

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, 2023

Call to Order

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday, October 9, 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: Kristen Kubecka, Jennifer Chau, Skipper Osborne, Lisa Krobot, Doug Matthes, Mike Reddell, Chris Peikert, Becky Cook, Janice Hawthorne, Loretta Griffin, Tressa Leadford, Meagan Ramirez, Jessica Russell, Gloria Millsap, Erik Frankson, Alan Brewer, Dan Shook, Vic Everett, Alexandria Longoria and Stephanie Wurtz.

1. Certification of quorum

County Judge Seiferman certified a quorum in person 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 October 2, 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 October 2, 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 approve a Resolution nominating David Cobb as the Matagorda County representative to be placed on the office ballot for the Matagorda County Appraisal District Board of Directors, 2024/2025 term

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 Resolution nominating David Cobb as the Matagorda County representative to be placed on the office ballot for the Matagorda County Appraisal District Board of Directors, 2024/2025 term. Motion carried. Vote 5 ayes 0 nays

9. Consideration and possible action to approve the Notice of Election for the 2023 Special Constitutional Amendment Election to be held on November 7, 2023 and authorize County Judge Bobby Seiferman to sign

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 the Notice of Election for the 2023 Special Constitutional Amendment Election to be held on November 7, 2023 and authorize County Judge Bobby Seiferman to sign. Motion carried. Vote 5 ayes 0 nays

10. Consideration and possible action to approve the Board Appointment of Frederick L. "Pokey" Pierce replacing E.R. Vacek to the Drainage District #4 Board and complete the term ending on February 14, 2024

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 the Board Appointment of Frederick L. "Pokey" Pierce replacing E.R. Vacek to the Drainage District #4 Board and complete the term ending on February 14, 2024. Motion carried. Vote 5 ayes 0 nays

11. Consideration and possible action to approve an Amendment to the ARPA Agreement between Matagorda County and the Matagorda VFD as a subrecipient, in regards to previously approved Agreement for 24' Stanley Boat changing the price to \$186,430.75. This Amendment is for informational purposes and does not change the obligation of the parties nor increase the amount of contribution by Matagorda County in the amount of \$40,000.00

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 an Amendment to the ARPA Agreement between Matagorda County and the Matagorda VFD as a subrecipient, in regards to previously approved Agreement for 24' Stanley Boat changing the price to \$186,430.75. This Amendment is for informational purposes and does not change the obligation of the parties nor increase the amount of contribution by Matagorda County in the amount of \$40,000.00. Motion carried. Vote 5 ayes 0 nays

12. Consideration and possible action to approve a second extension of the Matagorda County Declaration of Disaster for Shrimp Dumping beginning on October 9, 2023 and ending on November 13, 2023 and allow County Judge Bobby Seiferman and Commissioners to sign

This being the next item for business, motion was duly made by Commissioner Cook and seconded by Commissioner Shimek, with all others concurring, to approve a second extension of the Matagorda County Declaration of Disaster for Shrimp Dumping beginning on October 9, 2023 and ending on November 13, 2023 and allow County Judge Bobby Seiferman and Commissioners to sign. Motion carried. Vote 5 ayes 0 nays

13. Consideration and possible action to approve a Federal Excise Tax Exemption Certificate from U.S. Bank Voyager Fleet Cards for fuel purchases for the District Attorney's Office covering January 1, 2024 through December 31, 2024 and authorize County Judge Bobby Seiferman to sign

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 Federal Excise Tax Exemption Certificate from U.S. Bank Voyager Fleet Cards for fuel purchases for the District Attorney's Office covering January 1, 2024 through December 31, 2024 and authorize County Judge Bobby Seiferman to sign. Motion carried. Vote 5 ayes 0 nays

14. Consideration and possible action to approve a Federal Excise Tax Exemption Certificate from Sun Coast Resources, Inc. for fuel purchases for Precinct #1 covering January 1, 2024 through December 31, 2024 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 Estlinbaum, with all others concurring, to approve a Federal Excise Tax Exemption Certificate from Sun Coast Resources, Inc. for fuel purchases for Precinct #1 covering January 1, 2024 through December 31, 2024 and authorize County Judge Bobby Seiferman to sign. Motion carried. Vote 5 ayes 0 nays

15. Consideration and possible action to approve a Federal Excise Tax Exemption Certificate from Sun Coast Resources, Inc. for fuel purchases for Precinct #2 covering January 1, 2024 through December 31, 2024 and authorize County Judge Bobby Seiferman to sign

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 Federal Excise Tax Exemption Certificate from Sun Coast Resources, Inc. for fuel purchases for Precinct #2 covering January 1, 2024 through December 31, 2024 and authorize County Judge Bobby Seiferman to sign. Motion carried. Vote 5 ayes 0 nays

16. Consideration and possible action to approve a Federal Excise Tax Exemption Certificate from Sun Coast Resources, Inc. for fuel purchases for Precinct #4 covering January 1, 2024 through December 31, 2024 and authorize County Judge Bobby Seiferman to sign

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 Federal Excise Tax Exemption Certificate from Sun Coast Resources, Inc. for fuel purchases for Precinct #4 covering January 1, 2024 through December 31, 2024 and authorize County Judge Bobby Seiferman to sign. Motion carried. Vote 5 ayes 0 nays

17. Consideration and possible action to approve a credit application for Precinct #1 with Equipment Share

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 Precinct #1 with Equipment Share. Motion carried. Vote 5 ayes 0 nays

18. Consideration and possible action to accept a contribution in the amount of \$2,000.00 from Tenaris for expenses toward the Matagorda County Household Hazardous Waste Collection Event to be held October 14, 2023

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 contribution in the amount of \$2,000.00 from Tenaris for expenses toward the Matagorda County Household Hazardous Waste Collection Event to be held October 14, 2023. Motion carried. Vote 5 ayes 0 nays

19. Consideration and possible action to approve and accept an Agreement and Addendum regarding Commercial Buyer/Tenant Representation with Ward Real Estate, Inc. for the term of one year and authorize County Judge Bobby Seiferman to sign

This being the next item for business, motion was duly made by Judge Seiferman and seconded by Commissioner Shimek, with all others concurring, to approve and accept an Agreement and Addendum regarding Commercial Buyer/Tenant Representation with Ward Real Estate, Inc. for the term of one year and authorize County Judge Bobby Seiferman to sign. Motion carried. Vote 5 ayes 0 nays

20. Consideration and possible action to authorize the submission of a Grant Proposal to Matagorda Bay Mitigation Trust Grant Program and authorize the County Judge and Commissioner, Precinct #2 to sign all related documents

This being the next item for business, motion was duly made by Commissioner Estlinbaum and seconded by Commissioner Frick, with all others concurring, to authorize the submission of a Grant Proposal to Matagorda Bay Mitigation Trust Grant Program and authorize the County Judge and Commissioner, Precinct #2 to sign all related documents. Motion carried. Vote 5 ayes 0 nays

21. **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 Shimek, with all others concurring, to approve the Monthly Reports from various County Departments. Motion carried. Vote 5 ayes 0 nays

22. **Consideration and possible action to approve Invoices from the following Departments: County Judge's Office, Precinct #1 and Precinct #2**

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 Invoices from the following Departments: County Judge's Office, Precinct #1 and Precinct #2. 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 Shimek and seconded by Commissioner Estlinbaum, 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 Shimek, 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 Shimek 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 551.071 of the Texas Government Code to consult with attorney(s) representing the County in an executive session concerning pending litigation, contemplated litigation or settlement offers

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 551.074(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

This being the next item for business, motion was duly made at 9:56 a.m. by Commissioner Estlinbaum and seconded by Commissioner Shimek, with all others concurring, to meet in Executive Session:

Under Section 551.071 of the Texas Government Code to consult with attorney(s) representing the County in an executive session concerning pending litigation, contemplated litigation or settlement offers

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 551.074(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

Motion carried. Vote 5 ayes 0 nays

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

Under Section 551.071 of the Texas Government Code to consult with attorney(s) representing the County in an executive session concerning pending litigation, contemplated litigation or settlement offers

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 551.074(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

This being the next item for business, motion was duly made at 11:24 a.m. by Commissioner Shimek and seconded by Commissioner Estlinbaum, with all others concurring, to Reconvene open session:

Under Section 551.071 of the Texas Government Code to consult with attorney(s) representing the County in an executive session concerning pending litigation, contemplated litigation or settlement offers

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 551.074(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

Motion carried. Vote 5 ayes 0 nays

29. Adjournment

Motion was duly made at approximately 11:26 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 16th day of October, 2023.



BOBBY SEIFERMAN
County Judge



EDWARD "BUBBA" COOK
Commissioner Precinct No. One



MIKE ESTLINBAUM
Commissioner Precinct No. Two

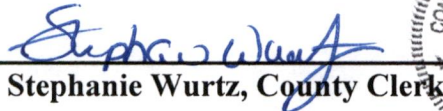


TROY SHIMEK
Commissioner Precinct No. Three



CHARLES "BUBBA" FRICK
Commissioner Precinct No. Four

ATTEST:


Stephanie Wurtz, County Clerk

