

**MINUTES**  
**MATAGORDA COUNTY COMMISSIONERS' COURT MEETING**  
**MATAGORDA COUNTY COURTHOUSE, ROOM 300**  
**1700 SEVENTH STREET, BAY CITY, TEXAS 77414**  
**9:30 A.M., MONDAY, OCTOBER 21, 2013**

**Call to Order**

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 21<sup>st</sup> day of October 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: Doug Matthes, Bob Watts, Ruben Gonzales, Sheriff Osborne, Ellen Dodd, Barry Halvorson, Tammy McDonald, Denise Fortenberry, Chris Peikert, Edward Stavinoha, Stacia Taylor, Vivian T. Wagnon, Jeannette Bell, Haskell Simon, 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 James Gibson.

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

**3. Texas Pledge – Commissioner Pollard**

**4. Prayer – Commissioner Pustka**

**5. Consideration and possible action regarding approving Commissioners Court Minutes for October 14, 2013**

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 October 14, 2013. 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 a contract between Matagorda County and K-2 Steakhouse to provide catering for the Matagorda County Christmas Party @ \$7.99 per person**

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 between Matagorda County and K-2 Steakhouse to provide catering for the Matagorda County Christmas Party @ \$7.99 per person. Motion carried. Vote 5 ayes 0 nays

**8. Consideration and possible action to approve an Interlocal Services Contract between Matagorda County and the Texas General Land Office, Contract #13-429-000-7888, for the use of the State of Texas allocation of funds under the Gulf of Mexico Energy Security Act of 2006 for services to review and inspect beach access sites and update the beach access points in the Matagorda County Beach Access and Dune Protection Plan, not to exceed \$14,600.00**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to approve an Interlocal Services Contract between Matagorda County and the Texas General Land Office, Contract #13-429-000-7888, for the use of the State of Texas allocation of funds under the Gulf of Mexico Energy Security Act of 2006 for services to review and inspect beach access sites and update the beach access points in the Matagorda County Beach Access and Dune Protection Plan, not to exceed \$14,600.00. Motion carried. Vote 5 ayes 0 nays

**9. Consideration and possible action to approve an Equipment Lease for 1 AutoMark Direct Recording Electronic Voting Machine (DRE) between Matagorda County and Palacios ISD for an election to be held on November 5, 2013**

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 an Equipment Lease for 1 AutoMark Direct Recording Electronic Voting Machine (DRE) between Matagorda County and Palacios ISD for an election to be held on November 5, 2013. Motion carried. Vote 5 ayes 0 nays

**10. Consideration and possible action to accept a Donation from STP in the amount of \$8,000.00, for the purchase of 200 Midland Radios WR-300 (weather radios), and authorize the purchase of these radios**

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Woodson, with all others concurring, to accept a Donation from STP in the amount of \$8,000.00, for the purchase of 200 Midland Radios WR-300 (weather radios), and authorize the purchase of these radios. Motion carried. Vote 5 ayes 0 nays

**11. Consideration and possible action to find that it is necessary to appoint a deputy constable who is qualified in the same manner as provided for a sheriff's deputy for Precinct #4 in order to properly handle the business of the constable's office and to approve and confirm the appointment of Eluterio "Tino" Torres, as Deputy Constable for Precinct #4**

This being the next item for business, motion was duly made by Commissioner Woodson and seconded by Commissioner Pustka, with all others concurring, to table action to find that it is necessary to appoint a deputy constable who is qualified in the same manner as provided for a sheriff's deputy for Precinct #4 in order to properly handle the business of the constable's office and to approve and confirm the appointment of Eluterio "Tino" Torres, as Deputy Constable for Precinct #4. Motion carried. Vote 5 ayes 0 nays.

**12. Consideration and possible action to approve a re-plat of Bay Harbor Subdivision, all of that certain tract or parcel containing 16.44 acres situated in the E. R. Wightman League, Abstract No. 101 of Matagorda County, Texas and being a part of Bay Tract No. 09 and all of Bay Tract No. 10 and the portion of Cypress Street between the Southeast line of Matagorda Street and the northwest line of the Intracoastal Waterway Canal of the Matagorda Townsite according to the plat recorded in Volume 1, Page 35 of the Matagorda County Plat Records**

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 re-plat of Bay Harbor Subdivision, all of that certain tract or parcel containing 16.44 acres situated in the E. R. Wightman League, Abstract No. 101 of Matagorda County, Texas and being a part of Bay Tract No. 09 and all of Bay Tract No. 10 and the portion of Cypress Street between the Southeast line of Matagorda Street and the northwest line of the Intracoastal Waterway Canal of the Matagorda Townsite according to the plat recorded in Volume 1, Page 35 of the Matagorda County Plat Records. Motion carried. Vote 5 ayes 0 nays

**13. Consideration and possible action to approve a payment to Technology Consultants, Inc., in the amount of \$7,220.40, for the CMS Annual Support Fee running May 2013 thru April 2014, for the Justice of the Peace Courts**

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 payment to Technology Consultants, Inc., in the amount of \$7,220.40, for the CMS Annual Support Fee running May 2013 thru April 2014, for the Justice of the Peace Courts. Motion carried. Vote 5 ayes 0 nays

**14. Consideration and possible action to approve an extension of the Open Enrollment period for AFLAC until 12/1/13 and allow the County Treasurer to sign a letter stating the same**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Woodson, with all others concurring, to approve an extension of the Open Enrollment period for AFLAC until 12/1/13 and allow the County Treasurer to sign a letter stating the same. Motion carried. Vote 5 ayes 0 nays.

**15. Consideration and possible action to approve Certificates of State or Local Governmental Unit (Gas and Diesel Federal Excise Tax Exemptions) for Sun Coast Resources, Inc., covering 2014**

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 Certificates of State or Local Governmental Unit (Gas and Diesel Federal Excise Tax Exemptions) for Sun Coast Resources, Inc., covering 2014. Motion carried. Vote 5 ayes 0 nays.

**16. Consideration and possible action to accept the WAVE System Upgrade Proposal for Courthouse Security, in the amount of \$15,095.00**

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 the WAVE System Upgrade Proposal for Courthouse Security, in the amount of \$15,095.00. Motion carried. Vote 5 ayes 0 nays.

**17. Consideration and possible action to approve a Demand Check to Best Western Hotel, Humble, Texas, in the amount of \$302.13, for Jackie Dent to attend the Basic County Corrections Physical Skills class, to finish her jailer certification required by the state**

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 Demand Check to Best Western Hotel, Humble, Texas, in the amount of \$302.13, for Jackie Dent to attend the Basic County Corrections Physical Skills class, to finish her jailer certification required by the state. Motion carried. Vote 5 ayes 0 nays.

**18. Consideration and possible action to approve the Matagorda County Treasurer's Monthly Report for September 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 table approving the Matagorda County Treasurer's Monthly Report for September 2013. Motion carried. Vote 5 ayes 0 nays.

**19. Consideration and possible action to approve the Matagorda County Treasurer's Monthly Investment Report for September 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 table approving the Matagorda County Treasurer's Monthly Investment Report for September 2013. Motion carried. Vote 5 ayes 0 nays.

**20. Consideration and possible action to approve Line Item Transfers**

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 Line Item Transfers. Motion carried. Vote 5 ayes 0 nays


**21. Public Comments**

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

**22. Adjournment**

Motion was duly made at approximately 10:02 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

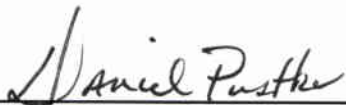
Approved in Open Court, this the 28<sup>th</sup> day of October, 2013.



NATE McDONALD,  
County Judge



KENT POLLARD,  
Commissioner Precinct No. Two



DANIEL PUSTKA,  
Commissioner Precinct No. One



JAMES GIBSON,  
Commissioner Precinct No. Three



DAVID "WOODY" WOODSON  
Commissioner Precinct No. Four

ATTEST:

  
Janet Hickl, County Clerk

