

**MINUTES**  
**MATAGORDA COUNTY COMMISSIONERS' COURT MEETING**  
**MATAGORDA COUNTY COURTHOUSE, ROOM 300**  
**1700 SEVENTH STREET, BAY CITY, TEXAS 77414**  
**9:30 A.M., MONDAY, OCTOBER 21, 2019**

**Call to Order**

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday, October 21, 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: Denise Fortenberry, Kristen Kubecka, Skipper Osborne, Loretta Griffin, Michael Ferdinand, Lisa Krobot, Carmen Andrews, Mike Reddell, Jessica Russell, 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 Frick**

**3. Texas Pledge – Commissioner Frick**

**4. Prayer – Commissioner Gibson**

**5. Consideration and possible action regarding approving Commissioner's Court Minutes for October 14, 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 October 14, 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, no action required.

**7. Consideration and possible action to approve Road Crossing Applications, from William A. Cabral to, to lay a 1 inch fiber optic line 36" under and along the following County Roads in Precinct #1, Matagorda County, Texas:**

- |                          |                  |
|--------------------------|------------------|
| • Wildwood Drive         | • Pin Oak Circle |
| • 4 <sup>th</sup> Street | • CR 126         |
| • Sandy Creek Drive      | • CR 167         |
| • 614 Avenue F           | • CR 180         |
| • Spanish Bit Road       | • Cedar Drive    |

- Oak Creek Drive
- Holly Lane
- 7<sup>th</sup> Street
- Avenue J
- Avenue I
- Camino De Vacas

- Oak Forest Road
- Hardeman Drive
- Glenwood Drive
- Oakwood Drive
- Kingswood Drive

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 Road Crossing Applications, from William A. Cabral, to lay a 1 inch fiber optic line 36” under and along the following County Roads in Precinct #1, Matagorda County, Texas:

- Wildwood Drive
- 4<sup>th</sup> Street
- Sandy Creek Drive
- 614 Avenue F
- Spanish Bit Road
- Pin Oak Circle
- CR 126
- CR 167
- CR 180
- Cedar Drive
- Oak Creek Drive

- Holly Lane
- 7<sup>th</sup> Street
- Avenue J
- Avenue I
- Camino De Vacas
- Oak Forest Road
- Hardeman Drive
- Glenwood Drive
- Oakwood Drive
- Kingswood Drive

Motion carried. Vote 5 ayes 0 nays

**8. Consideration and possible action to approve a re-plat of Tract 72, 73, 74 & 75 of the unrecorded Plat “B” Subdivision being a 3.2043 Acre Tract, Containing 1 Block, 1 Lot in the Burnett & Sojourner League Abstract 13, 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 Tract 72, 73, 74 & 75 of the unrecorded Plat “B” Subdivision being a 3.2043 Acre Tract, Containing 1 Block, 1 Lot in the Burnett & Sojourner League Abstract 13, Matagorda County, Texas. Motion carried. Vote 5 ayes 0 nays

**9. Consideration and possible action to accept a Contribution in the amount of \$500.00, from Dunn Heat Exchangers, Inc., for expenses toward the Matagorda County Household Hazardous Waste Collection Event to be held October 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 accept a Contribution in the amount of \$500.00, from Dunn Heat Exchangers, Inc., for expenses toward the Matagorda County Household Hazardous Waste Collection Event to be held October 19, 2019. Motion carried. Vote 5 ayes 0 nays

**10. Consideration and possible action to accept a Contribution in the amount of \$1,000.00, from Jackson Electric Coop Inc., for expenses toward the Matagorda County Household Hazardous Waste Collection Event to be held October 19, 2019**

This being the next item for business, motion was duly made by Commissioner Graham and seconded by Commissioner Frick, with all others concurring, to accept a Contribution in the amount of \$1,000.00, from

Jackson Electric Coop Inc., for expenses toward the Matagorda County Household Hazardous Waste Collection Event to be held October 19, 2019. Motion carried. Vote 5 ayes 0 nays

11. **Consideration and possible action to accept the Internal Review Report for the 3<sup>rd</sup> Quarter 2019**

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 Internal Review Report for the 3rd Quarter 2019. Motion carried. Vote 5 ayes 0 nays

12. **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

13. **Consideration and possible action to approve Line Item Transfers**

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 Line Item Transfers. Motion carried. Vote 5 ayes 0 nays

14. **Consideration and possible action to approve Payment of Demand Checks**

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 Demand Checks. Motion carried. Vote 5 ayes 0 nays

15. **Consideration and possible action to approve Emergency Amendments**

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 Emergency Amendments. Motion carried. Vote 5 ayes 0 nays

16. **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 and with which the governmental body is conducting economic development negotiations**

**Under section 551.074(a)(1) and (2) of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee and to hear a complaint or charge against an officer or employee**

This being the next item for business, motion was duly made at 9:46 a.m. by Commissioner Graham and seconded by Commissioner Frick, with all others concurring, to meet in Executive Session:

Under section 551.0725 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 and with which the governmental body is conducting economic development negotiations

Under section 551.074(a)(1) and (2) of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee

and to hear a complaint or charge against an officer or employee

Motion carried. Vote 5 ayes 0 nays

17. **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 and with which the governmental body is conducting economic development negotiations**

**Under section 551.074(a)(1) and (2) of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee and to hear a complaint or charge against an officer or employee**

This being the next item for business, motion was duly made at 11:17 a.m. by Commissioner Gibson and seconded by Commissioner Graham, with all others concurring, to Reconvene open session:

Under section 551.0725 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 and with which the governmental body is conducting economic development negotiations

Under section 551.074(a)(1) and (2) of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee and to hear a complaint or charge against an officer or employee

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 11:19 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 28<sup>th</sup> day of October, 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