

MINUTES OF THE
COMMISSIONERS' COURT

REGULAR MEETING - MARCH 23, 2020

On the 23rd day of March, 2020, 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; **Charles Smith**, Commissioner, Precinct 3; **Wendy Laubach**, Commissioner, Precinct 4; **Gayle Otto**, Chief Deputy County Clerk and **Christy Gibson**, Deputy County Clerk - Executive Administrative Support.

Other County Officers present were **Jerry Brundrett**, County Surveyor; **Kristen Barnebey**, County District Attorney; **Bill Mills**, Sheriff; **David Klanica**, Executive Assistant to the County Judge; **Tracy Orr**, Administrative Assistant to the County Judge; **Jacky Cockerham**, Interim County Auditor; **David Reid**, Road Administrator/Drainage Engineer/Stormwater Management Engineer; **Katherine Comeaux**, Development Services Coordinator; **Michael Geer**, Airport Manager; **Valerie Gonzalez**, Environmental Health Director; **John Strothman**, Pathways Project Manager; **Collin Jackson**, IT Director;

Michele Carew, Elections Administrator; **Lori Cesar**, Animal Control Director;

Long-Term Recovery Specialists: Randall Freeze;

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

Aransas County Navigation District: Keith Barrett, Harbor Master; Tommy Moore, Secretary and Commissioner at Large;

Aransas County Citizens: Pat Rousseau;

The Rockport Pilot Newspaper: Mike Probst, Editor and Publisher

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

There were none.

CONSENT ITEMS

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

1. Minutes from the Regular Meeting of March 9, 2020.
2. Proposed Aransas County Official Holidays for 2021.
3. Proposed Aransas County Transfer Station Official Holidays for 2021.
4. Acknowledge receipt of and record in the minutes Aransas County Veterans Service Officer John Kroll's recent honorary commission as an Admiral in the Texas Navy, awarded to him by Governor Greg Abbott after a nomination and review process. Proclamation #P-02-2020, to proclaim April as Fair Housing Month in Aransas County.
5. Proclamation #P-02-2020, to proclaim April as Fair Housing Month in Aransas County.

(Inserts)

Question. Motion carried unanimously.

It is so ordered.

COUNTY REPORTS

6. Motion was made by Commissioner Smith and seconded by Commissioner Chaney to recognize and approve accepting a donation in the amount of \$3,033.38 from an anonymous donor through Aransas First for the replacement of Share the Road sign along county right-of-ways, destroyed by Hurricane Harvey. The donation was made to encourage biking throughout the County.

Question. Motion carried unanimously.

It is so ordered.

7. Motion was made by Commissioner Smith and seconded by Commissioner Laubach to recognize and approve accepting a donation in the amount of \$12.99 from Keep Aransas County Beautiful for disposal costs associated with A Day of Kindness project.

Question. Motion carried unanimously.

It is so ordered.

COUNTY ROADS

8. Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve variance on subdivision regulations to replat 295 Rustic Oak Lane into one lot.

Question. Motion carried unanimously.

It is so ordered.

9. Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve proposed fee schedule for

(Inserts)

Aransas County Service Center.

Question. Motion carried unanimously.

It is so ordered.

10. Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve proposed rental community regulations - Order #0-03-2020.

Question. Motion carried unanimously.

It is so ordered.

11. Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve authorizing the County Judge to accept and sign a Drainage Easement from Melanie Grabowske described as: a twenty-foot wide (20.0) drainage easement embracing 0.051 acres of land out of Lot 9, Copano Cove Subdivision, Unit 10, Aransas County, Texas.

Question. Motion carried unanimously.

It is so ordered.

12. Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve Real Property Donation (ID: 60631) from Larry J. Iles for County drainage purposes.

Question. Motion carried unanimously.

It is so ordered.

ENVIRONMENTAL HEALTH

13. Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve authorizing Environmental Health to abate 834 Rowe St. and put a lien on the property for any costs incurred for abatement.

Question. Motion carried unanimously.

It is so ordered.

(Inserts)

14. Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve authorizing Environmental Health to abate 907 Merinel Lane and put a lien on the property for any costs incurred for abatement.
Question. Motion carried unanimously.
It is so ordered.

CONTRACTS, AGREEMENTS, GRANTS & LEASES

15. Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve Resolution #R-03-2020, to designate authorized signatories for the Texas Community Development Block Grant (TxCDBG) 7219490 "First time sewer on S. Kossuth Street from W. James to W. Corpus Christi Street.
Question. Motion carried unanimously.
It is so ordered.
16. Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve Resolution #R-04-2020, to adopt a Limited English Proficiency Plan for the 2019 Texas Community Development Grant 7219490 "First time sewer on S. Kossuth Street from W. James Street to W. Corpus Christi Street.
Question. Motion carried unanimously.
It is so ordered.
17. Motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve Resolution #R-05-2020, to designate authorized signatories for Texas Department of Agriculture (TDA) Colonia Fund: Construction 7219025 "First time sewer on 8th Street from S. Doughty Street to S. Fuqua

(Inserts)

Street; on east side of S. Doughty Street from W. 8th Street to W. 5th Street; on S. Kossuth Street from W. 8th Street to the north of W. 6th Street; on S. Verne Street from W. 8th Street to W. 6th Street; on S. Fuqua from W. 8th Street to the north of W. 8th Street".

Question. Motion carried unanimously.

It is so ordered.

18. Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve Resolution #R-06-2020, to adopt a Limited English Proficiency Plan for the 2019 Texas Department of Agriculture (TDA) Colonia Fund: Construction 7219025 "First time sewer on 8th Street from S. Doughty Street to S. Fuqua Street; on the east side of S. Doughty Street from W. 8th Street to W. 5th Street; on S. Kossuth Street from W. 8th Street to the north of W. 6th Street; on S. Verne Street from W. 8th Street to W. 6th Street; on S. Fuqua from W. 8th Street to the north of W. 8th Street.

Question. Motion carried unanimously.

It is so ordered.

19. Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve and authorize the County Judge to sign Grant Administration Services Agreement between Aransas County and GrantWorks, Inc. for the Texas Community Development Block Grant (TxCDBG) 7219490 "First time sewer on S. Kossuth Street from W. James Street to W. Corpus Christi Street."

Question. Motion carried unanimously.

It is so ordered.

(Inserts)

20. Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve and authorize the County Judge to sign a Grant Administration Services Agreement between Aransas County and GrantWorks, Inc. for the Texas Department of Agriculture (TDA) Colonia Fund: Construction 7219025 "First time sewer on 8th Street from S. Doughty Street to S. Fuqua Street; on the east side of S. Doughty Street from W. 8th Street to W. 5th Street; on S. Kossuth Street from W. 8th Street to the north of W. 6th Street; on S. Verne Street from W. 8th Street to W. 6th Street; on S. Fuqua from W. 8th Street to the north of W. 8th Street."

Question. Motion carried unanimously.

It is so ordered.

21. Motion was made by Commissioner Smith and seconded by Commissioner Casterline to TABLE authorizing the County Judge to sign an Amended Medical Services Agreement with Lone Star Ambulance 1, d/b/a Allegiance Ambulance, for a one year period with a cost of \$196,674 [Tabled from 3/9/2020].

Question. Motion carried unanimously.

It is so ordered.

22. Motion was made by Judge Mills and seconded by Commissioner Casterline to TABLE authorizing the County Judge to sign an Intergovernmental Agreement with the Aransas County Navigation District to provide grant funds budgeted from the FEMA Hazardous Mitigation 404 Grant Program, benefitting the Little Bay drainage target area. [Tabled from 3/9/2020].

Question. Motion carried unanimously.

It is so ordered.

(Inserts)

23. Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve renewal of the program agreement with Texas Association of Counties (TAC) for the Affordable Care Act Reporting and Tracking Service (ARTS). Question. Motion carried unanimously.
It is so ordered.
24. Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve the Construction Manager Agent (CMA) recommendations and authorizing the County Judge to appoint a negotiating representative to engage with the selected firms and reach consensus on an acceptable CMA contract.
Question. Motion carried unanimously.
It is so ordered.
25. Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve and authorize the County Judge to sign an Agreement for Professional Services between Aransas County and Mott MacDonald, LLC not to exceed \$38,517.00 for environmental assessment and National Environmental Policy Act (NEPA) compliance review for the Downtown Anchor Project.
Question. Motion carried unanimously.
It is so ordered.
26. Approval and authorization for the County Judge to sign an Agreement for Construction Services between Aransas County and MoCon Services, Inc. for the Banty Lane Project Improvements - Community Development Block Grant (TxCDBG) 7219007 went into closed session.

(Inserts)

27. Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve and authorize the County Judge to sign an Intergovernmental Agreement with the Texas Department of State Health Services regarding public health emergency preparation.

Question. Motion carried unanimously.

It is so ordered.

PLANNING & BUDGET OFFICE

28. Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve Employee Handbook Policy Amendments to the Employee Handbook, Section 1C-22 "Emergency Closing or Evacuation compensation of employees, Section C" from "Sheriff's Deputies" to "Sheriff's Personnel" who are designation as "essential" to ensure correctional officers are included in the designation.

Question. Motion carried unanimously.

It is so ordered.

29. Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve the February 2020 Treasurer's Report.

Question. Motion carried unanimously.

It is so ordered.

30. Motion was made by Commissioner Casterline and seconded by Commissioner Laubach to approve the County's monthly financial support to Code 3 Emergency.

Question. **Motion carried with Commissioner Smith voting against the motion.**

It is so ordered.

(Inserts)

31. Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve Budget Line Item Transfers and Amendments of which there were none.

Question. Motion carried unanimously.

It is so ordered.

32. Motion was made by Commissioner Casterline and seconded by Commissioner Chaney 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**

Jacky Cockerham: Fee Report - Between last year and this year we have an increase of \$6,020.92 for the fees that are collected through the courts.

Michele Carew: An e-mail that I sent to all of the local entities political subdivisions letting them know that I would not be conducting the May 2, 2020 Election for them. This came after an advisory was sent out by the Secretary of State's office letting them know that they could move their elections to November. So, with everything that is going on I felt it was in the best interest of the Voters and for everyone.

Judge Mills: By my understanding if we did carry on with the May election we would also have to incur the expense of cleaning every piece of machinery after each use.

(Insert)

Michele Carew: Exactly.

Judge Mills: I authorized the closure of the Tax Office and the Road & Bridge Office to the public as of this morning. Now we need to talk about the Courthouse, I understand we are still going to have some court?

Kristen Barnebey: Yes your honor, so the Government still allows Juvenile and CPS hearings, those cases that deal with children but also have matters that have to be addressed, so somehow we will have to figure that out. Judge Bianchi has cancelled jury trials until the end of April. District Court, we received an e-mail last night from Judge Whatley that said they are going to start working from home and then have some hearings so we are going to have to talk about what that looks like and what that means. Our office can continue, to some extent, since we have a window, so we will remain open as long as Tuesday but with a skeleton crew.

Michele Carew: So does your order also include my office?

Judge Mills: It probably should, yes, we will get a notice for your front door. Back to the Courthouse, because it has essential offices I'm suggesting that we close the courthouse and put a sign up that says "If you need to see anyone, you will be escorted in and out after your temperature is taken and it is determined that you are not running a fever".

Kristen Barnebey: Does that include employees?

Judge Mills: Yes, I think it should include employees.

Kristen Barnebey: So we are closing the Courthouse and everybody is working from home?

Judge Mills: No, the employees will have to come in. The public can come in by appointment only. What do you think of that, that's my idea?

Commissioner Chaney: I think that is probably a good idea.

Judge Mills: I had a question about who will be responsible for opening the door and letting someone in, I think that should be the person/office who made the appointment. I am borrowing a thermometer from the jail until we can get some in, we tried to order some and they said it would be May before we could get some. I'm sorry we are not borrowing one from the jail, they only had one, they thought they had three. I sent Rene to the pharmacy to buy us one. Anybody got one we can borrow, I'd appreciate it.

Valerie Gonzalez: We have two.

Katherine Comeaux: Judge I apologize, I wanted to ask, I've been working on an incident action plan, as some of you might know when I worked for Aransas Pass I did work as an Emergency Management Coordinator, one of the things that I think that we do need to do is take an assessment of what each department has as far as personal protective equipment and medical supplies for screening both the employees and the public if they are coming in. Is there any way to start coordinating, ask the department heads to take those assessments and send that information to your office?

Judge Mills: That's a good idea, everybody got that?

Katherine Comeaux: We need gloves, I think right now one of my primary concerns is that we do need to activate the EOC, whether or not we have enough protective equipment for personnel to be

safely interacting closer than the 6 feet that may be needed in order to coordinate, depending on the levels that we see as we get more accurate information.

Judge Mills: I appreciate that but we have Rick McLester to make that decision and that decision will be made between he, myself, the two Mayors, and the Sherriff.

Sheriff Mills: Would we not stick to what we agreed on last Monday in regards to that? The teleconference to avoid...

Judge Mills: Right now that's the way we are doing it, yes.

Collin Jackson: We are working on getting ZOOM meeting or a comparable service where we can virtualize the work.

Judge Mills: Yes, we are working on that because we don't know what is coming in the future but we still have to conduct business so we might have to be doing this type of screening or whatever.

Lori Cesar: Well we would like out at Animal Control, we were not going to or are going to try not to take cats, try not to increase our inventory to a point that we are overwhelmed. We have limited owner surrenders, we are not going to take them right now, we are working with them to keep them in place if I have to. Both of my rescues have stepped up, they are going to be available in case someone should be sick. We've also kind of split shifts so that everybody is not there at the same time, the animals will be taken care of going forward but we would like to limit my officers interaction with the public.

Judge Mills: Yes, close your business to the public.

Commissioner Smith: It's my understanding that there is some question as to whether you can actually catch this virus from a pet.

Lori Cesar: No, it's not, it came down from Dr. Tyler that is the head of Regional, we've already talked to him and it could be, it could be because hair is porous but you're getting microscopic there, it could be transferred but they don't know and they don't have any data on it to support it at all and our biggest fear is that people are going to start turning them in because of that and it's not accurate data.

Collin Jackson: At what point do you want me to lock the front doors?

Judge Mills: As soon as I get a sign made I'll let you know.

The Court entered into closed session at 9:37 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 9:50 a.m. with all members present, and further proceedings were had and done to wit:

26. Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve and authorize the County Judge to sign an Agreement for Construction Services between Aransas County and MoCon Services, Inc. for the Banty Lane Project Improvements - Community Development Block Grant

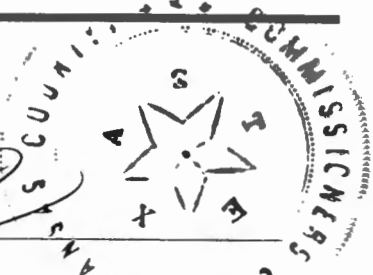
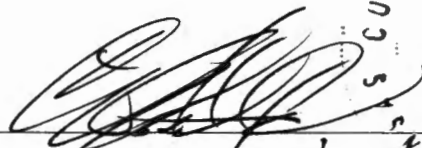
(TxCDBG) 7219007 conditioned on approval of GrantWorks, Inc. and the Aransas County Attorney.

Question. Motion carried unanimously.

It is so ordered.

(Insert)

No further business presenting, the Court adjourned at 9:51 a.m. on a motion made by Commissioner Casterline and seconded by Commissioner Smith.



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

VALERIE K. AMASON,

EX-OFFICIO CLERK OF THE

COMMISSIONERS' COURT

By: 

GAYLE T. OTTO, Chief Deputy Clerk

