

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

**Call to Order**

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 9<sup>th</sup> day of January 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, Mike Reddell, Dwight Baker, Kristen Kubecka, Lisa Krobot, Tammy McDonald, Denise Fortenberry, Cristyn Hallmark, Chris Peikert, Jacqueline Lentz, Doug Matthes, Daniella Norris, Bruce Spitzengel, Lindsey Deshotels, 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 January 3, 2017**

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 Commissioners Court Minutes for January 3, 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, motion was duly made by Commissioner Graham and seconded by Commissioner Gibson, with all others concurring, to approve one contracts for the use of the Matagorda County Fairground facilities. Motion carried. Vote 5 ayes 0 nays

**7. Consideration and possible action to approve the appointment of Officers for the 2017 and 2018 Matagorda County Historical Commission**

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 approving the appointment of Officers for the 2017 and 2018 Matagorda County Historical Commission. Motion carried. Vote 5 ayes 0 nays

**8. Consideration and possible action regarding the designation of three members from the prior year Grand Jury to serve on the Matagorda County Salary Grievance Committee for the year of 2016, Pursuant to Section 152.014 and 152.015 of the Texas Local Government Code**

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 designation of three members from the prior year Grand Jury to serve on the Matagorda County Salary Grievance Committee for the year of 2017, Pursuant to Section 152.014 and 152.015 of the Texas Local Government Code. The members are Raymond Dwayne Kuykendall, Lisa Krobot and Vernon Lee Jackson. The Alternate members are Delfina Janis Garza, Charles Edward Born, Ernest Medina. Motion carried. Vote 5 ayes 0 nays

**9. Consideration and possible action to approve a Court Order resolving that vehicles used by the Matagorda County Sheriff's Department are exempt under VCS 6701m-2 when used in the performance of official duties and requesting the Texas State Department of Public Transportation issue regular plates upon proper application; and authorize Kristen Kubecka to sign the forms required for this type of registration**

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 a Court Order resolving that vehicles used by the Matagorda County Sheriff's Department are exempt under VCS 6701m-2 when used in the performance of official duties and requesting the Texas State Department of Public Transportation issue regular plates upon proper application; and authorize Kristen Kubecka to sign the forms required for this type of registration. Motion carried. Vote 5 ayes 0 nays

**10. Consideration and possible action to appoint a County Commissioner as Judge Pro-Tem for the year 2017 to preside over all meetings of the Matagorda County Commissioners Court in the event of the absence of the County Judge**

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to appoint Commissioner Charles "Bubba" Frick as Judge Pro-Tem for the year 2017 to preside over all meetings of the Matagorda County Commissioners Court in the event of the absence of the County Judge. Motion carried. Vote 5 ayes 0 nays

**11. Consideration and possible action to appoint a County Commissioner to be chairperson on the Matagorda County Sick Leave Bank, to serve for one year beginning January 1, 2017 and ending December 31, 2017**

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to appoint Commissioner Gibson as chairperson on the Matagorda County Sick Leave Bank, to serve for one year beginning January 1, 2017 and ending December 31, 2017. Motion carried. Vote 5 ayes 0 nays

**12. Consideration and possible action to approve the Bonds and Oaths for newly elected officials sworn in on January 1, 2017: Denise Fortenberry, County Attorney, Frank (Skipper) Osborne, Matagorda County Sheriff, Cristyn Hallmark, Tax Assessor Collector, Gary Graham, Commissioner Precinct 1, James Gibson, Commissioner Precinct 3, Jason Sanders, Justice of the Peace, Precinct 1, Precious Smith, Constable Precinct 1, Frank S. Craft, Constable Precinct 2, Jesse Alvarez, Jr., Constable Precinct 3, Pete Medina, Constable Precinct 4, Bill Orton, Constable Precinct 6, Amy Tapia, Justice of the Peace Precinct 3, Steven Reis, District Attorney, and Craig Estlinbaum, District Judge**

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 Bonds and Oaths for newly elected officials sworn in on January 1, 2017: Denise Fortenberry, County Attorney, Frank (Skipper) Osborne, Matagorda County Sheriff, Cristyn Hallmark, Tax Assessor Collector, Gary Graham, Commissioner Precinct 1, James Gibson, Commissioner Precinct 3, Jason Sanders, Justice of the Peace, Precinct 1, Precious Smith, Constable Precinct 1, Frank S. Craft, Constable Precinct 2, Jesse Alvarez, Jr., Constable Precinct 3, Pete Medina, Constable Precinct 4, Bill Orton, Constable Precinct 6, Amy Tapia, Justice of the Peace Precinct 3, Steven Reis, District Attorney, and Craig Estlinbaum, District Judge. Motion carried. Vote 5 ayes 0 nays

**13. Consideration and possible action to approve the Bond and Oath for First Assistant County Attorney, sworn in on January 3, 2017: Jacqueline C. Lentz**

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 the Bond and Oath for First Assistant County Attorney, sworn in on January 3, 2017: Jacqueline C. Lentz. Motion carried. Vote 5 ayes 0 nays

**14. Consideration and possible action to designate the second Monday of each month as the regular meeting date for the Matagorda County Commissioner's Court FY 2017, as per Sec. 81.005 of the Texas Gov't Code**

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Gibson, with all others concurring, to designate the second Monday of each month as the regular meeting date for the Matagorda County Commissioner's Court FY 2017, as per Sec. 81.005 of the Texas Gov't Code. Motion carried. Vote 5 ayes 0 nays

**15. Consideration and possible action to review and accept the Matagorda County Investment Policy**

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Pollard, with all others concurring, to review and accept the Matagorda County Investment Policy. Motion carried. Vote 5 ayes 0 nays

**16. Consideration and possible action to accept the Certificate of Bond Proceeds for State and Local Governments and Municipal Bond Obligors from Hilltop Securities and allow the County Treasurer to sign document**

This being the next item for business, motion was duly made by Commissioner Graham and seconded by Commissioner Gibson, with all others concurring, to accept the Certificate of Bond Proceeds for State and Local Governments and Municipal Bond Obligors from Hilltop Securities and allow the County Treasurer to sign document. Motion carried. Vote 5 ayes 0 nays

**17. Consideration and possible action to accept the appointment and increase of salary for District Clerk, Chief Deputy Renda Schuelke, and salary request is for \$1,263.98 per pay period. My prior Chief Deputy's Bond will revert over to Renda Schuelke for remainder of my term**

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 the appointment and increase of salary for District Clerk, Chief Deputy Renda Schuelke, and salary request is for \$1,263.98 per pay period. The District Clerk's prior Chief Deputy's Bond will revert over to Renda Schuelke for remainder of District Clerk's term. Motion carried. Vote 5 ayes 0 nays

**18. Consideration and possible action to authorize Sheriff Osborne to purchase three (3) 2017 Dodge Ram 1500 SSV 4X4's, in the amount of \$86,549.30 to be purchased through the H-GAC Buy Board from Silsbee Ford, in Silsbee, Texas, with payment to be taken out of 010-55700-560**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Graham, with all others concurring, to authorize Sheriff Osborne to purchase three (3) 2017 Dodge Ram 1500 SSV 4X4's, in the amount of \$86,549.30 to be purchased through the H-GAC Buy Board from Silsbee Ford, in Silsbee, Texas, with payment to be taken out of 010-55700-560. Motion carried. Vote 5 ayes 0 nays

**19. Consideration and possible action to approve moving Dewayne Ledwig to foreman with hourly rate of \$18.78, effective January 9, 2017, with this rate being available in the Precinct #1 budget**

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 moving Dewayne Ledwig to foreman with hourly rate of \$18.78, effective January 9, 2017, with this rate being available in the Precinct #1 budget. Motion carried.

Vote 5 ayes 0 nays

**20. Consideration and possible action to approve the pay increase for Jeffery McDonald, with hourly rate of \$15.41, effective January 9, 2017, with this rate being available in the Precinct #1 budget**

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 pay increase for Jeffery McDonald, with hourly rate of \$15.41, effective January 9, 2017, with this rate being available in the Precinct #1 budget. Motion carried.

Vote 5 ayes 0 nays

**21. Consideration and possible action to approve the pay increase for Samuel Quinn, with hourly rate of \$14.31, effective January 9, 2017, with this rate being available in the Precinct #1 budget**

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 pay increase for Samuel Quinn, with hourly rate of \$14.31, effective January 9, 2017, with this rate being available in the Precinct #1 budget. Motion carried. Vote 5 ayes 0 nays

**22. Consideration and possible action to approve the pay increase for Toby Ryman, with hourly rate of \$13.97, effective January 9, 2017, with this rate being available in the Precinct #1 budget**

This being the next item for business, motion was duly made by Commissioner Graham and seconded by Commissioner Pollard, with all others concurring, to table approving the pay increase for Toby Ryman, with hourly rate of \$13.97, effective January 9, 2017, with this rate being available in the Precinct #1 budget. Motion carried.

Vote 5 ayes 0 nays

**23. Consideration and possible action to approve a Demand Check to NewWave, for internet service, in the amount of \$82.98**

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 Demand Check to NewWave, for internet service, in the amount of \$82.98. Motion carried. Vote 5 ayes 0 nays

**24. Consideration and possible action to approve an Annual Maintenance Contract, in the amount of \$500.00 between Matagorda County and Coastal Aerobic Systems, LLC, for the Matagorda County Transfer Station On-Site Sewage Facility beginning January 1, 2017, with an expiration date of January 1, 2018**

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 Annual Maintenance Contract, in the amount of \$500.00 between Matagorda County and Coastal Aerobic Systems, LLC, for the Matagorda County Transfer Station On-Site Sewage Facility beginning January 1, 2017, with an expiration date of January 1, 2018. Motion carried. Vote 5 ayes 0 nays

**25. Consideration and possible action regarding the award of Bid #16-0003 Road Material and Bid #16-0004 Road Construction with Equipment for the 2017 FY and authorize the County Judge to sign contracts for the same**

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Gibson, with all others concurring, the award of Bid #16-0003 Road Material and Bid #16-0004 Road Construction with Equipment for the 2017 FY and authorize the County Judge to sign contracts for the same. Motion carried. Vote 5 ayes 0 nays

**26. Consideration and possible action to award the construction contract for Grant F13AF00061 (Gulf Pier and Education Program)**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to award the construction contract for Grant F13AF00061 (Gulf Pier and Education Program) to Tom-Mac Inc. Motion carried. Vote 5 ayes 0 nays

**27. Consideration and possible action to approve a contract for Grant F13AF00061 (Gulf Pier and Education Program) and allow Judge Nate McDonald to execute said contract**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to table awarding a contract for Grant F13AF00061 (Gulf Pier and Education Program) and allow Judge Nate McDonald to execute said contract. Motion carried.

Vote 5 ayes 0 nays

**28. Consideration and possible action to issue a Notice to Proceed for Grant F13AF00061 (Gulf Pier and Education Program)**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to table awarding a Notice to Proceed for Grant F13AF00061 (Gulf Pier and Education Program) and allow Judge Nate McDonald to execute said contract. Motion carried.

Vote 5 ayes 0 nays

**29. Consideration and possible action to approve a Cellular Phone Allowance Authorization beginning January 1, 2017, for Jacqueline Lentz, First Assistant County Attorney**

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 Cellular Phone Allowance Authorization beginning January 1, 2017, for Jacqueline Lentz, First Assistant County Attorney. Motion carried. Vote 5 ayes 0 nays

**30. Consideration and possible action to authorize R&M Telephone Services to install communication lines and/or equipment at the County of Matagorda Office Building on the 1<sup>st</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> floors per service quote attached**

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 R&M Telephone Services to install communication lines and/or equipment at the County of Matagorda Office Building on the 1<sup>st</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> floors per service quote attached. Sales tax will be removed. Motion carried. Vote 5 ayes 0 nays

**31. Consideration and possible action to approve a Resolution authorizing a Texas Community Development Block Grant Program application for the 2017-2018 Community Development Fund**

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 a Resolution authorizing a Texas Community Development Block Grant Program application for the 2017-2018 Community Development Fund. Motion carried.

Vote 5 ayes 0 nays

**32. Consideration and possible action to approve an Interlocal Agreement between the Matagorda County Municipal Utility District and Matagorda County, for the Grant Application FY 2017-2018 to the Texas Department of Agriculture, to fund the construction of water system improvements**

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 Interlocal Agreement between the Matagorda County Municipal Utility District and Matagorda County, for the Grant Application FY 2017-2018 to the Texas Department of Agriculture, to fund the construction of water system improvements. Motion carried. Vote 5 ayes 0 nays

**33. Consideration and possible action to approve Annual, Quarterly and Monthly 2017 automatic payments**

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 Annual, Quarterly and Monthly 2017 automatic payments. Motion carried. Vote 5 ayes 0 nays

34. **Consideration and possible action to approve Payment of Bills**

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 Payment of Bills. Motion carried. Vote 5 ayes 0 nays

35. **Public Comments**

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

36. **Adjournment**

Motion was duly made at approximately 10:23 am by Commissioner Frick and seconded by Commissioner Gibson, with all others concurring, to adjourn the meeting. Motion carried. Vote 5 ayes 0 nays

Approved in Open Court, this the 23<sup>rd</sup> day of January, 2017.



NATE McDONALD,  
County Judge



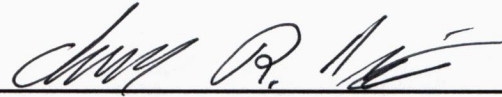
GARY GRAHAM,  
Commissioner Precinct No. One



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