

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, SEPTEMBER 11, 2023

Call to Order

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday, September 11, 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, Skipper Osborne, Lisa Krobot, Doug Matthes, Mike Reddell, Ashley Brooking, Meagan Ramirez, Loretta Griffin, Tressa Leadford, Becky Cook, Thomas Hilton, Roberto De Hoyos, Ron Schoolcraft, Mike Ferdinand, Mitch Thames, Erik Frankson, Mike Spillers, Thomas Sutton, Jo Ann Sutton, Shelby Storts, Alexandria Longoria 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 Shimek

3. Texas Pledge – Commissioner Shimek

4. Prayer – Commissioner Estlinbaum

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 August 28, 2023

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 Commissioner's Court Minutes for August 28, 2023. 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 a Proclamation declaring September 11, 2023 as Patriot Day 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 a Proclamation declaring September 11, 2023 as Patriot Day in Matagorda County. Motion carried. Vote 5 ayes 0 nays

9. Consideration and possible action to approve a Proclamation declaring September 16, 2023 as First Texas Navy Day 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 a Proclamation declaring September 16, 2023 as First Texas Navy Day in Matagorda County. Motion carried. Vote 5 ayes 0 nays

10. Consideration and possible action to approve the Customer Approval Request to allow Avaya to share information with Lantana Communications

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 Customer Approval Request to allow Avaya to share information with Lantana Communications. Motion carried. Vote 5 ayes 0 nays

11. Consideration and possible action to accept a contribution in the amount of \$5,000.00 from Lyondell Chemical Company 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 Frick and seconded by Commissioner Shimek, with all others concurring, to accept a contribution in the amount of \$5,000.00 from Lyondell Chemical Company for expenses toward the Matagorda County Household Hazardous Waste Collection Event to be held October 14, 2023. Motion carried. Vote 5 ayes 0 nays

12. Consideration and possible action to approve the authorization of City of Bay City to serve alcoholic beverages on County Property for the Day of the Dead Festival with a temporary TABC Permit on Friday, November 3, 2023, with the understanding that a copy of the approved Permit will be sent to the County Attorney

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 authorization of City of Bay City to serve alcoholic beverages on County Property for the Day of the Dead Festival with a temporary TABC Permit on Friday, November 3, 2023, with the understanding that a copy of the approved Permit will be sent to the County Attorney. Motion carried. Vote 5 ayes 0 nays

13. Consideration and possible action to notate the non-renewal of the lease with the Lower Colorado River Authority as of November 30, 2022, and authorize the cancellation of all utility accounts related to the leased premises of the FM 521 River Park

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Frick, with all others concurring, to notate the non-renewal of the lease with the Lower Colorado River Authority as of November 30, 2022, and authorize the cancellation of all utility accounts related to the leased premises of the FM 521 River Park. Motion carried. Vote 5 ayes 0 nays

14. Consideration and possible action to terminate contract with Tyler Services for SAAS Mobility due to Tyler's failure to include the proper hardware in order to install the system for full working capability and dispute the attached invoices as such

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Estlinbaum, with all others concurring, to terminate contract with Tyler Services for SAAS Mobility due to Tyler's failure to include the proper hardware in order to install the system for full working capability and dispute the attached invoices as such. Motion carried. Vote 5 ayes 0 nays

15. Consideration and possible action to authorize Precinct #4 Commissioner Charles “Bubba” Frick to purchase a new 2024 Dodge 4x4 Regular Cab Pickup Truck with an 8ft flatbed with built-in headache rack, installed through BuyBoard from Grapevine Dodge Chrysler Jeep, in the amount of \$56,396.00

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 4x4 Regular Cab Pickup Truck with an 8ft flatbed with built-in headache rack, installed through BuyBoard from Grapevine Dodge Chrysler Jeep, in the amount of \$56,396.00. Motion carried. Vote 5 ayes 0 nays

16. Consideration and possible action to approve a Subdivision – Loerwald Subdivision Replat of Lots 43 and 44, Block 23 of the Replat of Sargent Beach Addition in the William Baxter League, Abstract 4, 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 Subdivision – Loerwald Subdivision Replat of Lots 43 and 44, Block 23 of the Replat of Sargent Beach Addition in the William Baxter League, Abstract 4, Matagorda County, Texas. Motion carried. Vote 5 ayes 0 nays

17. Consideration and possible action to approve the transition of Michaela Riley from Records Clerk to ID Officer for Matagorda County Sheriff’s Office at a rate of \$21.74, effective September 7, 2023

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 transition of Michaela Riley from Records Clerk to ID Officer for Matagorda County Sheriff’s Office at a rate of \$21.74, effective September 7, 2023. Motion carried. Vote 5 ayes 0 nays

18. Consideration and possible action to appoint Bill Balboa as Matagorda County Representative on the H-GAC Natural Resources Advisory Committee, effective September 1, 2023 through May 31, 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 appoint Bill Balboa as Matagorda County Representative on the H-GAC Natural Resources Advisory Committee, effective September 1, 2023 through May 31, 2024. Motion carried. Vote 5 ayes 0 nays

19. Consideration and possible action to accept a donation of an AED from Tenaris to Constable Doug Schoppe, Precinct #1

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Shimek, with all others concurring, to accept a donation of an AED from Tenaris to Constable Doug Schoppe, Precinct #1. Motion carried. Vote 5 ayes 0 nays

20. Public Hearing at 9:45a.m. to discuss the 2024 Matagorda County Budget

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Cook, with all others concurring, to enter into a Public Hearing at 9:48 a.m. to discuss the 2024 Matagorda County Budget. Motion carried. Vote 5 ayes 0 nays

At 9:49 a.m., motion was duly made by Commissioner Frick and seconded by Commissioner Estlinbaum, with all others concurring, to enter back into regular session of Commissioners Court. Motion carried. Vote 5 ayes 0 nays

21. Consideration and possible action to approve and adopt the 2024 Matagorda County Budget

This being the next item for business, motion was duly made by Judge Seiferman and seconded by Commissioner Shimek, with all others concurring, to approve and adopt the 2024 Matagorda County Budget. Motion carried.

Record Vote:

County Judge	Aye
Commissioner Pct. 1	Aye
Commissioner Pct. 2	Aye
Commissioner Pct. 3	Aye
Commissioner Pct. 4	Aye

22. Public Hearing at 9:55 a.m. to discuss the 2023 Proposed Maintenance and Operation Tax Rate of .35640 and the 2023 Proposed Interest and Sinking Tax Rate of .00288, for a total Tax Rate of .35928

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Frick, with all others concurring, to enter into a Public Hearing at 9:58 a.m. to discuss the 2023 Proposed Maintenance and Operation Tax Rate of .35640 and the 2023 Proposed Interest and Sinking Tax Rate of .00288, for a total Tax Rate of .35928. Motion carried. Vote 5 ayes 0 nays

At 9:59 a.m., motion was duly made by Commissioner Shimek and seconded by Commissioner Frick, with all others concurring, to enter back into regular session of Commissioners Court. Motion carried. Vote 5 ayes 0 nays

23. Consideration and possible action to adopt the 2023 Proposed Maintenance and Operation Tax Rate of .35640, for a total Tax Rate of .35928

This being the next item for business, motion was duly made by Judge Seiferman and seconded by Commissioner Frick, with all others concurring, to adopt the 2023 Proposed Maintenance and Operation Tax Rate of .35640, for a total Tax Rate of .35928. Motion carried.

Record Vote:

County Judge	Aye
Commissioner Pct. 1	Aye
Commissioner Pct. 2	Aye
Commissioner Pct. 3	Aye
Commissioner Pct. 4	Aye

24. Consideration and possible action to adopt the Proposed Interest and Sinking Tax Rate of .00288, for a Total Tax Rate of .35928

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Cook, with all others concurring, to adopt the Proposed Interest and Sinking Tax Rate of .00288, for a Total Tax Rate of .35928. Motion carried.

Record Vote:

County Judge	Aye
Commissioner Pct. 1	Aye
Commissioner Pct. 2	Aye
Commissioner Pct. 3	Aye
Commissioner Pct. 4	Aye

25. Consideration and possible action to adopt the total 2023 Property Tax Rate of .35928 and ratify the 2023 Property Tax increase of \$1,628,739 or 7.21% reflected in the 2024 Matagorda County Budget

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Cook, with all others concurring, to adopt the total 2023 Property Tax Rate of .35928 and ratify the 2023 Property Tax increase of \$1,628,739 or 7.21% reflected in the 2024 Matagorda County Budget. Motion carried.

Record Vote:

County Judge	Aye
Commissioner Pct. 1	Aye
Commissioner Pct. 2	Aye
Commissioner Pct. 3	Aye
Commissioner Pct. 4	Aye

26. Consideration and possible action to ratify the AIA Contract for Courthouse Vents between Matagorda County and A-Lert Roof Systems

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Estlinbaum, with all others concurring, to ratify the AIA Contract for Courthouse Vents between Matagorda County and A-Lert Roof Systems. Motion carried. Vote 5 ayes 0 nays

27. Consideration and possible action to approve an extension of the Matagorda County Declaration of Disaster for Shrimp Dumping beginning on September 11, 2023 and ending on October 11, 2023, and allow County Judge Bobby Seiferman and Commissioners 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 extension of the Matagorda County Declaration of Disaster for Shrimp Dumping beginning on September 11, 2023 and ending on October 11, 2023, and allow County Judge Bobby Seiferman and Commissioners to sign. Motion carried. Vote 5 ayes 0 nays

28. Consideration and possible action to approve the Contract Amendment between Matagorda County and Zbranek Gravel, LLC related to Road Material Bid #23-0001, 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 Cook, with all others concurring, to approve the Contract Amendment between Matagorda County and Zbranek Gravel, LLC related to Road Material Bid #23-0001, and authorize County Judge Bobby Seiferman to sign. Motion carried. Vote 5 ayes 0 nays

29. Consideration and possible action to approve a Contract Amendment between Matagorda County and GrantWorks, Inc. pertaining to administrative services 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 approve a Contract Amendment between Matagorda County and GrantWorks, Inc. pertaining to administrative services related to CDBG-CV CRP Contract No. 70800001010, Food Pantry Project. Motion carried. Vote 5 ayes 0 nays

30. Consideration and possible action to award McDonald Municipal & Industrial, related to the Request for Proposals (RFP) for Construction Services associated with the GLO CDBG-DR Contract No. 20-065-123-C430 for the Emergency Generators Project, in the total amount of \$644,469.00, as recommended by Lynn

Engineering dba John D. Mercer & Associates, and authorize County Judge Bobby Seiferman to sign related contracts pending County Attorney review and approval

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Frick, with all others concurring, to award McDonald Municipal & Industrial, related to the Request for Proposals (RFP) for Construction Services associated with the GLO CDBG-DR Contract No. 20-065-123-C430 for the Emergency Generators Project, in the total amount of \$644,469.00, as recommended by Lynn Engineering dba John D. Mercer & Associates, and authorize County Judge Bobby Seiferman to sign related contracts pending County Attorney review and approval. Motion carried. Vote 5 ayes 0 nays

31. Consideration and possible action to award TexasChile, Inc., related to the Request for Proposals (RFP) for Construction Services associated with the GLO CDBG-DR Contract No. 20-065-123-C430 for the C&RD No. 1 – Levee Pump Stations, in the total amount of \$220,809.00, as recommended by Lynn Engineering dba John D. Mercer & Associates, and authorize County Judge Bobby Seiferman to sign related contracts pending County Attorney review and approval

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Estlinbaum, with all others concurring, to award TexasChile, Inc., related to the Request for Proposals (RFP) for Construction Services associated with the GLO CDBG-DR Contract No. 20-065-123-C430 for the C&RD No. 1 – Levee Pump Stations, in the total amount of \$220,809.00, as recommended by Lynn Engineering dba John D. Mercer & Associates, and authorize County Judge Bobby Seiferman to sign related contracts pending County Attorney review and approval. Motion carried. Vote 5 ayes 0 nays

32. Consideration and possible action to approve Invoices from the following Departments: Precinct #1, Precinct #2, Precinct #3, County Tax Office and Sheriff's Department

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, Precinct #2, Precinct #3, County Tax Office and Sheriff's Department. Motion carried. Vote 5 ayes 0 nays

33. Consideration and possible action to approve Monthly Reports from various County Departments

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 Monthly Reports from various County Departments. Motion carried. Vote 5 ayes 0 nays

34. Consideration and possible action to approve Matagorda County Treasurer's Office Monthly Report for August 2023

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 Matagorda County Treasurer's Office Monthly Report for August 2023. Motion carried. Vote 5 ayes 0 nays

35. Consideration and possible action to accept Matagorda County's share of Unclaimed Capital Credits from the Texas Comptroller's Office in the amount of \$2,287.34, and as per Section 381.004 of the Texas Government Code, transfer to Matagorda County Economic Development Corporation for Economic Development Projects in Matagorda County

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Shimek, with all others concurring, to accept Matagorda County's share of Unclaimed Capital Credits from the Texas Comptroller's Office in the amount of \$2,287.34, and as per Section 381.004 of the Texas Government Code, transfer to Matagorda County Economic Development Corporation for Economic Development Projects in Matagorda County. Motion carried. Vote 5 ayes 0 nays

36. Consideration and possible action to ratify the Payment of Bills for September 1, 2023

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Cook, with all others concurring, to ratify the Payment of Bills for September 1, 2023. Motion carried. Vote 5 ayes 0 nays

37. Consideration and possible action to approve Payment of Demand Checks

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 Payment of Demand Checks. Motion carried. Vote 5 ayes 0 nays

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

39. 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

40. 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 to discuss a real estate matter

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 10:30 a.m. by Commissioner Shimek and seconded by Commissioner Frick, 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 551.0725 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

41. 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 to discuss a real estate matter

This being the next item for business, motion was duly made at 11:33 a.m. by Commissioner Shimek and seconded by Commissioner Frick, 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 551.0725 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

42. Adjournment

Motion was duly made at approximately 11:35 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 18th day of September, 2023.



BOBBY SEIFERMAN
County Judge



EDWARD "BUBBA" COOK
Commissioner Precinct No. One



MIKE ESTLINBAUM
Commissioner Precinct No. Two



TROY SHIMEK
Commissioner Precinct No. Three



CHARLES "BUBBA" FRICK
Commissioner Precinct No. Four

ATTEST:


Stephanie Wurtz, County Clerk

