

**MINUTES**  
**MATAGORDA COUNTY COMMISSIONERS' COURT MEETING**  
**MATAGORDA COUNTY COURTHOUSE, ROOM 300**  
**1700 SEVENTH STREET, BAY CITY, TEXAS 77414**  
**9:30 A.M., MONDAY, FEBRUARY 22, 2016**

**Call to Order**

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 22<sup>nd</sup> day of February 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, Denise Fortenberry, Tammy McDonald, Mike Reddell, Doug Matthes, Cristyn Hallmark, Dwight Baker, Ruben Gonzales, Joe Heaton, Chris Peiker, Brenda Williams, Laura Glaspie, Thelma Barnes, Sharline McClendon, Sarah Fields, Charline Law, Ms. Law, Jerome Brown, Wilma Brown, Gladys Burnett, Herman Edison, James Williams, Alex Sidney, Heather Menzies, Eva Peterson, Brenda Raymond, Dinah Murphy, Erwin Green, Rosevelt Green, Thelma Mack, Alee Mack, C. L. Rugeley, William Green, Annie Green, Bertha Edison, Barbara McDonald, Bernadette Bryant, Patricia A. Thomas Bloodworth, Linda Griggs, Leola Gaul, Bob Chase, Joe Lozano, James Robinson, Gary Graham, Harriet Townsend and Janet Hickl

**1. Certification of quorum**

County Judge McDonald certified a quorum in attendance with Commissioner Pollard, Commissioner Pustka, Commissioner Gibson 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 February 8, 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 approve Commissioners Court Minutes for February 8, 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 Proclamation celebrating the Anniversary of Integration in the Van Vleck Independent School District**

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 celebrating the Anniversary of Integration in the Van Vleck Independent School District. Motion carried. Vote 5 ayes 0 nays



**8. Consideration and possible action to approve the adjustment of pay rate to the proper amount for employee's position (Pay Level 12 - \$11.30 per hour) for Thomas Mathews, Precinct #4, effective February 22<sup>nd</sup>**

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 the adjustment of pay rate to the proper amount for employee's position (Pay Level 12 - \$11.30 per hour) for Thomas Mathews, Precinct #4, effective February 22<sup>nd</sup>. Motion carried. Vote 5 ayes 0 nays

**9. Consideration and possible action to amend the Matagorda County Employees Sick Leave Bank Policy**

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to amend the Matagorda County Employees Sick Leave Bank Policy. Part time employees are not eligible. Motion carried. Vote 5 ayes 0 nays

**10. Consideration and possible action to approve a service agreement for COBRA services between Matagorda County and Wage Works**

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 service agreement for COBRA services between Matagorda County and Wage Works. Motion carried. Vote 5 ayes 0 nays

**11. Consideration and possible action to approve a re-plat of Lots 2 & 3 in Block 12, Tier Two, Matagorda Front of the Matagorda Townsite, E. R. Wightman League, Abstract No. 101, Matagorda, 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 re-plat of Lots 2 & 3 in Block 12, Tier Two, Matagorda Front of the Matagorda Townsite, E. R. Wightman League, Abstract No. 101, Matagorda, Matagorda County, Texas. Motion carried. Vote 5 ayes 0 nays

**12. Consideration and possible action to approve a Proclamation recognizing Roosevelt Buddy Green on his 100<sup>th</sup> birthday**

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 recognizing Roosevelt Buddy Green on his 100<sup>th</sup> birthday. Motion carried. Vote 5 ayes 0 nays

**13. Consideration and possible action to approve a Contract between Matagorda County and Van Vleck Community Center for Management of the VanVleck Community Center with the term beginning January 1, 2016 and ending December 31, 2017, for an amount of \$1,200.00 per year**

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 Contract between Matagorda County and Van Vleck Community Center for Management of the VanVleck Community Center with the term beginning January 1, 2016 and ending December 31, 2017, for an amount of \$1,200.00 per year. Motion carried. Vote 5 ayes 0 nays



**14. Consideration and possible action to approve a Contract between Matagorda County and Edith Armstrong Center for mental health and mental retardation services for county citizens with the term beginning January 1, 2016 and ending December 31, 2017, for an amount of \$8,400.00 per year**

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 Contract between Matagorda County and Edith Armstrong Center for mental health and mental retardation services for county citizens with the term beginning January 1, 2016 and ending December 31, 2017, for an amount of \$8,400.00 per year. Motion carried. Vote 5 ayes 0 nays

**15. Consideration and possible action to approve a Quarterly Employee Certification Report for Tenaris Bay City, Inc. regarding the Texas Capital Fund Grant, #713082, for the Fourth Quarter of 2015**

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 Quarterly Employee Certification Report for Tenaris Bay City, Inc. regarding the Texas Capital Fund Grant, #713082, for the Fourth Quarter of 2015. Motion carried. Vote 5 ayes 0 nays

**16. Consideration and possible action to approve a Resolution authorizing the submission of the Equipment Grant Project (Grant 3100001) to the Office of the Governor, Criminal Justice Division, from Matagorda County Sheriff's Office**

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 submission of the Equipment Grant Project (Grant 3100001) to the Office of the Governor, Criminal Justice Division, from Matagorda County Sheriff's Office. Motion carried. Vote 5 ayes 0 nays

**17. Consideration and possible action to approve the increase of pay for Sergeant Jimmie Sparks from \$16.60 to \$18.32 per hour, bringing his pay in line with the other patrol sergeants**

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 increase of pay for Sergeant Jimmie Sparks from \$16.60 to \$18.32 per hour, bringing his pay in line with the other patrol sergeants. Motion carried. Vote 5 ayes 0 nays

**18. Consideration and possible action to approve a Contract with Matagorda County WageWorks (formerly Ceridian), our current COBRA provider, to continue handling Matagorda County COBRA Insurance and authorize County Judge to sign**

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 Contract with Matagorda County WageWorks (formerly Ceridian), our current COBRA provider, to continue handling Matagorda County COBRA Insurance and authorize County Judge to sign. Motion carried. Vote 5 ayes 0 nays

**19. Consideration and possible action to approve the promotion of Sean Klaiber from Deputy Sheriff to Jail Lieutenant at \$18.52 per hour, which is within the Matagorda County Jail budget**

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 the promotion of Sean Klaiber from Deputy Sheriff to Jail Lieutenant at \$18.52 per hour, which is within the Matagorda County Jail budget. Motion carried. Vote 5 ayes 0 nays



**20. Consideration and possible action to move the appointment date of Human Resources and Payroll Director from February 22, 2016 to February 29, 2016**

This being the next item for business, motion was duly made by Commissioner Pollard, and seconded by Commissioner Gibson, with all others concurring, to move the appointment date of Human Resources and Payroll Director from February 22, 2016 to February 29, 2016. Motion carried. Vote 5 ayes 0 nays

**21. Consideration and possible action to grant Henderson Fabrication Inc.'s request for variances from Section 4(2) and 4(3) from the current County of Matagorda Chapter 381 Economic Development Program-Guidelines & Criteria**

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 not grant Henderson Fabrication Inc.'s request for variances from Section 4(2) and 4(3) from the current County of Matagorda Chapter 381 Economic Development Program-Guidelines & Criteria and to refund the \$1,000.00 application fee to Henderson Fabrication Inc. Motion carried. Vote 5 ayes 0 nays

**22. Consideration and possible action to approve a Resolution regarding the submission of the Border Star Project Grant Application, Grant No. 2992901, by the Matagorda County Sheriff's Office**

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 Resolution regarding the submission of the Border Star Project Grant Application, Grant No. 2992901, by the Matagorda County Sheriff's Office. Motion carried. Vote 5 ayes 0 nays

**23. Consideration and possible action to approve the Matagorda County Treasurer's Monthly Report for January 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 approve the Matagorda County Treasurer's Monthly Report for January 2016. Motion carried. Vote 5 ayes 0 nays

**24. Consideration and possible action to approve the County Auditor's January 2016 Monthly Investment Report**

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 County Auditor's January 2016 Monthly Investment Report. Motion carried. Vote 5 ayes 0 nays

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

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

**26. 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 Pustka, with all others concurring, to approve Line Item Transfers. Motion carried. Vote 5 ayes 0 nays

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

28. **Meet in Executive session:**

**Under Section 551.071 of the Texas Government Code to consult with attorney(s) representing the county in an executive session concerning pending litigation, contemplated litigation, or settlement offers**

This being the next item for business, motion was duly made at 10:48 am by Commissioner Pustka, and seconded by Commissioner Gibson, with all others concurring, to Meet in Executive session:

Under Section 551.071 of the Texas Government Code to consult with attorney(s) representing the county in an executive session concerning pending litigation, contemplated litigation, or settlement offers

Motion carried. Vote 5 ayes 0 nays

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

**Executive Session under Section 551.071 of the Texas Government Code to consult with attorney(s) representing the county in an executive session concerning pending litigation, contemplated litigation, or settlement offers**

This being the next item for business, motion was duly made at 11:09 am by Commissioner Gibson, and seconded by Commissioner Pollard, with all others concurring, to Reconvene open session and consider taking action on the matters discussed in:

Executive Session under Section 551.071 of the Texas Government Code to consult with attorney(s) representing the county in an executive session concerning pending litigation, contemplated litigation, or settlement offers.

No action taken

Motion carried. Vote 5 ayes 0 nays

30. **Public Comments**

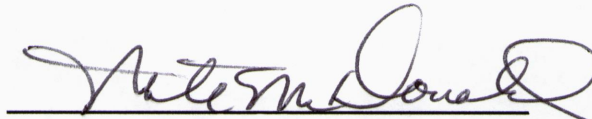
This being the next item for business, no action required.

31. **Adjournment**


Motion was duly made at approximately 11:10 am 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 29<sup>th</sup> day of February, 2016.



**NATE McDONALD,**  
County Judge



**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:   
**Janet Hickl, County Clerk**