

MINUTES OF THE ARANSAS COUNTY COMMISSIONERS' COURT

REGULAR MEETING - OCTOBER 12, 2020

On the 12th day of October 12, 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 Casterline**, Commissioner, Precinct 2; **Charles Smith**, Commissioner, Precinct 3; **Wendy Laubach**, Commissioner, Precinct 4; and **Carrie Arrington**, County Clerk.

Other County Officers present in person, via YouTube, or via Zoom, were: **Alma Cartwright**, Treasurer; **Bill Mills**, Sheriff; **Pam Heard**, District Clerk; **Tracy Orr**, Administrative Assistant to the County Judge; **Jacky Cockerham**, County Auditor; **Tana Taylor**, First Assistant County Auditor; **Latisha Murphy**, Assistant Auditor; **Kristen Barnebey**, County District Attorney; **David Reid**, County Engineer; **Kat Comeaux**, Development Service Coordinator; **Mike Geer**, Airport Manager; **Collin Jackson**, IT Director; **Kevin Stroud**, Interim Elections Administrator; **Rene Butler**, Facilities Director; **Lori Cesar**, Animal Control Director; **John Strothman**, Project Manager; **Kim Foutz**, Long-Term Recovery; and **William Whitson**, Long-Term Recovery.

Members of Local City Government, Community Groups and other Interested Parties present in person, via YouTube, or via Zoom, were: **Karen Ernst**, Rockport Center for the Arts; **Betty Stiles** and **Pam Stranahan**, Aransas County Historical Commission; **Gina Behnfeldt**, Vice President, Economic Development Services, Tetra Tech/Northeast Operations; **Randall Freeze**, Program Specialist & Legislative Liaison, Texas General Land Office; and **Mike Probst**, Editor and Publisher, The Rockport Pilot.

Aransas County Citizens present in person, via YouTube, or via Zoom, were: **Amanda Oster**, County District Attorney-Elect; **Pat Rousseau**, Commissioner-Elect, Pct. 3; **Melissa Brown**; **Richard Karowski**; **Debbie Machac**; **Debbie Griffith**; **Mike Fields**; **Andrew Kane**; **Brad Brumback**; and **Brandi Karl**.

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

Richard Karowski (223 Allen M. Parks), and Debbie Griffith (107 Bufflehead): separately **expressed their concerns and frustrations with the property at 260 Allen M. Parks Drive**, owned by Kenneth Green of Midland, Texas. (See item 2. below.)

Melissa Brown: Yes, I just would like to join in this court meeting just to see what it's like here in this community. I've been here for 30 years and I have never been to one so if you wouldn't mind having me, I would be glad to join. Thank you.

Andrew Kane (2106 Lakeview Drive): Good morning, Judge. Thank you. I'm here this morning trying to get a little more information on a couple of the bond issues. I'm hoping that - and, honestly, I don't think this is going to work - you all can share a little more information with us before we start voting tomorrow. One of them was the micro-hospital, Proposition C. I've looked at the website and I haven't found anything on the website about the floorplan, where it's going to be, what kind of services are going to be offered, or what the plan is, the basic plan. I know we just recently got a grant, in the last week or two, and I was curious if there was a timeframe on that grant for us to get all of this information together and get a plan together and present it back to the voters. So, basically, I'm just looking for any information at all about the micro-hospital. The other thing I

was looking for information on is on Proposition A. I've gotten a lot a mailers from PAC that say voting no in November is going to cause us to lose \$10,000,000 and I was hoping to get an explanation from the court on if that's true or not because I understand the majority of that \$10,000,000 is insurance money. So my question is going to be: Is that, in fact, true that we're going to lose \$10,000,000 if we vote no in November? And, if so, what is the timeline we have to act on the grant and on the insurance proceeds. I find it hard to believe that we would lose our insurance proceeds immediately for not acting. That's it. Just looking for some more information on the micro-hospital and if that statement's true and what the timelines are on these - for me and for the public. I do apologize I have to leave now. I'm glad you all do these meetings on YouTube now so I can watch them later.

PRESENTATIONS

1. **Proclamation #P-08-2020** was presented to **Aransas County Historical Commission, to proclaim the year 2021 as the Sesquicentennial of Aransas County - our county's 150th anniversary - and to encourage citizens to celebrate, participate, and enjoy the planned events and festivities, June 12-20, 2021,** to mark this historic occasion.
2. Discussion on the condition of 260 Allen M. Parks Road (see CITIZENS TO BE HEARD above.)

Richard Karowski and Debbie Griffith each talked for 15 minutes about the frustrations they have with the problem subject property. They brought visual aids and also read a supporting text from neighbor Vicki Barnes (102 Flounder) who couldn't join them today. To summarize their words, the property at 260 Allen M. Parks is a health hazard, a safety issue, an eyesore, a property that devalues all of the surrounding

properties, a crime scene, and an embarrassment that can keep them from inviting people over to their homes. This filthy overgrown hazardous property has squatters living on it in 8 or 9 old junked out RVs (that are missing windows and doors and even some walls) they dragged down Sagebrush Drive - which they gouged in the process - from the problem property at Rattlesnake Point Road. The squatters disassemble these RVs during the day and burn the plastic in barrels at night, producing noxious fumes. They have no electricity or septic yet they are living there. There are gunshots, yelling and screaming, drugs, suspicious activity with vehicles that come and go, rodents, and loose dogs that chase people. This property started getting bad after Hurricane Harvey and it's gotten increasingly worse even though we've tried over and over to work with Environmental Health and the Sheriff and the County to get it cleaned up. It's been three years since Harvey now and we need help. We are taxpayers who keep up our properties yet we are stuck with this blight and these vagrants. We know there are Health and Safety codes and Transportation codes being violated. We know there are laws being broken there. We know that this property violates the county's own Public Nuisance Order. And, we have reported these problems numerous times but nothing seems to ever come of it. County employees agree with us too and can certainly see these problems, but they also seem helpless to resolve them. Please, what can this court do to help? We need your help. And, if you can't help, who else do we turn to?

CONSENT ITEMS

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

3. Minutes from the Regular Meeting of September 28, 2020.

4. Accepting a donation of twenty 50lb bags of Red Flannel dog food (retail value \$1,700) from Victoria Animal Control.
Question. Motion carried unanimously.
It is so ordered.

COUNTY REPORTS

5. Karen Ernst, Education Director, Rockport Center for the Arts, gave the organization's quarterly report. A motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve the 3rd Quarter 2020 Report for Rockport Center for the Arts.
Question. Motion carried unanimously.
It is so ordered.
6. Justin Parkoff, Executive Director and Marine Archaeologist, Texas Maritime Museum, was unable to attend today's meeting. A motion was made by Commissioner Smith and seconded by Commissioner Casterline to TABLE approving the 3rd Quarter 2020 Report for Texas Maritime Museum to allow him to present to the court next meeting.
Question. Motion carried unanimously.
It is so ordered.
7. Betty Stiles, Chair, Aransas County Historical Commission, gave the organization's quarterly report. A motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve the 3rd Quarter 2020 Report for Aransas County Historical Commission.
Question. Motion carried unanimously.
It is so ordered.

CONTRACTS, AGREEMENTS, GRANTS & LEASES

8. A motion was made by Commissioner Casterline and seconded by Commissioner Smith to TABLE Order #O-21-2020, the petition of

Homer Hernandez to close, abandon, and vacate the 100-foot Roadway called Hood Street, Manning Addition, Aransas County, Texas, recorded in Vol. 1, Pg. 7 of the plat records of Aransas County, Texas, and described by metes and bounds on Exhibit A and B attached to the petition. Commissioner Casterline cited several reasons to table—including that it is customary to bring this sort of thing to the court in advance, that there are trash issues and a tax foreclosure suit in process on an abutting property, and concerns that this closure would cut off access to other properties.

Question. Motion carried unanimously.

It is so ordered.

9. Kat Comeaux reported that the Copano Shores Condominium project's utility plans, drainage plans, and Declaration of Condominium submitted for its 10 unit condominium project (with sewer) have all been reviewed. A motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve the final plat for Copano Shores Condominium development, located on Loop 1781 near the intersection of Copano Ridge.

Question. Motion carried unanimously.

It is so ordered.

10. A motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve Order #0-20-2020, Supplemental Order Approving Early Voting Locations, Date and Times, and Election Day Voting Locations and Amending Voting by Mail Information for Aransas County for the Special Bond Election to be held on November 3, 2020.

Question. Motion carried unanimously.

It is so ordered.

11. A motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve amending the Order of Election for the November 3, 2020 Election to include the addition of a second early voting location: Fulton Volunteer Fire Department.

Question. Motion carried unanimously.

It is so ordered.

12. A motion was made by Commissioner Smith and seconded by Commissioner Chaney to witness the approved Amended Contract for Elections Services between The Elections Administrator of Aransas County and The City of Rockport for the November 3, 2020 Election. (Note: Original Contract witnessed by Commissioners' Court on January 27, 2020.)

Question. Motion carried unanimously.

It is so ordered.

COUNTY AIRPORT

13. A motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve authorizing County Judge to sign a Lease Agreement with Jerome Kruszka, a long-term land lease on airport property, for land upon which exists a box hangar he is purchasing from current land lease tenant, Grand Laurent Corporation.

Question. Motion carried unanimously.

It is so ordered.

14. A motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve authorizing County Judge to sign a Lease Termination Letter for Grand Laurent Corporation, on its existing land lease of airport property, contingent upon full execution of a long-term Lease Agreement covering the same land with Jerome Kruszka.

Question. Motion carried unanimously.

It is so ordered.

15. A motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve authorizing County Judge to sign a contract with Tetra Tech for the preparation of Phase 2 benefit cost analysis (BCA) for Little Bay Restoration – a project funded by a FEMA 404 Hazard Mitigation Grant. Discussion ensued.

Question. Motion carried by majority with Commissioner Laubach voting against.

It is so ordered.

Kim Foutz, stated that the next four agenda items, items 16-19, are all related to the county's CDBG-MIT project application package and, in terms of public disclosure, the information for all of the projects can be found on the county's website linked to the CDBG Hazard Mitigation Grant Info tab underneath the Public Notices & Press tab. It is also available by hard copy in the Judge's office. Further, there is a Public Hearing scheduled for these CDBG-MIT Grant Program Projects at 9:00 a.m. on Monday, October 19, which has been announced in three different regional papers, including The Rockport Pilot.

16. A motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve an Amendment to Resolution #R-39-2020 authorizing the submission of a Community Development Grant Mitigation (CDBG-MIT) application to the Texas General Land Office (GLO). Discussion ensued. Kim Foutz explained that the only reason for this amendment to the September 28, 2020 Resolution is to change Nueces County's status from a named Associated Party on our application to a separately documented cooperating partner since they have a competing project to submit.

Question. Motion carried by majority with Commissioner Laubach voting against.

It is so ordered.

17. A motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve updated Intergovernmental Agreement among Aransas, Refugio, San Patricio, and Victoria counties and the City of Rockport for the purpose of submitting a multi-jurisdictional Community Development Block Grant - Mitigation (CDBG-MIT) application to construct a Fiber Optic Loop communication system.

Question. Motion carried by majority with Commissioner Laubach voting against.

It is so ordered.

18. A motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve Memorandum of Understanding between Aransas County and Nueces County memorializing the willingness and intent of Nueces County to support Aransas County, and the intent for Nueces County to pay \$25,000 for indefinite access to the public safety telecom network from North Beach to Victoria and public safety towers along the same route.

Question. Motion carried by majority with Commissioner Laubach voting against.

It is so ordered.

19. A motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve Resolution R-41-2020, a resolution approving the Intergovernmental Agreement among San Patricio, Refugio, and Victoria Counties and the City of Rockport; approving a separate Memorandum of Understanding (MOU) agreement with Nueces County; and authorizing the submission of the Intergovernmental Agreements and Memorandum

of Understanding to the General Land Office (GLO) as part of the Community Block Grant - Mitigation (CDBG-MIT) application for a proposed Fiber Optic Loop Project.

Question. Motion carried by majority with Commissioner Laubach voting against.

It is so ordered.

20. A motion was motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve authorizing County Judge to electronically sign Walgreens Community Off-site Clinic Agreement, covering the administration of immunizations at the County Courthouse for employees. This year's Annual County Health Fair has been canceled due to COVID-19 but Walgreens is still willing to administer our immunizations here on October 23, 2020.

Question. Motion carried unanimously.

It is so ordered.

21. A motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve paying for immunizations administered by Walgreens during the county's off-site clinic on October 23, 2020, for employees not covered by health insurance, an estimated cost of \$1,500, already budgeted from the Health Care Sales Tax.

Question. Motion carried unanimously.

It is so ordered.

22. A motion was made by Commissioner Smith and seconded by Commissioner Chaney authorizing County Judge to execute Master Agreement with ACI Payments, Inc. (Official Payments) for use of its credit card portal to accept payments for many county departments, pending final approval of contract by the County Attorney's office. Aransas County already uses this credit card portal but no contract exists.

Question. Motion carried unanimously.

It is so ordered.

PLANNING & BUDGET

23. September was the first month of the new 2021 fiscal year, and the expenditures during September were \$25,759.53. We have budgeted \$819,000 to spend this year per an 8% mandate. A motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve September 2020 Indigent Health Care Report.

Question. Motion carried unanimously.

It is so ordered.

24. A motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve a new job description for Jailer/Transport Deputy as a group 19. This is not creating a new position. It is simply modifying an existing position to allow a patrol officer - who no longer meets the physical agility qualifications - to remain employed by utilizing their license to transport and eventually work their way back into the patrol group.

Question. Motion carried unanimously.

It is so ordered.

25. There were no Budget Line Item transfers. A motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve Budget Line Item Transfers and Amendments.

Question. Motion carried unanimously.

It is so ordered.

26. Accounts Payable and Payroll/Payroll Liabilities were all normal. A motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve Accounts Payable and Payroll/Payroll Liabilities.

Question. Motion carried unanimously.

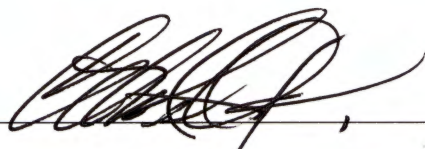
It is so ordered.

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

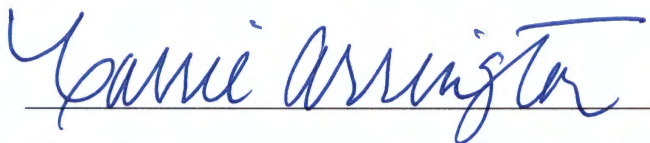
Commissioner Smith asked the Treasurer a clarifying question from the analysis copy he received on the Venue Tax Fund and H.O.T. Fund and offered a suggestion. He also stated that both of the funds are in great shape.

Commissioner Casterline asked to go into closed session regarding a personnel item; however, there was no corresponding agenda item so they did not.

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



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



CARRIE ARRINGTON, EX-OFFICIO CLERK
OF THE COMMISSIONERS' COURT

