

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
TUESDAY – FEBRUARY 17, 2015

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Tuesday, the 17th day of February 2015 at its meeting place in 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
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 Barnett, seconded by Commissioner Beckendorff.

Motion carried.

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

2. **Approval of the minutes – 1 Set**

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*

Minutes approved: February 11, 2015 Regular Session

PUBLIC COMMENT

1. Mr. Terry Johnson represents Tri County Advocacy Group and Waller HSR in trying to fight the proposed high speed rail. Mr. Johnson invited the court to attend meeting this Thursday at the Macedonia United Methodist Church located at 23391 Macedonia Road in Hockley at 7:00 p.m.
2. Mr. Billy Frazier wanted to correct a statement he previously made publically, "Corp of engineers had established five (5) levels of permeability", in researching he learned that's not quite right, he can not back that statement up and for that he apologized but does not apologize for trying to protect the Rainey Ranch and how serious the landfill is a threat to our water.
3. Commissioner Justin Beckendorff announced the Katy FFA Livestock Show and Rodeo will be going on this weekend, starts this Thursday and invited everyone to come out and have a good time.
4. Judge Trey Duhon thanked everyone for being here today, not our regular court day, announced he and several of the court members will be attending a conference in Austin, the VG Young Conference beginning this afternoon running through Thursday. Judge also announced there are several things going on, the Community meeting Mr. Johnson announced this Thursday regarding the high speed rail, and a Town Hall meeting tonight in Prairie View to discuss some of the recent crime and murders that have occurred in the City of Prairie View at 6:00 p.m. at the Prairie View City Hall.

PROCLAMATION

3. ~~Discuss and take action to approve the Proclamation honoring Brookshire Police Officer David Martinez.~~

Item WITHDRAWN.

CONSENT AGENDA (4-7 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.

4. Request by County Treasurer for approval of payroll.
5. ~~Request by County Treasurer for approval and/or release of securities pledged by First National Bank of Bellville / Waller Branch.~~
Item WITHDRAWN.
6. Request to approve payment on the following:
(a) \$550.00 for Invoice # SOP003462 to County Information Resources Agency from line item 125-441-562302 [License Fees] for Web Hosting 2015.
(b) \$990.00 for Invoice to Schmidt Funeral Home from line item 125-423-540705 [Transport to Morgue].
7. 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

TREASURER

8. Request by County Treasurer for approval of Treasurer's Report.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

9. Request by County Treasurer for approval of Investment Report.

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 JUDGE

10. Discuss and take action to approve the appointment of Orval Rhoads as the alternate on the HGAC Transportation Policy Council (TPC) replacing Commissioner Beckendorff.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Abstained
Commissioner Barnett – Yes

Commissioner Klecka – Yes
Commissioner Beckendorff – Yes

11. Discuss and take action to approve the Agreement between Instrux, LLC and Waller County for video services, ***funds to be paid from line item 125-401-540900 [Professional Consultant Services].***

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

Motion to **amend** agenda item by Commissioner Barnett, seconded by Commissioner Beckendorff by inserting: funds to be paid from line item 125-401-540900 [Professional Consultant Services].

Amendment carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Barnett – Yes

Commissioner Klecka – Yes
Commissioner Beckendorff – Yes

Amended Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Barnett – Yes

Commissioner Klecka – Yes
Commissioner Beckendorff – Yes

COMMUNITY SUPERVISION

12. Request approval to transfer 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

DISTRICT CLERK

13. Request approval to transfer fixed assets to the County Judge's office.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Barnett – Yes

Commissioner Klecka – Yes
Commissioner Beckendorff – Yes

JUVENILE PROBATION

14. Approve and authorize County Judge to sign engagement letter with Trlicek & Co., P.C. to conduct the outside audit for the Waller County Juvenile Probation Department for the year ended August 31, 2014.

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

DISTRICT ATTORNEY

15. Discuss and take action to approve Resolution naming Trey Duhon, Waller County Judge, as Authorized Official on the VOCA grant awarded to the Waller County D.A.'s office for fiscal year 2014/2015.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Barnett – Yes

Commissioner Klecka – Yes
Commissioner Beckendorff – Yes

16. Discuss and take action to approve Resolution in support of the continuation of the VOCA grant funded Victim's Assistant Program in the Waller County District Attorney's Office for fiscal year 2015/2016.

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

COUNTY ENGINEER

17. **Open bids** for: Cold Mix Asphaltic Pavement, Crushed Limestone, and Precoated Aggregate.

The following bids were submitted and opened in court:

1. **BWF Freight, LLC** for Crushed Limestone. Crushed Limestone delivered to Hempstead Yard in Vendor's Truck, Unit Price \$28.05 per Ton, Crushed Limestone delivered to Brookshire Yard in Vendor's Truck, Unit Price \$33.45 per Ton, Crushed Limestone delivered to Job Site in Waller County, Unit Price \$32.45 per Ton. Typical Conversion for this material equals 1.5 Tons/CY.
 2. **Vulcan Construction Materials LP** for Cold Mix Asphaltic Pavement. Item Cold Mix Asphaltic Pavement, item 330 Type C Mix Per Ton, Unit Price Bid for Hempstead \$79.99 by Rail – Price Per Ton, for Brookshire \$78.39, Additional Freight they put Not Applicable. Typical Conversion for this material equals 1.15 Tons/CY.
 3. **Vulcan Construction Materials LP** for Precoated Aggregate. Precoated Aggregate for surface Treatment - Item 302, Type PE Grade 3, By Rail Price Per Ton Hempstead \$62.99, Brookshire \$61.39, Additional Freight Not Applicable on both locations, Precoated Aggregate for surface Treatment – Item 302, Type PE Grade 4, By Rail Price Per Ton Hempstead \$63.99, Brookshire \$62.39, Additional Freight Not Applicable. The conversion for this material is 1.05 Tons/CY.
 4. **Vulcan Construction Materials LP** for Crushed Limestone. Crushed Limestone delivered to Hempstead Yard in Vendor's Truck, \$33.75 Per Ton, Crushed Limestone delivered to Brookshire Yard in Vendor's Turck, \$31.34 Per Ton, Crushed Limestone delivered to Job Site in Waller County, \$33.75 Per Ton. Conversion for this material equals 1.85 Tons/CY.
18. Recommend that the Court approve advertising the establishment of speed limits and the installation of speed limit signs on the following roads:

- Oak Hollow Subdivision: entire subdivision of 30 mph

Advertising to be posted in the following newspapers of general circulation: News Citizen and the Waller Times, and payment for advertising to be funded from line item 125-401-544100 [Bid Notices and Printing], followed by a public hearing during the regular session of Commissioners' Court on March 11, 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

19. Recommend that the Court approve advertising the installation of Stop signs at the following locations:

- Three (3) at Oak Hollow Blvd. and Dogwood Drive
- Three (3) at Oak Hollow Blvd. and Ridgewood Drive
- Four (4) at Oak Hollow Blvd. and Walnut Hill Drive
- Two (2) at Oak Hollow Blvd. and Joseph Road

- One (1) at Creekbend and Lakeside Drive

Advertising to be posted in the following newspapers of general circulation: News Citizen and the Waller Times, and payment for advertising to be funded from Line item 125-401-544100 [Bid Notices and Printing], followed by a public hearing during the regular session of Commissioners Court on March 11, 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

MISCELLANEOUS

20. Discuss and take action to name Trey Duhon as “Authorized Official” on all grants previously listing Glenn Beckendorff as “Authorized Official”.

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

21. Discuss and take action to adopt procedure for approving substitute or replacement securities by Depository Bank, and to designate Joan Sargent, Waller County Treasurer, to manage the approval of the substitution or replacement of securities held by the Depository Bank pursuant to Local Gov’t Code Ann. Section 116.082.

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 to approve the following applicants for membership in the Waller County Historical Commission for 2015-2016.

C. Truett Bell

Peggy McKay

Sandy Buller

Clarence Miller

Janet Buller

Patricia Neelley

Ruth S. Connett

Joyce Peterson

Carol Ann Eplen

Lynwood Peterson

Lyn Harris

Judy Robinson

Bill Kitzman

Erin Sanders

Junior McKay

Richard Senasac

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

23. ~~Discussion and possible action regarding case entitled *City of Hempstead and Citizens Against the Landfill in Hempstead v. Waller County, Texas, et al.*; Cause No. 13-03-21872; In the 506th Judicial District Court of Waller County, Texas; Waller County Ordinance No. 2013-001 and the Host Agreement between Waller County, Texas and Pintail Landfill, L.L.C. [Executive Session as requested [pursuant to Texas~~

~~Government Code, Title 5, Subchapter D. Section 551.071 (Consultation with Attorney)].~~

~~Item WITHDRAWN.~~

24. ~~Reconvene into Open Session for Potential Action Resulting from Executive Session.~~
~~Item WITHDRAWN.~~

25. ~~Consultation with District Attorney about pending or contemplated litigation.~~
~~Item WITHDRAWN.~~

ADJOURN MEETING

Motion to **adjourn** meeting by Commissioner Amsler, seconded by Commissioner Beckendorff.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

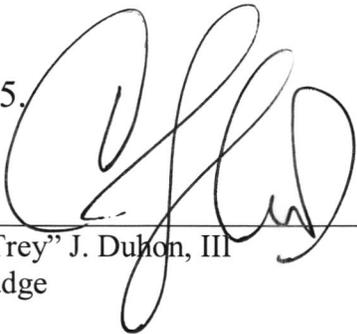
Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

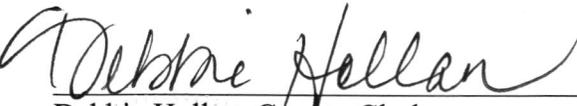
Meeting was **ADJOURNED** at 9:56 a.m.

APPROVED this the 25th day of February 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

