

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – SEPTEMBER 23, 2015**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 23<sup>rd</sup> day of September 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. Dr. Denise Mattox read a letter Constable Smith received from an individual overseas regarding the events of Sandra Bland.

**CONSENT AGENDA (2-4 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 16, 2015 Regular Session
3. Request to approve payment on the following:
  - (a) \$1,000.00 to the Texas Association of Counties from line item 125-411-560300 [Ins Equip/Build/Pub Liab] for Deductible on Estate of Sandra Bland claim.
4. Request by County Auditor for approval and/or ratification of Accounts Payable.

Motion to **approve consent agenda items #2-4** 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*

(Judge Duhon explained consent agenda item #3(a))

## EXTENSION OFFICE

5. **Presentation** by Dr. Dale A. Fritz, District Extension Administrator on Waller County Extension Agent candidate.  
No action required.

6. Discuss and take action to approve appointment of Waller County Extension Agent candidate as requested by Dr. Dale A. Fritz, District Extension Administrator to be effective November 1, 2015.

Motion to **approve** appointment of **Stacie Villarreal** by Commissioner Amsler, seconded by Commissioner Barnett.

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

## JUSTICE OF THE PEACE, PRECINCT 2

7. Discuss and take action to authorize the County Judge to sign an acceptance agreement with Merchant Payment Card Processing with Tyler Technologies for the four J.P.'s offices to accept credit card payments through Tyler Technologies. Payment of set up fees to be taken from line item 119-429-581817 [Technology Enhancements].

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 4

8. Discuss and take action to approve the Bond and Oath for Darrell Branch as Reserve Deputy for Waller County Constable Precinct 4.

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

9. Discuss and take action to approve a Utility Permit for Magna Resources Management Group, to place Envirovibe Seismic Source on Peach Ridge Road, Donigan Road, House Road, LG Lane, Bachler Lane, and Baines Lane.

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*

10. Discuss and take action to approve Access Easements from Freddy L. Bolden, Patricia Bolden Shalow, Miguel Rojas, and Mose Graves on Mt. Zion Road for the one-time purpose of drainage work.

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*

11. Discuss and take action to accept the application for replat of Walnut Ridge Subdivision, Lot 33; by Luis Vasquez and authorize the County Engineers Office to issue public notice in the Waller County News Citizen for three consecutive weeks, establishing a public hearing for October 21, 2015 at 9:00 a.m. during the regular session of the Waller County Commissioners' Court.

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*

## **COMMUNITY SUPERVISION**

12. Discuss and take action to transfer \$500.00 from line item 125-519-581800 [Furniture and Equipment] to line item 125-519-530100 [Supplies].

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**

13. Discuss and take action to approve Resolution authorizing the Creation of the Gulf Coast Regional 9-1-1 Emergency Communications District.

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*

(Mr. Jack Steele with HGAC gave presentation explaining the 9-1-1 District)

14. Discuss and take action to approve the Resolution opposing the authorization of the Transmission Lines requested by Cross Texas Transmission, LLC, and CenterPoint Energy.

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

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – No*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

15. Discuss and take action to approve agreement with Sam Arungwa/ Communities that Care for consulting services on Waller County Communities that Care Project.

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 HEARING**

16. **Public Hearing** – 2016 Proposed Budget.

**Public Hearing began at 9:49 a.m.**

Judge Duhon addressed key points pertaining to the budget process

**Public Hearing ended at 9:56 a.m.**

17. Discuss and take action to adopt the 2016 Budget.

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

Motion to **amend 2016 Budget** by Commissioner Beckendorff, seconded by Commissioner Barnett by reducing county wide elected officials salary to 5% as follows:

Department 401	Department 438
125-401-510001 credit \$ 302.00	125-438-510001 credit \$2,000.00
125-401-520100 credit \$ 23.00	125-438-520100 credit \$ 153.00
125-401-520201 credit \$ 27.00	125-438-520201 credit \$ 180.00
Department 403	Department 440
125-403-510001 credit \$2,000.00	125-440-510001 credit \$2,000.00
125-403-520100 credit \$ 153.00	125-440-520100 credit \$ 153.00
125-403-520201 credit \$ 180.00	125-440-520201 credit \$ 181.00
Department 417	Department 516
125-417-510001 credit \$2,000.00	125-516-510001 credit \$2,000.00
125-417-520100 credit \$ 153.00	125-516-520100 credit \$ 153.00
125-417-520201 credit \$ 181.00	125-516-520201 credit \$ 181.00
Department 436	Transfer from Fund Balance 125-000-475005
125-436-510001 credit \$2,000.00	\$14,353.00.
125-436-520100 credit \$ 153.00	
125-436-520201 credit \$ 180.00	

**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>

Motion to **amend 2016 Budget** by Commissioner Beckendorff, seconded by Commissioner Barnett to create lines for each Commissioner for Training and Conference and allocate the money as follows:

Department 401
125-401-563000 credit \$6,375.00
125-401-563020 debit \$2,125.00
125-401-563030 debit \$2,125.00
125-401-563040 debit \$2,125.00

**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>

18. Discuss and take action to ratify the property tax increase reflected in the 2016 Budget.

Motion made by Judge Duhon, seconded by Commissioner Beckendorff to **ratify** the property tax increase that is reflected in the 2016 Budget.

**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>

19. Discuss and take action to adopt the Tax Rate for 2015.

Motion made by Judge Duhon, seconded by Commissioner Beckendorff, that the property tax rate be increased by the adoption of a tax rate of **\$0.654806**, which is effectively an 8.00 percent increase in the tax rate. In adopting this 2015 total tax rate, the court orders the total tax rate to be levied as follows for the following funds:

**\$0.034436** per \$100 of taxable property for the Farm-to-Market Roads

**\$0.603741** per \$100 of taxable property for maintenance and operation of the General Fund

\$016629 per \$100 of taxable property for interest and sinking fund of the General Fund

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

**MISCELLANEOUS**

20. Discuss and take action to approve Resolution Authorizing County Grant between Waller County and Fort Bend Seniors Meals on Wheels and Much Much More.

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 payment of \$3,262.50 for Invoice # 105014 to Fritz, Byrne, Head & Fitzpatrick, PLLC from line item 125-411-540300 [Legal] Objection to CenterPoint Power Line.

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 payment of \$4,200.00 for Invoice # 105013 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*

**EXECUTIVE SESSION**

23. Consultation with District Attorney about pending or contemplated litigation pursuant to Government Code Section 551.071.
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)].
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)].
26. 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  
**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

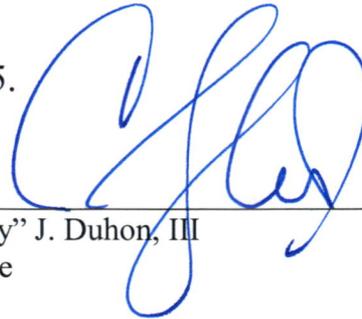
*Commissioner Klecka – Yes*

*Commissioner Barnett – Yes*

*Commissioner Beckendorff – Yes*

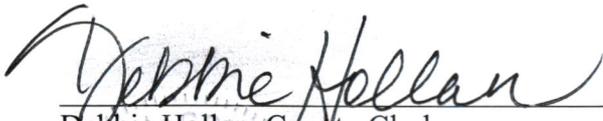
Meeting was **ADJOURNED** at 10:24 a.m.

**APPROVED** this the 30<sup>th</sup> day of September 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

