

COMMISSIONERS COURT
Aransas County, Texas
Ray A. Garza, County Judge

Jack Chaney
Commissioner, Pct 1-1A

Leslie Casterline
Commissioner, Pct 2



Pat Rousseau
Commissioner, Pct 3

Robert Dupnik
Commissioner, Pct 4

NOTICE OF REGULAR MEETING AND AGENDA

Notice is hereby given that a **Regular Meeting** of the above named Commissioners Court will be held on the **9th DAY of OCTOBER, 2023 at 9:00 A.M. IN THE COMMISSIONERS COURTROOM IN THE ARANSAS COUNTY COURTHOUSE, 2840 HWY. 35 N., ROCKPORT, TEXAS, 78382.** Persons with disabilities who plan to attend this meeting and who may need assistance should contact the County Judge's office at (361) 790-0100 two working days prior to the meeting so that appropriate arrangements can be made. **To watch the meeting, visit:** here <https://www.youtube.com/channel/UCTxprR-CFvaZfapOVcLeDWQ/live>. The following subjects will be discussed at this meeting:

- I. CALL TO ORDER & PLEDGES**
- II. INVOCATION**
- III. ROLL CALL AND CONFIRMATION OF QUORUM**
- IV. CITIZENS TO BE HEARD**

At this time, comments will be taken from the audience on any subject matter that is not on the Agenda. To address the Commissioners, please sign the Public Participation Form located at <https://actxgov.seamlessdocs.com/w/ccpublicparticipation> or sign the Public Participation Form located on the table outside of the County Courtroom and deliver to the County Clerk before the meeting begins. Citizens who wish to speak on a matter included in this Agenda will be invited to speak when that particular matter is being deliberated by the Commissioners Court. Each member of the public who appears before the Commissioners Court shall be limited to a maximum of five (5) minutes to make his/her remarks. Please note, in accordance with the Open Meetings Act, Commissioners may not discuss or take action on any item that is not on the agenda.

V. PRESENTATIONS AND PROCLAMATIONS

Presentations are scheduled in advance of the meeting and limited to fifteen (15) minutes unless other arrangements have been made with the Court.

1. Proclamation #P-13-2023, recognizing October 2023 as "Volunteer Fire Department Appreciation Month" and Presentation by Rockport Volunteer Fire Department – Chief Aaron Guerrero/Emily Guerrero

2. Proclamation #P-16-2023, recognizing “National 4-H Week” and Presentation AgriLife Extension Office and 4H Ambassadors - Ginger Easton Smith/Megan Glidden
3. Proclamation #P-17-2023, recognizing October 2023 as Domestic Violence Awareness and Prevention Month – Amanda Oster/Judge Garza
4. Presentation by Historical Commission, including a Courthouse Display Proposal – Doreen Bronner
5. Proclamation #P-14-2023, recognizing October as “Texas Archeology Month” – Doreen Bronner
6. Presentation on the efforts to date of the Animal Welfare Committee – Wendy Laubach

VI. CONSENT AGENDA

All Consent Agenda items listed are considered to be routine by the Commissioners Court and will be enacted by one motion and no separate discussion of these items will occur unless a Commissioner or the County Judge so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

7. Discuss, approve or disapprove the Minutes from the September 25, 2023 Regular Meeting – Misty Kimbrough/Judge Garza

Donations

8. Acknowledge and record in the minutes of Commissioners Court, the breakdown and value of services donated from Another Chance RFT to Aransas County for August and September 2023 with the total two month total of \$11,172.00:
 - a. August 2023: Veterinary Care, Meds, Spay/Neuters, Heartworm Tests, and Vaccines - \$6,192 Cremations - \$135. With the total value of donated services in August of \$6,327; and
 - b. September 2023: Veterinary Care, Meds, Spay/Neuters, Heartworm Tests, and Vaccines - \$4,845. With the total value of donated services in September 2023 of \$4,845 – Commissioner Rousseau
9. Acknowledge and accept a donation from the Barbara Morris 2019 Trust in the amount of \$100.00 to the Aransas County Public Library – Iris Sanchez/Judge Garza
10. Acknowledge and accept a donation of \$100.00 from Roger & Pat Wight for Aransas Animal Care Service for Supplies – Lori Cesar/Judge Garza
11. Acknowledge and accept a donation of animal supplies valued at \$150.00 from Lisa Honeycutt for Aransas County Animal Care Services – Lori Cesar/Judge Garza
12. Acknowledge and accept a donation of \$50.00 from Diane Clark for Aransas County Animal Care Services – Lori Cesar/Judge Garza

VII. COUNTY REPORTS, ORDERS, AND RESOLUTIONS

13. Discuss, acknowledge receipt of, and record in the minutes of Commissioners Court, a list of salaries for Aransas County's elected officials for 2024 – Commissioner Rousseau
14. Discuss, approve or disapprove Resolution #R-25-2023, a Resolution Designating the County Judge as the Program Director and contact person for the Indigent Defense Grant Program – Jacky Cockerham/Judge Garza
15. Discuss, approve or disapprove Resolution #R-27-2023, a Resolution stating that Aransas County will not support any mandate that requires a person to wear a mask or face covering; that confines a person to their home; that requires business to modify operations; or requiring vaccinations without a person's informed consent – Commissioner Rousseau
16. Discuss, approve, or disapprove the Historical Commission Report for the 3rd Quarter of 2023 – Doreen Bronner
17. Discuss, approve or, disapprove the Rockport Center for the Arts Report for the 3rd Quarter of 2023– Luis Purón
18. Discuss, approve, or disapprove Order No. O-23 -2023, an Order of the County of Aransas, Texas, Prohibiting Outdoor Burning for a Period of Up to Thirty (30) Days – Judge Garza

VIII. CONTRACTS AND GRANTS

19. Discuss and consider taking action regarding to the County's EDA Contract No. 08-01-05487 related to the Workforce Development Center Project located at 2000 HWY 35 N, Rockport, TX, 7838; to authorize the County Judge to send a letter to the Economic Development Administration (“EDA”) to request for the grant to be transferred to Del Mar College District (“DMC”); to execute a memorandum of understanding with DMC setting forth the terms and conditions of the agreement to transfer the grant, deed the property, and assign ancillary contracts; to assign the GrantWorks grant administration contract to DMC; to assign the DBR Engineering Consultants, Inc. MEP Engineering and Construction Administration Services contract to DMC; to approve entering into a Purchase and Sale Agreement for the Workforce Development Center property with DMC; and to authorize the County Judge to execute necessary documents to facilitate the transfer, sale, and assignments, including executing a Warranty Deed at Closing – John Strothman/ Judge Garza
20. Discuss, approve or disapprove entering into a Real Estate Purchase and Sale Agreement between Rockport Property Entity, LLC, EVC-CC Land Holdings LLC, and Aransas County, Texas for the purchase of approximately 972.952 acres of land out of the A6 Joseph Fessenden Survey, J. Smith Survey, and A14 Anselmo Bergara Survey, near Cape Valero and 1751 FM in Aransas County, for Two Million Three Hundred and Fifty Thousand Dollars (\$2,350,000.00), with the purchase contingent upon the award and receipt of grant funds from the GOMESA Program, CMP Cycle 29 for Projects of Special Merit, and authorize the County Judge to execute necessary documents – Kat Comeaux/Jen O'Steen/Judge Garza

21. Discuss, approve or disapprove Resolution #R-28-2023, a resolution to participate in a FY 2024 Airport Improvement Project (AIP) Statewide Lighting Project Grant, administered by the Texas Department of Transportation Aviation Division for airfield lighting and electrical repairs at the Aransas County Airport, at an estimated cost of \$2,570,000 to be paid with grant funds and a local funding match of \$257,000, paid with funds received under the American Rescue Plan Act (ARPA) – Mike Geer/Judge Garza
22. Discuss, approve, or disapprove entering into a one-year Ground Lease, with up to four consecutive one-year renewal options, with Island Operating Company, Inc. for 7,200 sq. ft. of land at the Aransas County Airport at the annual rate of \$7,200 for the first year with annual increases if the lease is renewed and authorize the County Judge to execute necessary documents – Mike Geer/Judge Garza
23. Discuss, approve, or disapprove entering into a one-year lease, with up to four consecutive one-year renewal options with Rotocraft Leasing Corporation, Inc. for space in Hangar Large Bravo, a community hangar, at the Aransas County Airport at the annual rate of \$6,600 for the first year with and annual increases if the lease is renewed and authorize the County Judge to execute necessary documents– Mike Geer/Judge Garza
24. Discuss, approve or disapprove Change Order #5 to the Construction Contract between Aransas County and KC Lease Service, Inc. d/b/a Matagorda Construction & Materials for the Copano Heights Drainage Project included in the County’s General Land Office Community Development Block Grant – Disaster Relief (CDBG-DR) Contract #20-065-098-C270, in the amount of \$82,500 for safety end improvements (SET) and installing/watering erosion control grass to improve the project – David Reid/Judge Garza
25. Discuss, approve or disapprove an Interlocal Cooperation Agreement between Aransas County and Kleberg County for Jail Services to alleviate jail overcrowding at the Kleberg County Detention Center on an as needed basis, in exchange for the payments set forth therein, with the Agreement being in effect from the date of execution until December 31, 2024 and for up to Four (4) renewals of One (1) year – Sheriff Mills/Judge Garza
26. Discuss, approve or disapprove Change Order for \$10,300 from Gray & Pape for additional archeological survey work required by Texas Historical Commission at Lamar Beach Road Hazard Mitigation Grant Program (HMGP), site 4332-015 – John Strothman/Judge Garza

IX. PLANNING AND BUDGET

27. Discuss, approve or disapprove the September 2023 Indigent Health Care Report – Alma Cartwright/Judge Garza
28. Discuss, approve, or disapprove the Revised Job Description for the Chief Deputy Treasurer position, changing the position from a Group 17 to a Group 19, to effectively place the position closer to where it should be. There are no new monies added to the current budget with this change – Alma Cartwright/Judge Garza
29. Discuss, approve or disapprove paying for immunizations at the Annual Aransas County Employee Health Fair for employees not covered by health insurance, at the budgeted cost of \$1,500 utilizing funds from the Health Care Sales Tax – Desiree Upton/Judge Garza

30. Discuss, approve or disapprove the September 2023 Auditor’s Monthly Report – Jacky Cockerham/Judge Garza
31. Discuss, approve, or disapprove the Budget Line Item - Transfers for the 2023 Budget – Jacky Cockerham/Judge Garza
32. Discuss, approve, or disapprove Accounts Payable and Payroll/Payroll Liabilities – Jacky Cockerham/Judge Garza

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

At this time, Commissioners will provide reports or updates on committee assignments and Elected Officials and Department Heads may provide reports or updates related to advisory boards, fee reports, and more.

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

At this time, Commissioners Court will receive reports and updates from Commissioners, County Judge, and County staff related to items of community interest such as: expressions of thanks, congratulations, or condolences; information regarding holiday schedules or closures; honorary or salutatory recognition of a public official, employee, or a citizen; reminders about upcoming events; reports on public events attended by Commissioners, County officials, and/or employees; and any announcement involving an emergency or imminent threat to public health and safety that arose after the posting of this Agenda.

XII. CLOSED SESSION

33. 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. *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

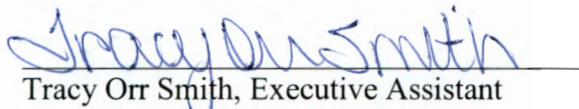
XIII. OPEN SESSION

- 35. Reconvene into Open Session
- 36. Discuss and take action on matters discussed in closed session – Jennifer O’Steen/ Judge Garza

XIV. ADJOURNMENT

CERTIFICATION

It is hereby affirmed that this **NOTICE OF MEETING and AGENDA** was duly posted at the Aransas County Courthouse at least seventy-two (72) hours preceding the scheduled time of said meeting on enclosed bulletin boards outside of the Courthouse that are readily accessible to the general public twenty-four (24) hours each day and also on the Aransas County website, in compliance with the Texas Open Meetings Act and Texas Government Code §551.043.


Tracy Orr Smith, Executive Assistant
Aransas County Judge’s Office
Tel: 361-790-0100

FILED FOR RECORD
AT 9:08 A.M.
OCT 05 2023

MISTY KIMBROUGH
COUNTY CLERK, ARANSAS CO., TEXAS
posted @ 9:20am