

MINUTES OF THE
COMMISSIONERS' COURT
REGULAR MEETING - JANUARY 10, 2011

On the 10th day of January, 2011, there was a Regular Meeting of the Commissioner' Court in the Courthouse, Rockport, Aransas County, Texas, with the following members present: C. H. "Burt" Mills, Jr., County Judge; Jack Chaney, Commissioner Precinct 1; Leslie "Bubba" Casterline, Commissioner, Precinct 2; Charles Smith, Commissioner, Precinct 3; Howard Murph, Commissioner, Precinct 4; and Peggy L. Friebele, County Clerk.

Other County Officers present were Richard P. Bianchi, County Attorney; Lezlie Kirk, County Auditor; Jerry Brundrett, County Surveyor; Gene Johnson, Airport Manager; David Vyoral, Road Administrator; James Jackson, Environmental Health; David Reid, Drainage Engineer; Justin Cook, IT Director; Bill Mills, Sheriff; Dee Oliver, County Treasurer; Amy Freeman O'Brien and Virginia Easton Smith, Agricultural Agents; and Patrick Flanagan, District Attorney.

The Meeting was convened at 2:00 p.m. at which time a quorum was declared by County Judge Mills, WHEREUPON, the following proceedings were had and done to wit:

CITIZENS TO BE HEARD

There were none.

MINUTES

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve the minutes of the Special Meeting of December 28, 2010, and January 4, 2011.

Question. Motion carried unanimously.

It is so ordered.

BIDS - AGRILIFE EXTENSION BUILDING

A lengthy discussion was had regarding the bids for the new Agrilife Extension Building. The Naismith Engineering representative recommended the low bidder Abeco Contracting, Inc. and Infinity Communications for the Alternate 2 wiring. Commissioner Smith asked Road Engineer Vyoral what his opinion was on the price of Alternate 1 - two-course asphalt roadway. Vyoral indicated his department could do it for a much lower price. The base road material was included in the total base bid so only the asphalt would be needed. Vyoral asked how much area there was but the Naismith representative did not have an answer off the top of his head. Agricultural Agent O'Brien stated a demonstration kitchen, including an island, had been requested from the beginning of discussions. The island is not

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included in the new plans and the Naismith representative stated they would have a demonstration kitchen (but no island).

Motion was made by Commissioner Casterline and seconded by Commissioner Smith to award base bid and Alternate No. 2 for construction of the new Agrilife Extension building to Abeco Contracting, Inc. and negotiate for Alternate No. 1.

Question. Motion carried unanimously.

It is so ordered.

PRESENTATION - DRUG TREATMENT PREVENTION PROGRAMS

District Attorney Patrick Flanigan presented a check in the amount of \$3,500.00 to Aransas County from District Attorney forfeiture fund for drug treatment prevention programs. Flanigan stated the funds could only be used for these programs and suggested they be used in Aransas County.

STORMWATER MANAGEMENT PLAN

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to authorize an increase in the scope of services provided by Naismith Engineering, Inc. for the Stormwater Management Plan at a cost of \$11,245.00.

Question. Motion carried unanimously.

It is so ordered.

(Letter inserted)

AIRPORT ADVISORY BOARD APPOINTMENTS

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve 2011 appointments to the Airport Advisory Board.

Question. Motion carried unanimously.

It is so ordered.

(Appointments inserted)

ARANSAS COUNTY HISTORICAL COMMISSION ANNUAL REPORT

Pam Wheat-Stranahan, outgoing Chairman of the Aransas County Historical Commission, presented the 2010 annual report.

(Report inserted)

2011 APPOINTMENTS - HISTORICAL COMMISSION

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve 2011 appointment to the Aransas County Historical Commission.

Question. Motion carried unanimously.

It is so ordered.

(Appointments inserted)

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IT DEPARTMENT

Motion was made by Judge Mills and seconded by Commissioner Murph to authorize IT Department to fill one budgeted vacant position for thirty-two (32) hours or less per week and come back to the Court if necessary.

Question. Motion carried with Commissioner Chaney voting "no."
It is so ordered.

SHERIFF - ANIMAL CONTROL

Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve REQUEST OF Sheriff to fill two (2) budgeted vacant positions in Animal Control.

Question. Motion carried unanimously.
It is so ordered.

SHERIFF - JAIL STAFFING

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve request of Sheriff to fill three (3) vacant budgeted Correction Officer positions as part of the staffing ratio for Jail Standards.

Question. Motion carried unanimously.
It is so ordered.

BUDGETED VACANT POSITIONS

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to disapprove elimination of requirement for Commissioners' Court approval of filling budgeted vacant positions.

Question. Motion carried with Commissioners Casterline, Chaney and Smith voting "yes" and Judge Mills and Commissioner Murph voting "no."
It is so ordered.

CONTRACT - AQUARIUM EDUCATION CENTER

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to authorize County Judge to negotiate a contract with Dykema Architects, Inc. for the Aquarium Education Center.

Question. Motion carried unanimously.
It is so ordered.

LIVE OAK TREE ORDINANCE #1-2010

A workshop meeting was held on January 7th to discuss the proposed ordinance. Commissioner Murph stated the ordinance will need amendments that were discussed in the workshop. Commissioner Casterline was unable to attend the workshop. He suggested the Court wait on approval until the Ordinance had the

amendments since they knew it would be changed.

Motion was made by Commissioner Murph and seconded by Commissioner Smith to approve proposed Aransas County Live Oak Tree Ordinance #1-2010 pending addition of amendments discussed at January 7, 2011 workshop.

Question. Motion carried with Commissioner Casterline voting "no."

It is so ordered.

(Ordinance inserted)

In accordance with the Ordinance, committee members were appointed. Judge Mills appointed Jerry Brundrett; Commissioner Casterline appointed Melvin Moore, Jr.; Commissioner Chaney appointed John Irvin; Commissioner Murph appointed Betty Stiles; Commissioner Smith did not make an appointment at this time. County Clerk Friebele verified that meeting notices would need to be filed seventy-two (72) hours in advance of the meetings.

CONTRACT - INDIGENT HEALTHCARE SOFTWARE

Motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve contract plus addendum to maintain liability insurance with Indigent Healthcare Solutions, Ltd. for software.

Question. Motion carried unanimously.

It is so ordered.

(Contract inserted)

2011 COMMUNITY SUPERVISION BUDGET

Judge Mills presented for recording in the Commissioners' Court minutes the Community Supervision and Corrections Department budget adjustment for Fiscal Year 2011.

(Report inserted)

COUNTY TREASURER'S REPORT - DECEMBER 2010

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve the County Treasurer's Report for December 2010.

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

INDIGENT HEALTH CARE COSTS - DECEMBER 2010

Motion was made by Commissioner Smith and seconded by

Commissioner Murph to approve indigent health care costs for the month of December 2010.

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

BUDGET LINE ITEM TRANSFERS

County Auditor Kirk stated she was holding two transfers for 2010 and there were none for 2011 at this time.

ACCOUNTS PAYABLE

Motion was made by Commissioner Smith and seconded by Commissioner Murph to approve the accounts payable including unemployment taxes and employee insurance.

Question. Motion carried unanimously.

It is so ordered.

FEE REPORT

County Auditor Kirk read fee reports received from Justice of the Peace, Precincts 1 and 2, District Clerk, County Clerk and Sheriff for the month of December 2010.

(Report inserted)

PRESS QUESTIONS

Norma Martinez with The Rockport Pilot referred to item #2 on the agenda. She asked who reviewed the revised architect's plans on the Agrilife Building. Commissioner Casterline replied that he got some of the revisions over the email.

She also asked why the County wasn't considered for the parking lot since they do interlocal agreements with local entities to do their roads. Commissioner Casterline replied that Vyoral informed him they are not competitive on doing base they are geared more to large jobs but could do the seal coating.

On item #8 regarding the IT Department, Ms. Martinez asked if promotions should have been brought to the Court (Justin Cook was promoted to IT Director and Collin Jackson to Assistant IT Director). Judge Mills replied "maybe should have."

On item #13 regarding the tree ordinance, she suggested it should not be approved before the final document is approved. Commissioner Murph stated it can be approved at any time but has not taken effect. Ms. Martinez then asked when it will be taking effect. Judge Mills replied at the first meeting in February the Court will be setting the effective date.

Ms. Martinez also asked if expenditure of hotel-motel tax is public information and was told it is.

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The Court entered into closed session at 4:01 p. m. as authorized by Texas Government Code Section 551.072 to discuss real estate negotiations pertinent to the new County courthouse project; and resumed Open Meeting at 4:22 p.m. with all members present, and further proceedings were had and done to wit:

No further business presenting, the Court adjourned on a motion made by Commissioner Smith duly seconded by Commissioner Casterline.

C. H. "Burt" Mills, Jr. COUNTY JUDGE

PEGGY L. FRIEBELE, COUNTY CLERK &
EX-OFFICIO CLERK OF THE
COMMISSIONERS' COURT