

**NOTICE OF REGULAR MEETING OF THE COMMISSIONERS' COURT  
ARANSAS COUNTY, TEXAS**

**AGENDA**

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE ABOVE NAMED COMMISSIONERS' COURT *V.T.C.A. GOVERNMENT CODE, SECTION 551.001(4)*, WILL BE HELD ON THE **24<sup>th</sup>** DAY OF **MARCH, 2014** AT **9:00 A.M.** IN THE COMMISSIONERS' COURTROOM IN THE COUNTY COURTHOUSE, 301 N. LIVE OAK, ROCKPORT, TEXAS, AT WHICH TIME THE FOLLOWING SUBJECTS WILL BE DISCUSSED, TO-WIT:

**I. CALL TO ORDER & PLEDGES**

**II. INVOCATION**

**III. DECLARE QUORUM**

**IV. CITIZENS TO BE HEARD:**

*At this time, comments will be taken from the audience on any subject matter that is not on the agenda. To address the Commissioners, please sign the Public Participation Form located on the table in front of the pews and deliver to the County Clerk before the meeting begins. Citizens who wish to speak on a matter included in this agenda will be invited to speak when that particular matter is being deliberated by the Commissioners' Court. Each member of the public who appears before the Commissioners' Court shall be limited to a maximum of five (5) minutes to make his/her remarks. In accordance with the Open Meetings Act, Commissioners may not discuss or take action on any item which has not been posted on the agenda.*

**V. PRESENTATIONS:**

1. PRESENTATION ON **EXPANSION PLANS FOR THE AQUARIUM AT ROCKPORT HARBOR** – DON SHEETS/  
PRESIDENT

**VI. ITEMS FOR DELIBERATION AND/OR ACTION:**

1. DISCUSS, APPROVE, OR DISAPPROVE **MINUTES** FROM THE REGULAR MEETING OF MARCH 10, 2014 – BURT MILLS
2. DISCUSS, APPROVE, OR DISAPPROVE THE **APPOINTMENT OF EARLY VOTING CLERKS FOR THE MAY 27, 2014, JOINT PRIMARY RUNOFF ELECTION** – BURT MILLS
3. DISCUSS, APPROVE, OR DISAPPROVE **RECORDS SCANNING OF OLD COUNTY CLERK RECORDS AND LINE ITEM TRANSFERS FROM RESERVE TO COVER BUDGET SHORTAGE** – BURT MILLS
4. DISCUSS, APPROVE, OR DISAPPROVE **REVISION TO VALIC DEFERRED COMPENSATION 457(b) PLAN ADOPTION AGREEMENT TO ALLOW LOANS FROM EMPLOYEES' ACCOUNTS TO BE MADE TO COUNTY EMPLOYEES AT NO COST TO THE COUNTY** – BURT MILLS
5. DISCUSS, APPROVE, OR DISAPPROVE **PRELIMINARY APPROVAL TO CLOSE ALL OR PART OF A 20-FOOT ALLEYWAY IN MANNING ADDITION, BLOCK 396** – CHARLES SMITH
6. DISCUSS, APPROVE, OR DISAPPROVE AND **AUTHORIZE COUNTY JUDGE TO SIGN AN ENVIRONMENTAL SERVICES CONTRACT WITH BERG OLIVER ASSOCIATES FOR REMOVAL OF INVASIVE PLANTS AT FOUR (4) TULE CREEK SITES** – CHARLES SMITH
7. DISCUSS, APPROVE, OR DISAPPROVE AND **AUTHORIZE COUNTY JUDGE TO SIGN GRANT AWARD CONTRACT FROM THE COASTAL BEND BAYS AND ESTUARIES PROGRAM FOR CONSTRUCTION OF A KAYAK LAUNCH ON PORT BAY ROAD, AN ARANSAS PATHWAYS PROJECT** – BURT MILLS



8. DISCUSS, APPROVE, OR DISAPPROVE AND AUTHORIZE COUNTY JUDGE TO SIGN A **PROFESSIONAL SERVICES CONTRACT** WITH THE GRANT CONNECTION FOR ADMINISTRATION OF COASTAL BEND BAYS AND ESTUARIES PROGRAM GRANT TO CONSTRUCT A KAYAK LAUNCH ON PORT BAY ROAD – BURT MILLS
9. DISCUSS, APPROVE, OR DISAPPROVE TEMPORARY MODIFICATION OF JOB POSTING POLICY, COMPENSATION AND WORK SCHEDULE FOR ASSISTANT COUNTY ATTORNEY POSITION AS PER ATTACHED MEMO DATED 03/20/2014 – BURT MILLS
10. DISCUSS, APPROVE, OR DISAPPROVE PUBLIC OFFICIAL BOND CONTINUATION CERTIFICATE ON SUSAN R. WOODLEY, CHIEF DEPUTY TREASURER – BURT MILLS
11. ACKNOWLEDGE RECEIPT OF AND RECORD IN MINUTES OF **COMMISSIONERS' COURT CERTIFICATE OF COMPLETION OF COMMISSIONERS EDUCATION DURING CALENDAR YEAR 2013 FROM COUNTY JUDGES & COMMISSIONERS ASSOCIATION OF TEXAS** FOR BETTY STILES, COMMISSIONER PRECINCT 4 AND 4A – BURT MILLS
12. DISCUSS, APPROVE, OR DISAPPROVE **BUDGET LINE ITEM TRANSFERS** – BURT MILLS
13. DISCUSS, APPROVE, OR DISAPPROVE **ACCOUNTS PAYABLE** – BURT MILLS

**VII. REPORTS FROM COMMISSIONERS, ELECTED OFFICIALS & DEPARTMENT HEADS WHEREIN NO ACTION WILL BE TAKEN:** *“At this time, County Commissioners will report/update on all committee assignments which may include the following: Aransas Pathways Steering Committee; County Storm Water Advisory Committee; Coastal Bend Council of Governments; Coastal Bend Bays & Estuaries; Economic Development; Live Oak Tree Committee; Navigation District; Personnel Committee; Rural Rail District; and Rockport Community Park/Swimming Pool Committee. Elected Officials & Department Heads reports include but are not limited to the following: Airport Advisory Board Updates; County Auditor—Read Fee Reports of county & precinct offices.”*

**VIII. REPORTS ABOUT ITEMS OF COMMUNITY INTEREST REGARDING WHICH NO ACTION WILL BE TAKEN:** *“At this time, Commissioners' Court will hear reports/updates from Commissioners or County Staff about items of community interest including (1) expressions of thanks, congratulations, or condolence; (2) information regarding holiday schedules; (3) an honorary or salutary recognition of a public official, public employee, or other citizen; (4) a reminder about an upcoming event organized or sponsored by the Court; (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the Commissioners' Court that was attended or is scheduled to be attended by a Commissioner or an official or employee of the County; and (6) announcements involving an imminent threat to the public health and safety of people in the County that has arisen after the posting of the agenda.”*

**IX. PRESS QUESTIONS:**

At this time, the Commissioners' Court will accept questions from the press on items related to Agenda items which need clarification or further response. This item is provided as a courtesy to keep the citizens of Aransas County informed.

**X. CLOSED SESSION:**

1. COMMISSIONERS' COURT WILL MEET IN CLOSED SESSION AS AUTHORIZED BY TEXAS GOVERNMENT CODE SECTION 551.072 TO DISCUSS REAL ESTATE NEGOTIATIONS **INCLUDING PATHWAYS PROJECTS AND STORMWATER MANAGEMENT PROJECTS**
2. COMMISSIONERS' COURT WILL MEET IN CLOSED SESSION TO DISCUSS POTENTIAL LITIGATION PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071(1)(a) AND OTHER MATTERS COVERED BY THE ATTORNEY-CLIENT PRIVILEGE PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071(2)

**XI. OPEN SESSION:**

COMMISSIONERS' COURT WILL RECONVENE INTO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN CLOSED SESSION

**XII. ADJOURNMENT**

**DATED THIS THE 20<sup>TH</sup> DAY OF MARCH, 2014.**

**NOTES TO THE AGENDA:**

- 1) THE COMMISSIONERS' COURT RESERVES THE RIGHT TO RETIRE INTO EXECUTIVE CLOSED SESSION CONCERNING ANY OF THE ITEMS LISTED ON THIS AGENDA, WHENEVER IT IS CONSIDERED NECESSARY AND LEGALLY JUSTIFIED UNDER THE *OPEN MEETINGS ACT*.
- 2) 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.

**FILED**  
**AT 4:00 P.M.**

**MAR 20 2014**

*Peggy L. Friebele*

PEGGY L. FRIEBELE  
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 \_\_\_\_\_, 2014, 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

Posted  
4:05 P.



Honorable Commissioners' Court:

Several months ago, County Attorney Richard Bianchi constructively resigned his office and has been serving in a holdover capacity at the pleasure of this Honorable Court until you appoint a successor.

Now that the primary elections are over, we believe this is an appropriate time to suggest a transition plan for your consideration. Although our plan can be implemented under the existing authority and budget of County Attorney Richard Bianchi, it is fully understood that Commissioners' Court has the authority to alter that plan at any time by appointing a successor to Bianchi.

In all probability, Kristen Blanford will be the next Aransas County Attorney. Although Ms. Blanford's election does not require her to take office until January 1, 2015, an orderly and gradual transition would best serve the needs of Aransas County citizens. Effective March 31, 2014 Ms. Blanford will begin a temporary assignment as Assistant County Attorney, working an average of 20 hours per week. This temporary arrangement will allow Ms. Blanford to fulfil her existing obligations to her law firm and clients. As she winds down her law practice, the hours she will work as Assistant County Attorney will proportionately increase. At some point this year, Ms. Blanford anticipates that the requirements of her private law practice will be reduced to a degree that she will be able to advise Commissioners' Court that she is available for full-time assignment as County Attorney. Again, we both recognize fully that when and if Ms. Blanford is appointed County Attorney prior to January 1, 2015 is solely within the discretion of Commissioners' Court and Ms. Blanford.

Given that any newly elected official would welcome the opportunity to learn the office and staff before assuming full responsibility, this transition plan enables Ms. Blanford to begin assuming her county duties while completing her private business obligations. The benefits to the county include ensuring a smooth transition and preparing Ms. Blanford for taking the Aransas County Attorney position as soon as practical.

Finally, we are mindful that cases undertaken by the County Attorney's office during Richard Bianchi's service will create conflicts when he assumes the position of County Court at Law Judge. Although this transitional difficulty is a common occurrence whenever a new judge assumes the bench, every effort will be made to minimize that problem by transitioning to Kristen Blanford as County Attorney several months prior to the end of the year. Although, it cannot be predicted when her private law practice obligations will allow the complete changeover, Commissioners' Court will be kept apprised of that progress by Ms. Blanford.

Hopefully, this course of action will assist Commissioners' Court in meeting its responsibilities as well as provide the smoothest transition for the citizens of Aransas County. We welcome the opportunity to discuss current circumstances and to keep the public fully advised. To that end, time has been requested on your March 24<sup>th</sup> Agenda for discussion and any action you deem necessary.

Richard Bianchi  
Aransas County Attorney

Kristen Blanford