

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, JANUARY 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 January 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, Cathy Ezell, Ruben Gonzales, Denise Fortenberry, Chris Peikert, Tammy McDonald, Mike Reddell, Doug Matthes, Cristyn Hallmark, Joel Warneke, Andrew McKay, Steven Reis, Suzan Thompson, Bill Pendergraft, Mark Finley, Harriet Townsend and Maggie Perez

1. Certification of quorum

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

2. Pledge of Allegiance – Commissioner Frick

3. Texas Pledge – Commissioner Frick

4. Prayer – Commissioner Gibson

5. Consideration and possible action to regarding approving Commissioners Court Minutes for January 4, 2016

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 Commissioners Court Minutes for January 4, 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 approve a Seismic Survey Permit from Underground Services Markham, in Precinct #4, to conduct a 2-D geological/sesmic survey on, over, along and/or across County Road 422 (John Fella Road), County Road 424 (Baca Road), County Road 446 (Jesek Road) and County Road 417 (Hoffman Road) for a period of 12 months, or upon completion of all seismic operations, whichever comes first

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 Seismic Survey Permit from Underground Services Markham, in Precinct #4, to conduct a 2-D geological/sesmic survey on, over, along and/or across County Road 422 (John Fella Road), County Road 424 (Baca Road), County Road 446 (Jesek Road) and County Road 417 (Hoffman Road) for a period of 12 months, or upon completion of all seismic operations, whichever comes first. Motion carried. Vote 5 ayes 0 nays

8. Consideration and possible action to approve the Racial Profiling Report for 2015 from the Matagorda County Sheriff's Office

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 the Racial Profiling Report for 2015 from the Matagorda County Sheriff's Office. Motion carried. Vote 5 ayes 0 nays

9. Consideration and possible action to re-approve the designation of three members from the prior year Grand Jury to serve on the Matagorda County Salary Grievance Committee for the year of 2016, which was done during the January 4th Commissioner Court. The re-approval is being done due to no vote being taken during the January 4th meeting

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to re-approve the designation of three members from the prior year Grand Jury to serve on the Matagorda County Salary Grievance Committee for the year of 2016, which was done during the January 4th Commissioner Court. The re-approval is being done due to no vote being taken during the January 4th meeting. Motion carried. Vote 5 ayes 0 nays

10. Consideration and possible action to re-appoint George Deshotels as Matagorda County's representative to the Southeast Texas Housing Finance Corporation (SETH) beginning February 1, 2016 and ending January 31, 2018

This being the next item for business, motion was duly made by Gibson and seconded by Pollard with all others concurring, to re-appoint George Deshotels as Matagorda County's representative to the Southeast Texas Housing Finance Corporation (SETH) beginning February 1, 2016 and ending January 31, 2018. Motion carried. Vote 5 ayes 0 nays

11. Consideration and possible action to approve the proposal from MHC Datacom in the amount of \$54,900.00 for the emergency replacement of the County Jail intercom system to be paid from bond proceeds

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 the proposal from MHC Datacom in the amount of \$54,900.00 for the emergency replacement of the County Jail intercom system to be paid from bond proceeds. Motion carried. Vote 5 ayes 0 nays

12. Consideration and possible action to approve the hiring of Susan Maxwell as part-time investigator of the Office of the District Attorney (Dept. 452) at an equivalent hourly rate of Pay Group 23S of \$28.57 per hour

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 the hiring of Susan Maxwell as part-time investigator of the Office of the District Attorney (Dept. 452) at an equivalent hourly rate of Pay Group 23S of \$28.57 per hour to be effective January 18, 2016. Motion carried. Vote 5 ayes 0 nays

13. Consideration and possible action to approve the hiring of Jeannette Bell into Position 911 of the Office of the District Attorney (Dept. 452) at Pay Group 23S at the be-weekly rate of \$2,286.22

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 Jeannette Bell into Position 911 of the Office of the District Attorney (Dept. 452) at Pay Group 23S at the be-weekly rate of \$2,286.22 to be effective January 18, 2016. Motion carried. Vote 5 ayes 0 nays

14. Consideration and possible action to approve a Cell Phone Allowance Request for DA Investigator Jeannette Bell, in the amount of \$60.00 as per county policy

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 a Cell Phone Allowance Request for DA Investigator Jeannette Bell, in the amount of \$60.00 as per county policy effective January 18, 2016. Motion carried. Vote 5 ayes 0 nays

15. Consideration and possible action to accept the recommendation from the Justice of the Peace Precinct #1 appointment panel and appoint that individual as Justice of the Peace, Precinct #1 to be sworn in on Tuesday, January 19, 2016, at 8:00 a.m.

This being the next item for business, motion was duly made by Commissioner Gibson, and seconded by County Judge McDonald, with all others concurring, to accept the recommendation from the Justice of the Peace Precinct #1 appointment panel and appoint that individual as Justice of the Peace, Precinct #1 to be sworn in on Tuesday, January 19, 2016, at 8:00 a.m. Bill Pendergraft was appointed. Motion carried. Vote 5 ayes 0 nays

16. Consideration and possible action to accept the screened and approved applications from the Justice of the Peace Precinct #1 appointment panel and draw a name from those approved applicants and appoint the individual whose name is drawn as Justice fo the Peace, Precinct #1 to be sworn in on Tuesday, January 19, 2016, at 8:00 a.m.

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

17. Consideration and possible action to accept the Matagorda County Auditor's Monthly Report for November 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 accept the Matagorda County Auditor's Monthly Report for November 2016. Motion carried. Vote 5 ayes 0 nays

18. Consideration and possible action to approve the Matagorda County Treasurer's Monthly Report for November 2015

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 Matagorda County Treasurer's Monthly Report for November 2015. Motion carried. Vote 5 ayes 0 nays

19. Consideration and possible action to approve Payment of Bills

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 Payment of Bills. Motion carried. Vote 5 ayes 0 nays

20. Consideration and possible action to approve Line Item Transfers

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

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

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 Emergency Amendments. Motion carried. Vote 5 ayes 0 nays

22. **Meet in Executive session:**

Under Section 551.071(2) of the Gov't Code to consult with attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter

This being the next item for business, motion was duly made at 10:15 a.m. by Commissioner Gibson, and seconded by Commissioner Pollard, with all others concurring, to meet in Executive session:

Under Section 551.071(2) of the Gov't Code to consult with attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter. Motion carried. Vote 5 ayes 0 nays

23. **Reconvene open session and consider taking action on the matters discussed in:**

Executive session Under Section 551.071(2) of the Gov't Code to consult with attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter

This being the next item for business, motion was duly made at 10:46 a.m. by Commissioner Pustka, and seconded by Commissioner Gibson, with all others concurring, to Reconvene open session and consider taking action on the matters discussed in:

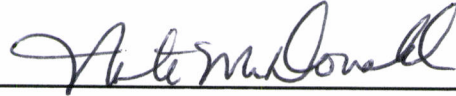
Executive session Under Section 551.071(2) of the Gov't Code to consult with attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter

Motion carried. Vote 5 ayes 0 nays

24. **Adjournment**

Motion was duly made at approximately 10:47 a.m. by Commissioner Frick 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 January, 2016.



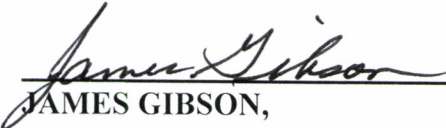
NATE McDONALD,
County Judge



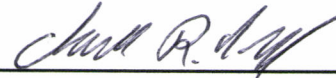
DANIEL PUSTKA,
Commissioner Precinct No. One



KENT POLLARD, Judge Pro Tem
Commissioner Precinct No. Two



JAMES GIBSON,
Commissioner Precinct No. Three



CHARLES "BUBBA" FRICK
Commissioner Precinct No. Four

ATTEST:



Janet Hickl, County Clerk

