

**MINUTES**  
**MATAGORDA COUNTY COMMISSIONERS' COURT MEETING**  
**MATAGORDA COUNTY COURTHOUSE, ROOM 300**  
**1700 SEVENTH STREET, BAY CITY, TEXAS 77414**  
**9:30 A.M., MONDAY, APRIL 7, 2014**

**Call to Order**

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 7<sup>th</sup> day of April 2014 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, Ruben Gonzales, Cathy Ezell, Doug Matthes, Rikki Stanley, Chris Peikert, Jesse Deshotels, David Orr, Mitch Thames, Denise Fortenberry, Barry Halvorson, Harriet Townsend and Janet Hickl

**1. Certification of quorum**

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

**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 March 31, 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 Commissioners Court Minutes for March 31, 2014. 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 declaring April as Fair Housing Month in Matagorda County**

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 approve a Proclamation declaring April as Fair Housing Month in Matagorda County. Motion carried. Vote 5 ayes 0 nays

**8. Consideration and possible action to approve Amendment No. 2, GLO Beach Maintenance Reimbursement Contract No. 12-214-006-6964, modifying application period from September 1, 2013 through August 31, 2014, with amended termination date of August 31, 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 Amendment No. 2, GLO Beach Maintenance Reimbursement Contract No. 12-214-006-6964, modifying application period from September 1, 2013 through August 31, 2014, with amended termination date of August 31, 2014. Motion carried. Vote 5 ayes 0 nays

**14. Consideration and possible action to approve a 1 year contract with TransUnion Risk and Alternative Data Solutions, Inc. ("TU") (TRADS), formerly TLO, regarding the ability of the Sheriff's Office to access TU systems, beginning February 4, 2014 and ending February 3, 2015, and authorize Judge McDonald to sign**

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 a 1 year contract with TransUnion Risk and Alternative Data Solutions, Inc. ("TU") (TRADS), formerly TLO, regarding the ability of the Sheriff's Office to access TU systems, beginning February 4, 2014 and ending February 3, 2015, and authorize Judge McDonald to sign. Motion carried. Vote 5 ayes 0 nays

**15. Consideration and possible action to approve a Proclamation declaring April as the US Army Corps of Engineers' "Learn to Swim Well Month"**

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 approve a Proclamation declaring April as the US Army Corps of Engineers' "Learn to Swim Well Month". Motion carried. Vote 5 ayes 0 nays

**16. Consideration and possible action to approve a re-plat of a portion of Outlot No. 14, Matagorda Townsite, Matagorda County, Texas, as per plat therefore recorded in Slide 32-A, Plat Records of 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 a portion of Outlot No. 14, Matagorda Townsite, Matagorda County, Texas, as per plat therefore recorded in Slide 32-A, Plat Records of Matagorda County, Texas. Motion carried. Vote 5 ayes 0 nays

**17. Consideration and possible action to approve an ArcGIS for Desktop Basic Single Use Primary Maintenance Quote in the amount of \$400 between Matagorda County and Environmental Systems Research Institute, Inc. (ESRI) for the Matagorda County Environmental Health Floodplain computer program beginning June 30, 2014 and ending June 29, 2015**

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 an ArcGIS for Desktop Basic Single Use Primary Maintenance Quote in the amount of \$400 between Matagorda County and Environmental Systems Research Institute, Inc. (ESRI) for the Matagorda County Environmental Health Floodplain computer program beginning June 30, 2014 and ending June 29, 2015. Motion carried. Vote 5 ayes 0 nays

**18. Consideration and possible action to approve Monthly Reports from various county departments**

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 Monthly Reports from various county departments. Motion carried. Vote 5 ayes 0 nays

**19. Consideration and possible action to approve the Matagorda County Auditor's Report for January 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 Matagorda County Auditor's Report for January 2014. Motion carried. Vote 5 ayes 0 nays

**20. Consideration and possible action to approve the Matagorda County Treasurer's Monthly Report for February 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 table approving the Matagorda County Treasurer's Monthly Report for February 2014. Motion carried. Vote 5 ayes 0 nays

**21. 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

**22. Meet in executive session under section 551.071 of the Gov't Code to consult with attorney(s) representing the county in an executive session concerning pending litigation, contemplated litigation, or settlement offers in the following matters:**

**EEOC Compliant of Leanne Johnson**

**Cause No. 14-E-0125; Hilario Aguirre v. Matagorda County, Matagorda County Drainage District No. 2; In the 130<sup>th</sup> Judicial District Court of Matagorda County, Texas**

This being the next item for business, motion was duly made at 10:03 am by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to meet in executive session under section 551.071 of the Gov't Code to consult with attorney(s) representing the county in an executive session concerning pending litigation, contemplated litigation, or settlement offers in the following matters:

EEOC Compliant of Leanne Johnson

Cause No. 14-E-0125; Hilario Aguirre v. Matagorda County, Matagorda County Drainage District No. 2; In the 130<sup>th</sup> Judicial District Court of Matagorda County, Texas

Motion carried. Vote 5 ayes 0 nays

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

**Meet in executive session under section 551.071 of the Gov't Code to consult with attorney(s) representing the county in an executive session concerning pending litigation, contemplated litigation, or settlement offers in the following matters:**

**EEOC Compliant of Leanne Johnson**

**Cause No. 14-E-0125; Hilario Aguirre v. Matagorda County, Matagorda County Drainage District No. 2; In the 130<sup>th</sup> Judicial District Court of Matagorda County, Texas**

This being the next item for business, motion was duly made at 10:13 am by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to Reconvene open session and consider taking action on the following matters:

Meet in executive session under section 551.071 of the Gov't Code to consult with attorney(s) representing the county in an executive session concerning pending litigation, contemplated litigation, or settlement offers in the following matters:

EEOC Compliant of Leanne Johnson

Cause No. 14-E-0125; Hilario Aguirre v. Matagorda County, Matagorda County Drainage District No. 2; In the 130<sup>th</sup> Judicial District Court of Matagorda County, Texas

Motion carried. Vote 5 ayes 0 nays

A motion was duly made at 10:13 am by County Judge McDonald and seconded by Commissioner Gibson, with all others concurring, to accept the agreements presented by County Attorney Fortenberry and have District Clerk Becky Denn to sign. Motion carried. Vote 5 ayes 0 nays.

No action was taken on Cause No. 14-E-0125; Hilario Aguirre v. Matagorda County, Matagorda County Drainage District No. 2; In the 130<sup>th</sup> Judicial District Court of Matagorda County, Texas

24. **Public Comments**


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


25. **Adjournment**


Motion was duly made at approximately 10:15 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 14<sup>th</sup> day of April, 2014.

  
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**NATE McDONALD,**  
County Judge

  
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**DANIEL PUSTKA,**  
Commissioner Precinct No. One

  
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**KENT POLLARD,**  
Commissioner Precinct No. Two

  
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**JAMES GIBSON,**  
Commissioner Precinct No. Three

  
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**DAVID "WOODY" WOODSON,**  
Commissioner Precinct No. Four



ATTEST:   
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**Janet Hickl, County Clerk**