

**NOTICE OF PUBLIC HEARING  
OF THE COMMISSIONERS' COURT  
ARANSAS COUNTY, TEXAS**

**PUBLIC HEARING AGENDA**

NOTICE IS HEREBY GIVEN THAT A **PUBLIC HEARING** OF THE ABOVE NAMED COMMISSIONERS COURT *V.T.C.A. GOVERNMENT CODE, SECTION 551.001(4)*, WILL BE HELD ON THE **28<sup>th</sup>** DAY OF **MARCH, 2016** AT **8:45 A.M.** IN THE COMMISSIONERS COURTROOM IN THE COUNTY COURTHOUSE, 301 N. LIVE OAK, ROCKPORT, TEXAS, PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED ASSISTANCE SHOULD CONTACT THE COUNTY JUDGE'S OFFICE AT 361-790-0100 TWO WORKING DAYS PRIOR TO THE MEETING SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE. THE FOLLOWING SUBJECTS WILL BE DISCUSSED:

**I. CALL TO ORDER**

**II. DECLARE QUORUM**

**III. ITEM FOR DELIBERATION AND/OR ACTION:**

1. Public comments on the proposed improvement and assessment of cost of Janacek Road to bring Janacek Road up to current County roadway standards – David Reid/Judge Mills

**IV. ADJOURNMENT**

ARANSAS COUNTY COMMISSIONERS' COURT

By: \_\_\_\_\_

C.H. "BURT" MILLS, JR., County Judge

**FILED**

AT 2:43 P. M.

MAR 24 2016

*posted @ 2:50 PM*

**VALERIE K. AMASON**  
COUNTY CLERK, ARANSAS CO., TEXAS

**COMMISSIONERS' COURT, ARANSAS COUNTY, TEXAS**

I, the undersigned, County Clerk, do hereby certify that the Notice of the above named Commissioners' Court, is a true and correct copy of said Notice, and that I ~~posted a true and correct copy of said Notice on the bulletin board in the courthouse lobby of~~ Aransas County, Texas on the \_\_\_\_ day of \_\_\_\_\_, 2016, and said Notice remained so posted continuously for at least seventy-two (72) hours preceding the scheduled time of said Meeting.

\_\_\_\_\_  
COUNTY CLERK, ARANSAS COUNTY, TEXAS

Telephone Number: 361-790-0122

Fax Number: 361-790-0119

**Janecek Road**  
**Opinion of Probable Cost**  
2-Mar-16

Item	Quantity	Unit	Unit Cost	Cost
Crushed Limestone	1300	Ton	\$ 21.00	\$27,300.00
Aggregate PB GR 4	32	Ton	\$ 61.75	\$1,976.00
CRS 2	1472	Gal	\$ 1.71	\$2,517.12
Geogrid	8	rolls	\$ 412.50	\$3,300.00
Labor & Equipment	6	Days	\$ 1,500.00	\$9,000.00
Contingency	1	LS	\$ 4,500.00	\$4,500.00
<b>TOTAL</b>				<b>\$48,593.12</b>

32217

52666

51416

55833

55832

32239

58315

e Point Rd

Rattlesnake Point Rd

Rattlesnake Point Rd

15529

50485

69851

15444

46758

60983

15446

15530

15447

15457

15448

15456

15450

68995

15455

15451

15454

15452

0

15453

15449

46985

15443

S Salt Lake Rd

Janecek Dr

69869

TRANSPORTATION CODE

TITLE 6. ROADWAYS

SUBTITLE C. COUNTY ROADS AND BRIDGES

CHAPTER 253. COUNTY IMPROVEMENT OF SUBDIVISION ROADS

Sec. 253.001. APPLICABILITY. This chapter applies only to a subdivision, part of a subdivision, or an access road.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 1245 (H.B. [2591](#)), Sec. 1, eff. June 15, 2007.

Sec. 253.002. DEFINITION. In this chapter, "improvement" means construction or repair.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 253.003. PROPOSAL FOR COUNTY IMPROVEMENT OF SUBDIVISION ROADS AND ASSESSMENT OF COSTS. If the commissioners court of a county determines that the improvement of a road in a subdivision or of an access road to a subdivision is necessary for the public health, safety, or welfare of the residents of the county, the commissioners court may propose to:

(1) improve the road to comply with county standards for roads; and

(2) assess all or part of the costs of the improvement pro rata against the record owners of the real property of the subdivision or a defined part of the subdivision.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 2003, 78th Leg., ch. 1131, Sec. 1, eff. June 20, 2003.

Sec. 253.004. NOTICE. (a) The commissioners court must publish notice of the proposed improvement and assessment at least twice in a newspaper of general circulation in the county.

(b) The notice must state the date the commissioners court will hold a public hearing to consider the proposed improvement and assessment.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 253.005. PUBLIC HEARING. The commissioners court must hold a public hearing to consider the proposed improvement and assessment on or after the 31st day after the date the commissioners court publishes the first required notice.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 253.006. BALLOT. (a) Not later than the 10th day after the date the commissioners court holds a public hearing under Section 253.005, the commissioners court by certified mail shall send to each record owner of real property in the subdivision or



part of the subdivision to be assessed:

(1) a ballot on whether the commissioners court shall order the improvement and assessment; and

(2) an addressed stamped envelope for the return of the completed ballot to the county clerk.

(b) The ballot must state the maximum assessment that could be made against each property in the subdivision or part of the subdivision to be assessed if a majority of the votes received favor the proposition.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 2003, 78th Leg., ch. 1131, Sec. 2, eff. June 20, 2003.

Sec. 253.007. RESULTS OF VOTE. (a) Not later than the 30th day after the date of the public hearing, the county clerk shall tally the returned ballots and declare the results to the commissioners court.

(b) If a majority of returned ballots are in favor of the improvement and assessment, the commissioners court shall order the improvements and assess the costs of the improvements against the real property owners of the subdivision or part of the subdivision.

(c) If the proposition fails, the commissioners court may not:

(1) order the improvement and assessment; or

(2) again propose the improvement and assessment before

the fourth anniversary of the date the county clerk declares the results of the vote to the commissioners court.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 2003, 78th Leg., ch. 1131, Sec. 3, eff. June 20, 2003.

Sec. 253.008. ASSESSMENT OF COSTS. (a) The commissioners court may provide the time, terms, and conditions of payment and default of an assessment.

(b) Except as provided by Subsection (d), the commissioners court may not require the payment of interest on an assessment.

(c) An assessed property owner is personally liable for the amount of the assessment.

(d) Beginning on the second anniversary of the date of an assessment, the Commissioners Court of Aransas County by order may require the payment of interest on the assessment at the rate determined under Section 304.003, Finance Code.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1236 (S.B. [802](#)), Sec. 2, eff. June 17, 2011.

Sec. 253.009. LIEN. (a) An assessment is secured by a lien against the real property of the assessed property owner.

(b) The lien is effective on the date written notice of the

assessment is filed for record in the office of the county clerk of the county in which the property is located.

(c) The written notice must be in recordable form and contain the:

- (1) amount of the assessment;
- (2) legal description of the property; and
- (3) name and address of each property owner.

(d) An assessment lien under this chapter is inferior only to a tax lien or mortgage lien recorded before the effective date of the assessment lien.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 253.010. APPEAL. (a) Not later than the 15th day after the date a property owner receives an assessment, the owner may appeal the assessment by filing a petition in a district court having jurisdiction in the county.

(b) The appeal may be made on the basis of the assessment amount or the inaccuracy, irregularity, invalidity, or insufficiency of the proceedings or the road improvements.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 253.011. MAINTENANCE OF ROADS. (a) A road improved under this chapter is a county road.

(b) The county shall maintain the road according to county



road standards.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 253.012. ROADS IN MUNICIPALITIES. (a) If a road in a subdivision or an access road to a subdivision is located in a municipality, the county may improve the road only if the governing body of the municipality and the commissioners court:

- (1) agree that the county may improve the road; and
- (2) in the agreement indicate whether the improved road will become a county road or a municipal road.

(b) Before a county may improve a road located in a municipality under this section:

- (1) the county must meet the other requirements of this subchapter; and
- (2) the commissioners court of the county must find that the improvement of the road serves a county purpose.

(c) Section 253.011 does not apply to a road improved under this section.

Added by Acts 2007, 80th Leg., R.S., Ch. 1245 (H.B. [2591](#)), Sec. 2, eff. June 15, 2007.