

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – NOVEMBER 18, 2015**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 18<sup>th</sup> day of November 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 9:03 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 Klecka – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

**PUBLIC COMMENT**

1. John Nicks advised the court he was against the proposed cameras to be installed in Waller County regarding the uninsured motorist enforcement and asked the court to vote "no".
2. Dr. Denise Mattox commented to the court her concerns regarding the uninsured motorist enforcement.

**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 10, 2015 Regular Session
3. Request to approve payment on the following:
  - (a) \$ 2,095.75 to Second Administrative Judicial Region of Texas for Waller County's proportionate share from line item 125-422-541600 [Pro Rata Share Court Expense].
  - (b) \$2,887.00 for Invoice # AH010615, \$2,887.00 for Invoice # AH010615, and \$2,887.00 for Invoice # AH10617 for a total of \$8,661.00 payable to Harris County Treasurer to be taken from line item 125-423-540702 [Autopsy].
  - (c) \$ 80.00 for Invoice # 15547411 [Courthouse, Hold-up Alarm], \$50.00 for Invoice #15544911 [Courthouse Burglar Alarm], \$885.00 for Invoice # 15112411 [Courthouse Camera Surveillance], \$30.00 for Invoice # 15522011 [JP #1 Hold-up Alarm],

\$204.50 for Invoice # 15111611 [JP #2 Burglar Alarm and DVR System], \$280.00 for Invoice # 15540911 [JP #3 DVR], \$115.00 for Invoice # 15520111 [JP #4 Burglar, Hold-Up, Access Control, DVR Monitors], for a total of \$1,644.50 to TAC Security & Video from line item 117-428-568425 [Courthouse Security-Miscellaneous Security].

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

Motion to **approve** consent agenda items #2-4 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 JUDGE

5. **Public Hearing:** Enterprise Zone nomination for Igloo Products Corporation by Waller County

**Public Hearing began at 9:11 a.m.**

Representative from Igloo Products Corporation gave brief explanation.

**Public Hearing ended at 9:14 a.m.**

6. Discuss and take action to approve order nominating Igloo Products Corporation for designation as an enterprise zone.

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 interlocal agreement with the City of Katy for nomination of Igloo Products Corporation as an enterprise zone.

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 Resolution in support of CommUniversity Center.

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

9. Discuss and take action to approve Treasurer's Report.

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 Investment Report.

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

**Motion carried.**

11. Discuss and take action to amend the designated standard periods for Waller County to comply with the Affordable Care Act as follows:

- a. Standard Measurement Period, 12 months from 11/01 – 10/31
- b. Standard Administrative Period, 11/01 – 11/30
- c. Standard Stability Period, 12/01 – 11/30

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

**MAINTENANCE**

12. Discuss and take action to select Contractor, **Hill’s Construction** for the completion of the construction of the JP Precinct 2 building. **Funds to be paid from line item 600-600-587518.**

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

Motion to **amend** by Commissioner Beckendorff, seconded by Commissioner Barnett to select Hill’s Construction for the completion of construction.

Motion to **amend** by Commissioner Beckendorff, seconded by Commissioner Klecka to pay from line item 600-600-587518.

**Amendments carried.**

Judge Trey Duhon – Yes

Commissioner Amsler – Yes  
Commissioner Barnett – Yes

Commissioner Klecka – Yes  
Commissioner Beckendorff – Yes

**Amended Motion carried.**

Judge Trey Duhon – Yes

Commissioner Amsler – Yes  
Commissioner Barnett – Yes

Commissioner Klecka – Yes  
Commissioner Beckendorff – Yes

13. Discuss and take action to select Contractor for the installation of carpet at the JP Precinct 2 building.

Motion to **approve** Commissioner Beckendorff, seconded by Commissioner Barnett to select Redi Carpet for the installation of carpet with funds to be paid from line item 600-600-587518.

**Motion carried.**

Judge Trey Duhon – Yes

Commissioner Amsler – Yes  
Commissioner Barnett – Yes

Commissioner Klecka – Yes  
Commissioner Beckendorff – Yes

**SHERIFF**

14. Discuss and take action to approve transfer of Ford F150 bearing VIN # 1FTRX12W55NA29661 from the Waller County Sheriff’s office to Waller County Road & Bridge.

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

**EXTENSION OFFICE**

15. Discuss and take action to approve the transfer of \$500.00 from line item 125-540-530400 [Handbook] to line item 125-540-581800 [Furniture/Equipment].

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*

## **IT DEPT.**

16. Discuss and take action to approve transfer of fixed assets to the Maintenance Department.

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**

17. Discuss and take action to approve a Utility Permit for CenterPoint Energy on Schlipf Road.

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 approve the Plat and Dedication of Pederson Road Business Park Subdivision.

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*

19. Discuss and take action to approve the Plat and Dedication of Jordan Ranch Boulevard, Street Dedication No. 2.

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*

20. Discuss and take action to approve advertising for Competitive Bids payments for advertising to be funded from line item 125-401-544100 [Bid Notices and Printing] for the following:

All Season Pre-Coated Patching Mixture (ASPPM) Graduation IV

Cold Mix Asphaltic Pavement

Construction Equipment Rental

Crushed Concrete

Crushed Limestone

Debris Removal, Reduction & Disposal

Emulsified Asphalt & Hauling

Gasoline and Diesel Fuels

Hauling Services fir Gravel & Aggregate Material

High Density Polyethylene (HDPE) Pipe

Pct. 1 and Pct. 2 - Hot Mix Asphaltic Concrete Pavement (HMAC) & Hauling

Pct. 3 and Pct. 4 - Hot Mix Asphaltic Concrete Pavement (HMAC) & Hauling  
Hydrated Lime  
Mowing Contract  
Precoated Aggregate  
Reclaimed Asphalt Pavement  
Reinforced Concrete Pipe  
Roadside Vegetative Management  
Used Tank Cars

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**

21. 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 purchasing additional office space in Hempstead, TX would have a detrimental effect on the position of the County in negotiations with third persons.

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*

## **EXECUTIVE SESSION**

22. Deliberate business and financial issues related to purchasing additional office space in Hempstead, TX pursuant to Government Code Sections 551.072 and 551.0725.
23. Consultation with District Attorney about pending or contemplated litigation pursuant to Government Code Section 551.071.
24. 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)].
25. 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 9:51 a.m.

Court **reconvened** from Executive Session at 10:54 a.m.

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

**No action taken from Executive Session.**

**ADJOURN MEETING**

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

**Motion carried.**

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

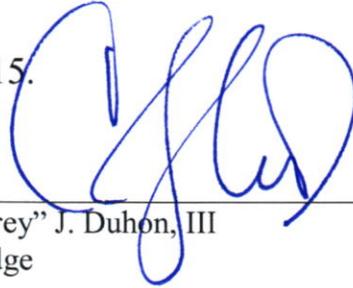
Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 10:56 a.m.

**APPROVED** this the 25<sup>th</sup> day of November 2015.



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Carbett "Trey" J. Duhon, III  
County Judge

ATTEST:



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

