



MINUTES

Aransas County Commissioners Court

9:00 AM – Monday, August 21, 2023

The Aransas County Commissioners Court met on Monday, August 21 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

The meeting convened at 9:00 AM

II. INVOCATION

III. ROLL CALL AND CONFIRMATION OF QUORUM

IV. CITIZENS TO BE HEARD

- Kristi Rutledge
 - Would like to know the proximity of the fire to the “red beds”
 - Budget – Opportunities for 2024 Budget Adjustments and Cuts Necessary to Reduce Aransas County's \$4,294,779 Increased Tax Levy and Eliminate the County's Proposed 5 cent Tax Increment, *see attachment*
 - Thank you to the staff for getting the budget to me.
 - This is from a taxpayer view point
 - Unspent line items is money we are taxed on and if the item gets added the next year we are taxed again.
 - If there is a budget crisis you don't give raises.
 - Make sure you include all of the revenues.
 - Eliminate negative Sales Tax Variance
 - Eliminate increases in spending for ALL departments, with a few exceptions
 - Update Ad Valorem Tax Revenues
 - By Department and line items
 - IT – unspent line items can be reduced, that have not been spent in the last few years, those can be eliminated
 - ❖ Capitol & Reserved – purchase it this year so we don't get re-taxed next year
 - Sheriff Department – quite a few unspent line items
 - Travel and Meals – see attachment, anything under 50% can be eliminated, over all it looks like it can be decreased by 56%
 - Association dues – this is not necessary

- HOT and Venue funds not being used as much as they could be
- Jeff Hutt – Budget – this is really bad budgeting. It’s going up 25%. The last years it was yes votes and there are people up here who are responsible for this budget. I would appreciate for this year if the Commissioners took Zero salary. When you have to raise your budget 25% there is something wrong and people need to take responsibility. This year have the Commissioners forgo their salary.

V. PRESENTATIONS AND PROCLAMATIONS.

1. Presentation – None

VI. CONSENT AGENDA

2. Discuss, approve or disapprove the Minutes from the August 8, 2023 Budget Workshop – Misty Kimbrough/Judge Garza
3. Acknowledge and record in the minutes of Commissioners Court the value of services donated from Another Chance RFT to Aransas County for July 2023: Veterinary care, meds, spay/neuters, heartworm test, and vaccines - \$3,711.00. Dog supplies including leashes, food, waste disposal bags; \$400.00. Cremations, \$177.00. Total value of donated services for July \$4,288.00. – Commissioner Rousseau
4. Acknowledge and accept a Donation of \$15.00 from Helen Wing for Aransas County Animal Care Services - Lori Cesar/Judge Garza
5. Acknowledge and accept a Donation of \$300.00 from Robert & Susan Keller spay/neuter program from Aransas County Animal Care Services – Lori Cesar/Judge Garza
6. Acknowledge and accept a Donation of \$202.00 from Salty Dog Pet Resort spay/neuter program for Aransas County Animal Services – Lori Cesar/Judge Garza

Motion to accept the consent agenda: by Commissioner Rousseau, motion was seconded by Commissioner Dupnik
 Judge Garza noted the donations
Vote: Motion carried 5-0: it was so ordered

VII. COUNTY ROADS AND FLOODPLAIN

7. Discuss, approve, or disapprove Order #O-16-2023, an Order to Close, Abandon, and Vacate the 0.168 acres of land out of the westerly portion of the end of the public right-of-way section of Rattlesnake Point Road, and being the portion south of and adjacent to Redfish Shores P.U.D., Aransas County, Texas recorded in Vol. 4, Pg. 277 of the Plat Records of Aransas County, Texas, and being more particularly by metes and bounds on Exhibit “A” attached to the petition – Katherine Comeaux/Judge Garza

Motion to approve: by Commissioner Casterline, motion was seconded by Commissioner Chaney
Presented by: Katherine Comeaux
Discussion followed: What does Redfish Shores P.U.D. do and where is it located? Petitioner is Bradley Blanton is a representative for this development. This is the old Redfish Lodge, and this is the part of Rattlesnake Road that extends past the gate and this petition is for this portion only.
Vote: Motion carried 5-0: it was so ordered

8. Discuss, approve, or disapprove Order #O-17-2023, an Order to Close, Abandon, and Vacate the 16-foot wide alleyway lying in Block 24, the block bounded by Steart Street on the west, Traylor Avenue on the east, Elizabeth Street (a paper street) to the north and

Laurel Street to the south, Bellevue Addition, Aransas County, Texas recorded in Vol 1, Pg. 12 of the Plat Records of Aransas County, Texas, and being more particularly described by metes and bounds on Exhibit "A" attached to the petition - Katherine Comeaux/Judge Garza

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

Presented by: Katherine Comeaux

Discussion followed: Question about the legal description of the land, it was correct on the agenda item so there is no need to correct or amend the motion. Ms. Comeaux will forward a copy of the petition with all signatures to the Commissioner's Court. The alley gets divided to 8' on each side that is given to the adjoining property owners.

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

VIII. CONTRACTS AND GRANTS

9. Discuss, approve or disapprove Change Order No. 2 to the Construction Contract between Aransas County and New Stout Excavating Group Texas, LLC, for the Rattlesnake Point Road Project Funded by the General Land Office (GLO) Community Development Block Grant Disaster Recovery (CDBG-DR) Contract No. 20-065-098-C270, to increase the scope to include additional pavement and associated work and to increase the compensation due by \$216,991.75 – David Reid/Judge Garza

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

Presented by: David Reid

Discussion followed: This change order is to use monies left in the grant that was left over from a project that came under budget.

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

10. Discuss, approve, or disapprove Amendment No 1 to the Consulting Agreement between the Grant Connection and Aransas County dated May 26, 2020, for Grant Administration services for the Bay Shore Drive Project to extend the term of the Agreement from May of 2023 to December 31, 2024, and to increase the compensation by \$70,695.81 for additional services for a total of \$170,695.81, which \$100,000 of the contract shall be funded through the RESTORE ACT Sub-recipient Reimbursement Contract No. 582-21-22184 with the Texas Commission on Environmental Quality (TCEQ) for the Bay Shore Erosion Mitigation Project and the remainder funded with public funds – John Strothman/Judge Garza

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

Presented by: John Strothman

Discussion followed: Amendment was approved in the prior Commissioner's Court, it is brought back before the Court to correct the language, dates, and amounts. The prior approval was not executed due to the errors. The City of Rockport could possibly reimburse the County for this project.

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

11. Discuss, Approve or Disapprove Authorizing County Judge to Sign Engagement Letter with Belt Harris Pechacek, LLLP for Outside Auditing Services for the Fiscal Year Ending December 31, 2023 – Jacky Cockerham/ Judge Garza

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

Presented by: Jacky Cockerham

Discussion followed: Question – were other firms solicited for this contract. Yes, when we went out for RFPs last year. This was the lowest bid but still two times higher than our previous audit.

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

12. Discuss, Approve, or Disapprove an Interlocal Cooperation Agreement between Aransas County and the Coastal Bend Council of Governments (COG) for E 9-1-1 Public Safety Answering Point Services for the period of September 1, 2023, to August 31, 2025 – Judge Garza

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

Presented by: Judge Garza

Discussion followed: This is our portion of the 911 services. The equipment listed in the agreement has been provided by the COG? Yes, that is correct. We do have a contract for 911 services, this contract is focused on the equipment provided through the COG. This is a request from Lee Brown, Communications director made this request.

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

13. Discuss, Approve, or Disapprove entering into a License and Services Agreement with Tyler Technologies, Inc. for Jury Management Software with one time implementation costs of \$60,690.00 and license fee of \$47,110, as well as annual recurring maintenance and support costs which are \$14,133.00 and \$12,100 for the first year, which first year will be funded with a grant through the American Rescue Plan Act – Pam Heard/Judge Garza

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

Presented by: Pam Heard was in District Court for jury selection.

Discussion followed: 2 Commissioners, and other county employees were on a conference call with Williamson County to ask them about how they feel about this program and they loved it. License fee of \$47,110 is a onetime only fee. The first year annual fee is \$14,133 and then the following years of the contract will be \$12,100 per year or less. This is to help make the jury process more efficient.

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

14. Discuss, Approve, or Disapprove an Interlocal Cooperation Agreement for Tax Assessment and Collection of Property Tax in 2023-2024 Between Aransas County, Texas, and the Town of Fulton, Texas – Anna Marshall/Judge Garza

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

Presented by: Anna Marshall

Discussion followed: This is an annual requirement.

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

15. Discuss, Approve, or Disapprove an Interlocal Cooperation Agreement for Tax Assessment and Collection of Property Tax in 2023-2024 Between Aransas County, Texas, and the City of Rockport, Texas – Anna Marshall/Judge Garza

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

Presented by: Anna Marshall

Discussion followed: This is an annual requirement.

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

16. Discuss, Approve, or Disapprove an Interlocal Cooperation Agreement for Tax Assessment and Collection of Property Tax in 2023-2024 Between Aransas County, Texas, and the Aransas County Navigation District – Anna Marshall/Judge Garza

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

Presented by: Anna Marshall

Discussion followed: This is an annual requirement.

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

17. Discuss, Approve, or Disapprove an Interlocal Cooperation Agreement for Tax Assessment and Collection of Property Tax in 2023-2024 Between Aransas County, Texas, and the Rockport-Fulton Independent School District – Anna Marshall/Judge Garza

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

Presented by: Anna Marshall

Discussion followed: This is an annual requirement.

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

18. Discuss, Approve, or Disapprove an Interlocal Cooperation Agreement for Tax Assessment and Collection of Property Tax in 2023-2024 Between Aransas County, Texas, and Municipal Utility District No. 1 – Anna Marshall/Judge Garza

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

Presented by: Anna Marshall

Discussion followed: This is an annual requirement.

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

IX. PLANNING AND BUDGET

19. Discuss, approve or disapprove a Proposal to Publish Delinquent Taxpayers' Names – Linebarger, Goggan, Blair & Sampson, LLP – Judge Garza

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

Presented by: Steven Saucedo, Attorney and Partner with Linebarger, Goggan, Blair & Sampson, LLP

Discussion followed: Requesting permission to post the annual top 200 delinquent taxpayer's names in the newspaper

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

20. Discuss and receive information from the public concerning any budget issues for the 2024 Budget Year and schedule the 2024 Budget Public Hearing for September 5, 2023, at 9:00 a.m. or immediately following the Tax Rate Public Hearing –
Jacky Cockerham/Judge Garza

Motion to discuss and receive information: by Commissioner Rousseau, motion was seconded by Commissioner Dupnik

- Commissioner Rousseau – I recommend that we do not give the 2% COLA and that we do give the possibility of a 1 step increase for those employees are excelling.
- Wendy Laubach – agreed
- Judge Garza – there is another option.
 - A merit increase is an increase in our burdens, we could give a merit stipend of \$500-\$1000 depending on their evaluation.
- Commissioner Chaney - Limitations need to be put in place. According to the nation cost of living is at about 3.5%, so I think we need to give the 2% COLA
- Commissioner Dupnik - If employees are performing well that is an incentive. A good percentage of our employee's when it's all said and done their income level is below the average of the community so I think we need to keep the 2% COLA in the budget. If there is a performance issue the department head needs to address it.
- Judge Garza – I am still combing and scrubbing the budget, on Fri. found about \$100,000 to take out and then found some that needed to be added of \$74,000.
- Jacky Cockerham - The update budget is sent to the Commissioner's each time it is updated.
- Commissioner Rousseau - 1 department requested an increase in their cell phone allowance and the rates are very low, so if they are requesting more maybe they need to look at changing carriers to lower their cost.
- Commissioner Dupnik – we have requests to add to our budget for animals, taking care of the animals is not really part of the county's responsibility, it is important and I am thankful for the partnership with Another Chance RFT. If we can find money in our budget to care for the animals it seems like we can fund the COLA to care for the employees.
- Wendy Laubach – the push and need for outdoor kennels to help with the overcrowding needing \$16,000, and we went to the community about a week ago and we have pledges/receipts for about \$4,000 already. The community is responding strongly about of this.

- Misty Kimbrough – following up with Commissioner’s Dupnik’s statement. All but 3 of my employees are single. A single person earning a mid-wage with the county cannot afford to live on their one in this county, unless they already have a house paid for. It’s not possible. We should be paying our people enough to live in this county.
- Commissioner Dupnik – we have just over 55% of our employees do live in the county. That is a bonus to us because they do spend their money back in the county, and are part of our community and care more for the county when making their decisions.

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

Motion to approve: by Commissioner Chaney, motion was seconded by Commissioner Casterline
None at this time
Vote: Motion carried 5-0: it was so ordered

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

Motion to approve: by Commissioner Casterline, motion was seconded by Commissioner Chaney
None at this time
Vote: Motion carried 5-0: it was so ordered

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

- Commissioner Chaney – The fire in Precinct 1 this weekend. There were no structures lost. We have the best Volunteer Fire Department, and grateful for the assistance by so many other area Fire Departments including Ingleside, Lamar, Bay Side, Refugio, Parks and Wildlife and others. We need to invite them into Court and recognize all of the entities for a job well done.

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

- None

XII. CLOSED SESSION

23. 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. *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 –Jennifer O’Steen/Judge Garza

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 9:53 AM

XIII. OPEN SESSION

24. Reconvene into Open Session

Motion to reconvene into open session: by Commissioner Rousseau, motion was seconded by Commissioner Casterline
Vote: Motion carried 5-0: it was so ordered
Convened into open session at 10:14 AM

25. Discuss and take action on matters discussed in closed session – Jennifer O’Steen/ Judge Garza

No action or discussion needed

XIV. ADJOURNMENT

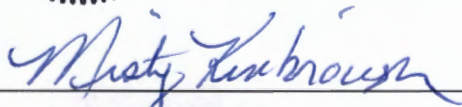
Motion to adjourn: by Commissioner Rousseau, motion was seconded by Commissioner Casterline
Vote: Motion carried 5-0: it was so ordered
Meeting adjourned at 10:15 AM

ARANSAS COUNTY COMMISSIONERS’ COURT





Ray A. Garza, County Judge



Misty Kimbrough,
Ex-Officio Clerk of the Commissioners Court

