

**MINUTES OF THE ARANSAS COUNTY COMMISSIONERS COURT**

**REGULAR MEETING - AUGUST 23, 2021**

BE IT REMEMBERED that on the 23rd day of August, 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 were: Alma Cartwright, Treasurer; Pam Heard, District Clerk; Tracy Orr, Administrative Assistant to County Judge; Jacky Cockerham, County Auditor; Tana Taylor, First Assistant Auditor; Latisha Murphy, Assistant Auditor; Linda Doane, HR Director; Bill Mills, Sheriff; Collin Jackson, IT Director; David Reid, County Engineer; Kat Comeaux, Development Services Coordinator; Mike Geer, Airport Manager; and John Strothman, Long-Term Recovery.

Members of Other Governmental Entities or Community Groups and Interested Parties present in person or via Zoom were: Dianne Nielson, Executive Director, Children's Coalition of Aransas County (CCAC); Richard Hyde, Treasurer/Board Member, CCAC; Rachel Thomas, Community Development Project Manager, GrantWorks, Inc.; Jennifer Day, Executive Director, Rockport Cultural Arts District; and Mike Probst, Editor and Publisher, The Rockport Pilot.

Aransas County Citizens present in person were: Carolyn Smith, Stanley Ward, Amy Biddle, Kevin Biddle, Lawrence Mikolajczyk, Sheri Hall, and Anita Diebel.

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 Commissioner Jack Chaney. Roll call was taken and a quorum was declared by Judge Mills, WHEREUPON, the following proceedings were had and done, to wit:

PUBLIC HEARING/CITIZENS TO BE HEARD

Citizens to be heard:

Five very concerned Aransas County citizens (residents of Rabbit Run Road, Murphy Road, and Adolfo Road, which included the owners of two RV Parks) relayed their individual and shared experiences about a troubling problem in their area: the reckless discharge of firearms. They talked about bullets crossing property boundaries, property damage caused by bullets, alarmingly close calls in which bullets almost hit people (including two of the people who spoke), and people being "peppered" with shot during duck hunting season. They referenced several incidents and gave two recent incident dates.

None of the citizens seemed to be against owning guns or shooting them. Several said they were gun owners themselves. Their objections were based on safety concerns - and their recent startling experiences and "what if" thoughts - stemming from the actions of careless shooters.

They urged the Commissioners Court to look into the issue of discharging of firearms in the county, to find out how other counties have addressed the issue, and to adjust and enforce the laws so everyone can live safely and in peace.

Public Hearing:

1. Carrie Arrington, County Clerk, presented her Annual Plan for Funding the Preservation and Restoration of Archive Records in the

Aransas County Clerk's Office. Arrington stated that the plan addresses what needs to be done with the Clerk's records, the costs associated with that work, and the work she plans to do this year. She also said that the plan includes the statutorily-approved three dollar increase to the Records Archive Fee and emphasized that the fee increase is a user fee not a tax. Then, she asked for public comments or questions. Commissioner Chaney asked several questions:

(Chaney) *When was the last time we went up on the fee?*

(Arrington) 2013.

(Chaney) *And, what is it now?*

(Arrington) The fee is seven dollars now. This would bring it to ten.

(Chaney) *So, we're looking at a three dollar increase?*

(Arrington) Correct.

(Chaney) *And, when is this charged?*

(Arrington) This is charged to people when they file public records in the County Clerk's office. The fee applies only to the first page of an instrument.

(Chaney) *And, where do these funds go?*

(Arrington) These funds go into a reserve account held strictly for the historical archive records in the County Clerk's office, to be able to preserve, restore, and access them. They [the funds] can't be used for anything else.

(Chaney) *And, you're currently in a very active record preservation activity now that's gone over for at least a couple of years - right? And, this money is being used, it's not just sitting there?*

(Arrington) The money hasn't been used for a while, so I intend to use quite a bit of it this year because it is there for a particular purpose and we have much to do. It hasn't been used lately, I believe, because things like Hurricane Harvey and other disasters got in the way. So, for somebody not doing it, it's not criticism that they didn't do it, it was just that the focus had to be elsewhere. Also, for a great amount of time, the physical records weren't even local; they were off-site [out of state].

(Arrington) If there aren't any more questions, I'll go ahead and end here. Thank you.

#### PRESENTATIONS

2. **Two people from the Children's Coalition of Aransas County (CCAC), Dianne Nielson (Executive Director) and Richard Hyde (Board Member and Treasurer), spoke to the Court about a crisis that our county is experiencing - a childcare crisis - and something that their group is doing to address it.**

This is not a new problem. Children's Coalition was founded in 2017 and the first thing they did was provide emergency child care in response to the hurricane. For the last four years, the organization has been looking at how to improve the child care situation in this community.

They cited the following research:

- The poverty rate for young children in Aransas County is 34.7 percent. This is considerably higher than the state average.
- The child abuse is about three times the state average.
- We have enough registered childcare in this county to meet about 11 percent of the need.

They stated that they think that these things go together. They think that good, high quality early childhood education that includes a strong parent education (a parent support component) will address both the child abuse and the poverty. With the availability of high quality early childhood education, families can go to work.

CCAC has families come into their office every day seeking child care. *What do we do? Who has it?* There's First Learning Tree - and they're wonderful - and they have a waiting list that's very very long. And, we have one registered family childcare home in Aransas County. So, there's a tremendous need here.

They shared a survey they conducted of parents and business owners that confirmed the organization's concerns that there's a crisis. They also shared a paper from James Heckman, the Henry Schultz Distinguished Service Professor of Economics at the University of Chicago, a Nobel Laureate in Economics and an expert in the economics of human development: *Invest in early childhood development: Reduce deficits, strengthen the economy.*

They have been looking around to see who would start a new childcare program. Childcare is very expensive and very hard to do and make a profit. But they're a non-profit, so they decided that they are going to do it.

**CCAC is going to create a high-quality, non-profit early childhood program to address these needs in our county - and it's going to cost a lot of money. They need to raise \$1.2 million dollars.** They have located a property and are in the process now of doing their due diligence on it to make sure that it's going to be a suitable property and the next step is getting the funding we need

to make it happen. **They asked the Court for questions and for financial assistance.**

(Judge Mills) I don't have any questions. You know that we have researched this quite extensively and, yes, the child care needs in this county are astronomical. How to get there, though, I haven't figured that one out yet. We need a little time. Money, of course, can cure this problem, more or less, supposedly, so we're going to have to find ways to get you some money somewhere. You're looking at grants and other things also, right?

(Nielson) Absolutely. I'm writing grants every day. We also have a fundraiser event. It's on the backside of the pamphlet I gave you. Certainly, this isn't going to do it all but on December 3rd, at Paws and Taws, we are having an event and we'd love for you all to be there.

(Chaney) Now, is this mainly to serve low to moderate income households? I mean, would someone who lived in Key Allegro and has four children be eligible for this?

(Nielson) I think anybody would be eligible but our goal, certainly, is to help those folks who can't go to work now and hence are part of this poverty issue to be able to go to work.

(Chaney) Is there any federal funding for this?

(Nielson) We haven't accessed that yet. We have talked with WorkForce. WorkForce said, gosh, we don't know if there's any money. We'll help you look. We've talked to the City of Rockport. We've been talking to everybody we can talk to, hoping somebody can say, hey, here's a source. And, then we're writing grants and letters and asking for support. Kind of my thinking is if everybody in this room gave \$10 and told 10 people, and all those

10 people gave \$10 and told 10 people, and so forth, we've got it covered. So, that's where we are. We're just telling the world what we're up to and what we need.

(Chaney) Well, I applaud what you are doing. I have four grandchildren who live with me and, you know, I'm not in poverty but to put even one in a good qualified childcare program - of which there's always waiting lists - is just more than I can afford.

(Nielson) Childcare is expensive and high quality childcare is more expensive because of your staff-child ratios. In order to do it well - especially for infants and toddlers - you don't want more than four children to one staff member. And, for our program, our goal is that our program's going to be nationally accredited which means meeting very high standards of quality.

(Rousseau) Dianne, you and I have discussed this prior and I know you said you were going to be giving us some additional information today but I am still curious. Do you have a projected budget of what you expect to pay for the property and for the setup - those sorts of things - because I know a couple of the organizations that would be very amenable perhaps to funding this through grants need to see that sort of information.

(Nielson) Exactly. Richard is our Treasurer. So, Richard, do you want to address that?

(Hyde) Sure. Yes, we do, and I'd be happy to provide that information to you. As Dianne said, it's in total between the building, the renovations, the furnishings, and the kind of startup, you know, six months of operating budget, we're looking at about \$1.2 million. And, yes, we'd be happy to provide that.

(Rousseau) Okay. Thank you. I'd like to get that.

(Hyde) Sure. And, to the Commissioners, if it's okay while I'm up here, to your point, I think that one of the things we want to accomplish with this center is breaking the cycle of poverty because at some point in time you have to put a stake in the ground and decide how you're going to do that - and I think this is one way. It's not the only way, but this is one way, an important way, to put a stake in the ground to say we're going to teach these kinds whether they're low income, moderate income, even high income, and prepare them the best that we possibly can as they move forward in their careers in school. And, I think that this is a critical element in putting all that together - so thank you for your questions.

3. Rachel Thomas, Community Development Project Manager, GrantWorks, Inc., gave a presentation to illustrate Texas Department of Agriculture Form A1024 Community Development Block Grant (CDBG) Section 3 Goals and Concepts - the revisions from July 2021 - as they relate to the CDBG Program and Texas Community Development Block Grant projects 7219025 (\$1M lift station, sewer line, force main, manholes, and first-time sewer service in the Doughty-Mathis Colonia) and 7219490 (\$300K sewer line, manholes, and first-time sewer service in the Doughty-Mathis Colonia).

As a condition of funding, the City must comply with Section 3 of the Housing and Urban Development Act of 1968. To the greatest extent feasible, Grant Recipients must direct economic opportunities generated by CDBG funds to low-and very low-income persons. In part, this means ensuring that:

- Section 3 Businesses have the information to submit a bid or proposal for the project, and

- Section 3 Workers have information about any available job opportunities related to the project.

A company may qualify as a Section 3 Business if:

- it is owned by low-income persons;
- it is owned by Section 8-Assisted housing residents; or
- 75% of all labor hours for the business in a 3-month period are performed by Section 3 Workers.

Workers may qualify as a Section 3 Worker if:

- if their annual income is below the county threshold for their family size. For example, the income threshold for a family of one is: \$34,450; or
- they are a current or recent Youthbuild participant.

Section 3 Workers that reside near a project may also qualify as Targeted Section 3 Workers.

The County will keep track of all hours worked on the project based on the three categories of workers (all Workers, all Section 3 Workers, Targeted Section 3 Workers).

#### CONSENT AGENDA

There were five items under the Consent Agenda:

4. Minutes from the August 16, 2021 Regular Meeting
5. Adopting the statutorily-allowable Records Archive Fee of \$10 for instruments filed into the county's official public records (per *Local Government Code, Section 118.025*), necessary for the ongoing preservation, maintenance, and accessibility of our county's historical records

6. County Clerk's Annual Plan for Funding the Preservation and Restoration of Archive Records
7. Donation of time from James Tree Service and use of a bucket truck to replace the wireless antenna at the History Center (a VERY generous donation per Judge Mills)
8. Acknowledgement of and record in the minutes of Commissioners Court, a Certificate of Completion awarded to Commissioner Pat Rousseau from the V.G. Young Institute of County Government for successfully completing 13 hours of Educational Training

A motion was made by Commissioner Chaney and seconded by Commissioner Laubach to approve the Consent items.

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

It is so ordered.

#### COUNTY REPORTS

9. A motion was made by Judge Mills and seconded by Commissioner Laubach to approve the 2nd Quarter 2021 Report for the Rockport Cultural Arts District (RCAD).

Executive Director Jennifer Day gave the report outlining the expenditure of HOT funds spent April - June 2021, beginning with the acquisition, clean up, and restoration of the San Antonio and Aransas Pass railroad depot and RCAD's Five Year Strategic Plan 2021-2026.

She then touched on the Direct Merchants Meeting held June 9, and the Aransas County Sesquicentennial Event "San Antonio Ragtime Society" on June 19. She reflected on RCAD's March 27 event and showed the pictures and article that was featured in the May-June Model T Club International Magazine, *Model T's at the Texas Coast*.

She spoke of the benefits of a Heritage Tourism Impact Study and Aransas County Heritage Tourism Packages.

She mentioned honoring legendary local artist Steve Russell, founding member of the Rockport Art Association, for his public art initiatives, including his major bronze sculpture "Cultural Interface," and the Steve Russell Roast Event held July 23rd.

Day concluded her presentation with slides covering:

- the new RCAD signage and flags,
- RCAD's successful multi-level geocaching game in conjunction with the Rockport-Fulton Chamber,
- the support RCAD gave the Rockport Women's Lions Club to help them champion the Rockport Shopping Tournament Event this October 2<sup>nd</sup>,
- the announcement of the new, very nice, air conditioned restrooms in the District (stationed next to Rockport Little Theatre on Austin Street), which addresses the top concern from tourists and merchants for decades (a collaboration with The City of Rockport, Rockport-Fulton Chamber of Commerce, District Merchants, and Texas Coastal Trailer Trash),
- RCAD's Social Media Marketing featuring District Business, Culinary Arts, Local Culture, and the Railroad Depot,
- Additional RCAD Initiatives - Vietnamese Culture Recognition Program, Food Truck Offerings, Green Space, and RCAD Merchandising Items, and

- RCAD's successful grant awards for the Restoration and Acquisition of the Railroad Depot and Public Art (Steve Russell's bronze sculpture "Cultural Interface" and his Art Colony Mural plus the District Signage and Flags). She also mentioned a \$45,000 grant to Rockport Center for the Arts from the Texas Commission on the Arts - made possible by RCAD to support the 2021 Art Festival, and grant assistance they provided to Rockport Little Theatre that helped them secure two separate \$25,000 grants.

Question. A roll call vote was taken and the motion to approve the RCAD's 2nd Quarter Report passed unanimously.

It is so ordered.

#### COUNTY ROADS

- 10.&11. A motion was made by Commissioner Chaney and seconded by Commissioner Rousseau to table items 10 and 11. [These items were 10. Discussion of bids received on 08/17/2021 for backhoe/loader and 11. Bid selected for Backhoe/Loader.]

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

It is so ordered.

#### COUNTY ELECTIONS

12. A motion was made by Commissioner Laubach and seconded by Commissioner Casterline to approve Order #0-09-2021, an Order of Appointment of Election Judges and Alternates. Elections Administrator Kevin Stroud stated that this Order is an annual requirement per State Election Code, to do each year in your August term. He also stated that the lists of names were submitted by both parties.

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

It is so ordered.

13. A motion was made by Commissioner Casterline and seconded by Commissioner Rousseau to approve Order #0-10-2021, an Order of Special Election to be held November 2, 2021 for the purpose of adopting or rejecting the proposed Constitutional Amendments as submitted by the 87th Legislature, Regular Session of the State of Texas.

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

It is so ordered.

**CONTRACTS, AGREEMENTS, GRANTS & LEASES**

14. A motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve Resolution R-21-2021, a Resolution authorizing the award of a professional services provider contract for a Medical Facility for Hurricane Harvey related Disaster Recovery and Mitigation Contract Number (CDBG-DR) Contract 20-065-098-C270.

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

It is so ordered.

15. A motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve the award of architect services contract contingent upon successful negotiation of the medical facility improvements to PhiloWilke for General Land Office (GLO) Community Development Block Grant-Disaster Recovery (CDBG-DR) Contract 20-065-098- C270.

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

It is so ordered.

PLANNING AND BUDGET OFFICE

16. A motion was made by Commissioner Rousseau and seconded by Commissioner Laubach to approve the July 2021 Treasurer's Report. Question. A roll call vote was taken and the motion carried unanimously. It is so ordered.

17. A motion was made by Commissioner Laubach and seconded by Commissioner Rousseau to approve the Indigent Health Care Expenditures for the Fiscal Year September 1, 2021 to August 31, 2022, based on 8% of Gross Revenue Tax Levy as calculated by the Aransas County Tax Assessor Collector on State Comptroller Form 50-252. For clarification, Treasurer Cartwright stated that once a year, we determine what eight percent of the general tax levy is for our mandated expenditures [for Indigent Health Care]. If we meet the mandated expenditures, then we qualify for the state reimbursement program. So, this is why I bring up the 8% mandate every month during this report. (Commissioner Laubach) So, what this means is if we spend anything from 0 to 8% of the tax levy, we don't get a reimbursement but if we top 8%, the State would begin to reimburse us? (Cartwright) Right. 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 Rousseau to approve Resolution R-18-2021, a

Resolution approving the Aransas County Investment Policy (No Changes - yearly review and update).

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 Chaney to approve Resolution R-19-2021, a Resolution appointing Alma Cartwright, County Treasurer, as Investment Officer to invest Aransas County's funds in accordance with the foregoing Investment Policy.

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

It is so ordered.

20. A motion was made by Commissioner Chaney and seconded by Commissioner Rousseau to approve Resolution R-20-2021, a Resolution acknowledging the Broker/Dealers List being authorized to provide services as required to Aransas County.

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 Chaney to approve Budget Line Item Transfers and Amendments. [There were none.]

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.

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**

**Commissioner Chaney** thanked Sheriff Mills for the quality of patrol that we had at Live Oak Elementary this week. That place can easily get out of hand with the cars and stuff but his officers are very capable at getting that traffic through. They get hundreds of cars in and out and they're very good at it.

**Sheriff Mills** I appreciate that Commissioner. It's the first of the school year, yeah it's a zoo out there for a week and a half, ten days, and we do move a lot of cars this last week seemed more than typical.

**Chaney** Actually, I disagree with you. It was not a zoo. It was well-organized - but it could have been a zoo or a disaster.

**Sheriff Mills** Well, it is an annual event. But, I wanted to take the time this morning to call awareness to something - and I'm not coming down on either side - but I'm asking everybody to be as socially responsible as you can with the COVID. Beeville, this morning, is transporting a deputy back to vigil that died in the Corpus Christi Hospital this morning. Tomorrow morning, Refugio is burying a jailer, that used to work here up to about three months ago, who died from COVID. They have another deputy that was infected in the same exchange or transport that they did at the border patrol station and Corpus a couple of weeks ago. And, I've had five employees out in the last three weeks with COVID. I think we sometimes take for granted where we're at and when we're around people outside of your normal circle. I'd encourage you to be

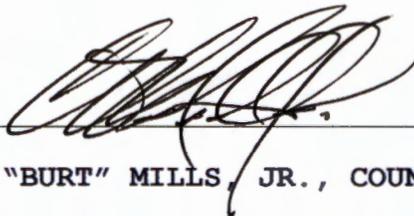
cautious and take whatever measures you need to. It's closer to home than I think we realize sometimes but I see it more often within the work group that I supervise. Thank you.

**Auditor Jacky Cockerham** referenced the Fee Report that was sent out earlier - we are in the black again with collections and \$114,752 over this time last year.

**Commissioner Chaney** questioned why the Fee Report isn't an agenda item and stated that he thinks Cockerham should make it an agenda item since it deals with money.

**Cockerham** I don't have a problem making it an agenda item.

No further business presenting, the Court adjourned at 10:04 a.m. on a motion duly made by Commissioner Casterline and seconded by Commissioner Laubach.



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



CARRIE ARRINGTON, EX-OFFICIO CLERK  
OF THE COMMISSIONERS COURT

