

MINUTES

Aransas County Commissioners Court



9:00 AM – Monday, August 5, 2024

The Aransas County Commissioners Court met on Monday, August 5, 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 \(aransascountytexas.gov\)](https://aransascountytexas.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 0:00

II. INVOCATION

Video Time 0:06

III. PLEDGES

Video Time 1:11

IV. ROLL CALL AND CONFIRMATION OF QUORUM

Video Time 1:37

☛ *Judge Garza noted that item # 15 will be moved to closed session and Minutes from 7-22-24 were removed from the consent agenda due to errors.*

V. CITIZENS TO BE HEARD

☛ There were non

VI. PRESENTATIONS AND PROCLAMATIONS

Video Time 2:23

☛ There were none

VII. CONSENT AGENDA

1. Discuss, approve or disapprove the Minutes from the July 22, 2024 Regular Meeting - Misty Kimbrough/Judge Garza – Removed due to an error
2. Discuss, approve or disapprove the Minutes from the July 31, 2024 Special Meeting - Misty Kimbrough/Judge Garza
3. Discuss, approve or disapprove the Proposed Aransas County Official Holiday Schedule for 2025 - Judge Garza
4. Discuss, approve or disapprove the Proposed Aransas County Transfer Station Official Holiday Schedule for 2025 - Judge Garza
5. Acknowledge receipt of and record in the minutes of Commissioners Court the V.G. Young Institute of County Government Certificate of Completion for Commissioner Pat Rousseau certifying that she has successfully completed 13 hours of Educational Training during the South Texas County Judges and Commissioners Annual Conference according to the continuing education provisions of Article 81.0025 of the Texas Local Government Code Commissioner, Pat Rousseau

6. Acknowledge receipt of and record in the minutes of Commissioners Court the V.G. Young Institute of County Government Certificate of Completion for Commissioner Bob Dupnik certifying that he has successfully completed 13 hours of Educational Training during the South Texas County Judges and Commissioners Annual Conference according to the continuing education provisions of Article 81.0025 of the Texas Local Government Code
- Commissioner Bob Dupnik

Video Time 2:37

- ⊛ **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 AND RESOLUTIONS

7. Discuss, approve or disapprove Order #0-16-2024, an Order of Election for November 2024 - Kevin Stroud/Judge Garza

Video Time 2:55

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

8. Discuss, approve or disapprove Order #0-17-2024, an Order of Appointment of Judges and Alternates, for a one-year term to begin September 1, 2024 - Kevin Stroud/Judge Garza

Video Time 4:29

- ⊛ **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 the Texas Maritime Museum Report for 2nd Quarter 2024
- Ashley Pieprzyca

Video Time 5:09

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

10. Discuss, approve or disapprove the Rockport Cultural Arts District 2nd Quarter Report for 2024- Jennifer Day/Judge Garza

Video Time 12:51

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

IX. COUNTY ROADS AND FLOODPLAIN – NONE

X. CONTRACTS AND GRANTS

11. Discuss, approve or disapprove Animal Care Service's request to seek and apply for grants
Caitlan Frazier/Judge Garza

Video Time 22:51

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

12. Discuss, approve or disapprove entering into a Contract with Kofile for Digital Imaging and Preservation of Records in the amount of \$409,411.95 - Pam Heard/Judge Garza

Video Time 25:39

- ⊛ **Motion to approve:** by Commissioner Rousseau, motion was seconded by Commissioner Chaney
 - ⊛ **Vote:** Motion carried 5-0: it was so ordered
- 13. Discuss, approve or disapprove to surplus seven large Official Public Records Book shelves and sale for scrap metal - Misty Kimbrough/Judge Garza
Video Time 26:34
 - ⊛ **Motion to approve:** by Commissioner Chaney, motion was seconded by Commissioner Casterline
 - ⊛ **Vote:** Motion carried 5-0: it was so ordered
- 14. Discuss , approve or disapprove authorizing the County Judge to sign the necessary documents to commence monitoring of the fire alarm system at the new community center; monitoring services will be provided by Everon (formerly ADT Commercial) in order to comply with relevant building codes; the estimated monthly fee for this service is \$94 - Elle Moralez/Collin Jackson/Judge Garza
Video Time 27:26
 - ⊛ **Motion to approve:** by Commissioner Dupnik, motion was seconded by Commissioner Casterline
 - ⊛ **Vote:** Motion carried 5-0: it was so ordered
- 15. Discuss, approve or disapprove authorizing Judge Garza to enter into negotiations for leases for the relocation of various County Offices to various locations at the Harbor Oaks Shopping Center and the Live Oak Plaza Shopping Center - Adela Martinez/Judge Garza
 - ⊛ **Moved to closed session**
- 16. Discuss, approve or disapprove administrative changes made to the Bayshore Drive TCEO (Texas Commission on Environmental Quality) RESTORE ACT grant contract #582-21-22184, and authorize the County Judge to sign Workplan Amendment #04; this amendment realigns the budget categories of grant management, architect and engineering and construction sequences listed in the financial management's estimated budget section of the project Workplan; this amendment does not make any changes to the total project awarded grant funding - Jacky Cockerham/Judge Garza
Video Time 28:48
 - ⊛ **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 Amendment No. 1 of the Copano Cove Ranch Acquisition Project, General Land Office (GLO) Contract No. 24-099-005-E379, correcting 4.10 of the contract from "is not authorized" to "is authorized" to reflect that this project is eligible for the procurement of real property under the Project of Special Merit program - Judge Garza
Video Time 30:35
 - ⊛ **Motion to approve:** by Commissioner Chaney, motion was seconded by Commissioner Dupnik
 - ⊛ **Vote:** Motion carried 5-0: it was so ordered
- 18. Discuss, approve or disapprove accepting and approving as-built drawings for the Aransas County Transfer Station's Mechanic Shop Project funded by Aransas County and authorize the County Judge to sign a letter of as-built approval - Elle Moralez/Jacky Cockerham/Judge Garza
Video Time 32:11

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

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

19. Discuss, approve or disapprove accepting the Aransas County Transfer Station's Mechanic Shop Project funded by Aransas County as complete and authorize the County Judge to sign a Certificate of Construction Completion (CoCC) -

Elle Moralez/Jacky Cockerham/Judge Garza

Video Time 33:10

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

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

20. Discuss, approve or disapprove accepting and approving as-built drawings for Aransas County ARPA Standby Diesel Generator Installation Project funds by the American Rescue Plan Act (ARPA) and authorize County Judge to sign a letter of as-built approval - Elle Moralez/Jacky Cockerham/Judge Garza

Video Time 33:50

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

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

21. Discuss, approve or disapprove accepting the Aransas County ARPA Standby Diesel Generator Installation Project funded by the American Rescue Plan Act (ARPA) as complete and authorize the County Judge to sign a Certification of Construction Completion (CoCC) - Elle Moralez/Jacky Cockerham/Judge Garza

Video Time 37:00

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

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

XI. PLANNING AND BUDGET

22. Discuss, approve or disapprove the Aransas County Indigent Health Care Report for July 2024 - Alma Cartwright/Judge Garza

Video Time 39:53

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

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

23. Discuss, approve or disapprove the June 2024 Treasurer's Report - Alma Cartwright/Judge Garza

Video Time 41:00

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

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

24. Discuss, approve or disapprove the 2nd Quarter Aransas County Treasurer's Investment Report - Alma Cartwright/Judge Garza

Video Time 41:46

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

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

25. Discuss, approve or disapprove the selection of Option A - No Change on the Texas Department of Motor Vehicles (TxDMV) Imposition of Optional Fees form, a fee imposed under

Transportation code, *Section 502.403*, on local vehicle registrations that is used for the provision of child safety measures in Aransas County, where Aransas County will change the same fee, \$1.50 Child Safety Fee and a \$10 Road and Bridge Fee, for calendar year 2025 - Anna Marshall/Judge Garza

Video Time 43:33

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

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

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

Video Time 44:48

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

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

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

Video Time 45:09

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

⊛ **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 46:31

⊛ There were none

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

Video Time 46:40

⊛ There were none

XIV. CLOSED SESSION

28. Convene into a Closed Session to consult with counsel and receive legal advice about proposed leases for the relocation of the Temporary Aransas County Courthouse, Teal Construction Company's formal request for mediation, and 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, UC DIE/A FPS Recovery, LLC and Aransas County, Texas; Cause No. 24-0072, in the 36'h District Court of Aransas County, Texas;*

pursuant to Section 551.072 of the Texas Open Meetings Act, which authorizes closed sessions for a governmental body to deliberate the purchase, exchange, lease or value of real property, and Section 551.071 of the Texas Open Meeting 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 C. Martinez/Judge Garza

Video Time 46:54

- ⊛ **Motion to move into closed session ag 9:55 AM:** by Commissioner Rousseau, motion was seconded by Commissioner Chaney
- ⊛ **Vote:** Motion carried 5-0: it was so ordered
- ⊛ **Judge Garza called for a 5 minute break before starting the closed session**

XV. OPEN SESSION

29. Reconvene into Open Session

Video Time 2:18:35

- ⊛ **Motion to move into open session:** by Commissioner Rousseau, motion was seconded by Commissioner Dupnik
- ⊛ **Vote:** Motion carried 5-0: it was so ordered

30. Discuss and take action on matters discussed in closed session - M Amanda Oster/Adela C. Martinez/Judge Garza

Video Time 2:18:49

- ⊛ **Motion to discuss and or take action:** by Commissioner Rousseau, motion was seconded by Commissioner Dupnik
- ⊛ **Item # 15**
- ⊛ **Vote:** Motion carried 5-0: it was so ordered

XVI. ADJOURNMENT

Video Time

- ⊛ **Motion to adjourn:** by Commissioner Rousseau, motion was seconded by Commissioner Chaney
- ⊛ **Vote:** Motion carried 5-0: it was so ordered
- ⊛ **Meeting adjourned at 11:21 AM**

ARANSAS COUNTY COMMISSIONERS' COURT



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

8-12-24

Date signed and attestation.

Ray A. Garza
Ray A. Garza, County Judge

8-12-24
Date signed.

