

**MINUTES**  
**MATAGORDA COUNTY COMMISSIONERS' COURT MEETING**  
**MATAGORDA COUNTY COURTHOUSE, ROOM 300**  
**1700 SEVENTH STREET, BAY CITY, TEXAS 77414**  
**9:30 A.M., MONDAY, JANUARY 6, 2014**

**Call to Order**

This Special Session of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 6<sup>th</sup> day of January 2014 in the Matgorda County Commissioners' Courtroom, located on the Third Floor, 1700 Seventh Street, Room 300, Bay City, Texas, with County Judge Nate McDonald presiding.

Others present were as follows: Sheriff Osborne, Tammy McDonald, Denise Fortenberry, Cathy Ezell, Ruben Gonzales, Chris Peikert, Steven Reis, Doug Matthes, Carol Wooton Joe Heaton, Barry Halvorson, Harriet Townsend and Dora Barron

**1. Certification of quorum**

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

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

**3. Texas Pledge – Commissioner Gibson**

**4. Prayer – Commissioner Pollard**

**5. Consideration and possible action regarding approving Commissioners Court Minutes for December 30, 2013**

This being the next item of business, motion was duly made by Commissioner Woodson and seconded by Commissioner Gibson, with all others concurring, to approve Commissioners Court Minutes for December 30, 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 of business, motion was duly made by Commissioner Pustka and seconded by Commissioner Pollard, 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 appoint a County Commissioner to be chairperson on the Matagorda County Sick Leave Bank, to serve for one year beginning January 1, 2014 and ending December 31, 2014**

This being the next item of business, motion was duly made by Commissioner Pollard and seconded by Commissioner Pustka, with all others concurring, to approve appointing Commissioner Gibson to be chairperson on the Matagorda County Sick Leave Bank to serve for one year beginning January 1, 2014 and ending December 31, 2014. Motion carried. Vote 5 ayes 0 nays

**8. Consideration and possible action to appoint a County Commissioner as Judge Pro-Tem for the year 2014 to preside over all meetings of the Matagorda County Commissioners Court in the event of the absence of the County Judge**

This being the next item of business, motion was duly made by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to approve appointing Commissioner Pustka to be Judge Pro-Tem for the year 2014 to preside over all meetings of the Matagorda County Commissioners Court in the event of the absence of the County Judge. Motion carried. Vote 5 ayes 0 nays

**9. Consideration and possible action to approve a court order resolving that vehicles used by the Matagorda County Sheriff's Department are exempt under VCS 6701m-2 when used in the performance of official duties and requesting the Texas State Department of Public Transportation issue regular plates upon proper application; and authorize Cathy Ezell to sign the forms required for this type of registration**

This being the next item of business, motion was duly made by Commissioner Pustka and seconded by Commissioner Gibson, with all others concurring, to approve a court order resolving that vehicles used by the Matagorda County Sheriff's Department are exempt under VCS 6701m-2 when used in the performance of official duties and requesting the Texas State Department of Public Transportation issue regular plates upon proper application; and authorize Cathy Ezell to sign the forms required for this type of registration. Motion carried. Vote 5 ayes 0 nays

**10. Consideration and possible action regarding the designation of three members from the prior year Grand Jury to serve on the Matagorda County Salary Grievance Committee for the year 2014 Pursuant to Section 152.014 and 152.015 of the Texas Local Government Code**

This being the next item of business, motion was duly made by County Judge McDonald and seconded by Commissioner Pollard, with all others concurring, to designate three members from the prior year Grand Jury to serve on the Matagorda County Salary Grievance Committee for the year 2014 Pursuant to Section 152.014 and 152.015 of the Texas Local Government Code. Motion carried. Vote 5 ayes 0 nays  
Three names were pulled as Members of the Committee, and three names were pulled as Alternates.

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**11. Consideration and possible action regarding approving annual, quarterly and monthly 2014 automatic payments**

This being the next item of business, motion was duly made by Commissioner Pustka and seconded by Commissioner Pollard, with all others concurring, to approve annual, quarterly and monthly 2014 automatic payments. Motion carried. Vote 5 ayes 0 nays

**12. Consideration and possible action regarding award of Bid #13-0002 for the 2014 Road Material and Bid #13-0003 for the 2014 Road Construction with equipment and authorize the County Judge to sign contracts for the same**

This being the next item of business, motion was duly made by Commissioner Gibson and seconded by Commissioner Woodson, with all others concurring, to award of Bid #13-0002 for the 2014 Road Material and Bid #13-0003 for the 2014 Road Construction with equipment and authorize the County Judge to sign contracts for the same. Motion carried. Vote 5 ayes 0 nays

**13. Consideration and possible action to approve a Contract between Matagorda County and the Bay City Cemetery Association FY 2014 and FY 2015 for burial plots (\$400) and the maintenance of said plots (\$3,000 per year) for deceased paupers**

This being the next item of 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 the Bay City Cemetery Association FY 2014 and FY 2015 for burial plots (\$400) and the maintenance of said plots (\$3,000 per year) for deceased paupers. Motion carried. Vote 5 ayes 0 nays

**14. Consideration and possible action to authorize the purchase of server equipment, in the amount of \$36,501.51, by Information Services, with this amount coming out of their 2014 Budget**

This being the next item of business, motion was duly made by Commissioner Woodson and seconded by Commissioner Gibson, with all others concurring, to authorize the purchase of server equipment, in the amount of \$36,501.51, by Information Services, with this amount coming out of their 2014 Budget. Motion carried. Vote 5 ayes 0 nays

**15. Consideration and possible action authorizing Sheriff Osborne to purchase 3 2014 Chevrolet Tahoes in the amount of \$82,713.00 for all three vehicles, to be purchased through the HGAC Buy Board from Caldwell Country Chevrolet, with the payment to be taken out of 010-560-570**

This being the next item of business, motion was duly made by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to authorize Sheriff Osborne to purchase 3 2014 Chevrolet Tahoes in the amount of \$82,713.00 for all three vehicles, to be purchased through the HGAC Buy Board from Caldwell Country Chevrolet, with the payment to be taken out of 010-560-570. Motion carried.

Vote 5 ayes 0 nays

**16. Consideration and possible action to approve the Matagorda County HIPAA Designated Representatives as needed by Gallagher Benefit Services**

This being the next item of business, motion was duly made by Commissioner Pustka and seconded by Commissioner Pollard, with all others concurring, to approve the Matagorda County HIPAA Designated Representatives as needed by Gallagher Benefit Services. Motion carried. Vote 5 ayes 0 nays

**17. Consideration and possible action to approve the Authorization for use of Company Name Logo, etc, and authorize the County Judge to sign as needed by Gallagher Benefit Services**

This being the next item of business, motion was duly made by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to approve the Authorization for use of Company Name Logo, etc, and authorize the County Judge to sign as needed by Gallagher Benefit Services. Motion carried. Vote 5 ayes 0 nays

**18. Consideration and possible action to approve the Gallagher Benefit Services, Inc. Confidentiality Agreement, and authorize the County Judge to sign**

This being the next item of business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to approve the Gallagher Benefit Services, Inc. Confidentiality Agreement, and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

**19. Consideration and possible action to approve the Gallagher Benefit Services, Inc. Client Coverage Acknowledgment and Compensation Disclosure Statement for Matagorda County, and allow the County Judge to sign**

This being the next item of business, motion was duly made by Commissioner Woodson and seconded by Commissioner Pustka, with all others concurring, to approve the Gallagher Benefit Services, Inc. Client Coverage Acknowledgment and Compensation Disclosure Statement for Matagorda County, and allow the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

**20. Consideration and possible action to accept the resignation of Ronald Hickl from the Board of the Matagorda County Drainage District #2, and approve the appointment of Scott Stewart to fill Mr. Hickl's unexpired term until 02/14/2014**

This being the next item of business, motion was duly made by Commissioner Woodson and seconded by Commissioner Pustka, with all others concurring, to accept the resignation of Ronald Hickl from the Board of the Matagorda County Drainage District #2, and approve the appointment of Scott Stewart to fill Mr. Hickl's unexpired term until 02/14/2014. Motion carried. Vote 5 ayes 0 nays

**21 Consideration and possible action to authorize Precinct #4 to contract with Wakefield Construction for the removal of TXDOT Bridge #13158AA0429001 (over Cash Creek on Avenue C) and installation of a new bridge at a cost of \$92,000.00; and to exempt the purchase from competitive bidding because the item is necessary because of unforeseen damage to public property (Tex. Loc. Gov't Code § 262.024(a)(2))**

This being the next item of 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 removal of TXDOT Bridge #13158AA0429001 (over Cash Creek on Avenue C) and installation of a new bridge at a cost of \$92,000.00; and to exempt the purchase from competitive bidding because the item is necessary because of unforeseen damage to public property (Tex. Loc. Gov't Code § 262.024(a)(2)). Motion carried. Vote 5 ayes 0 nays

**22. Consideration and possible action to approve the hiring of Susan Maxwell into Position 911 of the Office of the District Attorney (Dept. 452) at Pay Group/Step 23-15 to effective January 6, 2014**

This being the next item of business, motion was duly made by Commissioner Woodson and seconded by Commissioner Gibson, with all others concurring, to approve the hiring of Susan Maxwell into Position 911 of the Office of the District Attorney (Dept. 452) at Pay Group/Step 23-15 to effective January 6, 2014. Motion carried. Vote 5 ayes 0 nays

**23. Consideration and possible action to approve the Matagorda County Treasurer's Monthly Report for November 2013**

This being the next item of business, motion was duly made by Commissioner Pollard and seconded by Commissioner Pustka, with all others concurring, to table approving the Matagorda County Treasurer's Monthly Report for November 2013. Motion carried. Vote 5 ayes 0 nays

**24. Consideration and possible action to approve the Matagorda County Treasurer's Monthly Investment Report for November 2013**

This being the next item of business, motion was duly made by Commissioner Pustka and seconded by Commissioner Gibson, with all others concurring, to approve the Matagorda County Treasurer's Monthly Investment Report for November 2013. Motion carried. Vote 5 ayes 0 nays

**25. Consideration and possible action to approve Emergency Amendments**

This being the next item of business, motion was duly made by Commissioner Pustka and seconded by Commissioner Gibson, with all others concurring, to table all Emergency Amendment items concerning the transfer station, but approve the other emergency amendment items. Motion carried. Vote 5 ayes 0 nays

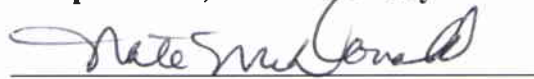
**26. Public Comments**

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

**27. Adjournment**

Motion was duly made at approximately 10:45 a.m. by County Judge McDonald and seconded by Commissioner Pustka, with all other concurring, to adjourn the meeting. Motion carried. Vote 5 ayes 0 nays

Approve in Open court, this the 13<sup>th</sup> day of January 2014



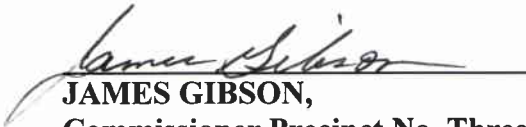
NATE McDONALD,  
County Judge



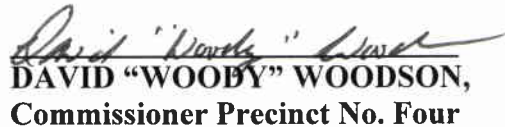
DANIEL PUSTKA,  
Commissioner Precinct No. One



KENT POLLARD,  
Commissioner Precinct No. Two



JAMES GIBSON,  
Commissioner Precinct No. Three



DAVID "WOOPY" WOODSON,  
Commissioner Precinct No. Four

ATTEST:   
Janet Hickl, County Clerk

