

**MINUTES**  
**MATAGORDA COUNTY COMMISSIONERS' COURT MEETING**  
**MATAGORDA COUNTY COURTHOUSE, ROOM 300**  
**1700 SEVENTH STREET, BAY CITY, TEXAS 77414**  
**9:30 A.M., MONDAY, JULY 17, 2023**

**Call to Order**

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday, July 17, 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: Kristen Kubecka, Jennifer Chau, Mike Ferdinand, Lisa Parker, Debbie Lieb, Dianne Gertson, Amy Nowlin, Greg Baker, Donnie Montemayor, Craig Estlinbaum, Jessica Russell, Becca Sitz, Rick DeLeon, Lisa Krobot, Kaleigh Estlinbaum, Ashley Brooking, Muriel Tipps, Suzanne Sullivan and Maggie Perez.

**1. Certification of quorum**

County Judge Seiferman certified a quorum in person with Commissioner Cook, Commissioner Estlinbaum, Commissioner Shimek and Commissioner Frick.

**2. Pledge of Allegiance – Commissioner Estlinbaum**

**3. Texas Pledge – Commissioner Estlinbaum**

**4. Prayer – Commissioner Cook**

**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 Disaster Debris Contract Extension with Phillips & Jordan Environmental**

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 Disaster Debris Contract Extension with Phillips & Jordan Environmental. Motion carried. Vote 5 ayes 0 nays

**8. Consideration and possible action to authorize the Environmental Health Department to schedule a Household Hazardous Waste Collection Event for October 14, 2023, at the Matagorda County Fairgrounds**

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Cook, with all others concurring, to authorize the Environmental Health Department to schedule a Household Hazardous Waste Collection Event for October 14, 2023, at the Matagorda County Fairgrounds. Motion carried. Vote 5 ayes 0 nays

**9. Consideration and possible action to accept a contribution in the amount of \$5,000.00 from OQ Chemicals Corporation for expenses toward the Matagorda County Household Hazardous Waste Collection Event to be held October 14, 2023**

This being the next item for business, motion was duly made by Commissioner Estlinbaum and seconded by Commissioner Shimek, with all others concurring, to accept a contribution in the amount of \$5,000.00 from OQ Chemicals Corporation for expenses toward the Matagorda County Household Hazardous Waste Collection Event to be held October 14, 2023. Motion carried. Vote 5 ayes 0 nays

**10. Consideration and possible action to allow Commissioner Mike Estlinbaum to sign and represent the County in submitting to the Texas Parks and Wildlife identified as “no wake zones” in both Matagorda and Sargent. This process, upon approval from Texas Parks and Wildlife, will make them enforceable by all law enforcement agencies**

This being the next item for business, motion was duly made by Commissioner Estlinbaum and seconded by Commissioner Shimek, with all others concurring, to allow Commissioner Mike Estlinbaum to sign and represent the County in submitting to the Texas Parks and Wildlife identified as “no wake zones” in both Matagorda and Sargent. This process, upon approval from Texas Parks and Wildlife, will make them enforceable by all law enforcement agencies. Motion carried. Vote 5 ayes 0 nays

**11. Consideration and possible action to approve the promotion of Steven Shimek to Foreman, Precinct 4, pay group 18, class 2301 at \$23.17 per hour, effective August 1, 2023, due to current Foreman, William Holzapfel retiring**

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 promotion of Steven Shimek to Foreman, Precinct 4, pay group 18, class 2301 at \$23.17 per hour, effective August 1, 2023, due to current Foreman, William Holzapfel retiring. Motion carried. Vote 5 ayes 0 nays

**12. Consideration and possible action to approve the hiring of Amy Nowlin as County Coastal Marine Resources Extension Agent, with a salary of \$56,200.00, the County obligation of the salary being 31.9% or %17, 946.71, in accordance to the agreement with Texas A&M AgriLife Extension**

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 hiring of Amy Nowlin as County Coastal Marine Resources Extension Agent, with a salary of \$56,200.00, the County obligation of the salary being 31.9% or %17, 946.71, in accordance to the agreement with Texas A&M AgriLife Extension. Motion carried. Vote 5 ayes 0 nays

**13. Consideration and possible action to authorize County Judge, Bobby Seiferman to DocuSign a Contract between Matagorda county and Texas Department of Housing Community Affairs (TDHCA) related to CDBG-CV CRP Contract No. 70800001010, Food Pantry Project**

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Cook, with all others concurring, to authorize County Judge, Bobby Seiferman to DocuSign a Contract between Matagorda county and Texas Department of Housing Community Affairs (TDHCA) related to CDBG-CV CRP Contract No. 70800001010, Food Pantry Project. Motion carried. Vote 5 ayes 0 nays

**14. Consideration and possible action to authorize County Judge, Bobby Seiferman and the Commissioners Court to declare a Declaration of Disaster for Matagorda County pertaining to Border Security**

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

A motion was duly made by Judge Seiferman and seconded by Commissioner Estlinbaum to amend the language in the original Resolution. Motion carried. Vote 5 ayes 0 nays

A motion was duly made by Commissioner Cook and seconded by Commissioner Frick to strike the language in Paragraph 7 and strike the last paragraph of the Resolution. Motion carried. Vote 5 ayes 0 nays

**15. Consideration and possible action to approve a Resolution authorizing Constable Precinct #4, David Miles, to submit Grant Application #4916101 Operation Lone Star Grant Program, applying to the Office of the Governor, Homeland Security Grants Division, and authorizing the County Judge to accept or decline the offer**

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 a Resolution authorizing Constable Precinct #4, David Miles, to submit Grant Application #4916101 Operation Lone Star Grant Program, applying to the Office of the Governor, Homeland Security Grants Division, and authorizing the County Judge to accept or decline the offer. Motion carried. Vote 5 ayes 0 nays

**16. Consideration and possible action to approve the signing of a Certifications and Assurance Form by 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 Frick and seconded by Commissioner Shimek, with all others concurring, to approve the signing of a Certifications and Assurance Form by 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

**17. Consideration and possible action to approve the signing of a Certifications and Assurance Form by District Attorney, Steven Reis, 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 Cook, with all others concurring, to approve the signing of a Certifications and Assurance Form by District Attorney, Steven Reis, 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

**18. Consideration and possible action to authorize the submission of a Texas Parks & Wildlife Grant Application and authorize the County Judge to sign all related documents below:**

- **Resolution Authorizing Application**
- **Applicant's Certification & Program Assurance**

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Estlinbaum, with all others concurring, to authorize the submission of a Texas Parks & Wildlife Grant Application and authorize the County Judge to sign all related documents below:

- Resolution Authorizing Application
- Applicant's Certification & Program Assurance

Motion carried. Vote 5 ayes 0 nays

**19. Consideration and possible action to accept the Notice to Proceed for McDonald Municipal & Industrial regarding the Critical Facilities Generators & Quick Connects, contracted by Lynn Engineering dba John D. Mercer & Associates**

This being the next item for business, motion was duly made by Commissioner Cook and seconded by Commissioner Estlinbaum, with all others concurring, to accept the Notice to Proceed for McDonald Municipal & Industrial regarding the Critical Facilities Generators & Quick Connects, contracted by Lynn Engineering dba John D. Mercer & Associates. Motion carried. Vote 5 ayes 0 nays

**20. Consideration and possible action to approve Invoices from the following Departments: Precinct #2 and Precinct #3**

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 Invoices from the following Departments: Precinct #2 and Precinct #3. Motion carried. Vote 5 ayes 0 nays

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

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Shimek, with all others concurring, to approve Payment of Demand Checks. Motion carried. Vote 5 ayes 0 nays

**22. Consideration and possible action to approve Line Item Transfers**

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Estlinbaum, with all others concurring, to approve Line Item Transfers. Motion carried. Vote 5 ayes 0 nays

**23. Meet in Executive Session:**

**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 551.087 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 10:11 a.m. by Commissioner Shimek and seconded by Commissioner Estlinbaum, with all others concurring, to meet in Executive Session:

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 551.087 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

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

**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 551.087 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 11:10 a.m. by Commissioner Shimek and seconded by Commissioner Estlinbaum, with all others concurring, to Reconvene open session:

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 551.087 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

25. **Adjournment**

Motion was duly made at approximately 11:11 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 24<sup>th</sup> day of July, 2023.

*Bobby Seiferman*

**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**

*Rio Mariosé Pérez*  
Chief Deputy

