

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
TUESDAY – FEBRUARY 7, 2017

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Tuesday, the 7th 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 Waller County Judge Trey Duhon at 9:06 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
Debbie Hollan, 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 Beckendorff seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

PUBLIC COMMENT

1. Pat Bruegger - Addressed court on Agenda items 12& 19

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 1, 2017 Regular Session

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

(a) Two invoices dated January 27, 2017 for \$1065.00 each for a total of \$2,130.00 to Schmidt Funeral Home from line item 125-423-540705 [Transport to Morgue].

(b) \$540.00 to Tyler Technologies for Annual Maintenance support for Eagle QuickDocs Recording Software from line item 115-426-545512 [County Clerk Records Preservation Fund].

(c) \$1,102.50 to Tyler Technologies for Annual Connectivity & Maintenance Support for Eagle Recorder Software from line item 115-426-545512 [County Clerk Records Preservation Fund].

(d) \$1,128.00 to DataBank for Annual Maintenance on Canon DR-GI130 Scanner from line item 115-426-545512 [County Clerk Records Preservation Fund].

4. Request by County Auditor for approval and/or ratification of Accounts Payable.

Motion to **approve consent agenda items** 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

COUNTY ENGINEER

5. Discuss and take action to approve the variance request to the Waller County Subdivision and Development Regulations regarding minimum lot sizes from Mr. Mayo Culp.

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

Motion FAILED.

Judge Trey Duhon – No

Commissioner Amsler – No

Commissioner Klecka – No

Commissioner Barnett – No

Commissioner Beckendorff – No

6. Discuss and take action to approve a variance request to the Waller County Subdivision and Development Regulations regarding the minimum width of a detention pond berm from CenterPoint.

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

Motion to **amend** by Commissioner Beckendorff seconded by Commissioner Barnett by **changing the width to 15 feet.**

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

7. Discuss and take action to approve advertising of 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.

Advertising to be posted in the following newspaper of general circulation: Waller County News Citizen, 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 22, 2017.

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

COUNTY JUDGE

8. **PUBLIC HEARING:**

Public hearing on possible nuisance(s) in accordance with Chapter 343 of the Texas Health and Safety Code located at or about 3103 Clemons Switch Road in Brookshire, Waller County, Texas. Said hearing will be conducted for the purpose of determining

is such nuisance(s) exist, and for the determination of appropriate actions for abatement and any other actions authorized by law.

Public Hearing began at 9:40 a.m.

Winford Roberts explained situation to court.

Public Hearing ended at 10:03 a.m.

Motion **made** by Judge Duhon seconded by Commissioner Barnett to uphold the June letter declaring this property a nuisance, this property will be abated in 30 days.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler - Abstained

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

9. Discuss and take action to consider and approve landscaping contractor for Waller County Community Center.

Motion **made** by Judge Duhon and seconded by Commissioner Amsler to select **Cannon Companies**.

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 Representative for the H-GAC Area Emission Reduction Credit Organization Advisory Committee.

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

Motion to **amend** by Commissioner Beckendorff seconded by Commissioner Barnett to select **Yancy Scott** to serve as Representative for the H-GAC Area Emission Reduction Credit Organization Advisory Committee.

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

11. ~~Discuss and take action to approve Fire Marshal job description and approve advertising for job opening for two consecutive weeks in the News Citizen, Waller Times, Times Tribune and Hot Line. Funds to be paid from line item 125-401-544100 [Bid Notices and Printing].~~ **Item WITHDRAWN**

Court recessed at 10:45 a.m.

Court reconvened at 10:52 a.m.

CONSTABLE, PRECINCT 2

12. Discuss and take action to approve the official bond on Milton O’Gilvie as a Reserve Deputy for Precinct 2 Constable Office.

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

13. **Spread** upon the minutes the 2016 Waller County Constable Pct. 2 Office Racial Profiling Report.
No action required.

CONSTABLE, PRECINCT 3

14. Discuss and take action to approve the official bond on Robert Lee Wilson as a Reserve Deputy for Precinct 3 Constable Office.

Motion to **approve** by Commissioner Beckendorff seconded by Commissioner Klecka.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Abstained *Commissioner Beckendorff – Yes*

SHERIFF

15. Discuss and take action to approve the Resolution for the 2017 Homeland Security Grant Program for the purchase of Robotics Avatar and authorize the County Judge to certify and submit the grant.

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

16. Discuss and take action to approve the Resolution of the CJD Justice Assistance Grant for the purchase of 30 Panasonic Toughbook's, mounts, net motion software, and additional Computer Aided Dispatch Software and authorize the County Judge to certify and submit the grant.

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

17. Discuss and take action to approve the Resolution for the CJD Violence Against Women's Grant to fund a full-time Sexual Assault Investigator and authorize the County Judge to certify and submit the grant.

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 Order Authorizing Texas Independence Day Fireworks Sales.

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

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

