

**MINUTES**  
**MATAGORDA COUNTY COMMISSIONERS' COURT MEETING**  
**MATAGORDA COUNTY COURTHOUSE, ROOM 300**  
**1700 SEVENTH STREET, BAY CITY, TEXAS 77414**  
**9:30 A.M., MONDAY, NOVEMBER 4, 2019**

**Call to Order**

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday, November 4, 2019, 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: Denise Fortenberry, Kristen Kubecka, Skipper Osborne, Loretta Griffin, Carmen Andrews, Clay Bishop, Clay Cook, Tom Rackley, Teri Treadway, Jessica Russell, Michael Ferdinand, Ryan Trochta, Steven Johnson, Daniella Nunez, Julia Gonzales and Stephanie Wurtz.

1. **Certification of quorum**

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

2. **Pledge of Allegiance – Commissioner Pollard**

3. **Texas Pledge – Commissioner Pollard**

4. **Prayer – Commissioner Graham**

5. **Consideration and possible action regarding approving Commissioner's Court Minutes for October 28, 2019**

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Graham, with all others concurring, to approve Commissioner's Court Minutes for October 28, 2019. Motion carried. Vote 5 ayes 0 nays

6. **Consideration and possible action regarding contracts for the use of the Matagorda County Fairgrounds facilities**

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

7. **Consideration and possible action to approve a Resolution certifying that Matagorda County has made a Grant to Friends of Elderly Citizens, Inc., an organization that provides home-delivered meals to homebound persons in the County who are elderly and/or have a disability, in order for them to receive a Grant from the Texas Department of Agriculture**

This being the next item for business, motion was duly made by Judge McDonald and seconded by Commissioner Gibson, with all others concurring, to approve a Resolution certifying that Matagorda County has made a Grant to Friends of Elderly Citizens, Inc., an organization that provides home-delivered meals to homebound persons in the County who are elderly and/or have a disability, in order for them to receive a Grant from the Texas Department of Agriculture. Motion carried. Vote 5 ayes 0 nays

**8. Consideration and possible action to approve the promotion of Baldemar Vasquez to Matagorda County Precinct 3 Foreman 2301 at a rate of \$19.70 per hour, effective November 4, 2019. He has been employed with the County for 31 years.**

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 promotion of Baldemar Vasquez to Matagorda County Precinct 3 Foreman 2301 at a rate of \$19.70 per hour, effective November 4, 2019. He has been employed with the County for 31 years. Motion carried. Vote 5 ayes 0 nays

**9. Consideration and possible action to approve Exemption Certificates from Oil Patch Petroleum, Inc., for the purchase of gasoline and diesel products**

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 Exemption Certificates from Oil Patch Petroleum, Inc., for the purchase of gasoline and diesel products. Motion carried. Vote 5 ayes 0 nays

**10. Consideration and possible action to approve the Fire Fighting Agreement for Fiscal Year 2018 and Fiscal Year 2019 between Matagorda County and Matagorda Volunteer Fire Department**

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 Fire Fighting Agreement for Fiscal Year 2018 and Fiscal Year 2019 between Matagorda County and Matagorda Volunteer Fire Department. Motion carried. Vote 5 ayes 0 nays

**11. Consideration and possible action to ratify a Grant Application approval between Sargent Area Volunteer Fire & Rescue and Texas A&M Forestry Service and subsequent extension in the amount of \$200,000.00**

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 a Grant Application approval between Sargent Area Volunteer Fire & Rescue and Texas A&M Forestry Service and subsequent extension in the amount of \$200,000.00. Motion carried. Vote 5 ayes 0 nays

**12. Consideration and possible action to approve a Demand Check in the amount of \$297,650.00, payable to Fire Trucks of Texas per the attached Purchased Agreement and Proposal between Sargent Area Volunteer Fire & Rescue and Fire Trucks of Texas**

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 Demand Check in the amount of \$297,650.00, payable to Fire Trucks of Texas per the attached Purchased Agreement and Proposal between Sargent Area Volunteer Fire & Rescue and Fire Trucks of Texas. Motion carried. Vote 5 ayes 0 nays

**13. Consideration and possible action to approve a Demand Check in the amount of \$15,000.00, to Chief Construction & Remodeling per the attached Draw Request and Contract related to the Sargent Branch of the Bay City Library**

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 Demand Check in the amount of \$15,000.00, to Chief Construction & Remodeling per the attached Draw Request and Contract related to the Sargent Branch of the Bay City Library. Motion carried. Vote 5 ayes 0 nays



**14. Consideration and possible action to approve a Demand Check in the amount of \$7,500.00, to Chief Construction & Remodeling as 50% down payment of Draw Request #3**

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 Demand Check in the amount of \$7,500.00, to Chief Construction & Remodeling as 50% down payment of Draw Request #3. Motion carried. Vote 5 ayes 0 nays

**15. Consideration and possible action to approve CMOB building modifications to occur in the Juvenile Probation Department**

This being the next item for business, motion was duly made by Judge McDonald and seconded by Commissioner Frick, with all others concurring, to approve CMOB building modifications to occur in the Juvenile Probation Department. Motion carried. Vote 5 ayes 0 nays

**16. Consideration and possible action to approve utilizing Cremation as an option for Indigent Burial**

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Judge McDonald, with all others concurring, to approve utilizing Cremation as an option for Indigent Burial. Motion carried. Vote 5 ayes 0 nays

**17. Consideration and possible action to ratify an Indigent Application Burial using Cremation**

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

**18. Consideration and possible action to approve the Monthly Reports from various County Departments**

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 the Monthly Reports from various County Departments. Motion carried. Vote 5 ayes 0 nays

**19. Consideration and possible action to approve Bank Drafts**

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Graham, with all others concurring, to approve Bank Drafts. Motion carried. Vote 5 ayes 0 nays

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

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Graham, with all others concurring, to approve Line Item Transfers. Motion carried. Vote 5 ayes 0 nays

**21. Consideration and possible action to approve Payment of Demand Checks**

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 Payment of Demand Checks. Motion carried. Vote 5 ayes 0 nays

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

This being the next item for business, motion was duly made by Commissioner Graham and seconded by Commissioner Frick, with all others concurring, to approve Emergency Amendments. Motion carried. Vote 5 ayes 0 nays

23. **Meet in Executive Session:**

**Under section 551.074(a)(1) and (2) of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee and to hear a complaint or charge against an officer or employee**

This being the next item for business, motion was duly made at 10:05 a.m. by Commissioner Graham and seconded by Commissioner Frick, with all others concurring, to meet in Executive Session:

Under section 551.074(a)(1) and (2) of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee and to hear a complaint or charge against an officer or employee

Motion carried. Vote 5 ayes 0 nays

24. **Reconvene open session and consider taking action on the matters discussed in Executive Session:**

**Under section 551.074(a)(1) and (2) of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee and to hear a complaint or charge against an officer or employee**

This being the next item for business, motion was duly made at 10:43 a.m. by Commissioner Graham and seconded by Commissioner Gibson, with all others concurring, to Reconvene open session:

Under section 551.074(a)(1) and (2) of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee and to hear a complaint or charge against an officer or employee

Motion was duly made by Judge McDonald, and seconded by Commissioner Frick, authorizing the County Attorney to draft a letter to the Fair Association Board regarding employee conflicts. Motion carried. Vote 5 ayes 0 nays

Motion was duly made by Judge McDonald, and seconded by Commissioner Gibson, authorizing the County Attorney to draft a letter to an appointed official regarding a six (6) month probation. Motion carried. Vote 4 ayes 1 nay from Commissioner Pollard

25. **Public Comments**

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


26. **Adjournment**


Motion was duly made at approximately 10:51 a.m. by Commissioner Graham and seconded by Commissioner Gibson, with all others concurring, to adjourn the meeting. Motion carried. Vote 5 ayes 0 nays





Approved in Open Court, the 18<sup>th</sup> day of November, 2019.

  
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NATE McDONALD  
County Judge

  
\_\_\_\_\_  
GARY GRAHAM  
Commissioner Precinct No. One

  
\_\_\_\_\_  
KENT POLLARD  
Commissioner Precinct No. Two  
Judge Pro Tem

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

  
\_\_\_\_\_  
CHARLES "BUBBA" FRICK  
Commissioner Precinct No. Four

ATTEST:   
\_\_\_\_\_  
Stephanie Wurtz, County Clerk

