

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – NOVEMBER 14, 2018

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 14th day of November 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
Jeron Barnett, Commissioner Precinct 3
Justin Beckendorff, Commissioner Precinct 4
Debbie Hollan, County Clerk

Absent: Russell Klecka, Commissioner Precinct 2

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 – Absent

Commissioner Barnett – 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** – November 7, 2018 Regular Session

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

(a) \$80.00 for invoice #18547411 [Courthouse, Hold-Up Alarm], and \$995.00 for invoice #18112411 [Courthouse Camera Surveillance], for a total of \$1075.00 payable to TAC Security from line item 117-428-568425 [Courthouse Security/Misc. Security].

(b) \$80.00 for invoice # NRDD-0003956 to Texas Association of Counties from line item 125-411-560300 [Ins Equip/Build/Pub Liab].

4. **Request by County Tax Assessor Collector to approve refunds in excess of \$500.00 in accordance with section 31.11 Texas Tax Code.**

5. **Request by County Engineer to approve a Utility Permit for Ervin Cable Construction, for the installation of conduit within the right-of-way of Woods Road.**

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

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Barnett – Yes

Commissioner Klecka – Absent

Commissioner Beckendorff – Yes

TAX ASSESSOR COLLECTOR

- 7. Discuss and take action to authorize the County Judge to sign two resale deeds for the private tax resale of three properties currently held in trust by Waller County pursuant to Section 34.05(h)(2) of the Texas Tax Code.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Barnett – Yes

Commissioner Klecka – Absent

Commissioner Beckendorff – Yes

COUNTY ENGINEER

- 8. 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 Matthias Kent.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Barnett – Yes

Commissioner Klecka – Absent

Commissioner Beckendorff – Yes

- 9. Discuss and take action to approve the application for the replat of Lots 26 and 27, Section 1 of Kickapoo Hills Subdivision by CenterPoint Energy Houston, and authorize the Road and Bridge Department to issue a public notice in the Brookshire Times Tribune for three consecutive weeks, establishing a public hearing during regular session of Commissioners’ Court on December 12, 2018.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Barnett – Yes

Commissioner Klecka – Absent

Commissioner Beckendorff – Yes

- 10. ~~Discuss and take action to approve Load Zoned Road Analysis project and contract with Raba Kistner.~~ **Item WITHDRAWN.**

CONSTABLE, PRECINCT 3

- 11. Discuss and take action to approve the increase of Deputy Constables from 30 to 40 for the Constable, Precinct 3 office.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Barnett – Yes

Commissioner Klecka – Absent

Commissioner Beckendorff – Yes

FIRE MARSHAL

- 12. Discuss and take action to approve publications for requests for proposals for engineering services for the CDBG-DR program and the 2019-2020 CDBG program. Advertising to be posted in the Times Tribune with payment 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 – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

13. Discuss and take action to adopt resolution designating a management service provider for the Texas Hazard Mitigation Assistance program application and project implementation.

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

Motion to **amend** to designate GrantWorks by Commissioner Beckendorff, seconded by Commissioner Barnett.

Amendment carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Amended Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

CONSTRUCTION MANAGER

14. Discuss and take action to approve publication for competitive bids for roof work at the Road and Bridge office and at the old County Hospital Building. Advertising to be posted in the Times Tribune with payment 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 – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

15. ~~Update on the Justice Center project.~~ **Item WITHDRAWN.**

16. ~~Discuss and take action to approve amendment to the contract with SEDALCO for the justice center project.~~ **Item WITHDRAWN.**

COUNTY JUDGE

17. Discuss and take action to approve line item transfer from within the County Judge's budget: \$228.00 from 125-440-530200 [Supplies & Stationary] to 125-440-581816 [Air Card/Wireless].

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

EXTENSION OFFICE

18. Discuss and take action to approve the transfer of \$400 from line item 125-540-530400 [Handbook] to line item 125-540-510100 [Part time].

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

MISCELLANEOUS

19. ~~Discuss and take action to appoint a representative to the HGAC Advisory Committee for the Area Local Development Corporation. Item WITHDRAWN.~~
20. **PUBLIC HEARING:** Designating the following property as a reinvestment zone under Chapter 312 for the Texas Tax Code. Interested persons may speak or present evidence for or against the designation. 116 acres of land out of a 293 acre tract, out of the H. & T.C.R.R. Co. Survey, Section 101, Abstract 168.
- Public Hearing began at 9:38 a.m.**
1. Shari Griswold questioned tax abatements
Public Hearing ended at 9:45 a.m.
21. Discuss and take action to approve the Reinvestment Zone Order for property owned by Lois Houston Associates LLC and authorize County Judge to sign Order Designating the Reinvestment Zone.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Advanced to Agenda Items #23-25

22. Discuss and take action to approve Second Amendment to Tax Abatement Agreement with Lois Houston Associates LLC.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Proceeded to Agenda Item #26

23. ~~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 contract negotiations for the Justice Center Project would have a detrimental effect on the position of the County in negotiations with third persons. Item WITHDRAWN.~~

EXECUTIVE SESSION

24. ~~Deliberate business and financial issues related to contract negotiations pursuant to Government Code 551.0725. Item WITHDRAWN~~

Court convened to Executive Session at 9:45 a.m.

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

Court reconvened from Executive Session at 10:08 a.m.

Returned to Agenda Item # 22

26. Reconvene in Open Session to take any action necessary on matters discussed in Executive Session.

Motion to **approve** Settle Agreement and Mutual Release Concerning Chapter 381 Agreement between Waller County and Lois Houston Associates LLC by Commissioner Beckendorff, seconded by Commissioner Amsler.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Motion to **transfer** \$187,500.00 from line item 125-600-581901 [Capital Outlay] to 125-411-561310 [Rooms To Go] by Commissioner Beckendorff, seconded by Commissioner Amsler.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

ADJOURN MEETING

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

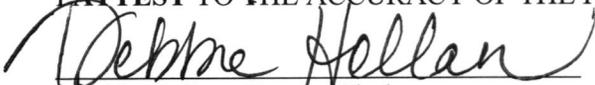
Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 10:14 a.m.

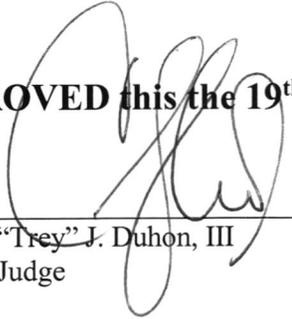
WITNESS TO THE ACCURACY OF THE FORGOING MINUTES:



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



APPROVED this the 19th day of November 2018.



Carbett "Trey" J. Duhon, III
County Judge