

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – DECEMBER 9, 2015

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 9th 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 9:02 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
Candice Adams, Deputy 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 Barnett, seconded by Commissioner Beckendorff.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

PUBLIC COMMENT

1. LaVaughn Mosley called for the resignation of Sheriff and stated his disappointment in the Court and District Attorney's office.
2. Sylvia Cedillo addressed the court with concerns on Agenda Item #14.
3. Rick Welch commented on the Insurance Enforcement Cameras.
4. Dr. Denise Mattox addressed the court with concerns on Agenda Items #7, 8, 14.
5. John Mayfield with 1st Play Sports discussed Youth Flag Football and Soccer program in the County for ages 4 thru 12.

CONSENT AGENDA (2-5 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** – December 2, 2015 Regular Session
3. **Request by County Treasurer for approval of payroll.**
4. **Request to approve payment on the following:**
 - (a) \$950.00 to Magnolia Funeral Home, Inc. from line item 125-423-540705 [Transport to Morgue].
5. **Request by County Auditor for approval and/or ratification of Accounts Payable.**

Motion to **approve** consent agenda items #2-5 by Commissioner Barnett, seconded by Commissioner Beckendorff.

Motion carried.

COUNTY JUDGE

- 6. **Presentation** of collection report by Otilia Gonzales of Perdue, Brandon, Fielder, Collins & Mott LLP on delinquent taxes and fine and fee collection.
No action required.
- 7. **Spread** upon the minutes withdrawal by IX Group of proposed contract for uninsured motorist enforcement.
No action required.

COMMISSIONERS, PRECINCT 1 AND PRECINCT 2

- 8. Discuss uninsured motorist enforcement cameras.
No action taken.

506TH DISTRICT JUDGE

- 9. Discuss and take action to approve the Contract Indigent Defense attorneys for Waller County for Calendar Year 2016, and authorize the County Judge to sign the contracts on behalf of the County.

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

Motion carried.

<i>Judge Trey Duhon – Abstained</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Klecka – Yes</i>
	<i>Commissioner Barnett – Yes</i>	<i>Commissioner Beckendorff – Yes</i>

- 10. Discuss and take action to approve transfer of \$800.00 from line item 125-408-543500 [Mileage] to line item 125-408-530200 [Supplies and Stationary].

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

Motion carried.

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

TREASURER

- 11. Discuss and take action for annual review and approval of Investment Policy.
Motion to **approve** by Commissioner Barnett, seconded by Commissioner Beckendorff.

Motion carried.

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

- 12. Discuss and take action to approve 2016 Salary Order.

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

Motion carried.

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

CONSTABLE, PRECINCT 1

- 13. Discuss and take action to approve transfer of \$2,440.00 from line item 125-511-563000 [Training & Conference] to line item 125-511-581810 [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

DISTRICT ATTORNEY

14. ~~Discuss and take action to authorize District Attorney Staff to work overtime under the 2016 HGAC Traffic Safety Grant and any future grants.~~

Item WITHDRAWN by request of District Attorney.

SHERIFF

15. **Open Bids** for 2016 Jail Food Services contracts for meat products, non-perishable food items, and produce food items.

The following Bids were submitted and opened in Court:

1. Meat Products bid submitted by Sysco Houston, Inc.
2. Non-Perishable Food Items bid submitted by Sysco Houston, Inc.
3. Produce Food Items submitted by Sysco Houston, Inc.

EXTENSION OFFICE

16. Discuss and take action to approve transfer of \$1,500.00 from line item 125-540-563000 [Training & Conference] 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

COUNTY ENGINEER

17. Discuss and take action to approve a variance request to the Subdivision Regulations by Carlos Medina.

No action taken.

18. Discuss and take action to approve the following transfers within the Road and Bridge Department:

- \$7,000.00 from line item 110-530-581815 [Equipment Rental] to line item 110-530-587411 [Sign & Striping Materials].
- \$38,200.00 from line item 110-530-590000 [Bridge Replacement] to the following line items:
 - \$30,200.00 to line item 110-530-587400 [Mowing ROW]
 - \$4,000.00 to line item 110-524-536000 [Building Maintenance & Supplies]
 - \$4,000.00 to line item 110-524-581800 [Furniture & Equipment]
- \$94,000.00 from line item 110-530-59000 [Bridge Replacement], \$100,000.00 from line item 110-530-537501 [Fuel], and \$25,000.00 from line item 110-530-

547508 [Inside Repairs], for a total of \$219,000.00 to line item 110-530-587510 [Sand/Base Material].

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

19. Discuss and take action to approve a Utility Permit for Consolidated Communications for Woods 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

20. **Open Bids** for:

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. 42 - 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

(Bids were submitted and opened in Court)

TAX ASSESSOR COLLECTOR

21. Discuss and approve refunds in excess of \$500.00 in accordance with Article 31.11 State Property Tax Code.

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 DEPARTMENT

22. Discuss and take action to approve Agreement between Consolidated Communications Company (CCI) and Waller County for services at Justice of the Peace Precinct 4.

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

23. Discuss and take action to approve transfer of \$10,000.00 from line item 125-411-569600 [Contingency] to line item 125-423-540702 [Autopsy].

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 to approve Agreement between Waller County and the Waller County Fair Association.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Abstained

Commissioner Beckendorff – Yes

25. 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].

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Abstained

Commissioner Beckendorff – Yes

AUDITOR

26. Request by County Auditor to **spread** upon the minutes Certification of Funds for the \$24,400.00 donation (2011 Dodge Charger Police Interceptor) from Tex Martin to Waller County Constable, Pct. #2.

No action required.

27. Discuss and take action on request by County Auditor to amend the 2015 Budget to accommodate the \$24,400.00 donation (2011 Dodge Charger Police Interceptor) from Tex Martin to Waller County Constable, Pct. #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

EXECUTIVE SESSION

28. Consultation with District Attorney about pending or contemplated litigation.

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)].
31. 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 Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

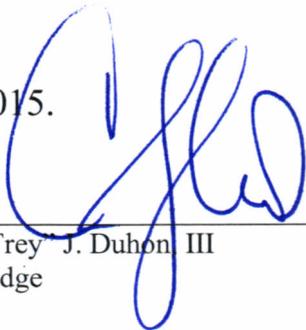
Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 11:09 a.m.

APPROVED this the 16th 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

By: 

Candice Adams, Deputy County Clerk

