

**MINUTES**  
**MATAGORDA COUNTY COMMISSIONERS' COURT MEETING**  
**MATAGORDA COUNTY COURTHOUSE, ROOM 300**  
**1700 SEVENTH STREET, BAY CITY, TEXAS 77414**  
**9:30 A.M., MONDAY, FEBRUARY 12, 2024**

**Call to Order**

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday, February 12, 2024, in the Matagorda County Commissioner's Courtroom, located on the Third Floor, 1700 Seventh Street, Room 300, Bay City, Texas, with Judge Pro-Tem Shimek presiding.

Others present were as follows: Jennifer Chau, Kristen Kubecka, Jessica Shepard, Doug Matthes, Lisa Krobot, Skipper Osborne, Loretta Griffin, Tressa Leadford, Doug Schoppe, Meagan Ramirez, Ashley Brooking, Becky Cook, Whitney Fogle, Sean Polley, Mike Ferdinand, Vic Everett, James Gilley, Kent Pollard, Alexandria Longoria, Stephanie Wurtz and Bobby Seiferman (by Zoom teleconference).

**1. Certification of quorum**

Judge Pro-Tem Shimek certified a quorum with Commissioner Cook, Commissioner Estlinbaum 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 Commissioners Court Minutes for January 29, 2024 and February 5, 2024**

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 Commissioners Court Minutes for January 29, 2024 and February 5, 2024. Motion carried. Vote 4 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, motion was duly made by Commissioner Cook and seconded by Commissioner Frick, with all others concurring, to approve one contract for the use of Matagorda County Fairgrounds facilities. Motion carried. Vote 4 ayes 0 nays

**8. Consideration and possible action to approve the Services Agreement Contract between Matagorda County and TAC CIRA**

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 the Services Agreement Contract between Matagorda County and TAC CIRA. Motion carried. Vote 4 ayes 0 nays

**9. Consideration and possible action to approve an Affidavit HDM County Grant by the Texas Department of Agriculture Texans Feeding Texans for the Home-Delivered Meal Grant Program year 2023 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 an Affidavit HDM County Grant by the Texas Department of Agriculture Texans Feeding Texans for the Home-Delivered Meal Grant Program year 2023 and allow County Judge Bobby Seiferman to sign. Motion carried. Vote 4 ayes 0 nays

**10. Consideration and possible action to accept the 2023 Annual Racial Profiling Reports for Matagorda County Constable - Precinct #1, Precinct #2 and Precinct #4**

This being the next item for business, motion was duly made by Commissioner Cook and seconded by Commissioner Frick, with all others concurring, to accept the 2023 Annual Racial Profiling Reports for Matagorda County Constable - Precinct #1, Precinct #2 and Precinct #4. Motion carried. Vote 4 ayes 0 nays

**11. Consideration and possible action to approve a Credit Application from VonDerAu Ford 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 a Credit Application from VonDerAu Ford for Matagorda County Precinct #3. Motion carried. Vote 4 ayes 0 nays

**12. Consideration and possible action to approve a Replat of Lot 3, Block 4, Tier 2, Colorado Front of the Matagorda Townsite, Matagorda County, Texas**

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 Replat of Lot 3, Block 4, Tier 2, Colorado Front of the Matagorda Townsite, Matagorda County, Texas. Motion carried. Vote 4 ayes 0 nays

**13. Consideration and possible action to reappoint Valeri Segovia to the HGAC Workforce Board effective 12/31/2023 through 12/31/2025**

This being the next item for business, motion was duly made by Commissioner Estlinbaum and seconded by Commissioner Frick, with all others concurring, to reappoint Valeri Segovia to the HGAC Workforce Board effective 12/31/2023 through 12/31/2025. Motion carried. Vote 4 ayes 0 nays

**14. Consideration and possible action to reappoint Mark Rusk, Jerry Evans, Dr. Gregory Pappas and James Mote to the Matagorda County Hospital District Board of Managers effective 02/14/2024 through 02/14/2026**

This being the next item for business, motion was duly made by Commissioner Cook and seconded by Commissioner Frick, with all others concurring, to reappoint Mark Rusk, Jerry Evans, Dr. Gregory Pappas and James Mote to the Matagorda County Hospital District Board of Managers effective 02/14/2024 through 02/14/2026. Motion carried. Vote 4 ayes 0 nays

**15. Consideration and possible action to appoint Marla Cortez in place of Willie Rollins to the Matagorda County Hospital District Board of Managers effective 02/14/2024 through 02/14/2026**

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Frick, with all others concurring, to appoint Marla Cortez in place of Willie Rollins to the Matagorda County Hospital District Board of Managers effective 02/14/2024 through 02/14/2026. Motion carried. Vote 4 ayes 0 nays

**16. Consideration and possible action to reappoint Homer Aparicio, Tommy Corporon and Jeremy Hunt to the Matagorda County Drainage District No. 3 Board effective 02/14/2024 through 02/14/2026**

This being the next item for business, motion was duly made by Commissioner Estlinbaum and seconded by Commissioner Frick, with all others concurring, to reappoint Homer Aparicio, Tommy Corporon and Jeremy Hunt to the Matagorda County Drainage District No. 3 Board effective 02/14/2024 through 02/14/2026. Motion carried. Vote 4 ayes 0 nays

**17. Consideration and possible action to reappoint Joe Kana (County's Appointment) to the Palacios Seawall Commission Board six-year term effective 02/14/2024 through 02/14/2030**

This being the next item for business, motion was duly made by Commissioner Estlinbaum and seconded by Commissioner Frick, with all others concurring, to reappoint Joe Kana (County's Appointment) to the Palacios Seawall Commission Board six-year term effective 02/14/2024 through 02/14/2030. Motion carried. Vote 4 ayes 0 nays

**18. Consideration and possible action to reappoint Jerome Vacek, Mark Lezak and Tony Kacer to the Matagorda County Drainage District No. 2 Board effective 02/14/2024 through 02/14/2026**

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Cook, with all others concurring, to reappoint Jerome Vacek, Mark Lezak and Tony Kacer to the Matagorda County Drainage District No. 2 Board effective 02/14/2024 through 02/14/2026. Motion carried. Vote 4 ayes 0 nays

**19. Consideration and possible action to reappoint Mike Davant, Fredrick Pierce and David Woodson to the Matagorda County Drainage District No. 4 Board effective 02/14/2024 through 02/14/2026**

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Estlinbaum, with all others concurring, to reappoint Mike Davant, Fredrick Pierce and David Woodson to the Matagorda County Drainage District No. 4 Board effective 02/14/2024 through 02/14/2026. Motion carried. Vote 4 ayes 0 nays

**20. Consideration and possible action to reappoint Dwight Vavra to the Matagorda County Conservation & Reclamation District No. 1 Board effective 02/14/2024 through 02/14/2026**

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Estlinbaum, with all others concurring, to reappoint Dwight Vavra to the Matagorda County Conservation & Reclamation District No. 1 Board effective 02/14/2024 through 02/14/2026. Motion carried. Vote 4 ayes 0 nays

**21. Consideration and possible action to reappoint Charles Frick, Gerrin Roecker and John Bucek to the Tommy LeTulle Cemetery Board three-year term effective 02/01/2024 through 02/01/2027**

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Estlinbaum, with all others concurring, to reappoint Charles Frick, Gerrin Roecker and John Bucek to the Tommy LeTulle Cemetery Board three-year term effective 02/01/2024 through 02/01/2027. Motion carried. Vote 4 ayes 0 nays

**22. Consideration and possible action to discuss TIRZ Board Appointments**

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Frick, with all others concurring, to table the discussion regarding TIRZ Board Appointments. Motion carried. Vote 4 ayes 0 nays

**23. Consideration and possible action to appoint two new members of Commissioners Court to serve as board members to Palacios TIRZ No. 1**

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Frick, with all others concurring, to appoint two new members of Commissioners Court to serve as board members to Palacios TIRZ No. 1. Motion carried. Vote 4 ayes 0 nays

**24. Consideration and possible action to approve the Contract Agreement between Matagorda County and Economic Action Committee FY 2024-2025**

This being the next item for business, motion was duly made by Commissioner Cook and seconded by Commissioner Estlinbaum, with all others concurring, to approve the Contract Agreement between Matagorda County and Economic Action Committee FY 2024-2025. Motion carried. Vote 4 ayes 0 nays

**25. Consideration and possible action to accept the Shoshana Storage Tax Abatement Application and \$1,000 fee for review and negotiation**

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 the Shoshana Storage Tax Abatement Application and \$1,000 fee for review and negotiation. Motion carried. Vote 4 ayes 0 nays

**26. Consideration and possible action to set a Public Hearing on Monday, March 4, 2024, regarding the Designation of a Reinvestment Zone-Shoshana Storage Project and allow notice of publication of such**

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Estlinbaum, with all others concurring, to set a Public Hearing on Monday, March 4, 2024, regarding the Designation of a Reinvestment Zone-Shoshana Storage Project and allow notice of publication of such. Motion carried. Vote 4 ayes 0 nays

**27. Consideration and possible action to approve an extension of the Matagorda County Declaration of Disaster for Shrimp Dumping beginning on February 12, 2024 and ending on March 25, 2024 and allow County Judge Bobby Seiferman and Commissioners 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 an extension of the Matagorda County Declaration of Disaster for Shrimp Dumping beginning on February 12, 2024 and ending on March 25, 2024 and allow County Judge Bobby Seiferman and Commissioners to sign. Motion carried. Vote 4 ayes 0 nays

**28. Consideration and possible action to appoint Dr. Bruce Alan Barker as the Health Authority of Matagorda County**

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Estlinbaum, with all others concurring, to appoint Dr. Bruce Alan Barker as the Health Authority of Matagorda County. Motion carried. Vote 5 ayes 0 nays

**29. Consideration and possible action to approve a Contract Agreement between Matagorda County and the Department of Public Safety of the State of Texas and allow County Judge Bobby Seiferman to sign**

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 Contract Agreement between Matagorda County and the Department of Public Safety of the State of Texas and allow County Judge Bobby Seiferman to sign. Motion carried. Vote 4 ayes 0 nays

**30. Consideration and possible action to participate in the Vote to accept or reject the Second Amendment Joint Chapter 11 Plan of Endo International PLC and allow the County Attorney to electronically submit the ballot on behalf of Matagorda County**

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Estlinbaum, with all others concurring, to participate in the Vote to accept or reject the Second Amendment Joint Chapter 11 Plan of Endo International PLC and allow the County Attorney to electronically submit the ballot on behalf of Matagorda County. Motion carried. Vote 4 ayes 0 nays

**31. Consideration and possible action to allow Matagorda County Assistant County Attorney Kay Cooper to accept a \$1500 scholarship award from the Texas Supreme Court to attend the American Bar Association's Access to Justice for Children and Families Conference in Tyson's Corner, Virginia April 9-10, 2024 and authorize the expenditures for travel costs including hotel, flight and per diem**

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Estlinbaum, with all others concurring, to allow Matagorda County Assistant County Attorney Kay Cooper to accept a \$1500 scholarship award from the Texas Supreme Court to attend the American Bar Association's Access to Justice for Children and Families Conference in Tyson's Corner, Virginia April 9-10, 2024 and authorize the expenditures for travel costs including hotel, flight and per diem. Motion carried. Vote 4 ayes 0 nays

**32. Consideration and possible action to approve a Contract Agreement between Matagorda County and Bay City Fire Department FY 2024-2025**

This being the next item for business, motion was duly made by Commissioner Estlinbaum and seconded by Commissioner Cook, with all others concurring, to approve a Contract Agreement between Matagorda County and Bay City Fire Department FY 2024-2025. Motion carried. Vote 4 ayes 0 nays

**33. Consideration and possible action to approve the Affordable Care Act Reporting and Tracing Service (ARTS) 2024 Renewal Confirmation Program Agreement and authorize County Judge Bobby Seiferman to initial and 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 the Affordable Care Act Reporting and Tracing Service (ARTS) 2024 Renewal Confirmation Program Agreement and authorize County Judge Bobby Seiferman to initial and sign. Motion carried. Vote 4 ayes 0 nays

**34. Consideration and possible action to authorize publication of Request for Proposals (RFP) pertaining to the American Rescue Plan Act (ARPA) Project – Blessing Community Center**

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 publication of Request for Proposals (RFP) pertaining to the American Rescue Plan Act (ARPA) Project – Blessing Community Center. Motion carried. Vote 4 ayes 0 nays

**35. Consideration and possible action to ratify a Letter of Support for the Texas Sea Grant Proposal to NOAA for Climate Resilience Regional Challenge Competition 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 ratify a Letter of Support for the Texas Sea Grant Proposal to NOAA for Climate Resilience Regional Challenge Competition and authorize County Judge Bobby Seiferman to sign. Motion carried. Vote 4 ayes 0 nays

**36. Consideration and possible action to approve Invoices from the following Departments: County Judge's Office, Precinct #1, Precinct #2, Precinct #4, District Clerk's Office, Tax Office, JP #4, IT, Court Expenses, Transfer Station and Jail**

This being the next item for business, motion was duly made by Commissioner Estlinbaum and seconded by Commissioner Cook, with all others concurring, to approve Invoices from the following Departments: County Judge's Office, Precinct #1, Precinct #2, Precinct #4, District Clerk's Office, Tax Office, JP #4, IT, Court Expenses, Transfer Station and Jail. Motion carried. Vote 4 ayes 0 nays

**37. Consideration and possible action to approve the Matagorda County Treasurer's Office Quarterly Investment Report for 4<sup>th</sup> Quarter 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 the Matagorda County Treasurer's Office Quarterly Investment Report for 4th Quarter 2023. Motion carried. Vote 4 ayes 0 nays

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

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

**39. 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 Estlinbaum, with all others concurring, to approve Emergency Amendments. Motion carried. Vote 4 ayes 0 nays

**40. 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 551.071(2) of the Texas Government Code to consult with attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter**

**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 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**

**Under Section 551.076 of the Texas Government Code to deliberate the deployment or specific occasions for implementation of security personnel or devices; or a security audit**

**Under Section 551.087 of the Texas Government Code to discuss or deliberate 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 10:02 a.m. by Commissioner Estlinbaum and seconded by Commissioner Frick, 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 551.071(2) of the Texas Government Code to consult with attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter

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 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

Under Section 551.076 of the Texas Government Code to deliberate the deployment or specific occasions for implementation of security personnel or devices; or a security audit

Under Section 551.087 of the Texas Government Code to discuss or deliberate 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

**41. 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 551.071(2) of the Texas Government Code to consult with attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter**

**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 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**

**Under Section 551.076 of the Texas Government Code to deliberate the deployment or specific occasions for implementation of security personnel or devices; or a security audit**

**Under Section 551.087 of the Texas Government Code to discuss or deliberate 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 11:26 a.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 pending litigation, contemplated litigation or settlement offers

Under Section 551.071(2) of the Texas Government Code to consult with attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter

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 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

Under Section 551.076 of the Texas Government Code to deliberate the deployment or specific occasions for implementation of security personnel or devices; or a security audit

Under Section 551.087 of the Texas Government Code to discuss or deliberate 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 was duly made by Commissioner Estlinbaum and seconded by Commissioner Frick, with all others concurring, to approve Quote #8690 in regards to VCS Security Systems services for the Courthouse. Motion carried. Vote 4 ayes 0 nays

Motion was duly made by Commissioner Cook and seconded by Commissioner Frick, with all others concurring, to accept the revised Amendment No. 1 Agreement for Professional Services between Matagorda County and CSRS and allow the Judge Pro-Tem to sign. Motion carried. Vote 4 ayes 0 nays


**33. Adjournment**


Motion was duly made at approximately 11:30 a.m. by Commissioner Cook and seconded by Commissioner Frick, with all others concurring, to adjourn the meeting. Motion carried. Vote 4 ayes 0 nays

Approved in Open Court, the 26<sup>th</sup> day of February, 2024.

  
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**BOBBY SEIFERMAN**  
County Judge

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

  
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**MIKE ESTLINBAUM**  
Commissioner Precinct No. Two

  
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**TROY SHIMEK**  
Commissioner Precinct No. Three

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

ATTEST:   
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Stephanie Wurtz, County Clerk

