

## **Deposition Analysis Report: Brent Chesney**

**Case Reference:** Nueces County, Texas -v- Jones Family Trust, et al.

**Deponent:** Brent Chesney, Nueces County Commissioner, Precinct 4

**Date of Deposition:** August 19, 2025

### **Executive Summary**

This report highlights critical areas of interest from the August 19, 2025, deposition of Nueces County Commissioner Brent Chesney. The review identifies several instances where the deponent contradicts himself, shifts his narrative when confronted with documentary evidence, and displays a lack of diligence regarding his oversight duties and the initiation of taxpayer-funded litigation.

### **1. Initiating a Lawsuit Without Reviewing the Facts**

A significant issue regarding diligence and accountability arises when Chesney admits to voting to sue a private citizen without reading the legal filings or verifying the core allegations. The lawsuit explicitly alleges that the County had not violated any deed restrictions regarding extended camping. Yet, Chesney admits he never reviewed any camping records or reservations to verify if this allegation was true before voting to sue.

### **Relevant Transcript Excerpts:**

**Counsel:** "You understand that in addition to seeking a Declaration regarding what's meant by the term 'extended overnight camping,' another allegation Nueces County has raised in its petition is that it has not violated any deed restriction. Do you understand that?"

**Chesney:** "I have not read that petition, I'm sorry. So I can't really answer that without looking at that petition. I've not read it." **Counsel:** "You haven't read the lawsuit?" **Chesney:** "No, I have not actually. All I know is that we asked to get a definition... I don't read the legal documents... and I have not read that petition." **Counsel:** "Did you review any camping reservation records to determine whether anyone had been staying in Padres Balli for more than the two weeks... prior to voting to file this lawsuit?" **Chesney:** "No, I've never looked at any camping records, no."

## **2. Contradictions on the "14-Day" Camping Enforcement**

Chesney's central argument regarding the deed restrictions relies on a strict interpretation of "extended camping," but his testimony unravels when confronted with the County's own records. Chesney repeatedly asserts that for the 11 years he has been on the Commissioners Court, the County has strictly operated under a two-week (14-day) limit for overnight camping. However, opposing counsel presents County records showing reservations for 86 nights, and notes subsequent records showing stays of 180 and 300 days. Upon seeing this, Chesney deflects, stating he does not know the definition of "extended stay," contradicting his earlier confidence. He also falsely claims the park never reaches 100 percent occupancy, which is immediately contradicted by an article quoting Parks Director Scott Cross.

### **Relevant Transcript Excerpts:**

**Chesney (Initial Claim):** "For the 11 years that I've been on the Commissioners Court, all I've ever known is the two weeks..."

**Counsel (Presenting Evidence):** "You'll note at the top there the very first one has the length of stay of 86 nights and that's obviously more than two weeks; right?"

**Chesney (Backpedaling):** "Yeah. Again, what I said to you is that I don't know what the definition of 'extended stay' is. That's why we went to the Court to ask them. I don't know... I don't want to be put into a corner that says it is or it isn't. I don't know what that definition is. That's why we went to Court, to ask that."

**Chesney (On Park Capacity):** "I mean, it never gets to the point where it's 100 percent occupied so people can't get in."

**Counsel (Quoting Parks Director):** "Right now we're so booked we don't have any openings until March of next year, that's how well business is going right now."

### **3. Conflicts of Interest: The Tim Lange Easement**

A highly concerning ethical area involves an "unauthorized" mitigation easement placed on the park for a private developer named Tim Lange. Chesney admits he has known Lange for a long time, previously served as his lawyer, and is currently his business partner in an unrelated venture. Chesney initially tries to distance himself, claiming he referred Lange to the Parks Director and stepped out of the process. Opposing counsel then presents emails showing Chesney actively pressing the Parks Director on Lange's behalf and directly negotiating the deal.

#### **Relevant Transcript Excerpts:**

**Chesney:** "Yeah, he's a very good friend and we are business partners in a venture not related to this... I've been his lawyer and his friend a long time."

**Chesney (Claiming lack of involvement):** "The initial call was made to me. I referred him to Scott Cross and said 'I think it's an uphill battle, we have other assets you could use; but I'm going to refer you to Scott Cross' just like I do anyone else... and that was pretty much the end of it. Until it came to light, that was all I knew about it."

**Counsel (Reading Chesney's text message):** "Scott, Tim says he still does not have the document he needs for Corps permit, what needs to happen to get him that?"

**Counsel (Reading Chesney's email):** "'There will be compensation per acre on this, I've discussed between \$10,000 and \$15,000 an acre with Tim Lange.'"

#### **4. A Double Standard on Taxpayer Litigation**

Chesney's testimony reveals a stark contrast in how the County treats private developers versus the Jones Family. Chesney admits the County spent taxpayer money to help his business partner, Tim Lange, move the "unauthorized" permit to avoid liability. Conversely, when the Jones Family pointed out deed violations, rather than working with them, the County chose to preemptively sue them using taxpayer dollars.

#### **Relevant Transcript Excerpts:**

**Counsel:** "...the course of least resistance was to shell out an additional \$50,000 to assist them with moving their mitigation permit; right?"

**Chesney:** "We made a business decision on that particular incident and felt like it could've cost way more to get embroiled in a long-term lawsuit that had real damages potentially attached."

**Chesney:** "Plus, to be honest with you, that developer worked with us. I mean, I don't know how to say that any nicer. Your client wouldn't. They continued to work with us and we came up with a resolve on that he agreed to and we resolved that without the need for mitigation because he worked with us when your client refused to."

## **5. Disregarding Established County Policy**

Chesney attempts to argue that allowing people to live in a public park indefinitely does not violate the concept of "public use". Counsel presents the "Nueces County Beach Management Plan," a formal policy adopted by the Commissioners Court in 2010. The policy explicitly states that camping for more than 14 days restricts the public's right to access the beach. Rather than conceding his position conflicts with County policy, Chesney casually remarks that he will simply "amend" the policy.

### **Relevant Transcript Excerpts:**

**Counsel (Reading the 2010 policy):** "It is the further finding of the Commissioners Court that camping on the beach or in the dune areas for a period greater than 14 days significantly restricts the right of the public at large to access and use of the public beach."

**Chesney:** "I can tell you I appreciate you pointing this out for me because I think that needs to be amended, I don't agree with that but it was passed before I was here and I appreciate you passing on something that we can amend and I'm going to go look to amend that."

**Chesney:** "I don't agree with that part of it so, for me to go back and change it, I need to go back and take strides to amend it."