MINUTES - Regular Meeting

Aransas County Commissioners Court

9:00 AM - Monday, April 14, 2025

The Aransas County Commissioners Court met on 14th DAY of APRIL, 2025 at 9:00 A.M. AT THE AQUARIUM EDUCATION CENTER LOCATED AT 706 NAVIGATION CIRCLE, ROCKPORT, TEXAS, 78382. The meeting video recordings are available by following this link: Commissioners Court Minutes and Agendas (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 Robert Dupnik, Commissioner, Precinct 4-4A

Absent: Pat Rousseau, Commissioner, Precinct 3

I. CALL TO ORDER

Video Time 0:15

II. INVOCATION

Video Time 0:27

III. PLEDGES & National Anthem Lead by children of Fulton Elementary Video Time 1:33

IV. ROLL CALL AND CONFIRMATION OF QUORUM Video Time 4:48

V. CITIZENS TO BE HEARD

Video Time 5:15

Michael Miller, Teal Construction

O Judge Garza struck item # 28 # 32 will be heard first

Video Time 8:54

VI. PRESENTATIONS AND PROCLAMATIONS

- Discuss, approve or disapprove <u>Proclamation #P-04-2025</u> Recognition and Support for Survivors of Sexual Assault, Domestic Violence, and Human Trafficking – Judge Garza <u>Video Time 32:34</u>
 - Motion to accept the Proclamation: by Commissioner Casterline, motion was seconded by Commissioner Dupnik
 - O Vote: Motion carried 4-0: it was so ordered
- Discuss, approve or disapprove <u>Proclamation #P-05-2025</u>, Animal Care and Control Appreciation Week – April 13th – 19th – Judge Garza

Video Time 38:09

- Motion to accept the Proclamation: by Commissioner Dupnik, motion was seconded by Commissioner Casterline
- O Vote: Motion carried 4-0: it was so ordered
- Discuss, approve or disapprove <u>Proclamation #P-06-2025</u>, <u>National County Government Month</u> Judge Garza

Video Time 40:42

- Motion to accept the Proclamation: by Commissioner Chaney, motion was seconded by Commissioner Casterline
- O Vote: Motion carried 4-0; it was so ordered

VII. CONSENT AGENDA

- Discuss, approve or disapprove the <u>Minutes</u> from the March 24, 2025 Regular Meeting Misty Kimbrough/Judge Garza
- 5. Acknowledge receipt of and record in the minutes of Commissioners Court the County Investment Academy Continuing Education, the County Treasurer's Association of Texas Continuing Education and the Public Funds Investment Act Continuing Education demonstrating that Alma Cartwright has completed all of her continuing education requirements for 2024 Alma Cartwright/Judge Garza
- Acknowledge receipt of and record in the minutes of Commissioners Court a <u>Certificate of Completion for Commissioner Pat Rousseau for successful completion of Purchasing 101 for Everyone</u>, a course in Government Procurement Services –
 Commissioner Pat Rousseau
- 7. Acknowledge and accept a donation from the Les and Mary Puckett Children's Foundation in the amount of \$2,000 to the Aransas County Public Library Iris Sanchez/Judge Garza
- Acknowledge and accept a donation from the Aransas County Retired Teachers Association in the amount of \$193.76 to the Aransas County Public Library – Iris Sanchez/Judge Garza Video Time 42:20
 - Motion to accept the consent agenda: by Commissioner Casterline, motion was seconded by Commissioner Dupnik
 - O Vote: Motion carried 4-0: it was so ordered

VIII. COUNTY REPORTS, ORDERS, AND RESOLUTIONS

- Discuss, approve or disapprove Order #O-03-2025, an Order Prohibiting Outdoor Burning for a period of up to Sixty (60) days – Judge Garza Video Time 42:57
 - O Motion to approve with correction on page 2, change house to hose: by Commissioner Casterline, motion was seconded by Commissioner Change
 - O Vote: Motion carried 4-0: it was so ordered
- Discuss, approve, or disapprove accepting the 2024 Annual Aransas County Library Report for the Texas State Library and authorizing the County Judge to sign – Iris Sanchez/Judge Garza

Video Time 43:47

- Motion to approve: by Commissioner Casterline, motion was seconded by Commissioner Dupnik
- O Vote: Motion carried 4-0: it was so ordered

IX. COUNTY ROADS AND FLOODPLAIN

11. Discuss, approve or disapprove accepting a permanent 20 foot-wide drainage easement from Charles Roark as depicted on the attached Exhibit; authorize the County Judge to execute necessary documents and direct that the conveyance documents be recorded in the office of the Aransas County Clerk – Darrell Seibert/Judge Garza

Video Time 44:37

- O Vote: Motion carried 4-0: it was so ordered
- 12. Discuss, approve or disapprove accepting a permanent 30 foot-wide drainage easement from Charles Roark as depicted on the attached Exhibit; authorize the County Judge to execute necessary documents and direct that the conveyance documents be recorded in the office of the Aransas County Clerk – Darrell Seibert/Judge Garza Video Time 45:52
 - Motion to approve: by Commissioner Casterline, motion was seconded by Commissioner Chaney
 - O Vote: Motion carried 4-0: it was so ordered
- Discuss, approve or disapprove accepting a permanent easement from Michael Deyo as depicted on the attached Exhibit; authorize the County Judge to execute necessary documents; and direct that conveyance documents be recorded in the office of the Aransas County Clerk – Darrell Seibert/Judge Garza

Video Time 46:39

- Motion to approve: by Commissioner Casterline, motion was seconded by Commissioner Chaney
- O Vote: Motion carried 4-0: it was so ordered

X. CONTRACTS AND GRANTS

14. Discuss, approve or disapprove authorizing Environmental-Health/Transfer Station to award the bid for the 2025 Brush Grinding Contract to Austin Wood Recycling, Inc. and approve the Hiring Resolution #R-08-2025, a Resolution selecting and awarding the contract for the Brush Grinding Services for the Aransas County Environmental Health Department; authorizing the County Judge to execute necessary documents; providing for severance of invalid provisions and confirming compliance with the Open Meetings Act_—Anthony Van Meter/Judge Garza

Video Time 47:20

- O Vote: Motion carried 4-0: it was so ordered
- Discuss, approve or disapprove <u>allowing the Aransas County Public Library to apply for an H-E-B grant in the amount of \$400.00</u> Iris Sanchez/Judge Garza Video Time 48:56
 - Motion to approve: by Commissioner Chaney, motion was seconded by Commissioner Casterline
 - O Vote: Motion carried 4-0: it was so ordered
- Discuss, approve or disapprove permission for Aransas County Animal Care Services to seek and apply for Grants that support Aransas County Animal Care – Caitlan Frasier/Judge Garza

Video Time 49:20

- Motion to approve: by Commissioner Casterline, motion was seconded by Commissioner Chaney
- O Vote: Motion carried 4-0: it was so ordered
- Discuss, approve or disapprove allowing the Airport Manager to publish a Request for Qualifications (RFQ) for airport engineering and design services for Capital Projects – Mike Geer/Judge Garza

Video Time 49:44

- Motion to approve: by Commissioner Dupnik, motion was seconded by Commissioner Casterline
- O Vote: Motion carried 4-0: it was so ordered
- 18. Discuss, approve or disapprove accepting and approving As-Built drawings for the Aransas County Airport Field Lighting Generator, Texas Division of Emergency Management (TDEM), Hazard Mitigation Grant Project DR-4332-0197 for Aransas County, Texas and authorize the County Judge to sign a letter of As-Built approval Elle Moralez/Judge Garza

Video Time 51:20

- Motion to approve: by Commissioner Chaney, motion was seconded by Commissioner Casterline
- O Vote: Motion carried 4-0: it was so ordered
- 19. Discuss, approve or disapprove accepting the Aransas County Airport Field Lighting Generator, Texas Division of Emergency Management (TDEM), Hazard Mitigation Grant Project DR-4322-0197 for Aransas County, Texas as complete and authorize the County Judge to sign a Certificate of Construction Completion (CoCC) and accept Customer's guarantee – Elle Moralez/Judge Garza

Video Time 52:11

- Motion to approve with correction amendments to correct the Grant number to be DR-4332-0197: by Commissioner Dupnik, motion was seconded by Commissioner Casterline
- O Vote: Motion carried 4-0: it was so ordered
- 20. Discuss, approve or disapprove accepting and approving As-Built drawings for the Aransas County Road & Bridge Office Generator, Texas Division of Emergency Management (TDEM), Hazard Mitigation Grant Project DR-4332-0202 for Aransas County, Texas and authorize the County Judge to sign a letter of As-Built approval Elle Moralez/Judge Garza

Video Time 53:33

- O Motion to approve: by Commissioner Casterline, motion was seconded by Commissioner Dupnik
- O Vote: Motion carried 4-0: it was so ordered
- 21. Discuss, approve or disapprove accepting the Aransas County Road & Bridge Office Generator, Texas Division of Emergency Management, Hazard Mitigation Grant Project DR-4332-0202 for Aransas County, Texas as complete and authorize the County Judge to sign a Certificate of Construction Completion (CoCC) and accept Contractor's Guarantee – Elle Moralez/Judge Garza

Video Time 54:13

- Motion to approve: by Commissioner Chaney, motion was seconded by Commissioner Casterline
- O Vote: Motion carried 4-0: it was so ordered
- 22. This was listed on the agenda: Discuss, approve or disapprove accepting Change Order #01 for the Aransas County Transfer Station Generator Road & Bridge Office Generator, Texas Division of Emergency Management (TDEM), Hazard Mitigation Grant Project DR-4332-0202 for Aransas County, Texas as complete and authorize the County Judge to sign a Certification of Construction Completion (CoCC) and accept Contractor's Guarantee Elle Moralez/Judge Garza

This is the correct item agenda language: Discuss, approve or disapprove accepting Change Order #01 for the Aransas County Transfer Station Generator, Texas Division of Emergency Management, Hazard Mitigation Grant Project DR-4332-0203 of Aransas County, Texas, for one thousand five hundred dollars (\$1500) and authorize the county Judge to accept and sign change order credit. - Elle Moralez / Jacky Cockerham / Judge Garza

Video Time 55:19

- Motion to approve the corrected agenda item: by Commissioner Casterline, motion was seconded by Commissioner Chaney
- O Vote: Motion carried 4-0: it was so ordered
- 23. Discuss, approve or disapprove accepting and approving As-Built drawings for the Aransas County Transfer Station Generator, Texas Division of Emergency Management (TDEM), Hazard Mitigation Grant Project DR-4332-0203 for Aransas County, Texas and authorize the County Judge to sign a letter of As-Built approval Elle Moralez/Judge Garza Video Time 57:05
 - Motion to approve: by Commissioner Chaney, motion was seconded by Commissioner Casterline
 - O Vote: Motion carried 4-0: it was so ordered
- 24. Discuss, approve or disapprove accepting the Aransas County Transfer Station Generator, Texas Division of Emergency Management (TDEM), Hazard Mitigation Grant Project DR-4332-0203 for Aransas County, Texas as complete and authorize the County Judge to sign a Certificate of Construction Completion (CoCC) and accept Contractor's Guarantee – Elle Moralez/Judge Garza

Video Time 57:44

- Motion to approve: by Commissioner Dupnik, motion was seconded by Commissioner Chaney
- O Vote: Motion carried 4-0: it was so ordered
- 25. Discuss, approve or disapprove a period of performance time extension request for the Aransas County Fulton Elementary Generator, Texas Division of Emergency Management (TDEM), Hazard Mitigation Grant Project DR-4332-0200 from July 28, 2005 to May 22, 2026 and authorize the County Judge to sign and execute all necessary documents Elle Moralez/Judge Garza

Video Time 58:14

- O Vote: Motion carried 4-0: it was so ordered
- 26. Discuss, approve or disapprove a period of performance time extension request for the Aransas County Emergency Operations Public Safety (EOPS) Generator, Texas Department of Emergency Management (TDEM), Hazard Mitigation Grant Project DR-4332-0196 from May 22, 2023 to May 22, 2026 and authorize the County Judge to sign and execute all necessary documents Elle Moralez/Jacky Cockerham/Judge Garza Video Time 59:23
 - O Motion to approve: by Commissioner Chaney, motion was seconded by Commissioner Casterline
 - O Vote: Motion carried 4-0: it was so ordered
- 27. Discuss, approve or disapprove a request to withdraw the Aransas County Environmental Health Generator, Texas Division of Emergency Management, Hazard Mitigation Grant Project DR-4332-0199 and request that the funds the allocated to remaining DR-4332

<u>Hurricane Harvey Grant Projects</u>; authorize County Judge to sign and execute all necessary documents – Elle Moralez/Jacky Cockerham/Judge Garza

Video Time 1:00:28

- Motion to approve, with a correction to change the to be: by Commissioner Casterline, motion was seconded by Commissioner Dupnik
- O Vote: Motion carried 4-0: it was so ordered
- 28. Discuss, approve or disapprove a request to withdraw the Aransas County Environmental Health Generator, Texas Department of Emergency Management (TDEM), Hazard Mitigation Grant Project DR-4332-0199 and request that the funds be reallocated to remaining DR-4332 Hurricane Harvey grant projects; authorize County Judge to sign and execute all necessary documents Elle Moralez/Jacky Cockerham/Judge Garza

This item was struck from the agenda as it was a duplicate of #27

29. Discuss, approve or disapprove a request to withdraw Little Bay Drainage Improvements, which was applied for on behalf of the Aransas County Navigation District, Texas Division of Emergency Management (TDEM), Hazard Mitigation Grant Project DR-4332-0069 and request that the funds be reallocated to remaining DR-4332 Hurricane Harvey projects; authorize the County Judge to sign and execute all necessary documents – Elle Moralez/Jacky Cockerham/Judge Garza

Video Time 1:02:40

- O Motion to approve: by Commissioner Casterline, motion was seconded by Commissioner Chaney
- O Vote: Motion carried 4-0: it was so ordered
- 30. Discuss, approve or disapprove awarding the Grant Administrator for Future Grants to GrantWorks and authorizing the County Judge to sign all necessary documents, including the Notice of Award to GrantWorks Jacky Cockerham/Judge Garza Video Time 1:03:55
 - Motion to approve: by Commissioner Casterline, motion was seconded by Commissioner Chaney
 - O Vote: Motion carried 4-0: it was so ordered
- 31. Discuss, approve or disapprove accepting responsive engineering firms for Engineering Services for future Capital Projects and create a pre-approved pool of engineers with an initial term through December 31, 2025, with four (4) one-year optional renewals with the approval of the Aransas County Commissioners Court Darrell Seibert/Judge Garza Video Time 1:05:02
 - Motion to approve: by Commissioner Dupnik, motion was seconded by Commissioner Casterline
 - O Vote: Motion carried 4-0: it was so ordered
- 32. Discuss, approve or disapprove entering into an Interlocal Cooperation Agreement with the City of Rockport and the Aransas County Navigation District for a Stormwater Management drainage solution in and around the Rockport Harbor area, authorizing the County Judge to execute the necessary documents, and authorizing the County Attorney's Office to collaborate with the attorney's representing the City and the Navigation District for any amendments thereto Adela Martinez/Darrell Seibert/Judge Garza
 - Video Time 9:06
 - O Judge Garza moved this item to the beginning of the agenda items
 - Motion to discuss by Commissioner Casterline, motion was seconded by Commissioner Chaney
 - Commissioner Casterline

Regular Meeting Agenda for January 13, 2025 Aransas County Commissioners Court

- Adela Martinez
- O Darrell Seibert
- O Commissioner Chaney
- O Tim Tuggey, Attorney for the Navigation District
- Judge Garza
- O Commissioner Dupnik
- Ms. Vlasek, Navigation District
- Tommy Moore, Navigation District
- O Motion to approve with stated amendments in the agenda item: by Commissioner Dupnik, motion was seconded by Commissioner Chaney
- O Vote: Motion carried 4-0: it was so ordered
- 33. Discuss, approve or disapprove rescinding the approved Change Order No. 3 and Change Order No. 4 and approve the Revised Change Order No. 3 and Revised Change Order No. 4 for the construction contract for Southwest Aransas County Drainage Improvement in the County's General Land Office Community Development Block Grant-Disaster Relief (CDBG-DR) Contract #20-065-098-C270. LCR Total Transport, LLC., on the Revised Change Order No. 3, requests a decrease in the contract amount by \$3,454.19 and an increase in the contract time by an additional twenty (24) days. LCR Transport, LLC., on the Revised Change Order No. 4, requests an increase in the contract time by an additional thirty (30) days Darrell Seibert/Judge Garza

Video Time 1:10:38

- Motion to approve: by Commissioner Casterline, motion was seconded by Commissioner Chaney
- O Vote: Motion carried 4-0: it was so ordered
- 34. Discuss, approve or disapprove <u>Change Order #5</u> for the construction contract for Southwest Aransas County Drainage Improvements in the County's General Land Office (GLO) Community Development Block Grant Disaster Relief (CDBG-DR) Contract #20-065-098-C270. LCR Transport, LLC. requests an increase in the contract amount by \$764.399.70 and an increase in the contract time by an additional ninety-two (92) days Darrell Seibert/Judge Garza

Video Time 1:12:48

- Motion to approve: by Commissioner Dupnik, motion was seconded by Commissioner Chaney
- O Vote: Motion carried 4-0: it was so ordered
- 35. Discuss, approve or disapprove invoking the procurement exemption for Emergency Medical Services (EMS) Adela C. Martinez/Jacky Cockerham/Judge Garza Video Time 1:14:14
 - ☼ Motion to approve: by Commissioner Chaney, motion was seconded by Commissioner Casterline
 - O Vote: Motion carried 4-0: it was so ordered
- 36. Discuss, approve or disapprove <u>issuing an order granting a procurement exemption for Emergency Medical Services (EMS) and authorizing the County Attorney's office and the County Auditor's office to begin contract negotiations with Allegiance EMS Adela C. Martinez/Jacky Cockerham/Judge Garza</u>

Video Time 1:15:36

- Motion to approve: by Commissioner Dupnik, motion was seconded by Commissioner Casterline
- O Vote: Motion carried 4-0: it was so ordered

Regular Meeting Agenda for January 13, 2025 Aransas County Commissioners Court

37. Discuss various topics regarding the Downtown Anchor Project and the status of the construction project of the new Aransas County Courthouse –

Adela C Martinez/Judge Garza

Video Time 1:16:24

- Motion to discuss: by Commissioner Casterline, motion was seconded by Commissioner Dupnik
- O Decided to reserve for closed session
- 38. Discuss, approve or disapprove taking action on any of the items identified and discussed for the Courthouse Construction project Adela C. Martinez/Judge Garza Video Time 1:18:07
 - O Reserved for Closed Session

X. PLANNING AND BUDGET

39. Discuss, approve, or disapprove the <u>Aransas County Indigent Health Care Report for March 2025</u> – Alma Cartwright/Judge Garza

Video Time 1:18:25

- Motion to approve: by Commissioner Casterline, motion was seconded by Commissioner Chaney
- O Vote: Motion carried 4-0: it was so ordered
- 40. Discuss, approve or disapprove and recognize Aransas County Worker's Compensation Program for Zero Lost Time in 2024 Jacky Cockerham/Judge Garza Video Time 1:19:48
 - Motion to approve: by Commissioner Chaney, motion was seconded by Commissioner Casterline
 - O Vote: Motion carried 4-0: it was so ordered
- Discuss, approve or disapprove the <u>December 2024 Auditor's Monthly Report</u> Jacky Cockerham/Judge Garza

Video Time 1:20:34

- O Motion to approve: by Commissioner Casterline, motion was seconded by Commissioner Dupnik
- O Vote: Motion carried 4-0: it was so ordered
- 42. Discuss, approve or disapprove the <u>January through March 2025 Auditor's Monthly Report</u>
 Jacky Cockerham/Judge Garza

Video Time 1:21:02

- Motion to approve: by Commissioner Casterline, motion was seconded by Commissioner Chaney
- O Vote: Motion carried 4-0: it was so ordered
- 43. Discuss, approve, or disapprove the <u>Budget Line Items</u>
 Jacky Cockerham/Judge Garza

Jacky Cockernant Judge C

Commissioner Dupnik

- Video Time 1:21:26

 ☑ Motion to approve: by Commissioner Casterline, motion was seconded by
- O Vote: Motion carried 4-0: it was so ordered
- Discuss, approve, or disapprove <u>Accounts Payable and Payroll/Payroll Liabilities</u> Jacky Cockerham/Judge Garza

Video Time 1:21:43

O Motion to approve: by Commissioner Dupnik, motion was seconded by Commissioner Casterline

- O Vote: Motion carried 4-0: it was so ordered
- 45. Discuss, approve or disapprove taking action on any of the items identified and discussed for the Courthouse Construction project Adela C. Martinez/Judge Garza
 - O Duplicated, Judge Garza struck

XI. REPORTS FROM COMMISSIONERS, ELECTED OFFICIALS, AND DEPARTMENT HEADS - NO ACTION WILL BE TAKEN

Video Time 1:22:35

- O Sheriff Mills
- Commissioner Chaney
- Mike Geer, Emergency Manager
- Commissioner Casterline
- Commissioner Dupnik
- Judge Garza

XII. REPORTS ABOUT ITEMS OF COMMUNITY INTEREST – NO ACTION WILL BE TAKEN

Video Time 1:34:56

O There were none

XIII. CLOSED SESSION

- 46. Convene into a Closed Session to consult with counsel and receive legal advice about pending or contemplated litigation, settlement offers, or other attorney-client privileged matters, including but not limited to, the items listed below:
 - i. Aransas County Texas v. Endurance American Specialty Insurance Company, et al, Aransas County District Court Cause No. 23-0021; and
 - ii. Northstar Recovery Service, Inc. v. Aransas County Independent School District and Aransas County, Aransas County, District Court Cause No. 23-0066 consolidated with Northstar Recovery Services, Inc. v. HR&R, LLC, et al, Aransas County District Court Cause No. 20-0159; and
 - iii. Western Steel Company v T2J Partners, LLC DIE/A FPS Recovery, LLC and Aransas County, Texas; Cause No. 24-0072, in the 36th District Court of Aransas County, Texas; and
 - iv. Oldcastle Building Envelope, Inc. dba Graham Architectural Products v. Sharp Glass, LLC, et.al., Aransas County District Court Cause No. 24-0099; and
 - v. The County's permissible actions under its various contracts for the Downtown Anchor Project;
 - vi. Wendt Services, Inc. Public Information Act request.

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—Amanda Oster/Adela C. Martinez/Judge Garza

Video Time 1:35:05

- Motion to move into closed session: by Commissioner Casterline, motion was seconded by Commissioner Dupnik
- O Vote: Motion carried 4-0: it was so ordered

- O Judge Garza called for a five-minute break at 10:39 AM
- Judge Garza moved into closed session at 10:44 AM

XIV. OPEN SESSION

47. Reconvene into Open Session

Video Time 3:00:26

- Motion to reconvene into open session: by Commissioner Casterline, motion was seconded by Commissioner Dupnik
- O Vote: Motion carried 4-0: it was so ordered
- 48. Discuss, approve or disapprove taking action or issuing instructions to the County
 Attorney's Office to act on the County's behalf regarding any of the pending matters
 identified for Closed Session and authorizing County Attorney's Office to act accordingly
 Amanda Oster/Adela Martinez/Judge Garza
 Video Time 3:00:41
 - Motion to approve exercising the rights under the contract to hire independent consultants/inspectors and authorizing the County Auditor's Office and County Attorney's Office to start the procurement process for the courtroom millwork, fire suppression system and Texas Jailhouse Commission standards work and authorizing co-operative purchasing if needed: by Commissioner Chaney, motion was seconded by Commissioner Casterline

Vote: Motion carried 4-0: it was so ordered

XV. ADJOURNMENT

Date signed and attested.

Video Time 3:01:33

- Motion to adjourn: by Commissioner, motion was seconded by Commissioner
- O Vote: Motion carried 4-0: it was so ordered
- Meeting adjourned at 12:02 PM