

MINUTES OF THE
COMMISSIONERS' COURT

REGULAR MEETING - FEBRUARY 13, 2012

On the 13th day of February, 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; Russel Cole, Commissioner, Precinct 4; and Peggy L. Friebele, County Clerk.

Other County Officers present were Richard Bianchi, County Attorney; Lezlie Kirk, County Auditor; Gene Johnson, Airport Manager; David Reid, Drainage Engineer; Jerry Brundrett, County Surveyor; Alma Cartwright, County Treasurer; Bill Mills, Sheriff; Pam Heard, District Clerk; Richard Thompson, Project Manager; and David Vyoral, Road Administrator.

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 Cole to approve the minutes of the Regular Meeting of February 6, 2012 and Workshop Meeting of February 6, 2012.

Question. Motion carried unanimously.

It is so ordered.

CONTRACT - MEDICAL EXAMINER SERVICES

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve and authorize County Judge to sign a new contract for medical examiner services with Nueces County.

Question. Motion carried unanimously.

It is so ordered.

(Contract inserted)

REDIRECTION OF H.O.T. FUNDS - BEACH PARK

Judge Mills had a meeting with Tommy Moore, Navigation District, and C. J. Wax, Mayor of Rockport, to discuss what the real problem with the Beach Park negotiations was. What it boiled down to was money. Judge Mills suggested the County could come up with the additional \$36,000.00 needed to settle the problem.

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to redirect a total of \$56,000.00 from the H.O.T. funds to the City of Rockport for maintenance of the Beach Park. This hot fund commitment is contingent on the City of Rockport and Aransas County Navigation District agreeing on a new Beach Park management agreement that requires the establishment of a Beach Park maintenance fund.

Commissioner Cole wanted to clarify the fact that the money is contingent on the City of Rockport continuing to manage the Beach Park; Commissioner Smith said that was his motion. The County has been committing \$20,000.00 to the Beach Park regardless of who was managing it. Judge Mills stated the Navigation District really does not want to take the Park back. Commissioner Casterline asked about the \$50,000.00 that was given to both the City and Navigation District last year. Commissioner Smith stated that was a one-time donation. Commissioner Casterline added that he has been reading in the paper the Navigation District will be getting some of the fees paid. In the past, when the beach needed rejuvenating, the funds came strictly from the Navigation District and not from the City. He clarified that the fees paid would be used to fund future rejuvenation. Casterline also stated the Court was getting the "cart before the horse" in committing this funding. Commissioner Cole agreed stating the two (2) entities should settle their situation before the County committed any money. Cole said he would be willing to support whichever entity was managing the Park. Question. The motion carried with Judge Mills, Commissioner Chaney and Commissioner Smith voting "yes" and Commissioners Casterline and Cole voting "no."

It is so ordered.

MISSION STATEMENT - AQUATIC CENTER

Motion was made by Commissioner Casterline and seconded by Commissioner Cole to table approve support for the proposed change in Rockport Aquatic Center Mission Statement.

Question. Motion carried unanimously.

It is so ordered.

(Amended statement inserted)

AQUARIUM EDUCATION CENTER - SECURITY CONTRACT

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve Aquarium Education Center security contract with Advanced Protection System for satellite system at \$36.95 per month.

Question. Motion carried unanimously.

It is so ordered.

(Contract inserted)

LIVE OAK NATURE AND EDUCATION TRAIL

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to produce an agreement for implementation procedures for the Live Oak Nature and Education Trail and authorize County Judge to sign.

Question. Motion carried unanimously.

It is so ordered.

CONTRACT - ARANSAS PATHWAYS

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve a one-year contract with BarZ Adventures to provide software services, specifically mobil application for Aransas Pathways, at a cost of \$2,500.00 per year with a one-time set-up fee of \$395.00.

Question. Motion carried unanimously.

It is so ordered.

(Contract inserted)

CELL PHONE ALLOWANCE

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve cell phone allowance for Road and Bridge and Fleet Maintenance personnel.

Question. Motion carried unanimously.

It is so ordered.

(List inserted)

HIGHWAY 1781 MAINTENANCE RESPONSIBILITY

Road Administrator Vyoral gave an extensive report on how the County acquired a 5.8 mile portion of Highway 1781. He started his search on the subject after receiving several calls regarding high weeds and potholes on the road. Vyoral's main objective was to clarify who's responsibility maintenance of the road was. A portion of the road is in the City of Rockport; however, after talking with Billy Dick, he was directed to the City "higher ups" to see if they were going to maintain that portion. Since the road was acquired in exchange for the return of property associated with the Aransas County Airport, Vyoral suggested it might be the Airport's responsibility. In any event, he wanted to know who was going to maintain the road and mow the grass.

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to table a decision on who's responsibility maintenance of Highway 1781 was for further study.

Question. Motion carried unanimously.

It is so ordered.

(Vyoral's findings inserted)

BEE COMMUNITY ACTION AGENCY - SUBCONTRACT

Motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve and authorize County Judge to sign the Bee Community Action Agency (BCAA) Subcontract No. 61120001290-A for the community services block grant (CSBG) Program Year 2012.

County Attorney Bianchi asked the Court if they were aware of the changes in this contract. The contract was for one-year but they were only committing to one quarter of funding. County Treasurer Cartright stated she is funding personnel out of this money and would be forced to make changes if she does not receive more funding. Cartright told the Court she had a verbal guarantee that more funds would be forthcoming but has nothing in writing. Bianchi suggested she get this in an email that could be attached to the contract.

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to table this agenda item for more information.

Question. Motion carried unanimously.

It is so ordered.

OFFICIAL BONDS

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve public official bond continuation certificates on Marsha G. Ingram, Deputy Tax Assessor-Collector; Collin Jackson, Senior IT Technician; Roger Carriere, Maintenance Supervisor; and Diane S. Garza, Custodian.

Question. Motion carried unanimously.

It is so ordered.

(Bonds inserted)

TREASURER'S REPORT - JANUARY 2012

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve County Treasurer's Report for January 2012.

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

INDIGENT HEALTH CARE - JANUARY 2012

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

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

BUDGET LINE ITEM TRANSFERS

Motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve budget line item transfers for the year 2011 as presented by County Auditor Kirk.

Question. Motion carried unanimously.

It is so ordered.

(Transfers inserted)

Commissioner Chaney asked Ms. Kirk if the policy had changed regarding the Department Heads being made aware of any line item changes that were necessary. Ms. Kirk stated it had not been changed but these items were to "clean up" 2011.

ACCOUNTS PAYABLE

Motion was made by Commissioner Smith and seconded by Commissioner Cole 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

There were none.

REPORTS ABOUT ITEMS OF COMMUNITY INTEREST

There were none.

PRESS QUESTIONS

The Herald reporter clarified

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 Chaney.

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

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