

# MINUTES

## Aransas County Commissioners Court



9:00 AM – Friday, July 12, 2024

The Aransas County Commissioners Court met on Friday, July 12, 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 \(aransascountytx.gov\)](https://www.aransascountytx.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 0:06*

### II. INVOCATION

*Video Time 0:10*

### III. PLEDGES

*Video Time 0:57*

### IV. ROLL CALL AND CONFIRMATION OF QUORUM

*Video Time 1:22*

### V. CITIZENS TO BE HEARD

*Video Time 1:33*

☛ There were non

### VI. PRESENTATIONS AND PROCLAMATIONS

*Video Time 1:41*

☛ None

### VII. CONSENT AGENDA

*Video Time 1:45*

1. Discuss, approve or disapprove the Minutes from the May 30, 2024, Workshop Meeting – Misty Kimbrough/Judge Garza
2. Discuss, approve or disapprove the Minutes from the June 21, 2024 Regular Meeting – Misty Kimbrough/Judge Garza
3. Discuss, approve or disapprove the Minutes from the June 24, 2024 Regular Meeting – Misty Kimbrough/Judge Garza
4. Acknowledge receipt of and record in the minutes of Commissioners Court the Texas A&M Engineering Extension Service 2024 Coastal Bend Hurricane Conference for a total of 12.5 hours for Commissioner Casterline - Commissioner Casterline/Judge Garza

☛ **Motion to accept the consent agenda:** by Commissioner Chaney, motion was seconded by Commissioner Casterline

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

### VIII. COUNTY REPORTS, PROCLAMATIONS, AND RESOLUTIONS

5. Acknowledge and accept a recognition award from Best Friends Animal Society, that Aransas County Animal Care Services Reached/Maintained No-Kill in 2023 – Caitlan Frazier/Judge Garza

*Video Time 2:13*

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

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

6. Discuss, approve or disapprove Order #O-13-2024, an Order setting the 2025 Sheriff/Constable Fees with no change from the 2024 fees – Misty Kimbrough/Judge Garza

Video Time 5:45

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

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

#### IX. COUNTY ROADS AND FLOODPLAIN

7. Discuss, approve or disapprove Order #O-12-2024, an Order to close, abandon and vacate a portion of a 20-foot platted Alleyway in Block 90, along with portions of 60-foot platted Roadways called First Street and Orange Street, Lamar Townsite, Aransas County, Texas and being more particularly described by metes and bounds on Exhibit “A” and “B” attached to the petition filed in the Court which is made a part hereof by reference and incorporation – Katherine Comeaux/Judge Garza

Video Time 7:38

★ **This item was struck from the agenda**

8. Discuss, approve or disapprove appointing Mr. David J. Reid, P.E. and Mr. Darrell Seibert, P.E. as the primary and alternate representatives of Aransas County, respectively, to the Stormwater Management Technical Committee, established by a joint resolution adopted by the City of Rockport, Town of Fulton, Aransas County, the Aransas County Navigation District, and the City of Aransas Pass to foster unity and cooperation in developing and executing drainage projects for the benefit of Aransas County residents – David Reid/Judge Garza

Video Time 7:41

★ **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 a policy to use portions of county right-of-way to create wildlife habitat, as approved by the County Engineer – David Reid/Judge Garza

Video Time 9:09

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

★ **Vote:** Motion carried 4-1: Commissioner Casterline voted no, it was so ordered

#### X. CONTRACTS AND GRANTS

10. Discuss, approve or disapprove Change Order No. 4 for construction contract for East Linden in the County’s General Land Office Community Development Block Grant-Disaster Relief (CDBG-DR) Contract No. 250-065-098-C270, with Gerke Excavating Inc. This change order is for additional Metal Beam Guardrail work (\$10,681.00), additional Chain Link Fence (\$3,000.00), and an additional 35 days in contract time – David Reid/Judge Garza

Video Time 13:21

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

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

11. Discuss, approve or disapprove authorizing the County Judge to sign a ground lease with Billy Burke for approximately 18,000 square feet of space at the airport for a term of one (1) year, with four (4) additional one (1) year options at a cost of \$.166666 per square foot per annum with an approximate 5.75% annual increase; Year 1: \$250 Monthly - \$3,000 Annually; Year 2: \$265 Monthly - \$3180 Annually; Year 3: \$280 Monthly - \$3360 Annually; Year 4: \$295 Monthly - \$3540 Annually; Year 5: \$310 Monthly - \$3720 Annually – Mike Geer/Judge Garza

Video Time 14:41

- ★ **Motion to approve:** by Commissioner Dupnik, motion was seconded by Commissioner Chaney
  - ★ **Motion to table:** by Commissioner Dupnik, motion was seconded by Commissioner Chaney
  - ★ **Vote:** Motion to table carried 5-0: it was so ordered
12. Discuss, approve or disapprove accepting the proposal from Kofile for Preservation of Records for the Amount of \$409,411.95 – Pam Heard/Judge Garza

Video Time 22:35

- ★ **Motion to approve:** by Commissioner Casterline, motion was seconded by Commissioner Chaney
  - ★ **Vote:** Motion carried 5-0: it was so ordered
13. Discuss, approve or disapprove the contract between the Workforce Solutions of the Coastal Bend and Aransas County for placement of summer interns as Library Aids – Iris Sanchez / Judge Garza

Video Time 24:40

- ★ **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 authorizing the County Judge to sign leases for storage units to be used to store County assets during the transition period prior to moving into the new Courthouse – Judge Garza

Video Time 27:17

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

## XI. PLANNING AND BUDGET

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

Video Time 30:28

- ★ **Motion to approve:** by Commissioner Rousseau, motion was seconded by Commissioner Casterline
  - ★ **Vote:** Motion carried 5-0: it was so ordered
16. Discuss, approve or disapprove authorizing the County Judge to sign the County Indigent Health Care Program (CIHCO) Optional Health Care Services Notification for Aransas County Indigent Health Care, to provide information about the optional healthcare services that Aransas County chooses to provide for the fiscal year September 1, 2024 through August 31, 2025 – Alma Cartwright/Judge Garza

Video Time 30:16

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

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

17. Discuss, approve or disapprove updated job description for Justice of the Peace (JP) Chief Court Clerk (Precinct 1) and new job description for Justice of the Peace (JP) Senior Chief Court Clerk (Precinct 1). No new monies – Judge Dupnik/Judge Garza

Video Time 34:22

⊛ **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 June 2024 Auditor's Monthly Report – Jacky Cockerham / Judge Garza

Video Time 35:42

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

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

19. Discuss, approve or disapprove the Budget Line Item – Jacky Cockerham/Judge Garza

Video Time 36:35

⊛ **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 36:52

⊛ **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 39:11

⊛ Commissioner Chaney

⊛ Judge Garza

⊛ Mike Geer

⊛ Commissioner Dupnik

⊛ Sheriff Mills

⊛ Commissioner Rousseau

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

Video Time 56:06

⊛ There were none

**XIV. CLOSED SESSION**

21. 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 36<sup>th</sup> 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/Judge Garza

Video Time 56:26

- ⊛ **Motion to move into closed session:** by Commissioner Rousseau, motion was seconded by Commissioner Chaney
- ⊛ **Vote:** Motion carried 5-0: it was so ordered
- ⊛ Take a ten minute break and then move into closed session

**XV. OPEN SESSION**

22. Reconvene into Open Session

Video Time 1:12:52

- ⊛ **Motion to approve:** by Commissioner Casterline, motion was seconded by Commissioner Chaney
  - ⊛ **Vote:** Motion carried 5-0: it was so ordered
23. Discuss and take action on matters discussed in closed session – Amanda Oster/Judge Garza
- ⊛ There was no discussion or actions taken

**XVI. ADJOURNMENT**

Video Time 1:13:09

- ⊛ **Motion to adjourn:** by Commissioner Rousseau, motion was seconded by Commissioner Chaney
- ⊛ **Vote:** Motion carried 5-0: it was so ordered
- ⊛ **Meeting adjourned at 10:14 AM**

**ARANSAS COUNTY COMMISSIONERS' COURT**



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

7-22-24  
Date signed and attestation.

[Signature]  
Ray A. Garza, County Judge  
Leslie Burkha Casterline, Judge Pro Tem  
7/22/24  
Date signed.

