

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – AUGUST 3, 2016

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 3rd day of August 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 9:03 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 – None

CONSENT AGENDA (2-6 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 27, 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 # AH012364 to Harris County Treasurer from line item 125-423-540702 [Autopsy].

5. **Discuss and take action to approve the transfer of fixed assets from the Elections Department to the IT Department.**

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

Motion to **approve** consent agenda items #2-6 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>

COUNTY JUDGE

7. **Presentation** of Appreciation to Orval Rhoads, retired County Engineer.
No action required.
8. **Presentation** of collection report by Otilia Gonzales of Perdue Brandon Fielder Collins & Mott LLP on delinquent taxes and fine and fee collection.
No action required.

DISTRICT CLERK

9. Discuss and take action to approve lease agreement with Documation for a Ricoh C440DN Color Printer at a rate of \$154.77 per month from line item 126-667-581515 [District Clerk Technology Fund] for the remainder of 2016 and from line item 125-417-545510 [District Clerk Equipment Rent/Lease] beginning January 2017.

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

10. Discuss and take action to renew contract with DataBank IMX for preservation and digitization of District Clerk's oldest bound volumes of records as per proposal. \$7,800.00 to be taken from line item 128-000-451308 [Records Management and Preservation Fund/ RPF/DigitilizingDC].

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 2

11. Discuss and take action to approve payment of \$1,161.00 for Invoice # 00962 to Stealth Communications from line item 125-512-581810 [Constable #2 Equipment].

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

12. Discuss and take action to approve transfer of \$2,322.00 from line item 125-411-569600 [Contingency] to line item 125-512-581810 [Constable #2 Equipment].

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 CLERK

13. Discuss and take action to draw three (3) public members and three (3) alternate members to serve on the 2016 Salary Grievance Committee.

Members Drawn:

1. Wanda Miller White in Brookshire

2. Chandra C. Adams in Prairie View

3. MaryAnn McDaniel in Hockley

- Alternate Members Drawn: 1. Elaine Shafer in Waller
2. Jamie Y. Cox in Hockley
3. Suzanne S. Puckett in Hempstead

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

TAX ASSESSOR-COLLECTOR

14. Discuss and take action to approve refunds in excess of \$500.00 in accordance with Article 31.11 State Property Tax Code.

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

ELECTIONS

15. Discuss and take action to approve Waller County early voting and election day locations and branch early voting locations and hours.

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

16. Discuss and take action to authorize the Elections Administrator to rent up to 2 U-Haul trucks to set up for early voting and up to 3 U-Haul trucks to set up polling places for Election Day, to be paid from line item 125-434-532000 [Election Expense].

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

17. Discuss and take action to authorize the Elections Administrator to hire up to 3 teams of 2 people to transport and set up equipment for early voting and Election Day, to be paid from line item 125-434-510046 [Salary/Elections Workers].

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

18. Discuss and take action to authorize payment of 6 early voting ballot board workers, 4 central counting station workers, and Elections Day Judges, Alternates, and Clerks, to be paid from line item 125-434-410046 [Salary/Elections Workers].

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

19. Discuss and take action to set the rate of pay for Judges and Lead Deputy Clerks at \$10/hour and clerks at \$9 hour for the upcoming November 8, 2016 General Election to be paid from line item 125-434-410046 [Salary/Elections Workers].

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

20. Discuss and take action to hire up to 4 total pollworkers including judges and lead clerks for all early voting and election day polling places, with 2 extra deputy early voting clerks at the courthouse main early voting polling place in order to process limited ballots and handle ballot by mail applications and ballots to be paid from line item 125-434-410046 [Salary/Elections Workers].

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

MISCELLANEOUS

21. Discuss and take action to approve the private resale offer for the following property: Lot 39, Block 2, Brookshire Gardens, Waller County, Texas, tax account R15400 in the amount of \$10,842.87 by Ms. Gloria Desposorio, and authorize the County Judge to sign a resale deed for said property to Ms. Gloria Desposorio.

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

22. Discuss and take action to approve the private resale offer for the following property: Lot 18, Heritage Place, Section 1, City of Brookshire, Waller County, Texas, tax account R21870 in the amount of \$4,000.00 by Ms. Gloria Desposorio, and authorize the County Judge to sign a resale deed for said property to Ms. Gloria Desposorio.

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

23. Discuss and take action to approve the private resale offer for the following property: Lot 41, Block 2, Deerwood North Subdivision, Waller County, Texas, tax account R18676 in the amount of \$650.00 by Lucar Inc., and the County Judge to sign a resale deed for said property to Lucar, Inc.

Motion to **table** agenda item 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

24. Discuss and take action to approve the Imposition of Optional Fees for Calendar Year 2017.

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

25. Discuss and take action to approve payment to Crowder Gulf for \$4,798.07 for Invoice # WACO62416-02 and \$696.17 for Invoice # WACO62416-03 for a total of \$5,494.24 to paid from line item 110-530-569100 [2016 May Flood] for pass through tipping costs from Waste Management Security and Fairbanks Landfill.

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

26. Discuss and take possible action on Burn Ban.

Motion to **lift Burn Ban** by Commissioner Beckendorff, seconded by Commissioner Amsler.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

DISTRICT ATTORNEY

27. Discuss and take action to approve transfer of \$2,000.00 from line item 125-416-535000 [Books, Etc.] to line item 125-416-530200 [Supplies and Stationery] to cover office supply expenses.

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

EXECUTIVE SESSION

28. Consultation with District Attorney and outside counsel about pending or contemplated litigation pursuant to Government Code Section 551.071.

Court **convened** to Executive Session at 10:19 a.m.

Court **reconvened** from Executive Session at 11:15 a.m.

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

Motion **made** by Judge Duhon, seconded by Commissioner Klecka to authorize District Attorney to file and seek Injunctive Relief and/or Order against the Attorney General's Office in order to protect the security of our courthouse and the occupants therein.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – 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

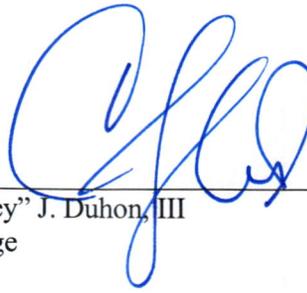
Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

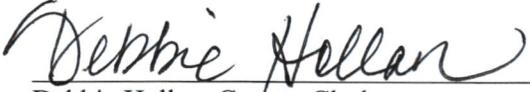
Meeting was **ADJOURNED** at 11:17 a.m.

APPROVED this the 10th day of August 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

