

MINUTES OF THE
COMMISSIONERS' COURT

REGULAR MEETING - NOVEMBER 13, 2012

On the 13th day of November, 2012, 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; and Peggy L. Friebele, County Clerk.

Other County Officers present were Richard Bianchi, County Attorney; Lezlie Kirk, County Auditor; David Reid, Drainage Engineer; Jerry Brundrett, County Surveyor; Alma Cartwright, County Treasurer; Iris Sanchez, County Librarian; David Vyoral, Road Administrator; Justin Cook, IT Director; James Jackson, Director of Environmental Health; Ginger Easton-Smith, Agricultural Extension Agent; and Richard Thompson, Project Manager.

The Meeting was convened at 9:00 a.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.

ITEMS FOR DELIBERATION AND/OR ACTION

MINUTES

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve the minutes of both the Regular Meeting of October 22, 2012.

Question. Motion carried unanimously.

It is so ordered.

CHAMBER OF COMMERCE - ECONOMIC DEVELOPMENT PROGRAM

Motion was made by Judge Mills_ and seconded by Commissioner Smith to approve request of the Rockport-Fulton Chamber of Commerce for funds in the amount of \$3,750.00 to carry out the Economic Development Program.

Question. Motion carried unanimously.

It is so ordered.

COUNTY INTERNET

Commissioner Chaney asked IT Director Cook if he would be coming back to the Court for additional funding over and over. Cook replied "yes." Commissioner Smith asked what else was left out of the budget. Cook said a firewall. Commissioner Chaney said \$20,000.00 every meeting was getting old. The Time Warner representative stated it would take 120 days to complete the project once it began. Commissioner Smith requested Cook to bring a list of updated costs relating to implementing Tyler Technologies

to the next Court meeting.

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to table moving forward with partially budgeted proposal from Time Warner Business Internet to upgrade County's internet connection in preparation for expected Tyler Technologies go live in May 2013 and various wireless access point installations at certain county facilities.

Question. Motion carried unanimously.

It is so ordered.

COUNTY DONATIONS - HISTORY CENTER

Donation of four items of office furniture to the Friends of the Aransas County History Center (currently located at the Library). was tabled after County Attorney Bianchi stated he did not know what the items were and said they would have to be listed for surplus before they could be donated. County Surveyor Frundrett suggested they simply loan the items since they would be going to a County building.

AUDIO-VISUAL SYSTEM - AGRILIFE EXTENSION BUILDING

Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve purchase of an audio-visual system for the AgriLife Extension Building.

Question. Motion carried unanimously.

It is so ordered.

ORDER CLOSING ROADWAY

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to table approval of Order #0-28-2012 closing, abandoning and vacating a roadway in Block 190 of the Manning Addition because it is an "alleyway" and not a roadway.

Question. Motion carried unanimously.

It is so ordered.

PRELIMINARY CLOSING - ALLEYWAY

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve preliminary closing of alleyway in Block 262 of the Manning Addition.

Question. Motion carried unanimously.

It is so ordered.

UTILITY EASEMENT

Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve a 10.0' wide utility easement embracing 0.087 acres out of fractional Outlots 51 and 52 Fulton Outlots, Aransas County, Texas from Aransas County to AEP.

Question. Motion carried unanimously.

It is so ordered.

(Easement inserted)

DETENTION CONTRACT - JUVENILE OFFENDERS

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve and authorize County Judge to sign contract and agreement for detention of juvenile offenders between Aransas County and San Patricio County.

Question. Motion carried unanimously.

It is so ordered.

(Contract inserted)

LEASE AGREEMENT - COUNTY AIRPORT

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to table approval and of lease agreement with South Texas Aviation, Inc. for approximately 7,200 square feet of land at the Aransas County Airport and cancellation of existing lease with Kent Riley.

Question. Motion carried unanimously.

It is so ordered.

2013 COMMUNITY SERVICES BLOCK GRANT

Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve and authorize County Judge to sign the 2013 Community Services Block Grant (CSBG) certification of board approval of CSBG budget for County Assistance Department.

Question. Motion carried unanimously.

It is so ordered.

(Grant certification inserted)

VENUE TAX - DUE DATE

Changing the "due date" of the venue tax collections from monthly to quarterly to coincide with the hotel occupancy tax collections effective January 1, 2013 was passed on.

RESOLUTION INDIGENT DEFENSE GRANT PROGRAM

Motion was made by Commissioner Chaney and seconded by Commissioner Judge Mills to table approval of Resolution #R-20-2012 for the 2013 Indigent Defense Grant Program.

Question. Motion carried unanimously.

It is so ordered.

ARANSAS PATHWAYS - GRANT APPLICATION

De McLallen informed the Court they could apply for a \$830,000.00 grant with a 25% match (\$204,933.00); \$75,000.00 for engineering costs could not be paid out of the grant; also \$100,000.00 would be budgeted for TxDOT administrative costs. The grant application is due to TxDOT in Corpus Christi by November 16th. Although the match is only \$204,933.00, they are submitting \$208,000.00.

No funds will be spent unless the grant is approved.

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve authorizing and supporting Aransas Pathways Steering Committee to submit a 2012 statewide transportation enhancement program grant application to the Texas Department of Transportation under the 2012 Program Call for Projects.

Question. Motion carried unanimously.

It is so ordered.

WORKERS' COMPENSATION COVERAGE - VOLUNTEERS

This item was passed on since the Court previously approved changes to workers' compensation coverage for volunteers. Pat Rousseau, Deputy County Treasurer, wanted to make the Court aware there is a possibility the County will not have to pay anything. Texas Association of Counties (TAC) is working on a solution.

SERVICES AGREEMENT - WEST TULE CREEK PROJECTS

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve and authorize County Judge to sign an amendment to attachment E of the professional services agreement with Naismith Engineering, Inc. for West Tule Creek Projects, funded through 319H Water Quality Act FY 2009, FY 2011 and FY 2012.

Question. Motion carried unanimously.

It is so ordered.

(Amendment inserted)

SERVICES AGREEMENT - MESQUITE BYPASS PROJECT

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve and authorize County Judge to sign a services agreement with John M. Cauley to provide inspection services for the Mesquite Bypass Project at a flat rate of \$500.00 per week.

Question. Motion carried unanimously.

It is so ordered.

(Agreement inserted)

PROFESSIONAL SERVICES AGREEMENT - MESQUITE BYPASS PROJECT

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve and authorize County Judge to sign a professional services agreement with Naismith Engineering, Inc. to provide construction administration services for the Mesquite Bypass Project at an hourly rate not to exceed a total of \$10,000.00.

Question. Motion carried unanimously.

It is so ordered.

(Agreement inserted)

CONTINUING EDUCATION

Judge Mills presented for recording in the Commissioners' Court Minutes certificate of completion for Lendon Jack Chaney from the V.G. Young Institute of County Government to the 90th Annual County Judges and Commissioners Association of Texas Conference October 1-4, 2012 in San Marcos, Texas.

(Certificate inserted)

PUBLIC OFFICIALS BOND

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve public official bond continuation certificates on David J. Reid, P.E., County Drainage Engineer and John W. Mullan, Assistant Maintenance/Custodian Supervisor.

Question. Motion carried unanimously.

It is so ordered.

(Bonds inserted)

COUNTY TREASURER'S QUARTERLY INVESTMENT REPORT

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve County Treasurer's Quarterly Investment Report.

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

COUNTY TREASURER'S REPORT - OCTOBER, 2012

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve County Treasurer's report for October, 2012.

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

INDIGENT HEALTH CARE REPORT - OCTOBER, 2012

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve indigent health care report for October, 2012.

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

BUDGET LINE ITEM TRANSFERS

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve budget line item transfers presented by

County Auditor Kirk accepted by Court.
Question. Motion carried unanimously.
It is so ordered.

(Transfers inserted)

ACCOUNTS PAYABLE

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve the accounts payable presented by County Auditor.

Question. Motion carried unanimously.
It is so ordered.

REPORTS FROM COMMISSIONERS, ELECTED OFFICIALS &
DEPARTMENT HEADS WHEREIN NO ACTION WILL BE TAKEN

County Clerk Friebele thanked Richard Thompson for the polling place signs.

REPORTS ABOUT ITEMS OF COMMUNITY INTEREST

There were none.

PRESS QUESTIONS

Norma Martinez with The Rockport Pilot asked how the Pathways grant would be funded. Commissioner Smith stated the venue tax fund.

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

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

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