

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, JANUARY 28, 2013

Call to Order

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 28th day of January 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: Ellen Dodd, Ruben Gonzales, Doug Matthes, Bob Watts, Denise Fortenberry, Sheriff Osborne, Tammy McDonald, Barry Halvorson, Owen Bludau, Ona Lea Pierce, Alicia Lea Waters, Mike Henderson, Eileen Ackerman, Deean Griffith, Floyce Brown, Kary Havar, Jackie Jecmenek, G. W. Franzen, Bonnie M. Benson, Freda Daniel, Judith Allen, Juan Moya, Naomi Perez, Tony Pustejovsky, Carole Patrick, Joan Muchmore, Colleen Claybourn, Anthony Doubek, Haskell Simon, Mary Johnston, Margaret L. Lynn, Michael R. George, Zia Miller, George Deshotels, David Holubec, Joe Heaton, Cristyn Hallmark, Janet Hickl and Harriet Townsend

1. Certification of quorum

County Judge McDonald certified a quorum in attendance with Commissioner Kent Pollard, Commissioner David Woodson Commissioner Pustka and James Gibson.

2. Pledge of Allegiance – Pollard

3. Texas Pledge – Pollard

4. Prayer – Commissioner Pustka

5. Consideration and possible action regarding approving Commissioners Court Minutes for January 14, 2013

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 Commissioners Court Minutes for January 14, 2013. Motion carried.

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 4 contracts for the use of the Matagorda County Fairground facilities by William's Pipeline, Mariela Castillo, Shirlene DelaRosa and Belinda Campbell. Motion carried.

7. Consideration and possible action to approve an application by Sandalwood Exploration, L.P., to bore under and lay a 2" gas pipeline across C R #434 (Peterson Road) in Precinct #4, Matagorda County

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 an application by Sandalwood Exploration, L.P., to bore under and lay a 2" gas pipeline across C R #434 (Peterson Road) in Precinct #4, Matagorda County. Motion carried.

8. Consideration and possible action to accept the Matagorda County Historical Commission's Annual Report by Ona Lea Pierce, approve the attached list of 2013-2014 Historical Commission's appointments, appointing Ona Lea Pierce as Chairman for 2013-2014 term, and authorize the County Judge to sign

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 accept the Matagorda County Historical Commission's Annual Report by Ona Lea Pierce, approve the attached list of 2013-2014 Historical Commission's appointments, appointing Ona Lea Pierce as Chairman for 2013-2014 term, and authorize the County Judge to sign. Motion carried.

9. Consideration and possible action to approve the Constitution and By-Laws of the Matagorda County Historical Commission, and authorize the County Judge to sign

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 Constitution and By-Laws of the Matagorda County Historical Commission, and authorize the County Judge to sign. Motion carried.

10. Consideration and possible action to approve the Annual Federal Tax Exemption Certificates for Oil Patch-Brazos Valley, Inc. for 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 Pollard, with all others concurring, to approve the Annual Federal Tax Exemption Certificates for Oil Patch-Brazos Valley, Inc. for 2013, and authorize the County Judge to sign. Motion carried.

11. Consideration and possible action to approve the Annual Federal Tax Exemption Certificate for Fleetcor (Fuelman), valid through 6/30/2014 for the Juvenile Probation Department, and authorize the County Judge to sign

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 Annual Federal Tax Exemption Certificate for Fleetcor (Fuelman), valid through 6/30/2014 for the Juvenile Probation Department, and authorize the County Judge to sign. Motion carried.

12. Consideration and possible action to approve the Annual Federal Tax Exemption Certificate for Fleetcor (Fuelman), valid through 6/30/2014 for the District Attorney's Office, and authorize the County Judge to sign

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 Annual Federal Tax Exemption Certificate for Fleetcor (Fuelman), valid through 6/30/2014 for the District Attorney's Office, and authorize the County Judge to sign. Motion carried.

13. Consideration and possible action to approve a Lease Agreement between Janet Hickl, County Clerk, and De Lage Landen Financial Services, Inc. for the replacement and lease of a new copier and authorize the County Judge to sign the lease

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 Lease Agreement between Janet Hickl, County Clerk, and De Lage Landen Financial Services, Inc. for the replacement and lease of a new copier and authorize the County Judge to sign the lease. Motion carried.

14. Consideration and possible action to approve the 2012 Chapter 59 Asset Forfeiture Report for Matagorda County Constable, Precinct #6, Tom Ward, 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 the 2012 Chapter 59 Asset Forfeiture Report for Matagorda County Constable, Precinct #6, Tom Ward, and authorize the County Judge to sign. Motion carried.

15. Consideration and possible action to approve the Sheriff's Chapter 59 Asset Forfeiture Report for the year 2012

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 the Sheriff's Chapter 59 Asset Forfeiture Report for the year 2012. Motion carried.

16. Consideration and possible action to approve a yearly Contract with Leads Online (TotalTrack Plus Metal Theft Investigation System) which is renewable in March, 2013, in the amount of \$2,848.00 a year

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 a yearly Contract with Leads Online (TotalTrack Plus Metal Theft Investigation System) which is renewable in March, 2013, in the amount of \$2,848.00 a year. Motion carried.

17. Consideration and possible action for the Matagorda County Sheriff's Office to renew a lease and maintenance contract with Bay City Office Supply for a Bizhub 363 copier machine for the Sheriff's Office and a Bizhub 363 copier machine for the Jail

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 the Matagorda County Sheriff's Office to renew a lease and maintenance contract with Bay City Office Supply for a Bizhub 363 copier machine for the Sheriff's Office and a Bizhub 363 copier machine for the Jail. Motion carried.

18. Consideration and possible action to approve an Agreement with TLOxp for Law Enforcement (online database of public and proprietary records) with an annual fee of \$1,320.00

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 an Agreement with TLOxp for Law Enforcement (online database of public and proprietary records) with an annual fee of \$1,320.00. Motion carried.

19. Consideration and possible action to approve a Cell Phone Allowance Request for Wayne Dekle, Maintenance, in the amount of \$60.00 per month according to county policies and procedures

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 Cell Phone Allowance Request for Wayne Dekle, Maintenance, in the amount of \$60.00 per month according to county policies and procedures. Motion carried.

20. Consideration and possible action to approve a Resolution approving the Matagorda County Erosion Response Plan as an Amendment to the Matagorda County Beach Access and Dune Protection Plan

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 approving the Matagorda County Erosion Response Plan as an Amendment to the Matagorda County Beach Access and Dune Protection Plan. Motion carried.

21. Consideration and possible action to approve the attached 2013 Payroll for 2013 Budgeted Positions

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 attached 2013 Payroll for 2013 Budgeted Positions subject to corrections. Motion carried.

22. Consideration and possible action to approve the purchase of 2 2013 Chevrolet Tahoes and 1 2013 Chevrolet 1500 Silverado Crew Cab, in the amount of \$81,122.00 for all three vehicles, to be purchased through the HGAC Buy Board from Caldwell Country Chevrolet, with the payment to be taken out of 560-570

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 the purchase of 2 2013 Chevrolet Tahoes and 1 2013 Chevrolet 1500 Silverado Crew Cab, in the amount of \$81,122.00 for all three vehicles, to be purchased through the HGAC Buy Board from Caldwell Country Chevrolet, with the payment to be taken out of 560-570. Motion carried.

23. Consideration and possible action to authorize the Auditor's Office to advertise for bids for the 2013 Janitorial Services contract covering the Matagorda County Courthouse and the County of Matagorda Office Building, and approve the specifications for the bid

This being the next item for business, motion was duly made by Commissioner Pustka and seconded by Commissioner Gibson, with all others concurring, to authorize the Auditor's Office to advertise for bids for the 2013 Janitorial Services contract covering the Matagorda County Courthouse and the County of Matagorda Office Building, and approve the specifications for the bid. Motion carried.

24. Consideration and possible action to approve the Matagorda County Investment Policy for 2013

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 Matagorda County Investment Policy for 2013. Motion carried.

25. Consideration and possible action to approve the Deputations of Loretta Griffin, Sherri Geffert, Carla Scheel, Carolyn Wells, Amberly Savage, Jackie Matura, Dana Smith, and Vyolanda Wright as Deputy Tax Assessor-Collectors

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 the Deputations of Loretta Griffin, Sherri Geffert, Carla Scheel, Carolyn Wells, Amberly Savage, Jackie Matura, Dana Smith, and Vyolanda Wright as Deputy Tax Assessor-Collectors. Motion carried.

26. Consideration and possible action to approve the Job Description for Secretary (Commissioners Court)

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 Job Description for Secretary (Commissioners Court). Motion carried.

27. Consideration and possible action to accept Job #1810 and approve the Job Description for Detention Officer-Certified-Transport, replacing one of the Job #1815 Maintenance Worker Positions

This being the next item for business, motion was duly made by Commissioner Woodson and seconded by Commissioner Pustka, with all others concurring, to accept Job #1810 and approve the Job Description for Detention Officer-Certified-Transport, replacing one of the Job #1815 Maintenance Worker Positions. Motion carried.

28. Consideration and possible action to approve Job Description for Chief Deputy Sheriff as exempt and not unclassified

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 Job Description for Chief Deputy Sheriff as exempt and not unclassified. Motion carried.

29. Consideration and possible action to approve a change in the Pay Group from 14 to 15 for the Senior Deputy Tax Assessor-Collector – Accounting in the Matagorda County Tax Assessor-Collector's office and approve a new Job Description effective immediately

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 change in the Pay Group from 14 to 15 for the Senior Deputy Tax Assessor-Collector – Accounting in the Matagorda County Tax Assessor-Collector's office and approve a new Job Description effective immediately. Motion carried.

30. Consideration and possible action to authorize the County Clerk, Janet Hickl, to hire Lori Murphree, as a Deputy Clerk at a 12-3, due to her previous experience, and to approve her deputation, all to take effect January 31, 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 authorize the County Clerk, Janet Hickl, to hire Lori Murphree, as a Deputy Clerk at a 12-3, due to her previous experience, and to approve her deputation, all to take effect January 31, 2013. Motion carried.

31. Consideration and possible action to allow Sheriff Skipper Osborne to (1) move Adam Vela from a 16-01 to 16-02, rehired January 1, 2013, with 4.5 previous years with the Matagorda County Sheriff's Department, (2) to move Damon Miskell from a 16-01 to 16-02, rehired January 1, 2013, with 5 previous years with the Department, and (3) to move Jeremy Brown from a 19-01 to a 19-02, rehired January 1, 2013, with 11 previous years with the Department, effective January 28, 2013

This being the next item for business, motion was duly made by Commissioner Pustka and seconded by Commissioner Pollard, with all others concurring, to allow Sheriff Skipper Osborne to (1) move Adam Vela from a 16-01 to 16-02, rehired January 1, 2013, with 4.5 previous years with the Matagorda County Sheriff's Department, (2) to move Damon Miskell from a 16-01 to 16-02, rehired January 1, 2013, with 5 previous years with the Department, and (3) to move Jeremy Brown from a 19-01 to a 19-02, rehired January 1, 2013, with 11 previous years with the Department, effective January 28, 2013. Motion carried.

32. Consideration and possible action to allow Commissioner Precinct #1, Dan Pustka, to hire Samuel Richard Quinn as a Heavy Equipment Operator at a 14/2, due to his previous work experience, effective January 28, 2013

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to allow Commissioner Precinct #1, Dan Pustka, to hire Samuel Richard Quinn as a Heavy Equipment Operator at a 14/2, due to his previous work experience, effective January 28, 2013. Motion carried.

33. Consideration and possible action to accept two proposals (1) from Taylor Steves Furniture for carpeting in the Matagorda Precinct #2 Barn Office, in the amount of \$1,282.00, and (2) from Alberto Gutierrez Painting Service for painting of the Matagorda Precinct #2 Barn Office, in the amount o \$2,450.00

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Pustka, with all others concurring, to accept two proposals (1) from Taylor Steves Furniture for carpeting in the Matagorda Precinct #2 Barn Office, in the amount of \$1,282.00, and (2) from Alberto Gutierrez Painting Service for painting of the Matagorda Precinct #2 Barn Office, in the amount o \$2,450.00. Motion carried.

34. Consideration and possible action to approve a Demand Check to Alberto Gutierrez Painting Service, in the amount of \$2,450.00, in payment for painting of the Matagorda Precinct #2 Barn Office

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 Demand Check to Alberto Gutierrez Painting Service, in the amount of \$2,450.00, in payment for painting of the Matagorda Precinct #2 Barn Office. Motion carried.

35. Consideration and possible action to ratify the Application for Federal Assistance regarding the Matagorda County Gulf Pier Education Program, Amendment #1 to F13AF00061 to extend the contract expiration date

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to ratify the Application for Federal Assistance regarding the Matagorda County Gulf Pier Education Program, Amendment #1 to F13AF00061 to extend the contract expiration date. Motion carried.

36. Consideration and possible action to approve Matagorda County Treasurer's Monthly Report for December 2012

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 Matagorda County Treasurer's Monthly Report for December 2012. Motion carried.

37. Consideration and possible action to approve Matagorda County Treasurer's Monthly Investment Report for December 2012

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 Matagorda County Treasurer's Monthly Investment Report for December 2012. Motion carried.

38. Consideration and possible action to approve Matagorda County Treasurer's Quarterly Investment Report for October, November and December 2012

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 Matagorda County Treasurer's Quarterly Investment Report for October, November and December 2012. Motion carried.

39. Consideration and possible action regarding Payment of Bills

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 Payment of Bills. Motion carried.

40. 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.

41. Public Hearing at 9:45 a.m. to discuss an application for Tax Abatement by OXEA for a project to stop bottlenecks at their Wadsworth facility

This being the next item for business, motion was duly made by Commissioner Pustka and seconded by Commissioner Pollard at 10:27 a.m., with all others concurring, to go into the public hearing to discuss an application for Tax Abatement by OXEA for a project to stop bottlenecks at their Wadsworth facility. Motion carried. There being no further discussion, motion was duly made by Commissioner Pustka and seconded by Commissioner Gibson, with all others concurring, to go back into regular session of Commissioners Court at 10:34 a.m. Motion carried.

42. Consideration and possible action to approve an application for Tax Abatement by OXEA for a project to stop bottlenecks at their Wadsworth facility

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 an application for Tax Abatement by OXEA for a project to stop bottlenecks at their Wadsworth facility. Motion carried.

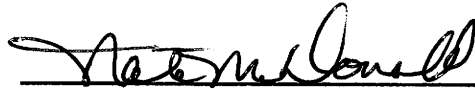
43. Public Comments

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


25. Adjournment

Motion was duly made at approximately 10:42 a.m. by Commissioner Pustka and seconded by Commissioner Pollard, with all others concurring, to adjourn the meeting. Motion carried.


Approved in Open Court, this the 4th day of February, 2013.



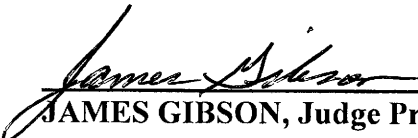
NATE McDONALD,
County Judge




DANIEL PUSTKA,
Commissioner Precinct No. One



KENT POLLARD,
Commissioner Precinct No. Two



JAMES GIBSON, Judge Pro Tem
Commissioner Precinct No. Three



DAVID "WOODY" WOODSON,
Commissioner Precinct No. Four

ATTEST: 

Janet Hickl, County Clerk

