

# MINUTES

## Aransas County Commissioners Court



9:00 AM – Monday, July 22, 2024

The Aransas County Commissioners Court met on Monday, July 22, 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 \(aransascountytx.gov\)](https://www.aransascountytx.gov), then scroll to the bottom of the page and select the date you wish to view.

Present: **Jack Chaney**, Commissioner Precinct 1-1A  
**Leslie Casterline**, Commissioner, Precinct 2, lead the meeting  
**Pat Rousseau**, Commissioner, Precinct 3  
**Robert Dupnik**, Commissioner, Precinct 4-4A

Absent: **Ray A. Garza**, County Judge

### I. CALL TO ORDER

[Video Time 0:04](#)

### II. INVOCATION

[Video Time 0:32](#)

### III. PLEDGES

[Video Time 1:37](#)

### IV. ROLL CALL AND CONFIRMATION OF QUORUM

[Video Time 0:20](#)

### V. CITIZENS TO BE HEARD

[Video Time 2:10](#)

*Commissioner Casterline: Struck items 7, 8, and 14*

### VI. PRESENTATIONS AND PROCLAMATIONS

[Video Time 6:17](#)

1. Presenting two deputies, Aaron Gordon and Ruben San Miguel, with Meritorious Awards – Sheriff Mills/Judge

### VII. CONSENT AGENDA

[Video Time 15:17](#)

2. Discuss, approve or disapprove the Minutes from the July 12, 2024 Regular Meeting – Misty Kimbrough/Judge Garza
  - ★ **Motion to accept the consent agenda:** by Commissioner Dupnik, motion was seconded by Commissioner Rousseau
  - ★ **Vote:** Motion carried 4-0: it was so ordered

### VIII. COUNTY REPORTS, PROCLAMATIONS, AND RESOLUTIONS

3. Discuss, approve or disapprove Resolution R-17-2024, a resolution of the Commissioners Court of Aransas County to oppose the proposal of the Texas Windstorm Association (TWIA) to increase rates – Commissioner Rousseau

[Video Time 15:46](#)

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

4. Discuss, approve or disapprove the Rockport Center for the Arts Report for 2nd Quarter 2024 – Luis Purón/Judge Garza

Video Time 16:26

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

5. Discuss, approve or disapprove the Friends of the History Center Report for 2<sup>nd</sup> Quarter 2024 – Melinda Gudim/Judge Garza

Video Time 25:09

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

6. Discuss, approve or disapprove the Rockport-Fulton Chamber of Commerce Report for 3<sup>rd</sup> Quarter 2024 – Alyssa Massingill/Judge Garza

Video Time 27:38

- ✪ **Motion to approve:** by Commissioner Rousseau, motion was seconded by Commissioner Dupnik
- ✪ **Vote:** Motion carried 4-0: it was so ordered

#### IX. COUNTY ROADS AND FLOODPLAIN – NONE

#### X. CONTRACTS AND GRANTS

7. Discuss, approve or disapprove authorizing the County Judge to sign a ground lease with Billy Burke for approximately 18,000 square feet of space at the airport for a term of one (1) year, with four (4) additional one (1) year options at a cost of \$.166666 per square foot per annum with an approximate 5.75% annual increase; Year 1: \$250 Monthly - \$3,000 Annually; Year 2: \$265 Monthly - \$3180 Annually; Year 3: \$280 Monthly - \$3360 Annually; Year 4: \$295 Monthly - \$3540 Annually; Year 5: \$310 Monthly - \$3720 Annually – Mike Geer/Judge Garza

- ✪ **Struck from agenda**

8. Discuss, approve or disapprove authorizing the County Judge to sign a ground lease with Solar Rails, LLC for approximately 4,000 square feet of space at the airport for a term of one (1) year, with four (4) additional one (1) year options at a cost of \$2.11 per square foot per annum with an approximate 5.75% annual increase; Year 1: \$703.33 Monthly - \$8,440 Annually; Year 2: \$743.33 Monthly - \$8,920 Annually; Year 3: \$786.66 Monthly - \$9,440 Annually; Year 4: \$833.33 Monthly - \$10,000 Annually; Year 5: \$880 Monthly - \$10,560 Annually – Mike Geer/Judge Garza

- ✪ **Struck from agenda**

9. Discuss, approve or disapprove selecting and awarding a contract to Hanson Professional Services, Inc. for the Town of Fulton Streets and Drainage Project from the Community Development Block Grant – Mitigation – Method of Distribution (CDBG-MIT-MOD) and authorize County Judge to execute all necessary documents – David Reid/Judge Garza

Video Time 38:31

- ✪ **Motion to approve:** by Commissioner Dupnik, motion was seconded by Commissioner Rousseau
- ✪ **Vote:** Motion carried 4-0: it was so ordered

10. Discuss, approve or disapprove selecting and awarding a contract to Hanson Professional Services, Inc. for the Lamar Streets and Drainage Project from the Community Development Block Grant – Mitigation – Method of Distribution (CDBG-MIT-MOD) and authorize County Judge to execute all necessary documents – David Reid/Judge Garza  
Video Time 39:34
  - ✪ **Motion to approve:** by Commissioner Rousseau, motion was seconded by Commissioner Dupnik
  - ✪ **Vote:** Motion carried 4-0: it was so ordered
11. Discuss, approve or disapprove interviewing the three top rated engineering companies, Garver, Pape-Dawson and Strand, for the Countywide Drainage Study from the Community Development Block Grant – Mitigation – Method of Distribution (CDBG-MIT-MOD) Contract – David Reid/Judge Garza  
Video Time 40:18
  - ✪ **Motion to approve:** by Commissioner Chaney, motion was seconded by Commissioner Casterline suggested to add to the motion that the Storm Water Technical Committee do the interviews.
  - ✪ **Motion amended:** by Commissioner Chaney, motion was seconded by Commissioner Rousseau
  - ✪ **Vote:** Motion carried 4-0: it was so ordered
12. Discuss, approve or disapprove Change Order No. 4 of the construction contract for Southeast Aransas County Drainage Improvements in the County’s General Land Office (GLO) Community Development Block Grant – Disaster Relief (CDBG-DR) Contract #20-065-098-C270. Brizo Construction, LLC requests an increase in the contract amount of \$357,962.00 for additional Excavation, Embankment, Concrete Pipe, and Safety End Treatments. No additional time is requested – David Reid/Judge Garza  
Video Time 41:18
  - ✪ **Motion to approve:** by Commissioner Chaney, motion was seconded by Commissioner Rousseau
  - ✪ **Vote:** Motion carried 4-0: it was so ordered
13. Discuss, approve or disapprove Bay Shore Drive Erosion Mitigation Project RESTORE ACT Sub-recipient Reimbursement Contract No. 582-21-22184 with the Texas Commission on Environmental Quality (TCEQ) Change Order Proposal #5 from Orion Construction requesting an adjustment in contract time for the project due to low water supply for the area which will not allow a regular watering schedule for new seeding to be installed. Ninety (90) impact days. No additional money – Elle Morales/Judge Garza  
Video Time 43:26
  - ✪ **Motion to approve:** by Commissioner Rousseau, motion was seconded by Commissioner Dupnik
  - ✪ **Vote:** Motion carried 4-0: it was so ordered
14. Discuss, approve or disapprove authorizing County Judge to sign an Amendment to the Harbor Oaks Village Shopping Center Lease Agreement to extend the current lease One (1) Month beginning September 1, 2024 and ending September 30, 2024 for a flat rate of \$38,500.00 – Judge Garza
  - ✪ **Struck from the agenda**

15. Discuss, approve or disapprove the transfer of Aransas County District Clerk's permanent records to the Texas State Library and authorizing the County Judge to sign any necessary documents – Pam Heard/Judge Garza

Video Time 45:58

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

#### XI. PLANNING AND BUDGET

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

Video Time 45:52

- ✪ **Motion to approve:** by Commissioner Dupnik, motion was seconded by Commissioner Rousseau, amend to state year 2024
- ✪ **Vote:** Motion carried 4-0: it was so ordered

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

Video Time 49:23

- ✪ **Motion to approve:** by Commissioner Dupnik, motion was seconded by Commissioner Rousseau
- ✪ **Vote:** Motion carried 4-0: it was so ordered

#### XII. REPORTS FROM COMMISSIONERS, ELECTED OFFICIALS, AND DEPARTMENT HEADS – NO ACTION WILL BE TAKEN

Video Time 51:11

- ✪ Commissioner Chaney

#### XIII. REPORTS ABOUT ITEMS OF COMMUNITY INTEREST – NO ACTION WILL BE TAKEN

Video Time 52:58

- ✪ None

#### XIV. CLOSED SESSION

18. 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 County, Texas; Cause No. 24-0072, in the 36<sup>th</sup> 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/Judge Garza

Video Time 53:05

- ⊛ **Motion to move into closed session:** by Commissioner Rousseau, motion was seconded by Commissioner Dupnik
- ⊛ **Vote:** Motion carried 4-0: it was so ordered

Take a 5 minute break at 9:54 AM

Closed session to start at 9:59 AM

**XV. OPEN SESSION**

19. Reconvene into Open Session

Video Time 1:45:16 sound was not turned on.

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

20. Discuss and take action on matters discussed in closed session – Amanda Oster/Judge Garza

Video Time 1:45:21

- ⊛ **There was no action taken**

**XVI. ADJOURNMENT**

Video Time 1:45:57

- ⊛ **Motion to adjourn:** by Commissioner Rousseau, motion was seconded by Commissioner Dupnik
- ⊛ **Vote:** Motion carried 4-0: it was so ordered
- ⊛ **Meeting adjourned at 10:47 AM**

**ARANSAS COUNTY COMMISSIONERS' COURT**



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

8-12-24  
Date signed and attestation.

*Ray A. Garza*  
Ray A. Garza, County Judge  
8-12-24  
Date signed.

