

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, MAY 2, 2022

Call to Order

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday, May 2, 2022, 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, Loretta Griffin, Tressa Leadford, Becky Cook, Chris Peikert, Skipper Osborne, Scott Hardwick, Jessica Russell, Jason Sanders, Bobby Seiferman, Elmo Duke, Mike Reddell, Jenna Fortenberry, Richard Reidel, Mike Estlinbaum, Charles Stein, Doug Schoppe, 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 Pollard

3. Texas Pledge – Commissioner Pollard

4. Prayer – Commissioner Cook

5. Consideration and possible action regarding approving Commissioner's Court Minutes for April 25, 2022

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 April 25, 2022. Motion carried. Vote 5 ayes 0 nays

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 find that it is necessary to appoint a deputy constable who is qualified in the same manner as provided for a sheriff's deputy for Precinct #1 in order to properly handle the business of the constable's office and to approve and confirm the appointment of William Orton as Deputy Constable for Precinct #1

This being the next item for business, motion was duly made by Commissioner Cook and seconded by Commissioner Frick, with one nay from Commissioner Pollard and all others concurring, to approve and confirm the appointment of William Orton as Deputy Constable for Precinct #1. Motion carried. Vote 4 ayes 1 nay

8. Consideration and possible action to approve the Non Registered DCP (457) Amendment to the Group Annuity Contract Number G75109 with American United Life Insurance (AUL) and authorize the County Judge to sign

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 Non Registered DCP (457) Amendment to the Group Annuity Contract Number G75109 with American United Life Insurance (AUL) and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

9. Consideration and possible action to allow Judge McDonald to sign and submit an Emergency CEPR Application Support Letter pertaining to the Matagorda County Sargent Beach Nourishment Emergency CEPR Project

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Shimek, with all others concurring, to allow Judge McDonald to sign and submit an Emergency CEPR Application Support Letter pertaining to the Matagorda County Sargent Beach Nourishment Emergency CEPR Project. Motion carried. Vote 5 ayes 0 nays

10. Consideration and possible action to approve a Blanket Contract between Matagorda County and STP Nuclear Operating Company

This being the next item for business, motion was duly made by Judge McDonald and seconded by Commissioner Frick, with all others concurring, to approve a Blanket Contract between Matagorda County and STP Nuclear Operating Company with regard to the IPAWS Emergency Alert System. Motion carried. Vote 5 ayes 0 nays

11. Consideration and possible action to approve Invoices from the following Departments: Sheriff's Department, JP #2, Precinct #1 and District Judge

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Pollard, with all others concurring, to approve Invoices from the following Departments: Sheriff's Department, JP #2, Precinct #1 and District Judge. Motion carried. Vote 5 ayes 0 nays

12. 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 Cook, with all others concurring, to approve the Monthly Reports from various County Departments. Motion carried. Vote 5 ayes 0 nays

13. 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

14. Meet in Executive Session:

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 551.071 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 551.086 of the Texas Government Code to consider and take action 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

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

This being the next item for business, motion was duly made at 10:02 a.m. by Commissioner Shimek and seconded by Commissioner Frick, with all others concurring, to meet in Executive Session:

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 551.071 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 551.086 of the Texas Government Code to consider and take action 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

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

Motion carried. Vote 5 ayes 0 nays

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

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 551.071 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 551.086 of the Texas Government Code to consider and take action 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

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

This being the next item for business, motion was duly made at 11:59 a.m. by Commissioner Shimek and seconded by Commissioner Frick, with all others concurring, to Reconvene open session:

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 551.071 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 551.086 of the Texas Government Code to consider and take action 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

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

Motion was duly made by Commissioner Pollard and seconded by Commissioner Shimek, with all others concurring, to approve a line item transfer from the Marine Department (Department 662) in the amount of \$54,170.00 to the Self-Insurance Pool to be used to settle the Maria Reyes case and to pay the legal fees to Cullen, Carsner, Seerden & Cullen, LLP related to the Maria Reyes case. Motion carried. Vote 5 ayes 0 nays

Motion was duly made by Commissioner Pollard and seconded by Commissioner Shimek, with all others concurring, to approve payment of legal fees in the amount of \$6,370.00 to the firm of Martin, Disiere, Jefferson & Wisdom, LLP related to the Jeffrey F. Archer case. Motion carried. Vote 5 ayes 0 nays


16. Public Comments

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

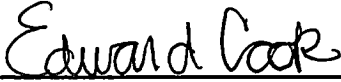
17. Adjournment

Motion was duly made at approximately 12:04 p.m. by Commissioner Frick and seconded by Commissioner Cook, with all others concurring, to adjourn the meeting. Motion carried. Vote 5 ayes 0 nays

Approved in Open Court, the 9th day of May, 2022.



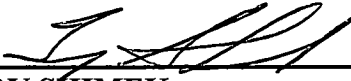
NATE McDONALD
County Judge



EDWARD "BUBBA" COOK
Commissioner Precinct No. One

absent

KENT POLLARD
Commissioner Precinct No. Two

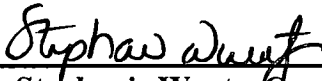


TROY SHIMEK
Commissioner Precinct No. Three



CHARLES "BUBBA" FRICK
Commissioner Precinct No. Four

ATTEST:



Stephanie Wurtz, County Clerk

