

MINUTES

WALLER COUNTY COMMISSIONER'S COURT REGULAR SESSION WEDNESDAY – DECEMBER 4, 2013

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 4th day of December 2013 at its meeting place in the Waller County Courthouse, Hempstead, Texas. The meeting was called to order at 9:02 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 Barnett, seconded by Commissioner Pokluda.

Motion carried.

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

Minutes Approved: November 26, 2013 Regular Session.

PUBLIC COMMENT

Kollye Kilpatrick and Bill Huntsinger addressed the Court with concerns of the Reinvestment Zone for Advanced Cementing Services.

TREASURER

3. ~~Request by County Treasurer for approval and/or release of securities pledged by First National Bank and authorize the County Judge to sign.~~

Item WITHDRAWN.

JUSTICE OF THE PEACE, PRECINCT 3

4. ~~Discuss and take action to approve to pursue contract amendment to exclude Justice of the Peace, Precinct 3 from the Delinquent Fee Collection contract with Perdue, Brandon, Fielder, Collins & Mott.~~

Item WITHDRAWN.

CONSTABLE, PRECINCT 2

5. Discuss and take action to transfer \$2,500.00 from line item 125-512-563000 [Training] to line item 125-512-581810 [Equipment].

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

DISTRICT CLERK

6. Request payment of \$1,465.00 on invoice # 661198 to Documation for the Maintenance Agreement on the Fujitsu F 16770 Scanning Equipment. Payment to be taken from line item 113-465-54512 [Records Preservation].

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

7. Award bid for the Digital APCO Project 25 Phase II TDMA Trunking System.

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

Motion to **amend** item by Commissioner Kitzman, seconded by Commissioner Barnett by awarding bid to **Motorola**.

Amendment carried.

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

Amended Motion carried.

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

COUNTY ENGINEER

8. Discuss and take action to approve a variance request from Frank and Hilda Orta for Noel Lane.

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

Motion FAILED.

Judge Glenn Beckendorff – No Commissioner Amsler – No Commissioner Pokluda – No
Commissioner Barnett – No Commissioner Kitzman – No

9. Request approval of Utility Permit request from Water Engineers, Inc. for the installation of a water line on E. Hollyhill Dr.

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

WALLER COUNTY ECONOMIC DEVELOPMENT

10. **PUBLIC HEARING:** Designating the following property as a reinvestment zone under Chapter 312 of the Texas Tax Code. Interested persons may speak or present evidence for or against the designation.

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.

Public Hearing began at 9:35 a.m.

1. Owner of Advanced Cementing Services, Inc. gave a brief description of his company.
2. Kollye Kilpatrick, Gloria Cox, and Bill Huntsinger addressed their concerns regarding the location of the company and the environmental impact it may cause.

Public Hearing ended at 9:49 a.m.

11. Discuss and take action to approve the Reinvestment Zone for Advanced Cementing Services Inc. and authorize County Judge to sign Order Establishing the Reinvestment Zone.

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

Motion carried.

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

12. Discuss and take action to approve Tax Abatement Agreement for Advanced Cementing Services Inc. and authorize the County Judge to sign Agreement.

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

Legal Counsel, Charlotte Kim recommended to the court to include the tax abatement amount of 50% at three (3) years.

Motion to **amend** item by Commissioner Pokluda, seconded by Commissioner Barnett to include the tax abatement amount of **50% at 3 years**.

Amendment carried.

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

Amended Motion carried.

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

MISCELLANEOUS

13. **Open Bids** for Waller County Generators for the City of Waller, City of Brookshire, City of Prairie View, and G & W Water Supply Corporation under the Grant Disaster Recovery Program.

The following Bids were received and opened in Court:

1. C.F McDonald Electric, Inc.
2. Generator Power Systems, LLC
3. IES Commercial, Inc.

14. Request authorization for publication for two consecutive weeks in the Times Tribune, News Citizen, *The Hotline Press, and Waller Times* for notice of intention to issue Certificates of Obligation in a principal amount not to exceed \$5,000,000.00, and authorizing certain other matters relating thereto. Publication to be paid from line item 125-401-544100 [Bid Notices and Printing].

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

Motion to **amend** by Commissioner Amsler, seconded by Commissioner Pokluda by inserting The Hotline Press and Waller Times for publication of Notice.

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>

15. Discuss and take action to approve Resolution regarding Declaration of Official Intent pursuant to section 1.150-2 of the Treasury regulations for reimbursement from Certificate of Obligation proceeds.

Motion to **approve** by Commissioner Pokluda, 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>

16. Discuss and take action to approve transfer of \$30,000.00 from line item 125-411-545001 [Maintenance Contracts] to line item 125-442-544700 [Repair and Replacement].

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

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>

17. Discuss and take action to approve the payment of \$10,000.00 to the Waller County Fair Association as allocated in the 2013 Budget from Line Item 125-411-547325 [County Fair].

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

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>

AUDITOR

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

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

Motion carried.

EXECUTIVE SESSION

19. ~~Consultation with attorney about pending or contemplated litigation.~~
Item WITHDRAWN.

ADJOURN MEETING

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

Motion carried.


Judge Glenn Beckendorff – Yes

Commissioner Amsler – Yes
Commissioner Barnett – Yes

Commissioner Pokluda – Yes
Commissioner Kitzman – Yes

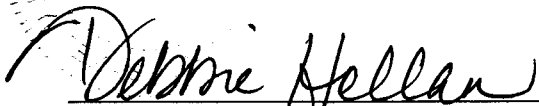
Meeting was **ADJOURNED** at 10:09 a.m.

APPROVED this the 11th day of December 2013.



Glenn Beckendorff
County Judge

ATTEST:



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