

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, APRIL 25, 2016

Call to Order

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 25th day of April 2016 in the Matagorda County Commissioner's Courtroom, located on the Third Floor, 1700 Seventh Street, Room 300, Bay City, Texas, with Commissioner Gibson, Judge Pro Tem presiding.

Others present were as follows: Sheriff Osborne, Kristen Kubecka, Denise Fortenberry, Tammy McDonald, Mike Reddell, Doug Matthes, Ruben Gonzales, Jamie Bludau, Joe Lozano, Cristyn Hallmark, Chris Peikert, Gary Graham, Lisa Krobot, Kelle Odom, Joe Heaton, Carmen Andrews, Freddie Driver, Harriet Townsend and Janet Hickl

1. Certification of quorum

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

2. Pledge of Allegiance – Commissioner Gibson

3. Texas Pledge – Commissioner Gibson

4. Prayer – Commissioner Pollard

5. Consideration and possible action to regarding approving Commissioners Court Minutes for April 18, 2016

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Pustka, with all others concurring, to approve Commissioners Court Minutes for April 18, 2016. Motion carried. Vote 4 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 an Application to Cross a County Road from AT&T, to lay a fiber optic cable under and/or along County Road 123 (McCrosky Road) and County Road 126 (Old Van Vleck Road), in Precinct #1, Matagorda County, Texas

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 an Application to Cross a County Road from AT&T, to lay a fiber optic cable under and/or along County Road 123 (McCrosky Road) and County Road 126 (Old Van Vleck Road), in Precinct #1, Matagorda County, Texas. Motion carried. Vote 4 ayes 0 nays

8. Consideration and possible action to approve a Continuation Certificate for Heavy Load Bond #106096228, in the amount of \$150,000.00, from Kebo Oil and Gas, extending the Bond until May 5, 2017, in Precinct #4, Matagorda County, Texas

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 a Continuation Certificate for Heavy Load Bond #106096228, in the amount of \$150,000.00, from Kebo Oil and Gas, extending the Bond until May 5, 2017, in Precinct #4, Matagorda County, Texas. Motion carried. Vote 4 ayes 0 nays

9. Consideration and possible action to approve the addition of Chelsea Beltran, Human Resource Administrator and Courtney Harvey, Payroll Administrator as a user with OASys, the Texas Association of Counties Health and Employment Benefit Pool's online administrations system (Matagorda OASys Access Agreement)

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 addition of Chelsea Beltran, Human Resource Administrator and Courtney Harvey, Payroll Administrator as a user with OASys, the Texas Association of Counties Health and Employment Benefit Pool's online administrations system (Matagorda OASys Access Agreement). Motion carried. Vote 4 ayes 0 nays

10. Consideration and possible action to approve a cell phone allowance for Carmen Andrews, Human Resources and Payroll Director, in the amount of \$60.00 per month

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 cell phone allowance for Carmen Andrews, Human Resources and Payroll Director, in the amount of \$60.00 per month. Motion carried. Vote 4 ayes 0 nays

11. Consideration and possible action to approve a Demand Check payable to American Bankers Insurance Company, Foss, Hardy and Arbuckle Insurance Agency, Bay City, in the amount of \$3,983.00, for payment of a Flood Insurance Renewal Premium for the Palacios Annex Facility, 405 Commerce Street, Palacios, Texas

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 payable to American Bankers Insurance Company, Foss, Hardy and Arbuckle Insurance Agency, Bay City, in the amount of \$3,983.00, for payment of a Flood Insurance Renewal Premium for the Palacios Annex Facility, 405 Commerce Street, Palacios, Texas. Motion carried.

Vote 4 ayes 0 nays

12. Consideration and possible action to approve a cell phone allowance for Kristen Kubecka, County Auditor, in the amount of \$60.00 per month

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 a cell phone allowance for Kristen Kubecka, County Auditor, in the amount of \$60.00 per month. Motion carried. Vote 4 ayes 0 nays

13. Consideration and possible action to approve changes in the Bid Opening and Award of the Matagorda Fishing Pier, with Bid Opening on Monday, May 2nd and the Award on Monday, May 9th

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 changes in the Bid Opening and Award of the Matagorda Fishing Pier, with Bid Opening on Monday, May 2nd and the Award on Monday, May 9th Motion carried.

Vote 4 ayes 0 nays

14. Consideration and possible action to approve Amendment 2 for Grant F13AF00061 (Gulf Pier and Education Program) regarding modifications to the project scope such as ADA accessible route, limestone base parking area, lighting, silt fencing, educational programs, and change the Recipient Staff Contract person

This being the next item for business, motion was duly made by Commissioner Pollard, and seconded by Commissioner Frick, with all others concurring, to approve Amendment 2 for Grant F13AF00061 (Gulf Pier and Education Program) regarding modifications to the project scope such as ADA accessible route, limestone base parking area, lighting, silt fencing, educational programs, and change the Recipient Staff Contract person. Motion carried. Vote 4 ayes 0 nays

15. Consideration and possible action to adopt revisions to Personnel Policy section 4.03 regarding Policy on Minimum Wage, Overtime Pay and Compensatory Time

This being the next item for business, motion was duly made by Commissioner Pollard, and seconded by Commissioner Frick, with all others concurring, to adopt revisions to Personnel Policy section 4.03 regarding Policy on Minimum Wage, Overtime Pay and Compensatory Time. Motion carried. Vote 4 ayes 0 nays

16. Consideration sand possible action to accept the Order appointing Interim County Auditor, Assistant Auditors, and setting salaries

This being the next item for business, motion was duly made by Commissioner Pollard, and seconded by Commissioner Pustka, with all others concurring, to table accepting the Order appointing Interim County Auditor, Assistant Auditors, and setting salaries. Motion carried. Vote 4 ayes 0 nays

17. Consideration and possible action to approve a Demand Check, made payable to the Texas Health Institute, in the amount of \$600.00, for the registration fees of Maximo "Max" Cruz and Brian Moudy (Animal Control Officers), to attend the 2016 James Steele Conference on Diseases in Nature Transmissible to Man, scheduled for May 25 thru 27, 2016, at the Omni San Antonio Hotel at the Colonnade, 9821 Colonnade Boulevard, San Antonio, Texas 78230, with this payment coming from 010-54850-631

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 Demand Check, made payable to the Texas Health Institute, in the amount of \$600.00, for the registration fees of Maximo "Max" Cruz and Brian Moudy (Animal Control Officers), to attend the 2016 James Steele Conference on Diseases in Nature Transmissible to Man, scheduled for May 25 thru 27, 2016, at the Omni San Antonio Hotel at the Colonnade, 9821 Colonnade Boulevard, San Antonio, Texas 78230, with this payment coming from 010-54850-631. Motion carried. Vote 4 ayes 0 nays

18. Consideration and possible action to ratify contracts between Matagorda County and Holden Roofing for roof repairs and/or replacement on various County buildings as per bids approved and awarded

April 11, 2016

This being the next item for business, motion was duly made by Commissioner Pollard, and seconded by Commissioner Pustka, with all others concurring, to ratify contracts between Matagorda County and Holden Roofing for roof repairs and/or replacement on various County buildings as per bids approved and awarded April 11, 2016. Motion carried. Vote 4 ayes 0 nays

19. Consideration and possible action to accept and ratify the approval of a contract between Matagorda County and Holden Roofing for roof repairs to Matagorda County Court House in the amount of \$23,485.00

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 and ratify the approval of a contract between Matagorda County and Holden Roofing for roof repairs to Matagorda County Court House in the amount of \$23,485.00. Motion carried. Vote 4 ayes 0 nays

20. Consideration and possible action to accept and approve the donation of a 1986 Chevrolet Pumper Fire Truck, Vin #1GBJ7DIG3GV100677, from Rivers End Volunteer Fire Department to be used by the Sargent Volunteer Fire Department

This being the next item for business, motion was duly made by Commissioner Pollard, and seconded by Commissioner Frick, with all others concurring, to accept and approve the donation of a 1986 Chevrolet Pumper Fire Truck, Vin #1GBJ7DIG3GV100677, from Rivers End Volunteer Fire Department to be used by the Sargent Volunteer Fire Department. Motion carried. Vote 4 ayes 0 nays

21. Consideration and possible action to ratify a Lease Agreement with Bay City Office Supply (BCOS) for Maintenance, in the amount of \$360.00 per year, and a Lease Agreement with De Lane Landen Financial Services, Inc., in the amount of \$175.64 per month for 60 months, for a new Konica/Minolta/Bishub 284e copier to be used in the office of Justice of the Peace #2, and authorize Judge Thompson to sign

This being the next item for business, motion was duly made by Commissioner Frick, and seconded by Commissioner Pollard, with all others concurring, to ratify a Lease Agreement with Bay City Office Supply (BCOS) for Maintenance, in the amount of \$360.00 per year, and a Lease Agreement with De Lane Landen Financial Services, Inc., in the amount of \$175.64 per month for 60 months, for a new Konica/Minolta/Bishub 284e copier to be used in the office of Justice of the Peace #2, and authorize Judge Thompson to sign. Motion carried. Vote 4 ayes 0 nays

22. Consideration and possible action to approve the Matagorda County Treasurer's Monthly Report for March 2016

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 the Matagorda County Treasurer's Monthly Report for March 2016. Motion carried. Vote 4 ayes 0 nays

23. Consideration and possible action to approve Payment of Bills

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 Payment of Bills. Vote 4 ayes 0 nays

24. **Meet in Executive Session:**

Under Section 551.074 of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee

This being the next item for business, motion was duly made at 9:54 a.m. by Commissioner Pustka, and seconded by Commissioner Pollard, with all others concurring, to Meet in Executive Session:

Under Section 551.074 of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

Motion carried. Vote 4 ayes 0 nays

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

Executive session under Section 551.074 of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee

This being the next item for business, motion was duly made at 10:21 a.m. by Commissioner Pustka, and seconded by Commissioner Frick, with all others concurring, to Reconvene open session and consider taking action on the matters discussed in:

Executive session under Section 551.074 of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee

No action taken. Motion carried. Vote 4 ayes 0 nays

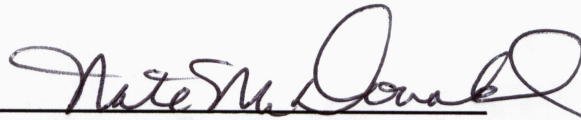
26. **Public Comments**

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

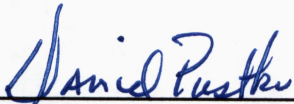
27. **Adjournment**

Motion was duly made at approximately 10:22 am by Commissioner Pustka and seconded by Commissioner Pollard, with all others concurring, to adjourn the meeting. Motion carried. Vote 4 ayes 0 nays

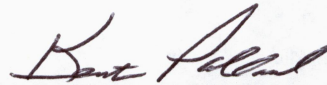
Approved in Open Court, this the 2nd day of May, 2016.



NATE McDONALD,
County Judge




DANIEL PUSTKA,
Commissioner Precinct No. One



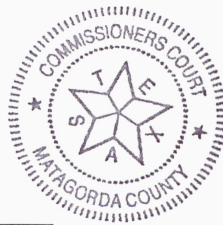
KENT POLLARD
Commissioner Precinct No. Two



JAMES GIBSON, Judge Pro Tem
Commissioner Precinct No. Three



CHARLES "BUBBA" FRICK
Commissioner Precinct No. Four



ATTEST: 
Janet Hickl, County Clerk