

**MINUTES**  
**MATAGORDA COUNTY COMMISSIONERS' COURT MEETING**  
**MATAGORDA COUNTY COURTHOUSE, ROOM 300**  
**1700 SEVENTH STREET, BAY CITY, TEXAS 77414**  
**9:30 A.M., MONDAY, DECEMBER 15, 2014**

**Call to Order**

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 15<sup>th</sup> day of December 2014 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, Cathy Ezell, Barry Halvorson, Chris Peikert, Doug Matthes, Denise Fortenberry, Mike Reddell, Joe Lozano, Cristyn Hallmark, Charles "Bubba" Frick, Ruben Gonzales, Harriet Townsend and Janet Hickl

**1. Certification of quorum**

County Judge McDonald certified a quorum in attendance with Commissioner Kent Pollard, Commissioner Pustka, and Commissioner Woodson. Commissioner Gibson was absent

**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 December 8, 2014**

This being the next item for business, motion was duly made by Commissioner Woodson and seconded by Commissioner Pollard, with all others concurring, to approve Commissioners Court Minutes for December 8, 2014. 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, motion was duly made by Commissioner Pustka and seconded by Commissioner Pollard, with all others concurring, to approve one contract for the use of the Matagorda County Fairground facilities. Motion carried. Vote 4 ayes 0 nays

**7. Consideration and possible action to approve changes to the Application to Cross County Road, due to changing needs of Matagorda County**

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 approving the Application to Cross County Road, due to changing needs of Matagorda County. Motion carried. Vote 4 ayes 0 nays

**8. Consideration and possible action to authorize Commissioner Dan Pustka, Precinct #1, to purchase a John Deere 997 Commercial lawnmower, in the amount of \$14,941.81 from Shoppa's Farm Supply**

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 Commissioner Dan Pustka, Precinct #1, to purchase a John Deere 997 Commercial lawnmower, in the amount of \$14,941.81 from Shoppa's Farm Supply. Motion carried. Vote 4 ayes 0 nays

**9. Consideration and possible action to Canvass the Special Election for State Senator, District 18 held on December 6, 2014**

This being the next item for business, motion was duly made by Commissioner Pollard, and seconded by Commissioner Pustka, with all others concurring, to Canvass the Special Election for State Senator, District 18 held on December 6, 2014. Motion carried. Vote 4 ayes 0 nays

**10. Consideration and possible action to approve the Contract Documents between Matagorda County and Lopez Utilities Contractor, LLC, for work on the City of Palacios Waste Water Collection System Rehabilitation, GLO Contract 12-485-000-66657, as recommended by John D. Mercer & Associates, Inc.**

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 the Contract Documents between Matagorda County and Lopez Utilities Contractor, LLC, for work on the City of Palacios Waste Water Collection System Rehabilitation, GLO Contract 12-485-000-66657, as recommended by John D. Mercer & Associates, Inc. Motion carried. Vote 4 ayes 0 nays

**11. Consideration and possible action to approve (1) Demand Check made payable to the Texas Historical Commission in the amount of \$400.00 for application fees for 4 Historical Markers**

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 (1) Demand Check made payable to the Texas Historical Commission in the amount of \$400.00 for application fees for 4 Historical Markers. Motion carried. Vote 4 ayes 0 nays

**12. Consideration and possible action to approve a Contract in the amount of \$330.00 between Matagorda County and Coastal Aerobic Systems, LLC for On Site Sewage Facility (OSSF) Maintenance at the Matagorda County Transfer Station for one year, beginning January 1, 2015 and ending January 1, 2016**

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 Contract in the amount of \$330.00 between Matagorda County and Coastal Aerobic Systems, LLC for On Site Sewage Facility (OSSF) Maintenance at the Matagorda County Transfer Station for one year, beginning January 1, 2015 and ending January 1, 2016. Motion carried. Vote 4 ayes 0 nays

**13. Consideration and possible action to accept the Continuing Education Transcript for the reporting period January 1, 2014 through December 31, 2014 for Cristyn E. Hallmark, Matagorda County Tax Assessor-Collector as evidence of compliance with the Texas Property Tax Code Section 6.231(d) and SB546 of the 83<sup>rd</sup> Regular Legislative Session**

This being the next item for business, motion was duly made by Commissioner Pollard, and seconded by Commissioner Woodson, with all others concurring, to accept the Continuing Education Transcript for the reporting period January 1, 2014 through December 31, 2014 for Cristyn E. Hallmark, Matagorda County Tax Assessor-Collector as evidence of compliance with the Texas Property Tax Code Section 6.231(d) and SB546 of the 83<sup>rd</sup> Regular Legislative Session. Motion carried. Vote 4 ayes 0 nays

**14. Consideration and possible action to accept the Matagorda County Auditor's Monthly Report for May, June and July 2014**

This being the next item for business, motion was duly made by Commissioner Pustka, and seconded by Commissioner Woodson, with all others concurring, to accept the Matagorda County Auditor's Monthly Report for May, June and July 2014. Motion carried. Vote 4 ayes 0 nays

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

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 Line Item Transfers. Motion carried.

Vote 4 ayes 0 nays

**16. Consideration and possible action to approve Emergency Amendments**

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 Emergency Amendments. Motion carried.

Vote 4 ayes 0 nays.

**17. Public Comments**

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

**18. Meet in executive session under section 551.071 of the Gov't 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 10:00 am by Commissioner Pustka and seconded by Commissioner Pollard, with all others concurring, to Meet in executive session under section 551.071 of the Gov't Code to consult with attorney(s) representing the county in an executive session concerning pending litigation, contemplated litigation, or settlement offers. Motion Carried. Vote 4 ayes 0 nays.

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

**Executive Session under section 551.071 of the Gov't 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 10:27 am by Commissioner Pustka and seconded by Commissioner Pollard, with all others concurring, to Reconvene open session and consider taking action on the matters discussed in:

Executive Session under section 551.071 of the Gov't Code to consult with attorney(s) representing the county in an executive session concerning pending litigation, contemplated litigation, or settlement offers. Motion Carried. Vote 4 ayes 0 nays.

**20. Adjournment**

Motion was duly made at approximately 10:28 a.m. 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 22<sup>nd</sup> day of December 2014.

*absent*

\_\_\_\_\_  
NATE McDONALD,  
County Judge

*Daniel Pustka*

\_\_\_\_\_  
DANIEL PUSTKA, Judge Pro Tem  
Commissioner Precinct No. One

*Kent Pollard*

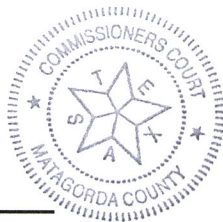
\_\_\_\_\_  
KENT POLLARD,  
Commissioner Precinct No. Two

*absent*

\_\_\_\_\_  
JAMES GIBSON,  
Commissioner Precinct No. Three

*David "Woody" Woodson*

\_\_\_\_\_  
DAVID "WOODY" WOODSON,  
Commissioner Precinct No. Four



ATTEST:

*Janet Hickl*  
\_\_\_\_\_  
Janet Hickl, County Clerk