

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, MAY 23, 2022

Call to Order

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday, May 23, 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, Becky Cook, Skipper Osborne, Amanda Campos, Tressa Leadford, Bobby Seiferman, Mike Estlinbaum, Mike Reddell, Jimmy Galvan, Mike Spiller, Tobie Bias, Josh Jones, Jason Gonzales, Doug Schoppe, B. Allen Cumbie, Stuart Herbst, 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 Shimek

3. Texas Pledge – Commissioner Shimek

4. Prayer – Commissioner Pollard

5. Consideration and possible action regarding approving Commissioner's Court Minutes for May 16, 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 May 16, 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, motion was duly made by Commissioner Cook and seconded by Commissioner Frick, with all others concurring, to approve one contract for the use of Matagorda County Fairgrounds facilities. Motion carried. Vote 5 ayes 0 nays

7. Consideration and possible action to approve an Application to Cross County Roads from Danish Fields Solar, LLC, to lay an 8 inch cable pipeline under and along county roads in Precinct #4, Matagorda County, Texas for the following roads:

CR #425 Lezak Road

CR #419 El Dorado Road

CR #424 Baca Road

CR #452 Tom Cornelius Road

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 an Application to Cross County Roads from Danish Fields Solar, LLC, to lay an 8 inch cable pipeline under and along county roads in Precinct #4, Matagorda County, Texas for the following roads:

CR #425 Lezak Road

CR #424 Baca Road

CR #419 El Dorado Road

CR #452 Tom Cornelius Road

Motion carried. Vote 5 ayes 0 nays

8. Consideration and possible action to approve the Matagorda County's "Emergency" Coastal Erosion Planning and Response Act (CEPRA) Grant Application for Sargent Area Beach Nourishment Projects, which include approximately 4 total miles of nourished beaches, utilizing approximately 600,000CY of Beach Quality Sand. The Grant request will combine CEPRA and State GOMESA Funds totaling \$27,000,000

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 Matagorda County's "Emergency" Coastal Erosion Planning and Response Act (CEPRA) Grant Application for Sargent Area Beach Nourishment Projects, which include approximately 4 total miles of nourished beaches, utilizing approximately 600,000CY of Beach Quality Sand. The Grant request will combine CEPRA and State GOMESA Funds totaling \$27,000,000. Motion carried. Vote 5 ayes 0 nays

9. Consideration and possible action to allow the County Judge to sign and submit a "Match Waiver Request" to accompany Matagorda County's Emergency CEPRA/GOMESA Grant Application

This being the next item for business, motion was duly made by Judge McDonald and seconded by Commissioner Cook, with all others concurring, to allow the County Judge to sign and submit a "Match Waiver Request" to accompany Matagorda County's Emergency CEPRA/GOMESA Grant Application. Motion carried. Vote 5 ayes 0 nays

10. Consideration and possible action to approve the Board Appointment of Commissioner Kent Pollard to serve as a 2nd Representative to the Matagorda County Economic Development Corporation (MCEDC) Board of Directors for Matagorda County

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 Board Appointment of Commissioner Kent Pollard to serve as a 2nd Representative to the Matagorda County Economic Development Corporation (MCEDC) Board of Directors for Matagorda County. Motion carried. Vote 5 ayes 0 nays

11. Consideration and possible action to accept County Attorney's request to continue the County Attorney Supplemental in the amount of \$50.00 per pay period for the Legal Secretary (1009) position

This being the next item for business, motion was duly made by Commissioner Cook and seconded by Commissioner Pollard, with all others concurring, to accept County Attorney's request to continue the County Attorney Supplemental in the amount of \$50.00 per pay period for the Legal Secretary (1009) position. Motion carried. Vote 5 ayes 0 nays

12. Consideration and possible action to approve the Jackson Electric Cooperative Application for Membership and Electrical Service – Residential/General Service related to the Cedar Lane Community Center, and authorize County Jude to sign all related documents

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 Jackson Electric Cooperative Application for Membership and Electrical Service – Residential/General Service related to the Cedar Lane Community Center, and authorize County Jude to sign all related documents. Motion carried. Vote 5 ayes 0 nays

13. Consideration and possible action to approve a Contract Agreement between Matagorda County and Pledger Community Center, commencing on May 1, 2022 – December 21, 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 a Contract Agreement between Matagorda County and Pledger Community Center, commencing on May 1, 2022 – December 21, 2023. Motion carried. Vote 5 ayes 0 nays

14. Consideration and possible action to approve and accept an Agreement between Matagorda County and Independent Health Services, Inc., d/b/a IHS Pharmacy for pharmaceutical services for the Matagorda County Jail and authorize Judge McDonald to sign

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 and accept an Agreement between Matagorda County and Independent Health Services, Inc., d/b/a IHS Pharmacy for pharmaceutical services for the Matagorda County Jail and authorize Judge McDonald to sign. Motion carried. Vote 5 ayes 0 nays

15. Consideration and possible action to approve a Memorandum of Understanding (MOU) between Matagorda County Sheriff's Office and Palacios Police Department for the public service and safety of the citizens of Matagorda County, authorizing Sheriff Frank "Skipper" Osborne 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 a Memorandum of Understanding (MOU) between Matagorda County Sheriff's Office and Palacios Police Department for the public service and safety of the citizens of Matagorda County, authorizing Sheriff Frank "Skipper" Osborne to sign. Motion carried. Vote 5 ayes 0 nays

16. Consideration and possible action to approve an Interlocal Prisoner Agreement between Matagorda County and the City of Palacios, Texas, authorizing Judge Nate McDonald, Sheriff Frank "Skipper" Osborne, and County Clerk Stephanie Wurtz to sign

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 an Interlocal Prisoner Agreement between Matagorda County and the City of Palacios, Texas, authorizing Judge Nate McDonald, Sheriff Frank "Skipper" Osborne, and County Clerk Stephanie Wurtz to sign. Motion carried. Vote 5 ayes 0 nays

17. Consideration and possible action to allow Precinct #1 to purchase a 2023 Silverado 3500 trust from Caldwell County Chevrolet (BuyBoard Contract 601-19) and authorize the County Judge to sign all related documents

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Shimek, with all others concurring, to allow Precinct #1 to purchase a 2023 Silverado 3500 trust from Caldwell County Chevrolet (BuyBoard Contract 601-19) and authorize the County Judge to sign all related documents. Motion carried. Vote 5 ayes 0 nays

18. Consideration and possible action to allow Justice of the Peace #2 to purchase 2 HP Printers from Southern Computer Warehouse in the amount of \$832.36. The funds will be paid out of the Justice of the Peace technology fund 19-53300-460

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Pollard, with all others concurring, to allow Justice of the Peace #2 to purchase 2 HP Printers from Southern Computer Warehouse in the amount of \$832.36. The funds will be paid out of the Justice of the Peace technology fund 19-53300-460. Motion carried. Vote 5 ayes 0 nays

19. Consideration and possible action to approve a partial payment up-front for Invoice #0511224 to order supplies related to signs for Precinct #4, Matagorda County

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 a partial payment up-front for Invoice #0511224 to order supplies related to signs for Precinct #4, Matagorda County. Motion carried. Vote 5 ayes 0 nays

20. Consideration and possible action to approve Invoices from the following Departments: Precinct #2, Precinct #4 and Sheriff's Department

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: Precinct #2, Precinct #4 and Sheriff's Department. Motion carried. Vote 5 ayes 0 nays

21. 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

22. Consideration and possible action to approve Payment of Bills

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 Bills. Motion carried. Vote 5 ayes 0 nays

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

24. 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

This being the next item for business, motion was duly made at 10:20 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

Motion carried. Vote 5 ayes 0 nays

25. 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

This being the next item for business, motion was duly made at 11:18 a.m. by Commissioner Shimek and seconded by Commissioner Pollard, 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

Motion was duly made by Judge McDonald and seconded by Commissioner Shimek to approve a settlement offer for a refund of funds used to purchase a 2008 Ford F250 truck VIN# 1FTSX20548EE08429 purchased from Precinct #3 in the amount of \$4,750.00 and authorize the County Judge to sign the agreement. Motion carried. Vote 5 ayes 0 nays

26. Public Comments

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

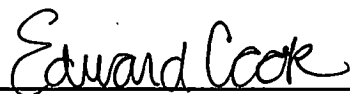
27. Adjournment

Motion was duly made at approximately 11:22 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 6th day of June, 2022.



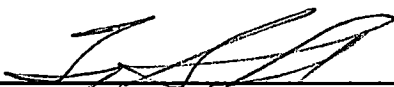
NATE McDONALD
County Judge



EDWARD "BUBBA" COOK
Commissioner Precinct No. One

absent

KENT POLLARD
Commissioner Precinct No. Two

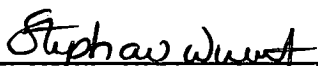


TROY SHIMEK
Commissioner Precinct No. Three



CHARLES "BUBBA" FRICK
Commissioner Precinct No. Four

ATTEST:


Stephanie Wurtz, County Clerk A