

MINUTES OF THE

COMMISSIONERS' COURT

PUBLIC HEARING - FEBRUARY 1, 2010

On the 1st day of February, 2010, there was a Public Hearing of the Commissioners' 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; Howard Murph, Commissioner Precinct 4; and Peggy L. Friebele, County Clerk.

Other County Officers present were David Vyoral, Road Administrator; and David Reid, Drainage Engineer

The Meeting was convened at 6:00 p.m. at which time a quorum was declared by Judge Mills, WHEREUPON, the following proceedings were had and done to wit:

Judge Mills announced the purpose of the public hearing was to receive public comments regarding an assessment for road improvement on 1700 feet of the easternmost section of Adolfo Road as prescribed under Section 253.005 of the Texas Transportation Code.

Only seven (7) of the twenty-five (25) affected homeowners were present for the meeting.

Road Administrator Vyoral stated he had a meeting with residents five or six months ago to discuss solutions to Adolfo Road. There are two (2) possibilities -- an assessment or the 1/3 - 2/3 policy with the County paying 1/3 and residents paying 2/3. Mr. Vyoral stated an assessment is the most likely course to take. He went on to say that Jay Kelsey sold most of these lots on a contract for deed. The Transportation Code requires ballots to be sent out to the record owner. Mr. Kelsey told Mr. Vyoral he was in favor of the assessment but did not know how he would get his money back. County Attorney Richard Bianchi suggested Mr. Kelsey transfer the property to the persons under the contract deed. This has been accomplished on all but two tracts of land.

Commissioner Chaney stated there is a difference in the size of the lots and suggested the assessment be made by parcel and not linear foot. Mr. Vyoral informed the group there are 1830 linear feet and the cost is estimated at \$92,000.00 with each parcel costing \$3,680.00 with a five year payback at \$736.00 per year.

Mr. Vyoral also stated drainage in the area is another concern. There is only forty foot of right-of-way. To have a good road with good drainage sixty feet of right-of-way is needed.

February 1, 2010

Commissioner Smith suggested drainage needs to be addressed at the same time as putting in a good road. He asked Mr. Vyoral how high the road would be and Mr. Vyoral stated 6" above its current location. Resident Peggy Moore read a prepared statement to the Court. She noted her statement started with four (4) pages but she narrowed it down to one (1) page. She told the Commissioners that all the residents have water on their property - sometimes more than other. Both Elsie Gypsie Leckbee and Sherelia Serfine told the Court they just wanted the road fixed.

One of the residents present stated only two persons were against the assessment because they did not have the funds to pay. Mr. Vyoral stated the Transportation Code calls for a simple majority in favor to go forward. Each property will have a culvert and a driveway that is already figured in the cost. If they have two driveways at present, they will get two driveways. Ms. Moore complained that she should not have to pay as much as someone who gets two driveways but Mr. Vyoral told Ms. Moore her driveway will cost \$500.00 because it requires a box culvert.

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

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

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