

**MINUTES**  
**WALLER COUNTY COMMISSIONER’S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – SEPTEMBER 7, 2016**

**BE IT REMEMBERED** that the Honorable Commissioner’s Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 7<sup>th</sup> day of September 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 9:02 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  
Justin Beckendorff, Commissioner Precinct 4  
Debbie Hollan, County Clerk  
Absent: Jeron Barnett, Commissioner Precinct 3

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.**

<i>Judge Trey Duhon – Yes</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Klecka – Yes</i>
	<i>Commissioner Barnett – Absent</i>	<i>Commissioner Beckendorff – Yes</i>

*Advanced to Consent Agenda (Items #2-3)*

**PUBLIC COMMENT**

1. Ray Rogers discussed flood issues, advised the court there needs to be an agenda item for flood control.
2. Rick Welch advised he would like to discuss agenda items #18 and #19 once the court gets to these items.

*Proceeded to Agenda Item #6*

**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 – August 31, 2016 Regular Session**
3. **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.**

<i>Judge Trey Duhon – Yes</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Klecka – Yes</i>
	<i>Commissioner Barnett – Absent</i>	<i>Commissioner Beckendorff – Yes</i>

## COUNTY JUDGE

4. **Presentation** by Lisa Mutchler of Texas A&M Engineering Extension Service regarding Waller County's Long Term Comprehensive Strategic Plan.

**No action required.**

5. Discuss and take action to set salaries, expenses and other allowances of all elected county and precinct officers.

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

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

**Commissioners Court recessed at 9:30 a.m. to attend funeral (Mr. Charlie Morgan)**

**Court reconvened at 12:02 p.m.**

**Returned to Public Comment**

6. Discuss and take action to approve the 2017 Holiday Schedule.

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

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

7. Discuss and take possible action on Burn Ban.

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

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

**Motion carried – Item TABLED.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

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.

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

Motion to **amend** by Commissioner Amsler, seconded by Commissioner Klecka to spend up to \$15,000.00 on this endeavor and any additional funds subject to courts approval.

**Amendment carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

**Amended Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

9. Discuss and take action to approve agreement with Prairie View A&M University and Prevention Science Corporation regarding Waller County Communities That Care.

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

(Dr. Denise Mattox provided her concerns and comments pertaining to agenda item #9)

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

**Motion carried – Item TABLED.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

## JUSTICE OF THE PEACE, PRECINCT 1

10. Discuss and take action to approve payment of \$825.60 to Indoff for the purchase of printer toner cartridges. Payment to be taken from line item 119-429-581817 [Technology Enhancements].

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

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

## COUNTY TREASURER

11. Discuss and take action to approve the 2016-2017 Plan and premiums for medical, dental, and life insurance through the Texas Association of Counties.

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

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

## COUNTY LIBRARY

12. Discuss and take action to accept donation of \$100.00 from the Waller County Land Company.

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

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

13. Discuss and take action to accept donation of \$1,500.00 from Dollar General.

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

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

14. Discuss and take action to accept donation of \$250.00 from Rub a Dub.

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

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

15. Discuss and take action to approve the Memorandum of Understanding (MOU) between the Texas State Library and Archives Commission and Waller County Library for the Family Place Libraries Project.

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

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

## COUNTY ENGINEER

16. **Open bids:** Stabilized Sand

The following Bids were submitted and opened in Court:

1. Hallet Materials

17. **Award bids: Stabilized Sand**

Motion to **award** bid by Commissioner Beckendorff, seconded by Commissioner Klecka to **Hallett Materials**.

**Motion carried.**

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

18. Discuss and take action to approve adding the following roads within Kickapoo Preserve Section 1 Subdivision into the County Maintenance 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. (Attorney Paul Looney, Rick Welch, Tom Gleason, and Jim Hodge commented on agenda item #18)

**Advanced to Agenda Items #20-24 – Court convened to Executive Session prior to taking action on Agenda items #18 and #19.**

Motion to **call the vote** by Commissioner Amsler, seconded by Commissioner Beckendorff, **Motion carried.**

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

**Motion FAILED.**

Judge Trey Duhon – Abstained                      Commissioner Amsler – No                      Commissioner Klecka – No  
Commissioner Barnett – Absent                      Commissioner Beckendorff – Yes

19. ~~Discuss and take action to accept \$200,000.00 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.**

*Proceeded to Adjournment*

**ELECTIONS**

20. Discuss and take action to allow the Elections Administrator to close the Waller County Elections Office account with UHAUL and open an account with PENSKE in order to rent up to two (2) trucks to set up for early voting and up to three (3) 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 Beckendorff, seconded by Commissioner Klecka.

**Motion carried.**

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

**AUDITOR**

21. Request by County Auditor to **spread** upon the minutes Certification of Funds for Waller County Library donations in the amount of \$1,850.00.

**No action required.**

22. Discuss and take action on request by County Auditor to amend the 2016 Budget to accommodate Waller County Library donations.

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

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

### **EXECUTIVE SESSION**

23. 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 1:57 p.m.

Court **reconvened** from Executive Session at 2:31 p.m.

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

*Returned to Agenda Items #18-19*

### **ADJOURN MEETING**

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

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

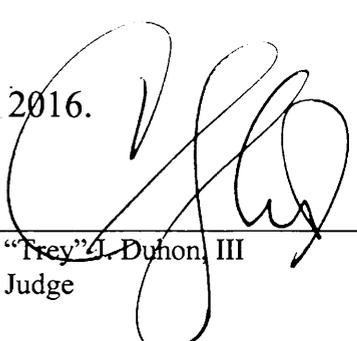
*Commissioner Klecka – Yes*

*Commissioner Barnett – Absent*

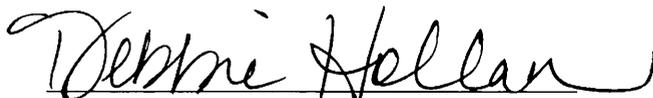
*Commissioner Beckendorff – Yes*

Meeting was **ADJOURNED** at 3:38 p.m.

**APPROVED** this the 14<sup>th</sup> day of September 2016.

  
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Carbett "Trey" J. Duhon, III  
County Judge

ATTEST:



Debbie Hollan, County Clerk

And Ex-Officio Clerk of the Commissioners'

Court of Waller County, Texas

