

**MINUTES**  
**MATAGORDA COUNTY COMMISSIONERS' COURT MEETING**  
**MATAGORDA COUNTY COURTHOUSE, ROOM 300**  
**1700 SEVENTH STREET, BAY CITY, TEXAS 77414**  
**9:30 A.M., MONDAY, APRIL 6, 2015**

**Call to Order**

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 6<sup>th</sup> day of April 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: Chris Peikert, Sheriff Osborne, Ruben Gonzales, Barry Halvorson, Denise Fortenberry, Cathy Ezell, Doug Matthes, Mike Reddell, Rachel Stone, Heather Maurer, Gayle Watkins, Mike Wilson, Simon DeSosto, Daniella Norris, Doug Matthes, David DuPont, Lolly Gonzalez, Carole Patrick, Jamie Bludau, Mitch Thames, Joe Lozano, Mario Robles, Michael Camden, Shanna Maxey, Steven Reis, 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 March 30, 2015**

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 Commissioners Court Minutes for March 30, 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 by Copano NGL Services, LLC, to lay a 12 inch Pipeline under and along County Road 142 (Allenhurst Road), in Precinct #1, Matagorda County, Texas**

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 Application to Cross County Road by Copano NGL Services, LLC, to lay a 12 inch Pipeline under and along County Road 142 (Allenhurst Road), in Precinct #1, Matagorda County, Texas. Motion carried. Vote 5 ayes 0 nays

**8. Consideration and possible action to approve an Application to Cross County Road by Copano NGL Services, LLC, to lay a 12 inch Pipeline under and along County Road 126 (Old Van Vleck Road), in Precinct #1, Matagorda County, Texas**

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 Application to Cross County Road by Copano NGL Services, LLC, to lay a 12 inch Pipeline under and along County Road 126 (Old Van Vleck Road), in Precinct #1, Matagorda County, Texas. Motion carried. Vote 5 ayes 0 nays

**9. Consideration and possible action to approve a Proclamation declaring April as the United States Army Corps of Engineers' "Learn to Swim Well Month" in 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 approve a Proclamation declaring April as the United States Army Corps of Engineers' "Learn to Swim Well Month" in Matagorda County. Motion carried. Vote 5 ayes 0 nays

**10. Consideration and possible action to approve a temporary revision to Matagorda County's Personnel Policies Section 3.04 Policy on Retirement Benefits to not allow Part-time, seasonal, temporary employees to participate in the County's Retirement Plan**

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 a temporary revision to Matagorda County's Personnel Policies Section 3.04 Policy on Retirement Benefits to not allow Part-time, seasonal, temporary employees to participate in the County's Retirement Plan. Motion carried. Vote 5 ayes 0 nays

**11. Consideration and possible action to issue a demand check to Carmen Andrews in the amount of \$78.00 for per diem to attend the GFOAT Spring Conference from account 010-495-210, which will be reimbursed by the GFOAT**

This being the next item for business, motion was duly made by Commissioner Gibson, and seconded by Commissioner Pollard, with all others concurring, to issue a demand check to Carmen Andrews in the amount of \$78.00 for per diem to attend the GFOAT Spring Conference from account 010-495-210, which will be reimbursed by the GFOAT. Motion carried. Vote 5 ayes 0 nays

**12. Consideration and possible action to approve the payment of membership dues for Matagorda County to Gulf Intracoastal Canal Association, in the amount of \$1,500.00, with the payment coming from 010-401-485**

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 payment of membership dues for Matagorda County to Gulf Intracoastal Canal Association, in the amount of \$1,500.00, with the payment coming from 010-401-485. Motion carried. Vote 5 ayes 0 nays

**13. Consideration and possible action to accept a Repair Estimate from Ledwig Services for replacement of the roof on one of the buildings at the Matagorda Volunteer Fire Department, in the amount of \$8,100.00**

This being the next item for business, motion was duly made by Commissioner Pollard, and seconded by Commissioner Gibson, with all others concurring, to accept a Repair Estimate from Ledwig Services for replacement of the roof on one of the buildings at the Matagorda Volunteer Fire Department, in the amount of \$8,100.00. Motion carried. Vote 5 ayes 0 nays

**14. Consideration and possible action to accept the Local Border Security Program FY 2015 Grant in the amount of \$103,530.00 for the Matagorda County Sheriff's Office, and to authorize the County Judge to sign**

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 Local Border Security Program FY 2015 Grant in the amount of \$103,530.00 for the Matagorda County Sheriff's Office, and to authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

**15. Consideration and possible action to authorize the submittal of an application to the Texas Facilities Commission for the Federal Surplus Property Program and allow the County Judge to sign the application**

This being the next item for business, motion was duly made by Commissioner Pollard, and seconded by Commissioner Gibson, with all others concurring, to authorize the submittal of an application to the Texas Facilities Commission for the Federal Surplus Property Program and allow the County Judge to sign the application. Motion carried. Vote 5 ayes 0 nays

**16. Consideration and possible action to approve a Proclamation declaring April 2015 as Fair Housing Month in Matagorda County**

This being the next item for business, motion was duly made by County Judge McDonald, and seconded by Commissioner Pustka, with all others concurring, to approve a Proclamation declaring April 2015 as Fair Housing Month in Matagorda County. Motion carried. Vote 5 ayes 0 nays

**17. Consideration and possible action to authorize Judge McDonald to sign a letter to the Texas Department of Transportation, stating that Matagorda County is aware of the bridge replacement project on Lezak Road (CR 425) at Willow Creek, and also aware that the road will be closed during the construction period (approximately 4 months)**

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 Judge McDonald to sign a letter to the Texas Department of Transportation, stating that Matagorda County is aware of the bridge replacement project on Lezak Road (CR 425) at Willow Creek, and also aware that the road will be closed during the construction period (approximately 4 months). Motion carried. Vote 5 ayes 0 nays

**18. Consideration and possible action to accept a Proposal from Druva, Inc., in the amount of \$900.00 for 3 years, to renew the backup software for the Matagorda County remote offices, with this amount coming out of the Information Services Budget**

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 Proposal from Druva, Inc., in the amount of \$900.00 for 3 years, to renew the backup software for the Matagorda County remote offices, with this amount coming out of the Information Services Budget. Motion carried. Vote 5 ayes 0 nays

**19. Consideration and possible action to approve a Fire Fighting Agreement between Matagorda County and Sargent Volunteer Fire Department for 2015 and 2016, for an annual payment of \$1,800.00, as well as, \$1,000.00 annually for the electricity costs of Justice of the Peace Precinct 6 Office**

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 Fire Fighting Agreement between Matagorda County and Sargent Volunteer Fire Department for 2015 and 2016, for an annual payment of \$1,800.00, as well as, \$1,000.00 annually for the electricity costs of Justice of the Peace Precinct 6 Office. Motion carried. Vote 5 ayes 0 nays

**20. Consideration and possible action to authorize the payment of Tyler Technologies' Invoice 020-8888, in the amount of \$3,600.00, for JP Setup, Configuration & Consulting fees, to be taken out of the JP Tech Fund 19-460-447**

This being the next item for business, motion was duly made by Commissioner Gibson, and seconded by Commissioner Frick, with all others concurring, to authorize the payment of Tyler Technologies' Invoice 020-8888, in the amount of \$3,600.00, for JP Setup, Configuration & Consulting fees, to be taken out of the JP Tech Fund 19-460-447. Motion carried. Vote 5 ayes 0 nays

**21. Consideration and possible action to authorize the payment of Tyler Technologies' Invoice 020-8914, in the amount of \$3,900.00, for the Hosting Fee from March 1, 2015 through June 30, 2015, to be taken out of the JP Tech Fund 19-460-447**

This being the next item for business, motion was duly made by Commissioner Gibson, and seconded by Commissioner Frick, with all others concurring, to authorize the payment of Tyler Technologies' Invoice 020-8914, in the amount of \$3,900.00, for the Hosting Fee from March 1, 2015 through June 30, 2015, to be taken out of the JP Tech Fund 19-460-447. Motion carried. Vote 5 ayes 0 nays

**22. Consideration and possible action to approve a Proposal from Prihoda Acoustical, in the amount of \$14,046.00, to take out the old ceiling and put in a new grid and ceiling tiles with R-19 insulation in the Multi Purpose Building at the Matagorda County Fairgrounds**

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 a Proposal from Prihoda Acoustical, in the amount of \$14,046.00, to take out the old ceiling and put in a new grid and ceiling tiles with R-19 insulation in the Multi Purpose Building at the Matagorda County Fairgrounds. Motion carried. Vote 5 ayes 0 nays

**23. Consideration and possible action to approve a Proclamation declaring the month of April 2015 as "Sexual Assault Awareness and Prevention Month" in Matagorda County**

This being the next item for business, motion was duly made by County Judge McDonald, and seconded by Commissioner Frick, with all others concurring, to approve a Proclamation declaring the month of April 2015 as "Sexual Assault Awareness and Prevention Month" in Matagorda County. Motion carried. Vote 5 ayes 0 nays

**24. Consideration and possible action to declare a vehicle currently assigned to District Attorney (DA 452) as surplus and permit DA use of the vehicle for trade in on purchase of new vehicle out of District Attorney Forfeiture funds for use by DA investigator**

This being the next item for business, motion was duly made by Commissioner Pustka, and seconded by Commissioner Frick, with all others concurring, to declare a vehicle currently assigned to District Attorney (DA 452) as surplus and permit DA use of the vehicle for trade in on purchase of new vehicle out of District Attorney Forfeiture funds for use by DA investigator. Motion carried. Vote 5 ayes 0 nays

**25. Consideration and possible action to approve the hiring of Tobie Wells as the Administrative Assistant, at \$13.00 per hour due to her years of experience, effective March 23, 2015**

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 hiring of Tobie Wells as the Administrative Assistant, at \$13.00 per hour due to her years of experience, effective March 23, 2015 Motion carried. Vote 5 ayes 0 nays

**26. Consideration and possible action to approve a Resolution supporting the Extension of the Heavy Lift Corridor into Matagorda County, Texas**

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 Resolution supporting the Extension of the Heavy Lift Corridor into Matagorda County, Texas. Motion carried. Vote 5 ayes 0 nays

**27. 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 Pustka, with all others concurring, to approve Line Item Transfers. Motion carried. Vote 5 ayes 0 nays

**28. 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 Pustka, with all others concurring, to approve Emergency Amendments. Motion carried. Vote 5 ayes 0 nays

**29. Public Comments**

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

**30. Adjournment**

Motion was duly made at approximately 10:37 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 13<sup>th</sup> day of April, 2015.

*Absent*

\_\_\_\_\_  
NATE McDONALD,  
County Judge

*Daniel Pustka*

\_\_\_\_\_  
DANIEL PUSTKA,  
Commissioner Precinct No. One

*Kent Pollard*

\_\_\_\_\_  
KENT POLLARD, Judge Pro Tem  
Commissioner Precinct No. Two

*James Gibson*

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

*Charles "Bubba" Frick*

\_\_\_\_\_  
CHARLES "BUBBA" FRICK,  
Commissioner Precinct No. Four

ATTEST: *Janet Hickl*  
\_\_\_\_\_  
Janet Hickl, County Clerk