

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
11:15 A.M., MONDAY, SEPTEMBER 16, 2019

Call to Order

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 11:15 A.M., Monday, September 16, 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

1. Meet in Executive Session:

A closed meeting will be held pursuant to Sections 551.071 and 551.129 of the Texas Government Code (consultation with attorney) for the Commissioners Court to consult with and seek advice from its attorneys regarding pending litigation, mediation and settlement negotiations regarding: 1.) Kevin Davis v. Matagorda County, Case No. 3:18-CV-00188 filed in the United States District Court, Southern District of Texas, Galveston Division; 2.) Davis v. Matagorda County, EEOC Charge No. 460-2018-01558; 3.) Davis v. Matagorda County, Cause No. 18-CV-0678 filed in the 122nd state judicial district court of Galveston County; and 4.) In Re Matagorda County, Case No. 19-0257 filed in the Texas Supreme Court

This being the next item for business, motion was duly made at 11:22 a.m. by Commissioner Graham and seconded by Commissioner Frick, with all others concurring, to meet in Executive Session:

A closed meeting will be held pursuant to Sections 551.071 and 551.129 of the Texas Government Code (consultation with attorney) for the Commissioners Court to consult with and seek advice from its attorneys regarding pending litigation, mediation and settlement negotiations regarding: 1.) Kevin Davis v. Matagorda County, Case No. 3:18-CV-00188 filed in the United States District Court, Southern District of Texas, Galveston Division; 2.) Davis v. Matagorda County, EEOC Charge No. 460-2018-01558; 3.) Davis v. Matagorda County, Cause No. 18-CV-0678 filed in the 122nd state judicial district court of Galveston County; and 4.) In Re Matagorda County, Case No. 19-0257 filed in the Texas Supreme Court

Motion carried. Vote 5 ayes 0 nays

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

Discussion and potential action shall occur regarding approval of a proposed final Release and Settlement Agreement regarding: 1.) Kevin Davis v. Matagorda County, in Case No. 3:18-CV-00188 filed in the United States District Court, Southern District of Texas, Galveston Division; 2.) Davis v. Matagorda County, EEOC Charge No. 460-2018-01558; 3.) Davis v. Matagorda County, Cause No. 18-CV-0678 filed in the 122nd state judicial district court of Galveston County; and 4.) In Re Matagorda County, Case No. 19-0257 filed in the Texas Supreme Court

This being the next item for business, motion was duly made at 12:24 p.m. by Commissioner Graham and seconded by Commissioner Frick, with all others concurring, to Reconvene open session:

Discussion and potential action shall occur regarding approval of a proposed final Release and Settlement Agreement regarding: 1.) Kevin Davis v. Matagorda County, in Case No. 3:18-CV-00188 filed in the United States District Court, Southern District of Texas, Galveston Division; 2.) Davis v. Matagorda County, EEOC Charge No. 460-2018-01558; 3.) Davis v. Matagorda County, Cause No. 18-CV-0678 filed in the 122nd state judicial district court of Galveston County; and 4.) In Re Matagorda County, Case No. 19-0257 filed in the Texas Supreme Court

Motion was duly made by Judge McDonald, and seconded by Commissioner Frick, to approve the final Release and Settlement Agreement, subject to approval of a budget amendment, for *Kevin Davis v. Matagorda County*, in Case No. 3:18-CV-00188 filed in the United States District Court, Southern District of Texas, Galveston Division; 2). *Davis v. Matagorda County*, EEOC Charge No. 460-2018-01558; 3). *Davis v. Matagorda County*, Cause No. 18-CV-0678 filed in the 122nd state judicial district court of Galveston County; and 4). *In Re Matagorda County*, Case No. 19-0257 filed in the Texas Supreme Court. Motion carried. Vote 5 ayes 0 nays

3. Adjournment

Motion was duly made at approximately 12:26 p.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 30th day of September, 2019.



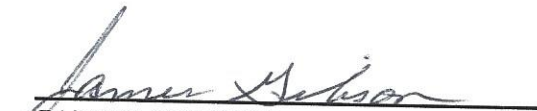
NATE McDONALD
County Judge



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

