

**MINUTES**  
**MATAGORDA COUNTY COMMISSIONERS' COURT MEETING**  
**MATAGORDA COUNTY COURTHOUSE, ROOM 300**  
**1700 SEVENTH STREET, BAY CITY, TEXAS 77414**  
**9:30 A.M., MONDAY, OCTOBER 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 13<sup>th</sup> day of October 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, Ruben Gonzales, Doug Matthes, Barry Halvorson, Christ Peikert, Tom Schmidt, Janice Hawthorne, Brent Batchelor, Haskell Simon, Joe Lozano 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 Gibson.

**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 October 6, 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 Commissioners Court Minutes for October 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 Gibson, with all others concurring, to approve four contracts for the use of the Matagorda County Fairground facilities. Motion carried. Vote 5 ayes 0 nays

**7. Consideration and possible action to approve an Application to Cross a County Road by A. T. & T. Texas, to lay a buried telephone cable under and/or along County Road 213 (Kaack Road) in Precinct 1 and Precinct 2, Matagorda County, Texas**

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 Application to Cross a County Road by A. T. & T. Texas, to lay a buried telephone cable under and/or along County Road 213 (Kaack Road) in Precinct 1 and Precinct 2, Matagorda County, Texas Motion carried. Vote 5 ayes 0 nays

**8. Consideration and possible action to approve a change order to the contract between Matagorda County and Shirley & Sons Construction Co., Inc. for the Turning Basin No. 1 West Dock Reparis – Phase 2 GLO Contract 12-485-000-6657 DRS Contract DRS220112 reducing the retainage deducted from progress payments to the Contractor from 10% to 5%**

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 change order to the contract between Matagorda County and Shirley & Sons Construction Co., Inc. for the Turning Basin No. 1 West Dock Reparis – Phase 2 GLO Contract 12-485-000-6657 DRS Contract DRS220112 reducing the retainage deducted from progress payments to the Contractor from 10% to 5%. Motion carried. Vote 5 ayes 0 nays

**9. Consideration and possible action to approve the contract between Matagorda County and Faltisek Paving Inc. in the amount of \$560,911 (Precinct 1 - \$140,406, Precinct 2 - \$140,241, Precinct 3 - \$140,023, Precinct 4 - \$140,241) to be paid from 010-612-458, 010-613-458, 010-614-458, and 010-615-458**

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 contract between Matagorda County and Faltisek Paving Inc. in the amount of \$560,911 (Precinct 1 - \$140,406, Precinct 2 - \$140,241, Precinct 3 - \$140,023, Precinct 4 - \$140,241) to be paid from 010-612-458, 010-613-458, 010-614-458, and 010-615-458. Motion carried. Vote 5 ayes 0 nays

**10. Consideration and possible action to accept a donation toward expenses of the Matagorda County Household Hazardous Waste Collection Event scheduled for October 25, 2014 in the amount of \$2,000.00 from Chevron Phillips Chemical Company, LP.**

This being the next item for business, motion was duly made by Commissioner Gibson, and seconded by Commissioner Pustka, with all others concurring, to accept a donation toward expenses of the Matagorda County Household Hazardous Waste Collection Event scheduled for October 25, 2014 in the amount of \$2,000.00 from Chevron Phillips Chemical Company, LP. Motion carried. Vote 5 ayes 0 nays

**11. Consideration and possible action to accept a donation toward expenses of the Matagorda County Household Hazardous Waste Collection Event scheduled for October 25, 2014 in the amount of \$17,000.00 from STP Nuclear Operating Company**

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Pustka, with all others concurring, to accept a donation toward expenses of the Matagorda County Household Hazardous Waste Collection Event scheduled for October 25, 2014 in the amount of \$17,000.00 from STP Nuclear Operating Company. Motion carried. Vote 5 ayes 0 nays

**12. Consideration and possible action to approve a request for an extension for the FEMA project number DR-1791-323, Texas Safe Shelter Initiative Project (TSSI), to be done in cooperation with Matagorda Regional Medical Center**

This being the next item for business, motion was duly made by County Judge McDonald and seconded by Commissioner Woodson, with all others concurring, to approve a request for an extension for the FEMA project number DR-1791-323, Texas Safe Shelter Initiative Project (TSSI), to be done in cooperation with Matagorda Regional Medical Center. Motion carried. Vote 5 ayes 0 nays

**13. Consideration and possible action to approve the annual renewal of the Texas 1033 Surplus Property Program and authorize Judge Nate McDonald and Sheriff Skipper Osborne 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 annual renewal of the Texas 1033 Surplus Property Program and authorize Judge Nate McDonald and Sheriff Skipper Osborne to sign. Motion carried. Vote 5 ayes 0 nays

**14. Consideration and possible action to authorize the payment of Invoice 13097, from Techsoft, Inc., in the amount of \$1,760.00, for the Fourth Quarter Annual Support Fee, to be taken out of the Justice of the Peace Tech Fund 19-460-330**

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Woodson, with all others concurring, to authorize the payment of Invoice 13097, from Techsoft, Inc., in the amount of \$1,760.00, for the Fourth Quarter Annual Support Fee, to be taken out of the Justice of the Peace Tech Fund 19-460-330. Motion carried. Vote 5 ayes 0 nays

**15. Consideration and possible action to approve membership fees of \$500.00 to the Lower Colorado Regional Water Planning Group – Region K, to come out of 010-401-400**

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 membership fees of \$500.00 to the Lower Colorado Regional Water Planning Group – Region K, to come out of 010-401-400. Motion carried. Vote 5 ayes and 0 nays

**16. Consideration and possible action to approve a Resolution regarding the 2015 Indigent Defense Grant Program Application, designating County Judge Nate McDonald as the Authorized Official, District Judge, Craig Estlinbaum, as the Program Director and contact person, and County Auditor, Cathy Ezell, as the Financial Officer for this grant**

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 Resolution regarding the 2015 Indigent Defense Grant Program Application, designating County Judge Nate McDonald as the Authorized Official, District Judge, Craig Estlinbaum, as the Program Director and contact person, and County Auditor, Cathy Ezell, as the Financial Officer for this grant. Motion carried. Vote 5 ayes 0 nays

**17. 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

**18. 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.

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

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

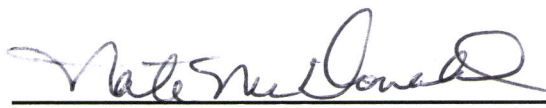
20. Public Comments

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

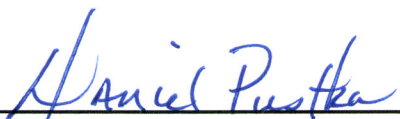
21. Adjournment

Motion was duly made at approximately 10:07 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 20<sup>th</sup> day of October 2014.



NATE McDONALD,  
County Judge



DANIEL PUSTKA, Judge Pro Tem  
Commissioner Precinct No. One



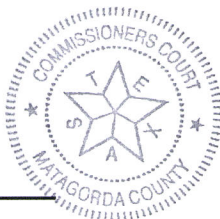
KENT POLLARD,  
Commissioner Precinct No. Two



JAMES GIBSON,  
Commissioner Precinct No. Three



DAVID "WOODY" WOODSON,  
Commissioner Precinct No. Four



ATTEST:



Janet Hickl, County Clerk