

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, DECEMBER 4, 2023

Call to Order

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday, December 4, 2023, in the Matagorda County Commissioner's Courtroom, located on the Third Floor, 1700 Seventh Street, Room 300, Bay City, Texas, with County Judge Seiferman presiding.

Others present were as follows: Jennifer Chau, Karla Smith, Skipper Osborne, Doug Schoppe, Amanda Campos, Becky Cook, Meagan Ramirez, Loretta Griffin, Mike Reddell, Ashley Brooking, Mike Ferdinand, Tressa Leadford, Crystal Morones, Lisa Krobot, Janiel Rodriguez, Angel Vargas, Madison Thrift, Alizia Gonzales, Emma Murry, Madison Harris, Rebecca Castanon, Chanh Nguyen, Abigail Padron, Gabriel Hernandez, Trevor Frazier, Jahrius Woodard, Cadence Anderson, Anndrea Hernandez, Jaslynn Sanchez, Tia Fields, Tatum Moore, Brock Taylor, Paul Higgins, Denise Grisham, Ashley Talasek, Erwin Ward, Lawton King, Dianne Drennan, Amy Nowlin, Matthew Warth, Greg Baker, Keith Lieb, Matt LaBorde, Caroline Burda, Rosie McCusker, Debbie Lieb, Kristin Munn, Mike Spillers, Mitch Thames, Mike Fry, Wade Gungoll, Rich Clark, Terry Rogers, Rebecca Hoelscher, Tim Carnell, Jessica Russell Alexandria Longoria and Stephanie Wurtz.

1. Certification of quorum

County Judge Seiferman certified a quorum with Commissioner Cook, Commissioner Estlinbaum, Commissioner Shimek and Commissioner Frick.

2. Pledge of Allegiance – Commissioner Shimek

3. Texas Pledge – Commissioner Shimek

4. Prayer – Commissioner Estlinbaum

5. Public Comments

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

6. Consideration and possible action regarding approving Commissioner's Court Minutes for November 27, 2023

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Shimek, with all others concurring, to approve Commissioner's Court Minutes for November 27, 2023. Motion carried. Vote 5 ayes 0 nays

7. Consideration and possible action regarding contracts for the use of the Matagorda County Fairgrounds facilities

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

- 8. Consideration and possible action to accept County Interpretations presented by AgriLife Extension Agents**
This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Estlinbaum, with all others concurring, to accept County Interpretations presented by AgriLife Extension Agents. Motion carried. Vote 5 ayes 0 nays
- 9. Consideration and possible action to approve an Interlocal Agreement between Matagorda County and the Regional Public Defender for Capital Cases FY 2024-2025**
This being the next item for business, motion was duly made by Commissioner Estlinbaum and seconded by Commissioner Frick, with all others concurring, to approve an Interlocal Agreement between Matagorda County and the Regional Public Defender for Capital Cases FY 2024-2025. Motion carried. Vote 5 ayes 0 nays
- 10. Consideration and possible action to approve a Contract Agreement between Matagorda County and Bay City Cemetery Association FY 2024-2025**
This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Shimek, with all others concurring, to approve a Contract Agreement between Matagorda County and Bay City Cemetery Association FY 2024-2025. Motion carried. Vote 5 ayes 0 nays
- 11. Consideration and possible action to approve a Contract Agreement and Matagorda County Museum Association FY 2024-2025**
This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Cook, with all others concurring, to approve a Contract Agreement and Matagorda County Museum Association FY 2024-2025. Motion carried. Vote 5 ayes 0 nays
- 12. Consideration and possible action to approve a Contract between Matagorda County and Palacios Area Historical Association FY 2024-2025**
This being the next item for business, motion was duly made by Commissioner Estlinbaum and seconded by Commissioner Shimek, with all others concurring, to approve a Contract between Matagorda County and Palacios Area Historical Association FY 2024-2025. Motion carried. Vote 5 ayes 0 nays
- 13. Consideration and possible action to authorize a Demand Check for 50% of RapidHandy Inc. Invoice # 20230913S395 totaling \$6,541.26 charged to Precinct #1**
This being the next item for business, motion was duly made by Commissioner Cook and seconded by Commissioner Frick, with all others concurring, to authorize a Demand Check for 50% of RapidHandy Inc. Invoice # 20230913S395 totaling \$6,541.26 charged to Precinct #1. Motion carried. Vote 5 ayes 0 nays
- 14. Consideration and possible action to ratify two invoices for the County Tax Office from the Bay City Tribune, in the amount of \$378.93, and Scott-Merriman, Inc., in the amount of \$8,888.00, paid on 10/16/2023**
This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Frick, with all others concurring, to ratify two invoices for the County Tax Office from the Bay City Tribune, in the amount of \$378.93, and Scott-Merriman, Inc., in the amount of \$8,888.00, paid on 10/16/2023. Motion carried. Vote 5 ayes 0 nays
- 15. Consideration and possible action to approve a temporary road closure of Caney Drive between Oak Circle North and South, to commence at 4:00 p.m. on December 9, 2023, for the Sargent Area Lion's Club "Christmas in the Park"**

This being the next item for business, motion was duly made by Commissioner Estlinbaum and seconded by Commissioner Frick, with all others concurring, to approve a temporary road closure of Caney Drive between Oak Circle North and South, to commence at 4:00 p.m. on December 9, 2023, for the Sargent Area Lion's Club "Christmas in the Park". Motion carried. Vote 5 ayes 0 nays

16. Consideration and possible action to accept a Subdivision Plat Application for Amending/Cancelling Plat for Sterling Shores, Block 1, Lot 12A and 14A, replat of lot 12, 13 and W 45' of Lot 14, Matagorda County, Texas

This being the next item for business, motion was duly made by Commissioner Estlinbaum and seconded by Commissioner Shimek, with all others concurring, to accept a Subdivision Plat Application for Amending/Cancelling Plat for Sterling Shores, Block 1, Lot 12A and 14A, replat of lot 12, 13 and W 45' of Lot 14, Matagorda County, Texas. Motion carried. Vote 5 ayes 0 nays

17. Consideration and possible action to table approving a Road Use Agreement between Lavaca Bay Solar Project, LLC and Matagorda County, Texas

This being the next item for business, motion was duly made by Commissioner Estlinbaum and seconded by Commissioner Shimek, with all others concurring, to table approving a Road Use Agreement between Lavaca Bay Solar Project, LLC and Matagorda County, Texas. Motion carried. Vote 5 ayes 0 nays

18. Consideration and possible action to approve a Road Use Agreement between Eldora Energy Project, LLC and Matagorda County, Texas

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Estlinbaum, with all others concurring, to approve a Road Use Agreement between Eldora Energy Project, LLC and Matagorda County, Texas. Motion carried. Vote 5 ayes 0 nays

19. Consideration and possible action to accept \$23,821.00 from the Texas Department of Transportation County Assistance Program for Fiscal Year 2024

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Frick, with all others concurring, to accept \$23,821.00 from the Texas Department of Transportation County Assistance Program for Fiscal Year 2024. Motion carried. Vote 5 ayes 0 nays

20. Consideration and possible action to approve a Construction Services Contract Amendment #2 between Matagorda County and K-C Lease Service, Inc. d/b/a Matagorda Construction & Materials, related to Construction Services associated with the American Rescue Plan Act (ARPA) for the County Road Repairs – Precinct #1 Project, and authorize County Judge Bobby Seiferman to sign

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Cook, with all others concurring, to approve a Construction Services Contract Amendment #2 between Matagorda County and K-C Lease Service, Inc. d/b/a Matagorda Construction & Materials, related to Construction Services associated with the American Rescue Plan Act (ARPA) for the County Road Repairs – Precinct #1 Project, and authorize County Judge Bobby Seiferman to sign. Motion carried. Vote 5 ayes 0 nays

21. Consideration and possible action to approve Invoices from the following Departments: Precinct #2, Precinct #4, County Tax Office and District Attorney's Office

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Cook, with all others concurring, to approve Invoices from the following Departments: Precinct #2, Precinct #4, County Tax Office and District Attorney's Office. Motion carried. Vote 5 ayes 0 nays

22. **Consideration and possible action to approve the Monthly Reports from various County Departments**

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Estlinbaum, with all others concurring, to approve the Monthly Reports from various County Departments. Motion carried. Vote 5 ayes 0 nays

23. **Consideration and possible action to approve Payment of Demand Checks**

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

26. **Meet in Executive Session:**

Under Section 551.072 of the Texas Government Code to consult with attorney(s) representing the County in an executive session concerning Real Property

Under Section 551.087 of the Texas Government Code to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations

This being the next item for business, motion was duly made at 10:19 a.m. by Commissioner Estlinbaum and seconded by Commissioner Shimek, with all others concurring, to meet in Executive Session:

Under Section 551.072 of the Texas Government Code to consult with attorney(s) representing the County in an executive session concerning Real Property

Under Section 551.087 of the Texas Government Code to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations

Motion carried. Vote 5 ayes 0 nays

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

Under Section 551.072 of the Texas Government Code to consult with attorney(s) representing the County in an executive session concerning Real Property

Under Section 551.087 of the Texas Government Code to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations

This being the next item for business, motion was duly made at 12:17 p.m. by Commissioner Shimek and seconded by Commissioner Frick, with all others concurring, to Reconvene open session:

Under Section 551.072 of the Texas Government Code to consult with attorney(s) representing the County in an executive session concerning Real Property

Under Section 551.087 of the Texas Government Code to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations

Motion carried. Vote 5 ayes 0 nays

28. Adjournment

Motion was duly made at approximately 12:18 p.m. by Commissioner Cook 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 11th day of December, 2023.



BOBBY SEIFERMAN
County Judge



EDWARD "BUBBA" COOK
Commissioner Precinct No. One



MIKE ESTLINBAUM
Commissioner Precinct No. Two

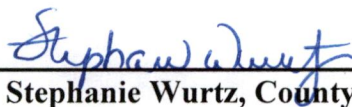


TROY SHIMEK
Commissioner Precinct No. Three



CHARLES "BUBBA" FRICK
Commissioner Precinct No. Four

ATTEST:



Stephanie Wurtz, County Clerk

