

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, JULY 8, 2019

Call to Order

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday, July 8, 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: Kristen Kubecka, Denise Fortenberry, Loretta Griffin, Amanda Campos, Skipper Osborne, Mike Ferdinand, Mike Reddell, Lisa Krobot, Cristyn Hallmark, Steven Johnson, Aaron Sumrall, Becca Sitz, Jimmy Galvan 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 Graham**

3. **Texas Pledge – Commissioner Graham**

4. **Prayer – Commissioner Frick**

5. **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.

6. **Consideration and possible action to approve a Proclamation declaring July 14, 2019 as Pastor LeRoy Charles Cunningham, Jr. Day**

This being the next item for business, motion was duly made by Judge McDonald and seconded by Commissioner Pollard, with all others concurring, to approve a Proclamation declaring July 14, 2019 as Pastor LeRoy Charles Cunningham, Jr. Day. Motion carried. Vote 5 ayes 0 nays

7. **Consideration and possible action to allow the County Extension Agent to attend the National Agricultural Agent Association meeting in Fort Wayne, IN and cover registration and travel expenses within extension budget funds**

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Gibson, with all others concurring, to allow the County Extension Agent to attend the National Agricultural Agent Association meeting in Fort Wayne, IN and cover registration and travel expenses within extension budget funds. Motion carried. Vote 5 ayes 0 nays

8. Consideration and possible action to approve the denied reimbursement during the period of April 11 – June 24 at a total of \$796.00

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

9. Consideration and possible action to approve a 33.611 Acre Portion of all that Certain called 68.396 Acre Tract of Land conveyed by Special Warranty Deed on August 27, 2018 from Tavernier Investments, L.P. to James N. Quimby in the Ira Ingram League, Abstract 39 & Elias R. Wightman League, Abstract 101, Matagorda County, Texas. Subdivision being named Matagorda Intracoastal Estates

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

10. Consideration and possible action to accept the Continuing Education Transcript for the reporting period January 1, 2018 through December 31, 2018 for Cristyn E. Hallmark, Matagorda County Tax Assessor-Collector as evidence of compliance with the Texas Property Tax Code Section 6.231 (d) and SB546 of the 83rd Regular Legislative Session

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 the Continuing Education Transcript for the reporting period January 1, 2018 through December 31, 2018 for Cristyn E. Hallmark, Matagorda County Tax Assessor-Collector as evidence of compliance with the Texas Property Tax Code Section 6.231 (d) and SB546 of the 83rd Regular Legislative Session. Motion carried. Vote 5 ayes 0 nays

11. Consideration and possible action to approve the deputation of Carol Morales, Mary Savage, and Angelica Morales as Deputy Tax Assessor-Collectors

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 deputation of Carol Morales, Mary Savage, and Angelica Morales as Deputy Tax Assessor-Collectors. Motion carried. Vote 5 ayes 0 nays

12. Consideration and possible action to approve the Road Use and Master Road Repair Agreement between Matagorda County and Peyton Creek Wind Farm, LLC

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 Road Use and Master Road Repair Agreement between Matagorda County and Peyton Creek Wind Farm, LLC. Motion carried. Vote 5 ayes 0 nays

13. 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 Gibson, with all others concurring, to approve Bank Drafts. Motion carried. Vote 5 ayes 0 nays

14. 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 Graham, with all others concurring, to approve Payment of Bills. Motion carried. Vote 5 ayes 0 nays

15. 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

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

This being the next item for business, motion was duly made by Judge McDonald and seconded by Commissioner Frick, with all others concurring, to approve Emergency Amendments. Motion carried. Vote 5 ayes 0 nays

17. **Meet in Executive Session:**

A closed meeting will be held pursuant to Sections 551.071 and 551.129 of the Texas Government Code (consultation with attorney) for the Commissioners Court to consult with and seek advice from its attorneys regarding pending litigation, mediation and settlement negotiations regarding: 1.) Kevin Davis v. Matagorda County, Case No. 3:18-CV-00188 filed in the United States District Court, Southern District of Texas, Galveston Division; 2.) Davis v. Matagorda County, EEOC Charge No. 460-2018-01558; 3.) Davis v. Matagorda County, Cause No. 18-CV-0678 filed in the 122nd state judicial district court of Galveston County; 4.) In Re Matagorda County, Case No. 19-0257 filed in the Texas Supreme Court; and 5.) other potential litigation unrelated to prior items

This being the next item for business, motion was duly made at 9:51 a.m. by Commissioner Graham and seconded by Commissioner Gibson, with all others concurring, to meet in Executive Session:

A closed meeting will be held pursuant to Sections 551.071 and 551.129 of the Texas Government Code (consultation with attorney) for the Commissioners Court to consult with and seek advice from its attorneys regarding pending litigation, mediation and settlement negotiations regarding: 1.) Kevin Davis v. Matagorda County, Case No. 3:18-CV-00188 filed in the United States District Court, Southern District of Texas, Galveston Division; 2.) Davis v. Matagorda County, EEOC Charge No. 460-2018-01558; 3.) Davis v. Matagorda County, Cause No. 18-CV-0678 filed in the 122nd state judicial district court of Galveston County; 4.) In Re Matagorda County, Case No. 19-0257 filed in the Texas Supreme Court; and 5.) other potential litigation unrelated to prior items

Motion carried. Vote 5 ayes 0 nays

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

Discussion and potential action shall occur regarding approval of the proposed mediation settlement agreement, if any, regarding: 1.) Kevin Davis v. Matagorda County, Case No. 3:18-CV-00188 filed in the United States District Court, Southern District of Texas, Galveston Division; 2.) Davis v. Matagorda County, EEOC Charge No. 460-2018-01558; 3.) Davis v. Matagorda County, Cause No. 18-CV-0678 filed in the 122nd state judicial district court of Galveston County; 4.) In Re Matagorda County, Case No. 19-0257 filed in the Texas Supreme Court; and 5.) other potential litigation unrelated to prior items

This being the next item for business, motion was duly made at 10:54 a.m. by Commissioner Gibson and seconded by Commissioner Graham, with all others concurring, to Reconvene open session:

Discussion and potential action shall occur regarding approval of the proposed mediation settlement agreement, if any, regarding: 1.) Kevin Davis v. Matagorda County, Case No. 3:18-CV-00188 filed in the United States District Court, Southern District of Texas, Galveston Division; 2.) Davis v. Matagorda County, EEOC Charge No. 460-2018-01558; 3.) Davis v. Matagorda County, Cause No. 18-CV-0678

filed in the 122nd state judicial district court of Galveston County; 4.) In Re Matagorda County, Case No. 19-0257 filed in the Texas Supreme Court; and 5.) other potential litigation unrelated to prior items

Motion carried. Vote 5 ayes 0 nays

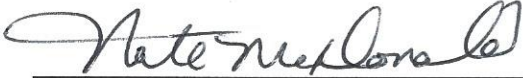
19. **Public Comments**

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

20. **Adjournment**

Motion was duly made at approximately 10:55 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 15th day of July, 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

