

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, DECEMBER 18, 2023

Call to Order

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday, December 18, 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, Kristen Kubecka, Ashley Brooking, Amanda Campos, Lisa Krobot, Chris Peikert, Mike Reddell, Ashley Brooking, Doug Schoppe, Skipper Osborne, Becky Cook, Tressa Leadford, Meagan Ramirez, Michael Ferdinand, Rick DeLeon, Jessica Russell, Paul Higgins, Brock Taylor, Erik Frankson, Mitch Thames, Mike Spillers, Becca Sitz, 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 Cook

3. Texas Pledge – Commissioner Cook

4. Prayer – Commissioner Frick

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 December 11, 2023

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 Commissioner's Court Minutes for December 11, 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 regarding the Charles River Houston Two facility requesting that the Federal and State Governments refrain from issuing permits for the facility planned bordering Matagorda County

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 Resolution regarding the Charles River Houston Two facility requesting that the Federal and State Governments refrain from issuing permits for the facility planned bordering Matagorda County. Motion carried. Vote 5 ayes 0 nays

9. Consideration and possible action to authorize the Commissioners Court to sign and send a letter to AT&T to purchase data products and services through them as a vendor utilizing the program established by the State of Texas Contracts for Vendors providing services to Government Entities

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 the Commissioners Court to sign and send a letter to AT&T to purchase data products and services through them as a vendor utilizing the program established by the State of Texas Contracts for Vendors providing services to Government Entities. Motion carried. Vote 5 ayes 0 nays

10. Consideration and possible action to approve the Harris County Radio Service quote

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 the Harris County Radio Service quote. Motion carried. Vote 5 ayes 0 nays

11. Consideration and possible action to approve the 2024 Septic Maintenance Contract for the Transfer Station with Coastal Aerobic Systems, LLC and allow 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 2024 Septic Maintenance Contract for the Transfer Station with Coastal Aerobic Systems, LLC and allow County Judge Bobby Seiferman to sign. Motion carried. Vote 5 ayes 0 nays

12. Consideration and possible action to reverse the transfer of responsibility of AMG Hummer to Colleport Volunteer Fire Department back to the Matagorda Volunteer Fire Department. AMG #126943 LP 133-4121. The original transfer was approved in Commissioners Court on November 20, 2023

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Estlinbaum, with all others concurring, to reverse the transfer of responsibility of AMG Hummer to Colleport Volunteer Fire Department back to the Matagorda Volunteer Fire Department. AMG #126943 LP 133-4121. The original transfer was approved in Commissioners Court on November 20, 2023. Motion carried. Vote 5 ayes 0 nays

13. Consideration and possible action to approve the purchase of a dump truck for Precinct #2 from Art's Trucks and for Commissioner Estlinbaum to sign off on it

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 the purchase of a dump truck for Precinct #2 from Art's Trucks and for Commissioner Estlinbaum to sign off on it. Motion carried. Vote 5 ayes 0 nays

14. Consideration and possible action to approve a Demand Check to be issued and hand delivered to Commissioner Estlinbaum for the purchase of a dump truck from Art's Truck's in the amount of \$62,967.12

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 Demand Check to be issued and hand delivered to Commissioner Estlinbaum for the purchase of a dump truck from Art's Truck's in the amount of \$62,967.12. Motion carried. Vote 5 ayes 0 nays

15. Consideration and possible action to approve and sign Wyatt Resources, Inc. PO Box 744, Fulshear, TX 77441, Credit Application to purchase guard rails and material for Matagorda County Precinct #3

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 and sign Wyatt Resources, Inc. PO Box 744, Fulshear, TX 77441, Credit Application to purchase guard rails and material for Matagorda County Precinct #3. Motion carried. Vote 5 ayes 0 nays

16. Consideration and possible action to approve and sign AEP Texas Contribution-in-Aid-of-Construction Agreement for Electric Distribution Service to a new storage building for Matagorda County Precinct #3

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 and sign AEP Texas Contribution-in-Aid-of-Construction Agreement for Electric Distribution Service to a new storage building for Matagorda County Precinct #3. Motion carried. Vote 5 ayes 0 nays

17. Consideration and possible action to authorize a Demand Check for 50% payment to be mailed to RapidHandy, Inc. for Invoice #20230913S424 totaling \$5,940.05 charged to Precinct #4, Matagorda County

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 a Demand Check for 50% payment to be mailed to RapidHandy, Inc. for Invoice #20230913S424 totaling \$5,940.05 charged to Precinct #4, Matagorda County. Motion carried. Vote 5 ayes 0 nays

18. Consideration and possible action to approve a Lease Agreement between Matagorda County and Function 4 for a Konica Minolta C360i for the County Attorney's Office, in the amount of \$169.14 per month for 60 months, 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 Frick, with all others concurring, to approve a Lease Agreement between Matagorda County and Function 4 for a Konica Minolta C360i for the County Attorney's Office, in the amount of \$169.14 per month for 60 months, and authorize County Judge Bobby Seiferman to sign. Motion carried. Vote 5 ayes 0 nays

19. Consideration and possible action to approve the Contract Agreement between Matagorda County and Palacios Library, Inc.

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 the Contract Agreement between Matagorda County and Palacios Library, Inc. Motion carried. Vote 5 ayes 0 nays

20. Consideration and possible action to approve the Contract Agreement between Matagorda County and Friends of Elder Citizens, Inc. FY 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 Contract Agreement between Matagorda County and Friends of Elder Citizens, Inc. FY 2024. Motion carried. Vote 5 ayes 0 nays

21. Public Hearing at 9:45 a.m. regarding the possible approval of a Tax Abatement Agreement with Industrial Bravo Project, LLC

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Shimek, with all others concurring, to enter into a Public Hearing at 9:46 a.m. regarding the possible approval of a Tax Abatement Agreement with Industrial Bravo Project, LLC. Motion carried. Vote 5 ayes 0 nays

At 9:51 a.m., motion was duly made by Commissioner Cook and seconded by Commissioner Shimek,

with all others concurring, to enter back into regular session of Commissioners Court. Motion carried. Vote 5 ayes 0 nays

22. Consideration and possible action to adopt the Industrial Bravo Project, LLC Tax Abatement Agreement and allow 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 adopt the Industrial Bravo Project, LLC Tax Abatement Agreement and allow County Judge Bobby Seiferman to sign. Motion carried. Vote 5 ayes 0 nays

23. Consideration and possible action to grant a variance to the Matagorda County Guidelines and Criteria for Granting Tax Abatements in Reinvestment Zones and/or Enterprise Zones created in Matagorda County by Petitioner Industrial Bravo Project, LLC, specifically for the requirements of Section 4(m)(2) regarding the creation or job retention of a minimum of 10 jobs, and grant the variance due to good cause as shown by Petitioner's Variance Application

This being the next item for business, motion was duly made by Commissioner Estlinbaum and seconded by Commissioner Frick, with all others concurring, to grant a variance to the Matagorda County Guidelines and Criteria for Granting Tax Abatements in Reinvestment Zones and/or Enterprise Zones created in Matagorda County by Petitioner Industrial Bravo Project, LLC, specifically for the requirements of Section 4(m)(2) regarding the creation or job retention of a minimum of 10 jobs, and grant the variance due to good cause as shown by Petitioner's Variance Application. Motion carried. Vote 5 ayes 0 nays

24. Public Hearing at 9:45 a.m. regarding the possible approval of a Tax Abatement Agreement with Industrial Bravo Project II, LLC

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Cook, with all others concurring, to enter into a Public Hearing at 9:59 a.m. regarding the possible approval of a Tax Abatement Agreement with Industrial Bravo Project II, LLC. Motion carried. Vote 5 ayes 0 nays

At 10:02 a.m., motion was duly made by Commissioner Cook and seconded by Commissioner Frick, with all others concurring, to enter back into regular session of Commissioners Court. Motion carried. Vote 5 ayes 0 nays

25. Consideration and possible action to adopt the Industrial Bravo Project II, LLC Tax Abatement Agreement and allow 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 adopt the Industrial Bravo Project II, LLC Tax Abatement Agreement and allow County Judge Bobby Seiferman to sign. Motion carried. Vote 5 ayes 0 nays

26. Consideration and possible action to grant a variance to the Matagorda County Guidelines and Criteria for Granting Tax Abatements in Reinvestment Zones and/or Enterprise Zones created in Matagorda County by Petitioner Industrial Bravo Project II, LLC, specifically for the requirements of Section 4(m)(2) regarding the creation or job retention of a minimum of 10 jobs, and grant the variance due to good cause as shown by Petitioner's Variance Application

This being the next item for business, motion was duly made by Judge Seiferman and seconded by Commissioner Estlinbaum, with all others concurring, to grant a variance to the Matagorda County Guidelines and Criteria for Granting Tax Abatements in Reinvestment Zones and/or Enterprise Zones created in Matagorda County by Petitioner Industrial Bravo Project II, LLC, specifically for the requirements of Section 4(m)(2) regarding the

creation or job retention of a minimum of 10 jobs, and grant the variance due to good cause as shown by Petitioner's Variance Application. Motion carried. Vote 5 ayes 0 nays

27. Public Hearing at 9:45 a.m. regarding the possible adoption of the Rules and Regulations of Matagorda County No Wake Zone

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Estlinbaum, with all others concurring, to enter into a Public Hearing at 10:01 a.m. regarding the possible adoption of the Rules and Regulations of Matagorda County No Wake Zone. Motion carried. Vote 5 ayes 0 nays

At 10:09 a.m., motion was duly made by Commissioner Cook and seconded by Commissioner Frick, with all others concurring, to enter back into regular session of Commissioners Court. Motion carried. Vote 5 ayes 0 nays

28. Consideration and possible action to adopt the Rules and Regulations of Matagorda County No Wake Zone and sign the order

This being the next item for business, motion was duly made by Commissioner Estlinbaum and seconded by Commissioner Shimek, with all others concurring, to adopt the Rules and Regulations of Matagorda County No Wake Zone and sign the order. Motion carried. Vote 5 ayes 0 nays

29. Consideration and possible action to approve entering into an Agreement with Lynn Engineering to provide professional services for renderings of the Sargent Community Center and the Matagorda Justice Center 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 Judge Seiferman, with all others concurring, to approve entering into an Agreement with Lynn Engineering to provide professional services for renderings of the Sargent Community Center and the Matagorda Justice Center and authorize County Judge Bobby Seiferman to sign. Motion carried. Vote 5 ayes 0 nays

30. Consideration and possible action to approve a Lease Agreement between Matagorda County and Function 4 for a Konica Minolta 450i copier for the District Clerk's Office, in the amount of \$195.59 per month for 60 months, and authorize County Judge Bobby Seiferman 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 a Lease Agreement between Matagorda County and Function 4 for a Konica Minolta 450i copier for the District Clerk's Office, in the amount of \$195.59 per month for 60 months, and authorize County Judge Bobby Seiferman to sign. Motion carried. Vote 5 ayes 0 nays

31. Consideration and possible action to accept Grant Funding for the Matagorda County Beach Access Mats Project, under Texas Coastal Management Program (CMP) Grant Cycle 27, funded by the Texas General Land Office

This being the next item for business, motion was duly made by Commissioner Estlinbaum and seconded by Commissioner Frick, with all others concurring, to accept Grant Funding for the Matagorda County Beach Access Mats Project, under Texas Coastal Management Program (CMP) Grant Cycle 27, funded by the Texas General Land Office. Motion carried. Vote 5 ayes 0 nays

32. Consideration and possible action to ratify the payment to Vallarta Mexican Grill dated 12/08/2023 for the Employee Awards Banquet

This being the next item for business, motion was duly made by Commissioner Estlinbaum and seconded by Commissioner Cook, with all others concurring, to ratify the payment to Vallarta Mexican Grill dated 12/08/2023 for the Employee Awards Banquet. Motion carried. Vote 5 ayes 0 nays

33. Consideration and possible action to ratify the payment to the Employee Group Insurance dated 12/12/2023

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Shimek, with all others concurring, to ratify the payment to the Employee Group Insurance dated 12/12/2023. Motion carried. Vote 5 ayes 0 nays

34. Consideration and possible action to declare the following equipment as to be auctioned online through GovDeals.com and authorize publication

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Estlinbaum, with all others concurring, to declare the following equipment as to be auctioned online through GovDeals.com and authorize publication. Motion carried. Vote 5 ayes 0 nays

35. Consideration and possible action to approve a Professional Services Agreement between Matagorda County and Scheibe Consulting, LLC and authorize County Judge Bobby Seiferman 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 approve a Professional Services Agreement between Matagorda County and Scheibe Consulting, LLC and authorize County Judge Bobby Seiferman to sign all related documents. Motion carried. Vote 5 ayes 0 nays

36. Consideration and possible action to authorize the submission of a Grant Proposal for the Flood Mitigation Assistance 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 Shimek, with all others concurring, to authorize the submission of a Grant Proposal for the Flood Mitigation Assistance Grant Program and authorize the County Judge and Commissioner, Precinct #2 to sign all related documents. Motion carried. Vote 5 ayes 0 nays

37. Consideration and possible action to authorize publications of an Invitation for Bid (IFB) pertaining to the American Rescue Plan Act (ARPA) Project – PPV 4x4 All-Terrain Vehicle

This being the next item for business, motion was duly made by Judge Seiferman and seconded by Commissioner Frick, with all others concurring, to authorize publications of an Invitation for Bid (IFB) pertaining to the American Rescue Plan Act (ARPA) Project – PPV 4x4 All-Terrain Vehicle. Motion carried. Vote 5 ayes 0 nays

38. Consideration and possible action to approve Invoice from the following Departments: Precinct #2, Precinct #4, Maintenance, County Clerk's Office, District Attorney's Office, Sheriff's Office, Juvenile Probation and Justice of the Peace #4

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 Invoice from the following Departments: Precinct #2, Precinct #4, Maintenance, County Clerk's Office, District Attorney's Office, Sheriff's Office, Juvenile Probation and Justice of the Peace #4. Motion carried. Vote 5 ayes 0 nays

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

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 Payment of Demand Checks. Motion carried. Vote 5 ayes 0 nays

40. **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 Frick, with all others concurring, to approve Line Item Transfers. Motion carried. Vote 5 ayes 0 nays

41. **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 551.0725 of the Texas Government Code to consult with attorney(s) representing the County in an executive session regarding deliberation of a 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 10:27 a.m. by Commissioner Shimek and seconded by Commissioner Cook, 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 551.0725 of the Texas Government Code to consult with attorney(s) representing the County in an executive session regarding deliberation of a 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

42. **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 551.0725 of the Texas Government Code to consult with attorney(s) representing the County in an executive session regarding deliberation of a 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 11:40 a.m. by Commissioner Estlinbaum and seconded by Commissioner Shimek, 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 551.0725 of the Texas Government Code to consult with attorney(s) representing the County in an executive session regarding deliberation of a 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

43. Adjournment

Motion was duly made at approximately 11:41 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 22nd day of January, 2024.



BOBBY SEIFERMAN
County Judge



EDWARD "BUBBA" COOK
Commissioner Precinct No. One



MIKE ESTLINBAUM
Commissioner Precinct No. Two

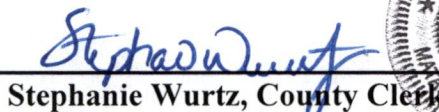


TROY SHIMEK
Commissioner Precinct No. Three



CHARLES "BUBBA" FRICK
Commissioner Precinct No. Four

ATTEST:



Stephanie Wurtz, County Clerk

