



MINUTES

Aransas County Commissioners Court

9:00 AM – Monday, April 22, 2024

The Aransas County Commissioners Court met on Monday, April 22, 2024, 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 \(aransascourt.com\)](https://aransascourt.com), 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 0:07](#)

II. INVOCATION

[Video Time 0:15](#)

III. PLEDGES

[Video Time 1:29](#)

IV. ROLL CALL AND CONFIRMATION OF QUORUM

[Video Time 1:54 \(9:02 AM Audio issues\)](#)

V. CITIZENS TO BE HEARD

- ☛ Melissa Esquivel & John Malkin spoke during item #5.

VI. PRESENTATIONS AND PROCLAMATIONS

4. Judge Garza moved this item up

Discuss, approve or disapprove [Proclamation P-12-2024](#), a proclamation recognizing April 22nd as Gary Smith Day – Emily Guerrero/Judge Garza

[Video Time 5:10](#)

- ☛ **Motion to approve:** by Commissioner Dupnik, motion was seconded by Commissioner Casterline
- ☛ **Discussion followed:** Proclamation was read by Emily Guerrero.
- ☛ **Vote:** Motion carried 5-0: it was so ordered

1. Discuss, approve or disapprove [the April 1, 2024 Presentation for Pearl Point Rockport Phase 1, LLC, as required by the Chapter381 Economic Development Agreement and Authorize Payment of \\$38,461.88 for the rebate on the 2023 taxes paid January 2024 – \[Tabled 04/08/2024\]](#) John Davis/Jacky Cockerham/Judge Garza

[Video Time 10:42](#)

- ☛ **Motion to approve:** by Commissioner Casterline, motion was seconded by Commissioner Chaney
- ☛ **Discussion followed:** See PowerPoint for further information.
- ☛ **Vote:** Motion carried 5-0: it was so ordered

2. Discuss, approve or disapprove the April 1, 2024 Presentation for Pearl Point Phase 2, LLC, as required by the Chapter 381 Economic Development Agreement and Authorize Payment of \$11,213.91 for the rebate on the 2023 Taxes paid in January 2024 – [Tabled 04/08/2024] Mark Uhr/Jacky Cockerham/Judge Garza

Video Time 16:44

- ⊛ **Motion to approve:** by Commissioner Casterline, motion was seconded by Commissioner Chaney
 - ⊛ **Vote:** Motion carried 5-0: it was so ordered
3. Discuss, approve or disapprove Proclamation P-11-2024, a proclamation recognizing the month of May as National Preservation Month – Judge Garza

Video Time 20:55

- ⊛ **Motion to approve:** by Commissioner Dupnik, motion was seconded by Commissioner Rousseau
- ⊛ **Discussion Followed:** Commissioner Chaney- We need to have National History Preservation Month
- ⊛ **Vote:** Motion carried 5-0: it was so ordered

5. Presentation by Caitlan Frazier with updates on Aransas County Animal Care – Caitlan Frazier/Judge Garza

Video Time 23:37

VII. CONSENT AGENDA

6. Discuss, approve or disapprove the Minutes from the March 18, 2024 Workshop Meeting – Misty Kimbrough/Judge Garza
7. Discuss, approve or disapprove the Minutes from the March 21, 2024 Special Meeting – Misty Kimbrough/Judge Garza
8. Discuss, approve or disapprove the Minutes from the March 25, 2024 Regular Meeting – Misty Kimbrough/Judge Garza
9. Discuss, approve or disapprove the Minutes from the April 2, 2024 Workshop Meeting – Misty Kimbrough/Judge Garza

Donations

10. Discuss, approve or disapprove allowing the Aransas County Public Library to donate nineteen (19) discarded books to the Friends of the Aransas County Public Library for their ongoing book sale – Iris Sanchez/Judge Garza
11. Acknowledge and accept donation from The SteelWater Band for blankets and towels valued at \$150 – Caitlan Frazier/Judge Garza

Video Time 51:04

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

VIII. COUNTY REPORTS AND RESOLUTIONS

12. Discuss, approve or disapprove the 2023 Annual Library Report for the Texas State Library and authorize the County Judge to sign the report – Iris Sanchez/Judge Garza

Video Time 52:01

- ⊛ Item was struck, Iris Sanchez was not present.
13. Discuss, approve or disapprove the Rockport Center for the Arts Report for 1st Quarter 2024 – Luis Purón/Judge Garza

Video Time 52:11

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

✪ **Discussion followed:** See presentation for further information.

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

14. Discuss, approve or disapprove the Rockport-Fulton Chamber of Commerce for 1st Quarter 2024 – Alyssa Massingill/Judge Garza

Video Time 1:02:50

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

✪ **Discussion followed:** See presentation for further information.

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

15. Discuss, approve or disapprove the Historical Commission Report for 1st Quarter 2024 – Doreen Bronner/Judge Garza

Video Time 1:16:47

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

✪ **Discussion followed:** See presentation for further information.

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

IX. COUNTY ROADS AND FLOODPLAIN

16. Discuss, approve or disapprove a request for a variance on a minimum frontage required by County for newly subdivided lots for replat of 126 N. Walker and 134 N. Walker Road – Katherine Comeaux/Judge Garza

Video Time 1:20:15

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

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

17. Discuss, approve or disapprove a request for a variance on County Setback requirements for replat of 549 & 551 Forest Oak Lane – Katherine Comeaux/Judge Garza

Video Time 1:23:25

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

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

18. Discuss, approve or disapprove a request for a variance on County requirement that all newly subdivided lots front a paved roadway for replat of 162 Heather Drive – Katherine Comeaux/Judge Garza

Video Time 1:25:10

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

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

X. CONTRACTS AND GRANTS

19. Discuss, approve or disapprove and authorize the County Judge to sign Amendment #04 to the Bay Shore Drive Erosion Mitigation TCEQ RESTORE ACT Subrecipient

Reimbursement Contract #582-21-22184, in order to extend the expiration date from April 30, 2024 to December 31, 2025. This will be a zero (\$0) – Jacky Cockerham/Judge Garza

Video Time 1:30:24

✪ **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 proposal from Kofile to include mold remediation for the remaining documents, books and boxes that were not part of the planned preservation, imaging and indexing services for a quote of \$5,118.65, and allow County Judge to sign the necessary documents – Misty Kimbrough/Judge Garza

Video Time 1:31:38

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

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

21. Discuss, approve or disapprove proposal from Misty Kimbrough, County Clerk, to transition the minutes to a compact format while maintaining all statutory requirements in Texas Government Code 551.021. The minutes will include notations regarding Motions, Amendments, Tabled Items and Vote counts. Minutes will no longer include detailed statements. However, detailed statements will be captured and available in video recordings. Additionally, video time stamps will be provided for each agenda item. This will aid accessibility and efficiency – Misty Kimbrough/Judge Garza

Video Time 1:32:51

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

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

22. (a) Discuss, approve or disapprove declaring the Aransas County 2017 Bomag BW11 Pneumatic Compactor as surplus and to be used as a trade-in for the purchase of a replacement vehicle and authorize County Judge to execute necessary documents – Blake Brown/David Reid/Judge Garza

Video Time 1:39:32

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

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

23. (b) Discuss, approve or disapprove the purchase of a 2024 Caterpillar CW16 Pneumatic Compactor for the amount of \$103,116.54 and using the 2017 Bomag BW11 Pneumatic Compactor as a trade-in and authorizing the County Judge to execute necessary documents – Blake Brown/David Reid/Judge Garza

Video Time 1:40:27

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

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

24. Discuss, approve or disapprove DLF, TX Change Order No. 04, for the parking lot which is a portion of the Aransas County Community Building/Plaza/Parking Lot, General Land Office Community Development Block Grant – Disaster Recovery (CDBG-DR) Contract #20-065-098-C270 – adding \$44,160.00 and 15 days. The new project substantial completion date will be 29 July 2024; The contractor will replace old 156’ LF unlevelled

sidewalk, curb and gutter, redesign additional gutters to improve drainage, relocate light pole, install ADA ramp – Elle Morales/Judge Garza

Video Time 1:41:08

- ☛ Item was struck from the agenda

XI. PLANNING AND BUDGET

25. Discuss, approve or disapprove the March 2024 Treasurers Report – Alma Cartwright/Judge Garza

Video Time 1:41:10

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

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

26. Discuss, approve or disapprove 1st Quarter Aransas County Treasurer’s Investment Report – Alma Cartwright/Judge Garza

Video Time 1:41:41

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

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

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

Video Time 1:42:06

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

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

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

Video Time 1:42:24

- ☛ **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 1:44:13

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

Video Time 1:46:46

XIV. CLOSED SESSION

29. 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 D/B/A FPS Recovery, LLC and Aransas County, Texas*; Cause No, 24-0072, in the 36th District Court of Aransas County Texas;

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 1:50:29

- ⊗ **Motion to recess Judge Garza 10:50 A.M.**
- ⊗ **Motion to move into closed session:** by Commissioner Rousseau, motion was seconded by Commissioner Dupnik
- ⊗ **Vote:** Motion carried 5-0: it was so ordered
- ⊗ **Convened into closed session at 10:58 A.M.**

XV. OPEN SESSION

30. Reconvene into Open Session

Video Time 2:38:26

- ⊗ **Motion to reconvene into open session:** by Commissioner Rousseau, motion was seconded by Commissioner Dupnik
- ⊗ **Vote:** Motion carried 5-0: it was so ordered
- ⊗ **Convened into open session at 11:38 AM**

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

Video Time 2:38:47

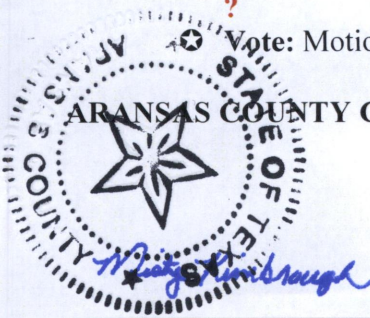
- ⊗ **Motion to** by Commissioner Casterline, motion was seconded by Commissioner Rousseau
- ⊗ **Vote:** Motion carried 5-0: it was so ordered

XVI. ADJOURNMENT

Video Time 2:38:49

- ⊗ **Motion to adjourn:** by Commissioner ?, motion was seconded by Commissioner ?
- ⊗ **Vote:** Motion carried 5-0: it was so ordered

ARANSAS COUNTY COMMISSIONERS' COURT



Misty Kimbrough, Clerk of the Commissioners Court

Date Signed 5-14-24

A handwritten signature in blue ink, appearing to read "Ray A. Garza".

Ray A. Garza, County Judge

Date Signed 5/13/24

