

**MINUTES**  
**MATAGORDA COUNTY COMMISSIONERS' COURT MEETING**  
**MATAGORDA COUNTY COURTHOUSE, ROOM 300**  
**1700 SEVENTH STREET, BAY CITY, TEXAS 77414**  
**9:30 A.M., MONDAY, JANUARY 12, 2015**

**Call to Order**

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 12<sup>th</sup> day of January 2015 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, Cathy Ezell, Barry Halvorson, Chris Peikert, Doug Matthes, Denise Fortenberry, Mike Reddell, Ruben Gonzales, Tammy McDonald, Cristyn Hallmark, David Holubec, Becca Sitz, Ona Lea Pierce, Jackie Jecmenek, Deedy Cowger Huffman, Renee Huff, Eileen Askerman, Michael R. George, Zia Miller, Bill Balboa, Bill Anderson, George Deshotels, Mike Talasek, Jerry Zipinski, Richard Kubena, Greatchen Leatherwood, Freda Daniel, Donna Johnson, Judith Allen, Elmo Duke, Jr., G. W. Franzen, Murial Tipps, Roy Tipps, Jamie Bludau, Harriet Townsend and Janet Hickl

**1. Certification of quorum**

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

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

**3. Texas Pledge – Commissioner Pollard**

**4. Prayer – Commissioner Frick**

**5. Consideration and possible action regarding approving Commissioners Court Minutes for January 5, 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 Commissioners Court Minutes for January 5, 2015. 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 Gibson, with all others concurring, to approve one contract for the use of the Matagorda County Fairground facilities. Motion carried. Vote 5 ayes 0 nays

**7. Consideration and possible action to accept the Matagorda County Historical Commission's Annual Report by Ona Lea Pierce, Chairman**

This being the next item for business, motion was duly made by Commissioner Pustak and seconded by Commissioner Gibson, with all others concurring, to accept the Matagorda County Historical Commission's Annual Report by Ona Lea Pierce, Chairman. Motion carried. Vote 5 ayes 0 nays

**8. Consideration and possible action to approve the Appointment of the Matagorda County Historical Commission member for 2015 and 2016**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Frick, with all others concurring, to approve the Appointment of the Matagorda County Historical Commission member for 2015 and 2016. Motion carried. Vote 5 ayes 0 nays

**9. Consideration and possible action to approve the Appointment of Ona Lea Pierce, as Chairman of the Matagorda County Historical Commission for 2015 and 2016**

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 Appointment of Ona Lea Pierce, as Chairman of the Matagorda County Historical Commission for 2015 and 2016. Motion carried. Vote 5 ayes 0 nays

**10. Consideration and possible action to accept the resignation letter from G. W. Franzen, as Matagorda County's Certified Local Government Coordinator**

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 resignation letter from G. W. Franzen, as Matagorda County's Certified Local Government Coordinator. Motion carried. Vote 5 ayes 0 nays

**11. Consideration and possible action to appoint David Holubec as Matagorda County's Certified Local Government Coordinator for Matagorda County, as per the recommendation of G. W. Franzen**

This being the next item for business, motion was duly made by Commissioner Pustka, and seconded by Commissioner Pollard, with all others concurring, to appoint David Holubec as Matagorda County's Certified Local Government Coordinator for Matagorda County, as per the recommendation of G. W. Franzen. Motion carried. Vote 5 ayes 0 nays

**12. Consideration and possible action to approve a Resolution to the Texas Parks and Wildlife Commission requesting a regulation change for the Texas and Matagorda County Bay and Bait Shrimpers**

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 Resolution to the Texas Parks and Wildlife Commission requesting a regulation change for the Texas and Matagorda County Bay and Bait Shrimpers. Motion carried. Vote 5 ayes 0 nays

**13. Consideration and possible action to approve the 2015 Equitable Sharing Agreement and Certification between the Matagorda County Sheriff's Office and the Department of Justice and the Department of the Treasury, authorizing Judge Nate McDonald and Sheriff Frank "Skipper" Osborne 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 2015 Equitable Sharing Agreement and Certification between the Matagorda County Sheriff's Office and the Department of Justice and the Department of the Treasury, authorizing Judge Nate McDonald and Sheriff Frank "Skipper" Osborne to sign with the correction of the Independent Public Accountant's email address to [auditors@swbell.net](mailto:auditors@swbell.net). Motion carried. Vote 5 ayes 0 nays

**14. Consideration and possible action to accept the Affidavit of Publication, Application for Local Option Election Petition and Petition for a Local Option Election to Legalize the Sale of Beer and Wine for Off-Premise Consumption Only in Commissioner/Justice of the Peace Precinct #4, Matagorda County, TX**

This being the next item for business, motion was duly made by Commissioner Frick, and seconded by Commissioner Gibson, with all others concurring, to accept the Affidavit of Publication, Application for Local Option Election Petition and Petition for a Local Option Election to Legalize the Sale of Beer and Wine for Off-Premise Consumption Only in Commissioner/Justice of the Peace Precinct #4, Matagorda County, TX. Motion carried. Vote 5 ayes 0 nays

**15. Consideration and possible action to approve the Racial Profiling Report for 2014 from the Matagorda County Sheriff's Office**

This being the next item for business, motion was duly made by Commissioner Pustka, and seconded by Commissioner Gibson, with all others concurring, to table the Racial Profiling Report for 2014 from the Matagorda County Sheriff's Office. Motion carried. Vote 5 ayes 0 nays

**16. Consideration and possible action to approve a Consulting Agreement for Emergency Management between Matagorda County and Mary Pat Curry to assist the Emergency Management Coordinator for the year 2015**

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 Consulting Agreement for Emergency Management between Matagorda County and Mary Pat Curry to assist the Emergency Management Coordinator for the year 2015. Motion carried. Vote 5 ayes 0 nays

**17. Consideration and possible action to approve a Contractor Agreement, for pressure washing the Courthouse building between Matagorda County and Revitalize Pressure Washing, in the amount of \$4,769.00**

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 approve a Contractor Agreement, for pressure washing the Courthouse building between Matagorda County and Revitalize Pressure Washing, in the amount of \$4,769.00. Motion carried. Vote 5 ayes 0 nays

**18. Consideration and possible action to approve a Resolution authorizing the County Judge to execute an Advance Funding Agreement with Texas Department of Transportation (TXDOT) for Road Improvements on SH 5 in support of Tenaris Bay City Inc. after review and an approval vote of a quorum of the Commissioner's Court**

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 Resolution authorizing the County Judge to execute an Advance Funding Agreement with Texas Department of Transportation (TXDOT) for Road Improvements on SH 5 in support of Tenaris Bay City Inc. after review and an approval vote of a quorum of the Commissioner's Court. Motion carried. Vote 5 ayes 0 nays

**19. Consideration and possible action to approve a Demand Check payable to the Matagorda County Self-Insurance Pool, in the amount of \$298,677.00, for insurance coverage including General, Law Enforcement, Public Officials, Employment Practices, Automobile Liability, Workers' Compensation, Automobile Physical Damage, Mobile Equipment, and Blanket Crime**

This being the next item for business, motion was duly made by County Judge McDonald, and seconded by Commissioner Frick, with all others concurring, to approve a Demand Check payable to the Matagorda County Self-Insurance Pool, in the amount of \$298,677.00, for insurance coverage including General, Law Enforcement, Public Officials, Employment Practices, Automobile Liability, Workers' Compensation, Automobile Physical Damage, Mobile Equipment, and Blanket Crime. Motion carried. Vote 5 ayes 0 nays

**20. Consideration and possible action to authorize Commissioner Charles Frick, Precinct #4, to purchase two (2) Land Pride RC5515 Rotary Cutters and trade-in two (2) Old Rhino FR-15 Rotary Cutters (Asset #6081 and Asset #68702), for a total amount of \$23,566.67 from Hlavinka Equipment Company**

This being the next item for business, motion was duly made by Commissioner Frick, and seconded by Commissioner Pustka, with all others concurring, to authorize Commissioner Charles Frick, Precinct #4, to purchase two (2) Land Pride RC5515 Rotary Cutters and trade-in two (2) Old Rhino FR-15 Rotary Cutters (Asset #6081 and Asset #68702), for a total amount of \$23,566.67 from Hlavinka Equipment Company. Motion carried. Vote 5 ayes 0 nays

**21. Consideration and possible action to approve a Contract between Matagorda County and the Pledger Community Center for Management of the Community Center for 2015 and 2016, in the amount of \$1,200.00 a year**

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 Contract between Matagorda County and the Pledger Community Center for Management of the Community Center for 2015 and 2016, in the amount of \$1,200.00 a year. Motion carried. Vote 5 ayes 0 nays

**22. Consideration and possible action to authorize Courthouse Maintenance to submit an application for credit to Century for supplies**

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 authorize Courthouse Maintenance to submit an application for credit to Century for supplies. Motion carried. Vote 5 ayes 0 nays

**23. Consideration and possible action to approve the Matagorda County 2015 Hourly Pay Schedule and Matagorda County 2015 Salary Pay Schedule**

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 2015 Hourly Pay Schedule and Matagorda County 2015 Salary Pay Schedule as an emergency policy and to look into revising the job descriptions and pay scale. Motion carried. Vote 5 ayes 0 nays

**24. Consideration and possible action to approve three Demand Checks, (1) payable to Econo Lodge Inn & Suites Fulton Rockport for \$175.47, (2) payable to John Garza for \$134.00 for Per Diem, and (3) payable to Anthony Guardiola for \$134.00 for Per Diem, to attend the Basic County Corrections Physical Skills in Rockport, Texas on January 20-22, 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 three Demand Checks, (1) payable to Econo Lodge Inn & Suites Fulton Rockport for \$175.47, (2) payable to John Garza for \$134.00 for Per Diem, and (3) payable to Anthony Guardiola for \$134.00 for Per Diem, to attend the Basic County Corrections Physical Skills in Rockport, Texas on January 20-22, 2015. Motion carried. Vote 5 ayes 0 nays

**25. Consideration and possible action to accept the Matagorda County Auditor's Monthly Report for September 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 accept the Matagorda County Auditor's Monthly Report for September 2014. Motion carried. Vote 5 ayes 0 nays

26. Consideration and possible action to approve Payment of Bills

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 Payment of Bills. Motion carried.

Vote 5 ayes 0 nays

27. Public Comments

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

28. Adjournment

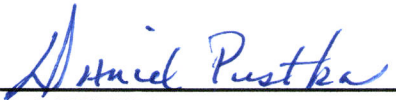
Motion was duly made at approximately 10:57 a.m. by Commissioner Pustka and seconded by Commissioner Gibson, with all others concurring, to adjourn the meeting. Motion carried.

Vote 5 ayes 0 nays

Approved in Open Court, this the 26<sup>th</sup> day of January, 2015.



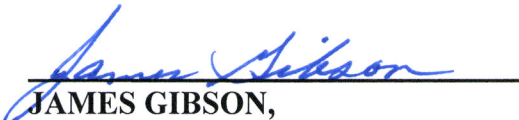
NATE McDONALD,  
County Judge



DANIEL PUSTKA,  
Commissioner Precinct No. One




KENT POLLARD, Judge Pro Tem  
Commissioner Precinct No. Two



JAMES GIBSON,  
Commissioner Precinct No. Three



CHARLES "BUBBA" FRICK,  
Commissioner Precinct No. Four

ATTEST:   
Janet Hickl, County Clerk

