

**MINUTES**  
**MATAGORDA COUNTY COMMISSIONERS' COURT MEETING**  
**MATAGORDA COUNTY COURTHOUSE, ROOM 300**  
**1700 SEVENTH STREET, BAY CITY, TEXAS 77414**  
**9:30 A.M., MONDAY, DECEMBER 3, 2018**

**Call to Order**

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 3<sup>rd</sup> day of December, 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, Loretta Griffin, Mike Reddell, Jessica Russell, Jimmy Galvan, Carmen Andrews, Denise Fortenberry, Kristen Kubecka, Mike Ferdinand, Matt Glaze, LeAnn Verner, Becky Cornfield, Stacia Taylor, Bruce Spitzengel, Jessica Russell, Chris Peikert, Janice Hawthorne, Mitch Thames, Aaron Sumrall, 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 November 26, 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 Commissioners' Court Minutes for November 26, 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, motion was duly made by Commissioner Graham and seconded by Commissioner Pollard, with all others concurring, to approve one contract for the use of the Matagorda County Fairground facilities. Motion carried. Vote 5 ayes 0 nays

**7. Consideration and possible action to approve the Western Surety Company Official Bond and Oath for Janice Hawthorne as Matagorda County District Clerk**

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 Western Surety Company Official Bond and Oath for Janice Hawthorne as Matagorda County District Clerk. Motion carried. Vote 5 ayes 0 nays



**8. Consideration and possible action to accept the Matagorda County Special Districts Self Insurance Pool Official Bond for Janice Hawthorne as Matagorda County District Clerk**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Frick, with all others concurring, to accept the Matagorda County Special Districts Self Insurance Pool Official Bond for Janice Hawthorne as Matagorda County District Clerk. Motion carried. Vote 5 ayes 0 nays

**9. Consideration and possible action to approve the hiring of Crystal Morones as Commissioners Court Secretary at a rate of \$11.56 per hour**

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 approve the hiring of Crystal Morones as Commissioners Court Secretary at a rate of \$11.56 per hour. Motion carried. Vote 5 ayes 0 nays

**10. Consideration and possible action to approve the hiring of Belinda Cortinas as Deputy District Clerk at a rate of \$11.88 per hour**

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 hiring of Belinda Cortinas as Deputy District Clerk at a rate of \$11.88 per hour. Motion carried. Vote 5 ayes 0 nays

**11. Consideration and possible action to approve the deputation of Belinda Cortinas as Deputy District Clerk**

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 deputation of Belinda Cortinas as Deputy District Clerk. Motion carried. Vote 5 ayes 0 nays

**12. Consideration and possible action to form a Board of Managers to oversee the operation and maintenance of the dock facilities located under the bridge located on FM 2031 in Matagorda**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to form a Board of Managers to oversee the operation and maintenance of the dock facilities located under the bridge located on FM 2031 in Matagorda. Motion carried. Vote 5 ayes 0 nays

**13. Consideration and possible action to appoint Buddy Treybig, Kirk Vossler, and Lee Knezek as members of the Bridge Park Docks Board of Managers for a period of three years beginning 12/3/2018 and ending 12/3/2021**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Frick, with all others concurring, to appoint Buddy Treybig, Kirk Vossler, and Lee Knezek as members of the Bridge Park Docks Board of Managers for a period of three years beginning 12/3/2018 and ending 12/3/2021. Motion carried. Vote 5 ayes 0 nays



**14. Consideration and possible action to approve the inspection contract for Silent Knight Programmable Fire Alarm System with Johnson Controls Fire Protection LP (formally SimplexGrinnell) for the Matagorda County Jail, the contract is set up for a 5 year term with an annual amount of \$3,921.78, authorizing 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 inspection contract for Silent Knight Programmable Fire Alarm System with Johnson Controls Fire Protection LP (formally SimplexGrinnell) for the Matagorda County Jail, the contract is set up for a 5 year term with an annual amount of \$3,921.78, authorizing County Judge Nate McDonald to sign. After discussion Commissioner Graham and Commissioner Frick rescinded their motions and a motion was duly made by Commissioner Graham and seconded by Commissioner Frick, with all others concurring, to table approving the inspection contract for Silent Knight Programmable Fire Alarm System with Johnson Controls Fire Protection LP (formally SimplexGrinnell) for the Matagorda County Jail, the contract is set up for a 5 year term with an annual amount of \$3,921.78, authorizing County Judge Nate McDonald to sign for further review. Motion carried. Vote 5 ayes 0 nays

**15. Consideration and possible action to approve the inspection contract for Silent Knight Programmable Fire Alarm System with Johnson Controls Fire Protection LP (formally SimplexGrinnell) for the Matagorda County Jail, the contract is set up for a 5 year term with an annual amount of \$501.04, authorizing 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 table approving the inspection contract for Silent Knight Programmable Fire Alarm System with Johnson Controls Fire Protection LP (formally SimplexGrinnell) for the Matagorda County Jail, the contract is set up for a 5 year term with an annual amount of \$501.04, authorizing County Judge Nate McDonald to sign. Motion carried. Vote 5 ayes 0 nays.

**16. Consideration and possible action to approve a demand check made payable to Johnson Controls Fire Protection LP for \$3,921.78 for annual testing and inspection of the Silent Knight Programmable Fire Alarm System for the Matagorda County Jail, funds to be taken from account 010-54500-512**

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 a demand check made payable to Johnson Controls Fire Protection LP for \$3,921.78 for annual testing and inspection of the Silent Knight Programmable Fire Alarm System for the Matagorda County Jail, funds to be taken from account 010-54500-512. Motion carried. Vote 5 ayes 0 nays

**17. Consideration and possible action to approve a demand check made payable to Johnson Controls Fire Protection LP for \$501.04 for annual testing and inspection of the Silent Knight Programmable Fire Alarm System for the Matagorda County Jail, funds to be taken from account 010-54500-512**

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 a demand check made payable to Johnson Controls Fire Protection LP for \$501.04 for annual testing and inspection of the Silent Knight Programmable Fire Alarm System for the Matagorda County Jail, funds to be taken from account 010-54500-512. Motion carried. Vote 5 ayes 0 nays



**18. Consideration and possible action to approve the Vesta Solutions Service Agreement between Matagorda County Emergency Management and Vesta Solutions, Inc. and Addendum for Vesta Solutions Service Agreement**

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 the Vesta Solutions Service Agreement between Matagorda County Emergency Management and Vesta Solutions, Inc. and Addendum for Vesta Solutions Service Agreement. Motion carried. Vote 5 ayes 0 nays

**19. Consideration and possible action to approve the County Information Resources Agency (CIRA) Service Agreement and authorize County Judge 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 County Information Resources Agency (CIRA) Service Agreement and authorize County Judge to sign. Motion carried. Vote 5 ayes 0 nays.

**20. Consideration and possible action to request approval for reimbursement for Precinct #2 Clerk, Vivian Orr, in the amount of \$755.37**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Graham, with all others concurring, to request approval for reimbursement for Precinct #2 Clerk, Vivian Orr, in the amount of \$755.37. Motion carried. Vote 5 ayes 0 nays

**21. Consideration and possible action to approve the transfer of Mike Glaspie from Patrol Deputy to ID Officer, replacing Teresa Jeremiah, effective December 3, 2018, at a salary of \$20.20 per hour with this amount being available in the 560 budget**

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 transfer of Mike Glaspie from Patrol Deputy to ID Officer, replacing Teresa Jeremiah, effective December 3, 2018, at a salary of \$20.20 per hour with this amount being available in the 560 budget. Motion carried. Vote 5 ayes 0 nays

**22. Consideration and possible action to authorize the County Judge to sign the proposal for Imaging & Indexing of 11 books of Military Discharge Records**

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 sign the proposal for Imaging & Indexing of 11 books of Military Discharge Records. Motion carried. Vote 5 ayes 0 nays

**23. Consideration and possible action to authorize the County Judge to sign the proposal for Archival Digitization & QuickLink Lite of Index Books from 1954 back to 1836**

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Graham, with all others concurring, to authorize the County Judge to sign the proposal for Archival Digitization & QuickLink Lite of Index Books from 1954 back to 1836. Motion carried. Vote 5 ayes 0 nays

**24. Consideration and possible action to accept the Annual Report of Eminent Domain Authority for Fiscal Year 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 the Annual Report of Eminent Domain Authority for Fiscal Year 2019. Motion carried. Vote 5 ayes 0 nays



**25. Consideration and possible action to select Urban Engineering for Hurricane Harvey CDBG-DR program and implementation of projects**

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 accepting Urban Engineering for Hurricane Harvey CDBG-DR program and implementation of projects. Motion carried. Vote 5 ayes 0 nays

**26. Consideration and possible action to approve a Cellular Phone Allowance authorization beginning October 16, 2018, for Melanie Abraham, Executive Secretary to the County Attorney**

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 a Cellular Phone Allowance authorization beginning October 16, 2018, for Melanie Abraham, Executive Secretary to the County Attorney. Motion carried. Vote 5 ayes 0 nays

**27. Consideration and possible action to accept \$24,243.00 from the Texas Department of Transportation County Assistance Program for Fiscal Year 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 \$24,243.00 from the Texas Department of Transportation County Assistance Program for Fiscal Year 2019. Motion carried. Vote 5 ayes 0 nays

**28. Consideration and possible action to accept the Internal Review Report for 2018 3<sup>rd</sup> Quarter**

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 the Internal Review Report for 2018 3<sup>rd</sup> Quarter. Motion carried. Vote 5 ayes 0 nays

**29. Consideration and possible action to approve the Monthly Rep[orts from various County Departments**

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 Monthly Rep[orts from various County Departments. Motion carried. Vote 5 ayes 0 nays

**30. 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. After discussion Commissioner Graham and Commissioner Frick rescinded their motions and a motion was duly made by County Judge McDonald and seconded by Commissioner Graham, with all others concurring, to omit \$3,921.78 and \$501.04 from the report. Motion carried. Vote 5 ayes 0 nays

**31. 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

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

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



**33. 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

**34. 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, at approximately 10:55 AM a motion was made by Commissioner Graham and seconded by Commissioner Frick to 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

Motion carried. Vote 5 ayes 0 nays

**35. 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, at approximately 11:06 AM a motion was made by Commissioner Pollard and seconded by Commissioner Gibson to 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

Motion was duly made by County Judge McDonald and seconded by Commissioner Gibson, with all other concurring, to authorize the County Attorney to discuss with Self Insurance Pool's retained counsel regarding settlement offers.

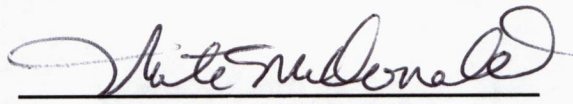
**36. Public Comments**

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

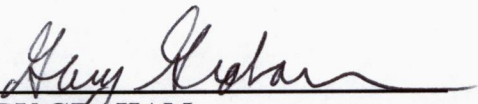
**37. Adjournment**

Motion was duly made at approximately 11:08 a.m. by Commissioner Graham and seconded by Commissioner Gibson with all others concurring, to adjourn the meeting. Motion carried. Vote 5 ayes 0 nays

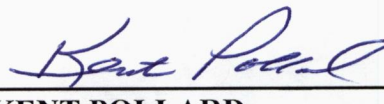
Approved in Open Court, the 10<sup>th</sup> day of December, 2018.



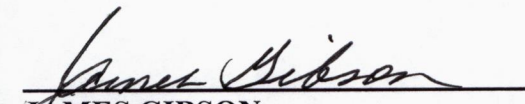
**NATE McDONALD,**  
County Judge



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



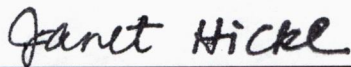
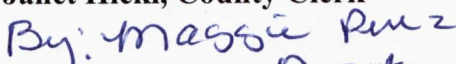
**KENT POLLARD**  
Commissioner Precinct No. Two



**JAMES GIBSON**  
Commissioner Precinct No. Three



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

ATTEST:   
Janet Hickl, County Clerk  
By:   
Chief Deputy