

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, FEBRUARY 24, 2020

Call to Order

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday, February 24, 2020, 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, Chris Peikert, Mike Reddell, Tressa Leadford, Janice Hawthorne, Steven Reis, Loretta Griffin, Richard Hill, Karen Vannerson, Blaine Smith, Madonna Allen, Matt Glaze, Bubba Cook, Kamal Bey, Mike Ferdinand, Heather Case, Carla Rae Southard, Matthew Bryd, Scott Wright, Laura Glaspie, Jimmy Galvan, Crystal Morones 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 Frick

3. Texas Pledge – Commissioner Frick

4. Prayer – Commissioner Pollard

5. Consideration and possible action regarding approving Commissioner's Court Minutes for February 10, 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 February 10, 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, no action required.

7. Consideration and possible action to approve a road crossing variance requested by Wybank Land Service, LLC on behalf of Phillips 66

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 a road crossing variance requested by Wybank Land Service, LLC on behalf of Phillips 66. Motion carried. Vote 4 ayes 1 nay from Commissioner Pollard

8. Consideration and possible action to approve six Applications to cross a County Road received from Phillips 66 Carrier LLC, to lay a 16" steel line under and along the following roads located in Precinct #1: CR 142, CR 126, CR 113, CR 106, and two for CR 101, Matagorda County, Texas

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 six Applications to cross a County Road received from Phillips 66 Carrier LLC, to lay a 16" steel line under and along the following roads located in Precinct #1: CR 142, CR 126, CR 113, CR 106, and two for CR 101, Matagorda County, Texas. Motion carried. Vote 5 ayes 0 nays

9. Consideration and possible action to approve four Applications to cross a County Road received from Phillips 66 Carrier LLC, to lay 16" steel line under and along the following roads located in Precinct #4: CR 455, CR 422, CR 414, and CR 403, Matagorda County, Texas

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 four Applications to cross a County Road received from Phillips 66 Carrier LLC, to lay 16" steel line under and along the following roads located in Precinct #4: CR 455, CR 422, CR 414, and CR 403, Matagorda County, Texas. Motion carried. Vote 5 ayes 0 nays

10. Consideration and possible action to approve a Resolution authorizing the submission of Grant Application #4052701 – In Car Cameras, applying to the Office of the Governor, Criminal Justice Division

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 a Resolution authorizing the submission of Grant Application #4052701 – In Car Cameras, applying to the Office of the Governor, Criminal Justice Division. Motion carried. Vote 5 ayes 0 nays

11. Consideration and possible action to ratify a Proclamation honoring Doris Lee Bell Moberly on her 100th Birthday

This being the next item for business, motion was duly made by Judge McDonald and seconded by Commissioner Pollard, with all others concurring, to ratify a Proclamation honoring Doris Lee Bell Moberly on her 100th Birthday. Motion carried. Vote 5 ayes 0 nays

12. Consideration and possible action to approve an Agreement for Resale of Tax Lien Foreclosure Property Cause No. T17,000

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 Agreement for Resale of Tax Lien Foreclosure Property Cause No. T17,000. Motion carried. Vote 5 ayes 0 nays

13. Presentation by Tyler Technologies and Southern Software regarding NIBRS Compliant Software

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

14. Consideration and possible action to approve a Contract with Tyler Technologies or Southern Software for NIBRS Compliant Software

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Graham, with all others concurring, to table approving a Contract with Tyler Technologies or Southern Software for NIBRS Compliant Software. Motion carried. Vote 5 ayes 0 nays

15. Consideration and possible action to ratify the Matagorda County Film Permit Approval signed by County Judge Nate McDonald for a film shoot to be performed by Magilla Entertainment, LLC at various locations in Matagorda, Texas from Saturday, February 22, 2020 until Tuesday, February 25, 2020

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Graham, with all others concurring, to ratify the Matagorda County Film Permit Approval signed by County Judge Nate McDonald for a film shoot to be performed by Magilla Entertainment, LLC at various locations in Matagorda, Texas from Saturday, February 22, 2020 until Tuesday, February 25, 2020. Motion carried. Vote 5 ayes 0 nays

16. Consideration and possible action to approve the Racial Profiling Report for 2019 from the Matagorda County Sheriff's Office

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 Racial Profiling Report for 2019 from the Matagorda County Sheriff's Office. Motion carried. Vote 5 ayes 0 nays

17. Consideration and possible action to approve the Administrative Service Agreement with Matagorda County and the Texas Association of Counties Health and Employee Benefits Pool

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 Administrative Service Agreement with Matagorda County and the Texas Association of Counties Health and Employee Benefits Pool. Motion carried. Vote 5 ayes 0 nays

18. Consideration and possible action to cancel personnel policy 2.11.1

This being the next item for business, motion was duly made by Commissioner Graham and seconded by Commissioner Frick, with all others concurring, to cancel personnel policy 2.11.1. Motion carried. Vote 5 ayes 0 nays

19. Consideration and possible action to approve and submit a cancellation letter to Texas General Land Office regarding Jensen Point Coastal Lease No. CL980018

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 and submit a cancellation letter to Texas General Land Office regarding Jensen Point Coastal Lease No. CL980018. Motion carried. Vote 5 ayes 0 nays

20. Consideration and possible action to approve a Resolution authorizing collection fee in the amount of 30% of debts and accounts receivable such as unpaid fines, fees or Court Costs as authorized under Texas Local Government Code section 140.009 when such unpaid fee, fine or Court Costs amounts are more than sixty (60) days overdue and have been referred to an attorney or other vendors for collection

This being the next item for business, motion was duly made by Judge McDonald and seconded by Commissioner Pollard, with all others concurring, to approve a Resolution authorizing collection fee in the amount of 30% of debts and accounts receivable such as unpaid fines, fees or Court Costs as authorized under Texas Local Government Code section 140.009 when such unpaid fee, fine or Court Costs amounts are more than sixty (60) days overdue and have been referred to an attorney or other vendors for collection. Motion carried. Vote 5 ayes 0 nays

21. Consideration and possible action to make appropriate statutory findings under Chapter 2254 Government Code and approve a Contract with Linebarger, Goggan, Blair and Sampson, LLP for Fines and Fees Collection Services under Local Government Code section 140.009 and Code of Criminal Procedure section 103.0031

This being the next item for business, motion was duly made by Commissioner Graham and seconded by Commissioner Pollard, with all others concurring, to make appropriate statutory findings under Chapter 2254 Government Code and approve a Contract with Linebarger, Goggan, Blair and Sampson, LLP for Fines and Fees Collection Services under Local Government Code section 140.009 and Code of Criminal Procedure section 103.0031. Motion carried. Vote 5 ayes 0 nays

22. Consideration and possible action to approve all related documents pertaining to 2020 TxCDBG Community Development Fund Project #7219261, which include the following:

- a. Notarized Authorization to Release Confidential Information Relating to CDBG**
- b. Certificate of Interested Parties**
- c. Depository/Authorized Signatories Designation Form**
- d. Appointment of Labor Standards Officer Form**
- e. Employee Interview Designation Form**
- f. TxCDBG Initial Acquisition Report Form**

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 all related documents pertaining to 2020 TxCDBG Community Development Fund Project #7219261, which include the following:

- a. Notarized Authorization to Release Confidential Information Relating to CDBG
- b. Certificate of Interested Parties
- c. Depository/Authorized Signatories Designation Form
- d. Appointment of Labor Standards Officer Form
- e. Employee Interview Designation Form
- f. TxCDBG Initial Acquisition Report Form

Motion carried. Vote 5 ayes 0 nays

23. Consideration and possible action to approve the Grant Administrative Services Agreement between Matagorda County and Grantworks, INC., pertaining to TxCDBG Community Development Fund Project #7219261 and allow the County Judge to sign

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 Grant Administrative Services Agreement between Matagorda County and Grantworks, INC., pertaining to TxCDBG Community Development Fund Project #7219261 and allow the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

24. Consideration and possible action to approve the Engineering Agreement between Matagorda County and Urban Engineering, pertaining to TxCDBG Community Development Fund Project #7219261 and allow the County Judge to sign

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 Engineering Agreement between Matagorda County and Urban Engineering, pertaining to TxCDBG Community Development Fund Project #7219261 and allow the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

25. Consideration and possible action to approve a Notice to Proceed related to the Hazard Mitigation Grant Program DR-4332-163 and DR-4332-164

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 a Notice to Proceed related to the Hazard Mitigation Grant Program DR-4332-163 and DR-4332-164. Motion carried. Vote 5 ayes 0 nays

26. Consideration and possible action to approve the Contract Agreement between Matagorda County and City of Bay City – Service Center FY 2018 – 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 the Contract Agreement between Matagorda County and City of Bay City – Service Center FY 2018 – 2019. Motion carried. Vote 5 ayes 0 nays

27. Consideration and possible action to approve the Contract Agreement between Matagorda County and City of Bay City – Service Center FY 2020 – 2021

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 Contract Agreement between Matagorda County and City of Bay City – Service Center FY 2020 – 2021. Motion carried. Vote 5 ayes 0 nays

28. Consideration and possible action to approve the Contract Agreement between Matagorda County and Markham Volunteer Fire Department FY 2020 – 2021

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 Contract Agreement between Matagorda County and Markham Volunteer Fire Department FY 2020 – 2021. Motion carried. Vote 5 ayes 0 nays

29. Consideration and possible action to approve the Lease Agreement between Matagorda County and Matagorda County Fairgrounds for September 1, 2019 – August 31, 2024

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 Lease Agreement between Matagorda County and Matagorda County Fairgrounds for September 1, 2019 – August 31, 2024. Motion carried. Vote 5 ayes 0 nays

30. Consideration and possible action regarding the Authorization of Procurement of Consulting Services to manage current and future Public Assistance Grants

This being the next item for business, motion was duly made by Commissioner Graham and seconded by Commissioner Gibson, with all others concurring, regarding the Authorization of Procurement of Consulting Services to manage current and future Public Assistance Grants. Motion carried. Vote 5 ayes 0 nays

31. Consideration and possible action to authorize the County Judge to sign Hurricane Harvey CDBG-Disaster Recovery low-to-moderate income survey tabulation forms for Blessing and Markham

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 the County Judge to sign Hurricane Harvey CDBG-Disaster Recovery low-to-moderate income survey tabulation forms for Blessing and Markham. Motion carried. Vote 5 ayes 0 nays

32. Consideration and possible action to approve the signing of a Certifications and Assurance Form by County Judge Nate McDonald and Sheriff Frank “Skipper” Osborne certifying Matagorda County does not have written policy, procedures or agreements that limits or impedes Department of Homeland Security issuance of detainers as required for Grant Compliance

This being the next item for business, motion was duly made by Graham and seconded by Commissioner Frick, with all others concurring, to approve the signing of a Certifications and Assurance Form by County Judge Nate McDonald and Sheriff Frank “Skipper” Osborne certifying Matagorda County does not have written

policy, procedures or agreements that limits or impedes Department of Homeland Security issuance of detainees as required for Grant Compliance. Motion carried. Vote 5 ayes 0 nays

33. Consideration and possible action to approve the signing of a Certifications and Assurance Form by County Judge Nate McDonald and Sheriff Frank "Skipper" Osborne certifying Matagorda County does not have written policy, procedures or agreements that limits or impedes Department of Homeland Security issuance of detainees as required for Grant Compliance

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 signing of a Certifications and Assurance Form by County Judge Nate McDonald and Sheriff Frank "Skipper" Osborne certifying Matagorda County does not have written policy, procedures or agreements that limits or impedes Department of Homeland Security issuance of detainees as required for Grant Compliance. Motion carried. Vote 5 ayes 0 nays

34. Consideration and possible action to approve a Credit Application for Martin Marietta, to allow Matagorda County to purchase materials

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 a Credit Application for Martin Marietta, to allow Matagorda County to purchase materials. Motion carried. Vote 5 ayes 0 nays

35. Consideration and possible action to Order the Partial Abandonment of the following unimproved roadway situated in the Original Townsite of Matagorda, Matagorda County, Texas pursuant to §251.058 of the Transportation Code. That portion of roadway being a certain .88 acre tract of land lying and situated in the E.R. Wightman League Abstract No. 101, more particularly being part of the platted 111.12 foot wide Magnolia Street, located between Block 4, Tier 5, Northwest Fraction and Block 5, Tier 5, Northwest Fraction of Matagorda Townsite, Volume 1, Page 35 of Matagorda County, Texas Plat Records. Described in metes and bounds by attached Exhibit "A" consisting of Magnolia Street Tract 1, 2, 3, and 4 (labeled for purposes of this abandonment only) to this agenda request. Once abandoned, the Court further orders further directs the County Clerk to index the order in the County Deed Records in a manner that describes the County conveying the property as Grantor; and Grantees receiving the conveyance, as follows:

- a. **Magnolia Street Tract 1 dimensions in Exhibit "A" shall vest in Tier 5, Lot 4, Block 4, owner, Don Simons**
- b. **Magnolia Street Tract 2 dimensions in Exhibit "A" shall vest in Tier 5, Lot 6, Block 5, owner, Don Simons**
- c. **Magnolia Street Tract 3 dimensions in Exhibit "A" shall vest in Tier 5, Lot 3, Block 4, owner, Don Simons**
- d. **Magnolia Street Tract 4 dimensions in Exhibit "A" shall vest in Tier 5, Lot 1, Block 5, owner, Don Simons**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Frick, with all others concurring, to Order the Partial Abandonment of the following unimproved roadway situated in the Original Townsite of Matagorda, Matagorda County, Texas pursuant to §251.058 of the Transportation Code. That portion of roadway being a certain .88 acre tract of land lying and situated in the E.R. Wightman League Abstract No. 101, more particularly being part of the platted 111.12 foot wide Magnolia Street, located between Block 4, Tier 5, Northwest Fraction and Block 5, Tier 5, Northwest Fraction of Matagorda Townsite, Volume 1, Page 35 of Matagorda County, Texas Plat Records. Described in metes and bounds by attached Exhibit "A" consisting of Magnolia Street Tract 1, 2, 3, and 4 (labeled for purposes of this

abandonment only) to this agenda request. Once abandoned, the Court further orders further directs the County Clerk to index the order in the County Deed Records in a manner that describes the County conveying the property as Grantor; and Grantees receiving the conveyance, as follows:

- a. Magnolia Street Tract 1 dimensions in Exhibit "A" shall vest in Tier 5, Lot 4, Block 4, owner, Don Simons
- b. Magnolia Street Tract 2 dimensions in Exhibit "A" shall vest in Tier 5, Lot 6, Block 5, owner, Don Simons
- c. Magnolia Street Tract 3 dimensions in Exhibit "A" shall vest in Tier 5, Lot 3, Block 4, owner, Don Simons
- d. Magnolia Street Tract 4 dimensions in Exhibit "A" shall vest in Tier 5, Lot 1, Block 5, owner, Don Simons

Motion carried. Vote 5 ayes 0 nays

36. Consideration and possible action to Order the Partial Abandonment of the following unimproved roadway situated in the Original Townsite of Matagorda, Matagorda County, Texas pursuant to §251.058 of the Transportation Code. That portion of roadway being a certain .66 acre tract of land lying and situated in the E.R. Wightman League Abstract No. 101, more particularly being part of the platted 83.34 foot wide Swan Street, located between Block 5, Tier 7, Northwest Fraction and Block 6, Tier 6, Northwest Fraction of Matagorda Townsite, Volume 1, Page 35 of Matagorda County, Texas Plat Records. Described in metes and bounds by attached Exhibit "A" consisting of Swan Street Tract 1, 2, 3, 4, 5 and 6 (labeled for purposes of this abandonment only) to this agenda request. Once abandoned, the Court further orders further directs the County Clerk to index the order in the County Deed Records in a manner that describes the County conveying the property as Grantor; and Grantees receiving the conveyance, as follows:

- a. **Swan Street Tract 1 dimensions in Exhibit "A" shall vest in Tier 7, Lot 1, Block 5, owner, Don Simons**
- b. **Swan Street Tract 2 dimensions in Exhibit "A" shall vest in Tier 7, Lot 2, Block 5, owner, Don Simons**
- c. **Swan Street Tract 3 dimensions in Exhibit "A" shall vest in Tier 7, Lot 3, Block 5, owner, Don Simons**
- d. **Swan Street Tract 4 dimensions in Exhibit "A" shall vest in Tier 6, Lot 4, Block 6, owner, Don Simons**
- e. **Swan Street Tract 5 dimensions in Exhibit "A" shall vest in Tier 6, Lot 5, Block 6, owner, Don Simons**
- f. **Swan Street Tract 6 dimensions in Exhibit "A" shall vest in Tier 6, Lot 6, Block 6, owner, Don Simons**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to Order the Partial Abandonment of the following unimproved roadway situated in the Original Townsite of Matagorda, Matagorda County, Texas pursuant to §251.058 of the Transportation Code. That portion of roadway being a certain .66 acre tract of land lying and situated in the E.R. Wightman League Abstract No. 101, more particularly being part of the platted 83.34 foot wide Swan Street, located between Block 5, Tier 7, Northwest Fraction and Block 6, Tier 6, Northwest Fraction of Matagorda Townsite, Volume 1, Page 35 of Matagorda County, Texas Plat Records. Described in metes and bounds by attached Exhibit "A" consisting of Swan Street Tract 1, 2, 3, 4, 5 and 6 (labeled for purposes of this abandonment only) to this agenda request. Once abandoned, the Court further orders further directs the County Clerk to index the order in the County Deed Records in a manner that describes the County conveying the property as Grantor; and Grantees receiving the conveyance, as follows:

- a. Swan Street Tract 1 dimensions in Exhibit "A" shall vest in Tier 7, Lot 1, Block 5, owner, Don Simons
- b. Swan Street Tract 2 dimensions in Exhibit "A" shall vest in Tier 7, Lot 2, Block 5, owner, Don Simons
- c. Swan Street Tract 3 dimensions in Exhibit "A" shall vest in Tier 7, Lot 3, Block 5, owner, Don Simons

- d. Swan Street Tract 4 dimensions in Exhibit "A" shall vest in Tier 6, Lot 4, Block 6, owner, Don Simons
- e. Swan Street Tract 5 dimensions in Exhibit "A" shall vest in Tier 6, Lot 5, Block 6, owner, Don Simons
- f. Swan Street Tract 6 dimensions in Exhibit "A" shall vest in Tier 6, Lot 6, Block 6, owner, Don Simons

Motion carried. Vote 5 ayes 0 nays

37. Consideration and possible action to Order the Partial Abandonment of the following unimproved roadway situated in the Original Townsite of Matagorda, Matagorda County, Texas pursuant to §251.058 of the Transportation Code. That portion of roadway being a certain .66 acre tract of land lying and situated in the E.R. Wightman League Abstract No. 101, more particularly being part of the platted 83.34 foot wide Flag Street, located between Block 4, Tier 6, Northwest Fraction and Block 4, Tier 5, Northwest Fraction of Matagorda Townsite, Volume 1, Page 35 of Matagorda County, Texas Plat Records. Described in metes and bounds by attached Exhibit "A" consisting of Flag Street Tract 1, 2, 3, 4, 5 and 6 (labeled for purposes of this abandonment only) to this agenda request. Once abandoned, the Court further orders further directs the County Clerk to index the order in the County Deed Records in a manner that describes the County conveying the property as Grantor; and Grantees receiving the conveyance, as follows:

- a. **Flag Street Tract 1 dimensions in Exhibit "A" shall vest in Tier 6, Lot 1, Block 4, owner, Don Simons**
- b. **Flag Street Tract 2 dimensions in Exhibit "A" shall vest in Tier 6, Lot 2, Block 4, owner, Don Simons**
- c. **Flag Street Tract 3 dimensions in Exhibit "A" shall vest in Tier 6, Lot 3, Block 4, owner, Don Simons**
- d. **Flag Street Tract 4 dimensions in Exhibit "A" shall vest in Tier 5, Lot 6, Block 4, owner, Don Simons**
- e. **Flag Street Tract 5 dimensions in Exhibit "A" shall vest in Tier 5, Lot 5, Block 4, owner, Don Simons**
- f. **Flag Street Tract 6 dimensions in Exhibit "A" shall vest in Tier 5, Lot 4, Block 4, owner, Don Simons**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to Order the Partial Abandonment of the following unimproved roadway situated in the Original Townsite of Matagorda, Matagorda County, Texas pursuant to §251.058 of the Transportation Code. That portion of roadway being a certain .66 acre tract of land lying and situated in the E.R. Wightman League Abstract No. 101, more particularly being part of the platted 83.34 foot wide Flag Street, located between Block 4, Tier 6, Northwest Fraction and Block 4, Tier 5, Northwest Fraction of Matagorda Townsite, Volume 1, Page 35 of Matagorda County, Texas Plat Records. Described in metes and bounds by attached Exhibit "A" consisting of Flag Street Tract 1, 2, 3, 4, 5 and 6 (labeled for purposes of this abandonment only) to this agenda request. Once abandoned, the Court further orders further directs the County Clerk to index the order in the County Deed Records in a manner that describes the County conveying the property as Grantor; and Grantees receiving the conveyance, as follows:

- a. Flag Street Tract 1 dimensions in Exhibit "A" shall vest in Tier 6, Lot 1, Block 4, owner, Don Simons
- b. Flag Street Tract 2 dimensions in Exhibit "A" shall vest in Tier 6, Lot 2, Block 4, owner, Don Simons
- c. Flag Street Tract 3 dimensions in Exhibit "A" shall vest in Tier 6, Lot 3, Block 4, owner, Don Simons
- d. Flag Street Tract 4 dimensions in Exhibit "A" shall vest in Tier 5, Lot 6, Block 4, owner, Don Simons
- e. Flag Street Tract 5 dimensions in Exhibit "A" shall vest in Tier 5, Lot 5, Block 4, owner, Don Simons
- f. Flag Street Tract 6 dimensions in Exhibit "A" shall vest in Tier 5, Lot 4, Block 4, owner, Don Simons

Motion carried. Vote 5 ayes 0 nays

38. Consideration and possible action to Order the Partial Abandonment of the following unimproved roadway situated in the Original Townsite of Matagorda, Matagorda County, Texas pursuant to §251.058 of

the Transportation Code. That portion of roadway being a certain .52 acre tract of land lying and situated in the E.R. Wightman League Abstract No. 101, more particularly being part of the platted 69.44 foot wide Caney Street, located between Block 7, Tier 1, Northwest Fraction and Block 8, Tier 1, Northwest Fraction of Matagorda Townsite, Volume 1, Page 35 of Matagorda County, Texas Plat Records. Described in metes and bounds by attached Exhibit "A" consisting of Caney Street Tract 1, 2, 3, and 4 (labeled for purposes of this abandonment only) to this agenda request. Once abandoned, the Court further orders further directs the County Clerk to index the order in the County Deed Records in a manner that describes the County conveying the property as Grantor; and Grantees receiving the conveyance, as follows:

- a. **Caney Street Tract 1 dimensions in Exhibit "A" shall vest in Tier 1, Lot 4, Block 7, owner, Don Simons**
- b. **Caney Street Tract 2 dimensions in Exhibit "A" shall vest in Tier 1, Lot 6, Block 8, owner, Don Simons**
- c. **Caney Street Tract 3 dimensions in Exhibit "A" shall vest in Tier 1, Lot 3, Block 7, owner, Tyler Treybig (letter of agreement attached)**
- d. **Caney Street Tract 4 dimensions in Exhibit "A" shall vest in Tier 1, Lot 1, Block 8, owner, Tyler Treybig (letter of agreement attached)**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to Order the Partial Abandonment of the following unimproved roadway situated in the Original Townsite of Matagorda, Matagorda County, Texas pursuant to §251.058 of the Transportation Code. That portion of roadway being a certain .52 acre tract of land lying and situated in the E.R. Wightman League Abstract No. 101, more particularly being part of the platted 69.44 foot wide Caney Street, located between Block 7, Tier 1, Northwest Fraction and Block 8, Tier 1, Northwest Fraction of Matagorda Townsite, Volume 1, Page 35 of Matagorda County, Texas Plat Records. Described in metes and bounds by attached Exhibit "A" consisting of Caney Street Tract 1, 2, 3, and 4 (labeled for purposes of this abandonment only) to this agenda request. Once abandoned, the Court further orders further directs the County Clerk to index the order in the County Deed Records in a manner that describes the County conveying the property as Grantor; and Grantees receiving the conveyance, as follows:

- a. Caney Street Tract 1 dimensions in Exhibit "A" shall vest in Tier 1, Lot 4, Block 7, owner, Don Simons
- b. Caney Street Tract 2 dimensions in Exhibit "A" shall vest in Tier 1, Lot 6, Block 8, owner, Don Simons
- c. Caney Street Tract 3 dimensions in Exhibit "A" shall vest in Tier 1, Lot 3, Block 7, owner, Tyler Treybig (letter of agreement attached)
- d. Caney Street Tract 4 dimensions in Exhibit "A" shall vest in Tier 1, Lot 1, Block 8, owner, Tyler Treybig (letter of agreement attached)

Motion carried. Vote 5 ayes 0 nays

39. Consideration and possible action to Order the Partial Abandonment of the following unimproved roadway situated in the Original Townsite of Matagorda, Matagorda County, Texas pursuant to §251.058 of the Transportation Code. That portion of roadway being a certain .31 acre tract of land lying and situated in the E.R. Wightman League Abstract No. 101, more particularly being part of the platted 69.44 foot wide Live Oak Street, located between Block 5, Tier 7, Northwest Fraction and Block 6, Tier 7, Northwest Fraction of Matagorda Townsite, Volume 1, Page 35 of Matagorda County, Texas Plat Records. Described in metes and bounds by attached Exhibit "A" consisting of Live Oak Street Tract 1, 2, 3, and 4 (labeled for purposes of this abandonment only) to this agenda request. Once abandoned, the Court further orders further directs the

County Clerk to index the order in the County Deed Records in a manner that describes the County conveying the property as Grantor; and Grantees receiving the conveyance, as follows:

- a. **Live Oak Street Tract 1 dimensions in Exhibit "A" shall vest in Tier 7, Lot 4, Block 5, owner, Don Simons**
- b. **Live Oak Street Tract 2 dimensions in Exhibit "A" shall vest in Tier 7, Lot 6, Block 6, owner, Don Simons**
- c. **Live Oak Street Tract 3 dimensions in Exhibit "A" shall vest in Tier 7, Lot 3, Block 5, owner, Don Simons**
- d. **Live Oak Street Tract 4 dimensions in Exhibit "A" shall vest in Tier 7, Lot 1, Block 6, owner, Don Simons**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to Order the Partial Abandonment of the following unimproved roadway situated in the Original Townsite of Matagorda, Matagorda County, Texas pursuant to §251.058 of the Transportation Code. That portion of roadway being a certain .31 acre tract of land lying and situated in the E.R. Wightman League Abstract No. 101, more particularly being part of the platted 69.44 foot wide Live Oak Street, located between Block 5, Tier 7, Northwest Fraction and Block 6, Tier 7, Northwest Fraction of Matagorda Townsite, Volume 1, Page 35 of Matagorda County, Texas Plat Records. Described in metes and bounds by attached Exhibit "A" consisting of Live Oak Street Tract 1, 2, 3, and 4 (labeled for purposes of this abandonment only) to this agenda request. Once abandoned, the Court further orders further directs the County Clerk to index the order in the County Deed Records in a manner that describes the County conveying the property as Grantor; and Grantees receiving the conveyance, as follows:

- a. Live Oak Street Tract 1 dimensions in Exhibit "A" shall vest in Tier 7, Lot 4, Block 5, owner, Don Simons
- b. Live Oak Street Tract 2 dimensions in Exhibit "A" shall vest in Tier 7, Lot 6, Block 6, owner, Don Simons
- c. Live Oak Street Tract 3 dimensions in Exhibit "A" shall vest in Tier 7, Lot 3, Block 5, owner, Don Simons
- d. Live Oak Street Tract 4 dimensions in Exhibit "A" shall vest in Tier 7, Lot 1, Block 6, owner, Don Simons

Motion carried. Vote 5 ayes 0 nays

40. Consideration and possible action to Order the Partial Abandonment of the following unimproved roadway situated in the Original Townsite of Matagorda, Matagorda County, Texas pursuant to §251.058 of the Transportation Code. That portion of roadway being a certain .52 acre tract of land lying and situated in the E.R. Wightman League Abstract No. 101, more particularly being part of the platted 69.44 foot wide Live Oak Street, located between Block 6, Tier 4, Northwest Fraction and Block 7, Tier 4, Northwest Fraction of Matagorda Townsite, Volume 1, Page 35 of Matagorda County, Texas Plat Records. Described in metes and bounds by attached Exhibit "A" consisting of Live Oak Street Tract 1, 2, 3, and 4 (labeled for purposes of this abandonment only) to this agenda request. Once abandoned, the Court further orders further directs the County Clerk to index the order in the County Deed Records in a manner that describes the County conveying the property as Grantor; and Grantees receiving the conveyance, as follows:

- a. Live Oak Street Tract 1 dimensions in Exhibit "A" shall vest in Tier 4, Lot 4, Block 6, owner, Don Simons
- b. Live Oak Street Tract 2 dimensions in Exhibit "A" shall vest in Tier 4, Lot 6, Block 7, owner, Don Simons
- c. Live Oak Street Tract 3 dimensions in Exhibit "A" shall vest in Tier 4, Lot 3, Block 6, owner, Don Simons
- d. Live Oak Street Tract 4 dimensions in Exhibit "A" shall vest in Tier 4, Lot 1, Block 7, owner, Don Simons

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to Order the Partial Abandonment of the following unimproved roadway situated in the Original Townsite of Matagorda, Matagorda County, Texas pursuant to §251.058 of the Transportation Code. That portion of roadway being a certain .52 acre tract of land lying and situated in the E.R. Wightman League Abstract No. 101, more particularly being part of the platted 69.44 foot wide Live Oak Street, located between Block 6, Tier 4, Northwest Fraction and Block 7, Tier 4, Northwest Fraction of Matagorda Townsite, Volume 1, Page 35 of Matagorda County, Texas Plat Records. Described in metes and bounds by attached Exhibit "A" consisting of Live Oak Street Tract 1, 2, 3, and 4 (labeled for purposes of this abandonment only) to this agenda request. Once abandoned, the Court further orders further directs the County Clerk to index the order in the County Deed Records in a manner that describes the County conveying the property as Grantor; and Grantees receiving the conveyance, as follows:

- a. Live Oak Street Tract 1 dimensions in Exhibit "A" shall vest in Tier 4, Lot 4, Block 6, owner, Don Simons
- b. Live Oak Street Tract 2 dimensions in Exhibit "A" shall vest in Tier 4, Lot 6, Block 7, owner, Don Simons
- c. Live Oak Street Tract 3 dimensions in Exhibit "A" shall vest in Tier 4, Lot 3, Block 6, owner, Don Simons
- d. Live Oak Street Tract 4 dimensions in Exhibit "A" shall vest in Tier 4, Lot 1, Block 7, owner, Don Simons

Motion carried. Vote 5 ayes 0 nays

41. Consideration and possible action to approve Matagorda County Treasurer's Monthly Investment Report for January 2020

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 Matagorda County Treasurer's Monthly Investment Report for January 2020. Motion carried. Vote 5 ayes 0 nays

42. Consideration and possible action to accept the Internal Review Reports for the 4th Quarter and YTD for 2019

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 Internal Review Reports for the 4th Quarter and YTD for 2019. Motion carried. Vote 5 ayes 0 nays

43. 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 Frick, with all others concurring, to approve Payment of Demand Checks. Motion carried. Vote 5 ayes 0 nays

44. **Consideration and possible action to ratify Payment of Bills from February 14, 2020**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Graham, with all others concurring, to ratify Payment of Bills from February 14, 2020. Motion carried. Vote 5 ayes 0 nays

45. **Public Comments**

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


46. **Adjournment**

Motion was duly made at approximately 12:26 p.m. 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, the 2nd day of March, 2020.



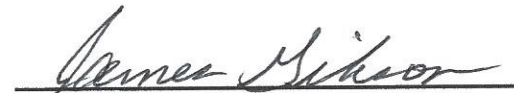
NATE McDONALD
County Judge



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

