

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, AUGUST 3, 2015

Call to Order

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 3rd 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, Hilda Guillen Gomez, Vivian Orr, Carmen Andrews, Kathy Trussell, Brent Batchelor, Haskell Simon, Jamie Bludau, Denise Fortenberry, Doug Matthes, Mike Reddell, Tammy McDonald, Carole Patrick, Eva Peterson, Ruben Gonzales, 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 Pustka**

3. **Texas Pledge – Commissioner Pustka**

4. **Prayer – Commissioner Gibson**

5. **Consideration and possible action regarding approving Commissioners Court Minutes for July 27, 2015**

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 Commissioners Court Minutes for July 27, 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, no action required.

7. **Meet 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 9:34 am by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to Meet 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. Let the record show that County Judge McDonald excused himself from the executive session.

Vote 5 ayes 0 nays

8. **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 10:16 am. by Commissioner Pustka and seconded by Commissioner Gibson, with all others concurring, to Meet 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 5 ayes 0 nays. No action taken

12. **Consideration and possible action to begin negotiations with an individual regarding the offer to buy highway property and/or abandoned seawall property under Local Government Code §263.001 and §263.02 and appoint Commissioner Gibson, Precinct #3, 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 Gibson and seconded by Commissioner Pustka, with all others concurring, to table negotiations with an individual regarding the offer to buy highway property and/or abandoned seawall property under Local Government Code §263.001 and §263.02 and appoint Commissioner Gibson, Precinct #3, 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 5 ayes 0 nays

17. **Consideration and possible action to approve or reject the bid received from Durwood Greene in the amount of \$1,553,806.54 for the expansion of Highway 35**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to rebid for the expansion of Highway 35 with reduced costs. Motion carried. Vote 5 ayes 0 nays

9. **Presentation by Haskell Simon and Brent Batchelor on the Region K Water Plan**

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

10. **Consideration and possible action to approve the purchase of 2015 Gradall XL 3100 for Precinct #2 in the amount of \$324,925.20 from Associated Supply Company (ASCO) coming out of 010-613-570**

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 the purchase of 2015 Gradall XL 3100 for Precinct #2 in the amount of \$324,925.20 from Associated Supply Company (ASCO) coming out of 010-613-570. Motion carried. Vote 5 ayes 0 nays

11. Consideration and possible action to approve the Equipment Lease-Purchase Agreement by and between Welch State Bank and Matagorda County for the purchase of a Gradall XL 3100 for Precinct #2 in the amount of \$324,925.20

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 the Equipment Lease-Purchase Agreement by and between Welch State Bank and Matagorda County for the purchase of a Gradall XL 3100 for Precinct #2 in the amount of \$324,925.20

Motion carried. Vote 5 ayes 0 nays

13. Consideration and possible action to accept a bid from Action Transfer Services (formerly Stella Environmental Services) for the hauling of solid waste from the Transfer Station

This being the next item for business, motion was duly made by Commissioner Pustka and seconded by Commissioner Frick, with all others concurring, to accept a bid from Action Transfer Services (formerly Stella Environmental Services) for the hauling of solid waste from the Transfer Station. Motion carried. Vote 5 ayes 0 nays

14. Consideration and possible action to approve an Addendum to the Matagorda County Nature Center, Inc. Contract regarding insurance coverage

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 an Addendum to the Matagorda County Nature Center, Inc. Contract regarding insurance coverage. Motion carried. Vote 5 ayes 0 nays

15. Consideration and possible action to authorize the publication of Notice for the November 3, 2015 Special Election regarding the adoption or rejection of the proposed Constitutional Amendments from the Texas 84th Legislature's Regular Session

This being the next item for business, motion was duly made by Commissioner Pustka and seconded by Commissioner Frick, with all others concurring, to authorize the publication of Notice for the November 3, 2015 Special Election regarding the adoption or rejection of the proposed Constitutional Amendments from the Texas 84th Legislature's Regular Session. Motion carried. Vote 5 ayes 0 nays

16. Consideration and possible action to authorize Commissioner James Gibson, Precinct #3, to purchase a dump truck and bed through HGAC from Chastang Ford in the amount of \$75,770.00

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to authorize Commissioner James Gibson, Precinct #3, to purchase a dump truck and bed through HGAC from Chastang Ford in the amount of \$75,770.00. Motion carried.

Vote 5 ayes 0 nays

18. Consideration and possible action to approve the Matagorda County Treasurer's Monthly Report for April 2015

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