

**MINUTES**  
**MATAGORDA COUNTY COMMISSIONERS' COURT MEETING**  
**MATAGORDA COUNTY COURTHOUSE, ROOM 300**  
**1700 SEVENTH STREET, BAY CITY, TEXAS 77414**  
**9:30 A.M., MONDAY, AUGUST 21, 2017**

**Call to Order**

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 21<sup>st</sup> day of August 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, Carmen Andrews, Denise Fortenberry, Kristen Kubecka, Tammy McDonald, Mike Reddell, Mike Ferdinand, Doug Matthes, Mary Crocker, Karla Lewis, Cristyn Hallmark, James Engbrock, Lisa Krobot, Daniella Norris, Joe Lozano, Dwight Baker, Shelby Storts and Janet Hickl

**1. Certification of quorum**

County Judge McDonald certified a quorum in attendance with Commissioner Gibson, Commissioner Graham, Commissioner Pollard and Commissioner Frick

**2. Pledge of Allegiance – Commissioner Graham**

**3. Texas Pledge – Commissioner Graham**

**4. Prayer – Commissioner Frick**

**5. Consideration and possible action regarding approving Commissioners Court Minutes for August 14, 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 August 14, 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, no action required.

**7. Consideration and possible action to approve an Application to Cross a County Road from Lavaca Pipeline Company to Cross the Following County Roads in Precinct #4, Matagorda County, Texas CR 419 (El Dorado Road), CR 449 (Fabrygel Road), CR 452 (Tom Cornelius Road), CR 454 (Sliva Road), CR 462 (Lubojasky Road), CR 466 (Jager Road), and CR 472 (Morris 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 to Cross a County Road from Lavaca Pipeline Company to Cross the Following County Roads in Precinct #4, Matagorda County, Texas CR 419 (El Dorado Road), CR 449 (Fabrygel Road), CR 452 (Tom Cornelius Road), CR 454 (Sliva Road), CR 462 (Lubojasky Road), CR 466 (Jager Road), and CR 472 (Morris Road). Motion carried. Vote 5 ayes 0 nays



**8. Consideration and possible action to approve a Re-plat of the remainder of a called 6.4292 Acre Tract as recorded in Volume 623, Page 38 of the Matagorda County Deed Records and being all that certain called 1.00 Acre Tract as recorded in Volume 177, Page 216 of the Matagorda County Deed Records and being a portion of Outlot 20 of the Matagorda Townsite as recorded in Volume 1, Page 35 of the Matagorda County Plat Records in the Elias R. Wightman League, Abstract 101, Matagorda County, Texas**

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 a Re-plat of the remainder of a called 6.4292 Acre Tract as recorded in Volume 623, Page 38 of the Matagorda County Deed Records and being all that certain called 1.00 Acre Tract as recorded in Volume 177, Page 216 of the Matagorda County Deed Records and being a portion of Outlot 20 of the Matagorda Townsite as recorded in Volume 1, Page 35 of the Matagorda County Plat Records in the Elias R. Wightman League, Abstract 101, Matagorda County, Texas. Motion carried. Vote 5 ayes 0 nays

**9. Consideration and possible action to approve the AMENDED & CORRECTED FERGUSON SUBDIVISION, a Re-plat of Lot 2 & 3 of the Matagorda Townsite, Tier 1, Block 14, Matagorda Front in the Elias R. Wightman League, Abstract 101, Matagorda County, Texas**

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 AMENDED & CORRECTED FERGUSON SUBDIVISION, a Re-plat of Lot 2 & 3 of the Matagorda Townsite, Tier 1, Block 14, Matagorda Front in the Elias R. Wightman League, Abstract 101, Matagorda County, Texas. Motion carried. Vote 5 ayes 0 nays

**10. Consideration and possible action to accept the Corrected Deed to Cemetery Property from the Bay City Cemetery Association to Matagorda County for Grave Space No. 19, in Lot No. 2, in Block No. 10, in Section Ten of the Bay City Cemetery, Matagorda County, Texas to be used for indigent burial 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 accept the Corrected Deed to Cemetery Property from the Bay City Cemetery Association to Matagorda County for Grave Space No. 19, in Lot No. 2, in Block No. 10, in Section Ten of the Bay City Cemetery, Matagorda County, Texas to be used for indigent burial and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

**11. Consideration and possible action to accept the Corrected Deed to Cemetery Property from the Bay City Cemetery Association to Matagorda County for Grave Space No. 1, in Lot No. 3, in Block No. 10, in Section Ten of the Bay City Cemetery, Matagorda County, Texas to be used for indigent burial 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 accept the Corrected Deed to Cemetery Property from the Bay City Cemetery Association to Matagorda County for Grave Space No. 1, in Lot No. 3, in Block No. 10, in Section Ten of the Bay City Cemetery, Matagorda County, Texas to be used for indigent burial and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays



**12. Consideration and possible action to accept the Corrected Deed to Cemetery Property from the Bay City Cemetery Association to Matagorda County for Grave Space No. 20, in Lot No. 2, in Block No. 10, in Section Ten of the Bay City Cemetery, Matagorda County, Texas to be used for indigent burial and authorize the County Judge to sign**

This being the next item for business, motion was duly made by Graham and seconded by Commissioner Frick, with all others concurring, to accept the Corrected Deed to Cemetery Property from the Bay City Cemetery Association to Matagorda County for Grave Space No. 20, in Lot No. 2, in Block No. 10, in Section Ten of the Bay City Cemetery, Matagorda County, Texas to be used for indigent burial and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

**13. Consideration and possible action to approve the submittal of a Letter to the Texas Department of Agriculture, extending the deadline for Aerial Application of 2, 4-D by permit in Matagorda County until Section 1, 2017**

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 submittal of a Letter to the Texas Department of Agriculture, extending the deadline for Aerial Application of 2, 4-D by permit in Matagorda County until Section 1, 2017. Motion carried. Vote 5 ayes 0 nays

**14. Consideration and possible action to accept a proposal from AT&T for installation of PRI Circuit (telephone lines) at the Matagorda County Office Building located at 2200 7<sup>th</sup> Street, Bay City, Texas**

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 a proposal from AT&T for installation of PRI Circuit (telephone lines) at the Matagorda County Office Building located at 2200 7<sup>th</sup> Street, Bay City, Texas. Motion carried. Vote 5 ayes 0 nays

**15. Public Hearing at 9:55 AM to discuss the 2018 Matagorda County Budget**

This being the next item for business, motion was duly made at 9:55 AM by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to go into a Public Hearing to discuss the 2018 Matagorda County Budget. Motion carried. Vote 5 ayes 0 nays

Motion was duly made at 9:58 AM by Commissioner Graham and seconded by Commissioner Frick, with all other concurring, to reconvene open session of Commissioners Court. Motion carried. Vote 5 ayes 0 nays

**16. Consideration and possible action to approve the 2018 Matagorda County Budget**

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 the 2018 Matagorda County Budget. Motion carried. Record vote:

County Judge	Aye
Commissioner Pct. 1	Aye
Commissioner Pct. 2	Aye
Commissioner Pct. 3	Aye
Commissioner Pct. 4	Aye



**17. Consideration and possible action to set Monday, August 28, 2017 at 9:45 AM as the date and time to adopt the 2017 Proposed Maintenance and Operation Tax Rate of .41507, and the 2017 Proposed Interest and Sinking Tax Rate of .00391, making the total Tax Rate of .41898**

This being the next item for business, motion was duly made by Commissioner Graham and seconded by Commissioner Gibson, with all others concurring, to set Monday, August 28, 2017 at 9:45 AM as the date and time to adopt the 2017 Proposed Maintenance and Operation Tax Rate of .41507, and the 2017 Proposed Interest and Sinking Tax Rate of .00391, making the total Tax Rate of .41898. Motion carried.

Vote 5 ayes 0 nays

**18. Consideration and possible action to Ratify Payroll Checks from August 18, 2017**

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 Payroll Checks from August 18, 2017. Motion carried. Vote 5 ayes 0 nays

**19. Consideration and possible action to accept the December 2016 Auditor's Monthly Financial Report**

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Graham, with all others concurring, to accept the December 2016 Auditor's Monthly Financial Report. Motion carried. Vote 5 ayes 0 nays

**20. 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

**21. 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

**22. Meet in Executive Session:**

**Under Section 551.0785 of the Texas Government Code to discuss a matter involving medical or psychiatric records of individuals, as a governmental body that administers a self-funded health plan**

This being the next item for business, motion was duly made at 10:07 by Commissioner Frick and seconded by Commissioner Gibson, with all others concurring, to Meet in Executive Session:

Under Section 551.0785 of the Texas Government Code to discuss a matter involving medical or psychiatric records of individuals, as a governmental body that administers a self-funded health plan

Under Section 551.071(2) of the Gov't Code to consult with attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter

Motion carried. Vote 5 ayes 0 nays

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

**Under Section 551.0785 of the Texas Government Code to discuss a matter involving medical or psychiatric records of individuals, as a governmental body that administers a self-funded health plan**

**Under Section 551.071(2) of the Gov't Code to consult with attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter**

This being the next item for business, motion was duly made at 11:06 AM by Commissioner Gibson and seconded by Commissioner Graham, with all others concurring, to Reconvene open session and consider taking action on the matters discussed in Executive Session:

Under Section 551.0785 of the Texas Government Code to discuss a matter involving medical or psychiatric records of individuals, as a governmental body that administers a self-funded health plan

Under Section 551.071(2) of the Gov't Code to consult with attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter

Motion carried. Vote 5 ayes 0 nays

Motion was duly made by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring to deny the request for medical board review and exception for claim coverage for employee number 2450

24. **Public Comments**

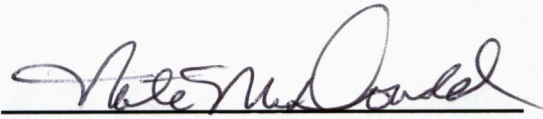
This being the next item for business, no action required.

25. **Adjournment**

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



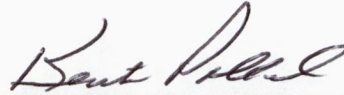
Approved in Open Court, this the 28<sup>th</sup> day of August, 2017.



**NATE McDONALD,**  
County Judge



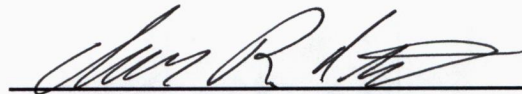
**GARY GRAHAM,**  
Commissioner Precinct No. One



**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**

