

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

EXECUTIVE SESSION

- 23. Deliberate business and financial issues related to the purchase, exchange, lease, or value of real properties in Precinct 1 and Precinct 4 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 at 9:41 a.m.

Court reconvened from Executive Session at 10:21 a.m.

25. Reconvene in Open Session to take any action necessary on matters discussed in Executive Session.

No action taken from Executive Session.

ADJOURN MEETING

Motion to **adjourn** meeting by Commissioner Amsler, seconded by Commissioner Jones.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

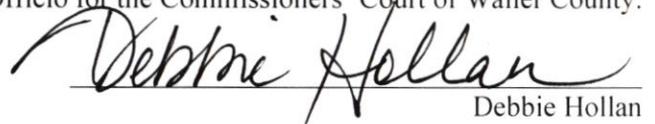
Commissioner Smith – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 10:22 a.m.

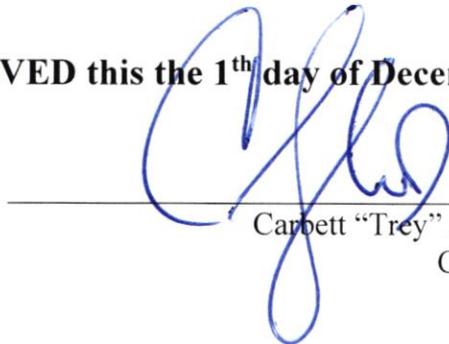
I **ATTEST** that the above proceedings are the true and correct minutes taken in my capacity as Ex-Officio for the Commissioners’ Court of Waller County.



Debbie Hollan
Waller County Clerk



APPROVED this the 1th day of December 2021



Carbett "Trey" J. Duhon, III
County Judge