

MATAGORDA COUNTY NAVIGATION DISTRICT NO. ONE
MINUTES OF THE BOARD OF COMMISSIONERS
REGULAR BOARD MEETING
May 8, 2024

I. Chairman Neeley called the meeting of May 8, 2024, to order at 1:03 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. Mr. Neeley announced Commissioner Aparicio is not present.

ATTENDEES:

Victor Eggemeyer, Commissioner
Jimmy E. Neeley, Chairman
Greg Seaman, Commissioner
Alan Schulman, Commissioner
Victor Martinez, Jr., Port Director
Verna H. Williams, Port Office Mgr.
Michael Schneider, Collins Engineers

Isidro Castanon, Port Attorney
Jose Ortiz, Maintenance Contractor
Ryan West, Palacios Beacon
Jorden Rollins, KM&L, LLC
Ricky W. Cink
Loy Sneary, Sneary & Associates

The Board congratulated Ricky Cink for winning the election for Palacios City Mayor, which he will be sworn in tomorrow night.

II. 1. Consideration and approval of minutes of previous meetings (4/10/2024). Minutes from the Regular Board Meeting of April 10, 2024, were reviewed. Commissioner Seaman moved to accept the minutes as presented. Commissioner Eggemeyer 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 no Recreational Leases activity. There were 2 renewed Commercial Leases (Gar #004/#404) and one cancelled Commercial Lease (Dock 35 LLC "H" Dock). Occupancy for TB#3 B Dock 30%, C Dock 0%, D & E Docks 100%, and G Dock 71%. A motion was made by Commissioner Schulman to approve Port Lease Activity, as presented. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

II. 3. Consideration and acceptance of the FY2023 Financial Audit from KM&L, LLC. Mr. Martinez stated, MCND#1 contracted with the firm to perform our FY2023 Financial Audit. The MCND#1 staff worked cooperatively with the auditors to provide all requested financial information in a timely manner. Port Director Martinez and Chairman Neeley reviewed the Audit this afternoon before this Board Meeting. Ms. Jorden Rollins, with KM&L, LLC, went over the Independent Auditor's Report letter and the Significant Audit Matters letter which state it was a clean audit report. Then she went over the Audit report which she handed out to the Board. She stated there were no issues, it was a smooth and clean audit with nothing requiring attention. After reviewing these documents, Commissioner Eggemeyer made a motion to accept the FY2023 Financial Audit from KM&L, LLC. Commissioner Schulman seconded the motion. All voted affirmatively and the motion passed.

II. 4. Discussion on Lease Rates of docks. After some discussion a motion was made by Commissioner Eggemeyer to move this Agenda Item to Executive Session. Schulman 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 Seaman made a motion to accept the Current Voucher Control Report. Commissioner Schulman seconded the motion. All voted affirmatively and the motion passed.

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

Consideration and approval of 1st Quarter Financial Report. Mr. Martinez stated the 1st Quarter Financial Report is not available today.

Consideration and approval of Current Investment Activity Report. Mrs. Gonzalez reported on the Current Investment Activity Report. Commissioner Eggemeyer made a motion to approve the Current Investment Activity Report. Commissioner Schulman seconded the motion. All voted affirmatively and the motion passed.

IV. EXECUTIVE SESSION – At 2:17 p.m., the Board went into an Executive Session, as authorized by the Texas Government Code Sections 551.071, 551.072, and 551.087 of the Open Meetings Act, permitting discussion and deliberation in an Executive Meeting for the following purposes:

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

II. 4. Discussion on Lease Rates of docks.

V. RETURN TO OPEN SESSION – The Commissioners returned to Open Session at 4:18 p.m. Commissioner Eggemeyer made a motion to authorize the Port Director and Port Attorney to proceed forward with negotiations of purchasing the property as discussed in Executive Session within the price parameters discussed in Executive Session. Commissioner Schulman seconded the motion. All voted affirmatively and the motion passed. 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 June 19, 2024, 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 4:20 p.m.



Greg T. Seaman, Secretary