

MINUTES
WALLER COUNTY COMMISSIONER'S COURT
REGULAR SESSION
WEDNESDAY – FEBRUARY 12, 2014

BE IT REMEMBERED that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 12th day of February 2014 at its meeting place in the Waller County Courthouse, Hempstead, Texas. The meeting was called to order by Waller County Judge Glenn Beckendorff at 9:01 a.m. 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** agenda 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
2. Approval of the minutes – None
No action taken.

PUBLIC COMMENT

1. Bob Gage provided and read written comments regarding concerns with the Retainer Agreement with Allison, Bass & Associates.
2. Becky Gage provided and read written comments regarding the investigation with Waller County and Green Group Holdings.
3. Emory Davis advised the court he is a representative of the newly formed Prairie View Chamber of Commerce and would like to work with the county regarding the Waller County Community Center.
4. Jackie Craver commented to the court concerns regarding the issues with the proposed landfill and had hoped they would have been resolved after 2 years.
5. Wayne Dolcefino commented to the court issues and concerns regarding the proposed landfill.
6. Mike McCall recommended to the court to withdraw agenda item #4 as he stated there was not enough information for the public.

COMMISSIONER, PRECINCT 3

3. Discuss and take action to approve the Black History Month Proclamation.
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

(Commissioner Barnett read Proclamation)

COMMISSIONER, PRECINCT 2

4. Discussion and consider action on update from outside counsel including Allison, Bass and Magee, LLP and/or Rusty Hardin and Associates, LLP.

Motion to **consider action** by Commissioner Barnett, seconded by Commissioner Kitzman. (Commissioner Frank Pokluda, Mr. Jim Allison, and Mr. Rusty Hardin provided comments and updates to the public and court)

Court convened for break at 10:02 a.m.

Court reconvened to regular session at 10:10 a.m.

Motion to **amend** item by Commissioner Barnett, seconded by Commissioner Pokluda for Mr. Jim Allison with Allison, Bass & Magee, LLP and Mr. Rusty Hardin with Rusty Hardin & Associates, LLP provide summary of comments presented to court.

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 – Abstained Commissioner Pokluda – Yes
Commissioner Barnett – Yes Commissioner Kitzman – Yes

Advanced to Agenda Item #14

JUSTICE OF THE PEACE, PRECINCT 4

5. Discuss and take action to approve the Resolution approving the Juvenile Diversion Program grant application.

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

Motion carried.

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

6. Discuss and take action to approve the payment of \$395.00 to Tyler Technologies for the registration fee for the Administrative Assistant to attend Tyler Technologies' Tyler Connect 2014 Conference. Payment to be taken from line item 119-429-581817 [Technology Enhancements].

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

7. Discuss and take action to approve reimbursement of lodging, meals and travel expenses for the Administrative Assistant to attend Tyler Technologies' Tyler Connect 2014 Conference. Payment to be taken from line item 119-429-581817 [Technology Enhancements].

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

TREASURER

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

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

ELECTION ADMINISTRATOR

9. Discuss and take action to approve the 2014 Waller County Primary Joint Resolution.

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

COUNTY ENGINEER

10. Discuss and take action for the approval to purchase One (1) Gradall XL4100 6 x 4 Truck Mounted Excavator through HGAC from Associated Supply Company Inc. for the purchase price of \$350,000.00 which includes a trade-in of One (1) 1995 Gradall XL4100. Payment to be taken from line item 600-600-581800 [Renovations].

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

MAINTENANCE

11. Discuss and take action to select a Contractor for repairs at the Old Hospital Building at 926 6th Street, Hempstead, Texas.

Motion to **select** a contractor for repairs at the old hospital building by Commissioner Amsler, seconded by Commissioner Pokluda.

Motion to **amend** agenda item by Commissioner Pokluda, seconded by Commissioner Kitzman by inserting "Precision Concrete Services" as contractor for repairs.

Motion to **table** agenda item by Commissioner Amsler, seconded by Commissioner Pokluda.

Motion carried – Item TABLED.

Judge Glenn Beckendorff – No

Commissioner Amsler – Yes

Commissioner Pokluda – Yes

Commissioner Barnett – Yes

Commissioner Kitzman – No

MISCELLANEOUS

12. Discuss and take action to approve agreement with Johnston, LLC, for the Waller County Facility Condition Assessment.

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

13. Consider and take action to approve settlement of claim by Lori Walker involving suit # 13-03-21840, styled, United-Bilt Homes, LLC vs. Colt Haack and Lori Walker, et al, on tax account #R18005 for \$5,565.02.

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

Motion carried.

Judge Glenn Beckendorff – Yes

Commissioner Amsler – Yes

Commissioner Pokluda – Yes

Commissioner Barnett – Yes

Commissioner Kitzman – Yes

Returned to Agenda Item #5

14. Discuss and take action to approve the Construction Contract Change Order Request Form for the Texas General Land Office Disaster Recovery Grant Project for the Waller County Generators.

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

Proceeded to Agenda Item #13

15. Discuss and take action to approve the Interlocal Agreement between Lubbock County, a political subdivision of the State of Texas, acting through the Regional Public Defender for Capital Cases and Waller County.

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

16. Discuss and take action to approve payment to Post Oak RC&D Area, Inc. for \$200.00 to be paid from line item 125-411-562300 [County Organizational Dues] for the 2014 Annual Sponsorship.

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

17. Discuss and take action to approve payment to Tyler Technologies for Invoice# 020-5953 for \$51,243.25 to be paid from line item # 125-411-545004 [Odyssey] for First Quarter 2014 Hosting Fee.

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

18. Discuss and take action to approve the payment of \$1,289.00 to Texas Association of Counties for Invoice #130157 from line item 125-411-560300 [Ins Equip/Build/Pub Liab] for additional coverage endorsement on Auto Physical Damage Coverage.

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

19. Discuss and take action to approve the payment of \$1,639.50 to TAC Security & Video from Line Item 117-428-568425 [Special Revenue Courthouse Security – Miscellaneous Security] for Security systems for various county buildings.

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

AUDITOR

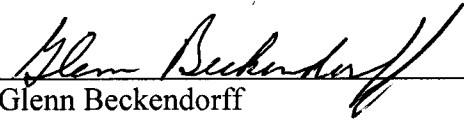
20. Request by County Auditor for approval and/or ratification of Accounts Payable.
Motion to **approve and/or ratify** by Commissioner Kitzman, seconded by Commissioner Barnett.
Motion carried.
Judge Glenn Beckendorff – Yes Commissioner Amsler – Yes Commissioner Pokluda – Yes
Commissioner Barnett – Yes Commissioner Kitzman – Yes
21. Consultation with attorney regarding SOAH Docket No. 951-13-4182; Applications of Electro Purification, LLC, for Permits to Drill, Produce, Aggregate, and Transport Groundwater from Ten Proposed Wells in Waller and Austin Counties.
Ms. Charlotte Kim, Legal Counsel, advised court the matter regarding SOAH Docket No. 951-13-4182 has been closed, applications have been withdrawn. (no executive session needed)

ADJOURN MEETING

Motion to **adjourn** meeting by Commissioner Amsler, seconded by Commissioner Kitzman.
Motion carried.
Judge Glenn Beckendorff – Yes Commissioner Amsler – Yes Commissioner Pokluda – Yes
Commissioner Barnett – Yes Commissioner Kitzman – Yes

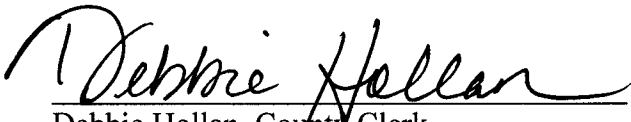
Meeting was **ADJOURNED** at 11:02 a.m.

APPROVED this the 26th day of February 2014.



Glenn Beckendorff
County Judge

ATTEST:



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

