

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – AUGUST 5, 2015**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 5<sup>th</sup> 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 9:00 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  
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. Tom Brown personally thanked Judge Trey Duhon, District Attorney Elton Mathis, Mayor Michael Wolfe and all the leaders of our County for the way they conducted themselves during the tragedy of Ms. Sandra Bland.
2. David Allen commented on the Sandra Bland incident.
3. James Larry commented to the court his concerns for what he believes to be a lack of public safety in the City of Prairie View.
4. Dr. Denise Mattox addressed the court concerning safety, especially amongst the non-white females.
5. Gloria Thompson, Presiding Election Judge at Precinct 102, addressed the court regarding an issue that previously transpired at a polling location.
6. Constable Precinct 3 Hershel Smith commented on issues that have transpired while he has been in office.
7. Tom Merka addressed the court regarding the same issue Gloria Thompson addressed with the court concerning an incident that previously transpired at polling precinct 102.

**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 – July 29, 2015 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 # AH009896 to Harris County Treasurer from line item 125-423-540702 [Autopsy].
- (b) \$2,887.00 for Invoice # AH009900 to Harris County Treasurer from line item 125-423-540702 [Autopsy].
- (c) \$540.00 for Invoice to Schmidt Funeral Home from line item 125-423-540705 [Transport to Morgue].
- (d) \$585.00 for Invoice to Schmidt Funeral Home from line item 125-423-540705 [Transport to Morgue].
- (e) \$1,650.00 for Invoice # 753 to Phillips Electronic Security from line item 117-428-568425 (Misc. Security).

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

Motion to **approve consent agenda items #2 - #5** 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

6. **Presentation** of collection report by Otilia Gonzales of Perdue, Brandon, Fielder, Collins & Mott LLP on delinquent taxes and fines and fee collections.

No action required.

## JUSTICE OF THE PEACE, PRECINCT 2

7. Discuss and take action to transfer fixed assets to Maintenance and IT Department.

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*

## TREASURER

8. Request to transfer fixed asset from Treasurer to Constable Precinct 3.

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 3

9. Discuss and take action to approve three (3) phones for Waller County Constable Precinct 3 office, ***funds to be paid from line item 600-600-587519.***

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

Motion to **amend** agenda item by adding “funds to be paid from line item 600-600-587519”.

**Amendment carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – No*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

**Amended Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – No*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

**MAINTENANCE**

10. Discuss and take action to select **Hills Construction** as Contractor for roof repairs at the Extension/JP 1 office.

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

Motion to **amend** item by Commissioner Amsler, seconded by Commissioner Klecka to select Hills Construction.

**Amendment carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

**Amended Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

11. Discuss and take action to select **Hills Construction** as Contractor for roof repairs at the Adult Probation office.

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

Motion to **amend** item by Commissioner Beckendorff, seconded by Commissioner Amsler to select Hills Construction.

**Amendment carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

**Amended Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

**TAX ASSESSOR COLLECTOR**

12. Discuss and approve refunds in excess of \$500.00 in accordance with section 31.11 Texas 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*

**SHERIFF**

13. Discuss and take action to approve Interlocal Agreement between Waller County and H-GAC for E9-1-1 Public Safety Answering Point Services

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

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

**Motion carried – Item TABLED.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

***Court recessed at 10:32 a.m.***

***Court reconvened at 10:38 a.m.***

## ELECTIONS ADMINISTRATOR

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

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*

15. 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.

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 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.

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

Motion to **amend** item by Commissioner Beckendorff, seconded by Commissioner Barnett to set the maximum limits on poll workers.

(Maximum limits on poll workers: 1 judge/lead clerk and 1 clerk from each party at any given time, not to exceed 4 total people per polling place at any given time. 4 total ballot board members, including the presiding judge and lead democratic clerk. Up to 4 central counting station personnel, including the presiding and alternate judges, not including regularly paid elections office staff. Up to 4 support personnel at a time for setting up polling places, other election related duties as needed right before and during early voting and on election day.)

**Amendment carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

**Amended Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

## MISCELLANEOUS

17. Discuss and take action to approve the private resale offer for the following property: 0.0314 acres, Tract 1030, William Cooper Survey, A-20, Waller County, Texas, tax account R5053, in the amount of \$1,698.03 by Mr. Edgar Eden Bazan-Lopez and authorize the County Judge to sign a resale deed for said property to Mr. Edgar Eden Bazan-Lopez.

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*

18. Discuss and take action to approve the private resale offer for the following property: 1.0 acre, Tract 128, Jared E. Groce Survey, A-131, Waller County, Texas, tax account R10417, in the amount of \$1,428.82 by Mr. Edgar Eden Bazan-Lopez and authorize the County Judge to sign a resale deed for said property to Mr. Edgar Eden Bazan-Lopez.

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*

19. Discuss and take action to approve the private resale offer for the following property: Lot 7, Block 7, Walnut Bend Section 1, Waller County, Texas, tax account R29601, in the amount of \$7,144.74 by Mr. Edgar Edan Bazan-Lopez and authorize the County Judge to sign a resale deed for said property to Mr. Edgar Eden Bazan-Lopez.

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*

20. Discuss and take action to approve 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*

21. Discuss and take action to approve the advertising for notice of Public Hearing on consideration of the below described property as designation for a reinvestment zone in the Times Tribune for two consecutive weeks. Advertising to be paid from Line Item 125-401-544100 [Bid Notices and Printing].

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

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 2015 appointments to the H-GAC advisory committees.

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**

23. Consultation with District Attorney about pending or contemplated litigation.
24. ~~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)].~~ **Item WITHDRAWN.**

25. ~~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)].~~ **Item WITHDRAWN.**

Court **convened** to Executive Session at 11:05 a.m.  
Court **reconvened** from Executive Session at 11:39 a.m.

26. Reconvene in Open Session to take any action necessary on matters discussed in Executive Session.  
No action taken from Executive Session.

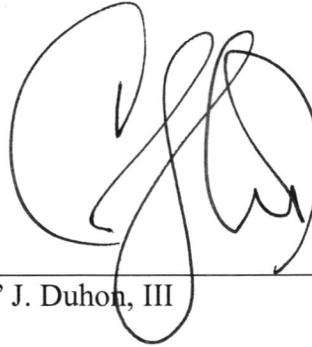
### ADJOURN MEETING

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*

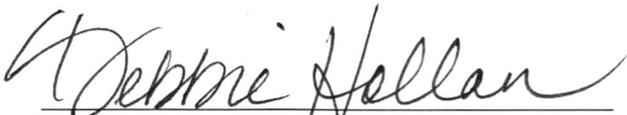
Meeting was **ADJOURNED** at 11:39 a.m.

**APPROVED** this the 12<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

