

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

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

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: July 10, 2013 Regular Session

PUBLIC COMMENT

Tom Brown – Advised the court the weeds need mowing on Kelly Road.
Dr. Cynthia Rasdale – Thanked the court for the opportunity to serve on the Library Committee.
Rick Welch – Addressed the court with his concerns pertaining to the recent invoice from Allison, Bass & Associates.

COUNTY JUDGE

3. **Presentation of the 2012 Distinguished Service Award to the Waller County Historical Commission.**

The Court presented the 2012 Distinguished Service Award to the Waller County Historical Commission. Judy Robinson, Lynwood Peterson, and Truett Bell were present to receive the award.

4. **Spread** upon the minutes the appointment of Robyn German as the Waller County Election Administrator to be effective August 1, 2013.

No action required.

5. ~~Discuss and take action to approve the Waller County Election Administrator to attend the Secretary of State Election Law Seminar in Austin, July 29-31, 2013.~~

~~Item WITHDRAWN.~~

COMMISSIONER, PRECINCT 1

6. Discuss and take action to accept the Library Committee's recommendation for qualifications for the Waller County Librarian.

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

Motion to **amend** item by Commissioner Pokluda, seconded by Commissioner Barnett by inserting "Maintain" valid Texas Driver's License under Special Requirements for qualifications of the Waller County Librarian.

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>

7. Discuss and take action to approve advertising for the Waller County Librarian position *for four (4) weeks in the Hotline Press, Katy Times, Times Tribune, Waller County News Citizen, Waller Times, County Website, Professional Library Website if available with the deadline set for August 19, 2013 at 5:00 p.m. at the Waller County Judge's office, advertising to be paid from line item 125-401-544100.*

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

Motion to **amend** agenda item by Commissioner Amsler, seconded by Commissioner Barnett by inserting "for four (4) weeks in the Hotline Press, Katy Times, Times Tribune, Waller County News Citizen, Waller Times, County Website, Professional Library Website if available with the deadline set for August 19, 2013 at 5:00 p.m. at the Waller County Judge's office, advertising to be paid from line item 125-401-544100".

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>

TREASURER

8. ~~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.~~

COUNTY ENGINEER

9. Discuss and take action to approve Memorandum of Understanding between Waller County and PFP Technology, LLC, and to accept the donation of \$145,000.00 for road work on approximate 1,300 feet of Goyens Road and authorize the County Judge to sign.

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

10. Discuss and take action to approve Memorandum of Understanding between Waller County and Goya Foods, and to accept the donation of \$477,972.00 for road work on approximate 4,600 feet of McAllister Road and authorize the County Judge to sign.

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

11. Discuss and take action to approve a line item transfer within the Road and Bridge Department budget: Transfer \$24,000.00 from Line Item 110-530-590000 [Bridge Replacement] to Line Item 110-530-581815 [Equipment Rental].

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

12. Discuss and take action to approve an Agreement between Union Pacific Railroad Company and Clay Development & Construction, Inc. and Waller County for New Public Highway At-Grade Crossing covering the Construction, Maintenance and Use of the new Schlipf Road At-Grade Public Road Crossing at Railroad Mile Post 152.78-Sealy Industrial Lead DOT NO: 416515P **and Contribution and Indemnity Agreement** and authorize the County Judge to sign.

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

Motion to **amend** agenda item by Commissioner Kitzman, seconded by Commissioner Barnett by inserting “and Contribution and Indemnity Agreement” after DOT NO: 416515P and change the word City to “County” under Article 7 of the New Public Highway At-Grade Crossing Agreement.

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

13. Discuss and take action for the approval to purchase one (1) Kubota Tractor with Terrain King Boom Mower through HGAC from Lansdowne-Moody for the purchase price of \$113,259.88. A down payment of \$30,000.00 to be taken from 110-530-575000 [Principal Payment] and \$83,259.88 to be financed over a term of three (3) years with Bancorp South Equipment Finance and authorize the County Judge to execute financing agreement and documents.

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

14. Discuss and take action to approve the transfer of \$30,000.00 from line item 125-411-569600 [Contingency] to line item 110-530-575000 [Principal Payment].

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

15. Discuss and take action to approve a variance to the County Driveway/Culvert Regulations which require a safety-end-treatments (SETs) on culverts larger than 30-inch in diameter by Mr. McAnelly on Herbert Rd.

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

Motion to **table** agenda item for one week by Commissioner Barnett, seconded by Commissioner Pokluda.

Motion carried – Item TABLED.

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

TAX ASSESSOR-COLLECTOR

16. Request by Tax Assessor-Collector for approval to revise the 2013 Salary Order for the Tax Office Fund 125, Department 438 to reflect the following change effective August 1, 2013:

Deputy III (Open Position) to ~~be changed to Administrative Assistant I~~ and increase the salary from \$15.07/hr. to \$18.58/hr. This revision will not increase the budget for the Department.

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

Motion to **amend** agenda item by Commissioner Pokluda, seconded by Commissioner Barnett by striking out “be changed to Administrative Assistant I and”.

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

MISCELLANEOUS

17. Discuss and take action to approve the payment of \$9,472.41 to Allison, Bass & Associates, L.L.P. on Invoice Number 11397 from line item 125-411-540300 [Legal] for Waller County – Environmental Issues

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

18. Discuss and take action to approve the payment of \$5,964.00 to Allison, Bass & Associates, L.L.P. on Invoice Number 1139 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.

Judge Glenn Beckendorff – Yes

Commissioner Amsler – No

Commissioner Pokluda – Yes

Commissioner Barnett – Yes

Commissioner Kitzman – Yes

AUDITOR

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

Motion to **approve and/or ratify** 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

EXECUTIVE SESSION

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

ADJOURN MEETING

Motion to **adjourn** meeting 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

Meeting was **ADJOURNED** at 10:13 a.m.


APPROVED this the 24th day of July 2013.



Glenn Beckendorff
County Judge



ATTEST:



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