

**MINUTES**  
**MATAGORDA COUNTY COMMISSIONERS' COURT MEETING**  
**MATAGORDA COUNTY COURTHOUSE, ROOM 300**  
**1700 SEVENTH STREET, BAY CITY, TEXAS 77414**  
**9:30 A.M., MONDAY, NOVEMBER 19, 2018**

**Call to Order**

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 19<sup>th</sup> day of November, 2018 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: Sheriff Osborne, Doug Matthes, Loretta Griffin, Cristyn Hallmark, Mike Reddell, Mario Robles, Brett Sachtleben-Atkins, Jessica Russell, Jimmy Galvan, Carmen Andrews, Denise Fortenberry, Kristen Kubecka, Mike Ferdinand, Shelby Storts and Janet Hickl

**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 Commissioners' Court Minutes for November 5, 2018, November 7, 2018 and November 13, 2018**

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 Commissioners' Court Minutes for November 5, 2018, November 7, 2018 and November 13, 2018. Motion carried. Vote 5 ayes 0 nays

**6. Consideration and possible action regarding contracts for the use of the Matagorda County Fairground facilities**

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

**7. Consideration and possible action to approve a Resolution of the County of Matagorda Committing the County to provide local matching funds to secure and complete the following FEMA Hazard Mitigation Grant Projects: Critical Facilities Generator Project and Erosion Control Project at River Oaks Subdivision and at the Matagorda County Birding and Nature Center**

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 Resolution of the County of Matagorda Committing the County to provide local matching funds to secure and complete the following FEMA Hazard Mitigation Grant Projects: Critical Facilities Generator Project and Erosion Control Project at River Oaks Subdivision and at the Matagorda County Birding and Nature Center. Motion carried. Vote 5 ayes 0 nays

**8. Consideration and possible action to approve an application by Underground Services Markham, LLC, to conduct a wireless seismic survey across the following county roads in Precinct #4, Matagorda County: CR #417, CR #408, CR #414, CR #403, CR #418, CR e446, CR #419, CR #424, CR #440, CR #450, C4 #449, CR #451, CR #453, CR #425, CR #443, CR #426, CR #423, CR #422, CR #409, CR #421**

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 application by Underground Services Markham, LLC, to conduct a wireless seismic survey across the following county roads in Precinct #4, Matagorda County: CR #417, CR #408, CR #414, CR #403, CR #418, CR e446, CR #419, CR #424, CR #440, CR #450, C4 #449, CR #451, CR #453, CR #425, CR #443, CR #426, CR #423, CR #422, CR #409, CR #421. Motion carried. Vote 5 ayes 0 nays

**9. Consideration and possible action to approve the Surety Bond and Self Insurance Pool Bond for Loretta Griffin as County Treasurer and authorize the County Judge to sign**

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 Surety Bond and Self Insurance Pool Bond for Loretta Griffin as County Treasurer and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

**10. Consideration and possible action to approve the Deputation of Rebecca Mayo as Chief Deputy Treasurer**

This being the next item for business, motion was duly made by County Judge McDonald and seconded by Commissioner Frick, with all others concurring, to approve the Deputation of Rebecca Mayo as Chief Deputy Treasurer. Motion carried. Vote 5 ayes 0 nays

**11. Consideration and possible action to accept a second contribution, in the amount of \$2,000.00 from Oxea Corporation, for expenses incurred at the Matagorda County Household Hazardous Waste Collection Event that was October 27, 2018**

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to accept a second contribution, in the amount of \$2,000.00 from Oxea Corporation, for expenses incurred at the Matagorda County Household Hazardous Waste Collection Event that was October 27, 2018. Motion carried. Vote 5 ayes 0 nays

**12. Consideration and possible action to approve the 2019 Disposal Agreement between Matagorda County Transfer Station and Waste Connections Subsidiary – Seabreeze Environmental Landfill at \$20.58 at tone, effective January 1, 2019 and authorize the County Judge to sign the agreement**

This being the next item for business, motion was duly made by Commissioner Graham and seconded by Commissioner Frick, with all others concurring, to table approving the 2019 Disposal Agreement between Matagorda County Transfer Station and Waste Connections Subsidiary – Seabreeze Environmental Landfill at \$20.58 at tone, effective January 1, 2019 and authorize the County Judge to sign the agreement. Motion carried. Vote 5 ayes 0 nays

**13. Consideration and possible action to Canvass the November 6, 2018 General Election, Van Vleck ISD, Trustees, Matagorda ISD, Trustees, Tidehaven ISD, Trustees, Navigation District No. 1, Directors and Local Option Election**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to Canvass the November 6, 2018 General Election, Van Vleck ISD, Trustees, Matagorda ISD, Trustees, Tidehaven ISD, Trustees, Navigation District No. 1, Directors and Local Option Election with a notation made on the canvass that a Petition was filed for a recount in the County Judges race. Motion carried. Vote 5 ayes 0 nays

**14. Consideration and possible action to approve the promotion of Carolyn Wells from Deputy Tax Assessor-Collector – Property Tax/Voter Registration to Chief Deputy Tax Assessor-Collector at a Bi-Weekly Salary rate of \$1,308.00, effective November 19, 2018**

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 promotion of Carolyn Wells from Deputy Tax Assessor-Collector – Property Tax/Voter Registration to Chief Deputy Tax Assessor-Collector at a Bi-Weekly Salary rate of \$1,308.00, effective November 19, 2018. Motion carried. Vote 5 ayes 0 nays

**15. Consideration and possible action to approve the Deputation of Carolyn Wells as Chief Deputy Tax Assessor-Collector effective November 19, 2018**

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 Deputation of Carolyn Wells as Chief Deputy Tax Assessor-Collector effective November 19, 2018. Motion carried. Vote 5 ayes 0 nays.

**16. Consideration and possible action to approve the Engineering Services Agreement between Matagorda County and John D. Mercer and Associates for Pre-State Services – Hazard Mitigation Assistance**

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 Engineering Services Agreement between Matagorda County and John D. Mercer and Associates for Pre-State Services – Hazard Mitigation Assistance Motion carried. Vote 5 ayes 0 nays

**17. Consideration and possible action to approve the Professional Services Agreement between Matagorda County and Atkins North America, Inc. for Pre-State Services – Hazard Mitigation Assistance**

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 Professional Services Agreement between Matagorda County and Atkins North America, Inc. for Pre-State Services – Hazard Mitigation Assistance. Motion carried. Vote 5 ayes 0 nays

**18. Consideration and possible action to approve a Resolution of Matagorda County, Texas, authorizing the submission of multiple Hazard Mitigation Assistance Grant Applications for the DR-4332, appointing the County Judge as the Chief Executive Officer and authorized representative to act in all matters in connection with the FEMA Mitigation Grants**

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 Resolution of Matagorda County, Texas, authorizing the submission of multiple Hazard Mitigation Assistance Grant Applications for the DR-4332, appointing the County Judge as the Chief Executive Officer and authorized representative to act in all matters in connection with the FEMA Mitigation Grants. Motion carried. Vote 5 ayes 0 nays

**19. Public Hearing at 9:45 a.m. concerning a Resolution of Matagorda County: authorizing Matagorda County to nominate NRG South Texas LP to the Office of the Governor Economic Development Bank ("Bank") for designation as a qualified business and enterprise project ("Project") under the Texas Enterprise Zone Program under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code ("Act")**

This being the next item for business, motion was duly made at 9:54 a.m. by Commissioner Graham and seconded by Commissioner Frick, with all others concurring, to go into a public hearing concerning a Resolution of Matagorda County: authorizing Matagorda County to nominate NRG South Texas LP to the Office of the Governor Economic Development Bank ("Bank") for designation as a qualified business and enterprise project ("Project") under the Texas Enterprise Zone Program under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code ("Act"). Motion carried. Vote 5 ayes 0 nays

A motion was made at 9:56 a.m. by Commissioner Graham and seconded by Commissioner Gibson, with all others concurring, to go back into regular session of Commissioners Court. Motion carried. Vote 5 ayes 0 nays

**20. Consideration and possible action to approve a Resolution of Matagorda County: authorizing Matagorda County to nominate NRG South Texas LP to the Office of the Governor Economic Development Bank ("Bank") for designation as a qualified business and enterprise project ("Project") under the Texas Enterprise Zone Program under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code ("Act")**

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 Resolution of Matagorda County: authorizing Matagorda County to nominate NRG South Texas LP to the Office of the Governor Economic Development Bank ("Bank") for designation as a qualified business and enterprise project ("Project") under the Texas Enterprise Zone Program under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code ("Act"). Motion carried. Vote 5 ayes 0 nays.

**21. Consideration and possible action to authorize the County Judge to execute the Certification of Application and Full-Time Jobs for Benefit and cover letter for NRG's Enterprise Project**

This being the next item for business, motion was duly made by Commissioner Graham and seconded by Commissioner Frick, with all others concurring, to authorize the County Judge to execute the Certification of Application and Full-Time Jobs for Benefit and cover letter for NRG's Enterprise Project. Motion carried. Vote 5 ayes 0 nays

**22. Consideration and possible action to ratify the Payment of Bills from November 9, 2018**

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Graham, with all others concurring, to ratify the Payment of Bills from November 9, 2018. Motion carried. Vote 5 ayes 0 nays

**23. Consideration and possible action to approve the 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 the Payment of Demand Checks. Motion carried. Vote 5 ayes 0 nays

**24. 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

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

**26. 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


**27. Public Comments**


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

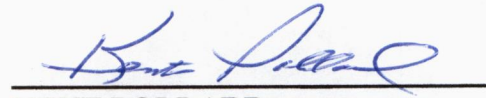
**28. Adjournment**

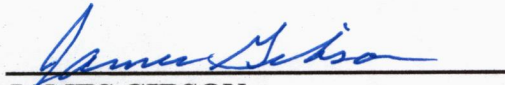
Motion was duly made at approximately 10:05 a.m. by Commissioner Graham and seconded by Commissioner Frick with all others concurring, to adjourn the meeting. Motion carried. Vote 5 ayes 0 nays


Approved in Open Court, the 26<sup>th</sup> day of November, 2018.

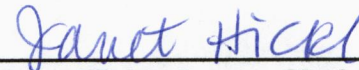
  
NATE McDONALD,  
County Judge

  
GARY GRAHAM,  
Commissioner Precinct No. One  
Judge Pro Tem

  
KENT POLLARD  
Commissioner Precinct No. Two

  
JAMES GIBSON  
Commissioner Precinct No. Three

  
CHARLES "BUBBA" FRICK, Judge Pro-Tem  
Commissioner Precinct No. Four

ATTEST:   
Janet Hickl, County Clerk

