

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – NOVEMBER 13, 2013**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 13<sup>th</sup> day of November 2013 at its meeting place in the Waller County Courthouse, Hempstead, Texas. The meeting was called to order at 9:01 a.m. by Waller County Judge Glenn Beckendorff with the following members of the Court present to-wit:

Glenn Beckendorff, County Judge  
John A. Amsler, Commissioner Precinct 1  
Frank Pokluda, Commissioner Precinct 2  
Jeron Barnett, Commissioner Precinct 3  
Stan Kitzman, Commissioner Precinct 4  
Debbie Hollan, County Clerk

Delivery of Invocation by: Commissioner Amsler  
Pledge to the American Flag and Texas Flag led by: Commissioner Kitzman

1. **Approval of Agenda.**

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

**Motion carried.**

*Judge Glenn Beckendorff – Yes      Commissioner Amsler – Yes      Commissioner Pokluda – Yes*  
*Commissioner Barnett – Yes      Commissioner Kitzman – Yes*

2. **Approval of the minutes – 1 Set**

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

**Motion carried.**

*Judge Glenn Beckendorff – Yes      Commissioner Amsler – Yes      Commissioner Pokluda – Yes*  
*Commissioner Barnett – Yes      Commissioner Kitzman – Yes*

Minutes approved: November 6, 2013 Regular Session

**PUBLIC COMMENT**

1. Sylvia Cedillo commented on the Waller County Community Center in Prairie View.
2. Bob Gage read as well as provided written comments to the court regarding Allison, Bass & Associates.
3. Becky Gage commented on the court and words of the pledge to the flag.
4. Samuel Barbosa asked the court to consider the variance request on agenda item #12.
5. Trey Duhon addressed the court with his concerns on the public information requests and the expenses accrued with Allison, Bass & Associates.
6. Rick Welch commented on the legal expenses the county has incurred.

**JUSTICE OF THE PEACE, PRECINCT 4**

3. Discuss and take action to transfer \$200.00 from 125-421-530200 [Supplies and Stationary] to line item 125-421-563000 [Training and Conference Expense].

Motion to **approve** by Commissioner Pokluda, seconded by Commissioner Kitzman.

**Motion carried.**

**TREASURER**

- 4. ~~Request by County Treasurer for approval and/or release of securities pledged by First National Bank.~~

**Item WITHDRAWN.**

- 5. Request by County Treasurer for approval of Treasurer’s Report.

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

**Motion carried.**

Judge Glenn Beckendorff – Yes

Commissioner Amsler – Yes

Commissioner Pokluda – Yes

Commissioner Barnett – Yes

Commissioner Kitzman – Yes

- 6. Request by County Treasurer for approval of Investment Report.

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

**Motion carried.**

Judge Glenn Beckendorff – Yes

Commissioner Amsler – Yes

Commissioner Pokluda – Yes

Commissioner Barnett – Yes

Commissioner Kitzman – Yes

- 7. Request by County Treasurer for approval of payroll.

Motion to **approve** by Commissioner Kitzman, seconded by Commissioner Pokluda.

**Motion carried.**

Judge Glenn Beckendorff – Yes

Commissioner Amsler – Yes

Commissioner Pokluda – Yes

Commissioner Barnett – Yes

Commissioner Kitzman – Yes

**ELECTION ADMINISTRATOR**

- 8. Approval of the Official Canvass for the November 5, 2013 State Constitutional Amendment Election in accordance with Texas Election Code Law.

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

**Motion carried.**

Judge Glenn Beckendorff – Yes

Commissioner Amsler – Yes

Commissioner Pokluda – Yes

Commissioner Barnett – Yes

Commissioner Kitzman – Yes

**SHERIFF**

- 9. Request approval to advertise to accept bids for the 2014 jail food service contract for two consecutive weeks in the Times Tribune and News Citizen to be paid from line item 125-401-544100 [Bid Notices and Printing].

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

**Motion carried.**

Judge Glenn Beckendorff – Yes

Commissioner Amsler – Yes

Commissioner Pokluda – Yes

Commissioner Barnett – Yes

Commissioner Kitzman – Yes

**MAINTENANCE**

- 10. Request approval to transfer \$30,000.00 from line item 125-411-569600 [Contingency] to line item 125-442-544700 [Repair and Replacement].

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

**Motion carried.**

**COUNTY ENGINEER**

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

Transfer \$35,000.00 from line item 110-530-587410 [Contract Hauling] to line item 110-530-587500 [Road Material & Contracts].

Transfer \$63,000.00 from line item 110-530-59000 [Bridge Replacement] to the following: \$2,000.00 to line item 110-524-581800 [Furniture & Equipment], \$50,000.00 to line item 110-530-537501[Fuel], and \$11,000.00 to line item 110-530-587400 [Mowing ROW].

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

**Motion carried.**

12. Discuss and take action to approve a variance request from Samuel Barbosa for Richard Frey Road.

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

**Motion FAILED.**

**COUNTY CLERK**

13. Request approval of payment in the amount of \$6,896.00 to Scott Merriman for Records Management and Preservation Supplies. Funds to be taken from 115-426-545512 [County Clerk Records Preservation Fund].

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

**Motion carried.**

**MISCELLANEOUS**

14. Discuss and take action to approve Resolution on the Indigent Defense Grant Program.

Motion to **approve** by Commissioner Pokluda, seconded by Commissioner Kitzman.

**Motion carried.**

15. Discuss and take action to approve the advertising for notice of Public Hearing on consideration of the below described property as designation for a reinvestment zone in The Times Tribune, News Citizen, *The Hotline Press, and Waller Times* for two consecutive weeks. Advertising to be paid from Line Item 125-401-544100 [Bid Notices and Printing].

Located on the corner of FM 1488 and Laneview Rd with an address of **22630** Laneview Rd., Hempstead, TX 77445 and further described as:

A CERTAIN 18.00 ACRE TRACT OF LAND SITUATED IN THE B.B.B. & C. RAILROAD COMPANY SURVEY, A-88, WALLER COUNTY, TEXAS SAID 18.00 ACRE TRACT OF LAND BEING OFF OF THE WEST END AS CURRENTLY FENCED AND OCCUPIED ON THE GROUND OF A CALLED 50 ACRE TRACT OF LAND DESCRIBED IN A DEED FROM BRYON L. CLOUD, SR., ET UX TO JOHN L. CLOUD, EX UX, RECORD IN VOLUME K327, PAGE 602 OF THE DEED RECORDS OF WALLER COUNTY, TEXAS. SAID 18.00 ACRE TRACT.

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

Motion to **amend** agenda item by Commissioner Amsler, seconded by Commissioner Kitzman by inserting "The Hotline Press and Waller Times" for advertising of the Notice and correcting address to read "22630" Laneview Rd.

**Amendment carried.**

<i>Judge Glenn Beckendorff – Yes</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Pokluda – Yes</i>
	<i>Commissioner Barnett – Yes</i>	<i>Commissioner Kitzman – Yes</i>

**Amended Motion carried.**

<i>Judge Glenn Beckendorff – Yes</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Pokluda – Yes</i>
	<i>Commissioner Barnett – Yes</i>	<i>Commissioner Kitzman – Yes</i>

16. ~~Discuss and take action to approve payment to Bickerstaff Health Delgado Acosta LLP for Invoice # 92585 for \$14,927.06 from line item 125-401-540900 [Prof Consultant Services].~~

**Item WITHDRAWN.**

17. Discuss and take action to approve the payment of \$5,585.15 to Allison, Bass & Associates, L.L.P. for Invoice # 11691 from line item 125-411-540300 [Legal] for Waller County – Environmental Issues.

Motion to **approve** by Commissioner Pokluda, seconded by Commissioner Kitzman.

**Motion carried.**

<i>Judge Glenn Beckendorff – Yes</i>	<i>Commissioner Amsler – No</i>	<i>Commissioner Pokluda – Yes</i>
	<i>Commissioner Barnett – Yes</i>	<i>Commissioner Kitzman – Yes</i>

18. Discuss and take action to approve the payment of \$23,831.91 to Allison, Bass & Associates, L.L.P. for Invoice # 11690 from line item 125-411-540300 [Legal] for Waller County: City of Hempstead & CALH v. Waller County.

Motion to **approve** by Commissioner Pokluda, seconded by Commissioner Kitzman.

**Motion carried.**

<i>Judge Glenn Beckendorff – Yes</i>	<i>Commissioner Amsler – No</i>	<i>Commissioner Pokluda – Yes</i>
	<i>Commissioner Barnett – Yes</i>	<i>Commissioner Kitzman – Yes</i>

## **AUDITOR**

19. Request by County Auditor for approval of line item and/or budgetary transfers.

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

**Motion carried.**

<i>Judge Glenn Beckendorff – Yes</i>	<i>Commissioner Amsler – Yes</i>	<i>Commissioner Pokluda – Yes</i>
	<i>Commissioner Barnett – Yes</i>	<i>Commissioner Kitzman – Yes</i>

20. Request by County Auditor for approval to amend the 2013 Budget to increase revenue and expenditure lines to accommodate the capital lease proceeds to purchase boom mower for the Road and Bridge Department.

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

**Motion carried.**

*Judge Glenn Beckendorff – Yes*

*Commissioner Amsler – Yes*

*Commissioner Pokluda – Yes*

*Commissioner Barnett – Yes*

*Commissioner Kitzman – Yes*

21. Request by County Auditor to approve and/or ratify accounts payable.

Motion to **approve and/or ratify** by Commissioner Amsler, seconded by Commissioner Barnett.

**Motion carried.**

*Judge Glenn Beckendorff – Yes*

*Commissioner Amsler – Yes*

*Commissioner Pokluda – Yes*

*Commissioner Barnett – Yes*

*Commissioner Kitzman – Yes*

## **EXECUTIVE SESSION**

22. ~~Consultation with attorney about pending or contemplated litigation.~~

**Item WITHDRAWN.**

## **ADJOURN MEETING**

Motion to **adjourn** meeting by Commissioner Kitzman, seconded by Commissioner Pokluda.

**Motion carried.**

*Judge Glenn Beckendorff – Yes*

*Commissioner Amsler – Yes*


*Commissioner Pokluda – Yes*

*Commissioner Barnett – Yes*

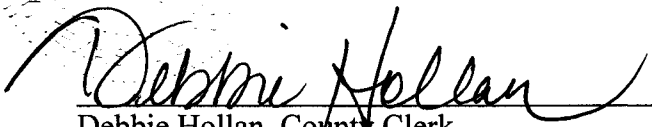
*Commissioner Kitzman – Yes*

Meeting was **ADJOURNED** at 10:05 a.m.

**APPROVED** this the 20<sup>th</sup> day of November 2013.

  
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Glenn Beckendorff  
County Judge

ATTEST:

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