

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, OCTOBER 7, 2019

Call to Order

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday, October 7, 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: Denise Fortenberry, Kristen Kubecka, Skipper Osborne, Loretta Griffin, Michael Ferdinand, Chris Peikert, Becca Sitz, Lisa Krobot, Steven Johnson, Clay Allison, Mallory Grimes, Madilyn Spalek, Denise Grisham, Spencer Hogg, Gabe Sumrall, Tanner Ryman, Clayton Ryman 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 Pollard

3. Texas Pledge – Commissioner Pollard

4. Prayer – Commissioner Graham

5. Consideration and possible action regarding approving Commissioner's Court Minutes for September 30, 2019

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 September 30, 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 one contract for the use of Matagorda County Fairgrounds facilities. Motion carried. Vote 5 ayes 0 nays

7. Consideration and possible action to approve a Proclamation proclaiming October 6-12, 2019, as National 4-H Week

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 Proclamation proclaiming October 6-12, 2019, as National 4-H Week. Motion carried. Vote 5 ayes 0 nays

8. Consideration and possible action to approve an Application by Margaret Dobbs, for her Contractor B&E Utilities, to bore under and place a 1" water line for the following County Road: 1758 CR 243, in Precinct #2, Matagorda County, Texas

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 Application by Margaret Dobbs, for her Contractor B&E Utilities, to bore under and place a 1" water line for the following County Road: 1758 CR 243, in Precinct #2, Matagorda County, Texas. Motion carried. Vote 5 ayes 0 nays

9. Consideration and possible action to approve an Application by Margaret Dobbs, for her Contractor B&E Utilities, to place a 2" casing with 1 1/4" PVC sewer drain line under and along the following County Road: 1764 CR 243, in Precinct #2, Matagorda County, Texas

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 Application by Margaret Dobbs, for her Contractor B&E Utilities, to place a 2" casing with 1 1/4" PVC sewer drain line under and along the following County Road: 1764 CR 243, in Precinct #2, Matagorda County, Texas. Motion carried. Vote 5 ayes 0 nays

10. Consideration and possible action to approve a temporary License/Permit for alcoholic beverages at the Matagorda County Fairgrounds on October 12, 2019, for the Matagorda County Stampede Xtream Roughstock Event

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 a temporary License/Permit for alcoholic beverages at the Matagorda County Fairgrounds on October 12, 2019, for the Matagorda County Stampede Xtream Roughstock Event. Motion carried. Vote 5 ayes 0 nays

11. Consideration and possible action to approve an Interlocal Contract between Matagorda County and The Department of Information Resources

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 an Interlocal Contract between Matagorda County and The Department of Information Resources. Motion carried. Vote 5 ayes 0 nays

12. Consideration and possible action to allow the County Judge to email an affirmative statement to the DIR Shared Services Contract Office to accept the terms of the Managed Security Services (MSS) Program

This being the next item for business, motion was duly made by Commissioner Graham and seconded by Commissioner Frick, with all others concurring, to allow the County Judge to email an affirmative statement to the DIR Shared Services Contract Office to accept the terms of the Managed Security Services (MSS) Program. Motion carried. Vote 5 ayes 0 nays

13. Consideration and possible action to authorize the County Judge and Sheriff Frank Osborne to sign the Certification and Assurance form for the JAG/App. 3807201

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 and Sheriff Frank Osborne to sign the Certification and Assurance form for the JAG/App. 3807201. Motion carried. Vote 5 ayes 0 nays

14. Consideration and possible action to enter the Coastal Erosion Planning and Response Act Project Cooperation Agreement; GLO Contract No. 19-226-008-B875; CEPRA Project No. 1638 and authorize the County Judge to digitally sign

This being the next item for business, motion was duly made by Judge McDonald and seconded by

Commissioner Pollard, with all others concurring, to enter the Coastal Erosion Planning and Response Act Project Cooperation Agreement; GLO Contract No. 19-226-008-B875; CEPRA Project No. 1638 and authorize the County Judge to digitally sign. Motion carried. Vote 5 ayes 0 nays

15. Consideration and possible action to approve a Contract between Matagorda County and STW, Inc., for licensing, installing, and supporting application software, 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 Graham, with all others concurring, to table approving a Contract between Matagorda County and STW, Inc., for licensing, installing, and supporting application software, and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

16. Consideration and possible action to approve the detailed final plans for the construction of the Holding Pen expansion

This being the next item for business, motion was duly made by Commissioner Graham and seconded by Commissioner Gibson, with all others concurring, to table approving the detailed final plans for the construction of the Holding Pen expansion. Motion carried. Vote 5 ayes 0 nays

17. Consideration and possible action to accept a Contribution in the amount of \$5,000.00, from Equistar, a Lyondell Company, for expenses toward the Matagorda County Household Hazardous Waste Collection Event to be held on October 19, 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 a Contribution in the amount of \$5,000.00, from Equistar, a Lyondell Company, for expenses toward the Matagorda County Household Hazardous Waste Collection Event to be held on October 19, 2019. Motion carried. Vote 5 ayes 0 nays

18. Consideration and possible action to approve a Disposal Agreement between Matagorda County and Waste Connections Subsidiary for waste disposal for the year 2020 and allow the County Judge to sign

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 a Disposal Agreement between Matagorda County and Waste Connections Subsidiary for waste disposal for the year 2020 and allow the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

19. Consideration and possible action to approve an Agreement between Matagorda County and Clean Harbors Environmental Services for the Household Hazardous Waste Collection Event and allow the County Judge to sign

This being the next item for business, motion was duly made by Commissioner Graham and seconded by Commissioner Frick, with all others concurring, to approve an Agreement between Matagorda County and Clean Harbors Environmental Services for the Household Hazardous Waste Collection Event and allow the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

20. Consideration and possible action to accept a Donation of a 2012 Chevrolet Caprice police vehicle from the Bay City Police Department to the Matagorda County Constables Office, Precinct #6

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 a Donation of a 2012 Chevrolet Caprice police vehicle from the Bay City Police Department to the Matagorda County Constables Office, Precinct #6. Motion carried. Vote 5 ayes 0 nays

21. Consideration and possible action to approve the Certificate of Construction Completion Form pertaining to the Palacios Lift Station & Sewer Rehabilitation Project, and allow the County Judge to sign

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 Certificate of Construction Completion Form pertaining to the Palacios Lift Station & Sewer Rehabilitation Project, and allow the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

22. Consideration and possible action to approve the Construction Contract Change Order Request Form pertaining to the Palacios Lift Station & Sewer Rehabilitation Project, and allow the County Judge to sign

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Frick, with all others concurring, to approve the Construction Contract Change Order Request Form pertaining to the Palacios Lift Station & Sewer Rehabilitation Project, and allow the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

23. Consideration and possible action to approve the Scope of Work Confirmation Certificate for Project Number DR-1791-373 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 Scope of Work Confirmation Certificate for Project Number DR-1791-373 and allow the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

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

This being the next item for business, motion was duly made by Commissioner Graham and seconded by Commissioner Frick, with all others concurring, to approve the Rental Agreement to be used for rental of facilities at the Matagorda County Fairgrounds. Motion carried. Vote 5 ayes 0 nays

25. Consideration and possible action to approve the HGAC Juvenile Mental Contract and authorize the County Judge to digitally 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 HGAC Juvenile Mental Contract and authorize the County Judge to digitally sign. Motion carried. Vote 5 ayes 0 nays

26. Consideration and possible action to Order the Partial Abandonment of the following unimproved roadway situated in the Original Townsite of Collegeport, Matagorda County, Texas pursuant to 251.058 of the Transportation Code. That portion of roadway being certain .137 acre tract of land lying and situated in the Collegeport Townsite in the G. McWhorter Survey, Abstract 261, more particularly being part of the platted 4th Street, located between Block 57 and Block 96, as recorded in Volume 32, Page 100 of the Matagorda County Deed Records. Described in metes and bounds by attached Exhibit "A" consisting of 4th Street Tract 1 and 2 (labeled for purposes of this abandonment only) to this agenda request. Once abandoned, the Court further directs the County Clerk to index the order in the County Deed Records in a manner that describes the County conveying property as Grantor and Grantees receiving the conveyance as follows:

A. Fourth Street Tract 1 dimensions in Exhibit "A" shall vest in Block 96, Lot 6, Andrea Kocurek and Christopher Pearce

B. Fourth Street Tract 2 dimensions in Exhibit "A" shall vest in Block 57, Lot 1, owner Ryan Daniel

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by

Under section 551.074(a)(1) and (2) of the Texas Government Code to deliberate regarding a complaint or charge against an officer or employee.

Motion was duly made by Judge McDonald and seconded by Commissioner Gibson to allow the County Judge to sign a flat-rate fixed-fee contract for professional services (i.e. redistricting services) with Allison, Bass and McGee, LLP for the 2020 Census. Motion carried. Vote 5 ayes 0 nays

22. **Public Comments**

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

23. **Adjournment**

Motion was duly made at approximately 12:11 p.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, the 14th day of October, 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

