

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, JULY 26, 2021

Call to Order

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday, July 26, 2021, in the Matagorda County Commissioner's Courtroom, located on the Third Floor, 1700 Seventh Street, Room 300, Bay City, Texas, with County Judge McDonald presiding.

Others present were as follows: Kristen Kubecka, Jennifer Chau, Ernest Lawson, Skipper Osborne, Chris Peikert, Jessica Russell, Loretta Griffin, Mike Reddell, Mike Estlinbaum, Viviana Castillo, Matt Glaze, Rick Elliott, Stephen Mitchell, Jason Mills, Scott Hardwick, Chris Bischoff, Crystal Morones and Stephanie Wurtz.

1. Certification of quorum

County Judge McDonald certified a quorum in attendance with Commissioner Cook, Commissioner Pollard, Commissioner Shimek and Commissioner Frick.

2. Pledge of Allegiance – Commissioner Frick

3. Texas Pledge – Commissioner Frick

4. Prayer – Commissioner Shimek

5. 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.

6. Consideration and possible action to approve the Board Appointments of Commissioner Edward Cook to the TIRZ #1 and #2 Board and to reappoint Commissioner Kent Pollard to the TIRZ #3 Board, commencing 08/01/2021 through 08/01/2023

This being the next item for business, motion was duly made by Judge McDonald and seconded by Commissioner Pollard, with all others concurring, to approve the Board Appointments of Commissioner Edward Cook to the TIRZ #1 and #2 Board and to reappoint Commissioner Kent Pollard to the TIRZ #3 Board, commencing 08/01/2021 through 08/01/2023. Motion carried. Vote 5 ayes 0 nays

7. Consideration and possible action to approve the reappointment of Willie Greer to the Texana Center Board of Trustees, commencing 09/31/2021 through 09/31/2023

This being the next item for business, motion was duly made by Judge McDonald and seconded by Commissioner Shimek, with all others concurring, to approve a Proclamation to declare the month of May 2021 as Stop the Bleed Month in Matagorda County. Motion carried. Vote 5 ayes 0 nays

8. Consideration and possible action to authorize Commissioner Cook to promote Cody Allgaier from a Light Equipment Operator at a rate of \$13.39 to a Heavy Equipment Operator at a rate of \$14.73, effective July 26, 2021

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 Commissioner Cook to promote Cody Allgaier from a Light Equipment Operator at a rate of \$13.39 to a Heavy Equipment Operator at a rate of \$14.73, effective July 26, 2021. Motion carried. Vote 5 ayes 0 nays

9. Consideration and possible action to authorize Commissioner Cook to rehire Jeff McDonald in the position of Light Equipment Operator at a rate of \$13.39, effective July 27, 2021

This being the next item for business, motion was duly made by Commissioner Cook and seconded by Commissioner Shimek, with all others concurring, to authorize Commissioner Cook to rehire Jeff McDonald in the position of Light Equipment Operator at a rate of \$13.39, effective July 27, 2021. Motion carried. Vote 5 ayes 0 nays

10. Consideration and possible action to approve the promotion of Judy Davis from Part Time HR Payroll Secretary to Full Time HR Payroll Administrator at a rate of \$15.00, placing Debra Warner, effective July 26, 2021

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 promotion of Judy Davis from Part Time HR Payroll Secretary to Full Time HR Payroll Administrator at a rate of \$15.00, placing Debra Warner, effective July 26, 2021. Motion carried. Vote 5 ayes 0 nays

11. Consideration and possible action to approve an Interlocal Agreement with the Regional Public Defender Office Local Government Corporation to provide court appointed counsel for individuals charged with the offense of capital murder who cannot afford to hire their own attorney in FY 2022, with Matagorda County's contribution being \$24,155.00

This being the next item for business, motion was duly made by Judge McDonald and seconded by Commissioner Pollard, with all others concurring, to approve an Interlocal Agreement with the Regional Public Defender Office Local Government Corporation to provide court appointed counsel for individuals charged with the offense of capital murder who cannot afford to hire their own attorney in FY 2022, with Matagorda County's contribution being \$24,155.00. Motion carried. Vote 5 ayes 0 nays

12. Consideration and possible action to approve and accept a renewal of agreement between Matagorda County and AEP to rent their poles for fiber optics to begin on date of execution and end on the 10th anniversary of the date of execution, and allow County Judge, Nate McDonald to sign

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 and accept a renewal of agreement between Matagorda County and AEP to rent their poles for fiber optics to begin on date of execution and end on the 10th anniversary of the date of execution, and allow County Judge, Nate McDonald to sign. Motion carried. Vote 5 ayes 0 nays

13. Consideration and possible action to approve an Election Services Contract between Matagorda County and the Port of Bay City Authority for an election to be held on November 2, 2021, and authorize the County Elections Administrator 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 Election Services Contract between Matagorda

County and the Port of Bay City Authority for an election to be held on November 2, 2021, and authorize the County Elections Administrator to sign. Motion carried. Vote 5 ayes 0 nays

14. Consideration and possible action to distribute meal per diem to County Attorney, Assistant County Attorney, Executive Legal Secretary, Legal Secretary, and Legal Assistant for TDCAA CLE Advanced Family Law and Advance Family Law 101, dates July 31, 2021 – August 5, 2021

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Pollard, with all others concurring, to distribute meal per diem to County Attorney, Assistant County Attorney, Executive Legal Secretary, Legal Secretary, and Legal Assistant for TDCAA CLE Advanced Family Law and Advance Family Law 101, dates July 31, 2021 – August 5, 2021. Motion carried. Vote 5 ayes 0 nays

15. Consideration and possible action to approve the 100% Design Plans for Van Vleck Flood & Drainage & Marlin Drive Street Improvements pertaining to GLO CDBG-DR Contract #20-065-123-C430

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Cook, with all others concurring, to approve the 100% Design Plans for Van Vleck Flood & Drainage & Marlin Drive Street Improvements pertaining to GLO CDBG-DR Contract #20-065-123-C430. Motion carried. Vote 5 ayes 0 nays

16. Consideration and possible action to approve the Texas Unclaimed Property Holder Supplemental Report and payment in the amount of \$139.30 and authorize the County Treasurer to sign

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Shimek, with all others concurring, to approve the Texas Unclaimed Property Holder Supplemental Report and payment in the amount of \$139.30 and authorize the County Treasurer to sign. Motion carried. Vote 5 ayes 0 nays

17. Consideration and possible action to approve Invoices from the following Departments: Matagorda County District Attorney and County Attorney

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 Invoices from the following Departments: Matagorda County District Attorney and County Attorney. Motion carried. Vote 5 ayes 0 nays

18. Consideration and possible action to approve Matagorda County Treasurer's Office Monthly Investment Report for June 2021

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Pollard, with all others concurring, to approve Matagorda County Treasurer's Office Monthly Investment Report for June 2021. Motion carried. Vote 5 ayes 0 nays

19. 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

20. Consideration and possible action to approve Emergency Amendments

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Pollard, with all others concurring, to approve Emergency Amendments. Motion carried. Vote 5 ayes 0 nays

21. **Meet in Executive Session:**

Under section 551.075 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 551.086 of the Texas Government Code to discuss or deliberate regarding commercial or financial information 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 Frick and seconded by Commissioner Shimek, with all others concurring, to meet in Executive Session:

Under section 551.075 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 551.086 of the Texas Government Code to discuss or deliberate regarding commercial or financial information 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

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

Under section 551.086 of the Texas Government Code to discuss or deliberate regarding commercial or financial information 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 12:50 p.m. by Commissioner Frick and seconded by Commissioner Shimek, with all others concurring, to Reconvene open session:

Under section 551.075 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 551.086 of the Texas Government Code to discuss or deliberate regarding commercial or financial information 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

23. **Public Comments**

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

24. Adjournment

Motion was duly made at approximately 12:51 p.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 2nd day of August, 2021.

Absent

NATE McDONALD
County Judge

Edward Cook

EDWARD "BUBBA" COOK
Commissioner Precinct No. One

Kent Pollard

KENT POLLARD
Commissioner Precinct No. Two

Troy Shimek

TROY SHIMEK
Commissioner Precinct No. Three

Charles "Bubba" Frick

CHARLES "BUBBA" FRICK
Commissioner Precinct No. Four
County Judge Pro-Tem

ATTEST: *Stephanie Wurtz*

Stephanie Wurtz, County Clerk
By: Maggie Perez
Chief Deputy

