



# MINUTES

## Aransas County Commissioners Court

9:00 AM – Monday, November 14, 2022

The Aransas County Commissioners Court met in **Regular Session** on Monday, November 14, 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** – there were none

**V. Presentations** –

1. Jim Saunders of Mid-American Energy Services, LLC—the County's current electric service provider—gave a presentation and then spoke to the Court about the advantage of executing a new three- to six-year contract now in order to allow us to be responsive to favorable pricing on energy futures.

**VI. Consent Agenda**

2. Minutes from the October 24, 2022, Regular Meeting
3. Certificate of Completion awarded to Commissioner Pat Rousseau from the County Judges and Commissioners Association of Texas for successfully completing eight (8) hours of the 2022 Online Legislative Conference
4. \$200 donation from John and Donna Fossum to the Aransas County Sheriff's Department
5. Pet food donation valued at \$350 to Aransas County Animal Control from Rockport Little Theater/Zombie Walk
6. \$200 donation from Derrick Construction to Aransas County Animal Control

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

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

## VII. County Reports

### 7. Rockport Cultural Arts District Report

**Motion** by Judge Mills to approve the 3rd Quarter 2022 Rockport Cultural Arts District Report; seconded by Commissioner Rousseau.

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

### 8. Resolution R-29-2022

**Motion** by Commissioner Casterline to approve Resolution R-29-2022 requesting Senator Lois Kolkhorst and Representative Todd Hunter introduce legislation to remove the civil jurisdiction limit for the Aransas County Court at Law; seconded by Commissioner Chaney.

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

## VIII. County Roads and Floodplain

### 9. Issuance of Request for Proposals for Road Materials

**Motion** by Commissioner Rousseau to approve the issuance of a Request for Proposals (RFP) for Road Materials 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.

### 10. Conceptual Plan for The Point at Rockport Landing

**Motion** by Commissioner Chaney to approve a Conceptual Plan for "The Pointe at Rockport Landing," a Planned Unit Development, at 3401 Hwy 35N (La Buena Vida, Phase II) from Moreland Capital Partners, LLC (attachments 1A-1F); seconded by Commissioner Casterline.

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

### 11. Variance on Minimum Lot Size Requirement for Replat – 304-305 Rustic Oak Lane

**Motion** by Commissioner Rousseau to approve a request for Variance on County Subdivisions regulations on minimum lot size requirements to replat 304-305 Rustic Oak Lane from two (2) lots into one (1) lot (attachments 2A & 2B); seconded by Commissioner Casterline.

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

12. Variance on Minimum Lot Size Requirement for Replat – 114, 120 & 122 Redhead Road

**Motion** by Commissioner Casterline to a request for variance on County subdivision regulations on minimum lot size requirements to replat 114, 120 & 122 Redhead Road from five (5) lots into three (3) lots (attachments 3A & 3B); seconded by Commissioner Chaney.

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

13. Variance on Minimum Lot Size Requirement for Replat – 718 Copano Road

**Motion** by Commissioner Casterline to approve request for variance on County subdivision regulations on minimum lot size requirements to replat 718 Copano Road from two (2) lots into one (1) lot (attachments 4A & 4B); seconded by Commissioner Laubach.

**Vote:** Motion carried 4-1(with Rousseau dissenting); it was so ordered.

IX. Sheriff's Department

14. Creation of a Lieutenant Position in the Criminal Investigation Division

**Motion** by Commissioner Casterline to approve the creation of a Lieutenant position in the Criminal Investigation Division (CID); seconded by Commissioner Chaney.

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

15. Temporarily Move a Part-time Employee to Full-time

**Motion** by Commissioner Chaney to approve a temporary situation that will lead to moving a part time employee to full time until an effective resignation takes place involving the training academy coordinator; seconded by Commissioner Casterline.

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

16. Request to Pay Out Vacation in Excess of 80 Hours for Detention Officers for 2022

**Motion** by Commissioner Rousseau to **TABLE** purchasing (paying out) vacation in excess of eighty (80) hours for Detention Officers for the year 2022; seconded by Commissioner Laubach.

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

17. Declare six (6) Sheriff's Office Vehicles as Surplus

**Motion** by Commissioner Rousseau to approve declaring six (6) Sheriff's Office vehicles as surplus and available to reassign to other departments as seen fit, or trade in with delivery of vehicles budgeted for this year, or sell at auction /trade-in with purchase of new vehicles; seconded by Commissioner Chaney.

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

## X. Contracts, Agreements, Grants, and Leases

### 18. Agreement with Juvenile Board of San Patricio County

**Motion** by Commissioner Rousseau to approve entering into an Agreement for Detention of Juvenile Offenders between Aransas County and the Juvenile Board of San Patricio County; seconded by Commissioner Casterline.

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

### 19. Contract with Mid-American Energy Services, LLC

**Motion** by Commissioner Rousseau to approve authorizing the County Judge to execute a contract with Mid-American Energy Service, LLC, the County's current electric service provider, for a term of three (3) to six (6) years when energy pricing is most advantageous for the County; seconded by Commissioner Chaney.

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

### 20. Interlocal Agreement with City of Rockport to Transfer Ownership of RCA Parking Lot

**Motion** by Commissioner Chaney to approve an Interlocal Agreement between Aransas County and the City of Rockport to transfer the ownership of the Rockport Center for the Arts Parking Lot to the City of Rockport. This grant project is funded by the General Land Office through the Community Development Block Grant – Disaster Recovery Contract No. 20-065-098-C270; seconded by Commissioner Casterline.

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

### 21. Change Order #1 for Construction Contract with KC Lease Service

**Motion** by Commissioner Casterline to approve a proposed Change Order #1 for the Construction Contract with KC Lease Service dba Matagorda Construction and Materials for the General Land Office Community Development Block Grant – Disaster Recovery (CDBG-DR) Project No. 20-065-098-C270, Copano Heights Streets, Ditch, and Drainage Improvement Project, at no additional cost, to replace asphalt driveway base with limestone driveway base; seconded by Commissioner Chaney.

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

## XI. Planning and Budget

### 22. Indigent Health Care Report

**Motion** by Commissioner Casterline to approve the September 2022 Indigent Health Report; seconded by Commissioner Chaney.

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

**23. Depository Contract with Prosperity Bank**

**Motion** by Commissioner Casterline to approve authorizing the County Judge to execute the Depository Contract for Aransas County, two (2) year renewal Agreement with Prosperity Bank. This Agreement will amend the terms of the original Depository Contract dated November 10, 2020 as follows: 1) ADD the provision that Prosperity Bank will now hold the County's Safekeeping account and 2) ACCEPT the renegotiated rate for the two (2) year term; seconded by Commissioner Chaney.

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

**24. Budget Adjustment in the General Land Office Community Development Block Grant**

**Motion** by Commissioner Rousseau to approve a budget adjustment in the County's General Land Office Community Development Block Grant – Disaster Recovery Contract 20-065-098-C270, to remove funds in the amount of \$1,101,642 from the terminated Micro-Hospital project budget and move unused funds in the completed RCA Parking Lot budget to the Community Building Construction budget, in order to complete the Community Building Project; seconded by Commissioner Casterline.

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

**25. Auditor's Monthly Report**

**Motion** by Commissioner Chaney to approve the October 2022 Auditor's Monthly Report; seconded by Commissioner Casterline.

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

**26. Issuance of Request for Proposals for Insurance Coverage**

**Motion** by Commissioner Casterline to approve authorizing the issuance of Request for Proposals (RFP) for Property and Casualty Insurance and Insurance Coverage for Mobile Equipment, Flood, Watercraft (Commercial Marine), and Airport Liability, 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.

**27. 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.

**28. Accounts Payable and Payroll/Payroll Liabilities**

**Motion** by Commissioner Casterline to approve Accounts Payable and Payroll/Payroll Liabilities; seconded by Commissioner Chaney. (Auditor Cockerham mentioned several large invoices: investments (\$1.1M investments from one of the flood control pools),

Teal Construction (\$1.1M moved from our tax notes), Mott MacDonald, PGAL, JM Davidson, and TRM, plus large refund on overpaid venue hotel motel funds).

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

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

**Commissioner Chaney** acknowledged Leo Villa (who passed this week) for his public service to Aransas County through his work on City Council. Chaney stated that Villa was a real help to him on many items. Judge Mills agreed that Villa will be missed.

**Sheriff Mills** introduced some of the people who have new positions in his department (Aransas County Sheriff's Office):

- Michael Brooks, *now* Chief Deputy, Uniform Operations
- Jeremy Patterson, *now* Training Coordinator
- Rodney Cox, *now* Lieutenant heading the CID (Criminal Investigation Division)

**Commissioner Pat Rousseau** talked about an upcoming Port Bay sampling update.

## **XIII. Closed Session**

### **29. Recess Into Closed Session**

**Motion** by Commissioner Rousseau to recess into Closed Session to seek advice from the Court's attorney(s) pursuant to Section 551.071 of the Texas Open Meetings Act, "Consultation with Attorney; Closed Meeting," regarding legal issues related to insurance matters and pending or contemplated litigation; or a settlement offer; or other matters protected by Attorney-Client Privilege; seconded by Commissioner Chaney.

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

The Court went into Closed Session at 10:38 AM.

## **XIV. Reconvene Into Open Session**

### **30. Reconvene Into Open Session**

**Motion** by Commissioner Rousseau to reconvene into Open Session; seconded by Commissioner Chaney.

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

The Court reconvened into Open Session as 11:04 AM.

**31. First Action Following Closed Session**

**Motion** by Commissioner Chaney to approve the engagement letter with Lloyd Gosselink for legal services related to claims from Hurricane Harvey and authorize Judge Mills to sign the engagement letter; seconded by Commissioner Casterline.

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


**32. Second Action Following Closed Session**

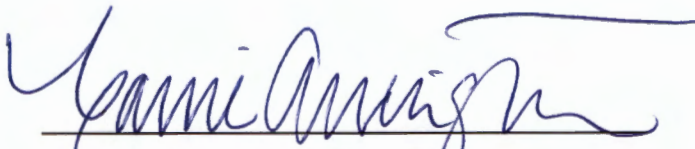
**Motion** by Commissioner Chaney to remove Regional Pool Alliance from managing the Aquarium project and authorize County staff to work with the Friends of the Aquarium to determine how the project should move forward; seconded by Commissioner Casterline.

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

**XV. Adjournment**

No further business presenting, the Court adjourned at 11:07 AM on a motion duly made by Commissioner Rousseau and seconded by Commissioner Casterline.

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

  
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Carrie Arrington, Ex-Officio Clerk  
of the Commissioners Court

