

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – MARCH 1, 2017

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 1st day of March 2017 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
Stephanie Tompkins, Deputy 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. Pat Bruegger addressed the court regarding Agenda Item #8.

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** – February 22, 2017 Regular Session

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

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

(a) \$1,161.00 for Invoice # AH013722 and \$\$2,887.00 for Invoice # AH013834 for a total of \$4,048.00 to Harris County Treasurer from line item 125-423-540702 [Autopsy].

(b)\$11,892.45 for Invoice # TH05055317 to Otis Elevator from line item 125-411-545001 [Maintenance Contracts] for Elevator Maintenance.

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

Motion to **approve consent agenda** 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

CHILD WELFARE BOARD

6. **Presentation** by Ben Tibbs on the status of the Child Welfare Board.

No action taken.

7. Discuss and take action to approve Agreement between Waller County and the Waller County Child Welfare Board.

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

8. ~~Discuss and take action to approve payment of \$15,000.00 to the Waller County Child Welfare Board as allocated in the 2017 Budget.~~ **Item WITHDRAWN.**

DISTRICT ATTORNEY

9. **Spread** upon the minutes the Waller County District Attorney Fully Exempt Racial Profiling Report – 2016.

No action required.

SHERIFF

10. Award Bid for meat products, non-perishable food items, and produce food items for the Waller County Jail.

Motion to **award** bid to **Performance Foodservice** 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. **Spread** upon the minutes the Waller County Sheriff's Office FY2016 Chapter 59 Asset Forfeiture Report.

No action required.

MISCELLANEOUS

12. Discuss and take action to approve change orders to the 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

13. Discuss and take action to approve payment to Hill's Construction 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

14. Discuss and take action to approve Agreement between Waller County and Texana 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

15. Discuss and take action to approve payment of \$35,933.00 to Texana Center from line item 125-411-542254 [Texana Ctr. Behavioral Healthcare] as allocated in the 2017 Budget.

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 deliberate business and financial issues in executive session based on determination and recommendation from the District Attorney's Office that deliberation in an open meeting regarding business and financial issues related to purchasing or leasing real property in Precinct 4 would have a detrimental effect on the position of the County in negotiations with third persons.

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

Advanced to Executive Session Agenda Items #19- Item #22

17. ~~Discuss and take action to appoint a Construction Manager.~~

18. ~~Discuss and take action to appoint a Fire Marshal.~~

EXECUTIVE SESSION

Court **convened** to Executive Session at 9:50 a.m.

Court **reconvened** from Executive Session at 10:55 a.m.

19. Consultation with District Attorney and outside counsel about pending or contemplated litigation pursuant to Government Code Section 551.071.
20. Deliberate business and financial issues related to purchasing or leasing real property in Precinct 4 pursuant to Government Code Sections 551.072 and 551.0725.
21. Deliberate the appointment of a Construction Manager pursuant to Government Section 551.074.
22. Deliberate the appointment of a Fire Marshal pursuant to Government Section 551.074.
23. Reconvene in Open Session to take any action necessary on matters discussed in Executive Session.

Motion **made** by Commissioner Beckendorff to authorize the DA's office to extend offer to purchase approximately 16 acres of land on Highway 90 for future Precinct 4 complex, seconded by Commissioner Barnett.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Barnett – Yes

Commissioner Klecka – Yes
Commissioner Beckendorff – Yes

Motion **made** by Judge Duhon to **appoint Brian Cantrell** as the first Fire Marshal of Waller County at an hourly rate of \$32.22 plus standard benefits and cell phone allowance of \$960.00 starting immediately, seconded by Commissioner Amsler

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Barnett – Yes

Commissioner Klecka – Yes
Commissioner Beckendorff – Yes

Judge Duhon **modified** his motion for the appointment of Brian Cantrell to be effective March 15, 2017 with salaries & benefits as mentioned earlier and will continue in his position as Emergency Coordinator for Waller County so his stipend will carry over, seconded by Commissioner Amsler.

Motion carried – Motion Modified

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Barnett – Yes

Commissioner Klecka – Yes
Commissioner Beckendorff – Yes

ADJOURN MEETING

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes
Commissioner Barnett – Yes

Commissioner Klecka – Yes
Commissioner Beckendorff – Yes

Meeting was **ADJOURNED** at 11:10 a.m.

APPROVED this the 8th day of March 2017.

Carbett "Trey" J. Duhon, III
County Judge

ATTEST:

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

By: Stephanie Tompkins
Stephanie Tompkins, Deputy County Clerk

