

**MINUTES**  
**MATAGORDA COUNTY COMMISSIONERS' COURT MEETING**  
**MATAGORDA COUNTY COURTHOUSE, ROOM 300**  
**1700 SEVENTH STREET, BAY CITY, TEXAS 77414**  
**9:30 A.M., MONDAY, NOVEMBER 6, 2017**

**Call to Order**

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 6<sup>th</sup> day of November 2017 in the Matagorda County Commissioner's Courtroom, located on the Third Floor, 1700 Seventh Street, Room 300, Bay City, Texas, with County Judge Presiding McDonald presiding.

Others present were as follows: Sheriff Osborne, Denise Fortenberry, Kristen Kubecka, Mike Reddell, Doug Matthes, Lisa Krobot, Tammy McDonald, Mike Ferdinand, Chris Peikert, Dwight Baker, Percy Carroll, Jill Cornelius, Cristyn Hallmark, Jaene Haagensen, ShelbyStorts and Janet Hickl

**1. Certification of quorum**

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

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

**3. Texas Pledge – Commissioner Pollard**

**4. Prayer – Commissioner Graham**

**5. Consideration and possible action regarding approving Commissioners Court Minutes for October 25, 2017 and October 30, 2017**

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 Commissioners Court Minutes for October 25, 2017 and October 30, 2017. 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. Consideration and possible action to approve a Resolution certifying that the County has made a grant to Friends of Elder Citizens, Inc., as 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 County Judge McDonald and seconded by Commissioner Gibson, with all others concurring, to approve a Resolution certifying that the County has made a grant to Friends of Elder Citizens, Inc., as 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 purchase of a Cargo Truck and Accessories through the Texas Surplus Commission and authorize Commissioner Frick to sign all related documents, said vehicle to be utilized by Markham Volunteer Fire Department**

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 the purchase of a Cargo Truck and Accessories through the Texas Surplus Commission and authorize Commissioner Frick to sign all related documents, said vehicle to be utilized by Markham Volunteer Fire Department. Motion carried. Vote 5 ayes 0 nays

**9. Consideration and possible action to accept a contribution toward expenses of the Matagorda County Household Hazardous Waste Collection Event scheduled for October 28, 2017, in the amount of \$2,000.00 from Oxea Corporation**

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 a contribution toward expenses of the Matagorda County Household Hazardous Waste Collection Event scheduled for October 28, 2017, in the amount of \$2,000.00 from Oxea Corporation. Motion carried. Vote 5 ayes 0 nays

**10. Consideration and possible action to set a Public Hearing for December 4, 2017, at 9:45 AM in the Matagorda County Commissioners Courtroom to discuss the cancellation of part of the Luther Robertson's First Addition Subdivision in regards to Lots One (1) through Twenty-two (22) in Block Two (2), and to publish notice at least once a week for at least three (3) weeks before the Public Hearing scheduled for December 4, 2017, according to Local Government Code section 232.008(c)**

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Gibson, with all others concurring, to set a Public Hearing for December 4, 2017, at 9:45 AM in the Matagorda County Commissioners Courtroom to discuss the cancellation of part of the Luther Robertson's First Addition Subdivision in regards to Lots One (1) through Twenty-two (22) in Block Two (2), and to publish notice at least once a week for at least three (3) weeks before the Public Hearing scheduled for December 4, 2017, according to Local Government Code section 232.008(c). Motion carried. Vote 5 ayes 0 nays

**11. Consideration and possible action to approve contract renewals and related forms with the Texas Department of Family Protective Services, Child Protective Services for contracts #23940146 and #23940147 and authorize the County Judge to sign**

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 contract renewals and related forms with the Texas Department of Family Protective Services, Child Protective Services for contracts #23940146 and #23940147 and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

**12. Consideration and possible action to approve the Rental Agreement to be used for rental of facilities at the Matagorda County Fairgrounds**

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 the Rental Agreement to be used for rental of facilities at the Matagorda County Fairgrounds. Motion carried. Vote 5 ayes 0 nays

**13. Consideration and possible action to accept the Internal Review Reports for the 2017 3<sup>rd</sup> Quarter**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Graham, with all others concurring, to accept the Internal Review Reports for the 2017 3<sup>rd</sup> Quarter. Motion carried. Vote 5 ayes 0 nays

**14. Consideration and possible action to approve the Payment of Demand Bills**

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 the Payment of Demand Bills. Motion carried.  
Vote 5 ayes 0 nays

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

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

**16. 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 Graham, with all others concurring, to approve Emergency Amendments. Motion carried.  
Vote 5 ayes 0 nays

**17. Meet in Executive Session:**

**Under section 551.071 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**

**Under Section 551.071(2) of the Texas Government Code to consult with attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter**

**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 9:53 am by Commissioner Graham and seconded by Commissioner Frick, with all others concurring, to Meet in Executive Session:

Under section 551.071 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

Under Section 551.071(2) of the Texas Government Code to consult with attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter

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

18. **Reconvene open session and consider taking action on the matters discussed in executive session:**

**Under section 551.071 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**

**Under Section 551.071(2) of the Texas Government Code to consult with attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter**

**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 11:13 am 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 551.071 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

Under Section 551.071(2) of the Texas Government Code to consult with attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter

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

19. **Consideration and possible action to accept the resignation of the County Treasurer, Tammy McDonald**

This being the next item for business, motion was duly made by Commissioner Graham and seconded by Commissioner Frick, with all others concurring, to accept the resignation of the County Treasurer, Tammy McDonald. Motion carried. Vote 5 ayes 0 nays

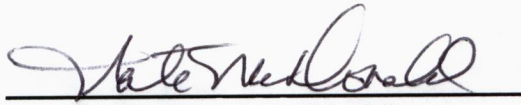
20. **Public Comments**

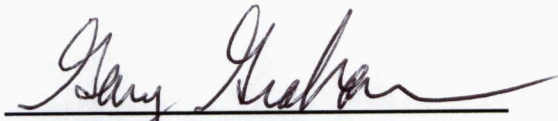
This being the next item for business, no action required.

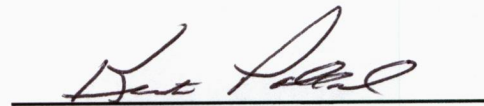
21. **Adjournment**

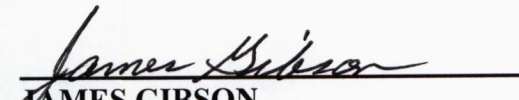
Motion was duly made at approximately 11:14 am by Commissioner Graham and seconded by Commissioner Pollard with all others concurring, to adjourn the meeting. Motion carried. Vote 5 ayes 0 nays

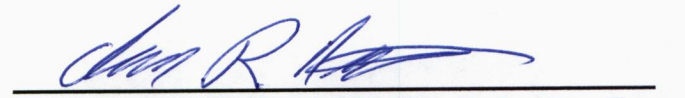
Approved in Open Court, this the 13<sup>th</sup> day of November, 2017.

  
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NATE McDONALD,  
County Judge

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

  
\_\_\_\_\_  
KENT POLLARD  
Commissioner Precinct No. Two

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

  
\_\_\_\_\_  
CHARLES "BUBBA" FRICK, Judge Pro-Tem  
Commissioner Precinct No. Four



ATTEST:   
\_\_\_\_\_  
Janet Hickl, County Clerk