

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – SEPTEMBER 26, 2018

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 26th 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. Mr. Yancy Scott, County Engineer advised he has bumper stickers available regarding flooding awareness as well as announced the Road & Bridge Department Employee of the Month for September is Charles "Jody" Hill.

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 19, 2018 Regular Session

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

4. **Request by County Treasurer for approval of Election Payroll.**

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

(a) \$6,799.10 for Invoice # 18477.-200.02200.-2-3 and \$6,823.59 for Invoice # 18477.-200.022200.-2-4 for a total of \$13,622.69 to Sedalco from line item 601-601-545405 [Professional Services] for Jail Project.

(b) \$4,625.00 for Invoice No., WC LD 758 to Dahvar from line item 600-600-587521 [Library].

(c) \$493,776.11 for Invoice #13 to Brinkley Sargent Wiginton Architects from line item 601-601-545405 [Professional Services] for Jail Project.

(d) \$ 2,030.00 for two invoices for \$1,015.00 each dated September 17, 2018 to Schmidt Funeral Home from line item 125-423-540705 [Transport to Morgue].

6. Request by County Auditor for approval and/or ratification of Accounts Payable.
7. Request by District Clerk to approve transfer of fixed assets to Disposal.
8. Request by County Engineer to approve an Access Easement form E. Scott Howell for trimming of trees on Howell Road, to provide added visibility along Rice Rd.
9. Request by County Engineer to approve payment of \$6,862.50 to Arborleaf Engineering & Surveying, Inc. for work design completed on the Hegar Road realignment project. Payment to be funded from line item 125-600-581615 [Capital Outlay].
10. Request by County Engineer to approve a Utility Permit for San Bernard Electric Coop, for the installation of one pole within the right-of-way of Blinka Road.
11. Request by County Engineer to approve a Utility Permit for Brookshire Municipal Water District, for the installation of PVC sewer force main pipe within the right-of-way of Garvie Lane.

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

Advanced to agenda items 23 & 24

WALLER COUNTY CHILD WELFARE

12. **Presentation** by Katina Harris on the status of the Child Welfare Board.
No action required.

Advanced to Agenda Item #16

CONSTRUCTION MANAGER

13. **Update** on the progress of the Justice Center Project. *No action required.*
14. Discuss and take action to approve amendment to the contract with SEDALCO for the Justice Center Project Site Development Package, including earthwork and site utilities.
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 and take action to issue Notice to Proceed to SEDALCO for Justice Center Site Development Package, including earthwork and site utilities.
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

Proceeded to Adjournment

ELECTION

16. **Update** Commissioners Court on voting addressing issue in Prairie View.
No action required.

COUNTY ENGINEER

17. Discuss and take action to approve a variance request to requirements of the Subdivision and Development Regulations, Engineering Design Standards, Section 2 – Lot size, regarding the minimum lot size per dwelling by Jose Jimenez.

Motion to **approve** variance request 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 a variance request to requirements of the Subdivision and Development Regulations, Engineering Design Standards, Section 2 – Lot size, regarding the minimum lot size per dwelling by Mr. and Mrs. Russell Wilhite.

Motion to **approve** variance request 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. **Public Hearing** on the application of the replat of Lots 5 and 6, Block One, Pinewood Valley subdivision by Timothy Phelan.

Public Hearing began at 10:22 a.m.

Mr. Tim Phelan provided information on the replat

Public Hearing ended at 10:23 a.m.

20. Discuss and take action to advertise for Competitive Bids for “Bridge Replacement on Heise Road at Rocky Creek”. Advertising to be posted on September 27th and October 4th, in the following newspaper of general circulation: The Brookshire Times Tribune. Payment for advertising 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

21. ~~Discuss and take action to approve Interlocal Agreement language with the Harris County Flood Control District installation and maintenance of flood gages in Waller County.~~ **Item WITHDRAWN.**

22. Discuss and take action to publish bid notice for nuisance abatement on Marti Lane in the Times Tribune. Payment for advertising 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.

Proceeded to Agenda Item #25

CONSTABLE, PRECINCT 2

- 23. Discuss and take action to approve the quote from Alphagraphics for \$ 533.18 for the printing of Resident Stickers in reference to the traffic issues with the Renaissance Festival. Funds to be paid from line item 125-512-568400 [Miscellaneous].

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

- 24. Discuss and take action to approve the transfer of \$ 534.00 from line item 125-411-569600 [Contingency] to line item 125-512-568400 [Miscellaneous].

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 #27

JUSTICE OF THE PEACE, PRECINCT 3

- 25. Discuss and take action to approve the replacement of the failed Access control system at JP3 Courtroom/Office. Total of \$11,142.00 payable to ICS from line item 123-431-568425 [Justice Court Security/Misc. Security].

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. Discuss and take action to approve transfer of \$860.00 from line item 125-420-531400 [Postage] to line item 125-420-568/426 [Office Security].

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

Proceeded to Agenda Item #28

SHERIFF

- 27. Discuss and take action to approve a FY2019 grant submission in the amount of \$3,055.00 to the National Rifle Association Foundation for the purchase of ammunition to be used for the Sheriff’s Office SWAT training and skill enhancement.

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

Returned to Agenda Item #12

FIRE MARSHAL

28. Discuss and take action to adopt the Resolution for Adoption of the Hazard Mitigation Plan for the H-GAC Region.

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

29. ~~Discuss and take action to award bid for debris removal services.~~ **Item WITHDRAWN.**

30. ~~Discuss and take action to award bid for all hazard preparedness, planning, consulting, and recovery services.~~ **Item WITHDRAWN.**

COUNTY CLERK

31. Discuss and take action to approve Lease Agreement with Xerox for new copier located in the County Clerk's Public Records Room in the amount of \$148.15 per month for 48 months. Funds to be paid form line item 125-403-545510 [Equipment Rent/Lease].

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

32. 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

MISCELLANEOUS

33. Discuss and take action to approve Fairgrounds Road to be turned into a one-way street throughout the duration of the Waller County Fair September 27, 2018 – October 7, 2018.

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

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

35. 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

36. 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 contract negotiations for the Justice Center Project 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

EXECUTIVE SESSION

Court convened into Executive Session at 10:40 a.m.

37. 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.
38. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.
39. Deliberate business and financial issues related to contract negotiations pursuant to Government Code Section 551.0725.
40. Reconvene in Open Session to take any action necessary on matters discussed in Executive Session.

Court reconvened from Executive Session at 11:28 a.m.

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

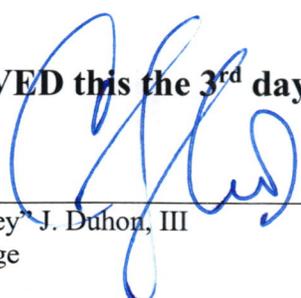
Meeting was **ADJOURNED** at 11:37 a.m.

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 3rd day of October 2018.


Carbett "Trey" J. Duhon, III
County Judge