

**MINUTES**  
**WALLER COUNTY COMMISSIONER'S COURT**  
**REGULAR SESSION**  
**WEDNESDAY – APRIL 17, 2013**

**BE IT REMEMBERED** that the Honorable Commissioner's Court of Waller County, Texas, met in **REGULAR SESSION** on Wednesday, the 17<sup>th</sup> day of April 2013 at its meeting place in the Waller County Courthouse, Hempstead, Texas. The meeting was called to order at 9:00 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** 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 – 2 Sets**

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: April 10, 2013 Regular Session, April 10, 2013 Workshop

**PUBLIC COMMENT** – None

**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.**

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

**Motion carried.**

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

4. **Request by County Treasurer to discuss and take action to approve personnel changes within the County Treasurer's Office and amend the 2013 Salary Order to reflect pay rate changes.**

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

**Motion carried.**

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

5. Request by County Treasurer for approval of payroll.

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

**CONSTABLES, PRECINCT 1, PRECINCT 2, PRECINCT 3, PRECINCT 4**

6. Discuss and take action to approve each Precinct Constable to have a limit of 30 reserved deputies.

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

**TAX ASSESSOR COLLECTOR**

7. Discuss and approve refunds in excess of \$500.00 in accordance with Article 31.11 State Property Tax Code.

Motion to **approve** 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

**COUNTY CLERK**

8. Request approval of the Lease and Maintenance Agreement(s) with Precision Printing for Toshiba e-Studio 206L Copier in the amount of \$121.93 per month for 60 months and authorize the County Judge to sign. Funds to be paid from line item 125-403-545510 [Equipment Rent/Lease].

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

**COUNTY ENGINEER**

9. Discuss and take action to accept the Easement Dedication adjacent to McAllister Road from Terrance Hlavinka Cattle Company and authorize the County Judge to sign the agreement.

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

**Motion carried.**

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

~~10. Discuss and take action to approve Plat and Dedication of Goya Foods Business Park.~~

**Item WITHDRAWN.**

11. Discuss and take action to accept the Easement Dedication adjacent to McAllister Road from Goya Foods and authorize the County Judge to sign the agreement.

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*

12. Request approval of Utility Permit with Consolidated Communications for McAllister Road.

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*

### MISCELLANEOUS

13. Discuss and take action to select Delinquent Tax Attorney and authorize the County Judge to sign the agreement.

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

Motion to **amend** by Commissioner Barnett, seconded by Commissioner Kitzman to select Perdue Brandon Fielder Collins & Mott, LLP as Delinquent Tax Attorney.

**Amendment carried.**

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

**Amended Motion carried.**

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

14. Discuss and take action to approve payment of \$51,243.25 to Tyler Technologies for the Second Quarter 2013 Hosting Fee for Invoice # 020-4131 from line item 125-600-583300 Capital Outlay [Financial/Judicial/Software/Equip.].

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

**Motion carried.**

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

15. Discuss and take action to approve the payment of \$7,000.00 on Invoice # 03231 to Brazos Valley Council of Governments from line item 125-525-546900 [BVCOG] for CIHC Assessment.

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*

16. Discuss and take action to approve the payment to Waukesha-Pearce Industries, Inc. from Line Item 125-411-544800 [Service & Repairs] for the following Invoices:

- 12137968 - \$675.40 (Road and Bridge)
- 12137970 - \$758.20 (Courthouse)
- 12137969 - \$820.32 (Jailhouse)

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*

17. Discuss and take action to approve the payment to TAC Security & Video from Line Item 117-428-568425 [Special Revenue Courthouse Security – Miscellaneous Security] for the following Invoices:

- 13547404 - \$ 80.00 for Hold-Up Alarm (Courthouse)
- 13112404 - \$ 885.00 for Camera Surveillance System (Courthouse)
- 13544904 - \$ 50.00 for Burglar Alarm (Courthouse)
- 13111604 - \$ 204.50 for Alarm & DVR System (JP 2)
- 13520104 - \$ 115.00 for Burglar & Hold Up Alarm (JP 4)
- 13522004 - \$ 30.00 for Hold-Up Alarm (JP 1)

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*

## **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.**

*Judge Glenn Beckendorff – Yes*

*Commissioner Amsler – Yes*

*Commissioner Pokluda – Yes*

*Commissioner Barnett – Yes*

*Commissioner Kitzman – Yes*

## **MISCELLANEOUS**

19. Discuss and take possible action, pursuant to §157.901, Texas Local Government Code regarding the authorization to retain legal counsel to defend county officials or employees who may be subject to claims or litigation for an action arising from the performance of a public duty in which the public interest requires a defense of such matters. [Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].

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

**Motion carried.**

*Judge Glenn Beckendorff – Yes*

*Commissioner Amsler – No*

*Commissioner Pokluda – Yes*

*Commissioner Barnett – Yes*

*Commissioner Kitzman – Yes*

**EXECUTIVE SESSION**

Court convened to Executive Session at 10:05 a.m.

Court reconvened from Executive Session at 10:44 a.m.

- 20. Discuss and take action to authorize the County Judge to submit letter to Pintail Landfill, L.L.C. concerning Notice of Lawsuit and Retention of Counsel [Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D. Section 551.071 (Consultation with Attorney)].

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*

- 21. ~~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 Pokluda – Yes*

*Commissioner Barnett – Yes*

*Commissioner Kitzman – Yes*

Meeting was **ADJOURNED** at 10:45 a.m.

**APPROVED** this the 24<sup>th</sup> day of April 2013.



ATTEST:

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

*Glenn Beckendorff*  
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 Glenn Beckendorff  
 County Judge