

MINUTES OF THE
COMMISSIONERS' COURT
REGULAR MEETING - MARCH 30, 2011

On the 30th day of March, 2011, there was a Regular Meeting 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 Richard P. Bianchi, County Attorney; Lezlie Kirk, County Auditor; Jerry Brundrett, County Surveyor; James Jackson, Environmental Health Director; Dee A. Oliver, County Treasurer; David Vyoral, Road Administrator; David Reid, Drainage Engineer; Pam Heard, District Clerk; Bill Mills, Sheriff; Gene Johnson, Airport Manager; Amy O'Brien Glenn and Ginger Easton Smith, Agricultural Extension Agents.

The Meeting was convened at 2:00 p.m. at which time a quorum was declared by Judge Mills, WHEREUPON, the following proceedings were had and done to wit:

CITIZENS TO BE HEARD

John Moore, a retired CPA from City by the Sea, thanked the Court for their support in the Subdivision's fight against annexation.

MINUTES

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve the minutes of the Regular Meeting of March 14, 2011.

Question. Motion carried unanimously.

It is so ordered.

WORKFORCE SOLUTIONS - SPONSORSHIP

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve request from Workforce Solutions of the Coastal Bend to sponsor six (6) Aransas County Youth to the 5th Annual Texas Foster Youth and Leadership Conference on April 29-30, 2011 in Corpus Christi in an amount not to exceed \$200.00 each to paid from the General Fund.

Question. Motion carried unanimously.

It is so ordered.

REPORT - TEXAS MARITIME MUSEUM ASSOCIATION

Kathy Roberts-Douglas, CEO of the Texas Maritime Museum, presented a report on the Annual and 4th Quarter 2010 hotel-

motel occupancy tax funds expended. Ms. Roberts-Douglas asked the Court for a clarification of what reporting is expected of the Maritime Museum.

(Report inserted)

REPORT - ROCKPORT CENTER FOR THE ARTS

Beverly Trifonidis, Executive Director of Rockport Center for the Arts, presented a report on the Annual and 4th Quarter 2010 hotel-motel occupancy tax funds expended.

(Report inserted)

RESOLUTION - WORKFORCE INVESTMENT ACT FUNDING

Motion was made by Commissioner Smith and seconded by Commissioner Murph to approve Resolution #R12-011, a resolution Aransas County opposing the elimination of Workforce Investment Act Funding for our region, the State of Texas, and the United States.

Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

PROCLAMATION - SEXUAL ASSAULT AWARENESS MONTH

Motion was made by Commissioner Chaney and seconded by Commissioner Murph to approve Proclamation #P01-2011 declaring the month of April 2011 as Sexual Assault Awareness and Prevention month in Aransas County.

Question. Motion carried unanimously.

It is so ordered.

(Proclamation inserted)

FY 2009 NON-POINT SOURCE POLLUTION GRANT

Motion was made by Commissioner Smith and seconded by Commissioner Murph to authorize the submission of an amendment to the County's FY 2009 Non-Point Source Pollution Grant funded through the U.S. Environmental Protection Agency. Question. Motion carried unanimously.

It is so ordered.

(Amendment inserted)

VENUE TAX REVENUE BONDS

Motion was made by Commissioner Smith and seconded by Commissioner Murph to pass on authorization of issuance of

\$225,000.00 venue tax revenue bonds for Rockport Aquarium's Education Center approved in May 2010 election.

Question. Motion carried unanimously.

It is so ordered.

ARCHITECT - AQUARIUM EDUCATION CENTER

Motion was made by Commissioner Smith and seconded by Commissioner Murph to table approval of contract with Dykema Architect, Inc. for design and management construction of Aquarium Education Center to be paid for with venue tax or with venue tax bonds.

Question. Motion carried unanimously.

It is so ordered.

MANAGEMENT CONTRACT - AQUARIUM EDUCATION CENTER

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to table approval of the management contract with Aquarium at Rockport Harbor, Inc. for the Aquarium Education Center.

Question. Motion carried unanimously.

It is so ordered.

(Contract inserted)

PART-TIME ATTENDANT - TRANSFER STATION

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

Question. Motion carried unanimously.

It is so ordered.

FEES - TREE ORDINANCE PERMIT

Motion was made by Commissioner Murph and seconded by Commissioner Smith to approve a \$50.00 fee plus \$25.00 per acre for Tree Ordinance permit.

Question. Motion carried unanimously.

It is so ordered.

BIDS - MOSQUITO CONTROL

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to award bids for mosquito control chemicals to low bidders per Director of Environmental Health's recommendation.

Question. Motion carried unanimously.

It is so ordered.

(Bids inserted)

MITIGATION SURVEY - CEDAR BAYOU

Motion was made by Commissioner Murph and seconded by Commissioner Casterline to approve final expenditure of \$3,000.00 to Belaire Environmental for the mitigation survey of Cedar Bayou.

Question. Motion carried unanimously.

It is so ordered.

FEDEX - DROP-OFF/PICK-UP BOX AT COURTHOUSE

Motion was made by Commissioner Murph and seconded by Commissioner Chaney to approve Aransas County entering into an agreement/contract with Fedex to place a drop-off/pick-up box in front of the County Courthouse subject to review by County Attorney.

Question. Motion carried unanimously.

It is so ordered.

COUNCIL ON AGING - APPOINTMENT

Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve appointment of Elizabeth "Liz" McGee to the Advisory Council on Aging (ACOA) of the Coastal Bend Council of Governments (COGS) to fill the current vacancy from Aransas County.

Question. Motion carried unanimously.

It is so ordered.

(Confirmation inserted)

RIGHT-OF-WAY CLEARANCE

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to grant permission to Jim Rocha to clear a section of Traylor and Hood Street right-of-way off of Corpus Christi Street to gain access to his property contingent on Mr. Rocha disposing of the brush.

Question. Motion carried unanimously.

It is so ordered.

CONTRACT - AGRILIFE EXTENSION BUILDING

Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve contract with Abeco Contracting, Inc. for construction of the new Agrilife Extension Building and to authorize County Judge to sign the same.

Commissioner Smith asked the Agricultural Agents if they had seen the proposed changes to the contract and was informed they had not.

Commissioner Chaney withdrew his motion to allow time for the

Agricultural Agents to review the proposed changes. Commissioner Chaney stated the Court had consistently requested the architect to make sure the Agents who would be using the building were aware of any changes prior to bringing the item to Court for approval.

CULVERTS - INTERSECTION OF 16TH STREET AND FORTH WORTH

Motion was made by Commissioner Chaney and seconded by Commissioner Smith to disapprove partnering with the City of Rockport for the installation of culverts at the intersection of 16th Street and Fort Worth Street and approve required funding. Question. Motion carried unanimously.

It is so ordered.

AMENDMENT - NATIONWIDE RETIREMENT PLAN

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve 2011 restated plan summary amendment to existing Nationwide Retirement Plan and to authorize County Judge to sign the same.

Question. Motion carried unanimously.

It is so ordered.

(Amendment inserted)

REPORT - BLOCK GRANT PROGRAM

County Treasurer Oliver gave a report on the Texas Department of Housing and Community Affairs Services Block Grant Program Special and Innovative Projects. The County will receive \$7,500.00 which will be spent on 250 families for plants. The Agricultural Agents have been working with the County Treasurer on this project.

(Report inserted)

DEPOSITORY CONTRACT COMMITTEE

Commissioner Smith told the Court that Bob Henderson volunteered to be on this committee. Mr. Henderson is the County's financial adviser and a County resident.

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to appoint Judge Mills, Treasurer Oliver, Deputy Treasurers Alma Cartwright and Cris Staley, County Auditor Kirk, County Attorney Bianchi and Bob Henderson to the Depository Contract Committee for the purpose of reviewing the request for proposals (RFPs) from banks and make a recommendation to Commissioners' Court.

Question. Motion carried unanimously.

It is so ordered.

RESOLUTION - COUNTY INVESTMENT POLICY

Motion was made by Commissioner Smith and seconded by Commissioner Murph to approve Resolution #R-13-2011 adopting County Investment Policy as reviewed.

Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

RESOLUTION - COUNTY INVESTMENT OFFICER

Motion was made by Commissioner Smith and seconded by Commissioner Murph to approve Resolution #R-14-2011 appointing County Investment Officer.

Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

PUBLIC OFFICIAL BOND

Motion was made by Commissioner Murph and seconded by Commissioner Smith to approve public official bond on Bobbie J McLester, Deputy Tax Assessor-Collector.

Question. Motion carried unanimously.

It is so ordered.

(Bond inserted)

CERTIFICATE OF CONTINUING EDUCATION

Judge Mills presented for recording in Commissioners' Court minutes Certificate of Completion to Advanced Purchasing Law Continuing Education Program held March 10-11, 2011 in Austin, Texas for Shannon Heuerman, Administrative Secretary/County Judge's Office from the University of Texas at Austin Lyndon B Johnson School of Public Affairs.

(Certificate inserted)

CERTIFICATE OF CONTINUING EDUCATION

Judge Mills presented for recording in Commissioners' Court minutes Certificate of Completion of 2010 Continuing Education requirements for Jack Chaney, County Commissioner, Precinct 1, from the County Judges and Commissioners Association of Texas.

(Certificate inserted)

CERTIFICATE OF CONTINUING EDUCATION

Judge Mills presented for recording in Commissioners' Court

minutes Certificate of Completion from the V. G. Young Institute of County Government to the New County Treasurer's Orientation held January 26-28, 2011 in College Station Texas for Dee A. Oliver.

(Certificate inserted)

CERTIFICATE OF ATTENDANCE

Judge Mills presented for recording in Commissioners' Court minutes Certificate of Attendance from Bickerstaff Heath Delgado Acosta LLP for Dee A. Oliver, County Treasurer, for Open Meetings Act and Public Information Act.

(Certificate inserted)

CONTRACT - AGRILIFE EXTENSION BUILDING

After review of changes by the Agricultural Agents, motion was made by Commissioner Murph and seconded by Commissioner Casterline to approve contract with Abeco Contracting, Inc. for construction of the new Agrilife Extension Building and to authorize County Judge to sign the same.

Question. Motion carried unanimously.

It is so ordered.

BUDGET LINE ITEM TRANSFERS

There were no budget line item transfers presented by County Auditor Kirk.

ACCOUNTS PAYABLE

Motion was made by Commissioner Smith and seconded by Commissioner Murph to approve the accounts payable.

Question. Motion carried unanimously.

It is so ordered.

FEE REPORTS

This item was inadvertently placed on the agenda.

PRESS QUESTIONS

There were no press questions.

The Court entered into closed session at 2:57 p. m. as authorized by Texas Government Code Section 551.072 to discuss real estate negotiations pertinent to the new County courthouse project; and resumed Open Meeting at 3:13 p.m. with all members present, and further proceedings were had and done to wit:

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

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

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