

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – AUGUST 31, 2016

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 31st 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 9:02 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 Barnett

1. **Approval of Agenda.**

Motion to **approve** by Commissioner Beckendorff, seconded by Commissioner Klecka.
(Commissioner Barnett advised Agenda Items #8, #21-22 are withdrawn)

Motion carried.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Barnett – Yes

Commissioner Klecka – Yes

Commissioner Beckendorff – Yes

PUBLIC COMMENT

1. Raymond Rodgers discussed flood issues and concerns within Waller County.
2. Candice Firchau introduced herself to the court, advised she is a counselor, has recently opened an office in Hempstead and explained some of the services she provides.

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 24, 2016 Regular Session
3. **Request by County Treasurer for approval of payroll.**
4. **Request to approve payment on the following:**
 - (a) \$675.00 for Invoice to Lewis Funeral Home from line item 125-423-540705 [Transport to Morgue].
 - (b) \$100.00 for Invoice # 201608327 to LJA Engineering, Inc. from line item 125-411-545001 [Maintenance Contracts] for LUKE Monthly Management Services.
5. **Request by County Auditor for approval and/or ratification of Accounts Payable.**
Motion to **approve** consent agenda items 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

COUNTY JUDGE

- 6. Discuss and take action to authorize the County Judge to publish the Notice of Budget Hearing in the Times Tribune, News Citizen, Waller Times, Hot Line Press and on the County website. Funds 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 Barnett – Yes

Commissioner Klecka – Yes

Commissioner Beckendorff – Yes

- ~~7. Discuss and take possible action on Burn Ban. Item WITHDRAWN.~~
- ~~8. Discuss and take action to approve agreement with Waller County Advocacy Group to share attorney’s fees and expenses related to enforcing coordination requirements regarding proposed high speed rail. Item WITHDRAWN.~~

Advanced to Agenda Item #10

- 9. Discuss and take action to establish a policy to prohibit, restrict, and/or regulate crossings of county rights-of-way by any high speed rail lines or facilities.

Motion **made** by Commissioner Klecka, seconded by Commissioner Beckendorff to require a permit to be approved by Waller County Commissioners’ Court before construction can begin on any high speed rail project where it crosses a county road, including a requirement for any high speed rail entity to provide sufficient proof that they have been granted the power of eminent domain by the Federal or Texas State Government.

Motion carried.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Barnett – Yes

Commissioner Klecka – Yes

Commissioner Beckendorff – Yes

Proceeded to adjournment

COUNTY CLERK

- 10. Discuss and take action to approve the 2017 Sheriffs’ and Constables’ Fees as recommended by the County Sheriff.

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

(Debbie Hollan, County Clerk advised the court there are no changes, fees remain the same as 2016)

Motion carried.

Judge Trey Duhon – Absent

Commissioner Amsler – Yes

Commissioner Barnett – Yes

Commissioner Klecka – Yes

Commissioner Beckendorff – Yes

- 11. Discuss and take action to approve payment of \$2,350.00 to Image Tek for Commissioners Court Minutes Software Program for the period of October 2016 thru September 2017. Funds to be paid from line item 115-426-545512 [County Clerk Records Preservation]

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

Motion carried.

JUVENILE PROBATION

- 12. Discuss and take action to authorize the County Treasurer to continue to pay the salary and benefits for Texas Juvenile Justice State Aid and Targeted Grant Contract and General Grant at the rate approved by the Juvenile Board on August 30, 2016.

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

Motion carried.

COMMUNITY SUPERVISION

- 13. Discuss and take action to approve transfer of \$1,000.00 from line item 125-519-581800 [Furniture and Supplies] to line item 125-519-530100 [Supplies] to cover office supply expenses.

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

Motion carried.

DISTRICT ATTORNEY

- 14. **Spread** upon the minutes of the Court the District Attorney’s State Year 2016/2017 Chapter 59 Forfeiture Budget.

No action required.

MISCELLANEOUS

- 15. Discuss and take action to approve the private resale offer for the following property: Lot 37 of Clear Creek Forest Section 6, Waller County, Texas, tax account R16021 in the amount of \$3,000.00 by Mr. Patrick Lucas, and authorize the County Judge to sign a resale deed for said property to Mr. Patrick Lucas.

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

(Mr. Patrick Lucas explained to the court his desires for the property)

Motion FAILED.

- 16. Discuss and take action to approve the private resale offer for the following property: Lot 26 in Block 1 of Rolling Hills Colony, Section 1, Waller County, Texas, tax account R26599 in the amount of \$3,000.00 by Mr. Patrick Lucas, and authorize the County Judge to sign a resale deed for said property to Mr. Patrick Lucas.

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

Motion FAILED.

17. 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 authorize the County Judge to sign a resale deed for said property to Lucar Inc.

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

Motion FAILED.

Judge Trey Duhon – Absent

Commissioner Amsler – No

Commissioner Klecka – No

Commissioner Barnett – No

Commissioner Beckendorff – No

AUDITOR

18. Discuss and take action for approval of official documents and all monthly reports.

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

19. **Spread** upon the minutes the Certification of Funds for the BC-Body-Worn Camera (BWC) Program Grant #3164401, March 29, 2016 to March 28, 2017.

No action required.

20. Discuss and take action on request by County Auditor to amend the 2016-2017 Grant Budget to create revenue and expense lines to accommodate the BC-Body-Worn Camera (BWC) Program Grant, #3164401, March 29, 2016 to March 28, 2017.

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

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. Item WITHDRAWN.~~

22. ~~Discuss and take action to accept \$200,000 as the maintenance security from New Waverly Sound Investment, LLC for the roads and associated drainage within the Kickapoo Preserve Section 1 Subdivision. Item WITHDRAWN.~~

EXECUTIVE SESSION

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

(Per the request of legal counsel, agenda item #9 to be included in Executive Session)

Court **convened** to Executive Session at 9:34 a.m.

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

Court **reconvened** from Executive Session at 10:20 a.m.

Returned to Agenda Item #9

ADJOURN MEETING

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

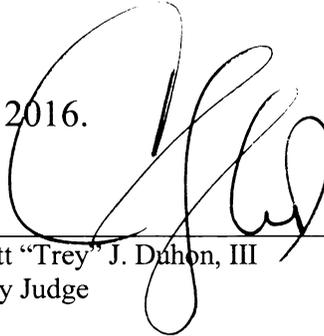
Judge Trey Duhon – absent

Commissioner Amsler – Yes
Commissioner Barnett – Yes

Commissioner Klecka – Yes
Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 10:27 a.m.

APPROVED this the 7th day of September 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

