



MINUTES

Aransas County Commissioners Court

9:00 AM – Monday, August 29, 2022

The Aransas County Commissioners Court met in **Regular Session** on Monday, August 29, 2022, at 9:05 AM, immediately following the conclusion of the 8:45 AM Public Hearing, in the Aransas County Courthouse, 2840 Hwy 35 N, Rockport, Texas.

Present: **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

Absent:

I. Call to Order & Pledges

The meeting convened at 9:05 AM, followed by pledges to the American and Texas flags.

II. The Invocation was given by **Commissioner Pat Rousseau**.

III. Roll Call was taken. **A Quorum was declared**, and the following proceedings were had and done, to wit:

IV. Citizens to be Heard – There were none.

V. Presentations

- 1. Jace Tunnell**, Director of Mission-Aransas National Estuarine Research Reserve, gave a presentation on the revised and expanded investigation to evaluate the potential contamination of Port Bay. His initial presentation to the Court was on April 11, 2022.

He spoke again about Aransas County concerns about the possible contamination of Port Bay after Hurricane Harvey from the old Reynolds Metals bauxite waste settling ponds, previous investigations, and current project investigation goals, timeline, and budget. Specifically, he stated two goals from the (now) Coastal Bend Bays & Estuaries Program (CBBEP) Project: 1) to evaluate the potential contamination from the tailing ponds to the adjacent water and sediments, and 2) to evaluate the potential ecological and human health risks of contamination in the whole Port Bay, as well as to evaluate ecosystem health.

He offered up a project budget by category which totaled \$57,995 (after matching funds of \$20,000 from Texas State) for the 18 month project period, beginning September 2022, with Aransas County and Aransas County Navigation District each

paying up to \$14,500 of the cost and CBBEP to cover the remaining balance (estimated at \$29,000). Tunnell relayed that the data synthesis and project report would be completed from December 2023 to February 2024.

VI. Consent Agenda

2. Minutes from the August 22, 2022, Regular Meeting
3. \$200 donation from Paul and Helen Thomas to Aransas County Animal Control

Motion by Commissioner Laubach to approve the Consent Items; seconded by Commissioner Rousseau.

Vote: Motion carried 5-0; it was so ordered.

VII. County Reports

4. Burn Ban Extension

Motion by Commissioner Rousseau to approve Order #O-23-2022, an Order of the County of Aransas, Texas, Prohibiting Outdoor Burning for a Period of Up to an Additional 30 Days Due to the Existence of Conditions that have Created a Public Safety Hazard that would be Exacerbated by Outdoor Burning; seconded by Commissioner Chaney.

Vote: Motion carried 5-0; it was so ordered.

VIII. County Roads and Floodplain

5. Order #O-22-2022 (Re: Main Street between Blocks 91 and 103, Lamar Township)

Motion by Commissioner Chaney to approve Order #O-22-2022, an order petitioned by Mary Thornhill to close, abandon and vacate a portion of the platted 60-foot Right-of-Way of Main Street lying between Block 91 and Block 103, Lamar Townsite, Aransas County, Texas; seconded by Commissioner Casterline.

Vote: Motion carried 5-0; it was so ordered.

6. Variance Request on Subdivision Regulations on Minimum Lot Size (Hickory)

Motion by Commissioner Casterline to approve a request for variance on County subdivision regulations on minimum lot size requirements to replat 1020 Hickory Avenue from two lots into one lot; seconded by Commissioner Laubach.

Vote: Motion carried 5-0; it was so ordered.

7. Variance Request on Floodplain Management Order #O-23-2019 (Cape Velero)

Motion by Commissioner Casterline to approve a request for variance on Aransas County Floodplain Management Order O-23-2019, Article 4, Section F, Subsection 1(a) for Lot 18 & Lot 22 of the Cape Velero, Unit 1 Subdivision to allow fill and slab-on-grade construction; seconded by Commissioner Laubach.

Vote: Motion carried 5-0; it was so ordered.

8. Variance Request of County Subdivision Regulations on Minimum Lot Size (Canvas Back)

Motion by Commissioner Laubach to approve a request for variance on County subdivision regulations on minimum lot size requirements to replat 118, 120 and 122 Canvas Back Lane from three lots into two lots; seconded by Commissioner Rousseau.

Then, at the request of Kat Commeaux, Commissioner Laubach gave an **Amended Motion** to approve the replat on the condition that, before recording, the final plat has met all the drainage requirements that the County Engineer requires; seconded by Commissioner Chaney.

Vote: Amended Motion carried 5-0; it was so ordered.

9. Declare 2009 Ford Explorer as Surplus

Motion by Commissioner Rousseau to approve declaring the Aransas County 2009 Ford Explorer as surplus; seconded by Commissioner Chaney.

Vote: Motion carried 5-0; it was so ordered.

10. Purchase 2022 Ford Explorer

Motion by Commissioner Casterline to approve the purchase of a 2022 Ford Explorer for the amount of \$43,733.75, approve of using the surplus 2009 Ford Explorer as a trade in, and authorize County Judge and/or County staff to execute necessary documents; seconded by Commissioner Rousseau.

Vote: Motion carried 5-0; it was so ordered.

IX. County Elections

11. Resolution R-22-2022 -- Adopting Verity Version 2.5 Voting System

Motion by Commissioner Rousseau to approve Resolution R-22-2022, a Resolution Authorizing the Adoption of the Hart InterCivic Verity Version 2.5 Voting System, Authorizing the County Judge and/or the Aransas County Elections Administrator to Execute Necessary Documents, and Providing for Severability and Certifying Compliance with the Open Meetings Act; seconded by Commissioner Casterline.

Vote: Motion carried 5-0; it was so ordered.

X. Contracts, Agreements, Grants, and Leases

12. MOU with Children's Coalition of Aransas County

Motion by Commissioner Casterline to approve entering into a Memorandum of Understanding (MOU) between Aransas County and the Children's Coalition of Aransas County, to express mutual agreement for the County to promote affordable, high quality child care services to County's employees and for the Children's Coalition of Aransas County to provide such services at its new Child Development Center in Rockport, Texas; seconded by Commissioner Laubach.

Vote: Motion carried 5-0; it was so ordered.

13. MOU with TDEM (Texas Emergency Management Assistance Teams Program)

Motion by Commissioner Casterline to approve entering into a Memorandum of Understanding between the Texas Division of Emergency Management, the Texas Emergency Management Assistance Teams Program, Valerie Gonzalez, and Aransas County to set forth the terms and conditions of Gonzalez serving on the Disaster Recovery Task Force, which includes the County permitting her participation for up to five (5) years, and authorize the County Judge to Execute the MOU; seconded by Commissioner Chaney.

Vote: Motion carried 5-0; it was so ordered.

14. Community Development Block Grant Amendment #3

Motion by Commissioner Rousseau to approve Amendment #3 to Community Development Block Grant – Disaster Recovery Grant Contract No. 20-065098-C270 administered by the Texas General Land Office to extend the term of the Contract through August 31, 2024; to revise language to reflect all Project Activities and to reallocate funds in the Project Budget; to revise the Federal Assurances and Certifications, Affirmations, and the List of Laws; and to replace certain language in the Contract with new required language; at no additional encumbrance of grant funds or local funds; seconded by Commissioner Laubach.

Vote: Motion carried 5-0; it was so ordered.

15. Cybersecurity Compliance Certification

Motion by Commissioner Rousseau authorizing County Judge to submit required electronic documents the Texas Department of Information Resources to certify Aransas County's Compliance with Texas Government Code 2054.5191; which mandates personnel to complete an annual State Certified Cyber Security Training course; seconded by Commissioner Laubach.

Vote: Motion carried 5-0; it was so ordered.

16. Port Bay Study

Motion by Commissioner Laubach to approve paying up to \$14,500.00 of the cost of an eighteen-month study to be conducted by Mission-Aransas National Estuarine Research Reserve for water quality sampling and evaluation for possible contaminants in Port Bay near Highway 188. The Aransas County Navigation District would pay a matching amount of \$14,500.00 and the Coastal Bend Bays and Estuaries Program (CBBEP) would pay the balance of the total estimated cost of \$58,000.00 (CBBEP's share would be approximately \$29,000.00); seconded by Commissioner Chaney.

Following an observation by Commissioner Casterline, Commissioner Laubach provided an **Amended Motion** to indicate that our money would be paid to Coastal Bend Bays and

Estuaries Program; seconded by Commissioner Chaney. (This was confirmed by Jace Tunnell.)

Vote: Amended Motion carried 5-0; it was so ordered.

17. Resolution R-23-2022 -- In support of Coastal Bend Disaster Recovery Group

Motion by Commissioner Laubach to approve Resolution R-23-2022, a Resolution in support of the Coastal Bend Disaster Recovery Group, Recognizing the Coastal Bend Disaster Recovery Group as a Long Term Recovery Group, Declaring that Aransas County Intends to Work Cooperatively with other Political Subdivisions and Not for Profit Corporations in the Aftermath of Disasters to Provide Resources to Citizens, and Providing for Severability and Certifying Compliance with the Open Meetings Act; seconded by Commissioner Casterline.

Vote: Motion carried 5-0; it was so ordered.

18. Interlocal Agreements for 2022-2023 Property Tax Assessment/Collection

Motion by Commissioner Laubach to approve authorizing County Judge to sign Interlocal Cooperation Agreements for 2022-2023 Property Tax Assessment/Collection upon return of signed agreements by Local Taxing Entities. Local Taxing Entities are the Aransas County Navigation District, the City of Rockport, the Town of Fulton, the Aransas County Municipal Utility District No. 1, and the Aransas County Independent School District; seconded by Commissioner Rousseau.

Vote: Motion carried 5-0; it was so ordered.

XI. Planning and Budget Office

19. NOT AN ACTION ITEM: Discuss and receive information on proposals from the public concerning any budget issues, including the possibility of changing the current allocation of Hotel Occupancy Tax (HOT) funds for the year 2023

(No new proposals. Discussion mostly focused on possible funding for rockportfulton.com and Texas Hotel and Lodging Association.)

20. Schedule Public Hearing for 2022 Tax Rate

Motion by Judge Mills to schedule the Public Hearing for 2022 Tax Rate on Monday, September 12, 2022, at 8:45am; seconded by Commissioner Laubach.

Vote: Motion carried 5-0; it was so ordered.

21. Set Time and Date to Adopt Proposed Tax Rate

Motion by Commissioner Laubach to set the time and date to adopt the proposed Tax Rate at 9:00am on September 12, 2022; seconded by Commissioner Rousseau.

Vote: Motion carried 5-0; it was so ordered.

22. Budget Line Item Transfers

Motion by Commissioner Laubach to approve Budget Line Item Transfers; seconded by Commissioner Casterline.

Vote: Motion carried 5-0; it was so ordered.

23. Accounts Payable and Payroll/Payroll Liabilities

Motion by Commissioner Laubach to approve Accounts Payable and Payroll/Payroll Liabilities; seconded by Commissioner Casterline.

[In addition to our Payroll and normal Accounts Payable, Auditor Cockerham noted three invoices: Broaddus (a \$12K payment on the courthouse), plus two that are for fuel (they were late arrivals and we wanted to be sure that we didn't have any issues with our purchasing fuel, so we did put those in).]

Vote: Motion carried 5-0; it was so ordered.

XII. Reports from Commissioners, Elected Officials & Department Heads – No action will be taken – There were none.

XIII. Adjournment

No further business presenting, the Court adjourned at 10:08 AM on a motion duly made by Commissioner Casterline and seconded by Commissioner Rousseau.



C. H. "Burt" Mills, Jr., County Judge



Carrie Arrington, Ex-Officio Clerk
of the Commissioners Court

