

MINUTES OF THE

COMMISSIONERS' COURT

REGULAR MEETING - MARCH 11, 2019

On the 11th day of March, 2019, there was a Regular Meeting of the Commissioners' Court in the Commissioners' Courtroom, 2840 Hwy 35 N, 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; **Wendy Laubach**, Commissioner, Precinct 4; and **Valerie K. Amason**, County Clerk.

Other County Officers present were **Jerry Brundrett**, County Surveyor; **Kristen Barnebey**, County District Attorney; **Alma Cartwright**, Treasurer; **Pam Heard**, District Clerk; **Richard Bianchi**, County Court at Law Judge; **Suzy Wallace**, County Auditor; **Latisha Murphy**, Administrative Assistant to the County Judge; **David Reid**, Road Administrator/Drainage Engineer/Stormwater Management Engineer; **Collin Jackson**, IT Director; **Linda Doane**, Human Resources Director; **Michael Geer**, Airport Manager; **Valerie Gonzalez**, Environmental Health Director; **John Strothman**, Pathways Project Manager; **Rene Butler**, Maintenance Director; **Carrie Arrington**, Office & Contracts Manager, County District Attorney's Office; **Jacky Cockerham**, First Assistant County Auditor; **Tana Taylor**, Assistant County Auditor; **Lois White**, Chief Deputy Treasurer; **John Gutierrez**, Chief Deputy Sheriff;

Long-Term Recovery: **Will Whitson**, **Randall Freeze**, Long Term Recovery Specialists;

Members of Local City Government, Community Groups and other Interested Parties present:

Aransas County Citizens: Betty Stiles;

Steve Smith, General Assignment Reporter for the Rockport Pilot Newspaper;

Evan Chick, NorthStar Cost Analysis Representative;

Vance Dawson, V, Operation Manager at Dawson's Recycling & Disposal Services, Inc;

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

Betty Stiles: I have an incredible Harvey story today, I received an e-mail from a lady in Holiday Beach and while a group of four (4) girls who were on the National Honor Society were donating their time to clean up for Keep Aransas County Beautiful, they came upon a Marine flag in one of the ditches that turned out to be the very same one that was dedicated and hung at the airport for several days in honor of the late Airport Manager, Gene Johnson, who had one of the hangars named after him. It was then passed on to his wife and during Hurricane Harvey the Johnson home was totally destroyed. This flag was signed by myself, the current airport manager, Mike Geer, employees at the airport, and others.

Mike Geer: We decided that we would not clean it up, just leave it in the state that it was found and hang it back up at the airport in the hangar named in his honor.

Betty: We were thinking about having a re-dedication ceremony with a plaque that tells the story, invite Linda Johnson back

along with the four young ladies, and I would encourage anyone else who wishes to attend.

CONSENT ITEMS

Motion was made by Commissioner Olsen and seconded by Commissioner Chaney to approve:

1. Minutes from the Regular Meeting of February 25, 2019.
2. Official Public Blanket Bond Rider Address Change to Policy for the Aransas County IT Department.
3. Official Public Blanket Bond Rider Address Change to Policy for the Aransas County Library.
4. Official Public Blanket Surety Bonds for Employees of the Aransas County Treasurer's Office.
5. Official Public Bond Continuation Certificates for Rene Butler, Facilities Director & Maintenance Supervisor; and David Cruz, Maintenance/Custodian.
6. Acknowledge receipt of and record in the minutes of Commissioners Court, Commissioners Education Certificates of Completion for Leslie Casterline and Brian Olsen from the County Judges & Commissioners Association of Texas for successfully completing the continuing education provisions of Article 81.0025 of the Texas Local Government Code for 2018. Question. Motion carried unanimously.
It is so ordered.

COUNTY AIRPORT

7. Motion was made by Commissioner Olsen and seconded by Commissioner Casterline to approve allowing the destroyed

(Inserts)

hangars to be built in new locations based on a cost analysis to be performed by NorthStar.

Question. Motion carried unanimously.

It is so ordered.

8. Motion was made by Commissioner Olsen and seconded by Commissioner Chaney to **TABLE** permission to surplus approximately 3.86 acres of Airport Property located on Airport Road with the intention of deed restricting for flight path requirements, platting, and then offering for sale to the owners of the Airport Business Park.

Question. Motion carried unanimously.

It is so ordered.

COUNTY ROADS

9. Motion was made by Commissioner Chaney and seconded by Commissioner Olsen to approve acceptance of a 20-Ft. drainage easement on Outlot No. 103, Lamar Outlots, William Lewis Survey A-96.

Question. Motion carried unanimously.

It is so ordered.

10. Motion was made by Commissioner Casterline and seconded by Commissioner Olsen to approve Order #O-01-2019, an Order Closing, Abandoning and Vacating a 20-foot alleyway in Block 260 of the Manning Addition, Aransas County, Texas.

Question. Motion carried unanimously.

It is so ordered.

(Inserts)

COUNTY POLICY & PROCEDURES

11. Motion was made by **Judge Mills** to **disapprove at this time, discuss, & maybe come back with a plan**, the policy of the Commissioners Court to resume the practice of releasing background material for the notice of agenda for each Commissioners Court meeting at the same time the notice of agenda is published, discuss and maybe come back with a plan.

Commissioner Laubach: I think we are outside routine practice here, I ran for this office almost entirely on a platform of transparency, this is an important issue of transparency and what I'm asking for is not extraordinary, it's simply to review documents for a couple of days before our meetings so that we can make sure we take out any minor and very limited confidential information so that it doesn't inadvertently go out to the public, but aside from that, our standard policy ought to be that everything goes out to the public, it has in the past and it ought to again.

Commissioner Casterline: I don't think the Judge is saying that we shouldn't do what you are saying, I think he's saying that based on what he got back from Texas Association of Counties legal authority, that we shouldn't at this time approve the resolution that you presented, **so I would second the Judge's motion.**

Commissioner Laubach: Should we set up a workshop then to consider it, what is our procedure going forward? We need...

Commissioner Casterline: I wouldn't have a problem with that.

Judge Mills: There has been a motion made and a seconded that we disapprove...

Commissioner Laubach: I would like to amend the motion and add

some procedure for how we are going to come to grips with the issue, are we going to have a public workshop on it?

Commissioner Chaney: My comment on this is, this has come about because of one or two meetings and a minor change in policy, I think it would be up to the Judge, as Administrative Leader of Aransas County, that he would look at that and recommend to the court any changes that he would perceive to be and I call for a vote.

Judge Mills: Motion made and seconded, all of those in favor..

Commissioner Laubach: I would like to amend again, I would like to amend, we are not ready to reach a vote on the motion while there is an amendment on the floor.

Judge Mills: I think we are ma'am.

Commissioner Laubach: I'm amending, I'm proposing an amendment to have a procedure other than simply a private consideration by one person, I think that all of us ought to be involved in it and the public as well.

Judge Mills: Well that should have been considered before you brought this to the court.

Commissioner Laubach: I'm bringing into consideration some of the debate and my proposal to deal with the issues raised in the debate on the motion is...

Judge Mills: Motion made and seconded.

Commissioner Laubach: I move for a public workshop to be added to the proposal, I would like to have that amended motion dealt with at this time.

Judge Mills: It will be but not today.

Commissioner Laubach: It's part of this motion and I want it to be considered now, I think that's proper.

County/District Attorney Barnebey: So at this point

Commissioners we could invoke or at least go back to your policies, maybe have your bailiff ready if a Commissioner is not going to listen to the things being said.

Commissioner Laubach: I don't think the bailiff is going to need to arrest me, we just need to vote on my proposed amendment to your motion.

Commissioner Casterline: Don't you need a second on your amendment?

Judge Mills: Need a second on the amendment, do I have one? No second, amendment dies.

Judge Mills: Motion was made and seconded to disapprove this resolution as done today.

Question. Motion carried with Commissioner Laubach voting against the motion.

It is so ordered.

12. Motion was made by Judge Mills and seconded by Commissioner Casterline to **disapprove** Resolution #R-10-2019, a resolution of Commissioners Court making background documents available to the public on or about the same time the notice of agenda was published or after the meeting.

Question. Motion carried with Commissioner Laubach voting against the motion.

It is so ordered.

CONTRACTS, AGREEMENTS, GRANTS & LEASES

13. Motion was made by Commissioner Chaney and seconded by Commissioner Olsen to approve Amended Resolution #R-07-2019-A, a Resolution authorizing the submission of Texas Community Block Grant Program applications to the Texas Department of Agriculture for the Community Development Fund and authorizing

the County Judge to act as the executive officer and authorized representative in all matters pertaining to the County's participation in the Texas Community Development Block Grant Program. This has been amended to read, "The minimum matching funds in the amount of \$15,000 in cash/in-kind services, or waived fees are committed by Aransas County for the improvements in the application".

Question. Motion carried unanimously.

It is so ordered.

14. Motion was made by Commissioner Olsen and seconded by Commissioner Casterline to approve accepting a grant in the amount of \$4,000 from the Sid Richardson Foundation to provide funding for the repair of field lights on the sports fields of Tiger Field and authorize the County Judge to sign a Letter of Agreement with the Sid Richardson Foundation outlining the conditions upon which the grant has been approved.

Question. Motion carried unanimously.

It is so ordered.

15. Motion was made by Commissioner Casterline and seconded by Commissioner Olsen to approve and authorize the County Judge to sign the Registration Services Agreement (RSA) with the American Registry for Internet Numbers (ARIN) in order to obtain an Autonomous System Number (ASN) required for Internet Routing and Redundant Internet Providers.

Question. Motion carried unanimously.

It is so ordered.

(Inserts)

16. Motion was made by Commissioner Chaney and seconded by Commissioner Olsen to approve and authorize the County Judge to sign a contract with Dawson's Recycling & Disposal Services, Inc. for annual brush grinding/mulch services at the Aransas County Transfer Station.

Question. Motion carried unanimously.

It is so ordered.

17. Motion was made by Commissioner Olsen and seconded by Commissioner Casterline to approve the renewal of the program agreement with TAC (TX. Assoc. of Counties) for the Affordable Care Act Reporting and Tracking Service (ARTS).

Question. Motion carried unanimously.

It is so ordered.

18. Motion was made by Commissioner Casterline and seconded by Commissioner Olsen to approve and authorize the County Judge to sign an Interlocal Cooperation Agreement - Additional Addendum with the City of Rockport for the Application and Reimbursement/Distribution of FEMA/State Disaster-Relating Funding for Private Property Debris Removal and Demolition of Private Structures Program in Aransas County.

Question. Motion carried unanimously.

It is so ordered.

PLANNING & BUDGET OFFICE

19. Motion was made by Commissioner Casterline and seconded by Commissioner Olsen to approve February 2019 Indigent Healthcare Report.

Question. Motion carried unanimously.

It is so ordered.

(Inserts)

20. Motion was made by Commissioner Casterline and seconded by Judge Mills to approve Budget Line Item Transfers of which there were none.

Question. Motion carried unanimously.

It is so ordered.

21. Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve Accounts Payable and Payroll/Payroll Liabilities.

Question. Motion carried unanimously.

It is so ordered.

REPORTS FROM COMMISSIONERS, ELECTED OFFICIALS &

DEPARTMENT HEADS WHEREIN NO ACTION WILL BE TAKEN

There were no fees to report.

Commissioner Laubach: Code 3 ER has asked me to testify in front of the Legislature on Wednesday in favor of a proposal that would loosen up some state regulations and allow them to use some of their emergency equipment for urgent cases which is currently not possible, CT and Ultra Sound for a few, and they also cannot do some types of blood work for urgent patients and they have asked me to extend the invitation to any other Commissioner or any member of the public that would like to come testify in their favor as well.

Judge Mills: For those that went to the Oysterfest, it was a real success, I was told yesterday that over 600,000 raw oysters were sold, that's quite a large number.

(Insert)

No further business presenting, the Court adjourned at 9:34 a.m. on a motion made by Commissioner Olsen and seconded by Commissioner Laubach.



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



VALERIE K. AMASON,

EX-OFFICIO CLERK OF THE

COMMISSIONERS' COURT