

MINUTES OF THE
COMMISSIONERS' COURT

REGULAR MEETING - NOVEMBER 12, 2013

On the 12th day of November, 2013, there was a Regular Meeting of the Commissioners' 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; Betty Stiles, Commissioner, Precinct 4; and Peggy L. Friebele, County Clerk.

Other County Officers present were Richard Bianchi, County Attorney; Lezlie Kirk, County Auditor; David Reid, Drainage Engineer; Alma Cartwright, County Treasurer; Justin Cook, IT Director; James Jackson, Director of Environmental Health; Jerry Brundrett, County Surveyor; Gene Johnson, Airport Manager; Pam Heard, District Clerk; Bill Mills, Sheriff; and Diane McGinnis, Justice of the Peace, Precinct 2.

Mayor C. J. Wax was also present.

The Meeting was convened at 9:00 a.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.

PRESENTATIONS

Brenda Rodriguez was given special recognition for her twenty-two (22) years of dedication in providing County Indigent Health Care Services.

Aransas County received a safety award for 2012 presented by the Texas Association of Counties (TAC) Risk Management Pool in recognition of Aransas County's ongoing record of safety in the workplace. This award was presented to Pat Rousseau on behalf of Aransas County at the 2013 TAC Pool Symposium on October 28, 2013

ITEMS FOR DELIBERATION AND/OR ACTION

MINUTES

Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve the minutes of from the Workshop Meeting held October 25, 2013 and the Regular Meeting held October 28, 2013.

Question. Motion carried unanimously.

It is so ordered.

DONATION - ASSISTANCE/COMMODITIES PROGRAM

Motion was made by Commissioner Stiles and seconded by Commissioner Casterline to approve acceptance of \$300.00 donation from the Rockport Rocketts to the Aransas County Assistance/Commodities Program.

Question. Motion carried unanimously.

It is so ordered.

LOOP 1781 - COUNTY ROAD SYSTEM

Motion was made by Commissioner Stiles and seconded by Commissioner Smith to approve accepting former SH 1781, now Loop 1781, into the County Road System from SH 3036 to SH 35 Business.

Question. Motion carried unanimously.

It is so ordered.

GOLF CART SIGNS

Motion was made by Commissioner Stiles and seconded by Commissioner Chaney to approve installing up to fifteen (15) golf cart and share-the-road signs by the County Road and Bridge Department.

Question. Motion carried unanimously.

It is so ordered.

AQUATIC PARK - INTERGOVERNMENTAL COOPERATION AGREEMENT

Motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve and authorize County Judge to sign 2014 Intergovernmental Cooperation Agreement between Aransas County, City of Rockport, and Town of Fulton for Community Aquatic Park.

Question. Motion carried unanimously.

It is so ordered.

(Agreement inserted)

DISPATCHING SERVICES - INTERGOVERNMENTAL COOPERATION AGREEMENT

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve and authorize County Judge to sign the 2014 Intergovernmental Cooperation Agreement between Aransas County, City of Rockport, and Town of Fulton for dispatching services.

Question. Motion carried unanimously.

It is so ordered.

(Agreement inserted)

AGREEMENT - SUBDIVISION REGULATIONS

Motion was made by Commissioner Chaney and seconded by Commissioner Smith to table approval of an agreement providing for subdivision regulations by the City of Aransas Pass and the County of Aransas within the extraterritorial jurisdiction to the City of Aransas Pass.

Question. Motion carried unanimously.

It is so ordered.

RAMP GRANT - AIRPORT

Motion was made by Commissioner Stiles and seconded by Commissioner Casterline to approve participation of Aransas County in the 2014 Texas Department of Transportation (TXDOT) "Ramp" grant routine

Airport maintenance program and authorizing County Judge to sign the same.

Question. Motion carried unanimously.

It is so ordered.

(Grant application inserted)

CEDAR BAYOU AND VINSON SLOUGH RESTORATION PROJECT

Motion was made by Judge Mills and seconded by Commissioner Chaney to approve Coast & Harbor Engineering scope of work and fee proposal to perform bidding and construction phase engineering services for the construction of the Cedar Bayou and Vinson Slough Restoration Project.

Question. Motion carried unanimously.

It is so ordered.

(Proposal inserted)

PUBLIC NUISANCE - 1103 N. DOUGHTY, ROCKPORT

Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve request of a property owner to take temporary measures in abating the public nuisance in lieu of total razing of the building at 1103 North Doughty, Rockport, Texas, by boarding, etc. allowing six (6) months to remove the "public nuisance" status placed on the building by the Environmental Health Department and receiving quarterly reports on the status from the Director of Environmental Health.

Question. Motion carried unanimously.

It is so ordered.

PUBLIC NUISANCE - 1103 N. DOUGHTY, ROCKPORT

Motion was made by Commissioner Smith and seconded by Commissioner Stiles to disapprove request of a Environmental Health Department to abate the public nuisance at 1103 North Doughty, Rockport, Texas, by razing the building in question as allowed by the Texas Health and Safety Code Chapter 343.

Question. Motion carried unanimously.

It is so ordered.

PUBLIC NUISANCE - 903 N. TERRY, ROCKPORT

Motion was made by Commissioner Casterline and seconded by Commissioner Stiles to approve request of a Environmental Health Department to abate the public nuisance at 903 North Terry, Rockport, Texas, by mowing the high weeds in question as allowed by the Texas Health and Safety Code Chapter 343.

Question. Motion carried unanimously.

It is so ordered.

2014 ENVIRONMENTAL HEALTH FEES

Motion was made by Commissioner Chaney and seconded by Commissioner

Smith to table approval of Environmental Health Fees for 2014 to allow Director of Environmental Health time to provide fees for Commissioners to review prior to approval.

Question. Motion carried unanimously.

It is so ordered.

TRANSFER STATION FEES - 2014

Motion was made by Commissioner Chaney and seconded by Commissioner Smith to table approval of the Transfer Station fees for 2014 to allow Director of Environmental Health time to provide fees for Commissioners to review prior to approval.

Question. Motion carried unanimously.

It is so ordered.

ORDER CLOSING - ALLEYWAY IN MANNING ADDITION

Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve Order #O-29-2013 Closing, Abandoning and Vacating a roadway (20' alleyway) in Block 182, Manning Addition, Aransas County, Texas.

Question. Motion carried unanimously.

It is so ordered.

(Order inserted)

PRELIMINARY ALLEYWAY CLOSING

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve preliminary closing of alleyway in Block 330, Manning Addition, Aransas County, Texas.

Question. Motion carried unanimously.

It is so ordered.

ROAD/STREET CONSTRUCTION - LAMAR

Motion was made by Commissioner Stiles and seconded by Commissioner Chaney to approve construction of a road/street from Bois D'Arc to Seaside Loop in Lamar (approximately 1200 feet) with necessary funds to be transferred from Road and Bridge Reserves and replaced out of 2014 budget.

Question. Motion carried unanimously.

It is so ordered.

IT DEPARTMENT - JOB POSITION CHANGE

Motion was made by Commissioner Chaney and seconded by Judge Mills to approve IT Department job position change from part-time to full-time.

After discussion, motion was made by Commissioner Stiles and seconded by Commissioner Casterline to disapprove IT Department job position change from part-time to full-time.

Question. Motion carried with Judge Mills and Commissioner Chaney voting "no".

It is so ordered.

PUBLIC OFFICIAL BOND

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve public official bond continuation certificates for David Reid, County Drainage Engineer and John W. Mullan, Maintenance/Custodian.

Question. Motion carried unanimously.

It is so ordered.

(Bonds inserted)

COUNTY TREASURER'S REPORT - OCTOBER, 2013

Motion was made by Commissioner Smith and seconded by Commissioner Stiles to approve County Treasurer's report for October, 2013.

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

INDIGENT HEALTH CARE REPORT - OCTOBER, 2013

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve indigent health care report for October, 2013.

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

BUDGET LINE ITEM TRANSFERS

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve budget line item transfers presented by County Auditor Kirk.

Question. Motion carried unanimously.

It is so ordered.

(Transfers inserted)

ACCOUNTS PAYABLE

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve the accounts payable presented by County Auditor.

Question. Motion carried unanimously.

It is so ordered.

REPORTS FROM COMMISSIONERS, ELECTED OFFICIALS &
DEPARTMENT HEADS WHEREIN NO ACTION WILL BE TAKEN

Sheriff Mills reported still having problems with Tyler Technologies. Closed warrants are showing still open. Mills said Judge McGinnis spent an enormous amount of time making sure the

warrants in PTS were correct. Judge McGinnis stated she had a discussion with Erik Ernst with Tyler along with Judge Mills and Ernst gave her no time frame for having this corrected.

Commissioner Smith reported he will be attending a meeting in Bay City to participate in a program on water problems. Smith stated he was glad to see other coastal counties recognizing there are problems.

County Clerk Friebele reported she will be having a right knee replacement on Friday and will be out for several weeks recovering.

Commissioner Chaney reported he will be having a heart stint put in tomorrow and will be on light duty for several weeks.

Commissioner Stiles reported the turnout for Lamar Days was lower than previous years and this will be the last "garage" sale type of fund raiser they will be having. There will still be Lamar Days but the format will be different.

REPORTS ABOUT ITEMS OF COMMUNITY INTEREST

There were none.

PRESS QUESTIONS

Norma Martinez with The Rockport Pilot asked Commissioner Stiles if she had talked with another Commissioner prior to putting the golf cart signs item on the agenda. Commissioner Stiles said she had but she thought this was already approved. Ms. Martinez cautioned Commissioner Stiles stating it could be construed as a violation of the open meetings act.

The Court entered into closed session at 9:58 a. m. as authorized by Texas Government Code Section 551.071 to discuss and review current litigation issues; and as authorized by Section 551.072 to discuss real estate negotiations, including Pathways Projects; and to discuss economic development negotiations regarding Project Aransas; and resumed Open Meeting at 10:47 a.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 Chaney.

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

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