

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, JULY 27, 2015

Call to Order

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 27th day of July 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, Chris Peikert, Denise Fortenberry, Doug Matthes, Mike Reddell, Tammy McDonald, Cathy Ezell, Carole Patrick, Jeannette Bell, Suzan Thompson, Eva Peterson, Ruben Gonzales, Harriet Townsend and Janet Hickl

1. Certification of quorum

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

2. Pledge of Allegiance – Commissioner Pollard

3. Texas Pledge – Commissioner Pollard

4. Prayer – County Judge McDonald

5. Consideration and possible action regarding approving Commissioners Court Minutes for July 20, 2015

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 Commissioners Court Minutes for July 20, 2015. Motion carried. Vote 3 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 Resolution certifying that the County has made a grant to Economic Action Committee of the Gulf Coast, an organization that provides home-delivered meals to homebound persons in the county who are elderly and/or have a disability, and certifying that the county has approved the organization's accounting system or fiscal agent

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 Resolution certifying that the County has made a grant to Economic Action Committee of the Gulf Coast, an organization that provides home-delivered meals to homebound persons in the county who are elderly and/or have a disability, and certifying that the county has approved the organization's accounting system or fiscal agent. Motion carried. Vote 3 ayes 0 nays

8. Consideration and possible action to approve changing the cut-off for invoices to be submitted for payment from Friday, August 14, 2015 to Friday, August 21, 2015 at 5:00 PM and changing the dates the checks will go out from Monday, August 24, 2015 to Monday, August 31, 2015 due to the software conversion

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 changing the cut-off for invoices to be submitted for payment from Friday, August 14, 2015 to Friday, August 21, 2015 at 5:00 PM and changing the dates the checks will go out from Monday, August 24, 2015 to Monday, August 31, 2015 due to the software conversion. Motion carried. Vote 3 ayes 0 nays

9. Consideration and possible action to approve the appointment of a new Labor Standards Officer, Casey LeMay with Grantworks, for the DRS Grant DRS220112, GLO Contract #12-485-000-6657

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 the appointment of a new Labor Standards Officer, Casey LeMay with Grantworks, for the DRS Grant DRS220112, GLO Contract #12-485-000-6657. Motion carried. Vote 3 ayes 0 nays

10. Consideration and possible action to approve payment of Tyler Invoices 020-9095, in the amount of \$39,200.00, and 020-9278, in the amount of \$12,287.01 after subtracting Credit Memo 020-9603, for a total of \$51,487.01 for both invoices, to be paid out of 017-460-570

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 payment of Tyler Invoices 020-9095, in the amount of \$39,200.00, and 020-9278, in the amount of \$12,287.01 after subtracting Credit Memo 020-9603, for a total of \$51,487.01 for both invoices, to be paid out of 017-460-570. Motion carried. Vote 3 ayes 0 nays

11. Consideration and possible action to approve payment of Tyler Invoice 020-9459, in the amount of \$2,925.00, for the Third Quarter Hosting Fee, to be paid out of 19-460-447

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 payment of Tyler Invoices 020-9459, in the amount of \$2,925.00, for the Third Quarter Hosting Fee, to be paid out of 19-460-447. Motion carried. Vote 3 ayes 0 nays

12. Consideration and possible action to accept the resignation of Nancy Bowers from the Board of Wharton-Matagorda Child Protective Services, effective July 27, 2015, and appoint Amanda Hunter to complete Nancy Bowers' term, ending December 31, 2015

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 accept the resignation of Nancy Bowers from the Board of Wharton-Matagorda Child Protective Services, effective July 27, 2015, and appoint Amanda Hunter to complete Nancy Bowers' term, ending December 31, 2015. Motion carried. Vote 3 ayes 0 nays

13. Consideration and possible action to approve a Federal Excise Tax Exemption Certificate Request from Fuelman for the Matagorda County District Attorney's Office, and authorize the County Judge to sign

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 Federal Excise Tax Exemption Certificate Request from Fuelman for the Matagorda County District Attorney's Office, and authorize the County Judge to sign. Motion carried. Vote 3 ayes 0 nays

14. Consideration and possible action to approve an Acknowledgement and Disclosure and Privacy Notice for Arthur J. Gallagher & Company and authorize the County Judge to sign

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 an Acknowledgement and Disclosure and Privacy Notice for Arthur J. Gallagher & Company and authorize the County Judge to sign. Motion carried. Vote 3 ayes 0 nays

15. Consideration and possible action to accept the Internal Review Report for the Second Quarter of 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 accept the Internal Review Report for the Second Quarter of 2015 per corrections to the July 23, 2015 letter. Motion carried. Vote 3 ayes 0 nays

16. Consideration and possible action to begin negotiations with individual regarding the offer to buy highway property and/or abandoned seawall property under Local Government Code §263.001 and 263.002 and appoint Commissioner to sell property and appoint appraiser to determine fair market value and set public hearing to discuss impact on public if property is no longer open to public. Appraiser fees to be paid by buyer with limitations of the future sale to be dependent on a finding that sale of the property will not negatively affect the public

This being the next item for business, motion was duly made by Commissioner Pustka and seconded by Commissioner Pollard, with all others concurring, to table beginning negotiations with individual regarding the offer to buy highway property and/or abandoned seawall property under Local Government Code §263.001 and 263.002 and appoint Commissioner to sell property and appoint appraiser to determine fair market value and set public hearing to discuss impact on public if property is no longer open to public. Appraiser fees to be paid by buyer with limitations of the future sale to be dependent on a finding that sale of the property will not negatively affect the public. Motion carried. Vote 3 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 Pollard, and seconded by Commissioner Pustka, with all others concurring, to approve Payment of Bills. Motion carried. Vote 3 ayes 0 nays

18. 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 Pollard, with all others concurring, to Emergency Amendments. Motion carried. Vote 3 ayes 0 nays

19. Meet in executive session under §551.0711(a) of the Texas Government Code to consult with attorney(s) representing the county in an executive session concerning pending litigation, contemplated litigation, or settlement offers

This being the next item for business, motion was duly made at 10:06 a.m. by Commissioner Pollard, and seconded by Commissioner Pustka, with all other concurring, to Meet in executive session under §551.0711(a) of the Texas Government Code to consult with attorney(s) representing the county in an executive session concerning pending litigation, contemplated litigation, or settlement offers. Motion carried. Vote 3 ayes 0 nays

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

Executive session under §551.071(1)(a) of the Texas Government Code to consult with attorney(s) representing the county in an executive session concerning pending litigation, contemplated litigation, or settlement offers

This being the next item for business, motion was duly made at 10:22 a.m. by Commissioner Pustka, and seconded by Commissioner Pollard, with all other concurring, to Reconvene open session and consider taking action on the matters discussed in:

Executive session under §551.071(1)(a) of the Texas Government Code to consult with attorney(s) representing the county in an executive session concerning pending litigation, contemplated litigation, or settlement offers

Motion carried. Vote 3 ayes 0 nays

21. **Public Comments**

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

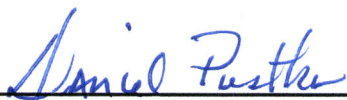
22. **Adjournment**

Motion was duly made at approximately 10:23 a.m. by Commissioner Pollard and seconded by Commissioner Pustka, with all others concurring, to adjourn the meeting. Motion carried. Vote 3 ayes 0 nays

Approved in Open Court, this the 3rd day of August, 2015.



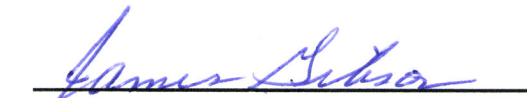
NATE McDONALD,
County Judge



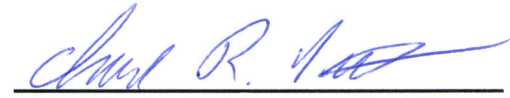
DANIEL PUSTKA,
Commissioner Precinct No. One



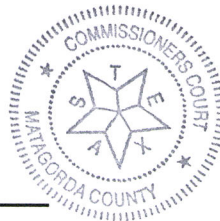
KENT POLLARD, Judge Pro Tem
Commissioner Precinct No. Two



JAMES GIBSON,
Commissioner Precinct No. Three



CHARLES "BUBBA" FRICK,
Commissioner Precinct No. Four



ATTEST:


Janet Hickl, County Clerk