

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – JULY 22, 2015

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 22nd 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
Justin Beckendorff, Commissioner Precinct 4
Debbie Hollan, 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.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

PUBLIC COMMENT

1. LaVaughn Mosley asked for the immediate resignation of Waller County Sheriff, Glenn Smith.
2. Herschel Smith commented on the elections office, be transparent with the elections office.
3. Ben Tibbs addressed the court about rumors he has heard about the possibility of the elections office being closed.
4. Dewayne Charleston advised he wants to be on record for calling on the resignation of the Waller County Sheriff, Glenn Smith as well as addressed concerns regarding the events of Sandra Bland.
5. Dr. Denise Mattox advised she is in total agreeance and support of the previous comments given this morning and wants to be sure the county keeps the elections office open.
6. Dr. Walter Pendleton asked for the resignation of Waller County District Attorney, Elton Mathis.

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 – July 15, 2015 Regular Session**
3. **Request by County Treasurer for approval of payroll.**
4. **Request to approve payment on the following:**

(a) \$425.00 for Invoice # 15135507 to TAC Security & Video from line item 600-600-587519 [JP 3] Installation of Single Door Electromagnetic Access Control for Constables #3 Office.

(b) \$10.00 for Invoice # 72478 with a credit of \$8.00 for Invoice # 71662 for a total of \$2.17 to paid from line item 600-600-587519 [JP 3].

(c) \$414.00 for Invoice # 15-001264 to Travis County Clerk from line item 125-411-561501 [Medical/Committee Fees].

(d) \$2,887.00 for Invoice # AH009821 to Harris County Treasurer from line item 125-423-540702 [Autopsy].

(e) \$2,887.00 for Invoice # AH009822 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 Beckendorff, seconded by Commissioner Klecka.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

506th DISTRICT JUDGE

6. **Spread** upon the minutes that on July 2, 2015, the Honorable Albert M. McCaig, Jr., Judge of the 506th Judicial District Court, and Presiding Administrative District Judge of Waller County, appointed Mr. Alan R. Younts to the office of Waller County Auditor, for a two-year term of office. A copy of the Oath of Office and Statement of Appointed Official are included in these minutes.

No action required.

COUNTY CLERK

7. Request approval of the 2016 Sheriffs' and Constables' Fees as recommended by the County Sheriff.

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

TAX ASSESSOR COLLECTOR

8. 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 Klecka.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

COUNTY ENGINEER

9. Recommend the transfer of \$32,400.00 from line item 110-530-5990000 [Bridge Replacement] to the following line items:

\$10,400.00 to line item 110-530-581815 [Equipment Rental]
\$10,000.00 to line item 110-530-545800 [Professional Consultant]
\$12,000.00 to line item 110-524-536000 [Building Maintenance]

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. Recommend the approval to purchase One (1) new 2015 International Dump Truck through HGAC Buy Program from Santex Truck Centers, Ltd., for the purchase price of \$96,541.00 and approval of down payment of \$33,364.77 and balance to be financed with Bancorp South Equipment finance.

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

ELECTIONS ADMINISTRATOR

11. Discuss and take action to enter into a licensing and support agreement with EA Pollbooks, LLC, to provide software and support for Waller County polling location computerized voter lists, to be paid from **Fund 108** ~~line item 125-434-545100~~ [Maint/Equip/Elections].

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

Motion to **amend** agenda item by Commissioner Beckendorff, seconded by Commissioner Amsler by changing the line item to fund 108.

Amendment carried.

Judge Trey Duhon – Yes Commissioner Amsler – Yes Commissioner Klecka – Yes
Commissioner Barnett – Absent Commissioner Beckendorff – Yes

Amended Motion carried.

Judge Trey Duhon – Yes Commissioner Amsler – Yes Commissioner Klecka – Yes
Commissioner Barnett – Absent Commissioner Beckendorff – Yes

12. Discuss and take action to authorize County Judge to sign notice of cancellation to VOTEC for pollbook software (VOTESAFE).

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

MISCELLANEOUS

13. Discuss and take action to enter into agreement with AT&T for IT infrastructure services. Payment to be taken from line item 125-411-542501 [Telephone/Equip & Svc].

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

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

AUDITOR

21. Request by County Auditor to publish Notice of Hearing on Proposed Annual Compensation for County Auditor, Auditor's Assistants, Court Reporters, and proposed Budget for 2016 in the Waller County News Citizen for two weeks to be paid from line item 125-401-544100 [Bid Notices and Printing].

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

EXECUTIVE SESSION

22. Consultation with District Attorney about pending or contemplated litigation.
23. ~~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)].~~
24. ~~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)].~~

Court **convened** to Executive Session at 9:57 a.m.

Court **reconvened** from Executive Session at 10:47 a.m.

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

No action taken from Executive Session.

ADJOURN MEETING

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

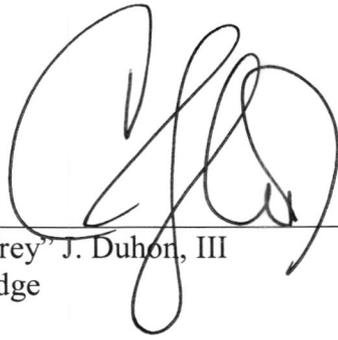
Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 10:47 a.m.

APPROVED this the 29th 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

