

MINUTES OF THE
COMMISSIONERS' COURT

REGULAR MEETING - NOVEMBER 26, 2018

On the 26th day of November, 2018, 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: **C. H. "Burt" Mills, Jr.**, County Judge; **Jack Chaney**, Commissioner, Precinct 1; **Leslie "Bubba" Casterline**, Commissioner, Precinct 2; **Brian Olsen**, Commissioner, Precinct 3; **Betty Stiles**, Commissioner, Precinct 4; and **Valerie K. Amason**, County Clerk.

Other County Officers present were **Jerry Brundrett**, County Surveyor; **Kristen Barnebey**, County District Attorney; **Alma Cartwright**, Treasurer; **Bill Mills**, Sheriff; **Linda Garcia Haynes**, Executive Assistant to the County Judge; **David Reid**, Road Administrator/Drainage Engineer/Stormwater Management Engineer; **Collin Jackson**, IT Director; **Linda Doane**, Human Resources Director; **Michael Geer**, Airport Manager; **Valerie Gonzalez**, Environmental Health Director; **John Strothman**, Pathways Project Manager; **Michele Bennett**, Elections Administrator; **Carrie Arrington**, Office & Contracts Manager, County District Attorney's Office; **Jacky Cockerham**, Assistant County Auditor; **Sue Pash**, Chief Deputy Treasurer; **Lara Kirchens**, Deputy Treasurer/Venue Tax Collections Clerk; **Ronell Burke**, Animal Control Supervisor; **Roman Cortez**, **Chief Jailer Deputy Sheriff**;

Long-Term Recovery: **Randall Freeze**, Long Term Recovery Specialist;

Janna K. Whatley, 343rd Judicial District Judge;

Wendy Laubach, Candidate Elect for Commissioner, Pct. 4;

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

City of Rockport Council Members: **Barbara Gurtner**, Ward 4;

Mike Probst, Editor and Publisher of the Rockport Pilot Newspaper;

Kevin Jamison, Director & Vice-President of Elsley, LLC, Residential/Commercial Housing Plans & Builder/Developer;

Aransas County Historical Commission: **Pam Stranahan**, Chair; **Mike Geer**; Vice Chair; **Carol Thompson**, Treasurer; **Linda Garcia Haynes**, Secretary; Other members: **Jerry Brundrett**; **Sherri Collins**; **June Gregory**; **Barbara Gurtner**; **Betty Stiles**, Court Appointed Liaison;

Deer Run Lane residents: **James A. & Bette A. Mayfield**; **Peter R. M. & Mavolyne S. Burnett**; **Ashley J. Hopkins**; **James A. McGhee**; **Juan A. & Thelma T. Galnarez**; **Harold J. & Camille M. Krech**; **Kellie Purselley**; **Lawrence A. & Margaret S. Shockley**; **Van D. & Pat C. Johnson**; **Christopher & Dion Krupa**; **Terri A. & Scott L. MacDonald**; **Mike Armbruster**;

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

There were none.

PRESENTATIONS

1. Presentation of Certificates of Appreciation to outgoing members of the Aransas County Historical Commission.

Certificates of Appreciation were awarded to outgoing members which includes Pam Stranahan, June Gregory, Carol Thompson and Gayle Johnston.

2. Presentation from Another Chance RFT of items purchased and donated to Animal Control and brief report on dogs saved, etc.

Jerry Neel: Another Chance is a group of volunteers working with Animal Control to reduce the euthanization rate to save dogs. About 15 months ago the court supported our efforts by awarding us with a transport van that was used by the Sheriff's Department and we've been able since then to utilize that van in a number of ways of moving animals for vet care and a variety of other things. This morning we are here to give something back as an expression of our appreciation of your support for our efforts.

Tana Neel: The best news ever is, as of today we have saved 759 from being put down at Animal Control, that's with the cooperation of the animal control officers, everyone has been so kind and helpful. The other thing that we wanted to do is let you know about the cash donations, people helping us through donations of two large exercise pens, they are on the animal control property, as well as some temporary pens that were donated about a year ago. There are some stainless steel kennels that we have bought with donation money and also one of the local vets, Dr. Thompson, donated four kennels and these are for isolation pens, especially for puppies when they come in so that we can contain the spread of disease to other parts of the facility.

(Inserts)

CONSENT ITEM

3. Motion was made by Commissioner Olsen and seconded by Commissioner Chaney to approve the Minutes from the Regular Meeting of November 13, 2018 and the Special Meeting of November 14, 2018.

Question. Motion carried unanimously.

It is so ordered.

COUNTY REPORTS

4. Report from Sheriff of Jail Inspection. **Sheriff Mills:** We passed inspection on November 14th by the Texas Jail Commission, Commissioner Casterline came in and got the summary from the inspector and signed off on it. When I went to the Commission's website and looked found the letter I have provided to the court and if you start to look at the numbers of the inmates held in county jails, paper ready inmates waiting to enter the TDCJ, has increased and the number of the inmates being admitted to TDCJ has decreased. So when you go to your conferences, I am going to ask that you pressure, with the legislative session starting, the Texas Department of Criminal Justice, I believe, needs to address cell space at state level. I think over the last two years two facilities have been closed and as this looks good for the state's budget it has a negative impact on ours. The second page in the handout is the list of jails in the State of Texas that are not in compliance, so it's not a given thing that we passed inspection and if you look at page four, the population report which is taken from a form that we submit the first of every month, it's an interesting breakdown of the people

we are housing. I think the most important thing the inspector told us was that last year she came and did the inspection in November and was surprised at the resiliency of the jail staff and that we didn't cry "Woe is me, we've been hammered" because you were at the epicenter of Hurricane Harvey. She said the inland area attitudes of those impacted was one of depression, misery, you need to give us some slack because we've lost this and that, and she said I didn't see that last year from Aransas County and I didn't see it today from your staff. I thought that was real noteworthy, not only of the staff but the entire county and I think the attitude that through the Long Term Recovery Group and your leadership is why we are where we are today and I just wanted to pass that on.

Commissioner Casterline: The inspector had great praise for the Sheriff and the staff, and it sounded like she was really impressed and did actually make the comment that few Sheriff's in the State take part in the inspection and that every time they inspect here the Sheriff is there through the complete deal and that is an all-day event and she really spoke highly of the jail, the Sheriff and all of the employees.

Commissioner Stiles: Sheriff, I noticed Bexar County has gone crazy, the numbers are so high, any speculation as to why.

Sheriff Mills: Our number would be, if it included the Federal Contract that we have, our numbers would reflect a higher percent of incarceration as well, but the only thing they have to do with that is, they send us a bill, because they do bill the jail for an inspection where we are

housing inmates for contract, whether it be Federal Inmates or for other counties, not all counties in the State of Texas have jails and some of them contract with adjoining counties, and the fact that we have a contract with the Federal Marshall's Service for federal prisoners. And that number may be part of the deal, but incarceration across the state is up and I think it's because we are seeing a reflection in that first letter, the fact that we are moving the amount at a slower rate for the Texas Department of Justice for sentenced inmates. There is a threshold of 45 days of which you are supposed to be able to bill the State of Texas, I don't know what success rate somebody would have, but if they push it out and wait until day 40-44, that's on the county's back of inmates, that's after they are paper ready and so that's not where that burden needs to be because they have been sent and they should be, I think, from day one there should be a provision but they do have to check for availability of beds based on the inmate classification, somebody with special needs, dietary, physical or anything else and then assign them and make arrangements to pick them up and then we meet them and make that transition. Bexar County is not the only one with a population issue and that is one major issue that will get you sited, when you cross that 90% threshold.

COUNTY ROADS

5. Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve distribution ballots to Deer Run Lane residents for a vote on proposed road improvements and assessment of cost and make a five year payout

available with no interest within that five year period.

Question. Motion carried unanimously.

It is so ordered.

6. Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve the Final Replat of Lot 523-R, Northview Section, Holiday Beach Subdivision.

Question. Motion carried unanimously.

It is so ordered.

CONTRACTS, AGREEMENTS, GRANTS & LEASES

7. Motion was made by Commissioner Olsen and seconded by Commissioner Casterline to approve authorizing the County Judge to sign a Memorandum of Understanding (MOU) by and between Aransas County and the Rockport-Fulton Chamber Foundation.

Question. Motion carried unanimously.

It is so ordered.

8. Motion was made by Commissioner Olsen and seconded by Commissioner Chaney to approve authorizing the County Judge to sign a Contract with Easy Vote Solutions for Easy Campaign Finance software.

Question. Motion carried unanimously.

It is so ordered.

9. This item went into closed session.

10. Motion was made by Commissioner Stiles and seconded by Commissioner Olsen to approve authorizing the County Judge to sign a contract with Mott MacDonald Engineering for

(Inserts)

engineering services to replace the hurricane damaged southern breakwater at St. Charles Bay Boat Ramp.

Question. Motion carried unanimously.

It is so ordered.

11. Motion was made by Commissioner Olsen and seconded by Commissioner Chaney to approve authorizing the County Judge to sign an Agreement for Tax Collection Services between Aransas County and Linebarger, Goggan, Blair, & Sampson, LLP to be effective on January 24, 2019 and to expire on January 24, 2023 unless extended as provided.

Question. Motion carried unanimously.

It is so ordered.

12. This item went into closed session.

ENVIRONMENTAL HEALTH

13. Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve a Septic Variance request for 86 Belaire Drive.

Question. Motion carried unanimously.

It is so ordered.

14. Motion was made by Commissioner Chaney and seconded by Commissioner Olsen to approve allowing Environmental Health to seek bids for 2019 Mosquito Chemicals.

Question. Motion carried unanimously.

It is so ordered.

(Inserts)

15. Motion was made by Commissioner Olsen and seconded by Commissioner Chaney to approve allowing Environmental Health to seek bids for 2019 brush grinding at Transfer Station.

Question. Motion carried unanimously.

It is so ordered.

LONG TERM RECOVERY

16. Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve the Aransas County Long Term Recovery Plan and complimenting them for the exceptional job they did.

Question. Motion carried unanimously.

It is so ordered.

PLANNING & BUDGET OFFICE

17. Motion was made by Commissioner Casterline and seconded by Commissioner Olsen to approve the October 2018 Treasurer's Report.

Question. Motion carried unanimously.

It is so ordered.

18. Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve Software License, Services and Maintenance Agreement between Mentis Technology Solutions, LLC, and Aransas County for aiSmart Bench Contract.

Question. Motion carried unanimously.

It is so ordered.

(Inserts)

19. Motion was made by Commissioner Stiles and seconded by Commissioner Olsen to approve Budget Line Item Transfers of which there were none.

Question. Motion carried unanimously.

It is so ordered.

20. Motion was made by Commissioner Casterline 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

Alma Cartwright: Thursday morning at 9:00 a.m. Santa will be here, the Fulton Elementary and some volunteer helpers will be here to decorate the tree, so anybody that wants to assist with the kids is welcome, there should be about 60 of them.

Kristen Barnebey: The Aransas County Children's Foundation is sponsoring an Angel Tree this year, and it's actually blossomed into four trees, so you can find Angel Trees at Stewart Title, Remax, and at Key Allegro Real Estate right now and then also we will have one in the Courthouse, place to be decided at this point. Recipients will be CPS and of course all of the foster children in the system, in the juvenile department, as well as Odyssey after school. So, you'll pick up an angel and on the back you will see a tag, you take it off and attach it to a present that you will purchase and wrap and then return it to

(Insert)

the place you picked it up or call us and we will come get it, or just drop it off at any of the locations.

Michele Bennett: The elections office and the early voting and election clerks are having a Christmas Party on Wednesday and it will benefit the foster kids, we are doing a toy drive for them as well and also, I don't know if would benefit you guys, but I have a Christmas tree I would like to donate, I just bought it last year and it's about 9-10 feet tall.

Judge Mills: I will be going to Florida, along with Mayor McComb, the Mayor of Woodsboro, the Mayor of Fulton, and I can't remember who else. We are flying over to Panama City and the small towns around it to deliver words of encouragement for all they have gone through this year, so that's where we will be next week.

Jackie Cockerham: I put the Fee Report in front of each of you and if you have any questions I will be glad to answer them.

Commissioner Olsen: Sheriff, are they working on the weigh station?

Sheriff Mills: Yes sir, we're are waiting on a sign to be re-installed and get the lights up. We have been working it on the road, the DPS troopers have been involved, which is a change from five years ago. The northbound station has been ordered and it's due for approval anytime now. Saturday morning, 10:00 a.m. at Wal-Mart we will have the Shop with a Cop, so if any of you want to come by and observe you are welcome, the names of the children are provided by the school counselors and there is an account at Prosperity Bank that you can make a donation for this event, they collect all year long.

Commissioner Chaney: Unless Mr. Reid has changed it, we are going to be making some major traffic changes at the Live Oak Elementary school, at the request of the Sheriff's Department, taking out some culverts and making a more definitive route pattern, there is a tremendous amount of traffic in and out of there. David, are you still planning for December while school is out?

David Reid: Yes.

Sheriff Mills: Right now we have about five or six officers out there and this should bring it down to only needing possibly two.

Commissioner Chaney: I want to publicly thank all of the staff, we've gone through the recovery and this is just an amazing group to work with, you make our job so much easier.

The Court entered into closed session at 9:38 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 10:38 a.m. with all members present, and further proceedings were had and done to wit:

9. Motion was made by Commissioner Olsen and seconded by Commissioner Chaney to **disapprove** changing the Commissioners Court vote taken on October 12, 2018 regarding the Economic Development Agreement between Aransas County and Elsley (Logans Crossing Subdivision)

and changing the Agreement to include incentive payments based upon cumulative investment.

Question. Motion carried unanimously.

It is so ordered.

12. Motion was made by Commissioner Chaney and seconded by Commissioner Stiles to approve the County entering into a lease with the current property owner of the Courthouse space, TFP Properties III, LLC to begin December 1, 2018, including the terms of the lease and the agreements between the parties.

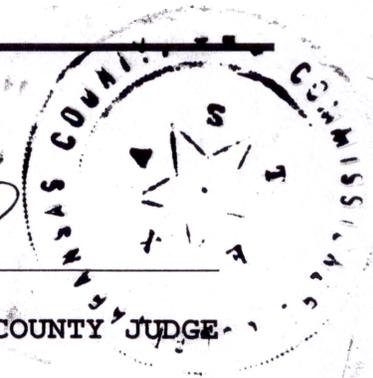
Question. Motion carried unanimously.

It is so ordered.

No further business presenting, the Court adjourned at 10:50 a.m. on a motion made by Commissioner Stiles and seconded by Commissioner Olsen.



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



Valerie K. Amason

VALERIE K. AMASON,

EX-OFFICIO CLERK OF THE

COMMISSIONERS' COURT