

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, AUGUST 17, 2015

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 August 2015 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, Haskell Simon, Jamie Bludau, Denise Fortenberry, Doug Matthes, Mike Reddell, Tammy McDonald, Carole Patrick, Eva Peterson, Ruben Gonzales, Brenda Owen, Velma Mangum, Lisa Krobot, Bill Aber, Ollie Matthews, Ed Stavinoha, J. N. McDonald, Jr., Cathy Ezell, Chris Peikert, Coy Ramsey, Johnny A. Marek, Vickie Hatthorn, Rebecca Mayo, Holly Wisler, Jessica Wied, Janice Hawthorne, Casey Kile, Cristyn Hallmark, Suzan Thompson, Harriet Townsend and Janet Hickl

1. Certification of quorum

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

2. Pledge of Allegiance – Commissioner Gibson

3. Texas Pledge – Commissioner Gibson

4. Prayer – Commissioner Pustka

5. Consideration and possible action regarding approving Commissioners Court Minutes for August 10, 2015

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Pollard, with all others concurring, to approve Commissioners Court Minutes for August 10, 2015. 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 Gibson, 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 authorize the County Judge to sign the HIPPA Election Renewal Document and direct the County Treasurer to file it with the Department of Health and Human Services

This being the next item for business, motion was duly made by Commissioner Pustka and seconded by Commissioner Pollard, with all others concurring, to authorize the County Judge to sign the HIPPA Election Renewal Document and direct the County Treasurer to file it with the Department of Health and Human Services. Motion carried. Vote 5 ayes 0 nays

8. Consideration and possible action to approve the Permits and Approvals Form that is required for Texas Capitol Fund Grant #713082, 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 approve the Permits and Approvals Form that is required for Texas Capitol Fund Grant #713082, and authorize Judge McDonald to sign. Motion carried. Vote 5 ayes 0 nays.

9. Consideration and possible action to approve a contract between Matagorda County and Clean Harbors Environmental Services, Inc. for services and disposal of hazardous waste to be generated by the scheduled October 10, 2015 Matagorda County Household Hazardous Waste Collection Event at the Matagorda County Fairgrounds

This being the next item for business, motion was duly made by Commissioner Pustka and seconded by Commissioner Frick, with all others concurring, to approve a contract between Matagorda County and Clean Harbors Environmental Services, Inc. for services and disposal of hazardous waste to be generated by the scheduled October 10, 2015 Matagorda County Household Hazardous Waste Collection Event at the Matagorda County Fairgrounds. Motion carried. Vote 5 ayes 0 nays

10. Consideration and possible action to approve the updated Rental Agreement to be used for rental of facilities at the Matagorda County Fairgrounds

This being the next item for business, motion was duly made by Commissioner Pustka and seconded by Commissioner Frick, with all others concurring, to approve the updated Rental Agreement to be used for rental of facilities at the Matagorda County Fairgrounds. Motion carried. Vote 5 ayes 0 nays

11. Consideration and possible action to direct the County Judge to file claim(s) on bonds for individuals holding the office of County Treasurer from January 1, 2011 through present due to possible infractions of Texas Local Government Code 113.041(a) in relation to timely transfers to AUL. With order also directing the County Judge to include a list of any and all possible policy violations and any professional costs associated with calculation of the damages to be included as a claim on the bond(s)

Specifically:

Amy King Perez (01/01/2011 - 01/29/2012) Western Surety Company Bond No. 70207849

Suzanne Kucera (01/30/2012 - 11/18/2012) Western Surety Company Bond No. 61253992

Tammy McDonald (11/19/2012 - present) Western Surety Company Bond No. 61524753

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Frick, with all others concurring except County Judge McDonald, excusing himself from participating in any discussion and upholding the County's nepotism policy, being related to the office holder in the 1st degree of consanguinity, to direct the County Judge to file claim(s) on bonds for individuals holding the office of County Treasurer from January 1, 2011 through present due to possible infractions of Texas Local Government Code 113.041(a) in relation to timely transfers to AUL. With order also directing the County Judge to include a list of any and all possible policy violations and any professional costs associated with calculation of the damages to be included as a claim on the bond(s)

Specifically:

Amy King Perez (01/01/2011 - 01/29/2012) Western Surety Company Bond No. 70207849

Suzanne Kucera (01/30/2012 - 11/18/2012) Western Surety Company Bond No. 61253992

Tammy McDonald (11/19/2012 - present) Western Surety Company Bond No. 61524753

Motion carried. Vote 4 ayes 0 nays 1 abstain

12. Consideration and possible action to approve payment of an invoice from American United Life Insurance Company for the Profit/Loss calculation for each payroll period during each plan year including years 2011 through present date

This being the next item for business, motion was duly made by Commissioner Pustka and seconded by Commissioner Gibson, with all others concurring, except County Judge McDonald, excusing himself from participating in any discussion and upholding the County's nepotism policy, being related to the office holder in the 1st degree of consanguinity, to approve payment of an invoice from American United Life Insurance Company for the Profit/Loss calculation for each payroll period during each plan year including years 2011 through present date. Motion carried. Vote 4 ayes 0 nays 1 abstain

13. Consideration and possible action to remove County Treasurer as the designated processing agent for County Payroll and Human Resources and temporarily designate the County Auditor as the processing agent for County Payroll and Human Resources

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, except County Judge McDonald, excusing himself from participating in any discussion and upholding the County's nepotism policy, being related to the office holder in the 1st degree of consanguinity, to remove County Treasurer as the designated processing agent for County Payroll and Human Resources and temporarily designate the County Auditor as the processing agent for County Payroll and Human Resources. Motion carried. Vote 4 ayes 0 nays 1 abstain

14. Consideration and possible action to remove County Treasurer as the designated processing agent for Special Districts Payroll and Human Resources and temporarily designate the Special Districts Auditor as the processing agent for County Payroll and Human Resources

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Frick, with all others concurring, except County Judge McDonald, excusing himself from participating in any discussion and upholding the County's nepotism policy, being related to the office holder in the 1st degree of consanguinity, to remove County Treasurer as the designated processing agent for Special Districts Payroll and Human Resources and temporarily designate the Special Districts Auditor as the processing agent for County Payroll and Human Resources. Motion carried. Vote 5 ayes 0 nays

15. Consideration and possible action to make position and budget adjustments regarding the County Treasurer and County Auditor Offices if the processing agent for Payroll and Human Resources is reassigned to the County Auditor's Office subject to the District Judges' approval

This being the next item for business, motion was duly made by Commissioner Pustka and seconded by Commissioner Frick, with all others concurring, except County Judge McDonald, excusing himself from participating in any discussion and upholding the County's nepotism policy, being related to the office holder in the 1st degree of consanguinity, to make position and budget adjustments regarding the County Treasurer and County Auditor Offices if the processing agent for Payroll and Human Resources is reassigned to the County Auditor's Office subject to the District Judges' approval. Motion carried. Vote 4 ayes 0 nays 1 abstain

16. Consideration and possible action to accept the Matagorda County Auditor's Monthly Report for April 2015

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Gibson, with all others concurring, to accept the Matagorda County Auditor's Monthly Report for April 2015. Motion carried. Vote 5 ayes 0 nays