

MINUTES OF THE  
COMMISSIONERS' COURT  
WORKSHOP MEETING - JUNE 19, 2017

On the 19th day of June, 2017, there was a Workshop 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; **Brian Olsen**, Commissioner, Precinct 3; **Betty Stiles**, Commissioner, Precinct 4; and **Valerie K. Amason**, County Clerk.

Other County Officers present were **Kristen Barnebey**, County Attorney; **Pam Heard**, District Clerk; **Suzy Wallace**, Interim County Auditor; **Jacky Cockerham**, Assistant County Auditor; **Tana Taylor**, Assistant Auditor; **Bill Mills**, Sheriff; **Collin Jackson**, IT Director; **Michele Bennett**, Elections Administrator; **John Strothman**, Pathways Project Manager; **Diane Dupnik**, Justice of the Peace, Pct. 1; **Doc Thomas**, Constable, Pct. 1; **Diana McGinnis**, Justice of the Peace, Pct. 2; **Iris Sanchez**, Library Director; **Mike Kuertz**, Veteran's Service Officer; **Roman Cortez**, Deputy Chief/Jail Operations and Grievance Officer; **David Klanica**, Lieutenant/Jail Administrator; **Gavin Harrison**, Training Coordinator for the Sheriff's Office; **Ronell Burke**, Chief Animal Control Officer; **Ricky McLester**, Emergency Management Coordinator and Fire Marshall; **Janna K. Whatley**, 343<sup>rd</sup> Judicial District Judge; **Starr Boldrick Bauer**, 36<sup>th</sup> Judicial District Judge; and **Patrick L. Flannigan**, 156<sup>th</sup> Judicial District Judge.

Members of Local City Government, Community Groups and other Interested Parties present: **Kay Adams**, President of the Wing Rescue Center;

The Meeting was convened at **9:00 a.m.**, WHEREUPON, the following proceedings were had and done to wit:

**ITEMS FOR CONSIDERATION AND/OR DISCUSSION**

**Kristen Barnebey - County/District Attorney**: My office returned about \$3,000 of their 2016 budget at years end. We have started recovering money on Bond Forfeitures and also recovering Medical Expenses for the jail and next year, starting in January, we should have a chart with a fees statement. Also, attached to my budget is an Intervention/Diversion column, if you'll notice it has about \$76,000 in it. We were collecting \$500 for each pre-trial diversion granted and about five or ten years ago case law came out and the AG said they didn't really like us collecting this money, so on June 24, 2016 we quit collecting this money. At the conferences I attended I asked what we were supposed to do with this money and they finally came out and said just give it back to the county, so I would like to start the budget process by giving this money back to the county.

Special prosecutor Doug Manning, who was paid out of professional services, is no longer needed due to a decrease in a backlog of bigger cases we were working on to get caught up, but we now have a 9% increase in felonies and a 7% increase in misdemeanors, but I would like to replace Doug with a full-time salaried prosecutor. I have reduced the professional services line item by \$19,000 and am requesting \$50,000 be added to line item 103 for the requested full-time prosecutor. I am requesting a little more money in line item 482 - Court Costs, we need to

use a private company for Synthetic Marijuana Testing services because of the amount of time it is taking DPS to process these, they are about a year behind. **Commissioner Chaney:** It is a possibility that paying for the private testing vs. the cost of keeping defendants in jail until we can get these results may be beneficial. **Kristen:** The private labs are pretty expensive.

**Commissioner Casterline:** What does the private lab cost?

**Kristen:** About \$125 per test. **Commissioner Chaney:** I think we should consider using private labs. **Sheriff Mills:** As far as the District Judges participating in disposing of these cases faster, it would give the prosecutor's office a much better position to bargain if they are ready to go on those cases.

**Commissioner Chaney:** Kristen, do you have a flow chart of the employees and their duties in your office? **Kristen:** Yes, but I don't have it with me, I will provide that to the court.

**Kristen:** Odyssey is capable of doing a lot more than is being utilized in other offices and it would make everybody's job a lot easier, and the flow between offices and courts much better, if everyone would get on board. **Collin:** Not everyone has had the time to go in and change the forms that they need to use.

**Commissioner Chaney:** We should not have to change forms, we pay Tyler a lot of money and the forms should already be accessible and ready to use. **Judge Mills:** We need to have a Commissioners' Court workshop and get users from all offices together and discuss what needs to be implemented to make this happen.

**Commissioner Casterline:** Kristen, so if we were to add the replacement position in your budget, what's the bottom line, how

much more would it be? **Kristen:** \$40,000, and that does not include burdens.

**Pam Heard - District Clerk:** I'm not asking for anything new this year, I'm going to buy some new chairs, but I'm going to take that out of records management. My office is using Odyssey to the fullest extent possible and we use all of the forms. **Judge Mills:** I attended a conference and Marc Hamlin, District Clerk in Brazos County, was talking about how great Odyssey is, that it is so fast and it has made his office paperless. And with the e-filing and the e-signatures, he stated that it cut down on his overhead. He did not fire anyone, but as they left he did not replace them. **Pam:** The Judges have to be ready to make this happen, we do as much paperless as we possibly can. Marc, as with many other clerk's, didn't have a system that was tailored to district clerks before they started using Odyssey, so they are very happy with that program. When we got the e-signature package I made new forms for everything, but as it turned out they didn't work with that version, we have a new version now, but after installation, it corrupted all the forms and now and I have to do them over again. E-Filing is something that you have to be very careful with, you have to inspect the document being submitted before you accept it because the document is automatically attached to the case management system and it's hard to correct if you accept something you shouldn't have. Sometimes it can't be corrected, you just have to modify. Users in other departments need to make sure the party information matches the person that may already be in the system. Some of our users create another party and when that party is already available and this creates a problem. Collin, then, has to go in and merge parties. Technology is great, but it has not saved us

that much time or work. **Judge Mills:** Well how come it works in other counties? **Collin:** A lot of it comes down to the fact that when you set up e-file you have to go in and match every fee shown on the website to the individual office and then we have overlapping fees across different offices. When someone makes a change and doesn't tell someone else, it breaks something somewhere else. A lot of the other counties have dedicated support staff who make sure that all fee codes are correct across the board and when something changes they make sure the changes are implemented in all departments. **Judge Mills:** I will set up a meeting for all departments involved and see if we can't get this problem solved. **Commissioner Olsen:** I see an increase in salaries? **Pam:** This is a result of step increases the county allows each year.

**Collin Jackson - IT Director:** Most of my budget has gone down but my Capital Outlay may go up about \$25,000 for a second firewall to our network. This will provide the County with dual support, a back-up the system for our Internet, but I would like to bypass the bidding process due to the fact that Spectrum is our primary provider and AT&T is the only other company in this area that can provide comparable speed with fiber optic internet, but they would have to build it. Other companies that might put in a bid already depend on either AT&T or Spectrum to back them up. **Commissioner Charney:** Could we bypass the bidding process in the interest of Public Safety? I think that you should put this on an agenda with your recommendation and get the Sheriff to back you up, stating that a dual system is necessary because of the 911 lines, etc. **Collin:** The dual internet should run about \$60,000 plus, annually.

So most of my increasing occurred in my maintenance line item. Basically things we've purchased over the years, I buy in capital, and then as we pay maintenance they roll into my maintenance line. **Commissioner Olsen:** \$23,000 in Supplies and you're saving \$221,000 in Office Furniture and Equipment, nice.

**Commissioner Casterline:** How are you saving this much money?

**Collin:** When we go out and do a preliminary six to eight months ahead of time, a lot of it is a big guess on estimations that we are doing and they tack on what they are going to charge us for professional services to come on site, we budget for twenty four hours and then we only end up using ten. We have learned to work with the vendor's a lot better. The only thing that we have not done this year is build a web page and we have about \$45,000 set aside for this. There was discussion on whether the County needs a new web page and how much customization they are willing to pay for. Another discussion briefly touched on the subject of building security and if there was enough money in the Certificates of Obligation to pay for it. **Commissioner Olsen:**

Collin, about the new telephone fee? **Collin:** The charge is based on the going rate, but they discounted that by about 52% for us, each department is billed for each phone at a fixed rate, they are not limited to outgoing calls anymore, however many phones are in the office is how many outgoing calls that can be made, they could have fifteen calls holding on one phone.

**Commissioner Casterline:** If we decided we didn't need all of that, could we cut the costs? **Collin:** We could probably look at their limited usage extension, but it probably would not allow for conference calls or the call recording. **Commissioner**

**Casterline:** Do all the offices need unlimited calling? **Collin:** We could look at the usage and start evaluating that.

**Collin:** I am asking for two step increases for both of my staff and myself. We have taken on new technologies, such as the implementation of E-signatures; getting Misty's indigent affidavits ready; and getting the magistration papers in electronic format; Dave is currently working on the forms management for Seamless Gov and Hotel/Motel Tax Forms for Alma; As we start taking on more management roles and training people how to use these things, I feel that the increase is warranted and I would like to add that the City IT staff are making quite a bit more than we are.

**Valerie Amason - County Clerk:** I am asking for another employee this year. **Judge Mills:** So Odyssey is not helping you either?

**Valerie:** The problem I have with Odyssey is the reports. You can run a report twice and get different information each time and I don't have a choice of running reports with the information that I want to collect. **Tana Taylor:** I agree, I also have problems with reports.

**Valerie:** Our court cases have really picked up; the County Attorney has been filing more Judgment Nisi cases in the Criminal Court and Bond Forfeiture cases in the Civil Court. I have had to move one of my deputies over to do Civil because the Criminal Court clerk has not been able to keep up and is working a lot of overtime. **Commissioner Chaney:** What has

happened since you took over as County Clerk that has changed, causing more work? **Valerie:** As I stated our court activity has increased tremendously and when I began in 2015 my office was also cut one person. **Commissioner Casterline:** How much money is

generated from the bond forfeiture cases? **Valerie:** I'm not sure, I don't have that figure with me. **Tana:** I believe that it is about \$16,000 to \$17,000 more this year so far. **Valerie:** That figure sounds about right. **Commissioner Casterline:** Does the

figure of \$29,684 you are asking for include burdens? **Valerie:** No. **Judge Mills:** It would be about 40% in burdens. **Commissioner Olsen:** Why the increase in Office Supplies this year? **Valerie:** I am having to buy more case files for the increase in filings and the cost for these have increased.

**Diane Dupnik - Justice of the Peace, Precinct 1:** The only difference in my budget is Jury Expense and I need to purchase two new armless chairs for the comfort of the officers. There was discussion about the weight stations and **Judge Mills:** Has ticket writing fallen off in your office? **Diane:** I don't think so.

**Michele Bennett - Elections Administrator:** **Commissioner Chaney:** How many different precincts does Bee County have in which to vote? **Michele:** I don't know, other counties are not very forthcoming with this information. A couple of years ago I asked for a pay increase and one of the questions I was asked, was whether or not I had any type of education that was accredited towards anything, so I obtained certification with the State of Texas and am currently working on National certification. Once you get that certification, Aubrey University will put those credits towards you becoming certified in Elections Administration and actually get a College Degree. **Commissioner Stiles:** How does this certification benefit Aransas County? **Michele:** In these classes you meet with other Elections Administrators from all over the United States and the Professors from Aubrey teach you by breaking down the laws and they also educate you on how to handle situations, procedures, people, and the media. My current pay group is the same as a clerk and not a department head, I have ten years of experience.

Other department heads are in a pay group 18 or 19 and I am classified as a pay group 17, which is what the chief deputy clerks are paid. I am asking to be moved from pay group 17, step 5, salary \$41,944, to a pay group 19, step 5, salary \$46,298. Also, I recently put in for a step increase to raise Joy from a pay group 16, step 9, salary \$44,067, to a step 10, salary \$45,169. **Suzy:** Joy's step increase will go into effect this next pay period.

**Michele:** I am asking for \$7,500 in the conference line item, due to this being an odd number year where we only receive \$500 - \$700 in Chapter 19 money. We usually receive about \$6,000 in even number years.

**Commissioner Stiles:** What about the temporary help request?

**Michele:** This is the money to pay my election workers, I asked for \$20,000 in that line item. I do elections for the City of Aransas Pass on even number years and the City Secretary stated that she is going to request that they contract with us from here on out, we are currently doing all of their May elections. I also expect to be very busy in 2018 with the Primary and General elections.

I didn't request new voting equipment this year because I don't think that is where the County is moving towards.

**Commissioner Casterline:** If Joy retires, what are you going to bring someone else in at? **Michele:** It just depends on the person I hire, if they are experienced with elections, I would bring them in as a Chief Deputy at \$36,000, but if they do not have the experience, I would bring them in at a Clerk's salary of \$27,000 or \$28,000.

**Commissioner Olsen:** What about the Professional Services?

**Michele:** That is the money we pay Hart for programming.

**Doc Thomas - Constable, Precinct 1: Commissioner Olsen:** Doc, why do you not have anything listed under Machinery and Equipment?

**Doc:** Last year we put in for a new Taser and a body camera, it doesn't look like I will need anything this next year.

**Kay Adams - Wing Rescue Center:** We just renewed our contract with the Navigation District, they pay us \$35 per carrier up to \$3,500. We have received a couple of grants and we get donations and we do fund raising. We purchased our property at \$300 a month, we have a building, we have our permits but, we are still waiting on inspections. We have our water, electric and septic, just had our fence put up, but we are still lacking a flight cage. **Judge Mills:** The County may be able to match the Navigation District's \$3,500, but that depends on how the budget process goes. **Kay:** Will we still receive help with euthanizations? Dr. Tim said it was about \$35 a bottle and one bottle will take care of a lot of birds. **Judge Mills:** There shouldn't be a problem with that. **Commissioner Stiles:** Kay, looking at your expense, as a non-profit 501c3, you should not be paying a service charge on your bank account, you might want to check on that.

**Diana McGinnis - Justice of the Peace, Precinct 2: Judge Mills:**

Let's talk about the clerk you have requested. **Diana:** For many years we had a part-time clerk, when Collections moved to our office, Judge Dupnik and I combined our part-time money in with that position. When Collections went back to the County Clerk's office, we lost that part-time money. I need that part-time person back and in addition, I'm also requesting a part-time

position for pretrial sentencing after I do my magistrations. When we do magistrations we put a lot of these defendants on bond conditions and I will start monitoring them, sometimes for a long time before getting them in front of the appropriate courts, whether it be the County Court at Law or the District Court. I will already have them doing probation and if it's starting to back log at the Adult Probation office, because they are only allowed to have 10% of these, then I have them start monitoring through my office and this is becoming overwhelming for Adult Probation and my court. Adult Probation will probably be asking for a new position and the county will have to send money to their county and this will include a vehicle for that person. I am asking that you keep this money here and allow me the 20 hours, I can save you money. This is new money, not in anyone's budget, I believe this money can come out of the County Attorney's pre-trial diversion money that she is giving back. I need either two part-time positions or one full time position.

**Commissioner Stiles:** It would save the County in burdens if we kept it at two part-time positions. **Judge Mills:** Where would you house this new position? **Diana:** I will have to figure that out, I can't put that person in the office with the Juvenile case manager. Judge Whatley has requested that we do more bond conditions because it is taking a lot of time to get these people in front of the courts. I have also, just in the last month, taken on hearing a lot more of the County Attorney's hot check and driving while license invalid Class B cases.

**Commissioner Casterline:** These part-time people would work in all of these positions? **Diana:** The part-time position for my clerk would be only for my office, the part-time position for my pre-trial services is going to be for all three Courts because

they will be monitoring, scheduling, getting them back into court for non-compliance on bond conditions. I'm actually needing a warrant officer, Sheila was doing a lot in the past, I'm not sure why that has slowed down, I am \$1.1 million out in monies due from 2005. **Commissioner Stiles:** Is Misty helping you with collections? **Diana:** Misty is not helping me with that, but I am using her a lot more for court appointed attorneys after magistration. I've gone back through a lot of my cases for 1999 and 2000, they are still valid cases. Legislation has just set up for the JP's to start doing Occupational Driver's License, so they can apply and keep working to get their ticket taken care of. **Commissioner Chaney:** As for community service, does this help in getting cases taken care of? **Diana:** Yes, but not on these cases, they are active warrants.

**John Strothman and Ronell Burke - Animal Control:** **Commissioner Stiles:** Under the Environmental Health Director's license, are we able to spray the dog kennels ourselves, do you know if this is taking place? **Ronell:** I don't know, I'm not sure Valerie has completed the certification for indoor, yet. **John:** We are still using Albin. **Commissioner Casterline:** How much are we paying Albin? **Ronell:** \$250 each time, and we are having it done about every three months. Ideally we should be having it done every month, but within 24-48 hours it's washed away. I would rather use the money on Next Guard. **Commissioner Casterline:** Do they treat the ground? **Ronell:** They are supposed to, they are supposed to spray the perimeter of the fence line, but I'm not sure that is always taking place. **Commissioner Stiles:** Is that cost under Professional Services? **Ronell:** It should be, but it has actually in the past been under Chemical Supplies, Professional Services is primarily for Veterinarian service. We

don't have a problem with fleas, ticks are the big problem, and they carry the most disease. We give a dog Next Guard as soon as it arrives. We keep the dogs treated and try to keep the ticks off of ourselves. **Judge Mills:** What is the price for the pill?

**Ronell:** About \$14 and that lasts about a month which is about how long we keep a dog. Our start-up cost is about \$2,400 for Next Guard and Semparica is about one-half the price.

**Commissioner Casterline:** How long have you had the horse?

**Ronell:** We got Luna on February 19<sup>th</sup> and we have received a lot of feed and hay donations so the cost to the county has been minimal, the water bill is the primary thing, but I don't think we've gone over. She is seven years old, she is a Mustang and I discovered her freeze brand after about six weeks. I have not had a Vet come out and shave the brand, so that we can locate where she came from. The Bureau of Land Management had a whole program with Mustangs, there is a series of Native American symbols these horses are branded with. **Commissioner Casterline:**

Why have we had her so long? **Ronell:** I have been monitoring this horse for five years through three different owners and I have someone you is interested in taking her, but they are trying to obtain additional property to accommodate her. I have not advertised her because I want to make sure she goes to someone that I believe will take care of her and I don't want to get her back. **John Strothman:** There is a problem with people getting horses and not realize how much they cost to take care of. **Judge**

**Mills:** Ronell, can you get us a figure on the Next Guard for the year? **Ronell:** Yes. **Commissioner Olsen:** Office Furniture and

Equipment, you're down \$2,150 and in Machinery and Equipment, you are down \$15,567, is this going to be enough for the year?

**John:** We replaced the furniture in front this year and we are in

pretty good shape on computers and printers. We replaced the steel in the bottom of the food structure and then waterproofed it. We got a bid from Mission Restaurant Supplies and the \$15,000 for 2018 is for a new 6'X 6' walk-in freezer to be placed on the outside of the building, we will build the pad and wire it. Next year we would like to tear the old freezer down, tear the floors out, add some new drains and add a few more kennels.

**Commissioner Casterline:** You might check into an insulated shipping container to put the freezer in and make it last longer. **Commissioner Olsen:** The bottom line is, Animal Control saved \$16,000 year on year.

**John Strothman - Venues:** In 2018's budget, what we did this year, and we got a steering committee approval for it, we looked at fiscal year 2018 and the annual income for revenue from the venue tax, and it was down by \$26,000 from the previous year so we went back through, cut out a whole bunch of money and got us under the threshold of the \$460,000 total, that includes clearing the education center, then we added a \$20,000 contingency reserve in the general fund in case we were to come across something that has to be done. There is nothing in the 2018 budget to replace anything, just basic general maintenance and odds and ends, nothing major. **Commissioner Stiles:** And this is primarily M&O's? **John:** Yes, strictly M&O. **Commissioner Casterline:** Why do we have so much budgeted, why are putting money in putting signs up at the kayak site when they are continuously being vandalized? **John:** We should have them there, we need to have rules posted, because you have to have something to defend yourself if someone gets hurt. **Commissioner Casterline:** Maybe we should make something more substantial like they do at the State Parks, like a timber, etched with the

information or a big boulder with a kayak on it. **Commissioner Stiles:** At some point, will the History Center come off this Venue list? **John:** I don't think it was designed that way, it is a county property and the county maintains the grounds and the building, we provide utilities, then the Friends of the History Center keep the house clean. **Commissioner Stiles:** Do we get that building checked for termites? **John:** Yes we just did that. I do annual termite and annual HVAC checks.

**John Strothman - Aquarium Education Center:** I raised this budget \$2,200 this year for new carpeting. **Commissioner Casterline:** It looks like more than that, it went from \$7,874 to \$15,500. **John:** 7,800? No that's not right. I have a by-weekly Cleaning Service, HVAC Service, Window Cleaning Service every other month, plumbing repairs, miscellaneous repairs, and its five years old now. **Commissioner Casterline:** Do you think over time, people will stop visiting these sites? **John:** Yes, that's something that we may have to sit down with a steering committee and see at that point if there is something we can do to make the attraction more desirable. We did that at Ivy Lane with the help of volunteers. Connie Hagar was one of those property that did not have anything going on, now we have the Friends of Connie Hagar re-invigorated and they are raising money, they have raised \$11,000 and are planning to build a pavilion there. If you look at the general funds budget, pathways is in the phase of promotion, more than in the phase of building. I got a call from the Chamber, they are running out of maps, we have got to figure out a cheaper way to print those maps, they cost 50 cents each. **Commissioner Casterline:** There is a woman names Elle who puts out a colorful little client based magazine for free

about the community. You might get with her and see how she does it. She may even publish those maps in her magazine.

**John:** Ok now, if you look at the 2018 capital bond fund, the projected amount is \$243,865, I have not presented this to the steering committee yet. We are waiting on a grant application for this project, \$208,865 is what we approved for the TXDOT match for the Southern Trail Project and that includes TXDOT doing the general construction.

On the Fulton Beach Road Trail, I have \$25,000 there, we may or may not spend that next year, this falls within a shoreline resiliency project selected as a possible shoreline restoration project with TECQ, if that's the case we can modify our plans to substantially reduce the cost of the project and it would benefit us all. We have the preliminary design work done, it would be just a matter of modifying the drawing and then a final plan, if we decide to move on with this project.

10<sup>th</sup> Street Trail is at \$10,000, we have basically exhausted this project past Prairie Road and we just need to bring that to a final, we hope to do that next year, unless we can raise more capital, we cannot do any more beyond that.

**Commissioner Casterline:** John, can you elaborate why we went so far over what we were originally told on the St. Charles boat ramp? **John:** It was due to the weather, we had a norther come in and wipe out everything behind the ramp, so we fixed that and a week or two later we had another one. So we had to opt to go to putting in a more substantial walk to go up to the ramp.

**Commissioner Stiles:** We're not talking about the boat ramp, we're talking about the Kayak. **Commissioner Casterline:** I'm talking about the grant that we got, our costs was a lot more

than what we were told and it never came back to the court and have someone let us know that we were going way beyond the number presented to us. **John:** I am not using this as an excuse, but the Grant was applied for and obtained prior to even an estimate, not knowing what the those numbers were not even close to project was or what it would cost. It's hard to give an estimate on a project when you don't really know what the scope is and what's going to be required on the walls. We hired Coast & Harbor to do the design work and in order to get a permit from the Corp to they had to do flow studies and wave studies on how to properly design the break waters out there. That design changed some as you know and it had to meet certain standards. Part of that Grant application only had 16% of the total gross of the costs to be contributed towards engineering. When you started looking at what it was going to cost for Coast and Harbor to design the project and then to go through the Corp permit process, it wasn't even close to being able to cover that, so it went up over \$100,000 from what the grant application provided for. **Commissioner Casterline** said whatever it takes, this should not happen again, the court needs to be informed before any money is spent and if we don't have enough money budgeted to do the project, we need to know. **Commissioner Stiles** said, another part of it was, we had \$220 something thousand dollars built in for construction and Derrick came in at \$192,000, he was the cheaper of the bids, so they swapped our percentage to our match. **Commissioner Casterline** said, I've never heard that you get penalized because the bids came in cheaper than what you had started with. **John:** If you read the wording of the grant and how it is approved, it's based on a percentage of actual costs so if you are at a 75/25 and you're

paying 25% of \$292,000 vs. \$219,000, the number dramatically reduces, but you still have to make the match and then there is only so much that you can spend on engineering and other costs, then the match is based on so much of construction cost, so that got us to \$100,000. **Suzy Wallace:** Texas Parks and Wild Life would only reimburse on their part, 12% of the total construction and the rest we are paying out of pocket.

**Commissioner Olsen:** On your M&O, you've saved in every single venue, are you comfortable with this? **John:** Yes, what you're seeing in the past is, I would evaluate each property and add a high dollar maintenance project. I took those things out of the budget for next year and unless we have a catastrophe, I think we have what we need, for one year we're not going to do any major projects. I also checked with the bridge people and they said, four years on bridge inspection, I had been budgeting for annual. They think the venue tax is going back up again, last year was a fluke, but we went down \$26,000. **Commissioner**

**Casterline:** Do we have in here, of the annual venue tax, where somewhere around half of it goes to pay the bond? **John:**

\$200,000. **Commissioner Casterline:** What was our intake this past year? **John:** 460,000, am I right? **Jackie:** Yes, that seems right.

**Commissioner Casterline:** So is all of the rest of it going into maintenance. **John:** Yes, so this year we looked at it and said ok, it was \$486,000 the year before, so that gave us \$286,000 for maintenance and overhead expenses and I said we can't exceed that. I came back the following month with a steering committee and said here is a budget that keeps us within that guideline. We took a vote and they said we have to have a contingency in case something goes wrong, so we put in a \$20,000 contingency that may not be touched, but it's there just in case.

**Commissioner Chaney:** We've had a couple of pretty good years with weather, I think this shows good management, if we come in and there's something we couldn't do we could always put this in a contingency for the next year.

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*Court adjourned at 11:45 a.m.*

*Court reconvened at 1:30 p.m.*

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**Bill Mills, Sheriff:** The budget presented to you is really just a base line deal. We had a lot of things even going up till last Thursday and Friday with the special session still coming, there is three or four bills that have already been signed that impact the budget and I did send updates to Suzy as they came in. There are still some others coming that could have an impact. The other thing that is not shown in there is that, in the last year or year and a half, while we don't have employees leaving to other agencies across the street, yet we're not drawing applicants, no one is interested in our salary rate. We have three vacancies and I had one applicant. I've made her a conditional offer, pending a psyche evaluation and a physical. I have a resignation that was tendered for retirement next month. Right now we are working down two officers due to injuries, one in a vehicle accident, broke his arm and another in a fight while effecting an arrest. His knuckle was infected by germs from the gentleman's mouth, had to have surgery. Matt Campbell resigned and moved to Michigan. The biggest impact this year, due to legislation, is training. Every jailer will have to take 24 hours, in addition to basic jail course, for education in mental health and de-escalation. Every officer that might serve

as a bailiff in any court will be required to obtain a 40 hour education course as a courtroom specialist. Gavin is going to keep training in house to cut down of cost. I'm asking for an administrative assistant in the detention center to help with paperwork and to get pen packets together for expediting people out to TDJC and prisons. Also, due to the Michael Morton act stemming from Williamson County, we are going to have to download every phone call made from cells, and provide every one of them to the D.A.'s office. Last November we stopped receiving Docket Call Information updates from the District Clerk's office and were informed that we were going to have to go into the Odyssey system and extract the information for ourselves, but when we attempted to do this, the clerks were not posting that information to the system in a timely manner. Two weeks ago we took eleven inmates to a bailiff hearing for possible bond lowering, Kristen had brought people over to talk to these people and then found out that attorney's had already been appointed to five of these individuals. We asked the clerk's office about this and they stated they were putting these court appointed attorney sheets in a drawer, and not putting them in Odyssey. This has caused us a problem in the jail, not knowing who was supposed to be brought over to the courts that should have been there. I had a talk with Judge Flannigan and think this may be taken care of. The Sheriff wanted to advise the Court that Kristen's idea of using a private lab for drug determination is a good idea to expedite getting the District Judges to hear these cases. If we could get to the point of maintaining a balance and get our Federal Inmate count back up, that would be beneficial. There was discussion about our Jail and expansion, but the upstairs pod cannot be

used because of load rate issues. **Commissioner Olsen:** Sheriff, you have \$25,000 in your budget for training, do you think this will be enough? **Sheriff Mills:** It should be, Gavin sat down and after talking with the Texas Commission on Law enforcement, we have some opportunities. It may not be convenient for our employees, but in a 32-40 hour course, we don't have to do it all in one week, we can divide times to get course done, work things around and not get beat up with the overtime.

**Commissioner Chaney:** If we start doing these classes, do you think we will be able to pick up some extra revenue, by providing course to other law enforcement? **Sheriff Mills:** That may be a possibility, because it will be mandated for everyone and not all entities have a contract providers license to do this. **Commissioner Stiles:** On maintenance agreements, in 2016 we did not have any money in it, is that because it was pulled out of Collins budget? **Sheriff Mills:** Yes. **Commissioner Stiles:** What about in your K-9 special projects, there is no money in there in line 520. **Sheriff Mills:** This is a line item that we put donations in until we had enough money to purchase a dog. Beyond feed, the dogs require re-certification every two years and that is in line item 325. **Commissioner Stiles:** Are we reimbursed by ACISD for drug dog use? **Sheriff Mills:** We don't provide services to the school district, they have a contract with Canine Contraband out of Edna. Their dogs sniff out munitions, shot gun shells and beer cans. My dogs are specifically trained for drugs and the school district does not file criminal charges for drugs.

**Sheriff Mills:** Item 456, we are renting three boat stalls right now. We are currently using a hangar at the airport for one boat but if Mike gets a request for the hangar that could change. One

stall is used for stolen property. The money is budgeted for two boat stalls right now instead of three. **Commissioner Stiles:** How often do you use the boats? **Sheriff Mills:** We've had them both out within the last three weeks, but with the staff we currently have, we don't get to do interdiction, we have to have two officers on the boat, not like in a car where you can have only one. We did take an opportunity to join the Parks and Wildlife and Border Patrol during Oyster Season, to assist with checking boats for illegals and they did find a person on one of the boats that had a felony warrant for an assault on a Border Patrol agent. We found drugs on one boat, but it's hard to coordinate with the amount of officers that we have.

**Sheriff Mills:** We did request under 570 for an increase to purchase a conic storage building for evidence storage to be placed on the back parking lot next to the radio tower, however, the Jensen is no longer with the State Fire Marshal's office and his office has been vacated. They are currently cleaning out the storage area. This could possibly create more room for us for a little time, and as cases grow, the more evidence is stored and we have reached capacity in our evidence vault.

**Sheriff Mills - License and Weights:** Our weigh stations are currently at a stale mate. McCampbell's wife suffered severe medical issues during child delivery and spent quite a bit of time in the hospital, he took family medical leave to help out with the newborn, so his time out there was down. Consequently, they moved back home to be close to her parents for support, so we lost him. So we need to replace him and I can't even think about that until I get fully staffed and I get my two officers back that are injured, we are working understaffed and just

getting by at this point. **Commissioner Chaney:** Both of the weigh stations are rigged, right? **Sheriff Mills:** No sir, we are waiting on the sign, TxDOT no longer installs them and I have been waiting on Billy Burke, he said if we can get a cover car out there this Friday he can get going again, we have to mount the sign, put the solar panel on and then get Collin to program the wireless from the batteries and then we should be good, to have it inspected and turn it up.

**Sheriff Mills:** Calls for service though have remained about the same. I got a report from Lee and last year we were running about 690 calls average per month and we're still doing about 660 through the last five months, but that is the slow part of the year, but it picks up during the summer and then the kids going back to school. **Commissioner Chaney:** For service calls, are we average?

**Sheriff Mills:** Compared to other Sheriff's offices in the state, we are very busy. While we are small geographically, we've got a lot of people packed in here and we're still growing. **Commissioner Stiles:** So with your collections fines and fees for the year what is that? Total license and weights? **Sheriff Mills:** Year to date, we've collected just over \$3,000, there have been \$6,800 in tickets written as of May, but we're running less than half collected right now. Even at the end of last year, it was down significantly from the 2015 numbers. We collected \$54,000 last year on the license and weights, with \$85,000 in tickets written and that's probably off \$90,000 from the previous year. When you look at the preceding year, they wrote 171, collected 121.

**Commissioner Stiles:** It used to be very profitable. **Sheriff Mills:** Oh yeah, you go back far enough, we were writing DOT tickets, which with the Department of Transportation, you have

to be certified and if you have a population of more than 50,000 population, you can send an officer to get certification. Or if you are a border county, I was trying to make that pitch a few years ago and they weren't buying it. Sheldon had certification and was writing tickets, but they let me know that he shouldn't have been writing tickets in Aransas County based on his certification. He was writing tickets that were \$12,000 and \$13,000 per ticket. **Commissioner Stiles:** Well if it's not paying for itself, would he be doing something else in your department? **Sheriff Mills:** No ma'am, the license and weight guy, that's all he did. It takes someone who's interested in doing that, they have to have a passion for it, but the opportunity is still there, because you go through the seasons of the grain harvest and everything else, you just have to be cognizant of the traffic that is going on. We are flexible with that employees schedule because that's all he does and if he's mixing up his days and nights, it keeps drivers from knowing when that station is going to be open or closed. There is still a necessity and when we are back to being fully staffed and someone is assigned to that, that's all they do. **Commissioner Stiles:** What is the limit on our scales? **Sheriff Mills:** The weight is done by axel and then there is a formula for combining it all. There is no way of weighing the entire load, so the axel formula is used to figure the weight and therefore there is no weight limit as to what our scales can handle.

**Sheriff Mills - Detention Center:** This is where I have requested an additional person, in an administrative position, to deal with paperwork so that we are still meeting our objective with Texas Commission of Jail Standards. As a result of taking on more female inmates, we are going two ways some days, we are not

only serving the Federal Court in Corpus, but also in Victoria.

**Judge Mills:** So what number do you think that we should be at

with Federal prisoners? **Sheriff Mills:** Eighty five would be a realistic number for your revenues and if we go over that then you would be in good shape. **Judge Mills:** That would be about

\$200,000 in revenues. **Commissioner Olsen:** So you are requesting an additional employee and you have increased that line item by

\$15,500, does that include this new position. **Sheriff Mills:** No, the starting salary for a new jailer is \$38,000. **Commissioner**

**Olsen:** On your inmate medical supplies, there is a notation that says this number is subject to change. **Sheriff Mills:** Well,

when we put this together one of the pending bills was going to

require us to have 24 hour medical staff. I currently don't do

that. The boarding prisoner number, while it's in the jail

budget, I need to point out that is when we take or pick up

prisoners out of state. Last year was extremely busy, I don't

know why, the year before it was flat and low, the year before

that it was high. We do these by car if we can, but occasionally

we have to fly, but we continue to do what we can to hold that

cost down. There is also a request to increase our storage

capability in Miscellaneous 470 and David Klanica has the

capability of building that for us.

**Mike Kuertz - Veterans Service Officer:** I don't have any changes

in this year's budget. In 2016, there was no utilization of the

conference and association dues line item, I ended up missing it

because I was in the hospital, but I did obtain my

recertification on-line and there was no cost involved.

**Commissioner Casterline:** Do you keep a log of how many Veterans

you see? **Mike:** Yes sir, mainly for me to be able to remember

their name the next time they walk in. **Commissioner Casterline:**

Do you know how many people that is? **Mike:** No sir, but I have a constant flow it seems and a lot of phone calls. I also take calls on my cell phone on the weekends and nights. **Commissioner Stiles:** Do you get cooperation from Blake Fahrenthold's office when you need it? **Mike:** Yes I do, he's got a young lady down there who has proven to be a real soldier, Nicole Brenner, a very strong supporter of the Veterans. Rene Coronado resigned.

**Rick McLester, Sr. - Fire Marshall:** I did not ask for anything more in my budget, except that we had to pull money out of your budget this year to send Sharon Laughlin to Emergency Management training. Fulton used to pay this, but since Bob retired, that has changed. I am asking for that additional \$1,500 for travel and meals to be included in my budget next year. We have done some work in the EOC with projectors and technology, it was needed, we are coming up on ten years with the chairs and they are looking pretty ragged on the arms because of the law enforcement belts, guns and other gear they wear. Discussion was had on maybe replacing them a few at a time and a suggestion that someone do a walk through and just see how many need to be replaced. Rene Butler suggested that the arms be removed from the current chairs and maybe we could keep them longer.

**Janna K. Whatley, 343<sup>rd</sup> Judicial District Judge; Starr Boldrick Bauer, 36<sup>th</sup> Judicial District Judge; and Patrick L. Flannigan, 156<sup>th</sup> Judicial District Judge:**

**Judge Whatley:** David Wendell has been out of the office and we were waiting for the San Patricio County budget, so I could give you the combined five county budget, so I came up with a thumbnail guesstimate, the only problem was after I submitted this, I do know that the actual amount paid in the past is under

carry over, a positive, you know a good carry over. So when I'm giving you the District Pro Rata Share for San Pat in the amount of \$127,862 that is the 18% of the Five County District Budget and that may not be the best number. When I look at what he proposed for us for the combined five county, it's really 18% and not 20%, but I just like to give you a better figure. I was off a little bit because Aransas County was due before San Pat. According to the San Pat budget proposal on that particular line item, it would be \$129,960. **Judge Mills:** Last week at our conference, Judge Moreno came up to me and asked if I had ever seen the contract for the Five District Judges and I said no, I don't believe I have. **Judge Whatley:** I think that is probably a 1980 contract. **Judge Flannigan:** I believe that would be with the Auditor in San Patricio County, they are the ones that receive all funds from the counties and they administer that Five County Fund for the District Courts. **Judge Mills:** I'm kind of in agreement with Judge Moreno, we might need to take a look at that agreement. **Judge Whatley:** It is an Interlocal Agreement and when I took the bench in 2000, I asked the same question and it's been there forever, but I can't tell you any of the terms of it. Judge Yeager didn't seem to have a copy either. **Judge Flannigan:** I expect that it's been tweaked after every Decennial census because we modified the percentages of contributions from each of the five counties based on population and that probably in the only change that has been made. **Judge Mills:** That's the problem I have, is population. You know as well as I do, Aransas County has a population of 24,000, but at any given time the population is probably 35,000 to 40,000 and lot of our problems are caused by people who don't live here. **Judge Whatley:** Not in my court, maybe in misdemeanor court. **Judge Bauer:** Not in my

court, the ones in my court are Aransas County residents. **Judge Flannigan:** There are some of those cases that come from outside the county, but I would expect that most of that is at the misdemeanor level and frankly, if we look at case load and we got down to breaking it down, San Pat has the bigger impact from Out of County residents. A lot of our Felony cases comes from Nueces County, there is a lot of drug activity, felony DWI's, one of the biggest categories that I'm seeing in San Patricio County is what I categorize as habitual shop lifters. **Judge Whatley:** Percentage wise, Live Oak County probably has the most, about three-fourths of the people in my court are out of county drug smugglers, and human trafficking is also heavy. **Judge Flannigan:** We can certainly take a look at case load as a whole and break them down by counties. We can get information from the Office of Court Administration and see what the numbers are in each county, by population. **Commissioner Chaney:** On line item 116, what is the overall expense and what is our share? What is the total budget for all counties? **Judge Whatley:** The total is \$722,858. **Commissioner Chaney:** And that's up from what was it last year? **Judge Whatley:** \$682,541 **Commissioner Chaney:** That's a 40 percent increase, so of that \$722,858, if everything was perfect, what is the share that Aransas County pays? **Judge Whatley:** 18 percent. **Commissioner Chaney:** So that's the District Court Pro Rata Share for Aransas County? **Judge Whatley:** Yes and another change that is not in there, and I know that Judge Moreno had indicated that she had brought it to Judge Mills' attention, was that the District Judges should have their own bailiffs. **Judge Mills:** I brought this up to our Sheriff and he said that might not be a good idea. **Judge Bauer:** And I don't know why that is, I thought that this is what he wanted.

This would be another expense that would be shared by the five counties, by population and would be a better deal for everyone financially. **Commissioner Casterline:** What is the number? **Judge Mills:** \$34,000, which is less than what we are paying. **Judge Bauer:** We have talked to the other Sheriff's, we know they are understaffed and suggested that this would free up their deputies. **Judge Mills:** So the bailiff's would have to have a car allowance? **Judge Whatley:** We imagine that it would be set up like the court reporters and like the state pays us, mileage and meals. **Commissioner Chaney:** Now you and I, Judge Whatley, discussed the certification, can you do that through the Governor's office? **Judge Whatley:** No, this would be done through the Office of the Court of Administration, the new statute and like I said I will be setting up a Courthouse Security Committee and you'll each be invited to attend and we are shooting for October. This is one of the requirements of the new statute, I need to have one member of the Commissioners' Court, but I would like to have you all attend the first meeting. Once I get that location confirmed, I'll let you know. We will always have to have Sheriff's staff to hold the inmates, the bailiff can't do that. **Commissioner Casterline:** How receptive are the District Judge's to doing things more electronically? **Judge Whatley:** We are all e-filing, not the orders, quite yet, just about everything is e-filed in civil, the criminal is phasing in, but as far as time in the courtroom, it's not cutting down on time. **Judge Bauer:** It's slowing me down immensely. **Judge Whatley:** We are not doing the e-signatures, yet, the reason being, we have five separate counties with five separate IT departments and five separate programs. We cannot, unless I start carrying a lap top again,

which I am considering, it's just heavy. I've started signing documents in Odyssey in San Pat, I have the ability to do that. We think I might have it in Rockport, but then I got to Beeville the other day and none of the staff's laptops, Collin hasn't set them up to get past the firewall. Security is very important, but it's very difficult. **Judge Flannigan:** It doesn't do much to help you in Court, when I am sitting on the bench, I can see anything that has been filed in any of the cases, having everything electronic and digitized makes it easier, you don't have to deal with all of the paper, but as far as signing things, you still have to go through the process in court.

**Commissioner Chaney:** Do you have any other areas of increase?

**Judge Whatley:** No, so I guess we need to visit with the Sheriff and see what his thinking is, we haven't heard back from San Pat County Sheriff yet either on the bailiff. **Judge Flannigan:** We

don't want to go forward with that unless everyone is on board.

**Commissioner Casterline:** Do you have any idea as to what the

cost would be? **Judge Whatley:** Someone suggested that it would be around \$35,000 for Aransas County's portion. That is county benefits and everything, except for the travel. The travel is \$20,000 divided by seven people. **Judge Bauer:** Travel runs

approximately \$300 to \$350 a month and you divide that by five counties, so that's what it's going to add. **Judge Mills:** That's

three bailiffs, what are you going to do if one of them gets sick? **Judge Whatley:** That's an issue, and vacation, see all those things and we know that the Sheriffs are going to have to have somebody trained as a back-up. And I don't know that the Justice courts don't have to have this also. **Commissioner**

**Stiles:** I noticed on line 478, Grand Jurors, is blank. **Judge**

**Whatley:** That is entirely up to the County/District Attorney's

office, we have no control over that. **Commissioner Casterline:**

And Petit Jury? **Judge Whatley:** Petit Jury is ours. **Commissioner**

**Olsen:** Your Attorney's Fees have gone up by \$10,000. **Judge**

**Whatley:** There is a new U.S. Supreme Court decision that says when someone is arrested, adversarial process begins. A court appointed attorney is to be appointed immediately at the Justice level, without waiting to see if they get bonded out. The Texas law allows you to wait three days, and if they are still in jail in three days, they have to have a court appointed attorney before the end of that third day. So, we have advised our clerks in all five counties, when you get that affidavit, you can't sit on them. So we anticipate that, potentially some attorneys may take advantage of that to make some extra fees, to start going and looking for their clients that got out of jail immediately.

**Commissioner Olsen:** I think you want to put \$300 in on your telephone line? **Judge Whatley:** That is a number that's been

there, we don't know what that is, because we are not using a

County phone here. **Jackie Cockerham:** That will be more than

\$300, it's already up to \$400, and where it's being charged now

we are looking at about \$1,200, but we will look into it and

find out why that is being charged to the District Judges. **Judge**

**Flannigan:** If it's for the phone in the office in the District

Clerk's office, that's fine, but if it's for the phone in the

Courtroom, that's not ours. **Commissioner Stiles:** What about the

\$2,500 for office furniture and equipment? Where do you have an

office here? **Judge Whatley:** That's only if we are relocated,

right now we are in the file room in the clerk's office. **Judge**

**Mills:** That's probably not going to happen very soon and when it

does, you will probably be moved to the old DA's office and

there is furniture in there. I don't want to do anything until

we find out what Senate Bill 42 is going to do about the security of your chambers. **Commissioner Stiles:** So, basically, we can just take that money out of Office Furniture right now? **Judge Whatley:** Yes. But I think we need to add something in the Grand Juror expense. **Judge Flannigan:** I think the Grand Juror expense has always been in our budget. **Judge Whatley:** It was lumped together in 2015 & 2016 in line 483 and then they broke them out in 2017. **Judge Flannigan:** I don't think \$11,000 sounds out of line. **Commissioner Chaney:** So we need to put that back in there. **Judge Mills:** Ok, any more questions. **Judge Whatley:** The next page shows the bailiff and I assume again, that's how we do that, it's just that little piece of paper. **Jackie Cockerham:** Ok, so it's the Court Reporter Service? **Judge Whatley:** No, that is a fee you get to collect and some of the other Counties use that to pay records, they try to use that fee up first. I don't know how they do that in this county, do you Judge Flannigan? **Judge Flannigan:** Well, we've used it for a couple of different things, I think we sought to have some of the Indigent records paid out of that fee and also if we have to have a visiting court reporter come in, we've used it for that instead of tapping into the General Fund. **Judge Whatley:** Ok, here it is, Fund 487 on Page 123. **Judge Flannigan:** Do we know what the balance is on the Court Reporter Service Fee? **Jackie Cockerham:** I'm showing that at the end of this year, we anticipate it will be about \$84,000. **Judge Flannigan:** I thought it was pretty substantial and because of that, I was encouraging that we tap that fund for whatever we can, whether its records for criminal or civil indigent or the visiting court reporter service and make sure we don't go into the general fund for any of that stuff. **Judge Bauer:** So can we use it when the County Attorney

needs records money? **Judge Flannigan:** No, it can only be used for appellate records for indigent defendants. Do you know off the top of your head Jackie or Suzy, if a court reporter turns in a statement for an appellate record that they've sent off to the Court of Appeals, where have you been paying that out of?

**Jackie Cockerham:** I don't know off the top of my head, I would have to check into that. **Judge Whatley:** Another thing on line

482 - Court Costs, I did not put a figure there, because there wasn't anything in 2017. **Tana Taylor:** I think that is an old

fee that they are not collecting anymore. **Judge Mills:** Does anyone have anything else? No, Court is adjourned.

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*Court adjourned at 4:45 a.m.*

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

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VALERIE K. AMASON,

EX-OFFICIO CLERK OF THE

COMMISSIONERS' COURT