

MINUTES
WALLER COUNTY COMMISSIONER’S COURT
REGULAR SESSION
WEDNESDAY – DECEMBER 21, 2022

BE IT REMEMBERED that the Honorable Commissioner’s Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 21st day of December 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 – *arrived at 9:24 a.m.*
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 Beckendorff, seconded by Commissioner Smith.

Motion carried by 4-0 vote.

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

1. Several residents from Sunterra made public comment *via teleconference*
2. Nick Chi
3. Paige Martin
4. Brooke Bacuetes
5. Bill Parks

Commissioner Jones arrived to meeting during Public Comment

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 – December 14, 2022 Regular Session**
3. **Request by County Treasurer for approval of Payroll.**

4. Request by County Treasurer for approval of accounts payable for retiree insurance.
5. Request by County Tax Assessor Collector to approve refunds in excess of \$500.00 in accordance with section 31.11 Texas Tax Code.
6. Request to approve payment on the following:
 - (a) \$1,295.00 for invoice dated December 6, 2022 to Magnolia Funeral Home Inc. from line item 125-423-540705 [Transport to Morgue].
 - (b) \$152,851.25 for Invoice # 112222GWA to Waller County Appraisal District from line item 125-437-540500 [Tax Appraisal District].
 - (c) \$85.00 for Invoice # 22547412 [Courthouse, Hold-Up Alarm], and \$995.00 for Invoice # 2211242 [Courthouse Camera Surveillance], for a total \$1,080.00 payable to TAC Security from line item 117-428-568425 [Courthouse Security/Misc. Security].
 - (d) \$5,000.00 for Invoice dated 12/13/2022 to Gulf Coast Rail District from line item 125-401-540900 [Professional Consultant Services].
7. Request by County Auditor for approval and/or ratification of Accounts Payable.

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

Motion carried by 5-0 vote.

<i>Judge Trey Duhon</i> – Yes	<i>Commissioner Amsler</i> – Yes	<i>Commissioner Smith</i> – Yes
	<i>Commissioner Jones</i> – Yes	<i>Commissioner Beckendorff</i> – Yes

JUSTICE OF THE PEACE, PRECINCT 4

8. Discuss and take action to approve the acceptance of a framed U.S. flag detailing the names of the people killed on September 11, 2011, in the World Trade Center attack, donated to Waller County by the Chris Walthal family to be displayed in the Waller County, Precinct 4 Courthouse Annex.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote.

<i>Judge Trey Duhon</i> – Yes	<i>Commissioner Amsler</i> – Yes	<i>Commissioner Smith</i> – Yes
	<i>Commissioner Jones</i> – Yes	<i>Commissioner Beckendorff</i> – Yes

TREASURER

9. Discuss and take action to approve the 2023 Salary Order.

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote.

<i>Judge Trey Duhon</i> – Yes	<i>Commissioner Amsler</i> – Yes	<i>Commissioner Smith</i> – Yes
	<i>Commissioner Jones</i> – Yes	<i>Commissioner Beckendorff</i> – Yes

FIRE MARSHAL

10. Discuss and take action for ICS to install a booster system at the Precinct 4 annex. Funds to be paid from line item 241-595-561209 [ARP Miscellaneous].

Motion made by Commissioner Jones, seconded by Commissioner Beckendorff.

Motion carried by 5-0 vote.

<i>Judge Trey Duhon</i> – Yes	<i>Commissioner Amsler</i> – Yes	<i>Commissioner Smith</i> – Yes
	<i>Commissioner Jones</i> – Yes	<i>Commissioner Beckendorff</i> – Yes

17. Discuss and take action to approve General and No Litigation Certificate for Southeast Texas Housing Finance Corporation project.

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*

18. Discuss and take action to approve resolution authorizing County Judge to sign closing documents for the purchase of property ID 163221 next to the Precinct 3 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*

19. Discuss and take action to approve Exhibit C to the agreement with SEDALCO for design-build 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*

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 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*

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 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*

Returned to Agenda Item #12

12. Discuss and take action to approve various 2022 departmental line-item transfers.

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

- 22. 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.
- 23. Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725.
- 24. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.

Court convened to Executive Session at 10:41 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 Jones.
Motion carried by 5-0 vote.

<i>Judge Trey Duhon</i> – Yes	<i>Commissioner Amsler</i> – Yes	<i>Commissioner Smith</i> – Yes
	<i>Commissioner Jones</i> – Yes	<i>Commissioner Beckendorff</i> – Yes

Meeting was **ADJOURNED** at 11:08 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 4th day of January 2023.

Trey Duhon

 Carbett “Trey” J. Duhon, III
 County Judge