

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – AUGUST 24, 2016

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 24th 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 Presiding Judge Commissioner Jeron Barnett at 9:01 a.m. with the following members of the Court present to-wit:

John A. Amsler, Commissioner Precinct 1
Russell Klecka, Commissioner Precinct 2
Jeron Barnett, Commissioner Precinct 3 – *Presiding Judge*
Justin Beckendorff, Commissioner Precinct 4
Debbie Hollan, County Clerk
Absent: Carbett "Trey" J. Duhon III, County Judge

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 – Absent

Commissioner Amsler – Yes

Commissioner Barnett – Yes

Commissioner Klecka – Yes

Commissioner Beckendorff – Yes

PUBLIC COMMENT

1. Rhonda Edwards addressed the court with issues concerning County Line Estates.
2. Anselma Amaya inquired about getting someone to cut the over grown grass behind a residence back yard.
3. Irene Mattox commented to the court on issues concerning the proposed budget.
4. Dr. Denise Mattox addressed the court regarding agenda item #18, roads to cemeteries, and possible closure to Diemer Road in Sunnyside.

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** – August 17, 2016 Regular Session; August 22, 2016 Special Session
3. **Request to approve payment on the following:**
 - (a) \$2,887.00 for Invoice # AH012489 to Harris County Treasurer from line item 125-423-540702 [Autopsy].
 - (b) \$1,065.00 for Invoice to Schmidt Funeral home from line item 125-423-540705 [Transport to Morgue].
4. **Request by County Auditor for approval and/or ratification of Accounts Payable.**
5. **Discuss and take action to approve Utility Permit for placement of new electric pole in the ROW of Canterbury Road.**

Motion to **approve consent agenda items #2-5** by Commissioner Klecka, seconded by Commissioner Beckendorff.

Motion carried.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

COUNTY ENGINEER

6. Discuss and take action to approve a variance request to the Subdivision and Development regulations by Mr. Emilio Montejano on Marti Ln.

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Klecka. (Mr. Emilio Montejano explained to the court his desire for a variance request)

Motion FAILED due to tie vote.

Judge Trey Duhon – Absent

Commissioner Amsler – No

Commissioner Klecka – No

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

7. Discuss and take action to approve a variance request to the Subdivision and Development regulations by Mrs. Myrtle Tompkins, et al on Mack Washington Road.

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

(Mrs. Myrtle Tompkins and other family members explained their desire for a variance request)

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

Motion carried – Item TABLED.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Advanced to Agenda Items #15 & 16

TAX ASSESSOR COLLECTOR

8. Discuss and take action to approve the contract between Waller County and Verizon Wireless for the Tax Assessor Collectors office.

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

Motion carried.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

9. **Presentation** by Ellen Shelburne, Tax Assessor Collector on the effective 2016 property Tax Rate calculation.

No action required.

COUNTY JUDGE

10. Discuss and take action to accept the Certification of the 2016 Waller County Appraisal Roll as required under Property Tax Code 26.04(b).

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

Motion carried.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

11. Discuss and take appropriate action regarding the 2016 tax rate.

Commissioner Beckendorff moved that the Waller County Commissioners Court propose to adopt a total tax rate of **\$0.633760** cents per \$100 valuation, the same rate being a combination of rates for the Waller County General Fund rate of **\$0.600434** per \$100 valuation and the Farm to Market Flood

control rate of \$0.033326 and to schedule the Public Hearings for the 2016 tax rate on September 8, 2016 at 6:00 p.m. at the Waller County Courthouse in Hempstead, Texas and on September 14, 2016 at 9:00 a.m. at the Waller County Courthouse in Hempstead, Texas, seconded by Commissioner Amsler.

Motion carried.

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

Commissioner Barnett announced the meeting to adopt the tax rate will be held on September 21, 2016 at 9:00 a.m. at the Waller County Courthouse in Hempstead, Texas.

12. Discuss and take action to authorize the County Judge to publish the Notice of Public Hearing on Tax Increase and the notice of Tax Revenue Increase in the Times Tribune, News Citizen, Waller Times, Hot Line Press and on the County website to be paid from line item 125-401-544100 [Bid Notices & Printing].

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

Motion carried.

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

13. Discuss and take possible action on Burn Ban.

Motion to **table** by Commissioner Beckendorff, seconded by Commissioner Amsler.

Motion carried – Item TABLED.

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

506th JUDICIAL DISTRICT JUDGE

14. Discuss and take action to approve the transfer of \$800.00 from line item 125-408-582000 [General Translation] to line item 125-408-568400 [Miscellaneous].

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

Motion carried.

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

Proceeded to Agenda Item #17

MAINTENANCE

15. 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] to pay for bullet resistant glass at the Tax Assessor Collector's office.

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

Motion carried.

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

16. Discuss and take action to select Contractor for the purchase and installation of a Generator at the Waller County Road and Bridge Department.

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

Motion carried.

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

DISTRICT CLERK

17. Discuss and take action to approve the installation and additional monthly charge of 2 Full HD (1920x1080p) Surveillance Cameras for the District Clerk’s Office. Funds to be paid from line item 117-428-568425 [Misc. Security].

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

Motion carried.

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

COUNTY ENGINEER

18. **Public Hearing:** the establishment of speed limit and the installation of speed limit signs on the following road:

- Wilson Road – Entire length – of 35 mph

Public Hearing began at 10:10 a.m.

No public comments received.

County Engineer, Mr. Yancy Scott defined to the court the installation stop signs and speed limit signs.

Public Hearing ended at 10:13 a.m.

19. Discuss and take action to establish the speed limit and the installation of speed limits signs on the following road:

- Wilson Road – Entire length - of 35 mph

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

Motion carried.

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

20. Discuss and take action to approve Plat and Dedication of Jordan Ranch Boulevard Street Dedication No. 1.

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

Motion carried.

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

21. Discuss and take action to approve adding the following roads within Kickapoo Preserve Section 1 Subdivision into the County Maintained Road Log: Hegar Springs Parkway, Crystal Cave Blvd, Deerskin Drive, Ringtail Lane, Kiskadee Lane, Seatrout Drive, Green Jay Drive and Amberjack Lane.

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

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

Motion carried – Item TABLED.

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

22. ~~Discuss and take action to accept the 2-yr maintenance bond in the amount of \$200,000 for the roads and associated drainage within the Kickapoo Preserve Section 1 Subdivision. Item WITHDRAWN as requested by County Engineer.~~

JUVENILE PROBATION

23. Discuss and take action as necessary for Juvenile Probation to create a Verizon wireless account in order to remove Verizon devices from the Elections Account.

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

Motion carried.

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

24. Discuss and take action to approve the transfer of \$1,250.00 from line item 308-578-540700 [Audit] to line item 308-578-565504 [Short Term Detention].

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

Motion carried.

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

25. Discuss and take action to authorize the County Judge and County Treasurer to sign the State Aid and Targeted Grant Contract 2016-2017 Biennium and Amendment Number Seven.

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

Motion carried.

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

26. Discuss and take action to authorize the County Judge ~~and County Treasurer~~ to sign the First Amendment to Agreement for Interlocal Detention Services with Fort Bend County.

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

Motion to **amend** by Commissioner Beckendorff, seconded by Commissioner Amsler by striking out *County Treasurer*.

Amendment carried.

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

Amended Motion carried.

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

MISCELLANEOUS

27. Discuss and take action to approve an Interlocal Agreement with Tarrant County to participate in its Cooperative Purchasing Program.

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

Motion carried.

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

28. Discuss and take action to approve payment of \$24,660.00 to Hill's Construction from line item 600-600-587520 [Community Center].

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

Motion carried.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

EXECUTIVE SESSION

29. Consultation with District Attorney and outside counsel about pending or contemplated litigation pursuant to Government Code Section 551.071.
30. Reconvene in Open Session to take any action necessary on matters discussed in Executive Session.

No Executive Session needed.

ADJOURN MEETING

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

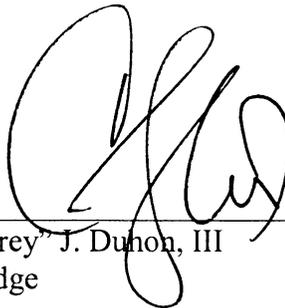
Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 10:25 a.m.

APPROVED this the 31st 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