

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, SEPTEMBER 11, 2017

Call to Order

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 11th day of September 2017 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, Barbara Graham, David Libby, B. Allen Cumbie, Laura Reyna, Bill Balboa, Christ Peikert, Rebecca Mayo, Tamim Choodhury, David Kocurek, Jackie Lentz, Jamie Grantz, Dwight Vavra, Willie Younger, Jonathan Vavra, Denise Fortenberry, Kristen Kubecka, Mike Reddell, Doug Matthes, Cristyn Hallmark, James Engbrock, Lisa Krobot, Dwight Baker, Shelby Storts and Janet Hickl

1. **Certification of quorum**

County Judge McDonald certified a quorum in attendance with Commissioner Gibson, Commissioner Graham, Commissioner Pollard and Commissioner Frick

2. **Pledge of Allegiance – Commissioner Frick**

3. **Texas Pledge – Commissioner Frick**

4. **Prayer – Commissioner Gibson**

5. **Consideration and possible action regarding approving Commissioners Court Minutes for August 21, 2017**

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 August 21, 2017. 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 an Application to Cross a County Road from Beach Road Municipal Utility District to lay its 6 inch Vacuum Sewer under and along on County Road 257 (Riverbend Drive) in Precinct #2, Matagorda County**

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 an Application to Cross a County Road from Beach Road Municipal Utility District to lay its 6 inch Vacuum Sewer under and along on County Road 257 (Riverbend Drive) in Precinct #2, Matagorda County. Motion carried. Vote 5 ayes 0 nays

8. Consideration and possible action to approve the Beach Road Municipal District's use of the County Road Right of Ways South of the GIWW for the construction of a new Vacuum Sewer Wastewater Collection System Improvement Project

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 Beach Road Municipal District's use of the County Road Right of Ways South of the GIWW for the construction of a new Vacuum Sewer Wastewater Collection System Improvement Project. Motion carried. Vote 5 ayes 0 nays

9. Consideration and possible action to authorize a Quote from Triska Funeral Home, in the amount of \$450.00 to correct the spelling of World War II Veteran Allen A. Adamick on the Matagorda County Veterans War Memorial to read Allen A. Adamcik and to add Operation Iraqi Freedom under the Vietnam War and include the names David Phillip McCormick and Joshua Allen Ward

This being the next item for business, motion was duly made by County Judge McDonald and seconded by Commissioner Pollard, with all others concurring, to authorize a Quote from Triska Funeral Home, in the amount of \$450.00 to correct the spelling of World War II Veteran Allen A. Adamick on the Matagorda County Veterans War Memorial to read Allen A. Adamcik and to add Operation Iraqi Freedom under the Vietnam War and include the names David Phillip McCormick and Joshua Allen Ward. Motion carried. Vote 4 ayes 0 nays and Commissioner Graham abstaining

10. Consideration and possible action to approve revised and updated TAC (Tax Assessor Collector) Job Descriptions for classes 1305, 1307, 1309, 1311, and 1313

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 revised and updated TAC (Tax Assessor Collector) Job Descriptions for classes 1305, 1307, 1309, 1311, and 1313. Motion carried. Vote 5 ayes 0 nays

11. Consideration and possible action to approve revised and updated AgriLife Extension Job Descriptions for classes 2011, 2013, 2015, and 2017

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 revised and updated AgriLife Extension Job Descriptions for classes 2011, 2013, 2015, and 2017. Motion carried. Vote 5 ayes 0 nays

12. Consideration and possible action to approve the revised and updated Juvenile Job Descriptions for classes 1901, 1093, and 1905

This being the next item for business, motion was duly made by Graham and seconded by Commissioner Frick, with all others concurring, to approve the revised and updated Juvenile Job Descriptions for classes 1901, 1093, and 1905. Motion carried. Vote 5 ayes 0 nays

13. Consideration and possible action to ratify AT&T Fiber Broadband Bundle Express Agreement for Matagorda County Office Building located at 2200 7th Street, Bay City, Texas, which was previously signed on August 21, 2017 agenda under the title of PRI circuit (telephone lines)

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 AT&T Fiber Broadband Bundle Express Agreement for Matagorda County Office Building located at 2200 7th Street, Bay City, Texas, which was previously signed on August 21, 2017 agenda under the title of PRI circuit (telephone lines). Motion carried. Vote 5 ayes 0 nays

14. Consideration and possible action to ratify the acceptance and authorization of the County Judge to sign a proposal from AT&T for installation of PRI circuit (telephone lines) at the Matagorda County Office Building located at 2200 7th Street, Bay City, 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 ratify the acceptance and authorization of the County Judge to sign a proposal from AT&T for installation of PRI circuit (telephone lines) at the Matagorda County Office Building located at 2200 7th Street, Bay City, Texas. Motion carried. Vote 5 ayes 0 nays

15. Consideration and possible action to approve the Cooperative Agreement between Texas A&M AgriLife Extension Service and Matagorda County

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 Cooperative Agreement between Texas A&M AgriLife Extension Service and Matagorda County. Motion carried. Vote 5 ayes 0 nays

16. Consideration and possible action to authorize Pattie Odom, Bay City Main Street Program, to use the courthouse grounds with the consumption of alcohol, for the 2018 Wild Game and Camofest on January 27, 2018 from 8 AM to 10 PM

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 authorize Pattie Odom, Bay City Main Street Program, to use the courthouse grounds with the consumption of alcohol, for the 2018 Wild Game and Camofest on January 27, 2018 from 8 AM to 10 PM. Motion carried. Vote 5 ayes 0 nays

17. Consideration and possible action to Order the Abandonment of all of the County's right, title and interest in all of that certain 0.497 acre tract of land lying and situated in the Robert Haley Survey, Abstract No. 201 of Matagorda County, Texas and more particularly described metes and bounds by attached Exhibit "A" to this agenda request. Once abandoned, the property interest will vest to David Cline and Deborah Cline

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to Order the Abandonment of all of the County's right, title and interest in all of that certain 0.497 acre tract of land lying and situated in the Robert Haley Survey, Abstract No. 201 of Matagorda County, Texas and more particularly described metes and bounds by attached Exhibit "A" to this agenda request. Once abandoned, the property interest will vest to David Cline and Deborah Cline. Motion carried. Vote 5 ayes 0 nays

18. Consideration and possible action to approve an order authorizing Matagorda County Attorney, Denise M. Fortenberry, to file suit to abate against Michael and Magda Mirelez, who have caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists, for injunctive and other relief as is authorized by the Texas Health and Safety Code, including the right to prohibit or control access to the premises to prevent a continued or future violation and other environmental, public health and welfare protection laws. The County Attorney shall bring any issues relating to the expenditure of funds back to the court, as needed, for approval

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 an order authorizing Matagorda County Attorney, Denise M. Fortenberry, to file suit to abate against Michael and Magda Mirelez, who have caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists, for injunctive and other relief as is authorized by the Texas Health and Safety Code, including the right to prohibit or control access to the premises to prevent a continued or future violation and other environmental, public health and welfare protection laws. The County Attorney shall bring any issues relating to the expenditure of funds back to the court, as needed, for approval Motion carried. Vote 5 ayes 0 nays

19. Consideration and possible action to approve an order authorizing Matagorda County Attorney, Denise M. Fortenberry, to file suit to abate against Kim and Paula Woodard, who have caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists, for injunctive and other relief as is authorized by the Texas Health and Safety Code and other environmental, public health and welfare protection laws. The County Attorney shall bring any issues relating to the expenditure of funds back to the court, as needed, for approval

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 an order authorizing Matagorda County Attorney, Denise M. Fortenberry, to file suit to abate against Kim and Paula Woodard, who have caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists, for injunctive and other relief as is authorized by the Texas Health and Safety Code and other environmental, public health and welfare protection laws. The County Attorney shall bring any issues relating to the expenditure of funds back to the court, as needed, for approval. Motion carried. Vote 5 ayes 0 nays

20. Consideration and possible action to approve an order authorizing Matagorda County Attorney, Denise M. Fortenberry, to file suit to abate against R. C. Baxter, who has caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists, for injunctive and other relief as is authorized by the Texas Health and Safety Code and other environmental, public health and welfare protection laws. The County Attorney shall bring any issues relating to the expenditure of funds back to the court, as needed, for approval

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

21. Consideration and possible action to approve an order authorizing Matagorda County Attorney, Denise M. Fortenbery, to file suit to abate against Mark Matcek, who has caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists, for injunctive and other relief as is authorized by the Texas Health and Safety Code and other environmental, public health and welfare protection laws. The County Attorney shall bring any issues relating to the expenditure of funds back to the court, as needed, for approval

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 an order authorizing Matagorda County Attorney, Denise M. Fortenbery, to file suit to abate against Mark Matcek, who has caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists, for injunctive and other relief as is authorized by the Texas Health and Safety Code and other environmental, public health and welfare protection laws. The County Attorney shall bring any issues relating to the expenditure of funds back to the court, as needed, for approval. Motion carried. Vote 5 ayes 0 nays

22. Consideration and possible action to approve an order authorizing Matagorda County Attorney, Denise M. Fortenbery, to file suit to abate against Eric Jacobson and Willis Bond, who have caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists, for injunctive and other relief as is authorized by the Texas Health and Safety Code and other environmental, public health and welfare protection laws. The County Attorney shall bring any issues relating to the expenditure of funds back to the court, as needed, for approval

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 an order authorizing Matagorda County Attorney, Denise M. Fortenbery, to file suit to abate against Eric Jacobson and Willis Bond, who have caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists, for injunctive and other relief as is authorized by the Texas Health and Safety Code and other environmental, public health and welfare protection laws. The County Attorney shall bring any issues relating to the expenditure of funds back to the court, as needed, for approval. Motion carried. Vote 5 ayes 0 nays

23. Consideration and possible action to adopt the 2017 Proposed Maintenance and Operation Tax Rate of .41507, for a total Tax Rate of .41898

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 adopt the 2017 Proposed Maintenance and Operation Tax Rate of .41507, for a total Tax Rate of .41898. Motion carried.

Record Vote:

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

24. Consideration and possible action to adopt the 2017 Proposed Interest and Sinking Tax Rate of .00391, for a total Tax Rate of .41898

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 adopt the 2017 Proposed Interest and Sinking Tax Rate of .00391, for a total Tax Rate of .41898. Motion carried.

Record Vote:

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

25. Consideration and possible action to adopt the 2017 Property Tax Rate of .41898

This being the next item for business, motion was duly made by County Judge McDonald and seconded by Commissioner Pollard, with all others concurring, to adopt the 2017 Property Tax Rate of .41898. Motion carried.

Record Vote:

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

26. Consideration and possible action to ratify the 2017 Property Tax increase reflected in the 2018 Matagorda County Budget, with the total Tax Rate being .41898

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to ratify the 2017 Property Tax increase reflected in the 2018 Matagorda County Budget, with the total Tax Rate being .41898. Motion carried. Vote 5 ayes 0 nays

27. Consideration and possible action to authorize Commissioner Pollard, Precinct #2, to hire Eric Brown as a heavy equipment operator at starting salary of \$12.75 per hour, due to his previous experience

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to authorize Commissioner Pollard, Precinct #2, to hire Eric Brown as a heavy equipment operator at starting salary of \$12.75 per hour, due to his previous experience. Motion carried. Vote 5 ayes 0 nays

28. Consideration and possible action to accept a donation of \$1,000.00 from Ward Real Estate, Inc. and code to 010-40000-371

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 accept a donation of \$1,000.00 from Ward Real Estate, Inc. and code to 010-40000-371. Motion carried. Vote 5 ayes 0 nays

29. Consideration and possible action to approve and enter contract for storage of surplus animal feed for Animal Control

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 approving and entering contract for storage of surplus animal feed for Animal Control. Motion carried. Vote 5 ayes 0 nays

30. Consideration and possible action to approve a Request for Proposals for Debris Monitoring and publish in newspaper on 09/13/2017 and 09/17/2017 and advertise in any other reasonable means

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 Request for Proposals for Debris Monitoring and publish in newspaper on 09/13/2017 and 09/17/2017 and advertise in any other reasonable means. Motion carried. Vote 4 ayes 1 nays

31. Consideration and possible action to approve a Request for Proposals for Debris Removal and publish in newspaper on 09/13/2017 and 09/17/2017 and advertise in any other reasonable means

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 table approving a Request for Proposals for Debris Removal and publish in newspaper on 09/13/2017 and 09/17/2017 and advertise in any other reasonable means. Motion carried. Vote 5 ayes 0 nays

32. Consideration and possible action to approve a Request for Proposals for Vector Aerial Application and publish in newspaper on 09/13/2017 and 09/17/2017 and advertise in any other reasonable means

This being the next item for business, motion was duly made by County Judge McDonald and seconded by Commissioner Pollard, with all others concurring, to table approving a Request for Proposals for Vector Aerial and publish in newspaper on 09/13/2017 and 09/17/2017 and advertise in any other reasonable means. Motion carried. Vote 5 ayes 0 nays

33. Consideration and possible action to ratify Payroll Checks from September 1, 2017

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to ratify Payroll Checks from September 1, 2017. Motion carried. Vote 5 ayes 0 nays

34. Consideration and possible action to approve the Payment of Bills for August 28, 2017

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 the Payment of Bills for August 28, 2017. Motion carried. Vote 5 ayes 0 nays

35. Consideration and possible action to approve the Payment of Bills for September 11, 2017

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 Payment of Bills for September 11, 2017. Motion carried. Vote 5 ayes 0 nays

35a. Consideration and possible action to ratify RFP #17-0010 Aerial Mosquito Spraying, its advertisement and award to chosen bidder

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 table ratifying RFP #17-0010 Aerial Mosquito Spraying, its advertisement and award to chosen bidder. Motion carried. Vote 5 ayes 0 nays

35b. Consideration and possible action to ratify RFP #17-0011 Debris Monitoring, its advertisement and award to chosen bidder

This being the next item for business, motion was duly made by County Judge McDonald and seconded by Commissioner Pollard, with all others concurring, to ratify RFP #17-0011 Debris Monitoring, its advertisement and award to chosen bidder. Motion carried. Vote 5 ayes 0 nays

35c. Consideration and possible action to approve an Emergency Request for Proposal for Debris Monitoring and publish in the newspaper on September 13, 2017, and advertise in any other reasonable means

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 Emergency Request for Proposal for Debris Monitoring and publish in the newspaper on September 13, 2017, and advertise in any other reasonable means. Motion carried. Vote 5 ayes 0 nays

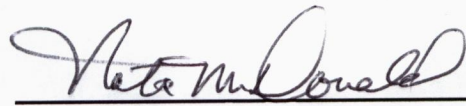
36. Public Comments

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

37. Adjournment

Motion was duly made at approximately 10:57 a.m. by Commissioner Frick and seconded by Commissioner Graham, with all others concurring, to adjourn the meeting. Motion carried. Vote 5 ayes 0 nays

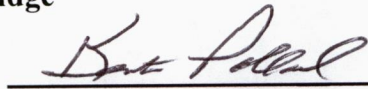
Approved in Open Court, this the 18th day of September, 2017.



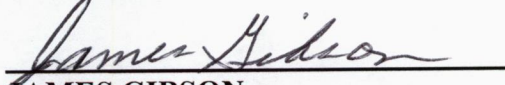
NATE McDONALD,
County Judge



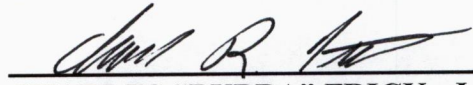
GARY GRAHAM,
Commissioner Precinct No. One



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