

MINUTES OF THE ARANSAS COUNTY COMMISSIONERS COURT

REGULAR MEETING - JULY 12, 2021

BE IT REMEMBERED that on the 12th day of July, 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; **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 Officials/Department Heads/Staff Members present in person or via Zoom were: **Alma Cartwright**, Treasurer; **Patricia Randall**, Chief Deputy Treasurer; **Pam Heard**, District Clerk; **Jaime Blackburn**, Executive Assistant to County Judge; **Tracy Orr**, Administrative Assistant to County Judge; **Amanda Oster**, County Attorney; **Jennifer O'Steen**, Assistant County Attorney; **Jacky Cockerham**, County Auditor; **Latisha Murphy**, Assistant Auditor; **Bill Mills**, Sheriff; **Rhonda Konieczny**, Executive Assistant to the Sheriff; **Collin Jackson**, IT Director; **Jerry Brundrett**, County Surveyor; **David Reid**, County Engineer; **Lori Cesar**, Animal Control Director; **John Strothman**, Long-Term Recovery; and **Kim Foutz**, Long-Term Recovery.

Members of Other Governmental Entities or Community Groups and Interested Parties present in person or via Zoom were: **Katy Jackson**, City of Rockport Council Member (Ward 1), and **Mike Probst**, Editor and Publisher, The Rockport Pilot.

Aransas County Citizens present in person or via Zoom were: **Rob McGowan; Tom Doran; Linda Doran; Jim Rester; Pamela Meyer; Bobby Pepau; and Jen Thomasson.**

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 Brundrett. Roll call was taken and a quorum was declared by Judge Mills, WHEREUPON, the following proceedings were had and done, to wit, beginning with striking items 9, 10, and 19 from the agenda:

CITIZENS TO BE HEARD

Tom and Linda Doran, Aransas County residents on Murphy Road, issued a public complaint about drainage issues on their land that they believe was created by their next-door neighbor, Pam Myer. They stated that, as far as they know, Ms. Myer, without any permits, has raised her land anywhere from five to fifteen inches. She brought in something like between 100 and 200 loads of dirt and, consequently, their land is flooded between seven and fourteen inches deep now so they are seeking some relief from the county on this. They stated that it's unfair for somebody to misdirect the flow of water onto their land and that the Texas statutes say that no neighbor, no one, can divert the natural flow of water from down a hill so that it impairs another person. They suggested that the county put a drainage ditch along the property line between Pam Meyer and them. They said that they need to get something done and that they are prepared to go to court with Ms. Meyer, if they need to, in order to protect their interests. They further stated that they talked with Commissioner Jack Chaney, last week, when he came out to look at their property with them, and also with David Reid, who hopes to be on their property sometime this week. They said they understand that everyone has problems with runoff water right now but, in their

situation, because the natural flow has been changed next door, they now have a swamp on 2-3 of their 5-acre place and 4" of water in their shop and the water has nowhere to go.

Rob McGowan, Aransas County resident on Sawyer Lane, stated that he has a similar condition where he lives - which is just a couple of roads over from the Dorans' property. Mr. McGowan said he's been on his property for 38 and a half years but, recently, the ditch on Sawyer Lane on the north side was dug to the grade due to the boat barn up at the bypass and Sawyer Lane - all the way to 1069 - and it flows. He stated that he drove down Sawyer Lane this morning and noticed that none of the yards have water standing in them except his and his immediate neighbor's. He said he has hundreds of thousands of gallons of water because he has low spots and that water affects the water table. He believes that if the county would put in a culvert across the road to the north side of Sawyer Lane, that that would lower the water table and all of that standing water would be able to drain, which would dry him and his neighbor out. He said it would be a one-day job to get that culvert dug and laid with just a backhoe and a small crew, and that's what he wants.

CONSENT AGENDA

There were three items under the Consent Agenda:

1. Minutes from the June 28, 2021 Regular Meeting.
2. A \$500 donation from the Methodist Church, and a \$100 donation from Stephanie Murzin, to the Moore Than Feed horse account for Aransas County Animal Control.
3. A donation of 10 bales of hay from Diane and Bill Davis, plus a donation of 4 bales of alfalfa from Elizabeth Ellingson for the horses at Aransas County Animal Control.

A motion was made by Commissioner Casterline and seconded by Commissioner Rousseau to approve the Consent Agenda items. Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

COUNTY REPORTS

4. A motion was made by Commissioner Rousseau and seconded by Commissioner Casterline to approve designating the Aquarium Education Center, which is located within the county seat at 706 Navigation Circle, as an auxiliary courtroom for the District Court and the County Court at Law until further notice, pursuant to Section 292.001, Texas Local Government Code. County Attorney Amanda Oster explained that we were only using the Martha Luigi Auditorium to pick juries.

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

It is so ordered.

COUNTY ROADS

5. A motion was made by Commissioner Rousseau and seconded by Commissioner Laubach to approve a request for variance on County subdivision regulations on minimum lot size at 11 & 13 Belaire Drive for Lots 11-R & 13-R, Belaire Section, Holiday Beach Subdivision. Commissioner Laubach clarified the variance request by stating that it would take three grandfathered undersized lots and combine them into two larger yet still undersized lots. Question. A roll call vote was taken and the motion carried unanimously.

It is so ordered.

CONTRACTS, AGREEMENTS, GRANTS & LEASES

6. A motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve Amended Resolution #R-09-2021, authorizing the award of an Environmental Services Contract to Phase Engineering, Inc. in the amount of Two Thousand, Two Hundred Dollars (\$2,200) for the proposed medical facilities site located at 400 Enterprise Drive (Community Development Block Grant-Disaster Recovery Project 20-065-098-C270) and authorizing the County Judge to execute all necessary documents. Per Commissioner Rousseau, Kim Foutz said that an amended resolution was necessary because while there were funds available, they had not been allocated for the environmental services in the original resolution. 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 authorizing the County Judge to sign an Environmental Services Contract with Phase Engineering. Contractor to perform services set out in Part II Scope of Services at a cost not to exceed Two Thousand, Two Hundred Dollars (\$2,200). Question. A roll call vote was taken and the motion passed unanimously.

It is so ordered.

8. A motion was made by Commissioner Laubach and seconded by Commissioner Rousseau to approve Resolution #R-11-2021, a resolution designating authorized signatories for contractual documents and documents for requesting funds pertaining to the Community Development Block Grant-Disaster Recovery Program (CDBG-DR) Contract Number 20-065-098-C270.

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

It is so ordered.

9. (struck)

10. (struck)

11. A motion was made by Commissioner Rousseau and seconded by Commissioner Casterline to approve the Cooperative Agreement between Texas A&M AgriLife Extension Service and Aransas County for the purpose of establishing a partnership designed to develop and conduct educational programs in all phases of agriculture, family and consumer sciences, 4-H and youth and economic development for the benefit of Aransas County Citizens. (This is a normal agreement made between the County and AgriLife every three years.)

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 Laubach to approve entering into an Interlocal Agreement between Aransas County, Texas, and Nueces County, Texas, for Jail Services, to enable the Aransas County Detention Center to be used to house Nueces County inmates when available space and circumstances allow. Sheriff Mills stated that this was the first time for us to enter into a contract like this with Nueces County but that we have had similar contracts with Matagorda and Calhoun Counties. Nueces County Detention Center is currently overcrowded and they are looking for some quick relief and we have the capacity to hold 15-20 prisoners a day for them; however, in the agreement - like in our agreements with the feds and with the

City of Rockport - our prisoners come first. We will only house other prisoners when we have the room for them.

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

It is so ordered.

PLANNING & BUDGET OFFICE

13. A motion was made by Commissioner Rousseau and seconded by Commissioner Casterline to approve the June 2021 Indigent Health Care Report.

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

It is so ordered.

14. A motion was made by Commissioner Casterline and seconded by Commissioner Rousseau to approve authorizing County Judge to sign the Optional Health Care Services Notification for Aransas County Indigent Health Care optional services allowed for the fiscal year September 1, 2021 through August 31, 2022.

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

It is so ordered.

15. A motion was made by Commissioner Laubach and seconded by Commissioner Chaney to approve Resolution #R-10-2021, a Resolution Authorizing Bank Signature Authority and Electronic Banking Services for Prosperity Bank, adding Patricia Randall, Chief Deputy Treasurer, to the signature cards at Prosperity Bank for all bank accounts authorized under the County Treasurer.

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

It is so ordered.

16. A motion was made by Commissioner Casterline and seconded by Commissioner Rousseau to approve adopting statutorily-authorized fee increases for the County Clerk's office.

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

It is so ordered.

17. A motion was made by Commissioner Chaney and seconded by Commissioner Casterline to update the job description for Administrative Assistant/Criminal Justice Information Systems (CJIS) Reporter [in the County Attorney's office] from a group/step 11-5 to a group/step 12-3 to align with departmental requirements and duties (no new monies).

County Attorney Oster gave a brief description for the item - and the related items #s 18 and 19. She stated that her office had 12 employees, including herself. At the beginning of the year, there were two employees that were considered administrative assistants. One job description was Administrative Assistant/CJIS Reporter; the other was Administrative Assistant/Victim Assistance Coordinator. The person who was filling that second position, her last day of work was last week so what I am trying to do is two align both of our administrative assistant positions to have this same job description, to move our current receptionist to the vacant position, and to not have a receptionist position for right now. She asked that the receptionist position be put on hold and, at a later date, to discuss a Victim Assistance Coordinator (VAC) position with the Commissioners Court that would no longer be performed by an administrative assistant.

Commissioner Rousseau clarified with County Attorney Oster that, after this personnel adjustment, she would no longer be paying

for a receptionist, that those funds would be reallocated towards the new VAC position, but that the receptionist position would be revisited at some time in the future when there was space for another employee because it was very helpful to the office.

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

It is so ordered.

18. A motion was made by Commissioner Laubach and seconded by Commissioner Casterline to approve creating a second Administrative Assistant/CJIS Reporter position at a group/step 12-1 and freezing the Receptionist position at a group/step 9-2 to align with department requirements and duties [in the County Attorney's office].

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

It is so ordered.

19. (struck)

20. *Not an action item.* Auditor Cockerham simply reminded everyone about the upcoming Budget Workshop on August 2nd and 3rd. She also stated that we may be able to finish on August 2nd and that all requests and/or changes should be submitted in advance.

21. A motion was made by Commissioner Rousseau and seconded by commissioner Casterline to approve the Budget Line-Item Transfers and Amendments. Auditor Cockerham stated no amendments.

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 Accounts Payable and Payroll/Payroll Liabilities. In discussion, Ms. Cockerham stated that she had some items to walk in. None were unusual. She cited a draw from GrantWorks in the amount of \$16,545.30 and another for \$148,803.60 for Cobb Findley (the company who performed our fiber optics feasibility study), and referenced the quick turnaround from GLO that causes these two checks to need to be approved now so they can be ready to send out as soon as the County receives the funds from GLO.

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.

Commissioner Rousseau read the following into the record:

The County received three responses to the Medical Facility RFP. Two of the three met the submittal requirements and the third was deemed unresponsive. The RFPs under consideration are for an ambulatory surgical center and for a healthcare center respectively.

The Selection Committee for the Medical Facilities RFP has met twice since receiving the qualified bid responses. The first meeting on June 17th was a preliminary review in which committee members' feedback and observations were shared. The Committee performed initial scoring at that time and chose to invite both proposers to proceed to the next stage which is the interview. A list of questions

was prepared for the proposer(s) and sent to them with a request for responses at their earliest convenience.

A second meeting was held on Wednesday, June 30th with the committee members and County Treasurer, Alma Cartwright. Ms. Cartwright provided important information about the permissible uses of the County's Health Care Sales Tax as opposed to the County's Indigent Health Care Fund. This information was valuable to the committee members.

Proposers' responses to the committee's questions were received and distributed to committee members by email late last week. The Selection Committee is scheduled to meet again on Wednesday, July 14th to discuss the responses, interview the Qualified Proposers separately, and give final scores on the RFPs. Following the interviews and scoring, it is planned that a recommendation for selection will be made to Commissioners Court, hopefully at the July 26th meeting.

Commissioner Chaney thanked the Road & Bridge crew and the drainage crew for responding as quickly as they did to the 22" of rain - or whatever it was that we got. He mentioned that he was muted during the presentation and that the folks out in his precinct - especially the ones in the middle between 1069 and 35 bypass - do have a situation out there. He went on to say that he thinks that the County is addressing that with our new drainage study and that, sometime in the next month or so, he would like to have a public meeting or a workshop to talk about the drainage study and how it's affecting everybody. He also thanked David Reid for the good job he does.

Judge Mills asked for other reports and stated, if not, that the Court would be going into Closed Session.

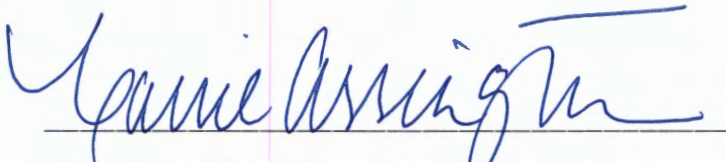
Both Mr. McGowan and Mr. Doran (from Citizens to be Heard) spoke again about their drainage concerns, then the Court went into Closed Session at 9:45 a.m.

The Court returned into Open Session at 10:02 a.m.

No further business presenting, the Court adjourned at 10:03 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

