

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, DECEMBER 19, 2016

Call to Order

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 19th day of December 2016 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, Mike Reddell, Dwight Baker, Kristen Kubecka, Lisa Krobot, Tammy McDonald, Denise Fortenberry, Bill Orton, Doug Matthes, Ray Tagart, Ginger Iovanna, Mike Reddell, Janice Hawthorn, Cristyn Hallmark, Tom Ward, Bob Watts, Nicholas Smith, Steven Reis, Brad Smith, James Mitchell, Shelby Storts and Janet Hickl

1. Certification of quorum

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

2. Pledge of Allegiance – Commissioner Frick

3. Texas Pledge – Commissioner Frick

4. Prayer – Commissioner Gibson

5. Consideration and possible action regarding approving Commissioners Court Minutes for December 12, 2016

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 December 12, 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 a Proclamation Honoring Precinct #6 Constable Tom Ward, upon his Retirement from Matagorda County

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 approve a Proclamation Honoring Precinct #6 Constable Tom Ward, upon his Retirement from Matagorda County. Motion carried. Vote 4 ayes 0 nays

8. Consideration and possible action to approve the transfer of Shelby Storts from Commissioners Court Secretary to County Judge's Executive Secretary, effective January 1, 2017, at \$14.50 per hour. This hourly rate is within the 2017 budget

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 transfer of Shelby Storts from Commissioners Court Secretary to County Judge's Executive Secretary, effective January 1, 2017, at \$14.50 per hour. This hourly rate is within the 2017 budget. Motion carried. Vote 4 ayes 0 nays

9. Consideration and possible action to approve a Bond in the amount of \$100,000.00, for the Matagorda County Tax Assessor and Collector, Cristyn Hallmark, as required by TEX.TAX CODE ANN. Sec. 6.28

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 Bond in the amount of \$100,000.00, for the Matagorda County Tax Assessor and Collector, Cristyn Hallmark, as required by TEX.TAX CODE ANN. Sec. 6.28. Motion carried. Vote 4 ayes 0 nays

10. Consideration and possible action to accept the Continuing Education Transcript for the reporting period January 1, 2016 through December 31, 2016 for Cristyn Hallmark, Matagorda County Tax Assessor0-Collector, as evidence of compliance with the Texas Property Tax Code Section 6.231 (d) and SB546 of the 83rd Regular Legislative Session

This being the next item for business, motion was duly made by Commissioner Gibson, and seconded by Commissioner Pollard, with all others concurring, to accept the Continuing Education Transcript for the reporting period January 1, 2016 through December 31, 2016 for Cristyn Hallmark, Matagorda County Tax Assessor0-Collector, as evidence of compliance with the Texas Property Tax Code Section 6.231 (d) and SB546 of the 83rd Regular Legislative Session. Motion carried. Vote 4 ayes 0 nays

11. Consideration and possible action to ratify the advertising for rebidding of Grant F13AF00061 (Gulf Pier and Education Program)

This being the next item for business, motion was duly made by Commissioner Pollard, and seconded by Commissioner Gibson, with all others concurring, to ratify the advertising for rebidding of Grant F13AF00061 (Gulf Pier and Education Program). Motion carried. Vote 4 ayes 0 nays

12. Consideration and possible action to approve the appointment of Representatives to Matagorda County Economic Development Corporation (MCEDC)

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 the appointment of Representatives to Matagorda County Economic Development Corporation (MCEDC). Motion carried. Vote 4 ayes 0 nays

13. Consideration and possible action to accept the resignation of Jerry Purvis, as Matagorda County Justice of the Peace, Precinct 3, effective December 23, 2016

This being the next item for business, motion was duly made by Commissioner Gibson, and seconded by Commissioner Frick, with all others concurring, to accept the resignation of Jerry Purvis, as Matagorda County Justice of the Peace, Precinct 3, effective December 23, 2016. Motion carried. Vote 4 ayes 0 nays

14. Consideration and possible action to accept the request to have 010-55700-560 (Machinery and Equipment) Budget balance of 2016 to carry over to 2017 Budget for the Matagorda County Sheriff's Office. This is due to an insurance check, in the amount of \$8,670.00, we just received and can be used to purchase equipment for vehicles purchased this next year

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 request to have 010-55700-560 (Machinery and Equipment) Budget balance of 2016 to carry over to 2017 Budget for the Matagorda County Sheriff's Office. This is due to an insurance check, in the amount of \$8,670.00, we just received and can be used to purchase equipment for vehicles purchased this next year. Motion carried. Vote 4 ayes 0 nays

15. Consideration and possible action to declare 47 large and 4 small ballot boxes as surplus, to be sold at auction

This being the next item for business, motion was duly made by Commissioner Frick, and seconded by Commissioner Gibson, with all others concurring, to declare 47 large and 4 small ballot boxes as surplus, to be sold at auction. Motion carried. Vote 4 ayes 0 nays

16. Consideration and possible action to approve a cell phone allowance for ADA Nicholas Smith, consistent with county policies and procedures, at a rate of \$60.00 per month, upon employee's submission of cell phone bill or other acceptable documentation of cell phone use

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 a cell phone allowance for ADA Nicholas Smith, consistent with county policies and procedures, at a rate of \$60.00 per month, upon employee's submission of cell phone bill or other acceptable documentation of cell phone use. Motion carried. Vote 4 ayes 0 nays

17. Consideration and possible action to approve a Resolution honoring Commissioner Dan Pustka for his years of service to Matagorda County, as Commissioner of Precinct #1 and to Van Vleck I.S.D.

This being the next item for business, motion was duly made by County Judge McDonald, and seconded by Commissioner Frick, with all others concurring, to approve a Resolution honoring Commissioner Dan Pustka for his years of service to Matagorda County, as Commissioner of Precinct #1 and to Van Vleck I.S.D. Motion carried. Vote 4 ayes 0 nays

18. Consideration and possible action to approve a Memorandum of Understanding between Matagorda County and Equistar Chemicals, LP, for the purchase of mutual aid and equipment used at Equistar site to assist in the Emergency Management of Matagorda County

This being the next item for business, motion was duly made by County Judge McDonald, and seconded by Commissioner Frick, with all others concurring, to approve a Memorandum of Understanding between Matagorda County and Equistar Chemicals, LP, for the purchase of mutual aid and equipment used at Equistar site to assist in the Emergency Management of Matagorda County. Motion carried. Vote 4 ayes 0 nays

19. Consideration and possible action to approve the Payment Agreement for AUL underpayments

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 the Payment Agreement for AUL underpayments. Motion carried. Vote 4 ayes 0 nays

20. Consideration and possible action to accept a check in the amount of \$675.52, for AUL underpayment

This being the next item for business, motion was duly made by Commissioner Gibson, and seconded by Commissioner Pollard, with all others concurring, to accept a check in the amount of \$675.52, for AUL underpayment. Motion carried. Vote 4 ayes 0 nays

21. Consideration and possible action to authorize Judge Nate McDonald, Matagorda County Judge, to hire Chelsea Beltran, at \$11.26 per hour due to her experience, effective January 1, 2017

This being the next item for business, motion was duly made by County Judge McDonald, and seconded by Commissioner Frick, with all others concurring, to authorize Judge Nate McDonald, Matagorda County Judge, to hire Chelsea Beltran, at \$11.26 per hour due to her experience, effective January 1, 2017. Motion carried. Vote 4 ayes 0 nays

22. Consideration and possible action to approve a Public Hearing for the Texas Community Development Program-Community Development Fund for Wednesday, December 28, 2016 at 5:00 PM, in the Matagorda County Commissioners Courtroom

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 a Public Hearing for the Texas Community Development Program-Community Development Fund for Wednesday, December 28, 2016 at 5:00 PM, in the Matagorda County Commissioners Courtroom. Motion carried. Vote 4 ayes 0 nays

23. Consideration and possible action to approve the Certificate of Construction Completion for Texas Community Development Block Grant #713082, and allow the County Judge to sign

This being the next item for business, motion was duly made by County Judge McDonald, and seconded by Commissioner Frick, with all others concurring, to approve the Certificate of Construction Completion for Texas Community Development Block Grant #713082, and allow the County Judge to sign. Motion carried. Vote 4 ayes 0 nays

24. Consideration and possible action to approve a Business Associate Agreement between Matagorda County and First Financial Administrators, Inc. and First Financial Capital Corporation regarding compliance with the requirements of the Health Insurance Portability and Accountability Act of 1996 ("HIPPA") and authorize the Presiding Judge 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 approve a Business Associate Agreement between Matagorda County and First Financial Administrators, Inc. and First Financial Capital Corporation regarding compliance with the requirements of the Health Insurance Portability and Accountability Act of 1996 ("HIPPA") and authorize the Presiding Judge to sign. Motion carried. Vote 4 ayes 0 nays

25. Consideration and possible action to approve the Agent Agreement for Tax Qualified Accounts and Other Financial Products between Matagorda County and First Financial Capital Corporation regarding Section 125 and authorize the Presiding Judge to sign

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 Agent Agreement for Tax Qualified Accounts and Other Financial Products between Matagorda County and First Financial Capital Corporation regarding Section 125 and authorize the Presiding Judge to sign. Motion carried. Vote 4 ayes 0 nays

26. Consideration and possible action to approve the Third Party Administrator Agreement for Tax Qualified Accounts and Other Financial Products between Matagorda County and First Financial Administrator, Inc., and authorize the Presiding Judge to sign

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 the Third Party Administrator Agreement for Tax Qualified Accounts and Other Financial Products between Matagorda County and First Financial Administrator, Inc., and authorize the Presiding Judge to sign. Motion carried. Vote 4 ayes 0 nays

27. Consideration and possible action to approve the Matagorda County Treasurer's Monthly Report for November 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 November 2016. Motion carried. Vote 4 ayes 0 nays

28. Consideration and possible action to approve the Matagorda County Treasurer's Monthly Investment Report for November 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 Investment Report for November 2016. Motion carried. Vote 4 ayes 0 nays

29. Consideration and possible action to approve Line Item Transfers

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 Line Item Transfers. Motion carried. Vote 4 ayes 0 nays

30. Consideration and possible action to approve Emergency Amendments

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 Emergency Amendments. Motion carried. Vote 4 ayes 0 nays

31. Meet in Executive Session:

Under Section 551.0725 of the Texas Government Code to consult with attorney(s) representing the county in an executive session regarding deliberation of contract being negotiated

This being the next item for business, motion was duly made at 10:33 a.m. by Commissioner Pollard, and seconded by Commissioner Gibson, with all others concurring, to Meet in Executive Session:

Under Section 551.0725 of the Texas Government Code to consult with attorney(s) representing the county in an executive session regarding deliberation of contract being negotiated

Motion carried. Vote 4 ayes 0 nays

32. Reconvene Open Session and consider taking action on the matters discussed in:

Executive Session under section 551.0725 of the Texas Government Code to consult with attorney(s) representing the county in an executive session regarding deliberation of contract being negotiated

This being the next item for business, motion was duly made at 10:58 a.m. by Commissioner Pollard, and seconded by Commissioner Gibson, with all others concurring, to Reconvene Open Session and consider taking action on the matters discussed in:

Executive Session under section 551.0725 of the Texas Government Code to consult with attorney(s) representing the county in an executive session regarding deliberation of contract being negotiated

Motion carried. Vote 4 ayes 0 nays

33. Public Comments

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


34. Adjournment

Motion was duly made at approximately 10:59 am by Commissioner Gibson and seconded by Commissioner Frick, with all others concurring, to adjourn the meeting. Motion carried. Vote 4 ayes 0 nays

Approved in Open Court, this the 3rd day of January, 2017.



NATE McDONALD,
County Judge



GARY GRAHAM,
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