

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – APRIL 26, 2017**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 26<sup>th</sup> day of April 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 9:03 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  
Justin Beckendorff, Commissioner Precinct 4  
Debbie Hollan, County Clerk

Absent: Jeron Barnett, Commissioner Precinct 3

Delivery of Invocation by: Commissioner Amsler

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

1. **Approval of Agenda.**

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

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

**PUBLIC COMMENT** - None

**CONSENT AGENDA (2-6 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 – April 19, 2017 Regular Session**

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

4. **Request by County Treasurer for approval of Treasurer's Monthly Report.**

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

(a) \$2,265.00 for invoice payable to Schmidt Funeral Home to be paid from the following: \$565.00 from line item 125-423-540705 [Transport to Morgue] and \$1,700.00 from line item 125-411-561502 [Pauper Burial Expense].

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

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

8. **Discuss and take action to approve Agreement between Waller County and Navasota Soil and Water Conservation District No. 440 and approve payment of \$2,000.00 as allocated in the 2017 Budget. Funds to be paid from line item 125-411-547330 [Soil & Water Conservation].**

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

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

## **SHERIFF**

9. **Presentation** by the Waller County Sheriff's Office Foundation in regards to the Waller County Sheriff's Office Data Management System.

No action required.

10. Discuss and take action to accept the donation of "Waller County Sheriff's Office Data Management System" as created by Wise Information Technology for use by the Waller County Sheriff's Office and as given by the Waller County Sheriff's Office Foundation made possible from donation from Belva Cardiff.

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

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

*Advanced to Agenda Item #19*

## **COUNTY JUDGE**

11. **Spread** upon the minutes the resignation of Janet Harris from the Waller County Child Welfare Board.

No action required.

## **COUNTY ENGINEER**

12. Discuss and take action to transfer \$20,000.00 from line item 110-530-537501 and \$20,000.00 from line item 110-530-547508 [Inside Repair] for a total of \$40,000.00 to line item 110-530-547509 [Outside Repairs].

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

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

13. Discuss and take action to approve the resolution and an amendment to the Waller County Subdivision and Development Regulations regarding variances.

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

**Motion FAILED.**

*Judge Trey Duhon – No*

*Commissioner Amsler – No*

*Commissioner Klecka – No*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – No*

## **TAX-ASSESSOR COLLECTOR**

14. Discuss and take action to authorize the County Judge to sign two tax resale deeds for the private tax resale of three properties currently held in trust by Waller County pursuant to Section 34.05(h)(2) of the Texas Tax Code.

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

**Motion carried.**

**AUDITOR**

- 15. Request by County Auditor for approval of official documents and all monthly reports.  
Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Klecka.

**Motion carried.**

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

- 16. **Spread** upon the minutes the Annual Financial Report for Fiscal Year 2016.  
No action required.

**DISTRICT ATTORNEY**

- 17. Discuss and take action to increase part-time investigator salary in the District Attorney’s Office from funds already budgeted in 2017 for the position.

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

**Motion carried.**

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

- 18. Discuss and take action to create part-time attorney/intern position in the District Attorney’s Office during the absence of Assistant District Attorney Noah Johnson while he is serving in the U.S. military. No additional County funds will be needed outside what is already budgeted for 2017.

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

**Motion carried.**

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

***Proceeded to Agenda Item #20***

**MISCELLANEOUS**

- 19. Discuss and take action to publish notices in the Waller County News Citizen **and Times Tribune** for public hearings to establish the following reinvestment zones under Chapter 312 of the Texas Tax Code:

- Houston Executive Airport, 1900 Cardiff Road, Brookshire, Texas 77423
- Goya Foods, Inc., 30602 Goya Road, Brookshire, Texas 77423

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

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

Motion to **amend** by Commissioner Amsler, seconded by Commissioner Beckendorff to publish in the Times Tribune too.

**Amendment carried.**

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

**Amended Motion carried.**

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

***Returned to Agenda Item #11***

20. Discuss and take action to approve a resolution for a public tax resale of trust property as set forth on Exhibit "A" of the Resolution.

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

**Motion carried.**

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

21. 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 Beckendorff, seconded by Commissioner Klecka.

**Motion carried.**

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

**EXECUTIVE SESSION**

Court **convened** to Executive Session at 10:20 a.m.

22. Consultation with District Attorney and outside counsel about pending or contemplated litigation pursuant to Government Code Section 551.071.
23. 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.

Court **reconvened** from Executive Session at 11:00 a.m.

24. 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 Beckendorff, seconded by Commissioner Klecka.

**Motion carried.**

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

Meeting was **ADJOURNED** at 11:00 a.m.

**APPROVED** this the 3<sup>rd</sup> day of May 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

