

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – JULY 1, 2015

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 1st day of July 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
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.

<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>

PUBLIC COMMENT

1. Emory Davis spoke addressed the court on behalf of the Waller County Citizens Assistance Coalition and discussed upcoming events.
2. Denise Mattox addressed the court regarding agenda item #19

CONSENT AGENDA (2-3 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 24, 2015 Regular Session**

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

Motion to **approve consent agenda items 2-3** by Commissioner Barnett, 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>

TREASURER

4. **Request by Depository Committee for court action on County Depository bid.**

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

Motion to **select First National Bank of Bellville** for the depository contract by Commissioner Klecka, seconded by Commissioner Amsler.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

COUNTY JUDGE

- 5. Discuss and take action to approve the Contract between Waller County and Bell Tex Construction for Removal of Black Algae from the exterior of the Courthouse for \$10,192.10 to be paid from line item 125-442-544700 [Repair and Replacement].

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

Court **convened** outside at 9:15 a.m. to view sample area recently cleaned by Bell Tex.

Court **reconvened** at 9:19 a.m.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

- 6. Discuss and take action to approve the Contract between Waller County and Bell Tex Construction for Removal of Black Algae from the sidewalks at the Courthouse for \$4,599.00 to be paid from line item 125-442-544700 [Repair and Replacement].

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

- 7. Discuss and take action to approve the transfer of \$15,000.00 from line item 125-411-569600 [Contingency] to line item 125-442-544700 [Repair and Replacement].

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

- 8. Recommend the transfer of \$35,000.00 from line item 110-530-587410 [Contract Hauling] to line item 110-530-587501 [Driveway Materials].

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. Recommend that Commissioners Court approve advertisement in the newspaper the renaming of Igloo Road from I-10 South to the County Line to Jordan Ranch Blvd., 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 Commissioners Court on July 15, 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

MISCELLANEOUS

10. Discuss and take action to approve the Agreement between Fort Bend Senior Citizens, Inc. and Waller County for providing of meals and services to the elderly in Waller County.

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

11. Discuss and take action to approve the payment of \$40,000.00 to the Fort Bend Seniors Meals on Wheels as allocated in the 2015 Budget. Funds to be paid from line item 125-411-547315 [Senior Citizens Inc.].

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

12. Discuss and take action to approve the private resale offer for the following property: Lot 1, Block 3A, 0.91 acres, Reserve “B”, Lake View Club, Waller County, Texas, tax account R23054 in the amount of \$7,600.00 by Mr. Bobby Granger and authorize the County Judge to sign a resale deed for said property to Mr. Bobby Granger.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – No
Commissioner Barnett – Yes

Commissioner Klecka – Yes
Commissioner Beckendorff – Yes

13. Discuss and take action to award bid for Waller County Community Center upon receiving recommendation by the Long Range Planning Committee.

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

Motion to **award** bid by Commissioner Beckendorff, seconded by Commissioner Barnett to **Hills Construction.**

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Barnett – Yes

Commissioner Klecka – Yes
Commissioner Beckendorff – Yes

14. Discuss and take action to approve payment of \$16,800.00 for Invoice # 41209815 to Motorola Solutions, Inc. from line item 600-600-581822 [Equip/Radios & Accessories].

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 County Auditor for approval of quarterly reimbursement of Juror Payments.

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

16. Request by County Auditor to **spread** upon the minutes Certification of Funds for Constable, Precinct 2 donations in the amount of \$4,531.00.

No action required.

17. Request by County Auditor to amend the 2015 Budget to accommodate Constable, Precinct 2, donations.

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

ELECTION ADMINISTRATOR

18. Discuss and take action to hold a public hearing as directed by Texas Election Code 43.007 (b) on July 22, 2015 at 9:00 am regarding participation in the countywide polling place program and to publish notice for two consecutive weeks in The Times Tribune, Waller County News Citizen, Hot Line Press, and the Waller Times. Advertising to be paid from line item 125-434-544200 [Publications/Elec. Notices].

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

19. ~~Discuss and take action to express intent to enter into the Countywide Polling Place program with the State of Texas to allow voters to vote anywhere on the November 9, 2015 uniform election date.~~

Item WITHDRAWN.

20. Discuss and take action to enter in a licensing and support agreement with EA Pollbook, LLC to provide software and support for the Waller County Electronic Pollbook Computers currently in use and serviced by the VOTEC Company, and to cancel or non-renew the contract with the VOTEC Company for the same, to be paid from line item 125-434-545100 [Maintenance/Equipment Elections].

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

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 – Yes

Commissioner Beckendorff – Yes

21. ~~Discuss and take action to pay the VOTEC Company to customize voter registration software to interface with EA Pollbook, LLC pollbook software, to be paid from line item 125 434 545100 [Maintenance/Equipment/Elections] to be reimbursed by State Chapter 19 Voter Registration Funds.~~

Item WITHDRAWN.

22. Discuss and take action to authorize the Elections Administrator to form a committee for the purpose of planning, preparing, and reviewing details for countywide polling places in Waller County

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

Motion carried.

MISCELLANEOUS

- 23. Recommendation for authorization to negotiate with Johnston LLC, for Engineering and Architectural services for development of plans to repair and expand the Waller County Library.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Barnett – Yes

Commissioner Klecka – Yes
Commissioner Beckendorff – Yes

EXECUTIVE SESSION

- ~~24. Consultation with District Attorney about pending or contemplated litigation pursuant to Government Code Section 551.071. Item WITHDRAWN.~~

- ~~25. 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)]. Item WITHDRAWN.~~

- ~~26. 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)]. Item WITHDRAWN.~~

- 27. Consultation with District Attorney regarding the sale of real property described as 1.00 acre more or less, located on FM 2979 Road Hempstead, Texas 77445, also referenced at Waller County Appraisal District as Property ID: R44595 [Executive session as requested pursuant to Texas Government Code section 551.072 (Deliberation about Real Property).]

Court **convened** to Executive Session at 10:51 a.m.

Court **reconvened** from Executive Session at 11:11 a.m.

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

Motion by Commissioner Beckendorff, seconded by Commissioner Barnett to **authorize** Commissioner John Amsler to do more research on the property referenced in #27.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Abstained
Commissioner Barnett – Yes

Commissioner Klecka – Yes
Commissioner Beckendorff – Yes

ADJOURN MEETING

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

Motion carried.

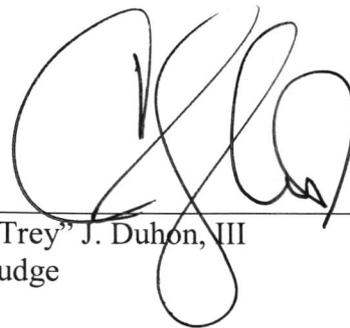
Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Barnett – Yes

Commissioner Klecka – Yes
Commissioner Beckendorff – Yes

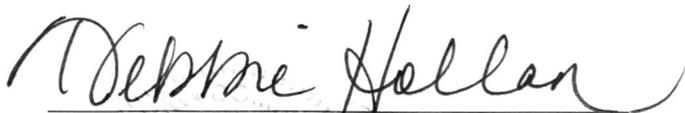
Meeting was **ADJOURNED** at 11:12 a.m.

APPROVED this the 8th 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

