

**MINUTES**  
**MATAGORDA COUNTY COMMISSIONERS' COURT MEETING**  
**MATAGORDA COUNTY COURTHOUSE, ROOM 300**  
**1700 SEVENTH STREET, BAY CITY, TEXAS 77414**  
**9:30 A.M., MONDAY, OCTOBER 7, 2013**

**Call to Order**

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 7<sup>th</sup> day of October 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: Doug Matthes, Ruben Gonzales, Sheriff Osborne, Ellen Dodd, Barry Halvorson, Tammy McDonald, Denise Fortenberry, Chris Peikert, Wes Birdwell, Dwight Vavra, Jonathan Vavra, Roger Barker, Bill Orton, Tom Ward, Gayle Watkins, Jr. John Garr, Patti McKelvey, Troy Lewis, Willie Rollins, Rachel Stone, Willie Younger, Elnora Moore, Joe Heaton, Lisa Krobot, Haskell Simon, 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 Woodson**

3. **Texas Pledge – Commissioner Woodson**

4. **Prayer – Commissioner Gibson**

5. **Consideration and possible action regarding approving Commissioners Court Minutes for September 30, 2013**

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Woodson, with all others concurring, to approve Commissioners Court Minutes for September 30, 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, no action required.

7. **Consideration and possible action to approve a Heavy Load Application and Bond for Hurd Enterprises, ltd. To travel on County Road 322 (Buffalo Road) and County Road 337 (Hunt Road), Precinct #3, Matagorda County, Texas**

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 a Heavy Load Application and Bond for Hurd Enterprises, ltd. To travel on County Road 322 (Buffalo Road) and County Road 337 (Hunt Road), Precinct #3, Matagorda County, Texas. Motion carried. Vote 5 ayes 0 nays

**8. Consideration and possible action to accept the donation of a used marked patrol car, being a 2008 Ford Crown Victoria, Vin #2FAFP71V18X119476, from the Bay City Police Department, to be used by the Matagorda County Precinct #6 Constable's Office, and add it to the county insurance**

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to accept the donation of a used marked patrol car, being a 2008 Ford Crown Victoria, Vin #2FAFP71V18X119476, from the Bay City Police Department, to be used by the Matagorda County Precinct #6 Constable's Office, and add it to the county insurance. Motion carried. Vote 5 ayes 0 nays

**9. Consideration and possible action to accept the donation of a 24' X 80' awning from Matagorda Charities (Seafood Fest Committee) to be used outside the Matagorda Volunteer Fire Department's Fireman's Hall, with its value being approximately \$7,000.00**

This being the next item for business, motion was duly made by Commissioner Woodson and seconded by Commissioner Gibson, with all others concurring, to donate the items listed on the attached 2013 Electronic Waste Recycling list to the Lions Club for electronic recycling. Motion carried. Vote 5 ayes 0 nays

**10. Consideration and possible action to approve a Resolution naming William E. (Bill) Roe as Matagorda County's Nomination for Board of Directors of the Matagorda County Appraisal District**

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 Resolution naming William E. (Bill) Roe as Matagorda County's Nomination for Board of Directors of the Matagorda County Appraisal District. Motion carried. Vote 5 ayes 0 nays

**11. Consideration and possible action to approve Cellular Phone Allowances for a new investigator and for all the Patrol Dep[uties] of the Matagorda County Sheriff's Office in the amount of \$60.00 each per month according to county policies and procedures. The following need to be added: Brian Franklin, April Morales, Robert Pierce, Brandon Dekle, Brandi Ward, Jay Hayes, Chris Holliday, Mike Ferrel, Joshua Summers, Mason McKee, Robert Heckler, Matt Mireles, Frank Rejsek, and Scooter Hearn**

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Woodson, with all others concurring, to approve Cellular Phone Allowances for a new investigator and for all the Patrol Dep[uties] of the Matagorda County Sheriff's Office in the amount of \$60.00 each per month according to county policies and procedures. The following need to be added: Brian Franklin, April Morales, Robert Pierce, Brandon Dekle, Brandi Ward, Jay Hayes, Chris Holliday, Mike Ferrel, Joshua Summers, Mason McKee, Robert Heckler, Matt Mireles, Frank Rejsek, and Scooter Hearn. Motion carried. Vote 5 ayes 0 nays.

**12. Consideration and possible action to approve a Proclamation declaring October 19, 2013 as the Family Fun Day Resource Fair in Matagorda County**

This being the next item for business, motion was duly made by County Judge McDonald and seconded by Commissioner Pustka, with all others concurring, to approve a Proclamation declaring October 19, 2013 as the Family Fun Day Resource Fair in Matagorda County. Motion carried. Vote 5 ayes 0 nays

**13. Consideration and possible action to approve the Road Closure (for approximately 7 months) of Hawkins Road at Caney Creek near the town of Sargent, in order to replace the existing bridge (scheduled for after the signing of a construction contract in December 2013), and authorize the County Judge to sign a letter of acceptance**

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 Road Closure (for approximately 7 months) of Hawkins Road at Caney Creek near the town of Sargent, in order to replace the existing bridge (scheduled for after the signing of a construction contract in December 2013), and authorize the County Judge to sign a letter of acceptance. Motion carried. Vote 5 ayes 0 nays

**14. Consideration and possible action to authorize the County Auditor's Office to advertise for the 2014 Road Material (Bid #13-0002) and Road Construction w/Equipment (Bid #13-0003) and approve the specifications for each**

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 County Auditor's Office to advertise for the 2014 Road Material (Bid #13-0002) and Road Construction w/Equipment (Bid #13-0003) and approve the specifications for each. Motion carried. Vote 5 ayes 0 nays.

**15. Consideration and possible action to approve a Services Agreement between Matagorda County and the County Information Resources Agency (CIRA), effective October 7, 2013 and ending December 31, 2013, to automatically renew annually for one year terms beginning January 1, 2014**

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 Services Agreement between Matagorda County and the County Information Resources Agency (CIRA), effective October 7, 2013 and ending December 31, 2013, to automatically renew annually for one year terms beginning January 1, 2014. Motion carried. Vote 5 ayes 0 nays.

**16. Consideration and possible action to approve Performance Statement Revision #2 for DRS 220112/GLO 12-485-000-6657 (Road Improvements in Sargent), and approve Change Request Number 1 for GLO 12-485-000-6657, moving \$7,000.00 to the Environmental Budget (DRS 2.2 Contract – Sewer Facilities)**

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 Performance Statement Revision #2 for DRS 220112/GLO 12-485-000-6657 (Road Improvements in Sargent), and approve Change Request Number 1 for GLO 12-485-000-6657, moving \$7,000.00 to the Environmental Budget (DRS 2.2 Contract – Sewer Facilities). Motion carried. Vote 5 ayes 0 nays.

**17. Consideration and possible action to approve Line Item Transfers**

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 Line Item Transfers. Motion carried. Vote 5 ayes 0 nays

**18. 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 Gibson, with all others concurring, to approve Emergency Amendments. Motion carried. Vote 5 ayes 0 nays

**19. Meet in executive session under section §551.071 of the Gov't Code to consult with attorney(s) representing the count in an executive session concerning pending litigation, contemplated litigation, or settlement offers**

This being the next item for business, motion was duly made at 10:14 am by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to Meet in executive session under section §551.071 of the Gov't Code to consult with attorney(s) representing the count in an executive session concerning pending litigation, contemplated litigation, or settlement offers. Motion carried. Vote 5 ayes 0 nays

**20. Reconvene open session and consider taking action on the following matters: Meet in executive session under section §551.071 of the Gov't Code to consult with attorney(s) representing the count in an executive session concerning pending litigation, contemplated litigation, or settlement offers**

This being the next item for business, motion was duly made at 10:46 am by Commissioner Pustka and seconded by Commissioner Gibson, with all others concurring, to Meet in executive session under section §551.071 of the Gov't Code to consult with attorney(s) representing the count in an executive session concerning pending litigation, contemplated litigation, or settlement offers. Motion carried. Vote 5 ayes 0 nays  
No action taken.


**21. Public Comments**


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


**22. Adjournment**


Motion was duly made at approximately 10:47 a.m. by Commissioner Pustka 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 14<sup>th</sup> day of October, 2013.

  
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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, Judge Pro Tem  
Commissioner Precinct No. Four

ATTEST:   
\_\_\_\_\_  
Janet Hickl, County Clerk

