

**MINUTES**  
**MATAGORDA COUNTY COMMISSIONERS' COURT MEETING**  
**MATAGORDA COUNTY COURTHOUSE, ROOM 300**  
**1700 SEVENTH STREET, BAY CITY, TEXAS 77414**  
**9:30 A.M., MONDAY, JANUARY 7, 2013**

**Call to Order**

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 7<sup>th</sup> day of January 2013 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: Ellen Dodd, Ruben Gonzales, Doug Matthes, Bob Watts, Denise Fortenberry, Sheriff Osborne, Tammy McDonald, Kristie Smith, Barry Halvorson, Steven Reis, Haskell Simon, John Dickerson, Carole Patrick, Cristyn Hallmark, Janet Hickl and Harriet Townsend

1. **Certification of quorum**

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

2. **Pledge of Allegiance – Woodson**

3. **Texas Pledge – Woodson**

4. **Prayer – Commissioner Gibson**

5. **Consideration and possible action regarding approving Commissioners Court Minutes for December 31, 2012**

This being the next item for business, motion was duly made by Commissioner Woodson and seconded by Commissioner Gibson, with all others concurring, to approve Commissioners Court Minutes for December 31, 2012. Motion carried.

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 Pollard, with all others concurring, to approve a contract from Kay Smith for the use of the Matagorda County Fairground facilities. Motion carried.

7. **Consideration and possible action to appoint a County Commissioner to be chairperson on the Matagorda County Sick Leave Bank, to serve for one year beginning January 1, 2013 and ending December 31, 2013**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Pustka, with all others concurring, to appoint James Gibson, Commissioner Precinct #3 to be chairperson on the Matagorda County Sick Leave Bank, to serve for one year beginning January 1, 2013 and ending December 31, 2013. Motion carried.

**8. Consideration and possible action to appoint a County Commissioner as Judge Pro-Tem for the year 2013 to preside over all meetings of the Matagorda County Commissioners Court in the event of the absence of the County Judge**

This being the next item for business, motion was duly made by Commissioner Pustka and seconded by Commissioner Gibson, with all others concurring, to appoint David Woodson, Commissioner Precinct #4 as Judge Pro-Tem for the year 2013 to preside over all meetings of the Matagorda County Commissioners Court in the event of the absence of the County Judge. Motion carried.

**9. Consideration and possible action to approve a Court Order resolving that vehicles used by the Matagorda County Sheriff's Department are exempt under VCS 6701m-2 when used in the performance of official duties and requesting the Texas State Department of Public Transportation to issue regular plates upon proper application; and authorize Ellen Dodd to sign the forms required for this type of registration**

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 Court Order resolving that vehicles used by the Matagorda County Sheriff's Department are exempt under VCS 6701m-2 when used in the performance of official duties and requesting the Texas State Department of Public Transportation to issue regular plates upon proper application; and authorize Ellen Dodd to sign the forms required for this type of registration. Motion carried.

**10. Consideration and possible action regarding the designation of three members from the prior year Grand Jury to serve on the Matagorda County Salary Grievance Committee for the year 2013 Pursuant to Section 152.014 and 152.015 of the Texas Local Government Code**

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 designate three members and three alternates from the prior year Grand Jury to serve on the Matagorda County Salary Grievance Committee for the year 2013 Pursuant to Section 152.014 and 152.015 of the Texas Local Government Code. Motion carried.

**11. Consideration and possible action to approve the move for the Veterans' Service Officer position from a Pay Group 13 to a Pay Group 20, as of January 07, 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 move for the Veterans' Service Officer position from a Pay Group 13 to a Pay Group 20, as of January 07, 2013. Motion carried.

**12. Consideration and possible action regarding approving annual, quarterly and monthly 2013 automatic payments**

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 annual, quarterly and monthly 2013 automatic payments. Motion carried.

**13. Consideration and possible action to approve a Cell Phone Allowance Request for Assistant District Attorney, Monica Strickland, in the amount of \$60.00 per month according to county policies and procedures**

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 Cell Phone Allowance Request for Assistant District Attorney, Monica Strickland, in the amount of \$60.00 per month according to county policies and procedures. Motion carried.

**14. Consideration and possible action to approve a Cell Phone Allowance Request for Assistant District Attorney, Ken Leatherman, in the amount of \$60.00 per month according to county policies and procedures**

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 Cell Phone Allowance Request for Assistant District Attorney, Ken Leatherman, in the amount of \$60.00 per month according to county policies and procedures. Motion carried.

**15. Consideration and possible action regarding award of Bid #12-0005 for the 2013 Road Material and Bid #12-0006 for the Road Construction with Equipment and authorize the County Judge to sign contracts for the same**

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 award of Bid #12-0005 for the 2013 Road Material and Bid #12-0006 for the Road Construction with Equipment and authorize the County Judge to sign contracts for the same subject to presenting insurance to the County. Motion carried.

**16. Consideration and possible action to approve an Agreement between Matagorda County and the Matagorda County Museum Association beginning January 1, 2013, and terminating on December 31, 2014 regarding the preserving and maintaining of historic county documents and archives**

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 an Agreement between Matagorda County and the Matagorda County Museum Association beginning January 1, 2013, and terminating on December 31, 2014 regarding the preserving and maintaining of historic county documents and archives. Motion carried.

**17. Consideration and possible action to approve the Renewal of the Matagorda County Eligible 457 Prototype Plan Salary Reduction Contributions/Employer Contributions – Adoption Agreement and authorize the County Judge 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 Renewal of the Matagorda County Eligible 457 Prototype Plan Salary Reduction Contributions/Employer Contributions – Adoption Agreement and authorize the County Judge to sign. Motion carried.

**18. Consideration and possible action to ratify the Contract with RLB Contracting, Inc. for the Matagorda County Beach Restoration Project, GLO Contract No. 10-5108-000-5089**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to ratify the Contract with RLB Contracting, Inc. for the Matagorda County Beach Restoration Project, GLO Contract No. 10-5108-000-5089. Motion carried.

**19. Consideration and possible action to approve the Bonds for all newly elected officials sworn in on January 1, 2013: Craig Estlinbaum, 130<sup>th</sup> Judicial District Judge, Steven Reis, District Attorney, 23<sup>rd</sup> Judicial District, Commissioner Precinct 1 Dan Pustka, Commissioner Precinct 3 James Gibson, County Attorney Denise Fortenberry, County Tax Assessor/Collector Cristyn Hallmark, County Sheriff Frank (Skipper) Osborne, Constable Precinct 1 Raymond Green, Constable Precinct 2 Frank Craft, Jr., Constable Precinct 3 Patrick Jewell, Constable Precinct 4 Pete Medina, Constable Precinct 6 Tom Ward**

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 the Bonds for all newly elected officials sworn in on January 1, 2013: Craig Estlinbaum, 130<sup>th</sup> Judicial District Judge, Steven Reis, District Attorney, 23<sup>rd</sup> Judicial District, Commissioner Precinct 1 Dan Pustka, Commissioner Precinct 3 James Gibson, County Attorney Denise Fortenberry, County Tax Assessor/Collector Cristyn Hallmark, County Sheriff Frank (Skipper) Osborne, Constable Precinct 1 Raymond Green, Constable Precinct 2 Frank Craft, Jr., Constable Precinct 3 Patrick Jewell, Constable Precinct 4 Pete Medina, Constable Precinct 6 Tom Ward. Motion carried.

**20. Consideration and possible action to approve a Resolution in support of the Use of the Current Water Management Plan for the 2013 Growing Season**

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 in support of the Use of the Current Water Management Plan for the 2013 Growing Season. Motion carried.

**20a. Consideration and possible action to approve the promotion and deputation of Dora Barron as Chief Deputy County Clerk at Pay Grade 17, Step 1 to be effective January 7, 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 promotion and deputation of Dora Barron as Chief Deputy County Clerk at Pay Grade 17, Step 1 to be effective January 7, 2013. Motion carried.

**20b. Consideration and possible action to approve a Demand Check payable to Frank Osborne, Narcotic Fund, in the amount of \$5,000.00 for Narcotic Buy Money, to be taken out of 10-560-479**

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 Demand Check payable to Frank Osborne, Narcotic Fund, in the amount of \$5,000.00 for Narcotic Buy Money, to be taken out of 10-560-479. Motion carried.

**21. Public Comments**

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

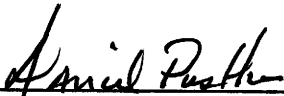
22. Adjournment

Motion was duly made at approximately 10:14 am by Commissioner Pustka and seconded by Commissioner Gibson, with all others concurring, to adjourn the meeting. Motion carried.

Approved in Open Court, this the 14<sup>th</sup> day of January, 2013.



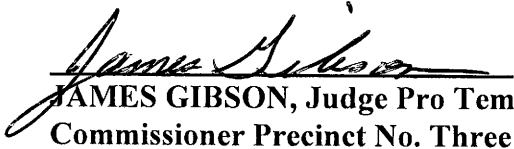
NATE McDONALD,  
County Judge



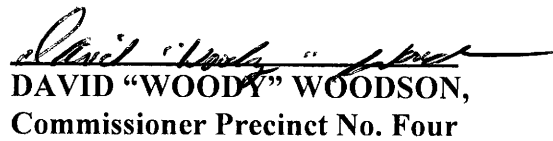
DANIEL PUSTKA,  
Commissioner Precinct No. One



KENT POLLARD,  
Commissioner Precinct No. Two



JAMES GIBSON, Judge Pro Tem  
Commissioner Precinct No. Three



DAVID "WOODY" WOODSON,  
Commissioner Precinct No. Four

ATTEST:   
Janet Hickl, County Clerk

