

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, JANUARY 29, 2024

Call to Order

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday, January 29, 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, Meagan Ramirez, Loretta Griffin, Tressa Leadford, Mitch Thames, Lisa Krobot, Skipper Osborne, Rick DeLeon, Mike Ferdinand, Jessica Russell, Vic Everett, Sean Polley, Julie Miller, Jose Alvarez, Mike Spillers, Erik Frankson, Alexandria Longoria and Maggie Perez.

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 January 22, 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 Commissioner's Court Minutes for January 22, 2024. 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 the Racial Profile Report for 2023 from the Matagorda County Sheriff's Office

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 Racial Profile Report for 2023 from the Matagorda County Sheriff's Office. Motion carried. Vote 5 ayes 0 nays

9. Consideration and possible action to approve the 2024 Equitable Sharing Agreement and Certification for the Matagorda County Sheriff's Office with the Department of Justice and Department of the Treasury, authorizing County Judge Bobby Seiferman and Sheriff Frank "Skipper" Osborne 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 the 2024 Equitable Sharing Agreement and Certification for the Matagorda County Sheriff's Office with the Department of Justice and Department of the Treasury, authorizing County Judge Bobby Seiferman and Sheriff Frank "Skipper" Osborne to sign. Motion carried. Vote 5 ayes 0 nays

10. Consideration and possible action to ratify an invoice from McCoy's in the amount of \$69.95 for Precinct #2 that was paid on 01/22/2024

This being the next item for business, motion was duly made by Commissioner Estlinbaum and seconded by Commissioner Frick, with all others concurring, to ratify an invoice from McCoy's in the amount of \$69.95 for Precinct #2 that was paid on 01/22/2024. Motion carried. Vote 5 ayes 0 nays

11. Consideration and possible action to authorize Matagorda County Precinct #3 Commissioner Troy Shimek to purchase a 2024 Dodge 3500 Regular Cab 4x4 pickup truck, with BuyBoard Contract #724-23 Chassis from Grapevine Dodge, Chrysler and Jeep in the amount of \$56,088.00

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 Matagorda County Precinct #3 Commissioner Troy Shimek to purchase a 2024 Dodge 3500 Regular Cab 4x4 pickup truck, with BuyBoard Contract #724-23 Chassis from Grapevine Dodge, Chrysler and Jeep in the amount of \$56,088.00. Motion carried. Vote 5 ayes 0 nays

12. Consideration and possible action to authorize Precinct #4 Commissioner Charles "Bubba" Frick to purchase a new 2024 Dodge 3500 Regular Cab Dually 1-ton pickup truck with a 9ft flatbed, a headache rack and gooseneck, installed through BuyBoard Contract #724-23 from Grapevine Dodge, Chrysler and Jeep in the amount of \$68,457.00

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 Precinct #4 Commissioner Charles "Bubba" Frick to purchase a new 2024 Dodge 3500 Regular Cab Dually 1-ton pickup truck with a 9ft flatbed, a headache rack and gooseneck, installed through BuyBoard Contract #724-23 from Grapevine Dodge, Chrysler and Jeep in the amount of \$68,457.00. Motion carried. Vote 5 ayes 0 nays

13. Consideration and possible action to approve a Replat of Lots 2 & 5, Block 1, Tier 3 of the Northwest Fraction 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 Shimek, with all others concurring, to approve a Replat of Lots 2 & 5, Block 1, Tier 3 of the Northwest Fraction of the Matagorda Townsite, Matagorda County, Texas. Motion carried. Vote 5 ayes 0 nays

14. Consideration and possible action to accept the Management Report from Friends of Elder Citizens, Inc. for FY 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 accept the Management Report from Friends of Elder Citizens, Inc. for FY 2023. Motion carried. Vote 5 ayes 0 nays

15. **Consideration and possible action to approve an Agreement between Friends of Elder Citizens, Inc. and Matagorda County for FY 2024 and allow County Judge Bobby Seiferman to sign**
This being the next item for business, no action required.
16. **Consideration and possible action to accept the Annual Report of Eminent Domain Authority for FY 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 accept the Annual Report of Eminent Domain Authority for FY 2024. Motion carried. Vote 5 ayes 0 nays
17. **Consideration and possible action to approve the Contract Agreement between Matagorda County and Cedar Lane Community Center Management 2024-2025**
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 Contract Agreement between Matagorda County and Cedar Lane Community Center Management 2024-2025. Motion carried. Vote 5 ayes 0 nays
18. **Consideration and possible action to discuss the approval of 2024-2025 Guidelines and Criteria for Granting Tax Abatement in Reinvestment Zones and/or Enterprise Zones created in Matagorda County**
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 2024-2025 Guidelines and Criteria for Granting Tax Abatement in Reinvestment Zones and/or Enterprise Zones created in Matagorda County. Motion carried. Vote 5 ayes 0 nays
19. **Consideration and possible action to discuss the approval of Guidelines and Criteria for Granting Chapter 381 Incentives for companies looking to invest in Matagorda County and allow County Judge Bobby Seiferman and Commissioners to sign**
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 Guidelines and Criteria for Granting Chapter 381 Incentives for companies looking to invest in Matagorda County and allow County Judge Bobby Seiferman and Commissioners to sign. Motion carried. Vote 5 ayes 0 nays
20. **Consideration and possible action to authorize County Attorney Jennifer Chau to submit an application for FY 2024 (and subsequent fiscal years as applicable) to the Texas Comptroller requesting an award of \$175,000.00 as a Salary Assistance Grant. The request is made consistent with the passage of Senate Bill 22 during the 88th Legislative Session of the Texas Legislature which was subsequently signed into law on June 7, 2023, with an effective date of September 1, 2023, which created the Rural Prosecutor's Office Salary Assistance Grant Program**
This being the next item for business, motion was duly made by Commissioner Cook and seconded by Commissioner Frick, with all others concurring, to authorize County Attorney Jennifer Chau to submit an application for FY 2024 (and subsequent fiscal years as applicable) to the Texas Comptroller requesting an award of \$175,000.00 as a Salary Assistance Grant. The request is made consistent with the passage of Senate Bill 22 during the 88th Legislative Session of the Texas Legislature which was subsequently signed into law on June 7, 2023, with an effective date of September 1, 2023, which created the Rural Prosecutor's Office Salary Assistance Grant Program. Motion carried. Vote 5 ayes 0 nays

21. Consideration and possible action to approve a salary increase to \$104,000.00 for First Assistant County Attorney Kay Cooper; any increase above the currently-budgeted salary for FY 2024 (including associated benefits that are incremental to the salary increase) to be paid from the Salary Assistance Grant Award without additional cost to Matagorda County. This increase is sought to become effective on January 1, 2024

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 salary increase to \$104,000.00 for First Assistant County Attorney Kay Cooper; any increase above the currently-budgeted salary for FY 2024 (including associated benefits that are incremental to the salary increase) to be paid from the Salary Assistance Grant Award without additional cost to Matagorda County. This increase is sought to become effective on January 1, 2024 and is contingent on receiving said funds from the Rural Prosecutor's Office Salary Assistance Grant Program. Motion carried. Vote 5 ayes 0 nays

22. Consideration and possible action to approve a salary increase to \$41,600.00 for County Attorney Executive Secretary Donna LeAnn Adams; any increase above the currently-budgeted salary for FY 2024 (including associated benefits that are incremental to the salary increase) to be paid from the Salary Assistance Grant Award without additional cost to Matagorda County. This increase is sought to become effective on January 1, 2024

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 salary increase to \$41,600.00 for County Attorney Executive Secretary Donna LeAnn Adams; any increase above the currently-budgeted salary for FY 2024 (including associated benefits that are incremental to the salary increase) to be paid from the Salary Assistance Grant Award without additional cost to Matagorda County. This increase is sought to become effective on January 1, 2024 and is contingent on receiving said funds from the Rural Prosecutor's Office Salary Assistance Grant Program. Motion carried. Vote 5 ayes 0 nays

23. Consideration and possible action to approve a salary increase to \$36,400.00 for County Attorney Legal Assistant Jenna Fortenberry; any increase above the currently-budgeted salary for FY 2024 (including associated benefits that are incremental to the salary increase) to be paid from the Salary Assistance Grant Award without additional cost to Matagorda County. This increase is sought to become effective on January 1, 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 a salary increase to \$36,400.00 for County Attorney Legal Assistant Jenna Fortenberry; any increase above the currently-budgeted salary for FY 2024 (including associated benefits that are incremental to the salary increase) to be paid from the Salary Assistance Grant Award without additional cost to Matagorda County. This increase is sought to become effective on January 1, 2024 and is contingent on receiving said funds from the Rural Prosecutor's Office Salary Assistance Grant Program. Motion carried. Vote 5 ayes 0 nays

24. Consideration and possible action to approve a salary increase to \$32,240.00 for County Attorney Legal Assistant Secretary Meagan Ramirez; any increase above the currently-budgeted salary for FY 2024 (including associated benefits that are incremental to the salary increase) to be paid from the Salary Assistance Grant Award without additional cost to Matagorda County. This increase is sought to become effective on January 1, 2024

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 a salary increase to \$32,240.00 for County Attorney Legal Assistant Secretary Meagan Ramirez; any increase above the currently-budgeted salary for FY 2024

(including associated benefits that are incremental to the salary increase) to be paid from the Salary Assistance Grant Award without additional cost to Matagorda County. This increase is sought to become effective on January 1, 2024 and is contingent on receiving said funds from the Rural Prosecutor's Office Salary Assistance Grant Program. Motion carried. Vote 5 ayes 0 nays

25. Consideration and possible action to approve creating a new staff position and job description titled County Attorney Investigator in Pay Group 23 with an annual salary of \$46,675.20; such salary for FY 2024 (including associated benefits) to be paid from the Salary Assistance Grant Award without additional cost to Matagorda County. This position and increase are sought to become effective on January 1, 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 creating a new staff position and job description titled County Attorney Investigator in Pay Group 23 with an annual salary of \$46,675.20; such salary for FY 2024 (including associated benefits) to be paid from the Salary Assistance Grant Award without additional cost to Matagorda County. This position and increase are sought to become effective on January 1, 2024 and is contingent on receiving said funds from the Rural Prosecutor's Office Salary Assistance Grant Program. Motion carried. Vote 5 ayes 0 nays

26. Consideration and possible action to approve a Resolution authorizing the submission of Grant Application #5062901, Training Equipment, applying to the Office of the Governor, Criminal Justice Division and authorize County Judge Bobby Seiferman to accept or decline any award

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 a Resolution authorizing the submission of Grant Application #5062901, Training Equipment, applying to the Office of the Governor, Criminal Justice Division and authorize County Judge Bobby Seiferman to accept or decline any award. Motion carried. Vote 5 ayes 0 nays

27. Consideration and possible action to approve a Resolution authorizing the submission of Grant Application #5062601, Replacement Vehicle, applying to the Office of the Governor, Criminal Justice Division and authorize County Judge Bobby Seiferman to accept or decline any award

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 Resolution authorizing the submission of Grant Application #5062601, Replacement Vehicle, applying to the Office of the Governor, Criminal Justice Division and authorize County Judge Bobby Seiferman to accept or decline any award. Motion carried. Vote 5 ayes 0 nays

28. Consideration and possible action to approve the signing of a Certifications and Assurance Form by County Judge Bobby Seiferman and 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 Shimek and seconded by Commissioner Frick, with all others concurring, to approve the signing of a Certifications and Assurance Form by County Judge Bobby Seiferman and 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 5 ayes 0 nays

29. Consideration and possible action to approve a Contract between Matagorda County and Matagorda Bay Mitigation Trust, pertaining to Mitigation Project Work and Services related to the Matagorda Beach Public Access Improvements Project

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 Contract between Matagorda County and Matagorda Bay Mitigation Trust, pertaining to Mitigation Project Work and Services related to the Matagorda Beach Public Access Improvements Project. Motion carried. Vote 5 ayes 0 nays

30. Consideration and possible action to approve Invoices from the following Departments: County Judge's Office, Precinct #2, Precinct #4, JP #4, Environmental Health and Sheriff's Office

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 Invoices from the following Departments: County Judge's Office, Precinct #2, Precinct #4, JP #4, Environmental Health and Sheriff's Office. Motion carried. Vote 5 ayes 0 nays

31. Consideration and possible action to accept the 2023 4th Quarter and Internal Review

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 the 2023 4th Quarter and Internal Review. Motion carried. Vote 5 ayes 0 nays

32. 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 Cook, with all others concurring, to approve Payment of Demand Checks. Motion carried. Vote 5 ayes 0 nays

33. 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 Shimek, with all others concurring, to approve Line Item Transfers. Motion carried. Vote 5 ayes 0 nays

34. 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 551.074(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 10:01 a.m. by Commissioner Frick and seconded by Commissioner Shimek, 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 551.074(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

35. 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 551.074(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 11:19 a.m. by Commissioner Shimek and seconded by Commissioner Cook, 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 551.074(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 Shimek and seconded by Commissioner Cook, with all others concurring, to approve quote #7489 from VCS Security Systems in regards to Courthouse Security. Motion carried. Vote 5 ayes 0 nays

33. Adjournment

Motion was duly made at approximately 11:21 a.m. by Commissioner Cook and seconded by Commissioner Estlinbaum, 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

Mike Estlinbaum

MIKE ESTLINBAUM
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

