

MINUTES  
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING  
MATAGORDA COUNTY COURTHOUSE, ROOM 300  
1700 SEVENTH STREET, BAY CITY, TEXAS 77414  
9:30 A.M., MONDAY, JUNE 23, 2014

**Call to Order**

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 23<sup>rd</sup> day of June 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, Denise Fortenberry, Chris Peikert, Doug Matthes, Barry Halvorson, Tammy McDonald, Ruben Gonzales, Debbie Morris, Ed Stavinoha, Barry Halvorson, Dave Ivey, Carole Patrick, Harriet Townsend and Dora Barron

1. **Certification of quorum**

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

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

3. **Texas Pledge – Commissioner Pustka**

4. **Prayer – Commissioner Woodson**

5. **Consideration and possible action regarding approving Commissioners Court Minutes for June 23, 2014**

This being the next item for business, motion was duly made by Commissioner Woodson and seconded by Commissioner Pustka, with all others concurring, to approve Commissioners Court Minutes for June 23, 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 Pollard, with all others concurring, to approve one contract 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 Ballard Exploration Company, Inc., to lay a four inch natural gas pipeline under and/or along County Road 115 (County Road ) in Precinct #1, Matagorda County**

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 an Application to Cross a County Road, by Ballard Exploration Company, Inc., to lay a four inch natural gas pipeline under and/or along County Road 115 (County Road ) in Precinct #1, Matagorda County. Motion carried. Vote 5 ayes 0 nays

8. **Consideration and possible action to authorize the submittal of a Lower Colorado River Basin Coalition (LCRBC) Membership Application for Matagorda County, in the amount of \$500.00**

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 submittal of a Lower Colorado River Basin Coalition (LCRBC) Membership Application for Matagorda County, in the amount of \$500.00. Motion carried. Vote 5 ayes 0 nays

**9. Consideration and possible action to approve a Multiple Use Agreement regarding Advance County Road Signs between the Texas Department of Transportation and Matagorda County to become effective when fully executed by both parties**

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 Multiple Use Agreement regarding Advance County Road Signs between the Texas Department of Transportation and Matagorda County to become effective when fully executed by both parties. Motion carried. Vote 5 ayes 0 nays

**10. Consideration and possible action to approve a Demand Check to Techsoft, Inc. for the CMS Support Fee from May 2014 to July 2014 for Justices of the Peace, which was approved in Commissioner's Court on June 02, 2014, in the amount of \$1,760.00, to come out of the Justice of the Peace Tech 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 Demand Check to Techsoft, Inc. for the CMS Support Fee from May 2014 to July 2014 for Justices of the Peace, which was approved in Commissioner's Court on June 02, 2014, in the amount of \$1,760.00, to come out of the Justice of the Peace Tech Fund. Motion carried. Vote 5 ayes 0 nays

**11. Consideration and possible action to approve the appointment of Rodney Grindt, replacing Robert Matthews, as an ex-officio member to the Matagorda County Fair and Livestock Association, representing Matagorda County**

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 appointment of Rodney Grindt, replacing Robert Matthews, as an ex-officio member to the Matagorda County Fair and Livestock Association, representing Matagorda County. Motion carried. Vote 5 ayes 0 nays

**12. Consideration and possible action to approve the ratification of a Demand Check to Matagorda County Environmental Health in the amount of \$150.00 from account 010-370-010 to replenish the Petty Cash**

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 the ratification of a Demand Check to Matagorda County Environmental Health in the amount of \$150.00 from account 010-370-010 to replenish the Petty Cash. Motion carried. Vote 5 ayes 0 nays

**13. Consideration and possible action to authorize Matagorda County to seek bids for Turning Basin No. 1 West Dock Repairs – Phase 2 Hurricane Ike Recovery DRS Contract No. DRS220112 and GLO Contract No. 12-485-000-6657, Matagorda County Navigation District No. 1**

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 Matagorda County to seek bids for Turning Basin No. 1 West Dock Repairs – Phase 2 Hurricane Ike Recovery DRS Contract No. DRS220112 and GLO Contract No. 12-485-000-6657, Matagorda County Navigation District No. 1. Motion carried. Vote 5 ayes 0 nays

**14. Consideration and possible action to approve the issuance of a demand check in the amount of \$298,534.75 to Asco from account number 010-014-570 for the purchase of a Gradall for Precinct #3**

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 issuance of a demand check in the amount of \$298,534.75 to Asco from account number 010-014-570 for the purchase of a Gradall for Precinct #3. Motion carried. Vote 5 ayes 0 nays

**15. Consideration and possible action to approve the Matagorda County Treasurer's Monthly Investment Report for May 2014**

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 Matagorda County Treasurer's Monthly Investment Report for May 2014. Motion carried. Vote 5 ayes 0 nays

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

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

**20. Meet in Executive Session under Section 551.071 of the Gov't Code to consult with attorney(s) representing the county in an executive session concerning pending litigation, contemplated litigation, or settlement offers and Section 551.071(2) to consult with attorney(s) representing the county in an executive session on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter**

This being the next item for business, motion was duly made at 9:57 am by Commissioner Gibson and seconded by Commissioner Woodson, with all others concurring, to Meet in Executive Session under Section 551.071 of the Gov't Code to consult with attorney(s) representing the county in an executive session concerning pending litigation, contemplated litigation, or settlement offers and Section 551.071(2) to consult with attorney(s) representing the county in an executive session on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter. Motion carried. Vote 5 ayes 0 nays.

21. Reconvene Open Session and consider taking action on matters discussed in:

Meet in Executive Session under Section 551.071 of the Gov't Code to consult with attorney(s) representing the county in an executive session concerning pending litigation, contemplated litigation, or settlement offers and Section 551.071(2) to consult with attorney(s) representing the county in an executive session on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter

This being the next item for business, motion was duly made at 11:13 am by Commissioner Pollard, and seconded by Commissioner Gibson, with all others concurring, to Reconvene Open Session and consider taking action on the following matters:

Meet in Executive Session under Section 551.071 of the Gov't Code to consult with attorney(s) representing the county in an executive session concerning pending litigation, contemplated litigation, or settlement offers and Section 551.071(2) to consult with attorney(s) representing the county in an executive session on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

Motion carried. Vote 5 ayes 0 nays

18. Public Comments

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

19. Adjournment

Motion was duly made at approximately 11:19 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 30<sup>th</sup> day of June, 2014.



NATE McDONALD,  
County Judge



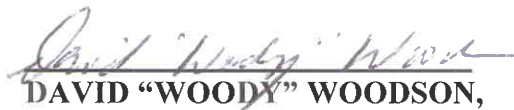
DANIEL PUSTKA, Judge Pro Tem  
Commissioner Precinct No. One



KENT POLLARD,  
Commissioner Precinct No. Two



JAMES GIBSON,  
Commissioner Precinct No. Three



DAVID "WOODY" WOODSON,  
Commissioner Precinct No. Four

ATTEST:   
Janet Hickl, County Clerk

