

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, AUGUST 22, 2022

Call to Order

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday, August 22, 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, Karla Smith, Amanda Campos, Skipper Osborne, Chris Peikert, Lisa Krobot, Tressa Leadford, Loretta Griffin, Mike Reddell, Jimmy Galvan, Meagan Ramirez, Becca Sitz, Mike Estlinbaum, Bobby Seiferman, Jason Sanders, Kristi Lee, Jessica Russell, George Deshotels, Deean Griffith, Linda Cartwright, Aply Herreth, Carol Sue Gibbs, Jennifer Bishop, Bonnie Benson, Shelby Storts 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 15, 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 August 15, 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. **Presentation of the Distinguished Service Award to the Matagorda County Historical Commission for their dedication and hard work during the 2021 year of service**

This being the next item for business, motion was duly made by Judge McDonald and seconded by Commissioner Pollard, with all others concurring, to present the Distinguished Service Award to the Matagorda County Historical Commission for their dedication and hard work during the 2021 year of service. Motion carried. Vote 5 ayes 0 nays

8. Consideration and possible action to approve Wade Subdivision, a 1.00 acre tract, being a part of 6.4291 acres in part of Outlot 12 of the Matagorda Townsite E.R. Wightman League, Abstract 101, Matagorda County, Texas

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 Wade Subdivision, a 1.00 acre tract, being a part of 6.4291 acres in part of Outlot 12 of the Matagorda Townsite E.R. Wightman League, Abstract 101, Matagorda County, Texas. Motion carried. Vote 5 ayes 0 nays

9. Consideration and possible action to accept a contribution in the amount of \$2,000.00 from OQ Chemicals Corporation for expenses toward the Matagorda County Household Hazardous Waste Collection Event to be held October 1, 2022

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Cook, with all others concurring, to accept a contribution in the amount of \$2,000.00 from OQ Chemicals Corporation for expenses toward the Matagorda County Household Hazardous Waste Collection Event to be held October 1, 2022. Motion carried. Vote 5 ayes 0 nays

10. Consideration and possible action to accept a contribution in the amount of \$200.00 from Sure Nuff Septic Services for expenses toward the Matagorda County Household Hazardous Waste Collection Event to be held October 1, 2022

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Pollard, with all others concurring, to accept a contribution in the amount of \$200.00 from Sure Nuff Septic Services for expenses toward the Matagorda County Household Hazardous Waste Collection Event to be held October 1, 2022. Motion carried. Vote 5 ayes 0 nays

11. Consideration and possible action to approve the revised and updated Fairgrounds Facilities Manager job descriptions

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 the revised and updated Fairgrounds Facilities Manager job descriptions. Motion carried. Vote 5 ayes 0 nays

12. Consideration and possible action to approve a Federal Excise Tax Exemption Certificate from WEX, Inc. for fuel purchases by the Matagorda County Sheriff's Office, covering November 23, 2022 through November 23, 2023, 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 a Federal Excise Tax Exemption Certificate from WEX, Inc. for fuel purchases by the Matagorda County Sheriff's Office, covering November 23, 2022 through November 23, 2023, and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

13. Consideration and possible action to issue Request for Proposals (RFP) for administrative services and Request for Qualifications (RFQ) for professional services related to the Texas General Land Office (GLO) State of Texas Community Development Block Grant Mitigation (CDBG-MIT) Program and authorize publication

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Frick, with all others concurring, to issue Request for Proposals (RFP) for administrative services and Request for Qualifications (RFQ) for professional services related to the Texas General Land Office (GLO) State of Texas Community Development Block Grant Mitigation (CDBG-MIT) Program and authorize publication. Motion carried. Vote 5 ayes 0 nays

14. Consideration and possible action to discuss the following grant programs and authorize related application submissions:

- **U.S. Fish and Wildlife Service – FY 2023 Sportfishing and Boating Safety Act – BIG Tier 1**
- **Texas Parks and Wildlife – Boating Access, Local Parks Non-Urban Outdoor Recreation & Local Parks Small Community Recreation**
- **TXDOT – Reconnecting Communities Pilot Discretionary Grant Program**
- **US Dept. of Treasury RESTORE Act Program – Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States**
- **LCRA**

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Shimek, with all others concurring, to discuss the following grant programs and authorize related application submissions:

- U.S. Fish and Wildlife Service – FY 2023 Sportfishing and Boating Safety Act – BIG Tier 1
- Texas Parks and Wildlife – Boating Access, Local Parks Non-Urban Outdoor Recreation & Local Parks Small Community Recreation
- TXDOT – Reconnecting Communities Pilot Discretionary Grant Program
- US Dept. of Treasury RESTORE Act Program – Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States
- LCRA

Motion carried. Vote 5 ayes 0 nays

15. Public Hearing at 9:45 a.m. to discuss the 2023 Matagorda County Budget

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Shimek, with all others concurring, to enter into a Public Hearing at 9:58 a.m. to discuss the 2023 Matagorda County Budget. Motion carried. Vote 5 ayes 0 nays

At 10:03 a.m., motion was duly made by Commission Frick and seconded by Commissioner Cook, with all others concurring, to enter back into regular session of Commissioners Court. Motion carried. Vote 5 ayes 0 nays

16. Consideration and possible action to approve and accept the Guardian RFID System Agreement for certain devices to be used by the Matagorda County Jail and authorize Judge McDonald 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 accept the Guardian RFID System Agreement for certain devices to be used by the Matagorda County Jail and authorize Judge McDonald to sign. Motion carried. Vote 5 ayes 0 nays

17. Consideration and possible action to enter a Letter Agreement with Tenaris regarding compliance for the 2021 year pursuant to provisions in the 312 Tax Abatement and allow Judge Nate McDonald to sign

This being the next item for business, motion was duly made by Judge McDonald and seconded by Commissioner Frick, with all others concurring, to enter a Letter Agreement with Tenaris regarding compliance for the 2021 year pursuant to provisions in the 312 Tax Abatement and allow Judge Nate McDonald to sign. Motion carried. Vote 5 ayes 0 nays

18. Consideration and possible action to approve Invoices from the following Departments: Precinct #3 and Human Resources

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:

Precinct #3 and Human Resources. Motion carried. Vote 5 ayes 0 nays

19. Consideration and possible action to approve Matagorda County Treasurer's Office Monthly Report

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 Demand Checks. Motion carried. Vote 5 ayes 0 nays

20. Consideration and possible action to approve Payment of Bills

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 Payment of Bills. Motion carried. Vote 5 ayes 0 nays

21. 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 Cook, with all others concurring, to approve Emergency Amendments. Motion carried. Vote 5 ayes 0 nays

22. Meet in Executive Session:

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 551.072 of the Texas Government Code to consult with attorney 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 10:17 a.m. by Commissioner Shimek and seconded by Commissioner Pollard, with all others concurring, to meet in Executive Session:

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 551.072 of the Texas Government Code to consult with attorney 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

Motion carried. Vote 5 ayes 0 nays

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

Under Section 551.071 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 551.072 of the Texas Government Code to consult with attorney 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 11:22 a.m. by Commissioner Pollard and seconded by Commissioner Shimek, with all others concurring, to Reconvene open session:

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 551.072 of the Texas Government Code to consult with attorney 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

Motion was duly made by Commissioner Pollard and seconded by Commissioner Shimek, with all others concurring, to authorize County Attorney to negotiate the termination of Tyler Technologies Inmate Mobility contract. Motion carried. Vote 5 ayes 0 nays

Motion was duly made by Commissioner Pollard and seconded by Commissioner Shimek, with all others concurring, to pay Invoice #235662 in the amount of \$520.00 to Martin, Disiere, Jefferson & Wisdom for legal fees incurred to be paid pursuant to an agreement with the Matagorda County Self-Insurance Pool. 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 11:25 a.m. by Commissioner Shimek 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 29th day of August, 2022.

Nate McDonald

NATE McDONALD
County Judge

Edward Cook

EDWARD "BUBBA" COOK
Commissioner Precinct No. One

Bert Pollard

KENT POLLARD
Commissioner Precinct No. Two

absent

TROY SHIMEK
Commissioner Precinct No. Three

Charles "Bubba" Frick

CHARLES "BUBBA" FRICK
Commissioner Precinct No. Four

ATTEST:

Stephanie Wurtz
Stephanie Wurtz, County Clerk

