

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – MARCH 15, 2017

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 15th 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 9:02 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
Jeron Barnett, Commissioner Precinct 3
Justin Beckendorff, Commissioner Precinct 4
Stephanie Tompkins, Deputy County Clerk

Absent: Russell Klecka, Commissioner Precinct 2

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 – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

PUBLIC COMMENT

Pat Bruegger – Addressed court regarding agenda Item #17, Item #6, Item #7

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 – March 8, 2017 Regular Session

3. Request by County Treasurer for approval of payroll.

4. Request to approve payment on the following:

(a) \$ 80.00 for Invoice # 17547403 [Courthouse, Hold-up Alarm],
\$50.00 for Invoice #17544903 [Courthouse Burglar Alarm], and
\$990.00 for Invoice # 17112403 [Courthouse Camera Surveillance],
for a total of \$1,120.000 payable to TAC Security from line item
117-428-568425 [Courthouse Security/Misc. Security].

(b) \$30,000.00 for Invoice # 1129 to Wakefield Bridge, Inc. to be paid as the following: \$20,000.00 from line item ~~125-411-569000~~ 110-530-569000 [April 2016] from 2016 Budget and \$10,000.00 from line item ~~125-411-569000~~ 110-530-569000 [April 2016] from 2017 Budget.

(c) \$10,939.01 for Invoice # 025-181169 to Tyler Technologies for annual licenses and web hosting for Eagle Recorder Software from line item 115-426-545512 [County Clerk's Records Preservation Fund].

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

Motion to **approve** consent agenda items by Commissioner Beckendorff seconded by Commissioner Barnett

Motion to **amend** consent agenda item 4(b) by Judge Duhon seconded by Commissioner Barnett to change \$20,000.00 from line item 125-411-569000 to line item 110-530-569000 [April 2016] from 2016 Budget and \$10,000 from line item 125-411-56900 [April 2016] to line item 110-530-569000 [April 2017] from 2017 Budget.

Amendment carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Amended Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

CHILD WELFARE BOARD

6. Discuss and take action to approve payment of \$15,000.00 to the Waller County Child Welfare Board 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 – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

COUNTY JUDGE

7. Discuss and take action to approve request by Dean Allred to use the Community Center on a continued basis for one evening a month for the Waller County 4H horse club.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

8. ~~Discuss and take action to approve leasing the Karisch building. Item WITHDRAWN~~

FIRE MARSHAL

9. Discuss and take action to approve a bond for Brian Cantrell as the Fire Marshal.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

10. Discuss and take action to authorize application to the Texas Commission on Law Enforcement for a law enforcement agency number for the Fire Marshal's Office, application fee of \$1,000 to be paid from line item 125-509-562305 [Dues and subscriptions].

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

Motion to **table** by Commissioner Beckendorff seconded by Commissioner Barnett

Motion carried – Item TABLED.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

Advanced to Agenda Item #25 then returned to proceed with Agenda Item #10

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

11. Discuss and take action to amend the Fire Marshal fee schedule in accordance with the proposed schedule.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

12. Discuss and take action to approve contract with Bureau Veritas for fire code inspections and the review of fire code plans.

Motion to **approve** by Commissioner Beckendorff seconded by Commissioner Barnett **subject to** changes to fee schedule by Waller County Assistant DA Elizabeth Dorsey.

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

TREASURER

13. Discuss and take action to approve Treasurer's Monthly Report.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

14. Discuss and take action to amend the 2017 Salary Order.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

SHERIFF

15. Discuss and take action to approve the transfer of a 2005 Ford Pickup, VIN 1FTPW12515 FB2254 from the Sheriff's Department to the Maintenance Department.

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

Motion carried.

Judge Trey Duhon – Yes

Commissioner Amsler – Yes

Commissioner Klecka – Absent

Commissioner Barnett – Yes

Commissioner Beckendorff – Yes

16. Discuss and take action to approve Renewal and Extension Agreement for Professional Services with Justice Benefits, Incorporated.

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

Motion carried.

CONSTABLE, PRECINCT 3

- 17. Discuss and take action to approve Official Bond and Oath for Gerald Trent Eagleton as Reserve Deputy Constable for Precinct 3.

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

Motion carried.

MISCELLANEOUS

- 18. Discuss and take action to approve the extension of Auction Contract with SWICO Auctions and authorize the County Judge to sign.

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

Motion carried.

- 19. Discuss and take action to designate Aaron DiIorio as the Public Information Coordinator.

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

Motion carried.

- 20. Discuss and take action to authorize the County Judge to execute the Request for Release of Funds and Certification in reference to the Texas Capital Fund Project to improve drainage near Goya Foods.

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

Motion carried.

Advanced to Agenda Item #22

- 21. Discuss and take action to appoint a Construction Manager.

Motion made by Judge Duhon seconded by Commissioner Barnett to **extend** offer to Danny Rothe for the position of Construction Manager at an hourly rate of \$48.08 and cell phone allowance of \$960.00 effective March 22, 2017.

Motion carried.

- 22. ~~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. Item WITHDRAWN~~

AUDITOR

23. **Spread** upon the minutes the Certification of Funds donated to Constable, Pct. #2.
No action required.
24. Discuss and take action to amend the 2017 Budget to accommodate donation to Constable, Pct. #2, as approved on March 8, 2017.
Motion to **approve** by Commissioner Beckendorff seconded by Commissioner Barnett
Motion carried.
Judge Trey Duhon – Yes *Commissioner Amsler – Yes* *Commissioner Klecka – Absent*
Commissioner Barnett – Yes *Commissioner Beckendorff – Yes*

Advanced to Executive Session

25. Discuss and take action to approve the amendment of the 2017 Budget to create revenue and expense line items to accommodate the new Fire Marshal's Office.
Motion to **approve** by Commissioner Beckendorff seconded by Commissioner Barnett
Motion carried.
Judge Trey Duhon – Yes *Commissioner Amsler – Yes* *Commissioner Klecka – Absent*
Commissioner Barnett – Yes *Commissioner Beckendorff – Yes*

Advanced from Item #10 then returned to Item #10

EXECUTIVE SESSION

Court **convened** to Executive Session at 10:06 a.m.
Court **reconvened** from Executive Session at 10:27 a.m.

26. Consultation with District Attorney and outside counsel about pending or contemplated litigation pursuant to Government Code Section 551.071.
27. ~~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. **Item WITHDRAWN**~~
28. Deliberate the appointment of a Construction Manager pursuant to Government Section 551.074.
29. Reconvene in Open Session to take any action necessary on matters discussed in Executive Session.

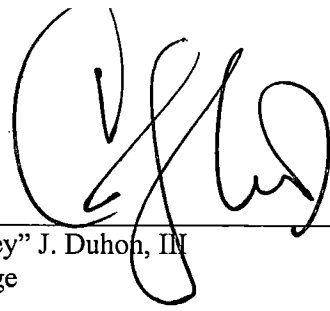
Returned to Agenda Item #21

ADJOURN MEETING

Motion to **adjourn** meeting by Commissioner Beckendorff seconded by Commissioner Barnett
Motion carried.
Judge Trey Duhon – Yes *Commissioner Amsler – Yes* *Commissioner Klecka – Absent*
Commissioner Barnett – Yes *Commissioner Beckendorff – Yes*

Meeting was **ADJOURNED** at 10:31 a.m.

APPROVED this the 22th 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, Deputy County Clerk

