

MINUTES

Aransas County Commissioners Court



9:00 AM – Monday, January 22, 2024

The Aransas County Commissioners Court met on Monday, January 22, 2024, at 9:00 AM, in the Aransas County Courthouse, 2840 Hwy 35 N, Rockport, Texas. Aransas County Commissioner’s Court meeting video recordings are available by following this link: [Commissioners Court Minutes and Agendas \(aransascourttx.gov\)](https://www.aransascourttx.gov), then scroll to the bottom of the page and select the date you wish to view.

Present: **Ray A. Garza**, County Judge
Jack Chaney, Commissioner Precinct 1-1A
Leslie Casterline, Commissioner, Precinct 2
Pat Rousseau, Commissioner, Precinct 3
Robert Dupnik, Commissioner, Precinct 4-4A

- I. **CALL TO ORDER & PLEDGES**
- II. **INVOCATION**
- III. **ROLL CALL AND CONFIRMATION OF QUORUM**
- IV. **CITIZENS TO BE HEARD**

Kathy Floyd – Property owner of 934 Hickory Ave. I would like to bring to your attention concerns that I and my neighbors have as well as the entire Oak Terrace Subdivision. Permits have been issued by an agency that you have oversight over for building two small homes on a lot adjacent to our property. According to the deed restrictions that are valid court records filed in the county, a house has to be built on two fifty foot lots, so a total of one hundred feet on the front edge and a minimum of 1,250 square feet. Permits have been issued to a gentleman who has owned the property for some time. He is building two small homes, he did the frames on Friday and they are five feet off of our property line. According to County codes it is supposed to be eight feet. I don’t know why permits were issued. I know that one of the neighbors spoke to the agency that issued the permits, she was told “just be thankful they are not moving in a mobile home”. I don’t know about you but I don’t want my property devalued. I think this is wrong, I don’t know who knows who, why it was done, who’s responsible, but according to County codes and Texas state codes, you are supposed to honor all restrictions even if they are deed restrictions. I’ve been told it’s up to the HOA, no, an HOA handles the fluff. What color your bricks can be, what color you can paint your house, how long your trash can sit outside, all that stuff. But, when restrictions are in place to keep the value of a subdivision up and it’s ignored, that’s ridiculous. Also, the neighbor was told that before Harvey they took into consideration the deed restrictions when issuing permits, but since Harvey they’ve let it slide. I’m sorry but we don’t get to pick and choose which codes are enforceable. I ask you to look into this immediately. I’m a retired school teacher, I don’t have the funds to fight this legally. It’s not fair, there is not one house in the Oak Terrace Subdivision residential area that is on less than a one hundred foot lot. Not one. This sets a precedent and it’s going to be a perpetual mess and devaluation of our property. Ya’ll wouldn’t let it happen in your residential neighborhood, except for Mr.

Casterline. Who apparently didn't know that Hickory was even part of the Oak Terrace Subdivision when you were contacted, but you know now?

Commissioner Casterline – I've always known that it's in there. I don't know who told you that I didn't but.

Kathy Floyd – Those were your words sir. I call this to your attention and I ask for some immediate relief be brought to my neighborhood and the subdivision. And, it falls on your responsibility. And, I guess if we get no recourse here I guess we contact the Texas Attorney General's office and find out why codes can't be enforced in this county. Thank you.

Evalée VonVillas – 933 Hickory Ave. – Oak Terrace resident. I'm here to ask for your intervention on behalf of the Oak Terrace residents. We are a small subdivision encompassing four streets, Hickory, Oak, Pine, and Redwood. The first block that is commercial residential has been absorbed by the city. However the remaining neighborhood has remained intact until now. We are a neighborhood of modest homes but what makes our neighborhood wonderful are mature trees, quiet streets with no through traffic, and decent lot sizes. This is due to the deed restrictions that were established with subdivisions inception. From the original Oak Terrace document "every residence constructed shall contain an area of not less than 1,200 square feet, exclusive of porches, garages and other appendages." From First Amendment to consolidation of restrictions of the Oak Terrace subdivision, quote "no building site whether consisting of one of more platted lots shall be less than 100 feet in width at all points from front to back" this amendment was set out in perpetuity, unless a majority of homeowners vote to dissolve it. From amendment to restrictions quote, "the restrictions and covenants herein set out shall automatically be extended for an additional 10-year period and successive periods of 10 years thereafter unless same are nullified, revised or otherwise amended by a majority of owners in afore said lots." Nowhere in our neighborhood are the lots subdivided into less than 100 feet to build a home except here the property owner of lot parcel 6251 on Hickory Avenue has had the 100 foot divided into two 50 foot lots, in violation of our deed restrictions. Now there is a new number for the 50 foot, along with two septic and electric meters. His framing up to build two small rental properties each less than a 1,000 square feet and no more than 5 foot from their neighbor's properties and 10 foot from each other. He cleared every tree except one. And, there is not enough room for a garage, meaning that if there is more than one car, one may end up parked on an already narrow street. According to Road and Bridge's new developed permit checklist it states", remember to check your property deed and homeowners association guidelines for building restrictions." Caldera the property owner has other properties in our neighborhood and it is our understanding that he is a builder, knowledgeable about deed restrictions. According to the Aransas County subdivision regulations number 4B all lots will have a minimum front set back of 25 feet, a minimum side yard setback of 8 feet on each side, and minimum rear yard setback of 25 feet. With a 5 foot side clearance he is clearly not adhering to these requirements. Also, are those clearances foundational or aerial? I'm asking for your help in saving the integrity of our homes and neighborhood. My neighbor recently chose to buy and build for exactly the reasons that I've stated. She followed all the rules, making changes to comply with all the city requirements. Only to potentially have someone completely disregard the restrictions she adhered to, and build right next door to

her. I will close this from the Aransas County Subdivision Regulations number 9, “The enforcement of plat or deed restrictions is the responsibility of the developer and other owners in the subdivision. However, the Commissioner’s Court of Aransas County shall have the right and authority to enforce plat restrictions through appropriate legal procedure and to prohibit the construction or connection of utilities, or issuing permits unless or until the requirements of plat restrictions have been achieved.” And number 5, “Final plat required no plat of a subdivision within Aransas County or extra territorial jurisdiction of those cities and towns that have agreed to have Aransas County regulate the subdivision. In the extra territorial jurisdiction of their cities or towns shall be recorded until a final plat has been prepared in accordance with these subdivision regulations and approved by the Commissioner’s Court.” Thank you in advance for your assistance in this matter.

V. PRESENTATIONS AND PROCLAMATIONS

1. Proclamation #P-01-2024, proclaiming Aransas County as a Purple Heart County – Skyler J.E. Barker, Commander, Military Order of the Purple Heart 598
Moved to later in the meeting to allow time for ceremony and cake.
2. Proclamation #P-02-2024 Recognizing February 2024 as Black History Month – Judge Garza

Motion to accept the proclamation: by Commissioner Rousseau, motion was seconded by Commissioner Casterline

Read by: Tracy Orr Smith, *see attachments for more information of the Proclamation.*

Vote: Motion carried 5-0: it was so ordered

VI. CONSENT AGENDA

3. Discuss, approve or disapprove the Minutes from the January 8, 2024 Regular Meeting – Misty Kimbrough/Judge Garza

Donations

4. Acknowledge and accept donations from the following:
 - a. Public Safety Center donations of animal supplies including blankets, treats, toys and leashes – estimated value of \$150
 - b. Kenneth Raymond in the amount of \$100
 - c. Carl Williams in the amount of \$20
 - d. Dorothy Vasquez in the amount of \$52
 - e. Anonymous donation of blankets, food, and animal supplies estimated in the amount of \$500 - Caitlan Frazier/Judge Garza

Motion to accept the consent agenda: by Commissioner Rousseau, motion was seconded by Commissioner Dupnik

Discussion followed: Caitlyn Frazier, Animal Care Director read the donations list. Commissioner Dupnik – Caitlan, I would like to complement you. I talked to Mr. Raymond in Lamar, he said that one reason that the \$100 donation was because of the way you and Wendy Laubach handled the situation he had. He stated that you were very responsive and very passionate about what you were doing. He was very thankful for that, and that led him to make that donation.

Vote: Motion carried 5-0: it was so ordered

VII. COUNTY REPORTS AND RESOLUTIONS

5. Discuss, approve, or disapprove the Rockport Center for the Arts Report for the 4th Quarter of 2023 – Luis Purón/Judge Garza

Motion to approve: by Commissioner Rousseau, motion was seconded by Commissioner Chaney

Presented by: Luis Purón, Executive Director, and Darryl Meadows, Venue Manager, *for more information see the video and attachments*

Vote: Motion carried 5-0: it was so ordered

6. Discuss, approve or disapprove the Texas Maritime Museum's Report for the 4th Quarter of 2023 – Ashley Pieprzyca/Tom Rodino/Judge Garza

Motion to approve: by Commissioner Rousseau, motion was seconded by Commissioner Dupnik

Presented by: Ashley Pieprzyca, Executive Assistant, Texas Maritime Museum, *for more information see the video and attachments*

Vote: Motion carried 5-0: it was so ordered

7. Discuss, approve or disapprove the presentation of the Annual Report on Profiling to the Commissioners Court as required by Texas Code of Criminal Procedure Sections 2.131-2.138 – Sheriff Mills/Judge Garza

Motion to approve: by Commissioner Dupnik, motion was seconded by Commissioner Casterline

Discussion followed: Sheriff Mills – state statute requires I bring you a report showing how many stops we did make. This includes the activity we did on grants, routine patrol, and stops we made responding to complaints. It shows a percentage of how many receive citations and breaks it down by gender and race. One half of the report track all the stops but they've never asked within the report what is the makeup of your department, which would be the other half to look at contention about discrimination or bias. It breaks it down by stops, citations, searches, weapons, and arrests, it's a pretty thorough report. I think its 9,000 stops over the year.

Commissioner Rousseau – It looks like we are doing a fine job in representation of the community. Under the pre-existing knowledge, does that mean other law enforcement agencies have asked you to be on the alert for a vehicle?

Sheriff Mills – It could have or it could be a complaint from a citizen. We may have had a call about a disturbance at a house and they left in a car, they told us who they are or a description of them and the direction they were going.

Vote: Motion carried 5-0: it was so ordered

VIII. COUNTY ROADS AND FLOODPLAIN

8. Discuss, approve, or disapprove the Conceptual Plan for "Darya's Estates," a subdivision proposed by Ocean Glory Homes to re-plat 1101 Cape Velero Drive – Katherine Comeaux/Judge Garza

Motion to approve: by Commissioner Casterline, motion was seconded by Commissioner Chaney

Discussion followed: Katherine Comeaux – It has been a minute since a concept plan

and a final plat were presented at the same meeting. We have two for this meeting. I want to discuss why. Per our regulations in the state a major plat is when you have to create new infrastructure or when there are more than four lots. These plats do not require new infrastructure because they have sized the lots to accommodate the existing utilities and they are on existing public right of ways. This is needed only because the number of lots. The concept plan can be considered and voted on at the same time as the final plat, as long as it is right before. We still require a concept plan for major plats, which is why they are still submitted with it. There are no issues in the review. Commissioner Rousseau – Maybe I misunderstood what you said, but you said there were two reasons that it was the first reason, infrastructure, second reason would be if there were four or more lots.

Katherine Comeaux – Correct. And there are more than four lots on both the Darya Estates Subdivision and Lynne’s Landing. That is why there is a concept plan in addition to final plat today.

Commissioner Rousseau- Okay, perhaps I just misunderstood, I thought you were saying that was when we would not look at the conceptual plan and the final plat at the same court meeting.

Katherine Comeaux – I apologize, I meant that if it was four or less lots there would not be a requirement of a concept plan with it.

Vote: Motion carried 5-0, Commissioner Rousseau voted aye for the conceptual plan: it was so ordered

9. Discuss, approve or disapprove the Final Plat for “Darya’s Estates,” a subdivision proposed by Ocean Glory Homes to re-plat 1101 Cape Velero Drive – Katherine Comeaux/Judge Garza

Motion to approve: by Commissioner Dupnik, motion was seconded by Commissioner Chaney

Discussion followed: Judge Garza – this is approving the final?

Katherine Comeaux – Yes sir, this will allow the owner to file and be able to start selling the lots.

Commissioner Casterline – What was the size of original piece of property?

Katherine Comeaux – The total size 3.974 acres, almost four acres.

Commissioner Rousseau – I noticed that you wrote on here that all proposed lots will front on Cape Velero Drive, an existing public right of way. I think the county maintains that road, does it not?

Katherine Comeaux – Yes ma’am.

Commissioner Rousseau – I know that new subdivision, I can’t remember the name of it, and those are all going to exit onto Cape Velero Road. Is there any kind of study done on how much traffic that road can handle?

Katherine Comeaux – The new access point for the new Lucas Ranch Subdivision will be off Eller Lane, so it will be off of a separate right of way from this existing right of way. The subdivision plan for the new Lucas Ranch has a new right of way that they’re working on constructing. I will be accessible off of Eller Lane. The property owners that already own lots on the west side of Cape Velero Drive will not have a new access road behind them.

Commissioner Rousseau – Have they been informed of that?

Katherine Comeaux – Yes they have.

Commissioner Casterline – Cape Velero Drive is a 60’ right of way?

Katherine Comeaux – Yes, sir. That was originally a private road but it was later adopted by the county.

Vote: Motion carried 4-1, Commissioner Rousseau against because I don’t approve of the conceptual plan and the final plat at the same meeting.: it was so ordered

10. Discuss, approve or disapprove the Conceptual Plan for “Lynne’s Landing,” a subdivision proposed by Gene and Mona Robertson to re-plat 1702 FM 1781 – Katherine Comeaux/Judge Garza

Motion to approve: by Commissioner Casterline, motion was seconded by Commissioner Chaney

Discussion followed: Commissioner Rousseau – Has a tree survey and tree plan been completed on this? Because looking at this on the computer and what you gave us it appears that there are trees.

Katherine Comeaux- Yes ma’am. Each lot will be an acre, so when they get ready to start permitting they will have to submit to Environmental Health for a tree plan. If they plan on developing with tree removal.

Commissioner Casterline – There may not be any oak trees on that property. So, that affects that. How about in this re-plat, I couldn’t read it, did you get more right of way?

Katherine Comeaux – There is additional right of way there is 14’ additional road way easement. That is included in the re-plat.

Commissioner Chaney – That was for what?

Katherine Comeaux – That is a road way easement for Tedford Lane.

Commissioner Casterline – Tedford Lane is a narrow road, normally when we have a re-plat we ask to bring it to a 60’ right of way.

Katherine Comeaux – I apologize for any confusion. There is no issues with running a concept plan or preliminary plat at the same meeting as the final plat as long as the concept plan is approved before the final plat. The main reason they are separated is so the developer has the opportunity to get financial sureties filed or to build the right of way or the new infrastructure. Normally the requirement to have them in separate meetings is to provide that time for the developer to build the infrastructure or to file financial sureties for the infrastructure. And that is why they’re at the same meeting is the infrastructure is already existing, so that time period is not required.

Vote: Motion carried 5-0: it was so ordered

11. Discuss, approve or disapprove the Final Plat for “Lynne’s Landing,” a subdivision proposed by Gene & Mona Robertson to re-plat 1702 FM 1781 – Katherine Comeaux/Judge Garza

Motion to approve: by Commissioner Casterline, motion was seconded by Commissioner Chaney

Discussion followed: Commissioner Rousseau – Commissioner Casterline asked about the easements and the note on here: access all proposed lots front on Tedford Lane an existing public right of way. Would you restate what you said there about the easements? That they’ll be expanded.

Katherine Comeaux – They included additional easement width for the roadway. The county now requires a 60’ right of way. At the time that Tedfor Lane was first constructed it was not that size so for the new lots there is additional roadway easements, so that if and when the county is able to do improvements to that public right of way they will have met the county standard.

Commissioner Casterline – Previously all of the other people on Tedford Lane made an effort to try and widen the road but previous property owner of this piece of property wouldn’t do it.

Vote: Motion carried 4-1, Commissioner Rousseau nay: it was so ordered

12. Discuss, approve or disapprove a Request for Variance on County minimum lot size requirements to re-plat two lots into one at 2016 & 2018 Hardee St. – Katherine Comeaux / Judge Garza

Motion to approve: by Commissioner Dupnik, motion was seconded by Commissioner Casterline

Discussion followed: Commissioner Rousseau – Is this of the action of which a couple of citizens spoke?

Katherine Comeaux – No ma’am. I can provide any information on those permits after the meeting if you would like.

Commissioner Rousseau – Is this on the same street?

Katherine Comeaux – No ma’am, oh, Hickory

Commissioner Chaney – They are just going to combine the two lots, right?

Katherine Comeaux – Yes sir. Two older lots to take it from less to more compliant for septic reasons.

Vote: Motion carried 5-0: it was so ordered

IX. CONTRACTS AND GRANTS

13. Discuss, approve or disapprove Sheriff’s Office applying for two grants through the Office of the Governor (OOG): Rifle-Resistant Body Armor Grant and Bullet-Resistant Shield Grant – Michael Brooks/Sheriff Mills/Judge Garza

Motion to approve: by Commissioner Casterline, motion was seconded by Commissioner Chaney

Discussion followed: Commissioner Rousseau – Will the Auditor’s Office work with the Sheriff’s Office for compliance with these grant requirements?

Michael Brooks – Yes.

Commissioner Rousseau – Did Lone Star Strategies work with us to help identify this?

Judge Garza – No ma’am. Lone Star Strategies has not executed their contract because it was dependent upon the Nav. District executing.

Commissioner Dupnik – To be clear there is no cost to the County?

Michael Brooks – I don’t believe so, this is just an application. Once we go through the application we’ll get all the final information and come back to the court.

Vote: Motion carried 5-0: it was so ordered

14. Discuss, approve, or disapprove adopting Aransas County Civil Rights Policy Responding to Discrimination Complaints for Federal-State Grant Programs – Jacky Cockerham / Judge Garza

Motion to approve: by Commissioner Rousseau, motion was seconded by Commissioner Chaney (Commissioner Dupnik left the meeting at 9:54 AM)
Discussion followed: Jacky Cockerham – We have learned that we need this in place for many of our grants like the Stone Garden or any of the Criminal Justice grants. It is policy that we have to have this for civil rights section 405 and disabled persons for fair housing. We do a fair housing month but this will actually be a policy that we have in place. The policy says that the Aransas County Judge will serve as the Aransas Civil Rights Officer for complaints. If it is within the employees then it would go through HR.
Vote: Motion carried 4-0: it was so ordered (Commissioner Dupnik was out at the time of the vote.)

15. Discuss, approve or disapprove authorizing Judge Garza to send a Cure Notice to Teal Construction Company regarding the substantial completion dates for the Aransas County Courthouse – Judge Garza

Motion to approve: by Commissioner Casterline, motion was seconded by Commissioner Chaney
Discussion followed: Commissioner Chaney – What is meant by the “Cure” notice? Judge Garza – This is issued to Teal and it is for Teal to answer to get back on track. We are behind schedule, the intent is to get back on track.
(Commissioner Dupnik entered at 9:56 AM)
Vote: Motion carried 4-1: Commissioner Dupnik would have liked more time at the workshop to discuss this so his vote is nay: it was so ordered

16. Discuss, approve or disapprove authorizing Judge Garza to send a Letter of Concern to PGAL regarding design errors or omissions – Judge Garza

Motion to approve: by Commissioner Casterline, motion was seconded by Commissioner Chaney
Discussion followed: Judge Garza – As Commissioner Dupnik stated, last Friday we had a workshop concerning the construction of the courthouse. Some of these things were discussed such as design errors and this is just to serve the designer PGAL to get them back on track.
Vote: Motion carried 5-0: it was so ordered

X. PLANNING AND BUDGET

17. Discuss, approve or disapprove and authorize the County Treasurer to apply for and receive the 2024 distribution of proceeds from the Tobacco Settlement Fund from the Texas Department of State Health Services, based on the County’s unreimbursed health care expenditures for calendar year 2023, and to further discuss, approve or disapprove the use of any funds received by the established Aransas County Tobacco Awareness Program – Alma Cartwright/Judge Garza

Motion to approve: by Commissioner Rousseau, motion was seconded by Commissioner Dupnik
Discussion followed: Alma Cartwright – We get money every year, but we don’t know how much it will be. It’s been running in the \$20 - \$25 thousand range. Last year we got \$29 thousand so we established a program that Lora Rios works with the students for

tobacco awareness. We are going to try to do more for the general public since we have some money to spend.

Commissioner Chaney – Do we have any idea of how much longer this grant will go on? Is this going to be a long-term grant?

Alma Cartwright – The settlement money that they got years ago, about 1998, they did a large disbursement that year and then invested the rest so they could continue this every year. What they are paying out I assume is the interest they make on the investments. So we don't know how long they will keep doing it.

Vote: Motion carried 5-0: it was so ordered

18. Discuss, approve or disapprove authorizing the Community Development Director to request redesign of the proposed Aquarium at Rockport Harbor plans to include two (2) ADA restrooms for Aquarium visitors – Elle Morales/Judge Garza

Motion to approve: by Commissioner Rousseau, motion was seconded by Commissioner Dupnik

Discussion followed: Elle Morales – The Aquarium was one of the most visited attractions when it was open. So the small bathroom in the back house is not going to be sufficient for large groups. We would like to have an architect to redesign 2 ADA bathrooms, one for Male and one for Female.

Commissioner Dupnik – I understand that in the past student/classes came in. Is this going to allow the Educators to be able to monitor or see the students at all times without having to go to another room or building? Initially the plan was for them to go into Education Center. That's not plan anymore?

Elle Morales – That's not the plan now.

Commissioner Chaney – Are we still going to have the ramp between the two buildings?

Elle Morales – Yes, we will still have the decking. What is being proposed is doing a bump out for the restrooms so it will take away some of that area to be used for the restrooms.

Commissioner Chaney – It's not covered?

Elle Morales – The decking no it is not.

Commissioner Casterline – The volunteer group that manages the Aquarium was against putting restrooms in. I'm concerned that might not want to do this anymore.

Commissioner Rousseau – May I speak to that? I'm friends with former volunteers as I used to serve on that board. Those volunteers maintained and cleaned that bathroom at the time. I have visited with the Judge and Facilities Manager Rene Butler and that will not be the case. This time the Aquarium will be maintained as other county buildings are, so volunteers will not have to clean the restrooms.

Elle Morales – Correct.

Vote: Motion carried 5-0: it was so ordered

19. Discuss, approve or disapprove authorizing Community Development to request remodeling quotes of the Aquarium Education Center to accommodate the additional space needed for the expansion of the Aquarium at Rockport Harbor; plans to include two (2) ADA restrooms for Aquarium visitors – Elle Morales/Judge Garza

Motion to approve: by Commissioner Rousseau, motion was seconded by Commissioner Casterline

Discussion followed: Elle Morales – there is going to be a bump out in front of the Education Center so the signage will have to be removed. There’s an AC that may need to be relocated. Then the siding and a window would need to be redone in that area as well as interior repairs. While we are doing that we will be assessing what kind of data is available so that we can have computer and Wi-Fi access inside that building.

Vote: Motion carried 5-0: it was so ordered

20. Discuss, approve or disapprove establishing Employee of the Month beginning January 2024, where the employee would be recognized at Commissioners Court, receive a designated parking space, receive a certificate, and be posted in the monthly employee newsletter; recommendations would be sent to Human Resources and a committee would select the most outstanding employee – Desiree Upton/Judge Garza

Motion to approve: by Commissioner Casterline, motion was seconded by Judge Garza

Discussion followed: Commissioner Rousseau – I would like to amend this to change it to an employee of the quarter. I think to recognize employees is a wonderful idea and I support that concept. However, I think we have around 220-250 employees probably every employee is not going to get it but if we’re doing one per month in 2.5 years we would have run the gamut. I think one per quarter allows the award to have more significance. If you get a designated parking space it would be nice to have it for a quarter. We are saying we are going to start this in January 2024 but it’s already the 22nd. I don’t know that the criteria have been developed. It states a committee would select the most outstanding employee. I think some thought needs to go into the criteria for the selection of this person. I support the concept I would just propose changing it to employee of the quarter, possibly to start in March of 2024. That way the criteria could be developed, the committee could be named, and submissions could be done in a timely fashion without rushing.

Commissioner Dupnik – I support the purpose but my question is: the designated parking space, what about the other departments that don’t work at the courthouse?

Desiree Upton – It would be. We discussed that at the meeting, it would be a mobile parking space that moves. A bucket with cement, Road and Bridge could help us make the sign, and it would go to wherever that employee is, so it’s inclusive of everybody. We are giving them the whole month to do something outstanding and anybody can recommend someone. I was going to send an email out about this to all department heads and every employee, so it would begin after January 31st.

Commissioner Chaney – I’ve been involved with companies who have done this. To be quite honest that ended up more of a political game than anything else. I don’t think this is something we need to get into. I understand and appreciate the concept but it can really cause problems.

Judge Garza – This concept or idea was brought up by the benefits committee.

Judge Garza – we’ve got motion on the floor, should we table this, and look further into it? Go back to the committee and discuss doing it quarterly and get more details.

Desiree Upton – I can send out more details.

Commissioner Casterline – I withdraw my motion to approve.

Commissioner Rousseau – I withdraw my amendment and move to table until we get more information.

Commissioner Rousseau – Motioned to table

Vote: Motion to table carried 5-0: it was so ordered

21. Discuss, approve or disapprove changes to job descriptions for several departments. Changes are for duties, no change to pay; updated job descriptions were requested by Judge Garza to prepare for a salary study – Desiree Upton/Judge Garza

Commissioner Rousseau – motion to table the changes for the job descriptions for several departments: To prepare for a salary study. I think this is a great idea, my concern is that I believe there are 29 job descriptions. To be honest I looked through the packet pretty thoroughly but looking through 29 job descriptions and there wasn't something that showed what had been added, deleted, or changed from the previous description. I understand that the different departments sent these in to HR. I would be nice if they all have the same look, logo, set-up to them.

Desiree Upton – it is on our agenda to reformat but I wanted to get the content to you.

Commissioner Rousseau – I would like MOTION to table and ask if it could come back for the next court and the departments could let us know what changes were made.

Motion to table: by Commissioner Rousseau, motion was seconded by Commissioner Casterline

Discussion followed:

Vote: Motion carried 5-0: it was so ordered

22. Discuss, approve or disapprove a request to solicit a Request for Proposals (RFP) for a salary study, conducted to collect and analyze data on wages and salaries. The purpose of a salary survey is to help employers and employees understand what different jobs pay in different geographic areas, and to identify trends in wage and salary levels – Desiree Upton/Judge Garza

Motion to approve: by Commissioner Rousseau, add that we have the revised job descriptions prior to that, motion was seconded by Commissioner Casterline, but add to be careful what you wish for.

Discussion followed: Commissioner Chaney – We really need to look at all of the job descriptions. We have 220 some odd employees and a lot of the job descriptions are similar. I would suggest before we do anything we have a chance to look at what jobs are actually out there. I've been on the court for 16 years and I've never seen a complete job description of all the employees.

Desiree Upton – In the Fall the HR department sent job descriptions out to every department head and gave them until Jan. 15th to review, revise and let us know if anything needed to be added.

Commissioner Chaney – Ok, but that doesn't bring it to the court.

Desiree Upton – You want to see all the job descriptions for every employee?

Commissioner Chaney – not every individual but if you have, like truck driver, what is difference between a dump truck driver and a forklift driver? Employees are our biggest monthly expense and we need to have a good working knowledge of what the jobs are.

The court hasn't seen all of them, and I think the court needs to do that.

Commissioner Casterline – Maybe you should go in the HR and sit in. That’s a pretty daunting job to go through that. They do it on a daily basis. You could have a too long meeting looking at every job description.

Commissioner Chaney – I’ve got a day.

Judge Garza – The Job descriptions were in the packet.

Desiree Upton – the changed ones.

Judge Garza – we’ve got to approve these before we can do a salary study. The motion on the floor is for request for proposal for a salary study.

Commissioner Rousseau – I’ll withdraw my motion and move to table,

Motion to table: by Commissioner Rousseau, motion was seconded by Commissioner Dupnik

Vote: Motion carried 5-0: it was so ordered

Commissioner Rousseau – I would like to add one thing. I appreciate the work that HR has already done to bring these. Perhaps what you could do is give us a list of what the job descriptions are for the departments and if the department heads or elected officials don’t submit those then we’ll look at what the job descriptions titles are and go from there along with whatever these changes are. Rather than getting a notebook that’s several hundred pages. Is that good?

Desiree Upton – You want a list of every department with every job description and submit the ones that are changed?

Commissioner Rousseau – I think that would be a good thing to see. I think

Commissioner Chaney wants to make sure that there are differentiations in like the Mosquito truck driver compared to truck drivers at Road and Bridge, those are different job descriptions.

Desiree Upton – Ok.

23. Discuss, approve, or disapprove the Budget Line Item Transfers – Jacky Cockerham/Judge Garza

Motion to approve: by Commissioner Casterline, motion was seconded by Commissioner Dupnik

Discussion followed: Jacky Cockerham - none at this time but they are coming.

Vote: Motion carried 5-0: it was so ordered

24. Discuss, approve, or disapprove Accounts Payable and Payroll/Payroll Liabilities – Jacky Cockerham/Judge Garza

Motion to approve: by Commissioner Dupnik, motion was seconded by Commissioner Rousseau

Discussion followed: Jacky Cockerham – all are normal but would like to mention the Capital Improvements:

Mott McDonald \$216.00 – Little Bay project

Gerke Excavation \$1,755,119.53 - Linden

LCR \$1,297,205.57 – 1781, Holiday Beach and S.W. Aransas County

Anderson Columbia \$207,145.40 – Ruby Allen project

<u>ARPA Funds:</u>	
EDoc	\$138,049.75 – District Clerk’s Records
Broadus	\$30,760.96 – Courthouse project
Wall Mounts for TVs	\$2,370.00 – Courthouse project
Vote: Motion carried 5-0: it was so ordered	

Judge Garza – back to item # 1 – a proclamation for the Purple Heart. Acknowledging Purple Heart recipients in attendance today.

- Mr. Felix Jimenez

They were out of the courtroom to wait. While we are waiting for them to come back in we will move on to Section 11.

XI. REPORTS FROM COMMISSIONERS, ELECTED OFFICIALS, AND DEPARTMENT HEADS – NO ACTION WILL BE TAKEN

- Commissioner Casterline – I would like to speak to what the ladies, Citizens to Be Heard, brought up. I’ve lived in Oak Terrace for almost 50 years. When Oak Terrace started it was Oak and Pine Street. As the developer developed Hickory and Redwood Streets, they were added to the subdivision. I have seen in the past the restrictions on all of them. It appears that when they added Redwood and Hickory they did another set of deed restrictions. I’m not sure myself if they are the same, I have seen one time the complete packet and it’s enormous, with the add-ons of those streets. I would be careful reading them that you have the right ones. In the subdivision for many years we had an active HOA they fought against businesses, after many years they had a hard time getting people to take part, so it just went away. When the deal came up about the lots I went to Road and Bridge and talked to Kat and I went to the County Attorney and they said we don’t enforce deed restrictions. Since the time that there has been an active HOA there have been multiple violations of buildings that were not built to the deed restrictions? I brought that up to the County Attorney’s Office and they said that if a precedence has been set, it’s probably been done years ago, because under the deed restrictions you can’t build a metal building, you can’t operate a business in the subdivision and those things have been going on for years.

Evalee VonVillas – I spoke to an attorney and he said that as long as there’s not a 10% violation that it can be in effect and there has been no residences that have been built on less than 100 feet. That I know. There may be out building on some lots, some of those things but as far as residences they have always maintained. If you look at the plat, every one of them has at least 100 feet. Many of them have lots that extend into the next street. No one has divided into less than 100 feet. That’s what we’re really trying to ensure, plus the fact that he is trying to turn them into rentals. Where this is a residential neighborhood.

Commissioner Casterline – I think for us to do it, it’s going to have to come before the Court and I’ll put it on the next agenda to decide to start enforcing deed restrictions. If you would like.

Evalee VonVillas – I would love that. It’s concerning and my heart breaks for the woman that is beside this. She made a lot of changes to her home, lost her husband in

July and now is faced with possibly having two tiny houses put beside her. I myself have lots, lost my husband, have lots across and cannot legally afford to fight this. It's heartbreaking. The fact that we all just want to maintain our neighborhood. We're not trying to ask for anything special, just not turn into little tiny rentals everywhere. Also no garage, nowhere to park so we end up with on the street. I've had my mailbox knocked off a number of times. There's not a lot of space.
Judge Garza – Thank you ma'am. We will look further into it.

- Mike Geer – Previously I asked permission to request bids for asphalt work at the airport around the T-hangers. I brought the bids in and requested to move forward with the lowest bid of \$17,500. We initially scoped 8' on two sides on one of the hangers. I think we really need to have a closer look at that elevation. I think the water is going to run back toward that hanger, so I think we need to do more than just the 8' and at that point it becomes a question of, shouldn't we access a larger grant that we do have available to us called the BIL, Bipartisan Infrastructure Law grant. It's a 5 year grant so there is increments of money over 5 years. We've got 3 years of money in the bank, it's plenty of money for this project at a 10% match so that's \$17,500 as opposed to spending all that and then going after the RAMP grant, we could use that for match money on this larger project. Really we could address all the pavement issues and the hanger parking area all at once. The state's participation would be that the State Aviation Department would administer it for us, we wouldn't have to do any of the heavy lifting. We need to provide them with a letter of interest and an opinion of cost.

Commissioner Chaney – Do you have that on the next agenda?

Mike Geer – It should be on the next agenda, I need to talk with my state planner at Aviation to determine exactly how they want to see the information. I believe it's an LOI and an opinion of cost, but I need to dig a little deeper. Can the County Engineer do that or do we need to need to pay somebody to do it?

As the Emergency Manager I want to let Commissioners know that during the freeze last weekend and early last week the Fulton Community Church opened their doors as a warming center. Six Aransas County citizens were able to spend the night in their facility and stay out of the cold weather. They were only open 2 nights, but I don't think there was a need for a third night. I don't think they had any unmet needs, but had folks ready to donate and give in the event that they did. We are not holding them to it going forward but it's certainly nice to know that we have a community and a group of people willing to do that.

- Caitlyn Frasier – During the freeze we asked for help and Channel 6 News came as well and we did get fosters for 8 dogs and a pig, so none of the animals had to be outside. 3 of those animals actually got forever homes. Thanks to the community for helping.
- Elle Morales – As Director of Environmental Health – for what's going to happen in 2024. Environmental Health is also in charge of litter abatement. When our guys are not busy at the Transfer Station they go out, and we get calls about what needs to be picked up; couch, trash, and of course RVs that are on the side of the road. In 2023 Aransas County Transfer Station picked up over \$4,500 dollars of litter and miscellaneous items on the side of the road, this does include the 3 RVs. The City of

Rockport paid for the one that we all call “Bypass Betty.” Knowing that the Transfer Station is self-supporting \$4,500 out of the budget is quite significant as far as fuel and vehicle repairs, I just want to make everybody aware of that. In January we only had one ticket, in February we had two tickets, but since then it was pretty significant. We do things like the school bon fire, we take their garbage and that was \$1,491. We have a request for the A & H show in Sinton to drop off a dumpster over there and that will come out of the budget. I just want you to be aware of that. The Community is benefiting by the Transfer Station and what we do with the monies and I feel like in the future that possibly that money should come back to the Transfer Station from the abatement funds that are out of the Environmental Health.

I also want to thank Facilities for getting our signage up, that has our new fees and our new holidays. Also, Road and Bridge for always providing us with the reclaimed asphalt and doing a great equipment swap. I appreciate that.

- Sheriff Mills – Jail Commissioner showed up last Thursday for their inspection unannounced and we have completed our 16th consecutive passing score with the jail. This was noteworthy in that it was done so fast. The records that he needed were all available. He commended the staff for having everything he needed to see readily available.

1. Moved to accommodate the ceremony and cake.

Proclamation #P-01-2024, proclaiming Aransas County as a Purple Heart County – Skyler J.E. Barker, Commander, Military Order of the Purple Heart 598

Judge Garza – read the names of those who have received the Purple Heart Felix Jimenez, Arthur Mann 2 OLC, Joe Martinez, Jr. 1 OLC, Natalie Yoast 1 OLC, Patrick Money 1 OLC, Larry Hellums, Steve Buck, and Clemente “Shorty” Saenz who could not be present. *(OLC, Oak Leaf Cluster)*

Ruben Garcia - when you get wounded you get a Purple Heart, when you get wounded a second time you get a Purple Heart with an Oak Leaf cluster, we have Veterans in here that have been wounded three times in combat. Some people go their whole carrier, going to war four or five times but they’ve never been wounded. Then you’ll have gunfighters out here and they’ll get wounded once, twice, or three times. There are World War II Veterans that had five or six. It’s not a free ticket home like in the movies. Judge Garza – Can I have a motion.

Motion to accept the proclamation: by Commissioner Chaney, motion was seconded by Commissioner Dupnik

Ruben Garcia - Commander Skyler Barker of the Purple Heart Association out of Corpus Christi, is going to read the Proclamation. I also want to thank Commissioner Rousseau, she’s the one that brought this up to me. I honestly didn’t know about it.

Commander Skyler Barker – as the commander of the military, the Purple Heart it is my great honor and privilege to stand here before you today as we make Aransas County a Purple Heart County. The Purple Heart is a symbol of courage, sacrifice and selflessness. It is awarded to those that have been wounded or made the ultimate sacrifice in the defense of our nation and the ideals we hold dear. These brave men and women who have shed their blood in the service to our county embody the very spirit of patriotism

demonstrates our unwavering support for all veterans and their families. This designation serves as a visible reminder of sacrifices made by our military personnel and their enduring contributions to our freedom and security. By becoming a Purple Heart County, Aransas County will join a nationwide network that have committed to honoring and supporting our veterans. Recognition sends a powerful message of gratitude and respect to those that bore the burden of battle and suffered the wounds of War. Thank you for this opportunity, thank you for taking this opportunity to become a Purple Heart County. Remember we always owe a debt of gratitude to our Purple Heart recipients and all that have served in the armed forces.

Reading of the Proclamation.

Vote: Motion carried 5-0: it was so ordered

XII. REPORTS ABOUT ITEMS OF COMMUNITY INTEREST – NO ACTION WILL BE TAKEN

- There were none

Motion to move recess for 15 minutes at 10:42: by Commissioner Rousseau, motion was seconded by Commissioner Chaney

Vote: Motion carried 5-0: it was so ordered

XIII. CLOSED SESSION

25. Convene into a Closed Session to:

i. Discuss a personnel matter and update the Court on future plans involving this personnel matter, pursuant to Section 551.074 of the Texas Open Meetings Act, PERSONNEL MATTERS; CLOSED MEETING.

(a) This chapter does not require a governmental body to conduct an open meeting:

(1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, or

(2) to hear a compliant or charge against an officer or employee.

(b) Subsection (a) does not apply if the office or employee who is the subject of the deliberation or hearing requests a public meeting – Amanda Oster/Judge Garza

Judge Garza – Announced back from recess at 11:05 AM

Motion to move into closed session: by Commissioner Rousseau, motion was seconded by Commissioner Dupnik

Vote: Motion carried 5-0: it was so ordered

Convened into closed session at 11:06 AM

XIV. OPEN SESSION

26. Reconvene into Open Session

Motion to reconvene into open session: by Commissioner Chaney, motion was seconded by Commissioner Rousseau
Vote: Motion carried 5-0: it was so ordered
Convened into open session at 11:25 AM

27. Discuss and take action on matters discussed in closed session – Amanda Oster/ Judge Garza

Judge Garza – the court would like to discuss what was discussed in closed session.
David Reid would you come up to the podium. No action to be taken
David Reid – It is my intention to retire. I’m looking for an exit plan and working with the court to make that happen.
Commissioner Rousseau – Want to recognize that David’s done a tremendous job.
Commissioner Chaney – Absolutely.
Judge Garza – He’s done a really good job. You’ve made my life easier. I’m scared now.

XV. ADJOURNMENT

Motion to adjourn: by Commissioner Chaney, motion was seconded by Commissioner Casterline
Vote: Motion carried 5-0: it was so ordered
Meeting adjourned at 11:27 AM

ARANSAS COUNTY COMMISSIONERS’ COURT



Misty Kimbrough

Misty Kimbrough,
Ex-Officio Clerk of the Commissioners Court

Ray A. Garza

Ray A. Garza, County Judge

