



# MINUTES

## Aransas County Commissioners Court

9:00 AM – Monday, May 9, 2022

The Aransas County Commissioners Court met in **Regular Session** on Monday, May 9, 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 via a Presentation of the Colors by representatives of Rockport-Fulton High School's Navy Junior Reserve Officer Training program. Afterwards, Lt. Commander Jose Sanchez said a few words about our local NJROTC program, the students in that program, and their accomplishments.

II. **The Invocation** was given by County Surveyor 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** – **David Hattman** addressed the Court and spoke generally of problems he saw with our roads, then specifically about problems with a section of his road: Loop 1781 near the airport.

### V. Presentations –

1. **Kathleen Hicks**, Regional Pool Alliance (RPA), gave an update to the Court regarding Hurricane Harvey insurance claims—those outstanding as well as those paid and proceeds received--then reported on the status of related construction projects: the Courthouse, Detention Center, Courthouse Annex, Public Safety Center, Library, Tax Office, Elections Office, Public Facilities Shop, Road & Bridge, Tiger Field, Airport and Hangars, Aquarium at Rockport Harbor, and Airport Road Buildings (AgriLife, Animal Control, Transfer Station, Environmental Health).

Ms. Hicks expressed that this last year has been very very difficult and painful but added that progress is still being made. She stated that the County's insurance coverage is broader than most policies, and that RPA would continue to fight for the County for every penny deserved.

When asked if we are up against any shortfalls or problems, Ms. Hicks said we were not (even though we don't have all of the money in yet).

When asked about the amount of money we know is going to be spent but that the insurance carrier has not yet approved, Ms. Hicks said she thought it was around \$12 million.

When asked how much of the \$23 million budget for the courthouse is covered by insurance, Ms. Hicks says that it will be covered except for that things that are considered improvements and betterments—although not the improvements brought on by code changes. The carriers have already agreed on \$9.5 million. But, according to Hicks, if our arguments are successful, the County will have money to cover 39,000 of the 47,000 square feet, which is estimated by the architect to be somewhere around \$18-\$19 million (and as is completely exclusive of our current leased space). And, given those projected proceeds, the amount we borrowed for the courthouse will absolutely be able to be cut down.

The insurance is to cover the cost of rebuilding a 27,000 square foot building today and the cost of building today is around \$570/sf; however, the insurance company is responsible for more than 27,000 square feet since we can establish that codes are responsible for much of the additional square footage.

Judge Mills then said to Ms. Hicks, "I respect you and your company immensely. I know how hard you've been working but it's been four years, eight months, and two weeks and the people of Aransas County—including me—are at the end of our rope so we need to get things going quickly."

Ms. Hicks responded, "I totally understand that, Judge, and if we hadn't had COVID, and if we hadn't had the winter storm, I believe we would be much farther along. The sheer amount of claims that have been generated by these things have had a very negative impact on us being able to get people here on site for our projects. The people in this industry that respond to these kind of claims are exhausted, many have left their jobs, and more need to be hired.

Judge Mills stated that he thinks the County should have its own estimator so we can compare numbers with the ones from RPA's estimator and see if they agree and also see if we are comparing things "apples to apples."

Commissioner Laubach asked Ms. Hicks if there was anything the County was doing that is slowing her down. Hicks recalled a recently delayed inspection by the County that cost about a week's worth of time but said she would have to really give that some thought if there were other things. She said she thought was that it was the insurance adjusters and the building consultants, not the County, slowing things down. In the end, Hicks said she thinks it would be advantageous if the County would ask a particular contractor to refund the money (\$400,000) that he has had on deposit for a very long time on certain hangars at the airport. Assistant County Attorney Jen Osteen then clarified with Ms. Hicks that that particular contract is between RPA and the contractor and that the County is not a party to that contract.

## VI. Items for Deliberation and/or Action

### Consent Agenda:

2. Minutes from the April 25, 2022 Regular Meeting
3. Donation of time, talent, and supplies from Kacie Stanford of Rowdy Maui on Austin Street used to create the colorful mermaid cat mural she designed and painted on the wall at Aransas County Animal Control
4. Donation of \$25 from Ivan J. Dew for 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.

### County Reports:

5. Historical Commission Report

**Motion** by Judge Mills to approve the 1<sup>st</sup> Quarter 2022 Report for the Historical Commission; seconded by Commissioner Casterline.

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

6. Rockport Cultural Arts Report

**Motion** by Commissioner Casterline to approve the 1<sup>st</sup> Quarter 2022 Report for the Rockport Cultural Arts District; seconded by Commissioner Laubach.

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

7. Proclamation #P-05-2022

**Motion** by Commissioner Rousseau to approve Proclamation #P-05-2022, Recognizing the Month of May as Trauma Awareness Month and May 19, 2022, as "Stop The Bleed Day;" seconded by Commissioner Laubach.

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

### County Roads and Floodplain:

8. Order #O-11-2022

**Motion** by Commissioner Casterline to approve Order #O-11-2022, an Order to close, abandon, and vacate the 20-foot wide alleyway lying in block 322, Manning Addition, Aransas County, Texas, recorded in Vol. 1, Pg. 7 of the Plat Records of Aransas County, Texas, and being more particularly described by metes and bounds on Exhibit "A" and "B" attached to the petition; seconded by Commissioner Laubach.

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

**Contracts, Agreements, Grants and Leases:**

9. Resolution #R-08-2022 – STRUCK from Agenda

10. Resolution #R-09--2022

**Motion** by Commissioner Laubach to approve Resolution #R-09-2022 of the Commissioners Court of Aransas County, Texas, committing local matching funds in the amount of \$16,202.37 for the Airport Field Lighting Generator Project for the purchase of a generator, automatic transfer switch, and external connect box to provide back-up power for runway lighting in the event of interruption of electrical service, with 75% of the project being funded by a sub-award through the Texas Department of Emergency Management's (TDEM) Hazard Mitigation Grant Program 4332, Hurricane Harvey, under the Federal Emergency Management Agency (FEMA) Project Number DR-4332-0197; Authorizing the County Judge to Execute Necessary Documents; Providing for Severance of Invalid Provisions and Confirming Compliance with the Open Meetings Act –; seconded by Commissioner Rousseau.

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

11. TDEM Sub-Award Grant

**Motion** by Commissioner Casterline to approve a Sub-Award Grant from the Texas Department of Emergency Management through the Hazard Mitigation Grant Program 4332, Hurricane Harvey, under FEMA Project Number DR-4332-0197, in the amount of \$48,607.13, which will cover 75% of the cost to purchase an Airport Field Light Generator, with the remaining 25% to be paid by the County as local matching funds, for the Aransas County Airport to use for the Airport's runway lighting system in the event that electrical service is interrupted due to a natural hazard or severe weather event; seconded by Commissioner Chaney.

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

12. Fire Protection Construction Contract

**Motion** by Commissioner Rousseau to approve entering into a Construction Contract for Fire Protection Facilities and Equipment for the Rockport Volunteer Fire Department (VFD) Radio Tower Project between Aransas County, Texas, and Allstate Tower, Inc. from Henderson, Kentucky, for the construction of a radio tower and other improvements on the property leased from the City of Rockport by Aransas County located at 130A State Road 188 in Rockport, Texas, for the amount of \$422,742.00, funded with grant funds administered by the Texas General Land Office (GLO) and allocated to Aransas County in Community Development Block Grant Disaster Recovery (CDBG-DR) Contract No. 20-065-098-C270, with work to be completed within one year; seconded by Commissioner Chaney.

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

**13. Partial Assignment and Assumption Agreement**

**Motion** by Commissioner Casterline to approve entering into a Partial Assignment and Assumption Agreement between Rockport Harvey Housing, LLC, Pearl Point Rockport I, LLC, and Aransas County, which will result in Rockport Harvey Housing, LLC, assigning its rights, duties, and obligations under the October 29, 2018, Chapter 381 Economic Development Agreement for Phase I area of the Development to Pearl Point Rockport I, LLC; seconded by Commissioner Chaney.

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

**14. Request for Qualifications Issuance**

**Motion** by Commissioner Casterline to approve the issuance of a Request for Qualifications for a company to provide professional services, including construction estimating, to evaluate the County's Facilities damaged by Hurricane Harvey, and provide estimates on the costs of remaining repairs and/or reconstruction; seconded by Commissioner Chaney.

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

**15. Past Due Reports to County**

**Motion** by Commissioner Chaney to TABLE a request to authorize the County Judge to contact entities that are required by statute, contract, or otherwise, to provide reports to Aransas County, to formally demand the submission of any past due reports and future compliance with such requirements; seconded by Commissioner Rousseau.

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

**16. Adoption of Environmental Policy**

**Motion** by Commissioner Casterline to approve the adoption of the Aransas County Environmental Policy to acknowledge the County's environmental responsibilities as a recipient and sub-recipient of grant funds and to designate the County Judge as the Certifying Official for the County; seconded by Commissioner Chaney.

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

**Planning & Budget Office:**

**17. Indigent Health Care Report**

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

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

**18. Auditor's Monthly Report**

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

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

**19. Missions-Aransas National Estuarine Research Reserve Study**

**Motion** by Commissioner Rousseau to approve paying up to \$14,500.00 of the cost of a six-month long study to be conducted by Missions-Aransas National Estuarine Research Reserve for water quality sampling and evaluation for possible contaminants in Port Bay near Highway 188 with the Aransas County Navigation District paying the remaining \$14,500.00 cost; seconded by Commissioner Laubach.

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

*note: Prior to the vote, ACND Vice-Chairman Judith Vlasek expressed to the Court that ACND also wants testing to begin as soon as possible and that they are more than willing to co-sponsor this study and share the cost of it with the County.*

**20. Budget Line Item Transfers**

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

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

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

**Motion** by Commissioner Casterline to approve Accounts Payable and Payroll/Payroll Liabilities; seconded by Commissioner Chaney. (Per Auditor Cockerham, it includes payments for a budgeted grade-all (\$343,000) and some capital projects (\$274,000), such as the parking lot and Celebration Plaza, the Workforce Center, Bay Shore Drive—several projects that have had expense on them—but they are all reimbursable.)

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

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

**Commissioner Rousseau** read the following email to Judge Mills into the record:

*Good day Judge Mills,*

*This past Saturday (4/19/2022) Mike Geer conducted a tour of RKP for a group of my STEM students. The presentation and tour were highly edifying, had the students' attention and during a post trip meeting several are considering aviation careers. I am a pilot and have a special appreciation for his depth of knowledge and experience.*

*Mr. Geer is a gifted and passionate presenter and advocate for all things aviation and Aransas County. Perhaps more notable, he is an innovator and collaborator with ideas and successes beyond the normal scope of airport manager.*

*We look forward to our next trip down and the opportunity for service that Mike is contemplating now.*

Please convey our most sincere appreciation to Mr. Geer and the staff at Aransas County Airport.

Sincerely,  
Craig Rose, MS MBA  
STEM Careers Program Lead  
Judson High School

**VIII. Closed Session** – The Commissioners Court went into Closed Session at 10:40 AM.

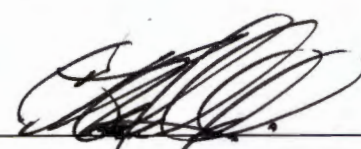
**IX. Open Session** – The Court went back into Open Session at 11:27 AM

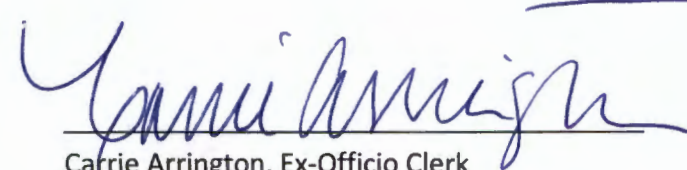
**Motion** by Commissioner Laubach to ask the County Attorney's Office to draft a press release about today's presentation by the Regional Pool Alliance's Director, Kathleen Hicks, regarding Post-Harvey insurance claims and construction projects; to ask the County Attorney's office to draft correspondence to Ms. Hicks requesting additional information about insurance claims and projects the Court feels it needs but has not yet received; and to include a deadline within that correspondence for Ms. Hicks' response; seconded by Commissioner Rousseau.

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

**X. Adjournment**

No further business presenting, the Court adjourned at 11:29 AM on a motion duly made by Commissioner Rousseau and seconded by Commissioner Chaney.

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

  
Carrie Arrington, Ex-Officio Clerk  
of the Commissioners Court

