

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, NOVEMBER 18, 2019

Call to Order

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday, November 18, 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: Kay Cooper, Kristen Kubecka, Skipper Osborne, Loretta Griffin, Aaron Sumrall, Carmen Andrews, Barbara Zapalac, Steven Johnson, Lisa Krobot, Becky Corenfield, Bubba Cook, Mike Ferdinand, Mitch Thames, Mike Reddell 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 Graham

3. Texas Pledge – Commissioner Graham

4. Prayer – Commissioner Frick

5. Consideration and possible action regarding approving Commissioner's Court Minutes for November 4, 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 Commissioner's Court Minutes for November 4, 2019. 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 Graham and seconded by Commissioner Frick, with all others concurring, to approve a contract with Matagorda County Extension Office for November 18, 2019, for the use of Matagorda County Fairgrounds facilities. Motion carried. Vote 5 ayes 0 nays

7. Consideration and possible action to approve a Resolution casting all Matagorda County votes to David Cobb for the Board of Directors of the Matagorda County Appraisal District for the 2020-2021 term, and authorize the County Judge to fill out and sign the Official Ballot

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 casting all Matagorda County votes to David Cobb for the Board of Directors of the Matagorda County Appraisal District for the 2020-2021 term, and

authorize the County Judge to fill out and sign the Official Ballot. Motion carried. Vote 5 ayes 0 nays

8. Consideration and possible action to approve a Re-plat of Lots 1-17, Block 2 of the Downey's Caney Creek Subdivision, Matagorda County, Texas

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 Re-plat of Lots 1-17, Block 2 of the Downey's Caney Creek Subdivision, Matagorda County, Texas. Motion carried. Vote 5 ayes 0 nays

9. Consideration and possible action to approve an Independent Contractor Agreement between Matagorda County and Ronnie Radford regarding the opening of the Courthouse for Community Events

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 an Independent Contractor Agreement between Matagorda County and Ronnie Radford regarding the opening of the Courthouse for Community Events. Motion carried. Vote 5 ayes 0 nays

10. Consideration and possible action to accept the Feral Hog Grant funded to Matagorda County for 2019-2020 in the amount of \$20,000, 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 accept the Feral Hog Grant funded to Matagorda County for 2019-2020 in the amount of \$20,000, and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

11. Consideration and possible action to approve a Cellular Phone Allowance for Patrol Deputy Lacey Gilbert, in the amount of \$60.00 per month according to county policies and procedures

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 Cellular Phone Allowance for Patrol Deputy Lacey Gilbert, in the amount of \$60.00 per month according to county policies and procedures. Motion carried. Vote 5 ayes 0 nays

12. Consideration and possible action to approve a Cellular Phone Allowance for Patrol Deputy Brittany Smith, in the amount of \$60.00 per month according to county policies and procedures

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 Cellular Phone Allowance for Patrol Deputy Brittany Smith, in the amount of \$60.00 per month according to county policies and procedures. Motion carried. Vote 5 ayes 0 nays

13. Consideration and possible action to approve a Cellular Phone Allowance for Patrol Deputy Ishmael Villarreal, in the amount of \$60.00 per month according to county policies and procedures

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 Cellular Phone Allowance for Patrol Deputy Ishmael Villarreal, in the amount of \$60.00 per month according to county policies and procedures. Motion carried. Vote 5 ayes 0 nays

14. Consideration and possible action to accept \$24,064.00, from the Texas Department of Transportation County Assistance Program for Fiscal Year 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 accept \$24,064.00, from the Texas Department of

Transportation County Assistance Program for Fiscal Year 2020. Motion carried. Vote 5 ayes 0 nays

15. Consideration and possible action to authorize the County Judge to sign a letter to Peyton Creek Wind Farm, regarding Matagorda County permits

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Graham, with all others concurring, to table authorizing the County Judge to sign a letter to Peyton Creek Wind Farm, regarding Matagorda County permits. Motion carried. Vote 5 ayes 0 nays

16. Consideration and possible action to Canvass the November 5, 2019 Constitutional Amendment Election

This being the next item for business, motion was duly made by Commissioner Graham and seconded by Commissioner Frick, with all others concurring, to Canvass the November 5, 2019 Constitutional Amendment Election. Motion carried. Vote 5 ayes 0 nays

17. Consideration and possible action to authorize the issue of requests for proposals (RFPs) for Administrative services and requests for qualifications (RFQs) for Engineering services related to the 2020 Texas County Transportation Infrastructure Fund (CTIF) administered by the Texas Department of Transportation (TXDOT)

This being the next item for business, motion was duly made by Judge McDonald and seconded by Commissioner Frick, with all others concurring, to authorize the issue of requests for proposals (RFPs) for Administrative services and requests for qualifications (RFQs) for Engineering services related to the 2020 Texas County Transportation Infrastructure Fund (CTIF) administered by the Texas Department of Transportation (TXDOT). Motion carried. Vote 5 ayes 0 nays

18. Consideration and possible action to approve an estimate of cost for the County to abate a nuisance and authorize the Matagorda County Attorney, Denise M. Fortenberry, to file an assessment lien against property owner, Donald Mustard, who has caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to table approving an estimate of cost for the County to abate a nuisance and authorize the Matagorda County Attorney, Denise M. Fortenberry, to file an assessment lien against property owner, Donald Mustard, who has caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists. Motion carried. Vote 5 ayes 0 nays

19. Consideration and possible action to approve an estimate of cost for the County to abate a nuisance and authorize the Matagorda County Attorney, Denise M. Fortenberry, to file an assessment lien against property owner, Michael Dodson, who has caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to table approving an estimate of cost for the County to abate a nuisance and authorize the Matagorda County Attorney, Denise M. Fortenberry, to file an assessment lien against property owner, Michael Dodson, who has caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists. Motion carried. Vote 5 ayes 0 nays

20. Consideration and possible action to approve the revisions to section 2.09 of the Matagorda County Personnel Policy Manual

This being the next item for business, motion was duly made by Commissioner Graham and seconded by Commissioner Pollard, with all others concurring, to table approving the revisions to section 2.09 of the

Matagorda County Personnel Policy Manual. Motion carried. Vote 5 ayes 0 nays

21. Consideration and possible action to approve the revisions to section 2.13 of the Matagorda County Personnel Policy Manual

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Graham, with all others concurring, to table approving the revisions to section 2.13 of the Matagorda County Personnel Policy Manual. Motion carried. Vote 5 ayes 0 nays

22. Consideration and possible action to approve the revisions to section 6.01 of the Matagorda County Personnel Policy Manual

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Graham, with all others concurring, to table approving the revisions to section 6.01 of the Matagorda County Personnel Policy Manual. Motion carried. Vote 5 ayes 0 nays

23. Consideration and possible action to accept the Annual Report of Eminent Domain Authority for FY 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 accept the Annual Report of Eminent Domain Authority for FY 2020. Motion carried. Vote 5 ayes 0 nays

24. Consideration and possible action to approve the Rules of Procedure, Conduct and Decorum at Meetings of the Matagorda County Commissioners Court

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 Rules of Procedure, Conduct and Decorum at Meetings of the Matagorda County Commissioners Court. Motion carried. Vote 5 ayes 0 nays

25. Consideration and possible action to set a Public Hearing on December 23, 2019, at 9:45 a.m. regarding the approval of the 2019-2021 Guidelines and Criteria for Granting Tax Abatement in Reinvestment Zones and/or Enterprise Zones and intent to participate in Chapter 381 Incentives, and authorize the publication of the Notice of Public Hearing

This being the next item for business, motion was duly made by Judge McDonald and seconded by Commissioner Gibson, with all others concurring, to set a Public Hearing on December 23, 2019, at 9:45 a.m. regarding the approval of the 2019-2021 Guidelines and Criteria for Granting Tax Abatement in Reinvestment Zones and/or Enterprise Zones and intent to participate in Chapter 381 Incentives, and authorize the publication of the Notice of Public Hearing. Motion carried. Vote 5 ayes 0 nays

26. Consideration and possible action to approve the setting and publishing of a Public Hearing on December 23, 2019 at 10:00 a.m. concerning entering into a Tax Abatement with Lodestar Energy Group. Exhibit A provides information on the established Reinvestment Zone and Exhibit B includes a project summary

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 setting and publishing of a Public Hearing on December 23, 2019 at 10:00 a.m. concerning entering into a Tax Abatement with Lodestar Energy Group. Exhibit A provides information on the established Reinvestment Zone and Exhibit B includes a project summary. Motion carried. Vote 5 ayes 0 nays

27. Consideration and possible action to approve the 2019 annual payment of \$1,000.00, made payable to the Sargent Volunteer Fire Department for electricity cost of Justice of the Peace, Precinct #6

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 2019 annual payment of \$1,000.00, made payable to the Sargent Volunteer Fire Department for electricity cost of Justice of the Peace, Precinct #6. Motion carried. Vote 5 ayes 0 nays

28. Consideration and possible action to approve Line Item Transfers

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 Line Item Transfers. Motion carried. Vote 5 ayes 0 nays

29. Consideration and possible action to approve Bank Drafts

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 Bank Drafts. Motion carried. Vote 5 ayes 0 nays

30. Consideration and possible action to approve 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 Demand Checks. Motion carried. Vote 5 ayes 0 nays

31. Consideration and possible action to ratify Payment of Bills from November 8, 2019

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Frick, with all others concurring, to ratify Payment of Bills from November 8, 2019. Motion carried. Vote 5 ayes 0 nays

32. 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 Pollard, with all others concurring, to approve Emergency Amendments. Motion carried. Vote 5 ayes 0 nays

33. Meet in Executive Session:

Under section 551.0785 of the Texas Government Code to discuss a matter involving medical or psychiatric records of individuals, as a governmental body that administers a self-funded health plan

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 551.086 of the Texas Government Code to discuss or deliberate regarding commercial or financial information that the governmental body seeks to have locate, stay or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations

This being the next item for business, motion was duly made at 10:33 a.m. by Commissioner Graham and seconded by Commissioner Frick, with all others concurring, to meet in Executive Session:

Under section 551.0785 of the Texas Government Code to discuss a matter involving medical or psychiatric records of individuals, as a governmental body that administers a self-funded health plan

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 551.086 of the Texas Government Code to discuss or deliberate regarding commercial or financial information that the governmental body seeks to have locate, stay or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations

Motion carried. Vote 5 ayes 0 nays

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

Under section 551.0785 of the Texas Government Code to discuss a matter involving medical or psychiatric records of individuals, as a governmental body that administers a self-funded health plan

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 551.086 of the Texas Government Code to discuss or deliberate regarding commercial or financial information that the governmental body seeks to have locate, stay or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations

This being the next item for business, motion was duly made at 11:20 a.m. by Commissioner Graham and seconded by Commissioner Gibson, with all others concurring, to Reconvene open session:

Under section 551.0785 of the Texas Government Code to discuss a matter involving medical or psychiatric records of individuals, as a governmental body that administers a self-funded health plan

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 551.086 of the Texas Government Code to discuss or deliberate regarding commercial or financial information that the governmental body seeks to have locate, stay or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations

Motion carried. Vote 5 ayes 0 nays


35. Public Comments

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


36. Adjournment

Motion was duly made at approximately 11:21 a.m. by Commissioner Graham and seconded by Commissioner Frick, with all others concurring, to adjourn the meeting. Motion carried. Vote 5 ayes 0 nays


Approved in Open Court, the 25th day of November, 2019.



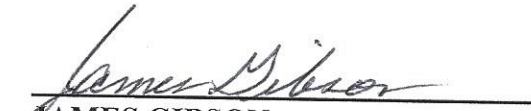
NATE McDONALD
County Judge




GARY GRAHAM
Commissioner Precinct No. One



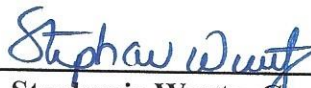
KENT POLLARD
Commissioner Precinct No. Two
Judge Pro Tem



JAMES GIBSON
Commissioner Precinct No. Three



CHARLES "BUBBA" FRICK
Commissioner Precinct No. Four

ATTEST: 

Stephanie Wurtz, County Clerk

