

MINUTES OF THE
COMMISSIONERS' COURT

REGULAR MEETING - FEBRUARY 25, 2013

On the 25th day of February, 2013, there was a Regular Meeting of the Commissioner' Court in the Courthouse, 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; Charles Smith, Commissioner, Precinct 3; Betty Stiles, Commissioner, Precinct 4; and Peggy L. Friebele, County Clerk.

Other County Officers present were Richard Bianchi, County Attorney; Alma Cartwright, County Treasurer; Jerry Brundrett, County Surveyor; David Vyoral, Road Administrator; David Reid, Drainage Engineer; Lezlie Kirk, County Auditor; Gene Johnson, Airport Manager; Pam Heard, District Clerk; James Jackson, Director of Environmental Health; Bill Mills, Sheriff; Justin Cook, IT Director; Ginger Easton-Smith, Agricultural Agent; Kirsten Corda, Agricultural Agent; and Richard Thompson, Project Manager.

The Meeting was convened at 9:00 a.m. at which time a quorum was declared by County Judge Mills, WHEREUPON, the following proceedings were had and done to wit:

CITIZENS TO BE HEARD

There were none.

PRESENTATIONS

Ginger Easton-Smith, Agricultural Agent, gave a presentation on the A&H Show. Abigail Miller had the Grand Champion Turkey.

(Presentation inserted)

ITEMS FOR DELIBERATION AND/OR ACTION

MINUTES

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve the minutes of the Public Hearing, Regular Meeting and Special Meeting of February 11, 2013.

Question. Motion carried unanimously.

It is so ordered.

RESOLUTION - TCDRS FUNDS

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve Resolution #R-05-2013 opposing the passage of House Bill 958 which proposes to reduce the interest crediting rate on all TCDRS funds from 7% to 5%.

Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

RESOLUTION - GAMBLING IN TEXAS

Motion was made by Commissioner Chaney and seconded by Commissioner Stiles to approve Resolution #R-06-2013 in support of letting Texans decide gambling in Texas.

Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

RESOLUTION - SAFETY PLAN

Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve Resolution #R-07-2013 implementing County safety plan.

Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

RESOLUTION - PUBLIC INFORMATION ACT

Motion was made by Commissioner Smith and seconded by Commissioner Stiles to approve Resolution #R-08-2013 in support of new exemption under Government Code: "Telephone, Text, Email or other Electronic Communication Records of a law enforcement agency or officer are excepted from the requirements of Public Information Act unless compelled by Court Order or Grand Jury Subpoena."

Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

ARANSAS PATHWAYS - WORK PROGRAM YEAR 2013

Motion was made by Commissioner Smith and seconded by Commissioner Stiles to approve Aransas Pathways work program for calendar year 2013, projects list as amended, capital budget for calendar year 2013, and 2013 O&M budget.

Question. Motion carried unanimously.

It is so ordered.

(Projects inserted)

ARANSAS PATHWAYS SHELLCRETE PROJECT LEASE

Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve and authorize County Judge to sign Aransas Pathways Shellcrete Project Lease Agreement with the City of Rockport.

Question. Motion carried unanimously.

It is so ordered.

(Agreement inserted)

INTERLOCAL CONTRACT - LITTLE BAY WATER SAMPLING PROGRAM

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve and authorize County Judge to sign interlocal contract between City of Rockport, Aransas County, Aransas County Navigation District and University of Texas at Austin Marine Science Institute for Little Bay Water Sampling Program.

Question. Motion carried unanimously.

It is so ordered.

(Contract inserted)

FINAL REPLAT - BAY RETREAT SUBDIVISION, UNIT 1

Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve final replat of Lots 9-A and 9-B of Bay Retreat Subdivision, Unit 1.

Question. Motion carried unanimously.

It is so ordered.

CHIEF DEPUTY - COUNTY CLERK/COURTS

Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve creation of Chief Deputy - County Clerk/Courts position and setting of group pay level at a Group 16.

Question. Motion carried with Commissioner Chaney voting "no."

It is so ordered.

RURAL RAIL DISTRICT - MANDATORY ATTENDANCE

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve Rural Rail District change of mandatory attendance rules.

Question. Motion carried unanimously.

It is so ordered.

DAHILL - XEROX PHASER PRINTERS

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to table approval of proposed Dahill solution Print Management (new Xerox phaser printers) to allow time to discuss with Department Heads.

Question. Motion carried unanimously.

It is so ordered.

COUNTY COPIER MACHINES

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve replacement of County copier machines.

Question. Motion carried unanimously.

It is so ordered.

PUBLIC OFFICIAL BOND

Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve public official bond continuation certificates on Richard C. Thompson, Project Manager; Linda Garcia, County Judge's Executive Assistant; Marsha G. Ingram, Deputy Tax Assessor-Collector; Roger Carriere, Maintenance Supervisor; and Diane S. Garza, Custodia.

Question. Motion carried unanimously.

It is so ordered.

(Bonds inserted)

BUDGET LINE ITEM TRANSFERS

Motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve budget line item transfers presented by County Auditor Kirk.

Question. Motion carried unanimously.

It is so ordered.

(Transfers inserted)

ACCOUNTS PAYABLE

Motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve the accounts payable presented by County Auditor.

Question. Motion carried unanimously.

It is so ordered.

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

Commissioner Chaney reported from the Conference in Austin that the Water Board has had no changes since the 1900's. He stated that water is the number one resource to protect but the Board has no concern for what is sent to the Gulf of Mexico. Commissioner Smith stated they consider local water issues - local issues - not the State's problem.

Judge Mills reported the Rockport-Fulton Choir did an excellent job singing at the Aransas County Days.

Sheriff Mills stated the Governor reported Aransas County met the 90% reporting requirement to be eligible for grants. He also reported the negotiations with the Feds for housing of federal prisoners has been approved.

Commissioner Smith as liaison to the Aransas County Navigation District reported the ACND, at the Republican meeting on Thursday, stated they had a profit of \$251,772.00 for 2012. However, Commissioner Smith pointed out without ad valorem taxes they would

actually have a deficit. His opinion was saying they had a profit was completely absurd.

REPORTS ABOUT ITEMS OF COMMUNITY INTEREST

PRESS QUESTIONS

Norma Martinez with The Rockport Pilot stated Commissioner Smith made quite a statement in Austin when he backed into a freshly painted wall.

Nadia Camez with the Caller-Times asked what the Little Bay Water Sampling Program was. Commissioner Smith stated there will be monitors in the bay.

Ms. Camez also asked if the Court would support gambling in the state. Commissioner Smith replied the Court is just supporting the resolution to let the citizens of the state decide.

No further business presenting, the Court adjourned on a motion made by Commissioner Smith duly seconded by Commissioner Casterline.

C. H. "Burt" Mills, Jr. COUNTY JUDGE

PEGGY L. FRIEBELE, COUNTY CLERK &
EX-OFFICIO CLERK OF THE
COMMISSIONERS' COURT