



# BRAZORIA COUNTY COMMISSIONERS COURT

## MINUTES

**BE IT REMEMBERED THAT ON NOVEMBER 28, 2023, THERE WAS BEGUN AND HOLDEN A SPECIAL SESSION OF COMMISSIONERS COURT.**

### A. CALL TO ORDER

This meeting was called to order at 9:00 AM.

### B. ROLL CALL

**Present:** Judge L.M. "Matt" Sebesta Jr.  
Commissioner Donald "Dude" Payne  
Commissioner Ryan Cade  
Commissioner Stacy L. Adams  
Commissioner David R. Linder  
County Clerk Joyce Hudman

### C. INVOCATION & PLEDGE OF ALLEGIANCE BY COMMISSIONER PAYNE

### D. APPROVAL OF MINUTES

D.1. Commissioners Court Regular Session Minutes - November 14, 2023 9:00 AM

**RESULT:** APPROVED  
**MOVER:** David R. Linder  
**SECONDER:** Donald "Dude" Payne  
**AYES:** Judge Sebesta, Commissioner Payne, Commissioner Cade, Commissioner Adams, and Commissioner Linder

### E. PUBLIC APPEARANCES

To accommodate all members of the public and ensure full public input, members of the public may address the Court concerning any item before the Court prior to the Court's consideration of the item and/or any other matter of concern. Pursuant to Commissioners Court Order 7.C.1, dated January 28, 2020, a member of the public may address the Court for a total period of time not to exceed five (5) minutes. A member of the public who addresses the Court through a translator may address the Court for a total period of time not to exceed ten (10) minutes. If a member of the public inquires about a subject for which there is not an item on the meeting agenda or for which notice has not been given pursuant to Texas Government Code chapter 551, the Court may furnish specific factual information or recite existing policy in response to the inquiry. However, any deliberation or decision about the subject of the inquiry must be limited to a proposal to place such subject on the agenda for a subsequent meeting.

**H. CONSENT**

<b>RESULT:</b>	PASSED THE CONSENT AGENDA
<b>MOVER:</b>	Donald "Dude" Payne
<b>SECONDER:</b>	David R. Linder
<b>AYES:</b>	Judge Sebesta, Commissioner Payne, Commissioner Cade, Commissioner Adams, and Commissioner Linder

**Commissioner Precinct 2**

H.1. Reappointment to Brazoria County Children's Protective Services Board

**Commissioner Precinct 3**

H.2. Reappointment to Brazoria County Children's Protective Services Board

**Commissioner Precinct 4**

H.3. Reappointment to Brazoria County Children's Protective Services Board

H.4. Reappointment to Brazoria County Children's Protective Services Board

**District Attorney**

H.5. Modification of Economic Development Agreement with Cradle Solar, LLC

H.6. Deliberation of Business and Financial Issues with Next Level

H.7. Road Use Agreement between Brazoria County and Brazoria Solar I, LLC

H.8. Resolution - Standing with Israel Against Terrorism

H.9. Accept the Brazoria County Sexual Assault Response Team's Biennial Report

**District Clerk**

H.10. Jury Selection Plan

**Tax Assessor - Collector**

H.11. Monthly Collections Report for October 2023

H.12. Account Number: 4200-1451-000 Resale Meeting of October 24, 2023

**Auditor**

H.13. Payment of Bills

H.14. FY 2024: Line Item Transfer

H.15. FY 2024: Record Budget for Other Funds

H.16. Auditor's Monthly Report

**Engineer**

H.17. Interlocal Agreement with Brazosport Independent School District No. IS24-0004

**RESULT:** PULLED FROM AGENDA

H.18. Interlocal Agreement with the City of Iowa Colony No. IS24-0009

H.19. Projects Under Blanket Interlocal Agreements for Direct Assistance to Cities and Towns

H.20. Close, Vacate, and Abandon Part of a Public Road and Its Rights-of-Way of Record in Abstract 10 (Precinct 1)

**Environmental Health**

H.21. Waive OSSF Permit Fees for the County's CDBG On-Site Septic System Program (Precinct 4)

**Human Resource**

H.22. TCDRS Plan Provisions 2024

H.23. Increase 401(h) Benefit for Post 65 Retirees

Item moved to discuss and vote on

**RESULT:** APPROVED  
**MOVER:** David R. Linder  
**SECONDER:** Ryan Cade  
**AYES:** Judge Sebesta, Commissioner Cade, Commissioner Adams, and Commissioner Linder  
**ABSTAIN:** Commissioner Payne

**Purchasing Department**

H.24. Renew RFP #21-100 Lease Plan for Books and Other Materials

H.25. Renew C #07-17 Indigent Healthcare Administration Software and Services

**H.26.** Change Order to Amend RFP #17-41 Employee Medical, Prescription and Dental Plan Administration

Item moved to discuss and vote on

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Stacy L. Adams
<b>SECONDER:</b>	Donald "Dude" Payne
<b>AYES:</b>	Judge Sebesta, Commissioner Payne, Commissioner Cade, Commissioner Adams, and Commissioner Linder

**H.27.** Change Order No. 1 for RFP #22-43 Generator Service

**Toll Road Authority**

**H.28.** Project Development Agreement with TxDOT for BC Expressway Extension

**H.29.** Modification of Interlocal Agreement with Brazoria County Toll Road Authority

**I. DISCUSSION**

**County Judge**

**I.1.** Resolution - Brazoria County Appraisal District

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Stacy L. Adams
<b>SECONDER:</b>	David R. Linder
<b>AYES:</b>	Judge Sebesta, Commissioner Payne, Commissioner Cade, Commissioner Adams, and Commissioner Linder

**I.2.** Resolution - Charles River Two

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	L.M. "Matt" Sebesta Jr.
<b>SECONDER:</b>	David R. Linder
<b>AYES:</b>	Judge Sebesta, Commissioner Payne, Commissioner Cade, Commissioner Adams, and Commissioner Linder

**Tax Assessor - Collector**

**I.3. Tax Office Lease Agreement with City of Sweeny**

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	David R. Linder
<b>SECONDER:</b>	Ryan Cade
<b>AYES:</b>	Judge Sebesta, Commissioner Payne, Commissioner Cade, Commissioner Adams, and Commissioner Linder

**Engineer**

**I.4. Open Public Hearing for Regulatory Signs for the Road and Bridge Department (Precincts 2 and 4)**

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	David R. Linder
<b>SECONDER:</b>	Stacy L. Adams
<b>AYES:</b>	Judge Sebesta, Commissioner Payne, Commissioner Cade, Commissioner Adams, and Commissioner Linder

**I.5. Close Public Hearing for Regulatory Signs for the Road and Bridge Department (Precincts 2 and 4)**

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Stacy L. Adams
<b>SECONDER:</b>	Donald "Dude" Payne
<b>AYES:</b>	Judge Sebesta, Commissioner Payne, Commissioner Adams, and Commissioner Linder

**I.6. Accept Posting of Regulatory Signs for the Road and Bridge Department (Precincts 2 and 4)**

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	David R. Linder
<b>SECONDER:</b>	Stacy L. Adams
<b>AYES:</b>	Judge Sebesta, Commissioner Payne, Commissioner Cade, Commissioner Adams, and Commissioner Linder

**Human Resource**

**I.7. New Position - Constable Precinct 2**

<b>RESULT:</b>	FAILED FOR LACK OF MOTION
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**Purchasing Department**

I.8. Award RFP #23-77 Grant Administration Services for FEMA BRIC Grant

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Donald "Dude" Payne
<b>SECONDER:</b>	David R. Linder
<b>AYES:</b>	Judge Sebesta, Commissioner Payne, Commissioner Cade, Commissioner Adams, and Commissioner Linder

**Department Heads**

Bryan Frazier - Parks Department

**J. CLOSED MEETING**

The Commissioners Court will conduct a closed meeting under the following section or sections of V.T.C.A. Government Code, Chapter 551, subchapter D.; (After which the Court will reconvene in open session and may take any action deemed necessary based on discussion in closed meeting).

At 10:20 a.m. Commissioners Court entered into Closed Session.

At 11:00 a.m. Commissioners Court was again in open session with all members present and the following order was had:

**Texas Govt Code 551.071**

Consultation with attorney in respect to pending or contemplated litigation, settlement offers, and matters where duty of public body's counsel to client, pursuant to code of professional responsibility of the State Bar of Texas, clearly conflicts with this chapter.

J.1. Discuss Potential Litigation

No action taken at this time

**Texas Govt Code 551.072**

Deliberation concerning the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person

J.2. Accept offer on the sale of property located at County Road 101 and County Road 89

<b>RESULT:</b>	APPROVED
<b>MOVER:</b>	Donald "Dude" Payne
<b>SECONDER:</b>	Ryan Cade
<b>AYES:</b>	Judge Sebesta, Commissioner Payne, Commissioner Cade, Commissioner Adams, and Commissioner Linder

**Texas Govt Code 551.0725**

The commissioners court of a county may conduct a closed meeting to deliberate business and financial issues relating to a contract being negotiated if, before conducting the closed meeting:

- (1) the commissioners court votes unanimously that deliberation in an open meeting would have a detrimental effect on the position of the commissioners court in negotiations with a third person; and
- (2) the attorney advising the commissioners court issues a written determination that deliberation in an open meeting would have a detrimental effect on the position of the commissioners court in negotiations with a third person.

**J.3. Deliberate Business and Financial Issues Related to Contract with Next Level**

No action taken at this time

**K. ANNOUNCEMENTS**

**L. ADJOURN**

As no further matters were to be had, Commissioners Court adjourned this Special Session at 11:15 AM.

JOYCE HUDMAN, COUNTY CLERK  
BRAZORIA COUNTY  
EX-OFFICIO MEMBER COMMISSIONERS COURT  
*Joyce Hudman*