

**MINUTES**  
**MATAGORDA COUNTY COMMISSIONERS' COURT MEETING**  
**MATAGORDA COUNTY COURTHOUSE**  
**1700 SEVENTH STREET, BAY CITY, TEXAS 77414**  
**9:30 A.M., MONDAY, DECEMBER 21, 2020**  
**VIA ZOOM TELECONFERENCE**

**Call to Order**

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday, December 21, 2020, via Zoom video teleconference (due to circumstances pertaining to COVID-19), with County Judge McDonald presiding.

Others present on the video teleconference were as follows: Kristen Kubecka, Denise Fortenberry, Skipper Osborne, Loretta Griffin, Amanda Campos, Jennifer Chau, Jessica Shepard, Jim Powell, Jimmy Galvan, Matt Glaze, Mitch Thames, Rhonda Gregg Hirsch, Tressa Leadford, Karla Lewis, Crystal Morones and Stephanie Wurtz.

**1. Certification of quorum**

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

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

**3. Texas Pledge – Commissioner Gibson**

**4. Prayer – Commissioner Pollard**

**5. Consideration and possible action regarding approving Commissioner's Court Minutes for December 7, 2020**

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 Commissioner's Court Minutes for December 7, 2020. 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, motion was duly made by Commissioner Frick and seconded by Commissioner Gibson, with all others concurring, to approve one contract for the use of Matagorda County Fairgrounds facilities. Motion carried. Vote 5 ayes 0 nays

**7. Consideration and possible action to allow the Matagorda County Sheriff's Office to donate a 2014 Chevrolet Tahoe, VIN #1GNLC2E04ER189366, LP #1175873 (unit 209) to Constable-Elect David Miles for his use in patrolling**

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Gibson, with all others concurring, to allow the Matagorda County Sheriff's Office to donate a 2014

Chevrolet Tahoe, VIN #1GNLC2E04ER189366, LP #1175873 (unit 209) to Constable-Elect David Miles for his use in patrolling. Motion carried. Vote 5 ayes 0 nays

**8. Consideration and possible action to approve the Agreement between Matagorda County and Medical Arts Clinic to administer the COVID-19 Rapid Test for FY 2021**

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 the Agreement between Matagorda County and Medical Arts Clinic to administer the COVID-19 Rapid Test for FY 2021. Motion carried. Vote 5 ayes 0 nays

**9. Consideration and possible action to approve the TAC HEBP update on COVID-19 Mandate and COVID-19 Vaccine coverage**

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 TAC HEBP update on COVID-19 Mandate and COVID-19 Vaccine coverage. Motion carried. Vote 5 ayes 0 nays

**10. Consideration and possible action to approve the 2021 Group Administrative Concepts, Inc. – GAC Hartford Auto Renewal effective January 1, 2021**

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 the 2021 Group Administrative Concepts, Inc. – GAC Hartford Auto Renewal effective January 1, 2021. Motion carried. Vote 5 ayes 0 nays

**11. Consideration and possible action to approve the Matagorda County FY 2021 Emergency Management Performance Grant Application**

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 the Matagorda County FY 2021 Emergency Management Performance Grant Application. Motion carried. Vote 5 ayes 0 nays

**12. Consideration and possible action to approve the purchase of Roller Shade Blackout Window Coverings for Emergency Management**

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 purchase of Roller Shade Blackout Window Coverings for Emergency Management. Motion carried. Vote 5 ayes 0 nays

**13. Consideration and possible action to approve an Agreement between Matagorda County Birding Nature Center, the Non-Federal Sponsor's Self Certification for Agreements form and the Certificate of Authority and allow the County Judge, Nate McDonald, 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 an Agreement between Matagorda County Birding Nature Center, the Non-Federal Sponsor's Self Certification for Agreements form and the Certificate of Authority and allow the County Judge, Nate McDonald, to sign. Motion carried. Vote 5 ayes 0 nays

**14. Consideration and possible action to approve Task Order-02, USACE Permitting Sargent Beach, Matagorda County, Texas with Atkins North America, Inc. under the Master Services Agreement (executed May 18, 2020) and allow Judge Nate McDonald to execute said proposal. The total cost of Task Order-02 is \$105,450.00 and shall be funded from local GOMESA funds**

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 Task Order-02, USACE Permitting Sargent

Beach, Matagorda County, Texas with Atkins North America, Inc. under the Master Services Agreement (executed May 18, 2020) and allow Judge Nate McDonald to execute said proposal. The total cost of Task Order-02 is \$105,450.00 and shall be funded from local GOMESA funds. Motion carried. Vote 5 ayes 0 nays

**15. Consideration and possible action to approve the BCOS Office Technologies Equipment Service Agreement for a term of 5 years for the District Attorney's Office and allow Steven Reis, District Attorney, to sign**

This being the next item for business, motion was duly made by Judge McDonald and seconded by Commissioner Graham, with all others concurring, to approve the BCOS Office Technologies Equipment Service Agreement for a term of 5 years for the District Attorney's Office and allow Steven Reis, District Attorney, to sign. Motion carried. Vote 5 ayes 0 nays

**16. Consideration and possible action to approve the BCOS Office Technologies Equipment Service Agreement for a term of 5 years for the Matagorda County Clerk's Office and allow Stephanie Wurtz, County Clerk, to sign**

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 the BCOS Office Technologies Equipment Service Agreement for a term of 5 years for the Matagorda County Clerk's Office and allow Stephanie Wurtz, County Clerk, to sign. Motion carried. Vote 5 ayes 0 nays

**17. Consideration and possible action to authorize publication and set a Public Hearing on December 28, 2020, at 9:45 a.m. concerning the Flood Damage Prevention Ordinance**

This being the next item for business, motion was duly made by Judge McDonald and seconded by Commissioner Gibson, with all others concurring, to authorize publication and set a Public Hearing on December 28, 2020, at 9:45 a.m. concerning the Flood Damage Prevention Ordinance. Motion carried. Vote 5 ayes 0 nays

**18. Consideration and possible action to authorize publication and set a Public Hearing on December 28, 2020, at 10:00 a.m. concerning the Adoption of Updated Rules of Matagorda County, Texas for Private Sewage Facilities**

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Graham, with all others concurring, to authorize publication and set a Public Hearing on December 28, 2020, at 10:00 a.m. concerning the Adoption of Updated Rules of Matagorda County, Texas for Private Sewage Facilities. Motion carried. Vote 5 ayes 0 nays

**19. Consideration and possible action to approve the Contract Agreement between Matagorda County and Bay City Public Library FY 2021**

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 the Contract Agreement between Matagorda County and Bay City Public Library FY 2021. Motion carried. Vote 5 ayes 0 nays

**20. Consideration and possible action to approve an invoice from Jackson Services, in the amount of \$7.00, billed to the Fairgrounds**

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 an invoice from Jackson Services, in the amount of \$7.00, billed to the Fairgrounds. Motion carried. Vote 5 ayes 0 nays

**21. Consideration and possible action to approve an invoice from Jackson Services, in the amount of \$21.00, billed to Precinct #2**

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 an invoice from Jackson Services, in the amount of \$21.00, billed to Precinct #2. Motion carried. Vote 5 ayes 0 nays

**22. Consideration and possible action to approve three invoices from ASCO Equipment, in the amount of \$11,971.92, billed to Precinct #1**

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 three invoices from ASCO Equipment, in the amount of \$11,971.92, billed to Precinct #1. Motion carried. Vote 5 ayes 0 nays

**23. Consideration and possible action to approve an invoice from Aqua-Zyme Services, Inc., in the amount of \$160.00, billed to Precinct #4**

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 an invoice from Aqua-Zyme Services, Inc., in the amount of \$160.00, billed to Precinct #4. Motion carried. Vote 5 ayes 0 nays

**24. Consideration and possible action to approve an invoice from Walmart, in the amount of \$50.00, billed to Juvenile Probation**

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 an invoice from Walmart, in the amount of \$50.00, billed to Juvenile Probation. Motion carried. Vote 5 ayes 0 nays

**25. 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 Frick, with all others concurring, to approve Line Item Transfers. Motion carried. Vote 5 ayes 0 nays

**26. Consideration and possible action to ratify Payment of Bills for December 14, 2020**

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 Payment of Bills for December 14, 2020. Motion carried. Vote 5 ayes 0 nays

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

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

**28. 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

**29. 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**

**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**

This being the next item for business, motion was duly made at 10:20 a.m. by Commissioner Graham and seconded by Commissioner Gibson, 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

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

Motion carried. Vote 5 ayes 0 nays

**30. 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**

**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**

This being the next item for business, motion was duly made at 10:44 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

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

Motion was duly made by Judge McDonald and seconded by Commissioner Gibson, with all others concurring, to approve a partition agreement as drafted and allow the County Judge, Nate McDonald, to execute as soon as all other parties in 20-E-0552 sign. Motion carried. Vote 5 ayes 0 nays

**30a. Consideration and possible action to award Mercer Construction Company related to Matagorda County 2020 Water Improvements, Markham, Texas, TxCDBG Contract No. 7219261 Bid**

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Gibson, with all others concurring, to award Mercer Construction Company related to Matagorda County 2020 Water Improvements, Markham, Texas, TxCDBG Contract No. 7219261 Bid. Motion carried. Vote 5 ayes 0 nays

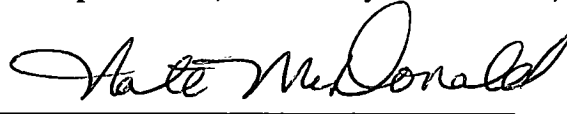
31. Public Comments

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

32. Adjournment

Motion was duly made at approximately 10:46 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 28<sup>th</sup> day of December, 2020.



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

