

MINUTES OF THE
COMMISSIONERS' COURT

REGULAR MEETING - AUGUST 17, 2020

On the 17th day of August, 2020, 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 in person, via ZOOM, or via YouTube: C. H. "Burt" Mills, Jr., County Judge; Jack Chaney, Commissioner, Precinct 1; Leslie "Bubba" Casterline, Commissioner, Precinct 2; Charles Smith, Commissioner, Precinct 3; Wendy Laubach, Commissioner, Precinct 4; and Valerie K. Amason, County Clerk.

Other County Officers present in person, via YouTube, or via Zoom, were Kristen Barnebey, County District Attorney; Jeri Cox, Tax Assessor-Collector; Alma Cartwright, Treasurer; Pam Heard, District Clerk; Bill Mills, Sheriff; Tracy Orr, Administrative Assistant to the County Judge; Jacky Cockerham, County Auditor; Tana Taylor; First Assistant County Auditor; Anna Marshall, Chief Deputy Tax Assessor-Collector and Tax Assessor-Collector Elect; Latisha Murphy, Assistant Auditor; David Reid, Road Administrator/Drainage Engineer/Stormwater Management Engineer; Michael Geer, Airport Manager; Valerie Gonzalez, Environmental Health Director; John Strothman, Pathways Project Manager; Collin Jackson, IT Director;; Linda Doane, Human Resources Director; Carrie Arrington, Office & Contracts Manager, County District Attorney's Office; Michele Carew, Elections Administrator; Lori Cesar, Animal Control Director; Misty Kimbrough, Collections Specialist;

Long-Term Recovery Specialists: Kim Foutz; William Whitson;

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

Aransas County Citizens: Amanda Oster, County/District Attorney Elect; Pat Rousseau, County Commissioner, Pct. 3, Elect; John Jackson; Charles Belaire; Allan Smith; Mike Fields; Jatin Bahkta;

Strand Associates, Inc.: Jared David Engelke;

The Rockport Pilot Newspaper: Mike Probst, Editor and Publisher;

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

Pat Rousseau: Item #'s 4, 5, & 6; to be heard when items are considered.

Jared David Engelke: Item #8;

Jatin Bhatka; Item #10; - to be heard when item is considered.

CONSENT ITEMS

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

1. Minutes from the Regular Meeting of August 10, 2020.
2. Proclamation P-06-2020, proclaiming that Aransas County will observe September 20 2020 "National POW/MIA Day".

Question. Motion carried unanimously.

It is so ordered.

(Insert)

COUNTY ELECTIONS

3. Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve Order of General Election to be held on November 3, 2020.
Question. Motion carried unanimously.
It is so ordered.

COUNTY PROJECTS

4. No action was taken on options approved by Texas Department of Emergency Management (TDEM) for the future of Hazard Mitigation Grant Program Project 4332-017 Fulton Beach Road Shoreline Resiliency Grant. [Tabled 8/03/2020] [Tabled 8/10/2020]
Question. Motion carried unanimously.
It is so ordered.
5. Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve authorizing County Judge to sign the attached correspondence addressed to jurisdictions that have been impacted by the coastal erosion along Fulton Beach Road; wherein the Commissioners' Court requests a written Plan of Action from any affected jurisdiction requesting a transfer of the Hazard Mitigation Project for Fulton Beach Road within the next 30 days.
Question. Motion carried unanimously.
It is so ordered.
6. Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve Community Development Block Grant Mitigation (CDBG-MIT) projects and processes Report.
Question. Kim Foutz gave power point presentation.
Motion carried unanimously.
It is so ordered. (Inserts)

COUNTY ROADS

7. Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve Resolution R-35-2020 to adopt Texas Department of Transportation (TxDOT) standards, specifications, and quality assurance requirements for all County Transportation Infrastructure Fund Grant Program projects.

Question. Motion carried unanimously.

It is so ordered.

CONTRACTS, AGREEMENTS, GRANTS & LEASES

8. Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve Resolution R-34-2020, a resolution authorizing the selection and award of a professional engineering services contract to Strand Associates, Mott MacDonald and LNV for various Community Development Block Grant Mitigation (CDBG-MIT) programs and supplemental Hazard Mitigation Programs administered by the General Land Office (GLO).

Question. Motion carried unanimously.

It is so ordered.

9. Motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve authorizing County Judge to sign Contract for Appraisal Services with Tasador, Inc. on Rockport Center for the Arts' parking lot site, a public facility included in CDBG-DR Grant 20-065-098-C270 with Texas General Land Office (GLO).

Question. Motion carried unanimously.

It is so ordered.

(Inserts)

10. Motion was made by Commissioner Smith and seconded by Commissioner Casterline to TABLE authorizing reducing the Economic Development Administration grant application to \$3,500,000 (down from \$4,500,000) and authorizing grant matching funds of \$350,000.

Question. Motion carried unanimously.

It is so ordered.

11. Motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve and authorizing the County Judge to sign a contract agreement with Tetra Tech Inc. for recovery grant program management and administration services for Aransas County for various Community Development Block Grant Mitigation (CDBG-MIT) programs administered by the General Land Office (GLO).

Question. Motion carried unanimously.

It is so ordered.

PLANNING & BUDGET OFFICE

12. General Discussion of 2021 Budget.

Jacky: I did give you a summary sheet with a background of what's involved in this Budget.

Commissioner Chaney: This one that shows the change to the unreserved fund balance dropped by \$955,000?

Jacky: It actually shows the fund balance to drop by \$477,000.

Commissioner Smith: From the beginning of 2020 to the end of 2021.

Jacky: Right.

(Insert)

Commissioner Smith: Jacky, the \$76 per day, is that an agreed upon number now, from the Marshall's office?

Jacky: Yes sir, they did come back last week and tell us that they would do the three years and we could come back in three years to renegotiate.

Commissioner Smith: Be sure and mark it down.

Jacky: It will definitely be on our calendar.

Commissioner Casterline: What number of occupancy did you use and feel comfortable with?

Jacky: We used the same number that we had used in the past, 90. The budget does include all of the rent for the Courthouse and the storage for the County and District Clerks.

Commissioner Smith: What does that amount come to?

Jacky: \$264,000.

Commissioner Smith: Thank you.

Jacky: This does not include any new positions, it does include the positions that were created this year. It also includes the extra pay periods that we have and at this point we have placed a 2.5% COLA, across the board, in it for working purposes with the Commissioners.

Commissioner Smith: Will somebody please speak to the need for that 2.5% COLA?

Judge Mills: It's just something that's gone on around us so I asked her to go ahead and put it in there, it can be taken out just as fast as it was put in.

Commissioner Smith: Mrs. Doane, would you like to speak as to the need for the 2.5%?

Linda: We are very low compared to other entities and counties in the area, we have been losing a lot of employees that are going to Ingleside, Portland, and things like that.

Commissioner Smith: What kind of numbers, turnovers, numbers as to the loss?

Linda: Off the top of my head, probably about 20%.

Commissioner Smith: 20% turnover?

Linda: Yes.

Commissioner Laubach: We've lost 20% of our staff this year?

Linda: It's been extremely high, yes. I do believe a lot of it has to do with COVID.

Commissioner Smith: Didn't we give a 2.5% COLA last year, which took effect this year?

Linda: Yes.

Commissioner Laubach: Hey wait, I thought you said we lost 20% of staff to non-competitive salaries? How much did we lose to non-competitive salaries, not COVID?

Linda: I'd have to run the numbers, I could get you those next week.

Commissioner Chaney: That would be good.

Commissioner Smith: You know, all of the Commissioners here are representing taxpayers, in my particular precinct I represent a lot of retired folks and they are seeming to get by with a 1.6% increase on their social security, so considering the 2.5% last year and the 2.5% this year, and social security has not come out and said what they are going to do for next year, that just seems to be a little bit higher than is necessary, but that's why I'm asking for the numbers.

Linda: Well I do know that a 2.5% only averages about 25 - 30 something cents per person, per hour increase. If you wanted to look at Ingleside's maintenance, just for instance, they make a dollar an hour more starting pay than we do.

Commissioner Smith: Ingleside, what is their tax rate down there? Why don't we just stay closer to home, like Aransas Pass, they've got a 77 cent tax rate. I understand, although I would point out that this year, that they've received Stimulus Checks from the Government, those people that have lost their jobs, nobody working for the County has lost their job and we have great fringe benefits. I'm surprised that it's 20%, that's a high number, that's a shocking number.

Linda: Well, unemployment is paying an extra \$600 a month, above and beyond what we are paying right now, so any of our employees that leave were getting \$600 extra, per pay period, per week, to stay on unemployment. I've had six positions that have been open, since this thing has started, that we can't fill.

Commissioner Smith: I would imagine that that's probably a big factor.

Linda: That's what I meant about COVID affecting us.

Commissioner Smith: And the rules coming out of the Federal Government, that's affecting us as well.

Linda: Yes, and they extended that too, it was supposed to end at the end of this month and they extended it.

Commissioner Laubach: We're not seriously going to consider giving people raises just to tempt them back off of unemployment?

Linda: We don't have people on unemployment from the County, I'm saying we are having difficulty filling positions because a number of people are on unemployment and they are making more than they can make if they come back to work. Every little bit helps.

Commissioner Chaney: We, as a general rule, have always given a COLA increase. As a Commissioner this is my twelfth budget and I can't think of a time when we haven't given a COLA increase, now I say that because it seems it's become an assumption that we are going to do it, but this is a real unusual year. I know that all of the Elected Officials are not going to get a pay raise, I don't think the Department Heads, or anybody in management is probably going to get a pay raise, I don't have a problem keeping up with inflation but I don't think inflation is even that high right now.

Commissioner Laubach: So we don't need to decide on this today?

Jacky: It's just discussion, but I would need direction from the Court so that we can finalize the budget. We have the public hearing scheduled for next week, so some direction from the Court would be much appreciated.

Commissioner Laubach: I think you said the difference to the budget would be, what several thousand hundred dollars, if we skipped COLA?

Jacky: Yes ma'am.

Commissioner Smith: Well that's only as it pertains to the General Fund impact, right?

Jacky: Well, to the General Fund, yes, it also will reduce any fund balances, or increase fund balances back in Road & Bridge, because their salaries in Road & Bridge, Transfer Station, Airport, all of the other departments that do...

Commissioner Smith: So the full impact will probably be back to what?

Jacky: The total impact to the General Fund would be right at \$230,000.

Commissioner Laubach: How much total impact?

Jacky: Total impact, with no COLA, this includes all of the new salaries and the extra pay period, it's \$460,922. If we did the COLA it's \$747,000, so it's right at a \$310,000 effect on the salary and that's across all of departments.

Commissioner Laubach: So that's not \$230,000 plus \$310,000, that's total \$310,000.

Jacky: Exactly, the majority of it is in the General Fund but it also does affect the other departments.

Commissioner Smith: What kind of general direction are you looking for today?

Commissioner Laubach: To recalculate it for us, so we can see...?

Jacky: I need to know if you are interested in giving the COLA, I'd like to know, not necessarily today, but this week, so I could have some numbers for you.

Judge Mills: Sheriff, you are the department that is most affected by this, do you want to speak to it?

Sheriff Mills: Actually I've asked for consideration on this already this year. I can give you the names of four people who are in Portland today, that worked for me a year ago. I can give you two that are in Ingleside, and I lost one to Aransas Pass. And in consideration of total impact, I would ask that we take out the over-time that I incur in the jail to make mandated staffing, because at one point this year we were down six employees, so we brought in overtime to meet state mandates for staffing. That is an impact on the budget, the re-training and I go through this cycle repetitively.

Commissioner Smith: The six people that you were down, is that all due to the fact that the people left?

Sheriff Mills: Yes sir.

Commissioner Smith: So these weren't people that were off because they were sick?

Sheriff Mills: No, that was six vacancies that we were out and advertising to re-staff.

Pat Rousseau: Judge, I didn't sign up for this, but may I speak.

Judge Mills: Sure.

Pat: I was the former Human Resources Director at the County, there have been a few occasions when we did not give COLA's, so there is that history when finances did not allow it, and then the figure that Jacky gave of what the impact would be on salaries, I would just like to remind you that this COLA also impacts all of the taxes that you pay, what you put into the retirement, what you pay on worker's comp and unemployment, because all of that is based on salary. Thank you.

Commissioner Smith: Are all of those included in these numbers?

Jacky: Yes sir.

Commissioner Laubach: One approach we could consider is, if there are departments that are particularly struggling and deal with the extra cost of losing staff, like the jail, we could adjust the budget of the jail without giving a county-wide COLA.

Judge Mills: And the Sheriff's Department also.

Commissioner Laubach: The whole Sheriff's department, I should say.

Jacky: I would also add that we anticipate the unencumbered fund balance, at the end of this year, to be around 6.6 million, and with the 2.5% COLA I anticipate it to be about

6.1 million to end the year. We traditionally, even though budgeting into the fund balance, we have always put money back in, everybody is very frugal and conservative, they don't overspend or spend it just because it's there. So we have, historically, always put money back into the fund balance.

Commissioner Smith: You know, just to play the devil's advocate on the other side, with the change on the requirements on the property tax increases, we are going to have to live with a 3.5% increase in the future. That's fine as long as our assessed values are going up, it does help us. We had a 9% increase in assessed values this year which allowed us to hold the NO NEW TAX REVENUE and still come out with a semi-balanced budget. But I would point out that by the beginning of the year to the end of next year, based on these numbers, we will have reduced our general fund balance from 6.9 down to 6.1 and that's even taking the benefit of the rise in assessed values. We can't do this forever, going forward, I'm just making that point, but I'm concerned about the controlling of our costs going forward and having to live with what the State mandates our ability to do. I don't know what we can do with general direction, it's a general discussion right now, it's not an action item.

Jacky: No, it's not an action item, basically this would be similar to the workshop where you would just give me direction on what you want to see in it.

Commissioner Laubach: Can you present us with a few options next week? If we can't decide today, but we have to decide next week, if we see what both options are we can choose one, when we do have an action item. In other words, show us with COLA, without COLA.

Commissioner Chaney: Well, the worst case scenario is, it's \$310,000 if we do the 2.5, or not necessarily the worst case.

Commissioner Laubach: But if we need to approve a budget at that time, it has to be more than just rough numbers, we would have to actually work it through the budget.

Jacky: That is working it through the budget ma'am.

Commissioner Laubach: No, I mean, maybe that's adequate to make a decision on it, because you already have what you need?

Jacky: The way that this is created, once I change that number it changes everything in the budget, so the budget is actually changed.

Commissioner Laubach: I guess I'm asking, if we come back in a week and we say yes to COLA, no to COLA, which ever one we do, will you have what you need to say, ok, here it is, here's the one that has that in it?

Jacky: Yes.

Commissioner Laubach: Ok.

Commissioner Smith: You can compute it both ways.

Jacky: I can, and then just save it both ways, yes.

Commissioner Casterline: I would say you might want to include somewhere in between too.

Commissioner Laubach: I guess that's true, we don't have to give the full 2.5%.

Jacky: The only reason we pick that is because of the way our Step and Grade Scales go, they are set at 2.5%, so if we do anything different we have to recreate that whole Step and Grade Scale. That's the only reason that we chose the 2.5%.

Commissioner Casterline: But we have given lesser amounts in the past.

Jacky: Yes, and we do have to, and it's not impossible, it is something that we could do, but it would change the Step and Grade Scales.

Commissioner Laubach: I hesitate to suggest this with Department Heads in the room, but another way to approach it is, Department Heads are excepted the way Elected Officials are, we are not getting a raise, so that it only applies to everybody below the Department Head level.

Commissioner Chaney: Well, the Department Heads require a different skill set, necessarily than the Commissioners do.

Commissioner Laubach: We're not losing Department Head competition the way the staff are being lost.

Commissioner Chaney: True, we don't have the exposure to the number of Department Heads either, most of them are here because they live here, and to go somewhere for \$5,000 or something like that, would not be worth it for the scale of living.

Commissioner Laubach: So the argument for raising the salary isn't there for them, I guess I'm just saying, in times of belt tightening, sometimes the people at the top are the ones that ought to....

Commissioner Chaney: I understand that, I really do, but they were hired for their qualifications, we were hired because of popularity, to be quite honest with you.

Commissioner Laubach: I'm just thinking between them and the staff, I'm not talking about between them and us.

Commissioner Chaney: I understand that, but you know, we voted last meeting "No Raises for Elected Officials", but Department Heads are paid employees, take the Sheriff's staff, what percentage are not single people, you know. I hate

balancing the budget on the backs of the employees and I would like to do the 2.5 COLA, and if the court decides to do that and any measure thereof, I will definitely support that. But I'm saying with all of the matches and everything we got from the Grants and things that are coming up over the next couple of years, you know, we're not getting that money out of the air, that comes out of our fund balance or out of increases in taxes. And being stuck with a 3.5% max increase before an election for that, to me it's just scary as all get out and I just think we need to be prepared. But I'll go with whatever the Commissioners want to go with and be glad to do it, but we rarely do not give a COLA.

Jacky: I have a question, when I give you these numbers, do you just want to see general fund or do you want the whole budget again with it? I mean, general fund is the biggest impacted.

Commissioner Chaney: The whole budget.

Jacky: The whole budget, so in the next day or two I will fill your emails up with at least two, maybe three versions.

Commissioner Smith: I would agree with Commissioner Chaney, to do the job right, we need to see the whole impact.

Jacky: Ok, we'll do that.

13. Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve August 24, 2020 at 8:45 a.m. for the 2021 Budget Public Hearing.

Question. Motion carried unanimously.

It is so ordered.

14. Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve 2021 Environmental Health and Transfer Station Fees (no changes).
Question. Motion carried unanimously.
It is so ordered.
15. Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve County Judge increasing the petty cash amount in the County Clerk's office from \$100 to \$400.
Question. Motion carried unanimously.
It is so ordered.
16. Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve Sick Leave Policy change amending enrollment period from "during open enrollment" to "the last pay period of the calendar year".
Question. Motion carried unanimously.
It is so ordered.
17. Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve the County Treasurer to go out for bank depository bids with a proposal submission date of September 16, 2020.
Question. Motion carried unanimously.
It is so ordered.
18. Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve Budget Line Item Transfers and Amendments of which there were NONE.
Question. Motion carried unanimously.
It is so ordered.

(Inserts)

19. Motion was made by Commissioner Casterline and seconded by Commissioner Smith 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.

The Court entered into closed session at 10:19 a.m. to discuss and review potential litigation issues and other matters covered by the attorney-client privilege pursuant to Texas Government Code Section 551.071(1)(a); and to discuss real estate negotiations, including Pathways Projects pursuant to Texas Government Code Section 551.072; and resumed Open Meeting at 10:37 a.m. with all embers present, and further proceedings were had and done to wit:

No further business presenting, the Court adjourned at 10:38 a.m. on a motion made by Commissioner Smith and seconded by Commissioner Laubach.

August 17, 2020



A handwritten signature in dark ink, appearing to read "C. H. Mills, Jr.", written over a horizontal line.

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



A handwritten signature in blue ink, appearing to read "Valerie K. Amason", written over a horizontal line.

VALERIE K. AMASON,

EX-OFFICIO CLERK OF THE

COMMISSIONERS' COURT