

MINUTES OF THE ARANSAS COUNTY COMMISSIONERS COURT

REGULAR MEETING - SEPTEMBER 27, 2021

BE IT REMEMBERED that on the 27th day of September, 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**, County Treasurer; **Patricia Randall**, Chief Deputy County Treasurer; **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 Auditor; **Bill Mills**, Sheriff; **John Kroll** and **Rueben Garcia**, Veteran Services; **Collin Jackson**, IT Director; **David Reid**, County Engineer; **Valerie Gonzalez**, Environmental Health Director; **Jerry Brundrett**, County Surveyor; **Mike Geer**, Airport Manager; **Lori Cesar**, Animal Control Director; **Kevin Stroud**, Elections Administrator; and **John Strothman**, Long-Term Recovery.

Members of Other Governmental Entities or Community Groups and Interested Parties present in person: **Mark Wagnon**, Aransas County Partnership Economic Development Corporation; **Ginger Easton** and **Megan Glidden**, AgriLife; **R. J. Shelly**, Texas Sea Grant; **Arsum Pathak** and **Amanda Fuller**, National Wildlife Federation; and **Mike Probst**, Editor and Publisher, The Rockport Pilot.

Aransas County Citizens present in person: **Carolyn Smith**.

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:

CITIZENS TO BE HEARD

There were none.

PRESENTATIONS

1. Tracy Orr read Proclamation #P-12-2021 to honor the 4-H Youth Development Program of the Texas A&M AgriLife Extension Service and designate October 3-9, 2021, as National 4-H Week in Texas.

Afterwards, Megan Glidden and R.J. Shelly showed a video presentation from the 2021 Coastal Bend 4-H Sportfishing Day event sponsored by FlatsWorthy, 4-H, and Texas A&M AgriLife - a fun, educational event and new joint project put on by Aransas and Calhoun Counties. They invited kids from five counties and had 60 kids participate.

2. Tracy Orr read Proclamation #P-14-2021 to recognize, acknowledge, and profusely thank John Kroll for his proven service as the Veteran Service Officer for Aransas County.
3. Dr. Arsum Pathak and Amanda Fuller, from the National Wildlife Federation, gave a presentation entitled *Vulnerability and Adaptation to Climate Change: An Assessment for the Texas Mid-Coast*. The stated goal of their presentation was to equip local leaders and decision-makers in the Texas Mid-Coast (the counties of Aransas, Calhoun, Jackson, Matagorda, Refugio, and Victoria) with locally relevant information pertaining to climate change-related risks, the resulting impacts on key socio-economic and

environmental assets, and adaptation planning, including funding mechanisms for nature-based projects.

4. County Attorney Amanda Oster gave a presentation regarding the Resolution of the Aransas Pass Annexation Case: the recent settlement of the Quo Warranto case regarding the City of Aransas Pass and annexation activities in 2019, *The State of Texas ex rel. Association Against Annexation Abuse v. The City of Aransas Pass, A-19-0368-CV-C in the Aransas County District Court.*

The Aransas County Attorney's office filed a quo warranto case against the City of Aransas Pass in 2019 after its City Council purportedly annexed over 2,000 acres and passed a resolution indicating that it would annex everything in its 21,000 acre exterritorial jurisdiction. The lawsuit was filed at the request of a group of citizens which formed an organization called the Association Against Annexation Abuse.

In order to assist Aransas County (and San Patricio County) with this case, David Earl, of Earl & Associates, a law firm out of San Antonio, was appointed Special Assistant County Attorney for Aransas County and Special Assistant District Attorney in San Patricio County. He ultimately provided legal services and incurred costs in this matter for almost two years.

A Settlement Agreement and Agreed Judgement in favor of the Plaintiff was approved by the parties and the Court on September 13, 2021.

CONSENT AGENDA

There were three items under the Consent Agenda:

5. Minutes from the September 13, 2021 Regular Meeting

6. Amended Aransas County Transfer Station Official Holidays for 2022, correcting the December holiday dates.
7. Request to declare Aransas County Fixed Asset Property as surplus, with scrap metal to be sold or salvaged as recyclable and disposing of the remainder of the assets at the Aransas County Transfer Station.

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

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

It is so ordered.

COUNTY ROADS

8. (discussion item reviewing the excavator/track hoe bids received)
9. A motion was made by Commissioner Rousseau and seconded by Commissioner Casterline to approve the bid submitted by Holt Cat as the selected bid for an excavator/track hoe and to authorize the County Engineer to purchase the excavator/track hoe at the bid price.
10. A motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve authorizing advertising a Request for Qualifications (RFQ) for Professional Engineering Services relating to a drainage study for the Lamar Beach Road at 4th Street Watershed, with funding for such engineering costs being paid out of the Flood Control Item 220-611-525, Special Projects.

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

It is so ordered.

COUNTY AIRPORT

11. A motion was made by Commissioner Laubach and seconded by Commissioner Casterline to approve authorizing the Airport Manager to petition the Texas Department of Transportation and the Federal Aviation Administration to request that approximately 28 acres of land located within the boundaries of the Aransas County Airport be released from the requirement that it be dedicated to aviation uses in order for the Airport to offer the property for long term lease and development for uses that may not be related to aviation.

Airport Manager Mike Geer gave a presentation to the Court and asked for \$5,000-\$7,000 for a survey and appraisal necessary for the petition to TxDOT and the FAA but did not specify a particular lessee, or the piece of land to be released, or a designated airport improvement project which would be funded by the land lease revenues. Commissioner Rousseau stated that without that information (and more), the FAA would not give their approval.

Assistant County Attorney Jennifer O'Steen also stated Mr. Geer's request of funds for a survey and appraisal was not included in the current agenda item so the Court couldn't authorize any spending today for a survey or appraisal.

Commissioner Laubach said she thought that what Mike needed today was the Court's approval to allow him to start the process and she amended her motion to approve authorizing the Airport Manager to *prepare to* petition the Texas Department of Transportation and the Federal Aviation Administration to request that approximately 28 acres of land located within the boundaries of the Aransas County Airport be released from the requirement that it be dedicated to aviation uses in order for the Airport to offer the property for long term lease and development for uses that may not be related

to aviation. Commissioner Casterline provided the second for the amended motion.

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

It is so ordered.

COUNTY ELECTIONS

12. A motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve an Amendment to Order #O-09-2021, appointing the amended list election judges for a one-year term to begin September 1, 2021.

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

It is so ordered.

Commissioner Casterline also asked Mr. Stroud if there was any scheduling news on the redistricting and the primary election.

Kevin Stroud: There is some news and I was actually going to discuss it during the time at the end of the meeting unless you want to discuss it now.

The Court said now was fine.

Stroud: So, in the second called special session, Senate Bill 13 was passed that addresses the changes to the primary and primary runoff elections next year with respect to the redistricting.

If the State completes the redistricting by November 15, 2021:

- a) an application for a place on the general primary election ballot must be filed not earlier than November 29, 2021, and not later than 6 p.m. on December 13, 2021;
- b) the general primary election date is March 1, 2022; and

c) the runoff primary election date is May 24, 2022.

If the State completes the redistricting after November 15, 2021, but on or before December 28, 2021:

- a) an application for a place on the general primary election ballot must be filed not earlier than January 10, 2022, and not later than 6 p.m. on January 24, 2022;
- b) the general primary election date is April 5, 2022; and
- c) the runoff primary election date is June 21, 2022.

If the State completes the redistricting after December 28, 2021, but on or before February 7, 2021:

- d) an application for a place on the general primary election ballot must be filed not earlier than February 21, 2022, and not later than 6 p.m. on March 7, 2022;
- e) the general primary election date is May 24, 2022; and
- f) the runoff primary election date is July 26, 2022.

If the State has not completed the redistricting on or before February 7, 2022, the secretary of state shall set the dates of the filing period and the general and runoff primary elections.

Stroud had an additional item to discuss: We will be having a county-wide election in May of next year. Every county in the State of Texas will be doing one. There is another constitutional amendment that will be on the ballot then. It will be a joint election with the cities and schools, so that will help reduce some of the cost.

CONTRACTS, AGREEMENTS, GRANTS & LEASES

13. A motion was made by Commissioner Casterline and seconded by Commissioner Rousseau to approve authorizing Engineer John D. Mercer & Associates (or soon to be owner of John D. Mercer &

Associates, Lynn Engineering) to Solicit Bids for Construction of sewer improvements including seventeen (17) first-time sewer connections in the Doughty-Mathis Colonia pursuant to the Texas Community Bock Grant (TxCDBG) Contract No. 7219025.

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

It is so ordered.

14. A motion was made by Commissioner Laubach and seconded by Commissioner Rousseau to approve the Steering Committee's recommended projects to be pursued and funded utilizing the American Rescue Plan Act funding (\$4.5M). They also reviewed and discussed other projects that received consideration.

The Steering Committee recommended the following projects for allocated ARPA funding:

- Personal Protective Equipment (PPE), COVID test kits, Sanitization products (\$250,000)
- Records storage and management/accessibility to public - District Clerk's office (\$1,000,000)
- Records storage and management/accessibility to public - County Clerk's office (\$1,000,000)
- Potable water storage tank for Jail and protective barrier for tank (\$100,000)
- Website development and redesign (\$70,000)
- 3 Portable message trailers to improve public communication, total cost for 3 trailers (\$50,000)
- Infrastructure construction/repair to protect clean water (\$1,500,000)
- Generator for Animal Control facilities (\$90,000)
- Generator for AgriLife Extension office (\$90,000)

- GrantWorks administration estimated fees (\$150,000)

Total estimated amount of recommended projects: \$4,300,000

Other proposals received but not recommended at this time:

- Fiber optic (loop and last mile), project not likely to be approved with SLFRF but may qualify under competitive funds.
- Affordable housing, no feasible option presented that was likely to be approved.
- Childcare needs and facility, need more clearly defined request. May qualify as FEMA Public Assistance Project.
- Education, not likely to be approved
- Tourism, non-profits' suggestions: billboards, tourism shuttle bus, Art Center expansion; projects not likely to be approved
- Healthcare, funding recommended above for PPE and test kits, allocation made in FY 2022 Budget from Health Care Sales Tax fund.
- Workforce facility/training; Del Mar College is requesting funding via the ARPA EDA competitive Good Jobs Challenge Grant.
- Water and wastewater improvements, addressed above.
- Fire department equipment and other eligible uses, may qualify under competitive funds.

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

It is so ordered.

PLANNING & BUDGET OFFICE

15. A motion was made by Commissioner Rousseau and seconded by Commissioner Casterline to approve the August 2021 Treasurer's Report.

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 Chaney to approve the 2022 Animal Control Fees. (There were no changes.)

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 Chaney to approve the adoption of Resolution #R-24-2021 to authorize County staff to issue payment, once settlement funds are received from the City of Aransas Pass, to David Earl, Special Assistant County Attorney, for services rendered and costs incurred in relation to the State of Texas ex rel. Association Against Annexation Abuse v. The City of Aransas Pass, A-19- 0368-CV-C in the Aransas County District Court.

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 Chaney to approve the Texas Association of Counties' Workers Compensation Renewal Agreement and Questionnaire for plan year 2022 and authorize the County Judge to sign them.

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

It is so ordered.

19. A motion was made by Commissioner Rousseau and seconded by Commissioner Casterline 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.

20. A motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve Accounts Payable and Payroll/Payroll Liabilities. (Per Auditor Cockerham, the Accounts Payable will include a \$100,017.63 check to David Earl and grant-reimbursed capital improvement payments for \$1.2 million.

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: I was unable to attend the employment recognition luncheon because I was working out of town and I couldn't get back, but I wanted to tell the employees that I really appreciate them. I think we probably have the all-around best group of employees here. I noticed our employees just resurfaced the streets in my subdivision and I continue to be amazed at how quickly and efficiently Road & Bridge is able to do that. I mentioned Road & Bridge because it just came to my mind. They always look good, they do good work, and they are never a bother to the community. They get in and get out and I appreciate that.

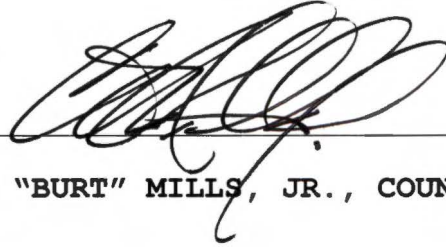
Judge Mills: We all do. Road & Bridge does a good job. Right, David?

David Reid: They do.

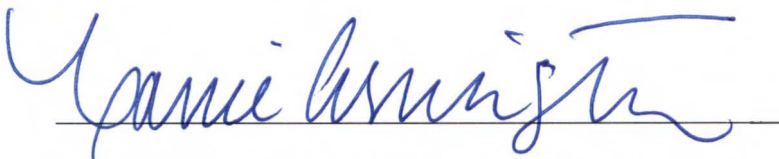
Judge Mills: Any other announcements? If not, do I have a motion?



No further business presenting, the Court adjourned at 10:59 a.m. on a motion duly made by Commissioner Laubach and seconded by Commissioner Rousseau.



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



CARRIE ARRINGTON, EX-OFFICIO CLERK
OF THE COMMISSIONERS COURT

