

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – DECEMBER 2, 2015

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 2nd day of December 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 9:00 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
Russell Klecka, Commissioner Precinct 2
Justin Beckendorff, Commissioner Precinct 4
Debbie Hollan, County Clerk

Absent: Jeron Barnett, Commissioner Precinct 3

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 – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

PUBLIC COMMENT

1. Dr. Denise Mattox addressed the court with concerns regarding previous discussions on the proposed cameras for uninsured motorist and the status of that item being "tabled".

CONSENT AGENDA (2-3 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 25, 2015 Regular Session
3. Request by County Auditor for approval and/or ratification of Accounts Payable.

Motion to **approve** consent agenda items #2-3 by Commissioner Beckendorff, seconded by Commissioner Klecka.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

COUNTY ENGINEER

4. **Public Hearing:** On the replat of Tuscan Farms Subdivision, Lot 3, Block 1.

Public Hearing began at 9:05 a.m.

No public comments received.

Public Hearing ended at 9:05 a.m.

5. ~~Discuss and take action regarding a variance request to the Subdivision Regulations by Fidel Escobar.~~

Item WITHDRAWN by request of County Engineer.

6. Discuss and take action to accept the Plat and Dedication of Beathe Estates Subdivision.

Motion to **accept plat** by Commissioner Beckendorff, seconded by Commissioner Klecka.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

7. Discuss and take action to approve the abandonment of the back segment of Glass Road.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

EXTENSION OFFICE

8. Discuss and take action to approve transfer of \$400.00 from line item 125-540-530300 [Supplies Educational] to line item 125-540-581800 [Furniture & Equipment].

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

County Auditor Alan Younts advised there is only \$98.00 in the Supplies Educational line at this time, not enough funds to transfer as requested.

Motion to **table** agenda item by Commissioner Amsler, seconded by Commissioner Klecka.

Motion carried – item TABLED.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

COMMUNITY SUPERVISION

9. Discuss and take action to approve transfer of \$2,122.00 from line item 125-519-581813 [Equipment Rental] to line item 125-519-581800 [Furniture & Equipment].

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

10. Discuss and take action to approve transfer of \$1,120.00 from line item 125-519-581813 [Equipment Rental] to line item 125-519-530100 [Supplies].

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

MISCELLANEOUS

11. Discuss and take action to approve Agreement between Waller County and the Waller County Fair Association.

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

Discussion was held regarding the need for receipt of audit from fair association.

Motion to **table** agenda item by Judge Duhon, seconded by Commissioner Klecka.

Motion carried – item TABLED.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

12. ~~Discuss and take action to approve payment of \$10,000.00 to the Waller County Fair Association as allocated in the 2015 Budget from Line Item 125-411-547325 [County Fair].~~

Item WITHDRAWN.

13. Discuss and take action to approve setting the Waller County Commissioners Court 2016 Regular Sessions for **Wednesdays at 9:00 a.m. to be held in the Commissioners Courtroom at the Waller County Courthouse in Hempstead, Texas.**

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

Motion to **amend** by Commissioner Beckendorff, seconded by Commissioner Klecka to set 2016 Regular Sessions for *Wednesdays at 9:00 a.m. to be held in the Commissioners Courtroom at the Waller County Courthouse in Hempstead, Texas.*

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

TREASURER

14. Discuss and approve continuation of policies through Texas Association of Counties for Auto Liability, Auto Physical Damage, General Liability, and Workers' Compensation coverages effective 01/01/2016 and payment of corresponding invoices.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

COUNTY JUDGE

15. Discuss and take action on emergency repairs to Waller County Historical Museum.

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

Motion to **amend** by Commissioner Amsler, seconded by Commissioner Klecka to make the repairs to the Waller County Historical Museum in accordance with the bid and in accordance with it being a public safety issue and authorize the Judge to sign an order to that affect.

Motion to **amend** by Commissioner Beckendorff, seconded by Commissioner Klecka for funds to be paid from line item 125-600-581901 [Capital Outlay].

Amendments carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

Amended Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

EXECUTIVE SESSION

16. Consultation with District Attorney about pending or contemplated litigation pursuant to Government Code Section 551.071.
17. 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)].
18. 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)].
19. 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 Klecka, seconded by Commissioner Beckendorff.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

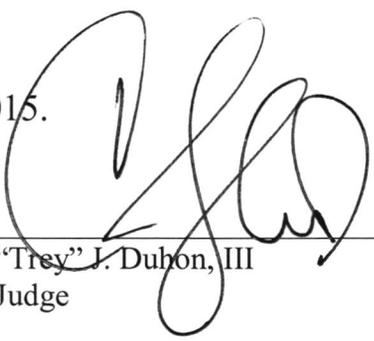
Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

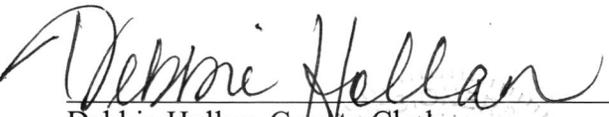
Meeting was **ADJOURNED** at 9:45 a.m.

APPROVED this the 9th day of December 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