

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, NOVEMBER 18, 2013

Call to Order

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 18th day of November 2013 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: Ruben Gonzales, Sheriff Osborne, Ellen Dodd, Chris Peikert, Barry Halvorson, Doug Matthes, Bob Watts, Brent Batchelor, Annie Bearden, Ed Kinney, Steven Parker, Janice Hawthorne, Linda Allison, Kristi Smith, Clive Runnells, Tammy McDonald, Harriet Townsend and Janet Hickl

1. Certification of quorum

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

2. Pledge of Allegiance – Commissioner Pollard

3. Texas Pledge – Commissioner Pollard

4. Prayer – Commissioner Pustka

5. Consideration and possible action regarding approving Commissioners Court Minutes for November 4, 2013 and November 12, 2013

This being the next item for business, motion was duly made by Commissioner Pustka and seconded by Commissioner Woodson, with all others concurring, to approve Commissioners Court Minutes for November 4, 2013 and November 12, 2013. 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, motion was duly made by Commissioner Pustka and seconded by Commissioner Gibson, with all others concurring, to approve one contract for the use of the Matagorda County Fairground facilities from Michael Finster. Motion carried. Vote 5 ayes 0 nays

7. Consideration and possible action to approve a request from the AgriLife Extension Office to purchase a 2014 Chevrolet Crew Cab Pickup for Home Demonstration and 4-H use from Port Lavaca Chevrolet, in the amount of \$28,000.00, to be taken out of salary and benefit savings

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 a request from the AgriLife Extension Office to purchase a 2014 Chevrolet Crew Cab Pickup for Home Demonstration and 4-H use from Port Lavaca Chevrolet, in the amount of \$28,000.00, to be taken out of salary and benefit savings. Motion carried. Vote 5 ayes 0 nays

8. Consideration and possible action to approve a request from the Sargent Volunteer Fire Department to build a cement pad at the back of the fire station to position a new grill and cover with a metal roofed building, put a sidewalk leading to the main building, and a door in to the kitchen of the main building, with all expenses paid by the Sargent Volunteer Fire Department

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 a request from the Sargent Volunteer Fire Department to build a cement pad at the back of the fire station to position a new grill and cover with a metal roofed building, put a sidewalk leading to the main building, and a door in to the kitchen of the main building, with all expenses paid by the Sargent Volunteer Fire Department. Motion carried. Vote 5 ayes 0 nays

9. Consideration and possible action authorizing Sheriff Osborne to purchase a 2014 Chevrolet Tahoe in the amount of \$27,186.00, to be purchased through the HGAC Buy Board from Caldwell Country Chevrolet, with trade-in being 6 vehicles (\$11,000.00), the final cost being \$16,186.00, with the payment to be taken out of 560-570. (Vehicles to be traded are: (1) 2004 Ford Crown Victoria Vin #2FAHP71W54X167509, (2) 2001 Ford Expedition Vin #1FMPU16L11LA53490, (3) 2008 Ford Crown Victoria @FAFP71V58X148138, (4) 2005 Chevrolet Z71 pickup Vin #2GCEK13T851102993, (5) 1995 Jeep Vin #1J4FJ68S9SL615223, and (6) 1999 Jeep Vin #1JrFT68S1XL570957

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, authorizing Sheriff Osborne to purchase a 2014 Chevrolet Tahoe in the amount of \$27,186.00, to be purchased through the HGAC Buy Board from Caldwell Country Chevrolet, with trade-in being 6 vehicles (\$11,000.00), the final cost being \$16,186.00, with the payment to be taken out of 560-570. (Vehicles to be traded are: (1) 2004 Ford Crown Victoria Vin #2FAHP71W54X167509, (2) 2001 Ford Expedition Vin #1FMPU16L11LA53490, (3) 2008 Ford Crown Victoria @FAFP71V58X148138, (4) 2005 Chevrolet Z71 pickup Vin #2GCEK13T851102993, (5) 1995 Jeep Vin #1J4FJ68S9SL615223, and (6) 1999 Jeep Vin #1JrFT68S1XL570957. Motion carried. Vote 5 ayes 0 nays

10. Consideration and possible action to approve a Resolution of Matagorda County, authorizing Matagorda County to nominate OXEA corporation to the Office of the Governor Economic Development and Tourism ("OOGEDT") through the Economic Development Bank ("Bank") for designation as a qualified business and double jumbo enterprise project ("project") under the Texas Enterprise Zone Program under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code ("Act")

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 a Resolution of Matagorda County, authorizing Matagorda County to nominate OXEA corporation to the Office of the Governor Economic Development and Tourism ("OOGEDT") through the Economic Development Bank ("Bank") for designation as a qualified business and double jumbo enterprise project ("project") under the Texas Enterprise Zone Program under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code ("Act"). Motion Carried. Vote 5 ayes 0 nays

11. Consideration and possible action to approve a resolution of Matagorda County; authorizing Matagorda County to nominate NRG South Texas LP to the Office of the Governor Economic Development and Tourism ("OOGEDT") through the Economic Development Bank ("Bank") for designation as a qualified business and triple jumbo enterprise project ("Project") under the Texas Enterprise Zone Program under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code ("Act")

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to table a resolution of Matagorda County; authorizing Matagorda County to nominate NRG South Texas LP to the Office of the Governor Economic Development and Tourism ("OOGEDT") through the Economic Development Bank ("Bank") for designation as a qualified business and triple jumbo enterprise project ("Project") under the Texas Enterprise Zone Program under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code ("Act") until November 25, 2013. Motion carried. Vote 5 ayes 0 nays.

12. Consideration and possible action to accept a donation toward expenses of the Matagorda County Household Hazardous Waste Collection Event held on October 26, 2013, from LyondellBasell (EQUISTAR, a Lyondell Company) in the amount of \$5,000.00

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to accept a donation toward expenses of the Matagorda County Household Hazardous Waste Collection Event held on October 26, 2013, from LyondellBasell (EQUISTAR, a Lyondell Company) in the amount of \$5,000.00. Motion carried. Vote 5 ayes 0 nays

13. Consideration and possible action to approve a Resolution urging Amendments or Revisions to the Biggert-Waters Flood Insurance Reform Act of 2012, recently passed by the U. S. Congress; directing the County Judge to send a copy of this resolution to all Federal Legislators

This being the next item for business, motion was duly made by County Judge McDonald and seconded by Commissioner Pollard, with all others concurring, to approve a Resolution urging Amendments or Revisions to the Biggert-Waters Flood Insurance Reform Act of 2012, recently passed by the U. S. Congress; directing the County Judge to send a copy of this resolution to all Federal Legislators. Motion carried. Vote 5 ayes 0 nays

14. Consideration and possible action to approve a Demand Check to ExxonMobil in the amount of \$4,176.45, for fuel used by the Matagorda County Sheriff's Office

This being the next item for business, motion was duly made by Commissioner Woodson and seconded by Commissioner Pustka, with all others concurring, to approve a Demand Check to ExxonMobil in the amount of \$4,176.45, for fuel used by the Matagorda County Sheriff's Office. Motion carried. Vote 5 ayes 0 nays.

15. Consideration and possible action to approve the enrollment of Matagorda County Employees in the Matagorda Regional Medical Center Wellness Works Program

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to approve the enrollment of Matagorda County Employees in the Matagorda Regional Medical Center Wellness Works Program. Motion carried. Vote 5 ayes 0 nays.

16. Consideration and possible action to approve the Deputation of LaToya Duckworth as a Deputy District Clerk for District Clerk, Becky Denn

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 Deputation of LaToya Duckworth as a Deputy District Clerk for District Clerk, Becky Denn. Motion carried. Vote 5 ayes 0 nays.

17. Consideration and possible action to approve a Construction Contract Change Order Approval Request No. 1, regarding GLO Contract No. 12-287-000-5635, Carancahua Street Improvements, Sargent, Precinct 2, Matagorda County, Texas

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 a Construction Contract Change Order Approval Request No. 1, regarding GLO Contract No. 12-287-000-5635, Carancahua Street Improvements, Sargent, Precinct 2, Matagorda County, Texas. Motion carried. Vote 5 ayes 0 nays.

18. Consideration and possible action to approve Construction Payment Estimate #1 to Garner Paving, regarding GLO Contract No. 12-287-000-5635

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Woodson, with all others concurring, to approve Construction Payment Estimate #1 to Garner Paving, regarding GLO Contract No. 12-287-000-5635. Motion carried. Vote 5 ayes 0 nays.

19. Consideration and possible action to accept the donation of a Fire truck from Texas A&M Forest Service, VFD Helping Hands Program, to be used by the Sargent Volunteer Fire Department

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Pustka, with all others concurring, to accept the donation of a Fire truck from Texas A&M Forest Service, VFD Helping Hands Program, to be used by the Sargent Volunteer Fire Department. Motion carried. Vote 5 ayes 0 nays.

20. Consideration and possible action to approve an Amended Plat of Lewis Point Subdivision, Slide 444B M.C.P.R., E. R. Wightman League, Abstract No. 101, Matagorda County, Texas

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 Amended Plat of Lewis Point Subdivision, Slide 444B M.C.P.R., E. R. Wightman League, Abstract No. 101, Matagorda County, Texas. Motion carried. Vote 5 ayes 0 nays.

21. Consideration and possible action to approve the transfer of a white 2006 Ford Crown Victoria, Vin #2FAFP71W06X154564, LP #1075752, to the Precinct #4 Constable from the Matagorda County Sheriff's Office

This being the next item for business, motion was duly made by Commissioner Woodson and seconded by Commissioner Pustka, with all others concurring, not to approve the transfer of a white 2006 Ford Crown Victoria, Vin #2FAFP71W06X154564, LP #1075752, to the Precinct #4 Constable from the Matagorda County Sheriff's Office. Motion carried. Vote 5 ayes 0 nays.

22. Consideration and possible action to set a Public Hearing regarding an Application for Tax Abatement by OXEA for December 2, 2013 at 10:00 AM, and authorize the advertising for this Public Hearing

This being the next item for business, motion was duly made by Commissioner Pustka and seconded by Commissioner Gibson, with all others concurring, to set a Public Hearing regarding an Application for Tax Abatement by OXEA for December 2, 2013 at 10:00 AM, and authorize the advertising for this Public Hearing. Motion carried. Vote 5 ayes 0 nays.

23. Consideration and possible action to Canvass the November 5, 2013 General Election, City of Bay City, Port of Bay City and Palacios Independent School District Election

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to Canvass the November 5, 2013 General Election, City of Bay City, Port of Bay City and Palacios Independent School District Election. Motion carried.
Vote 5 ayes 0 nays.

24. Consideration and possible action to approve the Matagorda County Auditor's Report for September 2013

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Pustka, with all others concurring, to approve the Matagorda County Auditor's Report for September 2013. Motion carried. Vote 5 ayes 0 nays

25. Consideration and possible action to approve the Matagorda County Treasurer's Monthly Report for October 2013

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 the Matagorda County Treasurer's Monthly Report for October 2013. Motion carried. Vote 5 ayes 0 nays

26. Consideration and possible action to approve the Matagorda County Treasurer's Monthly Investment Report for October 2013

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 Matagorda County Treasurer's Monthly Investment Report for October 2013. Motion carried. Vote 5 ayes 0 nays

27. 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 Pollard, with all others concurring, to approve Line Item Transfers. Motion carried.
Vote 5 ayes 0 nays


28. Public Comments

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


29. Adjournment

Motion was duly made at approximately 10:32 a.m. by Commissioner Pustka and seconded by Commissioner Pollard, with all others concurring, to adjourn the meeting. Motion carried.
Vote 5 ayes 0 nays

Approved in Open Court, this the 25th day of November, 2013.




NATE McDONALD,
County Judge




DANIEL PUSTKA,
Commissioner Precinct No. One



KENT POLLARD,
Commissioner Precinct No. Two



JAMES GIBSON,
Commissioner Precinct No. Three



DAVID "WOODY" WOODSON
Commissioner Precinct No. Four

ATTEST: 

Janet Hickl, County Clerk

