

**MINUTES**  
**MATAGORDA COUNTY COMMISSIONERS' COURT MEETING**  
**MATAGORDA COUNTY COURTHOUSE, ROOM 300**  
**1700 SEVENTH STREET, BAY CITY, TEXAS 77414**  
**9:30 A.M., MONDAY, AUGUST 16, 2021**

**Call to Order**

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday, August 16, 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, Loretta Griffin, Mike Reddell, Skipper Osborne, Tressa Leadford, Janice Hawthorne, Kandas Graham, Viviana Castillo, Emily Youts, Jason Mills, Mike Estlinbaum, Anthony Maenza, Ernest Lawson, 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 Cook**

**3. Texas Pledge – Commissioner Cook**

**4. Prayer – Commissioner Frick**

**5. Consideration and possible action regarding approving Commissioner's Court Minutes for August 9, 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 Commissioner's Court Minutes for August 9, 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 August 16, 2021, and ending on September 13, 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 August 16, 2021, and ending on September 13, 2021. Motion carried. Vote 5 ayes 0 nays

**8. Consideration and possible action to discuss and propose the 2021 Proposed Maintenance and Operation Tax Rate of .39617 and the 2021 Proposed Interest and Sinking Tax Rate of .00357, making the total Tax Rate of .39974**

This being the next item for business, motion was duly made by Judge McDonald and seconded by Commissioner Pollard, with all others concurring, to discuss and propose the 2021 Proposed Maintenance and Operation Tax Rate of .39617 and the 2021 Proposed Interest and Sinking Tax Rate of .00357, making the total Tax Rate of .39974. Motion carried. Record Vote:

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

**9. Consideration and possible action to set a Public Hearing for August 30, 2021, at 9:55 a.m. to discuss and adopt the 2021 Proposed Maintenance and Operation Tax rate of .39617 and the 2021 Proposed Interest and Sinking Tax Rate of .00357, for a total Tax Rate of .39974**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Shimek, with all others concurring, to set a Public Hearing for August 30, 2021, at 9:55 a.m. to discuss and adopt the 2021 Proposed Maintenance and Operation Tax rate of .39617 and the 2021 Proposed Interest and Sinking Tax Rate of .00357, for a total Tax Rate of .39974. Motion carried. Vote 5 ayes 0 nays

**10. Consideration and possible action to approve the Administration Services Agreement and Stop-Loss Agreement between Matagorda County and the Texas Association of Counties Health and Employee Benefits Pool, effective October 1, 2021, and authorize the County Judge 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 the Administration Services Agreement and Stop-Loss Agreement between Matagorda County and the Texas Association of Counties Health and Employee Benefits Pool, effective October 1, 2021, and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

**11. Consideration and possible action to approve the hiring of Felicia Higgins as Deputy District Clerk at a rate of \$13.35 per hour, due to Ms. Higgins 20 years of service between Brazoria and Matagorda County District Clerk's office, effective August 16, 2021**

This being the next item for business, motion was duly made by Judge McDonald and seconded by Commissioner Cook, with all others concurring, to approve the hiring of Felicia Higgins as Deputy District Clerk at a rate of \$13.35 per hour, due to Ms. Higgins 20 years of service between Brazoria and Matagorda County District Clerk's office, effective August 16, 2021. Motion carried. Vote 5 ayes 0 nays

**12. Consideration and possible action to approve the USACE Application for Department of the Army Permit pertaining to the Sargent "Historic Stretch" Beach Nourishment Project to authorize Rhonda Gregg-Hirsch, Atkins Project Manager, as Matagorda County's agent and allow Commissioner Kent Pollard 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 USACE Application for Department of the Army Permit pertaining to the Sargent "Historic Stretch" Beach Nourishment Project to authorize Rhonda Gregg-Hirsch, Atkins Project Manager, as Matagorda County's agent and allow Commissioner Kent Pollard to sign. Motion carried. Vote 5 ayes 0 nays

**13. Consideration and possible action to approve a Credit Application for Brandt Companies, LLC, and allow Matagorda County Commissioner, Precinct #2 to purchase miscellaneous items**

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 a Credit Application for Brandt Companies, LLC, and

allow Matagorda County Commissioner, Precinct #2 to purchase miscellaneous items. Motion carried. Vote 5 ayes 0 nays

**14. Consideration and possible action to approve Matagorda County Attorney remain participating in the bankruptcy suit filed as *Chieftain Royalty Co. v. Unit Petroleum Company*, or opt out of the settlement claim. As Matagorda County has received payments from Unit Petroleum Company, Matagorda County will receive a portion of the Settlement (if any)**

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 Matagorda County Attorney remain participating in the bankruptcy suit filed as *Chieftain Royalty Co. v. Unit Petroleum Company*. As Matagorda County has received payments from Unit Petroleum Company, Matagorda County will receive a portion of the Settlement (if any). Motion carried. Vote 5 ayes 0 nays

**15. Consideration and possible action to approve Matagorda County Attorney remain participating in the bankruptcy suit filed as *Cockrell Oil Properties, Ltd. v. Unit Petroleum Company*, or opt out of the settlement claim. As Matagorda County has received payments from Unit Petroleum Company, Matagorda County will receive a portion of the Settlement (if any)**

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 Matagorda County Attorney remain participating in the bankruptcy suit filed as *Cockrell Oil Properties, Ltd. v. Unit Petroleum Company*. As Matagorda County has received payments from Unit Petroleum Company, Matagorda County will receive a portion of the Settlement (if any). Motion carried. Vote 5 ayes 0 nays

**16. Consideration and possible action to abandon a platted street located Southeast of Austin Street and Northwest of the G.C. & S.F. Railroad which is a 0.13 acre tract or parcel situated in the E.R. Wightman League, Abstract 101 of Matagorda County, Texas, being part of a Platted Road of the Matagorda Townsite relative to the plat recorded in Volume 1, Page 35 of the Plat Records of Matagorda County, Texas adjoining out Lots 2 and 3 of the said Matagorda Townsite. Said out Lot 2 at the East corner of a called 1.21 acre tract. Tract being more particularly described by metes and bounds attached. Not improved or maintained by the County**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Frick, with all others concurring, to abandon a platted street located Southeast of Austin Street and Northwest of the G.C. & S.F. Railroad which is a 0.13 acre tract or parcel situated in the E.R. Wightman League, Abstract 101 of Matagorda County, Texas, being part of a Platted Road of the Matagorda Townsite relative to the plat recorded in Volume 1, Page 35 of the Plat Records of Matagorda County, Texas adjoining out Lots 2 and 3 of the said Matagorda Townsite. Said out Lot 2 at the East corner of a called 1.21 acre tract. Tract being more particularly described by metes and bounds attached. Not improved or maintained by the County. Motion carried. Vote 5 ayes 0 nays

**17. Consideration and possible action to abandon a platted road located Southeast of Austin Street and Northwest of the G.C. & S.F. Railroad which is a 0.38 acre tract or parcel situated in the E.R. Wightman League, Abstract 101 of Matagorda County, Texas, being part of a Platted Road of the Matagorda Townsite relative to the plat recorded in Volume 1, Page 35 of the Plat Records of Matagorda County, Texas adjoining out Lots 1 and 2 of the said Matagorda Townsite. Said out Lot 1 at the Southeast line of Austin Street and the Southwest line of the Platted Road at the North corner of a called 2.363 acre tract. Tract being more particularly described by metes and bounds attached**

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Frick, with all others concurring, to abandon a platted road located Southeast of Austin Street and Northwest of the G.C. & S.F. Railroad which is a 0.38 acre tract or parcel situated in the E.R. Wightman League, Abstract 101 of Matagorda County, Texas, being part of a Platted Road of the Matagorda Townsite relative to the plat recorded in Volume 1, Page 35 of the Plat Records of Matagorda County, Texas adjoining out Lots 1 and 2 of the said Matagorda Townsite. Said out Lot 1 at the Southeast line of Austin Street and the Southwest line of the Platted Road at the North corner of a called 2.363 acre tract. Tract being more particularly described by metes and bounds attached. Motion carried. Vote 5 ayes 0 nays

**18. Consideration and possible action to approve Invoices from the following Departments: Precinct #3, Emergency Management 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 #3, Emergency Management and Sheriff's Department. Motion carried. Vote 5 ayes 0 nays

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

**20. Consideration and possible action to accept the 2021 2<sup>nd</sup> Quarter Internal Review Report**

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 the 2021 2nd Quarter Internal Review Report. 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 Cook and seconded by Commissioner Frick, with all others concurring, to approve Payment of Demand Checks. Motion carried. Vote 5 ayes 0 nays

**22. 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 10:10 a.m. by Commissioner Frick and seconded by Commissioner Cook, 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

**23. 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 11:29 a.m. by Commissioner Pollard 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

Motion carried. Vote 5 ayes 0 nays


**24. Public Comments**

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

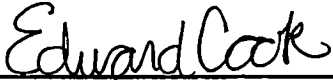
**25. Adjournment**

Motion was duly made at approximately 11:30 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 23<sup>rd</sup> day of August, 2021.



**NATE McDONALD**  
County Judge



**EDWARD "BUBBA" COOK**  
Commissioner Precinct No. One



**KENT POLLARD**  
Commissioner Precinct No. Two

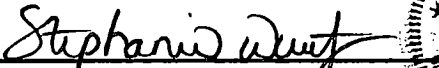


**TROY SHIMEK**  
Commissioner Precinct No. Three



**CHARLES "BUBBA" FRICK**  
Commissioner Precinct No. Four

ATTEST:

  
Stephanie Wurtz, County Clerk