

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – JULY 29, 2015**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 29<sup>th</sup> 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 9:00 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  
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. Emory Davis with the Waller County Citizens Assistance Coalition asked the court for invitation to the table to assist with the development of the new community center since they are one of the organizations that utilizes the community center.

**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 – July 22, 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 Beckendorff, seconded by Commissioner Klecka.

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

**JUSTICE OF THE PEACE, PRECINCT 4**

4. ~~Discuss and take action to authorize the County Judge to sign an acceptance agreement with Certified Payments for the Justice of the Peace, Precinct 4 to accept credit card payments through Certified Payments.~~

**Item WITHDRAWN.**

## JUSTICE OF THE PEACE, PRECINCT 1

5. ~~Discuss and take action to authorize the County Judge to sign an acceptance agreement with Certified Payments for the Justice of the Peace, Precinct 1 to accept credit card payments through Certified Payments.~~

Item WITHDRAWN.

## CONSTABLE, PRECINCT 3

6. Discuss and take action to approve three (3) phones for Waller County Constable Precinct 3 office.

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

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

**Motion carried – Item TABLED.**

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

## COUNTY JUDGE

7. Discuss and take action to approve Resolution between Waller County and the Texas Department of Transportation for the Creek Bend Road at Threemile Creek Bridge and authorize the County Judge to sign.

Motion to **approve** by Commissioner Beckendorff.

Motion **died** due to lack of a Second.

## TREASURER

8. Discuss and take action to approve Pledge Contract from First National Bank Bellville.

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 CLERK

9. Discuss and take action to draw three (3) public members and three (3) alternate members to serve on the 2015 Salary Grievance Committee.

Motion to **discuss and take action** by Commissioner Beckendorff, seconded by Commissioner Klecka.

The following Members were drawn:

1. Willie Adams    2. Robert Young    3. Waymond Perry

Alternate Members drawn:

1. Durelle Cardiff    2. Susan Hopkins    3. Mary Sledge

**Motion carried.**

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

## COUNTY ENGINEER

10. Discuss and take action regarding a variance request to the Subdivision Regulations by Juan Carlos and Kristen Rivadeneira.

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

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**Motion carried.**

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Absent

Commissioner Beckendorff – Yes

**ELECTION ADMINISTRATOR**

- 11. Discuss and take action to approve the lists of presiding and alternate judges submitted by the Republican and Democratic Party Chairs for the 2015-2016 term.

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

Motion to **amend** agenda item by Commissioner Beckendorff, seconded by Commissioner Klecka by striking out “Democratic”.

**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

*Advanced to Agenda Item #19*

- ~~12. Discuss and take action to approve the Election Day and early voting polling place locations, and hours for the November 3, 2015 elections.~~

**Item WITHDRAWN.**

- ~~13. Discuss and take action to approve the rate of pay for election judges and clerks, lead early voting clerks, early voting clerks, ballot board, central counting station, and technical and phone support personnel for the November 3, 2015 elections.~~

**Item WITHDRAWN.**

- ~~14. Discuss and take action to approve the number of poll workers (i.e.) election clerks that may be hired in each early voting and election day polling location for the November 3, 2015 elections.~~

**Item WITHDRAWN.**

- 15. **Spread** upon the minutes the intent of the Waller County Elections Administrator to enter into Elections Services Contracts with the Waller ISD ~~and the City of Pattison~~ for elections to be conducted on November 3, 2015.

No action required.

- ~~16. Discuss and take action for providing up to one (1) free local option election year per year for entities requesting such elections, provided that said election is to be conducted during an election already conducted by Waller County, using Waller County personnel, equipment, polling places, and sharing the Waller County ballot.~~

**Item WITHDRAWN.**

- 17. Discuss and take action to hire up to 5 temporary part-time workers, not to exceed 20 hours each or 1 hour per 5 applications, whichever is less, to help process voter registration applications, should the number of applications exceed 100 per week, **including verification of signatures on alcohol petition**, to be paid for from line item 125-434-510046 Salary/Election Workers.

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

Motion to **amend** by Commissioner Beckendorff, seconded by Commissioner Klecka to include verification of signatures on alcohol petition.

**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

18. Discuss and take action to hire 1 temporary part-time worker during the week of August 31-September 4, 2015, **not to exceed 28 hours** while the Elections Office staff is at the Election Law Conference in Austin, Texas, to be paid from line item 125-434-510046. Salary/Election Workers.

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

Motion to **amend** agenda item by Commissioner Beckendorff, seconded by Commissioner Klecka to insert “not to exceed 28 hours”.

**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

**MISCELLANEOUS**

19. Discuss and take action on the Imposition of Optional Fees for Calendar Year 2016 **to keep fees the same as 2015.**

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

Motion to **amend** by Commissioner Beckendorff, seconded by Commissioner Klecka by keeping fees the same as 2015.

**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

**AUDITOR**

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

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

**Motion carried.**

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

**EXECUTIVE SESSION**

21. Consultation with District Attorney about pending or contemplated litigation pursuant to Government Code Section 551.071.
22. ~~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)~~].

23. ~~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)]~~.
24. Reconvene in Open Session to take any action necessary on matters discussed in Executive Session.

Court **convened** to Executive Session at 9:31 a.m.  
Court **reconvened** from Executive Session at 10:57 a.m.

No action taken from Executive Session.

**Returned to Agenda Item #12**

## ADJOURN MEETING

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

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

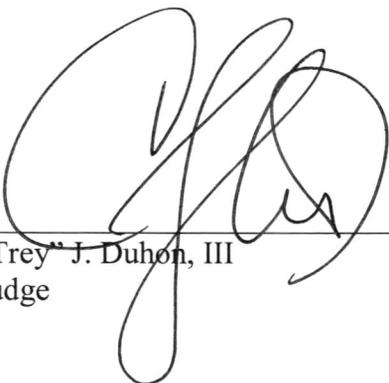
*Commissioner Klecka – Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

Meeting was **ADJOURNED** at 11:09 a.m.

**APPROVED** this the 5<sup>th</sup> day of August 2015.

  
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Carbett "Trey" J. Duhon, III  
County Judge

ATTEST:

  
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Debbie Hollan, County Clerk  
And Ex-Officio Clerk of the Commissioners'  
Court of Waller County, Texas

