

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – SEPTEMBER 30, 2015**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 30<sup>th</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 9:00 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  
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.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

**PUBLIC COMMENT**

1. TJ Johnson commented to the court the importance of each commissioners' vote on items presented on the agenda each week and having knowledge of each item.

**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 23, 2015 Regular Session**
3. **Request by County Treasurer for approval of payroll.**
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 Klecka.

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

**PRESENTATION**

5. **Presentation** of the 2014 Financial Audit for Waller County by outside Auditor, Lewis Crain of Rutledge Crain and Company, PC.  
No action required.

## CONSTABLE, PRECINCT 4

6. Discuss and take action to approve the Bond and Oath for James Thornton as Reserve Deputy for Waller County Constable Precinct 4.

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*

## TAX ASSESSOR COLLECTOR

7. Discuss and take action to authorize the County Judge to sign two tax resale deeds for the private tax resale of two 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 Klecka.

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

## ELECTION ADMINISTRATOR

8. Discuss and take action to authorize the County Judge to publish a Notice of Election for the Local Option Election and the Constitutional Amendment Elections to be held on November 3, 2015.

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*

9. Discuss and take action to approve rental of 2 UHaul ~~trailers~~ **trucks** for up to a total of 4 days to haul election equipment to the polling places for branch early voting and election day sites. Costs to be taken from line item 125-434-532000 [Election Expense].

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

Motion to **amend** by Commissioner Klecka, seconded by Commissioner Beckendorff to change from 2 UHaul trailers to 2 UHaul trucks.

**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*

10. Discuss and take action to enter into a joint election agreement with Waller ISD pursuant to Texas Election Code 271.002 and other applicable laws, according to the terms of the contract and annexes A and B.

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*

## COMMUNITY SUPERVISION

11. Discuss and take action to transfer \$50.00 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 Klecka.

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

*Commissioner Klecka – Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

## MISCELLANEOUS

12. Discuss and take action to approve the designation of Representatives and Alternates to the HGAC 2016 General Assembly.

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

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 – Absent*

*Commissioner Beckendorff – Yes*

## AUDITOR

13. Discuss and take action to approve the Auditor's official documents and all monthly reports.

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. **Spread** upon the minutes the Certification of Funds for the DJ-Edward Byrne Memorial Justice Assistant Grant Program, Grant #2992101, in the amount of \$76,687.00 for patrol vehicles for the Sheriff's Office.

No action required.

15. Discuss and take action to approve amending the 2015-2016 Grant Budget to accommodate the DJ-Edward Byrne Memorial Justice Assistance Grant Program, Grant #2922101 in the amount of \$76,687.00 for patrol vehicles for the Sheriff's Office.

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*

16. Discuss and take action to approve contract renewal with Tyler Technologies.

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

17. Consultation with District Attorney about pending or contemplated litigation.  
Court **convened** to Executive Session at 9:55 a.m.

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

18. ~~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.**
19. ~~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.**
20. 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 Klecka, seconded by Commissioner Beckendorff.

**Motion carried.**

*Judge Trey Duhon – Yes*

*Commissioner Amsler – Yes*

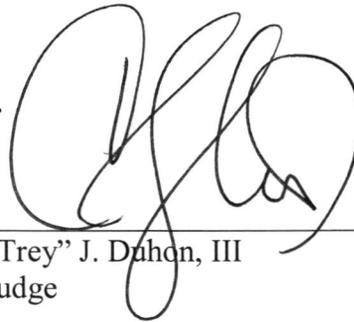
*Commissioner Klecka – Yes*

*Commissioner Barnett – Absent*

*Commissioner Beckendorff – Yes*

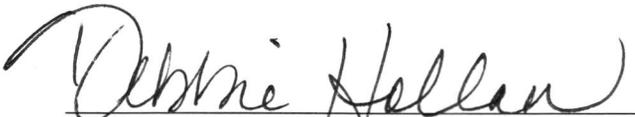
Meeting was **ADJOURNED** at 10:21 a.m.

**APPROVED** this the 7<sup>th</sup> day of October 2015.



Carbett "Trey" J. Duhon, III  
County Judge

ATTEST:



Debbie Hollan, County Clerk  
And Ex-Officio Clerk of the Commissioners'  
Court of Waller County, Texas

