

**MINUTES**  
**MATAGORDA COUNTY COMMISSIONERS' COURT MEETING**  
**MATAGORDA COUNTY COURTHOUSE, ROOM 300**  
**1700 SEVENTH STREET, BAY CITY, TEXAS 77414**  
**9:30 A.M., MONDAY, FEBRUARY 3, 2014**

**Call to Order**

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 3<sup>rd</sup> day of February 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, Doug Matthes, Dwight Vavra, Jonathan Vavra, Martha Drake, Allen Cumbie, Barry Halvorson, Tammy McDonald, Denise Fortenberry, Cathy Ezell, Harriet Townsend and Janet Hickl

**1. Certification of quorum**

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

**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 January 27, 2014**

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 27, 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, motion was duly made by Commissioner Pustka and seconded by Commissioner Pollard, with all others concurring, to approve three contracts for the use of the Matagorda County Fairground facilities by Myra Perez, Maria Aguilar and Tammy McDonald. Motion carried. Vote 5 ayes 0 nays

**7. Consideration and possible action to accept the Certificate of Compliance and letter received by Sheriff Frank "Skipper" Osborne from the Texas Commission on Jail Standards**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to accept the Certificate of Compliance and letter received by Sheriff Frank "Skipper" Osborne from the Texas Commission on Jail Standards. Motion carried. Vote 5 ayes 0 nays

**8. Consideration and possible action to approve a Demand Check made payable to Dennis Bensfield for \$116.00 for per diem to attend a Civil Process class at the Montgomery County Precinct 3 Constable's Office on February 12-14, 2014**

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 Demand Check made payable to Dennis Bensfield for \$116.00 for per diem to attend a Civil Process class at the Montgomery County Precinct 3 Constable's Office on February 12-14, 2014. Motion carried. Vote 5 ayes 0 nays

**9. Consideration and possible action to approve a Demand Check made payable to La Quinta Inn the Woodlands North for \$250.20 for Dennis Bensfield to attend a Civil Process class at the Montgomery County Precinct 3 Constable's Office on February 12-14, 2014**

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 Demand Check made payable to La Quinta Inn the Woodlands North for \$250.20 for Dennis Bensfield to attend a Civil Process class at the Montgomery County Precinct 3 Constable's Office on February 12-14, 2014. Motion carried. Vote 5 ayes 0 nays

**10. Consideration and possible action to approve a Demand Check made payable to Mr. Elias Gomez, in the amount of \$80.00 in payment for work done on December 5, 2013**

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 Demand Check made payable to Mr. Elias Gomez, in the amount of \$80.00 in payment for work done on December 5, 2013. Motion carried. Vote 5 ayes 0 nays

**11. Consideration and possible action to approve a Contractor Agreement between Tiger and Pam Enterprises and Matagorda County for personal services to assist Precinct 2 in the cleaning of restrooms at the Boat Ramp Park in Sargent, Texas, beginning January 1, 2014 and ending on December 31, 2015, with compensation of \$935.00 for each month worked, not to exceed the aggregate sum of \$11,220.00**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Pustka, with all others concurring, to approve a Contractor Agreement between Tiger and Pam Enterprises and Matagorda County for personal services to assist Precinct 2 in the cleaning of restrooms at the Boat Ramp Park in Sargent, Texas, beginning January 1, 2014 and ending on December 31, 2015, with compensation of \$935.00 for each month worked, not to exceed the aggregate sum of \$11,220.00. Motion carried. Vote 5 ayes 0 nays

**12. Consideration and possible action to approve a request to The Coastal Impact Assistance Program Branch of U. S. Fish & Wildlife Service to submit a letter of request to U. S. Fish & Wildlife Service3-Southwest Region's Ecological Services Division for an exception to the Coastal Barrier Resources Act (CBRA) regarding Contract F13AF00061, Gulf Pier and Education Program, on behalf of Matagorda County**

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 request to The Coastal Impact Assistance Program Branch of U. S. Fish & Wildlife Service to submit a letter of request to U. S. Fish & Wildlife Service3-Southwest Region's Ecological Services Division for an exception to the Coastal Barrier Resources Act (CBRA) regarding Contract F13AF00061, Gulf Pier and Education Program, on behalf of Matagorda County. Motion carried. Vote 5 ayes 0 nays

**13. Consideration and possible action to approve the 2014 Matagorda County Payroll, Matagorda County 2014 Pay Schedule, and the Classification and Pay Plan**

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 the 2014 Matagorda County Payroll, Matagorda County 2014 Pay Schedule, and the Classification and Pay Plan. Motion carried. Vote 5 ayes 0 nays

**14. Consideration and possible action to approve an Interlocal Cooperative Contract and Agreement between Matagorda County Conservation and Reclamation District #1, Matagorda County Drainage District #1, and Matagorda County concerning the construction of stability berms for the Matagorda Texas Ring Levee**

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 an Interlocal Cooperative Contract and Agreement between Matagorda County Conservation and Reclamation District #1, Matagorda County Drainage District #1, and Matagorda County concerning the construction of stability berms for the Matagorda Texas Ring Levee. Motion carried. Vote 5 ayes 0 nays

**15. Consideration and possible action to approve a Contract for Emergency Response Services between Matagorda County and STP Nuclear Operating Company, acting on behalf of the owners of the South Texas Project, to provide off-site Emergency Response Services, with the term being 10 years, commencing on the effective date and ending on December 31, 2024**

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 for Emergency Response Services between Matagorda County and STP Nuclear Operating Company, acting on behalf of the owners of the South Texas Project, to provide off-site Emergency Response Services, with the term being 10 years, commencing on the effective date and ending on December 31, 2024. Motion carried. Vote 5 ayes 0 nays

**16. Consideration and possible action to approve the creating of a County Energy Transportation Reinvestment Zone (CETRZ), establishing a Base Year and appointing the Advisory Board**

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to table the creating of a County Energy Transportation Reinvestment Zone (CETRZ), establishing a Base Year and appointing the Advisory Board. Motion carried. Vote 5 ayes 0 nays

**17. Consideration and possible action to approve the Transportation Infrastructure Fund (TIP) road improvement priority plan, to be submitted with the Application, and authorize the submittal of an application to the Texas Department of Transportation (TxDOT) for the County Transportation Infrastructure Fund Grant Program for FY 2014**

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 Transportation Infrastructure Fund (TIP) road improvement priority plan, to be submitted with the Application, and authorize the submittal of an application to the Texas Department of Transportation (TxDOT) for the County Transportation Infrastructure Fund Grant Program for FY 2014. Motion carried. Vote 5 ayes 0 nays

**18. Consideration and possible action to approve the Annual County Commissioners Road Reports**

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 Annual County Commissioners Road Reports. Motion carried. Vote 5 ayes 0 nays

**18a. Consideration and possible action to approve a Demand Check made payable to Chevron and Texaco Business Card Services, in the amount of \$2,559.00, for fuel used by the Matagorda County Sheriff's Office, to be taken out of 010-560-331**

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 Demand Check made payable to Chevron and Texaco Business Card Services, in the amount of \$2,559.00, for fuel used by the Matagorda County Sheriff's Office, to be taken out of 010-560-331. Motion carried. Vote 5 ayes 0 nays


**19. Public Comments**

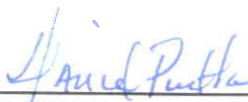
This being the next item for business, no action required.


**20. Adjournment**


Motion was duly made at approximately 10:17 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 10<sup>th</sup> day of February, 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

