



# MINUTES

## Aransas County Commissioners Court

9:00 AM – Monday, February 27, 2023

The Aransas County Commissioners Court met on Monday, February, 27, 2023, 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  
**Pat Rousseau**, Commissioner, Precinct 3  
**Robert Dupnik**, Commissioner, Precinct 4

Absent: **Leslie Casterline**, Commissioner, Precinct 2

### I. Call to Order & Pledges

The meeting convened at 9:00 AM.

### II. Invocation

### III. Roll Call was taken and Quorum was declared, and the following proceedings were had and done, to wit:

### IV. Citizens to be heard

### V. Presentations

1. Presentation by Paul Bonnette from architectural firm PGAL on the status of the new Aransas County Courthouse Project – John Strothman

### VI. Consent Agenda

2. Discuss, approve, or disapprove the Minutes from the February 13, 2022 Regular Meeting – Misty Kimbrough/Judge Garza
3. Discuss, approve or disapprove allowing Interim Emergency Management Coordinator to activate the Emergency Management Operations Center for disaster preparedness during the Fulton Oysterfest held on March 2, 2023 through March 5, 2023 – Mike Geer/Judge Garza
4. Acknowledge receipt of, and record in the minutes of the Commissioners Court, a certificate from the County Treasurers' Association of Texas certifying that Alma Cartwright, Treasurer, has completed 34 hours of Continuing Education as required, and 10 of those hours will carry forward to the next reporting period – Alma Cartwright/Judge Garza

5. Acknowledge receipt of, and record in the minutes of the Commissioners Court, a certificate from the County Investment Academy certifying that Alma Cartwright, Treasurer, has completed 19 hours of Continuing Education as required, and 4 of those hours will carry forward to the next reporting period – Alma Cartwright/Judge Garza
6. Acknowledge receipt of, and record in the minutes of the Commissioners Court, a certificate from the 74th Annual County Treasurers’ Association of Texas Conference certifying that Brandy Mygatt, Deputy Treasurer, has completed 14 hours of Continuing Education as required – Alma Cartwright/Judge Garza
7. Acknowledge receipt of, and record in the minutes of the Commissioners Court, a certificate from the 74th Annual County Treasurers’ Association of Texas Conference certifying that Meagan Brown, Deputy Treasurer, has completed 14 hours of Continuing Education as required – Alma Cartwright/Judge Garza
8. Acknowledge receipt of, and record in the minutes of the Commissioners Court, a certificate from the 74th Annual County Treasurers’ Association of Texas Conference certifying that Patricia Randall, Chief Deputy Treasurer, has completed 13 hours of Continuing Education – Alma Cartwright/Judge Garza
9. Acknowledge receipt of and record in the minutes of Commissioners Court the District Judges’ Salary Order for the County Auditor and Auditor Staff for Fiscal Year 2023 – Jacky Cockerham/Judge Garza
10. Acknowledge and accept a donation of a pallet of dog food valued at \$1,500.00 from the Humane Society of the United States for Aransas County Animal Care Services – Lori Cesar/Judge Garza
11. Acknowledge and accept a donation of \$20.00 from William Huff for Aransas County Animal Care Services – Lori Cesar/Judge Garza
12. Acknowledge and accept a donation of \$100.00 from Pam and John Dodson to the Aransas County Library – Iris Sanchez/Judge Garza

**Motion to approve:** by Commissioner Rousseau, motion was seconded by Commissioner Dupnik to accept the Consent agenda

**Vote:** Motion carried 4-0; it was so ordered

## **VII. County Reports**

13. Discuss, approve, or disapprove the 4th Quarter 2022 Report of the Texas Maritime Museum – Justin Parkoff/Judge Garza

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

**Power point presented**

Discussion followed

**Vote:** Motion carried 4-0; it was so ordered

14. Discuss, approve or disapprove the 4th Quarter 2022 Report of the Rockport Cultural Arts District – Jennifer Day/Judge Garza

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

**Power point presented**

Discussion followed

**Vote:** Motion carried 4-0; it was so ordered

15. Discuss, approve or disapprove the 4th Quarter 2022 Report of the Rockport-Fulton Chamber of Commerce – Shelly Stuart/Judge Garza

**Motion to approve:** by Commissioner Rousseau, motion was seconded by Commissioner Dupnik  
**Power point presented**  
Discussion followed  
**Vote:** Motion carried 4-0; it was so ordered

### **VIII. County Roads and Floodplain**

16. Discuss, approve, or disapprove the purchase of an Asphalt storage tank with appurtenances from Cooper Equipment Co. for the amount of \$123,500.00 and authorize the County Judge to execute the necessary documents – David Reid/Judge Garza

**Motion to approve:** by Commissioner Chaney, motion was seconded by Commissioner Rousseau  
**Discussion followed**  
**Vote:** Motion carried 4-0; it was so ordered

### **IX. Contracts and Grants**

17. Discuss, approve, or disapprove the adoption of Resolution R-03-2023, a Resolution to Elect to Participate in the Texas Opioid Settlement Agreements Secured by the Texas Attorney General with Allergan, Wal-Mart, CVS and Walgreens; to Authorize the County Judge to Execute Necessary Settlement Documents; to provide for Repealer and Severability; to Confirm Compliance with the Texas Open Meetings Act; and to Establish an Effective Date – Jennifer O’Steen/Judge Garza

**Motion to approve:** by Commissioner Dupnik, motion was seconded by Commissioner Chaney  
**Discussion followed**  
**Vote:** Motion carried 4-0; it was so ordered

18. Discuss, approve, or disapprove Change Order #4 to the Construction Contract with Teal Construction for the new Courthouse Project, which will not change the number of days to complete the project but will increase the total contract price by \$3,059.95 as a result of the following changes: remove certain fire pump equipment; add various electrical gear; remove stucco and replace with EIFS siding; adjustments to footers; remove certain sprinkler system flex heads: add information boards for the front of the building – John Strothman/Judge Garza

**Motion to approve:** by Commissioner Dupnik, motion was seconded by Commissioner Chaney  
**Discussion followed**  
**Vote:** Motion carried 4-0; it was so ordered

## **X. Planning and Budget**

19. Discuss, approve, or disapprove the December 2022 Treasurers Report – Alma Cartwright/Judge Garza

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

**No discussion followed**

**Vote:** Motion carried 4-0; it was so ordered

20. Discuss, approve or disapprove the January 2023 Treasurers Report – Alma Cartwright/Judge Garza

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

**No discussion**

**Vote:** Motion carried 4-0; it was so ordered

21. Discuss, approve, or disapprove the 4th Quarter Treasurer’s Investment Report - Alma Cartwright/Judge Garza

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

**Discussion followed**

**Vote:** Motion carried 4-0; it was so ordered

22. Discuss, approve, or disapprove updated job description for Director of Environmental Health – Linda Doane/Judge Garza

**Motion to table this motion due to lack of information** by Commissioner Rousseau, motion was seconded by Commissioner Chaney

**Discussion followed**

**Vote:** Motion carried 4-0; it was so ordered

23. Discuss, approve, or disapprove Budget Line Items - Jacky Cockerham/Judge Garza

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

**No discussion**

**Vote:** Motion carried 4-0; it was so ordered

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

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

**No discussion followed**

**Vote:** Motion carried 4-0; it was so ordered

## **X. Reports from Commissioners, Elected Officials, and Department Heads** **– NO action will be taken**

## **XI. Reports about items of community interest – NO action will be taken**

## **XII. Closed Session – 10:38 AM**

25. Consider convening into a Closed Session to consult with counsel and receive legal advice about insurance matters related to Aransas County’s projects and insurance claims from Hurricane Harvey, including pending litigation styled *Aransas County Texas v. Endurance American Specialty Insurance Company, et al*, Aransas County District Court Cause No. 23-0021, pursuant to Section 551.071 of the Texas Open Meetings Act, which authorizes closed sessions for a governmental body to consult with its attorney(s) regarding advice on legal matters pertaining to “Pending or Contemplated Litigation; or a Settlement Offer; or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with” the Open Meetings Act –Jennifer O’Steen/Judge Garza

**Motion to go into closed session:** by Commissioner Rousseau, motion was seconded by Commissioner Chaney

**Vote:** Motion carried 4-0; it was so ordered

## **XIII. Open Session - 11:09 AM**

26. Reconvene into Open Session

**Motion to go back into open session:** by Commissioner Rousseau, motion was seconded by Commissioner Chaney

**Vote:** Motion carried 4-0; it was so ordered

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

**Motioned to:** Authorize legal counsel to initiate legal action related to insurance matters against the Regional Pool Alliance, H R & R LLC, and any other associated entities.

**Motion by:** Commissioner Rousseau, motion was seconded by Commissioner Dupnik

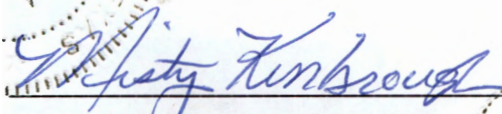
**No Discussion**

**Vote:** Motion carried 4-0; it was so ordered

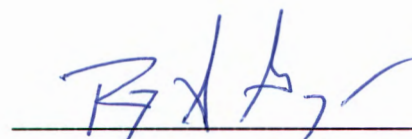
## **XIV. Adjournment with Roll Call**

**Motion to adjourn:** by Commissioner Chaney, motion was seconded by Commissioner Rousseau

**Vote:** Motion carried 4-0; it was so ordered



Misty Kimbrough, Ex-Officio Clerk  
of the Commissioners Court



Ray A. Garza, County Judge