



# MINUTES

## Aransas County Commissioners Court

9:00 AM – Monday, April 24, 2023

The Aransas County Commissioners Court met on Monday, April 24, 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  
**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

Scott Hime – “Red Beds” radioactive materials

### V. Presentations and Proclamations

1. Presentation of Pearl Point Rockport 1, LLC's Chapter 381 Economic Development Agreement Report for 2022. Mark Uhr of Pearl Point Phase 2, LLC began the presentation in person. John Davis of Pearl Point Rockport1, LLC also presented a Power Point via Zoom.
2. Presentation of Pearl Point Phase 2, LLC's Chapter 381 Economic Development Agreement Report for 2022. Mark Uhr of Pearl Point Phase 2, LLC, presented the status report of Tide on 35 development.
3. Discuss, approve or disapprove Proclamation #P-07-2023, a Proclamation recognizing April 2023 as National Preservation in History Month – Judge Garza

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

**No discussion followed**

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

4. Discuss, approve or disapprove Proclamation #P-08-2023, a Proclamation recognizing the Month of April as Trauma Awareness Month and Stop the Bleed – Patricia Arnold/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

## **VI. Consent Agenda**

5. Discuss, approve, or disapprove the Minutes from the April 10, 2023 Regular Meeting – Misty Kimbrough/Judge Garza
6. Acknowledge and record in the minutes of the Commissioners Court a donation from Another Chance RFT for the following: March 2023: \$5,975 value for medical veterinary care including 8 spay/neuters, vaccines, heartworm preventative, rabies shots, flea and tick preventative, and 4 heartworm treatments plus \$1,028 for transportation, supplies, cremations, and boarding. Total value of donated services in March: \$7,003.00. Volunteer hours donated in March were 285 – Commissioner Rousseau
7. Acknowledge and record in the minutes of the Commissioners Court a donation from Cat Tails Rescue for the following services to Aransas County Animal Control/Animal Care: covered expenses for spay/neuter surgeries, medical tests, and vaccinations to enable rehoming cats through partnering with no-kill shelters outside of Aransas County. Total value of donated services for March: \$2,183.54 – Commissioner Rousseau
8. Acknowledge and accept a donation of \$50.00 from Victor Perez for Aransas County Animal Care Services – Spay/Neuter program – Lori Cesar/Judge Garza
9. Acknowledge and accept a donation of \$40.00 of supplies from Karen Small for Aransas County Animal Care – Lori Cesar/Judge Garza
10. Acknowledge and accept a donation of \$2,000.00 from Ruth Chambers for the spay/neuter program for Aransas County Animal Care – Lori Cesar/Judge Garza
11. Acknowledge and accept a donation of a \$50.00 Amazon Gift Card for cat supplies from the Seiberts – The Pirate Shack – Lori Cesar/Judge Garza

**Motion to accept the Consent Agenda:** by Commissioner Rousseau, motion was seconded by Commissioner Casterline to accept the Consent agenda  
**No discussion followed**  
**Vote:** Motion carried 5-0; it was so ordered

## **VII. County Reports, Proclamations, and Resolutions**

12. Discuss, approve, or disapprove the Aransas County Historical Commission 1st Quarter Report for 2023 – Doreen Bronner/Dave Hattman/Judge Garza

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

13. Discuss, approve or disapprove the Friends of the History Center of Aransas County 1<sup>st</sup> Quarter Report for 2023 – Pam Stranahan/Judge Garza

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

14. Discuss, approve or disapprove the Rockport – Fulton Chamber of Commerce 2nd Quarter Report for 2023 (the Chamber’s fiscal year is Oct-Sept. This is the report for the County’s 1st Quarter) – Shelly Stuart/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

15. Discuss, approve or disapprove the 2022 Annual Library Report for the Texas State Library and authorize the County Judge to sign the report – Iris Sanchez/Judge Garza

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

16. Discuss, approve or disapprove the April 1, 2023 presentation for Pearl Point Rockport 1, LLC, as required by the Chapter 381 Economic Development Agreement and Authorize Payment of a \$32,175.64 rebate of 2022 Taxes paid January 2023 – Jacky Cockerham/Judge Garza

**Motion to approve:** by Commissioner Casterline, motion was seconded by Commissioner Chaney  
**Discussion followed** –Commissioner Casterline amended the motion to correct the amount from \$32,175.64 to \$29,900.14 as reported by Auditor Jacky Cockerham  
**Vote:** AMENDED Motion carried 5-0; it was so ordered

17. Discuss, approve, or disapprove the April 1, 2023 presentation for Pearl Point Phase 2, LLC, as required by the Chapter 381 Economic Development Agreement and Authorize Payment of a \$2,275.50 rebate of 2022 Taxes paid January 2023 – 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

18. Discuss, approve or disapprove the presentation of the Annual Report on Racial 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 Rousseau  
**Discussion followed** – This if for TRAFFIC STOPS ONLY  
**Vote:** Motion carried 5-0; it was so ordered

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

19. Discuss, approve, or disapprove Order #O-08-2023, an Order Closing, Abandoning, and Vacating a 60-foot Roadway called Elizabeth Street, between Blocks 24 and 29, Bellevue Addition, Aransas County, Texas and being more particularly described by metes and bounds on Exhibit “A” and “B” attached to the petition filed with the Commissioners Court which is made a part hereof by reference and incorporation – Katherine Comeaux / Elizabeth Brundrett / 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. Contracts and Grants**

20. Discuss, approve, or disapprove the issuance of a Request for Proposals for software designed to assist counties with jury management, including jury selection and impaneling, to improve efficiency and ensure that justice is carried out fairly and impartially - Pam Heard/Judge Garza

**Motion to approve:** by Commissioner Casterline, motion was seconded by Commissioner Chaney  
**Discussion followed** – the initial cost of the software will most likely be ARPA monies, there will be an annual fee that would be added to the budget  
**Vote:** Motion carried 5-0; it was so ordered

21. Discuss, approve, or disapprove the proposal from Gray & Pape for professional archaeological survey services for Lamar Beach Road Hazard Mitigation project 4332-015. The project is funded by a Federal Emergency Management Agency (FEMA) 404 Hazard Mitigation grant administered by the Texas Department of Emergency Management (TDEM) – John Strothman/Judge Garza

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

22. Discuss, approve, or disapprove Change Order #5 from Teal Construction for the new Aransas County Courthouse. Change Order #5 includes a deduction of <\$3,598.00> for NEMA 1 ATS Platform Revisions, an addition of \$4,030.35 to change door/frame/hardware schedule per RFI #59, a deduction of <\$2,401.98> for ASI 002, and an addition of \$2,070.84 for PR 9 blocking for jump seating in courtrooms. Total Change Order #5 amount is \$101.21. The new Contract Sum including this Change Order is \$23,385,603.91 – John Strothman/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

## **X. Planning and Budget**

23. Discuss, approve, or disapprove the March 2023 Treasurer's 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

24. Discuss, approve, or disapprove the Treasurer's Investment Report for the 1st Quarter of 2023 – Alma Cartwright/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

25. Discuss, approve, or disapprove request to declare the list of items provided as surplus to include vehicles, equipment, and items located in the surplus trailers, and allow Public Facilities to dispose of scrap metal to be salvaged and sold as recyclable – Rene Butler/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

26. Discuss, approve, or disapprove declaring Seven (7) vehicles surplus from the Sheriff's Office fleet and authorizing the Sheriff to trade Five (5) vehicles in on the vehicle replacements included in the 2023 budget and authorizing Two (2) vehicles to be reassigned within the County- Jacky Cockerham/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

27. Discuss, approve, or disapprove Aransas County contracting with License Chemical Dependency Counselor (LCDC) or License Professional Counselor (LPC) to provide services to inmates at the Aransas County Detention Center or defendants required to receive services by a Magistrate's Court Order Bond Conditions, using Opioid Settlement funds – Judge McGinnis

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

28. Discuss, approve, or disapprove the Transfer Station's request for emergency approval to begin searching for a suitable backhoe to purchase and authorizing the County Judge to execute necessary documents – Elle Moralez/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

29. 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  
**There are none at this time**  
**Vote:** Motion carried 5-0; it was so ordered

30. Discuss, approve, or disapprove Accounts Payable and Payroll/Payroll Liabilities – Jacky Cockerham/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

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

1. Commissioner Casterline reported a need to relocate the shooting range due to a new home subdivision
2. Auditor Jacky Cockerham reported that FEMA claims/help is complete from Hurricane Harvey recovery
3. Judge Garza reported that he testified in support of Texas Senate Joint Resolution 44
4. Sheriff Mills reported:
  - i. That the first online Property Tax Sale will take place Tuesday, May 2, 2023
  - ii. We will be receiving money from the US Marshall for overtime serving their warrants

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

1. Environmental Services Director Elle Moralez reported on the Tire Round-up, we collected 249 tires

**XIII. Closed Session**

**Judge Garza reported NO need for CLOSED SESSION**

The Commissioners Court will consider convening into a Closed Session to:

31. 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

**XIV Open Session – NO CLOSED SESSION OCCURED**

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

**34. Adjournment with Roll Call 11:09 AM**

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

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



Handwritten signature of Ray A. Garza in blue ink.

Ray A. Garza, County Judge

Handwritten signature of Misty Kimbrough in blue ink.

Misty Kimbrough, Ex-Officio Clerk  
of the Commissioners Court

