

**MINUTES
MATAGORDA COUNTY COMMISSIONERS' COURT MEETING
MATAGORDA COUNTY COURTHOUSE, ROOM 300
1700 SEVENTH STREET, BAY CITY, TEXAS 77414
9:30 A.M., MONDAY, OCTOBER 24, 2022**

Call to Order

This **Regular Session** of the Matagorda County Commissioners' Court was called to order at 9:30 A.M., Monday, October 24, 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, Mike Reddell, Robert Thompson, Loretta Griffin, Tressa Leadford, Chris Peikert, Meagan Ramirez, Bobby Seiferman, Jessica Russell, Mike Estlinbaum, Becky Cook, Doug Matthes, 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 Frick

3. Texas Pledge – Commissioner Frick

4. Prayer – Commissioner Shimek

5. Consideration and possible action regarding approving Commissioner's Court Minutes for October 17, 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 approve Commissioner's Court Minutes for October 17, 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. Consideration and possible action to approve the Resolution regarding the 2023 Indigent Defense Grant Program and application designating the County Judge, Bobby Seiferman as the Authorized Official, 130th District Judge, Denise Fortenberry as the Program Director and contact person, and County Auditor, Kristen Kubecka as the Financial Officer for this Grant

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 the Resolution regarding the 2023 Indigent Defense Grant Program and application designating the County Judge, Bobby Seiferman as the Authorized Official, 130th District Judge, Denise Fortenberry as the Program Director and contact person, and County Auditor, Kristen Kubecka as the Financial Officer for this Grant. Motion carried. Vote 5 ayes 0 nays

8. Consideration and possible action to award GrantWorks to provide Administration/Project Delivery services related to the CDBG MIT-MOD program

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Shimek, with all others concurring, to award GrantWorks to provide Administration/Project Delivery services related to the CDBG MIT-MOD program. Motion carried. Vote 5 ayes 0 nays

9. Consideration and possible action to award an Engineering Pool consisting of:

- **John D. Mercer & Associates/Lynn Engineering**
- **Urban Engineering**
- **Scheibe Consulting, Inc.**

This being the next item for business, motion was duly made by Judge McDonald and seconded by Commissioner Frick, with all others concurring, to award an Engineering Pool consisting of:

- John D. Mercer & Associates/Lynn Engineering
- Urban Engineering
- Scheibe Consulting, Inc.

Motion carried. Vote 5 ayes 0 nays

10. Consideration and possible action to set a Public Hearing on November 28, 2022, at 9:45 a.m. regarding the adoption of General Rules and Code of Conduct Policy for Matagorda County Public Property and authorize the publication of the Notice of Public Hearing

This being the next item for business, motion was duly made by Commissioner Frick and seconded by Commissioner Shimek, with all others concurring, to set a Public Hearing on November 28, 2022, at 9:45 a.m. regarding the adoption of General Rules and Code of Conduct Policy for Matagorda County Public Property and authorize the publication of the Notice of Public Hearing. Motion carried. Vote 5 ayes 0 nays

11. Consideration and possible action to set a Public Hearing on November 14, 2022, at 9:45 a.m. regarding the designation of a Reinvestment Zone and authorize the publication of the Notice of Public Hearing

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Pollard, with all others concurring, to set a Public Hearing on November 14, 2022, at 9:45 a.m. regarding the designation of a Reinvestment Zone and authorize the publication of the Notice of Public Hearing. Motion carried. Vote 5 ayes 0 nays

12. Consideration and possible action to authorize the publication of an Invitation for Bids (IFBs) related to Road and Bridge Precinct #3 Reclaimer/Grinder utilizing American Rescue Plan Act (ARPA) Funding and authorize the County Judge to sign all related documents pending County Attorney review and approval

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Frick, with all others concurring, to authorize the publication of an Invitation for Bids (IFBs) related to Road and Bridge Precinct #3 Reclaimer/Grinder utilizing American Rescue Plan Act (ARPA) Funding and authorize the County Judge to sign all related documents pending County Attorney review and approval. Motion carried. Vote 5 ayes 0 nays

13. Consideration and possible action to authorize the publication of an Invitation for Bids (IFBs) related to Road and Bridge Precinct #3 Sheep Slick Roller utilizing American Rescue Plan Act (ARPA) Funding and authorize the County Judge to sign all related documents pending County Attorney review and approval

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Frick, with all others concurring, to authorize the publication of an Invitation for Bids (IFBs) related to Road and Bridge Precinct #3 Sheep Slick Roller utilizing American Rescue Plan Act (ARPA) Funding and

authorize the County Judge to sign all related documents pending County Attorney review and approval. Motion carried. Vote 5 ayes 0 nays

14. Consideration and possible action to authorize the publication of an Invitation for Bids (IFBs) related to Road and Bridge Precinct #3 Sheep Foot Roller utilizing American Rescue Plan Act (ARPA) Funding and authorize the County Judge to sign all related documents pending County Attorney review and approval

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Frick, with all others concurring, to authorize the publication of an Invitation for Bids (IFBs) related to Road and Bridge Precinct #3 Sheep Foot Roller utilizing American Rescue Plan Act (ARPA) Funding and authorize the County Judge to sign all related documents pending County Attorney review and approval. Motion carried. Vote 5 ayes 0 nays

15. Consideration and possible action to authorize the publication of an Invitation for Bids (IFBs) related to Road and Bridge Precinct #3 Water Truck utilizing American Rescue Plan Act (ARPA) Funding and authorize the County Judge to sign all related documents pending County Attorney review and approval

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Frick, with all others concurring, to authorize the publication of an Invitation for Bids (IFBs) related to Road and Bridge Precinct #3 Water Truck utilizing American Rescue Plan Act (ARPA) Funding and authorize the County Judge to sign all related documents pending County Attorney review and approval. Motion carried. Vote 5 ayes 0 nays

16. Consideration and possible action to accept Project Opera Tax Abatement Application for review and negotiation and accept \$1,000.00 fee check

This being the next item for business, motion was duly made by Judge McDonald and seconded by Commissioner Pollard, with all others concurring, to accept Project Opera Tax Abatement Application for review and negotiation and accept \$1,000.00 fee check. Motion carried. Vote 5 ayes 0 nays

17. Consideration and possible action to authorize the purchase of a new John Deere 5065E Utility Tractor with a 520M Loader for \$44,257.00 minus the trade in of a 1998 JD 5510 for \$9,500.00 leaving a balance of \$34,757.06

This being the next item for business, motion was duly made by Commissioner Cook and seconded by Commissioner Frick, with all others concurring, to authorize the purchase of a new John Deere 5065E Utility Tractor with a 520M Loader for \$44,257.00 minus the trade in of a 1998 JD 5510 for \$9,500.00 leaving a balance of \$34,757.06. Motion carried. Vote 5 ayes 0 nays

18. Consideration and possible action to approve Invoices from the following Departments: District Judge, Precinct #1, Precinct #2, Sheriff's Department, County Clerk and District Clerk

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: District Judge, Precinct #1, Precinct #2, Sheriff's Department, County Clerk and District Clerk. Motion carried. Vote 5 ayes 0 nays

19. Consideration and possible action to approve checks on behalf of Growing Into Men of Standard (GIMOS) payable to:

Hanna's Custom Creations and More - \$430.50

Live in the Moment Videography & Photography - \$450.00

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 checks on behalf of Growing Into Men of Standard

(GIMOS) payable to:

Hanna's Custom Creations and More - \$430.50

Live in the Moment Videography & Photography - \$450.00

Motion carried. Vote 5 ayes 0 nays

20. 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 Cook, with all others concurring, to approve Line Item Transfers. Motion carried. Vote 5 ayes 0 nays

21. Consideration and possible action to ratify Payment of Demand Checks for October 14, 2022 and October 20, 2022

This being the next item for business, motion was duly made by Commissioner Shimek and seconded by Commissioner Cook, with all others concurring, to ratify Payment of Demand Checks for October 14, 2022 and October 20, 2022. Motion carried. Vote 5 ayes 0 nays

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

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

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 Cook, 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 the pending litigation, contemplated litigation, or settlement offers

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

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

This being the next item for business, motion was duly made at 10:20 a.m. by Commissioner Frick and seconded by Commissioner Shimek, 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 the pending litigation, contemplated litigation, or settlement offers

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

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

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 the pending litigation, contemplated litigation, or settlement offers

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

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

This being the next item for business, motion was duly made at 12:08 p.m. by Commissioner Frick 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 the pending litigation, contemplated litigation, or settlement offers

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

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

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 12:10 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 31st day of October, 2022.

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

