

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, FEBRUARY 5, 2024

Call to Order

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:32 A.M., Monday, February 5, 2024, 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, Jessica Shepard, Doug Matthes, Lisa Krobot, Skipper Osborne, Loretta Griffin, Tressa Leadford, Doug Schoppe, Meagan Ramirez, Ashley Brooking, Becky Cook, Lisa Harvey-Moore, Joyce Harvey, Jessica Russell, Erik Frankson, Vic Everett, Donna Huitt, Mitch Thames, Mike Spillers, Doug Heinz, Susan Phillips, Joel Chapa, Mike Ferdinand, Chrystal Folse, Jim Folse, Karen Klein, John Dickerson, Matt Ashcraft, Mark Ludwig, Rikul Patel, Robert McEntire, Donnye Stone, Brian Williams, Jenni Frenzel, Matt LaBorde, Jose Alvarez, Anthony Welty, Abigail Heisler, Tony Schum, James Outtrim, 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 Frick**

3. **Texas Pledge – Commissioner Frick**

4. **Prayer – Commissioner Shimek**

5. **Public Comments**

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

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 2024 Joint Primary Election Services Contract between the County Election Officer of Matagorda County and the Matagorda County Republican Party for a Primary Election to be held March 5, 2024**

This being the next item for business, motion was duly made by Judge Seiferman and seconded by Commissioner Frick, with all others concurring, to approve the 2024 Joint Primary Election Services Contract between the County Election Officer of Matagorda County and the Matagorda County Republican Party for a Primary Election to be held March 5, 2024. Motion carried. Vote 5 ayes 0 nays

8. Consideration and possible action to approve the 2024 Joint Primary Election Services Contract between the County Election Officer of Matagorda County and the Matagorda County Democratic Party for a Primary Election to be held March 5, 2024

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 2024 Joint Primary Election Services Contract between the County Election Officer of Matagorda County and the Matagorda County Democratic Party for a Primary Election to be held March 5, 2024. Motion carried. Vote 5 ayes 0 nays

9. Consideration and possible action to approve an Election Services Contract between Matagorda County and City of Palacios for an election to be held May 4, 2024, and authorize the County Elections Administrator 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 Election Services Contract between Matagorda County and City of Palacios for an election to be held May 4, 2024, and authorize the County Elections Administrator to sign. Motion carried. Vote 5 ayes 0 nays

10. Consideration and possible action to authorize Matagorda County Precinct #2 Commissioner Mike Estlinbaum to purchase a 2023 Ford F150 Crew Cab 4x4 ½ ton pickup truck from Mac Haik Ford Lincoln utilizing BuyBoard Contract #724-23 and authorize Commissioner Mike Estlinbaum 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 Matagorda County Precinct #2 Commissioner Mike Estlinbaum to purchase a 2023 Ford F150 Crew Cab 4x4 ½ ton pickup truck from Mac Haik Ford Lincoln utilizing BuyBoard Contract #724-23 and authorize Commissioner Mike Estlinbaum to sign all related documents. Motion carried. Vote 5 ayes 0 nays

11. Consideration and possible action to ratify an invoice from Harvey Welding Service in the amount of \$100.00 for Precinct #3 that was paid on 12/18/2023

This being the next item for business, motion was duly made by Judge Seiferman and seconded by Commissioner Shimek, with all others concurring, to ratify an invoice from Harvey Welding Service in the amount of \$100.00 for Precinct #3 that was paid on 12/18/2023. Motion carried. Vote 5 ayes 0 nays

12. Consideration and possible action to ratify an invoice from Wes' Feed & More in the amount of \$236.00 for Precinct #3 that was paid on 12/22/2023

This being the next item for business, motion was duly made by Judge Seiferman and seconded by Commissioner Shimek, with all others concurring, to ratify an invoice from Wes' Feed & More in the amount of \$236.00 for Precinct #3 that was paid on 12/22/2023. Motion carried. Vote 5 ayes 0 nays

13. Consideration and possible action to approve a Demand Check made payable to KaTom Restaurant Supply, Inc. in the amount of \$4,404.00 for a new stove for the Matagorda County Jail

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 made payable to KaTom Restaurant Supply, Inc. in the amount of \$4,404.00 for a new stove for the Matagorda County Jail. Motion carried. Vote 5 ayes 0 nays

14. Consideration and possible action to accept a Road Use and Master Road Repair Agreement between Matagorda County and Bangl, 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 table accepting a Road Use and Master Road Repair Agreement between Matagorda County and Bangl, LLC and allow County Judge Bobby Seiferman to sign. Motion carried. Vote 5 ayes 0 nays

15. Consideration and possible action to accept an Agreement between Collegeport VFD FY 2024-2025 and Matagorda County 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 Frick, with all others concurring, to accept an Agreement between Collegeport VFD FY 2024-2025 and Matagorda County and allow County Judge Bobby Seiferman to sign. Motion carried. Vote 5 ayes 0 nays

16. Consideration and possible action to approve the Contract Agreement between Matagorda County and Bay City Cemetery Association FY 2024-2025

This being the next item for business, motion was duly made by Commissioner Estlinbaum and seconded by Commissioner Shimek, with all others concurring, to table approving the Contract Agreement between Matagorda County and Bay City Cemetery Association FY 2024-2025. Motion carried. Vote 5 ayes 0 nays

17. Consideration and possible action to approve the Contract Agreement between Matagorda County and Markham Community Center Management 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 Contract Agreement between Matagorda County and Markham Community Center Management 2024. Motion carried. Vote 5 ayes 0 nays

18. Consideration and possible action to approve the Contract Agreement between Matagorda County and Midfield Community Center Management 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 Contract Agreement between Matagorda County and Midfield Community Center Management 2024. Motion carried. Vote 5 ayes 0 nays

19. Consideration and possible action to approve the Contract Agreement between Matagorda County and Blessing Community Center Management 2024-2025

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 Contract Agreement between Matagorda County and Blessing Community Center Management 2024-2025. Motion carried. Vote 5 ayes 0 nays

20. Consideration and possible action to accept an Application for Modification to a Public Right-of-Way for Robert McEntire and Lisa Harvey Moore to abandon James McFarland Survey A-358 between FM 2853 and the Tres Palacios River south of FM 521

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Frick, with all others concurring, to accept an Application for Modification to a Public Right-of-Way for Robert McEntire and Lisa Harvey Moore to abandon James McFarland Survey A-358 between FM 2853 and the Tres Palacios River south of FM 521. Motion carried. Vote 5 ayes 0 nays

21. **Public Hearing at 9:45 a.m. regarding the approval of the HIF USA, 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 enter into a Public Hearing at 9:48 a.m. regarding the approval of the HIF USA, LLC Tax Abatement Agreement. Motion carried. Vote 5 ayes 0 nays
 At 9:58 a.m., motion was duly made by Commissioner Frick 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 HIF USA, LLC Tax Abatement Agreement**
 This being the next item for business, motion was duly made by Commissioner Estlinbaum and seconded by Commissioner Frick, with all others concurring, to adopt the HIF USA, LLC Tax Abatement Agreement. Motion carried. Vote 5 ayes 0 nays
23. **Consideration and possible action to authorize the submission of a Grant Proposal to The Trull Foundation 2024 Grant Program, related to the Matagorda County Palacios Park, and authorize County Judge Bobby Seiferman to sign all related documents**
 This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Frick, with all others concurring, to authorize the submission of a Grant Proposal to The Trull Foundation 2024 Grant Program, related to the Matagorda County Palacios Park, and authorize County Judge Bobby Seiferman to sign all related documents. Motion carried. Vote 5 ayes 0 nays
24. **Consideration and possible action to approve a Contract Amendment between Matagorda County and GrantWorks, Inc., related to Grant Administration Services related to General Land Office State Contract No. 22-085-078-D342, 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 Contract Amendment between Matagorda County and GrantWorks, Inc., related to Grant Administration Services related to General Land Office State Contract No. 22-085-078-D342, and authorize County Judge Bobby Seiferman to sign. Motion carried. Vote 5 ayes 0 nays
25. **Consideration and possible action to approve Invoices from the following Departments: Precinct #1**
 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: Precinct #1. Motion carried. Vote 5 ayes 0 nays
26. **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
27. **Consideration and possible action to approve Matagorda County Treasurer's Office Monthly Investment Report for December 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 approve Matagorda County Treasurer's Office Monthly Investment Report for December 2023. Motion carried. Vote 5 ayes 0 nays

28. **Consideration and possible action to approve Payment of Bills**

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 Payment of Bills. Motion carried. Vote 5 ayes 0 nays

29. **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

30. **Meet in Executive Session:**

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 551.087 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 10:07 a.m. by Commissioner Shimek and seconded by Commissioner Estlinbaum, with all others concurring, to meet in Executive Session:

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 551.087 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

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

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 551.087 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 11:12 a.m. by Commissioner Shimek and seconded by Commissioner Estlinbaum, with all others concurring, to Reconvene open session:

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 551.087 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 Shimek and seconded by Commissioner Estlinbaum, with all others concurring, to authorize Judge Bobby Seiferman to sign a Commercial Letter of Intent in regards to real property. Motion carried. Vote 5 ayes 0 nays

33. Adjournment

Motion was duly made at approximately 11:15 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 12th day of February, 2024.

ABSENT

BOBBY SEIFERMAN
County Judge

E Cook

EDWARD "BUBBA" COOK
Commissioner Precinct No. One

[Signature]

MIKE ESTLINBAUM
Commissioner Precinct No. Two

[Signature]

TROY SHIMEK
Commissioner Precinct No. Three

[Signature]

CHARLES "BUBBA" FRICK
Commissioner Precinct No. Four

ATTEST:

[Signature]
Stephanie Wurtz, County Clerk

