

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – MAY 4, 2016

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 4th day of May 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 9:02 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.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

PUBLIC COMMENT

1. TJ Johnson addressed the court regarding the proposed Texas High Speed Rail.
2. Judge Duhon gave update on the April flood issues - debris removal and FEMA assistance.

CONSENT AGENDA (2-4 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** – April 27, 2016 Regular Session

3. **Request to approve payment on the following:**

(a) \$1,065.00 for Invoice to Schmidt Funeral Home from line item 125-423-540705 [Transport to Morgue].

(b) \$200.00 for Invoice # 239595 to Texas Judicial Academy from line item 125-411-562300 [County Organizational Dues].

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

Motion to **approve** consent agenda items #2-4 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

5. **Spread** upon the minutes updated and new disaster related agreements.
No action required.

JUSTICE OF THE PEACE, PRECINCT 1

6. Discuss and take action to approve transfer of Fixed Assets from Justice of the Peace, Precinct 1 to the IT 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

COUNTY ENGINEER

7. Discuss and take action to advertise in the newspaper the renaming of Bogart Road to Birdie Lane in Sky Lakes Subdivision, Section 2. 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 Commissioner's Court on May 18, 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

8. Discuss and take action to advertise for Competitive Bids and payment for advertising to be funded from Line Item 125-401-544100 [Bid Notices and Printing] for rental of Asphalt Reclaimer.

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

9. Discuss and take action to approve the transfer of \$10,000 from line item 110-530-587410 [Contract Hauling] transfer \$10,966.28 from line item 110-530-590000 [Bridge Replacement] for a total of \$20,966.28 to line item 110-524-581800 [Furniture and Equipment] to purchase a new sign machine.

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

10. Discuss and take action to consolidate Precincts 419 and 420 with precinct 418 for election day voting for the May 24, 2016 Primary Runoff and to remove the Katy VFW Hall from being an early voting polling place for the May 24, 2016 Primary Runoff due to closure by the City of Katy because of Flood Damage.

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

11. Discuss and take action to approve payment for up to 3 hours online training for pollworkers for the May 24th Primary Runoff Election.

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

12. 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 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 \$2,000.00 to Navasota Soil and Water Conservation District from line item 125-411-547330 [Soil & Water Conservation] as allocated in the 2016 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 District Attorney about pending or contemplated litigation pursuant to Government Code Section 551.071.

15. Consultation with District Attorney regarding recent filings of Texas Central Railroad, LLC and/or its affiliates, with the Federal Surface Transportation Board [Executive Session as requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Court **convened** to Executive Session at 9:25 a.m.

Court **reconvened** from Executive Session at 9:57 a.m.

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

Judge Duhon read a resolution regarding Preliminary Comments in Opposition to Petition for Exemption and Petition for Clarification on the proposed High Speed Rail Line.

Motion to **adopt the resolution** 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

Motion **made** by Commissioner Klecka, seconded by Commissioner Amsler to instruct the District Attorney to send a letter to TCR and all their affiliates putting them on notice that they are not to utilize county right of way for any purpose without prior permission and if they at this point do so they could be liable for criminal trespassing.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

ADJOURN MEETING

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

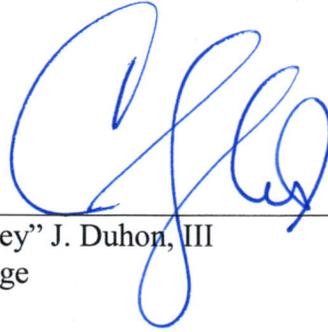
Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 10:28 a.m.

APPROVED this the 11th day of May 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

