

# MINUTES

## WALLER COUNTY COMMISSIONER'S COURT REGULAR SESSION WEDNESDAY –NOVEMBER 29, 2017

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 29<sup>th</sup> day of November 2017 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  
Russell Klecka, Commissioner Precinct 2  
Justin Beckendorff, Commissioner Precinct 4  
Debbie Hollan, County Clerk

Absent: John A. Amsler, Commissioner Precinct 1  
Jeron Barnett, Commissioner Precinct 3

Delivery of Invocation by: Judge Duhon

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 – Yes*

*Commissioner Amsler – Absent*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

### PUBLIC COMMENT

1. Dena Nolan, Administrative Assistant with Juvenile Probation announced Friends of the Library will be having their first annual Holiday Market event this Saturday, December 2<sup>nd</sup> at the Hempstead Library.

### CONSENT AGENDA (2-7 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 15, 2017 Regular Session, November 17, 2017 Special Session.

3. Request to approve payment on the following:

- (a) \$2,887.00 for Invoice # AH015730 and \$2,887.00 for Invoice # AH015777 for a total of \$5,774.00 to Harris County Treasurer from line item 125-423-540702 [Autopsy].
- (b) \$1,015.00 for invoice dated 11/10/17 to Schmidt Funeral Home from line item 125-423-540705 [Transport].
- (c) \$408.00 for invoice # NRDD-0002968 to Texas Association of Counties Risk Management Pool from line item 125-411-560300 [Ins Equip/Build/Pub Liab].
- (d) \$1,762.50 for Invoice # 110823 to Fritz, Byrne, Head & Gilstrap, PLLC from line item 125-411-540300 [Legal] Pintail Landfill.

4. Request by County Auditor for approval and/or ratification of Accounts Payable.
5. Request by County Tax Assessor Collector to approve refunds in excess of \$500.00 in accordance with section 31.11 Texas Tax Code.
6. Request by Elections Administrator for approval to transfer fixed assets to the Maintenance Department.
7. Request by Sheriff for approval to transfer fixed assets to the IT Department.

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

**Motion carried.**

|                               |                                      |                                       |
|-------------------------------|--------------------------------------|---------------------------------------|
| <i>Judge Trey Duhon – Yes</i> | <i>Commissioner Amsler – Absent</i>  | <i>Commissioner Klecka – Yes</i>      |
|                               | <i>Commissioner Barnett – Absent</i> | <i>Commissioner Beckendorff – Yes</i> |

**AUDITOR**

8. **Presentation** of the 2016 Waller County Financial Audit, by outside Auditor, Lewis Crain, of Rutledge Crain and Company, PC. *No action required.*

9. Discuss and take action to approve the 2016 Waller County Financial Audit **and Single Audit** as presented by Lewis Crain, of Rutledge Crain and Company, PC.

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

Motion to **amend** by Commissioner Beckendorff, seconded by Commissioner Klecka to add *and Single Audit.*

**Amendment carried.**

|                               |                                      |                                       |
|-------------------------------|--------------------------------------|---------------------------------------|
| <i>Judge Trey Duhon – Yes</i> | <i>Commissioner Amsler – Absent</i>  | <i>Commissioner Klecka – Yes</i>      |
|                               | <i>Commissioner Barnett – Absent</i> | <i>Commissioner Beckendorff – Yes</i> |

**Amended Motion carried.**

|                               |                                      |                                       |
|-------------------------------|--------------------------------------|---------------------------------------|
| <i>Judge Trey Duhon – Yes</i> | <i>Commissioner Amsler – Absent</i>  | <i>Commissioner Klecka – Yes</i>      |
|                               | <i>Commissioner Barnett – Absent</i> | <i>Commissioner Beckendorff – Yes</i> |

10. Discuss and take action to approve official documents and all monthly reports.

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

**Motion carried.**

|                               |                                      |                                       |
|-------------------------------|--------------------------------------|---------------------------------------|
| <i>Judge Trey Duhon – Yes</i> | <i>Commissioner Amsler – Absent</i>  | <i>Commissioner Klecka – Yes</i>      |
|                               | <i>Commissioner Barnett – Absent</i> | <i>Commissioner Beckendorff – Yes</i> |

**WALLER COUNTY CHILD WELFARE**

11. ~~**Presentation** by Ben Tibbs on the status of the Child Welfare Board.~~  
**Item WITHDRAWN.**

**COUNTY ENGINEER**

12. Discuss and take action to consider granting a variance to the Subdivision and Development Regulations, Engineering Design Standards, Section 3.4.8 – Flag Lots by Mr. Larry Thomas.

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

**Motion carried.**

|                               |                                      |                                       |
|-------------------------------|--------------------------------------|---------------------------------------|
| <i>Judge Trey Duhon – Yes</i> | <i>Commissioner Amsler – Absent</i>  | <i>Commissioner Klecka – Yes</i>      |
|                               | <i>Commissioner Barnett – Absent</i> | <i>Commissioner Beckendorff – Yes</i> |

13. Discuss and take action to approve the contract with Enterprise Fleet Management for light duty fleet lease program.

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

**Motion carried.**

Judge Trey Duhon – Yes                      Commissioner Amsler – Absent                      Commissioner Klecka – Yes  
Commissioner Barnett – Absent                      Commissioner Beckendorff – Yes

14. Discuss and take action to approve the purchase of a Caterpillar Motor Grader, model 140M3, at a costs of \$297,017.20. Financing to be provided by Caterpillar Financial Services Corporation, if deemed the best terms.

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

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

**Motion carried – Item TABLED.**

Judge Trey Duhon – Yes                      Commissioner Amsler – Absent                      Commissioner Klecka – Yes  
Commissioner Barnett – Absent                      Commissioner Beckendorff – Yes

***Proceeded to Agenda Item #16***

***Returned to Agenda Item #14***

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Klecka to accept the 3 year offer with a down payment of \$139,978.00 at a fixed rate of .0084.

**Motion carried.**

Judge Trey Duhon – Yes                      Commissioner Amsler – Absent                      Commissioner Klecka – Yes  
Commissioner Barnett – Absent                      Commissioner Beckendorff – Yes

15. ~~Discuss and take action to accept the proposal to repair the bridge at Heise Road over Rocky Creek due to a Critical Finding observed during a routine inspection.~~

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

**Motion and Second withdrawn – Item WITHDRAWN.**

***Returned to Agenda Items #13 & 14***

**FIRE MARSHAL**

16. Discuss and take action to approve the following line item transfer from within the Fire Marshal Budget:

\$2,000.00 from 125-509-563000 [Training & Conference] to 125-509-581800 [Furniture & Equipment].

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

**Motion carried.**

Judge Trey Duhon – Yes                      Commissioner Amsler – Absent                      Commissioner Klecka – Yes  
Commissioner Barnett – Absent                      Commissioner Beckendorff – Yes

**CONSTABLE, PRECINCT 4**

17. Discuss and take action to approve the following line item transfer from within the Constable 4 Budget:

\$2,000.00 from 125-514-530200 [Supplies and Stationary], \$2,000.00 from 125-514-563000 [Training & Conference], and \$1,983.00 from 125-514-568400 [Miscellaneous] for a total of \$5,983.00 to 125-514-581810 [Equipment].

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

**Motion carried.**

**JUVENILE PROBATION**

- 18. Discuss and take action to approve the transfer of \$10,000.00 from line item 125-507-565000 [Short Term Detention] to line item [125-507-564001] Other Detention Expenses.

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

**Motion carried.**

**TAX ASSESSOR COLLECTOR**

- 19. **Spread** upon the minutes the continuing education certificates of completion for Ellen Shelburne and Tara Schovajsa compliance with Section 6.231 of the Texas Tax Code.  
*No action required.*

**MISCELLANEOUS**

- 20. Discuss and take action to approve setting the Waller County Commissioners Court 2018 Regular Sessions to be held at the Waller County Courthouse, in Hempstead, Texas.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Klecka to keep Commissioners Court Regular Sessions weekly on Wednesdays at 9:00 a.m. at the Courthouse.

**Motion carried.**

- 21. Discuss and take action to approve the private tax resale offer by Ms. Debra Kay Jones for the following property: The north 50 feet of lot 20, in block 10, section 6 of Rolling Hills Colony, Waller County, Texas, in the amount of \$1,771.63, and authorize the County Judge to sign a resale deed for said property to Ms. Debra Kay Jones.

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

**Motion carried.**

***Returned to Agenda Item #14***

**EXECUTIVE SESSION**

- 22. Consultation with District Attorney and outside counsel pursuant to Government Code Section 551.071.
- 23. 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 Klecka.

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Absent*

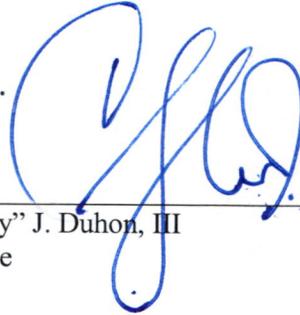
*Commissioner Klecka – Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

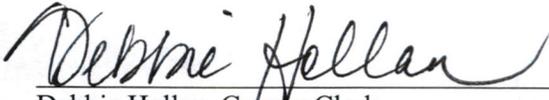
Meeting was **ADJOURNED** at 9:59 a.m.

**APPROVED** this the 6<sup>th</sup> 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

