

MINUTES OF THE
COMMISSIONERS' COURT
REGULAR MEETING - FEBRUARY 14, 2011

On the 14th day of February, 2011, 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; Charles Smith, Commissioner, Precinct 3; Howard Murph, Commissioner, Precinct 4; and Peggy L. Friebele, County Clerk.

Other County Officers present were Richard P. Bianchi, County Attorney; Lezlie Kirk, County Auditor; Gene Johnson, Airport Manager; David Vyoral, Road Administrator; James Jackson, Environmental Health; Pam Heard, District Clerk; Dee Oliver, County Treasurer; Patrick Flanigan, District Attorney; and Bill Mills, Sheriff.

The Meeting was convened at 2:00 p.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

No citizens registered to speak before the Court.

MINUTES

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve the minutes of the Regular Meeting held January 26, 2011.

Question. Motion carried unanimously.

It is so ordered.

HISTORICAL COMMISSION - HERITAGE SIGN

Motion was made by Commissioner Smith and seconded by Commissioner Murph to grant permission for Aransas County Historical Commission to place/install heritage sign with photo of the "old" courthouse on the premises of the present courthouse.

Question. Motion carried unanimously.

It is so ordered.

PRESENTATION - ACISD

Dr. Neva Kelly of the Aransas County Independent School District gave a presentation on the "Connecting Schools to Work Tas Force" Program. The purpose of the presentation was to request Aransas County to participate. Dr. Kelly gave the Court a proposed letter to use for offering the Court's support.

(Program inserted)

CHAMBER REPORT - HOTEL OCCUPANCY TAX FUNDS EXPENDED

Diane Probst, Director of Rockport-Fulton Chamber of Commerce, gave a report on the 4th Quarter 2010 hotel occupancy tax funds expended.

(Report inserted)

FORFEITURE FUND BUDGET 2011 - DISTRICT ATTORNEY

District Attorney Pat Flanigan presented the 2011 budgets for the forfeiture fund and hot check fund.

(Budgets inserted)

LEGISLATIVE REQUEST - "VENUE"

Motion was made by Commissioner Smith and seconded by Commissioner Murph to approve requesting Senator Glenn Hegar and Representative Todd Hunter to introduce and work diligently for passage of legislation amending Local Government Code Sec. 334.0083 to clarify the definition of "venue."

Question. Motion carried unanimously.

It is so ordered.

(Proposed legislation inserted)

LEGISLATIVE REQUEST - HOTEL-MOTEL TAX CLARIFICATION

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve requesting Senator Glenn Hegar and Representative Todd Hunter to introduce and work diligently for passage of legislation amending Tax Code Sec. 352.1033 to clarify appropriate uses of hotel-motel taxes.

Question. Motion carried unanimously.

It is so ordered.

(Proposed legislation inserted)

LEGISLATIVE REQUEST - ROAD IMPROVEMENT ASSESSMENT

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve requesting Senator Glenn Hegar and Representative Todd Hunter to sponsor legislation amending Transportation Code to require the payment of interest on a road improvement assessment

Question. Motion carried unanimously.

It is so ordered.

(Proposed legislation inserted)

RESOLUTION - "A TOURIST DEVELOPMENT AREA"

Motion was made by Commissioner Smith and seconded by Commissioner

Murph to approve Resolution #R01-2011 regarding the declaration of "A Tourist Development Area."

Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

ELECTION JUDGE - PRECINCT 3

Motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve appointment of Melva P. "Pinky" Gonzalez as Presiding Judge of Precinct 3 for a term ending July 31, 2011, replacing Asa Yeamans who passed away.

Question. Motion carried unanimously.

It is so ordered.

PRECINCT 4 - POLLING PLACE MOVE

Motion was made by Commissioner Chaney and seconded by Commissioner Murph to authorize County Clerk to apply to the Justice Department to move the Precinct 4 Polling Place from Paws and Taws Convention Center to Fulton 4-5 Learning Center.

Question. Motion carried unanimously.

It is so ordered.

TRANSFER STATION - SERVICE CONTRACT

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to table authorizing the Transfer Station to enter into a service contract with Liberty Tire Recycling for the transporting and disposing of tires.

Question. Motion carried unanimously.

It is so ordered.

BIDS - MOSQUITO CONTROL CHEMICALS

Motion was made by Commissioner Smith and seconded by Commissioner Murph to approve going out for bids for mosquito control chemicals.

Question. Motion carried unanimously.

It is so ordered.

PART-TIME CASHIER - TRANSFER STATION

Motion was made by Commissioner Chaney and seconded by Commissioner Murph to approve request of Environmental Health Director to fill a budgeted vacant part-time cashier for the Transfer Station.

Question. Motion carried unanimously.

It is so ordered.

PARALEGAL - COUNTY ATTORNEY

Motion was made by Commissioner Smith and seconded by Commissioner Murph to approve request of County Attorney to fill a budgeted vacant paralegal position.

Question. Motion carried unanimously.

It is so ordered.

LIVE OAK TREE ORDINANCE #01-2010 - AMENDMENTS

Motion was made by Commissioner Murph and seconded by Commissioner Smith to pass on approval of amendments to Live Oak Tree Ordinance #01-2010 and setting the effective date.

Question. Motion carried unanimously.

It is so ordered.

MITIGATION SURVEY - CEDAR BAYOU

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to authorize expenditure of up to \$13,500.00 from the General Fund to Belaire Environmental for mitigation survey of Cedar Bayou as last requested from Corps of Engineers. Judge Mills stated that Belaire let know that it would actually be another \$3,000.00 he would present for approval at another meeting.

Question. Motion carried unanimously.

It is so ordered.

(Work plan summary inserted)

COMMUNITY SERVICES BLOCK GRANT CONTRACT YEAR 2011

Motion was made by Commissioner Smith and seconded by Commissioner Murph to approve community services block grant contract year 2011 for Aransas County as subcontractor with Bee Community Action Agency as contractor, and to authorize County Judge to sign the same.

Question. Motion carried unanimously.

It is so ordered.

(Contract inserted)

VARIABLE ANNUITY LIFE INSURANCE COMPANY - AMENDATORY

ENDORSEMENT

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve the Variable Annuity Life Insurance Company (VALIC) Amendatory Endorsement to Aransas County's group contract.

Question. Motion carried unanimously.

It is so ordered.

(Endorsement inserted)

OFFICIAL BONDS

Motion was made by Commissioner Murph and seconded by Commissioner Smith to approve public bond continuation certificates on Bonita Sweo and Melissa Rogers, Deputy District Clerks; Collin Jackson, Sr. IT Technician; Lawrence A. Jones, County Sanitarian; Linda Garcia, Executive Assistant and Shannon Heuerman, Administrative Secretary/County Judge's Office; Roger Carriere, Maintenance Supervisor, Kurt Olcheski, Custodian/Assistant Maintenance Supervisor and Diana S. Garza, Custodian.

Question. Motion carried unanimously.

It is so ordered.

(Bonds Inserted)

CORRECTED COUNTY TREASURER'S REPORT - DECEMBER 2010

Motion was made by Commissioner Smith and seconded by Commissioner Murph to approve corrected County Treasurer's Report for the month of December 2010.

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

COUNTY TREASURER'S REPORT - JANUARY 2011

Motion was made by Commissioner Smith and seconded by Commissioner Murph to approve County Treasurer's Report for the month of January 2011.

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

COUNTY TREASURER'S QUARTERLY REPORT

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve the County Treasurer's Quarterly Report for the 4th Quarter period ending December 31, 2010.

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

INDIGENT HEALTH CARE COSTS - JANUARY 2011

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve indigent health care report for January 2011.

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

BUDGET LINE ITEM TRANSFERS

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

Question. Motion carried unanimously.

It is so ordered.

(Transfers inserted)

ACCOUNTS PAYABLE

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

Question. Motion carried unanimously.

It is so ordered.

FEE REPORT

County Auditor Kirk read fee reports received from Justice of the Peace, Precincts 1 and 2, District Clerk, County Clerk and Sheriff for the month of January 2011.

(Report inserted)

PRESS QUESTIONS

Norma Martinez with The Rockport Pilot questioned items 6, 7 and 8 on the agenda concerning Legislative action--was there already a draft presented to the Legislative Council prior to this action? Commissioner Smith replied there was but the Council needed some clarification and returned them to the Court.

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

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

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