

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – OCTOBER 10, 2018**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 10<sup>th</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 Justin Beckendorff 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 – *Presiding Judge*  
Debbie Hollan, 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 Barnett

1. **Approval of Agenda.**

Motion to **approve** agenda by Commissioner Barnett, seconded by Commissioner Klecka.

**Motion carried.**

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Barnett – Yes*

*Commissioner Klecka – Yes*

*Commissioner Beckendorff – Yes*

**PUBLIC COMMENT**

Mr. Yancy Scott, County Engineer gave monthly update.

**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** – October 3, 2018 Regular Session

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

4. **Request by County Tax Assessor to approval of the 2018 Tax Roll.**

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

(a) \$ 1,090.00 for invoice dated September 29, 2018 to Schmidt Funeral Home from line item 125-423-540705 [Transport to Morgue].

6. **Request by County Engineer to approve a Utility Permit for CenterPoint Energy, for the installation of HP Service Pipe within the right-of-way of Morton Road.**

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

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

**Motion carried.**

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Barnett – Yes*

*Commissioner Klecka – Yes*

*Commissioner Beckendorff – Yes*

## COUNTY ENGINEER

8. Discuss and take action to approve a variance request to the Subdivision and Development Regulations, Engineering Design Standards, Section 2 – Lot size, regarding the minimum lot size per dwelling, by Mr. Claude Bryant.

Motion to **approve** variance request by Commissioner Barnett, seconded by Commissioner Klecka.

**Motion FAILED – Variance Denied.**

Judge Trey Duhon – Absent

Commissioner Amsler – No

Commissioner Klecka – No

Commissioner Barnett – No

Commissioner Beckendorff – No

9. Discuss and take action to approve a variance request to the Subdivision and Development Regulations, Engineering Design Standards, Section 2 – Lot size, regarding the minimum lot size per dwelling, by Ms. Letisia Balderas.

Motion to **approve** variance request by Commissioner Klecka, seconded by Commissioner Barnett.

**Motion FAILED – Variance Denied.**

Judge Trey Duhon – Absent

Commissioner Amsler – No

Commissioner Klecka – No

Commissioner Barnett – No

Commissioner Beckendorff – No

10. Discuss and take action to approve a variance request to the Subdivision and Development Regulations, Engineering Design Standards, Section 2 – Lot size, regarding the minimum lot size per dwelling, by Mr. and Mrs. John Laine.

Motion to **approve** variance request by Commissioner Klecka, seconded by Commissioner Barnett.

**Motion carried.**

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

11. **Discuss** anticipated end of year expenditures and necessary budgetary transfers for the Road and Bridge Department. *No action required.*

## IT

12. Discuss and take action to approve the cost and payment of local hardware usage for Backup Services as provided by Axcient/eFolder through Xpernet Services at the cost of \$552.00 per month. Funds to be taken from 125-441-540905 [Recovery & Retention].

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

**Motion carried.**

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

13. Discuss and take action to approve the cost and payment of off-site and encrypted/secure and virtual Disaster/Backup Services by Axcient/eFolder through Xpernet Services beginning September 2018 at the cost of

- a. Road & Bridge: \$150.00/Month
- b. DA Office: \$1,500.00/Month
- c. Courthouse: \$900.00/Month

For a total of \$2,550.00 per month to be funded from 125-441-540905 [Recovery & Retention].

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

**Motion carried.**

- 14. Discuss and take action to approve the cost and payment of backup services already provided and not yet invoiced for the Road & Bridge Department January through August 2018 at the rate of \$325.00/month as was invoiced/paid since January, 2017. Funds to be taken from 125-441-540905 [Recovery & Retention].

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

**Motion carried.**

- 15. Discuss and take action to approve funds transfer for the 2019 Budget to accommodate the annual Backup and Disaster Recovery costs as indicated:

- a. Transfer \$7,000.00 from 125-441-581700 [Equipment] to 125-441- 540905 [Recovery and Retention] for Budget year 2019.

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

Motion to **table** by Commissioner Klecka, seconded by Commissioner Barnett.

**Motion carried – Item TABLED.**

- ~~16. Discuss and take action to approve agreement between XperNet Services and Waller County for continued IT Support with an increase in cost of \$550.00 per month beginning in October 2018. Funds to be taken from 125-441-540900 [Professional Services] supported by existing 2018 and 2019 budgets. **Item WITHDRAWN.**~~

*Advanced to Agenda Item #20*

**ELECTIONS**

- 17. Discuss and take action to approve early voting hours for October ~~29~~ **28**, 2018.

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

Motion to **amend** agenda item by Commissioner Barnett, seconded by Commissioner Klecka to read **October 28, 2018.**

**Amendment carried.**

**Amended Motion carried.**

- 18. Discuss and take action to approve the following line item transfer within the Election Department Budget:

\$ 2,000.00 from 125-434-581826 [Election/Equipment Rental] to 125-434-531400 [Postage].

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

**Motion carried.**

19. Discuss and take action to approve three (3) temporary part time workers in the Election Office at the rate of \$15.00 per hour.

Motion to **approve** by Commissioner Barnett, 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 #21*

## **DISTRICT ATTORNEY**

20. Discuss and take action to authorize the County Treasurer to continue to pay the salary and benefits of the Victims' Assistant in the D.A.'s Office from line item 125-416-510030 [VOCA Clerk Salary] and/or from discretionary funds provided by the D.A. until such time as the grant is awarded from the Texas Governor's Office.

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

**Motion carried.**

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

*Court recessed at 10:15 a.m.*

*Court reconvened at 10:20 a.m.*

*Returned to Agenda Item #17*

## **AUDITOR**

21. Discuss and take action to approve quarterly reimbursement of Juror Payments.

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

**Motion carried.**

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

## **MISCELLANEOUS**

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

23. Discuss and take action to approve publication of notices in the Times Tribune for public hearings to establish reinvestment zones for Lone Star Development and Clay Development. Funding to be paid from line item 125-401-544100 [Bid Notices and Printing].

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

**Motion carried.**

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

24. ~~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**

- 25. 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.
- 26. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.
- 27. 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 Klecka, seconded by Commissioner Barnett.

**Motion carried.**

*Judge Trey Duhon – Absent*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

Meeting was **ADJOURNED** at 10:58 a.m.

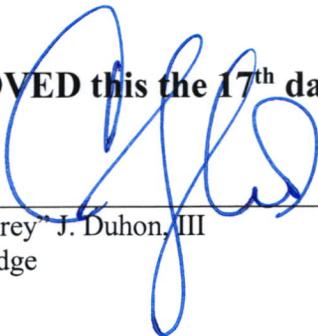
**FATTEST TO THE ACCURACY OF THE FORGOING MINUTES:**



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



**APPROVED this the 17<sup>th</sup> day of October 2018.**



Carbett "Trey" J. Duhon, III  
County Judge