

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – NOVEMBER 4, 2015

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 4th 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 9:01 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** agenda 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. Diana Tatum addressed the court with her concerns regarding growth in Waller County, especially in the area at FM 1488 & Hwy 290.
2. Doug Wheeler addressed the court with his concerns regarding agenda items #8 and #9.

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 – October 28, 2015 Regular Session**
3. **Request to approve payment on the following:**
 - (a) \$675.00 to Lewis Funeral Home from line item 125-423-540705 [Transport to Morgue].
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. Discuss and take action to rescind Burn Ban.

Motion to **rescind** Burn Ban 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

6. **Presentation** by Dr. Dale A. Fritz, District Extension Administrator on Waller County Extension Agent – Family and Consumer Sciences candidate.

No action required.

7. Discuss and take action to approve appointment of Waller County Extension Agent - Family and Consumer Sciences candidate Ms. Hallie Decker as requested by Dr. Dale A. Fritz, District Extension Administrator to be effective January 1, 2016.

Motion to **approve** appointment 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. **Presentation** by IX Group, Inc., related to uninsured motorist enforcement options in Waller County, Texas.

State Representative Allen Fletcher commented on the program and Mr. Paul Wilkening with IX Group, Inc. gave presentation.

No action required.

9. ~~Discuss and take action to approve contract with IX Group, Inc. for uninsured motorist enforcement citation/collection services in Waller County, Texas.~~

Item WITHDRAWN.

10. Discuss and take action to authorize publication of public notice for a public hearing regarding Enterprise Zone nomination for Igloo Products Corporation by Waller County and related interlocal agreement between Waller County and the City of Katy.

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

TREASURER

11. Discuss and take action to approve payment of Brown County School Land taxes in the amount of \$444.81 as per 2015 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

12. Discuss and take action 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.

COUNTY CLERK

13. Discuss and take action to approve the transfer of \$2,000.00 from line item 125-403-544500 [Record Restore] to line item 125-403-563000 [Training & Conference].

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

14. 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 Barnett – Yes

Commissioner Klecka – Yes
Commissioner Beckendorff – Yes

CONSTABLE, PRECINCT 1

15. Discuss and take action to approve \$35,000 from line item 125-600-581901 [Capital Outlay] to line item 125-511-581400 [Vehicle].

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

COUNTY ENGINEER

16. Discuss and take action for the approval of a Utility Permit for CenterPoint Energy on Kingsland Blvd.

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

17. Discuss and take action regarding a variance request to the Subdivision Regulations by James and Sylvia Hight.

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

Motion FAILED – Variance Denied.

Judge Trey Duhon – No

Commissioner Amsler – No
Commissioner Barnett – No

Commissioner Klecka – No
Commissioner Beckendorff – No

18. Discuss and take action for the Court to accept the Plat and Dedication of Timber Grove Subdivision.

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

19. Discuss and take action for approval to open an account with The Knox Company and authorize the County Judge to sign registration forms.

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 for approval to open an account with Tractor Supply Co., and authorize the County Judge to sign the application form.

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 for the Court to accept the application for replat of Tuscan Farms Subdivision, Lot 3, Block 1, by Elizabeth and Jose Medina and authorize the County Engineers Office to issue public notice in the Waller County News Citizen for three consecutive weeks, establishing a public hearing on December 2, 2015.

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. Discuss and take action for the approval for the County Judge to execute the financing documents with Bancorp South Equipment Finance.

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

23. Discuss and take action for the approval to dedicate a Public Utility Easement for the purpose of constructing and maintaining public and private utilities and authorize the County Judge to execute the easement.

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

24. Discuss and take action for the Court to accept the Plat and Dedication of Quinteros Subdivision.

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

ELECTIONS ADMINISTRATOR

25. Discuss and take action to authorize the Waller County Election Administrator to hire up to 4 part-time employees at a rate not to exceed \$15.00/hr., for the purpose of staffing the elections office. Funds to be paid from line item 125-434-510046 [Salary/Election Workers].

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 Resolution on the Indigent Defense Grant Program.

Motion to **approve** resolution 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

27. Discuss and take action to approve Resolution that distributes votes for the Board of Directors of the Waller County Appraisal District and authorize the Court to sign the same.

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

28. ~~Consultation with District Attorney about pending or contemplated litigation pursuant to Government Code Section 551.071. Item WITHDRAWN.~~

29. 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)].

30. 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 10:50 a.m.

Court **reconvened** from Executive Session at 11:28 a.m.

31. 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

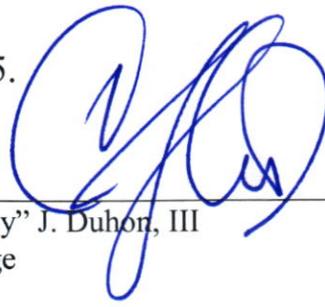
Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

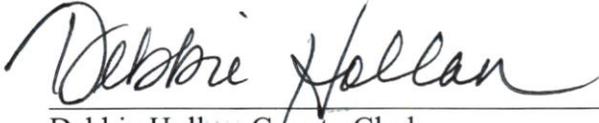
Meeting was **ADJOURNED** at 11:29 a.m.

APPROVED this the 10th day of November 2015.



Carbett "Trey" J. Duhon, III
County Judge

ATTEST:



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

