



# MINUTES

## Aransas County Commissioners Court

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9:00 AM – Monday, December 11, 2023

The Aransas County Commissioners Court met on Monday, December 11, 2023, 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 \(aransascourttx.gov\)](https://www.aransascourttx.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

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

Blanche Dean – Mr. Chaney, I called you Nov. 24, you said you were going to come see me, but you never showed up. I called again and left a message that I would like to meet you face to face. The recording said you were not trying to avoid anyone and that you would get back to me.

Commissioner Chaney – I apologize.

Blanche Dean – you still haven't gotten back to me so I came here to talk to you, I'm one of your constituents. I moved to Monkey Road in December of last year, the property I bought is beautiful but everything around it is hell. Crackheads live across the street, we call all the time. I've had my neighbors approach me and I think the only reason they do is because I'm the new kid on the block and I've got fight in me. I want to take the neighborhood back from these crackheads. I wake up at 2:30 AM, the guy is out there looking for the drugs that he dropped; my dogs are going crazy. Yesterday afternoon two crackheads on San Antonio were so messed up and going so fast down San Antonio Road that they hit four culverts. There are little kids that play there. They got out of the car and walked down the road and couldn't even walk. The woman was carrying the man down to the end at 12<sup>th</sup> and Monkey. I've heard animal abuse. The guy that lives there is named Freddy and he plays his music 24/7 and nobody can sleep on that street. I have not been able to sleep in the master bedroom of my house since I moved there. I don't go to dinner, the movies, or even the mall at night to go Christmas shopping. My Christmas is ruined. Last night I wanted to watch the football game, I couldn't because he has the music up so loud. I'm 63 years old, do you know what stress does to a person with lack

of sleep? I'm tired this morning. Praise be to God, last night to get him to turn the music off and the neighbor called me and I told her to call right after me. Your county officers won't go in there to tell them to turn it off. This is no joke, its seven days a week, and 365 days a year. I can count on my hand where he's turned that music off. That's probably because he's cracking down at the other end. The drug flow and traffic that comes in and out of that house across the street is unbelievable, all night long. I have it on my video cameras. I had to put \$5,000 worth of security in my house, just to have a little peace and there is no peace there. Something needs to be done about the speeding on that street. The guy at the end at 12<sup>th</sup> and Monkey, will come down that street at 100 miles an hour, back and forth on a Sunday morning. When you call the county to come out to do something, I ask why they can't park right there just behind the sign so when he comes back by, they say they can't do that, it's hiding, and we don't hide. They will have to speed in front of us. That's lame. It wouldn't be hiding; it would be there on the street. I heard animal abuse where he beat a puppy to death with his bare hands. I call the county, they show up and they don't bring ACSO, they won't even go in there. They go to the driveway and bleep, bleep, bleep, the guy comes out and he never went to check on the animal. Another time I finally decided that I was going to stand up for this neighborhood and try to take it back that guy, I don't even know what he was doing to animal back there but it rang through the core of me. It made me so mad I stood up and screamed "leave the dog alone", this is constant this has been going on for a year. The dogs going up and down the street. The neighbors want to take the law into their own hands. I bought those idiots \$400 worth of fence so it doesn't escalate but this guy won't stop, he doesn't have a brain anymore. He has now threatened me by shouting at me that I... "Times up" stated by the computer. I would like something done out there, more lights on the streets, even Lt. Cox said he wouldn't walk down that street at night, that's a shame. I grew up in Flour Bluff, and I always looked at Rockport as a beautiful place, Rockport has turned into a very ugly place  
Judge Garza – thank you Ms. Dean, you only get five minutes.

**V. PRESENTATIONS AND PROCLAMATIONS**

1. Presentation from the Rockport-Fulton Middle School group, Students Working Against Tobacco (SWAT) – Anetia Ortiz-Cedeno

**Presented by:** by Anetia Ortiz-Cedeno, community and schools case manager at Rockport Fulton Middle School and SWAT students. Eight years ago I noticed a huge problem with tobacco use, vaping, smoking and even drugs on our campuses. I started a youth prevention, youth driven group for our students to take control over their situation being proactive. Here are several members of this group and they are going to do an informational presentation. They did a great presentation that can be seen on the video.

**VI. CONSENT AGENDA**

2. Discuss, approve or disapprove appointing Jeff Hutt to the Aransas County Appraisal District Board of Directors for a term of one (1) year – Judge Garza
3. Discuss, approve or disapprove appointing J.P. Moszer to the Aransas County Appraisal District Board of Directors for a term of two (2) years – Judge Garza

4. Discuss, approve or disapprove the re-appointment of Betty Stiles to the Airport Advisory Board for a term of four (4 ) years beginning immediately – Mike Geer/Judge Garza
5. Discuss, approve or disapprove the appointment of Gordon Lester to the Airport Advisory Board for a term of four (4) years beginning immediately – Mike Geer/Judge Garza
6. Discuss approve or disapprove the appointment of Marshall Formby to the Airport Advisory Board for a term of four (4) years beginning immediately – Mike Geer/Judge Garza

**Donations**

7. Acknowledge and accept donations from the following:
  - a. Wendy Laubach in the amount of \$125.00
  - b. Donna Vocke in the amount of \$200.00
  - c. Joan Leal in the amount of \$50.00
  - d. Noell Myska for animal toys, blankets and towels – estimated amount of \$150.00
  - e. Ernest Saladhe for 6 bags of dog food and 2 bags of cat food – estimated at \$420.00
  - f. Michael Eaves for 2 large heavy duty travel crates - estimated amount of \$1,600.00
  - g. Anonymous Donor for 6 large dog beds – estimated amount of \$77.82
  - h. Anonymous Donor of Thanksgiving treats and food for animals – estimated at \$75.00

Caitlan Frazier/Judge Garza

**Motion to accept the consent agenda:** by Commissioner Casterline, motion was seconded by Commissioner Chaney  
Donations were read by Caitlan Fraizer.  
**Vote:** Motion carried 5-0: it was so ordered

**VII. COUNTY REPORTS, ORDERS AND RESOLUTIONS**

8. Discuss, approve or disapprove re-scheduling the Tuesday, December 26, 2023 Commissioners Court meeting to Wednesday, December 27, 2023, at 9:00am in the Commissioners Courtroom at the Aransas County Courthouse – Judge Garza

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

**VIII. COUNTY ROADS AND FLOODPLAIN**

9. Discuss, approve or disapprove request for variance on County minimum lot size requirements at 31 & 32 Joseph Lane to replat two lots into one lot – Katherine Comeaux/Judge Garza

**Motion to approve:** by Commissioner Rousseau, motion was seconded by Commissioner Casterline  
**Discussion followed:** Katherine Comeaux was on zoom to answer questions.  
**Vote:** Motion carried 5-0: it was so ordered

**IX. CONTRACTS AND GRANTS**

10. Discuss, approve or disapprove authorizing County Judge to execute documents necessary to continue a Microsoft Enterprise Agreement, through SHI Government Services under the Texas Department of Information Resources Technology Sourcing Office (DIR TSO)

contract number 4092 for another three (3) years, which includes an annual review at the conclusion of each one (1) year period. The initial term starts January 1, 2024 for the amount of \$49,603.19 and is included in the 2024 Budget – Collin Jackson/Judge Garza

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

**Discussion followed:** Collin Jackson – this is something we do about every three years. It covers all of our Microsoft licensing for Office, Windows and our server licensing, all Microsoft product we have it covers as well as support services that help us maintain longer than normal retail versions, about 2-3 years longer. This helps Tyler Odyssey and support services to come up to the latest version Window and the various versions to stay compatible so we don't run into "breaking" issues.

Commissioner Casterline – is the \$49,000 the three year price?

Collin Jackson – that is for each of the three years.

Commissioner Rousseau – where it shows the products' quantity, the 230, that's the number of licenses?

Collin Jackson – Correct

Commissioner Chaney – is this about what we pay now?

Collin Jackson – it's about the same, it hasn't changed much at all in the last several renewals.

Commissioner Chaney – have we had any problems with them?

Collin Jackson – not really. They are a typical big corporation and we are a small little piece of their customer base but we have the same issues that everyone else has. But we have better support because we can call 24/7.

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

11. Discuss, approve or disapprove authorizing Environmental Health to seek bids for 2024 Mosquito Control Chemicals – Elle Morales/Judge Garza

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

**Discussion followed:** Elle Morales - This is just our annual bid we do each year to get the mosquito chemicals

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

12. Discuss, approve or disapprove authorizing Aransas County Transfer Station to seek Requests for Proposals (RFP) for a 55 x 45 Mechanic office/garage with construction to begin in 2024 with an estimated cost of \$170,000/\$69 per square foot– Elle Morales/Judge Garza

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

**Discussion followed:** Elle Morales – this was discussed during our budget hearings. We have moved forward and Road and Bridge provided us with a larger loader so we worked out a deal to transfer that asset over to us. That gives us an extra \$265,000 in our budget. We have gone through the numbers for the costs for putting in a septic with a septic designer and the building. It comes to about \$170,000 what we are going to send out is for the shell of the building, the concrete, the plumbing that will be in the concrete and the windstorm. All of the interior work will be done with the help

of Facilities department and the guys at the Transfer Station in their spare time. As you can see by the floor plan there is not a lot going into it but it will give us an opportunity to: 1. Have an additional septic back there, 2. a place for our mechanic currently working under a carport. Currently we are trying to create a barrier to protect him because we know the cold wind is going to start coming in.

Commissioner Chaney – what have you put out for electrical? I don't see that on here.

Elle Moralez – That will be something we bid out, internally. We do have Facilities that can help us with installing some. After speaking with you we did increase it by 1/3 due to it being commercial that you recommended.

Commissioner Dupnik – will this be tied to a generator for emergencies?

Elle Moralez – yes, it is situated with the generator right next to it.

Commissioner Chaney – will that be power be overhead or underground for the main power coming in? Where is it going to be located?

Elle Moralez – it is just north of where the carport is located now. There is a power pole that is going to be used for the generator and will come right down next to the building.

Commissioner Chaney – I just want to make sure that the poles if needed were projected in the cost.

Elle Moralez – we projected around \$170,000 and have \$30,000 contingency for any extra costs. The electrical for the new building will be coming in where it's coming in for the current building, off of the same pole.

Commissioner Rousseau – I think you and Rene Butler have done a really good job at making improvements and keeping costs down.

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

13. Discuss, approve or disapprove allowing the Airport Manager to solicit bids from pavement contractors for repairs in the T-Hangar parking area, which is not expected to exceed costs that would require a Request for Proposal (RFP) process – Mike Geer/Judge Garza

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

**Discussion followed:** Mike Geer – this is project that I am anticipating using our RAMP Grant for. January 1 we have the new County Budget. The Grant has already renewed as of September 1, so we have that 90% reimbursement now and pavement is the best way I can think of to spend it. The pavement is in poor shape in a lot of our T-Hanger. Parking areas, runways, and taxi areas are in really good shape. It's always a good idea to improve pavement where we can afford it and so keeping it within budget I think is also going to keep it below the RFP threshold. I'll be surprised if this came to more than \$30-\$40 thousand for what I'm wanting to do. Later if we still have budget for it, we can do some more. It will be a several year project in total.

Commissioner Chaney – were these costs estimated in the new budget?

Mike Geer – yes under the RAMP Grant budget.

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

**X. PLANNING AND BUDGET**

14. Discuss, approve or disapprove Aransas County Indigent Health Care Report for November 2023 – Alma Cartwright/ Judge Garza

**Motion to approve:** by Commissioner Rousseau, motion was seconded by Commissioner Dupnik  
Commissioner Rousseau – I’m curious if the almost \$11,000 for prescription drugs for inmates in Nov. was average or high? That seems high to me but it was 107 different prescriptions, I don’t know how many inmates that was.  
Jacky Cockerham – we can look that up and get that information for you.  
**Vote:** Motion carried 5-0: it was so ordered

15. Discuss, approve or disapprove a job description for First Assistant County Attorney with Felony Jurisdiction who will perform legal work necessary to effectively represent Aransas County, primarily in felony matters, along with misdemeanor and civil matters as necessary – Amanda Oster/Judge Garza

**Motion to approve:** by Commissioner Casterline, motion was seconded by Commissioner Chaney  
**Discussion followed:** Amanda Oster – the primary reason for changing the job description is make a system in the office where there can be oversight and this attorney would have oversight over some of the other attorneys. It is budgeted.  
Commissioner Rousseau – the position and salary have already been approved.  
Amanda Oster – I am moving salary monies from another position to cover the increase in this salary but the budgeted amount for next year will stay the same.  
Commissioner Rousseau – so just a reallocation of the resources budgeted?  
Amanda Oster – right. We are having some issues getting applications for our current openings. We have had two attorneys leave and both were to make significantly more money. One attorney whose last day is Monday, she’s going to a neighboring county to make \$30,000 more per year to do the same job.  
**Vote:** Motion carried 5-0: it was so ordered

16. Discuss, approve or disapprove the 2024 Grant and Financial Policies as presented: Code of Conduct, Fraud Detection, Fixed Asset Methodology, Aransas County Environmental Grant, Fund Balance Policy in Accordance with GASB 54, Excessive Force, Aransas County Financial Policy and Procedures, Cash Handling, GASB 34 Uncollectible Receivables Policies – Jacky Cockerham/Judge Garza

**Motion to approve:** by Commissioner Dupnik, motion was seconded by Commissioner Rousseau  
**Discussion followed:** Jacky Cockerham – these are an annual review for adoption. The GASB 54 policy for uncollectable has been updated with what we have now. The rest of them have been reviewed and have not had any proposed changes. We do these for audit purposes as well as internal controls for the county.  
Commissioner Chaney – Question on the Excessive Force Policy?  
Jacky Cockerham – that is required for our grants. We review not only financial policies but the policies that are required for grants. We will also be bringing about three new ones that are required for some grants.  
Commissioner Rousseau – it that a new policy or...

Jacky Cockerham – no ma'am it has always been for many, many years.  
Commissioner Rousseau – Financial Management Policy and Procedures on page 2 under account payable, B. "Who is authorized to sign the checks, the Auditor, the Treasurer, the Treasurer First Assistant, Assistant Auditor, and Deputy Treasurer" should that be Chief Deputy Treasurer?  
Jacky Cockerham – it's normally the Chief Deputy Treasurer  
Commissioner Rousseau – I didn't know if that needed to be amended?  
Jacky Cockerham – I don't know if that makes any difference because we do have signature cards and there's only certain people authorized.  
Commissioner Dupnik – Question for the Sheriff – how often does your group review the excessive force policy?  
Sheriff Mills – the response could not be distinguished as he did not speak into a mic  
Commissioner Rousseau – on the Fund Balance Policy, on the last page showing the percentage uncollectable. How are those percentages determined? Under District Court it shows fiscal year end at 62%.  
Jacky Cockerham – Uncollectable receivables, I'll let Tana Taylor speak to that.  
Tana Taylor – it depends year to year but we do review those every year and calculate what has not been collected thus far.  
Commissioner Rousseau – are we using that to help us when we budget? Because to me accepting that 62% of your...  
Tana Taylor – no ma'am it not for budgeting purposes, it's for our outside audit. To calculate what we can write off.  
Commissioner Rousseau – so we are going to write off 62%?  
Tana Taylor – no ma'am. I don't have that policy here so I'm not sure certain what 62% you are referring too.  
Commissioner Rousseau – it's the percentage of uncollectible taxes for the District Court, County Court, JPI, and JP2.  
Tana Taylor – is that the tax assessor report?  
Jacky Cockerham – its split out by year, is there a certain year?  
Commissioner Rousseau – it states fiscal year end, then one year, two year, three year, and four year.  
Jacky Cockerham – the older they get the higher the uncollectible is?  
Commissioner Rousseau – not on the table, it goes the other direction.  
Jacky Cockerham – I would rather review and bring it back to you, because I don't want to be wrong.  
**Vote:** Motion carried 5-0: it was so ordered

17. Discuss, approve or disapprove the November 2023 Auditor's Monthly Report – Jacky Cockerham/Judge Garza

**Motion to approve:** by Commissioner Casterline, motion was seconded by Commissioner Chaney  
**Discussion followed:** Jacky Cockerham – our sales tax is not what we had anticipated, we are running about 9% under budget. Also for Federal prisoners we are running under budget. Interest is running very high. If you look at the whole General Fund I don't anticipate going into the fund balance the \$3 million we anticipated. If

we do, it's because revenues anticipated are down.

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

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

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

**Discussion followed:** Jacky Cockerham – none at this time but I will be bringing line item changes and some amendments in the next couple of meetings.

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

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

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

**Discussion followed:** Jacky Cockerham – they are normal but would like to bring attention to several of our capital projects:

PGAL – Courthouse - \$6,828.69

Mott McDonald – engineering on GLO Street & Drainage - \$79,211.11

LCR transport – 1781 project - \$ 226,068.37

Brizo Construction – SE Aransas County Street & drainage - \$282,120.00

Grant Connection – Bayshore Drive Grant Administrator or TCEQ - \$3,720.83, the City of Rockport has been reimbursing us those costs because we are over the contract and they have agreed anything over \$100,000 of the original grant they would reimburse us.

T Baker – Engineer for ARPA for the Water Tank - \$657.50

The County District Attorney's Office Forfeiture Funds collected enough they did buy the investigator a truck for \$34,032 that is not out of the General Fund but out of their Forfeiture Funds.

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

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

- Commissioner Rousseau – Report on the Rural Economic Assistance League (R.E.A.L.) that runs the transit system in the county. They have been having a series of meetings over the last several months. Including folks from the County, City Manager, some City Council Members, Children's Coalition, and Mike Geer as the Emergency Manager, Indigent Healthcare, EDC and the Rockport Center for the Arts. They were funded by TxDOT for a grant to do a study of how they could boost services in our community. The concepts are exciting about what they might do. Right now you have to call at least a day ahead of time to book the bus to pick you up, take you to your appointment or shopping, and then bring you home. They are looking at using an app to help speed up this process for same day service. They are hoping for a 20-30 minute response with this. They will be asking the court for a letter of support to present to TxDot. They have been informed they will receive a



grant to initiate offering these services but would like to get letters of support from the community. In January they will be bringing a presentation about this 2 year pilot program to be responsive to immediate needs.

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

- Commissioner Rousseau – There was a Fly-in at the airport on Saturday. Very fun and well attended, I flew in a BT13 and I was pretty scared. The pilot prayed with me before we took off and I made it back safely.
- Amanda Oster – Rockport Little Theater has one more weekend of the Christmas play One Christmas Eve at the Evergreen Mall, and one of the stars is Meagan Setterbo with R&B and my son is also in the play. Meagan stated it is a very family friendly play about eight different stories that take place at a mall in Northern Michigan.
- Caitlan Frazier – Temporary Animal Care Director – there will be another adoption event Saturday from 11-3. We will still have the Christmas set up for photos.
- Judge Garza – I also had the opportunity to fly in a plane but I was too scared.

**XIII. CLOSED SESSION**

20. 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:

- Aransas County Texas v. Endurance American Specialty Insurance Company, et al*, Aransas County District Court Cause No. 23-0021; and
- 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
- 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 –Amanda Oster/Judge Garza

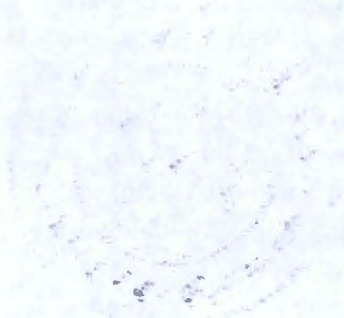
**No need to go into closed session**

**XIV. OPEN SESSION**

21. Reconvene into Open Session

**Did not go into closed session**

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



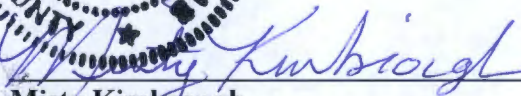
Nothing to discuss since there was no closed session.

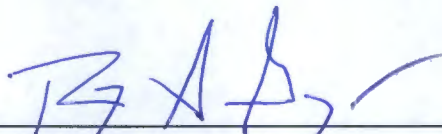
**XV. ADJOURNMENT**

**Motion to adjourn:** by Commissioner Rousseau, motion was seconded by Commissioner Chaney  
**Vote:** Motion carried 5-0: it was so ordered  
**Meeting adjourned at**  
**9:47 AM**

**ARANSAS COUNTY COMMISSIONERS' COURT**



  
Misty Kimbrough,  
Ex-Officio Clerk of the Commissioners Court

  
Ray A. Garza, County Judge

