

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – JUNE 8, 2016

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 8th day of June 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 9:00 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
Debbie Hollan, County Clerk

Absent: Justin Beckendorff, Commissioner Precinct 4

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 Barnett, seconded by Commissioner Klecka.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Barnett – Yes

Commissioner Klecka – Yes

Commissioner Beckendorff – Absent

PUBLIC COMMENT

1. Larry Parr commented to the court his concerns and issues regarding the Waller County Library, Fire Marshall, and the County Bell Tower.

CONSENT AGENDA (2-5 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.

2. Approval of the minutes – June 1, 2016 Regular Session
3. Request by County Treasurer for approval of payroll.
4. Request to approve payment on the following:
 - (a) \$2,887.00 for Invoice # AH011928 to Harris County Treasurer from line item 125-423-540702 [Autopsy].
5. Request by County Auditor for approval and/or ratification of Accounts Payable.

Motion to **approve** consent agenda items #2-5 by Commissioner Barnett, seconded by Commissioner Klecka.

Motion to **amend** consent agenda item #5 by Commissioner Barnett, seconded by Commissioner Klecka to **include payment to Hills Construction for \$108,000 from line item 600-600-587520 [Community Center].**

Amendment carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Barnett – Yes

Commissioner Klecka – Yes

Commissioner Beckendorff – Absent

Amended Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Barnett – Yes

Commissioner Klecka – Yes

Commissioner Beckendorff – Absent

COUNTY JUDGE

6. PUBLIC HEARING:

Public hearing on possible nuisance(s) in accordance with Chapter 343 of the Texas Health and Safety Code located at or about 3103 Clemons Switch Road in Brookshire, Waller County, Texas. Said hearing will be conducted for the purpose of determining if such nuisance(s) exist, and for the determination of appropriate actions for abatement and any other actions authorized by law.

Public Hearing began at 9:09 a.m.

1. Legal Counsel, Liz Dorsey and Mr. Winford Roberts, Environmental Officer provided history of the case being presented.
2. Mr. and Mrs. Richards presented their defense in the possible nuisance case.

Public Hearing ended at 10:12 a.m.

Motion **made** by Commissioner Amsler, seconded by Commissioner Klecka to give the landowners 30 days to remediate and clean their property to the best of their ability, after 30 days it will be within the discretion of Winford Roberts as our Environmental Compliance Director to grant an additional 30 day extension in his discretion, however, at any point and time after the 30 days if he doesn't feel there's been substantial progress or after the 30 day extension, if granted, the County will abate the property.

7. Discuss and take action to approve Notice to Proceed with Tetra Tech, Inc. and authorize County Judge to sign said document.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Barnett – Yes

Commissioner Klecka – Yes

Commissioner Beckendorff – Absent

8. Discuss and take action to approve Notice to Proceed with Crowder Gulf and authorize County Judge to sign said document.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Barnett – Yes

Commissioner Klecka – Yes

Commissioner Beckendorff – Absent

MISCELLANEOUS

9. Discuss and take action to approve the private resale offer for the following property: Lot 254, Deerwood Lakes, Section 2, Waller County, Texas, tax account R17459 in the amount of \$2,500.00 by Mr. Greg Graham and authorize the County Judge to sign a resale deed for said property to Mr. Greg Graham.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Barnett – Yes

Commissioner Klecka – Yes

Commissioner Beckendorff – Absent

10. Discuss and take action to approve advertisement for two consecutive weeks on notice of public meetings for the Waller County Strategic Planning Committee. Advertising to be funded from line item 125-401-544100 [Bid Notices and Printing].

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Absent

11. ~~Discuss and take action to approve payment to Hills Construction for \$108,000 from line item 600-600-587520 [Community Center].~~ **Item WITHDRAWN.**

AUDITOR

12. Request by County Auditor to **spread** upon the minutes Certification of Funds for donations to the Waller County Library, in the amount of \$360.00.

No action required.

13. Discuss and take action to amend the 2016 Budget to accommodate donations to the Waller County Library.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Absent

14. Request by County Auditor to **spread** upon the minutes Certification of Funds for the Texas Book Festival Grant to the Waller County Library, in the amount of \$2,500.00.

No action required.

15. Discuss and take action to amend the 2016 Budget to accommodate the Texas Book Festival Grant to the Waller County Library.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Absent

EXECUTIVE SESSION

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

Court **convened** to Executive Session at 10:20 a.m.

Court **reconvened** from Executive Session at 10:43 a.m.

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

Motion **made** by Commissioner Barnett, seconded by Commissioner Klecka to authorize the District Attorney's office to file a Declaratory Judgement Action in the appropriate District Court to clarify that the signage on our courthouse does not violate which is in accordance with the Texas Penal Code 46.03 that it does not violate section 411.209 of the Texas Government Code and any related issues there to.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Absent

ADJOURN MEETING

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Absent

Meeting was **ADJOURNED** at 10:50 a.m.

APPROVED this the 15th day of June 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

