

**MINUTES**  
**MATAGORDA COUNTY COMMISSIONERS' COURT MEETING**  
**MATAGORDA COUNTY COURTHOUSE, ROOM 300**  
**1700 SEVENTH STREET, BAY CITY, TEXAS 77414**  
**9:30 A.M., MONDAY, OCTOBER 22, 2018**

**Call to Order**

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 22<sup>nd</sup> day of October, 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, Carmen Andrews, Kristie Pustejovsky, Kay Cooper, Denise Fortenberry, Mike Reddell, Chris Peikert, Jimmy Galvan, Kristen Kubecka, Jessica Russell, 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 Pollard**

**3. Texas Pledge – Commissioner Pollard**

**4. Prayer – Commissioner Graham**

**5. Consideration and possible action regarding approving Commissioners' Court Minutes for October 8, 2018 and October 15, 2018**

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 Commissioners' Court Minutes for October 8, 2018 and October 15, 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 vacate the Commissioners' Court Minutes from October 1, 2018 there were approved on October 15, 2018**

This being the next item for business, motion was duly made by County Judge McDonald and seconded by Commissioner Gibson, with all others concurring, to vacate the Commissioners' Court Minutes from October 1, 2018 there were approved on October 15, 2018. Motion carried. Vote 5 ayes 0 nays

**8. Consideration and possible action to approve a Resolution certifying that the County has made a grant to Economic Action Committee of the Gulf Coast, an organization that provides home-delivered meals to homebound persons in the County who are elderly and/or have a disability, and certifying that the County has approved the organization's accounting system or fiscal agent**

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 Resolution certifying that the County has made a grant to Economic Action Committee of the Gulf Coast, an organization that provides home-delivered meals to homebound persons in the County who are elderly and/or have a disability, and certifying that the County has approved the organization's accounting system or fiscal agent. Motion carried. Vote 5 ayes 0 nays

**9. Consideration and possible action to approve the Service Agreement with Exhibit A and Business Associate Agreement between Matagorda Episcopal Health Outreach Program (MEHOP) and Matagorda County Sheriff's Office, for a period of 5 years beginning October 22, 2018 to October 22, 2023, and authorize County Judge Nate McDonald 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 Service Agreement with Exhibit A and Business Associate Agreement between Matagorda Episcopal Health Outreach Program (MEHOP) and Matagorda County Sheriff's Office, for a period of 5 years beginning October 22, 2018 to October 22, 2023, and authorize County Judge Nate McDonald to sign Motion carried. Vote 5 ayes 0 nays

**10. Consideration and possible action to authorize Commissioner Graham to hire Herman Cortez as a Light Equipment Operator at \$13.50/hour effective Monday, October 22, 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 authorize Commissioner Graham to hire Herman Cortez as a Light Equipment Operator at \$13.50/hour effective Monday, October 22, 2018. Motion carried. Vote 5 ayes 0 nays

**11. Consideration and possible action to accept a contribution in the amount of \$2,000.00 from Celanese for expenses toward the Matagorda County Household Hazardous Waste Collection Event to be held October 27, 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 accept a contribution in the amount of \$2,000.00 from Celanese for expenses toward the Matagorda County Household Hazardous Waste Collection Event to be held October 27, 2018. Motion carried. Vote 5 ayes 0 nays

**12. Consideration and possible action to approve the Texas Division of Emergency Management (TDEM) Grant for Fiscal Year 2018, Emergency Management Performance Grant (EMPG) in the amount of \$29,817.98**

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 Texas Division of Emergency Management (TDEM) Grant for Fiscal Year 2018, Emergency Management Performance Grant (EMPG) in the amount of \$29,817.98. Motion carried. Vote 5 ayes 0 nays

**13. Consideration and possible action to approve the Lease Agreement for Firing Range between Barry Liberoni, MD and Matagorda County, with time period being January 1, 2018 until December 31, 2028, and authorize County Judge Nate McDonald 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 the Lease Agreement for Firing Range between Barry Liberoni, MD and Matagorda County, with time period being January 1, 2018 until December 31, 2028, and authorize County Judge Nate McDonald to sign. Motion carried. Vote 5 ayes 0 nays

**14. Consideration and possible action to approve the Payment of Bills**

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 Bills. Motion carried. Vote 5 ayes 0 nays

**15. 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

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

**17. 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

**17a. Meet in Executive Session:**

**Under section 551.071 of the Texas Government Code to consult with attorney(s) representing the county in an executive session concerning pending litigation, contemplated litigation, or settlement offers**

This being the next item for business, motion was duly made by County Judge McDonald and seconded by Commissioner Graham, with all others concurring, to table Meeting in Executive Session:

Under section 551.071 of the Texas Government Code to consult with attorney(s) representing the county in an executive session concerning pending litigation, contemplated litigation, or settlement offers

Motion carried. Vote 5 ayes 0 nays

**17b. Reconvene open session and consider taking action on the matters discussed in Executive Session:**

**Under section 551.071 of the Texas Government Code to consult with attorney(s) representing the county in an executive session concerning pending litigation, contemplated litigation, or settlement offers**

This being the next item for business, motion was duly made by County Judge McDonald and seconded by Commissioner Graham, with all others concurring, to table Reconvening open session and consider taking action on the matters discussed in Executive Session:

Under section 551.071 of the Texas Government Code to consult with attorney(s) representing the county in an executive session concerning pending litigation, contemplated litigation, or settlement offers.

Motion carried. Vote 5 ayes 0 nays

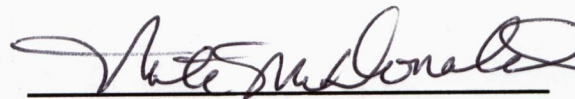
**18. Public Comments**

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

**19. Adjournment**

Motion was duly made at approximately 9:55 am by Commissioner Graham and seconded by Commissioner Gibson with all others concurring, to adjourn the meeting. Motion carried. Vote 5 ayes 0 nays

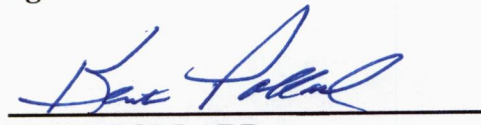
Approved in Open Court, the 29<sup>th</sup> day of October, 2018.




**NATE McDONALD,  
County Judge**




**GARY GRAHAM,  
Commissioner Precinct No. One  
Judge Pro Tem**



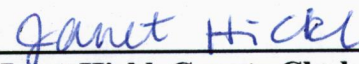
**KENT POLLARD  
Commissioner Precinct No. Two**



**JAMES GIBSON  
Commissioner Precinct No. Three**



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

ATTEST:   
**Janet Hickl, County Clerk**

