

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, SEPTEMBER 29, 2014

Call to Order

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 29th day of September 2014 in the Matagorda County Commissioner's Courtroom, located on the Third Floor, 1700 Seventh Street, Room 300, Bay City, Texas, with Commissioner Pustka, Judge Pro Tem presiding.

Others present were as follows: Sheriff Osborne, Kristen Kubecka, Carole Patrick, Tammy McDonald, Janice Hawthorne, Denise Fortenberry, John Dickerson, Michele Goerke, Jamie Bludau, Ruben Gonzales, Doug Matthes, Barry Halvorson, Christ Peikert, Harriet Townsend and Janet Hickl

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 Pollard

3. Texas Pledge – Commissioner Pollard

4. Prayer – Commissioner Pustka

5. Consideration and possible action regarding approving Commissioners Court Minutes for September 22, 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 September 22, 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 from Linda Quiroga and Rocio Garcia. Motion carried. Vote 5 ayes 0 nays

7. Consideration and possible action to approve a Heavy Load Permit Application and Bond from Magnum Producing, LP to travel County Road 322 (Buffaloe Road) and County Road 317 (12th Street) from September 16, 2014 thru December 16, 2014

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 Heavy Load Permit Application and Bond from Magnum Producing, LP to travel County Road 322 (Buffaloe Road) and County Road 317 (12th Street) from September 16, 2014 thru December 16, 2014. Motion carried. Vote 5 ayes 0 nays

8. Consideration and possible action to approve a Cellular Phone Allowance in the amount of \$60.00 per month as per the 2014 Budget, according to county policies and procedures, for Sanitation Inspector Adam Andersen

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 Cellular Phone Allowance in the amount of \$60.00 per month as per the 2014 Budget, according to county policies and procedures, for Sanitation Inspector Adam Andersen. Motion carried. Vote 5 ayes 0 nays

9. Consideration and possible action to approve the Quarterly Employee Certification Report for the Texas Capital Fund, concerning Tenaris SA for reporting period 4/1/14 thru 6/30/14

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 the Quarterly Employee Certification Report for the Texas Capital Fund, concerning Tenaris SA for reporting period 4/1/14 thru 6/30/14. Motion carried. Vote 5 ayes 0 nays

10. Consideration and possible action to approve a County-Business Agreement between Matagorda County and Tenaris Bay City, Inc. for the Texas Capital Fund Grant #713082

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 a County-Business Agreement between Matagorda County and Tenaris Bay City, Inc. for the Texas Capital Fund Grant #713082. Motion carried. Vote 5 ayes 0 nays

11. Consideration and possible action to authorize the Certification of the Environmental Review Record for the Tenaris Texas Capital Fund grant, authorize the posting of the Combined notice of Finding of No Significant Impact and Notice of Intent to Request the Release of Funds, as well as authorize the certification of the Request for Release of Funds, and authorize Judge McDonald to sign

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 Certification of the Environmental Review Record for the Tenaris Texas Capital Fund grant, authorize the posting of the Combined notice of Finding of No Significant Impact and Notice of Intent to Request the Release of Funds, as well as authorize the certification of the Request for Release of Funds, and authorize Judge McDonald to sign. Motion was to strike *as well as authorize the certification of the Request for Release of Funds*. Motion carried. Vote 5 ayes 0 nays

12. Consideration and possible action to approve an Engagement Letter from Reed & Associates, PC for Matagorda County's Audit for a proposed fee of \$24,000 for the year ended December 31, 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 approve an Engagement Letter from Reed & Associates, PC for Matagorda County's Audit for a proposed fee of \$24,000 for the year ended December 31, 2014. Motion carried. Vote 5 ayes 0 nays

13. Consideration and possible action to accept a 2014 Sub-Recipient Grant Award from the Texas Department of Public Safety (State Homeland Security Program (SHSP), in the amount of \$120,398.04

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 2014 Sub-Recipient Grant Award from the Texas Department of Public Safety (State Homeland Security Program (SHSP), in the amount of \$120,398.04. Motion carried. Vote 5 ayes 0 nays

14. Consideration and possible action to approve a payment of \$310.00 to Tyler Technologies to start the Software Project for the Justices of the Peace, coming out of the J P Tech Fund 19-460-330

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 payment of \$310.00 to Tyler Technologies to start the Software Project for the Justices of the Peace, coming out of the J P Tech Fund 19-460-330. Motion carried. Vote 5 ayes 0 nays

15. Consideration and possible action to authorize Matagorda County Precinct #3 to submit an Application for Credit to Power Field Services, Div., Marine Connection Services, Inc. to purchase parts for a generator

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 Precinct #3 to submit an Application for Credit to Power Field Services, Div., Marine Connection Services, Inc. to purchase parts for a generator. Motion carried. Vote 5 ayes and 0 nays

16. Consideration and possible action to Order the Abandonment of all of the County's right, title and interest in all of that certain tract or parcel containing 0.197 acre situated in the Ira Ingram League, Abstract No. 49 of Matagorda County, Texas and being a part of Center Avenue relative to the plat of the Sulfur Mound Townsite, recorded in Volume 1, Page 32 of the Plat Records of Matagorda County, Texas. A more particularly described metes and bounds is attached as Exhibit "A" to this agenda request. The property was dedicated on May 19, 1919, for public road purposes and no public road exists and the county does not intend to create a public road on the property. Once abandoned, the property interest will vest in the owners of Block 4, Lots, 32, 33, 34, 35, 36, 37, 38, 39 and 40, proportionally from the original property line extending to the west side of Center Avenue and north side of Main Street respectively (in accordance with Section 251.058(b) of the Texas Transportation Code). The owner of Block 4 Lots 32, 33, 34, 35, 36, 37, 38, 39 and 40 is jointly owned by John C. Dickerson, III, 2230 Avenue F, Bay City, Texas 77414 and by Lindsey A. Thompson, P. O. Box 807, Bay City, Texas 77404-0807

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 Order the Abandonment of all of the County's right, title and interest in all of that certain tract or parcel containing 0.197 acre situated in the Ira Ingram League, Abstract No. 49 of Matagorda County, Texas and being a part of Center Avenue relative to the plat of the Sulfur Mound Townsite, recorded in Volume 1, Page 32 of the Plat Records of Matagorda County, Texas. A more particularly described metes and bounds is attached as Exhibit "A" to this agenda request. The property was dedicated on May 19, 1919, for public road purposes and no public road exists and the county does not intend to create a public road on the property. Once abandoned, the property interest will vest in the owners of Block 4, Lots, 32, 33, 34, 35, 36, 37, 38, 39 and 40, proportionally from the original property line extending to the west side of Center Avenue and north side of Main Street respectively (in accordance with Section 251.058(b) of the Texas Transportation Code). The owner of Block 4 Lots 32, 33, 34, 35, 36, 37, 38, 39 and 40 is jointly owned by John C. Dickerson, III, 2230 Avenue F, Bay City, Texas 77414 and by Lindsey A. Thompson, P. O. Box 807, Bay City, Texas 77404-0807. Motion carried.

Vote 5 ayes 0 nays

17. Consideration and possible action to Order the Abandonment of all of the County's right, title and interest in all of that certain tract or parcel containing 0.155 acre situated in the Ira Ingram League, Abstract No. 49 of Matagorda County, Texas and being the 14 Foot Wide Alley in Block 4 relative to the plat of the Sulfur Mound Townsite, recorded in Volume 1, Page 32 of the Plat Records of Matagorda County, Texas. A more particularly described metes and bounds is attached as Exhibit "A" to this agenda request. The property was dedicated on May 19, 1919, for public road purposes and no public road exists and the county does not intend to create a public road on the property. Once abandoned, the property interest will vest in the owners of Block 4, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40, in proportion to their property frontage and to expand to the center line of the road on each side (in accordance with Section 251.058(b) of the Texas Transportation Code). The owner of Block 4 Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40 is jointly owned by John C. Dickerson, III, 2230 Avenue F, Bay City, Texas 77414 and by Lindsey A. Thompson, P. O. Box 807, Bay City, Texas 77404-0807

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 Order the Abandonment of all of the County's right, title and interest in all of that certain tract or parcel containing 0.155 acre situated in the Ira Ingram League, Abstract No. 49 of Matagorda County, Texas and being the 14 Foot Wide Alley in Block 4 relative to the plat of the Sulfur Mound Townsite, recorded in Volume 1, Page 32 of the Plat Records of Matagorda County, Texas. A more particularly described metes and bounds is attached as Exhibit "A" to this agenda request. The property was dedicated on May 19, 1919, for public road purposes and no public road exists and the county does not intend to create a public road on the property. Once abandoned, the property interest will vest in the owners of Block 4, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40, in proportion to their property frontage and to expand to the center line of the road on each side (in accordance with Section 251.058(b) of the Texas Transportation Code). The owner of Block 4 Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40 is jointly owned by John C. Dickerson, III, 2230 Avenue F, Bay City, Texas 77414 and by Lindsey A. Thompson, P. O. Box 807, Bay City, Texas 77404-0807. Motion carried. Vote 5 ayes 0 nays

18. Consideration and possible action to Order the Abandonment of all of the County's right, title and interest in all of that certain tract or parcel containing 0.562 acre situated in the Ira Ingram League, Abstract No. 49 of Matagorda County, Texas and being the 14 Foot Wide Alley in Block 4 relative to the plat of the Sulfur Mound Townsite, recorded in Volume 1, Page 32 of the Plat Records of Matagorda County, Texas. A more particularly described metes and bounds is attached as Exhibit "A" to this agenda request. The property was dedicated on May 19, 1919, for public road purposes and no public road exists and the county does not intend to create a public road on the property. Once abandoned, the property interest will vest in the owners of Block 11, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 and B 12, Lots 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and Community Church Reserve, in proportion to their property frontage and to expand to the center line of the road on each side (in accordance with Section 251.058(b) of the Texas Transportation Code). The owner of Block 11 Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 and B 12, Lots 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, is jointly owned by John C. Dickerson, III, 2230 Avenue F, Bay City, Texas 77414 and by Lindsey A. Thompson, P. O. Box 807, Bay City, Texas 77404-0807

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 Order the Abandonment of all of the County's right, title and interest in all of that certain tract or parcel containing 0.562 acre situated in the Ira Ingram League, Abstract No. 49 of Matagorda County, Texas and being the 14 Foot Wide Alley in Block 4 relative to the plat of the Sulfur Mound Townsite, recorded in Volume 1, Page 32 of the Plat Records of Matagorda County, Texas. A more particularly described metes and bounds is attached as Exhibit "A" to this agenda request. The property was dedicated on May 19, 1919, for public road purposes and no public road exists and the county does not intend to create a public road on the property. Once abandoned, the property interest will vest in the owners of Block 11, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 and B 12, Lots 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and Community Church Reserve, in proportion to their property frontage and to expand to the center line of the road on each side (in accordance with Section 251.058(b) of the Texas Transportation Code). The owner of Block 11 Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 and B 12, Lots 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, is jointly owned by John C. Dickerson, III, 2230 Avenue F, Bay City, Texas 77414 and by Lindsey A. Thompson, P. O. Box 807, Bay City, Texas 77404-0807. Motion carried. Vote 5 ayes 0 nays

19. Consideration and possible action to Order the Abandonment of all of the County's right, title and interest in all of that certain tract or parcel containing 0.482 acre situated in the Ira Ingram League, Abstract No. 49 of Matagorda County, Texas and being a part of Eighth Street relative to the plat of the Sulfur Mound Townsite, recorded in Volume 1, Page 32 of the Plat Records of Matagorda County, Texas. A more particularly described metes and bounds is attached as Exhibit "A" to this agenda request. The property was dedicated on May 19, 1919, for public road purposes and no public road exists and the county does not intend to create a public road on the property. Once abandoned, the property interest will vest in the owners of Block 12, Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 and B 13, Lots 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26 in proportion to their property frontage and to expand to the center line of the road on each side (in accordance with Section 251.058(b) of the Texas Transportation Code). The owner of Block 12, Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 and B 13, Lots 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26 is jointly owned by John C. Dickerson, III, 2230 Avenue F, Bay City, Texas 77414 and by Lindsey A. Thompson, P. O. Box 807, Bay City, Texas 77404-0807

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 Order the Abandonment of all of the County's right, title and interest in all of that certain tract or parcel containing 0.482 acre situated in the Ira Ingram League, Abstract No. 49 of Matagorda County, Texas and being a part of Eighth Street relative to the plat of the Sulfur Mound Townsite, recorded in Volume 1, Page 32 of the Plat Records of Matagorda County, Texas. A more particularly described metes and bounds is attached as Exhibit "A" to this agenda request. The property was dedicated on May 19, 1919, for public road purposes and no public road exists and the county does not intend to create a public road on the property. Once abandoned, the property interest will vest in the owners of Block 12, Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 and B 13, Lots 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26 in proportion to their property frontage and to expand to the center line of the road on each side (in accordance with Section 251.058(b) of the Texas Transportation Code). The owner of Block 12, Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 and B 13, Lots 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26 is jointly owned by John C. Dickerson, III, 2230 Avenue F, Bay City, Texas 77414 and by Lindsey A. Thompson, P. O. Box 807, Bay City, Texas 77404-0807. Motion carried. Vote 5 ayes 0 nays

20. Consideration and possible action to approve an Extension Request for the Matagorda County CDBG Grant #712221, Sewer Improvements in Matagorda, extending the current grant expiration from October 31, 2014 to January 31, 2015

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 an Extension Request for the Matagorda County CDBG Grant #712221, Sewer Improvements in Matagorda, extending the current grant expiration from October 31, 2014 to January 31, 2015. Motion carried. Vote 5 ayes 0 nays

21. Consideration and possible action to authorize the District Clerk, Jamie Bludau, to hire Kimberly Reed as a part time employee working 29 hours or less per week

This being the next item for business, motion was duly made by Commissioner Pustka and seconded by Commissioner Woodson, with all others concurring, to authorize the District Clerk, Jamie Bludau, to hire Kimberly Reed as a part time employee working 29 hours or less per week. Motion carried. Vote 5 ayes 0 nays

22. Consideration and possible action to authorize a Demand Check payable to Thomas Mathews in the amount of \$25.00 for Reimbursement

This being the next item for business, motion was duly made by Commissioner Woodson and seconded by Commissioner Pustka, with all others concurring, to authorize a Demand Check payable to Thomas Mathews in the amount of \$25.00 for Reimbursement. Motion carried. Vote 5 ayes 0 nays

23. 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 Gibson, with all others concurring, to approve Payment of Bills. Motion carried. Vote 5 ayes 0 nays

24. Meet in Executive session under Section 551.074(a)(2) of the Texas Government Code:

This being the next item for business, motion was duly made at 10:21 by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to Meet in Executive session under Section 551.071(2) of the Texas Government Code: Motion carried. Vote 5 ayes 0 nays

25. Reconvene open session and consider taking action on the matters discussed in:

Meet in Executive session under Section 551.074(a)(2) of the Texas Government Code.

This being the next item for business, motion was duly made at 11:02 by Commissioner Pustka and seconded by Commissioner Gibson, with all others concurring, to Reconvene open session and consider taking action on the matters discussed in: Meet in Executive session under Section 551.074(a)(2) of the Texas Government Code.

Motion carried. Vote 5 ayes 0 nays.

No action taken

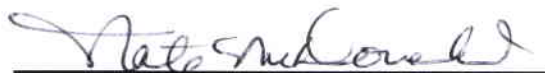
26. Public Comments

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


27. Adjournment

Motion was duly made at approximately 11:03 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 6th day of October 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

absent

DAVID "WOODY" WOODSON,
Commissioner Precinct No. Four

ATTEST: 

Janet Hickel, County Clerk

