

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, JULY 22, 2013

Call to Order

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 22nd day of July 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, Robert Thompson, Barry Halvorson, Denise Fortenberry, Bob Watts, Doug Matthes, Chris Peikert, Ruben Gonzales, Tammy McDonald, Amanda Campos, Eileen Ackerman, Alicia Waters, Anthony Doubole, Mike Henderson, Ona Lea Pierce, Louis Pointer, Jordan Rickaway, Cole Grisham, Faith Grisham, Emma Batchelor, Laura Reyna, Harriet Townsend and Janet Hickl

1. Certification of quorum

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

2. Pledge of Allegiance – Commissioner Woodson

3. Texas Pledge – Commissioner Woodson

4. Prayer – Commissioner Pollard

5. Consideration and possible action regarding approving Commissioners Court Minutes for July 15, 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 July 15, 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 for business, no action required.

7. Presentation of the Texas Historical Commission's Distinguished Service Award for outstanding preservation work, by managing preservation programs that educate citizens and generate interest in the history and character of Texas, during the 2012 year to the Matagorda County Historical Commission

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

8. Consideration and possible action to approve a Demand Check to the San Antonio Marriott Rivercenter, in the amount of \$716.00, for Judge Estlinbaum to attend the Texas Bar Association's Advanced Family Law Course to be held August 4th through August 07, 2013

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to approve a Demand Check to the San Antonio Marriott Rivercenter, in the amount of \$716.00, for Judge Estlinbaum to attend the Texas Bar Association's Advanced Family Law Course to be held August 4th through August 07, 2013. Motion carried. Vote 5 ayes 0 nays

9. Consideration and possible action to accept Bob Watts' letter of resignation as Emergency Management Consultant effective August 31, 2013

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to accept Bob Watts' letter of resignation as Emergency Management Consultant effective August 31, 2013. Motion carried. Vote 5 ayes 0 nays

10. Consideration and possible action to approve an Emergency Management Consulting Agreement between Matagorda County and Mary Pat Curry for FY 2013 (September through December)

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Woodson, with all others concurring, to table action to approve an Emergency Management Consulting Agreement between Matagorda County and Mary Pat Curry for FY 2013 (September through December) for further study and consideration. Motion carried. Vote 5 ayes 0 nays

11. Consideration and possible action to accept a Proposal from Arsola Concrete for a 25' X 60' cement slab outside of the Fireman's Hall in Matagorda, 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 accept a Proposal from Arsola Concrete for a 25' X 60' cement slab outside of the Fireman's Hall in Matagorda, Precinct #2. Motion carried. Vote 5 ayes 0 nays

12. Consideration and possible action to approve the 2014 County Road and Bridge Fee of \$10.00, which is the same amount as 2013

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 the 2014 County Road and Bridge Fee of \$10.00, which is the same amount as 2013. Motion carried. Vote 5 ayes 0 nays

13. Consideration and possible action to approve a 2011 Grant Adjustment Notice from the Texas Department of Public Safety, changing the grant award from \$35,000.00 to \$30,976.50, de-obligating \$4,023.50

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 2011 Grant Adjustment Notice from the Texas Department of Public Safety, changing the grant award from \$35,000.00 to \$30,976.50, de-obligating \$4,023.50. Motion carried. Vote 5 ayes 0 nays

14. Consideration and possible action to approve the filing of IRS Form 720 for the Patient-Centered Outcomes Research Fee and authorize the County Treasurer to sign

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to approve the filing of IRS Form 720 for the Patient-Centered Outcomes Research Fee and authorize the County Treasurer to sign. Motion carried. Vote 5 ayes 0 nays

15. Consideration and possible action to approve a Demand Check in the amount of \$476.00 to pay the Patient-Centered Outcomes Research Fee

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 in the amount of \$476.00 to pay the Patient-Centered Outcomes Research Fee. Motion carried.

Vote 5 ayes 0 nays

16. Consideration and possible action to approve the Matagorda County Treasurer's Monthly Report for June 2013

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 the Matagorda County Treasurer's Monthly Report for June 2013. Motion carried. Vote 5 ayes 0 nays

17. Consideration and possible action to approve the Matagorda County Treasurer's Monthly Investment Report for June 2013

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 the Matagorda County Treasurer's Monthly Investment Report for June 2013. Motion carried. Vote 5 ayes 0 nays

18. Consideration and possible action to approve the Matagorda County Treasurer's Monthly Investment Report for the Second Quarter (April 1, 2013 through June 30, 2013)

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 the Matagorda County Treasurer's Monthly Investment Report for the Second Quarter (April 1, 2013 through June 30, 2013). Motion carried. Vote 5 ayes 0 nays

19. Consideration and possible action to approve the Agreement between Matagorda County and Garner Paving & Construction, LTD for the Street Improvements, Carancahua Street and Dolphin Way, Precinct #2, Sargent, Texas, Texas General Land Office Contract No. 12-287-000-5635, Work Order 5818

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 Agreement between Matagorda County and Garner Paving & Construction, LTD for the Street Improvements, Carancahua Street and Dolphin Way, Precinct #2, Sargent, Texas, Texas General Land Office Contract No. 12-287-000-5635, Work Order 5818. Motion carried. Vote 5 ayes 0 nays

20. 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 Gibson, with all others concurring, to approve Payment of Bills. Motion carried. Vote 5 ayes 0 nays

21. 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 Pollard, with all others concurring, to approve Emergency Amendments. Motion carried. Vote 5 ayes 0 nays

21a. **Meet in executive session under section 551.071 of the Gov't Code to consult with attorney(s) representing the county in an executive session concerning pending litigation, contemplated litigation, or settlement offers in the following matters:**

Civil Action No. 3:13-CV-00060; Frances Mendoza et al. v. Nate McDonald, et al; In the United States District Court for the Southern District of Texas

This being the next item for business, motion was duly made at approximately 10:02 a.m. by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to Meet in executive session under section 551.071 of the Gov't Code to consult with attorney(s) representing the county in an executive session concerning pending litigation, contemplated litigation, or settlement offers in the following matters:

Civil Action No. 3:13-CV-00060; Frances Mendoza et al. v. Nate McDonald, et al; In the United States District Court for the Southern District of Texas

Motion carried. Vote 5 ayes 0 nays

21b. **Reconvene open session and consider taking action on the following matters:**

Meet in executive session under section 551.071 of the Gov't Code to consult with attorney(s) representing the county in an executive session concerning pending litigation, contemplated litigation, or settlement offers in the following matters:

Civil Action No. 3:13-CV-00060; Frances Mendoza et al. v. Nate McDonald, et al; In the United States District Court for the Southern District of Texas

This being the next item for business, motion was duly made at approximately 10:23 a.m. by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to Reconvene open session and consider taking action on the following matters:

Meet in executive session under section 551.071 of the Gov't Code to consult with attorney(s) representing the county in an executive session concerning pending litigation, contemplated litigation, or settlement offers in the following matters:

Civil Action No. 3:13-CV-00060; Frances Mendoza et al. v. Nate McDonald, et al; In the United States District Court for the Southern District of Texas

Motion carried. Vote 5 ayes 0 nays. No action taken.

22. **Public Comments**

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

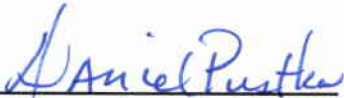
14. **Adjournment**

Motion was duly made at approximately 10:24 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 29th day of July, 2013.



NATE McDONALD,
County Judge



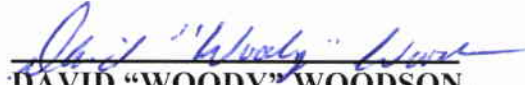
DANIEL PUSTKA,
Commissioner Precinct No. One



KENT POLLARD,
Commissioner Precinct No. Two

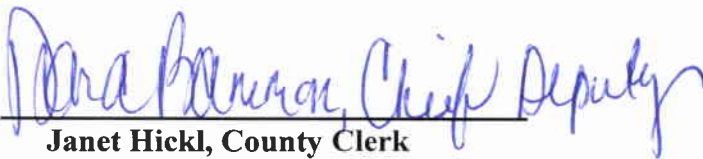


JAMES GIBSON, Judge Pro Tem
Commissioner Precinct No. Three



DAVID "WOODY" WOODSON,
Commissioner Precinct No. Four

ATTEST:



Janet Hickl, County Clerk

