

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, OCTOBER 2, 2017

Call to Order

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 2nd day of October 2017 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, Laura Reyna, Denise Fortenberry, Kristen Kubecka, Mike Reddell, Doug Matthes, Cristyn Hallmark, Lisa Krobot, Tammy McDonald, Mike Ferdinand, Chris Peikert, Dwight Baker, Matt Glaze, Avery Kubecka, Madilyn Spalek, Amy Kubecka, Bill Balboa, Jamie Grantz, Shelby Storts 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 Frick

3. Texas Pledge – Commissioner Frick

4. Prayer – Commissioner Gibson

5. Consideration and possible action regarding approving Commissioners Court Minutes for September 25, 2017

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 Commissioners Court Minutes for September 25, 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, motion was duly made by Commissioner Graham and seconded by Commissioner Frick, with all others concurring, to approve one contract for the use of the Matagorda County Fairground facilities. Motion carried. Vote 5 ayes 0 nays

7. Consideration and possible action to approve a Proclamation Proclaiming October 1-7, 2017, as national 4-H Week

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 Proclamation Proclaiming October 1-7, 2017, as national 4-H Week. Motion carried. Vote 5 ayes 0 nays

8. Consideration and possible action to ratify the acceptance of proposal for RFP #17-0013 with DebrisTech as primary contractor for debris monitoring

This being the next item for business, motion was duly made by Commissioner Graham and seconded by Commissioner Gibson, with all others concurring, to ratify the acceptance of proposal for RFP #17-0013 with DebrisTech as primary contractor for debris monitoring. Motion carried. Vote 5 ayes 0 nays

9. Consideration and possible action to ratify the approval of the Independent Contractor Agreement between Matagorda County and DebrisTech, LLC

This being the next item for business, motion was duly made by Commissioner Graham and seconded by Commissioner Frick, with all others concurring, to ratify the approval of the Independent Contractor Agreement between Matagorda County and DebrisTech, LLC. Motion carried. Vote 5 ayes 0 nays

10. Consideration and possible action to ratify the acceptance of proposal for RFP #17-0013 with TLC Engineering as the alternate contractor for debris monitoring

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Graham, with all others concurring, to ratify the acceptance of proposal for RFP #17-0013 with TLC Engineering as the alternate contractor for debris monitoring. Motion carried. Vote 5 ayes 0 nays

11. Consideration and possible action to authorize the County Auditor's Office to advertise for the 2018 Road Material (Bid #17-0008) and Road Construction with Equipment (Bid #17-0009) and approve the specifications for each

This being the next item for business, motion was duly made by Commissioner Graham and seconded by Commissioner Frick, with all others concurring, to authorize the County Auditor's Office to advertise for the 2018 Road Material (Bid #17-0008) and Road Construction with Equipment (Bid #17-0009) and approve the specifications for each. Motion carried. Vote 5 ayes 0 nays

12. Consideration and possible action to accept a contribution/donation toward expenses of the Matagorda County Household Hazardous Waste Collection Event scheduled for October 28, 2017 in the amount of \$2,000.00 from Chevron Phillips Chemical Company, LP

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Graham, with all others concurring, to accept a contribution/donation toward expenses of the Matagorda County Household Hazardous Waste Collection Event scheduled for October 28, 2017 in the amount of \$2,000.00 from Chevron Phillips Chemical Company, LP. Motion carried. Vote 5 ayes 0 nays

13. Consideration and possible action to accept a contribution towards expenses of the Matagorda County Household Hazardous Waste Collection Event scheduled for October 28, 2017 from LyondellBasell (EQUISTAR, A Lyondell Company) in the amount of \$5,000

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 a contribution towards expenses of the Matagorda County Household Hazardous Waste Collection Event scheduled for October 28, 2017 from LyondellBasell (EQUISTAR, A Lyondell Company) in the amount of \$5,000. Motion carried. Vote 5 ayes 0 nays

14. Consideration and possible action to approve a contract between Matagorda County and Clean Harbors Environmental Services, Inc. for services and disposal of hazardous waste to be generated by the October 28, 2017 Matagorda County Household Hazardous Waste Collection Event at the Matagorda County Fairgrounds and authorize the County 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 contract between Matagorda County and Clean Harbors Environmental Services, Inc. for services and disposal of hazardous waste to be generated by the October 28, 2017 Matagorda County Household Hazardous Waste Collection Event at the Matagorda County Fairgrounds and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

15. Consideration and possible action to approve the hiring of James Nesbitt at \$16.70 per hour, due to his previous 9 ½ years with the Matagorda County Sheriff's Office, as a Patrol Deputy, with funds available in the budget, effective October 16, 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 the hiring of James Nesbitt at \$16.70 per hour, due to his previous 9 ½ years with the Matagorda County Sheriff's Office, as a Patrol Deputy, with funds available in the budget, effective October 16, 2017. Motion carried. Vote 5 ayes 0 nays

16. Consideration and possible action authorizing Sheriff Osborne to purchase a 2017 Dodge Ram 1500 Pickup SSV in the amount of \$28,957.00 to be purchased through the State Buy Board from Grapevine Dodge Chrysler Jeep, Grapevine, Texas, payment to be taken out of account 010-55700-560

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to authorizing Sheriff Osborne to purchase a 2017 Dodge Ram 1500 Pickup SSV in the amount of \$28,957.00 to be purchased through the State Buy Board from Grapevine Dodge Chrysler Jeep, Grapevine, Texas, payment to be taken out of account 010-55700-560. Motion carried. Vote 5 ayes 0 nays

17. Consideration and possible action to approve a Federal Excise Gas Exemption Certificate from Sun Coast Resources, Inc., for fuel purchases by Matagorda County covering January 01, 2018 through December 31, 2018, 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 Gibson, with all others concurring, to approve a Federal Excise Gas Exemption Certificate from Sun Coast Resources, Inc., for fuel purchases by Matagorda County covering January 01, 2018 through December 31, 2018, and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

18. Consideration and possible action to designate Matagorda County's representatives to the Houston-Galveston Area Council, naming Judge McDonald as Representative to General Assembly and Delegate to Board of Directors, Commissioner Kent Pollard as Representative to General Assembly and Alternate to Board of Directors, Commissioner Gary Graham and Commissioner James Gibson as Alternates to General Assembly for the year 2018

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 designate Matagorda County's representatives to the Houston-Galveston Area Council, naming Judge McDonald as Representative to General Assembly and Delegate to Board of Directors, Commissioner Kent Pollard as Representative to General Assembly and Alternate to Board of Directors, Commissioner Gary Graham and Commissioner James Gibson as Alternates to General Assembly for the year 2018. Motion carried. Vote 5 ayes 0 nays

19. Consideration and possible action to accept Wells Fargo's Fee Schedule for Investment and Fiduciary Services regarding the Jack and Marguerite Dawdy Trust

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 Wells Fargo's Fee Schedule for Investment and Fiduciary Services regarding the Jack and Marguerite Dawdy Trust. Motion carried. Vote 5 ayes 0 nays

20. Consideration and possible action to accept Wells Fargo's Client authorization for Irrevocable Trusts regarding the Jack and Marguerite Dawdy Trust and authorize the County 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 accept Wells Fargo's Client authorization for Irrevocable Trusts regarding the Jack and Marguerite Dawdy Trust and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

21. Consideration and possible action to accept AT&T Dedicated Internet and IP Flex Reach bundled with Security for the Sheriff's Department and allow the County Judge to execute the contract online

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Graham, with all others concurring, to accept AT&T Dedicated Internet and IP Flex Reach bundled with Security for the Sheriff's Department and allow the County Judge to execute the contract online. Motion carried. Vote 5 ayes 0 nays

22. Consideration and possible action to approve Gulf Coast Regional 9-1-1 Emergency Communications District and authorize County Judge to execute contract online

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 table approving Gulf Coast Regional 9-1-1 Emergency Communications District and authorize County Judge to execute contract online. Motion carried. Vote 5 ayes 0 nays

23. Consideration and possible action to approve Order Extending Declaring of Local State of disaster

This being the next item for business, motion was duly made by Commissioner Graham and seconded by Commissioner Gibson, with all others concurring, to approve Order Extending Declaring of Local State of disaster. Motion carried. Vote 5 ayes 0 nays

24. Consideration and possible action to accept the Executed Project Manual for Matagorda County 2016 Water & Sanitary Sewer Improvements in Blessing and Wadsworth, Texas and authorize the County Judge to sign contract with Urban Engineering

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Frick, with all others concurring, to accept the Executed Project Manual for Matagorda County 2016 Water & Sanitary Sewer Improvements in Blessing and Wadsworth, Texas and authorize the County Judge to sign contract with Urban Engineering. Motion carried. Vote 5 ayes 0 nays

25. Consideration and possible action to approve Interjurisdictional Mutual Aid Law Enforcement Agreement between Matagorda County Sheriff's Office, Bay City Police Department, and Palacios Police 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 Interjurisdictional Mutual Aid Law Enforcement Agreement between Matagorda County Sheriff's Office, Bay City Police Department, and Palacios Police Department. Motion carried. Vote 5 ayes 0 nays

26. Consideration and possible action to accept the Contract Documents & Technical Specifications for Matagorda County/City of Palacios Lift Station Rehabilitation Project and authorize the County Judge to sign contract with John D. Mercer

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Graham, with all others concurring, to accept the Contract Documents & Technical Specifications for Matagorda County/City of Palacios Lift Station Rehabilitation Project and authorize the County Judge to sign contract with John D. Mercer. Motion carried. Vote 5 ayes 0 nays

27. Consideration and possible action to approve the Monthly Reports from Various County Departments

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

28. Consideration and possible action to ratify Payroll for September 29, 2017

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Gibson, with all others concurring, to ratify Payroll for September 29, 2017. Motion carried. Vote 5 ayes 0 nays

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

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

30. 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 5 ayes 0 nays

31. 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

31a. Consideration and possible action to approve 2017-2018 Tax Abatement Policies

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 table approving 2017-2018 Tax Abatement Policies. Motion carried. Vote 5 ayes 0 nays

32. **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 10:28 am by Commissioner Graham 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 5 ayes 0 nays

33. **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 10:59 am by Commissioner Gibson and seconded by Commissioner Pollard, 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 5 ayes 0 nays

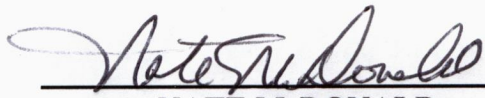
34. **Public Comments**

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


35. **Adjournment**

Motion was duly made at approximately 11:00 a.m. by Commissioner Gibson and seconded by Commissioner Frick, with all others concurring, to adjourn the meeting. Motion carried. Vote 5 ayes 0 nays

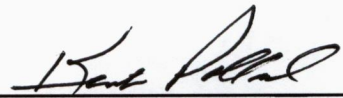
Approved in Open Court, this the 9th day of October, 2017.



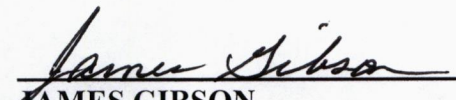
NATE McDONALD,
County Judge



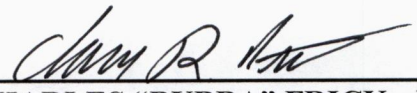
GARY GRAHAM,
Commissioner Precinct No. One



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