

MINUTES

WALLER COUNTY COMMISSIONER'S COURT REGULAR SESSION WEDNESDAY – NOVEMBER 15, 2017

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 15th day of November 2017 in the Assembly Room 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** 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

PUBLIC COMMENT

1. Mrs. Pat Bruegger addressed the court with several concerns she has with Waller County.

CONSENT AGENDA (2-6 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 8, 2017 Regular Session

3. Request by Justice of the Peace, Precinct 4 for approval to transfer fixed assets to the Maintenance Department.

4. Request by County Treasurer for approval of Treasurer's Monthly Report.

5. Request to approve payment on the following:

- (a) \$80.00 for Invoice #17547411 [Courthouse, Hold-Up Alarm], and
\$995.00 for Invoice # 17112411 [Courthouse Camera Surveillance],
for a total of \$1075.00 payable to TAC Security from line item
117-428-568425 [Courthouse Security/Misc. Security].

6. 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.

COUNTY JUDGE

- 7. **Presentation** by Ben Rosenberg from U.S. Capital Advisors LLC on issuance of bonds for the jail project. *No action required.*

JUSTICE OF THE PEACE, PRECINCT 1

- 8. Discuss and take action to approve the transfer of \$550.00 from line item 125-418-568400 [Miscellaneous] to line item 125-418-563000 [Training & Conference Expense].

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

Motion carried.

Advanced to Agenda Item #10

COMMUNITY SUPERVISION

- 9. Discuss and take action to approve the transfer of \$6,000.00 from line item 125-519-581813 [Copier/Printer] to the following line items:
 \$ 4,000.00 to 125-519-581800 [Furniture and Equipment]
 \$ 2,000.00 to 125-519-530100 [Supplies].

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

Motion carried.

Proceeded to Agenda Item #12

COUNTY ENGINEER

- 10. ~~Discuss and take action to approve the contract with Enterprise Fleet Management for light duty fleet lease program.~~ **Item WITHDRAWN.**
- 11. Discuss and take action to approve the following line item transfers within the Road and Bridge Department Budget:
 \$800.00 from 110-530-569921 [Dumpster Fees] to 110-524-568400 [Misc.]
 \$800.00 from 110-530-590000 [Bridge Replacement] to 110-530-587410 [Contract Hauling]
 \$7,000.00 from 110-530-547518 [Engineering Expense] and \$3,000.00 from 110-530-537507 [Radio Maint.] to 110-530-587517 [Field Supplies]
 \$12,000.00 from 110-530-547508 [Inside Repairs] to 110-524-536000 [Bldg. Maint. & Supplies]
 \$15,100.00 from 110-530-537501 [Fuel] to 110-530-587400 [Contract Service/Mowing]

\$30,000.00 from 110-530-587513 [Concrete Pipe] and \$37,000.00 from 110-530-537501 [Fuel] to 110-530-554580 [Prof Consult].

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

Returned to Agenda Item #9

12. Discuss and take action to approve Data Transfer Solutions to perform a Road Condition Assessment going through HGAC in the amount of \$66,800.00 to be funded from line item 110-530-554580 [Professional Consultant].

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

13. Discuss and take action to cancel existing road maintenance agreements with local municipalities and approve the Interlocal Road Primary Agreements with local municipalities and authorize the County Judge to execute the documents. The agreement terms will be effective for 4 (four) years beginning January 1, 2018.

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

MISCELLANEOUS

14. Discuss and take action to approve a resolution expressing intent to reimburse expenditures to be incurred by Waller County, Texas.

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

Motion FAILED.

Judge Trey Duhon – Absent

Commissioner Amsler – No

Commissioner Klecka – No

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

IT

15. Discuss and take action to approve the transfer of \$15,300.00 from line item 125-441-540905 [Recovery & Retention] to the following:

\$15,000.00 to 125-441-562302 [License Fees]

\$300.00 to 125-441-581816 [Air Card/Wireless].

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

16. **Spread** upon the minutes Certification of Funds for Constable, Precinct 1, 2017 LEOSE Funds in the amount of \$666.00. *No action required.*

17. Discuss and take action to amend the 2017 Budget to accommodate Constable, Precinct 1, LEOSE Funds.

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

18. **Spread** upon the minutes Certification of Funds for the Sheriff's Office, 2017 LEOSE Funds in the amount of \$4,744.00. *No action required.*

19. Discuss and take action to amend the 2017 Budget to accommodate the Sheriff's Office, LEOSE Funds.

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

20. Discuss and take action to approve line item transfers.

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 JUDGE

21. Discuss and take action to approve Official Canvass of the Election Results from the November 7, 2017 Election and orders for the elections.

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

EXECUTIVE SESSION

Court convened to Executive Session at 10:08 a.m.

22. Review applications and interview applicants for Recycle Center Manager position pursuant to 551.074 of the Government Code (personnel matters) and Waller County Personnel Policy 2.02.
23. Reconvene into open session and discuss and take action to hire Recycle Center Manager.
24. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.

Court reconvened from Executive Session at 12:06 p.m.

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

Motion made by Commissioner Beckendorff, seconded by Commissioner Amsler to **hire** Charles Newman for the Recycle Center Manager position.

Motion carried.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

November 15, 2017 Regular Session

Motion made by Commissioner Beckendorff, seconded by Commissioner Amsler to **approve** contract to hire Watts Guerra LLP, The Gallagher Law Firm LLP, Fibich, Leebron, Copeland, Briggs and Alicia O'Neill, O'Neill Law LLP law firms for opioid litigation and authorize Watts Guerra LLP, The Gallagher Law Firm LLP, Fibich, Leebron, Copeland, Briggs and Alicia O'Neill, O'Neill Law LLP to file suit against drug manufacturers.

Motion carried.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

ADJOURN MEETING

Motion to **adjourn** meeting 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

Meeting was **ADJOURNED** at 12:08 p.m.

APPROVED this the 6th day of December 2017.

Carbett "Trey" J. Duhon, III
County Judge

ATTEST:

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

