

**MINUTES**  
**MATAGORDA COUNTY COMMISSIONERS' COURT MEETING**  
**MATAGORDA COUNTY COURTHOUSE, ROOM 300**  
**1700 SEVENTH STREET, BAY CITY, TEXAS 77414**  
**9:30 A.M., MONDAY, AUGUST 24, 2015**

**Call to Order**

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 24<sup>th</sup> 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, Cathy Ezell, Ruben Gonzales, Doug Matthes, Chris Peikert, Cristyn Hallmark, Tammy McDonald, Jamie Bludau, Brandon Cox, Denise Fortenberry, H Chip Woolf, Jonathan Frels, Jim Gilley, Vickie Hatthorn, Carole Patrick, Marguerite Bundick, Charles W. Bundick, Jr., Joe A. Lozano, Monica Leatherman, Mona Keen, Harriet Townsend and Maggie Perez

**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 August 17, 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 approve Commissioners Court Minutes for August 17, 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 two contracts for the use of the Matagorda County Fairground facilities. Motion carried. Vote 5 ayes 0 nays

**7. Consideration and possible action to possibly change benefit consultants from Arthur J. Gallagher & Co. to Financial Benefit 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 table changing benefit consultants from Arthur J. Gallagher & Co. to Financial Benefit Services. Motion carried. Vote 5 ayes 0 nays

**8. Consideration and possible action to approve the payment of \$8,100 to Financial Benefits Services for providing benefit services for voluntary insurance products and the County's long term disability plan**

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 the payment of \$8,100 to Financial Benefits Services for providing benefit services for voluntary insurance products and the County's long term disability plan. Motion carried. Vote 5 ayes 0 nays

**9. Consideration and possible action to ratify the designation of Cathy Ezell, County Auditor and Carmen Andrews, County Internal Auditor to have access to OASys the Texas Association of Counties Health and Employment Benefit Pool's online administration system (Matagorda OASys Access Agreement) and authorize the County Judge to sign**

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 the designation of Cathy Ezell, County Auditor and Carmen Andrews, County Internal Auditor to have access to OASys the Texas Association of Counties Health and Employment Benefit Pool's online administration system (Matagorda OASys Access Agreement) and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

**10. Consideration and possible action regarding the adoption of the Order Authorizing the Issuance and Sale of the Matagorda County, Texas, Certificates of Obligation, Series 2015; Levying a tax and providing for the security and payment thereof; and enacting other provisions relating thereto**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Pustka, with all others concurring, the adoption of the Order Authorizing the Issuance and Sale of the Matagorda County, Texas, Certificates of Obligation, Series 2015; Levying a tax and providing for the security and payment thereof; and enacting other provisions relating thereto. Motion carried. Vote 5 ayes 0 nays

**11. Consideration and possible action to approve a Matagorda County Fair Housing Training Policy**

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Gibson, with all others concurring, to approve a Matagorda County Fair Housing Training Policy. Motion carried. Vote 5 ayes 0 nays

**12. Second Public Hearing at 9:45 AM to discuss the 2015 Proposed Maintenance and Operation Tax Rate of .38888, and the 2015 Proposed Interest and Sinking Tax Rate of .00680 (for a total tax rate of .39568)**

This being the next item for business, motion was duly made by Commissioner Pustka, and seconded by Commissioner Pollard, with all others concurring, to go into the Second Public Hearing at 9:45 AM to discuss the 2015 Proposed Maintenance and Operation Tax Rate of .38888, and the 2015 Proposed Interest and Sinking Tax Rate of .00680 (for a total tax rate of .39568). Motion carried. Vote 5 ayes 0 nays. County Judge McDonald announced that on August 31, 2015 the Matagorda County Commissioners Court will adopt a 2015 Maintenance and Operation tax rate of .38888, and a 2015 Interest and Sinking tax rate of .00680, for a total tax rate of .39568

There being no further discussion, motion was duly made by Commissioner Gibson and seconded by Commissioner Frick, with all others concurring, to go back into regular session of court at 10:12 AM. Motion Carried. Vote 5 ayes 0 nays

**13. Consideration and possible action to set Monday, August 31, 2015 at 9:45 AM as the date and time to adopt the 2015 Proposed Maintenance and Operation tax rate 9of .38888, and the 2015 Proposed Interest and Sinking tax rate of .00680, making the total tax rate of .39568**

This being the next item for business, motion was duly made by Commissioner Pustka and seconded by Commissioner Frick, with all others concurring, to set Monday, August 31, 2015 at 9:45 AM as the date and time to adopt the 2015 Proposed Maintenance and Operation tax rate 9of .38888, and the 2015 Proposed Interest and Sinking tax rate of .00680, making the total tax rate of .39568. Motion carried. Vote 5 ayes 0 nays

**14. Consideration and possible action to approve the Anti-NIMBYism Action Plan**

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

**15. Consideration and possible action to authorize a Demand Check in the amount of \$5,540.00 to be paid out of 010-54510-573 for painting the Juvenile Probation Office**

This being the next item for business, motion was duly made by Commissioner Frick, and seconded by Commissioner Gibson, with all others concurring, to authorize a Demand Check in the amount of \$5,540.00 to be paid out of 010-54510-573 for painting the Juvenile Probation Office. Motion carried. Vote 5 ayes 0 nays

**16. Consideration and possible action to approve the 2015-2016 Amended Renewal Notice, Benefits Confirmation and ASO between Matagorda County and Texas Assciation of Counties Health and Employee Benefits Poll for employee benefits**

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 2015-2016 Amended Renewal Notice, Benefits Confirmation and ASO between Matagorda County and Texas Assciation of Counties Health and Employee Benefits Poll for employee benefits. Motion carried. Vote 5 ayes 0 nays

**17. Consideration and possible action to approve a Federal Excise Tax Exemption Form from Chevron, FleetCor Technologies Operating Company, for fuel purchases by the Matagorda County Sheriff's Office covering January 01, 2015 through December 31, 2016, 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 Frick, with all others concurring, to approve a Federal Excise Tax Exemption Form from Chevron, FleetCor Technologies Operating Company, for fuel purchases by the Matagorda County Sheriff's Office covering January 01, 2015 through December 31, 2016, and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

**18. Consideration and possible action to approve the removal of the supplemental pay for services provided to Special Districts for the issuance of payroll from Rebecca Mayo as of August 17, 2015**

This being the next item for business, motion was duly made by Commissioner Frick, 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 1<sup>st</sup> degree of consanguinity, to approve the removal of the supplemental pay for services provided to Special Districts for the issuance of payroll from Rebecca Mayo as of August 17, 2015. Motion carried. Vote 5 ayes 0 nays

**19. Consideration and possible action to approve the Sheriffs' and Constables' Fees for 2016, with the only change being the addition of a Hot Check Fee, in the amount of \$30.00**

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 Sheriffs' and Constables' Fees for 2016, with the only change being the addition of a Hot Check Fee, in the amount of \$30.00. Motion carried. Vote 5 ayes 0 nays

**20. Consideration and possible action to authorize Tammy McDonald, County Treasurer, to hire an attorney paid for by the County, to defend against unconstitutional actions taken against Tammy McDonald as County Treasurer**

This being the next item for business, County Judge McDonald, excused himself from participating in any discussion and upholding the County's nepotism policy, being related to the office holder in the 1<sup>st</sup> degree of consanguinity, no action was taken.

**21. Public Hearing at 9:55 AM to discuss the 2016 Matagorda County Budget**

This being the next item for business, motion was duly made by Commissioner Pollard, and seconded by Commissioner Gibson, with all others concurring, to go into a Public Hearing at 9:55 AM to discuss the 2016 Matagorda County Budget. Motion carried. Vote 5 ayes 0 nays. County Judge McDonald announced that this Budget will raise more revenue from property taxes than last year's budget by an amount of \$1,345,496.00, which is an 8.66 percent increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$134,236.90

There being no further discussion, motion was duly made by Commissioner Pustka and seconded by Commissioner Frick, with all others concurring, to go back into regular session of court at 10:40 AM. Motion Carried. Vote 5 ayes 0 nays

**22. Consideration and possible action to approve the 2016 Matagorda County Budget**

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 2016 Matagorda County Budget. Motion carried. Vote 5 ayes 0 nays.

**23. Consideration and possible action to accept the Matagorda County Auditor's Monthly Report for May 2015**

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

**24. Consideration and possible action to accept the Matagorda County Auditor's Monthly Report for June 2015**

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

**25. Consideration and possible action to approve the Matagorda County Treasurer's Monthly Report for July 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 July 2015. Motion carried. Vote 5 ayes 0 nays

26. **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 Gibson, with all others concurring, to approve Line Item Transfers. Motion carried.  
Vote 5 ayes 0 nays

27. **Public Comments**

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

28. **Adjournment**

Motion was duly made at approximately 10:57 a.m. by Commissioner Pustka and seconded by Commissioner Gibson, with all others concurring, to adjourn the meeting. Motion carried.  
Vote 5 ayes 0 nays

Approved in Open Court, this the 14<sup>th</sup> day of September, 2015.

absent  
NATE McDONALD,  
County Judge

Daniel Pustka  
DANIEL PUSTKA,  
Commissioner Precinct No. One

Kent Pollard  
KENT POLLARD, Judge Pro Tem  
Commissioner Precinct No. Two

James Gibson  
JAMES GIBSON,  
Commissioner Precinct No. Three

Charles R. Frick  
CHARLES "BUBBA" FRICK  
Commissioner Precinct No. Four



ATTEST: Janet Hickl  
Janet Hickl, County Clerk