

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – SEPTEMBER 14, 2016

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 14th 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 9:00 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. Roy Rogers commented on agenda item #30.

CONSENT AGENDA (2-7 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** – September 7, 2016 Regular Session, September 8, 2016 Special Session

3. **Request by County Treasurer for approval of payroll.**

4. **Request to approve payment on the following:**

(a) \$ 80.00 for Invoice # 16547409 [Courthouse, Hold-up Alarm],

\$50.00 for Invoice #16544909 [Courthouse Burglar Alarm],

\$960.00 for Invoice # 16112409 [Courthouse Camera Surveillance],

\$155.00 for Invoice # 16323609 [JP #1 Hold-up Alarm],

\$209.50 for Invoice # 16111609 [JP #2 Burglar Alarm / DVR System],

\$280.00 for Invoice # 16540908 [JP #3 DVR],

\$120.00 for Invoice # 16520108 [JP #4 Burglar, Hold-Up, Access Control, DVR Monitors]

for a total of \$1,854.50 to be paid from the following line items: \$1,724.50 from 117-428-568425 [Courthouse Security/Misc. Security] and \$130.00 from 123-431-568425 [Justice Court Building Security/Misc. Security].

5. Discuss and take action to approve Treasurer's Report.
6. Discuss and take action to approve Investment Report.

Motion to **approve consent agenda items** with the exclusion of agenda item #7 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

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

Motion to **approve** accounts payable excluding invoice for the City of Hempstead 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

EXTENSION SERVICES

8. **Presentation** by the Waller County 4-H Ambassadors of the Texas A & M AgriLife Extension 4-H and Youth Development Program.

No action required.

PROCLAMATION

9. Discuss and take action to approve the proclamation presented by the Waller County 4-H Ambassadors declaring October 2-8, 2016 as "4-H Week in Waller County".

Motion to **approve** the proclamation 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

PUBLIC HEARING

10. Public Hearing – Proposed Tax Rate, second hearing.

Public Hearing began at 9:35 a.m.

No public comments received.

Public Hearing ended at 9:35 a.m.

Judge Duhon announced Commissioners Court will vote on the proposed tax rate on September 21, 2016 at 9:00 a.m. at its meeting place in the Waller County Courthouse located at 836 Austin Street, Hempstead, Texas.

Advanced to agenda items #22-24

TREASURER

11. **Presentation** by Keith Loeffler on MASA Medical Transport Solutions for Waller County employees.

No action required.

12. Discuss and take action to approve MASA MTS employee benefit as a voluntary payroll deduction.

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

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 Grant Salary Orders.

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

14. Discuss and take action to approve a variance request to the Subdivision and Development Regulations by Greg Mills on Laneview Road.

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

Motion to **amend** by Judge Duhon, seconded by Commissioner Amsler to grant the variance as long as the restrictions to remain one homeowner on 8.885 acres remains in place.

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

15. Discuss and take action to approve a variance request to the Subdivision and Development Regulations by Ms. Debbie Wilcox on Riley Road.

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 a variance request to the Subdivision and Development Regulations by Ms. Gracie Brown on Walnut Ridge.

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

17. ~~Discuss and take possible action on Burn Ban.~~ **Item WITHDRAWN.**

18. Discuss and take action to approve the Agreement between The Texas Department of Agriculture and the County of Waller for the Community Development Block Grant.

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 Interlocal Agreement between Waller County and The Texas A&M Engineering Extension Service.

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

Motion to **amend** by Judge Duhon, seconded by Commissioner Beckendorff to make initial one half payment to be paid out of Capital Outlay 125-600-581901.

Amendment carried.

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

Amended Motion carried.

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

20. Discuss and take action to approve the Publication for the Waller County Strategic Plan Committee Public Hearing. Funds to be paid from line item 125-401-544100 [Bid Notices and Printing].

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

Motion to **amend** by Judge Duhon, seconded by Commissioner Klecka to publish in all the local newspapers.

Amendment carried.

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

Amended Motion carried.

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

21. Discuss and take action to withdraw acceptance of the private tax offer for the following property: Lot 18, Heritage Place, Section 1, City of Brookshire, Waller County, Texas, tax account R21870 in the amount of \$4,000.00 by Ms. Gloria Desposorio.

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

Motion carried.

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

Court recessed at 10:44 a.m.

Court reconvened at 10:51 a.m.

Proceeded to Agenda Item #25

ECONOMIC DEVELOPMENT

22. Discuss and take action to approve publication of public notice to receive RFPs for grant administration professional services to administer the Texas Capital Fund grant.

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

Motion carried.

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

23. Discuss and take action to approve Amendment to Tax Abatement Agreement between Waller County and Alegacy Development, LLC, and authorize County Judge to sign Amendment.

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

- 24. Discuss and take action to approve Amendment to Tax Abatement Agreement for Speculative Building between Waller County and Alegacy Development, LLC, and authorize County Judge to sign Amendment.

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

Returned to Agenda item #11

TAX ASSESSOR COLLECTOR

- 25. Discuss and take action to authorize the County Judge to sign 4 tax resale deeds for the private tax resale of 8 properties currently held in trust by Waller County pursuant to Section 34.05(h)(2) of the 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

ELECTIONS

- 26. Discuss and take action to approve a three year license and support agreement with HART Intercivic for a total of \$35,258.00. Funds to be paid from line item 125-434-545100 [Elections Maintenance/Equipment].

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

Motion to **amend** by Judge Duhon, seconded by Commissioner Barnett for an annual payment of \$35,258.00.

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

Motion carried – Item TABLED.

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

- 27. Discuss and take action to approve the transfer of \$14,000.00 from line item 125-434-510046 [Salary/Election Workers] to line item 125-434-545100 [Elections Maintenance/Equipment] to cover extra equipment expenses.

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

- 28. Discuss and take action to approve the installation of a Single Door-electro-magnetic Access Lock in the Road and Bridge Departments by TAC Security Systems for \$450.00 and the installation of a 4 Camera Full HD Surveillance for \$675.00 and \$110.00 monthly fee. Funds to be paid from line item 117-428-568425 [Courthouse Security/Misc. Security].

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

Motion to **amend** by Commissioner Beckendorff, seconded by Commissioner Barnett for funds to be paid from line item 110-524-568426 [Office Security].

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

29. Discuss and take action on request from the City of Pine Island to repair a Stop sign and replace the street name sign on Wildflower Lane for a total of \$125.00.

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

30. Discuss and take action to approve the acceptance from TxDot of approximately 1,366.95 cubic yards of reclaimed asphalt pavement (RAP), located north of Meador Road on the east side of SH 75, near Willis Texas, to be hauled by contractor trucks.

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

31. Discuss and take action to approve the following line item transfer within the Road and Bridge Department Budget:

- Transfer of \$35,000.00 from line item 110-530-587513 [Concrete Pipe] to line item 110-530-587410 [Contract Hauling].

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

32. ~~Discuss and take action to amend the Waller County Personnel Policy Manual, Policy 4.03, item #3, to remove the Road Superintendent as an exempt position under the provisions of the FLSA. Item WITHDRAWN.~~

33. Discuss and take action transfer \$247,960.00 from Contingency to line item 110-530-587511 [Cover Rock] for approximately 4,000 tons of PE-3 Cover Rock.

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

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

Motion carried – Item TABLED.

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

34. Discuss and take action to approve adding the following roads within Willow Creek Farms II, Section 3 Subdivision into the County Maintained Road Log: Green Prairie Drive, Pappas Drive, Pappas Creek Court, Pecan Creek Drive, Southern Creek Court, Southern Sky Drive, Willow Breeze Drive, Willow Oak Way and Willow Ranch Drive.

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

35. Discuss and take action to accept the 1-year maintenance bond in the amount of \$50,000.00 for the roads within Willow Creek Farms II, Section 3 Subdivision.

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

Yancy Scott introduced Mr. Dewayne Davis as the new Assistant County Engineer.

MISCELLANEOUS

36. Discuss and take action to approve Fairgrounds Road to be turned into a one-way street throughout the duration of the Waller County Fair September 22, 2016 – October 2, 2016.

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

37. Discuss and take action to approve Service Agreement between Waller County and AT & T for a two (2) year Long Distance Contract for all county locations at \$.0440/minute and a total annual cost of \$600.00.

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

38. Discuss and take action to approve payment to Hills Construction for \$22,685.53 to be paid from line item 600-600-587520 [Community Center].

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

AUDITOR

39. **Spread** upon the minutes the Certification of Funds for the VA-Victims of Crime Act Formula Grant Program, for the Waller County District Attorney's Office.

No action required.

40. Discuss and take action for approval to amend the 2016-2017 Grant Budget to accommodate the VA-Victims of Crime Act Formula Grant Program for the Waller County District Attorney's Office.

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

41. **Spread** upon the minutes the Certification of Funds for the TJJD Grant for Juvenile Probation.

No action required.

42. Discuss and take action for approval to amend the 2016-2017 Grant Budget to accommodate the TJJD Grant for Juvenile Probation.

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

43. 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 11:49 a.m.

Court **reconvened** from Executive Session at 11:58 a.m.

44. 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

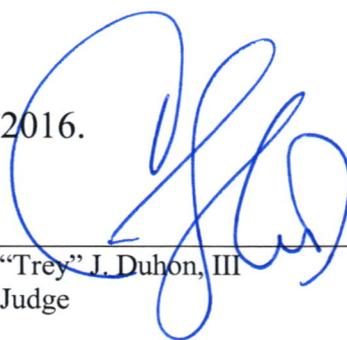
Commissioner Klecka – Yes

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

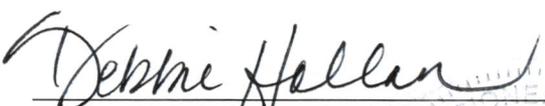
Meeting was **ADJOURNED** at 11:59 a.m.

APPROVED this the 21st 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

