

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – OCTOBER 21, 2015

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 21st day of October 2015 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. James Larry commented to the court his concerns on public safety within the City of Prairie View.
2. Irene Mattox addressed the court regarding a phone call she received concerning the local option alcohol election that is on the November ballot, she stated she is strongly against it.

CONSENT AGENDA (2-4 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** – October 14, 2015 Regular Session
3. **Request to approve payment on the following:**
 - (a) \$1,728.20 for Invoice # 2016-23 to H-GAC from line item 125-411-562300 [County Organizational Dues] for 2016 Membership Dues.
 - (b) \$2,887.00 for Invoice # AH010327 and \$2,887.00 for Invoice # AH010326 for a total of \$5,774.00 payable to Harris County Treasurer to be taken from line item 125-423-540702 [Autopsy].
4. **Request by County Auditor for approval and/or ratification of Accounts Payable.**

Motion to **approve consent agenda items #2-4** 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*

COMMISSIONER, PRECINCT 1

5. Discuss and take action on the request of the Honorable Judge June Jackson to hire outside legal counsel to represent her in Cause No 15-10-23386, Carbett “Trey” J. Duhon, III and Looney and Conrad, PC v. Honorable June Jackson, pending in the 506th District Court, Waller County, Texas.

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

Motion to **amend item to cover all contingencies** by Commissioner Amsler, seconded by Commissioner Klecka.

Amendment carried.

<i>Judge Trey Duhon – Abstained</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Klecka – Yes</i>
	<i>Commissioner Barnett – Yes</i>	<i>Commissioner Beckendorff – Yes</i>

Amended Motion carried.

<i>Judge Trey Duhon – Abstained</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Klecka – Yes</i>
	<i>Commissioner Barnett – Yes</i>	<i>Commissioner Beckendorff – Yes</i>

COMMISSIONER, PRECINCT 2

6. ~~Discuss and take action to release easement in Century Oaks Estates.~~

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

Legal Counsel, Elizabeth Dorsey, advised item needs to be withdrawn at this time.

Motion and second withdrawn – Item WITHDRAWN.

COMMISSIONER, PRECINCT 4

7. Discuss and take action to approve Resolution in support of household hazardous waste collection event and grant application for the Waller County Recycling Center.

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

Motion carried.

<i>Judge Trey Duhon – Yes</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Klecka – Yes</i>
	<i>Commissioner Barnett – Yes</i>	<i>Commissioner Beckendorff – Yes</i>

COUNTY ENGINEER

8. **Public Hearing:** On the replat of Walnut Ridge Subdivision, Lot 33; by Luis Vasquez.

Public Hearing began at 9:40 a.m.

Comments were heard from residents of Walnut Ridge Subdivision

Public Hearing ended at 9:47 a.m.

9. Discuss and take action to approve the replat of Walnut Ridge Subdivision, Lot 33 by Luis Vasquez.

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

Motion FAILED.

<i>Judge Trey Duhon – No</i>	<i>Commissioner Amsler – No</i>	<i>Commissioner Klecka – No</i>
	<i>Commissioner Barnett – No</i>	<i>Commissioner Beckendorff – No</i>

CONSTABLE, PRECINCT 3

10. Discuss and take action to approve transfer of \$35,000 from line item 125-600-581901 [Capital Outlay] to line item 125-513-581400 [Constable, Precinct 3 – Vehicles].

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

ELECTIONS ADMINISTRATOR

11. Discuss and take action to amend the Cost Estimate for the Waller ISD Bond Election to be held jointly with Waller County on November 3, 2015.

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 supplemental lists of presiding and alternate judges submitted by the Republican and/or Democratic Party Chairs.~~

Item WITHDRAWN.

MISCELLANEOUS

13. Discuss and take action to approve Agreement between Waller County and Texana Center.

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 Interlocal Agreement with Harris County for performance of Postmortem Examinations by Harris County Institute of Forensic Sciences.

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 approve payment of \$750.00 for Invoice # 105316 to Fritz, Byrne, Head & Fitzpatrick, PLLC from line item 125-411-540300 [Legal] Pintail Landfill.

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

16. Discuss and take action to approve payment of \$8,211.20 for Invoice # 105317 to Fritz, Byrne, Head & Fitzpatrick, PLLC from line item 125-411-540300 [Legal] Objection to CenterPoint Power Lines.

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

- 17. Consultation with District Attorney about pending or contemplated litigation pursuant to Government Code Section 551.071.

Court **convened** to Executive Session at 9:54 a.m.
Court **reconvened** from Executive Session at 10:12 a.m.

- 18. ~~Consultation with Attorney JD Head of Fritz, Byrne, Head & Fitzpatrick, PLLC, via telephone conference call, regarding contested case hearing in SOAH Docket No. 582-14-3597, and 2011 Landfill Ordinance [Executive Session as requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].~~ **Item WITHDRAWN.**

- 19. ~~Consultation with Attorney JD Head of Fritz, Byrne, Head & Fitzpatrick, PLLC, via telephone conference call, regarding pending or contemplated litigation with CenterPoint Energy Houston Electric, LLC [Executive Session as requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].~~ **Item WITHDRAWN.**

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

No action taken from Executive Session.

ADJOURN MEETING

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

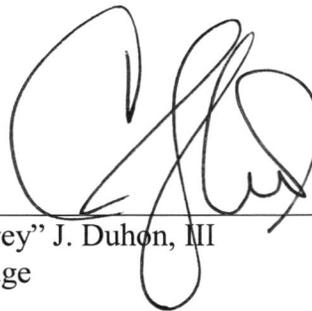
Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 10:13 a.m.

APPROVED this the 28th day of October 2015.



Carbett "Trey" J. Duhon, III
County Judge

ATTEST:



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

