

**MINUTES**  
**MATAGORDA COUNTY COMMISSIONERS' COURT MEETING**  
**MATAGORDA COUNTY COURTHOUSE, ROOM 300**  
**1700 SEVENTH STREET, BAY CITY, TEXAS 77414**  
**9:30 A.M., MONDAY, AUGUST 26, 2019**

**Call to Order**

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday, August 26, 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: Kristen Kubecka, Denise Fortenberry, Cristyn Hallmark, Loretta Griffin, Amanda Campos, Lisa Krobot, Skipper Osborne, Mike Reddell, Jessica Russell, Michael Ferdinand, Hawes Dickerson 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 Gibson**

**3. Texas Pledge – Commissioner Gibson**

**4. Prayer – Commissioner Pollard**

**5. Consideration and possible action regarding approving Commissioner's Court Minutes for August 15, 2019 and August 19, 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 August 15, 2019 and August 19, 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 two contracts for the use of the Matagorda County Fairgrounds facilities. Motion carried. Vote 5 ayes 0 nays

**7. Consideration and potential action shall occur to correct the Minutes for Commissioner's Court which were approved on August 19, 2019 for the commissioner's court meeting which took place on July 12, 2019 regarding the approved proposed mediation settlement agreement subject to the final Release and Settlement Agreement, regarding Kevin Davis v. Matagorda County, in Case No. 3:18-CV-00188 filed in the United States District Court, Southern District of Texas, Galveston Division; 2). Davis v. Matagorda County, EEOC Charge No. 460-2018-01558; 3). Davis v. Matagorda County, Cause No. 18-CV-0678 filed in the 122nd state judicial district court of Galveston County; and 4). In Re Matagorda County, Case No. 19-0257 filed in the**

## **Texas Supreme Court**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to correct the Minutes for Commissioner's Court which were approved on August 19, 2019 for the commissioner's court meeting which took place on July 12, 2019 regarding the approved proposed mediation settlement agreement subject to the final Release and Settlement Agreement, regarding Kevin Davis v. Matagorda County, in Case No. 3:18-CV-00188 filed in the United States District Court, Southern District of Texas, Galveston Division; 2). Davis v. Matagorda County, EEOC Charge No. 460-2018-01558; 3). Davis v. Matagorda County, Cause No. 18-CV-0678 filed in the 122nd state judicial district court of Galveston County; and 4). In Re Matagorda County, Case No. 19-0257 filed in the Texas Supreme Court. Motion carried. Vote 5 ayes 0 nays

### **8. Consideration and possible action to approve a Re-plat of 4.00 Acres out of 44.44 Acres, I. & G.N.R.R. Company Survey 7, Block 1 Abstract No. 241, 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 a Re-plat of 4.00 Acres out of 44.44 Acres, I. & G.N.R.R. Company Survey 7, Block 1 Abstract No. 241, Matagorda County, Texas. Motion carried. Vote 5 ayes 0 nays

### **9. Consideration and possible action to approve a Re-plat of Lots 23A, 24A and 25A of the Hubert & Watson Subdivision. E.R. Wightman League, Abstract No. 101, Matagorda County, Texas**

This being the next item for business, motion was duly made by Pollard and seconded by Commissioner Gibson, with all others concurring, to approve a Re-plat of Lots 23A, 24A and 25A of the Hubert & Watson Subdivision. E.R. Wightman League, Abstract No. 101, Matagorda County, Texas. Motion carried. Vote 5 ayes 0 nays

### **10. Consideration and possible action to approve a Re-plat of Lot 1 and Lot 2 in Block 1 in Section 22 of Texas Rice Development Company Subdivision, a 2.07 Acre Subdivision, Matagorda County, Texas**

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 a Re-plat of Lot 1 and Lot 2 in Block 1 in Section 22 of Texas Rice Development Company Subdivision, a 2.07 Acre Subdivision, Matagorda County, Texas. Motion carried. Vote 5 ayes 0 nays

### **11. Consideration and possible action to approve the reorganization of Tax Office staff as follows: Carolyn Wells to Deputy Tax Assessor-Collector-Property Tax/Voter Registration at an hourly rate of \$15.03, Pam Dekle to Chief Deputy Tax-Assessor-Collector at a Bi-Weekly Salary rate of \$1,313.60, and Mary Savage to Senior Deputy Tax Assessor-Collector Accounting at an hourly rate of \$12.49, effective September 8, 2019**

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 reorganization of Tax Office staff as follows: Carolyn Wells to Deputy Tax Assessor-Collector-Property Tax/Voter Registration at an hourly rate of \$15.03, Pam Dekle to Chief Deputy Tax-Assessor-Collector at a Bi-Weekly Salary rate of \$1,313.60, and Mary Savage to Senior Deputy Tax Assessor-Collector Accounting at an hourly rate of \$12.49, effective September 8, 2019. Motion carried. Vote 5 ayes 0 nays

### **12. Consideration and possible action to approve a Resolution (Attachment C) and Interlocal Agreement between the State of Texas, acting by and through the Texas Department of Motor Vehicles and the County of Matagorda, Texas, acting by and through its duly authorized officials**

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 Resolution (Attachment C) and Interlocal Agreement between the State of Texas, acting by and through the Texas Department of Motor Vehicles and the County of Matagorda, Texas, acting by and through its duly authorized officials. Motion carried. Vote 5 ayes 0 nays

**13. Consideration and possible action to adopt the 2019 Proposed Maintenance and Operation tax rate of .42941, for a total tax rate of .43342**

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Gibson, with all others concurring, to adopt the 2019 Proposed Maintenance and Operation tax rate of .42941, for a total tax rate of .43342. Motion carried. Record Vote:

County Judge	Aye
Commissioner Pct. 1	Aye
Commissioner Pct. 2	Aye
Commissioner Pct. 3	Aye
Commissioner Pct. 4	Aye

**14. Consideration and possible action to adopt the 2019 Proposed Interest and Sinking Tax Rate of .00401, for a total tax rate of .43342**

This being the next item for business, motion was duly made at 10:04 a.m. by Commissioner Graham and seconded by Commissioner Gibson, with all others concurring, to adopt the 2019 Proposed Interest and Sinking Tax Rate of .00401, for a total tax rate of .43342. Motion carried. Record Vote:

County Judge	Aye
Commissioner Pct. 1	Aye
Commissioner Pct. 2	Aye
Commissioner Pct. 3	Aye
Commissioner Pct. 4	Aye

**15. Consideration and possible action to adopt the 2019 Property tax rate of .43342, which is effectively a 7.92% increase in the tax rate. This tax rate will raise more taxes for maintenance and operations than last year's tax rate. The tax rate will effectively be raised by 8% and will raise taxes for maintenance and operations on a \$100,000 home by approximately \$16.00**

This being the next item for business, motion was duly made by Commissioner Graham and seconded by Commissioner Frick, with all others concurring, to adopt the 2019 Property tax rate of .43342, which is effectively a 7.92% increase in the tax rate. This tax rate will raise more taxes for maintenance and operations than last year's tax rate. The tax rate will effectively be raised by 8% and will raise taxes for maintenance and operations on a \$100,000 home by approximately \$16.00. Motion carried. Record Vote:

County Judge	Aye
Commissioner Pct. 1	Aye
Commissioner Pct. 2	Aye
Commissioner Pct. 3	Aye
Commissioner Pct. 4	Aye

**16. Consideration and possible action to ratify the 2019 Property tax increase of \$1,635,050.00, or 8.69% reflected in the 2020 Matagorda County Budget, with the total tax rate being .43342**

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 2019 Property tax increase of \$1,635,050.00, or 8.69% reflected in the 2020 Matagorda County Budget, with the total tax rate being .43342. Motion carried. Record Vote:

County Judge	Aye
Commissioner Pct. 1	Aye
Commissioner Pct. 2	Aye
Commissioner Pct. 3	Aye
Commissioner Pct. 4	Aye

**17. Consideration and possible action to remove all pay level identifiers for all Sheriff Office job descriptions and replace them with rank identification**

This being the next item for business, motion was duly made by Commissioner Graham and seconded by Commissioner Pollard, with all others concurring, to remove all pay level identifiers for all Sheriff Office job descriptions and replace them with rank identification. Motion carried. Vote 5 ayes 0 nays

**18. Consideration and possible action to accept Donations from Tractor Supply Co. for miscellaneous hardware for use by all departments in Matagorda County**

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 Donations from Tractor Supply Co. for miscellaneous hardware for use by all departments in Matagorda County. Motion carried. Vote 5 ayes 0 nays

**19. Consideration and possible action to accept Matagorda County Self-Insurance Pool Order Designating Chief Legal Counsel for 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 accept Matagorda County Self-Insurance Pool Order Designating Chief Legal Counsel for 2019. Motion carried. Vote 5 ayes 0 nays

**20. Consideration and possible action to approve the updated Prosperity Bank credit card authorized point of contacts to include Nate McDonald, Kristen Kubecka and Donna Barrett**

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Graham, with all others concurring, to approve the updated Prosperity Bank credit card authorized point of contacts to include Nate McDonald, Kristen Kubecka and Donna Barrett. Motion carried. Vote 5 ayes 0 nays

**21. Consideration and possible action to approve Bank Drafts**

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 Bank Drafts. Motion carried, Vote 5 ayes 0 nays

**22. Consideration and possible action to approve Payment of 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 Payment of Bills. Motion carried. Vote 5 ayes 0 nays

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

**24. Meet in Executive Session:**

**Under section 551.086 of the Texas Government Code to discuss or deliberate regarding commercial**

**or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay or expand in or near the territory of the governmental body with which the governmental body is conducting economic development negotiations**

This being the next item for business, motion was duly made at 10:16 a.m. by Commissioner Graham and seconded by Commissioner Pollard, with all others concurring, to meet in Executive Session:

Under section 551.086 of the Texas Government Code to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay or expand in or near the territory of the governmental body with which the governmental body is conducting economic development negotiations

Motion carried. Vote 5 ayes 0 nays

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

**Under section 551.086 of the Texas Government Code to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay or expand in or near the territory of the governmental body with which the governmental body is conducting economic development negotiations**

This being the next item for business, motion was duly made at 10:46 a.m. by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to Reconvene open session:

Under section 551.086 of the Texas Government Code to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay or expand in or near the territory of the governmental body with which the governmental body is conducting economic development negotiations

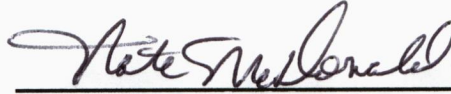
**26. Public Comments**

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

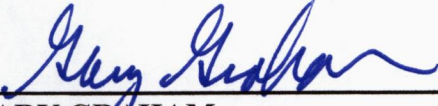
**27. Adjournment**

Motion was duly made at approximately 10:47 a.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 9<sup>th</sup> day of September, 2019.



**NATE McDONALD**  
County Judge



**GARY GRAHAM**  
Commissioner Precinct No. One



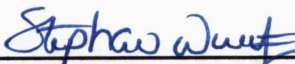
**KENT POLLARD**  
Commissioner Precinct No. Two  
Judge Pro Tem



**JAMES GIBSON**  
Commissioner Precinct No. Three



**CHARLES "BUBBA" FRICK**  
Commissioner Precinct No. Four

ATTEST:   
Stephanie Wurtz, County Clerk

