

MINUTES OF THE

COMMISSIONERS' COURT

REGULAR MEETING - SEPTEMBER 12, 2016

On the 12th day of September, 2016, 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; **Betty Stiles**, Commissioner, Precinct 4; and **Valerie K. Amason**, County Clerk.

Other County Officers present were **Jerry Brundrett**, County Surveyor; **Kristen Barnebey**, County Attorney; **Alma Cartwright**, Treasurer; **Pam Heard**, District Clerk; **Jeri Cox**, Tax Assessor-Collector; **Lezlie Kirk**, County Auditor; **Bill Mills**, Sheriff; **Linda Garcia**, Executive Assistant to the County Judge; **Suzy Wallace**; 1st Assistant County Auditor; **David Reid**, Road Administrator/Drainage Engineer/Stormwater Management Engineer; **Timilu Latham**; Chief Deputy County Treasurer; **Collin Jackson**, IT Director; **Russ Walker**, IT Tech; **Pat Rousseau**, Human Resources Director; **Michael Geer**, Airport Manager; **Valerie Gonzalez**, Interim Environmental Health Director; **John Strothman**, Pathways Project Manager; **Ronell Burke**, Chief Animal Control Officer;

Members of Local City Government, Community Groups and other Interested Parties present were **David Mendez** and **Thomas M. Pollan**, Attorneys with Bickerstaff Heath Delgado Acosta, LLP; **C. J. Wax**, Mayor, City of Rockport; **Barbara Gurtner**, Ward 4 City Council Member; County **Pam Stranahan**, President of Friends of the History Center for Aransas County; **Brian Olsen**, Unopposed

Candidate for Precinct 3 Commissioner in upcoming 2016 General Election; **Norma Martinez**, Managing Editor of the Rockport Pilot Newspaper; and **Thea Edmundson**, Resident;

The Meeting was convened at **9:00 a.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

Kathy Noble, President of the Rockport/Fulton Humane Society, addressed the court stating that she was shocked and disappointed that the court denied her request for support. She went on to say that the Humane Society has provided a vital service to the community for over twelve years and that the efforts to control pet population requires continued support from the County in the requested amount of \$35,400, which represents .2% of the budgeted \$16 million.

PRESENTATIONS

There were none.

CONSENT ITEMS

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to pull Agenda Item #2 from Consent Items and vote on this as a separate item.

Question. Motion carried unanimously.

It is so ordered.

1. Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve the Minutes from the Commissioners' Court Public Hearing and the Regular Meeting of August 29, 2016.

Question. Motion carried unanimously.

It is so ordered.

PROCLAMATIONS

2. Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve Proclamation #P-08-2016 designating September 16, 2016 as "National POW/MIA Day" in Aransas County.

Question. Motion carried unanimously.

It is so ordered.

COUNTY REPORTS

3. Motion was made by Commissioner Smith and seconded by Commissioner Stiles to approve the 2nd Quarter 2016 report of Friends of the History Center.

Question. Motion carried unanimously.

It is so ordered.

4. This item will go into closed session.

CONTRACTS, AGREEMENTS & LEASES

5. Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve authorizing the County Judge to sign the Tax Assessment/Collection Interlocal Agreements when submitted and approved by Local Taxing Entities.

Question. Motion carried unanimously.

It is so ordered.

(Inserts)

6. Motion was made by Commissioner Stiles and seconded by Commissioner Chaney to approve authorizing the County Judge to sign an Assignment of Lease between Aransas County and South Texas Aviation, Inc. replacing South Texas Aviation, Inc.'s name with JTH HANGAR LLC.

Question. Motion carried unanimously.

It is so ordered.

7. Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve County Information Resources Agency (CIRA) Services Agreement to host County District Attorney Office website.

Question. Motion carried unanimously.

It is so ordered.

8. Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve proposal from "Dynamix" and enter into contract negotiations for a new county wide phone solution and authorize the County Judge to sign the negotiated contract.

Question. Motion carried unanimously.

It is so ordered.

COUNTY ROADS

9. Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve Order #0-35-2016 closing an alley in Block 46 of the Bellevue Addition (Petition of James Frazier) Aransas County, Texas.

(Inserts)

Question. Motion carried unanimously.

It is so ordered.

10. Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve Order #0-36-2016 closing a portion of Liberty Street lying south of Block 17 (Petition of Melvin Moore) Aransas County, Texas.

Question. Motion carried unanimously.

It is so ordered.

PLANNING & BUDGET OFFICE

11. Motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve accepting \$100 in Gift Cards from H.E.B. to be used to purchase bottled water, fruit and healthy snacks for the Aransas County Employee Health Fair.

Question. Motion carried unanimously.

It is so ordered.

12. Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve declaring unused former Aransas County Precinct 1A Election Site (953 N. Commercial, Aransas Pass, TX) as surplus and authorize County Judge to contract with real estate agent to determine the market value of the property and then sell or lease it on behalf of the County, if sold, to be sold at current market value.

Question. Motion carried unanimously.

It is so ordered.

(Inserts)

The Court entered into closed session at 9:24 a.m. to discuss and review potential litigation issues and other matters covered by the attorney-client privilege pursuant to Texas Government Code Section 551.071(1)(a); and to discuss real estate negotiations, including Pathways Projects pursuant to Texas Government Code Section 551.072; and resumed Open Meeting at 10:22 a.m. with all members present, and further proceedings were had and done to wit:

4. Motion was made by Commissioner Stiles and seconded by Commissioner Smith to **TABLE** (previously tabled on 08/08/16; 08/22/16 & 08/29/16) Agreement between Aransas County and Christus Spohn for an Emergency and Primary Care Clinic. Question. Motion carried unanimously.

It is so ordered.

13. Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve Treasurer's Report for August 2016.

Question. Motion carried unanimously.

It is so ordered.

14. Motion was made by Commissioner Smith and seconded by Commissioner Stiles to approve Indigent Health Care Report for August 2016.

Question. Motion carried unanimously.

It is so ordered.

(Inserts)

15. Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve Accounts Payable.

Question. Motion carried unanimously.

It is so ordered.

16. Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve Order #0-34-2016 authorizing the issuance of "Aransas County, Texas Certificate of Obligation, Series 2016", not to exceed \$3,000,000; authorizing the sale thereof; enacting provisions related to the issuance of the certificate.

Question. Motion carried unanimously.

It is so ordered.

Motion was then made by Commissioner Smith and seconded by Commissioner Casterline to approve the issuance of the bond to be purchased by Classic Bank.

Question. Motion carried unanimously.

It is so ordered.

17. Motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve adopting the Elected Officials Salaries for 2017.

Question. Motion carried unanimously.

It is so ordered.

18. Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve adopting the 2017 Budget as presented.

(Inserts)

Question. Motion carried unanimously.

It is so ordered.

- 19.** Motion was made by Commissioner Smith and seconded by Commissioner Stiles to approve that the 2016 property tax rate be increased by the adoption of a tax rate of \$0.404946 per \$100 evaluation, which is effectively a 5.20 percent increase in the tax rate with the following break-out: 0.057146 for County Debt - Interest & Sinking; 0.275421 for County Maintenance & Operations General Fund; 0.057461 for Farm to Market/Flood Control Maintenance & Operations with a split of 83.58% Road & Bridge & 16.42% Flood; 0.014918 for Flood Debt - Interest & Sinking.

Question. Motion carried unanimously.

It is so ordered.

- 20.** Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve the 2016 Tax Roll and 2016 Tax Levy.

Question. Motion carried unanimously.

It is so ordered.

- 21.** Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve Resolution #R-20-2016 for the 2016 Tax Roll, Levy and Rate.

Question. Motion carried unanimously.

It is so ordered.

(Inserts)

22. Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve the Aransas County Navigation District (ACND) Tax Rate Levy for 2016 (Total Effective Tax Rate of \$0.052622/\$100 Value).

Question. Motion carried unanimously.

It is so ordered.

23. Motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve ratifying the Property Tax Increase reflected in the 2017 Budget.

Question. Motion carried unanimously.

It is so ordered.

REPORTS FROM COMMISSIONERS, ELECTED OFFICIALS &

DEPARTMENT HEADS WHEREIN NO ACTION WILL BE TAKEN

Commissioner Casterline stated that this past week they had a very successful Heroes Cup Fishing Tournament with an unbelievable reception at the High School and an even more emotional reception at the Sacred Heart Catholic School. Everyone in attendance had a good time and many veterans expressed their appreciation for the community support.

Lezlie Kirk read the fee report.

QUESTIONS FROM THE PRESS

Norma Martinez: What is the difference between Item 23 and Item 19, do you just have to ratify?

(Inserts)

Norma Martinez: When you ratify the increase, does the statement include how much tax the increase is?

Commissioner Smith: The language in the motion for Agenda Item #19 explains the increase and I will provide you with a copy.

Jeri Cox: Steps required for proposal in adoption of budget and steps for the proposal of the budget. This year's property tax levy will raise more revenue from property taxes than in the preceding year. The governing body must hold a separate vote to ratify the property tax increase reflected in the budget. This vote must be in addition to and separate from the vote to adopt the budget or the vote to set the tax rate.

Norma Martinez: The only other question I have is on the website for the County Attorney's office. Does that mean that's going to be just her website?

Collin Jackson: Kristen is going to get out there in front and get things going with her office. I am working to get a county-wide webpage that will eventually create a stand-alone page to incorporate and replace the CIRA provided page.

The Court entered into closed session at 11:04 a.m. to discuss and review potential litigation issues and other matters covered by the attorney-client privilege pursuant to Texas Government Code Section 551.071(1)(a); and to discuss real estate negotiations, including Pathways Projects pursuant to Texas Government Code Section 551.072; and resumed Open Meeting at 11:15 a.m. with all members present, and further proceedings were had and done to wit:

No further business presenting, the Court adjourned at 11:16 a.m. on a motion made by Commissioner Smith and seconded by Commissioner Stiles.

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

VALERIE K. AMASON,
EX-OFFICIO CLERK OF THE
COMMISSIONERS' COURT