

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, JUNE 26, 2017

Call to Order

This **Special Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 26th day of June 2017 in the Matagorda County Commissioner's Courtroom, located on the Third Floor, 1700 Seventh Street, Room 300, Bay City, Texas, with Commissioner Frick Judge Pro Tem presiding.

Others present were as follows: Sheriff Osborne, Kristen Kubecka, Lisa Krobot, Mike Ferdinand, Tammy McDonald, Chris Peikert, Dwight Baker, Cristyn Hallmark, Carmen Andrews, Denise Fortenberry, Mike Reddell, Kristen Kubecka, Joe Lozano, James Engbrock, Bruce Spitzengel, Jason Sanders, Elaine Concklin, Linda Beshler, James Arnold, Bill Orton, Jaene Haagensen, Shelby Storts and Janet Hickl

1. **Certification of quorum**

Commissioner Frick, Judge Pro Tem certified a quorum in attendance with Commissioner Gibson, Commissioner Graham, and Commissioner Pollard. County Judge McDonald was absent

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

3. **Texas Pledge – Commissioner Frick**

4. **Prayer – Commissioner Gibson**

5. **Consideration and possible action regarding approving Commissioners Court Minutes for June 19, 2017**

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 Commissioners Court Minutes for June 19, 2017. Motion carried. Vote 4 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 a Resolution authorizing the Submission of a CEPR Application to the General Land Office; and authorize the Judge Pro-Tem to Act as the Executive Officer and authorize Representative in All Matters Pertaining to the Participation in the Program**

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 Resolution authorizing the Submission of a CEPR Application to the General Land Office; and authorize the Judge Pro-Tem to Act as the Executive Officer and authorize Representative in All Matters Pertaining to the Participation in the Program. Motion carried. Vote 4 ayes 0 nays

8. Consideration and possible action to approve the promotion of Matthew Mireles from Patrol Deputy Sheriff to Sergeant Investigator with the Criminal Investigations Division, increasing pay from \$16.76 to \$19.24 per hour, effective June 21, 2017, with funds available in my budget

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 the promotion of Matthew Mireles from Patrol Deputy Sheriff to Sergeant Investigator with the Criminal Investigations Division, increasing pay from \$16.76 to \$19.24 per hour, effective June 21, 2017, with funds available in my budget. Motion carried.

Vote 4 ayes 0 nays

9. Consideration and possible action to approve the promotion of Debra Warner from Deputy Tax Assessor-Collector – Property Tax/Voter Registration to Deputy Tax Assessor-Collector – Accounting at a rate of \$13.35 per hour effective June 26, 2017

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 promotion of Debra Warner from Deputy Tax Assessor-Collector – Property Tax/Voter Registration to Deputy Tax Assessor-Collector – Accounting at a rate of \$13.35 per hour effective June 26, 2017. Motion carried. Vote 4 ayes 0 nays

10. Consideration and possible action to approve the following promotions within the Criminal Investigations Division of the Matagorda County Sheriff's Office: Doug Pruitt from Lieutenant to Captain, at \$25.88 per hour, replacing Richard Rooth who retired; and James Orr from Sergeant to Lieutenant at \$21.77 per hour, with funds available in my budget, effective June 19, 2017

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 following promotions within the Criminal Investigations Division of the Matagorda County Sheriff's Office: Doug Pruitt from Lieutenant to Captain, at \$25.88 per hour, replacing Richard Rooth who retired; and James Orr from Sergeant to Lieutenant at \$21.77 per hour, with funds available in my budget, effective June 19, 2017. Motion carried. Vote 4 ayes 0 nays

11. Consideration and possible action to approve the promotion of C. W. Stephens from Patrol Deputy to Patrol Sergeant, increasing pay from \$16.76 to \$19.24 per hour; and moving Jimmie Sparks from Patrol Sergeant to Patrol Deputy, decreasing pay from \$19.24 to \$16.76, with funds available in my budget, effective June 23, 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 promotion of C. W. Stephens from Patrol Deputy to Patrol Sergeant, increasing pay from \$16.76 to \$19.24 per hour; and moving Jimmie Sparks from Patrol Sergeant to Patrol Deputy, decreasing pay from \$19.24 to \$16.76, with funds available in my budget, effective June 23, 2017. Motion carried. Vote 4 ayes 0 nays

12. Consideration and possible action to approve the Deputation of Lindsey Hurta as Deputy Tax Assessor-Collector-Motor Vehicle

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 Deputation of Lindsey Hurta as Deputy Tax Assessor-Collector-Motor Vehicle. Motion carried. Vote 4 ayes 0 nays

13. Consideration and possible action to approve the hiring of Mark Noriega at \$15.96 per hour, as a Patrol Deputy with the Matagorda County Sheriff's Office, effective June 19, 2017, with funds available in my budget

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 hiring of Mark Noriega at \$15.96 per hour, as a Patrol Deputy with the Matagorda County Sheriff's Office, effective June 19, 2017, with funds available in my budget. Motion carried. Vote 4 ayes 0 nays

14. Consideration and possible action to approve a Re-plat of a portion of the Bessie Mae Owen called 6 Acre Tract being the North ½ of Outlot 7 of the Matagorda Original Townsite in the Elias R. Wightman League, Abstract 101, Matagorda, 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 a portion of the Bessie Mae Owen called 6 Acre Tract being the North ½ of Outlot 7 of the Matagorda Original Townsite in the Elias R. Wightman League, Abstract 101, Matagorda, Matagorda County, Texas. Motion carried. Vote 4 ayes 0 nays

15. Consideration and possible action to approve a Demand Check for the purchase of two Polaris Ranger Crew 570-4 ATV and two 6x12 trailers with folding ramp from Brazos Motorsports. Said vehicles to be used primarily for patrolling beaches and selling beach permits

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 a portion of the Bessie Mae Owen called 6 Acre Tract being the North ½ of Outlot 7 of the Matagorda Original Townsite in the Elias R. Wightman League, Abstract 101, Matagorda, Matagorda County, Texas. Motion carried. Vote 4 ayes 0 nays

16. Consideration and possible action to approve an order authorizing Matagorda County Attorney, Denise M. Fortenberry, to file suit to enforce compliance of Chapter 366 of the Texas Health and Safety Code against the following permit holders:

2452, 2629, 2664, 2839, 2841, 2857, 2867, 2953, 3003, 3069, 3114, 3211, 3228, 3290, 3296, 3311, 3312, 3328, 3336, 3353, 3420, 3467, 3503, 3547, 3553, 3555, 3566, 3603, 3633, 3677, 3679, 3682, 3684, 3730, 3746, 3762, 3812, 3822, 3825, 3826, 3840, 3853, 3857, 3870, 3872, 3873, 3896, 3904, 3957, 3988, 4003, 4037, 4057, 4059, 4066, 4068, 4087, 4152, 4174

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 enforce compliance of Chapter 366 of the Texas Health and Safety Code against the following permit holders:

2452, 2629, 2664, 2839, 2841, 2857, 2867, 2953, 3003, 3069, 3114, 3211, 3228, 3290, 3296, 3311, 3312, 3328, 3336, 3353, 3420, 3467, 3503, 3547, 3553, 3555, 3566, 3603, 3633, 3677, 3679, 3682, 3684, 3730, 3746, 3762, 3812, 3822, 3825, 3826, 3840, 3853, 3857, 3870, 3872, 3873, 3896, 3904, 3957, 3988, 4003, 4037, 4057, 4059, 4066, 4068, 4087, 4152, 4174

Motion carried. Vote 4 ayes 0 nays

17. Consideration and possible action to sign AT&T Bandwidth Services and Master Agreement for the private T1 line to the FM 1095 Tower

This being the next item for business, motion was duly made by Commissioner Graham and seconded by Commissioner Pollard, with all others concurring, to sign AT&T Bandwidth Services and Master Agreement for the private T1 line to the FM 1095 Tower. Motion carried. Vote 4 ayes 0 nays

18. Consideration and possible action to submit the 2016 Comprehensive Annual Financial Report upon completion as required

This being the next item for business, motion was duly made by Commissioner Graham and seconded by Commissioner Gibson, with all others concurring, to submit the 2016 Comprehensive Annual Financial Report upon completion as required. Motion carried. Vote 4 ayes 0 nays

19. Consideration and possible action to ratify payroll checks from June 23, 2017

This being the next item for business, motion was duly made by Commissioner Graham and seconded by Commissioner Pollard, with all others concurring, to ratify payroll checks from June 23, 2017. Motion carried. Vote 4 ayes 0 nays

20. Consideration and possible action to approve Payment of Bills

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 Payment of Bills. Motion carried. Vote 4 ayes 0 nays

21. 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 4 ayes 0 nays

22. 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

Under Section 551.076(1) of the Texas Government Code to deliberate the deployment, or specific occasions for implementation, of security personnel or devices

This being the next item for business, motion was duly made at 10:00 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

Under Section 551.076(1) of the Texas Government Code to deliberate the deployment, or specific occasions for implementation, of security personnel or devices

Motion carried. Vote 4 ayes 0 nays

23. **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

Under Section 551.076(1) of the Texas Government Code to deliberate the deployment, or specific occasions for implementation, of security personnel or devices

This being the next item for business, motion was duly made at 10:43 a.m. 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 551.0725 of the Texas Government Code to consult with attorney(s) representing the county in an executive session regarding deliberation of contract being negotiated

Under Section 551.076(1) of the Texas Government Code to deliberate the deployment, or specific occasions for implementation, of security personnel or devices

Motion carried. Vote 4 ayes 0 nays

No action taken

24. **Consideration and possible action to accept a proposal from WAVE System for strobe lights to be installed at the Matagorda County Courthouse, in the amount of \$880.00**

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 WAVE System for strobe lights to be installed at the Matagorda County Courthouse, in the amount of \$880.00. Motion carried.

Vote 4 ayes 0 nays

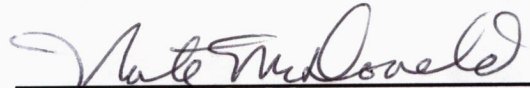
25. **Public Comments**

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


26. **Adjournment**

Motion was duly made at approximately 10:45 a.m. by Commissioner Graham and seconded by Commissioner Gibson, with all others concurring, to adjourn the meeting. Motion carried. Vote 4 ayes 0 nays


Approved in Open Court, this the 3rd day of July, 2017.



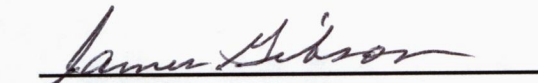
NATE McDONALD,
County Judge




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

