

MINUTES OF THE
COMMISSIONERS' COURT

REGULAR MEETING - JULY 11, 2011

On the 11th day of July, 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; Leslie "Bubba" Casterline, Commissioner, Precinct 2; Charles Smith, Commissioner, Precinct 3; Russel Cole, Commissioner, Precinct 4; and Peggy L. Friebele, County Clerk.

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

Judge Mills welcomed Commissioner Russel Cole to the Commissioners' Court.

MINUTES

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve the minutes of the Public Hearing and Regular Meeting held June 29, 2011.

Question. Motion carried unanimously.

It is so ordered.

REPORT - ROCKPORT ART ASSOCIATION, INC.

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve report of Rockport Art Association, Inc., First Quarter 2011 hotel occupancy tax funds expended.

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

REPORT - TEXAS MARITIME MUSEUM, INC.

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve report of Texas Maritime Museum, Inc., Second Quarter 2011 hotel occupancy tax funds expended.

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

RESOLUTION - RURAL RAIL TRANSPORTATION DISTRICT

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve Resolution #R23-2011 creating a rural rail transportation district.

Question. Motion carried unanimously.

It is so ordered.

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve appointing Jim Paxton, Jimmy Kendrick, John Liberti and Merlin Hartdegen to a two-year term as board of directors for the Aransas County Rural Rail Transportation District.

(Resolution inserted)

RESOLUTION - ARANSAS PATHWAYS STEERING COMMITTEE

Motion was made by Commissioner Smith and seconded by Commissioner Cole to approve Resolution #R24-2011 establishing an Aransas Pathways Steering Committee.

Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

DRAINAGE EASEMENT - COPANO COVE SUBDIVISION

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve release of 15' wide drainage easement in Copano Cove Subdivision to Lawrence Taft and wife, Patricia Kay Taft.

Question. Motion carried unanimously.

It is so ordered.

(Release inserted)

DRAINAGE EASEMENT - COPANO COVE SUBDIVISION

Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve acceptance of a 12' wide drainage easement in Copano Cove Subdivision from Mr. and Mrs. Lawrence Taft.

Question. Motion carried unanimously.

It is so ordered.

(Easement inserted)

APPOINTMENT - ELECTION JUDGES AND ALTERNATES

Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve order appointing Election Judges

and Alternates effective August 1, 2011 for a two-year term.

Question. Motion carried unanimously.

It is so ordered.

(Order inserted)

HOLIDAY SCHEDULES FY 2012 - REGULAR EMPLOYEES

Sheriff Mills expressed his concern regarding two vacation schedules for County employees - one for regular employees and one for Transfer Station employees. Commissioner Casterline noted Sheriff Mills was actually addressing the next item on the agenda and not the regular employees holiday schedule.

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve holiday schedules for FY 2012 for regular Aransas County employees.

Question. Motion carried unanimously.

It is so ordered.

(Schedule inserted)

HOLIDAY SCHEDULES FY 2012 - TRANSFER STATION EMPLOYEES

Motion was made by Commissioner Chaney to approve the FY 2012 holiday schedule for the Transfer Station employees. After much discussion on why the Transfer Station employees needed a separate holiday schedule, Commissioner Chaney withdrew his motion and Commissioner Smith moved and Commissioner Chaney seconded a motion to approve the holiday schedule for FY 2012 for Transfer Station employees that includes only two Saturdays off.

Question. Motion carried unanimously.

It is so ordered.

(Schedule inserted)

OFFICIAL BOND

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve public official bond on Lucia E. Bazan, Deputy County Clerk; and bond continuation certificate on Justin D. Cook, IT Director.

Question. Motion carried unanimously.

It is so ordered.

(Bonds inserted)

REVENUE SHARING - REFUGE

After discussion as to whether the distribution allocations were correct, motion was made by Commissioner Casterline and seconded by Commissioner Chaney to table approval of distribution of \$102,716.00 of U.S. Fish and Wildlife Service Refuge Revenue Sharing Act annual payments to local governments for lands under their administration for fiscal year 2010 received in 2011 for further review.

Question. Motion carried unanimously.

It is so ordered.

COUNTY TREASURER'S REPORT - JUNE 2011

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

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

INDIGENT HEALTH CARE COSTS - JUNE 2011

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve indigent health care report for June 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 Chaney to approve budget line item transfer as presented by County Auditor Kirk.

Question. Motion carried unanimously.

It is so ordered.

(Transfer inserted)

ACCOUNTS PAYABLE

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve the accounts payable presented by County Auditor including TAC unemployment deficit bill in the amount of \$11,741.66.

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 June 2011.

(Report inserted)

PRELIMINARY 2012 BUDGET

County Auditor Kirk presented a preliminary 2012 budget that included the "wish list" elected officials and department heads had submitted - no salaries were included. Ms. Kirk presented several handouts to the Commissioners. Commissioner Smith noted an error on one handout that Ms. Kirk said she would fix. Ms. Kirk stated she should have certified tax rolls by the first meeting in August. Two budget workshops will be held.

(Reports inserted)

REPORTS ABOUT ITEMS OF COMMUNITY INTEREST

Judge Mills stated he had not received news on Cedar Bayou. Commissioner Chaney stated the Poinciana drainage meeting was excellent and suggested the next community meeting be held in the courtroom. District Clerk Heard stated she would be handling things different in her office if her IT needs were still in her budget.

PRESS QUESTIONS

Norma Martinez with The Rockport Pilot asked who the members of the Rural Rail Transportation District were. Judge Mills read the names - Jim Paxton, Jimmy Kendrick, John Liberti, and Merlin Hartdegen.

Ms. Martinez also asked the Court was approving the Transfer Station holding schedule she gave them which included only two Saturdays; the reply was "yes."

The Court entered into closed session at 3:42 p. m. as authorized by Texas Government Code Section 551.071 to discuss real estate negotiations regarding the new courthouse project; Section 551.072 to discuss and review current litigation issues; and Section 551.074(a)(1) to discuss (1) appointment and duties of new County Treasurer and (2) duties and compensation of the County Engineer and returned to Open Session at 4:35 p.m. with all members present, and further proceedings were had and done to wit:

July 11, 2011

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve purchase of 301 N. Magnolia being Lots 1 and 2 and S 28' of Lot 3, Block 16, Smith and Wood Subdivision at a cost of \$195,000.00 plus closing costs and moving expenses with the total not to exceed \$200,000.00 plus a 45 day lease at \$300.00 per month.

Question. Motion carried unanimously.

It is so ordered.

Motion was made by Commissioner Cole and seconded by Commissioner Chaney to appoint Alma Cartwright as the new County Treasurer effective August 1, 2011.

Question. Motion carried with Commissioner Casterline abstaining.

It is so ordered.

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

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

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