

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

Call to Order

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday the 9th day of October 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, Denise Fortenberry, Kristen Kubecka, Mike Reddell, Doug Matthes, Lisa Krobot, Tammy McDonald, Mike Ferdinand, Chris Peikert, Marlena Merrell, Jackie Lentz, Carmen Andrews, Jaene Haagenen, 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 Gibson**

3. **Texas Pledge – Commissioner Gibson**

4. **Prayer – Commissioner Pollard**

5. **Consideration and possible action regarding approving Commissioners Court Minutes for October 2, 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 approve Commissioners Court Minutes for October 2, 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 a Proclamation declaring the Month of October 2017 as "Domestic Violence Awareness Month" in Matagorda County**

This being the next item for business, motion was duly made by County Judge McDonald and seconded by Commissioner Frick, with all others concurring, to approve a Proclamation declaring the Month of October 2017 as "Domestic Violence Awareness Month" in Matagorda County. Motion carried. Vote 5 ayes 0 nays

8. **Consideration and possible action to approve the Client Coverage Acknowledgement and Compensation Disclosure Statement for Matagorda County with Arthur J. Gallagher & Co. 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 the Client Coverage Acknowledgement and Compensation Disclosure State for Matagorda County with Arthur J. Gallagher & Co. and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

9. Consideration and possible action to approve the Administrative Services Agreement and Stop[-Loss Agreement between the Texas Association of Counties Health and Employee Benefits Pool and Matagorda County 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 Pollard, with all others concurring, to approve the Administrative Services Agreement and Stop[-Loss Agreement between the Texas Association of Counties Health and Employee Benefits Pool and Matagorda County and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

10. Consideration and possible action to approve the 2018 Holidays for Matagorda County Personnel

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 2018 Holidays for Matagorda County Personnel. Motion carried. Vote 5 ayes 0 nays

11. Consideration and possible action to approve Gulf Coast Regional 9-1-1 Emergency Communications District and authorize the County Judge to execute contract online

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 Gulf Coast Regional 9-1-1 Emergency Communications District and authorize the County Judge to execute contract online with a correction on page 2 correcting the address to the Sheriff Department's address. Motion carried. Vote 5 ayes 0 nays

12. Consideration and possible action to approve an order authorizing Matagorda County Attorney, Denise M. Fortenberryt, to file suit to abate against Raynaldo Sapien Benavides, Sr., who has caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists, for injunctive and other and other relief as is authorized by the Texas Health and Safety Code, including the right to prohibit or control access to the premises to prevent a continued or future violation and other environmental, public health and welfare protection laws. 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 Frick and seconded by Commissioner Graham, with all others concurring, to approve an order authorizing Matagorda County Attorney, Denise M. Fortenberryt, to file suit to abate against Raynaldo Sapien Benavides, Sr., who has caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists, for injunctive and other and other relief as is authorized by the Texas Health and Safety Code, including the right to prohibit or control access to the premises to prevent a continued or future violation and other environmental, public health and welfare protection laws. 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

13. Consideration and possible action to approve an order authorizing Matagorda County Attorney, Denise M. Fortenberry, to file suit to abate against Pablo and Juanita Dominguez, who has caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists, for injunctive and other and other relief as is authorized by the Texas Health and Safety Code, including the right to prohibit or control access to the premises to prevent a continued or future violation and other environmental, public health and welfare protection laws. 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 Frick and seconded by Commissioner Graham, with all others concurring, to approve an order authorizing Matagorda County Attorney, Denise M. Fortenberry, to file suit to abate against Pablo and Juanita Dominguez, who has caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists, for injunctive and other and other relief as is authorized by the Texas Health and Safety Code, including the right to prohibit or control access to the premises to prevent a continued or future violation and other environmental, public health and welfare protection laws. 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

14. Consideration and possible action to approve an order authorizing Matagorda County Attorney, Denise M. Fortenberry, to file suit to abate against Shonda Blackburn, who has caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists, for injunctive and other and other relief as is authorized by the Texas Health and Safety Code, including the right to prohibit or control access to the premises to prevent a continued or future violation and other environmental, public health and welfare protection laws. 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 Frick and seconded by Commissioner Graham, with all others concurring, to approve an order authorizing Matagorda County Attorney, Denise M. Fortenberry, to file suit to abate against Shonda Blackburn, who has caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists, for injunctive and other and other relief as is authorized by the Texas Health and Safety Code, including the right to prohibit or control access to the premises to prevent a continued or future violation and other environmental, public health and welfare protection laws. 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

15. Consideration and possible action to approve an order authorizing Matagorda County Attorney, Denise M. Fortenberry, to file suit to abate against Donnie and Ginny Thompson, David and Sharon Browne, and All Season Waste Management, all of whom have caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists, for injunctive and other and other relief as is authorized by the Texas Health and Safety Code, including the right to prohibit or control access to the premises to prevent a continued or future violation and other environmental, public health and welfare protection laws. 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 Frick and seconded by Commissioner Graham, with all others concurring, to approve an order authorizing Matagorda County Attorney, Denise M. Fortenberry, to file suit to abate against Donnie and Ginny Thompson, David and Sharon Browne, and All Season Waste Management, all of whom have caused, permitted, or allowed a nuisance condition on, or has an interest in, the property upon which the offending condition exists, for injunctive and other and other relief as is authorized by the Texas Health and Safety Code, including the right to prohibit or control access to the premises to prevent a continued or future violation and other environmental, public health and welfare protection laws. 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

16. Consideration and possible action to approve a Resolution regarding the 2018 Indigent Defense Grant Program and application, designating the County Judge, Nate McDonald as the Authorized Official, District Judge, Craig Estlinbaum as the Program Director and contact person, and County Auditor, Kristen Kubecka as the Financial Officer for this grant

This being the next item for business, motion was duly made by County Judge McDonald and seconded by Commissioner Gibson, with all others concurring, to approve a Resolution regarding the 2018 Indigent Defense Grant Program and application, designating the County Judge, Nate McDonald as the Authorized Official, District Judge, Craig Estlinbaum as the Program Director and contact person, and County Auditor, Kristen Kubecka as the Financial Officer for this grant. Motion carried. Vote 5 ayes 0 nays

17. Consideration and possible action to accept proposals and award a qualified bidder for External Audit Services for Matagorda County and allow the County Judge to sign all related documents

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Pollard, with all others concurring, to accept proposals and award a qualified bidder for External Audit Services for Matagorda County and allow the County Judge to sign all related documents. Motion carried. Vote 5 ayes 0 nays

18. Consideration and possible action to approve the purchase of 2-Kubota M5-111HDC Cab, 4WD, and 3 remotes from Hlavinka Equipment Company through BuyBoard/TASB, in the amount of \$102,852.50 by Matagorda County Commissioner James Gibson, Precinct #3

This being the next item for business, motion was duly made by Commissioner Gibson and seconded by Commissioner Graham, with all others concurring, to approve the purchase of 2-Kubota M5-111HDC Cab, 4WD, and 3 remotes from Hlavinka Equipment Company through BuyBoard/TASB, in the amount of \$102,852.50 by Matagorda County Commissioner James Gibson, Precinct #3. Motion carried. Vote 5 ayes 0 nays

19. Consideration and possible action to approve the 2017 Fire Fighter Agreement for the Matagorda Volunteer Fire Department

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 2017 Fire Fighter Agreement for the Matagorda Volunteer Fire Department. Motion carried. Vote 5 ayes 0 nays

20. Consideration and possible action to approve the 2017 Tax Roll Report

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 the 2017 Tax Roll Report. Motion carried. Vote 5 ayes 0 nays

21. Consideration and possible action to approve the Matagorda County Treasurer's Monthly Investment Report for September 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 the Matagorda County Treasurer's Monthly Investment Report for September 2017. Motion carried. Vote 5 ayes 0 nays

22. Consideration and possible action to approve the Matagorda County Treasurer's Monthly Report for September 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 the Matagorda County Treasurer's Monthly Report for September 2017. Motion carried. Vote 5 ayes 0 nays

23. Consideration and possible action to approve the Payment of Bills

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

24. 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

25. 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

25a. Consideration and possible action to approve an invoice for Victoria Builder Supply Co. in the amount of \$1,300.00 with half paid as deposit and half upon completion

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 invoice for Victoria Builder Supply Co. in the amount of \$1,300.00 with half paid as deposit and half upon completion. Motion carried. Vote 5 ayes 0 nays

25b. Consideration and possible action to approve a Resolution indicating Matagorda County Commissioners Court's intent to participate in Tax Abatement and Chapter 381 Economic Development Incentives

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 a Resolution indicating Matagorda County Commissioners Court's intent to participate in Tax Abatement and Chapter 381 Economic Development Incentives. Motion carried. Vote 5 ayes 0 nays

25c. Consideration and possible action to approve 2017-2018 Guidelines and Criteria for granting tax abatement in reinvestment zones and/or enterprise zones created in Matagorda County

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 2017-2018 Guidelines and Criteria for granting tax abatement in reinvestment zones and/or enterprise zones created in Matagorda County. Motion carried. Vote 5 ayes 0 nays

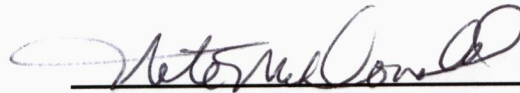
26. Public Comments

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

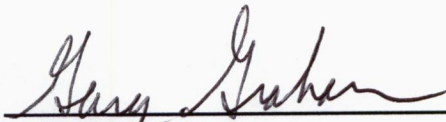
27. Adjournment

Motion was duly made at approximately 10:32 a.m. by Commissioner Pollard and seconded by Commissioner Gibson, with all others concurring, to adjourn the meeting. Motion carried. Vote 5 ayes 0 nays

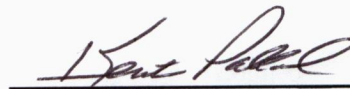
Approved in Open Court, this the 16th day of October, 2017.



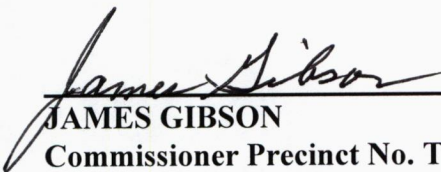
NATE McDONALD,
County Judge



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

