

**MINUTES**  
**MATAGORDA COUNTY COMMISSIONERS' COURT MEETING**  
**MATAGORDA COUNTY COURTHOUSE, ROOM 300**  
**1700 SEVENTH STREET, BAY CITY, TEXAS 77414**  
**9:30 A.M., MONDAY, OCTOBER 19, 2015**

**Call to Order**

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 19<sup>th</sup> day of October 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: Robert Thompson, Cathy Ezell, Chris Peikert, Janice Hawthorne, Tammy McDonald, Dwight Baker, Mike Reddell, Ruben Gonzales, Doug Matthes, Joe Lozano, Carole Patrick, Ed Stavinoha, Jeannette Bell, Denise Fortenberry, Cristyn Hallmark, Barbara Zapalac, Shera Carlton, Alan Hays, David DuPont, Jeannine Wingo, Craig Estlinbaum and Janet Hickl

**1. Certification of quorum**

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

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

**3. Texas Pledge – Commissioner Pustka**

**4. Prayer – Commissioner Frick**

**5. Consideration and possible action to regarding approving Commissioners Court Minutes for October 12, 2015**

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Pollard, with all others concurring, to approve Commissioners Court Minutes for October 12, 2015. 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 approve an Application to Cross County Road from YK Communications, to Cross County Road 417 (Hoffman Road), County Road 418 (North Hoffman Road), and County Road 422 (John Fella Road) with Fiber Optic Cable in Precinct #4, Matagorda County, Texas**

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Pustka, with all others concurring, to approve an Application to Cross County Road from YK Communications, to Cross County Road 417 (Hoffman Road), County Road 418 (North Hoffman Road), and County Road 422 (John Fella Road) with Fiber Optic Cable in Precinct #4, Matagorda County, Texas. Motion carried. Vote 5 ayes 0 nays

**8. Consideration and possible action to approve a Resolution certifying that the County has made a grant to Friends of Elder Citizens, Inc., an organization that provides home-delivered meals to homebound persons in the County who are elderly and/or have a disability, in order for them to receive a grant from the Texas Department of Agriculture**

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 certifying that the County has made a grant to Friends of Elder Citizens, Inc., an organization that provides home-delivered meals to homebound persons in the County who are elderly and/or have a disability, in order for them to receive a grant from the Texas Department of Agriculture. Motion carried. Vote 5 ayes 0 nays

**9. Consideration and possible action to approve the Expenditure Report for the 2015 Title IV-E Welfare and Legal Contracts**

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 Expenditure Report for the 2015 Title IV-E Welfare and Legal Contracts. Motion carried. Vote 5 ayes 0 nays

**10. Consideration and possible action to approve Federal Exemption Certificates of State or Local Government from Thomas Petroleum, LLC for the purchase of gasoline and diesel effective January 1, 2016 thru December, 2016**

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 Federal Exemption Certificates of State or Local Government from Thomas Petroleum, LLC for the purchase of gasoline and diesel effective January 1, 2016 thru December, 2016. Motion carried. Vote 5 ayes 0 nays

**11. Consideration and possible action to accept a contribution toward expenses of the Matagorda County Household Hazardous Waste Collection Event which was held October 10, 2015, in the amount of \$10,000 from STP Nuclear Operating Company**

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 contribution toward expenses of the Matagorda County Household Hazardous Waste Collection Event which was held October 10, 2015, in the amount of \$10,000 from STP Nuclear Operating Company. Motion carried. Vote 5 ayes 0 nays

**12. Consideration and possible action to accept a contribution toward expenses of the Matagorda County Household Hazardous Waste Collection Event held October 10, 2015 from LyondellBasell (Equistar, A Lyondell Company) in the amount of \$5,000**

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 a contribution toward expenses of the Matagorda County Household Hazardous Waste Collection Event held October 10, 2015 from LyondellBasell (Equistar, A Lyondell Company) in the amount of \$5,000. Motion carried. Vote 5 ayes 0 nays

**13. Consideration and possible action to authorize the Matagorda County Auditor's Office to advertise for bids for the 2016 Janitorial Services contract covering the Matagorda County Courthouse and the County of Matagorda Office Building, and approve the specifications for the bid**

This being the next item for business, motion was duly made Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to authorize the Matagorda County Auditor's Office to advertise for bids for the 2016 Janitorial Services contract covering the Matagorda County Courthouse and the County of Matagorda Office Building, and approve the specifications for the bid. Motion carried. Vote 5 ayes 0 nays

**14. Consideration and possible action to approve paying capital lease payments for various equipment and software as Demand Checks**

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 paying capital lease payments for various equipment and software as Demand Checks. Motion carried. Vote 5 ayes 0 nays

**15. Consideration and possible action to approve the issuance of a Demand Check in the amount of \$32,492.35 which is the lease payment for the purchase of financial and payroll software to be paid out of 010-56390-495 and 010-56790-495**

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 issuance of a Demand Check in the amount of \$32,492.35 which is the lease payment for the purchase of financial and payroll software to be paid out of 010-56390-495 and 010-56790-495. Motion carried. Vote 5 ayes 0 nays

**16. Consideration and possible action to approve a Resolution for the 2016 Indigent Defense Grant Program Application, designating County Judge Nate McDonald as the Authorized Official, District Judge Craig Estlinbaum, as 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 Frick, to approve a Resolution for the 2016 Indigent Defense Grant Program Application, designating County Judge Nate McDonald as the Authorized Official, District Judge Craig Estlinbaum, as 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 accept a donation of approximately twenty filing cabinets from Peter Blute, attorney for the Estate of John M. Green**

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 a donation of approximately twenty filing cabinets from Peter Blute, attorney for the Estate of John M. Green. Motion carried. Vote 5 ayes 0 nays

**18. Consideration and possible action to authorize Sheriff Osborne to purchase a 2016 Jeep Patriot Sport in the amount of \$18,390.00, to be purchased through the State Buy Board from Dodge City, McKinney, Texas, with the payment coming out of 010-55700-560**

This being the next item for business, motion was duly made by Commissioner Frick, and seconded by Commissioner Gibson, with all others concurring, to authorize Sheriff Osborne to purchase a 2016 Jeep Patriot Sport in the amount of \$18,390.00, to be purchased through the State Buy Board from Dodge City, McKinney, Texas, with the payment coming out of 010-55700-560. Motion carried. Vote 5 ayes 0 nays.

**19. Consideration and possible action to appoint the Central Counting Station Judge, Central Counting Station Manager, Tabulation Supervisor, Assistant Tabulation Supervisor according to the Texas Election Code Sec. §127.002 to §127.005**

This being the next item for business, motion was duly made by Commissioner Pustka, and seconded by Commissioner Frick, with all others concurring, to appoint the Central Counting Station Judge, Central Counting Station Manager, Tabulation Supervisor, Assistant Tabulation Supervisor according to the Texas Election Code Sec. §127.002 to §127.005. Motion carried. Vote 5 ayes 0 nays.

**20. Consideration and possible action to approve the submission of the FY 2015 Chapter 59 Asset Forfeiture Report by Attorney Representing the State signed by the County Auditor and District Attorney**

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 submission of the FY 2015 Chapter 59 Asset Forfeiture Report by Attorney Representing the State signed by the County Auditor and District Attorney. Motion carried. Vote 5 ayes 0 nays.

**21. Consideration and possible action to approve a Construction Contract between Matagorda County and James Construction Group, LLC for the Texas Capital Fund Grant #713082, for the State Highway 35 Infrastructure Improvement Project**

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 a Construction Contract between Matagorda County and James Construction Group, LLC for the Texas Capital Fund Grant #713082, for the State Highway 35 Infrastructure Improvement Project. Motion carried. Vote 5 ayes 0 nays.

**22. Consideration and possible action to approve Amendment Request #1 for the Texas Capital Fund Grant, Contract #713082, which moves all money from Sewer Improvements-Construction and Water Improvements-Construction into Street Improvements-Construction, and authorize the County Judge to sign**

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 Amendment Request #1 for the Texas Capital Fund Grant, Contract #713082, which moves all money from Sewer Improvements-Construction and Water Improvements-Construction into Street Improvements-Construction, and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays.

**23. Consideration and possible action to approve Monthly Reports from various county departments**

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

**24. Consideration and possible action to approve the Matagorda County Treasurer's Monthly Report for August 2015**

This being the next item for business, motion was duly made by Commissioner Pustka, and seconded by Commissioner Gibson, with all others concurring, to table approving the Matagorda County Treasurer's Monthly Report for August 2015. Motion carried. Vote 5 ayes 0 nays.

25. 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 Frick, with all others concurring, to approve Line Item Transfers. Motion carried. Vote 5 ayes 0 nays

26. 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

27. Public Comments

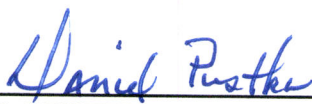
This being the next item for business, no action required.


28. Adjournment


Motion was duly made at approximately 10:10 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

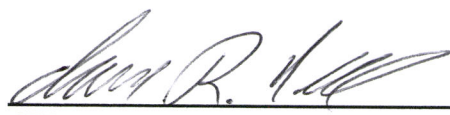
Approved in Open Court, this the 26<sup>th</sup> day of October, 2015.

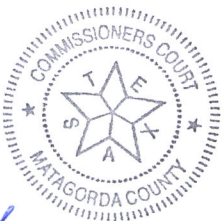
  
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NATE McDONALD,  
County Judge

  
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DANIEL PUSTKA,  
Commissioner Precinct No. One

  
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KENT POLLARD, Judge Pro Tem  
Commissioner Precinct No. Two

  
\_\_\_\_\_  
JAMES GIBSON,  
Commissioner Precinct No. Three

  
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CHARLES "BUBBA" FRICK  
Commissioner Precinct No. Four



ATTEST:   
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Janet Hickl, County Clerk