

MINUTES OF THE
COMMISSIONERS' COURT

SPECIAL MEETING - JUNE 30, 2010

On the 30th day of June, 2010, there was a Special 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 June Gregory, Chief Deputy, County Clerk.

Other County Officers present were Richard P. Bianchi, County Attorney; Dee Oliver, County Treasurer; Lezlie Kirk, County Auditor; Jerry Brundrett, County Surveyor; Gene Johnson, Airport Manager; David Vyoral, Road Administrator; Bill Mills, Sheriff; Pam Heard, District Clerk; David Reid, Drainage Engineer; Jeri Cox, Tax Assessor/Collector and James Jackson, Environmental Health.

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:

MINUTES

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve the minutes of the Regular Meeting of June 14, 2010.

Question. Motion carried unanimously.

It is so ordered.

CITIZENS TO BE HEARD

Mr. Larry Churn representative from Charlie's Place, Corpus Christi, Texas stated that the State has cut funding for Aransas County and other surrounding counties. Mr. Churn stated he can come back next month for further discussion on funding for this program. The present funding will not stop for several months.

(Public participation form inserted)

PRESENTATION - TEXAS DEPARTMENT OF TRANSPORTATION

Bill Reitmann, area engineer of TxDOT presented the 2011-2014 year transportation improvement program for Aransas County. TXDOT is asking for public comments and suggestions on area transportation needs. After review of the suggestions the Corpus Christi District will submit their plan to Austin to be included in the State transportation plan. Plans could be changed per public opinion, design changes, environmental concerns and availability of federal funds. The replacement of the Copano Bay causeway is going forward, but the State is still waiting on environmental studies. Construction on the causeway may begin late spring 2011.

(See presentation inserted)

CATTLE GUARD - MYRTLE AVENUE

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve request of Mr. Charles Roark of 3220 Myrtle Avenue to install a cattle guard in the right-of-way of Mohawk Road, a grade 3 County Road.

Question. Motion carried unanimously.

It is so ordered.

ENGINEERING SERVICES AGREEMENT - NAISMITH

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve Naismith Engineering, Inc., engineering services agreement work authorization No. 3 for the final phase of the Aransas County Regional Stormwater Management Plan and to authorize a maximum amount payable for fees and expenses of \$244,575.00.

Question. Motion carried unanimously.

It is so ordered.

(Work authorization inserted)

FINAL APPROVAL OF THE BOARDWALK AT ST. CHARLES BAY

Motion was made by Commissioner Chaney and seconded by Commissioner Smith to give final approval of The Boardwalk at St. Charles Bay replat of Reserve A & B, Block 1, Lots 1-9 subject to resolution of pending issues as listed in letter from Drainage Engineer, David Reid to Paul L. Lippke, P.E.

Question. Motion passed with Commissioner Murph voting no.

It is so ordered.

(See attached copy of letter)

RESOLUTION - COASTAL BEND COUNCIL OF GOVERNMENTS

Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve Resolution #R10-10 authorizing the filing of a grant application with Coastal Bend Council of Governments (COGS) for a regional solid waste grants program grant and to authorize James S. Jackson, Director of Environmental Health to act on behalf of Aransas County in all matters related to the application.

Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

REPORT - TRANSFER STATION STATUS

James Jackson, Director of Environmental Health, reported on the status of operations at the Transfer Station. Mr. Jackson has applied for a grant of \$20,000.00 for brush grinding. Commissioner Chaney requested a report on the transfer station card program.

(Report Inserted)

COASTAL IMPACT ASSISTANCE PROGRAM - GOMESA FUNDS

Motion was made by Commissioner Murph and seconded by Commissioner Chaney to approve paying the ACISD and UT Marine Science Institute invoices for the Coastal Impact Assistance Program (CIAP) with Gomesa funds. This vote was after discussion on the two grants. The commissioners' questioned who authorized the two entities to go ahead with the education projects without the funding being in hand. The county has already paid one \$10,000.00 invoice with Gomesa funds instead of CIAP funds according to Auditor Kirk. There are two invoices pending in the amount of \$12,000.00. Mr. Greg Harlan, grant writer, explained he gave permission to go ahead with the Science and the Sea Project for the school year of 2009-2010. The second year of the project has been suspended pending CIAP funding. The second year of the program will be continued when the CIAP funds are received. The commissioners concluded they should not fund projects without the funding being in place.

Question. Motion carried unanimously.

It is so ordered.

RESOLUTION - VENUE TAX

Motion was made by Commissioner Murph and seconded by Commissioner Smith to table this motion to approve a Resolution establishing a venue tax fund, a start date for collection of venue tax, the venue tax rate, and collection procedures.

Question. Motion carried unanimously.

It is so ordered.

INDIGENT HEALTH CARE INCOME STANDARD

Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve rescinding Court's June 14th approval of changing the indigent health care income standard from the 50% Federal poverty guideline (FPG) approved September 1, 2008, to the minimum income standard of 21% FPG to be effective September 1, 2010.

Question. Motion carried unanimously.

It is so ordered.

INDIGENT HEALTH CARE INCOME STANDARD

Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve changing the indigent health care income standard from the 50% Federal poverty guideline (FPG) approved September 1, 2008, to the minimum income standard of 21% FPG to be effective July 1, 2010.

Question. Motion carried unanimously.

It is so ordered.

BUDGET LINE ITEM TRANSFERS

This motion was passed by the Court as County Auditor Kirk was not ready to present budget line item transfers to the Court. The transfers will be presented at the next meeting.

ACCOUNTS PAYABLE

Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve the accounts payable.

Question. Motion carried unanimously.

It is so ordered.

2010 BUDGET DISCUSSION

County Auditor Kirk led a lively discussion of the 2010 budget. Ms. Kirk stated that sales tax collection is 13% up compared with June, 2009. The weigh station collections are up slightly. She predicts the jail will show a profit, however total county income will still be below budget. Commissioner Smith asked about expenditures for the second weigh station. Ms. Kirk stated that the only expense was for the wages on the second officer for the months of March through May. There is no construction expense. Discussion was held on the employees who leave the county and their budgeted payroll being used by department heads to give other personnel a raise or step increase, thus creating a budgeting problem. Jeri Cox, Tax-Collector stated that collections for 2009 are at 94.45% through June 29, 2010.

(Budget information inserted)

PERSONNEL POLICY CHANGE

Motion to table was made by Commissioner Smith and seconded by Commissioner Murph after discussion between the Court and the Auditor. The motion was for immediate change in the County Personnel Policy regarding any remaining attrition from vacant budgeted job positions pending further discussion.

Question. Motion carried unanimously.

It is so ordered.

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