

MINUTES

Aransas County Commissioners Court



9:00 AM – Monday, June 10, 2024

The Aransas County Commissioners Court met on Monday, June 10, 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 \(aransascountytx.gov\)](#), 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 4-4A

I. CALL TO ORDER

✪ *Prior to the video starting*

II. INVOCATION

[Video Time 0:01](#)

III. PLEDGES

[Video Time 0:58](#)

IV. ROLL CALL AND CONFIRMATION OF QUORUM

[Video Time 1:25](#)

V. CITIZENS TO BE HEARD

[Video Time 1:40](#)

- ✪ Doreen Bronner
- ✪ Jeff Hutt

VI. PRESENTATIONS AND PROCLAMATIONS

[Video Time 9:26](#)

✪ *There were none*

VII. CONSENT AGENDA

[Video Time 9:31](#)

✪ Judge Garza, # 4 will be discussed separately

1. Discuss, approve or disapprove the Minutes from the May 28, 2024 Regular Meeting – Misty Kimbrough/Judge Garza
✪ *Struck from the agenda*
2. Discuss, approve or disapprove the Minutes from the May 30, 2024 Workshop – Misty Kimbrough/Judge Garza
✪ *Struck from the agenda*
3. Acknowledge receipt of and record in the minutes of Commissioners Court the Texas A&M Engineering Extension Service's 2024 Coastal Bend Hurricane Conference for a total of 13.5 hours for Commissioner Bob Dupnik – Commissioner Dupnik
4. Discuss, approve or disapprove appointing Matthew Ocker to the Aransas County Appraisal District's Board of Directors for a term of two (2) years – Judge Garza
✪ *Move to discuss after the consent agenda*

Donations

5. Acknowledge and accept donations from the following:
Pest Fest Cash donations in the amount of \$672
Pest Fest Various animal supplies in the Est. amount of \$700
Wauson Family from a lemonade stand in the amount of \$100
Jerry Laferney in cat food in the est. amount of \$16.00
Janice Roth in kitten toys in the est. amount of \$10
Lisa Earnest in animal items and adoption packet items in the est. amount of \$150
Cristy Powell in various animal items of \$40
Anonymous cash donation of \$100
Carol Van Dyne donation of \$100
Caitlan Frazier/Judge Garza
 - ✪ **Motion to accept the # 3 & 5 on the consent agenda:** by Commissioner Casterline, motion was seconded by Commissioner Chaney
 - ✪ **Vote:** Motion carried 5-0: it was so ordered
 4. Moved from consent agenda: Discuss, approve or disapprove appointing Matthew Ocker to the Aransas County Appraisal District's Board of Directors for a term of two (2) years – Judge Garza
Video Time 11:43
 - ✪ **Motion to approve:** by Commissioner Rousseau, motion was seconded by Commissioner Dupnik
 - ✪ **Vote:** Motion carried 5-0: it was so ordered
- VIII. COUNTY REPORTS AND RESOLUTIONS**
6. Discuss, approve or disapprove Resolution R-12-2024, a Resolution to select Management Advisory Group International, Inc. to provide consulting services to conduct a compensation study for Aransas County; authorizing the County Judge to execute necessary documents; providing for severance; and confirming compliance with the Open Meetings Act – Eric Smith/Desiree Upton/Judge Garza
Video Time 13:22
 - ✪ **Motion to approve:** by Commissioner Casterline, motion was seconded by Commissioner Chaney
 - ✪ **Motion to table:** by Commissioner Rousseau, motion was seconded by Commissioner Dupnik
 - ✪ **Vote:** Motion carried 5-0: it was so ordered
- IX. COUNTY ROADS AND FLOODPLAIN**
7. Discuss, approve or disapprove request for variance on County minimum lot size requirements to replat 23, 24 & 25 Charlotte Avenue from three lots into two lots– Katherine Comeaux/County Judge
Video Time 16:39
 - ✪ **Motion to approve:** by Commissioner Chaney, motion was seconded by Commissioner Dupnik
 - ✪ **Vote:** Motion carried 5-0: it was so ordered
- X. CONTRACTS AND GRANTS**
8. Discuss, approve or disapprove awarding a contract for the compensation study to the highest scoring company, Management Advisory Group International, Inc. “MAG” and authorize the County Judge to execute all necessary documents – Eric Smith/Desiree Upton/Judge Garza
 - ✪ Discussion Video Time 17:39

- ✪ **Motion to disapprove, then amended the motion to change it to discuss:** by Commissioner Rousseau, motion was seconded by Commissioner Dupnik
 - ✪ **Move to table:** by Commissioner Rousseau, motion was seconded by Commissioner Dupnik
 - ✪ **Vote:** Motion carried 5-0: it was so ordered
9. Discuss, approve or disapprove rejecting all responses for the Design-Build Services Request for Proposals opened on May 21, 2024 – Mike Geer/Judge Garza
Video Time 31:42
- ✪ **Motion to approve:** by Commissioner Rousseau, motion was seconded by Commissioner Casterline
 - ✪ **Vote:** Motion carried 5-0: it was so ordered
10. Discuss, approve or disapprove allowing the Airport Manager, with the assistance of the County Attorney’s Office, to begin the process of creating Disadvantaged Business or Enterprise (DBE) Goals for Aransas County, a necessary step in qualifying the airport for United States Department of Transportation (USDOT) Bipartisan Infrastructure Law (BIL) grant funding – Mike Geer/Judge Garza
Video Time 37:55
- ✪ **Motion to approve:** by Commissioner Rousseau, motion was seconded by Commissioner Chaney
 - ✪ **Vote:** Motion carried 5-0: it was so ordered
11. Discuss, approve or disapprove an Engagement Agreement between Aransas County and Earl & Associates, P.C., for the firm to serve as special counsel to provide legal services on an as-needed basis and, if approved, authorize the County Judge to execute the Agreement – Judge Garza
Video Time 42:40
- ✪ **Motion to approve:** by Commissioner Rousseau, motion was seconded by Commissioner Casterline
 - ✪ **Vote:** Motion was not approved 1-4, Judge Garza, yes; Commissioners Chaney, Casterline, Rousseau, Dupnik voted, no: it was so ordered
12. Discuss, approve or disapprove authorizing the County Judge to sign necessary documents to commence monitoring of the fire and alarm systems at the new Courthouse; monitoring services will be provided by Everon (formally ADT Commercial) in order to comply with relevant building codes; cost is estimated at \$221.18 per month – Collin Jackson/Judge Garza
Video Time 59:04
- ✪ **Motion to approve:** by Commissioner Rousseau, motion was seconded by Commissioner Chaney
 - ✪ **Vote:** Motion carried 5-0: it was so ordered
13. Discuss, approve or disapprove the annual County Clerk Archive Plan as required by Local Government Code Section 118.011 (f) – Misty Kimbrough/Judge Garza
Video Time 1:02:33
- ✪ **Motion to approve:** by Commissioner Dupnik, motion was seconded by Commissioner Casterline
 - ✪ **Vote:** Motion carried 5-0: it was so ordered
14. Discuss, approve or disapprove Change Order No. 2 for construction contract for Holiday Beach in the County’s General Land Office Community Development Block Grant – Disaster Relief (CDBG-DR) Contract #20-065-098-C270, to LCR Total Transport, LLC.; this Change Order increases the contract time by twenty-three (23) days; this additional time extends the Construction Contract End Date to August 2, 2024 – David Reid/Judge Garza
Video Time 1:10:46

- ✪ **Motion to approve:** by Commissioner Dupnik, motion was seconded by Commissioner Rousseau
- ✪ **Vote:** Motion carried 5-0: it was so ordered
- 15. Discuss, approve or disapprove DLF, TX Change Order No. 05, for additional HHS Support Beams for canopies and additional beam for interior partition; the Community Building is a portion of the Aransas County Community Building/Plaza/Parking Lot, General Land Office Community Development Block Grant – Disaster Recovery (CDBG_DR) Contract #20-065-098-C270 – adding \$34,507.76 and 20 days; the new project’s substantial completion date will be August 26, 2024 – Elle Moralez/Judge Garza
Video Time 1:12:19
 - ✪ Correction noted by Judge Garza, change completion date to August 16, 2024
 - ✪ **Motion to approve:** by Commissioner Rousseau, motion was seconded by Commissioner Chaney
 - ✪ **Vote:** Motion carried 5-0: it was so ordered
- 16. Discuss, approve or disapprove authorizing County Judge to terminate TAC-CIRA Services Agreement, including but not limited to providing 30 days’ written notice as required per the contract terms, and to sign any necessary documents regarding contract termination – Jacky Cockerham/Collin Jackson/Judge Garza
Video Time 1:20:09
 - ✪ **Motion to approve:** by Commissioner Rousseau, motion was seconded by Commissioner Dupnik
 - ✪ **Vote:** Motion carried 5-0: it was so ordered
- XI. PLANNING AND BUDGET**
- 17. Discuss, approve or disapprove the Aransas County Indigent Health Care Report for May 2024 – Alma Cartwright/Judge Garza
Video Time 1:24:40
 - ✪ **Motion to approve:** by Commissioner Casterline, motion was seconded by Commissioner Rousseau
 - ✪ **Vote:** Motion carried 5-0: it was so ordered
- 18. Discuss, approve or disapprove the Distribution of \$106,534.00 of the US Fish and Wildlife Service Refuge Revenue Sharing Account Annual Payments to Local Governments for Lands under their Administration for Fiscal Year 2023, received in 2024 – Alma Cartwright/Judge Garza
Video Time 1:25:34
 - ✪ **Motion to approve:** by Commissioner Rousseau, motion was seconded by Commissioner Dupnik
 - ✪ **Vote:** Motion carried 5-0: it was so ordered
- 19. Discuss, approve or disapprove the May 2024 Auditor’s Monthly Report – Jacky Cockerham /Judge Garza
Video Time 1:27:09
 - ✪ **Motion to approve:** by Commissioner Casterline, motion was seconded by Commissioner Chaney
 - ✪ **Vote:** Motion carried 5-0: it was so ordered
- 20. Discuss, approve or disapprove the Budget Line Item – Jacky Cockerham/Judge Garza
Video Time 1:29:05
 - ✪ **Motion to approve:** by Commissioner Casterline, motion was seconded by Commissioner Dupnik
 - ✪ **Vote:** Motion carried 5-0: it was so ordered

21. Discuss, approve or disapprove Accounts Payable and Payroll/Payroll Liabilities – Jacky Cockerham/Judge Garza
[Video Time 1:29:25](#)
✪ **Motion to approve:** by Commissioner Dupnik, motion was seconded by Commissioner Chaney
✪ **Vote:** Motion carried 5-0: it was so ordered
- XII. REPORTS FROM COMMISSIONERS, ELECTED OFFICIALS, AND DEPARTMENT HEADS – NO ACTION WILL BE TAKEN**
[Video Time 1:33:17](#)
✪ Mike Geer
✪ Commissioner Rousseau
✪ Commissioner Chaney
- XIII. REPORTS ABOUT ITEMS OF COMMUNITY INTEREST – NO ACTION WILL BE TAKEN**
✪ There were none
- XIV. CLOSED SESSION**
22. Convene 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:
- i. *Aransas County Texas v. Endurance American Specialty Insurance Company, et al*, Aransas County District Court Cause No. 23-0021; and
 - ii. *Northstar Recovery Service, Inc. v. Aransas County Independent School District and Aransas County*, Aransas County, District Court Cause No. 23-0066 consolidated with *Northstar Recovery Services, Inc. v. HR&R, LLC, et al*, Aransas County District Court Cause No. 20-0159; and
 - iii. *Western Steel Company v T2J Partners, LLC DIE/A FPS Recovery, LLC and Aransas Count, Texas; Cause No. 24-0072, in the 36th District Court of Aransas County, Texas;*
- 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 –Amanda Oster/Adela Martinez/Judge Garza
[Video Time 1:41:17](#)
✪ **Motion to approve:** by Commissioner Rousseau, motion was seconded by Commissioner Dupnik
✪ **Vote:** Motion carried 5-0: it was so ordered
✪ Judge Garza called for a 10 minute break
- XV. OPEN SESSION**
23. Reconvene into Open Session
[Video Time 2:18:43](#) *Sound started late*
✪ **Motion to approve:** by Commissioner Chaney, motion was seconded by Commissioner Rousseau
✪ **Vote:** Motion carried 5-0: it was so ordered
24. Discuss and take action on matters discussed in closed session – Amanda Oster/Adela Martinez/Judge Garza
✪ *There was no action taken*

XVI. ADJOURNMENT

Video Time 2:19:11

- ⊗ **Motion to adjourn:** by Commissioner Rousseau, motion was seconded by Commissioner Dupnik
- ⊗ **Vote:** Motion carried 5-0: it was so ordered
- ⊗ **Meeting adjourned at 11:20 AM**

ARANSAS COUNTY COMMISSIONERS' COURT



Ray A. Garza

Ray A. Garza, County Judge

06/24/24

Date signed.

Misty Kimbrough

**Misty Kimbrough,
Ex-Officio Clerk of the Commissioners Court**

6-24-24

Date signed and attestation.

