



# MINUTES – Special Meeting

## Aransas County Commissioners Court

9:00 AM – Monday, February 3, 2025

The Aransas County Commissioners Court met on 3rd day of FEBRUARY, 2025, at 9:00am at the AQUARIUM EDUCATION CENTER LOCATED AT 706 NAVIGATION CIRCLE, ROCKPORT, TEXAS. The meeting video recordings are available by following this link: [Commissioners Court Minutes and Agendas \(aransascountytx.gov\)](https://aransascountytx.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](#)

### I. ROLL CALL

[Video Time 0:12](#)

### II. DECLARE QUORUM

[Video Time 0:20](#)

### III. CITIZENS TO BE HEARD

[Video Time 0:23](#)

- ★ Michael Miller, Teal Construction
- ★ Justin McComb, Teal Construction
- ★ John Murray, Teal Construction
- ★ Michaela Alston, online
- ★ Steve Fisher
- ★ Jennifer Wood, read by Judge Garza
- ★ John & Verna Ashcraft email read by Judge Garza
- ★ Larry Beavers
- ★ Patrick McKelvey
- ★ Guy Griggs
- ★ Becky Mathis
- ★ Joe Riekers, spoke about the Aransas County Appraisal District
- ★ Jeff Hutt

### IV. ITEMS FOR DELIBERATION AND/OR ACTION.

1. Discuss, approve or disapprove authorizing County Auditor to pay outstanding invoices to DLF, Texas, Inc. and LCR Transport, LLC with prior engineering approval – Jacky Cockerham/Judge Garza

[Video Time 37:11](#)

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

- ★ Judge Garza chose to go to Section VI. Closed Session, item # 3

[Video Time 49:30 see below](#)

2. Discuss, approve or disapprove taking action as allowed under the County's contract with Teal Construction Company, including accepting the Architect's certification of cause for termination, terminating Teal's contract with the County, accepting an offer from Teal as an alternative to termination, and instructing the County Attorney's Office to act on the County's behalf in accordance with the terms of the Contract. – Amanda Oster/Adela Martinez/Judge Ray A. Garza

Video Time 1:57:50

- ★ **Motion to discuss matters discussed in closed session:** by Commissioner Judge Garza, motion was seconded by Commissioner Casterline
- ★ Judge Garza
- ★ Mark Williams with Broaddus presented non-compliant work by Teal, see attachment
- ★ Adela Martinez, Assistant Aransas County Attorney
- ★ Judge Garza asked questions multiple people speak from Teal
- ★ Adela Martinez, Assistant Aransas County Attorney
- ★ **Motion** from Commissioner Casterline – I move that we accept the Architects Certification of Cause for Termination, but not act on it at this time. Seconded by Commissioner Chaney
- ★ Judge Garza – would you like to add
- ★ Commissioner Casterline – I would also like to add to set up a workshop with all parties involved to come up with a resolution, to let Teal finish this job.
- ★ Commissioner Rousseau – are those separate motions?
- ★ Judge Garza – same motion.
- ★ Commissioner Casterline – all in one
- ★ Commissioner Chaney – I'll second
- ★ Judge Garza- all right
- ★ Commissioner Casterline asked Adela Martinez if it needed to be two motions.
- ★ Adela Martinez – No sir. Out of curiosity, do you need anything from the County Attorney's office to help you prepare for that workshop? I have offered to write a letter, I certainly do not have to do that; I can present it at the workshop as well.
- ★ Commissioner Casterline – I would be glad to add that on a motion.
- ★ Commissioner Rousseau – I would like to have that as two separate motions. A motion to accept the letter and a second motion to clarify the intent of a public workshop.
- ★ Commissioner Dupnik – That would be to accept the letter but not act on it?
- ★ Commissioner Casterline – Right. I can change that to two motions.
- ★ **Motion** I move to accept the letter from the Architect but not to act on it at this time, by Commissioner Casterline, seconded by Commissioner Chaney.
- ★ **Vote:** Motion carried 4-1: Commissioner Rousseau voted nay, it was so ordered
- ★ **Motion** I move for us to have a Workshop Meeting with all parties involved: Teal, Aransas County, Architects (PGAL), Project Manager, and whoever else we need to try to resolve the issues so Teal can finish. I would like that to happen quickly, I think we've wasted enough time, Seconded by Commissioner Rousseau
- ★ Judge Garza – to Michael Miller with Teal, "How close are ya'll to completion?"
- ★ Michael Miller with Teal
- ★ Commissioner Chaney
- ★ John Murray with Teal



- ★ Michael Miller with Teal
- ★ Judge Garza
- ★ Commissioner Casterline asked if we could have numbers ready for the Workshop
- ★ Judge Garza, calling for a Workshop next week, we cannot make decisions but we can discuss. Do the Workshop and bring numbers.
- ★ Commissioner Casterline, we need to get with them (Teal) to see when they can have the numbers ready before we set the date.
- ★ Michael Miller Teal, by numbers you mean claims and days.
- ★ Commissioner Casterline – The fire system, Jail doors
- ★ Judge Garza – the scope that was taken away
- ★ Michael Miller Teal – I don't have any drawings
- ★ Commissioner Rousseau – so dollar amounts
- ★ Michael Miller Teal – the Architects have not provided us with drawings to price.
- ★ Commissioner Casterline – we need to know the “Cell Doors” all those things that are still lacking
- ★ Michael Miller Teal – the things in our wheelhouse, purchase of the cell doors and the hardware have been purchased but have not been shipped. We have been told the install are not in the existing contract. We have been instructed to bring the doors into the building and leave them. That is what we have been instructed to do.
- ★ Commissioner Casterline – everything is about contracts, when we figured out it was the wrong door, I guess we did not ask ya'll the right thing to stop. We were in there multiple times and you knew the door was wrong and you just kept going with it. Maybe if you have a contract that is what you have to do.
- ★ Michael Miller Teal – Mr. Casterline, Justin McComb recommended at the time this was noted to stop the job. Many of the issues we are dealing with right know are due to trying to pivot and work on the fly. We have been warning that this needs to be worked through. Because it is going to cause problems down the road. Anything we have the information we can get those numbers to you in time for the plea, but there are certain things we do not have drawings and have not sent to sub-contractors for pricing.
- ★ Judge Garza
- ★ Commissioner Casterline we need to vote on the motion
- ★ Michael Miller Teal – It is important to understand the longer it takes to resolve change requests time is of the essences. Whenever something is rejected or kicked back, things were approved after the scheduled completion time. The constant kicking it around and thinking about it, we have to keep moving forward. There are liquidated damages on this project. If we are not done by a certain date it is a thousand dollars a day. Therefore, we have to keep moving forward. I think the Workshop is going to be a good answer; we do not have a place at the podium so our voice can be heard.
- ★ Commissioner Chaney – we have situations that have taken too long
- ★ Michael Miller Teal
- ★ Amanda Oster – Aransas County Attorney
- ★ **Vote:** Motion carried 5-0: it was so ordered

- ★ **Motion** - I have a third motion, to direct the County Attorney's office to provide a legal opinion and write a statement for Commissioner Court by Judge Garza, seconded by Commissioner Casterline
  - ★ Commissioner Rousseau
  - ★ Commissioner Chaney
  - ★ Judge Garza – will you have the opinion ready by then
  - ★ Amanda Oster, if it is towards the end of next we can have it ready. This will include options available, what is in the contract, and anything that may be beneficial.
  - ★ Commissioner Casterline – maybe the obligations of the parties
  - ★ Amanda Oster – we can have that ready for you
  - ★ Commissioner Rousseau, just the opinion because we can come up with our own letter
  - ★ Misty Kimbrough, County Clerk restated the motion
  - ★ **Vote:** Motion carried 5-0: it was so ordered
- ★ Judge Garza changed the order of the agenda  
Video Time 49:30

#### VI. CLOSED SESSION

3. Convene into a Closed Session pursuant to Section 551.071 of the Texas Open Meetings Act to consult with counsel and receive legal advice about pending or contemplated litigation, a settlement offer, or other attorney-client privileged matters with 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 regarding the Downtown Anchor Project, including but not limited to the County's contractual rights and potential legal ramifications of corrective action as allowed under the County's contract with Teal Construction Company – Amanda Oster/Adela Martinez/Judge Ray A. Garza

Video Time 49:30

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

#### OPEN SESSION

Video Time 1:57:32

- ★ **Motion to reconvene into open session:** by Commissioner Rousseau, motion was seconded by Commissioner Casterline
  - ★ **Vote:** Motion carried 5-0: it was so ordered
- ★ Judge Garza went back to Section IV., item # 2  
Video Time 1:57:50

#### VII. ADJOURNMENT

Video Time 3:00:01

- ★ **Motion to adjourn:** by Commissioner Casterline, motion was seconded by Commissioner Rousseau
- ★ **Vote:** Motion carried 5-0: it was so ordered
- ★ **Meeting adjourned at 12:01 PM**

**ARANSAS COUNTY COMMISSIONERS' COURT**



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

*2-10-25*  
Date signed and attestation.

*Ray A. Garza*  
Ray A. Garza, County Judge  
*02/10/2025*  
Date signed.

