

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – JANUARY 21, 2015

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 21st day of January 2015 at its meeting place in the Waller County Courthouse, Hempstead, Texas. The meeting was called to order by Waller County Judge Trey Duhon at 8:30 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
Russell Klecka, Commissioner Precinct 2
Jeron Barnett, Commissioner Precinct 3
Justin Beckendorff, Commissioner Precinct 4
Stephanie Tompkins, Deputy County Clerk

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 Beckendorff.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

2. **Approval of the minutes – 1 Set**

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Minutes approved: January 12, 2015 Regular Session

PUBLIC COMMENT

1. Don Garrett addressed the court concerning the Pintail host agreement.
2. Bill Huntsinger addressed the court concerning the Pintail host Agreement and ordinance.
3. Commissioner Jeron Barnett announced he will be hosting a Town Hall Meeting on February 2, 2015 at City Hall in Prairie View and then again on February 4, 2015 at the County Annex on FM 1887 in Monaville.

CONSENT AGENDA (Items 3-5h)

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.

3. Request by County Treasurer for approval of payroll.
4. Request by County Treasurer for approval and/or release of securities pledged by First National Bank of Bellville / Waller Branch.

5. Request to approve payment on the following:
- (a) \$50.00 for Invoice # 15544901 [Courthouse Burglar Alarm]
\$85.00 for Invoice # 15540901 [Replaced DVR at JP #3]
to TAC Security & Video from line item 117-428-568425 [Special Revenue Courthouse Security-Miscellaneous Security].
 - (b) \$2,250.00 for Invoice # AH008757
\$2,250.00 for Invoice # AH008756
to Harris County Treasurer from line item 125-423-540702 [Autopsy].
 - (c) \$499.00 for Invoice # 133175 [additional coverage for Radio Tower]
to Texas Association of Counties from line item 125-411-560300 [Ins Equip/Build/Pub Liab].
 - (d) \$55.96 for Invoice # 67791/2
\$36.10 for Invoice # 124286/1
to Hometown Hardware from line item 600-600-587518 [JP #2]
 - (e) \$5.25 for Invoice # 67736/2
\$72.96 for Invoice # 67867/2
to Hometown Hardware from line item 600-600-587519 [JP #3].
 - (f) \$1,624.65 for Invoice # 11706
\$980.00 for Invoice # 159260
to Waller County Butane from line item 600-600-581822 [Equip/Radio & Accessories]
 - (g) \$606.68 for Invoice # 9134381506
\$203.64 for Invoice # 9134432854
\$268.56 for Invoice # 9134462846
Credit of \$162.00 for Invoice # 9134499742
to HD Supply as follows: \$458.44 from line item 600-600-587518 [JP #2] and \$458.44 from line item 600-600-587519 [JP #3].
 - (h) \$7,500.00 for Invoice # 03864
to Brazos Valley Council of Governments from line item 125-525-546900 [Indigent Health/BVCOG].

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

TREASURER

6. Authorize Judge Duhon to sign TAC Risk Management Pool (RMP) member contact information.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

7. Authorize Judge Duhon to sign Texpool Resolution Amending Authorized Representatives.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

JUSTICE OF THE PEACE, PRECINCT 1

8. Request approval to purchase two (2) Dell Canon Image Formula DR-C225 Document Scanners for \$395.12 each. Total payment of \$790.24 to be taken from line item 119-429-581817 [Justice Court Technology Fund].

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

MAINTENANCE

9. Discuss and take action to select Contractor for Septic System for Justice of the Peace Precinct 4 building.

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

Motion to **amend** agenda item by Commissioner Beckendorff, seconded by Commissioner Barnett to approve **Brian Lucher Service, Inc.** bid \$10,800.00 for installation of septic system for Justice of the Peace, Pct 4 to be paid from line item 125-442-544700 [Repair and Replacement].

Amendment carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Amended Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

10. Discuss and take action to select Contractor for Roof Replacement for the Juvenile Probation building.

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

Motion to **amend** agenda item by Commissioner Beckendorff, seconded by Commissioner Barnett to select **Lone Star Roof Systems** for \$5,369.00 to replace the roof at the Juvenile Probation building to be paid from line item 125-442-544700.

Amendment carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Amended Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

COUNTY ENGINEER

11. **Public Hearing:** Establishment of speed limit and the installation of speed limit signs on Old Joseph Road: entire length of 20 mph.

Public Hearing began at 8:57 a.m.

No public comments received.

Public Hearing ended at 8:57 a.m.

12. Recommend the establishment of speed limit and the installation of speed limit signs on Old Joseph Road: entire length of 20 mph.

Motion to **approve** by Commissioner Barnett, seconded by Commissioner Amsler.

Motion carried.

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

13. Recommend and approve advertising for the establishment of speed limits and the installation of speed limit signs on the following roads:

- Old Houston Highway: ~~entire length within Unincorporated Waller County~~ **Beginning at FM 359 to FM 362** at 45 mph.
- Brumlow Road: ~~from Cochran~~ **from FM 359** to Blinka Road at 45 mph.

Advertising to be posted in the following newspapers of general circulation: Times Tribune and News Citizen, and payment for advertising to be funded from line item 125-401-544100 [Bid Notices and Printing], followed by a public hearing during the regular session of Commissioners' Court on February 11, 2015.

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

Motion to **amend** agenda item by Commissioner Amsler, seconded by Commissioner Klecka to change Old Houston Highway to begin at FM 359 to FM 362 at 45 mph and change Brumlow Road from FM 359 to Blinka Road at 45 mph.

Amendment carried.

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

Amended Motion carried.

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

Advanced to Agenda Items #23-#25

14. Recommend the approval to purchase One (1) 2015 Freightliner with 2000 gallon asphalt distributor from Freightliner of Austin utilizing Tx. Buy Board Contract #430-13. Total purchase price of \$172,630.00 to be funded from line item 110-530-588100 [Construction Equipment].

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

Motion carried.

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

15. Recommend the approval to accept the termination letter from Inland Environmental & Remediation for the bid for Crushed Limestone for 2015.

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

Motion carried.

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

16. Request approval to advertise for Competitive Bids and payment for advertising to be funded from line item 125-104-544100 [Bid Notices and Printing] for: Cold Mix Asphaltic Pavement, Crushed Limestone, and Precoated Aggregate.

Advertising to be posted in the following newspapers of general circulation: Times Tribune and News Citizen, and payment for advertising to be funded from line item 125-401-544100 [Bid Notices and Printing],

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

TAX ASSESSOR COLLECTOR

17. Discuss and approve refunds in excess of \$500.00 in accordance with section 31.11 Texas Tax Code.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

MISCELLANEOUS

18. Discuss and take action to approve Official Oath and Bond for Elected Officials.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

19. Discuss and take action to approve payment of \$24,469.40 for invoice # 5417 to Power Associates, Inc. from line item 600-600-581822 [Equip/Radio & Accessories] for battery backup system for radio tower.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

20. Discuss and take action to approve payment of \$35,933.00 to Texana Center as allocated in the 2015 Budget from line item 125-411-542254 [Texana Ctr Behavioral Healthcare Clinic].

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

21. Discuss and take action to approve the private resale offer for Lot 1, Block 50, Town of Hempstead, Waller County, Texas, tax account R19537, currently held in trust by Waller County, in the amount of \$2,900.00 by Mr. Edward Garza and authorize the County Judge to sign a resale deed for said property to Mr. Edward Garza.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

AUDITOR

22. Request by County Auditor for approval and/or ratification of Accounts Payable.
Motion to **approve and/or ratify** by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

EXECUTIVE SESSION

Court convened to Executive Session regarding Agenda Items #23 and #25 at 9:13 a.m.

23. Discussion and possible action regarding case entitled *City of Hempstead and Citizens Against the Landfill in Hempstead v. Waller County, Texas, et al.*; Cause No. 13-03-21872; In the 506th Judicial District Court of Waller County, Texas; Waller County Ordinance No. 2013-001 and the Host Agreement between Waller County, Texas and Pintail Landfill, L.L.C. [Executive Session as requested [pursuant to Texas Government Code, Title 5, Subchapter D. Section 551.071 9 (Consultation with Attorney)].
25. Consultation with District Attorney about pending or contemplated litigation.

Court reconvened from Executive Session regarding Agenda Items #23 and #25 at 12:16 p.m.

24. Reconvene into Open Session for Potential Action Resulting from Executive Session.
No action taken – item **WITHDRAWN**.

Returned to Agenda Item 14

ADJOURN MEETING

Motion to **adjourn** meeting by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

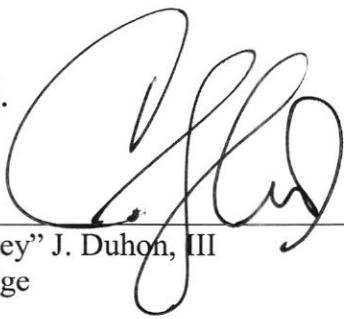
Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 12:18 p.m.

APPROVED this the 11th day of February 2015.



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, Deputy County Clerk