

MINUTES – Regular Meeting

Aransas County Commissioners Court



9:00 AM – Thursday, November 25, 2024

The Aransas County Commissioners Court met on **25th day of NOVEMBER, 2024, at 9:00am** **at the AQUARIUM EDUCATION CENTER LOCATED AT 706 NAVIGATION CIRCLE, ROCKPORT, TEXAS.** The meeting video recordings are available by following this link: [Commissioners Court Minutes and Agendas \(aransascountytexas.com\)](https://aransascountytexas.com/minutes-and-agendas), 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

Prior to the Video starting

III. PLEDGES

Prior to the Video starting

IV. ROLL CALL AND CONFIRMATION OF QUORUM

Video Time 0:00

V. CITIZENS TO BE HEARD

Video Time 0:11

★ There were none

★ Judge Garza

- Struck Item # 5
- Following consent agenda hear # 18 & # 19, then continue with the agenda as posted.

Video Time 0:21

VI. PRESENTATIONS AND PROCLAMATIONS - NONE

Video Time 0:46

★ *There were none*

VII. CONSENT AGENDA

1. Discuss, approve or disapprove the Minutes from the November 12, 2024 Workshop Meeting – Misty Kimbrough/Judge Garza
2. Discuss, approve or disapprove the Minutes from the November 12, 2024 Regular Meeting – Misty Kimbrough/Judge Garza
3. Discuss, approve or disapprove the Minutes from the November 14, 2024 Special Meeting – Misty Kimbrough/Judge Garza

Video Time 0:49

- ★ **Motion to accept the consent agenda:** by Commissioner Casterline, motion was seconded by Commissioner Dupnik
- ★ **Vote:** Motion carried 5-0: it was so ordered

VIII. COUNTY REPORTS AND RESOLUTIONS

4. Present and discuss the 3rd Quarter Report from the Friends of the Fulton Mansion – Jane Hill/Judge Garza
Video Time 16:10
 - ★ **Motion to accept and discuss report:** by Commissioner Rousseau, motion was seconded by Commissioner Casterline
 - ★ **Vote:** Motion carried 5-0: it was so ordered
5. Present and discuss the 3rd Quarter Report from the Aransas County Chamber of Commerce – Alyssa Massingill/Judge Garza
 - ★ **Judge Garza struck this from the agenda** Video Time 0:21
6. Discuss, approve or disapprove Resolution #R-28-2024 selecting Pape-Dawson Engineers for professional services to complete Shoreline Delineation Survey and Category 1A Land Survey for GOMESA CMP PSM Project – Copano Cove Ranch Acquisition Project, General Land Office (GLO) Contract No. #24-099-005-E379 and authorizing County Judge to execute necessary documents – Kat Comeaux/Judge Garza
Video Time 28:24
 - ★ **Motion to approve:** by Commissioner Rousseau, motion was seconded by Commissioner Dupnik
 - ★ **Vote:** Motion carried 5-0: it was so ordered
7. Discuss, approve or disapprove Resolution #R-29-2024 selecting CBRE, Inc. for professional property appraisal services for GOMESA CMP PSM Project - Copano Cove Ranch Acquisition Project, General Land Office (GLO) Contract No. #24-099-005-E379 – Kat Comeaux/Judge Garza
Video Time 29:50
 - ★ **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-30-2024, a Resolution adopting Exhibit A as the Aransas County Jury Plan – Pam Heard/Judge Garza
Video Time 30:50
 - ★ **Motion to approve:** by Commissioner Casterline, motion was seconded by Commissioner Dupnik
 - ★ **Vote:** Motion carried 5-0: it was so ordered
9. Discuss, approve or disapprove Order #O-23-2024, an Order of the Commissioners Court of Aransas County, Texas, entitled “Prohibiting Outdoor Burning for a Period of up to Thirty Days due to the Existence of Conditions that have Created a Public Safety Hazard” that would be exacerbated by outdoor burning – Judge Garza
Video Time 31:31
 - ★ **Motion to approve:** by Commissioner Chaney, motion was seconded by Commissioner Dupnik
 - ★ **Amended** to include the Order # O-23-2024, by Commissioner Rousseau
 - ★ **Approved** with corrections on section # 7 for 30 days ending on 12-24-2024
 - ★ **Vote to approve with amendment and correction:** Motion carried 5-0: it was so ordered

IX. COUNTY ROADS AND FLOODPLAIN – NONE

- ★ *There were none*

X. CONTRACTS AND GRANTS

10. Discuss, approve or disapprove a Second Amendment to Purchase and Sale Agreement by and between Rockport Property Entity, LLC, and EVC-CC Land Holdings, LLC. And Aransas County, Texas to extend the closing date from December 31, 2024 to March 31, 2025, and to authorize the County Judge to sign the necessary documents - Adela C. Martinez/Commissioner Bob Dupnik/Judge Garza

Video Time 33:35

- ★ **Motion to approve:** by Commissioner Dupnik, motion was seconded by Commissioner Rousseau
 - ★ **Amended motion:** to add that this is for the Copano Cove Ranch, by Commissioner Dupnik, motion was seconded by Commissioner Casterline
 - ★ **Vote on the amended motion:** Motion carried 5-0: it was so ordered
11. Discuss, approve or disapprove authorizing County Judge to execute documents necessary to complete the Microsoft Enterprise Agreement True-Up Order, through SHI Government Services under Texas Department of Information Resources Technology Sourcing Office (DIR TSO) Contract No. 4092 as required on the each anniversary of the three year agreement executed in December of 2023. No new monies – Collin Jackson/Judge Garza

Video Time 37:11

- ★ **Motion to approve:** by Commissioner Rousseau, motion was seconded by Commissioner Chaney
 - ★ **Vote:** Motion carried 5-0: it was so ordered
12. Discuss, approve or disapprove authorizing the County Judge to sign a Project Partnership Agreement (PPA) between the Department of the Army and Aransas County for Gulf Intracoastal Waterway, adjacent to Goose Island, CAP 204, Beneficial Use of Dredged Material Project, Aransas County, Texas – Jacky Cockerham/Judge Garza

Video Time 38:51

- ★ **Motion to approve:** by Commissioner Chaney, motion was seconded by Commissioner Casterline
 - ★ **Vote:** Motion carried 5-0: it was so ordered
13. Discuss, approve or disapprove request to solicit Request for Qualifications (RFQ) for Mechanical, Electrical and Plumbing (MEP) Engineering Firm for the General Land Office (GLO) Disaster Recovery and Reallocation Program (DRRP) – Jacky Cockerham/Judge Garza

Video Time 41:22

- ★ **Motion to approve:** by Commissioner Rousseau, motion was seconded by Commissioner Dupnik
 - ★ **Vote:** Motion carried 5-0: it was so ordered
14. Discuss, approve or disapprove request to solicit Requests for Proposals (RFP) for Grant Management to include Grant Application Specialist and Environmental Review Reporting for the General Land Office (GLO) Disaster Recovery and Reallocation Program (DRRP) – Jacky Cockerham/Judge Garza

Video Time 42:34

- ★ **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 request to solicit Request for Qualifications (RFQ) for Civil Engineering firm for the General Land Office (GLO) Disaster Recovery and Reallocation Program(DRRP) – Darrell Seibert/Judge Garza

Video Time 43:42

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

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

16. Discuss, approve or disapprove Change Order No. 2 for the construction contract for Southwest Aransas County in the County’s General Land Office Community Development Block Grant – Disaster Relief (CDBG-DR) Contract #20-065-098-C270. LCR Total Transport, LLC requests an increase in the contract amount by \$205,382.20 and an increase in the contract time by an additional one hundred and twenty six (126) days – Darrell Seibert/Judge Garza

Video Time 44:37

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

★ **Amend motion to change contract time from 126 days to 189 days:** by Commissioner Casterline, 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 October 2024 Treasurer’s Report – Alma Cartwright/Judge Garza

Video Time 47:11

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

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

18. Discuss, approve or disapprove using funding from a vehicle registration fee collected to be used to purchase six (6) traffic warning signs to help control traffic around the Rockport-Fulton ISD campuses – Sheriff Mills/Judge Garza

Video Time 1:18

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

★ **Amended motion:** to approve up to \$25,000 by Commissioner Casterline, motion was seconded by Commissioner Chaney

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

19. Discuss, approve or disapprove to request funding for the Coastal Bend Disaster Recovery Group (CBDRG) in the amount of \$10,000 to support CBDRG’s continued commitment to Aransas County disaster recovery and resiliency – Jacky Cockerham/Judge Garza

Video Time 3:31

★ **Motion to approve:** by Commissioner Chaney, motion was seconded by Commissioner Dupnik

★ **Vote:** Motion carried 4-1: it was so ordered, Commissioner Rousseau voted nay

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

Video Time 48:18

★ **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 48:42

Motion to approve: by Commissioner Dupnik, motion was seconded by Commissioner Rousseau

- ★ **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 52: 38

- ★ Commissioner Rousseau
- ★ Judge Garza
- ★ Mike Geer
- ★ Judge Garza

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

Video Time 55:39

- ★ None

XIV. CLOSED SESSION

22. 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 36th District Court of Aransas County, Texas; and
- iv. *Oldcastle Building Envelope, Inc. dba Graham Architectural Products v. Sharp Glass, LLC, et.al.*, Aransas County District Court Cause No. 24-0099; and
- v. *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
- vi. 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

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 –Adela Martinez/Amanda Oster/Judge Garza

☛ **No need to go into closed session.**

XV. OPEN SESSION

23. Reconvene into Open Session

☛ **There was no closed session**

24. Discuss, approve or disapprove taking action or issuing instruction to the County Attorney’s Office to act on the County’s behalf regarding any of the pending matters identified for Closed Session and authorizing County Attorney’s Office to act accordingly – Amanda Oster/Adela Martinez/Judge Garza

☛ **There was no closed session**

XVI. ADJOURNMENT

Video Time 56:32

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

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

☛ **Meeting adjourned at 9:59 AM**

ARANSAS COUNTY COMMISSIONERS’ COURT



Ray A. Garza

Ray A. Garza, County Judge

12/10/24

Date signed.

Misty Kimbrough

Misty Kimbrough,
Ex-Officio Clerk of the Commissioners Court

12-10-24

Date signed and attestation.

