



MINUTES

Aransas County Commissioners Court

9:00 AM – Monday, August 1, 2022

The Aransas County Commissioners Court met in **Regular Session** on Monday, August 1, 2022, at 9:00 AM, in the Aransas County Courthouse, 2840 Hwy 35 N, Rockport, Texas.

Present: **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

Absent:

I. Call to Order & Pledges

The meeting convened at 9:00 AM, followed by pledges to the American and Texas flags.

II. The Invocation was given by Commissioner Rousseau

III. Roll Call was taken. **A Quorum was declared**, and the following proceedings were had and done, to wit:

IV. Citizens to be Heard – There were none.

V. Presentations – There were none.

VI. Consent Agenda

1. Minutes from the July 25, 2022, Regular Meeting
2. Certificate of Completion awarded to Commissioner Pat Rousseau from the V.G. Young Institute of County Government for successfully completing thirteen (13) hours of educational training
3. Certificate of Completion awarded to Commissioner Wendy Laubach from the V.G. Young Institute of County Government for successfully completing thirteen (13) hours of educational training
4. Resignation from Matthew Grimes as the Aransas County Fire Marshal
5. Appointment of Aaron Guerrero as the Aransas County Fire Marshal for a period of two (2) years ending August 1, 2024

Motion by Commissioner Rousseau to approve consent items 1-4 and to consider item 5 separately; seconded by Commissioner Chaney.

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

Motion by Commissioner Rousseau to **TABLE** item 5 in order to consider the possibility of hiring someone jointly with the City of Rockport and/or someone in law enforcement since the position has law enforcement requirements; seconded by Commissioner Laubach.

(Cody Morales, Chief, Fulton Volunteer Fire Department (VFD), spoke favorably about Chief Aaron Guerrero but he was also concerned about not selecting someone from law enforcement for the position given the position requirements. Tim Doran, Assistant Chief, Lamar VFD, also spoke and agreed with Chief Morales.)

Amended Motion by Commissioner Laubach to hire Chief Aaron Guerrero as the Interim Fire Marshal for a period of ninety (90) days, starting immediately, to allow the Court additional time to consider the position and their options further; seconded by Commissioner Chaney after Commissioner Rousseau who withdrew her motion to table.

(Judge Mills asked Chief Aaron Guerrero if he would accept a 90-day interim position. Mr. Guerrero said he would.)

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

VII. Contract, Agreements, Grants, and Leases

6. Consenting to Sublease – Airport Box Hangar

Motion by Commissioner Rousseau to consent to a sublease agreement with an option to purchase between T2J Partners LLC and MS Land & Aero for a box hangar, which is situated on land leased from Aransas County and is located at the Aransas County Airport at 317 John D. Wendell Rd, Rockport, TX; seconded by Commissioner Laubach.

(During discussion led by Airport Manager Mike Geer, Judge Mills asked for input from legal. In response, Assistant County Attorney Jen O’Steen stated that this item is only to consent to a sublease and that the reason why this is before the Commissioners Court is because the Commissioners Court has leased the ground underneath the hangar to the owner of the hangar, which is MS Land & Aero. So, this consent is ONLY to say that our lessee, MS Land & Aero, is allowed to sublease the ground that the airport owns to T2J Partners LLC. Normally those are the only provisions we’re looking at to see if the sublease would still benefit us. Either way, we’re still getting our rent for the ground under that hangar—but this is a more complicated situation because of what the plan is for the hangar later on, and I would submit that the Commissioners Court should be clear today that this vote is limited to consenting to a sublease and not entering into any kind of agreement with another party. This is strictly limited to consenting to the sublease between two other parties.)

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

7. Consenting to Sublease – Airport T-Hangar

Motion by Commissioner Rousseau to consent a sublease agreement with an option to purchase between T2J Partners LLC and Stewart Legacy Group LLC for a 12-unit T-hangar, which is situated on land leased from Aransas County and is located at 4521 Hwy 35 N, Rockport, TX; seconded by Commissioner Laubach.

(Commissioner Rousseau stated that the Court discussed this T-hangar sublease, too, several weeks ago and, like the box hangar sublease, it was also unanimously approved by the Airport Advisory Board. Mr. Geer confirmed the same and stated that it is the same lease, front to back, except this one is a T-hangar with twelve units as opposed to one box hangar. Rousseau and Geer also confirmed that the lessee would have an option to purchase the hangar, if they choose, before it reverts back.)

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

8. Copano Heights Road Improvements Construction Contract

Motion by Commissioner Casterline to award a Construction Contract for the Copano Heights Road Improvements Project to K-C Lease Service, Inc. d/b/a Matagorda Construction & Materials, with the Project being funded with grant funds available in General Land Office (GLO) State Contract Number 20-065-098-C270; and authorizing the County Judge to execute the Construction Contract and other necessary documents; seconded by Commissioner Chaney.

(Commissioner Casterline mentioned the almost \$55K overage estimate on this particular project and stated that the County has two possible courses of action to cover that overage: 1) the County could pay for it outright, or 2) the County could move money from one of the other road improvement projects—and that the likely candidate project to take from was the Holiday Beach Drainage Improvements Project.

Aaron Horine, Principal and Coastal Engineer with Mott MacDonald, stood in for (absent) County Engineer David Reid to answer questions from the Court, confirmed what Commissioner Casterline said. He further stated that he felt the Holiday Beach Project would not be hurt by such a reduction. The actual project budget for Copano Heights was \$1,642,212 and the overage is \$54,437. By contrast, the project budget for Holiday Beach is \$4,181,786. He also addressed Commissioner Laubach’s question about spreading the leftover micro hospital money over these projects, relaying that that money had already been spread across these drainage improvement projects. Commissioner Rousseau asked when this project would begin. Horine referenced the GLO procurement process and estimated the project would start in three months. In response to Commissioner Chaney’s question, Horine stated that the estimated duration of this project is 210 days.)

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

9. Final Construction Plans – Linden Drainage Improvements Project (\$4.5M)

Motion by Commissioner Casterline to approve the 100% Final Construction Plans for the Linden Drainage Improvements Project as prepared by Mott MacDonald; seconded by Commissioner Chaney.

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

10. Final Construction Plans – Loop 1781 Road Improvements Project (\$4M)

Motion by Commissioner Laubach to approve the 100% Final Construction Plans for the Loop 1781 Road Improvements Project as prepared by Mott MacDonald; seconded by Commissioner Casterline.

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

11. Final Construction Plans – Rattlesnake Point Road Improvements Project (\$4.5)

Motion by Commissioner Laubach to approve the 100% Final Construction Plans for the Rattlesnake Point Road Improvements Project as prepared by Mott MacDonald; seconded by Commissioner Rousseau.

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

12. Final Construction Plans – SW Aransas County Drainage Improvements Project \$6.4M)

Motion by Commissioner Laubach to approve the 100% Final Construction Plans for the SW Aransas County Drainage Improvements Project as prepared by Mott MacDonald; seconded by Commissioner Chaney.

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

13. Advertise for Bids – Loop 1781 Road Improvements

Motion by Commissioner Laubach to approve authorizing County Staff to advertise for bids for the construction of the Loop 1781 Road Improvements; seconded by Commissioner Casterline.

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

VIII. Planning and Budget Office

14. **NOT AN ACTION ITEM:** Discuss and receive information on proposals from the public concerning any budget issues, including the possibility of changing the current allocation of Hotel Occupancy Tax (HOT) funds for the year 2023

15. Department of Motor Vehicles Optional Fees for 2023

Motion by Commissioner Rousseau to approve the selection of Option A – No Change on the Texas Department of Motor Vehicles (TXDMV) Imposition of Optional Fees form. This fee is imposed under Transportation Code, Section 502.403 on local vehicle registrations and is used for the provision of child safety measures in Aransas County. Aransas County will charge the same fee, \$1.50 Child Safety Fee, for calendar year 2023; seconded by Commissioner Casterline.

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

16. Budget Line Item Transfers

Motion by Commissioner Casterline to approve Budget Line Item Transfers; seconded by Commissioner Rousseau. *(Per Auditor Cockerham, there were none.)*

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

17. Accounts Payable and Payroll/Payroll Liabilities

Motion by Commissioner Chaney to approve Accounts Payable and Payroll/Payroll Liabilities; seconded by Commissioner Casterline.

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

IX. Commissioners, Elected Officials & Department Heads – No action will be taken

Judge Mills: *I have two things to mention today, one sad and one happy. Commissioner-elect Bob Dupnik's daughter passed away and Jacky Cockerham had twin grandsons.*

Commissioner Chaney: *Next meeting, we will have a presentation on Medicare Part C.*

Commissioner Rousseau: *I asked Jace Tunnell about the six month Copano red beds study they're doing for us and the Nav District. It hasn't started yet—but Coastal Bend Bays & Estuaries Program is doing a matching grant on it so now it's a \$58K project that will sample more area over a longer term. I also asked him about possible brine disposal into the red beds. He said he would look into it and get back with me. Rousseau also acknowledged new Executive Director for the EDC, Jeffrey Sjostrom, who was in attendance.*

Judge Mills: *Jeff Hutt says that the brine is NOT going into the red beds.*

Airport Manager Mike Geer: *Asked about the projected new height of 1781 behind the airport. He is concerned about a possible safety impact on the surface of approach 77. Mr. Horine said he would get with him after the meeting.*

X. Adjournment

No further business presenting, the Court adjourned at 9:50 AM on a motion duly made by Commissioner Rousseau and seconded by Commissioner Laubach.

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

Carrie Arrington, Ex-Officio Clerk
of the Commissioners Court