

MINUTES OF THE
COMMISSIONERS' COURT

REGULAR MEETING - OCTOBER 10, 2011

On the 10th day of October, 2011, there was a Regular Meeting of the Commissioner' Court in the Courthouse, 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; Charles Smith, Commissioner, Precinct 3; Russel Cole, Commissioner, Precinct 4; and Peggy L. Friebele, County Clerk.

Other County Officers present were Richard P. Bianchi, County Attorney; Lezlie Kirk, County Auditor; James Jackson, Environmental Health; Alma Cartwright, County Treasurer; David Vyoral, Road Administrator; Pam Heard, District Clerk; Jerry Brundrett, County Surveyor; James Jackson, Director of Environmental Health; Diane McGinnis, Justice of the Peace, Precinct 2; Ginger Easton Smith, Extension Agent; Iris Sanchez, Library Director; and Bill Mills, Sheriff.

The Meeting was convened at 2:00 p.m. at which time a quorum was declared by County Judge Mills, WHEREUPON, the following proceedings were had and done to wit:

CITIZENS TO BE HEARD

There were none.

MINUTES

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve the minutes of the Regular Meeting of September 28, 2011 and Special Meetings held September 29 and 30, 2011.

Question. Motion carried unanimously.

It is so ordered.

LIBRARY - LATE HOURS

Motion was made by Commissioner Chaney and seconded by Commissioner Cole to approve request of Library Director for permission to keep Library open to the public until 8:00 p.m. on October 17 and October 20, 2011.

Question. Motion carried unanimously.

It is so ordered.

TEXAS MARITIME MUSEUM - 3RD QUARTER REPORT

Motion was made by Commissioner Cole and seconded by Commissioner Chaney to approve Texas Maritime Museum third quarter 2011 hotel occupancy tax funds expended.

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

RESOLUTION - COUNCIL ON AGING

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve Resolution #33-2011 in support of the Council on Aging's grant application for meals on wheels funding. Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

RESOLUTION - INDIGENT DEFENSE GRANT PROGRAM

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve Resolution #34-2011 for the 2012 Indigent Defense Grant Program.

Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

INTERGOVERNMENTAL COOPERATION AGREEMENTS - TOWN OF FULTON

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve and authorize County Judge to sign the 2012 interlocal cooperation agreements between Aransas County and the Town of Fulton for animal control, roads and septic inspections and to table approval of law enforcement agreement.

Commissioner Chaney suggested each agreement be listed separately to make it easier to know exactly what is being approved.

Question. Motion carried unanimously.

It is so ordered.

(Agreements inserted)

INTERGOVERNMENTAL COOPERATION AGREEMENTS

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve and authorize County Judge to sign the 2012 interlocal cooperation agreements between Aransas County and Aransas County Council on Aging for gasoline usage; Aransas County Medical Services, Inc., for EMS services and gasoline usage; Rockport Volunteer Fire Department for gasoline usage; and Aquarium at Rockport Harbor, Inc., Rockport Art Association, Inc. And Texas Maritime Museum Association, Inc. for hotel-motel tax.

Question. Motion carried unanimously.

It is so ordered.

(Agreements inserted)

INTERGOVERNMENTAL COOPERATION AGREEMENTS

Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve and authorize County Judge to sign

the 2012 intergovernmental cooperation agreements between Aransas County and the City of Aransas Pass for roads; Aransas County Independent School District for roads/parking lots; and Aransas County Navigation District for roads/parking lots/drainage and gasoline usage.

Question. Motion carried unanimously.

It is so ordered.

(Agreements inserted)

CONTRACT - COASTAL MANAGEMENT PROGRAM

Motion was made by Commissioner Smith and seconded by Commissioner Cole to approve and authorize County Judge to sign the Texas General Land Office (GLO) contract No. 12-151-000-4842 Coastal Management Program (CMP) - Cycle 16 subrecipient grant for the Live Oak Nature and Education Trail Tule Creek Project.

Question. Motion carried unanimously.

It is so ordered.

(Contract inserted)

CONTRACT SIGNING AUTHORITY

Motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve granting general authority to County Judge to approve construction contract change orders not to exceed \$10,000.00.

Question. Motion carried unanimously.

It is so ordered.

ANIMAL CONTROL

Motion was made by Commissioner Chaney and seconded by Commissioner Cole to approve transfer of Animal Control functions and budget to Environmental Health effective January 1, 2012.

Question. Motion carried unanimously.

It is so ordered.

CONTRACT - PAUPERS

Motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve contract with Charlie Marshall Funeral Homes & Crematory, Inc. for the transporting of bodies for autopsies and transportation and cremation of deceased paupers.

Question. Motion carried unanimously.

It is so ordered.

(Contract inserted)

CONTRACT - DETENTION OF JUVENILE OFFENDERS

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve contract and agreement for detention of

juvenile offenders between Aransas County and San Patricio County.
Question. Motion carried with unanimously.

It is so ordered.

(Agreement inserted)

AGRILIFE EXTENSION BUILDING

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve expenditure of funds not to exceed \$10,000.00 for connection of city water to Environmental Health Building and new Agrilife Extension Building.

Question. Motion carried unanimously.

It is so ordered.

PROFESSIONAL SERVICES AGREEMENT - NAISMITH

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve a professional services agreement with Naismith Engineering, Inc. for the engineering design, permitting and construction document preparation for drainage improvements in the Griffith Street watershed.

Question. Motion carried unanimously.

It is so ordered.

(Agreement inserted)

PATHWAYS BUDGET

Motion was made by Commissioner Smith and seconded by Commissioner Cole to approve adopting Aransas Pathways venue project first year budget and commitment of \$50,000.00 per year of H.O.T. funds to implement the project.

Commissioner Casterline stated he is opposed to using H.O.T. funds for this project; it should be funded out of the venue tax until all those funds are depleted.

Commissioner Chaney stated he would not be opposed to using the \$50,000.00 out of H.O.T. funds to fund the Project Manager.

Question. Motion carried with Commissioner Casterline voting "no."

It is so ordered.

(Budget inserted)

JOB DESCRIPTION - ARANSAS PATHWAYS PROJECT MANAGER

After a lengthy discussion on making this the Aransas County Project Manager instead of the Aransas Pathways Project Manager, motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve authorization and job description for the Project Manager position for the Aransas Pathways Venue Project and to revisit this item in the future.

Question. Motion carried unanimously.

It is so ordered.

(Description inserted)

PROJECT CONSULTANT - ARANSAS PATHWAYS VENUE PROJECT

Motion was made by Commissioner Smith and seconded by Commissioner Cole to approve intergovernmental agreement with the City of Rockport regarding the appointment of their Director of Parks and Leisure, Tom Staley, to serve as Project Consultant to the Aransas Pathways Venue Project.

Question. Motion carried unanimously.

It is so ordered.

(Agreement inserted)

PUBLIC NUISANCE ABATEMENT

Motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve seeking payment of cost of abating the public nuisance located at 1114 N. Verne, Aransas County, Texas. Question. Motion carried unanimously.

It is so ordered.

RCI APPRAISALS - COUNTY PROPERTY

Motion was made by Commissioner Chaney and seconded by Commissioner Smith to table action on RCI appraisals on Aransas County real property and personal property (buildings and contents) and bring back to next meeting.

Question. Motion carried unanimously.

It is so ordered.

EARLY VOTING CLERKS

Motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve Early Voting Clerks for the November 8, 2011 Constitutional Amendment Election - Olivia Zambrano, Margaret Vidal, Miriam McNeil, Patricia Barker, Carolyn Cox, Johnnie Callam, Ann Woods, and Pinky Gonzalez.

Question. Motion carried unanimously.

It is so ordered.

ADDITIONAL EARLY VOTING

Motion was made by Commissioner Smith and seconded by Commissioner Cole to approve pro forma an order for additional early voting on Saturday, October 29, 2011.

Question. Motion carried unanimously.

It is so ordered.

(Order inserted)

EDUCATIONAL CERTIFICATE

Judge Mills presented for recording in the Commissioners' Court minutes a Certificate of Completion for Pam Heard, District Clerk, from Texas District Court Alliance of participation in the 11th Annual TDCA Workshop held September 27-29, 2011.

(Certificate inserted)

CONTRACT - HEALTH AND EMPLOYEE BENEFITS POOL

Motion was made by Commissioner Smith and seconded by Commissioner Cole to approve and authorize County Judge to sign Texas Association of Counties (TAC) Health and Employee Benefits Pool (HEBP) 2012 renewal notice and benefit confirmation contract and 2012 renewal credit confirmation.

Question. Motion carried unanimously.

It is so ordered.

(Contract inserted)

BILL PAYMENT ASSISTANCE PROGRAM

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve and authorize County Judge to sign the vendor agreement with Green Mountain Energy Company for the bill payment assistance program.

Question. Motion carried unanimously.

It is so ordered.

(Agreement inserted)

COUNTY TREASURER'S REPORT - SEPTEMBER 2011

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve County Treasurer's Report for the month of September 2011.

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

INDIGENT HEALTH CARE COSTS - SEPTEMBER 2011

Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve indigent health care report for September 2011.

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

BUDGET LINE ITEM TRANSFERS

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve budget line item transfers as presented by County

Auditor Kirk.

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Question. Motion carried unanimously.

It is so ordered.

(Transfers inserted)

ACCOUNTS PAYABLE

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve the accounts payable presented by County Auditor, including payment to Scheumack Builders, District Court Clerk, and TAC for unemployment.

Question. Motion carried unanimously.

It is so ordered.

FEE REPORT

County Auditor Kirk read fee reports received from Justice of the Peace, Precincts 1 and 2, District Clerk, County Clerk and Sheriff for the month of September 2011.

(Report inserted)

REPORTS ABOUT ITEMS OF COMMUNITY INTEREST

Judge Mills reported receipt of an email from San Patricio County on a historical presentation at the Taft Blackland Museum on October 13, 2011, at 10 a.m. Several Aransas County pictures are included.

County Auditor Kirk reported she and Susie Wallace would be gone to school Tuesday through Friday of next week.

Sheriff Mills reported a new law the jail is in compliance with; Jail Standards was unaware of the new law until Aransas County notified them.

PRESS QUESTIONS

Norma Martinez with The Rockport Pilot asked if the Court will pay back the H.O.T. fund from venue tax when it is received; the reply was "no."

The Court did not hold closed session.

No further business presenting, the Court adjourned on a motion made by Commissioner Smith duly seconded by Commissioner Cole.

C. H. "Burt" Mills, Jr. COUNTY JUDGE

PEGGY L. FRIEBELE, COUNTY CLERK &
EX-OFFICIO CLERK OF THE
COMMISSIONERS' COURT