

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – MARCH 8, 2017

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 8th day of March 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 9:01 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
Debbie Hollan, County Clerk

Absent: Justin Beckendorff, Commissioner Precinct 4

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 – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Absent

PUBLIC COMMENT

1. Mr. Yancy Scott, Waller County Engineer advised flood plain maps are available at the Road & Bridge Department and the County Clerk's office.

CONSENT AGENDA (2-7 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 – March 1, 2017 Regular Session**

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

(a) \$1,025.00 for Invoice to Magnolia Funeral Home, Inc. from line item 125-423-540705 [Transport to Morgue].

(b) \$2,887.00 for Invoice #AH013864 to Harris County Auditor from line item 125-423-540702 [Autopsy].

(c) \$100.00 for Invoice # 201700387 to LJA Engineering from line item 125-411-545001 [Maintenance Contracts] for LUKE Monthly Management Services.

(d) \$400.00 for Invoice to Post Oak RC&D Area. Inc. from line item 125-411-562300 [County Organizational Dues] for 2017 Annual Sponsorship.

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

5. Discuss and take action to approve the traffic control plan for the Spartan Race on Joseph Road to be held on March 11, 2017.
6. Discuss and take action to approve a Utility Permit to install a fiber optic line in the ROW of Rollins Road, west of Kellner Rd.
7. Discuss and take action to approve a Utility Permit to install a fiber optic line in the ROW of Kingsland Blvd. and Pederson Road.

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

Motion carried.

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

COUNTY JUDGE

8. Discuss and take action to approve request by Dean Allred to use the Community Center on a continued basis for one evening a month for the Waller County 4H horse club.

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

Motion to **table** agenda item by Commissioner Amsler, seconded by Commissioner Barnett.

Motion carried – Item TABLED.

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

COMMISSIONER, PRECINCT 2

9. Discuss and take action to contract with an Independent Auditor to audit the Sheriff Office weapons. Additionally, such audit to be overseen by the Department of Alcohol, Tobacco, and Firearms.

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

Motion to **table** agenda item by Commissioner Klecka, seconded by Commissioner Amsler.

Motion carried – Item TABLED.

<i>Judge Trey Duhon – Yes</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Klecka – Yes</i>
	<i>Commissioner Barnett – No</i>	<i>Commissioner Beckendorff – Absent</i>

CONSTABLE, PRECINCT 2

10. Discuss and take action to approve the donation from Tex B. Martin in the amount of \$4,408.00 to be placed in line item 125-512-568436 [~~Gregory/Martin/Donation~~]
125-000-472210.

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

Motion to **amend** by Judge Duhon, seconded by Commissioner Amsler by changing the line item to 125-000-472210.

Amendment carried.

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

Amended Motion carried.

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

CONSTABLE, PRECINCT 4

11. **Spread** upon the minutes the 2016 Racial Profiling Report for Waller County Constable Precinct 4.
No action required.

TAX ASSESSOR-COLLECTOR

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

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Absent

SHERIFF

13. Discuss and take action to approve the CodeRed Next Services Agreement.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Absent

MISCELLANEOUS

14. 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 – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Absent

Advanced to Agenda Item #17

15. ~~Discuss and take action to appoint a Construction Manager. Item WITHDRAWN.~~
16. ~~Discuss and take action to approve advertising for Construction Manager job opening for one month in the Houston Construction News. Funds to be paid from line item 125-401-544100 [Bid Notices and Printing]. Item WITHDRAWN.~~

EXECUTIVE SESSION

Court **convened** to Executive Session at 10:12 a.m.

Court **reconvened** from Executive Session at 1:25 p.m.

17. Consultation with District Attorney and outside counsel about pending or contemplated litigation pursuant to Government Code Section 551.071.
18. 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.

19. Deliberate the appointment of a Construction Manager pursuant to Government Section 551.074.
20. 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 Barnett, seconded by Commissioner Klecka.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Absent

Meeting was **ADJOURNED** at 1:26 p.m.

APPROVED this the 15th day of March 2017.

Carbett "Trey" J. Duhon, III
County Judge

ATTEST:

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

