

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, July 11, 2016

Call to Order

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 11th day of July 2016 in the Matagorda County Commissioner's Courtroom, located on the Third Floor, 1700 Seventh Street, Room 300, Bay City, Texas, with County Judge McDonald presiding.

Others present were as follows: Sheriff Osborne, Denise Fortenberry, Doug Matthes, Mike Reddell, Dwight Baker, Lisa Krobot, Virginia Thompson, Sue Milberger, Peggy Stanley, Heather Menzies, Eva Peterson, Terri with Chamber of Commerce, Harriet Townsend and Maggie Perez

1. Certification of quorum

County Judge McDonald certified a quorum in attendance with Commissioner Pustka, Commissioner Pollard, Commissioner Gibson and Commissioner Frick.

2. Pledge of Allegiance – Commissioner Pollard

3. Texas Pledge – Commissioner Pollard

4. Prayer – Commissioner Pustka

5. Consideration and possible action to regarding approving Commissioners Court Minutes for June 27, 2016

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Gibson, with all others concurring, to approve Commissioners Court Minutes for June 27, 2016. Motion carried. Vote 5 ayes 0 nays

6. Consideration and possible action regarding contracts for the use of the Matagorda County Fairground facilities

This being the next item for business, no action required.

7. Consideration and possible action to authorize the Environmental Health Department to schedule a Household Hazardous Waste Collection event for October 1, 2016 at the Matagorda County Fairgrounds

This being the next item for business, motion was duly made by Commissioner Pustka and seconded by Commissioner Pollard, with all others concurring, to authorize the Environmental Health Department to schedule a Household Hazardous Waste Collection event for October 1, 2016 at the Matagorda County Fairgrounds. Motion carried. Vote 5 ayes 0 nays

8. Consideration and possible action to issue a demand check for courthouse postage in the amount of \$10,000.00

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Gibson, with all others concurring, to issue a demand check for courthouse postage in the amount of \$10,000.00. Motion carried. Vote 5 ayes 0 nays

9. Consideration and possible action to approve a cell phone allowance for Brittney Symons, Assistant District Attorney, in the amount of \$60.00 per month, as per county policy

This being the next item for business, motion was duly made by Commissioner Pollard, and seconded by Commissioner Pustka, with all others concurring, to approve a cell phone allowance for Brittney Symons, Assistant District Attorney, in the amount of \$60.00 per month, as per county policy. Motion carried.
Vote 5 ayes 0 nays

10. Consideration and possible action to approve the acceptance of a proposal as a binding contract between Matagorda County and Holden Roofing, for roof repairs to the Matagorda County Juvenile Center, in the amount of \$34,995.04

This being the next item for business, motion was duly made by Commissioner Pustka, and seconded by Commissioner Pollard, with all others concurring, to approve the acceptance of a proposal as a binding contract between Matagorda County and Holden Roofing, for roof repairs to the Matagorda County Juvenile Center, in the amount of \$34,995.04. Motion carried. Vote 5 ayes 0 nays

11. Consideration and possible action to approve a Memorandum of Understanding between the City of Bay City and Matagorda County regarding the duties and obligations to repair/improve roads damaged during evacuation activities

This being the next item for business, motion was duly made by Commissioner Frick, and seconded by Commissioner Pollard, with all others concurring, to approve a Memorandum of Understanding between the City of Bay City and Matagorda County regarding the duties and obligations to repair/improve roads damaged during evacuation activities. Motion carried. Vote 5 ayes 0 nays

12. Consideration and possible action to approve an order authorizing Matagorda County Attorney, Denise M. Fortenberry, to file suit to abate against Ollie Mae Minifee, who has caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists, for injunctive and other relief as is authorized by the Texas Health and Safety Code and other environmental, public health and welfare protection laws. The County Attorney shall bring any issues relating to the expenditure of funds back to the court, as needed, for approval

This being the next item for business, motion was duly made by County Judge McDonald, and seconded by Commissioner Gibson, with all others concurring, to approve an order authorizing Matagorda County Attorney, Denise M. Fortenberry, to file suit to abate against Ollie Mae Minifee, who has caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists, for injunctive and other relief as is authorized by the Texas Health and Safety Code and other environmental, public health and welfare protection laws. The County Attorney shall bring any issues relating to the expenditure of funds back to the court, as needed, for approval. Motion carried. Vote 5 ayes 0 nays

13. Consideration and possible action to approve an order authorizing Matagorda County Attorney, Denise M. Fortenberry, to file suit to abate against Jerald Ryan, who has caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists, for injunctive and other relief as is authorized by the Texas Health and Safety Code and other environmental, public health and welfare protection laws. The County Attorney shall bring any issues relating to the expenditure of funds back to the court, as needed, for approval

This being the next item for business, motion was duly made by Commissioner Pollard, and seconded by Commissioner Gibson, with all others concurring, to approve an order authorizing Matagorda County Attorney, Denise M. Fortenberry, to file suit to abate against Jerald Ryan, who has caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists, for injunctive and other relief as is authorized by the Texas Health and Safety Code and other environmental, public health and welfare protection laws. The County Attorney shall bring any issues relating to the expenditure of funds back to the court, as needed, for approval. Motion carried. Vote 5 ayes 0 nays

14. Consideration and possible action to approve an order authorizing Matagorda County Attorney, Denise M. Fortenberry, to file suit to abate against Laurel Elise Bavetz, who has caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists, for injunctive and other relief as is authorized by the Texas Health and Safety Code and other environmental, public health and welfare protection laws. The County Attorney shall bring any issues relating to the expenditure of funds back to the court, as needed, for approval

This being the next item for business, motion was duly made by Commissioner Pollard, and seconded by Commissioner Gibson, with all others concurring, to approve an order authorizing Matagorda County Attorney, Denise M. Fortenberry, to file suit to abate against Laurel Elise Bavetz, who has caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists, for injunctive and other relief as is authorized by the Texas Health and Safety Code and other environmental, public health and welfare protection laws. The County Attorney shall bring any issues relating to the expenditure of funds back to the court, as needed, for approval. Motion carried. Vote 5 ayes 0 nays

15. Consideration and possible action to approve an order authorizing Matagorda County Attorney, Denise M. Fortenberry, to file suit to abate against Dennis C. & Ora Maddox, who has caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists, for injunctive and other relief as is authorized by the Texas Health and Safety Code and other environmental, public health and welfare protection laws. The County Attorney shall bring any issues relating to the expenditure of funds back to the court, as needed, for approval

This being the next item for business, motion was duly made by Commissioner Pustka, and seconded by Commissioner Frick, with all others concurring, to approve an order authorizing Matagorda County Attorney, Denise M. Fortenberry, to file suit to abate against Dennis C. & Ora Maddox, who has caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists, for injunctive and other relief as is authorized by the Texas Health and Safety Code and other environmental, public health and welfare protection laws. The County Attorney shall bring any issues relating to the expenditure of funds back to the court, as needed, for approval. Motion carried. Vote 5 ayes 0 nays

16. Consideration and possible action to approve an order authorizing Matagorda County Attorney, Denise M. Fortenberry, to file suit to enjoin and abate against Donnie Thompson, Ginny Browne Thompson, David Browne, Sharon Browne and All Season Waste Management, all of whom have caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists, for injunctive and other relief as is authorized by the Texas Health and Safety Code, including the right to prohibit or control access to the premises to prevent a continued or future violation and other environmental, public health and welfare protection laws. The County Attorney shall bring any issued relating to the expenditure of funds back to the court, as needed, for approval

This being the next item for business, motion was duly made by Commissioner Frick, and seconded by Commissioner Pollard, with all others concurring, to file suit to enjoin and abate against Donnie Thompson, Ginny Browne Thompson, David Browne, Sharon Browne and All Season Waste Management, all of whom have caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists, for injunctive and other relief as is authorized by the Texas Health and Safety Code, including the right to prohibit or control access to the premises to prevent a continued or future violation and other environmental, public health and welfare protection laws. The County Attorney shall bring any issued relating to the expenditure of funds back to the court, as needed, for approval. Motion carried.

Vote 5 ayes 0 nays

17. Consideration and possible action to approve an order authorizing Matagorda County Attorney, Denise M. Fortenberry, to file suit to abate against Annie Torres, who has caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists, for injunctive and other relief as is authorized by the Texas Health and Safety Code, including the right to prohibit or control access to the premises to prevent a continued or future violation and other environmental, public health and welfare protection laws. The County Attorney shall bring any issued relating to the expenditure of funds back to the court, as needed, for approval

This being the next item for business, motion was duly made by Commissioner Pustka, and seconded by Commissioner Frick, with all others concurring, to file suit to abate Annie Torres, who has caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists, for injunctive and other relief as is authorized by the Texas Health and Safety Code, including the right to prohibit or control access to the premises to prevent a continued or future violation and other environmental, public health and welfare protection laws. The County Attorney shall bring any issued relating to the expenditure of funds back to the court, as needed, for approval. Motion carried. Vote 5 ayes 0 nays

18. Consideration and possible action to approve a Proposal from Holden Roofing for additional work to the approved initial Courthouse Repairs Proposal, to fill in existing gaps and re-seal approximately fifty six expansion joints on the twenty foot tilt walls specified above the tar and gravel roof, in the amount of \$5,685.20

This being the next item for business, motion was duly made by Commissioner Frick, and seconded by Commissioner Pustka, with all others concurring, to approve a Proposal from Holden Roofing for additional work to the approved initial Courthouse Repairs Proposal, to fill in existing gaps and re-seal approximately fifty six expansion joints on the twenty foot tilt walls specified above the tar and gravel roof, in the amount of \$5,685.20. Motion carried. Vote 5 ayes 0 nays

19. Consideration and possible action to approve a Memorandum of Understanding between the Midfield Volunteer Fire Department and Matagorda County regarding the Spartan Salisbury Fire Truck

This being the next item for business, motion was duly made by Commissioner Frick, and seconded by Commissioner Gibson, with all others concurring, to approve a Memorandum of Understanding between the Midfield Volunteer Fire Department and Matagorda County regarding the Spartan Salisbury Fire Truck. Motion carried. Vote 5 ayes 0 nays

20. Consideration and possible action to approve a Memorandum of Understanding between Lyondell Bassel regarding the purchase of Emergency Management radios

This being the next item for business, motion was duly made by County Judge McDonald, and seconded by Commissioner Gibson, with all others concurring, to approve a Memorandum of Understanding between Lyondell Bassel regarding the purchase of Emergency Management radios. Motion carried. Vote 5 ayes 0 nays

21. Consideration and possible action to approve two letters authorizing Motorola to place an order for the radio communications equipment for Matagorda County, to be used at Lyondell Bassel, to improve Interoperability, and authorize the County Judge to sign

This being the next item for business, motion was duly made by Commissioner Pollard, and seconded by Commissioner Pustka, with all others concurring, to approve two letters authorizing Motorola to place an order for the radio communications equipment for Matagorda County, to be used at Lyondell Bassel, to improve Interoperability, and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

22. Consideration and possible action to authorize Precinct #4, Charles "Bubba" Frick, to purchase two (2) new 2017 Ford F750 Dump Trucks with 6/8 Yard Beds through HGAC from Chastang Ford, in the amount of \$150,890.00

This being the next item for business, motion was duly made by Commissioner Frick, and seconded by Commissioner Gibson, with all others concurring, to authorize Precinct #4, Charles "Bubba" Frick, to purchase two (2) new 2017 Ford F750 Dump Trucks with 6/8 Yard Beds through HGAC from Chastang Ford, in the amount of \$150,890.00. Motion carried. Vote 5 ayes 0 nays

23. Consideration and possible action to authorize Cristyn E. Hallmark, Tax Assessor-Collector to hire Debra Warner at \$11.75 per hour (Pay Group 12), due to her previous experience, effective July 13, 2016, with this amount being within the Tax Assessor's current budget

This being the next item for business, motion was duly made by Commissioner Pustka, and seconded by Commissioner Pollard, with all others concurring, to authorize Cristyn E. Hallmark, Tax Assessor-Collector to hire Debra Warner at \$11.75 per hour (Pay Group 12), due to her previous experience, effective July 13, 2016, with this amount being within the Tax Assessor's current budget. Motion carried. Vote 5 ayes 0 nays

24. Consideration and possible action to approve the transfer of John Garza from Jailer to Jail Sergeant in the Matagorda County Jail, effective June 27, 2016, at a salary of \$15.41 per hour, with this salary being within the budget

This being the next item for business, motion was duly made by Commissioner Pustka, and seconded by Commissioner Pollard, with all others concurring, to approve the transfer of John Garza from Jailer to Jail Sergeant in the Matagorda County Jail, effective June 27, 2016, at a salary of \$15.41 per hour, with this salary being within the budget. Motion carried. Vote 5 ayes 0 nays

25. Consideration and possible action to approve the hiring of Jailer Santiago Longoria, at \$14.31, due to his previous years of working in the jail, effective on his hire date of July 1, 2016, with this salary being available within the Jail budget

This being the next item for business, motion was duly made by Commissioner Pollard, and seconded by Commissioner Frick, with all others concurring, to approve the hiring of Jailer Santiago Longoria, at \$14.31, due to his previous years of working in the jail, effective on his hire date of July 1, 2016, with this salary being available within the Jail budget. Motion carried. Vote 5 ayes 0 nays

26. Consideration and possible action to approve the hiring of Stacey Hendry as Jail Cook (replacing Charlene Johnson who has retired) at \$12.98, effective on her hire date of July 7u, 2016, with this salary being available within the Jail budget

This being the next item for business, motion was duly made by Commissioner Pollard, and seconded by Commissioner Pustka, with all others concurring, to approve the hiring of Stacey Hendry as Jail Cook (replacing Charlene Johnson who has retired) at \$12.98, effective on her hire date of July 7u, 2016, with this salary being available within the Jail budget. Motion carried. Vote 5 ayes 0 nays

27. Consideration and possible action to approve Cellular Phone Allowance for Sergeant Lee Mrnustik, Matagorda County Jail, in the amount of \$60.00 per month, according to county policies and procedures

This being the next item for business, motion was duly made by Commissioner Pustka, and seconded by Commissioner Frick, with all others concurring, to approve Cellular Phone Allowance for Sergeant Lee Mrnustik, Matagorda County Jail, in the amount of \$60.00 per month, according to county policies and procedures. Motion carried. Vote 5 ayes 0 nays

28. Consideration and possible action to authorize Lisa Krobot, Environmental Health Director, to hire Tracy Barnard as Animal Control Officer, at a rage of \$12.25 per hour (Pay Group 12), due to his experience, effective July 11, 2016, with this amount being within the Environmental Health's/Animal Control – 631 current budget

This being the next item for business, motion was duly made by Commissioner Pollard, and seconded by Commissioner Frick, with all others concurring, to authorize Lisa Krobot, Environmental Health Director, to hire Tracy Barnard as Animal Control Officer, at a rage of \$12.25 per hour (Pay Group 12), due to his experience, effective July 11, 2016, with this amount being within the Environmental Health's/Animal Control – 631 current budget. Motion carried. Vote 5 ayes 0 nays

29. Consideration and possible action to reclassify District Attorney investigator positions (Chief Investigator, Investigator-Sexual Assault, and Investigator) as non-exempt employeee

This being the next item for business, motion was duly made by Commissioner Pollard, and seconded by Commissioner Frick, with all others concurring, to reclassify District Attorney investigator positions (Chief Investigator, Investigator-Sexual Assault, and Investigator) as non-exempt employeee, Motion carried. Vote 5 ayes 0 nays

30. Consideration and possible action to approve a Quarterly Progress Report for the Texas Capital Fund Grant, Contract #713082 (Tenaris) for the Second Quarter, 2016, and authorize the County Judge to sign

This being the next item for business, motion was duly made by County Judge McDonald, and seconded by Commissioner Frick, with all others concurring, to approve a Quarterly Progress Report for the Texas Capital Fund Grant, Contract #713082 (Tenaris) for the Second Quarter, 2016, and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

31. Consideration and possible action to approve the Monthly Reports from various county departments

This being the next item for business, motion was duly made by Commissioner Pustka, and seconded by Commissioner Gibson, with all others concurring, to approve the Monthly Reports from various county departments. Motion carried. Vote 5 ayes 0 nays

32. Consideration and possible action to approve Payment of Bills

This being the next item for business, motion was duly made by Commissioner Frick, and seconded by Commissioner Pustka, with all others concurring, to approve Payment of Bills. Motion carried. Vote 5 ayes 0 nays

33. Consideration and possible action to approve Line Item Transfers

This being the next item for business, motion was duly made by Commissioner Gibson, and seconded by Commissioner Frick, with all others concurring, to approve Line Item Transfers. Motion carried. Vote 5 ayes 0 nays

34. Consideration and possible action to approve Emergency Amendments

This being the next item for business, motion was duly made by Commissioner Pollard, and seconded by Commissioner Frick, with all others concurring, to approve Emergency Amendments. Motion carried. Vote 5 ayes 0 nays


35. Public Comments

This being the next item for business, no action required.


36. Adjournment

Motion was duly made at approximately 10:42 am by Commissioner Frick and seconded by Commissioner Gibson, with all others concurring, to adjourn the meeting. Motion carried. Vote 5 ayes 0 nays


Approved in Open Court, this the 18th day of July, 2016.




NATE McDONALD,
County Judge




DANIEL PUSTKA,
Commissioner Precinct No. One



KENT POLLARD
Commissioner Precinct No. Two



JAMES GIBSON, Judge Pro Tem
Commissioner Precinct No. Three



CHARLES "BUBBA" FRICK
Commissioner Precinct No. Four



ATTEST: 

Janet Hickl, County Clerk