

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – AUGUST 26, 2015

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 2^{6th} day of August 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 9:04 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.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

PUBLIC COMMENT

1. Rosa Harris commented to the court on history of elected officials, racism, and employees of Waller County.
2. Dr. Denise Mattox addressed the court with concerns on agenda item #11.

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.**

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 Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

CONSTABLE, PRECINCT 3

4. Discuss and take action to accept donation of Fifty Thousand Dollars (\$50,000.00) from John Leontaritis and Hugo Ramirez of Global Motorcars of Houston, LLC to Waller County earmarked specifically to the Waller County Constable Department

Precinct 3 for the purchase of surplus police vehicles from the Texas Department of Public Safety Surplus Property Program, Texas Facilities Commission.

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 JUDGE

5. Discuss and take action to approve the Appointment of Orval Rhoads to the HGAC Transportation Policy Council replacing John Amsler.

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

6. Discuss and take action to rescind Burn Ban.

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

JUVENILE PROBATION

7. Discuss and take action to approve and authorize County Judge and Fiscal Officer to sign the Texas Juvenile Justice Department State Aid and Targeted Grant Contract and General Grant Requirements 2016-2017 Biennium.

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. Discuss and take action to transfer \$1,575.00 from line item 110-530-537100 [Nuisance Abatement] to line item 110-524-536000 [Building Maintenance].

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. Discuss and take action to approve a Utility Permit for A T & T, to place a buried fiber optic cable facility on Old Houston Highway.

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 ADMINISTRATOR

- ~~10. Discuss and take action to approve changes to the Election Day and early voting polling place locations and hours for the November 3, 2015 elections.~~

Item WITHDRAWN.

MISCELLANEOUS

11. **Public Hearing:** Designating the following property as a reinvestment zone under Chapter 312 of the Texas Tax Code. Interested persons may speak or present evidence for or against the designation. Waller County will also consider an application for tax abatement by WCF, LLC for the following property, and Waller County will also consider entering into a tax abatement agreement with WCF, LLC for the following property:

Houston Executive Airport
New commercial hangar designated as hangar HC108
1900 Cardiff Road
Brookshire, Texas 77423

Public Hearing began at 9:29 a.m.

Andy Perry with Houston Executive Airport explained tax abatement desired for the airport.

Public Hearing ended at 9:31 a.m.

12. Discuss and take action to approve the Reinvestment Zone for WCF, LLC and authorize County Judge to sign Order Establishing the Reinvestment Zone.

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

13. Discuss and take action to approve Tax Abatement Agreement for WCF, LLC and authorize the County Judge to sign.

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

14. Discuss and record the withdrawal of the private tax resale bid by Mr. Edgar Eden Bazan-Lopez for the following property: 0./0314 acres, Tract 1030, William Cooper Survey, A-20, Waller County, Texas, tax account R5053.

No action required.

15. Discuss and take action to approve payment of \$3,725.00 for Invoice # 104781 to Fritz, Byrne, Head & Fitzpatrick, PLLC from line item 125-411-540300 [Legal] Pintail 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

16. Discuss and take action to approve payment of \$1,368.37 for Invoice # 104782 to Fritz, Byrne, Head & Fitzpatrick, PLLC from line item 125-411-540300 [Legal] Objection to CenterPoint Power Lines.

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

Motion carried.

AUDITOR

- 17. Discuss and take action to approve County Auditor’s official documents and all monthly reports.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Barnett – Yes

Commissioner Klecka – Yes

Commissioner Beckendorff – Yes

- 18. Discuss and take action to approve Waller County Inventory transfers and/or removals.

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

- 19. Discuss and take action to approve amendment of the 2015 Budget to increase revenue and expenditure lines to accommodate the capital lease proceeds to purchase a dump truck for the Road and Bridge Department.

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

EXECUTIVE SESSION

- 20. Consultation with District Attorney about pending or contemplated litigation pursuant to Government Code Section 551.071.

- 21. 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)].

- 22. 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)].

- 23. 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 Beckendorff, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

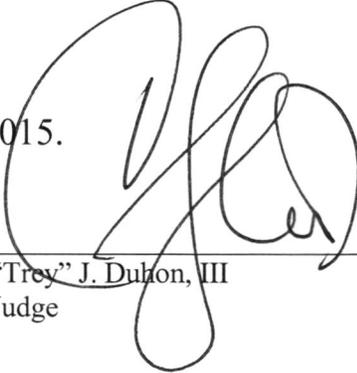
Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

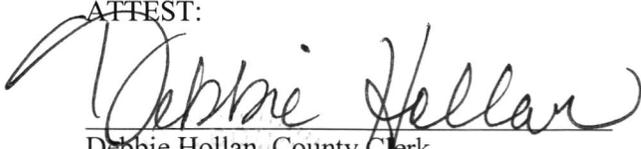
Meeting was **ADJOURNED** at 9:42 a.m.

APPROVED this the 2nd day of September 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