

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, AUGUST 29, 2022

Call to Order

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday, August 29, 2022, 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: Kristen Kubecka, Jennifer Chau, Becca Sitz, Jimmy Galvan, Robert Nelson, Chris Peikert, Nicole Borchard, Loretta Griffin, Kenna Ballin, Michael Carrillo, Amanda Campos, Skipper Osborne, David Miles, Mike Estlinbaum, Mike Reddell, Tressa Leadford, Becky Cook, Judy Davis, Doug Schoppe, Mia Ahmed, Greg Baker, Crystal Morones and Stephanie Wurtz.

1. Certification of quorum

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

2. Pledge of Allegiance – Commissioner Frick

3. Texas Pledge – Commissioner Frick

4. Prayer – Commissioner Cook

5. Consideration and possible action regarding approving Commissioner's Court Minutes for August 22, 2022

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 Commissioner's Court Minutes for August 22, 2022. Motion carried. Vote 4 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, motion was duly made by Commissioner Cook and seconded by Commissioner Frick, with all others concurring, to approve one contract for the use of the Matagorda County Fairgrounds facilities. Motion carried. Vote 4 ayes 0 nays

7. Consideration and possible action to approve a Resolution authorizing the online auction of tax foreclosed property, as provided for in Section 34.01 and 34.05 of the Texas Property Tax Code, with Linebarger Goggan Blair & Sampson, LLP, and take any necessary action

This being the next item for business, motion was duly made by Judge McDonald and seconded by Commissioner Pollard, with all others concurring, to approve a Resolution authorizing the online auction of tax foreclosed property, as provided for in Section 34.01 and 34.05 of the Texas Property Tax Code, with Linebarger Goggan Blair & Sampson, LLP, and take any necessary action. Motion carried. Vote 4 ayes 0 nays

8. Consideration and possible action to petition the Texas Department of Agriculture to suspend the prohibition of Aerial Application of 2, 4-D that is allowed to start after September 15, 2022, and allow for Aerial Application to start on September 1, 2022

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Frick, with all others concurring, to petition the Texas Department of Agriculture to suspend the prohibition of Aerial Application of 2, 4-D that is allowed to start after September 15, 2022, and allow for Aerial Application to start on September 1, 2022. Motion carried. Vote 4 ayes 0 nays

9. Consideration and possible action to approve the Order of Election for the November 8, 2022 General Election and allow Judge Nate McDonald 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 Order of Election for the November 8, 2022 General Election and allow Judge Nate McDonald to sign. Motion carried. Vote 4 ayes 0 nays

10. Consideration and possible action to approve an Election Services Contract between Matagorda County and Tidehaven ISD for an Election to be held on November 8, 2022 and authorize the County Elections Administrator to sign

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 an Election Services Contract between Matagorda County and Tidehaven ISD for an Election to be held on November 8, 2022 and authorize the County Elections Administrator to sign. Motion carried. Vote 4 ayes 0 nays

11. Consideration and possible action to approve an Election Services Contract between Matagorda County and the Matagorda County Navigation District #1 for an Election to be held on November 8, 2022 and authorize the County Elections Administrator 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 an Election Services Contract between Matagorda County and the Matagorda County Navigation District #1 for an Election to be held on November 8, 2022 and authorize the County Elections Administrator to sign. Motion carried. Vote 4 ayes 0 nays

12. Consideration and possible action to approve the User License Agreement for an Online Vital Records Request Application and allow the County Clerk to sign

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 the User License Agreement for an Online Vital Records Request Application and allow the County Clerk to sign. Motion carried. Vote 4 ayes 0 nays

13. Consideration and possible action to approve the Household Hazardous Waste Day Contract between Matagorda County and Seabreeze Environmental Landfill for 2023 and authorize the County Judge to sign

This being the next item for business, motion was duly made by Judge McDonald and seconded by Commissioner Pollard, with all others concurring, to approve the Household Hazardous Waste Day Contract between Matagorda County and Seabreeze Environmental Landfill for 2023 and authorize the County Judge to sign. Motion carried. Vote 4 ayes 0 nays

14. Consideration and possible action to approve the 2023 Hauling Agreement for the Transfer Station between Matagorda County and Stella Environmental Landfill for 2023 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 2023 Hauling Agreement for the Transfer Station between Matagorda County and Stella Environmental Landfill for 2023 and authorize the County Judge to sign.

Motion carried. Vote 4 ayes 0 nays

15. Consideration and possible action to approve the Tyler Amendment to remove unused services from the March 2020 Amendment

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 Tyler Amendment to remove unused services from the March 2020 Amendment. Motion carried. Vote 4 ayes 0 nays

16. Consideration and possible action to approve and authorize Matagorda County Sheriff's Office to accept the terms and conditions, including the privacy policy for GeoTime for a one (1) year subscription

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 and authorize Matagorda County Sheriff's Office to accept the terms and conditions, including the privacy policy for GeoTime for a one (1) year subscription. Motion carried. Vote 4 ayes 0 nays

17. Consideration and possible action to approve the signing of a Certifications and Assurance Form by Constable, Precinct #4, David Miles, certifying Matagorda County does not have a written policy, procedures or agreements that limits or impedes Department of Homeland Security issuance of detainers as required for grant compliance

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 signing of a Certifications and Assurance Form by Constable, Precinct #4, David Miles, certifying Matagorda County does not have a written policy, procedures or agreements that limits or impedes Department of Homeland Security issuance of detainers as required for grant compliance. Motion carried. Vote 4 ayes 0 nays

18. Consideration and possible action to approve a Resolution authorizing Constable, Precinct #4, David Miles, to submit Grant Application number 4598101 Equipment Update Project, applying to the Office of the Governor, Criminal Justice Division and authorizing the County Judge to accept or decline the offer

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 a Resolution authorizing Constable, Precinct #4, David Miles, to submit Grant Application number 4598101 Equipment Update Project, applying to the Office of the Governor, Criminal Justice Division and authorizing the County Judge to accept or decline the offer. Motion carried. Vote 4 ayes 0 nays

19. Consideration and possible action to approve the hiring of Lygia Sadler as a full-time Dispatcher for Matagorda County Sheriff's Office at a rate of \$16.21 due to her 6 ½ years of experience with Matagorda County as a previous full-time and part-time dispatcher, effective August 29, 2022

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Cook, with all others concurring, to approve the hiring of Lygia Sadler as a full-time Dispatcher for Matagorda County Sheriff's Office at a rate of \$16.21 due to her 6 ½ years of experience with Matagorda County as a previous full-time and part-time dispatcher, effective August 29, 2022. Motion carried. Vote 4 ayes 0 nays

20. Consideration and possible action to approve the Imposition of Optional Fees for the calendar year 2023 with no changes in the amount fees from 2022

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 Imposition of Optional Fees for the calendar year 2023 with no changes in the amount fees from 2022. Motion carried. Vote 4 ayes 0 nays

21. Consideration and possible action to approve and adopt the 2023 Matagorda County Budget

This being the next item for business, motion was duly made by Judge McDonald and seconded by Commissioner Cook, with all others concurring, to approve Emergency Amendments. Motion carried.

Record Vote:

County Judge	Aye
Commissioner Pct. 1	Aye
Commissioner Pct. 2	Aye
Commissioner Pct. 3	absent
Commissioner Pct. 4	Aye

22. Public Hearing at 9:55 a.m. to discuss the 2022 Proposed Maintenance and Operation Tax Rate of .38208 and the 2022 Proposed Interest and Sinking Tax Rate of .00324 (for a total Tax Rate of .38532)

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Pollard, with all others concurring, to enter into a Public Hearing at 11:09 a.m. to discuss the 2022 Proposed Maintenance and Operation Tax Rate of .38208 and the 2022 Proposed Interest and Sinking Tax Rate of .00324 (for a total Tax Rate of .38532). Motion carried. Vote 4 ayes 0 nays

At 11:10 a.m., motion was duly made by Commission Frick and seconded by Commissioner Pollard, with all others concurring, to enter back into regular session of Commissioners Court. Motion carried. Vote 4 ayes 0 nays

23. Consideration and possible action to adopt the 2022 Proposed Maintenance and Operation Tax rate of .38208, for a total tax rate of .38532

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Cook, with all others concurring, to adopt the 2022 Proposed Maintenance and Operation Tax rate of .38208, for a total tax rate of .38532. Motion carried.

Record Vote:

County Judge	Aye
Commissioner Pct. 1	Aye
Commissioner Pct. 2	Aye
Commissioner Pct. 3	absent
Commissioner Pct. 4	Aye

24. Consideration and possible action to adopt the 2022 Proposed Interest and Sinking Tax rate of .00324, for a total tax rate of .38532

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Shimek, with all others concurring, to adopt the 2022 Proposed Interest and Sinking Tax rate of .00324, for a total tax rate of .38532. Motion carried.

Record Vote:

County Judge	Aye
Commissioner Pct. 1	Aye
Commissioner Pct. 2	Aye
Commissioner Pct. 3	absent
Commissioner Pct. 4	Aye

25. Consideration and possible action to adopt the total 2022 Property Tax Rate of .38532 and ratify the 2022 property tax increase of \$890,399.00 or 4.09% reflected in the 2023 Matagorda County Budget

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Cook, with all others concurring, to adopt the total 2022 Property Tax Rate of .38532 and ratify the 2022 property tax increase of \$890,399.00 or 4.09% reflected in the 2023 Matagorda County Budget. Motion carried.

Record Vote:

County Judge	Aye
Commissioner Pct. 1	Aye
Commissioner Pct. 2	Aye
Commissioner Pct. 3	absent
Commissioner Pct. 4	Aye

26. Consideration and possible action to authorize a trailer purchase and demand check payable to EA Collins & Sons totaling \$24,600.00, plus applicable tax title and license, and authorize Commissioner Cook to sign all related documents

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Cook, with all others concurring, to authorize a trailer purchase and demand check payable to EA Collins & Sons totaling \$24,600.00, plus applicable tax title and license, and authorize Commissioner Cook to sign all related documents. Motion carried. Vote 4 ayes 0 nays

27. Consideration and possible action to approve Invoices from the following Departments: District Judge, Precinct #1, Precinct #3 and Precinct #4

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 Invoices from the following Departments: District Judge, Precinct #1, Precinct #3 and Precinct #4. Motion carried. Vote 4 ayes 0 nays

28. Consideration and possible action to approve Matagorda County Treasurer's Office Monthly Investment Report for July 2022

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 Matagorda County Treasurer's Office Monthly Investment Report for July 2022. Motion carried. Vote 4 ayes 0 nays

29. 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 4 ayes 0 nays

30. Consideration and possible action to approve Payment of Demand Checks

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 Payment of Demand Checks. Motion carried. Vote 4 ayes 0 nays

31. Consideration and possible action to approve Emergency Amendments

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 Emergency Amendments. Motion carried. Vote 4 ayes 0 nays

32. 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 Real Property

Under Section 551.074 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 551.0725 of the Texas Government Code to consult with attorney(s) representing the county in an executive session regarding deliberation of contract being negotiated

This being the next item for business, motion was duly made at 11:26 a.m. by Commissioner Cook and seconded by Commissioner Pollard, 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 Real Property

Under Section 551.074 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 551.0725 of the Texas Government Code to consult with attorney(s) representing the county in an executive session regarding deliberation of contract being negotiated

Motion carried. Vote 4 ayes 0 nays

33. 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 Real Property

Under Section 551.074 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 551.0725 of the Texas Government Code to consult with attorney(s) representing the county in an executive session regarding deliberation of contract being negotiated

This being the next item for business, motion was duly made at 12:45 p.m. by Commissioner Cook and seconded by Commissioner Frick, 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 Real Property

Under Section 551.074 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 551.0725 of the Texas Government Code to consult with attorney(s) representing the county in an executive session regarding deliberation of contract being negotiated

Motion carried. Vote 4 ayes 0 nays

34. Public Comments

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

35. Adjournment

Motion was duly made at approximately 12:46 p.m. by Commissioner Pollard and seconded by Commissioner Cook, with all others concurring, to adjourn the meeting. Motion carried. Vote 4 ayes 0 nays

Approved in Open Court, the 12th day of September, 2022.

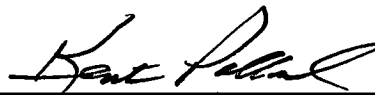


NATE McDONALD

County Judge



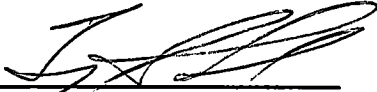
EDWARD "BUBBA" COOK



KENT POLLARD

Commissioner Precinct No. One

Commissioner Precinct No. Two



TROY SHIMEK

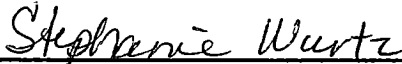
Commissioner Precinct No. Three



CHARLES "BUBBA" FRICK

Commissioner Precinct No. Four

ATTEST:



Stephanie Wurtz, County Clerk

By: *Maggie Perez* Chief Deputy

