

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – OCTOBER 31, 2018

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 31st 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 – *Presiding Judge*
Justin Beckendorff, Commissioner Precinct 4
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 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 – None

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 24, 2018 Regular Session, October 24, 2018 Emergency Session

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

(a) \$75.00 for Invoice #1291 to West I-10 Chamber of Commerce from line item 125-411-562300 [County Organizational Dues].

(b) \$177,930.41 for Invoice #15 to Brinkley Sargent Wiginton Architects from line item 601-601-545405 [Professional Services] for Jail Project.

Motion to **approve** consent 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

Advanced to Agenda Item #24, Executive Session.

TREASURER

4. **Presentation** of services by Texas Association of Counties. *No action required.*

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5. Discuss and take action to approve authorization for the Waller County Treasurer to use discretionary judgement for additional insurance benefits or services.

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

ECONOMIC DEVELOPMENT

6. **PUBLIC HEARING:** Designating the following property as a reinvestment zone under Chapter 312 of the Texas Tax Code. Interested persons may speak or present evidence for or against the designation.

7.62 acres situated in the H. Hedgeperth Survey, Abstract Number 139, Waller County, Texas

Public Hearing began at 9:36 a.m.

No public comments received.

Public Hearing ended at 9:37 a.m.

7. Discuss and take action to approve the Reinvestment Zone Order and authorize the County Judge to sign Order Designating Reinvestment Zone for Reinvestment Zone 2018-10-001 Lone Star Spec Waller.

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

Motion carried.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

8. Discuss and take action to approve Tax Abatement Agreement with Texas Lone Star Development, LLC contingent upon the City of Waller's approval of an abatement agreement.

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

9. **PUBLIC HEARING:** Designating the following property as a reinvestment zone under Chapter 312 of the Texas Tax Code. Interested persons may speak or present evidence for or against the designation.

106.63 acres at the intersection of Brookshire Brookline Road and US Highway 90

Public Hearing began at 9:42 a.m.

Vince Yokom, Director of Waller County Economic Development provided information regarding the reinvestment zone.

Public Hearing ended at 9:44 a.m.

10. Discuss and take action to approve the Reinvestment Zone Order and authorize the County Judge to sign Order Designating Reinvestment Zone for Reinvestment Zone 2018-10-002 Clay Pederson Spec 01.

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

11. **Award bid for: "Hegar Road Intersection Relocation".**

Motion to **reject** bid by Commissioner Amsler, seconded by Commissioner Beckendorff.

Motion carried.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

12. Discuss and take action to approve line item transfers in the Road and Bridge Department Budget.

Motion to **approve** the list provided by Mr. Scott with the exception of item 4 and 10 by Commissioner Beckendorff, seconded by Commissioner Amsler.

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 remodel of the Road and Bridge Conference Room by AKC, All Kinds of Construction for a total of \$25,675.59. Payment to be funded by line item 110-524-536000 [Building Maintenance & Supplies].~~

Item WITHDRAWN.

MISCELLANEOUS

14. Discuss and take action to approve Resolution on the Indigent Defense Grant Program.

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

15. Discuss and take action to approve the following private tax resale bids:

- a. Lot 29, block 3, Deerwood Lakes, Section 5, Waller County, Texas, tax account R18013, in the amount of \$3,260.00;
- b. Lot 6, block, 5 Deerwood Lakes, Section 5, Waller County, Texas, account R18063, in the amount of \$2,173.68;
- c. Lot 218, Deerwood Lakes, Section 3, Waller County, Texas, tax account R17422, in the amount of \$3,546.32;

And authorize the County Judge to sign a tax resale deed for said properties to Greg Graham.

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

Motion carried.

Judge Trey Duhon – Absent

Commissioner Amsler – Abstained

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

16. Discuss and take action to approve the following private tax resale bids:

- a. Lot 4, block 7, Deerwood Lakes, Section 6, Waller County, Texas, tax account R18432, in the amount of \$543.00;
- b. Lot 5, block 7, Deerwood Lakes, Section 6, Waller County, Texas tax account R18433, in the amount of \$558.00;

And authorize the County Judge to sign a tax resale deed for said properties to Peyton Leal (MPS Property Group).

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

Motion carried.

Judge Trey Duhon – Absent

Commissioner Amsler – Abstained

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

17. Discuss and take action to approve the following private tax resale bid: Lot 12, block 3, Deerwood Lakes, Section 5, Waller County, Texas, tax account R17996, in the amount of \$711.77, and authorize the County Judge to sign a tax resale deed for said property to Solomon Emanuel.

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

Motion carried.

Judge Trey Duhon – Absent

Commissioner Amsler – Abstained

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Advanced to Agenda Items #19 - #23

CONSTRUCTION MANAGER

18. Discuss and take action to select a firm for construction materials testing services for the justice center project.

Court convened into Executive Session at 10:25 a.m.

Court reconvened from Executive Session at 11:08 a.m.

Motion to **select** HTS Services by Commissioner Beckendorff, seconded by Commissioner Amsler.

Motion carried.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Proceeded to Adjournment

DISTRICT ATTORNEY

19. Discuss and take action to approve agreement with Bickerstaff Heath Delgado Acosta for the provision of professional legal services.

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

AUDITOR

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

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

Motion carried.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

21. Discuss and take action to approve agreement with AT & T and authorize the County Judge to sign said agreement.

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

Motion carried.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes
Commissioner Barnett – Yes

Commissioner Klecka – Yes
Commissioner Beckendorff – Yes

22. Request by County Auditor to **spread** upon the minutes Certification of FEMA funds.
No action required.

23. Discuss and take action to approve to amend the 2018 Budget to accommodate FEMA funds.

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

Motion carried.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes
Commissioner Barnett – Yes

Commissioner Klecka – Yes
Commissioner Beckendorff – Yes

Returned to Agenda item #18

EXECUTIVE SESSION

Court convened into Executive Session at 9:02 a.m.

24. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.

Court reconvened from Executive Session at 9:23 a.m.

25. 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 #4

ADJOURN MEETING

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

Motion carried.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes
Commissioner Barnett – Yes

Commissioner Klecka – Yes
Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 11:10 a.m.

WITNESS 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 7th day of November 2018.

Trey Duhon

Carbett "Trey" J. Duhon, III
County Judge