

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – OCTOBER 26, 2016

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 26th day of October 2016 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 9:01 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** 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

PUBLIC COMMENT

1. Pat Bruegger provided comments and concerns regarding Agenda Item #12

CONSENT AGENDA (2-5 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 19, 2016 Regular Session
3. Request by County Treasurer for approval of payroll.
4. Request to approve payment on the following:
- (a) \$2,264.05 for Invoice # 0003472 to Johnston, LLC from line item 600-600-587520 [Community Center].
- (b) \$675.00 for Invoice to Lewis Funeral Home from line item 125-423-540705 [Transport to Morgue].
- (c) \$100.00 for Invoice # 201610429 to LJA Engineering, Inc. from line item 125-411-545001 [Maintenance Contracts] for LUKE Monthly Management Services.
- (d) \$3,000.00 for Invoice # 107864 to Fritz, Byrne, Head & Fitzpatrick, PLLC from line item 125-411-540300 [Legal] Pintail Landfill.
5. Request by County Auditor for approval and/or ratification of Accounts Payable.

Motion to **approve consent agenda items** 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

EXTENSION SERVICES

6. **Presentation** by Dr. Dale A. Fritz, District Extension Administrator on Waller County Extension Agent – Family and Consumer Sciences candidate.

No action required.

7. Discuss and take action to approve appointment of Waller County Extension Agent - Family and Consumer Sciences candidate Mrs. Amanda Shortt as requested by Dr. Dale A. Fritz, District Extension Administrator to be effective November 1, 2016.

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

COUNTY JUDGE

8. Discuss and take possible action on Burn Ban.

No action taken – Burn Ban remains in effect from October 12, 2016.

ECONOMIC DEVELOPMENT

9. Discuss and take action to approve grant administration contract with Municipal Development Services for administration services in connection with the Texas Community Development Block Grant.

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

MAINTENANCE

10. Discuss and take action to select a contractor for the installation of the countertop at the tax office to be funded from line item 125-442-544700 [Repair and Replacement].

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

Motion to **amend** by awarding bid to **Mr. Sanchez for \$4,200.00** by Commissioner Amsler, seconded by Commissioner Barnett.

Amendment carried.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Amended Motion carried.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

11. Discuss and take action to approve the installation of the bullet resistant glass at the tax office by Austin County Glass. Total of \$21,914.00 to be funded from line item 125-442-544700 [Repair & Replacement].

Motion to **approve** 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

CONSTABLE, PRECINCT 3

12. Discuss and take action to approve the bond and oath for Johanna Sharmise Milam as a Reserve Deputy for Pct. 3.

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

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

Motion carried – Item TABLED.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Barnett – Yes

Commissioner Klecka – Yes

Commissioner Beckendorff – Yes

COUNTY ENGINEER

13. Discuss and take action to approve a variance request to the Subdivision and Development Regulations, Drainage Criteria Manual by Fuel Maxx No. 34 along FM 359 in Brookshire, Texas.

Motion to **approve** 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

14. Discuss and take action to approve the advertising of the installation of Stop signs on the following roads:

- One (1) Stop Sign on Kingsland Blvd. at Pappas Drive
- Two (2) Stop signs on Kingsland Blvd. at Willow Falls Lane

Advertising to be posted in the following newspaper of general circulation: Waller County News Citizen **and Brookshire Times Tribune**, payment for advertising to be funded from line item 125-401-544100 [Bid Notices and Printing], followed by a public hearing during the regular session of Commissioners Court on November 23, 2016.

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

Motion to **amend** agenda item by Commissioner Barnett, seconded by Commissioner Amsler by adding **Brookshire Times Tribune**.

Amendment carried.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Barnett – Yes

Commissioner Klecka – Yes

Commissioner Beckendorff – Yes

Amended Motion carried.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Barnett – Yes

Commissioner Klecka – Yes

Commissioner Beckendorff – Yes

15. Discuss and take action to approve the replat of Saddle Creek Forest Subdivison, Section 1, Lots 6-11 & Reserve A and C, Block 1, by CenterPoint Energy Houston Electric LLC and Saddle Creek Forest Property Owner Association, Inc., and authorize the County Engineers office to issue a public notice in the Waller County News Citizen for three consecutive weeks starting October 27, establishing a public hearing on November 23, 2016.

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

Motion carried.

- 16. Discuss and take action to accept the 1-yr. maintenance bond in the amount of \$200,000.00 for the roads and associated drainage within Kickapoo Preserve Section 1, from 5758 Construction, LP.

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

Motion carried.

- 17. Discuss and take action to approve the advertising for Competitive Bids and payment for advertising to be funded from line item 125-401-544100 [Bid Notices and Printing] for:

ALL SEASON PRE-COATED PATCHING MIXTURE (ASPPM) GRADATION IV
 COLD MIX ASPHALTIC PAVEMENT
 CONSTRUCTION EQUIPMENT RENTAL
 CRUSHED CONCRETE
 CRUSHED LIMESTONE
 DEBRIS, REMOVAL REDUCTION & DISPOSAL
 EMULSIFIED ASPHALT & HAULING
 GASOLINE AND DIESEL FUELS
 HAULING SERVICES FOR GRAVEL & AGGREGATE MATERIAL
 HIGH DENSITY POLYETHYLENE (HDPE) PIPE
 HOT MIX ASPHALTIC CONCRETE PAVEMENT (HMAC) & HAULING, FOR PCT. 1 AND PCT. 2
 HOT MIX ASPHALTIC CONCRETE PAVEMENT (HMAC) & HAULING, FOR PCT. 3 AND PCT. 4
 HYDRATED LIME
 MOWING CONTRACT
 PRECOATED AGGREGATE
 RECLAIMED ASPHALT PAVEMENT]
 REINFORCED CONCRETE PIPE
 ROADSIDE VEGETATIVE MANAGEMENT
 STABILIZED SAND
 USED TANK CARS

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

Motion carried.

- 18. Discuss and take action to approve line item transfers within the Road and Bridge Department Budget:

\$4,775.00 from line item 110-530-537100 [Nuisance Abatement] to line item 110-524-530500 [Office & Drafting Supplies]

\$19,750.00 from line item 110-530-581815 [Equipment Rental] to the following line items:

- \$15,000.00 to 110-530-58712 [Asphalt & Hauling]
- \$1,500.00 to 110-524-544900[Service Contracts/Repairs Leases]
- \$250.00 to 110-524-568400 [Miscellaneous]
- \$1,000.00 to 110-530-569922 [Diesel Fuel Tax]

\$2,000.00 to 110-524-563000 [Training & Conference Expense]

\$80,000.00 from line item 110-530-537501 [Fuel] to line item 110-530-587400 [Mowing ROW].

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

19. Discuss and take action to approve payment to Hill's Construction in the amount of \$72,434.19 from line item 600-600-587520 [Community Center].

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

20. Discuss and take action to approve payment of \$7,500.00 to Brazos Valley Council of Governments as allocated in the 2016 Budget from line item 125-525-546900 [BVCOG] for quarterly payment.

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

21. Discuss and take action approve the private tax resale offer for the following properties:

(a) Lot 241. Deerwood Lakes, Section 2, Waller County, Texas, tax account R17445 in the amount of \$1,000.00 by Mr. Greg Graham,

(b) Lot 264, Deerwood Lakes, Section 2, Waller County, Texas, tax account R17469 in the amount of \$1,000.00 by Mr. Greg Graham,

(c) Lot 242, Deerwood Lakes, Section 2, Waller County Texas, tax account R17446 in the amount of \$1,000.00 by Mr. Greg Graham,

(d) Lot 224, Deerwood Lakes, Section 2, Waller County, Texas, tax account 17428 in the amount of \$1,000.00 by Mr. Greg Graham

and authorize the County Judge to sign 4 resale deeds for said properties to Mr. Greg Graham.

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

AUDITOR

22. Discuss and take action to approve Engagement Letter between Waller County and Rutledge Crain and Company, PC.

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

23. **Spread** upon the minutes the Certification of Funds for the Homeland Security Grant for the Hand-Held and Mobile Radios, Grant #2961602.

No action required.

24. Discuss and take action to amend the 2016 Grant Budget to accommodate the Homeland Security grant for Hand-Held and Mobile Radios, Grant #2961602.

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

25. Discuss and take action to approve official documents and all monthly reports.

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

EXECUTIVE SESSION

26. Consultation with District Attorney and outside counsel about pending or contemplated litigation pursuant to Government Code Section 551.071.

Court **convened** to Executive Session at 10:04 a.m.

Court **reconvened** from Executive Session at 10:34 a.m.

27. 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 Klecka, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

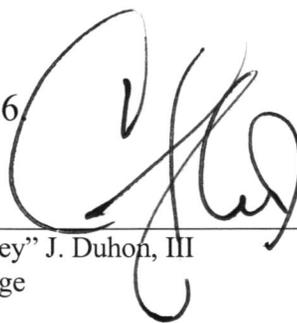
Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 10:35 a.m.

APPROVED this the 2nd day of November 2016



Carbett "Trey" J. Duhon, III
County Judge

ATTEST:



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

