

MINUTES OF THE ARANSAS COUNTY COMMISSIONERS' COURT

REGULAR MEETING - MARCH 22, 2021

On the 22nd day of March, 2021, 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 in person, via ZOOM, or via YouTube: **C. H. "Burt" Mills, Jr.**, County Judge; **Jack Chaney**, Commissioner, Precinct 1-1A; **Leslie Casterline**, Commissioner, Precinct 2; **Pat Rousseau**, Commissioner, Precinct 3; **Wendy Laubach**, Commissioner, Precinct 4; and **Carrie Arrington**, County Clerk.

Other County Officers present in person, via YouTube, or via Zoom, were: **Alma Cartwright**, Treasurer; **Pam Heard**, District Clerk; **Tracy Orr**, Administrative Assistant to County Judge; **Amanda Oster**, County Attorney; **Jennifer O'Steen**, Assistant County Attorney; **Jacky Cockerham**, County Auditor; **Tana Taylor**, First Assistant County Auditor; **Latisha Murphy**, Assistant Auditor; **Linda Doane**, HR Director; **Elizabeth Guerra**, HR Assistant; **Judge Richard Bianchi**, County Court at Law; **Sheriff Bill Mills**; **Rhonda Konieczny**, Executive Assistant to the Sheriff; **Collin Jackson**, IT Director; **Misty K.**, Collections; **Jerry Brundrett**, County Surveyor; **Anna Marshall**, County Tax Assessor-Collector; **Valerie Gonzalez**, Environmental Health Director; **Mike Geer**, Airport Manager; **Rene Butler**, Facilities Director; **John Strothman**, Project Manager; **Deanna Spruce**, PIO; **Jennifer Heard**, Long-Term Recovery; **Kim Foutz**, Long-Term Recovery; **William Whitson**, Long-Term Recovery; and **Lori Cesar**, Animal Control Director.

Members of Local City Government, Community Groups and other Interested Parties present in person, via YouTube, or via Zoom, were: **Aaron Horine**, **Mott MacDonald**; **Luis Maristany**, **Mott MacDonald**;

Patricia Arnold, ACMSI; **Jennifer Racette**, ACMSI Advisory Committee; **Matt Brewington**, Southwest Medical Associates; **Nancy Kinkler**, Texas A&M Health Science Center; **Kevin Carruth**, City Manager, City of Rockport; **Pat Rios**, Mayor, City of Rockport; **Malcolm Dieckow**, Chairman, ANCD; **Keith Barrett**, Harbor Master, ACND; **Tommy Moore**, At-Large Commissioner, ACND; **Charlie Belaire**, Belaire Environmental; **Randall Freeze**, Texas General Land Office; **Pam Meyers**, Chair, Aransas County Democratic Party; and **Mike Probst**, Editor and Publisher, The Rockport Pilot.

Aransas County Citizens present in person, via YouTube, or via Zoom, were: **Allan Smith**, **Mike Fields**, **Jane Moore**, **Ciji Medina**, **Debra S.**, and **Brian DeSanti II**.

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

CITIZENS TO BE HEARD

In response to the severe winter storm we endured mid-February - when electricity and water were scarce for several days for some four million Texans - three people came to court today to talk about Emergency Disaster Assistance from the County: Pam Meyer, Chair of the Aransas County Democratic Party; Jane Moore; and Ciji Medina. Additionally, Edward Bellion, Gayle Hancock, Hector Robert Rodriguez, Holly Francis, and Anna Robertson sent letters to be read by the three present. The common theme across the eight letters was a question to the Commissioners' Court: What emergency plans and procedures does Aransas County have in place for traumatic weather events, especially with respect to emergency shelters? Below is the content of those letters (less all letter composition dates, addresses, salutations, and closures):

From the Aransas County Democratic Party by its Chair, Pamela Meyer (as received and read by Commissioner Chaney):

The people of Aransas County have suffered through severe and traumatic weather occurrences the last few years, including hurricanes and extreme winter weather that is unusual along the Texas coast. These events resulted in loss of electric power and potable water. While most residents can prepare for a few days without power and water, it is much more challenging to endure a week or more without power and water.

The question becomes: what emergency plans and procedures does Aransas County have in place for traumatic weather events, especially respecting emergency shelters? Recent events show that Aransas County follows a reactive rather than a proactive emergency plan, if at all, and relies heavily on outside sources for emergency assistance.

For example, during the February Winter Storm, Fulton Community Church was the first to open its facility for warm shelter, food, and water to anyone needing help, no questions asked. The Fulton Volunteer Fire Department subsequently opened its doors to anyone in need of help. We understand that the Rockport Volunteer Fire Department did not open as an emergency shelter because its generator did not work and needs to be replaced. More importantly, at no time did Aransas County open the new Convention Center for emergency shelter.

In comparison, Nueces County government leaders immediately responded and opened warming and overnight emergency shelters all over the city of Corpus Christi, and worked with local shelters to make sure that no person was literally left out in the cold.

While it is easy for the Aransas County Commissioner's Court to enjoy the benefits of warm weather, tourism, and a vibrant economy, it is much more important for the Court to be responsible to its constituents during bad times. A well-thought out emergency plan with detailed procedures is critically important, especially respecting emergency shelters, food and water.

Second, does Aransas County have an Emergency Contact Registration Program that calls the elderly and disabled during weather emergencies to determine whether assistance is needed? More importantly, what is the county's Evacuation Plan, and does it have the means to transport the elderly and disabled in the event of an emergency? If not, then why not?

Third, does Aransas County have an Emergency Task Force that regularly meets to prepare for emergency events? This task force can design an emergency shelter, food and water plan; create an Emergency Contact Registration Program; and can work with local food vendors like HEB and Walmart to prevent a run on the store during weather and other emergencies, and to ensure a steady supply of food and water.

Emergency services should never take a back seat to other governmental expenditures. If it is a matter of creating a new budget item and creating a new tax source, then so be it. There may be state and federal grant programs available to jump-start an emergency relief plan. The health and

safety of Aransas County residents should be first and foremost of the responsibilities of the Commissioner's Court.

From Edward Bellion:

Over recent years there have been several natural disasters in our area, including Hurricane Harvey, Hurricane Hanna, Storm Beta, and the 2021 Valentine's freeze-up. Aside from the physical damage caused by these events, there was also the concomitant damage and effects on people of the loss of electrical power for days at a time. Unlike in the warm months, this loss in cold weather situations can be deadly.

Since due to the now widely-accepted global warming effect, weather-related disasters are more likely to occur more often, the need for a County-wide assembly location or shelter is very clear. Furthermore, there is also a clear need for plans to be able to call, and contact in-person people who are disabled, handicapped, elderly, or just homeless and to be able to transport such people to the place of shelter.

Additionally, plans are needed to be in place for providing emergency supplies of essentials such as food and water through private and also government agencies.

What are our emergency plans that are in place? Who is the responsible person in charge of these and how and when are these plans activated?

This is vital need for our County, given our vulnerable location and the relatively large percentage of elderly residents together with the increase in these numbers due to Winter Texans, many of whom live in RV or other such accommodation.

My name is **Holly Francis**. I bought a house in Rockport and moved here in April 2016. I was blessed that my house and I survived hurricane Harvey. FEMA was a big part of my survival reimbursing me for the money I spent for gas, hotel and food during the evacuation at that time.

I do not understand why Aransas County is against FEMA coming in and providing our county with much needed shelter for our citizens during a natural disaster. I understand that Refugio and Nueces have FEMA dimes for shelters and Aransas has turned them down. Commissioner Pat Rousseau made it clear at the City Council Candidate Forum that she and others do not support the FEMA Dome due to it not being allowed for mixed use. The idea that it should also be used as a storage facility is ludicrous in the first place! Should a fire, tornado or hurricane hit our county, are the citizens needing immediate shelter supposed to just wait outside while you move whatever it is being stored in there out?

There was recently a brush fire that consumed 2 structures and a vehicle. No warnings were issued to move out of the area. Had the fire gotten further and out of control, where were the residents to

go? Is this really how you want to treat your citizens, especially the elderly and disabled?

FEMA shelters are a definite need here to protect the citizens you represent. What other plan do you have? Use the new multi-million dollar courthouse complex for shelter? I doubt it.

I urge you to please consider this valuable resource from FEMA or come up with a better plan that protects the vulnerable, disabled and elderly from the disasters that come our way in a moment's notice.

From Hector Robert Rodriguez:

The February Winter Storm was challenging for all of us, but especially for those who needed assistance and had nowhere to go. This raises the issue of Aransas County's Emergency Planning program, if any.

The RV Resort that I call home quickly lost power and water. Fortunately, I had a friend with a new house that invited me and my dog to stay with her during the storm. My friend's home maintained steady electric power, and periodically lost water under the City of Rockport's direction. My friend and I, however, had prepared with plenty of food and water.

As I waited for Aransas County to open up the Convention Center as an emergency shelter for those who needed one, Fulton Community Church and the Fulton Volunteer Fire Department quickly opened their doors to anyone needing help. I do not believe that the Convention Center ever became available for shelter.

My question is: Does Aransas County have an Emergency Planning Committee that discusses and plans for emergency weather conditions? If so, who is on this committee and when and where does it meet? If not, why not?

While Aransas County could not control the state's electrical grid, it could have anticipated a lack of potable water and made sufficient preparations. It was almost a week into the storm that Portland graciously provided five (5) gallons of drinking water to the residents of Aransas County.

HEB and Walmart worked furiously to maintain their shelves despite their supply trucks having trouble navigating ice-covered roads. Their employees are to be congratulated for a job well-done. What, if anything, did Aransas County do to help these stores with their difficult task?

Nueces County promptly and expeditiously came to the aid of its residents by opening warming and overnight shelters. I understand that some locations also provided food and drink.

It has been said that "failure to plan is planning to fail." It appears that Aransas County failed miserably in taking care of its residents during the February Winter Storm. No local government should ever fail its residents.

If Aransas County's position is "you are on your own and good luck," then it should come out and say it so that residents will not expect any assistance. Or better yet, it might prompt the residents to vote in new commissioners that take care of them.

From Ann Robertson:

The citizens of Rockport and Aransas County have a deep concern with all departments and require an Extension Comprehensive Emergency Plan to be put in place for the citizens of our county and Publicized for viewing and approval.

We propose that you have a committee in place with 1 person appointed as DIRECTOR of the Emergency Plan and 2 members of each department listed above and 4 persons of the community (not affiliated with any departments listed above) that understand the need for an Emergency plan.

Items required on the plan are based on the following disasters that have recently happened in our community with little planning or at the very least poor planning and no implementation of the good ole' fashion fire drills to see that everything is in working condition and up to date. The citizens require:

NOTIFICATION: Amber Alert type of information or signage set up at each red light in Aransas county directing people to the shelter or evacuation on their own for any disaster in case phone lines are down. The emergency phone systems to call all register persons or the website for direction that is in place now. Maybe the Church Bells actually start to ring again to announce an evacuation such as 10 minutes every three hours as a notification that something is happening along with signs at the church with information.

Shelter: Shelter for the disabled, elderly and homeless; either a new building away from our coastline inland at least 25 to 40 miles) that will accommodate those in need along with bedding, generators, heaters, gym style bathrooms with showers. Full kitchen and large freezers and ice boxes. Ask Castaways for any equipment such as cots, medical beds, wheel chairs, and crutches that are donated to be given and stored at the new facility or to those places designated as Shelters. The Public donates to Castaways and Goodwill, so it would be a blessing that they donate these items in advance for such an emergency. Also you could set up an area that the Public could donate medical equipment such as above. All equipment should be etched with EP (Emergency Plan) into the metal of all items so that it is not confused with personal equipment brought to any shelter.

An area designated by medical personal only for those people who have medical supplies that need refrigeration, such as insulin, and an RN from each nursing home facility to administer drugs to their residents.

There must be emergency gas and diesel at this site for police and other personnel for

transportation.

Basics: *Water & food supplies: either through the private sectors or through FEMA (prior to our disasters because we usually have about 1 week notice of hurricanes, freezes, etc.) or other governmental stockpiles of water and RME's.*

Transportation: *Get HEB, Walmart, ACE, large parking areas and get a designated place for assembly of the elders and with scheduled times for departure to the new facility or the shelters in place in our county; School buses for the ambulatory; Use Private citizens who have motorhomes or large SUV's.*

Large parking areas for those who come by their own transportation, along with gasoline golf cars with trailers attached for passenger seating to get them to the shelter faster. Personnel in place to direct traffic and parking. Emergency lighting in the parking area via gasoline powered generators with lights and signage directing people.

Kiosks/Computers *set up at shelters (one program that communicates to all departments listed in the first paragraph) for all persons to register who use the facility along with County wide alerts and ways of communication with their families. These families could prelist with the Emergency Plan and already be in the system for notification of a pending disaster, or upcoming fire drill. The 211 emergency phone is a useful system that could be expanded on. One phone line with multiple choice for answers to simply questions with addresses of shelters, animal shelters, what to bring, etc. and other phone numbers for emergency direct lines.*

Maybe announce the Emergency Shelter Evacuation Plan at each event in the Coastal Bend, such as Oysterfest, Arts Festival, and others, and have a QR code placed in plain sight at these events and in the newspaper each week that contains all the above information. Most people have a smart phone or someone in their family does.

Animals: *Make contact with the Human society (or other organizations) for shelter, food and accommodations along with tags for animals and owners. Forego the shot records during these emergencies.*

RECONNECTING OF PRIVATE CITIZENS: *There needs to be a plan to reconnect the displaced citizens if their homes are destroyed and cannot move away from the facility in a timely manner. Supply phones and personnel to help those in need to contact and make arrangements for deportation to their families or friends' homes or to other facilities that are in the area to accommodate these citizens. We do not need TENT cities in Rockport ever again.*

The facility at the discretion of the entire Emergency Plan Members (a quorum of 60%) must make the decision of closing the emergency facilities after the emergency is over and most citizens have been returned to their residences and new places. There must be a time limit as this is not a home forever.

You must have fire drills with many citizens and each department at least bi-annual and make sure all equipment and transportation systems are working and ready for these disasters. All equipment should have a 6 week inspection and documented with the Emergency Plan Director.

These things may or may not be in place already, however, most citizens are not aware of it and have brain fog when it actually counts to move in a direction of safety.

From Gayle Hancock:

As a twenty year, 80+ senior resident homeowner of Aransas County I have some questions about the crisis plans for safety, security and wellbeing provided to us by our county.

- *Why do we not have a county shelter where citizens could assemble in emergencies such as Hurricane Harvey and Hannah or the lack of power and water from the recent unprecedented freeze?*
- *Along with needing a county shelter we need to know the county will call, contact us in person and help move folks to the shelter if disabled, handicapped, homeless or just elderly.*
- *What is the plan for emergency water and food supplies, through private means as HEB or Walmart and federal, state, county or city agencies?*
- *Where are our emergency plans, how and when are they activated and who is in charge?*

Many of us are still getting over the freeze, vaccines are finally becoming more available but hurricane season is predicted earlier this year than we usually expect it. I understand Refugio and Nueces Counties have FEMA domes for emergency shelters, possibly a consideration.

From Ciji Medina:

As an Aransas County resident for the past 37 years and a homeowner in this town, I have some questions about the crisis plans for safety, security and wellbeing provided to us by our county.

- *Why do we not have a permanent county shelter for the people of Aransas County to be able to go to in the case of emergencies such as Hurricane Harvey, Hannah or the lack of power and water from the recent unprecedented freeze?*
- *Along with needing a county shelter we also need the county to call or have a permanent help during natural disasters phone line (not 911 we can save that for emergencies not someone just needing a ride to a shelter) and also be able and available to provide help to move those with disabilities, the homeless, singles or families with kids and no vehicles, the elderly and anyone else needing help to get them to a shelter if needed.*

- *I would also like to know the plan that is in place as of now for emergency water and food supplies for Aransas County during these events. We cannot continue to rely on outside help. For example, we just experienced a state-wide catastrophe. I feel if we have our own backup supply for our county, we could at least provide for our citizens when or if something like this were to happen again. Do we have backup for this from anyone maybe through private means such as HEB or Walmart or any federal, state, county or city agencies?*
- *Where are our emergency plans located for citizens to be able to view? Also how and when are they activated? Who is in charge of making those decisions?*

Many of Aransas County citizens are still, (almost 4 years later) recovering from the aftermath of Harvey and then the Texas freeze came and it was almost like deja vu but cold and this time we had no help from outside because our whole state suffered. The Good news is that vaccines are finally becoming more available and our citizens are getting vaccinated so that is a plus seeing as Hurricane season is predicted earlier this year than we usually expect it and if we need to be in shelters at least COVID will be one less thing to worry about.

I understand places like Refugio and Nueces County have FEMA domes for emergency shelters, maybe this could possibly be a consideration for Aransas County as well? I appreciate your time and I look forward to hearing about any future safety plans and guidelines that Aransas County will put in place in order to keep its citizens safe.

From Jane Moore (as received and read by Commissioner Rousseau):

As awoke near dawn the morning of Monday, Feb. 15, I was cold, and noticed that the electricity was going on and off. That was the rolling blackouts that they said might come with this winter storm. Soon the electricity went completely out and did not return for 80 hours. This was not good for an all-electric mobile home. As I was packing to camp out at my sisters since she had natural gas for her oven, I started wondering about my own appreciation to even have an option. What if I didn't? What were people going to do? How long will this last? Clearly by the next day, things had grown worse. I looked every time I could, some sort of emergency declaration must be happening, but it wasn't. No one in the region seemed to be doing anything. Why weren't there any emergency locations where families and others would be to ride this out? If people did not have the means – how were they going to stay warm and cook food, what about drinking water?

To my chagrin, I could find nothing. Finally the Corpus Christi people started announcing news about locations that folks might be able to land safely. At this point at least a dozen people had died in Texas directly from the cold. Where were the people of Aransas County going to find help?

I know a County Commissioner was helpful in the end to persuade a few churches and both fire departments to provide "warming station" set-ups. But this was not an automatic response as it should have been. I have come to understand that water was finally brought to the region after citizen requests. This was almost a week after the freeze – who was not duty to not have noticed

this? It is unclear that anyone is assisting the County with emergency management. Please explain the existing structure and why it was non-existent during this most recent emergency.

PRESENTATIONS

1. Judge Mills prefaced the reading of **Proclamation #P-04-2021, recognizing county employee Jennifer Heard for her public service** by saying, "We have a lot of good employees in Aransas County that have helped a lot of people, however, the public service that Jennifer Heard is being recognized for today is not part of her job description and the work she diligently performed was done on her own time."

Tracy Orr read the Proclamation to the Court.

2. **Aaron Horine and Luis Maristany**, engineers with Mott MacDonald Engineering, updated the Commissioners Court on historical site conditions, coastal engineering analysis conclusions, preliminary alternatives, and solution options for improving the circulation of Little Bay and preventing or reducing damage caused by future disasters – such as the damage caused by the surge from Hurricane Harvey – while utilizing the Federal Emergency Management Agency (FEMA) 404 Hazard Mitigation Grant program. They **gave a PowerPoint presentation entitled Little Bay Drainage Improvement Project and answered questions from the Court and the public.**

CONSENT ITEMS

3. Minutes from the March 8, 2021 Regular Meeting.
4. Minutes from the March 15, 2021 Special Meeting.
5. Proposed Aransas County Official Holidays for 2022.

6. Proposed Aransas County Transfer Station Official Holidays for 2022.
7. Certificate of Completion from the County Judges & Commissioners Association of Texas to certify that Leslie Casterline successfully completed the Continuing Education provisions of *Article 81.0025 of the Texas Local Government Code*.
8. Certificate of Completion from the County Judges & Commissioners Association of Texas to certify that Lendon J. Chaney successfully completed the Continuing Education provisions of *Article 81.0025 of the Texas Local Government Code*.
9. Donation of an International Jetter Truck to Road and Bridge from the Town of Fulton.
10. Donation of a 2010 Magnum Trailer to Road and Bridge from the Municipal Utility District #1.

A motion was made by Commissioner Casterline and seconded by Commissioner Rousseau to approve the consent items.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

COUNTY REPORTS

11. A motion was made by Judge Mills and seconded by Commissioner Chaney to approve Resolution #R-05-2021, a Resolution Opposing Senate Bill 10, Senate Bill 234, and House Bill 749 and their attempts to silence the combined voices of the county officials and local communities of this state. **Commissioner Laubach spoke out against the item:** I don't see it as a movement to silence us since we're always free to go to Austin and speak our minds. I

think it's a question of whether we can use taxpayer money to lobby in Austin for causes that may be popular with the court but not necessarily with the taxpayers. So, I've always been in favor of the Texas Legislature's movements to limit lobbying.

Commissioner Casterline rebutted: On the other hand to that, Commissioner, a lot of the things that the county or some other entity might lobby against are unfunded mandates that the state would vote on and make us pay for without input from us. That's a lot of difference between actually lobbying and each one of us going up there and speaking at a hearing. You pretty well need somebody there day-to-day to build a relationship with a lot of these legislators and the things that would come up that some people would see against the citizens are far fewer than the unfunded mandates that they routinely pass and pass the bill onto us without our input.

Commissioner Laubach: I think if we only ever used a county taxpayer-paid lobbyist to oppose unfunded mandates, we'd probably have the taxpayers of the county solidly at our back. But we're not limited to that and that's the problem. Commissioner Chaney: Well, another thing too is if this passes, we won't be able to use the legal representation that we get from TAC (Texas Association of Counties) as effectively as we do now. I understand that there's a lot of things that go on.

Judge Mills: In fact, the dues we pay to TAC will have to be paid from somebody's personal account, not the county's.

Commissioner Laubach: How much is that? What are the TAC dues every year?

Judge Mills to the Auditor: How much are the TAC dues? Do you remember?

Commissioner Rousseau: The concern, though, is that the state also gets to have lobbyists that they pay for with taxpayer funds and state agencies get to have lobbyists that they pay for with taxpayer funds. So, if the state is proposing to do away with county-funded associations then I think it needs to be across the board and include themselves and their agencies.

Commissioner Chaney: And, the bad thing about that is that really doesn't give counties across the State of Texas the opportunity to band together to defeat things - such as unfunded mandates - that have a negative impact on counties. And, we have seen so many unfunded mandates and other issues that have some down to the legislature that have just made no sense that without lobbyists to present our position, we would have no voice up there. We have 254 counties and of the 254 counties, they each have four commissioners and a judge so that's a very small amount of people that can affect what goes on in Austin. Whereas a concentrated thing such a TAC, or in the city's aspect TCMA or TML, it's them just telling us what we're going to do without giving us the ability to fight it legally. Because you've got a bunch of attorneys up there and people that write these rules and regulations that don't live in Aransas County or they don't live in Loving County or any place else and we need to be able to have a combined front to keep the county from just getting everything dumped on them with no say so.

Question. A roll call vote was taken and the motion carried on a 4 to 1 vote with Commissioner Laubach dissenting.

It is so ordered.

12. A motion was made by Judge Mills and seconded by Commissioner Rousseau to approve Resolution #R-07-2021, a Resolution Opposing Unfunded Mandates, whether by an act of the Texas Legislature or a state agency or by executive order, unless the State of Texas has fully funded and disbursed all necessary funds to enable Texas counties to operate said governmental program.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered. Senate Bill 10, Senate Bill 234, and House Bill 749 and their attempts to silence the combined voices of the county officials and local communities of this state.

13. A motion was made by Commissioner Rousseau and seconded by Commissioner Chaney to approve authorizing the County Judge to sign a letter of support to the Texas Land Commissioner, the Honorable George P. Bush, for the Little Bay Restoration Initiative. **Commissioner Chaney:** Now, this is no money from the county coffers at this point. **Judge Mills:** No money from the county coffers. **Aransas County Navigation District Chairman Malcolm Dieckow:** Right. This Letter of Support is a partnership. In spite of the efforts of the county and the city in the past, Little Bay continues to have some serious problems. Because of that, we have asked Charlie **Belaire** to dissect those problems and come to some conclusions. It is my understanding that with the new Clean Coast Texas that has just been developed by the GLO and also some other funding that there could be and would be funding available for a program to stop the decline of Little Bay - even to the point where we might be able to see seagrass in Little Bay again and not that God-awful algae that we do see. So, that's right. There's no funding issue here. We're just asking for a partnership here because in reality, GLO will not fund this effort unless we all are in agreement that it needs to be done. So, I ask that you do approve this. Thank you.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

14. A motion was made by Commissioner Rousseau and seconded by Commissioner Casterline to approve Order #O-04-2021, an Order prohibiting outdoor burning until conditions have improved.

Commissioner Laubach: I have a question on this one. I'm wondering why it needs to be 90 days. It looks to me like we ought to be coming back to reconsider it in some much shorter period.

Judge Mills: So, it also says that you all are giving me permission to lift it when conditions have improved.

Commissioner Laubach: Right. I'm talking about it coming back to the Commissioners' Court for us to consider it. I would prefer to see it come back to us in 30 days than 90 days. I understand that you acting unilaterally can shorten it but I think that the Commissioners' Court should look at it again in a month rather than in 90 days.

Commissioner Chaney: Wendy, why don't you just put it back on the agenda?

Commissioner Laubach: Well, I don't want to be in the position of overriding something; it ought to be written into it.

Commissioner Chaney: I'm not talking about overriding but you bringing it back for updates.

Commissioner Laubach: That what I would be doing.

Judge Mills: Any input from the legal department on this?

County Attorney Amanda Oster: Okay. Just to clarify, which question are we answering?

Judge Mills: She wants to come back in 30 days instead of 90 days. I'm saying that they're also giving me permission to lift the ban.

County Attorney Oster: Yes. That's what the order says that you can lift the ban before the end of the 90 days. I understand that Ms. Laubach would rather it say 30 days and be up for an extension. Is that what you're asking?

Commissioner Laubach: Sure.

County Attorney Oster: As it is written right now, though, it is for 90 days; so, if we do decline to move forward this time, it would have to be reset to another date because what's being ordered has to be ordered today and it is for the full 90 days.

Judge Mills: And, it's pretty desperate.

Commissioner Casterline: But, under the existing order that you've prepared, if a commissioner put it on the agenda in 30 or 40 days to review it, and even though the order reads that way, if we put it on the agenda to consider

dropping it earlier, we can do that? **County Attorney Oster:** Absolutely. Say we have a lot of rain - which I don't expect but we could get a lot of rain in the next 30 or 60 days - we can always bring it back to end it early if, for some reason, one of the commissioners thinks that it should end early but Judge Mills feels otherwise. **Judge Mills:** Same as when we get notification from the state that if the index is right, then we could the next meeting we could lift the burn ban. Or, if you give me permission I can lift it. **Commissioner Laubach:** I just don't think any burn ban should last 90 days. We don't have anything like that amount of foresight. I don't see why a burn ban should ever be more than 30 days. **Judge Mills:** We can review it in 30 days but we need to get a burn ban in effect by the Commissioners' Court today because we do have a problem now. **Commissioner Laubach:** Then it's a shame we didn't give ourselves some options on the agenda. When does the current burn ban expire?

Judge Mills: It is already. **Commissioner Laubach:** It's expired already? **Judge Mills:** Well, it will expire today. **Commissioner Laubach:** So we put ourselves in a position where we have to let it expire today or extend it for 90 days and there's no flexibility? **Commissioner Chaney:** It's not an extension. **Commissioner Casterline:** There is flexibility. You just have to put it back on the agenda earlier than the 90 days. Next meeting, you can have another agenda item say we're going to change that to 30 days. Right? **Commissioner Laubach:** Well, I feel sure the vote's going to go for it. I'm still going to vote against it. I don't think we should ever propose a 90-day ban.

Question. A roll call vote was taken and the motions carried on a 4 to 1 vote with Commissioner Laubach dissenting.
It is so ordered.

15. A motion was made by Commissioner Chaney and seconded by Commissioner Rousseau to approve Order #0-05-2021, pursuant to Section 254.008 of the Texas Transportation Code for the removal of blockages in drainage ditches located on private property located at Lot H of Goose Island Estates, providing for the required notice to Anthony Schott, the owner of the property, and authorizing the County Engineer to remove the blockages, at the County's expense, if the owner does not remove them within twenty days. **Per Commissioner Laubach's request, County Engineer David Reid gave a brief report on the situation.** Mr. Reid stated that the golf course in Lamar has not been a golf course in a number of years. It has not been maintained. The development around the golf course was designed to drain into it; but, because of the lack of maintenance, it is not draining correctly. I have discussed this with Mr. Schott, about getting the easements and it's been a little unreasonable; so, according to the Transportation Code, the county can do this - go in and fix the problem on private property if Commissioners' Court approves it. Question. A roll call vote was taken and the motion carried unanimously.
- It is so ordered.

CONTRACTS, AGREEMENTS, GRANTS & LEASES

16. A motion was made by Commissioner Rousseau and seconded by Commissioner Casterline to approve the issuance of a Request for Proposal for a Medical Facility Operator/Manager - General Land Office (GLO) Contract No. 20-065-098-C270, Community Development Block Grant - Disaster Recovery (CDBG-DR). **Commissioner Laubach:** So, before we move to vote, I would have liked to have heard some discussion of the changes that have happened to the RFP. The public knows nothing about what's happened in the last week.

Don't we have a presentation and, Ms. Racette, aren't you here to answer questions? **William Whitson:** Kim Foutz has prepared some slides and we certainly can make a presentation on the changes, but they are all in line with the feedback that we got from the court last session and we'd be happy to do that if that's the desire of the court. **Commissioner Laubach:** That's my desire anyway.

Judge Mills: Okay. Please give the presentation then. **Kim Foutz** gave a PowerPoint presentation on the RFP for Medical Services Facility Operator, highlighting the changes that were made as a result of the feedback from the March 15 meeting and the subsequent input given by the Evaluation Committee Representatives, including representatives here present: **Commissioner Rousseau, Jennifer Racette, Matt Brewington, and Patricia Arnold** who each spoke favorably on the updated RFP.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

17. A motion was made by Commissioner Rousseau and seconded by Commissioner Casterline to approve the Master Agreement for Mutual Aid by and between the Coastal Bend Council of Governments (COG) and Aransas County. **Commissioner Laubach:** We started to talk about this a little last week and one of the concerns was we're not really quite sure what it would cost us but I'll ask legal counsel to confirm: it looks to me like we always have a choice, if we go into a disaster and some neighboring county asks us to come help with something that's incredibly expensive, we can always say no. We're not going to find ourselves bound to do something that's not in the budget. Right? **County Attorney Oster:** Right. **Commissioner Laubach:** That being the case, I don't have any further concerns.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

18. A motion was made by Commissioner Casterline and seconded by Commissioner Laubach to approve Resolution #R-06-2021, a Resolution for the Homeland Security Grant Program, Grant Number 3171806, and authorize the County Judge as the designated grantee's authorized official.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

PLANNING & BUDGET

19. A motion was made by Judge Mills and seconded by Commissioner Rousseau to approve the February 2021 Treasurer's Report as given by Treasurer Alma Cartwright.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

20. A motion was made by Commissioner Laubach and seconded by Commissioner Casterline to approve a refund in an Application for Tax Refund of Overpayment in the amount of \$2,692.28 for Rock-N-Riviera I, LTD due to their overpayment of 2020 Property Taxes per Aransas County Tax Assessor-Collector Anna Marshall.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

21. A motion was made by Commissioner Laubach Chaney and seconded by Commissioner Casterline to approve a refund in an Application for Tax Refund of Overpayment in the amount of \$2,931.92 for Mojave,

LTD due to their overpayment of 2020 Property Taxes per Aransas County Tax Assessor-Collector Anna Marshall.

Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

22. A motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve the Budget Line Items and Amendments. Auditor Jacky Cockerham stated that there were none. Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

23. A motion was made by Commissioner Laubach and seconded by Commissioner Casterline to approve our Accounts Payable and Payroll/Payroll Liabilities - which were all normal for the period per Auditor Cockerham.

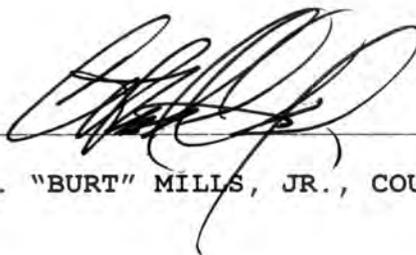
Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

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

Judge Mills called for reports from elected officials and department heads but there were none. He then stated that the court had nothing to go into closed session about and asked for a motion to adjourn.

No further business presenting, the Court adjourned at 10:40 a.m. on a motion duly made by Commissioner Laubach and seconded by Commissioner Casterline.



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



CARRIE ARRINGTON, EX-OFFICIO CLERK
OF THE COMMISSIONERS' COURT

