

MINUTES OF THE

COMMISSIONERS' COURT

REGULAR MEETING - JANUARY 28, 2019

On the 28th day of January, 2019, there was a Regular Meeting of the Commissioners' Court in the Commissioners' Courtroom, 2840 Hwy 35 N, Rockport, Aransas County, Texas, with the following members present: **C. H. "Burt" Mills, Jr.**, County Judge; **Jack Chaney**, Commissioner, Precinct 1; **Leslie "Bubba" Casterline**, Commissioner, Precinct 2; **Brian Olsen**, Commissioner, Precinct 3; **Wendy Laubach**, Commissioner, Precinct 4; and **Valerie K. Amason**, County Clerk.

Other County Officers present were **Jerry Brundrett**, County Surveyor; **Jeri Cox**, Tax Assessor-Collector; **Kristen Barnebey**, County District Attorney; **Alma Cartwright**, Treasurer; **Pam Heard**, District Clerk; **Bill Mills**, Sheriff; **Richard Bianchi**, County Court at Law Judge; **Suzy Wallace**, County Auditor; **Latisha Murphy**, Administrative Assistant to the County Judge; **David Reid**, Road Administrator/Drainage Engineer/Stormwater Management Engineer; **Collin Jackson**, IT Director; **Michael Geer**, Airport Manager; **John Strothman**, Pathways Project Manager; **Michele Bennett**, Elections Administrator; **Rene Butler**, Maintenance Director; **Carrie Arrington**, Office & Contracts Manager, County District Attorney's Office; **Jacky Cockerham**, First Assistant County Auditor; **Tana Taylor**, Assistant County Auditor; **Melissa Bolt**, Chief Deputy District Clerk; **Ronell Burke**, Animal Control Supervisor; **Lois White**, Chief Deputy Treasurer; **John Gutierrez**, Chief Deputy Sheriff;

Long-Term Recovery: **Randall Freeze**, Long Term Recovery Specialist;

Members of Local City Government, Community Groups and other Interested Parties present:

City of Rockport Council Members: Barbara Gurtner, Ward 4;

Chamber of Commerce: Diane Probst, President/CEO; Sandy Jumper, Vice President of Marketing and Promotion;

Rockport Center for the Arts: Luis Puron, Executive Director;

Chamber of Commerce: Diane Probst, President/CEO; Sandy Jumper, Director of Tourism & Events;

Rockport Maritime Museum: Kathy Roberts-Douglas, CEO;

Residents: Betty Stiles; Carolyn Matthews;

Mike Probst, Editor and Publisher of the Rockport Pilot Newspaper;

The Meeting was convened at 9:00 a.m. at which time a quorum was declared by Judge Mills, WHEREUPON, the following proceedings were had and done to wit:

CITIZENS TO BE HEARD

Hector Robert Rodriguez: I just want to introduce myself to the court and the people of Rockport and Aransas County, I moved my presence and my law practice from Corpus Christi to Rockport about 10 days ago, I'm looking to build a house and I'm looking for office space. I just wanted to offer my professional services to this court in any capacity needed, pro bono of course. I'm a 30 year attorney out of the University of Texas School of Law, I'm highly trained as a Commercial Litigator, I have been involved in Municipal Law, Administrative Law, all

kinds of things, I have not served in any public office and I choose not to, I think I'm more effective operating behind the scenes than in a public forum. I am hosting a free talk at the Aransas County Public Library on Fridays, it's called "Ask an Attorney", from 10:30 a.m. to 2:30 p.m. I will be there to answer any question for free, I am also the Administrator of a 100 Lawyer Group in Texas and I've got members all over the state, we cover all areas of the law, we are creating a virtual law firm, and so if there is a legal question I cannot answer I'm sure one of my other members can do so. I'm bringing them in as guest speakers over the next several months and under the state bar, it dictates that we are here to serve the public in any capacity that we can, so I'm here to serve, not to take, and so I offer my services. Thank you.

PRESENTATIONS

1. Gulf of Alliance grant deliverables prepared by LJA

Engineering for entry into the Community Rating System.

Good morning, I'm Rick Masters, just before Hurricane Harvey the County Road and Bridge Department applied for a grant from the Gulf of Mexico Alliance in order to pursue a CRS Rating Status for Aransas County. CRS is administered by FEMA and it is a way to recognize outstanding communities and provide discounts on flood insurance for people who actually reside in this county. Rick then went over the slide show attached.

CONSENT ITEMS

Motion was made by Commissioner Olsen and seconded by Commissioner Chaney to approve:

(Insert)

2. Minutes from the Special Meetings of January 11, 2019 and January 18, 2019.
3. Acknowledge receipt of and record in the minutes of Commissioners Court, District Judge's Salary Order for the County Auditor and Auditor Staff for Fiscal Year 2019.
4. Acknowledge receipt of and record in the minutes of Commissioners Court, a Certificate of Attendance for Alma Cartwright successfully completing 10 hours of Investment Education that satisfies Section 2256.008 of the Texas Public Funds Investment Act; from the Texas Association of Counties and Emmett and Miriam McCoy College of Business Administration at the Texas Public Funds Investment Conference November 8-9, 2018, in Houston, Texas.
5. Acknowledge receipt of and record in the Minutes of Commissioners Court a Certificate of Course Completion on Open Meetings Act for Valerie K. Amason, to certify completed course training on the Texas Open Meetings Act that satisfies the legal requirements of Government Code, Section 551.005 issued January 10, 2019 by the Texas Attorney General.
6. Resolution #R-01-2019, a Resolution in Support of the Adopted Legislative Program for the Texas Association of Counties (TAC) 2019-2020.
7. Declaring Sheriff's List of Seized and Surplus Property as surplus to clear for sale by auction, trade or disposal.
8. Authorizing the County Judge to sign Resolution #R-03-2019 for the Homeland Security Grant Program, Grant Number 317804. Question. Motion carried unanimously.
It is so ordered.

(Inserts)

COUNTY REPORTS

9. Motion was made by Commissioner Olsen and seconded by Commissioner Casterline to approve New 2019 Appointments & Officers for the Historical Commission.
Question. Motion carried unanimously.
It is so ordered.
10. Motion was made by Commissioner Olsen and seconded by Commissioner Casterline to approve 4th Quarterly 2018 Report for the Maritime Museum.
Question. Motion carried unanimously.
It is so ordered.
11. Motion was made by Commissioner Olsen and seconded by Commissioner Chaney to approve 4th Quarterly 2018 Report for the Rockport-Fulton Chamber of Commerce.
Question. Motion carried unanimously.
It is so ordered.
12. Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve 4th Quarterly 2018 Report for the Rockport Center for the Arts.
Question. Motion carried unanimously.
It is so ordered.

CONTRACTS, AGREEMENTS, GRANTS & LEASES

13. Motion was made by Commissioner Casterline and seconded by Commissioner Olsen to approve Joint Election Contract between Aransas County Elections Administrator, city of Rockport, and Aransas County ISD. Election to be held on May 4, 2019.
Question. Motion carried unanimously.
It is so ordered.

(Inserts)

14. Motion was made by Commissioner Chaney and seconded by Commissioner Olsen to approve Joint Resolution #R-02-2019 and Memorandum of Understanding (MOU) by and between Aransas County, the City of Rockport and Kelly Hart & Hallman, LLP for Legal Support Assistance.

Question. Motion carried unanimously.

It is so ordered.

15. Motion was made by Commissioner Chaney and seconded by Commissioner Olsen to approve authorizing the County Judge to sign an updated County Information Resources Agency (CIRA) Services Agreement, to agree to CIRA's \$250/year rate increase for hosting the County District Attorney Office website.

Question. Motion carried unanimously.

It is so ordered.

16. Motion was made by Commissioner Chaney and seconded by Commissioner Olsen to approve authorizing the County Judge to sign an Agreement with Data Foundry, Inc. for secure colocation services of the County's Communication Infrastructure to help prevent and/or lessen downtime in disaster situations.

Question. Motion carried unanimously.

It is so ordered.

17. Motion was made by Commissioner Chaney and seconded by Commissioner Olsen to approve Resolution #R-04-2019, a Resolution of Aransas County, Texas, authorizing the submission of a Texas Community Development Block Grant (CDBG) Program Disaster Relief Fund application to the Texas Department of Agriculture for reconstruction of Banty Lane and

(Inserts)

authorizing the County Judge to act as the Chief Executive Officer and authorized Representative in all matters pertaining to the County's participation in the Texas Community Development Block Grant Program.

Question. Motion carried unanimously.

It is so ordered.

18. Motion was made by Commissioner Casterline and seconded by Commissioner Olsen to approve and adopt a Citizen Participation Plan and Citizen Complaint Procedures to be followed during implementation of Texas Community Block Development Block Grant Program Projects.

Question. Motion carried unanimously.

It is so ordered.

COUNTY LEGAL

19. Motion was made by Commissioner Casterline and seconded by Commissioner Laubach to **TABLE** the court's position about the appropriate or approved use of the temporary Courthouse, District Clerk's office and other areas owned and/or operated by Aransas County and a Commissioner's lack of ability to grant exclusive use of County property for private gain. This discussion may also include the County's current property status, the running of a private business from County property, a free leasehold of county property, using the District Clerk's office as a private office and use of County resources for private gain.

Question. Motion carried unanimously.

It is so ordered.

(Inserts)

COUNTY ROADS

20. Motion was made by Commissioner Casterline and seconded by Commissioner Olsen to approve distributing ballots to Conlin Drive and Joseph Lane residents for a vote on proposed road improvements with conditions of allowing one vote per lot, a five year payment term, and no interest due within the five year term.

Question. Motion carried unanimously.

It is so ordered.

21. Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve authorizing the County Engineer to begin the process for possible road improvements for Banty Lane, as per Chapter 253 of the Transportation Code.

Question. Motion carried unanimously.

It is so ordered.

22. Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve preliminary approval for the closing of a 20' Alleyway in Block 260, Manning Addition, Aransas County, Texas (parallel to Sammy Henderson & Hardee).

Question. Motion carried unanimously.

It is so ordered.

23. Motion was made by Commissioner Olsen and seconded by Commissioner Casterline to approve recommended amendments of the Aransas County Floodplain and Watershed Protection Order.

Question. Motion carried unanimously.

It is so ordered.

(Insert)

24. Motion was made by Commissioner Casterline and seconded by Commissioner Olsen to approve authorizing the County Judge to sign Letters of Interest for entry into the Community Rating System Program.

Question. Motion carried unanimously.

It is so ordered.

25. Motion was made by Commissioner Casterline and seconded by Commissioner Olsen to approve Final Plat - Lot 1, Block 1, First Baptist Church of Holiday Beach.

Question. Motion carried unanimously.

It is so ordered.

PLANNING & BUDGET OFFICE

26. Motion was made by Commissioner Casterline and seconded by Commissioner Olsen to approve changing the Nationwide Policy Deferred Compensation Plan to Option 1, allowing participating employees to move 20% of their assets from a fixed account into the market, with a guaranteed minimum of one percent interest rate over a period of five years, the current guaranteed crediting rate is 3.45%, but due to the market and low interest rates for the past five years most competitors have lowered their rate to one percent.

Question. Motion carried unanimously.

It is so ordered.

27. Motion was made by Commissioner Olsen and seconded by Commissioner Casterline to approve Mr. Cooper, C/O LERETA, LLC Property Tax Payment Refund Request for an erroneous payment in the amount of \$2,687.55.

(Insert)

Question. Motion carried unanimously.

It is so ordered.

28. Motion was made by Commissioner Olsen and seconded by Commissioner Casterline to approve Budget Line Item Transfers of which there were none.

Question. Motion carried unanimously.

It is so ordered.

29. Motion was made by Commissioner Casterline and seconded by Commissioner Olsen to approve Accounts Payable and Payroll/Payroll Liabilities.

Question. Motion carried unanimously.

It is so ordered.

REPORTS FROM COMMISSIONERS, ELECTED OFFICIALS &

DEPARTMENT HEADS WHEREIN NO ACTION WILL BE TAKEN

There were none.

No further business presenting, the Court adjourned at 10:13 a.m. on a motion made by Commissioner Casterline and seconded by Commissioner Olsen.

January 28, 2019



C. H. "BURT" MILLS, JR., COUNTY JUDGE



VALERIE K. AMASON,

EX-OFFICIO CLERK OF THE

COMMISSIONERS' COURT