

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – SEPTEMBER 12, 2018

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 12th day of September 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 9:00 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** agenda 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 the court with flood issues and concerns.
2. Tracy Sebesta commented on agenda item #11 and advised of her support for the item.

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** – September 5, 2018 Regular Session
3. **Request to approve payment on the following:**
 - (a) \$675.00 for invoice to Lewis Funeral Home from line item 125-423-540705 [Transport to Morgue].
 - (b) \$80.00 for Invoice #18547409 [Courthouse, Hold-Up Alarm], and \$995.00 for Invoice #18112409 [Courthouse Camera Surveillance], for a total of \$1075.00 payable to TAC Security from line item 117-428-568425 [Courthouse Security/Misc. Security].
4. **Request by District Clerk for approval to transfer fixed assets to Disposal.**
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

PUBLIC HEARING

6. Public Hearing – Proposed Tax Rate, second hearing.

Judge Duhon announced the Waller County Commissioners are proposing to adopt a total tax rate of **\$.686856** cents per \$100 valuation, the same rate being a combination of rates for the Waller County General Fund rate of **\$.577765** and the Farm to Market Flood control rate of **\$.032878** and to the Debt Service Fund rate of **\$.076213**.

Commissioners Court will vote on the proposed tax rate on September 19, 2018 at 9:00 a.m. at its meeting place in the Waller County Courthouse located at 836 Austin Street, Hempstead, Texas.

Public Hearing began at 9:06 a.m.

The following public members addressed the court regarding the proposed budget and tax rate:

Tracy Sebesta

Shari Griswold

Irene Mattox

Pat Bruegger

David Luther

Public Hearing ended at 10:29 a.m.

COUNTY JUDGE

7. Report by Otilia Gonzales of Perdue Brandon Fielder Collins & Mott LLP on delinquent tax and fine and fee collection. *No action required.*

COUNTY ENGINEER

8. Discuss and take action to approve a variance request to the Subdivision and Development Regulations, Engineering Designs Standards, Section 3 – Flag Lot, regarding the length of staff portion of the lot, by Mr. Milton Thomas.

Motion to **approve** variance 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

9. Discuss and take action to approve a variance request to the Subdivision and Development Regulations, Engineering Design Standards, Section 12-Plat Required, regarding the division of land, by Mr. and Mrs. Reiff.

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

Advanced to Agenda item #11

10. **Discuss** Fill Dirt Requests for material taken from County ditches and drainage projects. *No action required.*

Proceeded to Agenda Item #13

11. Discuss and take action to approve the Infrastructure Development Plan of The Haven RV Park.

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. **Public Hearing:** On the application for the replat of Lot 2, Block, 2, Terre Verde, Section 1: and Lot 1, Block 2, Houston Oaks, Section 2, by Edward R. Grady, Jr. and Jedd Lester, Jr., and wife Teresa Diane Lester.

Public Hearing began at 11:04 a.m.

No public comments received.

Public Hearing ended at 11:04 a.m.

Returned to Agenda Item #10

SHERIFF

13. Discuss and take action to authorize the County Treasurer to continue to pay the salary and benefits for the Sexual Assault Investigator in the Sheriff’s Office at the current levels from September 1, 2018 until such time as the Violence Against Women Formula Grant is awarded by the Governor’s Office, funds to be transferred from department 516 for the payment of said salary and benefits if necessary.

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

Motion to **amend** by Commissioner Beckendorff, seconded by Commissioner Barnett ***not to exceed December 31, 2018.***

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

TREASURER

14. Discuss and take action to approve Payroll.

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

JUSTICE OF THE PEACE, PRECINCT 3

15. Discuss and take action to approve the purchase of the following:

Two (2) OptiPlex 5060 SFF, computers @ \$830.51 each,

Three (3) Dell 24 Monitors – E2417H @ \$144.39 each,

Two (2) Dell USB SoundBars – AC511 @ \$24.99 each,

Three (3) Dell Latitude 3590 Laptops @ ~~\$1,162.72~~ **\$1,218.00** each,

Four (4) Canon image Formula DR-C225, scanners @ \$426.54 each

One (1) HP Officejet all in one-printer @ ~~\$261.08~~ **\$384.00**,
One (1) HP 3-year Next Business-Day exchange @ \$55.80,
One (1) HP62XL Black cartridge @ \$32.07, and
One (1) HP2XL Tri-color cartridge @ 35.05

for a total of ~~\$7,722.49~~ **\$8,011.25** to be funded from line item 119-429-581815 [Technology Fund].

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

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

Motion carried – Item TABLED.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

MISCELLANEOUS

16. Discuss and take action to approve the following private tax resale bids:

(a) Lot 24, Block 6, Deerwood Lakes, Section 6, Waller County, Texas, tax account R18416, in the amount of \$660.00 from Randy D. and Karen E. Lawson; and

(b) Lot 23, Block 6, Deerwood Lakes, Section 6, Waller County, Texas, tax account R18415, in the amount of \$650.00 from Randy D. and Karen E. Lawson; and authorize the County Judge to execute a deed for said properties to Randy D. and Karen E. Lawson.

~~(c) Lot 20, Block 3, Deerwood Lakes, Section 4, Waller County, Texas, tax account R17667, in the amount of \$900.00 from Hillsboro Inlet, LLC; and **REJECTED**~~

~~(d) Lot 19, Block 3, Deerwood Lakes, Section 4, Waller County, Texas, tax account R17665, in the amount of \$900.00 from Hillsboro Inlet, LLC; and authorize County Judge to execute a deed for said properties to Hillsboro Inlet, LLC. **REJECTED**~~

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

Motion to **amend** by Commissioner Beckendorff, seconded by Commissioner Barnett to accept (a) and (b) and reject (c) and (d).

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

17. ~~Discuss and take action to approve Burn Ban. **Item WITHDRAWN.**~~

18. ~~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. **Item WITHDRAWN.**~~

EXECUTIVE SESSION

19. 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.
20. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.
21. 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 Barnett, seconded by Commissioner Beckendorff.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

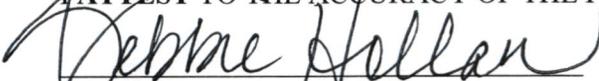
Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

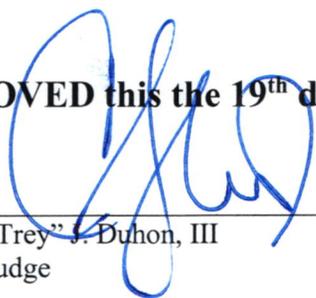
Meeting was **ADJOURNED** at 11:38 a.m.

WITNESS TO THE ACCURACY OF THE FORGOING MINUTES:


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



APPROVED this the 19th day of September 2018.


Carbett "Trey" J. Duhon, III
County Judge