

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – MARCH 18, 2015**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 18<sup>th</sup> day of March 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  
Jeron Barnett, Commissioner Precinct 3  
Justin Beckendorff, Commissioner Precinct 4  
Stephanie Tompkins, 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 Beckendorff, seconded by Commissioner Barnett.

**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** one set of minutes 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: March 11, 2015 Regular Session

**PUBLIC COMMENT**

1. TJ Johnson addressed the court regarding opposition of the Brazos Valley Connection Electrical Transmission Line Project.
2. David Allen and Marie Herndon publically thanked the community for coming together to help protect and fight crime in the City of Prairie View as well as presented awards of appreciation to Waller County Criminal District Attorney, Mr. Elton Mathis and his staff along with the Waller County Sheriff, Mr. R. Glenn Smith and his department for their assistance.
3. Larry Parr addressed the court concerning the possible video/live streaming expenditure and the need to repair county library and complete construction of Constable, Precinct 3 building.

**CONSENT AGENDA ( 3-5 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.

3. **Request by County Treasurer for approval of payroll.**

4. Request to approve payment on the following:
  - (a) \$940.00 for Invoice to Schmidt Funeral Home 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** 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>

**MAINTENANCE DEPARTMENT**

6. ~~Presentation by Robert Holloman, Maintenance Supervisor regarding the status of Maintenance Projects for Waller County.~~  
**Item WITHDRAWN.**

**COUNTY JUDGE**

7. Discuss and take action to approve the Resolution for support for the no-build option for the Brazos Valley Connection electrical transmission line project.  
 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>
8. **Presentation** from J. D. Head of Fritz, Byrne, Head & Harrison, PLLC of Austin in regards to environmental legal counseling services for Waller County.  
 No action taken.
9. Discuss and take action to approve engagement with Fritz Byrne Head & Harrison, PCCL law firm for the provision of Legal Services/Representation in connection with environmental issues and authorizing the County Judge to execute all relevant documents, and to exempt the same from competitive bidding requirements under Tex. Loc. Gov. Code sec 262.024 (A) (4) ‘a professional service’ for the provision of legal services in connection with the provision of environmental legal services, to be paid from line item 125-411-540300 [Legal].  
 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 – No</i>

**COMMISSIONER, PRECINCT 3**

10. ~~Discuss and take action to relieve the Waller County Commissioners Court and its legal representative Waller County District Attorney Elton Mathis and the Law Firm of Allison, Bass, and Magee from all attorney client privileges as it pertains to those matters involving the Pintail Landfill.~~  
 Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Barnett.  
 Motion and Second **WITHDRAWN.**

## CONSTABLE, PRECINCT 2

11. Discuss and take action to approve the Official Bond and Oath for Beau David Price for Reserve Deputy Constable for Precinct 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*

12. Discuss and approve the donation of \$5,037.00 from the Deputies of Precinct 2 to go into line item 125-512-568436 [Gregory/Martin/Donation].

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*

## CONSTABLE, PRECINCT 3

13. Discuss and take action to approve Official Bond and Oath for Mitchell Gipson, Walter Graves, and A.C. Love as Reserve Deputy Constable for Precinct 3.

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*

## TREASURER

14. Request by County Treasurer for approval of Treasurer's 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*

15. 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*

## JUVENILE PROBATION

16. Discuss and take action to approve and authorize County Judge to sign contract with Rite of Passage, Inc., Lake Granbury Youth Services for Residential Services.

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*

## TAX ASSESSOR COLLECTOR

17. Discuss and take action to authorize County Judge to sign tax resale deeds for the private tax resale of three (3) properties currently held in trust by Waller County pursuant to Section 34.05(h)(2) of the Texas 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

## ELECTIONS ADMINISTRATOR

18. ~~Discuss and approve engagement with Guinn, Morrison law firm for the provision of Legal Services/Representation in connection with redrawing county precinct boundaries pursuant to Tex. Elec. Code sec. 42.031 and authorizing the County Judge to execute all relevant documents.~~

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

Motion and Second **WITHDRAWN**.

## DISTRICT ATTORNEY

19. Discuss and take action to modify the 2015 salary order and to authorize the County Treasurer to modify the salary order to increase the hourly rate of pay for the 4<sup>th</sup> Assistant D.A. to \$47.90 per hour effective 4/1/2015.

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

20. Discuss and take action to transfer \$34,865.00 from line item 125-411-569600 [Contingency] divided as follows: to 125-416-510005 [Salary Assistant] the amount of \$29,868.00; to 125-416-520100 the amount of \$2,285.00 [Social Security]; and to 125-416-520201 [Retirement TCDRS] in the amount of \$2,712.00.

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

21. ~~Discuss and take action to approve the proposal from Swagit Productions, LLC for Equipment, Meeting Monitoring Services and indexing for Commissioners Court Video Streaming and Recording Services.~~

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

Motion and Second **WITHDRAWN**.

22. Discuss and take action to approve the agreement between Melanee Smith Memorial Library and Waller 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

23. Discuss and take action to approve the payment of \$ 4,000.00 to Melanee Smith Memorial Library as allocated in the 2015 budget from line item 125-411-547340 [Melanee Smith Library].

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 payment of \$35,305.80 for Invoice # 12970 to Allison, Bass & Magee, LLP from line item 125-411-540300 [Legal].

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

**Motion carried.**

Judge Trey Duhon – Yes

Commissioner Amsler – No

Commissioner Klecka – No

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

## AUDITOR

25. Request by County Auditor for approval to amend the 2015 Budget to transfer balance of unspent funds, from the prior year, for **Constable #1**, Constable #2, Constable #3, Constable, Pct. #4 and the Library.

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

Motion to **amend** item by Commissioner Barnett, seconded by Commissioner Beckendorff by adding *Constable #1*.

**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

## EXECUTIVE SESSION

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

27. ~~Reconvene in Open Session to take any action necessary on matters discussed in Executive Session.~~

**Item WITHDRAWN.**

## ADJOURN MEETING

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

**Motion carried.**

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

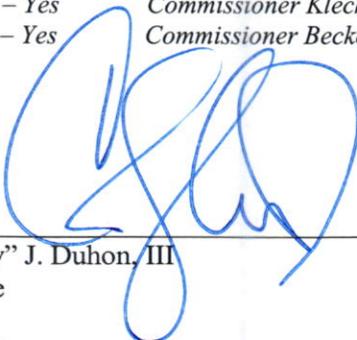
Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

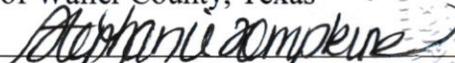
Meeting was **ADJOURNED** at 10:37 a.m.

**APPROVED** this the 1<sup>st</sup> day of April 2015.

  
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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:   
Stephame Tompkins, Deputy County Clerk