

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, JANUARY 13, 2014

Call to Order

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 13th day of January 2014 in the Matagorda County Commissioner's Courtroom, located on the Third Floor, 1700 Seventh Street, Room 300, Bay City, Texas, with Commissioner Woodson, Judge Pro Tem presiding.

Others present were as follows: Sheriff Osborne, Ruben Gonzales, Chris Peikert, Doug Matthes, Patsy Gibson, Barry Halvorson, Ed Stavinoha, 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 Pollard

3. Texas Pledge – Commissioner Pollard

4. Prayer – Commissioner Pustka

5. Consideration and possible action regarding approving Commissioners Court Minutes for January 6, 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 6, 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 Woodson, with all others concurring, to approve two contracts for the use of the Matagorda County Fairground facilities by Pat Martinez and Susan Dancer. Motion carried. Vote 5 ayes 0 nays

7. Consideration and possible action to designate the second Monday of each month as the regular meeting date for the Matagorda County Commissioners Court for FY 2014, as per Sec. 81.005 of the Texas Gov't Code

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to designate the second Monday of each month as the regular meeting date for the Matagorda County Commissioners Court for FY 2014, as per Sec. 81.005 of the Texas Gov't Code. Motion carried. Vote 5 ayes 0 nays

8. Consideration and possible action to approve the submission of an Application for Participation between Matagorda County Sheriff's Office and Texas Department of Public Safety for the Texas 1033 Surplus Property Program

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 submission of an Application for Participation between Matagorda County Sheriff's Office and Texas Department of Public Safety for the Texas 1033 Surplus Property Program. Motion carried. Vote 5 ayes 0 nays

9. Consideration and possible action to approve a Demand Check to Pete's Paint and Body Shop, in the amount of \$1,152.50, for repairs to a 2001 Chevrolet Suburban, due to an accident by the Matagorda Volunteer Fire Department

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 Demand Check to Pete's Paint and Body Shop, in the amount of \$1,152.50, for repairs to a 2001 Chevrolet Suburban, due to an accident by the Matagorda Volunteer Fire Department. Motion carried. Vote 5 ayes 0 nays

10. Consideration and possible action to approve the Racial Profiling Report for 2013 from the Matagorda County Sheriff's Office

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 the Racial Profiling Report for 2013 from the Matagorda County Sheriff's Office. Motion carried. Vote 5 ayes 0 nays

11. Consideration and possible action to approve a Contract between the Economic Action Committee and Matagorda County for FY 2014, to provide social services, assistance and emergency nutrition services to indigent citizens, for an amount of \$33,000.00

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 Contract between the Economic Action Committee and Matagorda County for FY 2014, to provide social services, assistance and emergency nutrition services to indigent citizens, for an amount of \$33,000.00. Motion carried. Vote 5 ayes 0 nays

12. Consideration and possible action to approve the Interlocal Cooperation Contract between Texas Department of Public Safety, Reprographics & Distribution Services (also as Department of Public Safety, General Stores) and Matagorda County Sheriff's Office for the purpose of purchasing supplies

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 the Interlocal Cooperation Contract between Texas Department of Public Safety, Reprographics & Distribution Services (also as Department of Public Safety, General Stores) and Matagorda County Sheriff's Office for the purpose of purchasing supplies. Motion carried. Vote 5 ayes 0 nays

13. Consideration and possible action to approve the purchase of one (1) Fujitsu scanner from Bass Computers, Inc. for a total price of \$5,243.45 for the County Clerk's Office to be paid out of the County Clerk's Preservation and Automation Fund 16 403-481

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 purchase of one (1) Fujitsu scanner from Bass Computers, Inc. for a total price of \$5,243.45 plus shipping for the County Clerk's Office to be paid out of the County Clerk's Preservation and Automation Fund 16 403-481. Motion carried. Vote 5 ayes 0 nays

14. Consideration and possible action to approve the purchase of three (3) computers from Bass Computers, Inc. for a total price of \$1,852.50 plus shipping for the County Clerk's Office to be paid out of the County Clerk's Preservation & Automation Fund 16 403-481

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 purchase of three (3) computers from Bass Computers, Inc. for a total price of \$1,852.50 plus shipping for the County Clerk's Office to be paid out of the County Clerk's Preservation and Automation Fund 16 403-481. Motion carried. Vote 5 ayes 0 nays

15. Consideration and possible action to grant OXEA's request for variances from Section 2(k)(2) from the current Matagorda County's Tax Abatement Policy and Guidelines

This being the next item for business, motion was duly made by Commissioner Pustka and seconded by Commissioner Gibson, with all others concurring, to grant OXEA's request for variances from Section 2(k)(2) from the current Matagorda County's Tax Abatement Policy and Guidelines. Motion carried. Vote 5 ayes 0 nays

16. Consideration and possible action to approve the Tax Abatement Agreement with OXEA Corporation pursuant to Chapter 312 of the Texas Tax Code and give the County Judge permission 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 Tax Abatement Agreement with OXEA Corporation pursuant to Chapter 312 of the Texas Tax Code and give the County Judge permission to sign. Motion carried. Vote 5 ayes 0 nays

17. Consideration and possible action to approve an amended resolution of Matagorda County; authorizing Matagorda County to nominate NRG South Texas LP to the Office of the Governor, Economic Development and Tourism ("OOGEDT") THROUGH THE Economic Development Bank ("Bank") for designation as a qualified business and triple jumbo enterprise project ("Project") under the Texas Enterprise Zone Program under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code ("Act")

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 amended resolution of Matagorda County; authorizing Matagorda County to nominate NRG South Texas LP to the Office of the Governor, Economic Development and Tourism ("OOGEDT") THROUGH THE Economic Development Bank ("Bank") for designation as a qualified business and triple jumbo enterprise project ("Project") under the Texas Enterprise Zone Program under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code ("Act"). Motion carried. Vote 5 ayes 0 nays

18. Consideration and possible action to approve the submittal of Fiscal Year 2014 Emergency Management Performance Grant Application, in the amount of \$55,232.60, to the Texas Division of Emergency Management, Texas Department of Public Safety

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 submittal of Fiscal Year 2014 Emergency Management Performance Grant Application, in the amount of \$55,232.60, to the Texas Division of Emergency Management, Texas Department of Public Safety. Motion carried. Vote 5 ayes 0 nays

19. Consideration and possible action to accept the donation to the Matagorda County Sheriff's Office of a Craftsman Limited Edition YS4500 riding lawnmower, 42 inch cut, from Sam Hurta

This being the next item for business, motion was duly made by Commissioner Woodson and seconded by Commissioner Pollard, with all others concurring, to accept the donation to the Matagorda County Sheriff's Office of a Craftsman Limited Edition YS4500 riding lawnmower, 42 inch cut, from Sam Hurta. Motion carried. Vote 5 ayes 0 nays

20. Consideration and possible action to approve a Proclamation in recognition of Margaret Linn's 100th Birthday

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 Proclamation in recognition of Margaret Linn's 100th Birthday. Motion carried. Vote 5 ayes 0 nays

21. Consideration and possible action to approve the Matagorda County Auditor's Monthly Report for November 2013

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 Matagorda County Auditor's Monthly Report for November 2013. Motion carried. Vote 5 ayes 0 nays

22. Consideration and possible action to approve the Matagorda County Treasurer's Monthly Report for November 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 table approving the Matagorda County Treasurer's Monthly Report for November 2013. Motion carried. Vote 5 ayes 0 nays

23. Consideration and possible action to approve Payment of Bills

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 Payment of Bills. Motion carried. Vote 5 ayes 0 nays

24. Consideration and possible action to approve Line Item Transfers

This being the next item for business, motion was duly made by Commissioner Pustka and seconded by Commissioner Woodson, with all others concurring, to approve Line Item Transfers. Motion carried. Vote 5 ayes 0 nays.

25. Consideration and possible action to approve Emergency Amendments

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 Emergency Amendments. Motion carried. Vote 5 ayes 0 nays.

25a. Consideration and possible action to approve the dates and times for Pre-Bid Conference and Opening of Bids, and publishing of Advertisement and Invitation for Bids regarding the Reconstruction/Rehabilitation/Overlay and Hardening of Roadways Contract GLO DRS 10-5149-000 in Sargent, Precinct #2

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 dates and times for Pre-Bid Conference and Opening of Bids, and publishing of Advertisement and Invitation for Bids regarding the Reconstruction/Rehabilitation/Overlay and Hardening of Roadways Contract GLO DRS 10-5149-000 in Sargent, Precinct #2. Motion carried. Vote 5 ayes 0 nays.

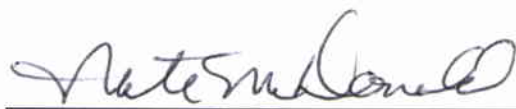
26. Public Comments

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

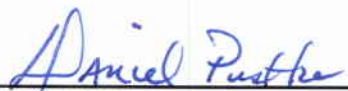
27. Adjournment

Motion was duly made at approximately 10:03 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 27th day of January, 2014.



**NATE McDONALD,
County Judge**



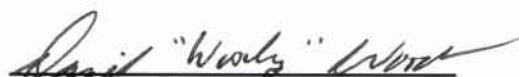
**DANIEL PUSTKA,
Commissioner Precinct No. One**



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



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



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

ATTEST:


Janet Hickl, County Clerk

