

MINUTES OF THE ARANSAS COUNTY COMMISSIONERS COURT

REGULAR MEETING - JULY 26, 2021

BE IT REMEMBERED that on the 26th day of July, 2021, the Honorable Commissioners Court of Aransas County, Texas, met in Regular Session, at the Aransas County Courthouse, 2840 Hwy 35 N, Rockport, Texas, with the following members present in person, via Zoom, or via YouTube: C. H. "Burt" Mills, Jr., County Judge; Jack Chaney, Commissioner Precinct 1-1A; Pat Rousseau, Commissioner, Precinct 3; Wendy Laubach, Commissioner, Precinct 4; and Carrie Arrington, County Clerk.

Leslie Casterline, Commissioner, Precinct 2, was absent.

Other County Officials/Department Heads/Staff Members present in person or via Zoom were: Alma Cartwright, Treasurer; Patricia Randall, Chief Deputy Treasurer; Pam Heard, District Clerk; Jaime Blackburn, Executive Assistant to County Judge; Tracy Orr, Administrative Assistant to County Judge; Amanda Oster, County Attorney; Jennifer O'Steen, Assistant County Attorney; Jacky Cockerham, County Auditor; Tana Taylor, First Assistant Auditor; Latisha Murphy, Assistant Auditor; Linda Doane, HR Director; Elizabeth Guerra, HR Assistant; Anna Marshall, Tax Assessor-Collector; Lupita Wells, Chief Deputy Tax Assessor-Collector; Bill Mills, Sheriff; Collin Jackson, IT Director; Jerry Brundrett, County Surveyor; David Reid, County Engineer; Kat Comeaux, Development Services Coordinator; Mike Geer, Airport Manager; Lori Cesar, Animal Control Director; John Strothman, Long-Term Recovery; and Kim Foutz, Long-Term Recovery.

Members of Other Governmental Entities or Community Groups and Interested Parties present in person or via Zoom were: Members of

the Aransas County Historical Commission, including **Linda Haynes**, (Pam Stranahan, Mike Geer, Jerry Brundrett, Collin Jackson,) and **Betty Stiles**, Chair; **Luis Puron**, Rockport Center for the Arts, Executive Director; **Pam Stranahan**, Friends of the History Center for Aransas County, President; **Sandy Jumper**, Rockport-Fulton Chamber of Commerce, Vice President of Marketing and Promotions; **Blake McDavid**, GSM Insurors, VP/Sales; **Rachel Thomas**, GrantWorks, Inc., Community Development Project Manager; **Randall Freeze**, Texas GLO; and **Mike Probst**, Editor and Publisher, The Rockport Pilot.

Aransas County Citizens present in person or via Zoom were: **Pete Champion**; **Carolyn Smith**; **Linda Doran**; **Pamela Meyer**; and **Jeff Hutt**.

Nueces County resident **Simone Sanders** was also present.

The Meeting was duly convened at 9:00 a.m., followed by pledges to the American and Texas flags and an invocation given by County Surveyor Jerry Brundrett. Roll call was taken and a quorum was declared by Judge Mills, WHEREUPON, the following proceedings were had and done, to wit:

CITIZENS TO BE HEARD

Pete Champion, Aransas County resident from Brumley Drive, Holiday Beach subdivision (east side), addressed the court about flooding and drainage issues between the streets of De Vaca, Everett, Brumley, Woods, and Bracht. He mentioned that there was still standing water in this area from rains that the county had over two weeks ago and that it doesn't take much rain to flood the area, come over the road, come down the ditches, and flood his home. Currently, Mr. Champion is displaced while his house is being redone. Mr. Champion also mentioned some recent improvements in the subdivision: pavement added to Everett and Bracht - which he felt was great but which contributed to even more runoff since the drainage issue has not been

addressed. He stated that there are mowing issues and that most of the culverts need to be addressed. He referenced a canal on the north side of the subdivision which crosses 35 and goes north and crosses out and into the bay that has very slow moving water that can easily flood the entire area.

Linda Doran, Aransas County resident on Murphy Road, who addressed the court two weeks ago about flooding and drainage in her area, stated that she was still pumping water, that they did get it pumped off the septic tank but then had to get the septic tank pumped out. She foresees at least another two weeks, maybe three or four, until they get it all pumped out. She would appreciate any consideration the court could have in a possible drainage solution on the edge of their property.

Jeff Hutt, Aransas County resident on Prairie Road, stated that he wanted to speak on agenda items 22 and 28 when then were being discussed. Judge Mills told Mr. Hutt that that was fine but that item 22 was going to be tabled.

PRESENTATIONS

1. **Judge Mills** read: We are pleased to announce that **the Aransas County Historical Commission has earned the Distinguished Service Award for 2020 from the Texas Historical Commission in recognition of its outstanding preservation work and accomplishments.** The state received 175 applications for this designation and only presented 84 awards. Congratulations to the Aransas County Historical Commission for earning this honor now for the twelfth year in a row.
2. The fiber optic feasibility study presentation for CDBG-DR Project 20-065-098-C270 was postponed until next court.

CONSENT AGENDA

There was one item under the Consent Agenda:

3. Minutes from the July 12, 2021 Regular Meeting.

A motion was made by Commissioner Rousseau and seconded by Commissioner Chaney to approve the Consent Agenda item.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

COUNTY REPORTS

4. Luis Puron presented highlights of the group's Hotel Occupancy Tax Report for May-June 2021 - their 2nd quarter 2021 report. He mentioned 1,300 people in attendance at the Spring Art Fair, April 16-18, Fulton Convention Center, of which 35% of that number would have been considered as tourism visitors. This was the first year for this event and he believes there will be a higher percentage of tourism visitors to the event next year. Next, he stated that the group had 2,043 visitors to the Art Center for the period and that approximately 46% of those visitors were from distances of 75 miles or greater. Finally, he discussed marketing expenditures by quarter for HOT line items: Advertising, Sculpture Garden, Rockport Art Festival, and Exhibitions. He looks forward to coming back next quarter to give an incredible report on the activities for the month of July - especially on the Art Festival.

A motion was made by Commissioner Rousseau and seconded by Commissioner Laubach to approve the 2nd Quarter 2021 Report for the Rockport Center for the Arts.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

5. A motion was made by Commissioner Rousseau and seconded by Commissioner Laubach to approve the 2nd Quarter 2021 Report for the Aransas County Historical Commission.

Betty Stiles took the podium and gave the court the number of hours that were spent on activities which led to their distinguished service award this year - an impressive 2,162 volunteer hours (\$54,050 worth of time). She also let the court know that while they haven't spent a lot of the HOT money yet, they are going to. She asked for questions on the quarterly report. Commissioner Rousseau asked about the status of the vault project (a maintenance they pay every year). Chair Stiles told her that the status was zero at this point because of COVID.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

6. A motion was made by Commissioner Chaney and seconded by Commissioner Rousseau to approve the 2nd Quarter 2021 Report for Friends of the History Center for Aransas County.

Pam Stranahan talked about the group's goal of putting exhibits in front of the people of Aransas County to help them know and recall our county's history. In May they opened "Voices from the Past," a new feature exhibit in honor of the Sesquicentennial. She then spoke about another one of their exhibits, "Places in Time: Landmarks of Aransas County." Finally, she mentioned upcoming exhibits: (Sept.) "Connie Hagar Corner" that will be put up in time for the Hummer Bird Celebration, (Nov. and Dec.) "Holidays Past in the Present" that has a focus on Christmas trees

and gets a lot of attention, and (Jan.) "Vietnamese Culture on the Texas Coast."

Ms. Stranahan also talked about two books that were produced as a follow-up from the History Center's exhibit on the Rockport-Fulton Art Colony. The teachers' edition of *The ABCs of the Rockport-Fulton Art Colony*, by Vickie Merchant and Kay Betz, has come out already. A second book by the same authors and with the same title will be published in 2022.

She then mentioned the group's weekly social media effort and reported that their most popular posts on Facebook have been old postcards - with some reaching 10,000 views. Plus, she spoke about their monthly Sunday Programs and the record crowd they had at such a program held yesterday on historic bottles and what they can tell us.

She wrapped up her presentation with information about Outreach and Collaboration and the Texas Historical Commission's heritage tourism initiative: the Texas Tropical Trail, hour-long programs showing different area features. The group participates in this initiative and the last one that they were involved in was in July when they featured "By the Beautiful Sea," the musical by Rockport Little Theatre for the Sesquicentennial. Further, they provided support for the Kline's Café move with a television interview on its history, a Tropical Trail program with Luis Puron, and are working to establish signage on the history of the building at the new location.

They also contributed the six posters that they had on the San Antonio and Aransas Pass (SAAP) Depot that explain the history of SAAP that will be on display there. And, soon, they will have an

Historic Survey (by the Texas Historical Commission and sponsored by the National Park Service) in response to Hurricane Harvey.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

7. A motion was made by Commissioner Rousseau and seconded by Commissioner Chaney to approve the 3rd Quarter 2021 Report for the Rockport-Fulton Chamber of Commerce.

Sandy Jumper gave the Chamber's Use of HOT Funds Quarterly Report, bringing attention to a chart showing the tourism spending in Aransas County reached nearly \$118M in 2020, a 19% increase over 2019. We were one of 12 counties within the State of Texas that enjoyed increases over the prior year despite COVID, and ours being the second highest percentage increase. Further, of those 12 counties, we ranked number three in dollars spent, behind Galveston and Gillespie Counties. She showed that the share of state sales tax from visitors with Aransas County was among the highest at 15% and that the venue tax showed an increase of 80% over this time last years and a 35.67% increase over pre-hurricane 2017.

Ms. Jumper recapped the April-June activity and reported in detail about the formation of the new and now popular RF GeoTour with 51 local sites and Geocoins (trackable coins for geocaching).

She reported that there were 238,570 room nights sold in 2020, a 35.5% increase over 2019. She talked about the Chamber's website hits and visitor demographics, then closed with their strategy for going forward in July-September 2021.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

COUNTY ROADS

8. A motion was made by Judge Mills and seconded by Commissioner Chaney to approve authorizing Road and Bridge to advertise a request for bids for a backhoe/loader, which will be funded from the 2016 Certificate of Obligation funds. The piece of equipment will cost roughly \$120K.

Question. A roll call vote was taken and the motion passed unanimously.

It is so ordered.

9. A motion was made by Commissioner Rousseau and seconded by Commissioner Chaney to approve a request for a variance to the County Subdivision Regulations, minimum lot size, for 602 West Main Street in Lamar to plat Lot 15-R, Block 91, Lamar Townsite.

Kat Comeaux told the court that the lot was .371 acres, this lot was already combined on the appraisal district level and is already developed. The variance is needed to formally combine the lots so that the septic can be upgraded and be in compliance with Environmental Health and TCEQ regulations. In order to get this variance, the property owner had to have a septic design that would fit this property and still be in compliance with the state regulations submitted to Environmental Health, which they did. It has been reviewed for compliance and was approved because it meets the intent of having a safely developed lot. The home was there before Harvey and this is just a continuance of coming back and rebuilding afterwards.

Question. A roll call vote was taken and the motion passed unanimously.

It is so ordered.

10. A motion was made by Commissioner Rousseau and seconded by Commissioner Chaney to approve a request for a variance to the County Subdivision Regulations, minimum lot size, for 127 Little San Antonio to plat Lot 51-R, Little San Antonio Subdivision.

Per Kat Comeaux: This is, once again, an already-developed lot that they are formally combining in order to upgrade the septic after Harvey repairs so they can meet the Environmental Health and State requirements.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

11. A motion was made by Commissioner Laubach and seconded by Commissioner Chaney to approve authorizing the Development Services Coordinator to assemble a planning committee to initiate updating Aransas County's Hazard Mitigation Action Plan and the Aransas County Multi-Jurisdictional Floodplain Management Plan for Commissioner's Court approval.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

CONTRACTS, AGREEMENTS, GRANTS & LEASES

12. A motion was made by Judge Mills and seconded by Commissioner Chaney to approve a Gate Access Agreement between Aransas County and Another Chance Rockport-Fulton Texas to allow the organization

needed after-hours access to their facility at the Aransas County Animal Shelter.

Question. A roll call vote was taken and the motion passed unanimously.

It is so ordered.

13. A motion was made by Commissioner Rousseau and seconded by Commissioner Chaney to approve Resolution #R-13-2021, to award the sewer improvements in Texas Community Development Block Grant (TxCDBG) Contract No. 7219490, in the amount of \$228,834.88, to Guerra Underground LLC.

Rachel Thomas of GrantWorks, Inc. clarified that these sewer improvements were on Kossuth Street, between Corpus Christi and Lamar.

Question. A roll call vote was taken and the motion passed unanimously.

It is so ordered.

14. A motion was made by Commissioner Chaney and seconded by Commissioner Rousseau to approve awarding a construction contract for the Texas Community Development Block Grant (TxCDBG) Contract No. 7219490, for sewer improvements in Doughty-Mathis Colonia, to Guerra Underground LLC, in the amount of \$228,834.88, contingent upon Texas Department of Agriculture (TDA) approval of State Contract Modifications #1.

Question. A roll call vote was taken and the motion passed unanimously.

It is so ordered.

15. A motion was made by Commissioner Chaney and seconded by Commissioner Rousseau to approve an amendment to the Texas Community Development Block Grant (TxCDBG) Contract No. 7219490,

GrantWorks grant administration contract, to include the Texas Department of Agriculture's revised Section 3 Policy Requirements.

Rachel Thomas, GrantWorks, stated that this amendment and the amendment in no. 16 are about providing economic opportunities for low and very low income persons within the grant, per HUD and TDA requirements, and are needed in projects using CDBG funds.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

16. A motion was made by Commissioner Rousseau and seconded by Commissioner Laubach to approve an amendment to the Texas Community Development Block Grant (TxCDBG) Contract No. 7219025, GrantWorks grant administration contract, to include the Texas Department of Agriculture's revised Section 3 Policy Requirements.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

17. A motion was made by Judge Mills and seconded by Commissioner Chaney to approve a six (6) month contract extension with CrowderGulf for Disaster Debris Management, Removal and Disposal Services.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

18. A motion was made by Commissioner Chaney and seconded by Judge Mills to the contract renewal request with Thompson Consulting, for Disaster Debris Monitoring, for a period of one (1) year, beginning April 17, 2021, through April 16, 2022.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

19. A motion was made by Commissioner Rousseau and seconded by Commissioner Laubach to approve the request to solicit Request for Proposals (RFPs) for Disaster Debris Monitoring.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

20. A motion was made by Commissioner Laubach and seconded by Commissioner Rousseau to approve the request to solicit Request for Proposals (RFPs) for Disaster Debris Management.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

21. A motion was made by Commissioner Chaney and seconded by Commissioner Rousseau to approve renewing the contract with CrowderGulf, for Disaster Debris for Marine, Demo and Private Property Debris Management, Removal and Disposal, for a period of one (1) year beginning April 17, 2021, through April 16, 2022.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

22. A motion was made by Commissioner Rousseau and seconded by Commissioner Laubach to table Resolution #R-12-2021, a Resolution authorizing the award of a Medical Facility Operator (or Operators) for the Community Development Block Grant-Disaster Recovery (CDBG-DR) Project 20-065-098-C270.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

23. A motion was made by Commissioner Chaney and seconded by Commissioner Laubach to approve authorizing the County Judge to purchase Cyber Insurance, at an annual premium of \$32,054.59, for one (1) year, beginning July 23, 2021, and ending July 22, 2022, and authorizing the premium with the July 26, 2021 accounts payable.

Blake McDavid, GSM Insurers, and Collin Jackson, Aransas County IT Director, spoke on the importance of this insurance and why the cost for it has more than doubled since last year. It was nothing that the County did, it's the rates we're seeing across the board on cyber security insurance that are directly related to claims we're seeing across the nation. It is the most rapidly rising cost associated with insurance right now. Mr. Jackson stated that this insurance covers ransomware attacks, loss of data, breaches, identity protection services, and pays for replacement of hardware damaged as a result of a hack or other virus issues. When asked about the item being over budget, Auditor Jacky Cockerham stated that this was included in the Elections grant so it is over-budget but that there is enough left in reserves there to pay for it under the insurance line without making it go over.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

24. A motion was made by Commissioner Rousseau and seconded by commissioner Laubach to approve the June 2021 Treasurer's Report. Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

25. A motion was made by Commissioner Chaney and seconded by Commissioner Rousseau to approve the Treasurer's 2nd Quarter 2021 Investment Report.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

26. A motion was made by Commissioner Laubach and seconded by Commissioner Chaney to approve a new job description for the County Attorney's Office, a Victim Assistance Coordinator, at a pay group of 17 (due to additional duties, training, and experience requirements), and to eliminate the existing Administrative Assistant/Victim Coordinator position.

Commissioner Laubach asked about the net budget impact. First Assistant Auditor Tana Taylor stated that for the remainder of this year combined both positions will be about \$5,300 (assuming someone was hired today) which is not in Ms. Oster's budget so she is asking for it today.

Commissioner Chaney asked what the budget impact would be for a full year. Ms. Taylor replied that it would be approximately \$12,800. So another \$12,800 next year that is reflected in the proposed budget.

Commissioner Rousseau stated that she had a concern about the pay group that is being proposed, pay group 17. It's a very high pay group. Ms. Oster replied that it's the same pay group as their

paralegals and this type of position requires either education or experience as a counselor, psychologist, something like that because of the close work required with children and people who are in an enormous amount of stress and anxiety. Most of a VAC's job is to deal with people at the worst times in their lives, so it takes a very special person to be able to listen day in and day out and help counsel them through that. It's also comparable to salaries in other smaller counties. Commissioner Rousseau stated that she believed that when this almost came before the court before, it seemed that it was coming as a pay group 14. Ms. Oster replied that she had to look at what the market was for the position - which was one of the reasons that she pulled it earlier - also this position would have to accrue comp time (instead of overtime since we don't pay overtime) because of after-hours work time that is often needed to meet with victims who can't take off of work during the day or during the week. We are basically looking for someone with a bachelor's degree or relevant experience and if they could make that much in a neighboring county, they wouldn't want to make less here.

Question. A roll call vote was taken and the motion carried on a 3:1 vote with Commissioner Rousseau dissenting.

It is so ordered.

27. A motion was made by Rousseau and seconded by Commissioner Laubach to approve authorizing the County Judge to accept the renewal rates from Ameritas for Dental and Vision Insurance for the 2021-2022 Plan Year.

Commissioner Laubach asked how these new rates might affect the budget. HR Director Linda Doane stated that the entire cost of this optional insurance is paid by the employee.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

28. A motion was made by Commissioner Rousseau and seconded by Commissioner Laubach to approve Option 1 - Per Texas Property Tax Code, Sec. 26.04(c)(2)(B), the VOTER-APPROVAL TAX RATE for a taxing unit other than a special taxing unit is calculated as follows: VOTER-APPROVAL TAX RATE = (NO-NEW-REVENUE MAINTENANCE AND OPERATIONS RATE x 1.035) + (CURRENT DEBT RATE + UNUSED INCREMENT RATE), and to direct the Aransas County Tax Assessor-Collector to use this method to calculate the Voter-Approved Tax Rate.

Jeff Hutt spoke out against Option 2, which was not the option on which the court was voting.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

29. A motion was made by Judge Mills and seconded by Commissioner Laubach to approve the Budget Line Item Transfers and Amendments. (There were none.)

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

30. A motion was made by Commissioner Laubach and seconded by Commissioner Chaney to approve Accounts Payable and Payroll/Payroll Liabilities.

Auditor Cockerham referenced payments for the cyber insurance the court just approved along with a debt service payment (due mid-August) of \$1.3M for capital improvement projects.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

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

Judge Mills called for reports from elected officials and department heads.

Auditor Cockerham, in referencing the fee report for June, stated that things are looking up. It's actually \$98,799.77 over the same period last year.

Commissioner Laubach requested that whenever the selection committee is ready to make a recommendation and a presentation to us about what kind of medical facility we are going to go for; that, once the presentation is made, we put off making an actual decision on it for at least one week if not two so the public has a chance to take in the information that we've made public and digest it and comment on it. I just don't want to be put in the position of hearing a presentation and then being asked to vote on it minutes later.

Judge Mills reported on progress out at Cedar Bayou that he saw last Thursday when he was out there checking on it. He was pleasantly surprised with the progress that was being made out there and impressed with the new project manager that was really all over everything. He gave us an excellent tour of the whole project. There were at least seven 30-yard dump trucks, one tractor pulling two 30-year trailers working, and three excavators, two drag lines, and twenty people. The land people are working 13 hours a day. The boat people are working from sun up to sun down. So, they're moving about 5,000 cubic yards of dirt a day. I'd also like to thank the Sheriff's Department for the use of their airboat.

County Clerk Carrie Arrington stated that, from the Consent Agenda last meeting, we accepted some donations but we forgot to specifically name the people who made them. She said they were named in the minutes but that she also wanted to name them now, so on behalf of the county she thanked the Methodist Church, Stephanie Murzin, Diane Davis, Bill Windham, and Elizabeth Ellingson. These people really rallied to help the horse situation out at the Aransas County Animal Shelter and it's wonderful to have great community support like this. I'd also like to give kudos to Lori Cesar and her group out there. They work very hard for the animals and for this county.

Commissioner Rousseau announced that Judge Mills just had a birthday.


Commissioner Chaney stated that after we get through budget and before the end of the year, he would like to have a workshop on our drainage projects. Since Harvey, we've been through several significant time periods that affect drainage and I think the public should be brought up to date as to where we are on our overall drainage projects and the ones to come.

Commissioner Rousseau also mentioned that we had a presentation from HydraUSA, middle part of June, who talked about products they had that could help mitigate flooding damage or help with the cleanup afterwards and they are going to do a presentation and have those items on display at the beach for the public to see this Thursday around 1:00.

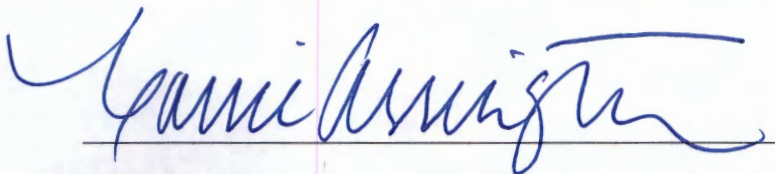
County Surveyor Brundett suggested that the County put out there for some kind of data base of people who actually got water in their houses. With the kind of rain event we had, lots of people saw lots of water and yards flooded, but I'm talking about the people who actually had water in their houses. That's the big hardship. When

people have to leave their houses and rip their sheetrock down and redo their flooring. If we had this kind of target information, I think it could be helpful as we continue to address drainage issues, to help us make a determination of where we need to concentrate these efforts.

No further business presenting, the Court adjourned at 10:28 a.m. on a motion duly made by Commissioner Rousseau and seconded by Commissioner Chaney.



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



CARRIE ARRINGTON, EX-OFFICIO CLERK
OF THE COMMISSIONERS COURT

