

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – FEBRUARY 28, 2018

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 28th day of February 2018 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 9:01 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 – *dismissed from Court at 10:48 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 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. Shawn Geiman addressed the court regarding a dog kennel near his home.

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** – February 20, 2018 Regular Session

3. **Request by County Treasurer for approval of payroll.**

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

(a) \$2, 065.00 for Invoice to Schmidt Funeral Home \$365.00 from line item 125-423-540705 [Transport to Morgue] and \$1,700.00 from line 125-411-561502 [Pauper Burial].

(b) \$12,312.69 for Invoice # TH05055318 to Otis Elevator from line item 125-411-545001 [Maintenance Contracts].

(c) \$2,887.00 for Invoice # AH016352 to Harris County from line item 125-423-540702 [Autopsy].

5. **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

PROCLAMATION

6. Discuss and take action to approve Proclamation honoring Major Joe Hester.

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

7. **Presentation** by Steve Robinson of Allen Boone Humphries Robinson LLP on the Waller County Transportation Authority. *No action required.*

8. ~~Discuss and take action to approve Video Magistrate Services Agreement with NetProtec LLC.~~ **Item WITHDRAWN.**

WALLER COUNTY ECONOMIC DEVELOPMENT

9. **PUBLIC HEARING:** Designating the following property as a reinvestment zone under Chapter 312 of the Texas Tax Code. Interested persons may speak or present evidence for or against the designation.

Twinwood Business Park, property located $\frac{3}{4}$ of a mile south of I-10, west of and adjacent to Woods Road, northeast of FM 359 approximately 2.2 miles south of I-10 & FM 359, and north of the Waller/Fort Bend County line.

Public Hearing began at 9:25 a.m.

Mr. Steve Robinson provided information regarding the proposed business park.

Public Hearing ended at 9:30 a.m.

10. Discuss and take action to approve the Reinvestment Zone Order for Twinwood Business Park and authorize County Judge to sign Order Designating the Reinvestment Zone.

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

11. Discuss and take action to approve Tax Abatement Agreement between Waller County, Welcome Sub 55, LLC, and MAN Diesel & Turbo North America, Inc. and authorize the County Judge to sign Agreement.

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

12. Discuss and take action to approve Amended Tax Abatement Agreement with Burckhardt Compression (US) Inc.

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

CONSTABLE, PRECINCT 4

13. **Spread** upon the minutes the 2017 Racial Profiling Report for Waller County Constable Precinct 4. *No action required.*

TREASURER

14. Discuss and take action to approve ACA Reporting and Tracking Services (ARTS) 2018 Renewal Confirmation Program Agreement with Texas Association of Counties.

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

FIRE MARSHAL

15. Discuss and take action to approve amendments to the Waller County Fire 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

16. Discuss and Take action to appoint members to the Waller County Fire Code Board of Appeals.

Motion to **appoint the members as suggested by Marshall Cantrell** by Commissioner Beckendorff, seconded by Commissioner Barnett.

Motion to **approve** 2 years for the first 2 members listed - Frank Rodriguez and Frank Jackson, and 3 years for the last 2 members listed – Hollis Ulbright and Roger Bailey 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

17. Discuss and take action to designate Tonya Mewis as the Waller County Designated Representative for TCEQ.

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

18. Discuss and take action to approve advertising for the sale of scrap metal. Advertising to be posting in the following newspaper of general circulation: Waller County News

Citizen. Payment to be funded from line item 125-401-544100 [Bid Notices and Printing].

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 rescind the previous Commissioners' Court action on January 3, 2018 in reference to awarding of the bids on All Season Pre-Coated Patching Mixture and Crushed Limestone and award as follows: Award All Season Pre-Coated Patching Mixture to Waller County Asphalt and award Crushed Limestone to Heise Trucking to be delivered to Hempstead and Brookshire Yard and award BWF Freight to be delivered to job site.

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

20. **Public Hearing:** Re-plat of Pederson Road Business Park.

Public Hearing began at 10:03 a.m.

County Engineer Mr. Yancy Scott provided information for re-plat.

Public Hearing ended at 10:04 a.m.

CONSTRUCTION MANAGER

21. Discuss and take action to approve agreement with SEDALCO, INC. for Construction Manager at Risk services for the construction of a new jail, Sheriff's office, and courtroom.

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

22. ~~Discuss and take action to modify actions of Commissioners' Court on January 3, 2018 regarding all competitive bids for the Road and Bridge Department.~~

Item WITHDRAWN.

23. 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 1 would have a detrimental effect on the position of the County in negotiations with third persons.

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

24. **Spread** upon the minutes Certification of Funds for Constable, Precinct 4, LEOSE Funds in the amount of \$678.00. *No action required.*

25. Discuss and take action to amend the 2018 Budget to accommodate Constable, Precinct 4, LEOSE Funds.

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

26. **Spread** upon the minutes Certification of Funds for the Sheriff's Office, 2018 LEOSE Funds in the amount of \$5,573.00. *No action required.*

27. Discuss and take action to amend the 2018 Budget to accommodate the Sheriff's Office, LEOSE funds.

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

28. Discuss and take action to approve official documents and all monthly reports.

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

EXECUTIVE SESSION

Convened to Executive Session at 10:29 a.m.

29. Deliberate business and financial issues related to purchasing or leasing real property in Precinct 1 pursuant to Government Code Sections 551.072 and 551.0725.

30. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.

31. Reconvene in Open Session to take any action necessary on matters discussed in Executive Session.

Reconvened from Executive Session at 10:55 a.m.

No action taken from Executive Session

ADJOURN MEETING

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

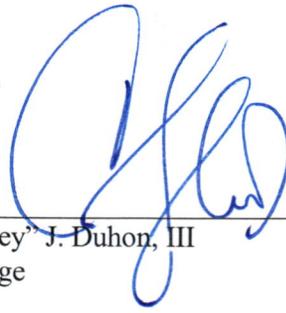
Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 10:55 a.m.

APPROVED this the 7th day of March 2018.



Carbett "Trey" J. Duhon, III
County Judge

ATTEST:



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

