

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – JUNE 28, 2017**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 28<sup>th</sup> day of June 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 9:00 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. Dr. Walter Pendleton apologized for his public comments made at the 6/14/2017 Commissioners Court as well as commended the court for observing the Juneteenth Holiday.
2. Dr. Denise Mattox addressed the court regarding the County Jail.
3. Commissioner Jeron Barnett advised of a Blood Drive being held at the Waller County Community Center from 9:00 a.m. to 2:00 p.m. on Saturday, July 8, 2017.

**CONSENT AGENDA (2-5 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 – June 21, 2017 Regular Session**
3. **Request to approve payment on the following:**
  - (a) \$2,887.00 for Invoice # AH014542, \$2,887.00 for Invoice # AH014543, and \$2,887.00 for Invoice # AH014544 for a total of \$8,661.00 to Harris County from line item 125-423-540702 [Autopsy].
  - (b) \$1,000.00 for Invoice # NRDD-0002655-LE to Texas Association of Counties Risk Management Pool from line item 125-411-560300 [Ins Equip/Build/Pub Lia].
4. **Discuss and take action to approve Official Bond and Oath for Dykeba Bryant Reserve Deputy Constable for Precinct 3.**

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

**WALLER COUNTY CHILD WELFARE**

6. **Presentation** by Ben Tibbs on the status of the Child Welfare Board.

No action required.

**COUNTY ENGINEER**

7. Discuss and take action to approve the variance request to the Waller County Subdivision and Development Regulations regarding minimum acreage from Mr. and Mrs. Celerino Lopez.

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

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

**Motion carried – Item TABLED.**

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

8. Discuss and take action to approve the variance request to the Waller County Flood Damage Prevention Ordinance regarding the Minimum Flood Elevation from Mr. Johnny Wilson, Jr.

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

Motion to **amend by** Commissioner Amsler, seconded by Commissioner Klecka to grant the variance subject to conditions of the flood analysis and to be reviewed one year from today.

**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

9. Discuss and take action to accept the proposal from LJA Engineering to provide GIS Services to Waller County. Funding for these services will be paid from line item 110-530-545800 [Professional Consultant/Flood Plain Mgmt.] and will not exceed \$5,000.00.

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

10. Discuss and take action to approve the Infrastructure Development Plan for Summer Breeze RV Resort on Wilpitz Rd. in Precinct 4.

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

**Motion carried.**

Judge Trey Duhon – Yes

Commissioner Amsler – No

Commissioner Klecka – No

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

*Court recessed at 11:05 a.m.*  
*Court reconvened at 11:14 a.m.*

11. Discuss and take action to transfer \$800.00 from line item 110-524-534100 [Postage] and \$3,000.00 from line item 110-524-581800 [Furniture & Equipment] to line item 110-524-530500 [Office & Drafting].

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 a Local Public Agency (LPA) agreement with the Texas Department of Transportation on a project to widen FM 1488 from West of Joseph Road to FM 149 (in Montgomery County) and authorize County Judge to sign necessary documents.

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. Discuss and take action to add the following roads with the Willow Creek Farms subdivision into the County Maintained Road Log:

Road	Section No.
Boulder Bend Ln.	Section 2 & 3
Daisy Field Ln.	Section 3 & 5
Golden Field Ln.	Section 4 & 6
Katy Brook Ln.	Section 3
Meadow Creek Ln.	Section 6
Morgan Creek Ln	Section 5
Spring Rock Ln.	Section 3
Willow Park Dr.	Section 6
Winding Creek Ln.	Section 1

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*

14. Discuss and take action to approve contract with Alpheus to improve the internet services for the Road and Bridge Department at a cost of \$1,155.00 per month. Funding to be paid from line item 125-411-542501[Telephone/Equip & Srv.].

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. ~~Discuss possible abandonment, vacation, or discontinuation of approximately 650 LF of Clemons Switch Road up to and including the bridge over Irons Creek, in Precinct 4.~~

~~This will necessitate the dedication of ROW and construction of approximately 250 LF of road to maintain public access to the new bridge. Item WITHDRAWN.~~

16. Discuss and take action to approve consultant contract with Collaborative Communities to assist with Hazard Mitigation Grant Program applications for grant funds for FEMA disaster No. 4272.

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*

## **CONSTRUCTION MANAGER**

17. Discuss and take action to approve contract with U.S. Capital Advisors as financial advisor for the proposed jail.

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 contract with Bickerstaff Heath Delgado Acosta LLP as bond counsel for the proposed jail.

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*

## **SHERIFF**

19. Discuss and take action to accept donations to the Waller County Sheriff's Department in the amount of \$110.00 from John P. Blackmon.

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*

## **MAINTENANCE**

20. Discuss and take action to transfer \$50,000.00 from line item 125-411-569600 [Contingency] to the following:

\$35,000.00 to line item 125-442-544700 [Repair and Replacement]

\$15,000.00 to line item 125-442-545400 [Contract Labor].

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**

21. Discuss and take action to approve Order Assessing Nuisance Abatements Costs on property located at 3103 Clemons Switch Rd, Brookshire, Texas.

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*

- 22. Discuss and take action to reappoint Sue Fagan to Position #8 on the Texana Center Board of Trustees for a two-year term.

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*

- 23. Discuss and take action to approve the 2017 appointments or nominations to the following H-GAC Advisory Committees:

- Yancy Scott - Area Emission Reduction Credit Organization
- Vince Yokom - Gulf Coast Economic Development District
- Yancy Scott – Regional Flood Management Council

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. 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**

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

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

*No Executive Session needed.*

**ADJOURN MEETING**

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

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

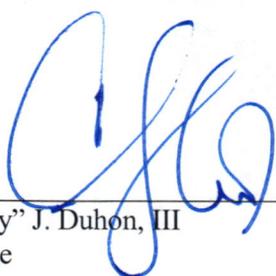
*Commissioner Klecka – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

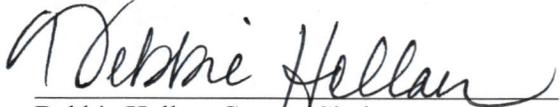
Meeting was **ADJOURNED** at 11:49 a.m.

**APPROVED** this the 5<sup>th</sup> day of July 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

