

**MINUTES**  
**MATAGORDA COUNTY COMMISSIONERS' COURT MEETING**  
**MATAGORDA COUNTY COURTHOUSE, ROOM 300**  
**1700 SEVENTH STREET, BAY CITY, TEXAS 77414**  
**9:30 A.M., MONDAY, DECEMBER 12, 2016**

**Call to Order**

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 12<sup>th</sup> day of December 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: Doug Pruett, Mike Reddell, Dwight Baker, Karla Lewis, Chris Peikert, Lisa Krobot, Denise Fortenberry, Gary Graham, Doug Matthes, Laura Reyna, Bill Balboa, Sumathi Venkatesh, Tom Schmidt, Tina Lewis, Cristyn Hallmark, Shelby Storts and Janet Hickl

**1. Certification of quorum**

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

**2. Pledge of Allegiance – Commissioner Pustka**

**3. Texas Pledge – Commissioner Pustka**

**4. Prayer – Commissioner Frick**

**5. Consideration and possible action regarding approving Commissioners Court Minutes for December 5, 2016**

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 Commissioners Court Minutes for December 5, 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 taken.

**7. Consideration and possible action to authorize Precinct #4, Commissioner Charles "Bubba" Frick, to purchase a new 2017 Ford F-150 XL Pick-Up Truck through Buy-Board, from Chastang Ford, in the amount of \$26,898.00**

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, Commissioner Charles "Bubba" Frick, to purchase a new 2017 Ford F-150 XL Pick-Up Truck through Buy-Board, from Chastang Ford, in the amount of \$26,898.00. Motion carried. Vote 5 ayes 0 nays

**8. Consideration and possible action to approve a Resolution authorizing the Award of Professional Service Provider Contracts for the 2016 Texas Community Development Block Grant Community Development Fund Contract #7216321**

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 authorizing the Award of Professional Service Provider Contracts for the 2016 Texas Community Development Block Grant Community Development Fund Contract #7216321. Administration was awarded to Grant Works and Engineering was awarded to Urban Engineering. Motion carried. Vote 5 ayes 0 nays

**9. Consideration and possible action to approve a Resolution authorizing the Selection of Administrative Service Providers and Engineering Service Providers for the 2017-2018 Texas Community Development Block Grant Community Development Fund Project**

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 Resolution authorizing the Selection of Administrative Service Providers and Engineering Service Providers for the 2017-2018 Texas Community Development Block Grant Community Development Fund Project. Administration was awarded to Grant Works and Engineering was awarded to Urban Engineering. Motion carried. Vote 5 ayes 0 nays

**10. Consideration and possible action to approve a Demand Check to VFIS of Texas (Regnier & Associates), for Volunteer FireFighter Insurance over and above Workers Compensation, in the amount of \$10,676.00, for the first year premium of a 3 year Renewal Policy #4644-4903E-1**

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 Demand Check to VFIS of Texas (Regnier & Associates), for Volunteer FireFighter Insurance over and above Workers Compensation, in the amount of \$10,676.00, for the first year premium of a 3 year Renewal Policy #4644-4903E-1. Motion carried. Vote 5 ayes 0 nays

**11. Consideration and possible action to approve the transfer of Sonya Tumlinson from Jailer to Jail Sergeant, in the Matagorda County Jail, effective December 19, 2016, at a salary of \$15.41 per hour. This salary is within the budget**

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 transfer of Sonya Tumlinson from Jailer to Jail Sergeant, in the Matagorda County Jail, effective December 19, 2016, at a salary of \$15.41 per hour. This salary is within the budget. Motion carried. Vote 5 ayes 0 nays

**12. Consideration and possible action to accept the Matagorda County Texas A&M AgriLife Extension Service's Annual Report**

This being the next item for business, motion was duly made by Commissioner Pustka, and seconded by Commissioner Frick, with all others concurring, to accept the Matagorda County Texas A&M AgriLife Extension Service's Annual Report. Motion carried. Vote 5 ayes 0 nays

**13. Consideration and possible action to approve the relocation of designated smoking area(s)**

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 relocation of designated smoking area(s). The designated area being the west side alcove(s) of the parking garage. Motion carried. Vote 5 ayes 0 nays

**14. Consideration and possible action to authorize Bill Orton, Courthouse Security, to purchase metal detectors, in the amount of \$649.80, with funds coming out of Fund 18, 018-53300-510 (Courthouse Security Fund)**

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 authorize Bill Orton, Courthouse Security, to purchase metal detectors, in the amount of \$649.80, with funds coming out of Fund 18, 018-53300-510 (Courthouse Security Fund). There will be a 30% credit on the purchase of 4 new metal detectors. Motion carried.  
Vote 5 ayes 0 nays

**15. Consideration and possible action to award the construction contract to Russell Marine, Inc. for Grant F13AF00061 (Gulf Pier and Education Program)**

This being the next item for business, motion was duly made by Commissioner Pollard, and seconded by Commissioner Pustka, with all others concurring, to table awarding the construction contract to Russell Marine, Inc. for Grant F13AF00061 (Gulf Pier and Education Program). Motion carried. Vote 5 ayes 0 nays

**16. Consideration and possible action to approve a contract between Matagorda County and Russell Marine, Inc. for Grant F13AF00061 (Gulf Pier and Education Program) and allow Judge Nate McDonald to execute said contract**

This being the next item for business, motion was duly made by Commissioner Pollard, and seconded by Commissioner Pustka, with all others concurring, to table approving a contract between Matagorda County and Russell Marine, Inc. for Grant F13AF00061 (Gulf Pier and Education Program) and allow Judge Nate McDonald to execute said contract. Motion carried. Vote 5 ayes 0 nays

**17. Consideration and possible action to issue a Notice to Proceed to Russell Marine, Inc. for Grant F13AF00061 (Gulf Pier and Education Program)**

This being the next item for business, motion was duly made by Commissioner Pollard, and seconded by Commissioner Pustka, with all others concurring, to table issuing a Notice to Proceed to Russell Marine, Inc. for Grant F13AF00061 (Gulf Pier and Education Program). Motion carried. Vote 5 ayes 0 nays

**18. Consideration and possible action to amend the Engineering Services Agreement between Matagorda County and Shelmark Engineering, LLC for Grant F13AF00061 (Gulf Pier and Education Program) to include ESA Report and Wildlife Monitoring Required by USACE permit**

This being the next item for business, motion was duly made by Commissioner Pollard, and seconded by Commissioner Frick, with all others concurring, to amend the Engineering Services Agreement between Matagorda County and Shelmark Engineering, LLC for Grant F13AF00061 (Gulf Pier and Education Program) to include ESA Report and Wildlife Monitoring Required by USACE permit. Motion carried.  
Vote 5 ayes 0 nays

**19. Consideration and possible action to approve the Payment of Bills**

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

**20. Consideration and possible action to accept the September 2016 Auditor's Monthly Financial Report**

This being the next item for business, motion was duly made by Commissioner Frick, and seconded by Commissioner Pollard, with all others concurring, to accept the September 2016 Auditor's Monthly Financial Report. Motion carried. Vote 5 ayes 0 nays

**21. Consideration and possible action to accept the October 2016 Auditor's Monthly Financial Report**

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 the October 2016 Auditor's Monthly Financial Report. Motion carried. Vote 5 ayes 0 nays

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

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

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

**23a. Consideration and possible action to approve a quote from R&M Telephone Service, not to exceed the amount of \$5,685, for the County of Matagorda Office Building second floor renovations, pertaining to phone and data installation**

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 quote from R&M Telephone Service, not to exceed the amount of \$5,685, for the County of Matagorda Office Building second floor renovations, pertaining to phone and data installation. Motion carried. Vote 5 ayes 0 nays

**23.b Consideration and possible action to authorize the publication of notice of vacancy of Justice of the Peace, Precinct 3 and the application of appointment process**

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 the publication of notice of vacancy of Justice of the Peace, Precinct 3 and the application of appointment process. Motion carried. Vote 5 ayes 0 nays

**23c. Consideration and possible action to establish a panel to review applications submitted for the appointment of Justice of the Peace, Pct. 3 to ensure that applicants meet constitutional requirements for the position and identify the applicants the panel deem capable of maintaining the operation of the office based on background and/or experience provided in the resume. The applicants chosen by the panel are to be submitted to Commissioners Court for consideration**

This being the next item for business, motion was duly made by Commissioner Gibson, and seconded by Commissioner Pustka, with all others concurring, to establish a panel to review applications submitted for the appointment of Justice of the Peace, Pct. 3 to ensure that applicants meet constitutional requirements for the position and identify the applicants the panel deem capable of maintaining the operation of the office based on background and/or experience provided in the resume. The applicants chosen by the panel are to be submitted to Commissioners Court for consideration. The members of the panel will be Judge Suzan Thompson, Tax Assessor Collector/Voter Registrar Cristyn Hallmark and Judge Mark Finlay. Motion carried. Vote 5 ayes 0 nays

**24. Public Comments**

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


**25. Adjournment**

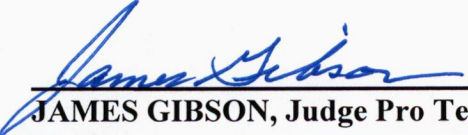
Motion was duly made at approximately 10:20 am by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to adjourn the meeting. Motion carried. Vote 5 ayes 0 nays

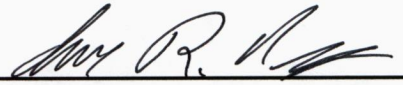
Approved in Open Court, this the 12<sup>th</sup> day of December, 2016.

  
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NATE McDONALD,  
County Judge

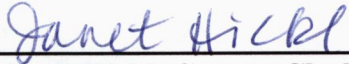
*absent*  
\_\_\_\_\_  
DANIEL PUSTKA,  
Commissioner Precinct No. One

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

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

  
\_\_\_\_\_  
CHARLES "BUBBA" FRICK  
Commissioner Precinct No. Four



ATTEST:   
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Janet Hickl, County Clerk