

# MINUTES – Regular Meeting

## Aransas County Commissioners Court



9:00 AM – Monday, October 28, 2024

The Aransas County Commissioners Court met on **28th DAY of OCTOBER, 2024 at 9:00 A.M.** **IN THE COUNTY COURT AT LAW COURTROOM IN THE ARANSAS COUNTY COURTHOUSE, 2718 HWY. 35 N., ROCKPORT, TEXAS, 78382.** The meeting video recordings are available by following this link: [Commissioners Court Minutes and Agendas \(aransascountytexas.gov\)](https://www.aransascountytexas.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

[Video Time 0:00](#)

### II. INVOCATION

[Video Time 0:14](#)

### III. PLEDGES

[Video Time 1:09](#)

### IV. ROLL CALL AND CONFIRMATION OF QUORUM

[Video Time 1:36](#)

### V. CITIZENS TO BE HEARD

[Video Time 1:48](#)

★ Herb Lancaster

### VI. PRESENTATIONS AND PROCLAMATIONS

1. Recognize the Rockport-Fulton High School ROTC's contribution to helping demo the County Courthouse located at 2840 Hwy 35 N – Elle Morales/Judge Garza

[Video Time 7:27](#)

2. Discuss and approve Proclamation P-22-2024, recognizing October 28th as Aaron Guerrero Day in Aransas County – Emily Guerrero/Judge Garza

[Video Time 11:14](#)

3. Discuss and approve Proclamation P-23-2024, recognizing the week of November 1-8, 2024 as Aransas County Arbor Week – Debbie Griffith/Judge Garza

[Video Time 15:19](#)

4. Discuss and approve Proclamation P-24-2024, recognizing November 11, 2024 as Sergeant Cesar Peralta Day – Judge Garza

[Video Time 18:35](#)

### VII. CONSENT AGENDA

5. Discuss, approve or disapprove the Minutes from the October 14, 2024 Regular Meeting – Misty Kimbrough/Judge Garza

[Video Time 20:33](#)

- ★ **Motion to approve:** by Commissioner Casterline, motion was seconded by Commissioner Chaney
- ★ **Vote:** Motion carried 5-0: it was so ordered

#### VIII. COUNTY REPORTS AND RESOLUTIONS

6. Discuss, approve, or disapprove the 2024 3<sup>rd</sup> Quarter Report for the Texas Maritime Museum – Ashley Pieprzyca/Judge Garza  
Video Time 20:52
  - ★ **Motion to approve:** by Commissioner Rousseau, motion was seconded by Commissioner Dupnik
  - ★ **Vote:** Motion carried 5-0: it was so ordered
7. Acknowledge and accept the 2024 3<sup>rd</sup> Quarter Report for the Friends of the History Center – Pam Stranahan/Judge Garza  
Video Time 28:50
  - ★ **Motion to approve:** by Commissioner Rousseau, motion was seconded by Commissioner Dupnik
  - ★ **Vote:** Motion carried 5-0: it was so ordered
8. Discuss, approve or disapprove Resolution R-25-2024, changing the authorized representative for the Logic Investment Pool – Alma Cartwright/Judge Garza  
Video Time 35:27
  - ★ **Motion to approve:** by Commissioner Dupnik, motion was seconded by Commissioner Rousseau
  - ★ **Vote:** Motion carried 5-0: it was so ordered
9. Discuss, approve or disapprove Resolution R-26-2024, changing the authorized representative for the TexPool Prime Investment Pool – Alma Cartwright/Judge Garza  
Video Time 36:28
  - ★ **Motion to approve:** by Commissioner Rousseau, motion was seconded by Commissioner Dupnik
  - ★ **Vote:** Motion carried 5-0: it was so ordered

#### IX. COUNTY ROADS AND FLOODPLAIN

10. Discuss, approve or disapprove a request for variance on the minimum elevation required at 113 & 115 Dockside Drive – Katherine Comeaux/Judge Garza  
Video Time 36:54
  - ★ **Motion to approve:** by Commissioner Casterline, motion was seconded by Commissioner Chaney
  - ★ **Vote:** Motion carried 5-0: it was so ordered

#### X. CONTRACTS AND GRANTS

11. Discuss, approve or disapprove authorizing Environmental Health to seek bids for 2025 Mosquito Control Chemicals – Anthony Van Meter/Judge Garza  
Video Time 46:38
  - ★ **Motion to approve:** by Commissioner Dupnik, motion was seconded by Commissioner Chaney
  - ★ **Vote:** Motion carried 5-0: it was so ordered

12. Discuss, approve, or disapprove authorizing Environmental Health to seek bids for 2025 Brush Grinding Contract – Anthony Van Meter/Judge Garza  
Video Time 47:20
    - ✪ **Motion to approve:** by Commissioner Dupnik, motion was seconded by Commissioner Casterline
    - ✪ **Vote:** Motion carried 5-0: it was so ordered
  13. Discuss, approve or disapprove authorizing County Judge to execute a Contract Amendment with Tyler Technologies to amend the Tyler Technology’s Enterprise Jury Management Software Contract originally executed on January 10, 2024 in order to increase our Enterprise Jury Text Message service limit from 10,000 messages to 25,000 messages per year, and increase the cost of this portion of the service from \$1,200.00 to \$2,500.00 – Pam Heard/Collin Jackson/Judge Garza  
Video Time 47:49
    - ✪ **Motion to approve:** by Commissioner Casterline, motion was seconded by Commissioner Chaney
    - ✪ **Vote:** Motion carried 5-0: it was so ordered
  14. Discuss, approve or disapprove the purchase of a 2025 Chevrolet 2500HD for the amount of \$52,599, and authorize County Judge to execute necessary documents – Blake Brown/David Reid/Judge Garza  
Video Time 50:43
    - ✪ **Motion to approve:** by Commissioner Chaney, motion was seconded by Commissioner Casterline
    - ✪ **Vote:** Motion carried 5-0: it was so ordered
  15. Discuss, approve or disapprove selecting H2O Partners to update the Aransas County Hazard Mitigation Plan with Local Hazard Mitigation Planning Program funds and authorizing the County Judge to execute the necessary documents – Kat Comeaux/Judge Garza  
Video Time 51:40
    - ✪ **Motion to approve:** by Commissioner Casterline, motion was seconded by Commissioner Dupnik
    - ✪ **Vote:** Motion carried 5-0: it was so ordered
- XI. PLANNING AND BUDGET**
16. Discuss, approve, or disapprove the September 2024 Treasurer’s Report – Alma Cartwright/Judge Garza  
Video Time 52:46
    - ✪ **Motion to approve:** by Commissioner Casterline, motion was seconded by Commissioner Rousseau
    - ✪ **Vote:** Motion carried 5-0: it was so ordered
  17. Discuss, approve or disapprove the 3<sup>rd</sup> Quarter Aransas County Treasurer’s Investment Report – Alma Cartwright/Judge Garza  
Video Time 53:18
    - ✪ **Motion to approve:** by Commissioner Casterline, motion was seconded by Commissioner Chaney
    - ✪ **Vote:** Motion carried 5-0: it was so ordered

18. Discuss, approve or disapprove the Revised Procurement Policy – Jacky Cockerham/Judge Garza

Video Time 55:06

- ✪ **Motion to approve:** by Commissioner Rousseau, motion was seconded by Commissioner Casterline
- ✪ **Vote:** Motion carried 5-0: it was so ordered

19. Discuss, approve, or disapprove the Budget Line Items - Jacky Cockerham/Judge Garza

Video Time 56:20

- ✪ **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 Accounts Payable and Payroll/Payroll Liabilities – Jacky Cockerham/Judge Garza

Video Time 56:39

- ✪ **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 1:00:41

- ✪ Amanda Oster
- ✪ Judge Garza

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

Video Time 1:03:11

- ✪ Elle Moralez

**XIV. CLOSED SESSION**

21. Convene into a Closed Session to consult with counsel and receive legal advice about pending or contemplated litigation or other attorney-client privileged matters, including insurance matters related to Aransas County’s projects and insurance claims from Hurricane Harvey, various contract disputes, and the Wendt Services, Inc. Public Information Act Request:

- 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; and
- iv. *iWorQ Systems, Inc., a Utah Corporation v Aransas County, Texas Case No. 240100226*, in the District Court of the First Judicial District County of Cache, Utah; and

v. Report on the status of the formal alternative dispute resolution occurring between the County and Teal Construction Company for the Downtown Anchor Project, regarding the various pending matters as noticed for the September 23, 2024, Regular Meeting Closed Session, including but not limited to, contemplated litigation, alternative dispute resolution, termination of the contract, changes to the scope of work, and various requested and proposed contract amendments to the Contract Sum and Contract Time; and

vi. Proposed contract negotiations between County and VG Architects regarding the Aquarium project, including possible alternative dispute resolution, termination of the contract for convenience or cause, and/or extensions of Contract Time or renegotiation of the Contract Sum; and

vii. Wendt Services, Inc. Public Information Act Request

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 1:06:36](#)

✪ **Motion to move into closed session at 10:09 AM:** by Commissioner Rousseau, motion was seconded by Commissioner Dupnik

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

✪ **Judge Garza called for a 5 Minute break from 10:12 AM to 10:22 AM**

## XV. OPEN SESSION

22. Reconvene into Open Session

[Video Time 2:57:09](#)

✪ **Motion to reconvene into open session:** by Commissioner Casterline, motion was seconded by Commissioner Rousseau

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

a. Discuss, approve or disapprove authorizing the County Attorney’s Office to take formal legal action on the contract with VG Architects, including termination of the contract for convenience or cause, alternative dispute resolution, and/or adjustments to the Contract Time of the Contract Sum – Amanda Oster/Adela Martinez

[Video Time 2:57:28](#)

✪ **Motion to approve authorizing the County Attorney’s Office to take formal legal action on the contract with VG Architects and proceeding with termination of the contract for convenience and/or cause:** by Commissioner Rousseau, motion was seconded by Commissioner Dupnik

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

b. Discuss, approve or disapprove taking action or issuing instructions to the County Attorney’s Office to act on the County’s behalf regarding the

pending matters between the County and Teal Construction Company for the Downtown Anchor Project and authorizing County Attorney's Office to act accordingly – Amanda Oster/Adela Martinez

⊛ **No action taken**

- c. Discuss, approve or disapprove taking action, issuing orders, if any, or issuing instructions to the County Attorney's Office to act on the County's behalf regarding the Wendt Services, Inc. Public Information Act request and authorizing the County Attorney's Office to act accordingly – Amanda Oster/Adela Martinez

⊛ **No action taken**

**XVI. ADJOURNMENT**

Video Time 2:57:57

- ⊛ **Motion to adjourn:** by Commissioner Rousseau, motion was seconded by Commissioner Casterline
- ⊛ **Vote:** Motion carried 5-0: it was so ordered
- ⊛ **Meeting adjourned at 11:58 AM**

**ARANSAS COUNTY COMMISSIONERS' COURT**



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

11-12-24  
Date signed and attestation.

Ray A. Garza  
Ray A. Garza, County Judge  
11-12-24  
Date signed.

