



MINUTES

Aransas County Commissioners Court

9:00 AM – Monday, April 10, 2023

The Aransas County Commissioners Court met on Monday, April 10, 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://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

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 – (there were none)

V. Presentations and Proclamations – (there were none)

VI. Consent Agenda

1. Discuss, approve, or disapprove the Minutes from the March 13, 2023 Regular Meeting – Misty Kimbrough/Judge Garza
2. Discuss, approve, or disapprove the Minutes from the March 27, 2023 Regular Meeting – Misty Kimbrough/Judge Garza
3. Acknowledge receipt of, and record in the minutes of the Commissioners Court, a certificate of completion from the Office of the Attorney General for County Clerk Misty Kimbrough for successfully completing 9.22 hours of continuing education – County Clerk Misty Kimbrough/Judge Garza
4. Acknowledge and accept a donation, with a \$1,360.00 value, for Kuranda pet beds from Animal Rescue Aid (ARA) for the Aransas County Animal Care – Lori Cesar/Judge Garza

5. Acknowledge and accept a donation of \$40.00 for supplies from Chris and Bridgette Rue for Aransas County Animal Care – Lori Cesar/Judge Garza
6. Acknowledge and accept a donation of \$10.00 from James Simpson for supplies for Aransas County Animal Care – Lori Cesar/Judge Garza
7. Acknowledge and accept a donation of \$40.00 from Pattie Beethe for Aransas County Animal Care Services Spay/Neuter Program – Lori Cesar/Judge Garza
8. Acknowledge and accept a donation of \$75.00 from John Debler for the spay/neuter program for Aransas County Animal Care – Lori Cesar/Judge Garza

Motion to approve: by Commissioner Rousseau, motion was seconded by Commissioner Casterline to accept the Consent agenda
Vote: Motion carried 5-0; it was so ordered

VII. County Reports, Proclamations, and Resolutions

9. Discuss, approve, or disapprove Proclamation #P-04-2023, a proclamation recognizing April 2023 as “Beach Safety and Rip Current Awareness Month” in Aransas County – Judge Garza

Motion to approve: by Commissioner Rousseau, motion was seconded by Commissioner Casterline
No discussion followed
Vote: Motion carried 5-0; it was so ordered

10. Discuss, approve or disapprove Proclamation #P-05-2023, a proclamation recognizing April 13, 2023 as “Willard Cox Day” in Aransas County – Commissioner Casterline

Motion to approve: by Commissioner Casterline, motion was seconded by Commissioner Dupnik
Discussion followed, Tower Dedication on April 13, 2023 at 11:00 AM
Vote: Motion carried 5-0; it was so ordered

11. Discuss, approve or disapprove Joint Proclamation #P-06-2023, a joint proclamation with the Town of Fulton recognizing the week of April 9 – 15, 2023 as the “Week of the Young Children” sponsored by the National Association for the Education of Young Children (NAEYC) – Judge Garza

Motion to approve: by Commissioner Dupnik, motion was seconded by Commissioner Rousseau
No discussion followed
Vote: Motion carried 5-0; it was so ordered

12. Discuss, approve or disapprove Order #O-06-2023, an Order of the Commissioners Court of Aransas County, Texas, entitled “Prohibiting Outdoor Burning for a Period of up to Thirty Days due to the Existence of Conditions that have Created a Public Safety Hazard” that would be exacerbated by outdoor burning- Judge Garza

Motion to Table: by Commissioner Casterline, motion was seconded by Commissioner Chaney
Motion to lift Burn ban due to current rain event, Fire Marshall Guerrero supported this decision.
Vote: Motion to lift Burn Ban carried 5-0

13. Discuss, approve or disapprove Resolution #R-08-2023 a “Resolution of the Aransas County Commissioners Court expressing support for the Texas State Senate Bill 1700 also known as the ‘Healthcare Expanded and Accessed Locally for Texans Act’ or ‘Heal Texans Act’” – Commissioner Rousseau

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

Discussion followed

Vote: Motion to table carried 5-0

14. Discuss, approve, or disapprove Resolution #R-09-2023, “A Resolution of the Aransas County Commissioners Court Approving Entering into an Interlocal Cooperation Agreement among Various Law Enforcement Agencies to Work Collaboratively to Carry Out Law Enforcement Duties and Operations through Operation Lone Star; Authorizing the County Judge to Execute all Necessary Documents, Providing for Severability; Certifying Compliance with the Open Meetings Act; and Providing for an Effective Date” - Sheriff Mills/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

15. Discuss, approve or disapprove Rockport Center for the Arts Report for the 1st Quarter of 2023 – Luis Purón/Judge Garza

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

Discussion followed

Vote: Motion to table carried 5-0

II. County Roads and Floodplain

16. Discuss, approve, or disapprove authorizing staff to apply to the Texas General Land Office (“GLO”) for funding through the Local Hazard Mitigation Plans Program (LHMPP) to fund a project to update the Aransas County Hazard Mitigation Action Plan – Katherine Comeaux/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

IX. Contracts and Grants

17. Discuss, approve, or disapprove the Second Amended Project Work Plan for the Bay Shore Drive Shoreline Stabilization Project, which is funded by a grant award through the Texas Commission on Environmental Quality (“TCEQ”) as set forth in Grant Contract #582-21-22184, which funding is made available through the U. S. Department of the Treasury – John Strothman/Judge Garza

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

Discussion followed

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

18. Discuss, approve, or disapprove entering into the “Interlocal Cooperation Agreement between Counties and Cities Associated with Operation Lone Star for Law Enforcement Services,” which will enable the Aransas County Sheriff’s Office to participate in joint operations with other participating agencies – Sheriff Mills/Judge Garza

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

No discussion followed

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

X. Planning and Budget

19. 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 Chaney

Discussion followed

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

20. Discuss, approve, or disapprove the March 2023 Auditor’s Monthly Reports – Jacky Cockerham/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

21. Discuss, approve, or disapprove the Aransas County Airport’s request to host an event called “Warbirds Over South Texas Memorial Day Fly-In” to help educate the community about the historical importance of the Airport to the Coastal Bend and the United States during the Second World War - Mike Geer/Judge Garza

Motion to approve: 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, allocating and approving the expenditure of Hotel Occupancy Tax (“HOT”) Funds in the amount of \$8,000.00 to be used by the Aransas County Airport to promote the “Warbirds Over South Texas Memorial Day Fly-In” Event - Mike Geer/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

23. Discuss, approve, or disapprove the Budget Line Item - Transfers for the 2023 Budget – Jacky Cockerham/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

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

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

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

XII. Reports about items of community interest – NO action will be taken

XIII. Closed Session – 10:17 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 the following pending litigation:

- a. Aransas County Texas v. Endurance American Specialty Insurance Company, et al, Aransas County District Court Cause No. 23-0021; and,
- b. Northstar Recovery Services, Inc. v. Aransas County Independent School District and Aransas County, Aransas County, District Court Cause No. 23-0066; and,
- c. Aransas County v. Kathleen Hicks, in her official capacity as Director of the Regional Pool Alliance, Aransas County District Court Cause No. 23-0069,

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

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

XIV Open Session - 10:50 AM

4. Reconvene into Open Session

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

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

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

NO Discussion or vote

26. Adjournment with Roll Call

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

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



Misty Kimbrough

Misty Kimbrough, Ex-Officio Clerk
of the Commissioners Court

Ray A. Garza

Ray A. Garza, County Judge

