

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – JUNE 24, 2015

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 24th 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 9:00 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
Justin Beckendorff, Commissioner Precinct 4
Stephanie Tompkins, Deputy 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. Jeron Barnett commented the issue of respect.
2. Becky Gage addressed the court regarding agenda item #11.
3. Bob Gage addressed the court regarding agenda items #9, #10, and #11.
4. Rick Welch addressed the court regarding agenda item #10.

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 17, 2015 Regular Session
3. Request by County Treasurer for approval of payroll.
4. Request to approve payment on the following:
 - (a) \$100.00 for Invoice to Texas Comptroller of Public Accounts to be paid from line item 2125-411-562300 [County Organizational Dues] for Annual Membership Fee for Texas Cooperative Purchasing Program.
 - (c) \$4,500.03 for Invoice #01-703202 to RediCarpet to be paid from line item 600-600-587519 [JP 3] for Commissioner/Constable/Sheriff Offices located at Precinct 3.
 - (d) \$272.46 and \$1,075.01 for a total of invoices of \$1,347.47 to Home Depot to be paid from line item 600-600-587519 [JP 3] for Commissioner/Constable/Sheriff Offices located at Precinct 3.

- (e) \$950.00 for Invoice to Magnolia Funeral Home, Inc. to be paid from line item 125-423-540705 [Transport to Morgue].
- (f) \$810.53 for invoice for Invoice #184260 to ICS from line item 600-600-587519 [JP 3] for Commissioner/Constable/Sheriff Offices located at Precinct 3.
- (g) \$175.00 for Invoice #129 to Waller County Glass & Mirror from line item 600-600-587519 [JP 3] for Commissioner/Constable/Sheriff Offices located at Precinct 3.

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

Motion to **approve consent agenda items #2-5 excluding items 4(b), 4(h), 4(i)** 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>

4. (b) ~~\$751.50 for Invoice #0003069 to Johnston, LLC to be paid from line item 600-600-587522 [Jail] for Jail Feasibility Study. Item WITHDRAWN.~~

4. (h) \$750.00 for Invoice #104317 to Fritz, Byrne, Head & Fitzpatrick, PLLC from line item 125-411-540300 [Legal] for Objection to CenterPoint Power Lines.

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

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>

4. (i) \$4,837.50 for Invoice #104316 to Fritz, Byrne, Head & Fitzpatrick, LLC from line item 125-411-540300 [Legal] for Pintail Landfill.

Motion to **approve** by Commissioner Klecka, 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 – Yes</i>	<i>Commissioner Beckendorff – Yes</i>

COUNTY JUDGE

6. **Presentation** of the Distinguished Service Award to the Waller County Historical Commission awarded by the Texas Historical Commission.

No action required.

7. Discuss and take action to approve Amendment to Commercial Electric Service Agreement between Waller County and AmeriPower, LLC.

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>

TREASURER

8. **Open bids** for County Depository Contract and/or County Sub-Depository Contract.

The following bids were received and opened in court:

1. First National Bank of Bellville for County Depository Contract.
2. First National Bank of Bellville for County Sub-Depository Contract.

COMMISSIONER, PRECINCT 4

9. Discuss and take action to post landfill ordinance maps on county website.
Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Barnett.
Motion to **table** agenda item by Commissioner Beckendorff, seconded by Commissioner Barnett.
Motion carried – Item TABLED.
Judge Trey Duhon – Yes *Commissioner Amsler – Yes* *Commissioner Klecka – Yes*
Commissioner Barnett – Yes *Commissioner Beckendorff – Yes*

Advanced to Agenda Item #11

10. Discuss and take action to instruct legal counsel to draft new solid waste ordinance.
Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Barnett.
Motion carried.
Judge Trey Duhon – Yes *Commissioner Amsler – Yes* *Commissioner Klecka – Yes*
Commissioner Barnett – No *Commissioner Beckendorff – No*
11. Discuss and take action to set spending limits on outside legal counsel.
Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Barnett.
Motion to **table** agenda item by Commissioner Klecka, seconded by Commissioner Amsler.
Motion carried – Item TABLED.
Judge Trey Duhon – Yes *Commissioner Amsler – Yes* *Commissioner Klecka – Yes*
Commissioner Barnett – No *Commissioner Beckendorff – No*

CONSTABLE, PRECINCT 2

12. Discuss and take action to accept the following donations: \$1,000.00 from Elton Mathis, \$3,131.00 from Tex Martin, and \$400.00 from Deputy Constables Precinct 2. Donations to go to line item 125-512-568436 [Gregory/Martin] and to be spent for Constable Precinct 2 I-pad Technology installation and air-cards.
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*

CONSTABLE, PRECINCT 3

13. Discuss and take action to approve submission of Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY15 Local Solicitation Partnership Grant with the following collaborative partners: the Waller County District Attorney's Office, Waller County Constable Pct. 1, Waller County Constable Pct. 2, Waller County Constable Pct. 3, and Waller County Constable Pct. 4.
Motion to **approve** by Commissioner Barnett, seconded by Commissioner Beckendorff.
Motion carried.
Judge Trey Duhon – Yes *Commissioner Amsler – No* *Commissioner Klecka – No*
Commissioner Barnett – Yes *Commissioner Beckendorff – Yes*

TAX ASSESSOR COLLECTOR

14. 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 Barnett – Yes

Commissioner Klecka – Yes

Commissioner Beckendorff – Yes

AUDITOR

- 15. Request by the County Auditor for approval of official documents and all monthly reports.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Barnett – Yes

Commissioner Klecka – Yes

Commissioner Beckendorff – Yes

EXECUTIVE SESSION

- 16. Consultation with District Attorney about pending or contemplated litigation.
- 17. Consultation with Attorney JD Head of Fritz, Byrne, Head & Fitzpatrick, PLLC, via telephone conference call, regarding, contested case hearing in SOAH Docket No. 582-14-3597, and 2011 Landfill Ordinance [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 10:58 a.m.
Court **reconvened** from Executive Session at 11:51 a.m.
- 18. Reconvene in Open Session to take any action necessary on matters discussed in Executive Session.

Returned to Agenda Item #10.

ADJOURN MEETING

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

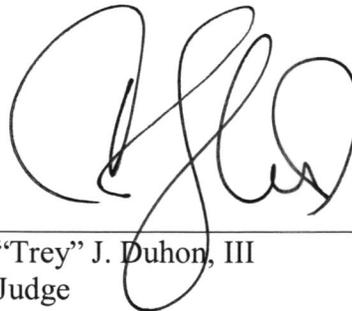
Commissioner Barnett – Yes

Commissioner Klecka – Yes

Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 12:09 p.m.

APPROVED this the 1st day of July 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: 
Stephanie Tompkins, Deputy County Clerk