

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – DECEMBER 14, 2016

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 14th day of December 2016 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. Dr. Denise Mattox commented on agenda items #21, 14, and 7.

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 7, 2016 Regular Session
3. **Request by County Treasurer for approval of Longevity Payroll.**
4. **Request to approve payment on the following:**
- (a) \$2,887.00 for Invoice # AH013266, \$2,887.00 for Invoice # AH013313, \$2,887.00 for Invoice # AH013334, and \$2,887.00 for Invoice # AH013335 for a total of \$ 11,548.00 to Harris County Treasurer from line item 125-125-423-540702 [Autopsy].
- (b) \$995.00 for Invoice to Magnolia Funeral Home, Inc. from line item 125-423-540705 [Transport to Morgue].
- (c) \$1,000.00 for Invoice # NRDD-0002157-LE to Texas Association of Counties Risk Management Pool from line item 125-411-560300 [Ins Equip/Building/Pub Liab].
- (d) \$5,741.00 for Invoice # AH013287 to Harris County Treasurer from line item 125-422-541600 [Pro Rata Share Court Expense].

(e) \$6,199.93 for Invoice # 11572 to Waller County Asphalt from line item 600-600-587520 [Community Center].

(f) \$35.00 to Employees Retirement System of Texas from line item 125-411-562300 [County Organizational Dues].

(g) \$ 80.00 for Invoice # 16547412 [Courthouse, Hold-up Alarm],

\$50.00 for Invoice #16544912 [Courthouse Burglar Alarm],

\$990.00 for Invoice # 16112412 [Courthouse Camera Surveillance],

\$155.00 for Invoice # 16323612 [JP #1 Hold-up Alarm],

\$209.50 for Invoice # 16111612 [JP #2 Burglar Alarm / DVR System],

\$280.00 for Invoice # 16540912 [JP #3 DVR],

\$120.00 for Invoice # 16520112 [JP #4 Burglar, Hold-Up, Access Control, DVR Monitors]

for a total of \$1,884.50 to be paid from the following line items: \$1,754.50 from 117-428-568425 [Courthouse Security/Misc. Security] and \$130.00 from 123-431-568425 [Justice Court Building Security/Misc. Security].

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

Motion to **approve consent agenda items** 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

Advanced to Agenda Item #18

COUNTY JUDGE

6. Discuss and take action to remove board members from the Waller County Child Welfare Board to be effective December 31, 2016.

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 board members to the Waller County Child Welfare Board for 2017 to be effective January 1, 2017.

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

Vote to **appoint Dr. Halcyon Watkins**

Appointment carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Vote to **appoint Dani Post**

Appointment carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – No

Commissioner Beckendorff – No

Vote to **appoint Rebecca Dixon**

Appointment FAILED.

Judge Trey Duhon – No

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – No

Commissioner Beckendorff – No

Vote to **appoint Ben Tibbs**

Appointment carried.

Judge Trey Duhon – Yes Commissioner Amsler – No Commissioner Klecka – Yes
Commissioner Barnett – Yes Commissioner Beckendorff – Yes

Vote to **appoint Scott Green**

Appointment carried.

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

Vote to **appoint Rev Dottie Dumas**

Appointment carried.

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

Vote to **appoint Debi Ferris**

Appointment carried.

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

Vote to **appoint Anita Brown**

Appointment carried.

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

Vote to **appoint Katina Harris**

Appointment carried.

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

506TH DISTRICT JUDGE

8. Discuss and take action to approve the Contract Indigent Defense attorneys for Waller County for Calendar year 2017, 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.

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

COUNTY COURT AT LAW

9. Discuss and take action to approve the following transfer within the County Court at Law's budget:

~~\$736.88~~ **\$734.00** from 125-412-530200 [Supplies & Stationery]

\$54.90 from 125-412-535000 [Books, Etc.]

\$210.00 from 125-412-562310 [Bar Dues]

\$317.26 from 125-412-563000 [Training & Conference]

\$2,100.00 from 125-412-581813 [Equipment Rental]

\$1,206.40 from 125-412-510101 [Salary Part Time / Clerical]

For a total of \$4,625.44 transferred to line item 125-412-581800 [Furniture & Equipment].

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

Motion to **amend amount** by Commissioner Beckendorff, seconded by Commissioner Barnett from \$736.88 to \$734.00.

Amendment carried.

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

Amended Motion carried.

Judge Trey Duhon – Yes Commissioner Amsler – Yes Commissioner Klecka – Yes

JUSTICE OF THE PEACE, PRECINCT 1

- 10. Discuss and take action to approve the transfer of \$1400.00 from line item 125-418-530200 [Supplies] to the following line items:
 - \$800.00 to 125-418-510101 [Part-time] for salary to end of year.
 - \$600.00 to 125-418-581800 [Furniture] for purchase of Stand-up Workstation.

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

SHERIFF

- 11. ~~Open Bids for meat products, non-perishable food items, and produce food items for the Waller County Jail.~~ **Item WITHDRAWN.**

COUNTY ENGINEER

- 12. Public Hearing: on the installation of Stop Signs on the following roads:
 - One (1) Stop Sign on River Run at Forest Drive
 - One (1) Stop Sign on Winding Way at Forest Drive

Public Hearing began at 10:03 a.m.

Commissioner Klecka explained the need for stop signs

Public Hearing ended at 10:04 a.m.

- 13. Discuss and take action to approve the installation of Stops Signs on the following roads:
 - One (1) Stop Sign on River Run at Forest Drive
 - One (1) Stop Sign on Winding Way at Forest Drive

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

- 14. Discuss and take action to approve the purchase of 2-10' x 48' used rail tank cars to temporarily replace the existing and temporary bridge structures on Clemons Switch Rd. at Irons Creek. Funds to be paid from line item 110- 530-569000 [April 2016 Flood].

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

- 15. Discuss and take action to approve the following line item transfer within the Road and Bridge Department Budget:

- Transfer \$18,300.00 from line item 110-530-587510 [Sand/Base Material] to 110-530-587513 [Concrete Pipe] to purchase large tank cars and culverts for stock for emergency response.
- Transfer \$45,150.00 from line item 110-530-587510 [Sand/Base Material] to 110-530-587411 [Sign & Striping] to purchase emergency/flood signage and traffic control devices.
- Transfer \$13,500.00 from line item 110-530-587510 [Sand/Base Material] to 110-530-581100 [Construction Equipment] to purchase 4 trailers for emergency/flood signage.

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

16. ~~Discuss and take action to declare emergency to replace the roof on the Road & Bridge Annex building. For payment transfer \$25,225.00 from line item 110-530-587510 [Sand/Base Material] to line item 110-530-536000 [Building Maintenance & Supplies].~~

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

Motion and Second withdrawn – Item WITHDRAWN.

17. Discuss and take action to award bids on the following items based on the recommendations by the County Engineer:

All Season Pre-Coated Patching Mixture 9ASPPM) Gradation 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 for Gravel & Aggregate Material – **Accept BWF bid**

High Density Polyethylene (HDPE) Pipe

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

Hot Mix Asphaltic Concrete Pavement (HMAC) & Hauling, For Pct. 3 and Pct. 4

Hydrated Lime

Mowing Contract

PreCoated Aggregate – **reject BWF bid**

Reclaimed Asphalt Pavement

Reinforced Concrete Pipe

Roadside Vegetative Management

Stabilized Sand

Used Tank Cars

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

Motion to **amend** by Commissioner Beckendorff, seconded by Commissioner Barnett by rejecting BWF bid for PreCoated Aggregate and to accept BWF bid for Hauling Services for Gravel & Aggregate Material.

Amendment carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Amended Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

MISCELLANEOUS

18. Discuss and take action to approve the Waller County Historical Commission members for 2017-2018.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Returned to Agenda Item #6

19. 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 or leasing real property in Precinct 4 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 – Abstained

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

EXECUTIVE SESSION

Court **convened** to Executive Session at 10:27 a.m.

Court **reconvened** from Executive Session at 11:02 a.m.

20. Consultation with District Attorney and outside counsel about pending or contemplated litigation pursuant to Government Code Section 551.071.
21. Deliberate business and financial issues related to purchasing or leasing real property in Precinct 4 pursuant to Government Code Sections 551.072 and 551.0725.
22. 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

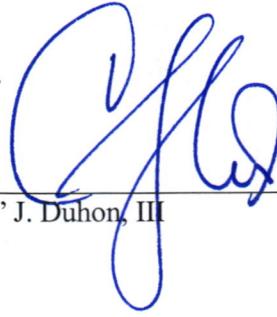
Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

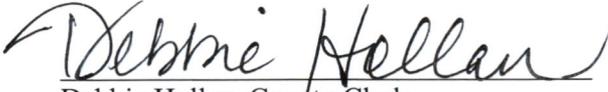
Meeting was **ADJOURNED** at 11:05 a.m.

APPROVED this the 21st day of December 2016.



Carbett "Trey" J. Duhon, III
County Judge

ATTEST:



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

