



WALKER COUNTY COMMISSIONERS COURT

1100 University Avenue
Huntsville, Texas 77340
936-436-4910



DANNY PIERCE
County Judge

DANNY KUYKENDALL
Commissioner, Precinct 1

RONNIE WHITE
Commissioner, Precinct 2

AGENDA
SPECIAL SESSION
MONDAY, MAY 16, 2022
1:30 P.M.
ROOM 104

BILL DAUGETTE
Commissioner, Precinct 3

JIMMY D. HENRY
Commissioner, Precinct 4

CALL TO ORDER

- Announcement by the County Judge whether a quorum is present.
- Certification that public Notice of Meeting was given in accordance with the provisions of Section 551.001 et. Seq. of the Texas Government Code.

GENERAL ITEMS

- Prayer – Pastor James Necker
- Pledge of Allegiance
- Texas Pledge – “Honor the Texas Flag, I pledge allegiance to thee, Texas, one state under God, one and indivisible”
- Citizens Input – Agenda Items

CONSENT AGENDA

None

STATUTORY AGENDA

Commissioners Court

1. Discuss and take action to accept the official election returns for the State Constitutional Amendment Election held on May 7, 2022. – Judge Pierce
2. Discuss and take action on the Appointment of the Labor Standards Officer for the GrantWorks/CDBG GLO Hurricane Harvey Grant, Contract No. 20-065-104-C279. – Judge Pierce

Planning and Development

3. Discuss and take action on Brad Carlton variance request to on-site sewage facility regulations of Walker County regarding Permit # 2021-0519. – Andy Isbell

EXECUTIVE SESSION

If during the course of the meeting covered by this notice, Commissioners Court shall determine that a closed meeting of the Court is required, then such closed meeting as authorized by Texas Government Code 551, subchapter D, will be held by the Commissioners Court at the date, hour, and place in this notice or as soon after the commencement of the meeting covered by this notice as the Commissioners Court may conveniently meet in such closed meeting concerning any and all subjects and for any and all purposes permitted by Chapter 551, subchapter D, inclusive of said Texas Government Code, including but not limited to:

Section 551.071 For the purpose of private consultation between the Commissioners Court and its attorney when the attorney's advice with respect to pending or contemplated litigation settlement offers, and matters where the duty of the Commissioners Court counsel to his client pursuant to the Code of Professional Responsibility of the State Bar of Texas clearly conflicts with the Open Meetings Act.

Section 551.072 For the purpose of discussion with respect to the purchase, exchange, lease, or value of real property, if deliberation in an open meeting would have a detrimental effect on the position of the Commissioners Court in negotiations with a third person

Section 551.073 For the purpose of deliberation regarding prospective gifts or to deliberate a negotiated contract for prospective gift or donation to the Commissioners Court or Walker County, if deliberation in an open meeting would have a detrimental effect on the position of the Commissioners Court in negotiations with a third person.

Section 551.074 For the purpose of considering the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee or to hear complaints or charges against a public officer or employee, unless such officer or employee requests a public hearing.

Section 551.076 To discuss the deployment, or specific occasions for implementation of security personnel or devices.

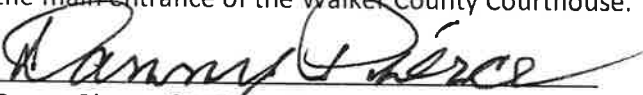
Section 551.086 Deliberation regarding economic development negotiations.

INFORMATION ITEMS

- Public Comment – Non-agenda items
- Questions from the media
- Commissioners Court

ADJOURN

On this 13th day of May, 2022, the Executive Administrator to the County Judge filed this notice, and was posted at the main entrance of the Walker County Courthouse.



Danny Pierce, County Judge

I, the undersigned County Clerk, do hereby state that the above Notice of Meeting of the above named Commissioners' Court, is a true and correct copy of said Notice, and I posted a true and correct copy of said Notice on the Courthouse Public Notices area of Huntsville, Walker County, Texas, at a place readily accessible to the general public at all times on the 13th day of May, 2022, and said Notice remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting.

Dated this 13th day of May, 2022.



Kari A. French, County Clerk

FILED FOR POSTING
At 8:55 o'clock A M

MAY 13 2022

KARI FRENCH, COUNTY CLERK
WALKER COUNTY, TEXAS
By 



COMMUNITY DEVELOPMENT & REVITALIZATION
The Texas General Land Office
Appointment of Labor Standards Officer

Subrecipient:	Walker County	Contract Number:	20-065-104-C279
---------------	---------------	------------------	-----------------

Labor Standards Officer:

I, Robert D. "Danny" Pierce	hereby appoint	John Groberg
Name of Mayor/County Judge		Name of Designated Officer

as the Labor Standards Officer for the aforementioned contract. The appointed Labor Standards Officer is assigned to oversee the labor portion of the contract and will be responsible for assuring compliance with all requirements under Title I of the Housing and Community Development Act of 1974 which requires the payment of Davis-Bacon Act prevailing wage rates (which are determined by the DOL) to all workers on GLO-CDR construction projects exceeding \$2,000 (42 USC §5310) and all other governing regulations.

The appointed Labor Standards Officer's contact information is:

2201 Northland Dr., Austin, TX 78756	
Address, City, State, and Zip Code	
(512) 420-0303	john.groberg@grantworks.net
Phone Number	Email
	5/10/2022
Signature of Labor Standards Officer	Date

Appointed **Alternate** Labor Standards Officer for the aforementioned contract. Note that an **Alternate** Labor Standards Officer is optional, but recommended.

The appointed **Alternate** Labor Standards Officer is:

Katie Angelo	
Name of Designated Alternate Officer	
2201 Northland Dr., Austin, TX 78756	
Address, City, State, and Zip Code	
(512) 420-0303	katie.angelo@grantworks.net
Phone Number	Email

I acknowledge the appointment and duties of Labor Standards Officer.

	5-12-22
Signature of Alternate Labor Standards Officer	Date

Signature of Elected Official	Title: (Mayor/County Judge)	Date

Disclaimer: The Texas General Land Office has made every effort to ensure the information contained on this form is accurate and in compliance with the most up-to-date CDBG-DR and/or CDBG-MIT federal rules and regulations, as applicable. It should be noted that the Texas General Land Office assumes no liability or responsibility for any error or omission on this form that may result from the interim period between the publication of amended and/or revised federal rules and regulations and the Texas General Land Office's standard review and update schedule.

VARIANCE REQUEST TO ON-SITE SEWAGE FACILITY REGULATIONS OF WALKER COUNTY, TEXAS

Copy all pages of this form and all attachments for (1) community official, (2) building owner.
If any section is not applicable to the proposed development project please mark that section "NA"

SECTION A – PROPERTY INFORMATION		FOR COUNTY USE ONLY
A1. Property Owner's Name Brad & Skye Carlton		Application Number:
A2. Building/Site Street Address 196 Morgan Spur Rd		Date of Submittal: May, 4 2022
City Bedias	State Tx	ZIP Code
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) G Robbins Tract 11 26.11 acres		
<p>THE ABOVE NAMED PERMIT APPLICANT DOES HEREBY MAKE AN APPEAL TO THE COMMISSIONER'S COURT OF WALKER COUNTY FOR A VARIANCE TO THE CONDITIONS OF PERMIT APPROVAL, REGULATORY REQUIREMENTS, AND/OR CONSTRUCTIONS STANDARDS REQUIRED BY THE WALKER COUNTY ON-SITE SEWAGE FACILITY REGULATIONS.</p>		
SECTION B – OTHER VARIANCE		
(All Variance requests need to include the specific variance along with the Section(s) of the Regulation to which they apply)		
<p>B1. A Variance is requested to Section(s) <u>285.33 (c)(d)(1)(C)</u> of the On-site Sewage Facility Regulations of Walker County, Texas and / or TAC 30, Chapter 285 as follows:</p> <p>UNC publication recommends 2-4 doses per day. Local soil conditions have proven that more doses per day at reduced dose allows for more efficient dosing and better evapotranspiration of effluent.</p> <p>Since the drainfield is below the pump elevation, the bypass valve is used as an anti siphon valve.</p> <p>Manifold connections to lateral lines may be connected directly without extensions to elevate laterals.</p> <p>Due to the heavy clay soil in this area, earthen dams are not needed, the clay sidewalls retain subsurface effluent.</p> <p>For trench examples, refer to UNC publication figure 8 ,pg 19. Designs may vary so long as they comply with design calculations</p>		
SECTION C – JUSTIFICATION AND PRESENTATION OF FACTORS EFFECTING VARIANCE		
(This section must be completed by a Registered Sanitarian or Engineer.)		
<p>C1. Is the variance being requested for a new on-site sewage facility, or for the modification of an existing OSSF?</p> <p>New <u>X</u> Existing _____</p>		
<p>C2. Has the proposed OSSF been installed prior to the request for or approval of a variance?</p> <p>Yes _____ Existing _____</p>		

Initial **EB**

C3. Please explain the cause or reason the variance is being requested (attach additional pages as "Exhibit F.3"):
Fewer doses of larger amount of effluent are prone to cause pooling of effluent.

Local soil and environmental conditions show that more frequent dosing allows for better dispersal.

C4. In the opinion of the below signed Registered Sanitarian or Registered Engineer responsible for the preparation of the planning materials that include the variance, will the on-site wastewater facility including the variant methods or installation measures requested provide conditions that will provide equivalent or greater protection of the public health and the environment by variant means?

Yes EB No _____

Please explain below:

Heavy clay soil on site is not conducive to effluent infiltration through soil column causing pooling on surface.

More Frequent doses of lesser volume allow for better evaporation and transpiration.

C5. Is the OSSF for which the variance is being requested being installed on an existing small lot or tract created before January 1, 1998?

Yes _____ No X

C6. Is the variance being requested for a separation distance?

Yes _____ No X

If the answer is to question F.4 is "Yes", then does the below signed Sanitarian or Engineer certify that to the best of his/her knowledge and ability that the provisions of TAC 30, Chapter 285 cannot be met on the site without the grant of a variance?

Yes X No _____

CERTIFICATION OF REGISTERED SANITARIAN OR ENGINEER

I, the below signed Engineer / Sanitarian do hereby certify that I have reviewed the planning materials and plans for the subject on-site sewage facility and have answered the questions in Section C to the best of my ability and in conformance with standard principles and practices. I further understand that my professional opinion may be relied upon for the issuance of a variance to the local order pertaining to on-site sewage facilities as it relates to equivalent protection of public health and safety and the environment, and a license to operate a system under said regulations.

Signature of Sanitarian/Engineer

Date
y 4, 2022



Printed Name of Sanitarian/Engineer

License #

Eddie Bolch

Initial EB

NOTICE

ALL INSTALLATION AND OPERATION OF THE ON-SITE SEWAGE FACILITY AND/OR ASSOCIATED DEVELOPMENT MUST BE IN STRICT COMPLIANCE WITH THE VARIANCES STATED HEREIN AND OTHER CONDITIONS STATED ON THE DEVELOPMENT PERMIT. ANY VARIATION WILL RESULT IN IMMEDIATE SUSPENSION OR TERMINATION OF THIS VARIANCE AND THE LICENSE TO OPERATE THE ON-SITE SEWAGE FACILITY. FLAGRANT VIOLATION OF THE CONDITIONS OF THIS VARIANCE MAY RESULT IN THE COMMISSIONER'S COURT SEEKING INJUNCTIVE RELIEF, CIVIL, OR CRIMINAL PENALTIES.

WARNING

THE GRANTING OF A VARIANCE IS LIMITED TO THE PERMITTING STANDARDS AND LOCAL REGULATORY STANDARD ONLY. THE APPLICANT ACKNOWLEDGES THAT HE/SHE IS RESPONSIBLE TO ENSURE THAT ANY VARIANCE DOES NOT DAMAGE OR THREATEN THE HEALTH OF OCCUPANTS OR NEARBY PROPERTIES OR PROPERTY OWNERS, AND COMPLIES WITH ALL OTHER MINIMUM LOCAL, STATE, AND FEDERAL REGULATIONS.

DISCLAIMER

THE COMMISSIONER'S COURT OF WALKER COUNTY AND ANY OFFICER OR EMPLOYEE OF WALKER COUNTY ARE **NOT** LIABLE FOR DAMAGES OR INJURIES RESULTING FROM A PERMIT FOR WHICH THIS VARIANCE IS GRANTED.

I, _____, do hereby acknowledge that I have reviewed the provisions, warnings, notices, and disclaimers stated above and that I understand them agree with them and intend to comply fully with them. I am fully aware that Walker County is not liable for damages resulting from the use of the on-site sewage facility or regulatory variance as approved for my property or facility. I further accept full responsibility for the risks, if any, associated with this variance. I also certify that the facts presented in this application are true, and that in the event I sell this property or structure in the future, that I will give notice of the variance to the purchaser prior to sale.

Signature of Owner/Applicant

Date

SECTION D – ACTION ON VARIANCE BY COMMISSIONER'S COURT

After careful consideration of the reasons for the request of variance, the Commissioner's Court of Walker County, Texas has determined that it is within the scope of the variance procedures as outlined in the Walker County Flood Plain Management Regulations to _____ this request for variance. This variance will expire in 12 months if the related license to operate is not issued within prior to that date.

Commissioner's Court Signature

Printed Name

Date