

MINUTES OF THE ARANSAS COUNTY COMMISSIONERS COURT

REGULAR MEETING - APRIL 12, 2021

BE IT REMEMBERED that on the 12th day of April, 2021, the Honorable Commissioners Court of Aransas County, Texas, met in Regular Session, at the Aransas County Courthouse, 2840 Hwy 35 N, Rockport, Texas, with the following members present in person, via Zoom, or via YouTube: **C. H. "Burt" Mills, Jr.**, County Judge; **Leslie Casterline**, Commissioner, Precinct 2; **Pat Rousseau**, Commissioner, Precinct 3; **Wendy Laubach**, Commissioner, Precinct 4; and **Carrie Arrington**, County Clerk. **Absent:** **Jack Chaney**, Commissioner Precinct 1-1A.

Other County Officials/Department Heads/Staff Members present in person, via Zoom, or via YouTube 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; **Sheriff Bill Mills**; **Rhonda Konieczny**, Executive Assistant to the Sheriff; **Collin Jackson**, IT Director; **Jerry Brundrett**, County Surveyor; **Anna Marshall**, County Tax Assessor-Collector; **David Reid**, County Engineer; **Valerie Gonzalez**, Environmental Health Director; **Mike Geer**, Airport Manager; **Rene Butler**, Facilities Director; **John Strothman**, Project Manager; **Kim Foutz**, Long-Term Recovery; **William Whitson**, Long-Term Recovery; **Jennifer Heard**, Long-Term Recovery; **Lori Cesar**, Animal Control Director; and **Iris Sanchez**, Library Director.

Members of Other Governmental Entities or Community Groups and Interested Parties present in person, via Zoom, or via YouTube were: **Cory Elrod**, Code Enforcement, City of Aransas Pass; **Pam Stranahan** and **Linda Garcia Haynes**, Friends of the History Center for Aransas

County; **Luis Puron**, Executive Director, Rockport Center for the Arts; **Daniel Whitacre**, ArchiveSocial; **Randall Freeze**, Texas General Land Office; and **Mike Probst**, Editor and Publisher, The Rockport Pilot.

The Meeting was duly convened at 9:00 a.m. followed by pledges to the American and Texas flags and an invocation given by County Surveyor Jerry Brundrette.

CITIZENS TO BE HEARD

Jerry Brundrette remained at the podium and invited **Luis Puron** up to join him. **Brundrette:** We hear a lot of negative things in Commissioners' Court, but I want to embarrass David Reid and talk about a big event at the end of last month: the moving of the Kline's Café Building.

There were probably 250 people or more gathered down there to see that building moved to its new location but it didn't move because the diesel engine wouldn't start. So, I got a call from the lady from Ram Moving asking if I knew a good diesel mechanic. I told her no - but I know someone who might.

So I called David Reid, our County Engineer, and I said, "David, you got your Superman cape on?" And he said, "What do you mean?" I told him what was going on, that everybody was anxiously waiting and that the engine wouldn't start up even after they worked on it for an hour. So David said, "Let me see. If the mechanics aren't busy, I'll send my guys down there and see what they can do." They came down and worked probably three hours on that machine. They would not give up and finally got it running and the building got moved.

A lot of people would have given up. A lot of County Engineers would have said, "No, I don't have time for that." But this was a community effort. This wasn't a county or a city or an art center effort. This

was a community effort to save the building, and David came to the rescue along with Truman Jenkins and his help.

And I wanted to say that, for once, we did something right. [applause] And, Luis has something too. **Puron:** "Well we don't have a Superman cape for you, David, but we do have this wonderful tee shirt that says: I helped build The Rockport Center for the Arts."

PRESENTATIONS

1. **William Whitson** and **Kim Foutz** gave a PowerPoint presentation with updated information on Long-Term Recovery Grants and Projects related to Hurricane Harvey Recovery, The CARES Act (Coronavirus Aid, Relief, and Economic Security Act), and The American Rescue Plan (which was passed by Congress on the 11th of March).

They highlighted the progress of key projects within our 3-5 year Harvey Recovery Plan and the 20 public and private funding sources being utilized for plan support, which was subsequently expanded to include (the additional emergency) COVID. The pair gave a summary of Federal and State grant funds - both secured and pending - totaling to \$237,976,964 for Aransas County. Foutz mentioned that there were a few priority projects still on the list on which they were seeking funding for: digitizing documents; State Hwy 35 business drainage/outfall; and a hurricane dome (rehab option).

Whitson then covered the spending breakdown of the \$610,556 we received from the CARES Act: \$114,265 went to humanitarian relief; \$38,552 went to IT for new COVID-related IT needs, such as software and laptops; and \$456,306 was spent to protect staff and jail population with an improved air exchange system, COVID testing and COVID-related sick time for AC employees, cleaning supplies, and PPE (personal protection equipment). He continued with information pertaining to roughly \$9,000,000 of pandemic monies

earmarked for distribution within our community through The American Rescue Plan: \$4,559,620 for Aransas County; \$2,300,000 for City of Rockport, Texas; \$320,000 for Town of Fulton, and \$1,800,000 for City of Aransas Pass.

They entertained questions but there were none.

Judge Mills: Before we continue with the meeting, I guess we need to do a roll call.

Roll call was taken. Four members of the court were present. Commissioner Chaney was absent. A quorum was declared by Judge Mills, WHEREUPON, the following proceedings were had and done, to wit:

CONSENT AGENDA

There were four items under the Consent Agenda; Judge Mills asked for them to be handled separately.

2. A motion was made by Commissioner Casterline and seconded by Commissioner Laubach to approve the Minutes from March 22nd.

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

It is so ordered.

3. A motion was made by Commissioner Casterline and seconded by Commissioner Rousseau to approve Amended Proclamation #P-04-2021 giving credit also to the organizations that helped Jennifer Heard achieve success in her public service endeavors.

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

It is so ordered.

4. A motion was made by Commissioner Rousseau and seconded by Commissioner Casterline to approve Proclamation #P-05-2021, to proclaim April as Child Abuse Prevention Awareness Month. Tracy Orr read the proclamation.

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

It is so ordered.

5. A motion was made by Judge Mills and seconded by Commissioner Casterline to approve Proclamation #P-06-2021 recognizing William Whitson for his dedication and hard work with the Aransas County Long-Term Recovery Team. Tracy Orr read the proclamation.

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

It is so ordered.

COUNTY REPORTS

6. A motion was made by Commissioner Casterline and seconded by Commissioner Laubach to approve the City Of Aransas Pass Code Enforcement's Proposed Demolition of a Private Residential Structure located at 643 N. McCampbell, Aransas Pass, in Aransas County, Texas, which is on the Aransas County Resale List for Delinquent Taxes, and the Removal of Resulting Demolition Debris in order to eliminate threats to life, public health and safety.

Cory Elrod, Code Enforcement, City of Aransas Pass, answered questions from the court - primarily about which entity would bear the cost of demolition. **Cory Elrod:** The City of Aransas Pass has monies dedicated for these types of demolitions, so the city will cover the cost of demolition. Once we get approval from the other

taxing entities and the court, I would say that we would begin that demolition as quickly as possible.

Commissioner Laubach: So, if the City of Aransas Pass is doing this and paying for it, what is Aransas County's role in it? Is this something we need to approve because it's in Aransas County?

Jennifer O'Steen: Yes, this is something that Aransas County should consider approval of just because of being the trustee for the property being placed on the list for sale. **Laubach:** Because of the delinquent taxes?

O'Steen: Yes, ma'am. **Laubach:** So, if this were not a delinquent tax property, we probably wouldn't be?

O'Steen: That's correct.

Commissioner Casterline: And, is the funding coming from city money or grant funding? **Elrod:** It's city money from our General Fund that gets funded each year with the budget. **Commissioner**

Rousseau: So, once the building is demolished, then the property will be sold and hopefully the proceeds will go towards the tax bill? **Elrod:** That's the plan. Yes, ma'am. **Rousseau:** Okay. Thank you.

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

It is so ordered.

7. A motion was made by Commissioner Casterline and seconded by Commissioner Rousseau to approve the 1st quarterly 2021 Report for Friends of the History Center for Aransas County.

Pam Stranahan gave the report which mentioned 2,454 volunteer hours, recent exhibits ("Quilting during a Pandemic" and "Landmarks in Aransas County"), several outreach programs (a Sesquicentennial program to Rotary Club and a "Sails, Trails, Rails, and Wings" talk to 4H), publicity, and a new outdoor display

- a mock-up of the Copano Bay Fishing Pier created from recycled materials collected during its demolition. Stranahan stated that the Sesquicentennial monument that was unveiled on January 30th would be placed in Celebration Plaza at the new courthouse and mentioned other past and future Sesquicentennial celebration events.

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

It is so ordered.

8. A motion was made by Commissioner Rousseau and seconded by Commissioner Laubach to approve the 1st quarterly 2021 Report for Rockport Center for the Arts.

Luis Puron gave the report which included Visitation Records and details on the group's Visual Arts Programming ("The Many Shapes of Texas Clay," "Rising Eyes of Texas," the return of "The Rockport Art Loop" coming up on April 10, followed by "Jimi Kabela's Patterns: Peace in Chaos" and "Richard W. James's Ref Yous"). Puron also stated that the 1st floor of the Baker Law building (401 S. Austin Street) would serve as home for the group until their new facility is built.

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

It is so ordered.

COUNTY ROADS

9. A motion was made by Commissioner Casterline and seconded by Commissioner Rousseau to approve authorizing Road & Bridge to advertise a request for proposal (RFP) for the purchase of a chip spreader.

County Engineer David Reid stated that the current spreader is about 40 years old and needs to be replaced.

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

It is so ordered.

CONTRACTS, AGREEMENTS, GRANTS & LEASES

10. A motion was made by Commissioner Laubach and seconded by Commissioner Casterline to approve authorizing the County Judge to sign an Interlocal Cooperation Contract between Aransas County and Texas Parks and Wildlife Department (TPWD) for the Cedar Bayou Dredging Project. This sub-award is funded through the National Oceanic and Atmospheric Administration (NOAA) grant entitled NA19NMF0220006, Harvey Disaster Recovery, under the authority of the Bipartisan Budget Act of 2018 (CFDA#11.022). The total reimbursable amount of this Contract shall not exceed \$1,000,000.

John Strothman confirmed Commissioner Rousseau's observation that the contract also covered periods of time in the past (4th quarter last year and 1st quarter this year). He went on to say that there are no past invoices and that the project was about to start on May 1st and would be completed by October 31st, 2021.

Commissioner Casterline asked what the grant was covering. Strothman responded that this grant covers the portion of the project not fully covered by FEMA and that there will be no out-of-pocket cost to Aransas County on it.

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

It is so ordered.

11. A motion was made by Commissioner Casterline and seconded by Commissioner Laubach to approve authorizing the County Judge to sign the Interlocal Cooperation Agreement with Aransas County, City of Rockport, and Aransas County Navigation District for Bay Shore Drive Shoreline Restoration Project. This is another no out-of-pocket grant that we are managing commented **John Strothman**.

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

It is so ordered.

12. A motion was made by Commissioner Casterline and seconded by Commissioner Rousseau authorizing the County Judge to sign the Proposal from Berg-Oliver and Associates to provide annual invasive plant spray at Pathways venues - Tule East, Tule West, Tule Ditch, and Tule Creek, Connie Hagar Tract 2021, and Linda Castro Birding Tract.

Commissioner Rousseau asked why it costs the same to spray all three of the sites even though the acreage is different. **John Strothman** explained that they're not spraying the entire acreage; rather, they are just spraying the areas where they find Brazilian pepper trees and tallow trees - which are both super aggressive and invasive - and if you don't stay on top of them it will cost you dearly.

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

It is so ordered.

13. A motion was made by Commissioner Casterline and seconded by Commissioner Rousseau authorizing the County Judge to sign Cedar Bayou Change Order #1. The Change Order authorizes J.M. Davidson, Inc. to begin installation of the pipeline on April 19, 2021, but

only after satisfying related contract requirements, including but not limited to: (1) all other requirements for mobilization specified in the contract, (2) review of pipeline corridor staking and approval of any adjustments, (3) completion of contractor endangered species training, and (4) approval of all outstanding pre-construction submittals as described in the contract.

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

It is so ordered.

14. A motion was made by Commissioner Rousseau and seconded by Commissioner Casterline to approve entering into a contract with ArchiveSocial for social media archiving services at a cost of \$4,788.00 for one year which includes up to 3,000 records per month.

Commissioner Laubach: Can we get some background here on what all will be captured here? For instance, does this cover our personal Facebook pages? Are we just talking about county pages or what?

Collin Jackson: So, this service was brought to my attention by Deanna, the Public Information Officer (PIO) for the county. What it is is a chance to archive our county's official public Facebook pages, YouTube pages, any of our social media content - such as Twitter. But, it also is for compliance with Senate Bill 944 that says that anything that we post publicly on social media is considered part of open records, whether or not it is on our personal pages if we're acting in our official capacities as we post on social media platforms, so we have to capture it and archive it.

They do have the ability to capture personal pages, though that is not enabled by default. It would be something that we would

have to get them to tag and log in with your page to authorize it to capture a personal page that's being used in an official capacity.

By default, we would send an invite to any county official who runs a Facebook page to log in and give it permission to basically record anything posted to that page.

Laubach: So, if you want that from us we'll hear from you directly, okay?

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

It is so ordered.

15. A motion was made by Commissioner Casterline and seconded by Commissioner Rousseau authorizing the County Judge to issue Requests for Proposals (RFP) for Administrative Services and Requests for Qualifications (RFQ) for Professional Services for the American Rescue Plan Act of 2021.

Commissioner Rousseau: The memorandum that William talked about and summarized on screen gave us an overview of this new plan and this is saying that we're going to authorize Judge Mills to issue requests for proposal for administrative services and requests for qualifications for professional services - but will there be court input before those RFPs and RFQs are issued?

Judge Mills: I would imagine so. Yes. **County Auditor Jacky**

Cockerham: I can answer that, Judge. Yes, this is giving us permission to be able to go out. We do intend on having the task force created prior to this. This is just going to give us permission to do it at the time that it's necessary. **Commissioner**

Rousseau: Once the task force has met and come up with... **Jacky**

Cockerham: Once the task force has met and has figured out what

projects that they want to do then we would see whether we need to go out for the administrative and the engineering. It's going to depend on the plans on the projects also.

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

It is so ordered.

PLANNING & BUDGET

16. A motion was made by Commissioner Rousseau and seconded by Commissioner Laubach to approve the March 2021 Indigent Health Care Report as given. **Treasurer Alma Cartwright:** We're in the seventh month of the fiscal year. Total expenditures for the month was \$61,083.49. Year to date, \$260,853. That puts us at 2.5% of our gross revenue tax levy. There were three hospitalizations for the month.

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

It is so ordered.

17. A motion was made by Commissioner Casterline and seconded by Commissioner Laubach to approve a refund request in an Application for Tax Refund of Overpayment in the amount of \$2,596.69 for CoreLogic due to their overpayment of 2020 Property Taxes.

Commissioner Laubach: Anna, it seems like these are happening more often than they used to. **Tax Assessor-Collector Anna Marshall:** This one is totally different. CoreLogic is a company that handles numerous mortgage companies and they send in a file of payments and it's like thousands of properties. Well they paid this property in error. They don't even have this property as their client so they're requesting their money back so they can

pay the proper property. **Commissioner Laubach:** I don't have any problem with refunding erroneously paid taxes. I'm just curious that there are so many. **Marshall:** We refund almost on a weekly basis. This is nothing new for us. The amount this year - anytime it's over \$2,500 we have to come to you for approval. **Laubach:** Do you have any idea why this year... **Marshall:** I don't know why and it's larger... It's weird to me too because we have had more numerous people with... I guess they got extra money in their pocket and they can afford to do that... I don't know why. But when it's over the \$2,500 I have to come to court. But, like I said, weekly, we have a lot of them. It's usually anywhere from like \$10 to a couple of hundred dollars where they accidentally paid the wrong month but this has been rare for us too. Very rare. But, then again, it goes on with what's going on in 2020 and 2021.

Commissioner Rousseau: So did CoreLogic receive a tax bill in error? **Marshall:** Yes, because they requested it in error. This is not rare. They did this a couple of years ago too.

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 Judge Mills to approve a new job description for Road and Bridge: a Construction/Maintenance Inspector I position at Pay Group 2. It was pointed out by County Engineer David Reid that there was a typo and it should be Pay Group 20 not Pay Group 2. Do we need to bring this back? Commissioner Casterline amended his motion accordingly and Judge Mills provided the second to the amended motion.

David Reid: This is a senior level position. We have \$30,000,000 in projects coming up that we need somebody that represents the

county during construction to make sure they're building it according to the plans. We also have quite a bit of projects that the county staff is doing. Same kind of thing, you know, we need a little bit better control over the number of projects that we have coming up and this is the position I'm looking to fill. We've lost quite a few senior level people at Road & Bridge over the last few years so there's kind of a gap of experience - and this is an attempt to fill that gap.

Commissioner Rousseau: Is this a new position, David? **Reid:** It is. **Commissioner Laubach:** So how do we pay for it? Is this in your budget already or does the grant pay for it? **Reid:** No. So I had two people retire this month so I am not replacing one of them to be able to pay for this position. **Laubach:** Okay, so you can use attrition and it won't hit the budget. No new money - right? **Reid:** Correct.

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

It is so ordered.

19. A motion was made by Commissioner Laubach and seconded by Commissioner Casterline to approve distribution of \$102,911 of the US Fish and Wildlife Service Refuge Revenue Sharing Act annual payments to local governments for lands under their administration for Fiscal Year 2020, received in 2021.

Commissioner Laubach: Where's the money coming from and who's it going to? **Judge Mills:** Wildlife Refuge. **Treasurer Alma Cartwright:** This is a yearly thing. In lieu of them paying taxes at the Wildlife Refuge, they have an agreement with us to pay us a portion of the revenue sharing program. They do it every year and then we split it with the Nav District and the school district on a proportion of the tax levy. **Laubach:** Okay. Thanks.

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

It is so ordered.

20. A motion was made by Judge Mills and seconded by Commissioner Casterline to approve the Budget Line Item Transfers and Amendments. Auditor Jacky Cockerham stated there were none.

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

It is so ordered.

21. A motion was made by Commissioner Casterline and seconded by Commissioner Rousseau to approve the Accounts Payable and Payroll/Payroll Liabilities.

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.

Jacky Cockerham: I do have a fees report that you all have received. If you have any questions, I'll be happy to answer them. **Judge**

Mills: Any questions? There were none.

Commissioner Rousseau: Last Friday afternoon during a trip to the Courthouse, I found out by accident that one of the more highly paid County employees was leaving in a week. I was told that another Commissioner had discovered this news on Facebook. And, I texted

the only Commissioner who had not yet been informed and she posted it on Saturday.

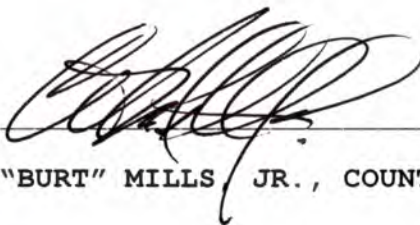
When I campaigned for this office, I emphasized getting back to the ABCs of County Government:

- *Accountable to voters
- *Build trust
- *Communicate openly.

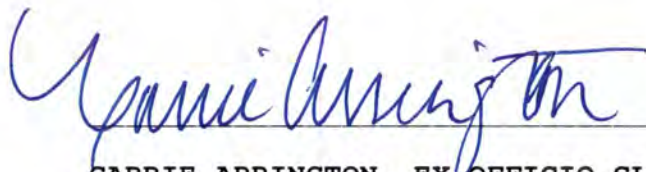
I have been following those principles even before I was elected and sworn into office. The same principles need to be adhered to by all members of this Court and I think it would be good to begin today!

Judge Mills: Thank you. And, I took responsibility for that not being done. I thought I put something in each one of your mailboxes personally but, evidently, I did not - so I apologize and it won't happen again. Thank you. Anything else? If not, do I have a motion to adjourn?

No further business presenting, the Court adjourned at 10:25 a.m. on a motion duly made by Commissioner Rousseau and seconded by Commissioner Laubach.



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



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

