

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, NOVEMBER 17, 2014

Call to Order

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 17th day of November 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, Barry Halvorson, Chris Peikert, Doug Matthes, Denise Fortenberry, Jamie Bludau, Tammy McDonald, Robin Haring, Rocio Hidalgo, Heath Plant, Edward Stavinoha, Mike Reddell, Haskell Simon, Janice Hawthorne, Harriet Townsend 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 Gibson

3. Texas Pledge – Commissioner Gibson

4. Prayer – Commissioner Pollard

5. Consideration and possible action regarding approving Commissioners Court Minutes for November 10, 2014

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 November 10, 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 two contracts for the use of the Matagorda County Fairground facilities. Motion carried. Vote 5 ayes 0 nays

7. Consideration and possible action to approve a proclamation declaring November 17, 2014 through November 23, 2014 as DECA week 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 November 17, 2014 through November 23, 2014 as DECA week in Matagorda County. Motion carried. Vote 5 ayes 0 nays

8. Consideration and possible action to approve the appointment of Dr. Michael G. Neret as the Local Health Authority for Matagorda County with his term beginning on November 26, 2014 and ending November 25, 2016

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 the appointment of Dr. Michael G. Neret as the Local Health Authority for Matagorda County with his term beginning on November 26, 2014 and ending November 25, 2016. Motion carried. Vote 5 ayes 0 nays

9. Consideration and possible action to accept a donation in the amount of \$1,000.00 from Celanese for expenses toward the Matagorda County Household Hazardous Waste Collection Event held October 25, 2014

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Woodson, with all others concurring, to accept a donation in the amount of \$1,000.00 from Celanese for expenses toward the Matagorda County Household Hazardous Waste Collection Event held October 25, 2014. Motion carried. Vote 5 ayes 0 nays

10. Consideration and possible action to accept a donation in the amount of \$5,000.00 from LyondellBasell (Equistar, A Lyondell Company) for expenses toward the Matagorda County Household Hazardous Waste Collection Event held October 25, 2014

This being the next item for business, motion was duly made by Commissioner Pollard, and seconded by Commissioner Woodson, with all others concurring, to accept a donation in the amount of \$5,000.00 from LyondellBasell (Equistar, A Lyondell Company) for expenses toward the Matagorda County Household Hazardous Waste Collection Event held October 25, 2014. Motion carried. Vote 5 ayes 0 nays

11. Consideration and possible action to accept the County Attorney's Chapter 59 Asset Forfeiture Report and allow the County Attorney and County Auditor to sign

This being the next item for business, motion was duly made by Commissioner Woodson, and seconded by County Judge McDonald, with all others concurring, to accept the County Attorney's Chapter 59 Asset Forfeiture Report and allow the County Attorney and County Auditor to sign. Motion carried. Vote 5 ayes 0 nays

12. Consideration and possible action to approve a Re-plat of Waterfront Subdivision, Lots No. 6, 7, and 8, Stephen F. Austin Survey, A-2, recorded in Slide No. 471A of the Matagorda County Plat Records, Matagorda County, Texas

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 a Re-plat of Waterfront Subdivision, Lots No. 6, 7, and 8, Stephen F. Austin Survey, A-2, recorded in Slide No. 471A of the Matagorda County Plat Records, Matagorda County, Texas. Motion carried. Vote 5 ayes 0 nays

13. Consideration and possible action to designate Matagorda County's representatives to the Houston-Galveston Area Council, naming Judge McDonald as Representative to General Assembly and Delegate to Board of Directors, Commissioner Kent Pollard as Representative to General Assembly and Alternate to Board of Directors, Commissioner Dan Pustka and Commissioner James Gibson as Alternates to General Assembly for the year 2015

This being the next item for business, motion was duly made by Commissioner Pollard, and seconded by County Judge McDonald, with all others concurring, to designate Matagorda County's representatives to the Houston-Galveston Area Council, naming Judge McDonald as Representative to General Assembly and Delegate to Board of Directors, Commissioner Kent Pollard as Representative to General Assembly and Alternate to Board of Directors, Commissioner Dan Pustka and Commissioner James Gibson as Alternates to General Assembly for the year 2015. Motion carried. Vote 5 ayes 0 nays

14. Consideration and possible action to allow District and County Clerks to charge a \$2.00 E-filing Fee as per Government Code §2054.111(e)

This being the next item for business, motion was duly made by Commissioner Pustka and seconded by Commissioner Woodson, with all others concurring, to allow District and County Clerks to charge a \$2.00 E-filing Fee as per Government Code §2054.111(e). Motion carried. Vote 5 ayes 0 nays

15. Consideration and possible action to authorize the District Clerk to purchase a Canon Scanner, from Southern Computer Warehouse for \$505.27, coming out of 20-450-330 (District Clerk Management & Preservation Fund)

This being the next item for business, motion was duly made by Commissioner Woodson and seconded by Commissioner Gibson, with all others concurring, to authorize the District Clerk to purchase a Canon Scanner, from Southern Computer Warehouse for \$505.27, coming out of 20-450-330 (District Clerk Management & Preservation Fund). Motion carried. Vote 5 ayes 0 nays

16. Consideration and possible action to approve the Interlocal Cooperation Agreement for Emergency Jail Services between Matagorda County and Fort Bend County authorizing County Judge Nate McDonald and Sheriff Frank "Skipper" Osborne to sign

This being the next item for business, motion was duly made by Commissioner Woodson and seconded by Commissioner Pollard, with all others concurring, to approve the Interlocal Cooperation Agreement for Emergency Jail Services between Matagorda County and Fort Bend County authorizing County Judge Nate McDonald and Sheriff Frank "Skipper" Osborne to sign. Motion carried. Vote 5 ayes 0 nays

17. Consideration and possible action to approve (2) Demand Checks (1) made payable to World Wide Canine, Inc. for \$700.00 for Dual Patrol Narcotics Detection K9 Handler Training on November 21-26, 2014 for Sgt. Philip Hester, and (2) made payable to Philip Hester, in the amount of \$210.00 for 5 days of Per Diem

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 (2) Demand Checks (1) made payable to World Wide Canine, Inc. for \$700.00 for Dual Patrol Narcotics Detection K9 Handler Training on November 21-26, 2014 for Sgt. Philip Hester, and (2) made payable to Philip Hester, in the amount of \$210.00 for 5 days of Per Diem. Motion carried. Vote 5 ayes 0 nays

18. Consideration and possible action to ratify Amendment No. 1 to Contract No. 712221 (Water-Waste Water Improvements in Matagorda Townsite), between Matagorda County and the Texas Department of Agriculture, changing the expiration date to December 31, 2014

This being the next item for business, motion was duly made by Commissioner Pustka and seconded by Commissioner Woodson, with all others concurring, to ratify Amendment No. 1 to Contract No. 712221 (Water-Waste Water Improvements in Matagorda Townsite), between Matagorda County and the Texas Department of Agriculture, changing the expiration date to December 31, 2014. Motion carried. Vote 5 ayes 0 nays

19. Consideration and possible action to accept the recommendation of John D. Mercer & Associates, Inc. and approve the bid submitted by Lopez Utilities in the amount of \$368,767.00 which is the Base Bid less Deductive Alternatives 1 and 2, for the City of Palacios Sewer Rehabilitation Project, GLO Contract 12-485-000-6657

This being the next item for business, motion was duly made by Commissioner Woodson and seconded by Commissioner Pollard, with all others concurring, to accept the recommendation of John D. Mercer & Associates, Inc. and approve the bid submitted by Lopez Utilities in the amount of \$368,767.00 which is the Base Bid less Deductive Alternatives 1 and 2, for the City of Palacios Sewer Rehabilitation Project, GLO Contract 12-485-000-6657. Motion carried. Vote 5 ayes 0 nays

20. Consideration and possible action to Canvass the November 4, 2014 General Election, Port of Bay City Authority, Van Vleck ISD, Matagorda ISD, Caney Creek MUD and Water Control & Improvement District #2

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 Canvass the November 4, 2014 General Election, Port of Bay City Authority, Van Vleck ISD, Matagorda ISD, Caney Creek MUD and Water Control & Improvement District #2. Motion carried. Vote 5 ayes 0 nays

21. Consideration and possible action to approve the ratification of payment of a Demand Check in the amount of \$479.88 for reimbursement of an over payment of salaries for a part time employee out of 010-613-107

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 ratification of payment of a Demand Check in the amount of \$479.88 for reimbursement of an over payment of salaries for a part time employee out of 010-613-107. Motion carried. Vote 5 ayes 0 nays

22. Consideration and possible action to accept an Official Performance Bond in the amount of \$88,000.00 for Janet Hickl, County Clerk

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 an Official Performance Bond in the amount of \$88,000.00 for Janet Hickl, County Clerk. Motion carried. Vote 5 ayes 0 nays

23. Consideration and possible action to approve a Resolution supporting Wharton County's Opposition to Exportation of Groundwater

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 a Resolution supporting Wharton County's Opposition to Exportation of Groundwater. Motion carried. Vote 5 ayes 0 nays

24. Consideration and possible action to approve a payment to Eagles Hall, in the amount of \$250.00, which is payment for the rental of Eagles Hall for the Matagorda County Christmas Party on December 5, 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 a payment to Eagles Hall, in the amount of \$250.00, which is payment for the rental of Eagles Hall for the Matagorda County Christmas Party on December 5, 2014. Motion carried. Vote 5 ayes 0 nays

25. Consideration and possible action to approve the Job Description for Facilities Maintenance Assistant with a Pay Group of 12

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 the Job Description for Facilities Maintenance Assistant with a Pay Group of 12. Motion carried. Vote 5 ayes 0 nays

26. Consideration and possible action to accept the Matagorda County Auditor's Monthly Report for May, June, and July 2014

This being the next item for business, motion was duly made by Commissioner Pustka and seconded by Commissioner Woodson, with all others concurring, to accept the Matagorda County Auditor's Monthly Report for May, June, and July 2014. 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 Woodson and seconded by Commissioner Gibson, 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 Pustka and seconded by Commissioner Gibson, 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.

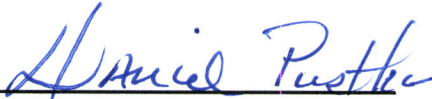
30. **Adjournment**

Motion was duly made at approximately 10:24 a.m. by Commissioner Woodson and seconded by Commissioner Pustka, with all others concurring, to adjourn the meeting. Motion carried. Vote 5 ayes 0 nays

Approved in Open Court, this the 24th day of November 2014.




NATE McDONALD,
County Judge



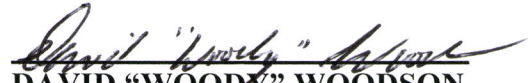
DANIEL PUSTKA, Judge Pro Tem
Commissioner Precinct No. One



KENT POLLARD,
Commissioner Precinct No. Two




JAMES GIBSON,
Commissioner Precinct No. Three



DAVID "WOODY" WOODSON,
Commissioner Precinct No. Four



ATTEST:


Janet Hickl, County Clerk