

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – APRIL 8, 2015

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 8th 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 9:04 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.

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| <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.

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|-------------------------------|-----------------------------------|---------------------------------------|
| <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 1, 2015 Regular Session

PUBLIC COMMENT

1. Dave Sanders addressed the court with concerns and suggestions in the opposition of the proposed Pintail Landfill.
2. Commissioner John Amsler announced on April 14, 2015 at the Hempstead Theatre there will be a workshop, "Consider the Possibilities" at 6:30 p.m. as well as a town hall meeting the following Tuesday, April 21, 2015 at the Hempstead Theatre beginning at 6:30 p.m..
3. Judge Trey Duhon announced the Annual 4-H Barbeque will be held this Sunday, April 12, 2015 at the Waller County Fairgrounds. Judge also announced Waller County has recently been given the Designation of a Platinum Member of the Leadership Circle for the Texas Comptroller's Office, an award given to governmental entities for financial transparency. Judge publically thanked County Auditor Alan Younts, Assistant Auditor Mike Boehnke, and IT Administrator Greg Henry for providing financial information on the county website.

PROCLAMATION

3. Discuss and take action to approve the Proclamation recognizing April as Sexual Assault Awareness and Prevention Month in 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

(Judge Duhon read Proclamation)

CONSENT AGENDA (4-5 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.

4. Request to approve payment on the following:

(a) \$124.99 for Invoice # 69677/2 to Hometown Hardware to paid from line item 600-600-587519 [JP #3].

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

COUNTY JUDGE

6. **Presentation** from J.D. Head of Fritz, Byrne, Head & Harrison, PLLC regarding development of a comprehensive waste management plan, landfill siting ordinances, and the contested case hearing on the Pintail Landfill LLC's application for MSW Solid Waste Permit No. 2377.

No action taken.

7. Consultation with attorney J.D. Head regarding pending or contemplated litigation with Pintail Landfill LLC pursuant to Texas Government Code Section 551.071.

Court **convened** to **Executive Session** at 9:36 a.m.

Court **reconvened** from **Executive Session** at 10:25 a.m.

8. Discuss and take action to approve Resolution authorizing Waller County Commissioners Court to intervene in SOAH Docket No. 582-14-3597 in opposition of Pintail Landfill LLC's application for MSW Solid Waste Permit No. 2377.

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

(Judge Duhon read the Resolution)

CONSTABLE, PRECINCT 3

9. Discuss and take action to approve Official Bond and Oath for Gary Hudson, Lisa Stepney, Thomas Thrash, and Calvin Simmons as Reserve Deputy Constables 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

CONSTABLE, PRECINCT 2

10. Discuss and take action to accept the official bond on Robert Pelton as a Reserved 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

SHERIFF

11. Request by County Sheriff to **spread** upon the minutes the Imprest Account Expenditures Budget for 2014.

No action required.

12. Request by County Sheriff to **spread** upon the minutes the Imprest Account Budget for 2015.

No action required.

13. Request by County Sheriff to **spread** upon the minutes the issuance of a check in the amount of \$10,000.00 from Waller County Narc Program Income fund to the Waller County Sheriff's Office Imprest Fund for the establishment of the 2015 Budget for \$10,000.00.

No action required.

COUNTY ENGINEER

14. Recommend the approval of a Utility Permit for San Bernard Electric Coop., Inc. for the installation of one (1) power pole in the right-of-way of Mack Washington.

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. Recommend the approval of the plat and dedication of August Lakes Subdivision, Section 1.

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. Recommend the modification of the 2015 salary order and to authorize the County Treasurer to modify the salary order to increase the hourly rate of pay for the Culvert inspector to \$20.22 per hour and the Administrative Assistant to \$21.67 per hour, effective April 20, 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

17. Recommend the transfer of \$5,184.00 from line item 110-530-537100 [Nuisance Abatement] divided as follows:

\$2,960.00 to line item 110-530-510012 [Salary Other],
\$227.00 to line item 110-530-520100 [Social Security],
\$269.00 to line item 110-530-520201 [Retirement TCDRS],
\$1,480.00 to line item 110-524-510003 [Salary Admin. Support],
\$113.00 to line item 110-524-520100 [Social Security],
\$135.00 to line item 110-524-520201 [Retirement TCDRS].

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

18. Discuss and take action to approve the advertising for notice of Public Hearing on consideration of the below described property as designation for a reinvestment zone in the News Citizen, **and The Times Tribune** for one week. Advertising to be paid from Line Item 125-401-544100 [Bid Notices and Printing].

5.643 acres located at 5411 FM 2855, Brookshire, TX 77423, near the intersection of Goynes Rd., and legally described as: Being a tract or parcel of land containing 5.643 acres (245,800 square feet) situated in Section 98 of the J.M Bennett Survey, Abstract No. 286, of Waller County, and being out of that certain tract called 390 acres of said Section 98 as described in Vol. 166, Pg. 494 of the Deed of Records of Waller County.

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

Motion to **amend** item by Commissioner Klecka, seconded by Commissioner Beckendorff by inserting **and The Times Tribune**.

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

19. Discuss and take action to authorize the County Judge to sign agreement with Newline Technology to provide video streaming services. Said agreement is exempt from competitive bidding procedures because the contract amount will be less than \$50,000.

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

EXECUTIVE SESSION

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

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

No Executive Session needed – **Items 20 & 21 WITHDRAWN.**

ADJOURN MEETING

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

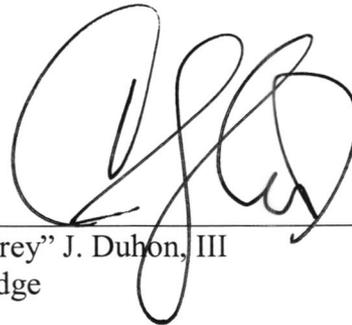
Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 10:43 a.m.

APPROVED this the 15th 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

