

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – JUNE 3, 2015

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 3rd day of June 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 9:01 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
Justin Beckendorff, Commissioner Precinct 4
Candice Adams, Deputy County Clerk
Absent: Jeron Barnett, Commissioner Precinct 3

Delivery of Invocation by: Commissioner Amsler
Pledge to the American Flag and Texas Flag led by: Commissioner Beckendorff.

1. **Approval of Agenda.**

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

Motion carried.

<i>Judge Trey Duhon – Yes</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Klecka – Yes</i>
	<i>Commissioner Barnett – Absent</i>	<i>Commissioner Beckendorff – Yes</i>

PUBLIC COMMENT

1. James Larry addressed the court with his continued concerns regarding the City of Prairie View.
2. Robert Glover questioned how Waller County processes bids.
3. TJ Johnson, representative with the Waller County Advocacy Group discussed the need to fight for intervention as a group/county regarding the Center Point Project.

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** – May 27, 2015 Regular Session
3. **Request to approve payment on the following:**
 - (a) \$2,887.00 for Invoice # AH009503 to Harris County Treasurer from line item 125-423-540702 [Autopsy].
 - (b) \$2,887.00 for Invoice # AH009502 to Harris County Treasurer from line item 125-423-540702 [Autopsy].
 - (c) \$1,179.80 for Invoice # AH009505 to Harris County Treasurer from line item 125-422-567100 [Miscellaneous Court Costs].
 - (d) \$74.95 for Invoice to Hometown Hardware from line item 600-600-587519 [JP #3].

(e) \$439.19 for Invoice # 01-700832 to RediCarpet from line item 600-600-587519 [JP #3].

(f) \$515.00 for Invoice # 183688 to Innovative Communication Systems (ICS) from line item 600-600-587518 [JP #2].

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 Klecka.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

COUNTY JUDGE

5. **Presentation** by Truett Bell with the Waller County Historical Society on the Waller County Historical Markers.

No action required.

6. Discuss and take action to approve the Waller County Historical Society's request to investigate and approve their own historical markers and historical cemeteries designation.

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

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

Motion carried – Item TABLED.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

7. Discuss and take action to approve the Neopost MailFinance Lease Agreement. Payment of \$184.99 for 63 months to be paid from line item 125-411-531400 [Postage]

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

COMMISSIONER, PRECINCT 3

8. **Presentation** by Claudia Wicks with Colorado Valley Transit on transportation.

No action required.

MAINTENANCE

9. Discuss and take action to approve application for Lowes Credit Card Account.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

10. Discuss and take action to select Contractor for concrete sidewalk at the Waller County Tax Office in Hempstead.

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

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

Motion carried – Item TABLED.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

11. Discuss and take action to approve cleaning contracts for county buildings with Ambassador Cleaning Services.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

COUNTY ENGINEER

12. Discuss and take action to dedicate to the public an easement across certain property in Precinct 4 for roadway, flood control, drainage, detention, and other related purposes, and authorize the County Judge to execute the dedication of easement document.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

13. Recommend the approval for the acceptance from TxDot, of approximately 2689 cubic yards of reclaimed asphalt pavement (RAP) located on US 90, half a mile west of FM 1489 in Brookshire, Texas, and will be hauled by Waller County trucks.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

14. Discuss and take action to approve a variance to the Subdivision and Development Regulations by Isaias Santana.

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

Motion FAILED.

Judge Trey Duhon – No

Commissioner Amsler – No

Commissioner Klecka – No

Commissioner Barnett – Absent

Commissioner Beckendorff – No

15. Discuss and take action to approve a variance to the Subdivision Regulations by Cross of Christ Lutheran Church.

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

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

Motion carried – Item TABLED.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

16. Discuss and take action to approve a variance to the Subdivision and Development Regulations by Nicomedes T. Perez.

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

Motion FAILED.

Judge Trey Duhon – No

Commissioner Amsler – No

Commissioner Klecka – No

Commissioner Barnett – Absent

Commissioner Beckendorff – No

MISCELLANEOUS

17. Discuss and take action to approve the private resale offer for the following property: "Lot 4, 0.230 acres, Outlet 25, Brookshire Outlets, City of Brookshire, Waller County, Texas, tax account R15221 in the amount of \$ 2,700.00 by Mr. Edward Garza and authorize the County Judge to sign a resale deed for said property to Mr. Edward Garza.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

18. Discuss and take action to approve the private resale offer for the following property: "Lots 8 & 9, Block 81, Town of Hempstead, Waller County, Texas, tax account R 156500 in the amount of \$4,690.37 by Ms. LinMarie Garsee and authorize the County Judge to sign a resale deed for said property to Ms. LinMarie Garsee and authorize the County Judge to sign a resale deed for said property to Ms. LinMarie Garsee.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

19. Discuss and take action to approve the private resale offer for the following property: "Lot 9, Block 187, City of Hempstead, Waller County, Texas, tax account R20176 in the amount of \$7,262.38 by Ms. LinMarie Garsee and authorize the County Judge to sign a resale deed for said property to Ms. LinMarie Garsee.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

20. **Presentation** of JD Head of Fritz, Byrne, Head & Fitzpatrick, PLLC regarding the application of CenterPoint Energy Houston Electric, LLC filed with the Public Utility Commission of Texas to amend its certificate of convenience and necessity for a 345 kilovolt transmission line in Grimes, Harris and Waller Counties, Texas (The CenterPoint Project).

No action taken.

21. Discuss and take action to approve resolution authorizing Waller County Commissioners Court to intervene in SOAH Docket No. 473-15-3595, PUC Docket No. 44547 in opposition to the CenterPoint Project.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

EXECUTIVE SESSION

22. Consultation with attorney JD Head of Fritz, Byrne, Head & Fitzpatrick, PLLC, via telephone conference call, regarding pending or contemplated litigation with CenterPoint Energy Houston Electric, LLC [Executive Session as requested pursuant

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

- 23. Consultation with Attorney JD Head of Fritz, Byrne, Head & Fitzpatrick, PLLC, via telephone conference call, regarding status update on contested case hearing and Waller County's Petition in Intervention in SOAH Docket No. 582-14-3597 [Executive Session as requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].
- 24. Consultation with District Attorney about pending or contemplated litigation pursuant to Government Code Section 551.071.

Court **convened** to **Executive Session** at 10:48 a.m.
Court **reconvened** from **Executive Session** at 11:42 a.m.

- 25. Reconvene in Open Session pursuant to Tex. Gov't Code Sec. 551.102 to take any action and/or vote on matters deliberated in the above closed meeting.
No action taken.

ADJOURN MEETING

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

<i>Judge Trey Duhon – Yes</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Klecka – Yes</i>
	<i>Commissioner Barnett – Absent</i>	<i>Commissioner Beckendorff – Yes</i>

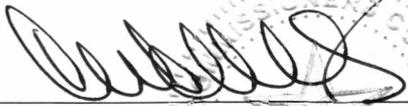
Meeting was **ADJOURNED** at 11:46 a.m.

APPROVED this the 10th day of June 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

By: 

Candice Adams, Deputy County Clerk

