

COMMISSIONERS COURT  
Aransas County, Texas

C.H. "Burt" Mills Jr, County Judge

Jack Chaney  
Commissioner, Pct 1-1A

Leslie Casterline  
Commissioner, Pct 2



Pat Rousseau  
Commissioner, Pct 3

Wendy Laubach  
Commissioner, Pct 4

**AGENDA**

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Notice is hereby given that a meeting of the above named Commissioners Court *V.T.C.A Government Code, Section 551.001(4)*, will be held on the **27th day of SEPTEMBER, 2021 at 9:00 A.M. IN THE COMMISSIONERS COURTROOM IN THE ARANSAS COUNTY COURTHOUSE, 2840 HWY. 35 N., ROCKPORT, TEXAS.** Persons with disabilities who plan to attend this meeting and who may need assistance should contact the County Judge's office at 361-790-0100 two working days prior to the meeting so that appropriate arrangements can be made. **To watch the meeting, visit:** here <https://www.youtube.com/channel/UCTxprR-CFvaZfapOVcLeDWQ/live> The following subjects will be discussed:

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**I. CALL TO ORDER & PLEDGES**

**II. INVOCATION**

**III. ROLL CALL**

**IV. DECLARE QUORUM**

**V. CITIZENS TO BE HEARD**

**VI.** *At this time, comments will be taken from the audience on any subject matter that is not on the Agenda. To address the Commissioners, please sign the Public Participation Form located at <https://actxgov.seamlessdocs.com/w/ccpublicparticipation> or sign the Public Participation Form located on the table outside of the County Courtroom and deliver to the County Clerk before the meeting begins. Citizens who wish to speak on a matter included in this Agenda will be invited to speak when that particular matter is being deliberated by the Commissioners Court. Each member of the public who appears before the Commissioners Court shall be limited to a maximum of five (5) minutes to make his/her remarks. Please note, in accordance with the Open Meetings Act, Commissioners may not discuss or take action on any item which has not been posted on the Agenda.*

**VII. PRESENTATIONS**

*Presentations are limited to fifteen (15) minutes unless other arrangements have been made with the Court.*

1. Recognize and Present **Proclamation #P-12-2021** to Texas A&M AgriLife Extension Service 4-H Youth Development Program **designating October 3 – 9, 2021 as National 4H Week** – Megan Kunkel Glidden/Judge Mills
2. Discuss, approve, or disapprove **Proclamation #P-14-2021, - Recognition and Appreciation for John Kroll's two years of service to Aransas County as the Veteran Service Officer-** Judge Mills
3. Presentation - **National Wildlife Federation's Texas Mid-Coast Assessment** – Arsum Pathak
4. Presentation regarding **Resolution of the Aransas Pass Annexation Case** – Amanda Oster

## VIII. ITEMS FOR DELIBERATION AND/OR ACTION

- **CONSENT AGENDA**

*All Consent Agenda items listed are considered to be routine by the Commissioners Court and will be enacted by one motion. There will be no separate discussion of these items unless a Commissioner or the County Judge so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.*

5. Discuss, approve, or disapprove the **Minutes** from the September 13, 2021 Regular Meeting - Carrie Arrington/Judge Mills
6. Discuss, approve or disapprove **Amended Aransas County Transfer Station Official Holidays for 2022, correcting the December holiday dates** – Valerie Gonzalez/Judge Mills
7. Discuss, approve or disapprove **request to declare Aransas County Fixed Asset Property as surplus, with scrap metal to be sold or salvaged as recyclable and disposing of the remainder of the assets at the Aransas County Transfer Station** – Jacky Cockerham/Judge Mills

- **COUNTY ROADS**

8. **Discussion of bids received on 9/20/2021 for Excavator/Track Hoe** – David Reid/Judge Mills
9. Discuss, approve or disapprove **bid selected for Excavator/Track Hoe and authorizing the County Engineer to purchase Excavator/Track Hoe at the bid price** – David Reid/Judge Mills
10. Discuss, approve or disapprove **authorizing advertising a Request for Qualifications (RFQ) for Professional Engineering Services, relating to a drainage study for the Lamar Beach Road at 4<sup>th</sup> Street Watershed,** with funding for such engineering costs being paid out of the Flood Control Item 220-611-525, Special Projects – David Reid/Judge Mills

- **COUNTY AIRPORT**

11. Discuss, approve or disapprove authorizing the **Airport Manager to petition the Texas Department of Transportation and the Federal Aviation Administration to request that approximately 28 acres of land located within the boundaries of the Aransas County Airport be released from the requirement that it be dedicated to aviation uses in order for the Airport to offer the property for long term lease and development for uses that may not be related to aviation** – Mike Geer/Judge Mills

- **COUNTY ELECTIONS**

12. Discuss, approve or disapprove **an amendment to Order #O-09-2021, appointing the amended list election judges for a one-year term to begin September 1, 2021**– Kevin Stroud/Judge Mills

- **CONTRACTS, AGREEMENTS, GRANTS & LEASES**

13. Discuss, approve, or disapprove **Authorizing Engineer John D. Mercer & Associates (or soon to be owner of John D. Mercer & Associations, Lynn Engineering) to Solicit Bids for Construction of sewer improvements including seventeen (17) first-time sewer connections in the Doughty-Mathis Colonia pursuant to the Texas Community Bock Grant (TxCDBG) Contract No. 7219025** – Commissioner Casterline/Jacky Cockerham/Judge Mills
14. Discuss, approve or disapprove **Steering Committee's recommended projects to be pursued and funded utilizing the American Rescue Plan Act funding (\$4.5M) and review and discuss other projects that received consideration** – Commissioner Rousseau/Commissioner Casterline/Judge Mills

• **PLANNING & BUDGET OFFICE**

15. Discuss, approve or disapprove the **August 2021 Treasurer’s Report** – Alma Cartwright/Judge Mills
16. Discuss, approve or disapprove **2022 Animal Control Fees** – Lori Cesar/Judge Mills
17. Discuss, approve or disapprove the adoption of **Resolution #R-24-2021 to authorize County staff to issue payment, once settlement funds are received from the City of Aransas Pass, to David Earl**, Special Assistant County Attorney, for services rendered and costs incurred in relation to the *State of Texas ex rel. Association Against Annexation Abuse v. The City of Aransas Pass*, A-19-0368-CV-C in the Aransas County District Court – Amanda Oster/Judge Mills
18. Discuss, approve or disapprove and **authorize the County Judge to sign the Texas Association of Counties’ Workers Compensation Renewal Agreement and Questionnaire for plan year 2022** – Linda Doane/Judge Mills
19. Discuss, approve or disapprove **Budget Line Item Transfers and Amendments** – Jacky Cockerham/Judge Mills
20. Discuss, approve or disapprove **Accounts Payable and Payroll/Payroll Liabilities** – Jacky Cockerham/Alma Cartwright/Judge Mills

**IX. REPORTS FROM COMMISSIONERS, ELECTED OFFICIALS & DEPARTMENT HEADS--NO ACTION WILL BE TAKEN**

*“At this time, County Commissioners will report/update on all committee assignments which may include the following: Aransas Pathways Steering Committee; County Storm Water Advisory Committee; Coastal Bend Council of Governments; Coastal Bend Bays & Estuaries; Coastal Resiliency Committee; Disaster Recovery Officials; Economic Development; Live Oak Tree Committee; Navigation District; Personnel Committee; Rural Rail District; and Rockport Community Park/Swimming Pool Committee. Elected Officials & Department Heads reports include but are not limited to the following: Airport Advisory Board Updates; County Auditor—**Read Fee Reports of County & Precinct Offices.**”*

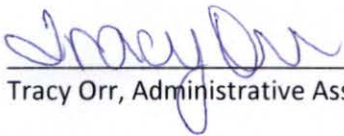
**X. REPORTS ABOUT ITEMS OF COMMUNITY INTEREST--NO ACTION WILL BE TAKEN**

*“At this time, Commissioners Court will hear reports/updates from Commissioners or County Staff about items of community interest including (1) expressions of thanks, congratulations, or condolence; (2) information regarding holiday schedules; (3) an honorary or salutary recognition of a public official, public employee, or other citizen; (4) a reminder about an upcoming event organized or sponsored by the Court; (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the Commissioners Court that was attended or is scheduled to be attended by a Commissioner or an official or employee of the County; and (6) announcements involving an imminent threat to the public health and safety of people in the County that has arisen after the posting of the agenda.”*

**XI. ADJOURNMENT**

**CERTIFICATION**

It is hereby affirmed that this NOTICE OF MEETING was duly posted at the Aransas County Courthouse at least seventy-two (72) hours preceding the scheduled time of said meeting, on a bulletin board that is readily accessible to the general public during normal business hours and also on the Aransas County website, in compliance with the Texas Open Meetings Act and Texas Government Code 551.043.



Tracy Orr, Administrative Assistant, County Judge's Office

**FILED**  
AT 2:33 P.M.

SEP 21 2021

CARRIE ARRINGTON  
COUNTY CLERK, ARANSAS CO., TEXAS

posted 2:44

MINUTES OF THE ARANSAS COUNTY COMMISSIONERS COURT

REGULAR MEETING - SEPTEMBER 13, 2021

BE IT REMEMBERED that on the 13th day of September, 2021, the Honorable Commissioners Court of Aransas County, Texas, met in Regular Session, at the Aransas County Courthouse, 2840 Hwy 35 N, Rockport, Texas, with the following members present in person, via Zoom, or via YouTube: C. H. "Burt" Mills, Jr., County Judge; Jack Chaney, Commissioner Precinct 1-1A; Leslie Casterline, Commissioner, Precinct 2; Pat Rousseau, Commissioner, Precinct 3; Wendy Laubach, Commissioner, Precinct 4; and Carrie Arrington, County Clerk.

Other County Officials/Department Heads/Staff Members present in person were: Patricia Randall, Chief Deputy County Treasurer; Tracy Orr, Administrative Assistant to County Judge; Richard Bianchi, County Court at Law Judge; Kevin Stroud, Elections Administrator; Anna Marshall, County Tax-Assessor Collector; Jacky Cockerham, County Auditor; Latisha Murphy, Assistant County Auditor; Amanda Oster, County Attorney; Jennifer O'Steen, Assistant County Attorney; Linda Doane, HR Director; John Kroll and Rueben Garcia, Veteran Services; Collin Jackson, IT Director; David Reid, County Engineer; Jerry Brundrett, County Surveyor; Mike Geer, Airport Manager; John Strothman, Long-Term Recovery; and Jennifer Heard, Pathways.

Members of Other Governmental Entities or Community Groups and Interested Parties present in person: Mark Wagnon, Aransas County Partnership Economic Development Corporation; Rachel Thomas, Community Development Project Manager, GrantWorks, Inc.; Keith Barrett, Aransas County Navigation District Harbor Master; and Mike Probst, Editor and Publisher, The Rockport Pilot.

Aransas County Citizens present in person: Carolyn Smith.

The Meeting was duly convened at 1:30 p.m., followed by pledges to the American and Texas flags and an invocation given by County Surveyor Jerry Brundrett. Roll call was taken and a quorum was declared by Judge Mills, WHEREUPON, the following proceedings were had and done, to wit:

CITIZENS TO BE HEARD

There were none.

PRESENTATIONS

There were no presentations.

CONSENT AGENDA

There were four items under the Consent Agenda, however, Commissioner Laubach asked that item 2. be considered and voted on separately.

1. Minutes from the August 30, 2021 Regular Meeting
2. Re-appointment of J. Mark Wagon, for a two-year term, as the Aransas County 501(c)(6) Board Member for the Aransas County Partnership Economic Development Corporation
3. Acceptance of a \$100 Gift Card from H-E-B to be used towards the Employee Health Fair prize drawings on October 22, 2021
4. Donation of office furniture from Hands of Hope with an approximate value of \$800, to Aransas County, which furniture will be used by the Long Term Recovery Team and various other County departments

A motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve Consent items 1, 3, and 4.

Question. A roll call vote was taken and the motion passed unanimously.

It is so ordered.

Item 2 was then considered. After a discussion - which included Mr. Wagon agreeing to provide quarterly reports on behalf of the EDC to Commissioners Court - a motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve re-appointment of J. Mark Wagon, for a two-year term, as the Aransas County 501(c)(6) Board Member for the Aransas County Partnership Economic Development Corporation.

Question. A roll call vote was taken and the motion pass of a 4:1 vote with Commissioner Laubach dissenting.

It is so ordered.

#### COUNTY ROADS

5. A motion was made by Commissioner Rousseau and seconded by Commissioner Casterline to approve Terry S. and Shelley Hunsucker's request to approve a Plat for property located at 311 McLester Road into Lots 1-9, Block 1, of the Hunsucker Acres Addition to Aransas County.

Question. A roll call vote was taken and the motion passed unanimously.

It is so ordered.

#### COUNTY AIRPORT

6. A motion was made by Commissioner Casterline and seconded by Commissioner Rousseau to approve authorizing County Judge to sign the FY 2022 Routine Airport Maintenance Program (RAMP) Grant between Aransas County and Texas Department of Transportation (TxDOT) which will reimburse the County Airport 50% of eligible maintenance costs, or \$50,000, whichever is less, and to name Mike Geer, Airport Manager as the designated County representative.

Question. A roll call vote was taken and the motion passed unanimously.

It is so ordered.

COUNTY ELECTIONS

7. A motion was made by Commissioner Rousseau and seconded by Commissioner Casterline to approve an Amendment to Order #O-09-2021, appointing the individuals on the amended list to serve as election judges for a one-year term to begin September 1, 2021. Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

CONTRACTS, AGREEMENTS, GRANTS & LEASES

8. A motion was made by Commissioner Rousseau and seconded by Commissioner Chaney to approve Resolution #R-15-2021, for the 2022 Indigent Defense Grant Program.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

9. A motion was made by Commissioner Casterline and seconded by Commissioner Rousseau to approve Resolution #R-23-2021, a Resolution of Aransas County, Texas, certifying that the County has made a grant to the Aransas County Council on Aging, an organization that provides home-delivered meals to homebound persons in the County who are elderly and/or have a disability, and certifying that the County has approved the organization's accounting system or fiscal agent.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

10. A motion was made by Commissioner Rousseau and seconded by Commissioner Casterline to approve the submission of an extension request to the Texas Department of Agriculture for the Texas Community Development Block Grant (TxCDBG) Contract 7219025.



Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

11. A motion was made by Commissioner Casterline and seconded by Commissioner Rousseau to approve authorizing County Judge to sign Interlocal Cooperation Agreements for 2020-2021 Property Tax Assessment/Collection upon return of signed agreements by Local Taxing Entities. Local Taxing Entities are the Aransas County Navigation District, the City of Rockport, the Town of Fulton, the Aransas County Municipal Utility District No. 1, and the Aransas County Independent School District.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

**PLANNING & BUDGET OFFICE**

12. A motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve the August 2021 Indigent Health Care Report and the End of the Year (09/01/2020 - 8/31/2021) Indigent Health Care Report.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

13. A motion was made by Commissioner Laubach and seconded by Commissioner Chaney to approve a Refund Request in an Application for Tax Refund of Overpayment in the amount of \$6,749.56 for Christopher J. and Karra A. Crowley due to Overpayment of 2020 Property Taxes.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

14. A motion was made by Commissioner Laubach and seconded by Commissioner Chaney to approve the Aransas County Navigation District (ACND) 2021 No New Revenue Tax Rate Levy of \$0.045164/\$100 Valuation (\$0.033379/\$100 Valuation for Maintenance & Operations and \$0.011785/\$100 Valuation for Interest & Sinking). Question. A roll call vote was taken and the motion carried unanimously. It is so ordered.

15. A motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve appointing Rueben Garcia as the Aransas County Veterans Service Officer and accepting John Kroll's resignation from the position with the understanding that John Kroll has agreed to train Rueben Garcia for two weeks prior to Kroll's final day. There was some discussion.

**Judge Mills:** I hate to see John go but I understand why he needs to. He's done the County and the veterans of this County a very fine job and we wish him all the best. And, we're looking forward to working with Reuben. (Then he asked Reuben to stand up to help everyone put a face on the name.)

Question. A roll call vote was taken and the motion carried unanimously. It is so ordered.

16. A motion was made by Commissioner Rousseau and seconded by Commissioner Laubach to approve Budget Line Item Transfers and Amendments. (Per Auditor Jacky Cockerham, there were none.) Question. A roll call vote was taken and the motion carried unanimously. It is so ordered.

17. A motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve Accounts Payable and

Payroll/Payroll Liabilities. (All normal payables at this time, per Auditor Jacky Cockerham.)

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

**REPORTS FROM COMMISSIONERS, ELECTED OFFICIALS & DEPARTMENT HEADS**  
**WHEREIN NO ACTION WILL BE TAKEN**

**Commissioner Chaney:** Judge, I would like to publicly thank the County Attorney and her office, Amanda and Jen O'Steen and their staff, David Earl, and the folks that worked with him on this history setting trial that's gone on for the last two years - and I pray that we'll be able to establish good relationships with the City of Aransas Pass sometime in the very near future. The County Attorney and her staff have worked miracles in getting data and stuff through it and have really shown to the County - in a very contentious time - the leadership that comes out of our County District Attorney's Office. So, I want to personally thank them for that.

**Judge Mills:** I agree with that wholeheartedly. And, I'd like to say, for the ones who haven't noticed, we do have something going on outside that's got some people in a panic. This is not our first rodeo and thank God that the horses and bulls we're riding this time are a little tamer than the last time. So, just be aware that we do have something coming in tonight and be careful. Stay dry.

**County Clerk Carrie Arrington:** I'd like to agree with what Commissioner Chaney said about the quo warranto, but I'd also like to add that Kristen Barnebey should also be acknowledged.

**Commissioner Chaney:** Yes, I intended to say that and I just got nervous and forgot. I'm so sorry, Kristen.

**Commissioner Laubach:** I'd like to add my congratulations and I just want to say - for those of you who've been reading that it's a settlement - we can call it a settlement but from my perspective, it's a resounding victory. We got the main legal principle upheld which is that the annexation was not properly done, was void from the start, and if they want to do it again they'll have to start from the beginning and, this time, because the law has changed, whoever lives in that area will get a vote, and that would not have happened if this lawsuit hadn't been filed. I know you guys got tremendous help from David Earl and I extend my thanks to him as well. I've done that directly as well. But, it was just well-handled from the beginning to end.

**County Attorney Amanda Oster:** Yes, we're all thankful for all the help that we've gotten in the past and, just to let you all know, we will be putting together a presentation so that we can show all of you and the public and kind of explain the process because it was a very complicated lawsuit and, yes, it is a settlement but we got absolutely everything that we asked for.

**Commissioner Laubach:** Including a lot of legal fees.

**County Attorney Oster:** Yes. But, if we had won at trial and the judge had given us all of the attorney's fees that we were owed, we would have probably made about twice as much in attorney's fees. So, everyone got something out of that settlement.

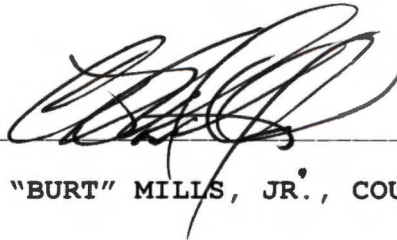
**Judge Mills:** That's good. Maybe that will help repair our relationship with Aransas Pass sometime in the future.

**Commissioner Chaney:** One other thing I just happened to think about... Ms. Oster has, you know, exemplified a lot of constraint and a lot of coolness during all of this stuff and Ms. O'Steen has too. This was the most professional collaboration between private and public

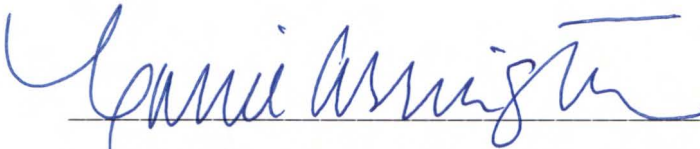
counsels that I've ever seen. And, if we were paying true attorney's fees, I'd say we'd have been closer to two million dollars, so anyway, I wanted to thank you all.

**Judge Mills:** All right. Thank you. Anybody else? If not, do I have a motion?

**No further business presenting, the Court adjourned at 1:57 p.m.** on a motion duly made by Commissioner Rousseau and seconded by Commissioner Chaney.



C. H. "BURT" MILLS, JR., COUNTY JUDGE



CARRIE ARRINGTON, EX-OFFICIO CLERK  
OF THE COMMISSIONERS COURT

