

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – OCTOBER 7, 2015**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 7<sup>th</sup> 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 9:02 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 Barnett – Yes*

*Commissioner Klecka – Yes*

*Commissioner Beckendorff – Yes*

**PUBLIC COMMENT**

1. James Larry addressed the court with his concerns about public safety and corruption within the City of Prairie View.
2. Carrie Gourley advised the court about the upcoming "Walk for Life" event for the Waller Pregnancy Care Center to be held on October 24, 2015 on the campus of Prairie View A&M University at 9:00 a.m.

**CONSENT AGENDA (2-3 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 – September 30, 2015 Regular Session**

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

Motion to **approve consent agenda items #2-3** by Commissioner Beckendorff, seconded by Barnett.  
Commissioner

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Barnett – Yes*

*Commissioner Klecka – Yes*

*Commissioner Beckendorff – Yes*

***Advanced to Agenda Item #12***

## JUSTICE OF THE PEACE, PRECINCT 4

4. Discuss and take action to transfer \$600.00 from line item 125-421-568400 [Miscellaneous] to line item 125-421-563000 [Travel & Conference].

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*

## COUNTY TREASURER

5. Discuss and take action to approve 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*

## COUNTY ENGINEER

6. Discuss and take action that the Court approve advertising the establishment of speed limit and the installation of speed limit signs on the following road:

- Fisk Lane – entire length – of 35 mph.

Advertising to be posted in the following newspapers of general circulation: Times Tribune and News Citizen, 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 October 28, 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*

7. Discuss and take action to approve variance request from the Waller County Drainage Criteria by Land Planning and Design Services for a proposed Dollar General Store located on FM 1488 at Remington Forest West.

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*

8. Discuss and take action to approve the transfer of \$9,000.00 from line item 110-530-581815 [Equipment Rental] to line item 110-524-536000 [building Maintenance & Supplies].

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*

## SHERIFF

9. Discuss and take action to authorize the auction of Sheriff Department salvage vehicles in accordance with Texas Local Government Code § 263.152.

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*

10. Discuss and take action to approve an Agreement to Sell by Public Auction with SWICO Auctions and authorize the County Judge to sign the same.

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*

## DISTRICT ATTORNEY

11. Discuss and take action to authorize the Waller County Auditor to conduct the Article 59 Forfeiture/Seizure Fund Audit as requested by the 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*

*Proceeded to Agenda Items #13*

## ELECTIONS ADMINISTRATOR

12. Discuss and take action to approve the supplemental lists of presiding and alternate judges as presented by the Republican and Democratic Party chairs.

Motion to **approve** 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*

*Advanced to Agenda Items #16 thru #19 – Executive Session*

## MISCELLANEOUS

13. Discuss and take action to approve the designation of Representatives and Alternates to the HGAC 2016 General Assembly.

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

Motion made by Commissioner Beckendorff, seconded by Commissioner Barnett to **appoint** Judge Trey Duhon as first Representative, Commissioner Justin Beckendorff as Alternate Representative, Commissioner John Amsler and Commissioner Russell Klecka as Alternates to General Assembly.

**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*

## AUDITOR

14. **Spread** upon the minutes the Certification of Funds for the VA-Victims of Crime Act Formula Grant Program, Grant # 1888609, in the amount of \$40,350.00 for Waller County District Attorney's Office.

No action required.

15. Discuss and take action for approval to amend the 2015-2016 Grant Budget to accommodate the VA-Victims of Crime Act formula Grant Program, Grant # 1888609 in the amount of \$40,350.00 for 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*

*Proceeded to Adjournment*

## EXECUTIVE SESSION

16. ~~Consultation with District Attorney about pending or contemplated litigation pursuant to Government Code Section 551.071. Item WITHDRAWN.~~

17. 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)].

18. 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)].

Court **convened** to Executive Session at 9:18 a.m.

Court **reconvened** from Executive Session at 9:34 a.m.

19. 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 Barnett.

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

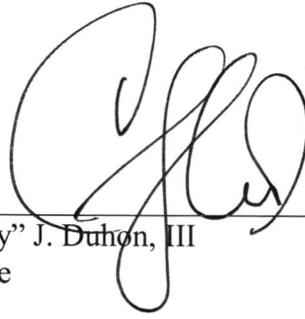
*Commissioner Klecka – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

Meeting was **ADJOURNED** at 9:47a.m.

**APPROVED** this the 14<sup>th</sup> 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

