



# MINUTES

## Aransas County Commissioners Court

9:00 AM – Monday, March 13, 2023

The Aransas County Commissioners Court met on Monday, March 13, 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 \(aransascountytx.gov\)](https://www.aransascountytx.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

Absent:

### **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 and Proclamations – (there were none)**

### **VI. Consent Agenda**

1. Discuss, approve, or disapprove the Minutes from the February 27, 2022 Regular Meeting – Misty Kimbrough/Judge Garza
2. Discuss, approve, or disapprove the Minutes from the March 3, 2023 Special Meeting – Misty Kimbrough/Judge Garza
3. Discuss, approve, or disapprove authorizing County staff at the Aransas County Public Library to apply for a HEB Grant of \$400.00 – Iris Sanchez/Judge Garza
4. Acknowledge receipt of, and record in the minutes of Commissioners Court, a certificate from the County Judges and Commissioners Association of Texas certifying Leslie Casterline, County Commissioner Precinct 2, has completed the required 21 hours of

continuing education for 2022, as prescribed in Section 81.0025 Continuing Education, Local Government Code – Commissioner Casterline/Judge Garza

5. Acknowledge and accept a donation of blankets and pillowcases to the Aransas County Indigent Health Program from LaVernia resident and coordinator Elaine McCollum along with the many generous citizens living outside of Rockport who gave their time and talent to make blankets and pillowcases for those who lost everything in Hurricane Harvey and who continue to provide blankets and pillowcases to those less fortunate –  
Alma Cartwright/Judge Garza
6. *(Struck – out from this agenda) Acknowledge and accept a donation of \$600.00 to Aransas County Pathways from Bring Back the Monarchs for the Linda S. Castro Nature Sanctuary's Pollinator Garden – Jennifer Heard-Judge Garza*
7. Acknowledge and accept a donation of \$100.00 from David and Diann Wylie for the Aransas County Animal Care Services Spay/Neuter Program – Lori Cesar/Judge Garza
8. Acknowledge and accept a donation of \$50.00 from Ron Hildreth, given in memory of his wife, to be used for supplies for Aransas County Animal Care Services –  
Lori Cesar/Judge Garza
9. Acknowledge and accept a donation of \$250.00 from Rene Butler for supplies for Aransas County Animal Care Services – Lori Cesar/Judge Garza
10. Acknowledge and record in the minutes of the Commissioners Court donations from Another Chance RFT of the following: 1) January 2023 - \$4,500.00 value for veterinary care, medicine, spay/neuters, and heartworm treatments and \$2,100.00 for transportation and boarding, for a total of \$6,600.00 in donated services and supplies in the month of January. 2) February 2023 - \$9,570.00 value for veterinary care, medicine, spay/neuters, and heartworm treatments and \$315.00 for transportation and boarding, for a total of \$9,886.00 in donated services and supplies in the month of February –  
Commissioner Rousseau
11. Acknowledge and record in the minutes of the Commissioners Court donations from Cat Tales Rescue of the following services to Aransas County Animal Care: 1) Expenses for spay/neuter surgeries, medical tests, and vaccinations to enable rehoming casts through partnering with no-kill shelters outside of Aransas County in the amount of \$1,160.00 for the month of January and \$1,103.00 in the month of February for a total of \$2,263.00 in donated services and supplies; and 2) Expenses for other medical and veterinarian services in the amount of \$461.00 for the month of January and \$1,723.00 for the month of February for a total of \$2,184.00 in donated services and supplies – Commissioner Rousseau

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

**Judge Garza** struck item # 6 from the agenda

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

## **VII. County Roads and Floodplain**

12. Discuss, approve, or disapprove authorization to advertise for bids to purchase a SVL95-2s Skid Steer with Forestry Mulching Head attachment –David Reid/Judge Garza

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

**Discussion followed**

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

13. Discuss, approve, or disapprove the Final Plat of Islands of Rockport, Unit 3 at 4418 & 4316 Highway 35 South (BUSINESS), including the closure and the vacating of an unimproved, platted, 40' wide roadway lying west of and adjacent to Lot 1, Block A, J.D. Wheeler Subdivision and accepting 1.405 acres for open space/drainage – Katherine Comeaux/Judge Garza

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

**Discussion followed** – Quit Claim Deed will be filed (land swap) Rockport Island to Aransas County

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

14. Discuss, approve or disapprove the issuance of Order Number O-02-2023, an Order of the Aransas County Commissioners Court authorizing the exchange of real property pursuant to the Texas Local Government Code Section 263.006 – Jennifer O'Steen/Judge Garza

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

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

15. Discuss, approve, or disapprove accepting a General Warranty Deed from Rockport Phoenix, LLC, a Texas Limited Liability Company, in exchange for the County granting a Quit Claim Deed to a different parcel, for Lot 55, Block 8 of the Islands of Rockport, Unit 3, according to the plat thereof, containing 1.405 acres, more or less – Jerry Brundrett, David Reid, Jennifer O'Steen, and Judge Garza

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

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

16. Discuss, approve, or disapprove granting a Quit Claim Deed to Rockport Phoenix, LLC, a Texas Limited Liability Company in exchange for a General Warranty Deed granted to Aransas County for a different parcel, for a 40 foot wide strip of property located just east of State Highway 35 and approximately 6 miles south of Rockport, which parcel is landlocked and undevelopable and consists of approximately 0.974 acres – Jerry Brundrett, David Reid, Jennifer O'Steen, and Judge Garza

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

**Discussion followed**

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

**VIII. CONTRACTS AND GRANTS**

17. Discuss, approve, or disapprove Resolution R-04-2023, a Resolution approving an Interlocal Cooperation Agreement between Aransas County and the Region 8 Education Service Center enabling the County to participate in The Interlocal Purchasing System (TIPS), a Purchasing Cooperative; authorizing the County Judge to execute all necessary documents; providing for repealer and severability; confirming compliance with the Texas Open Meetings Act; and establishing an effective date – Valerie Gonzalez/Judge Garza

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

**Discussion followed**

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

18. Discuss, approve or disapprove the adoption of **Resolution #R-05-2023**, a Resolution designating County Judge Ray A. Garza, as the Authorized Official for Aransas County’s existing FY 2022 Homeland Security Operation Stonegarden Grant Program, Grant Number 3171808, effective March 6, 2023 – Jacky Cockerham/Judge Garza

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

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

19. Discuss, approve, or disapprove the adoption of **Resolution No. R-06-2023**, a resolution of the Aransas County Commissioners Court Requesting the Adoption of a Concurrent Resolution being presented to the 88th Texas Legislature related to the waiver of immunity for the Regional Pool Alliance; confirming compliance with the Texas Open Meetings Act; and Establishing an effective date – Jennifer O’Steen/Judge Garza

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

**Discussion followed**

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

20. Discuss, approve, or disapprove entering into an Interlocal Cooperation Agreement between Aransas County, Texas and Town of Fulton, Texas for Aransas County to provide Retail Food Establishment Regulation and Enforcement Services and authorizing the County Judge to execute the Agreement – Valerie Gonzalez/Judge Garza

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

**Discussion followed**

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

21. Discuss, approve or disapprove entering into an agreement for the use of the Reliable Tire Disposal Trailer and authorizing County Judge to sign the Agreement – Valerie Gonzalez/Judge Garza

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

**Discussion followed**

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

## **IX. Planning and Budget**

22. Discuss, approve, or disapprove the March 2023 Indigent Health Care Report – Alma Cartwright/Judge Garza

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

**Discussion followed**

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

23. Discuss, approve or disapprove an updated job description for Assistant County Auditor, to revise duties and changing the groups/steps from Group 13 to Group 15, which will not result in additional expenditures, but will result in the following changes to current staffing: Employee #1, 13-9 to 15-5; Employee #2, 13-10 to 15-6; and Employee #3, 13-12 to 15-8 – Jacky Cockerham/Linda Doane/Judge Garza

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

**Discussion followed**

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

24. Discuss, approve or disapprove a new job description for one of the current Assistant County Auditors to bring her job description more in line with actual job duties and to create a new position of “Assistant County Auditor – Grant Administrator” in Group 17, which will not result in additional expenditures, but will result in moving the employee from 13-14 to 17-6. – Linda Doane/Judge Garza

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

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

25. Discuss, approve or disapprove changing the Facilities Maintenance Director’s Group/Step from 19-13 to 23-5 to bring her position more in line with other department heads with similar amounts of responsibilities and allow room for future advancement, which will not result in additional expenditures or changes to the current salary for the position – Rene Butler/Linda Doane/Judge Garza

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

**Discussion followed** – Judge Garza Stated that the duties of the “Pathways” is not under this job description

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

26. Discuss, approve or disapprove a request for an additional employee for Public Facilities with the title of Landscape Maintenance Technician, which employee will be paid with funds currently in the budget and who will be responsible for duties to include the landscaping, mowing, and maintenance of the Pathway Projects, and updating the job description– Rene Butler/Linda Doane/Judge Garza

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

**Discussion followed**

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

27. Discuss, approve, or disapprove the January/February 2023 Auditor's Monthly Report – Jacky Cockerham/Judge Garza

**Motion to approve:** by Commissioner Chaney, motion was seconded by Commissioner Dupnik  
**Discussion followed**  
**Vote:** Motion carried 5-0; it was so ordered

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

**Motion to approve:** by Commissioner Casterline, motion was seconded by Commissioner Chaney  
**Vote:** Motion carried 5-0; it was so ordered

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

**Motion to approve:** by Commissioner Casterline, motion was seconded by Commissioner Dupnik  
**Discussion followed**  
**Vote:** Motion carried 5-0; 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 – 10:01 AM**

30. Consider convening into Closed Session for the following purposes:

- a. 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
- b. To consult with legal counsel and receive legal **advice about matters covered by legal counsel's duty of confidentiality, including but not limited to: issues relating to agreements under negotiation; issues relating to potential litigation; legal issues related to grant funding and the sale and purchase of real property**, 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; and to deliberate matters related to the lease or value of real property pursuant to Section 551.072 of the Texas Open Meetings Act, which authorizes closed sessions for a governmental body "to deliberate 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." – Jennifer O'Steen/Judge Garza

**Motion to go into closed session:** by Commissioner Rousseau, motion was seconded by Commissioner Casterline  
**Vote:** Motion carried 5-0; it was so ordered

### **XIII. Open Session - 10:44 AM**

31. Reconvene into Open Session

**Motion to go back into open session:** by Commissioner Casterline, motion was seconded by Commissioner Chaney  
**Vote:** Motion carried 5-0; it was so ordered

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

**NO Discussion or vote**

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

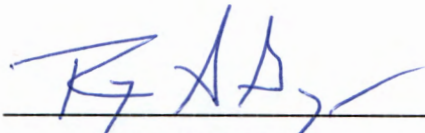
**NO Discussion or vote**

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

**Motion to adjourn:** by Commissioner Dupnik, motion was seconded by Commissioner Chaney  
**Vote:** Motion carried 5-0; it was so ordered



  
Misty Kimbrough, Ex-Officio Clerk  
of the Commissioners Court

  
Ray A. Garza, County Judge

