

MINUTES – Regular Meeting

Aransas County Commissioners Court



9:00 AM – Monday, December 9, 2024

The Aransas County Commissioners Court met on **9th day of December, 2024, at 9:00am in the COUNTY COURT AT LAW COURTOOM 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/commissioners-court-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

Video Time 0:00

II. INVOCATION

Video Time 0:11

III. PLEDGES

Video Time 1:15

IV. ROLL CALL AND CONFIRMATION OF QUORUM

Video Time 1:42

V. CITIZENS TO BE HEARD

Video Time 1:55

- ★ Andrew Kane – against *Video Time 2:03*
- ★ Jeff Sjostrom – for *Video Time 4:42*
- ★ Katy Jackson – see attachments – for *Video Time 8:10*
- ★ Jack Wright – for - not here for the TIRZ but for Appraisal District *Video Time 12:17*
- ★ John Bell – will speak on the item *Video Time 16:48*
- ★ Karen Mella – for - *Video Time 16:53*
- ★ Jack Wright – for TIRZ how to, not, not to *Video Time 18:25*
- ★ John Jackson – for – see attachment - *Video Time 19:10*
Video Time 22:03
- ★ Benson Goebel – for, not present
- ★ Tracy Borrel – for, not present
- ★ Kristie Rutledge – asked that her statement be read during the item
- ★ Derek Leenher – for, not present
- ★ Barbara Gurtner – for, not present
- ★ McKenzie Kendall Vaught – for, not present
- ★ Cole Kendall – for, not present
- ★ Susanne Patterson – for, not present
- ★ Matt Hesley – for *Video Time 23:44*
- ★ Michaela Alston – chose not to speak but is in favor
Video Time 25:46

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- ✧ Kelly Blackwell – for, not present
- ✧ Guy Wehman – for, not present
- ✧ Alex Harris – for, not in present
- ✧ David and Laura Denham – for, not present
- ✧ Scott Norman – for, not present
- ✧ Irene Hahn – for, not present
- ✧ Jon Heffron – asked that his statement be read during the item
- ✧ Brandi Picton – for, not present
- ✧ Jerry Brundrett – for, [Video Time 26:45](#)
[Video Time 28:55](#)
- ✧ Marsha Reid – for, not present
- ✧ Liz Murray – for, not present
- ✧ Michelle Simmons – for, not present
- ✧ Janice Haldeman – for, not present
- ✧ Kim Hesley – for, not present
- ✧ Scarlett Embrey - will speak on the item [Video Time 29:27](#)
- ✧ Debra Stephens – in favor but chose not to speak [Video Time 29:35](#)
[Video Time 29:36](#)
- ✧ Brad Goebel – for, not present
- ✧ Christy Goebel – for, not present
- ✧ Karen Krause – for, not present
- ✧ Chris Hilbrich – for, not present
- ✧ Lisa Willbanks – for, not present
- FOR - Emails** [Video Time 33:44](#)
- ✧ Larry Hellums
- ✧ Ron Wagoner
- ✧ Bill Boecker
- AGAINST - Emails** [Video Time 34:30](#)
- ✧ Christine Ritter
- ✧ Gary Zellers
- ✧ Judy Schrupp
- ✧ Mike Elkins
- ✧ Irene Edler
- ✧ Tamara Wren
- ✧ Roy Ware
- ✧ Judy Island
- ✧ Sam Canterbury
- ✧ Debie West
- ✧ Judy Sanders
- ✧ Nikki Wess
- ✧ Bonnie Bullis
- ✧ Kathy Kane
- ✧ Koleen Quattlebaum
- ✧ Larry Harris
- ✧ Rose Ann Elliot

- ★ Beverly McFadden Toups
- ★ Skip Carrier
- ★ Bron Rorex
- ★ George Taggart – stated “this is nuts”
- ★ 4 to be read during the items

VI. PRESENTATIONS AND PROCLAMATIONS

1. Family and Community Health Program Updates – Megan Glidden, Aransas County Extension Agent - Family & Community Health
Video Time 36:38

- ★ **Judge Garza called for a break at 9:54 AM**
Video Time 53:54

- ★ **Convened into open session at 10:05 AM**
Video Time 1:04:38

- ★ **Judge Garza**
Video Time 1:04:45

- Moved to strike # 17 due to presenters not available
- Move item # 20 to follow the Consent Agenda so Rene Butler could get back to work

VII. CONSENT AGENDA

2. Discuss, approve or disapprove the Minutes from the November 22, 2024 Workshop Meeting – Misty Kimbrough/Judge Garza
3. Discuss, approve or disapprove the Minutes from the November 25, 2024 Regular Meeting – Misty Kimbrough/Judge Garza (With corrections noted)
4. Acknowledge and accept the following donations for Aransas County Animal Care:
 - Anonymous Donation of \$7.00
 - Laura McCorkle in the amount of \$25.00
 - Noell Myska donated animal supplies in the amount of \$117.97
 - Todd Kocian donated animal supplies in the amount of \$148.68
 - Elma Valdez in the amount of \$100.00
 - Gary Sanders in the amount of \$50.00
 - Pat Olle Elder donated a gift card in the amount of \$10.00
 - Caitlan Frasier/Judge Garza
5. Discuss, approve or disapprove accepting donations in memory of Elaine Albin in the amount of \$460.00 from the following:
 - Vicki L. Pitluk
 - Susan Austin
 - Rita A. Gilbert
 - Martha A. Pearson
 - Diane H. Rome
 - Sara A. Baldwin
 - Mary Lynn Rhodes
 - Janet K. Sutter Revocable Trust
 - Iris Sanchez/Judge Garza
6. Discuss, approve or disapprove allowing the Aransas County Public Library to donate one hundred seventy seven (177) discarded books/dvds/cds to the Friends of the Aransas County Public Library for their book sale – Iris Sanchez/Judge Garza

Video Time 1:04:14

- ⊛ **Motion to approve with minor corrections to 11-25-24 Minutes:** by Commissioner Rousseau, motion was seconded by Commissioner Casterline
- ⊛ **Vote:** Motion carried 5-0: it was so ordered

- ⊛ Item #20 was heard at this time, see item #20 for further information

[Video Time 1:07:14](#)

VIII. COUNTY REPORTS, ORDERS, AND RESOLUTIONS

7. Discuss, approve, or disapprove 3rd Quarter Report from the Rockport-Fulton Chamber of Commerce – Alyssa Massengill/Judge Garza

[Video Time 1:08:24](#)

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

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

8. Acknowledge the update from Cody Stewart regarding the recent Warbirds Over South Texas event which occurred at the Aransas County Airport November 15-17, 2024 – Commissioner Rousseau

[Video Time 1:11:08](#)

9. Discuss, approve or disapprove the participation of Aransas County in an Interlocal Agreement with the City of Rockport regarding the Tax Increment Reinvestment Zone (TIRZ) #1. Such an agreement will be written with knowledgeable counsel to include a split of 50% to County's general fund and 50% to TIRZ fund of incremental revenue from ad valorem taxes brought into the TIRZ by new development initiated from Development Plans approved by the TIRZ Board. County requests to be represented by a minimum of two seats on the 7-member board – Commissioner Rousseau

[Video Time 1:24:21](#)

- ⊛ **Motion to approve:** by Commissioner Rousseau, motion was seconded by Commissioner Chaney
- ⊛ Kristie Rutledge – for - read by Commissioner Rousseau
- ⊛ John Heffron – for – read by Commissioner Rousseau
- ⊛ Keith Barrett/ – for, changed mind from against
- ⊛ Amanda Oster, Aransas County Attorney
- ⊛ John Bell – Attorney in Corpus Christi, Sunrey Development, the proposed developer for this project
- ⊛ Scarlett Emery – Developer with Sunrey
- ⊛ Charles Duffley – A coastal developer from Victoria, TX
- ⊛ Amanda Oster – suggests negotiating with the City, prior to joining, and join in an Interlocal Agreement
- ⊛ Commissioner Casterline, spoke but could not hear what was said
- ⊛ Commissioner Rousseau – read email from Frank Alvarez, Transparency & Property Tax Incentives Team Lead - Texas Comptroller of Public Accounts
- ⊛ Commissioner Casterline, requested to call to question, could not hear clearly
- ⊛ **Vote:** to approve going to question by Commissioner Casterline, seconded by Commissioner Rousseau
- ⊛ **Vote :** Motion carried 4-1, Judge Garza voted nay: it was so ordered

IX. COUNTY ROADS AND FLOODPLAIN - NONE

X. CONTRACTS AND GRANTS

10. Discuss, approve or disapprove renewing an Interlocal Agreement with San Patricio County to provide a Technical Supervisor to inspect and service the County's Intoxilyzer

equipment and to be available to testify as a witness if necessary for the cost of \$14,000 for one year, beginning on January 1, 2025 – Sheriff Mills/Judge Garza

[Video Time 2:03:22](#)

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

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

11. Discuss, approve, or disapprove authorizing the County Judge to sign necessary documents to renew our GovOS Seamless Documents contract for another one (1) year term, no new monies; renewal Cost is \$27,658.18 and is in the 2025 budget – Collin Jackson/Judge Garza

[Video Time 2:04:30](#)

✪ **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 the County Elections Administrator to upgrade our current Hart InterCivic Voting equipment from Verity Version 2.5 to Verity Version 2.7 – Kevin Stroud/Judge Garza

[Video Time 2:05:47](#)

✪ **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 a Contract extension of time with The Grant Connection extending the term from December 31, 2024 until the earlier of January 31, 2025 or until the Project is completed and administratively closed for a fee not to exceed \$3,750.00 - Community Development/County Auditor/Judge Garza

[Video Time 2:07:43](#)

✪ **Motion to approve Contract amendment # 2:** by Commissioner Rousseau, motion was seconded by Commissioner Dupnik

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

14. Discuss, approve or disapprove Change Order No. 2 for construction contract for Ruby Allen & Traylor Ditch Improvements in the County's General Land Office Community Development Block Grant-Disaster Relief (CDBG-DR) Contract #20-065-098-C270, to Anderson Columbia Co.- increase the contract amount by an additional \$169,739.00. This change order will increase the total contract amount from \$5,562,662.22. The Change order is for additional work needed to relocate an existing luminaire in conflict with construction as well as mitigating washouts around headwalls - Darrell Siebert/Judge Garza

[Video Time 2:11:14](#)

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

✪ **Amend motion:** to read “total increase amount from”; to read “total increase amount to”, by Commissioner Casterline, motion was seconded by Commissioner Chaney

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

15. Discuss, approve or disapprove pursuing Engineer to replace Mott MacDonald – Jacky Cockerham/Judge Garza

[Video Time 2:14:37](#)

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

✪ **Vote:** Motion carried 0-5: all voted nay, it was so ordered

✪ **Judge Garza called for a 10 minute Break at 10:30 AM**

[Video Time 2:30:13](#)

★ **Convened into open session at 10:39 AM**

[Video Time 2:39:14](#)

16. Discuss, approve or disapprove requesting statements of qualifications (RFQ) from architects or respondents with substantial experience designing aquarium facilities to assist Aransas County in developing the new Aquarium at Rockport Harbor – Elle Moralez

[Video Time 2:39:24](#)

★ **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 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

★ **Struck from the agenda by Judge Garza** [Video Time 1:04:45](#)

XI. PLANNING AND BUDGET

18. Discuss, approve, or disapprove the Aransas County Indigent Health Care Report for November 2024 – Alma Cartwright/Judge Garza

[Video Time 2:45:36](#)

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

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

19. Discuss, approve or disapprove the use of remaining American Rescue Plan Act Fund [tabled 11/12/2024] [tabled 11/25/2024]— Jacky Cockerham/Judge Garza

[Video Time 2:46:24](#)

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

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

20. Discuss, approve or disapprove updated job description for Public Facilities & Maintenance full-time Administrative Assistant. No new monies – Desiree Upton/Judge Garza

[Video Time 1:07:14](#)

★ Moved item # 20 to follow the Consent Agenda in the interest of time

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

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

21. Discuss, approve or disapprove the 2025 Grant and Financial Policies as presented: Section 3 and Economic Policy, Aransas County Civil Rights Policy-Responding to Discrimination Complaints for Federal and State Grant Programs, Code of Conduct, Fraud Detection, Fixed Asset Methodology, Aransas County Environmental Grant, Fund Balance, Excessive Force, Aransas County Financial Policy and Procedures, Cash Handling, GASB 34 Uncollectible Receivables Policies – Jacky Cockerham/Judge Garza

[Video Time 2:47:22](#)

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

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

22. Discuss, approve or disapprove the November 2024 Auditor’s Monthly Report – Jacky Cockerham/Judge Garza

Video Time 2:53:29

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

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

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

Video Time 2:57:05

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

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

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

Video Time 2:57:27

✪ **Motion to approve:** by Commissioner Casterline, 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 3:01:06

✪ Commissioner Casterline

Jacky Cockerham

✪ Commissioner Rousseau

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

Video Time 3:06:19

There were none.

XIV. CLOSED SESSION

25. 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 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

⊛ **There was no Closed Session**

XV. OPEN SESSION

26. Reconvene into Open Session

⊛ **There was no Closed Session**

27. Discuss and take action on matters discussed in closed session – Adela C. Martinez /Amanda Oster/Judge Garza

⊛ **There was no Closed Session**

XVI. ADJOURNMENT

Video Time 3:06:32

⊛ **Motion to adjourn:** by Commissioner Rousseau, motion was seconded by Commissioner Chaney

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

⊛ **Meeting adjourned at 12:07 PM**

ARANSAS COUNTY COMMISSIONERS' COURT



Misty Kimbrough

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

12/23/24
Date signed and attestation.

Ray A. Garza

Ray A. Garza, County Judge

12/23/24

Date signed.

