

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, SEPTEMBER 12, 2022

Call to Order

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday, September 12, 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, Sara Huebner, Cris Cruz, Kyle Dawson, David Miles, Becky Cook, Mike Reddell, Mike Spiller, Becca Sitz, Crystal Morones and Maggie Perez.

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 Frick

5. Consideration and possible action regarding approving Commissioner's Court Minutes for August 29, 2022

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 August 29, 2022. 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 the 2023 Matagorda County Holidays

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 Matagorda County Holidays. Motion carried. Vote 5 ayes 0 nays

8. Consideration and possible action to authorize Judge Nate McDonald and the Commissioners Court to declare a Declaration of Disaster for Matagorda County pertaining to Border Security

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Shimek, with all others concurring, to authorize Judge Nate McDonald and the Commissioners Court to declare a Declaration of Disaster for Matagorda County pertaining to Border Security. Motion carried. Vote 5 ayes 0 nays

9. Consideration and possible action to approve a Replat of Lots 7-9 in Block 1 of the Replat of River Oaks, Bowman & William League, Abstract 9, Matagorda County, Texas

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 Replat of Lots 7-9 in Block 1 of the Replat of River Oaks, Bowman & William League, Abstract 9, Matagorda County, Texas. Motion carried. Vote 5 ayes 0 nays

10. Consideration and possible action to authorize Commissioner Precinct #3, Troy Shimek to purchase a 2023 F-750 diesel regular cab base with a 5/6-yard dump with BuyBoard Contract 601-19 in the amount of \$100,835.00

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Pollard, with all others concurring, to authorize Commissioner Precinct #3, Troy Shimek to purchase a 2023 F-750 diesel regular cab base with a 5/6-yard dump with BuyBoard Contract 601-19 in the amount of \$100,835.00. Motion carried. Vote 5 ayes 0 nays

11. Consideration and possible action to approve the 2023 Seabreeze Landfill Agreement for the Transfer Station between Matagorda County and Waste Connections Subsidiary – Seabreeze Environmental Landfill at \$24.52 a ton, effective January 1, 2023 and authorize the County Judge 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 2023 Seabreeze Landfill Agreement for the Transfer Station between Matagorda County and Waste Connections Subsidiary – Seabreeze Environmental Landfill at \$24.52 a ton, effective January 1, 2023 and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

12. Consideration and possible action to accept a contribution in the amount of \$2,000.00 from Celanese for expenses toward the Matagorda County Household Hazardous Waste Collection Event to be held on October 1, 2022

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Shimek, with all others concurring, to accept a contribution in the amount of \$2,000.00 from Celanese for expenses toward the Matagorda County Household Hazardous Waste Collection Event to be held on October 1, 2022. Motion carried. Vote 5 ayes 0 nays

13. Consideration and possible action to accept a contribution in the amount of \$2,000.00 from Chevron Phillips Chemical Co. LP for expenses toward the Matagorda County Household Hazardous Waste Collection Event to be held on October 1, 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 accept a contribution in the amount of \$2,000.00 from Chevron Phillips Chemical Co. LP for expenses toward the Matagorda County Household Hazardous Waste Collection Event to be held on October 1, 2022. Motion carried. Vote 5 ayes 0 nays

14. Consideration and possible action to approve the authorization of the 7th Full Moon Food Truck Festival to serve alcoholic beverages on County property for an event with a temporary TABC Permit on October 15, 2022, with the understanding that a copy of the approved Permit will be sent to the County Attorney

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 authorization of the 7th Full Moon Food Truck Festival to serve alcoholic beverages on County property for an event with a temporary TABC Permit on October 15, 2022, with the understanding that a copy of the approved Permit will be sent to the County Attorney. Motion carried. Vote 5 ayes 0 nays

**15. Consideration and possible action to approve the Deputations for the following:
Matthew Boren as Deputy County Tax Assessor/Collector
Cordelia Carter as Deputy County Tax Assessor/Collector**

Susan Novak as Deputy County Tax Assessor/Collector/Accounting
Angelica Morales as Senior Motor Vehicle Deputy County Tax Assessor/Collector
Debbie Warner as Chief Deputy County Tax Assessor/Collector

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 Deputations for the following:

Matthew Boren as Deputy County Tax Assessor/Collector
Cordelia Carter as Deputy County Tax Assessor/Collector
Susan Novak as Deputy County Tax Assessor/Collector/Accounting
Angelica Morales as Senior Motor Vehicle Deputy County Tax Assessor/Collector
Debbie Warner as Chief Deputy County Tax Assessor/Collector

Motion carried. Vote 5 ayes 0 nays

16. Consideration and possible action to approve the promotion of Susan Novak from Deputy Tax Assessor/Collector & Property Voter Registration to Deputy Tax Assessor/Collector/Accounting with a pay increase from \$12.47 to \$13.10 an hour

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 the promotion of Susan Novak from Deputy Tax Assessor/Collector & Property Voter Registration to Deputy Tax Assessor/Collector/Accounting with a pay increase from \$12.47 to \$13.10 an hour. Motion carried. Vote 5 ayes 0 nays

17. Consideration and possible action to approve the hiring of Kelly Hubbard as a Court Clerk for Justice of the Peace #6 at a rate of \$12.47 due to her prior experience with Matagorda County

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 hiring of Kelly Hubbard as a Court Clerk for Justice of the Peace #6 at a rate of \$12.47 due to her prior experience with Matagorda County. Motion carried. Vote 5 ayes 0 nays

18. Consideration and possible action to accept Matagorda County's share of Unclaimed Capital Credits from the Texas Comptroller's Office, in the amount of \$3,929.30, and transfer as per Section 381.004 of the Texas Government Code, to Matagorda County Economic Development Corporation for Economic Development projects in Matagorda County

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Pollard, with all others concurring, to accept Matagorda County's share of Unclaimed Capital Credits from the Texas Comptroller's Office, in the amount of \$3,929.30, and transfer as per Section 381.004 of the Texas Government Code, to Matagorda County Economic Development Corporation for Economic Development projects in Matagorda County. Motion carried. Vote 5 ayes 0 nays

19. Consideration and possible action to approve Matagorda County Treasurer's Office Quarterly Investment Report for 2nd Quarter 2022

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 Quarterly Investment Report for 2nd Quarter 2022. Motion carried. Vote 5 ayes 0 nays

20. 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

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

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 Invoices from the following Departments: District Judge, Precinct #1, Precinct #4 and County Attorney. Motion carried. Vote 5 ayes 0 nays

22. 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 Cook, with all others concurring, to approve Line Item Transfers. 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 Frick and seconded by Commissioner Shimek, with all others concurring, to approve Payment of Demand Checks. Motion carried. Vote 5 ayes 0 nays

24. Consideration and possible action to ratify payment of A/P Checks for September 2, 2022

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Shimek, with all others concurring, to ratify payment of A/P Checks for September 2, 2022. 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 Frick, with all others concurring, to approve Emergency Amendments. Motion carried. Vote 5 ayes 0 nays

26. 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 551.0725 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 10:06 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 551.0725 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 5 ayes 0 nays

27. 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 551.0725 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 11:47 a.m. by Commissioner Shimek and seconded by Commissioner Cook, 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 551.0725 of the Texas Government Code to consult with attorney(s) representing the county in an executive session regarding deliberation of contract being negotiated

Motion was duly made by Commissioner Pollard and seconded by Commissioner Shimek, with all others concurring, to authorize the payment of \$1,325.37 in addition to rate of interest between 1.25% and 2% on behalf of Employee #2836 Employee Deferral Election. Motion carried. Vote 5 ayes 0 nays

28. Public Comments

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

29. Adjournment

Motion was duly made at approximately 11:49 a.m. by Commissioner Shimek 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 26th day of September, 2022.

Nate McDonald
NATE McDONALD
County Judge

Edward Cook
EDWARD "BUBBA" COOK
Commissioner Precinct No. One

Kent Pollard
KENT POLLARD
Commissioner Precinct No. Two

Troy Shimek
TROY SHIMEK
Commissioner Precinct No. Three

Charles "Bubba" Frick
CHARLES "BUBBA" FRICK
Commissioner Precinct No. Four

ATTEST: *Stephanie Wurtz*
Stephanie Wurtz, County Clerk

