

**MINUTES**  
**MATAGORDA COUNTY COMMISSIONERS' COURT MEETING**  
**MATAGORDA COUNTY COURTHOUSE, ROOM 300**  
**1700 SEVENTH STREET, BAY CITY, TEXAS 77414**  
**9:30 A.M., MONDAY, DECEMBER 23, 2013**

**Call to Order**

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 23<sup>rd</sup> day of December 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: Doug Matthes, Ruben Gonzales, Sheriff Osborne, Coy Ramsey, Tammy McDonald, Denise Fortenberry, Martha Drake, Ellen Dodd, Harriet Townsend and Janet Hickl

**1. Certification of quorum**

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

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

**3. Texas Pledge – Commissioner Pustka**

**4. Prayer – Commissioner Woodson**

**5. Consideration and possible action regarding approving Commissioners Court Minutes for December 16, 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 December 16, 2013. 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 authorize Ruben Gonzales to hire Ruben Lewis as an attendant for the Matagorda County Transfer Station at Step 12-01 to be effective December 23, 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 authorize Ruben Gonzales to hire Ruben Lewis as an attendant for the Matagorda County Transfer Station at Step 12-01 to be effective December 23, 2013. Motion carried. Vote 5 ayes 0 nays

**8. Consideration and possible action to ratify the authorization for Judge Nate McDonald to hire Matthew Brown to work part time or as needed as Courthouse Maintenance at \$0.00 per hour effective December 9, 2013**

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 ratify the authorization for Judge Nate McDonald to hire Matthew Brown to work part time or as needed as Courthouse Maintenance at \$0.00 per hour effective December 9, 2013. Motion carried. Vote 5 ayes 0 nays

**9. Consideration and possible action to approve a Cellular Phone Allowance, effective 1/1/2014, in the amount of \$60.00 per month according to county policies and procedures for the new Matagorda County Transfer Station Supervisor, Robert Gutierrez**

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 Cellular Phone Allowance, effective 1/1/2014, in the amount of \$60.00 per month according to county policies and procedures for the new Matagorda County Transfer Station Supervisor, Robert Gutierrez. Motion carried. Vote 5 ayes 0 nays

**10. Consideration and possible action to approve a Cellular Phone Allowance in the amount of \$60.00 per month as per the 2014 Budget, according to county policies and procedures, for: Animal Control Officer – Maximo Cruz, Animal Control Officer – Brian Moudy, Floodplain Manager/Administrator – Lisa Krobot, Sanitation Inspector – Gilbert Perez, Sr., and Sanitation Inspector – Mark Michalec, Jr.**

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 Cellular Phone Allowance in the amount of \$60.00 per month as per the 2014 Budget, according to county policies and procedures, for: Animal Control Officer – Maximo Cruz, Animal Control Officer – Brian Moudy, Floodplain Manager/Administrator – Lisa Krobot, Sanitation Inspector – Gilbert Perez, Sr., and Sanitation Inspector – Mark Michalec, Jr. Motion Carried. Vote 5 ayes 0 nays

**11. Consideration and possible action to ratify the purchase of a 6 ft. industrial chain link fence around the old Drainage District Building on Hammon Road, after receiving a 99 year lease on the property**

This being the next item for business, motion was duly made by Commissioner Pustka and seconded by Commissioner Pollard, with all others concurring, to ratify the purchase of a 6 ft. industrial chain link fence around the old Drainage District Building on Hammon Road, after receiving a 99 year lease on the property. Motion carried. Vote 5 ayes 0 nays.

**12. Consideration and possible action to accept an Order from the District Courts of Matagorda County appointing the Matagorda County Auditor, Cathy Ezell, for a two year term beginning January 1, 2014**

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 accept an Order from the District Courts of Matagorda County appointing the Matagorda County Auditor, Cathy Ezell, for a two year term beginning January 1, 2014. Motion carried. Vote 5 ayes 0 nays

**13. Consideration and possible action to approve a contract between Matagorda County and Edith Armstrong Center for FY 2014 and FY 2015, to provide services to mentally retarded citizens of Matagorda County through training and employment programs**

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 FY 2014 and FY 2015, to provide services to mentally retarded citizens of Matagorda County through training and employment programs. Motion carried. Vote 5 ayes 0 nays

**14. Public Hearing at 9:45 am to discuss the Proposed County Energy Transportation Reinvestment Zone, Number One**

This being the next item for business, motion was duly made at 9:48 am by Commissioner Pustka and seconded by Commissioner Gibson, with all others concurring, to go into a Public Hearing to discuss the Proposed County Energy Transportation Reinvestment Zone, Number One. Motion carried. Vote 5 ayes 0 nays. At approximately 10:00 am motion was duly made by Commissioner Pustka and seconded by Commissioner Gibson, with all others concurring, to reconvene open session of court. Motion Carried. Vote 5 ayes 0 nays.

**15. Discussion of City of Bay City's proposed non-voluntary annexation of approximately 254.3 acres located east of McCrosky Road and north of State Highway 35**

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

**16. Consideration and possible action to approve a Demand Check in the amount of \$3,000.00 made payable to C.O.D. Glass Services for the removal and replacement of glass on the west side of the County Attorney's office. (\$1,500 to be paid from 10-475-330, and \$1,500.00 to be paid from 10-510-450)**

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Pustka, with all others concurring, to approve a Demand Check in the amount of \$3,000.00 made payable to C.O.D. Glass Services for the removal and replacement of glass on the west side of the County Attorney's office. (\$1,500 to be paid from 10-475-330, and \$1,500.00 to be paid from 10-510-450). Motion carried. Vote 5 ayes 0 nays.

**17. Consideration and possible action to approve a demand check in the amount of \$8,585.00, in payment for a new 250 Gpm Grundfoss pump and motor assembly for the Courthouse Chiller, to be taken out of 10-510-450**

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 demand check in the amount of \$8,585.00, in payment for a new 250 Gpm Grundfoss pump and motor assembly for the Courthouse Chiller, to be taken out of 10-510-450. Motion carried. Vote 5 ayes 0 nays.

**18. Consideration and possible action to approve a Lease Agreement between John Ashcraft and Matagorda County for the use of a Ford Aeromax L9000 Truck Tractor Vin #1FTYS95B9PVA40960 to be used at the Matagorda County Transfer Station located in Precinct 1**

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 a Lease Agreement between John Ashcraft and Matagorda County for the use of a Ford Aeromax L9000 Truck Tractor Vin #1FTYS95B9PVA40960 to be used at the Matagorda County Transfer Station located in Precinct 1. Motion carried. Vote 5 ayes 0 nays.

**19. Consideration and possible action to approve a 2013 Matagorda County Animal Services Agreement with the City of Bay City dealing with the impoundment facilities for the care of impounded and quarantined animals**

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 a 2013 Matagorda County Animal Services Agreement with the City of Bay City dealing with the impoundment facilities for the care of impounded and quarantined animals. Motion carried. Vote 5 ayes 0 nays.

20. Consideration and possible action to approve Payment of Bills

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 Payment of Bills. 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. 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 Gibson, with all others concurring, to approve Emergency Amendments. Motion carried. Vote 5 ayes 0 nays.

23. Public Comments

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

24. Adjournment

Motion was duly made at approximately 10:19 a.m. 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 30<sup>th</sup> day of December, 2013.

*absent*

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NATE McDONALD,  
County Judge

*absent*

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

*Kent Pollard*

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KENT POLLARD,  
Commissioner Precinct No. Two

*James Gibson*

\_\_\_\_\_  
JAMES GIBSON,  
Commissioner Precinct No. Three

*David "Woody" Woodson*

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DAVID "WOODY" WOODSON  
Commissioner Precinct No. Four



ATTEST: *Janet Hickl*  
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Janet Hickl, County Clerk