

**MATAGORDA COUNTY NAVIGATION DISTRICT NO. ONE  
MINUTES OF THE BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING  
November 17, 2021**

I. Chairman Neeley called the meeting of November 17, 2021, to order at 1:01 p.m. Chairman Neeley announced the Notice of Meeting had been duly posted and there was a quorum present. The Pledge of Allegiance was recited. Chairman Neeley welcomed those in attendance and thanked them for coming.

**ATTENDEES:**

David Aparicio, Commissioner  
Victor Eggemeyer, Commissioner  
Jimmy Neeley, Chairman  
Greg Seaman Commissioner  
Donny Tran Commissioner

Victor Martinez, Port Director  
Verna H. Williams, Port Office Mgr.  
Isidro Castanon, Port Attorney  
Jose Ortiz, Maintenance Contractor  
Alan Schulman, Palacios Beacon

**II. 1. Consideration and approval of Minutes of Previous Meetings (10/28/2021).** Minutes from the Regular Board Meeting of October 28, 2021, were reviewed. Commissioner Eggemeyer moved to accept the minutes as presented. Commissioner Tran seconded the motion. All voted affirmatively and the motion passed.

**II. 2. Consideration and approval of Lease Activity since last Regular Board Meeting.** Mr. Martinez reported on lease activity since the last regular Board meeting. There was one Commercial Lease with a name addition along with renewal (Anchor #101) and one Release and Assignment Hay Lease (Aparicio/Garcia) and one Commercial Slip Lease Renewal (Gar). There was one cancelled Recreational Lease (Sojak), one new lease (Thompson), and one renewed lease for renewal (Bari). Occupancy for TB#3 Docks B-E is 92% and 60% for F&G slips are occupied. A motion was made by Commissioner Eggemeyer to approve Port Lease Activity, as presented. Commissioner Tran seconded the motion. Vote carried by majority vote. David Aparicio abstained since his leases were presented.

**II. 3. Consideration and action to Amend Sick Leave Bank.** Mr. Martinez stated, to amend the current sick leave bank as follows: the Port Director and Chairman are permanent Committee Representatives. The 3<sup>rd</sup> representative position has been a full-time employee, which consist of Tuyen and/or Verna. Every two years they would alternate that position. To make this simpler, the 3<sup>rd</sup> representative position would be appointed by the Port Director or Chairman on an as-need basis. That 3<sup>rd</sup> representative will be a full-time or a part-time employee (Board Member). Commissioner Aparicio made a motion to approve the amendment to Sick Leave Bank as presented. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

**III. INTERNAL & FINANCIAL REPORTS** for Board discussion and appropriate action Internal Reports.

- a. Contractor's Port Maintenance Report
- b. Port Director's Operations, Promotion & Development Activity

**Consideration and approval of Current Voucher Control Report.** Commissioner Eggemeyer made a motion to accept the Current Voucher Control Report. Commissioner Aparicio seconded the motion. All voted affirmatively and the motion passed.

**Consideration and approval of Current Register Reports.** After review, Commissioner Seaman made a motion to approve the current Register Reports. Commissioner Tran seconded the motion. All voted affirmatively and the motion passed.

**Consideration and approval of 3<sup>rd</sup> Quarter Financial Report.** After review, Commissioner Aparicio made a motion to approve the 3<sup>rd</sup> Quarter Financial Report. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

**Consideration and approval of Current Investment Activity Report.** Mr. Martinez reported on the Current Investment Activity Report. Commissioner Tran made a motion to approve the Current Investment Activity Report. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

**Consideration and approval of 3<sup>rd</sup> Quarter Investment Activity Reports.** Mr. Martinez reported on the 3<sup>rd</sup> Quarter Investment Activity Report. Commissioner Eggemeyer made a motion to approve the 3<sup>rd</sup> Quarter Investment Activity Reports. Commissioner Aparicio seconded the motion. All voted affirmatively and the motion passed.

**IV. EXECUTIVE SESSION** – At 2:32 p.m., the Board went into an Executive Session, as authorized by the Texas Government Code Sections 551.071, 551.072, 551.074 and 551.087 of the Open Meetings Act, permitting discussion and deliberation in an Executive Meeting for the following purpose:

1. Consultation with Attorney on legal matters as permitted under Sections 551.071 including, but not limited to some of the other matters listed below to be discussed in Executive Session.
2. To conduct deliberations regarding real property and to conduct deliberations regarding economic development as permitted under Sections 551.072 and 551.087 including, but not limited to the following matters:
  - a. Discussion concerning future development of properties and leases
  - b. Discussion on economic development
  - c. Discussion on concerning default leases
  - d. Discussion on repair of Port property

**V. RETURN TO OPEN SESSION** – The Commissioners returned to Open Session at 3:35 p.m. No other motions were offered for action from Executive Session.

**VI. SCHEDULE THE NEXT MEETING DATE, TIME, AND PLACE.** The next Regular Board Meeting was scheduled for Wednesday, December 15, 2021, at 1:00 p.m. at the Port Administration Building.

**VII. ADJOURNMENT.** Commissioner Aparicio moved to adjourn and was seconded by Commissioner Eggemeyer the motion carried, and the meeting adjourned at 3:37 p.m.

  
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Greg T. Seaman, Secretary