

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

**Call to Order**

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 9<sup>th</sup> day of September 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, Bob Watts, Ruben Gonzales, Tammy McDonald, Sheriff Osborne, Gayle Watkins, Ellen Dodd, Amanda Campos, Barry Halvorson, Denise Fortenberry, 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 August 26, 2013**

This being the next item for business, motion was duly made by Commissioner Woodson and seconded by Commissioner Pollard, with all others concurring, to approve Commissioners Court Minutes for August 26, 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 two contracts by Bay City Lions Club and Mrs. Lilly Hines for the use of the Matagorda County Fairground facilities. Motion carried. Vote 5 ayes 0 nays

7. **Consideration and possible action to approve a donation from Infinity Networks, Inc. to the Matagorda County Sheriff's Office for \$1,570.00 for a restraint chair for the Matagorda County Jail**

This being the next item for business, motion was duly made by Commissioner Woodson and seconded by Commissioner Gibson, with all others concurring, to approve a donation from Infinity Networks, Inc. to the Matagorda County Sheriff's Office for \$1,570.00 for a restraint chair for the Matagorda County Jail. Motion carried. Vote 5 ayes 0 nays

**8. Consideration and possible action to accept a donation of a 2013 Suzuki Boat Motor (DF250055 TL), with a value of \$20,700.00, from Geosouthern Energy Corporation under Section 81.032 of the Tex. Loc. Gov. Code to be used by the Matagorda County Sheriff's Office**

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Pustka, with all others concurring, to accept a donation of a 2013 Suzuki Boat Motor (DF250055 TL), with a value of \$20,700.00, from Geosouthern Energy Corporation under Section 81.032 of the Tex. Loc. Gov. Code to be used by the Matagorda County Sheriff's Office. Motion carried. Vote 5 ayes 0 nays

**9. Consideration and possible action to approve 2014 Holidays for Matagorda County Personnel**

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 2014 Holidays for Matagorda County Personnel. Motion carried. Vote 5 ayes 0 nays

**10. Consideration and possible action to accept the 2013 Emergency Management Performance Grant (EMPG), #13TX-EMPG-0528, in the amount of \$32,937.86, and authorize the County Judge to sign**

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Pustka, with all others concurring, to accept the 2013 Emergency Management Performance Grant (EMPG), #13TX-EMPG-0528, in the amount of \$32,937.86, and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

**11. Consideration and possible action to approve contract amendment, budgets and update related forms with the Texas Department of Family Protective Services, Child Protective Services for contracts #23940146 and #23940147, 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 Gibson, with all others concurring, to approve contract amendment, budgets and update related forms with the Texas Department of Family Protective Services, Child Protective Services for contracts #23940146 and #23940147, and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays.

**12. Consideration and possible action to approve the Fraternal Order of the Eagles #3232 Hall Agreement for the Matagorda County Christmas Party on December 6, 2013, and authorize the County Judge to sign**

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 the Fraternal Order of the Eagles #3232 Hall Agreement for the Matagorda County Christmas Party on December 6, 2013, and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

**13. Consideration and possible action to approve a \$250.00 payment to the Fraternal Order of the Eagles #3232, the rental payment for the December 6, 2013 Matagorda County Christmas Party**

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 a \$250.00 payment to the Fraternal Order of the Eagles #3232, the rental payment for the December 6, 2013 Matagorda County Christmas Party. Motion carried. Vote 5 ayes 0 nays

**14. Consideration and possible action to approve the Texas Association of Counties Administrative Services Agreement for Matagorda County effective October 1, 2013 thru September 30, 2014**

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 Texas Association of Counties Administrative Services Agreement for Matagorda County effective October 1, 2013 thru September 30, 2014. Motion carried. Vote 5 ayes 0 nays.

**15. Consideration and possible action to approve the Texas Association of Counties Stop-Loss Agreement for Matagorda County effective October 1, 2013 thru September 30, 2014**

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 Texas Association of Counties Stop-Loss Agreement for Matagorda County effective October 1, 2013 thru September 30, 2014. Motion carried. Vote 5 ayes 0 nays

**16. Consideration and possible action to approve a Master Services Agreement between Matagorda County and LVI Services, and its subsidiaries including NorthStar Recovery Services Inc., to be used only in the event of an emergency and only if they are requested, as per Matagorda County Self Insurance Pool**

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 Master Services Agreement between Matagorda County and LVI Services, and its subsidiaries including NorthStar Recovery Services Inc., to be used only in the event of an emergency and only if they are requested, as per Matagorda County Self Insurance Pool. Motion carried. Vote 5 ayes 0 nays

**17. Consideration and possible action to amend the effective date of the Records Management & Archive Plan approved on August 26, 2013 from September 1, 2013 to January 1, 2014 per notice from the Comptroller of Public Accounts**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to amend the effective date of the Records Management & Archive Plan approved on August 26, 2013 from September 1, 2013 to January 1, 2014 per notice from the Comptroller of Public Accounts. Motion carried. Vote 5 ayes 0 nays

**18. Consideration and possible action to approve the Sales Order Agreement from ACS Government Records to Digitally Scan and Convert Matagorda County Real Property Records from 1990 to 1966 utilizing contract number DIR-SDD-1647 for an estimated total of \$105,038 to be paid from the County Clerk's Preservation & Automation Fund 16 403-481 and authorize Janet Hickl, County Clerk to sign**

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 Sales Order Agreement from ACS Government Records to Digitally Scan and Convert Matagorda County Real Property Records from 1990 to 1966 utilizing contract number DIR-SDD-1647 for an estimated total of \$105,038 to be paid from the County Clerk's Preservation & Automation Fund 16 403-481 and authorize Janet Hickl, County Clerk to sign. Motion carried. Vote 5 ayes 0 nays

**19. Consideration and possible action to approve an Engagement Letter with CapRisk Consulting Group (CapRisk) to provide Actuarial Study Services to Matagorda County, in an amount not to exceed \$4,750**

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 an Engagement Letter with CapRisk Consulting Group (CapRisk) to provide Actuarial Study Services to Matagorda County, in an amount not to exceed \$4,750. Motion carried. Vote 5 ayes 0 nays

**20. Consideration and possible action to approve a Public Property Finance Act Contract with Government Capital Corporation for a 2012 Gradall, in the amount of \$227,694.21 for three (3) years**

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 a Public Property Finance Act Contract with Government Capital Corporation for a 2012 Gradall, in the amount of \$227,694.21 for three (3) years. Motion carried. Vote 5 ayes 0 nays

**21. Consideration and possible action to approve a contract between Matagorda County and Clean Harbors Environmental Services, Inc. for services and disposal of hazardous waste to be generated by the scheduled October 26, 2013 Matagorda County Household Hazardous Waste Collection Event 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 approve a contract between Matagorda County and Clean Harbors Environmental Services, Inc. for services and disposal of hazardous waste to be generated by the scheduled October 26, 2013 Matagorda County Household Hazardous Waste Collection Event at the Matagorda County Fairgrounds. Motion carried. Vote 5 ayes 0 nays

**22. Consideration and possible action to adopt the 2013 Proposed Maintenance and Operation tax rate of .31695, for a total tax rate of .32099**

This being the next item for business, motion was duly made by Commissioner Pustka and seconded by Commissioner Gibson, with all others concurring, to adopt the 2013 Proposed Maintenance and Operation tax rate of .31695, for a total tax rate of .32099. Motion carried.

Vote: County Judge	Aye
Commission Pct. 1	Aye
Commissioner Pct. 2	Aye
Commissioner Pct. 3	Aye
Commissioner Pct. 4	Aye

**23. Consideration and possible action to adopt the 2013 Proposed Interest and Sinking tax rate of .00404, for a total tax rate of .32099**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to adopt the 2013 Proposed Interest and Sinking tax rate of .00404, for a total tax rate of .32099. Motion carried.

Vote: County Judge	Aye
Commission Pct. 1	Aye
Commissioner Pct. 2	Aye
Commissioner Pct. 3	Aye
Commissioner Pct. 4	Aye

**24. Consideration and possible action to adopt the 2013 Property Tax Rate of .32099**

This being the next item for business, motion was duly made by Commissioner Woodson and seconded by Commissioner Gibson, with all others concurring, to adopt the 2013 Property Tax Rate of .32099. Motion carried.

Vote: County Judge	Aye
Commission Pct. 1	Aye
Commissioner Pct. 2	Aye
Commissioner Pct. 3	Aye
Commissioner Pct. 4	Aye

**25. Consideration and possible action to ratify the 2013 Property Tax increase reflected in the 2014 Matagorda County Budget, with the total tax rate being .32099**

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to ratify the 2013 Property Tax increase reflected in the 2014 Matagorda County Budget, with the total tax rate being .32099. Motion carried. Vote 5 Ayes 0 nays

**26. Consideration and possible action to approve Payment of Bills**

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 Payment of Bills and to include the travel reimbursement of \$1,297.81. 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 Pollard and seconded by Commissioner Gibson, with all others concurring, to approve Line Item Transfers. Motion carried. Vote 5 ayes 0 nays

**28. Consideration and possible action to approve Emergency Amendments**

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 Emergency Amendments. Motion carried. Vote 5 ayes 0 nays

**29. Public Comments**

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

**30. Adjournment**

Motion was duly made at approximately 10:02 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 16<sup>th</sup> day of September, 2013.

*absent*

\_\_\_\_\_  
NATE McDONALD,  
County Judge

*Daniel Pustka*

\_\_\_\_\_  
DANIEL PUSTKA,  
Commissioner Precinct No. One

*Kent Pollard*

\_\_\_\_\_  
KENT POLLARD,  
Commissioner Precinct No. Two

*James Gibson*

\_\_\_\_\_  
JAMES GIBSON, ~~Judge Pro Tem~~  
Commissioner Precinct No. Three

*David "Woody" Woodson*

\_\_\_\_\_  
DAVID "WOODY" WOODSON, *JUDGE PRO-TEM*  
Commissioner Precinct No. Four

ATTEST: *Janet Hickl*  
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Janet Hickl, County Clerk