

**MINUTES**  
**MATAGORDA COUNTY COMMISSIONERS' COURT MEETING**  
**MATAGORDA COUNTY COURTHOUSE, ROOM 300**  
**1700 SEVENTH STREET, BAY CITY, TEXAS 77414**  
**9:30 A.M., MONDAY, JUNE 2, 2014**

**Call to Order**

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 2<sup>nd</sup> day of June 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, Cathy Ezell, Denise Fortenberry, Chris Peikert, Jamie Bludau, Doug Matthes, Barry Halvorson, David Miles, Suzan Thompson, Ed Stavinoha, Carole Patrick, Susan Reed, Christyn Hallmark, D C Dunham, Joe Lozano, Harriet Townsend and Janet Hickl

**1. Certification of quorum**

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

**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 May 27, 2014**

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 Commissioners Court Minutes for May 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 Gibson, with all others concurring, to approve three contracts for the use of the Matagorda County Fairground facilities. Motion carried. Vote 5 ayes 0 nays

**7. Consideration and possible action to approve a Resolution by the Commissioners' Court of Matagorda County, Texas, approving the determination of equipment rates for force account (in-kind) road work for the County Transportation Infrastructure Fund Grant Program**

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 Resolution by the Commissioners' Court of Matagorda County, Texas, approving the determination of equipment rates for force account (in-kind) road work for the County Transportation Infrastructure Fund Grant Program. Motion carried. Vote 5 ayes 0 nays

**8. Consideration and possible action to authorize the Sheriff's Office to submit a Credit Application to Chrysler Fleet Operations for the purchase of vehicles using the Buy Board Purchasing Co-Op and authorize County Judge Nate McDonald to sign**

This being the next item for business, motion was duly made by Commissioner Pustka and seconded by Commissioner Woodson, with all others concurring, to authorize the Sheriff's Office to submit a Credit Application to Chrysler Fleet Operations for the purchase of vehicles using the Buy Board Purchasing Co-Op and authorize County Judge Nate McDonald to sign. Motion carried. Vote 5 ayes 0 nays

**9. Consideration and possible action to authorize Sheriff Osborne to purchase a 2014 Dodge Ram 1500 pickup SSV Crew Cab 4 X 4 in the amount of \$24,835.00 to be purchased through the State Buy Board from Dodge City, McKinney, Texas, with the payment to be taken out of 010-560-570**

This being the next item for business, motion was duly made by Commissioner Woodson and seconded by Commissioner Gibson, with all others concurring, to authorize Sheriff Osborne to purchase a 2014 Dodge Ram 1500 pickup SSV Crew Cab 4 X 4 in the amount of \$24,835.00 to be purchased through the State Buy Board from Dodge City, McKinney, Texas, with the payment to be taken out of 010-560-570. Motion carried. Vote 5 ayes 0 nays

**10. Consideration and possible action to approve the Comprehensive Annual Financial Report (Annual Audit) for the year ended December 31, 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 Comprehensive Annual Financial Report (Annual Audit) for the year ended December 31, 2013. Motion carried. Vote 5 ayes 0 nays

**11. Consideration and possible action to approve the Bond for District Clerk, Jamie Bludau, to be held and bound unto the Governor of the State of Texas, their successors in office, in the amount of \$70,000.00, for a seven month period, commencing on May 31, 2014 and ending on December 31, 2014**

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 Bond for District Clerk, Jamie Bludau, to be held and bound unto the Governor of the State of Texas, their successors in office, in the amount of \$70,000.00, for a seven month period, commencing on May 31, 2014 and ending on December 31, 2014. Motion carried. Vote 5 ayes 0 nays

**12. Consideration and possible action to authorize the District Clerk, Jamie Bludau to hire an individual at a 17-3, due to their 15 years' experience in a District Clerk's office in Brazoria County as a Clerk (records, intake, appeals, juror, and tax/civil), Records Supervisor and Lead Intake Clerk**

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Pustka, with all others concurring, to authorize the District Clerk, Jamie Bludau to hire an individual at a 17-3, due to their 15 years' experience in a District Clerk's office in Brazoria County as a Clerk (records, intake, appeals, juror, and tax/civil), Records Supervisor and Lead Intake Clerk. Motion carried. Vote 5 ayes 0 nays

**13. Consideration and possible action to accept the deputations as Deputy District Clerks, of Felicia Higgins, Renda Schuelke, Stacy Johnson, and LaToya Duckworth, by Jamie Bludau, District Clerk, effective June 2, 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 accept the deputations as Deputy District Clerks, of Felicia Higgins, Renda Schuelke, Stacy Johnson, and LaToya Duckworth, by Jamie Bludau, District Clerk, effective June 2, 2014. Motion carried. Vote 5 ayes 0 nays

**14. Consideration and possible action to accept Bonds for all District Clerk Deputies, (Felicia Higgins, Renda Schuelke, Stacy Johnson, and LaToya Duckworth) payable to the Governor of the State of Texas, for the use and benefit of Matagorda County District Clerk, Jamie C. Bludau, in the amount of \$70,000.00**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to table accepting Bonds for all District Clerk Deputies, (Felicia Higgins, Renda Schuelke, Stacy Johnson, and LaToya Duckworth) payable to the Governor of the State of Texas, for the use and benefit of Matagorda County District Clerk, Jamie C. Bludau, in the amount of \$70,000.00. Motion carried. Vote 5 ayes 0 nays

**15. Consideration and possible action to approve the appointment of the Matagorda County Beach/Dune Committee for a two year term beginning 2/14/2014 and ending 2/14/2016. With the members being Murial Tipps, Gary Koeppen, Rik Stanley, Cathy Wakefield, and Tony Pustejovsky**

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 appointment of the Matagorda County Beach/Dune Committee for a two year term beginning 2/14/2014 and ending 2/14/2016. With the members being Murial Tipps, Gary Koeppen, Rik Stanley, Cathy Wakefield, and Tony Pustejovsky. Motion carried. Vote 5 ayes 0 nays

**16. Consideration and possible action to approve the appointment of Gary Koeppen to serve the unexpired term of Carman Holzaepfel on the Matagorda County Conservation & Reclamation District 1 Board of Directors, with the term expiring on 2/14/2016**

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 appointment of Gary Koeppen to serve the unexpired term of Carman Holzaepfel on the Matagorda County Conservation & Reclamation District 1 Board of Directors, with the term expiring on 2/14/2016. Motion carried. Vote 5 ayes 0 nays

**17. Consideration and possible action authorizing Matagorda County's participation in the State of Texas Beach Cleaning Program for 2015, and authorize Commissioner Pollard to make application to the Texas General Land Office**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Pustka, with all others concurring, authorizing Matagorda County's participation in the State of Texas Beach Cleaning Program for 2015, and authorize Commissioner Pollard to make application to the Texas General Land Office. Motion carried. Vote 5 ayes 0 nays

**18. Consideration and possible action to authorize the District Clerk to Purchase a HP Probook laptop with a docking station and Xerox DocuMate scanner, in the amount of \$1,209.50 for laptop and \$324.36 for the scanner, with \$604.75 coming out of 10-503-330 (IT Department), \$604.75 coming out of 20-340-000 (District Clerk Management & Preservation Fund), and \$324.36 (scanner) coming out of 20-340-000 (District Clerk Management & Preservation Fund)**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Pustka, with all others concurring, to authorize the District Clerk to Purchase a HP Probook laptop with a docking station and Xerox DocuMate scanner, in the amount of \$1,209.50 for laptop and \$324.36 for the scanner, with \$604.75 coming out of 10-503-330 (IT Department), \$604.75 coming out of 20-340-000 (District Clerk Management & Preservation Fund), and \$324.36 (scanner) coming out of 20-340-000 (District Clerk Management & Preservation Fund). Motion carried. Vote 5 ayes 0 nays

**19. Consideration and possible action to approve the Bureau Account Setup Form from Certified Payments so that the District Clerk's Office can take credit card payments at a one-time cost of \$49.00 for the office credit card machine, and authorize the County Treasurer to sign**

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 the Bureau Account Setup Form from Certified Payments so that the District Clerk's Office can take credit card payments at a one-time cost of \$49.00 for the office credit card machine, and authorize the County Treasurer to sign. Motion carried. Vote 5 ayes 0 nays

**20. Consideration and possible action to approve a payment to Techsoft, Inc., in the amount of \$1,760.00, for CMS Support Fee for the months of May, June, and July 2014, for the Justice of the Peace Courts per invoice attached hereto and made part hereof**

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 payment to Techsoft, Inc., in the amount of \$1,760.00, for CMS Support Fee for the months of May, June, and July 2014, for the Justice of the Peace Courts per invoice attached hereto and made part hereof . Motion carried. Vote 5 ayes 0 nays

**21. Consideration and possible action to approve a Resolution against the proposed rules by the U. S. Environmental Protection Agency (USEPA) and the U. S. Army Corps of Engineers (USACE), which if adopted, will greatly expand the scope of their regulatory authority under the Clean Water Act (CWA)**

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 against the proposed rules by the U. S. Environmental Protection Agency (USEPA) and the U. S. Army Corps of Engineers (USACE), which if adopted, will greatly expand the scope of their regulatory authority under the Clean Water Act (CWA). Motion carried. Vote 5 ayes 0 nays

**22. Consideration and possible action to approve Line Item Transfers**

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 Line Item Transfers. Motion carried. Vote 5 ayes 0 nays

**23. 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

**24. 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**

This being the next item for business, motion was duly made at 10:35 am by Commissioner Pustka 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. Motion carried. Vote 5 ayes 0 nays

25. 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

This being the next item for business, motion was duly made at 11:36 am by Commissioner Pollard, and seconded by Commissioner Gibson, 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

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

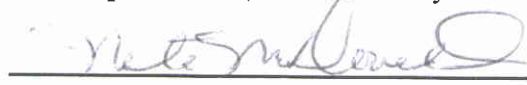
26. Public Comments


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


27. Adjournment


Motion was duly made at approximately 11:37 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 9<sup>th</sup> day of June, 2014.

  
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NATE McDONALD,  
County Judge


  
\_\_\_\_\_  
DANIEL PUSTKA, Judge Pro Tem  
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