

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

**Call to Order**

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 9<sup>th</sup> day of March 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, Kristen Kubecka, Mike Reddell, Cristyn Hallmark, Bobby Wilkinson, Tammy McDonald, Jamie Bludau, Jonnie Montalbo, Camilo Orjuela, Denise Fortenberry, Bill Orton, Joe Lozano, Harriet Townsend and Janet Hickl

**1. Certification of quorum**

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

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

**3. Texas Pledge – Commissioner Frick**

**4. Prayer – Commissioner Pollard**

**5. Consideration and possible action regarding approving Commissioners Court Minutes for Both March 2, 2015 meetings**

This being the next item for business, motion was duly made by Commissioner Pustka and seconded by Commissioner Frick, with all others concurring, to approve Commissioners Court Minutes for both March 2, 2015 meetings. 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. Consideration and possible action to Order the Abandonment of all the County's right, title and interest in all of that road located along the Southeast side of Tract Numbers 18 and 19 and along the Northwest side of Tract Numbers 16 and 17, being 40 feet in width and 4,581 feet long within the Thomas N. Hunt Ranch property, said property being conveyed to Thomas Ney Hunt et al as recorded October 6, 2005 in County Clerk's File No. 057676, Official Records, Matagorda County, Texas, and shown as blue on the map**

This being the next item for business, motion was duly made by Commissioner Pustka and seconded by Commissioner Gibson, with all others concurring, to Order the Abandonment of all the County's right, title and interest in all of that road located along the Southeast side of Tract Numbers 18 and 19 and along the Northwest side of Tract Numbers 16 and 17, being 40 feet in width and 4,581 feet long within the Thomas N. Hunt Ranch property, said property being conveyed to Thomas Ney Hunt et al as recorded October 6, 2005 in County Clerk's File No. 057676, Official Records, Matagorda County, Texas, and shown as blue on the map. Motion carried. Vote 5 ayes 0 nays

**8. Consideration and possible action to Order the Abandonment of all the County's right, title and interest in all of that road located along the Southeast side of Tract Numbers 13,14, and 15 and along the Northwest side of Tract Numbers 9 and 10, being 50 feet in width and 6,038 feet long within the Thomas N. Hunt Ranch property, said property being conveyed to Thomas Ney Hunt et al as recorded October 6, 2005 in County Clerk's File No. 057676, Official Records, Matagorda County, Texas, and shown as purple on the map**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to Order the Abandonment of all the County's right, title and interest in all of that road located along the Southeast side of Tract Numbers 13,14, and 15 and along the Northwest side of Tract Numbers 9 and 10, being 50 feet in width and 6,038 feet long within the Thomas N. Hunt Ranch property, said property being conveyed to Thomas Ney Hunt et al as recorded October 6, 2005 in County Clerk's File No. 057676, Official Records, Matagorda County, Texas, and shown as purple on the map. Motion carried. Vote 5 ayes 0 nays

**9. Consideration and possible action to Order the Abandonment of all the County's right, title and interest in all of that road located along the Southeast side of Tract Numbers 7, 8, and part of 6 and along the Northwest side of Tract Numbers 1, 2, and part of 3, being 40 feet in width and 4,319 feet long within the Thomas N. Hunt Ranch property, said property being conveyed to Thomas Ney Hunt et al as recorded October 6, 2005 in County Clerk's File No. 057676, Official Records, Matagorda County, Texas, and shown as red on the map**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to Order the Abandonment of all the County's right, title and interest in all of that road located along the Southeast side of Tract Numbers 7, 8, and part of 6 and along the Northwest side of Tract Numbers 1, 2, and part of 3, being 40 feet in width and 4,319 feet long within the Thomas N. Hunt Ranch property, said property being conveyed to Thomas Ney Hunt et al as recorded October 6, 2005 in County Clerk's File No. 057676, Official Records, Matagorda County, Texas, and shown as red on the map. Motion carried. Vote 5 ayes 0 nays

**10. Consideration and possible action to Order the Abandonment of all of the County's right, Title and interest in all of that road located along Northeast side of Tract Numbers 7, 9, and part of 2 and along the Southwest side of Tract Numbers 6, 10 and part of 3, being 40 feet in width and 4,872 feet long within the Thomas N. Hunt Ranch property, said property being conveyed to Thomas Ney Hunt et al as recorded October 6, 2005 in County Clerk's File No. 057676, Official Records, Matagorda County, Texas, and shown as green on the map**

This being the next item for business, motion was duly made by Commissioner Pustka, and seconded by Commissioner Frick, with all others concurring, to Order the Abandonment of all of the County's right, Title and interest in all of that road located along Northeast side of Tract Numbers 7, 9, and part of 2 and along the Southwest side of Tract Numbers 6, 10 and part of 3, being 40 feet in width and 4,872 feet long within the Thomas N. Hunt Ranch property, said property being conveyed to Thomas Ney Hunt et al as recorded October 6, 2005 in County Clerk's File No. 057676, Official Records, Matagorda County, Texas, and shown as green on the map. Motion carried. Vote 5 ayes 0 nays

**11. Consideration and possible action to approve an Equipment Lease for 1 AutoMark Direct Recording Electronic Voting Machine (DRE) between Matagorda County and City of Bay City for an election to be held on May 9, 2015**

This being the next item for business, motion was duly made by Commissioner Pustka, and seconded by Commissioner Frick, with all others concurring, to approve an Equipment Lease for 1 AutoMark Direct Recording Electronic Voting Machine (DRE) between Matagorda County and City of Bay City for an election to be held on May 9, 2015. Motion carried. Vote 5 ayes 0 nays

**12. Consideration and possible action to approve an Equipment Lease for 3 AutoMark Direct Recording Electronic Voting Machines (DRE) between Matagorda County and Palacios ISD for an election to be held on May, 2015**

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 an Equipment Lease for 3 AutoMark Direct Recording Electronic Voting Machines (DRE) between Matagorda County and Palacios ISD for an election to be held on May, 2015. Motion carried. Vote 5 ayes 0 nays

**13. Consideration and possible action to accept a Proposal from E-nnovations to do an onsite inventory of the records at the District Clerk's Office, in the amount of \$2,280.00, and will be paid from 20-450-330, Records Management and Preservation District Clerk Funds**

This being the next item for business, motion was duly made by Commissioner Pollard, and seconded by Commissioner Frick, with all others concurring, to accept a Proposal from E-nnovations to do an onsite inventory of the records at the District Clerk's Office, in the amount of \$2,280.00, and will be paid from 20-450-330, Records Management and Preservation District Clerk Funds. Motion carried. Vote 5 ayes 0 nays

**14. Consideration and possible action to approve a check, in the amount of \$300.00, for the Beach Permit Change Fund**

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 check, in the amount of \$300.00, for the Beach Permit Change Fund. Motion carried. Vote 5 ayes 0 nays

**15. Consideration and possible action to accept the Certificate of Completion for Jamie C. Bludau showing the required 20 Hours of Continuing Education for 2014 as prescribed in Section 51.605 of the Texas Government Code**

This being the next item for business, motion was duly made by Commissioner Pustka, and seconded by Commissioner Frick, with all others concurring, to accept the Certificate of Completion for Jamie C. Bludau showing the required 20 Hours of Continuing Education for 2014 as prescribed in Section 51.605 of the Texas Government Code. Motion carried. Vote 5 ayes 0 nays

**16. Consideration and possible action to authorize the submittal of a request to the Texas Commission on Jail Standards for a waiver regarding no fire sprinklers in three violent cells in the Matagorda County Jail. We thought a waiver had been requested and granted for their deletion in accordance with §511.0097 at the time of construction for the remodeling of the jail**

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 submittal of a request to the Texas Commission on Jail Standards for a waiver regarding no fire sprinklers in three violent cells in the Matagorda County Jail. We thought a waiver had been requested and granted for their deletion in accordance with §511.0097 at the time of construction for the remodeling of the jail. Commissioner Pollard requested a look into the liability to the County. Motion carried. Vote 5 ayes 0 nays

**17. Consideration and possible action to approve the payment of Invoice #020-8732, dated February 19, 2015, in the amount of \$7,025.00, for Justice of the Peace setup, configuration, consulting, and project management, with the payment coming out of the JP Tech Fund, 19-460-330**

This being the next item for business, motion was duly made by Commissioner Frick, and seconded by Commissioner Gibson, with all others concurring, to approve the payment of Invoice #020-8732, dated February 19, 2015, in the amount of \$7,025.00, for Justice of the Peace setup, configuration, consulting, and project management, with the payment coming out of the JP Tech Fund, 19-460-330. Motion carried.  
Vote 5 ayes 0 nays

**18. Consideration and possible action to authorize the County Judge to sign a Partner Letter to the Texas General Land Office (GLO) for the National Disaster Resilience Competition, and authorize Grantworks to complete the online County Target Area Form on the GLO website on behalf of Matagorda County**

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 authorize the County Judge to sign a Partner Letter to the Texas General Land Office (GLO) for the National Disaster Resilience Competition, and authorize Grantworks to complete the online County Target Area Form on the GLO website on behalf of Matagorda County. Motion carried. Vote 5 ayes 0 nays

**19. Consideration and possible action to authorize the County Judge to sign a cover letter to accompany the submittal of the County's Texas Capital Fund Engineering contract for Tenaris, as this contract is a portion of the match to the Bay City EDA project**

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 the County Judge to sign a cover letter to accompany the submittal of the County's Texas Capital Fund Engineering contract for Tenaris, as this contract is a portion of the match to the Bay City EDA project. Motion carried. Vote 5 ayes 0 nays

**20. Consideration and possible action to issue a typed check for courthouse postage in the amount of \$10,000.00**

This being the next item for business, motion was duly made by Commissioner Pollard, and seconded by Commissioner Frick, with all others concurring, to issue a typed check for courthouse postage in the amount of \$10,000.00. Motion carried. Vote 5 ayes 0 nays

**21. Consideration and possible action to approve Monthly Reports for various county departments**

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 Monthly Reports for various county departments. Motion carried. Vote 5 ayes 0 nays

**22. Consideration and possible action to approve the Matagorda County Treasurer's Quarterly Investment Reports for the 2<sup>nd</sup> Quarter (April 1, 2014 – June 30, 2014) and the 3<sup>rd</sup> Quarter (July 1, 2014 – September 30, 2104)**

This being the next item for business, motion was duly made by Commissioner Gibson, and seconded by Commissioner Frick, with all others concurring, to approve the Matagorda County Treasurer's Quarterly Investment Reports for the 2<sup>nd</sup> Quarter (April 1, 2014 – June 30, 2014) and the 3<sup>rd</sup> Quarter (July 1, 2014 – September 30, 2104). Motion carried. Vote 5 ayes 0 nays

**23. Consideration and possible action to accept the Matagorda County Auditor's Monthly Report for October 2014**

This being the next item for business, motion was duly made by Commissioner Pustka, and seconded by Commissioner Frick, with all others concurring, to accept the Matagorda County Auditor's Monthly Report for October 2014. Motion carried. Vote 5 ayes 0 nays

**24. Consideration and possible action to approve Payment of Bills**

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 Payment of Bills. 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 Pustka and seconded by Commissioner Frick, with all others concurring, to approve Emergency Amendments. Motion carried. Vote 5 ayes 0 nays


**26. Public Comments**

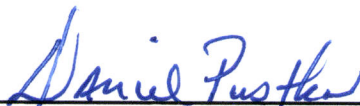
This being the next item for business, no action required.


**27. Adjournment**

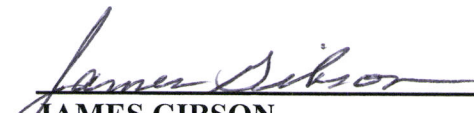
Motion was duly made at approximately 10:08 a.m. by Commissioner Pustka and seconded by Commissioner Gibson, with all others concurring, to adjourn the meeting. Motion carried. Vote 5 ayes 0 nays

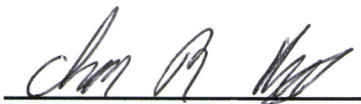
Approved in Open Court, this the 16<sup>th</sup> day of March, 2015.

  
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NATE McDONALD,  
County Judge


  
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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:   
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Janet Hickl, County Clerk