

**MINUTES**  
**MATAGORDA COUNTY COMMISSIONERS' COURT MEETING**  
**MATAGORDA COUNTY COURTHOUSE, ROOM 300**  
**1700 SEVENTH STREET, BAY CITY, TEXAS 77414**  
**9:30 A.M., MONDAY, NOVEMBER 1, 2021**

**Call to Order**

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday, November 1, 2021, 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: Jennifer Chau, Kristen Kubecka, Kanita Robinson, Becky Cook, Tressa Leadford, Loretta Griffin, Skipper Osborne, Lisa Krobot, Amanda Campos, Mike Reddell, Anthony Maenza, Bob Treacy, Mike Estlinbaum, Ernest Lawson, Viviana Vega, Ricky Bort, Greg Westmoreland, Scott Hardwick, Bruce Spitzengel, Crystal Morones and Stephanie Wurtz.

**1. Certification of quorum**

County Judge McDonald certified a quorum in attendance with Commissioner Cook, Commissioner Pollard, Commissioner Shimek and Commissioner Frick.

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

**3. Texas Pledge – Commissioner Shimek**

**4. Prayer – Commissioner Pollard**

**5. Consideration and possible action regarding approving Commissioner's Court Minutes for October 25, 2021**

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 Commissioner's Court Minutes for October 25, 2021. Motion carried. Vote 5 ayes 0 nays

**6. 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.

**7. Consideration and possible action to approve a Resolution declaring the month of November as Home Care and Hospice Month in Matagorda County**

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 Resolution declaring the month of November as Home Care and Hospice Month in Matagorda County. Motion carried. Vote 5 ayes 0 nays

**8. Consideration and possible action to approve a Resolution declaring for Matagorda County to participate with the Office of the Texas Attorney General and the Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by

Commissioner Frick, with all others concurring, to approve a Resolution declaring for Matagorda County to participate with the Office of the Texas Attorney General and the Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet. Motion carried. Vote 5 ayes 0 nays

**9. Consideration and possible action regarding participation with the Office of the Texas Attorney General and the Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet and allow County Judge, Nate McDonald to sign the Settlement Participation Form**

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Frick, with all others concurring, to approve participation with the Office of the Texas Attorney General and the Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet and allow County Judge, Nate McDonald to sign the Settlement Participation Form. Motion carried. Vote 5 ayes 0 nays

**10. Consideration and possible action to accept a contribution in the amount of \$5,000.00 from Equistar A Lyondell Company for expenses toward the Matagorda County Household Hazardous Waste Collection Event that was held October 9, 2021**

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Pollard, with all others concurring, to accept a contribution in the amount of \$5,000.00 from Equistar A Lyondell Company for expenses toward the Matagorda County Household Hazardous Waste Collection Event that was held October 9, 2021. Motion carried. Vote 5 ayes 0 nays

**11. Consideration and possible action to authorize Lisa Krobot to hire Steven Knox as Animal Control Officer at a rate of \$13.50 an hour, effective November 8, 2021**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Shimek, with all others concurring, to authorize Lisa Krobot to hire Steven Knox as Animal Control Officer at a rate of \$13.50 an hour, effective November 8, 2021. Motion carried. Vote 5 ayes 0 nays

**12. Consideration and possible action to approve the Appointment of Dr. Michael G. Neret as the Local Health Authority for Matagorda County with his term beginning on November 13, 2021 and ending on November 13, 2023**

This being the next item for business, motion was duly made by Judge McDonald and seconded by Commissioner Shimek, with all others concurring, to approve the Appointment of Dr. Michael G. Neret as the Local Health Authority for Matagorda County with his term beginning on November 13, 2021 and ending on November 13, 2023. Motion carried. Vote 5 ayes 0 nays

**13. Consideration and possible action to approve a Credit Application for Moffitt Services and allow Matagorda County Commissioner, Precinct #1 to purchase gas and fuel for equipment**

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 a Credit Application for Moffitt Services and allow Matagorda County Commissioner, Precinct #1 to purchase gas and fuel for equipment. Motion carried. Vote 5 ayes 0 nays

**14. Consideration and possible action to approve a Federal Excise Gas Exemption Certificate of State or Local Government for gas purchases from Sun Coast Resources, Inc. commencing January 1, 2022, expiring December 31, 2022, for Precinct #1, #2, #3 and #4 and authorize the County Judge to sign**

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Pollard, with all others concurring, to approve a Federal Excise Gas Exemption Certificate of State or Local Government for gas purchases from Sun Coast Resources, Inc. commencing January 1, 2022, expiring

December 31, 2022, for Precinct #1, #2, #3 and #4 and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

**15. Consideration and possible action to approve the 2022 Bay Bridge Administrators – Hartford Auto Renewal effective January 1, 2022**

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Pollard, with all others concurring, to approve the 2022 Bay Bridge Administrators – Hartford Auto Renewal effective January 1, 2022. Motion carried. Vote 5 ayes 0 nays

**16. Consideration and possible action to authorize Matagorda County to issue requests for proposals (RFPs) for administrative services and requests for qualifications (RFQs) for professional services for the Texas Community Resiliency Program as administered by the Texas Department of Housing and Community Affairs**

This being the next item for business, motion was duly made by Judge McDonald and seconded by Commissioner Cook, with all others concurring, to authorize Matagorda County to issue requests for proposals (RFPs) for administrative services and requests for qualifications (RFQs) for professional services for the Texas Community Resiliency Program as administered by the Texas Department of Housing and Community Affairs. Motion carried. Vote 5 ayes 0 nays

**17. Consideration and possible action to approve the BRM/QRBM Application from the US Post Office for Voter Registration Business Reply Mail and pay the annual fee of \$245.00, to be reimbursed by the Secretary of State, and allow Becky Cook, County Tax Assessor-Collector to sign**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Shimek, with all others concurring, to approve the BRM/QRBM Application from the US Post Office for Voter Registration Business Reply Mail and pay the annual fee of \$245.00, to be reimbursed by the Secretary of State, and allow Becky Cook, County Tax Assessor-Collector to sign. Motion carried. Vote 5 ayes 0 nays

**18. Consideration and possible action to allow Commissioner Charles Frick to sign a Road Use Agreement between Danish Field Solar, LLC for use of Wind Road, Lezak Road, Baca Road, Hoffman Road, El Dorado (Oleander) Road and Tom Cornelius Road within Precinct #4**

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Pollard, with all others concurring, to allow Commissioner Charles Frick to sign a Road Use Agreement between Danish Field Solar, LLC for use of Wind Road, Lezak Road, Baca Road, Hoffman Road, El Dorado (Oleander) Road and Tom Cornelius Road within Precinct #4. Motion carried. Vote 5 ayes 0 nays

**19. Consideration and possible action to review and accept the terms of the Right-of-Entry Agreement with the Texas Department of Transportation for a survey of Carl Park on FM 521 at Tres Palacios River and allow County Judge, Nate McDonald to sign**

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Pollard, with all others concurring, to review and accept the terms of the Right-of-Entry Agreement with the Texas Department of Transportation for a survey of Carl Park on FM 521 at Tres Palacios River and allow County Judge, Nate McDonald to sign. Motion carried. Vote 5 ayes 0 nays

**20. Consideration and possible action to approve the Task Order-01, Addendum 04 pertaining to the Sargent Breakwater and Beach Nourishment Project and allow the County Judge to sign**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Shimek, with all others concurring, to approve the Task Order-01, Addendum 04 pertaining to the

Sargent Breakwater and Beach Nourishment Project and allow the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

21. **Consideration and possible action to approve a Monthly Reports for various County Departments**  
This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Shimek, with all others concurring, to approve a Monthly Reports for various County Departments. Motion carried. Vote 5 ayes 0 nays

22. **Consideration and possible action to approve an Invoice from Matagorda County Sheriff's Department**  
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 an Invoice from Matagorda County Sheriff's Department. Motion carried. Vote 5 ayes 0 nays

23. **Consideration and possible action to approve Matagorda County Treasurer's Office Monthly Report for September 2021**  
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 Matagorda County Treasurer's Office Monthly Report for September 2021. 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 Shimek and seconded by Commissioner Pollard, with all others concurring, to approve Line Item Transfers. Motion carried. Vote 5 ayes 0 nays

25. **Consideration and possible action to approve Payment of Bills**  
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 Payment of Bills. Motion carried. Vote 5 ayes 0 nays

26. **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 Frick, with all others concurring, to approve Emergency Amendments. Motion carried. Vote 5 ayes 0 nays

27. **Meet in Executive Session:**

**Under Section 551.074(a)(1) and (2) of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal, of a public officer or employee and to hear a complaint or charge against an officer or employee**

**Under Section 551.086 of the Texas Government Code to consider and take action 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 10:29 a.m. by Commissioner Shimek

and seconded by Commissioner Pollard, with all others concurring, to meet in Executive Session:

Under Section 551.074(a)(1) and (2) of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal, of a public officer or employee and to hear a complaint or charge against an officer or employee

Under Section 551.086 of the Texas Government Code to consider and take action 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. Reconvene open session and consider taking action on the matters discussed in Executive Session:**

**Under Section 551.074(a)(1) and (2) of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal, of a public officer or employee and to hear a complaint or charge against an officer or employee**

**Under Section 551.086 of the Texas Government Code to consider and take action 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 10:38 a.m. by Judge McDonald and seconded by Commissioner Frick, with all others concurring, to Reconvene open session:

Under Section 551.074(a)(1) and (2) of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal, of a public officer or employee and to hear a complaint or charge against an officer or employee

Under Section 551.086 of the Texas Government Code to consider and take action 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

**29. Public Comments**

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

**30. Adjournment**

Motion was duly made at approximately 10:40 a.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 8<sup>th</sup> day of November, 2021.

*Nate McDonald*

**NATE McDONALD**  
County Judge

*absent*

**EDWARD "BUBBA" COOK**  
Commissioner Precinct No. One

*Kent Pollard*

**KENT POLLARD**  
Commissioner Precinct No. Two

*absent*

**TROY SHIMEK**  
Commissioner Precinct No. Three

*Charles "Bubba" Frick*

**CHARLES "BUBBA" FRICK**  
Commissioner Precinct No. Four

ATTEST:

*Stephanie Wurtz*  
Stephanie Wurtz, County Clerk

