

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – OCTOBER 3, 2018**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 3<sup>rd</sup> day of October 2018 at its meeting place in the Commissioners Courtroom of the Waller County Courthouse, Hempstead, Texas. The meeting was called to order by Presiding Judge Commissioner Jeron Barnett at 9:00 a.m. with the following members of the Court present to-wit:

John A. Amsler, Commissioner Precinct 1  
Russell Klecka, Commissioner Precinct 2  
Jeron Barnett, Commissioner Precinct 3  
Justin Beckendorff, Commissioner Precinct 4  
Stephanie Tompkins, Deputy County Clerk  
Absent: Carbett "Trey" J. Duhon III, County Judge

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** agenda by Commissioner Beckendorff, seconded by Commissioner Klecka.

**Motion carried.**

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Barnett – Yes*

*Commissioner Klecka – Yes*

*Commissioner Beckendorff – Yes*

**PUBLIC COMMENT**

Major Larry Cook with Sheriff's office recognized Sherry Rothen with the County Jail.

**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 26, 2018 Regular Session**

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

(a) \$2,887.00 for invoice # AH017845 to Harris County Treasurer from line item 125-423-540702 [Autopsy].

(b) \$1,065.00 for invoice dated September 25, 2018 to Schmidt Funeral Home from line item 125-423-540705 [Transport to Morgue].

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

5. **Request by County Engineer to accept the Easement Dedication adjacent to Wilpitz Road from Summer Breeze USA, LLC, and authorize the County Judge to sign the agreement.**

6. **Request by County Engineer to approve Access Easement from Mike Spurling for trimming of trees on Kyle Road.**

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

**Motion carried.**

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

**PROCLAMATION**

7. Discuss and take action to approve the Proclamation declaring October 2018 as Domestic Violence Awareness Month in Waller County.

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

**Motion carried.**

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

**EXTENSION SERVICES**

8. **Presentation** by the Waller County 4-H Ambassadors of the Texas A & M AgriLife Extension 4-H and Youth Development Program. *No action required.*

9. Discuss and take action to approve the proclamation presented by the Waller County 4-H Ambassadors declaring October 7-13, 2018 as “4-H Week in Waller County”.

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

**Motion carried.**

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

**CONSTABLE, PRECINCT 3**

10. Discuss and take action to approve the increase of Deputy Constables from 30 to 40 for the Constable, Precinct 3 office.

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

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

**Motion carried – Item TABLED.**

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

**Court recessed at 10:25 a.m.**

**Court reconvened at 10:30 a.m.**

**Advanced to Agenda Items #16 and #17**

**TREASURER**

11. Discuss and take action to approve the WF-Violence Against Women Formula Grant Salary Order.

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

**Motion carried.**

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

## TAX ASSESSOR-COLLECTOR

12. Discuss and take action to authorize the County Judge to sign one resale deed for the private tax resale of one property 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.**

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

## COUNTY ENGINEER

13. Discuss and take action to approve a variance request to the Subdivision and Development Regulations, Engineering Design Standards, Appendix A, Section 4.7 by Mr. Gary Elkins.

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

**Motion carried.**

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

14. Discuss and take action to advertise for Competitive Bids for “Hegar Road Intersection Relocation”. Advertising to be posted on October 11<sup>th</sup> and October 18<sup>th</sup>, in the following newspaper of general circulation: The Brookshire Times Tribune. Payment for advertising to be funded from 125-401-544100 [Bid Notices and Printing].

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

**Motion carried.**

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

## DISTRICT ATTORNEY

15. Discuss and take action to authorize the County Auditor to conduct the annual Chapter 59 audit of District Attorney Seized/Forfeiture Accounts.

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

**Motion carried.**

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

## **Proceeded to Agenda Item #18**

## AUDITOR

16. **Spread** upon the minutes the Certification of Funds in the WF-Violence against Women Formula Grant, Grant #3443602, in the amount of \$56,767.00 for Waller County Sheriff’s Office. *No action required.*

17. Discuss and take action to approve to amend the 2018-2019 Grant Budget to accommodate the WF-Violence Against Women Formula Grant, Grant #3443602, in the amount of \$56,767.00 for Waller County Sheriff’s Office.

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

**Motion carried.**

**Returned to Agenda Item #11**

**MISCELLANEOUS**

- 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.~~
- 19. ~~Discuss and take action to approve Burn Ban. Item WITHDRAWN.~~

**EXECUTIVE SESSION**

**Court convened to Executive Session at 10:41 a.m.**

- 20. 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.
- 21. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.

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

- 22. Reconvene in Open Session to take any action necessary on matters discussed in Executive Session. *No action taken.*

**ADJOURN MEETING**

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

**Motion carried.**

Meeting was **ADJOURNED** at 11:01 a.m.

I **ATTEST** TO THE ACCURACY OF THE FOREGOING MINUTES:

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

By: *Stephanie Tompkins*  
Stephanie Tompkins, Deputy County Clerk



**APPROVED this the 10<sup>th</sup> day of October 2018.**

*Justin Beckendorff*  
Commissioner Justin Beckendorff  
Presiding Judge