

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, SEPTEMBER 13, 2021

Call to Order

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday, September 13, 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: Layne Lucas, Jennifer Chau, Skipper Osborne, Mitch Thames, Jessica Russell, Ernest Lawson, Mike Estlinbaum, Loretta Griffin, Shelly Ryman, Scott Hardwick, Mike Reddell, Viviana Vega, Glen Davis, Anthony Maenza, 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 August 30, 2021

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 30, 2021. 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 approve an extension of the Matagorda County Declaration of Disaster for COVID-19 beginning on September 13, 2021 and ending on October 11, 2021

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 an extension of the Matagorda County Declaration of Disaster for COVID-19 beginning on September 13, 2021 and ending on October 11, 2021. Motion carried. Vote 5 ayes 0 nays

8. Consideration and possible action to approve the 2022 Holidays for Matagorda County Personnel

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 2022 Holidays for Matagorda County Personnel. Motion carried. Vote 5 ayes 0 nays

9. Consideration and possible action to approve a subdivision of 50.00 acres of land situated in the G.W. Nexsen Survey, Abstract No. 65, in Matagorda County, Texas, and being part of Lot 3 of the Gaines Subdivision, Matagorda County, Texas

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 subdivision of 50.00 acres of land situated in the G.W. Nexsen Survey, Abstract No. 65, in Matagorda County, Texas, and being part of Lot 3 of the Gaines Subdivision, Matagorda County, Texas. Motion carried. Vote 5 ayes 0 nays

10. Consideration and possible action to accept a contribution in the amount of \$1,980.00 from the City of Bay City for expenses toward Matagorda County Household Hazardous Waste Collection Event to be held October 9, 2021

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Shimek, with all others concurring, to accept a contribution in the amount of \$1,980.00 from the City of Bay City for expenses toward Matagorda County Household Hazardous Waste Collection Event to be held October 9, 2021. Motion carried. Vote 5 ayes 0 nays

11. Update by Mitch Thames, Matagorda County EDC, pertaining to the TIRZ #2 (Tax Increment Financing Reinvestment Zone) Project, to introduce Bold Fox Development to all the Taxing Districts involved with the Project

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

12. Consideration and possible action to accept the resignation of Charlie W. Smith from the Board of the Matagorda County Drainage District No. 4 and approve the appointment of David Woodson to fill the unexpired term, commencing on September 13, 2021 until February 14, 2022

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Pollard, with all others concurring, to accept the resignation of Charlie W. Smith from the Board of the Matagorda County Drainage District No. 4 and approve the appointment of David Woodson to fill the unexpired term, commencing on September 13, 2021 until February 14, 2022. Motion carried. Vote 5 ayes 0 nays

13. Consideration and possible action to approve the Contract extension between Matagorda County and Debris Monitoring Services

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Frick, with all others concurring, to approve the Contract extension between Matagorda County and Debris Monitoring Services. Motion carried. Vote 5 ayes 0 nays

14. Consideration and possible action to approve the Contract extension between Matagorda County and DRC Emergency Services, LLC

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 Contract extension between Matagorda County and DRC Emergency Services, LLC. Motion carried. Vote 5 ayes 0 nays

15. Consideration and possible action to approve the Inspection Maintenance Contract Agreements between Matagorda County Sheriff's Office and Straus Systems, Inc. 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 Inspection Maintenance Contract Agreements

between Matagorda County Sheriff's Office and Straus Systems, Inc. and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

16. Consideration and possible action to approve a Credit Application for Stewart & Stevenson for the office of Matagorda County Commissioner, Precinct #1 for Gradall repairs

This being the next item for business, motion was duly made by Commissioner Cook and seconded by Commissioner Pollard, with all others concurring, to approve a Credit Application for Stewart & Stevenson for the office of Matagorda County Commissioners, Precinct #1 and Precinct #2 for Gradall repairs. Motion carried. Vote 5 ayes 0 nays

17. Consideration and possible action to approve an Engagement Letter from KM&L, LLC for year ending December 31, 2021 for a fee of \$44,000.00 and authorize the County Judge to sign

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Frick, with all others concurring, to approve an Engagement Letter from KM&L, LLC for year ending December 31, 2021 for a fee of \$44,000.00 and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

18. Consideration and possible action to approve the submittal of a letter to the Texas Department of Agriculture to advance the current 2, 4D Aerial Application date from October 1, 2021, to the proposed date of September 20, 2021, to allow Ground and Aerial Application by permit

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 submittal of a letter to the Texas Department of Agriculture to advance the current 2, 4D Aerial Application date from October 1, 2021, to the proposed date of September 20, 2021, to allow Ground and Aerial Application by permit. Motion carried. Vote 5 ayes 0 nays

19. Consideration and possible action to approve and authorize the submittal of the 2021 Annual County Road Reports for Matagorda County Precincts #1, #2, #3 and #4

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 and authorize the submittal of the 2021 Annual County Road Reports for Matagorda County Precincts #1, #2, #3 and #4. Motion carried. Vote 5 ayes 0 nays

20. Consideration and possible action to allow Becky Cook, Tax Assessor-Collector to hire Sherri Geffert at an hourly rate of \$19.37, to fill in as needed, to help operate the County Tax Office

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Frick, with all others concurring, to allow Becky Cook, Tax Assessor-Collector to hire Sherri Geffert at an hourly rate of \$19.37, to fill in as needed, to help operate the County Tax Office. Motion carried. Vote 5 ayes 0 nays

21. Consideration and possible action to approve the setting of a Public Hearing on October 18, 2021 at 9:45 a.m. for the Commissioners Court to consider modifying the 312 Tax Abatement with Roehm America, LLC, originally executed on September 28, 2020

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 setting of a Public Hearing on October 18, 2021 at 9:45 a.m. for the Commissioners Court to consider modifying the 312 Tax Abatement with Roehm America, LLC, originally executed on September 28, 2020. Motion carried. Vote 5 ayes 0 nays

22. Consideration and possible action to approve the setting of a Public Hearing on October 18, 2021 at 10:00 a.m. for the Commissioners Court to consider the approval of the 312 Tax Abatement with Matagorda Bay Distillery

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 setting of a Public Hearing on October 18, 2021 at 10:00 a.m. for the Commissioners Court to consider the approval of the 312 Tax Abatement with Matagorda Bay Distillery. Motion carried. Vote 5 ayes 0 nays

23. Consideration and possible action to approve Invoices from the following Departments: Matagorda County Sheriff's Office, Precinct #1, Precinct #2, Precinct #3, Precinct #4 and Matagorda County Juvenile Probation 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: Matagorda County Sheriff's Office, Precinct #1, Precinct #2, Precinct #3, Precinct #4 and Matagorda County Juvenile Probation Office. Motion carried. Vote 5 ayes 0 nays

24. Consideration and possible action to approve Monthly Reports for various County Departments

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

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

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 Investment Report for August 2021. Motion carried. Vote 5 ayes 0 nays

26. Consideration and possible action to approve Matagorda County Treasurer's Office Monthly Investment Report for August 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 August 2021. Motion carried. Vote 5 ayes 0 nays

27. Consideration and possible action to approve Line Item Transfers

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 Line Item Transfers. Motion carried. Vote 5 ayes 0 nays

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

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

29. Consideration and possible action to approve Payment of Bills for September 3, 2021

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 Bills for September 3, 2021. Motion carried. Vote 5 ayes 0 nays

30. **Meet 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 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 conducting economic development negotiations

This being the next item for business, motion was duly made at 10:43 a.m. by Commissioner Frick and seconded by Commissioner Pollard, with all others concurring, to meet 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 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 conducting economic development negotiations

Motion carried. Vote 5 ayes 0 nays

31. **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 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 conducting economic development negotiations

This being the next item for business, motion was duly made at 11:00 a.m. by Commissioner Shimek and seconded by Commissioner Frick, with all others concurring, to Reconvene open session:

Under Section 551.086 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 conducting economic development negotiations

32. **Public Comments**

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

33. **Adjournment**

Motion was duly made at approximately 11:01 a.m. by Commissioner Cook and seconded by Commissioner Pollard, with all others concurring, to adjourn the meeting. Motion carried. Vote 5 ayes 0 nays

Approved in Open Court, the 20th day of September, 2021.

Nate McDonald

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

ATTEST: *Stephanie Wurtz*
Stephanie Wurtz, County Clerk



By: Maggie Perez, Craig Deputy