

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – NOVEMBER 9, 2016

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

<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>

PUBLIC COMMENT

1. Mr. Dan Teed, Elections Administrator commented on the November 8, 2016 General Election.
2. Pat Bruegger commented on Agenda Items #26, #16 and the upcoming Workshop scheduled this morning.
3. Wendy Bruney, new resident to Waller County addressed her concerns for the need of stop signs on Kyle Road.
4. Commissioner Jeron Barnett publically thanked everyone including his family for all the support during his re-election.

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** – November 2, 2016 Regular Session
3. **Request by County Treasurer for approval of payroll.**
4. **Request by County Auditor for approval and/or ratification of Accounts Payable.**

Motion to **approve consent agenda items** 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>

PROCLAMATION

5. Discuss and take action to approve The Veterans Day Proclamation.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Barnett.
(Judge Duhon read the Proclamation)

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

COUNTY ENGINEER

6. **Presentation** of the County Road & Bridge Employee of the Year Award to Tammy Peters by Bobby Hall, P.E. Texas Association of County Engineers and Road Administrators (TACERA) Board Member and County Engineer for Chambers County.

No action required.

7. **Presentation** by Martin Mezas of Safety RX on prescription eyewear for Waller County Employees.

No action required.

8. Discuss and take action to approve the Road and Bridge Department to pay \$100.00 per employee, toward safety-related prescription eyewear. Funding to be paid from line item 110-530-547518 [Engineering Expenses] within the Road and Bridge Department Budget.

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

9. **Presentation** by Rick Sweatt of Safety Shoe Distributors on safety-related footwear for Waller County Employees.

No action required.

10. Discuss and take action to approve the Road and Bridge Department to pay ~~\$80.00~~ **\$100.00** per employee, toward safety-related footwear. Fund to be paid from line item 110-530-547518 [Engineering Expenses] within the Road and Bridge Department Budget.

Motion to **pay \$100.00 per employee toward safety-related footwear** by Commissioner Barnett, seconded by Commissioner Klecka.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

11. **Public Hearing:** the establishment of speed limits and the installation of speed limit signs on the following roads:

- Curtis Road – Entire length – 30 mph.
- Kyle Road – Entire length – 35 mph.

Public Hearing began at 10:04 a.m.

1. Wendy Bruney advised she would like to see Kyle Road speed limit set at 30 mph.

Public Hearing ended at 10:12 a.m.

12. Discuss and take action to approve the establishment of speed limits and the installation of speed limit signs on the following roads:

- Curtis Road – Entire length – 30 mph.
- Kyle Road – Entire length – **30** mph.

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

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>

Court recessed at 10:13 a.m.

Court reconvened at 10:20 a.m.

COUNTY JUDGE

13. Discuss and take possible action on Burn Ban.

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>

14. Discuss and take action to accept counter-offer to purchase.4983 acres of land at Hegar Road and FM 1488 for the purpose of straightening the intersection between those two roads.

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

Motion to **amend** by Commissioner Beckendorff, seconded by Commissioner Barnett to pay from **line item #125-600-581901 [Capital Outlay].**

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>

COMMISSIONER, PRECINCT 1

15. Discuss and take action to hire an independent Investigator and/or Auditor to conduct an investigation and/or audit of the Waller County Sheriff’s weapons inventory.

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

16. 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 Beckendorff, seconded by Commissioner Klecka.

Motion to **table** agenda item by Commissioner Klecka, 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>

TREASURER

17. Discuss and take action for approval to pay Brown County School Land taxes in the amount of \$474.85 as per 2016 tax statement.

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

18. Discuss and take action for approval to distribute the Available School Funds to the three school districts within Waller County in accordance with Texas Education Agency.

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

19. Discuss and take approve to approve payment of all accrued compensatory time with regular biweekly pay cycle ending 12/31/16 and subsequent comp time policy change to overtime pay for all Waller County employees at an estimated County liability of \$230,000 for comp time pay out plus \$37,000 in matching benefits.

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

20. Discuss and take action to approve advertising in the News Citizen, Times Tribune, and Waller Times for two consecutive weeks for inmate telephone services at the Waller County Jail. Payment for advertising 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

21. Discuss and take action to approve advertising in the News Citizen, Times Tribune, and Waller Times for two consecutive weeks for the Invitation to Bid for the 2017 Jail Food Service contracts for meat products, non-perishable food items, and produce food items. Payment for advertising 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

22. **Open and award bid for jail commissary contract.**

Received one bid from Keefe Commissary Network.

Motion to **accept and award bid to Keefe Commissary Network** 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

911 ADDRESSING

23. Discuss and take action to approve the following line item transfers:

\$141.00 from 125-526-540900 [Prof Consultant Services]

\$320.63 from 125-526-562500 [Dues, Training, Travel]

for a total of \$461.63 to 125-526-530100 [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

ELECTION ADMINISTRATOR

24. Discuss and take action to approve payment to HART for the rental of 10 JBC Units that were used during the Election. Funding to be paid from line item 108-260-532000 [Election Expense].

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

TAX ASSESSOR-COLLECTOR

25. Discuss and take action to approve refunds in excess of \$500.00 in accordance with Article 31.11 State Property Tax Code.

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

26. Discuss and take action to approve change orders to the Community Center.

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

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

Motion carried – Item TABLED.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

27. ~~Discuss and take action to approve payment to Hill’s Construction from line item 600-600-587520 [Community Center].~~ **Item WITHDRAWN.**

28. Discuss and take action to approve the placement of a Public Notice in the News Citizen related to the environmental survey for the Texas Department of Agriculture Grant for infrastructure improvements. Payment for advertising to be funded from line item 125-401-544100 [Bid Notices and Printing].

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

Motion carried.

EXECUTIVE SESSION

- 29. Consultation with District Attorney and outside counsel about pending or contemplated litigation pursuant to Government Code Section 551.071.
- 30. Reconvene in Open Session to take any action necessary on matters discussed in Executive Session.

No Executive Session needed.

ADJOURN MEETING

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

Motion carried.

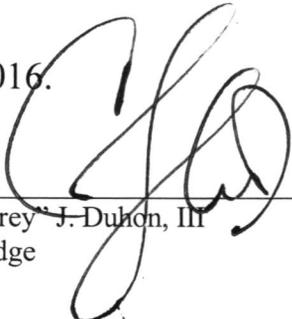
Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Barnett – Yes

Commissioner Klecka – Yes
Commissioner Beckendorff – Yes

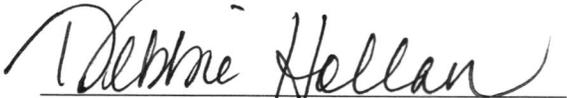
Meeting was **ADJOURNED** at 11:18 a.m.

APPROVED this the 16th 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

