

**NOTICE OF REGULAR MEETING OF THE COMMISSIONERS' COURT  
ARANSAS COUNTY, TEXAS**

**AGENDA**

NOTICE IS HERBY GIVEN THAT A MEETING OF THE ABOVE NAMED COMMISSIONERS' COURT *V.T.C.A. GOVERNMENT CODE, SECTION 551.001(4)*, WILL BE HELD ON THE **10<sup>th</sup>** DAY OF **AUGUST, 2015** AT **9:00 A.M.** IN THE COMMISSIONERS' COURTROOM IN THE COUNTY COURTHOUSE, 301 N. LIVE OAK, ROCKPORT, TEXAS, AT WHICH TIME THE FOLLOWING SUBJECTS WILL BE DISCUSSED, TO-WIT:

**I. CALL TO ORDER AND DECLARE QUORUM**

**II. PLEDGES AND INVOCATION**

**III. CITIZENS TO BE HEARD:**

*At this time, comments will be taken from the audience on any subject matter that is not on the agenda. To address the Commissioners, please sign the public Participation Form located on the table in front of the pews and deliver to the County Clerk before the meeting begins. Citizens who wish to speak on a matter included in this agenda will be invited to speak when that particular matter is being deliberated by the Commissioners' Court. Each member of the public who appears before the Commissioners' Court shall be limited to a maximum of five (5) minutes to make his/her remarks. In accordance with the Open Meetings Act, Commissioners may not discuss or take action on any item which has not been posted on the agenda.*

**IV. PRESENTATIONS:**

*Presentations are limited to fifteen (15) minutes unless other arrangements have been made with the Court.*

1. UPDATE ON THE RESULTS OF THE "VETS FISHING WITH VETS EVENT" – MIKE AND JAN MOORE

**V. ITEMS FOR DELIBERATION AND/OR ACTION:**

**CONSENT AGENDA**

*All Consent Agenda items listed are considered to be routine by the Commissioners' Court and will be enacted by one motion. There will be no separate discussion of these items unless a Commissioner or the County Judge so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.*

1. DISCUSS, APPROVE, OR DISAPPROVE THE MINUTES FROM THE REGULAR MEETING OF AUGUST 3, 2015 – VALERIE AMASON/JUDGE MILLS
2. DISCUSS, APPROVE, OR DISAPPROVE THE APPOINTMENT OF KRISTEN BARNEBEY AS COUNTY ATTORNEY WITH FELONY RESPONSIBILITIES ALSO KNOWN AS "COUNTY & DISTRICT ATTORNEY" FOR ARANSAS COUNTY AND THE STATE OF TEXAS, EFFECTIVE SEPTEMBER 1, 2015, PURSUANT TO SENATE BILL 1139. – KRISTEN BARNEBEY/JUDGE MILLS
3. DISCUSS, APPROVE, OR DISAPPROVE RESOLUTION R-13-2015 AUTHORIZING THE PUBLICATION OF DELINQUENT TAXPAYERS' NAMES BY THE LAW FIRM OF LINEBARGER COGGAN BLAIR & SAMPSON, LLP – LAW FIRM REP/JUDGE MILLS
4. DISCUSS, APPROVE, OR DISAPPROVE NAMING THE "ROCKPORT PILOT" THE OFFICIAL NEWSPAPER OF ARANSAS COUNTY – JUDGE MILLS

**PLANNING & BUDGET OFFICE**

5. DISCUSS, APPROVE, OR DISAPPROVE THE RENEWAL OF OUR ADOPTION AGREEMENT AND CERTIFICATE OF RESOLUTION (#R-12-2015) FOR THE SECTION 125 PREMIUM ONLY PLAN WHICH IS OFFERED TO ALL COUNTY EMPLOYEES AS A BENEFIT TO REDUCE THEIR TAX LIABILITY ON PAYMENT OF HEALTH, DENTAL, AND QUALIFYING LIFE INSURANCE PREMIUMS – PAT ROUSSEAU/JUDGE MILLS

6. DISCUSS, APPROVE, OR DISAPPROVE THE **HIRING OF ONE (1) ASSISTANT COUNTY & DISTRICT ATTORNEY (\$55,000), ONE (1) PARALEGAL (17-3), AND ONE (1) ADMINISTRATIVE ASSISTANT (11-1) FOR THE ARANSAS COUNTY & DISTRICT ATTORNEY OFFICE, THROUGH THE REMAINDER OF 2015, BEGINNING SEPTEMBER 1, 2015 – KIRSTEN BARNEBEY/JUDGE MILLS**
7. DISCUSS, APPROVE, OR DISAPPROVE **TREASURER'S REPORT FOR JULY 2015 – ALMA CARTWRIGHT/JUDGE MILLS**
8. DISCUSS, APPROVE, OR DISAPPROVE **INDIGENT HEALTH CARE REPORT FOR JULY 2015 – ALMA CARTWRIGHT/JUDGE MILLS**
9. DISCUSS, APPROVE, OR DISAPPROVE **BUDGET LINE ITEM TRANSFERS – LEZLIE KIRK/JUDGE MILLS**
10. DISCUSS, APPROVE, OR DISAPPROVE **ACCOUNTS PAYABLE – LEZLIE KIRK/JUDGE MILLS**
11. DISCUSS AND TAKE ACTION ON **ELECTED OFFICIALS SALARIES FOR 2016 BUDGET YEAR – LEZLIE KIRK/JUDGE MILLS**
12. DISCUSSION AND POSSIBLE ACTION ON **PROPOSED 2016 BUDGET – LEZLIE KIRK/JUDGE MILLS**
13. DISCUSS, APPROVE, OR DISAPPROVE **DATE AND TIME FOR PUBLIC HEARING ON 2016 BUDGET – LEZLIE KIRK/JUDGE MILLS**
14. DISCUSSION AND POSSIBLE ACTION ON **2015 TAX RATE – JERI COX/JUDGE MILLS**
15. IF NECESSARY, TAKE **RECORD VOTE ON PROPOSED 2015 TAX RATE AND SCHEDULE TWO PUBLIC HEARINGS ON PROPOSED TAX INCREASE – JERI COX/JUDGE MILLS**
16. DISCUSS, APPROVE, OR DISAPPROVE **TIME AND DATE TO ADOPT THE 2016 BUDGET AND 2015 TAX RATE – LEZLIE KIRK/JERI COX/JUDGE MILLS**

**DRAINAGE EASEMENTS & STORM WATER ITEMS**

17. DISCUSS, APPROVE OR DIS APPROVE ACCEPTING GIFT OF PROPERTY KNOWN AS **JANACEK ROAD, BEING DESCRIBED AS A PRIVATE 60-FT WIDE ROADWAY RIGHT-OF-WAY OUT OF TRACK 34 AND 35 OF COLEMAN FULTON PASTURE COMPANY SUBDIVISION, FOR THE SOLE PURPOSE OF DRAINAGE INFRASTRUCTURE IMPROVEMENTS – CASTERLINE**
18. DISCUSS, APPROVE OR DISAPPROVE ACCEPTING A 20-FT WIDE DRAINAGE EASEMENT OUT OF LOT 9 OF UNRECORDED **JANACEK SUBDIVISION, OUT OF TRACTS 34 AND 35 OF COLEMAN FULTON PASTURE COMPANY SUBDIVISION – CASTERLINE**
19. DISCUSS, APPROVE OR DISAPPROVE **AUTHORIZING NOTICE OF PUBLIC HEARING TO CONSIDER IMPROVEMENTS AND ASSESSMENT OF COSTS FOR JANACEK ROAD, IN ACCORDANCE WITH TRANSPORTATION CODE CHAPTER 253 - CASTERLINE**

**VI. REPORTS FROM COMMISSIONERS, ELECTED OFFICIALS & DEPARTMENT HEADS WHEREIN NO ACTION WILL BE TAKEN:** *“At this time, County Commissioners will report/update on all committee assignments which may include the following: Aransas Pathways Steering Committee; County Storm Water Advisory Committee; Coastal Bend Council of Governments; Coastal Bend Bays & Estuaries; Economic Developments; Live Oak Tree Committee; Navigation District; Personnel Committee; Rural Rail District; and Rockport Community Park/Swimming Pool Committee. Elected Officials & Department Heads reports include but are not limited to the following: Airport Advisory Board Updates; County Auditor – Read Fee Reports of county & precinct offices.”*

**VII. REPORTS ABOUT ITEMS OF COMMUNITY INTEREST REGARDING WHICH NO ACTION WILL BE TAKEN:** *“At this time, Commissioners’ Court will hear reports/updates from Commissioners or County Staff about items of community interest including (1) expressions of thanks, congratulations, or condolence; (2) information regarding holiday schedules; (3) a honorary or salutary recognition of a public official, public employee, or other citizen; (4) a reminder about an upcoming event organized or sponsored by the Court; (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the Commissioners’ Court that was attended or is scheduled to be attended by a*

Commissioner or an official or employee of the County; and (6) announcements involving an imminent threat to the public health and safety of people in the County that has arisen after the posting of the agenda."

**VIII. PRESS QUESTIONS:**

At this time, the Commissioners' Court will accept questions from the press on items related to Agenda items which need clarification or further response. This item is provided as a courtesy to keep the citizens of Aransas County informed.

**IX. CLOSED SESSION:**

1. COMMISSIONERS' COURT WILL MEET IN CLOSED SESSION AS AUTHORIZED BY TEXAS GOVERNMENT CODE SECTION 551.071 TO DISCUSS POTENTIAL AND CURRENT LITIGATION AND OTHER MATTERS PROTECTED BY THE ATTORNEY-CLIENT PRIVILEGE
2. COMMISSIONERS' COURT WILL MEET IN CLOSED SESSION AS AUTHORIZED BY TEXAS GOVERNMENT CODE SECTION 551.072 TO DISCUSS REAL ESTATE NEGOTIATIONS, INCLUDING PATHWAYS PROJECTS, STORM WATER MANAGEMENT, COUNTY LAND AND COUNTY LEASES
3. COMMISSIONERS' COURT WILL MEET IN CLOSED SESSION AS AUTHORIZED BY TEXAS GOVERNMENT CODE SECTION 551.07A TO DISCUSS PERSONNEL MATTERS AND OTHER ISSUES.

**X. OPEN SESSION:**

COMMISSIONERS' COURT WILL RECONVENE INTO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN CLOSED SESSION

**XI. ADJOURNMENT**

DATED THIS THE 6<sup>TH</sup> DAY OF AUGUST, 2015

**NOTES TO THE AGENDA:**

- 1) THE COMMISSIONERS' COURT RESERVES THE RIGHT TO RETIRE INTO EXECUTIVE CLOSED SESSION CONCERNING ANY OF THE ITEMS LISTED ON THIS AGENDA, WHENEVER IT IS CONSIDERED NECESSARY AND LEGALLY JUSTIFIED UNDER THE OPEN MEETINGS ACT.
- 2) PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED ASSISTANCE SHOULD CONTACT THE COUNTY JUDGE'S OFFICE AT 361-790-0100 TWO WORKING DAYS PRIOR TO THE MEETING SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.

**FILED**

AT 8:12 A. M.

AUG 07 2015

*posted @ 8:25 am*

**VALERIE K. AMASON**  
COUNTY CLERK, ARANSAS CO., TEXAS

**COMMISSIONERS' COURT, ARANSAS COUNTY, TEXAS**

I, the undersigned, County Clerk, do hereby certify that the Notice of the above named Commissioners' Court, is a true and correct copy of said Notice, and that I posted a true and correct copy of said Notice on the bulletin board in the courthouse lobby of Aransas county, Texas on the 7<sup>th</sup> day of August, 2015, and said Notice remained so posted continuously for at least seventy-two (72) hours preceding the scheduled time of said Meeting.

**FILED**

AT 8:15 A. M.

AUG 10 2015

*Valerie K. Amason*  
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COUNTY CLERK, ARANSAS COUNTY, TEXAS

**VALERIE K. AMASON**  
COUNTY CLERK, ARANSAS CO., TEXAS

ORIGINAL

MINUTES OF THE  
COMMISSIONERS' COURT  
REGULAR MEETING - AUGUST 10, 2015

On the 10th day of August, 2015, there was a Regular Meeting of the Commissioners' Court in the Courthouse, Rockport, Aransas County, Texas, with the following members present: C. H. "Burt" Mills, Jr., County Judge; Jack Chaney, Commissioner, Precinct 1; Leslie "Bubba" Casterline, Commissioner, Precinct 2; Charles Smith, Commissioner, Precinct 3; Betty Stiles, Commissioner, Precinct 4; and Valerie K. Amason, County Clerk.

Other County Officers present were Jerry Brundrett, County Surveyor; Bill Mills, Sheriff; Alma Cartwright, County Treasurer; Richard Bianchi, County Court at Law Judge; Kristen Barnebey, County Attorney; Kelsey Downing, Assistant County Attorney; Timilu Latham, Chief Deputy County Treasurer; Lezlie Kirk, County Auditor; Suzy Wallace, 1<sup>st</sup> Assistant County Auditor; Linda Garcia, Executive Assistant to the County Judge; David Vyoral, Road Administrator; Michael Geer, Airport Manager; Pat Rousseau, Human Resources Director; John Strothman, Pathways Project Manager; Gavin Harrison, Training Coordinator for the Sheriff's Office; C. J. Wax, Mayor, City of Rockport; and Patrick Rios, Ward 3 Council Member.

The Meeting was convened at 9:00 a.m. at which time a quorum was declared by County Judge Mills, WHEREUPON, the following proceedings were had and done to wit:

PRESENTATIONS

Mike and Jan Moore reported back to the Court with an update on the results of the "Vets Fishing with Vets Event" held in May. There were 132 vets fished the event with 32 teams and 19 Volunteers from our

community. Jan thanked Judge Mills for serving as honorary chair. Local schools were involved in the colors, the Veterans band came out and played Saturday afternoon during the weigh-in which was conducted by Rudy's Redfish Series. Congressman Blake Fahrenthold showed up for about an hour and visited with the veterans. Rudy's Bar-B-Que served the afternoon meal and Saturday Night the Jimmy Buffett Tribute Band played. A total amount of \$21,251.10 was raised and donated to the Fisher House in San Antonio. They are breaking ground on an outdoor kitchen with this money, which will allow the vets and their families to get together and eat hamburgers, hot dogs or a steak. The second annual event is being planned for Army Forces weekend, May 20<sup>th</sup> and 21<sup>st</sup>. We also received our 501C3 a week after the event.

#### CONSENT ITEMS

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

1. Minutes from the Regular Commissioners' Court Meeting and Workshop Meeting of August 3, 2015.
2. Appointment of Kristen Barnebey as County Attorney with Felony Responsibilities, also known as "County & District Attorney" for Aransas County and The State of Texas, effective September 1, 2015, pursuant to the authority granted in Senate Bill 1139.).
3. Resolution R-13-2015 authorizing the publication of delinquent taxpayers' names by the law firm of Linebarger, Goggan, Blair and Sampson, LLP.
4. Naming the "Rockport Pilot" the official newspaper of Aransas County.

(Inserts)

**PLANNING & BUDGET OFFICE**

5. Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve the renewal of our Adoption Agreement and Certificate of Resolution (#R-12-2015) for the Section 125 Premium Only Plan which is offered to all County Employees as a benefit to reduce their Tax Liability on payment of Health, Dental, and Qualifying Life Insurance Premiums.

Question. Motion carried unanimously.

It is so ordered.

6. Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve the hiring of one (1) Assistant County & District Attorney (\$55,000.00) and one (1) Paralegal (17-3), and one (1) Administrative Assistant (11-1) for the Aransas County & District Attorney Office through the remainder of 2105, beginning September 1, 2015.

Question. Motion carried unanimously.

It is so ordered.

7. Motion was made by Commissioner Smith and seconded by Commissioner Stiles to approve the Treasurer's Report for July 2015.

Question. Motion carried unanimously.

It is so ordered.

8. Motion was made by Commissioner Smith and seconded by Commissioner Stiles to approve the Indigent Health Care Report for July 2015.

Question. Motion carried unanimously.

It is so ordered.

(Inserts)

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The court did not enter into closed session.

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**ROADS, DRAINAGE EASEMENTS & STORMWATER ITEMS**

17. Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve accepting gift of property known as Janacek Road, being described as a private 60 foot wide roadway right-of-way out of Tract 34 and 35 of the Coleman Fulton Pasture Company Subdivision, for the sole purpose of drainage infrastructure improvements.

Question. Motion carried unanimously.

It is so ordered.

18. Motion was made by Commissioner Caseterline and seconded by Commissioner Smith to approve accepting a 20 foot wide drainage easement out of Lot 9 of unrecorded Janacek Subdivision, out of Tracts 34 and 35 of the Coleman Fulton Pasture Company Subdivision.

Question. Motion carried unanimously.

It is so ordered.

19. Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve authorizing Notice of Public Hearing to consider Improvements and Assessment of Costs for Janacek Road, in accordance with Transportation Code Chapter 253.

Question. Motion carried unanimously.

It is so ordered.

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

Question. Motion carried unanimously.

It is so ordered.

10. Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve Accounts Payable.

Question. Motion carried unanimously.

It is so ordered.

11. Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve Elected Officials Salaries for the 2016 Budget Year to include a three percent COLA, excluding the County Court at Law Judge, the County Attorney.

Question. Motion carried unanimously.

It is so ordered.

**CITIZENS TO BE HEARD**

Rosemary Shoemaker, Bonnie Bullis and Jeannie Coe were present to stress the importance of the County's support for the City/Community Pool. The court explained that they have not received any reports or percentages for summer and winter usage. Court recommended they come back to the court with numbers that show justification for keeping the pool open in the winter and we will take a look at it. The county has dedicated money for health care issues and may be able to use some of that money if figures are presented.

(Inserts)



12. No action taken on approval of the proposed "2016" Budget. Commissioner Smith made a Motion to go forward with the process of setting the hearing date, Commissioner Casterline seconded the motion.

Question. Motion carried unanimously.

It is so ordered.

13. Motion was made by Commissioner Smith and seconded by Commissioner Stiles to approve August 17, 2015 at 8:45 a.m. for a Public Hearing on the "2016" Budget.

Question. Motion carried unanimously.

It is so ordered.

14. Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve adopting a proposed .385462 Tax Rate for "2015".

Question. Motion carried unanimously.

It is so ordered.

15. Motion was made by Commissioner Smith and seconded by Commissioner Stiles to set Public Hearings on August 24, 2015 at 8:45 a.m. and August 31, 2015 at 8:45 a.m. on the proposed 2015 Tax Rate Increase.

Question. Motion carried unanimously.

It is so ordered.

16. Motion was made by Commissioner Smith and seconded by Commissioner Chaney to set the hearing date of September 14, 2015 to adopt the "2015" Tax Rate and the "2016" Budget.

Question. Motion carried unanimously.

It is so ordered.

**REPORTS FROM COMMISSIONERS, ELECTED OFFICIALS &  
DEPARTMENT HEADS WHEREIN NO ACTION WILL BE TAKEN**

Commissioner Stiles stated that she was shocked to learn through a meeting with TXDOT and Williams Brothers on our Bridge and they are required to do an asbestos abatement on every inch of the concrete they are disposing of.

Commissioner Smith wants to just make the public aware that the Legislature has approved the Commissioners' Court to combine our County Attorney duties with the felony responsibilities currently being handled by the District Attorney that we share with San Patricio. The thought process on this action was to speed up the process because of the indigent defense costs and the amount of defendants sitting in our jail. The difference in costs for this adjustment is an increase of \$18,000 to our county.

**REPORTS ABOUT ITEMS OF COMMUNITY INTEREST  
REGARDING WHICH NO ACTION WILL BE TAKEN**

There were none.

**PRESS QUESTIONS**

**Norma Martinez**, Managing Editor of The Rockport Pilot:

Concerning Item #6, what is the impact on the budget for this year with the additional staff in the County Attorney's office?

**Commissioner Smith:** The court does not have that figure here at this time, but the Auditor will provide you with that information, but be sure and reduce that amount by the \$344,000.

**Martinez:** I will do whatever the numbers tell me.

**Martinez:** In regards to the Community Pool, will the court be contributing to them next year?

**Judge Mills:** That it is under advisement.

**Martinez:** What was the amount that the court donated last year? **Judge:** \$45,000.

**Martinez:** Regarding Agenda Item #2, the appointment of Kristen, I did speak with David Slayton, Administrative Director for the Office of Court of Administration in Austin, an appointment by the Commissioners' Court is not needed as the Commission just absorbs the two positions.


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No further business presenting, the Court adjourned at 9:55 a.m. on a motion made by Commissioner Smith duly seconded by Commissioner Casterline.

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

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