

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, February 4, 2013

Call to Order

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 4th day of February 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, Owen Bludau, Edward Stavinoha, Jim Powell, Carole Patrick, Mitch Thames, Chris Peikert, 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 – Pustka**

3. **Texas Pledge – Pustka**

4. **Prayer – Commissioner Woodson**

5. **Consideration and possible action regarding approving Commissioners Court Minutes for January 28, 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 28, 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, no action required.

7. **Consideration and possible action to accept a donation in the amount of \$5,000.00 from Celanese for expenses toward the Matagorda County Household Hazardous Waste Collection Event held October 27, 2012**

This being the next item for business, motion was duly made by Commissioner Pustka and seconded by Commissioner Gibson, with all others concurring, to accept a donation in the amount of \$5,000.00 from Celanese for expenses toward the Matagorda County Household Hazardous Waste Collection Event held October 27, 2012. Motion carried.

8. Consideration and possible action to approve the Certification of Information relating to Creditable Coverage Requirements and Late Enrollment Penalty for Part D Employer Group Waiver Plan 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 Woodson, with all others concurring, to approve the Certification of Information relating to Creditable Coverage Requirements and Late Enrollment Penalty for Part D Employer Group Waiver Plan and authorize the County Judge to sign. Motion carried.

9. Consideration and possible action to approve the 2012 Chapter 59 Asset Forfeiture Report for Constable Raymond Green, Matagorda County Constable Precinct #1

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 2012 Chapter 59 Asset Forfeiture Report for Constable Raymond Green, Matagorda County Constable Precinct #1. Motion carried.

10. Consideration and possible action to approve a Fire Fighting Agreement between Matagorda County and Tres Palacios Oaks Volunteer Fire Department for 2013 and 2014

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 a Fire Fighting Agreement between Matagorda County and Tres Palacios Oaks Volunteer Fire Department for 2013 and 2014. Motion carried.

11. Consideration and possible action to approve payment of Invoice 030-3812 to Tyler Technologies, for configuration and consulting, data conversion, and project management, to come out of Fund 16

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 payment of Invoice 030-3812 to Tyler Technologies, for configuration and consulting, data conversion, and project management, to come out of Fund 16 as amended on the invoice. Motion carried.

12. Consideration and possible action to approve 3 Demand Checks, all to be made payable to State Comptroller (1) in the amount of \$375.73 for Child Safety Seat and Seat Belt fees, (2) in the amount of \$6,065.59 for Compensation to Victims of Crime Auxiliary Fund fees, and (3) in the amount of \$158.00 for Sexual Assault Program Fund fees

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 3 Demand Checks, all to be made payable to State Comptroller (1) in the amount of \$375.73 for Child Safety Seat and Seat Belt fees, (2) in the amount of \$6,065.59 for Compensation to Victims of Crime Auxiliary Fund fees, and (3) in the amount of \$158.00 for Sexual Assault Program Fund fees. Motion carried.

13. Consideration and possible action to authorize all State Comptroller checks to be done as Demand Checks

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Woodson, with all others concurring, to authorize all State Comptroller checks to be done as Demand Checks. Motion carried.

14. Consideration and possible action to approve a Resolution congratulating the Blessing Lions Club for receiving their Charter

This being the next item for business, motion was duly made by County Judge McDonald and seconded by Commissioner Woodson, with all others concurring, to approve a Resolution congratulating the Blessing Lions Club for receiving their Charter. Motion carried.

15. Consideration and possible action to approve a Resolution congratulating the Matagorda Lions Club for receiving their Charter

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 table a Resolution congratulating the Matagorda Lions Club for receiving their Charter. Motion carried.

16. Consideration and possible action to authorize Precinct 4 to contract with Wakefield Construction for the removal of TXDOT Bridge #131580AA0329002 (over East Carancahua Draw #2 Morris Road/CR 472) and installation of a new bridge at a cost of \$60,000.00; and to exempt the purchase from competitive abiding because the item is necessary due to unforeseen damage to public property (Tex. Loc. Gov't Code §262.024(a)(3)) and/or the item is necessary to preserve or protect the public health or safety of the residents of the county (Tex. Loc. Gov't Code §262.024(a)(2)).

This being the next item for business, motion was duly made by Commissioner Woodson and seconded by Commissioner Pustka, with all others concurring, to authorize Precinct 4 to contract with Wakefield Construction for the repair and not removal of TXDOT Bridge #131580AA0329002 (over East Carancahua Draw #2 Morris Road/CR 472) and installation of a new bridge at a cost of \$60,000.00; and to exempt the purchase from competitive abiding because the item is necessary due to unforeseen damage to public property (Tex. Loc. Gov't Code §262.024(a)(3)) and/or the item is necessary to preserve or protect the public health or safety of the residents of the county (Tex. Loc. Gov't Code §262.024(a)(2)). Motion carried.

17. 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.

18. 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 Gibson and seconded by Commissioner Pustka, with all others concurring, to approve an application for Tax Abatement by OXEA for a project to stop bottlenecks at their Wadsworth facility. A 50% abatement for 2014, 2015, 2016. Motion carried.

18a. Consideration and possible action to authorize the Advertisement and Invitation for Bids for the Sargent Beach Bulkhead Project, to run on February 6th and 13th, 2013, announcing the acceptance of bids until 10:00 AM on Wednesday, February 27, 2013 at the Matagorda County Courthouse, Commissioner's Courtroom, and the Pre-bid Conference at 9:00 AM Wednesday, February 13, 2013 in the Matagorda County Commissioner's Courtroom

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to authorize the Advertisement and Invitation for Bids for the Sargent Beach Bulkhead Project, to run on February 6th and 13th, 2013, announcing the acceptance of bids until 10:00 AM on Wednesday, February 27, 2013 at the Matagorda County Courthouse, Commissioner's Courtroom, and the Pre-bid Conference at 9:00 AM Wednesday, February 13, 2013 in the Matagorda County Commissioner's Courtroom. Motion carried.

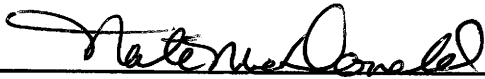
19. Public Comments

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


20. Adjournment

Motion was duly made at approximately 9:57 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 11th day of February, 2013.




NATE McDONALD,
County Judge



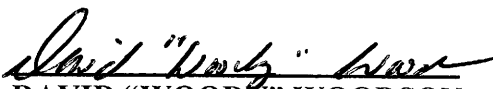
DANIEL PUSTKA,
Commissioner Precinct No. One



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

