



MINUTES

Aransas County Commissioners Court

9:00 AM – Monday, October 10, 2022

The Aransas County Commissioners Court met in **Regular Session** on Monday, October 10, 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 **County Engineer Jerry Brundrett**.

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

IV. Citizens to be Heard –

Jeff Hutt, Aransas County Navigation District Representative for the Aransas County Alliance Local Government Corporation (LGC), read a statement criticizing the LGC's recent decision to let the LGC expire as of December 9, 2022.

V. Presentations – there were none.

VI. Consent Agenda

1. Minutes from the September 26, 2022, Regular Meeting
2. Continuing Education Transcript for Commissioner Wendy Laubach acknowledging she has met the Statutory Continuing Education Requirements for 2022
3. \$100 donation from Karen Small to Aransas County Animal Control
4. \$100 donation from Ettore and Noreen Settembre to Aransas County Animal Control

Motion by Commissioner Casterline to approve the Consent Items; seconded by Commissioner Rousseau.

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

VII. County Reports

5. Rockport Center for the Arts Report

Motion by Commissioner Rousseau to approve the 3rd Quarter 2022 Report for the Rockport Center for the Arts; seconded by Commissioner Chaney.

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

6. Aransas County Historical Commission Report

Motion by Commissioner Casterline to approve the 3rd Quarter 2022 Report for the Aransas County Historical Commission; seconded by Commissioner Chaney.

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

7. Proclamation #P-10-2022

Motion by Commissioner Rousseau to approve Proclamation #P-10-2022, proclaiming the month of October as Texas Archeology Month in Aransas County; seconded by Commissioner Chaney.

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

8. Resolution #R-26-2022

Motion by Commissioner Laubach to approve Resolution #R-26-2022, a resolution authorizing the online auction of tax foreclosed property—as provided for in *Section 34.01 and 34.05 of the Texas Property Code*—with Linebarger, Goggan, Blair & Sampson, LLP, and take any necessary action; seconded by Commissioner Casterline.

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

VIII. County Roads and Floodplain

9. Final Plat – Fulton Beach Landings

Motion by Commissioner Casterline to approve the Final Plat for Fulton Beach Landings, Unit 2 at 2261 N. Fulton Beach Road from Let's Go to the Island, Inc.; seconded by Commissioner Chaney.

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

IX. Contracts, Agreements, Grants, and Leases

10. Solicitation for Website Design RFP

Motion by Commissioner Casterline to approve authorizing solicitation of Request for Proposals (RFP) for Website Design to be funded using American Rescue Plan Funds (ARPA) and authorize County Judge to sign all necessary documents; seconded by Commissioner Rousseau.

Lamar citizen, **Jack Vogel**, voiced some of the challenges he has had with the County's current website and spoke in favor of this agenda item.

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

11. Solicitation for Engineering Services (Detention Center Water Tank)

Motion by Commissioner Casterline to approve authorizing solicitation of Request for Qualifications (RFQ) for Engineering Services using the American Rescue Plan Act funds (ARPA) for the design of a Water Tank at the Detention Center and authorize County Judge to sign all necessary documents; seconded by Commissioner Chaney.

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

12. Solicitation for Grant Administrator Services

Motion by Commissioner Casterline to authorizing solicitation of Request for Proposals (RFP) for Grant Administrator for the Community Development Block Grant Regional County of Government (COG) Mitigation/Method of Distribution, (CDBG-COG MIT/MOD) and Mitigation (MIT) administered through the Texas General Land Office (GLO) for the County of Aransas and authorize the County Judge to sign all necessary documents; seconded by Judge Mills.

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

13. Solicitation for Engineering Services (CDBG-COG MIT/MOD)

Motion by Commissioner Casterline to approve authorizing solicitation of Request for Qualifications (RFQ) for Engineering for the Community Development Block Grant Regional County of Government (COG) Mitigation/Method of Distribution, (CDBG-COG MIT/MOD) administered through the Texas General Land Office (GLO) for the County of Aransas and authorize the County Judge to sign all necessary documents; seconded by Commissioner Chaney.

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

14. Dedicated AT&T Circuits

Motion by Commissioner Chaney to approve authorizing County Judge to sign order with AT&T to provide dedicated circuits to Road and Bridge, Environmental Health, Animal Control and the AgriLife Extension Office at a total monthly rate of \$1,800.00, plus any federally applicable fees; seconded by Commissioner Casterline.

After some discussion revolving around getting another quote from Spectrum and some budget-specific funding issues (paying any increase next year vs. this year), **Motion to TABLE** by Commissioner Laubach; seconded by Commissioner Rousseau.

Vote: Motion to TABLE carried 3-2, with Chaney and Mills dissenting; it was so ordered.

15. Network Hardware and Infrastructure Needed for New Courthouse (NOT included in Courthouse Construction Budget)

Motion by Commissioner Casterline to approve authorizing County Judge to execute a purchase order with Mark III Systems Government Solutions; a Texas Department of Information Resources (TxDIR) Historically Underutilized Business (HUB) partner; under cooperative purchasing contracts TxDIR Technology Sourcing Office (TSO) number 4160; and TxDIR Chief Procurement Office (CPO) number 4419 in the amount of \$415,518.00; to provide for the necessary networking hardware and infrastructure systems not included in the Courthouse Construction Budget; seconded by Commissioner Chaney.

IT Director **Collin Jackson**, stated that he was asked to secure a vendor to supply the physical hardware to plug in all of the cables in the new courthouse since that expense was not included in the courthouse construction budget. He gave a presentation outlining the process used to determine what was needed, the equipment options considered, and the associated pre-negotiated State contract pricing. Auditor **Jacky Cockerham** mentioned that the County has a \$213K balance on 2016 CO Bond funds (leftover administration money plus some earned interest) and that this item would qualify for those funds. She also stated that the County is receiving \$175K in American Rescue Plan Fund (ARPA) monies through the Local Assistance and Tribal Consistency Fund for 2022 and another \$175K in 2023, which can more than cover the remaining balance of this expense after applying the 2016 CO Bond funds. Accepting those funds will be on the agenda for the Court to approve on the 24th. **Commissioner Laubach** stated that this unbudgeted construction fund money expense should come out of Collin's 2023 IT budget—even if it would prohibit him from doing the things he planned to do next year because they are lower priority than this emergency that they are being asked to vote on under extreme time pressure. *I am suggesting that your capital budget is enough to cover it all and that we should consider later, at greater leisure, the possibility of using other funds which are not dedicated to this problem but could be spent on any problem of our county government.* She also stated that, while she likes to be a budget hawk, she doesn't want a new building to have inadequate computers and communications for the future. **Collin Jackson** relayed that allocating his funds to pay for this problem is certainly the Court's prerogative and that the directive he was given was to come up with a solution for the unbudgeted courthouse items, then he was given these available funding options—funding options that would not affect our general fund or touch items that were already budgeted in the general fund. **Auditor Cockerham:** *With the CO funds, we do have a responsibility to spend those within a certain amount of time. We are well past that, so I would suggest that we use the CO funds, and then anything else, and then we could go to Collin's budget for the difference.* **Commissioner Rousseau** expressed concern that the equipment quote may have been for top-of-the-line equipment and wondered if we could go to lower priced hardware without cutting back on services to the community or our staff members. At some point, **Commissioner Chaney** stated that he would be cautious of spending any available funds out of the general fund for out of government funds. Later, **Chaney Called the Question.**

Amended Motion by Commissioner Laubach to approve authorizing County Judge to execute a purchase order with Mark III Systems Government Solutions; a Texas Department of Information Resources (TxDIR) Historically Underutilized Business (HUB) partner; under cooperative purchasing contracts TxDIR Technology Sourcing Office (TSO) number 4160; and TxDIR Chief Procurement Office (CPO) number 4419 in the amount of

\$415,518.00; to provide for the necessary networking hardware and infrastructure systems not included in the Courthouse Construction Budget and for the needed funds to come first out of the 2016 CO bond fund and then for the remaining balance to come from the 2023 IT capital budget; seconded by Commissioner Casterline.

Vote: Amended Motion carried 3-2, with Rousseau and Mills dissenting; it was so ordered.

16. Airport Sublease

Motion by Commissioner Rousseau to TABLE allowing a sublease agreement with an option to purchase between T2J Partners, LLC, dba FPS Recovery, and Stewart Legacy Group LLC for a Box Hangar which is situated on an airport land lease at 4321 Hwy 35 N, Rockport, TX; seconded by Commissioner Laubach.

(Per Airport Manager Mike Geer, the parties are not ready to finalize the agreement.)

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

17. Integrated Credit Card Services for County Clerk's New Recording Software

Motion by Commissioner Casterline to authorize engaging Automated Merchant Services (AMS) for integrated credit card services for the County Clerk's new Tyler Eagle Software and authorize the County Judge to execute the necessary documents. Fees associated with this service are paid to AMS by the convenience fees that customers agree to pay when they choose to pay for their transactions by credit card; seconded by Commissioner Chaney.

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

18. MOU with CSC for eRecording in the County Clerk's Office

Motion by Commissioner Casterline to approve the Memorandum of Understanding (MOU) Agreement with Corporation Service Company (CSC) for the electronic submission of documents from CSC to the County Clerk's Office ("E-Recording") and authorize the County Judge to execute the necessary documents; seconded by Commissioner Laubach.

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

19. MOU with Simplifile for eRecording in the County Clerk's Office

Motion by Commissioner Casterline to approve the Electronic Recording Procedures Statement with Simplifile LC (Simplifile) for the electronic submission of documents from Simplifile to the County Clerk's Office ("E-Recording") and authorize the County Judge to execute the necessary documents. Such action will further improve office efficiency and customer service in conjunction with the Clerk's new recording software; seconded by Commissioner Rousseau.

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

20. MOU with ePN for eRecording in the County Clerk's Office

Motion by Commissioner Rousseau to approve the Memorandum of Understanding (MOU) with eRecording Partners Network (ePN) for the electronic submission of documents from ePN to the County Clerk's Office ("E-Recording") and authorize the County Judge to execute the necessary documents; seconded by Commissioner Casterline.

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

21. Execute Mott MacDonald Contract (approved by Commissioners' Court in March 2022)

Motion by Commissioner Casterline to approve authorizing County Judge to execute amended contract between Aransas County and Mott MacDonald for its services, which include engineering design and construction management on all Streets and Drainage projects through the Texas General Land Office (GLO) Grant Contract No. 20-065-098-C270 to increase the approved fee to Mott MacDonald by the amount of \$528,608.00; seconded by Commissioner Chaney.

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

22. Awarding Construction Contract for Loop 1781 Project

Motion by Commissioner Casterline awarding construction contract for the Loop 1781 construction project from the Texas General Land Office (GLO) Community Development Block Grant – Disaster Relief (CDBG-DR) Contract No. 20-065-098-C270, to LCR Total Transport, LLC in the amount of \$4,516,804.45; seconded by Commissioner Rousseau.

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

X. Planning and Budget Office

23. Indigent Health Care Report

Motion by Commissioner Casterline to approve the September 2022 Indigent Health Care Report; seconded by Commissioner Rousseau.

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

24. Catapult Screenings at Employee Health Fair

Motion by Commissioner Rousseau authorizing County Judge to sign 2022 Onsite Checkup Scheduling Addendum with Catapult Health for Onsite Screenings during the Employee Health Fair; seconded by Commissioner Casterline.

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

25. Rack Donation to City of Rockport

Motion by Commissioner Casterline to approve declaring surplus and donating to the City of Rockport, 1 open-wall four post equipment rack to allow for the installation of equipment on the City side of the Public Safety Center to support the Police Department

and Joint Communications Center new records management software; seconded by Commissioner Rousseau.

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

26. GLO Contract Budget Adjustment

Motion by Commissioner Rousseau to approve budget adjustment in the County's General Land Office Community Development Block Grant-Disaster Relief (CDBG-DR) Contract #20-065-098-C270, to move funds in the amount of \$460,239.45 from Holiday Beach construction budget to Loop 1781 construction budget, in order to complete the Loop 1781 construction project; seconded by Commissioner Laubach.

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

27. Possible Revision of Final Plans for Aquarium

Motion by Commissioner Laubach to revise the final plan for the Aquarium at Rockport Harbor to include public restrooms; seconded by Commissioner Casterline.

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

28. Auditor's Report

Motion by Commissioner Rousseau to approve the September 2022 Auditor's Report; seconded by Commissioner Casterline.

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

29. 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.

30. Accounts Payable and Payroll Liabilities

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

(Auditor Cockerham drew attention to the larger items: \$1M invested, plus several invoices under the 430 fund, our grants administration fund, which totaled \$812K (JM Davidson and Kofile), plus the invoice for our new message sign.)

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

XI. Reports from Commissioners, Elected Officials & Department Heads – No action will be taken –

Commissioner Rousseau mentioned that she received an email last Monday from Jace Tunnell, with Mission-Aransas National Estuarine Research and UTMSI with an update on the joint project we're working on with the Navigation District and Coastal Bend Bays and

Estuaries. A week ago, they went out to Port Bay to mark locations for sampling to determine boat access sites and test the equipment. They were able to get 1.5 meters down into the sediment with the core borings. They hope to get the first round of sampling done in the next few weeks so they can get the samples off to the lab. And, then he sent a photo of the fellows out there doing the core sampling. So, hooray, that they are starting that project.

31. Closed Session

Motion by Commissioner Rousseau to convene into a Closed Session to consult with and receive advice from legal counsel about insurance matters related to Aransas County's projects and insurance claims from Hurricane Harvey, 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; seconded by Commissioner Casterline.

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

The Court went into Closed Session was 10:50 AM.

32. The Court Reconvened into Open Session at 11:22 AM.

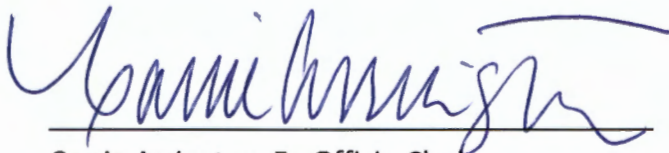
33. No Action Taken on Any Matter Discussed During Closed Session

XII. Adjournment

No further business presenting, the Court adjourned at 11:23 AM on a motion duly made by Commissioner Rousseau and seconded by Commissioner Casterline.



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



Carrie Arrington, Ex-Officio Clerk
of the Commissioners Court

