

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – FEBRUARY 22, 2017**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 22<sup>nd</sup> day of February 2017 at its meeting place in the Commissioners Courtroom of the Waller County Courthouse, Hempstead, Texas. The meeting was called to order by Presiding Judge Commissioner Justin Beckendorff at 9:00 a.m. with the following members of the Court present to-wit:

John A. Amsler, Commissioner Precinct 1  
Russell Klecka, Commissioner Precinct 2  
Jeron Barnett, Commissioner Precinct 3  
Justin Beckendorff, Commissioner Precinct 4- *Presiding Judge*  
Stephanie Tompkins, Deputy County Clerk

Absent: Carbett "Trey" J. Duhon III, County Judge

Delivery of Invocation by: Commissioner Amsler

Pledge to the American Flag and Texas Flag led by: Commissioner Barnett

1. Approval of Agenda.

Motion to **approve** by Commissioner Barnett seconded by Commissioner Klecka

**Motion carried.**

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

**PUBLIC COMMENT**

Kevin Neal - CenterPoint Energy  
Hershel Smith - Constable Pct. 3  
Robert Holloman - Maintenance

**CONSENT AGENDA (2-4 Items)**

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 - February 15, 2015 Regular Session

3. Request to approve payment on the following:

(a) \$787.50 for Invoice # 108826 to Fritz, Byrne, Head & Gilstrap, PLLC from line item 125-411-540300 [Legal] Pintail Landfill.

4. Request by County Auditor for approval and/or ratification of Accounts Payable. With the exception of Check #1113728 in the amount of \$395.00 payable to Texas Association of Counties for training and conference not paid due to cancellation of conference.

Motion to **approve consent agenda items** by Commissioner Barnett seconded by Commissioner Klecka

**Motion carried.**

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

**PROCLAMATION**

- 5. Discuss and take action to commend Greg Henry/Xpernet Services on the Katy Area Chamber of Commerce 2017 Stan and Patsy Stanley Entrepreneur of the Year Award.

Motion to **approve** by Commissioner Barnett seconded by Commissioner Klecka

**Motion carried.**

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

**COMMISSIONER, PRECINCT 3**

- 6. Discuss statements made during Public Comment of Waller County Commissioners Court on February 15, 2017.

Motion to **approve** by Commissioner Barnett seconded by Commissioner Klecka

**Motion carried.**

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

**TREASURER**

- 7. Discuss and take action to approve Treasurer’s Monthly Report.

Motion to **approve** by Commissioner Klecka seconded by Commissioner Barnett

**Motion carried.**

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

- 8. Discuss and take action to approve County Treasurer to establish a company account with DPS for the purpose of running criminal background checks on prospective employees, and to authorize County Treasurer to develop a policy for officials having the responsibility of hiring employees to request those background checks.

Motion to **approve** by Commissioner Klecka seconded by Commissioner Barnett

**Motion carried.**

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

- 9. Discuss and take action to approve periodic advance payments to DPS to purchase search credits for background checks to be paid from line item 125-411-568400 [Miscellaneous].

Motion to **approve** by Commissioner Klecka seconded by Commissioner Barnett

**Motion carried.**

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

**SHERIFF**

- 10. **Open Bids** for meat products, non-perishable food items, and produce food items for the Waller County Jail.

The following Bids were submitted and opened in Court:

- 1. Performance Food Group, meat products

2. Performance Food Group, non-perishable food items
3. Performance Food Group, produce food items

11. **Spread** upon the minutes, the Waller County Sheriff's Imprest Account Expenditures of Budget 2016.

**No action required.**

12. Discuss and take action to issue a check in the amount of \$2,510.50 from the Waller County Narc Program Income Fund to the Waller County Sheriff Imprest Fund in order to establish the Budget for 2017 in the amount of \$2,500.00.

Motion to **approve** by Commissioner Klecka seconded by Commissioner Barnett

**Motion carried.**

<i>Judge Trey Duhon – Absent</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Klecka – Yes</i>
	<i>Commissioner Barnett – Yes</i>	<i>Commissioner Beckendorff – Yes</i>

13. **Spread** upon the minutes, the Waller County Sheriff's Office Imprest Account Budget 2017.

**No action required.**

14. **Spread** upon the minutes, the Waller County Sheriff's Office Fed Forfeiture Fund Budget 2017.

**No action required.**

15. Discuss and take action to approve Jail Physician Agreement for 2017.

Motion to **approve** by Commissioner Klecka seconded by Commissioner Barnett

**Motion carried.**

<i>Judge Trey Duhon – Absent</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Klecka – Yes</i>
	<i>Commissioner Barnett – Yes</i>	<i>Commissioner Beckendorff – Yes</i>

## COUNTY ENGINEER

16. Public Hearing: The installation of Stop Signs on the following road:

- Two (2) Stop Signs on Rolling Hills Drive at Cedar Hill Drive. This will become a 4-way Stop intersection.

**Public Hearing began at 9:36 a.m.**

Commissioner Klecka

**Public Hearing ended at 9:37 a.m.**

17. Discuss and take action to approve the installation of Stop Signs on the following road:

- Two (2) Stop Signs on Rolling Hills Drive at Cedar Hill Drive. This will become a 4-way Stop intersection.

Motion to **approve** by Commissioner Barnett seconded by Commissioner Klecka

**Motion carried.**

<i>Judge Trey Duhon – Absent</i>	<i>Commissioner Amsler – Abstain</i>	<i>Commissioner Klecka – Yes</i>
	<i>Commissioner Barnett – Yes</i>	<i>Commissioner Beckendorff – Yes</i>

18. Discuss and take action to approve a variance to the Waller County Subdivision and Development Regulations regarding flag lots from Mr. Ernest Thomas.

Motion to **approve** by Commissioner Klecka seconded by Commissioner Barnett

**Motion carried.**

Judge Trey Duhon – Absent      Commissioner Amsler – Abstain      Commissioner Klecka – Yes  
Commissioner Barnett – Yes      Commissioner Beckendorff – Yes

- 19. Discuss and take action to approve the Final Plat of Reata Creek Subdivision in Precinct 1.
  - a. Letter of Credit provided for the required construction security for street and drainage construction.

Motion to **approve** by Commissioner Klecka seconded by Commissioner Barnett

**Motion carried.**

Judge Trey Duhon – Absent      Commissioner Amsler – Yes      Commissioner Klecka – Yes  
Commissioner Barnett – Yes      Commissioner Beckendorff – Yes

- 20. Discuss and take action to accept a proposal from Jones & Carter for engineering services in connection with Irons Creek Bridge on Clemons Switch Road, and Authorize the County Judge to execute said proposal. Funding for engineering services in this proposal to be paid from the April Flood 2016 expense line item (125-411-569000).

Motion to **approve** by Commissioner Klecka seconded by Commissioner Barnett

**Motion carried.**

Judge Trey Duhon – Absent      Commissioner Amsler – Yes      Commissioner Klecka – Yes  
Commissioner Barnett – Yes      Commissioner Beckendorff – Yes

- 21. Discuss and take action to approve the following line item transfer within the Road and Bridge Department:
  - Transfer \$103,412.00 from line item 110-530-587505 [Road Materials] to line item 110-530-581100 [Construction Equipment] to fund the new shop service truck and new patch truck.

Motion to **approve** by Commissioner Klecka seconded by Commissioner Barnett

**Motion carried.**

Judge Trey Duhon – Absent      Commissioner Amsler – Yes      Commissioner Klecka – Yes  
Commissioner Barnett – Yes      Commissioner Beckendorff – Yes

**ELECTIONS**

- 22. Discuss and take action to approve contract for Election Services Contract with Dan Teed.

Motion to **approve** by Commissioner Klecka seconded by Commissioner Barnett

**Motion carried.**

Judge Trey Duhon – Absent      Commissioner Amsler – Yes      Commissioner Klecka – Yes  
Commissioner Barnett – Yes      Commissioner Beckendorff – Yes

**MISCELLANEOUS**

- 23. Discuss and take action to approve Engineering and Surveying Services Agreement between Waller County and Jones | Carter in reference to the Texas Capital Fund Project to benefit Goya Foods.

Motion to **approve** by Commissioner Klecka seconded by Commissioner Barnett

**Motion carried.**

Judge Trey Duhon – Absent      Commissioner Amsler – Yes      Commissioner Klecka – Yes  
Commissioner Barnett – Yes      Commissioner Beckendorff – Yes

24. **Spread** upon the minutes the updated public notice related to the Texas Department of Agriculture Grant for infrastructure improvements.

**No action required.**

25. Discuss and take action to approve Inspection Contract Renewal Agreement with South Texas Environmental for inspection of Aerobic system located at the Waller County Justice of the Peace, Precinct 4 office.

Motion to **approve** by Commissioner Klecka seconded by Commissioner Barnett

**Motion carried.**

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

26. ~~Discuss and take action to approve payment to Hill's Construction from line item 600-600-587520 [Community Center].~~ **Item WITHDRAWN.**

27. 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 purchasing or leasing real property in Precinct 4 would have a detrimental effect on the position of the County in negotiations with third persons.

Motion to **approve** by Commissioner Barnett seconded by Commissioner Klecka

**Motion carried.**

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

## AUDITOR

28. Discuss and take action for approval of official documents and all monthly reports.

Motion to **approve** by Commissioner Barnett seconded by Commissioner Klecka

**Motion carried.**

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

## EXECUTIVE SESSION

Court **convened** to Executive Session at 10:02 a.m.

Court **reconvened** from Executive Session at 10:56 a.m.

29. Consultation with District Attorney and outside counsel about pending or contemplated litigation pursuant to Government Code Section 551.071.

30. Deliberate business and financial issues related to purchasing or leasing real property in Precinct 4 pursuant to Government Code Sections 551.072 and 551.0725.

31. 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 Klecka seconded by Commissioner Barnett

**Motion carried.**

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

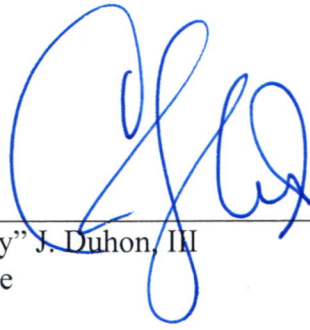
*Commissioner Klecka – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

Meeting was **ADJOURNED** at 10:58 a.m.

**APPROVED** this the 1<sup>st</sup> day of March 2017.



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Carbett "Trey" J. Duhon, III  
County Judge

ATTEST:

Debbie Hollan, County Clerk  
And Ex-Officio Clerk of the Commissioners'  
Court of Waller County, Texas



By: *Stephanie Tompkins*  
Stephanie Tompkins, Deputy County Clerk