

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – OCTOBER 24, 2018

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 24th 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 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

Mr. David Luther commented on the recent lawsuit filed against Waller County.

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 17, 2018 Regular Session**
3. **Request by County Treasurer for approval of Payroll.**
4. **Request by County Treasurer for approval of Treasurer's Monthly Report.**
5. **Request to approve payment on the following:**
 - (a) \$1,720.00 for invoice dated October 11, 2018 to Schmidt Funeral Home from line item 125-411-561502 [Pauper Burial Expense].
 - (b) \$2,887.00 for invoice #AH018025 to Harris County Treasurer from line item 125-423-540702 [Autopsy].
 - (c) \$7,500.00 for invoice # 05379 to Brazos Valley Council of Governments from line item 125-525-546900 [BVCOG].
6. **Request by County Tax Assessor Collector to approve refunds in excess of \$500.00 in accordance with section 31.11 Texas Tax Code.**

7. Request by County Auditor for approval and/or ratification of Accounts Payable.
8. Request by County Engineer to approve the final plat of Welcome Group MDT.
9. Request by County Engineer to approve the final re-plat of Lots 5 and 6, Pinewood Valley, Subdivision.

Motion to **approve** consent agenda 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

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. Yanez.

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

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

Motion carried – Item TABLED.

<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>

11. 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. George Molina.

Motion to **approve** variance request 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>

12. 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. William Reiff.

Motion to **approve** variance request 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>

13. Discuss and take action to award bid for: “Nuisance Abatement on Marti Lane”.

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

Motion to **amend** by Commissioner Beckendorff, seconded by Commissioner Barnett to award bid to Ray’s Tractor and Back Hoe Service.

Amendment 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>

Amended 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>

- 20. Discuss and take action to approve the purchase of One (1) CW-16 Pneumatic Compactor through HGACBuy for the purchase price of \$105,604.61. Financing to be provided by Caterpillar Financial Services Corporation, if deemed the best terms. First annual payment to be in arrears option, where first payment will be due in 2020.

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 #22

COUNTY JUDGE

- 21. Discuss and take action to approve a statement or letter of position to the HGAC Transportation Policy Council regarding Texas Central Railway’s proposed Dallas to Houston High Speed Rail project.

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 #23

CONSTABLE, PRECINCT 4

- 22. Discuss and take action to ~~create a vehicle budget line for Constable Precinct 4 and~~ approve payment for lease agreement with Enterprise and the purchase of equipment of vehicle from Siddons-Martin Emergency Group.

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

Motion to **amend** agenda item by Commissioner Beckendorff, seconded by Commissioner Barnett by striking out the creation of vehicle budget line.

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

Advanced to Agenda Items #33-36

CONSTRUCTION MANAGER

- 23. Discuss and take action to approve account creation for Verizon Wireless to add 2 Verizon JetPacks for internet usage to be utilized by the construction trailer until such time wired services can be achieved. Cost of \$37.99 each per month for data services and devices are free.

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

Motion to **amend** agenda item by Commissioner Beckendorff, seconded by Commissioner Barnett to be paid from line item 601-601-5810000.

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

FIRE MARSHAL

- 24. Discuss and take action to adopt resolution designating a management service provider for application and project implementation of the 2019-2020 Community Development funds as administered by the Texas Department of Agriculture.

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

Motion to **amend** by Commissioner Beckendorff, seconded by Commissioner Barnett designating Grant Works.

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

- 25. Discuss and take action to select an administration service provider to complete application and project implementation for the CDBG-Disaster Recovery funding through the General Land Office Community Development and Revitalization.

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

Motion to **amend** by Judge Duhon, seconded by Commissioner Barnett selecting Grant Works.

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

- 26. Discuss and take action to approve leasing a Ford F150 with Enterprise Fleet Management.

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

COMMUNITY SUPERVISION

- 27. Discuss and take action to approve the transfer of \$1,000.00 from line item 125-519-581800 [Furniture & Equipment] and \$574.00 from line item 125-519-530100 [Supplies] for a total of \$1,574.00 to line item 125-519-581813 [Copier/Printer].

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

28. **Spread** upon the minutes the Certification of Funds for the VA-Victims of Crime Act Formula Grant Program, Grant # 1888611, for the Waller County District Attorney's Office. *No action required.*
29. Discuss and take action to amend the 2018-2019 Grant Budget to accommodate the VA-Victims of Crime Act formula Grant Program, Grant #1888611, for the Waller County District Attorney's Office.

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

TREASURER

30. Discuss and take action to approve VOCA Grant Salary Order.

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

31. Discuss and take action to publish request for proposals for IT support services in the Times Tribune.

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

32. Discuss and take action to approve publication of notice in the Times Tribune for a public hearing to establish a reinvestment zone for Rooms To Go. Funding to be paid 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

Proceeded to Adjournment

33. ~~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

Court convened into Executive Session at 9:49 a.m.

- 34. ~~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.~~
Item WITHDRAWN.
- 35. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.

Court reconvened from Executive Session at 11:14 a.m.

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

Returned to Agenda Item #21

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 11:32 a.m.

WITNESSETH TO THE ACCURACY OF THE FORGOING MINUTES:

Debbie Hollan

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



APPROVED this the 31st day of October 2018.

Jeron Barnett
Commissioner Jeron Barnett
Presiding Judge