

MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, OCTOBER 18, 2021

Call to Order

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday, October 18, 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, Skipper Osborn, Tressa Leadford, Loretta Griffin, Becky Cook, Lisa Krobot, Amanda Campos, David Miles, Janice Hawthorne, Bill Orton, Tammy McCullaugh, Samantha Counts, Jessica Russell, Marlin Anderson, Mike Reddell, Anthony Maenza, Mike Estlinbaum, Mitch Thames, Tina Israel, Scott Hardwick, Jack Chenault, David Sheblak, Viviana Vega, 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 October 11, 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 Commissioner's Court Minutes for October 11, 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 the authorization of Bay City Main Street Program to serve and sell alcoholic beverages on County property for an event with a temporary TABC Permit on the Matagorda County Courthouse grounds on January 29, 2022, 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 Pollard and seconded by Commissioner Shimek, with all others concurring, to approve the authorization of Bay City Main Street Program to serve and sell alcoholic beverages on County property for an event with a temporary TABC Permit on the Matagorda County Courthouse grounds on January 29, 2022, with the understanding that a copy of the approved Permit will be sent to the County Attorney. Motion carried. Vote 5 ayes 0 nays

8. Consideration and possible action to accept a contribution in the amount of \$1,000.00 from Jackson Electric for expenses toward the Matagorda County Household Hazardous Waste Collection Event that was held October 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 accept a contribution in the amount of \$1,000.00 from Jackson Electric for expenses toward the Matagorda County Household Hazardous Waste Collection Event that was held October 9, 2021. Motion carried. Vote 5 ayes 0 nays

9. Consideration and possible action to declare the following vehicle as salvage and authorize sale as scrap: 2013 Chevrolet Tahoe, VIN #1GNLC2E03DR361109

This being the next item for business, motion was duly made by Judge McDonald and seconded by Commissioner Frick, with all others concurring, to declare the following vehicle as salvage and authorize sale as salvage, rather than the previously ordered sale at auction: 2013 Chevrolet Tahoe, VIN #1GNLC2E03DR361109. Motion carried. Vote 5 ayes 0 nays

10. Public Hearing at 9:45 a.m. to consider modifying the 312 Tax Abatement with Roehm America, LLC, originally executed on September 28, 2020, to reflect clerical errors, as well as update and correct Exhibit B of the Agreement and date of signature

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Frick, with all others concurring, to enter into a Public Hearing at 9:51 a.m. to consider modifying the 312 Tax Abatement with Roehm America, LLC, originally executed on September 28, 2020, to reflect clerical errors, as well as update and correct Exhibit B of the Agreement and date of signature. Motion carried. Vote 5 ayes 0 nays

At 9:58 a.m., motion was duly made by Judge McDonald and seconded by Commissioner Shimek, with all others concurring, to enter back into regular session of Commissioners Court. A motion was made by Commissioner Frick and seconded by Commissioner Shimek, with all others concurring, to amend the 312 Tax Abatement with Roehm America, LLC, originally executed on September 28, 2020, to reflect clerical errors, as well as update and correct Exhibit B of the Agreement and date of signature. Motion carried. Vote 5 ayes 0 nays

11. Consideration and possible action to approve the promotion of Deputy Clerk Felicia Higgins to Chief Deputy at a rate of \$16.69 per hour due to Ms. Higgins' 20 years of service between Brazoria County and Matagorda County District Clerk's offices

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

12. Consideration and possible action to approve the promotion of Deputy Clerk Robin Daniel to Senior Deputy at a rate of \$12.73 per hour

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 promotion of Deputy Clerk Robin Daniel to Senior Deputy at a rate of \$12.73 per hour. Motion carried. Vote 5 ayes 0 nays

13. Consideration and possible action to approve the 100% Designs of the following plans pertaining to the GLO Contract #20-065-123-C430 Project:

- **Matagorda County WCID #5 Sanitary Sewer Rehabilitation;**
- **Emergency Generators for Matagorda Co. WCID #5 and Matagorda WD & WSC;**

- **WWTP Levee Rehabilitation for Matagorda Co. WCID #5;**
- **Levee Pump Stations for the Matagorda Co. C&RD #1**

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 the 100% Designs of the following plans pertaining to the GLO Contract #20-065-123-C430 Project:

- Matagorda County WCID #5 Sanitary Sewer Rehabilitation;
- Emergency Generators for Matagorda Co. WCID #5 and Matagorda WD & WSC;
- WWTP Levee Rehabilitation for Matagorda Co. WCID #5;
- Levee Pump Stations for the Matagorda Co. C&RD #1

Motion carried. Vote 5 ayes 0 nays

14. Public Hearing 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 Judge McDonald and seconded by Commissioner Shimek, with all others concurring, to enter into a Public Hearing 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

At 10:02 a.m., motion was duly made by Judge McDonald 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

15. Consideration and possible action to find it necessary to appoint a deputy constable who is qualified in the same manner as provided for a sheriff's deputy for Precinct #4 in order to properly handle the business of the constable's office and to approve and confirm the appointment of Jacob Miles as Deputy Constable for Precinct #4

This being the next item for business, motion was duly made by Commissioner Pollard and seconded by Commissioner Frick, with all others concurring, to find it necessary to appoint a deputy constable who is qualified in the same manner as provided for a sheriff's deputy for Precinct #4 in order to properly handle the business of the constable's office and to approve and confirm the appointment of Jacob Miles as Deputy Constable for Precinct #4. Motion carried. Vote 5 ayes 0 nays

16. Consideration and possible action to approve a Resolution authorizing the submission of Grant Application #4373401 Border Assistance Program, applying to the Office of the Governor, Criminal Justice Division

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 Resolution authorizing the submission of Grant Application #4373401 Border Assistance Program, applying to the Office of the Governor, Criminal Justice Division. Motion carried. Vote 5 ayes 0 nays

17. Consideration and possible action to approve and accept a Bid between SSB Construction, LLC and Matagorda County for RFP 21-004/Fairground Facilities and authorize the County Judge to sign

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 and accept a Bid between SSB Construction, LLC and Matagorda County for RFP 21-004/Fairground Facilities and authorize the County Judge to sign. Motion carried. Vote 5 ayes 0 nays

18. Consideration and possible action to approve Invoices from the following Departments: County Judge's Office, Precinct #1 and Sheriff's Department

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 Invoices from the following Departments: County Judge's Office, Precinct #1 and Sheriff's Department. Motion carried. Vote 5 ayes 0 nays

19. Consideration and possible action to approve Line Item Transfers

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

22. Meet in Executive Session:

Under Section 551.076 of the Texas Government Code to deliberate the deployment or specific occasions for implementation, of security personnel or devices; or a security audit

Under Section 551.074(a)(1) and (2) of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal, of a public officer or employee and to hear a complaint or charge against an officer or employee

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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

This being the next item for business, motion was duly made at 10:21 a.m. by Commissioner Frick and seconded by Commissioner Pollard, with all others concurring, to meet in Executive Session:

Under Section 551.076 of the Texas Government Code to deliberate the deployment or specific occasions for implementation, of security personnel or devices; or a security audit

Under Section 551.074(a)(1) and (2) of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal, of a public officer or employee and to hear a complaint or charge against an officer or employee

Under Section 551.074(a)(1) and (2) of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal, of a public officer or employee and to hear a complaint or charge against an officer or employee

Under Section 551.074(a)(1) and (2) of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal, of a public officer or employee and to hear a complaint or charge against an officer or employee

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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

Motion carried. Vote 5 ayes 0 nays

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

Under Section 551.076 of the Texas Government Code to deliberate the deployment or specific occasions for implementation, of security personnel or devices; or a security audit

Under Section 551.074(a)(1) and (2) of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal, of a public officer or employee and to hear a complaint or charge against an officer or employee

Under Section 551.074(a)(1) and (2) of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal, of a public officer or employee and to hear a complaint or charge against an officer or employee

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Under Section 551.074(a)(1) and (2) of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal, of a public officer or employee and to hear a complaint or charge against an officer or employee

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

This being the next item for business, motion was duly made at 2:24 p.m. by Commissioner Shimek and seconded by Commissioner Pollard, with all others concurring, to Reconvene open session:

Under Section 551.076 of the Texas Government Code to deliberate the deployment or specific occasions for implementation, of security personnel or devices; or a security audit

Under Section 551.074(a)(1) and (2) of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal, of a public officer or employee and to hear a complaint or charge against an officer or employee

Under Section 551.074(a)(1) and (2) of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal, of a public officer or employee and to hear a complaint or charge against an officer or employee

Under Section 551.074(a)(1) and (2) of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal, of a public officer or employee and to hear a complaint or charge against an officer or employee

Under Section 551.074(a)(1) and (2) of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal, of a public officer or employee and to hear a complaint or charge against an officer or employee

Under Section 551.074(a)(1) and (2) of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal, of a public officer or employee and to hear a complaint or charge against an officer or employee

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

Motion was duly made by Judge McDonald and seconded by Commissioner Cook, with all others concurring, to authorize Bill Orton to purchase walk-through metal detectors for the 130th District Court as quoted from Garrett Metal Detectors to be paid from Courthouse Security funds. Motion carried. Vote 5 ayes 0 nays

Motion was duly made by Judge McDonald and seconded by Commissioner Cook, with all others concurring, to authorize Bill Orton to purchase one Q-Solutions Retractable Belt and Safety Barrier in the color black per the quote obtained from Quill (Order #154764192) to be paid from Courthouse Security funds. Motion carried. Vote 5 ayes 0 nays

Motion was duly made by Commissioner Shimek and seconded by Commissioner Pollard, with all others concurring, to approve Officer Reimbursement Agreement for Employee #2765. 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 2:30 p.m. by Commissioner Shimek 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 25th day of October, 2021.




NATE McDONALD
County Judge




EDWARD "BUBBA" COOK
Commissioner Precinct No. One



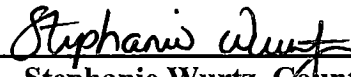
KENT POLLARD
Commissioner Precinct No. Two



TROY SHIMEK
Commissioner Precinct No. Three



CHARLES "BUBBA" FRICK
Commissioner Precinct No. Four

ATTEST: 

Stephanie Wurtz, County Clerk

