

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, FEBRUARY 25, 2019

Call to Order

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday, the 25th day of February, 2019, in the Matagorda County Commissioners' 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, Skipper Osborne, Loretta Griffin, Jimmy Galvan, Bill Balboa, Rhonda Hirsch, Mike Ferdinand, Jessica Russell, Tyrus Cooper, Judy Kenney, Jaenee Haagensen, Mike Reddell, Chris Peikert, Lisa Krobot, Carmen Andrews, Amanda Campos and Laura Glaspie.

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 February 4, 2019, February 11, 2019 and February 13, 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 approve Commissioners' Court Minutes for February 4, 2019, February 11, 2019 and February 13, 2019. 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 by Jackson Electric Cooperative, Inc., to run lines along the following county roads with overhead electric lines in Precinct #4, Matagorda County: CR#474 and Ackerman Road

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 an application by Jackson Electric Cooperative, Inc., to run lines along the following county roads with overhead electric lines in Precinct #4, Matagorda County: CR#474 and Ackerman Road. Motion carried. Vote 5 ayes 0 nays

8. Consideration and possible action to approve a Proclamation in support of Legislation to enable Oyster Mariculture in Texas Coastal Waters

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 a Proclamation in support of Legislation to enable Oyster Mariculture in Texas Coastal Waters. Motion carried. Vote 5 ayes 0 nays

9. Consideration and possible action to approve a Consulting Agreement between Matagorda County and Douglas Matthes for Emergency Management Consulting Services for the months of March 1, 2019 – July 31, 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 approve a Consulting Agreement between Matagorda County and Douglas Matthes for Emergency Management Consulting Services for the months of March 1, 2019 – July 31, 2019. Motion carried. Vote 5 ayes 0 nays

10. Consideration and possible action to approve the County's Public Assistance Management Cost Selection, as required by the new FEMA Recovery Policy FP 104-11-2, and authorize the County Judge to sign

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 County's Public Assistance Management Cost Selection, as required by the new FEMA Recovery Policy FP 104-11-2, and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

11. Consideration and possible action to approve the Sargent Beach Study as funded by Hurricane Ike Community Development Recovery Program as administered by the General Land Office

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 the Sargent Beach Study as funded by Hurricane Ike Community Development Recovery Program as administered by the General Land Office. Motion carried. Vote 5 ayes 0 nays

12. Consideration and possible action to approve an Agreement between Matagorda County and the Matagorda Waste Disposal and Water Supply Corporation, pertaining to the Hazard Mitigation Grant Program (HMGP) administered by Texas Department of Emergency Management (TDEM), and authorize the County Judge to sign

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 Agreement between Matagorda County and the Matagorda Waste Disposal and Water Supply Corporation, pertaining to the Hazard Mitigation Grant Program (HMGP) administered by Texas Department of Emergency Management (TDEM), and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

13. Consideration and possible action to approve an Agreement between Matagorda County and the Markham Municipal Utility District, pertaining to the Hazard Mitigation Grant Program (HMGP) administered by Texas Department of Emergency Management (TDEM), and authorize the County Judge to sign

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 an Agreement between Matagorda County and the Markham Municipal Utility District, pertaining to the Hazard Mitigation Grant Program (HMGP) administered by Texas Department of Emergency Management (TDEM), and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

14. Consideration and possible action to approve an Agreement between Matagorda County and the Water Control and Improvement District 6 (Van Vleck), pertaining to the Hazard Mitigation Grant Program

(HMGP) administered by Texas Department of Emergency Management (TDEM), and authorize the 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 an Agreement between Matagorda County and the Water Control and Improvement District 6 (Van Vleck), pertaining to the Hazard Mitigation Grant Program (HMGP) administered by Texas Department of Emergency Management (TDEM), and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

15. Consideration and possible action to approve an Agreement between Matagorda County and the Midfield Water Supply Corporation, pertaining to the Hazard Mitigation Grant Program (HMGP) administered by Texas Department of Emergency Management (TDEM), and authorize the County Judge to sign

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 an Agreement between Matagorda County and the Midfield Water Supply Corporation, pertaining to the Hazard Mitigation Grant Program (HMGP) administered by Texas Department of Emergency Management (TDEM), and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

16. Consideration and possible action to approve an Agreement between Matagorda County and the Water Control and Improvement District 5 (Blessing), pertaining to the Hazard Mitigation Grant Program (HMGP) administered by Texas Department of Emergency Management (TDEM), and authorize the County Judge to sign

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 an Agreement between Matagorda County and the Water Control and Improvement District 5 (Blessing), pertaining to the Hazard Mitigation Grant Program (HMGP) administered by Texas Department of Emergency Management (TDEM), and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

17. Consideration and possible action to approve an Agreement between Matagorda County and the Wadsworth Water Supply Corporation, pertaining to the Hazard Mitigation Grant Program (HMGP) administered by Texas Department of Emergency Management (TDEM), and authorize the County Judge to sign

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 Agreement between Matagorda County and the Wadsworth Water Supply Corporation, pertaining to the Hazard Mitigation Grant Program (HMGP) administered by Texas Department of Emergency Management (TDEM), and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

18. Consideration and possible action to approve an Agreement between Matagorda County and the River Oaks Water Supply Corporation, pertaining to the Hazard Mitigation Grant Program (HMGP) administered by Texas Department of Emergency Management (TDEM), and authorize the 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 an Agreement between Matagorda County and the River Oaks Water Supply Corporation, pertaining to the Hazard Mitigation Grant Program (HMGP) administered by Texas Department of Emergency Management (TDEM), and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

19. Consideration and possible action to approve a Cellular Phone Allowance for Patrol Deputy Douglas Oxborrow, in the amount of \$60.00 per month according to county policies and procedures

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 Cellular Phone Allowance for Patrol Deputy Douglas Oxborrow, in the amount of \$60.00 per month according to county policies and procedures. Motion carried. Vote 5 ayes 0 nays

20. Consideration and possible action to acknowledge the Matagorda County Jail to be in compliance with the Texas Commission on Jail standards per the meeting with Sheriff Osborne, Capt. Klaiber, Lt. Vela and Commissioner Gary Graham on Thursday, February 14, 2019

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to acknowledge the Matagorda County Jail to be in compliance with the Texas Commission on Jail standards per the meeting with Sheriff Osborne, Capt. Klaiber, Lt. Vela and Commissioner Gary Graham on Thursday, February 14, 2019. Motion carried. Vote 5 ayes 0 nays

21. Discussion regarding capabilities, legal compliance and price points

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

22. Consideration and possible action to approve a Resolution authorizing the submission of Grant Application #3807201 Mobile Data Terminal and hardware grant, applying to the Office of the Governor, Criminal Justice Division

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 Resolution authorizing the submission of Grant Application #3807201 Mobile Data Terminal and hardware grant, applying to the Office of the Governor, Criminal Justice Division. Motion carried. Vote 5 ayes 0 nays

23. Consideration and possible action to approve an order authorizing Matagorda County Attorney, Denise M. Fortenberry, to file suit to abate against Noemi West, who has caused, permitted, or allowed nuisance condition on, or has an interest in, the property upon which the offending condition exists. 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 Noemi West, who has caused, permitted, or allowed nuisance condition on, or has an interest in, the property upon which the offending condition exists. 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

24. Consideration and possible action to approve an order authorizing Matagorda County Attorney, Denise M. Fortenberry, to file suit to abate against Elizabeth Stewart, who has caused, permitted, or allowed nuisance condition on, or has an interest in, the property upon which the offending condition exists. 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 taken.

25. Consideration and possible action to approve an order authorizing Matagorda County Attorney, Denise M. Fortenberry, to file suit to abate against Irene Ramirez, who has caused, permitted, or allowed nuisance condition on, or has an interest in, the property upon which the offending condition exists. 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 Irene Ramirez, who has caused, permitted, or allowed nuisance condition on, or has an interest in, the property upon which the offending condition exists. 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

26. Consideration and possible action to approve an order authorizing Matagorda County Attorney, Denise M. Fortenberry, to file suit to abate against Donald Mustard, who has caused, permitted, or allowed nuisance condition on, or has an interest in, the property upon which the offending condition exists. 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 Pollard 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 Donald Mustard, who has caused, permitted, or allowed nuisance condition on, or has an interest in, the property upon which the offending condition exists. 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

27. Consideration and possible action to approve an order authorizing Matagorda County Attorney, Denise M. Fortenberry, to file suit to abate against Carolyn Into, who has caused, permitted, or allowed nuisance condition on, or has an interest in, the property upon which the offending condition exists. 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 Gibson 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 Carolyn Into, who has caused, permitted, or allowed nuisance condition on, or has an interest in, the property upon which the offending condition exists. 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

28. Consideration and possible action to approve an order authorizing Matagorda County Attorney, Denise M. Fortenberry, to file suit to abate against Michael Dodson, who has caused, permitted, or allowed nuisance condition on, or has an interest in, the property upon which the offending condition exists. 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 Pollard 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 Dodson, who has caused, permitted, or allowed nuisance condition on, or has an interest in, the property upon which the offending condition exists. 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

29. Consideration and possible action to approve an order authorizing Matagorda County Attorney, Denise M. Fortenberry, to file suit to abate against Cynthia Auzston, who has caused, permitted, or allowed nuisance condition on, or has an interest in, the property upon which the offending condition exists. 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 Pollard 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 Cynthia Auzston, who has caused, permitted, or allowed nuisance condition on, or has an interest in, the property upon which the offending condition exists. 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

30. Consideration and possible action to approve the 2019 Equitable Sharing Agreement and Certification for the Matagorda County Sheriff's Office with the Department of Justice and Department of the Treasury, authorizing Judge Nate McDonald and Sheriff Frank "Skipper" Osborne 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 2019 Equitable Sharing Agreement and Certification for the Matagorda County Sheriff's Office with the Department of Justice and Department of the Treasury, authorizing Judge Nate McDonald and Sheriff Frank "Skipper" Osborne to sign. Motion carried. Vote 5 ayes 0 nays

31. Consideration and possible action to accept the Internal Review Reports for the 4th quarter and 2018 YTD

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 Reports for the 4th quarter and 2018 YTD. Motion carried. Vote 5 ayes 0 nays

32. Consideration and possible action to ratify Payroll Deductions for February 15, 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 ratify Payroll Deductions for February 15, 2019. Motion carried. Vote 5 ayes 0 nays

33. Consideration and possible action to ratify the Payment of Demand Checks from February 15, 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 ratify the Payment of Demand Checks from February 15, 2019. Motion carried. Vote 5 ayes 0 nays

34. Consideration and possible action to ratify Bank Drafts for February 18, 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 ratify Bank Drafts for February 18, 2019. Motion carried. Vote 5 ayes 0 nays

35. Consideration and possible action to approve Bank Drafts

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 Bank Drafts. Motion carried. Vote 5 ayes 0 nays

36. Consideration and possible action to approve Payment of Bills

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

37. Consideration and possible action to approve Line Item Transfers

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

38. Consideration and possible action to approve Emergency Amendments

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 Emergency Amendments. Motion carried. Vote 5 ayes 0 nays

39. Meet in Executive Session:

Under Section 551.0725 of the Texas Government Code to consult with attorney(s) representing the county in an executive session regarding deliberation of contract being negotiated

This being the next item for business, motion was duly made at 11:43 a.m. by Commissioner Graham and seconded by Commissioner Gibson, with all others concurring, to meet in Executive Session:

Under Section 551.0725 of the Texas Government Code to consult with attorney(s) representing the county in an executive session regarding deliberation of contract being negotiated

Motion carried. Vote 5 ayes 0 nays

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

Under Section 551.0725 of the Texas Government Code to consult with attorney(s) representing the county in an executive session regarding deliberation of contract being negotiated

This being the next item for business, motion was duly made at 12:43 p.m. by Commissioner Graham and seconded by Commissioner Gibson, with all others concurring, to Reconvene open session:

Under Section 551.0725 of the Texas Government Code to consult with attorney(s) representing the county in an executive session regarding deliberation of contract being negotiated

Motion carried. Vote 5 ayes 0 nays

41. Public Comments

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

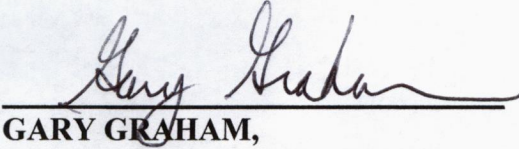
42. Adjournment

Motion was duly made at approximately 12:44 p.m. by Commissioner Graham and seconded by Commissioner Pollard with all others concurring, to adjourn the meeting. Motion carried. Vote 5 ayes 0 nays

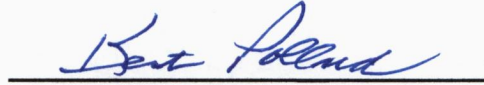
Approved in Open Court, the 4th day of March, 2019.



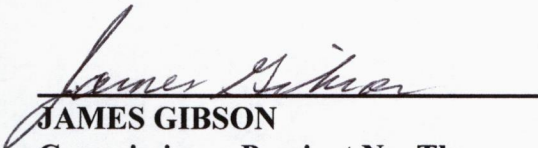
NATE McDONALD,
County Judge



GARY GRAHAM,
Commissioner Precinct No. One



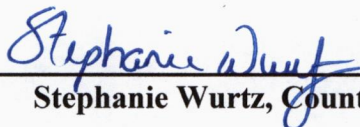
KENT POLLARD
Commissioner Precinct No. Two
Judge Pro Tem



JAMES GIBSON
Commissioner Precinct No. Three



CHARLES "BUBBA" FRICK
Commissioner Precinct No. Four

ATTEST: 
Stephanie Wurtz, County Clerk

