

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – APRIL 22, 2015

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 22nd day of April 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
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.

<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>

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

Motion to **approve** one set of minutes 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>

Minutes approved: April 15, 2015 Regular Session

PUBLIC COMMENT

1. Criminal District Attorney Mr. Elton Mathis introduced his newest prosecutor, Ms. Mia Magness to members of the court and public.
2. Judge Trey Duhon announced today is the last day to purchase a barbeque stuffed baked potato ticket for the Relay for Life fundraiser which will be held this Friday from 11:30 a.m. to 1:00 p.m.

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 to approve payment on the following:**

- (a) \$3,637.50 for Invoice # 103833 to Fritz, Byrne, Head & Harrison, PLLC to paid from line item 125-411-540300 [Legal].

(b) \$439.00 for Invoice # 15-000571 and \$439.00 for Invoice # 15-000595 for a total of \$878.00 to Travis County Clerk to be paid from line item 125-411-561501 [Medical Commitment Fees].

(c) \$519.23 for Invoice # 0002978 to Johnston, LLC to be paid from line item 600-600-545405 [Professional Services]

4. 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

COUNTY TREASURER

5. Request approval for County Judge to sign ARTS Program Agreement from Texas Association of Counties.

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

6. 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 Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

7. Discuss and take action to enter in Common Interest Agreement between Waller County, and CALH in appellate matters arising from the litigation styled *City of Hempstead and Citizens Against the Landfill in Hempstead v. Waller County, Texas, et. Al.*; Cause No. 13-03-21872, and authorize District Attorney to sign said agreement.

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 – Abstained

TAX ASSESSOR COLLECTOR

8. Discuss and approve refunds in excess of \$500.00 in accordance with section 31.11 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

COUNTY ENGINEER

9. Recommend the approval of a Utility Permit for Hilcorp Energy Company for the installation of a 6" Fiberspar Pipeline within the right-of-way of Bartlett Road.

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

MISCELLANEOUS

10. Discuss and take action to approve Agreement between Waller County and the Navasota Soil and Water Conservation District.

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

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

Motion carried – Item TABLED.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

11. ~~Discuss and take action to approve payment of \$2,000.00 to Navasota Soil and Water Conservation District from line item 125-411-547330 [Soil & Water Conservation] as allocated in the 2015 Budget.~~

Item WITHDRAWN.

12. Discuss and take action to approve the Agreement between Waller County and Focusing Families.

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

13. Discuss and take action to approve payment of \$15,000.00 to Focusing Families from line item 125-411-547310 [Focusing Families] as allocated in the 2015 budget.

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

14. Consultation with Attorney pursuant to Tex. Gov't Code sec. 551.071, via telephone conference call, to discuss a public information act request received by District Attorney's office involving Attorney-Client privileged material in Cause No. 13-03-21872, *City of Hempstead and Citizens Against the Landfill in Hempstead v. Waller County et.al.*

Court **convened** to Executive Session at 9:22 a.m.

Court **reconvened** from Executive Session at 10:10 a.m.

15. Consultation with District Attorney about pending or contemplated litigation pursuant to Government Code Section 551.071.

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

No action taken.

ADJOURN MEETING

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

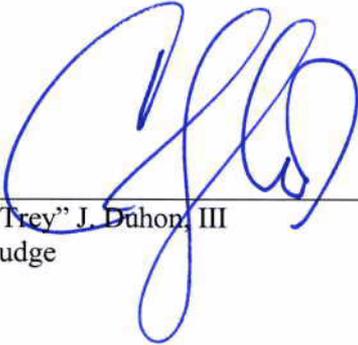
Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

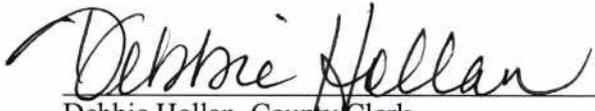
Meeting was **ADJOURNED** at 10:11 a.m.

APPROVED this the 29th day of April 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