

MINUTES OF THE
COMMISSIONERS' COURT
REGULAR MEETING - MARCH 14, 2011

On the 14th day of March, 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; Gene Johnson, Airport Manager; David Vyoral, Road Administrator; James Jackson, Environmental Health; Pam Heard, District Clerk; Dee Oliver, County Treasurer; Jerry Brundrett, County Surveyor; David Reid, Drainage Engineer; Iris Sanchez, County Librarian; Amy O'Brien-Glenn and Ginger Easton Smith, Agricultural Extension Agents; and Bill Mills, Sheriff.

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

No citizens registered to speak before the Court.

MINUTES

Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve the minutes of the Regular Meeting held February 23, 2011, and Special Meetings of March 2, 2011 and March 4, 2011.

Question. Motion carried unanimously.

It is so ordered.

LIBRARY - WALMART GRANT

Motion was made by Commissioner Murph and seconded by Commissioner Casterline to approve request OF Library to apply for \$1,000.00 Walmart grant to be used for the summer program. Question. Motion carried unanimously.

It is so ordered.

RESOLUTION - GRANTWORKS, INC

Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve Resolution #R03-2011 authorizing the award of professional administrative service provider to GrantWorks, Inc. for the 2010 Texas Community Development Block Grant community development fund contract No. 710019 with all future requests being approved by Road Administrator prior to

bring to Court for final approval.

Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

RESOLUTION - GRANTWORKS, INC

Motion was made by Commissioner Smith and seconded by Commissioner Murph to approve Resolution #R04-2011 authorizing the award of professional administrative service provider to GrantWorks, Inc. for the 2010 Texas Community Development Block Grant Colonia construction fund contract No. 710205.

Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

RESOLUTION - GRANTWORKS, INC

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve Resolution #R05-2011 authorizing the award of professional engineering services for the 2010 Texas Community Development Block Grant community development fund contract No. 710019 to Urban Engineering stipulating all future request submitted to Road Administrator for approval prior to bringing to Court for final approval.

Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

RESOLUTION - GRANTWORKS, INC

Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve Resolution #R06-2011 authorizing the award of professional engineering services for the 2010 Texas Community Development Block Grant Colonia construction fund contract No. 710205 to Urban Engineering stipulating all future request submitted to Road Administrator for approval prior to bringing to Court for final approval.

Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

RESOLUTION - GRANTWORKS, INC

Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve Resolution #R07-2011 authorizing designated signatories for the 2010 Texas Community Development

Block Grant community development fund contract No. 710019.

Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

RESOLUTION - GRANTWORKS, INC

Motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve Resolution #R08-2011 authorizing designated signatories for the 2010 Texas Community Development Block Grant Colonia construction fund contract No. 710205.

Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

RESOLUTION - GRANTWORKS, INC

Motion was made by Commissioner Murph and seconded by Commissioner Smith to approve Resolution #R09-2011 authorizing Aransas County to adopt Section 3 Local Opportunity Plan for its Texas Community Development Block Grant (TXCDBG) Program.

Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

WORKFORCE SOLUTIONS - SPONSORSHIP

A representative from the Workforce Solutions of the Coastal Bend appeared before the Court to request sponsorship of Aransas County youth to the 5th Annual Texas Foster Youth and Leadership Conference on April 29-30, 2011 in Corpus Christi in an amount not to exceed \$200.00 each. He informed the Court there are 33 potential youths but only one determined eligible. Commissioner Smith asked if the Court could receive a list of these potential youths but was told because of privacy issues a list could not be provided. Judge Mills stated no action could be taken at this time; the item will be returned to the next agenda for any action.

(Report inserted)

AUDIT SERVICES - FISCAL YEAR 2010

Motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve audit services for fiscal year 2010 with Michael A. Arnold, PLLC, CPA.

Question. Motion carried unanimously.

It is so ordered.

REPORT - TEXAS MARITIME MUSEUM ASSOCIATION, INC

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to table the report of annual and 4th quarter 2010 hotel-motel occupancy tax funds expended; Kathy Roberts-Douglas, Director of the Texas Maritime Museum Association, Inc., was not present.

Question. Motion carried unanimously.

It is so ordered.

PRESENTATION - TEXAS AGRILIFE EXTENSION PROGRAM

Amy O'Brien-Glenn and Ginger Easton Smith, Agricultural Extension Agents, presented a program on Texas Agrilife Extension Program in Aransas County for year 2010.

(Report inserted)

Commissioner Chaney asked if the Agents were working on the community garden; Ms. Smith replied she is.

RACIAL PROFILING REPORT - 2010

Sheriff Mills presented the year 2010 racial profiling report.

(Report inserted)

SPECIAL ELECTION - MAY 14, 2011

Motion was made by Commissioner Smith and seconded by Commissioner Murph to approve calling a Special Election for Saturday, May 14, 2011, authorizing Aransas County to provide for the acquisition, planning, design, development, renovation or construction of facilities including buildings, historical sites, birding sites, kiosks, wildlife viewing structures, trails, paths, roads, walkways, bridges, parking lots, signage, real estate, easements and rights-of-way in the County and to impose a hotel occupancy tax at the rate of two percent (2%) of the price paid for a room in a hotel located in Aransas County, Texas for the purpose of financing this venue project.

Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

AQUARIUM EDUCATION CENTER - LEASE AGREEMENT

Motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve payment of lease amounts to the Aransas County Navigation District per lease agreement dated December 2, 2010 for the Aquarium Education Center in the amount of \$36,000.00 to be paid out of the venue tax.

Question. Motion carried unanimously.

It is so ordered.

ELECTRICITY CONTRACT

Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve extension of contract with MidAmerican Energy for electricity.

Question. Motion carried unanimously.

It is so ordered.

INTERLOCAL AGREEMENT - ANIMAL CONTROL

Motion was made by Commissioner Casterline and seconded by Commissioner Murph to approve and authorize County Judge to sign the 2011 amended interlocal cooperation agreement between Aransas County and the City of Rockport for animal control.

Question. Motion carried unanimously.

It is so ordered.

(Agreement inserted)

BEE COMMUNITY ACTION AGENCY

Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve and authorize County Judge on behalf of Aransas County as agent for Bee Community Action Agency to sign membership form and form of release for services with the Food Bank of Corpus Christi, Inc.

Question. Motion carried unanimously.

It is so ordered.

(Form inserted)

RESOLUTION - ACCIDENT PREVENTION PLANS

Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve Resolution #R10-2011 in support of Aransas County implementing effective accident prevention plans in joint agreement with the Texas Association of Counties (TAC).

Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

PART-TIME CASHIER - TRANSFER STATION

Director of Environmental Health Jackson informed the Court he needed to hire an attendant - not a part-time cashier. County Attorney Bianchi informed the Court they could take no action on an attendant since the agenda stated cashier.

Motion was made by Commissioner Chaney and seconded by

Commissioner Smith to table request of Environmental Health Director to fill a budgeted vacant part-time cashier for the Transfer Station.

Question. Motion carried unanimously.

It is so ordered.

BACKHOE - TRANSFER STATION

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve request of Environmental Health Director to purchase a backhoe for the Transfer Station at a cost not to exceed \$54,000.00 from approved certificate of obligation funds.

Question. Motion carried unanimously.

It is so ordered.

RESOLUTION - SUPPORT OF LEGISLATURE

Motion was made by Commissioner Chaney and seconded by Commissioner Murph to approve Resolution #R11-2011 in support of passage of HJR 56/SJR 17, a constitutional amendment that would "restrict the power of the Legislature to mandate requirements upon certain local governments" including counties.

Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

LIVE OAK TREE ORDINANCE #01-2010 - AMENDMENTS

Motion was made by Commissioner Murph and seconded by Commissioner Chaney to approve amended amendments to Live Oak Tree Ordinance #01-2010.

Question. Motion carried unanimously.

It is so ordered.

(Amended Ordinance inserted)

LIVE OAK TREE ORDINANCE - EFFECTIVE DATE

Motion was made by Commissioner Chaney and seconded by Commissioner Murph to approve setting April 1, 2011 as effective date for the Live Oak Tree Ordinance #01-2010.

Question. Motion carried unanimously.

It is so ordered.

OFFICIAL BONDS

Motion was made by Commissioner Casterline and seconded by Commissioner Murph to approve public bond continuation certificates on R. Eugene Johnson, Airport Manager, and Betty Lou Watson, Deputy District Clerk.

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Question. Motion carried unanimously.

It is so ordered.

(Bonds Inserted)

COUNTY TREASURER'S REPORT - FEBRUARY 2011

Motion was made by Commissioner Smith and seconded by Commissioner Murph to approve County Treasurer's Report for the month of February 2011.

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

INDIGENT HEALTH CARE COSTS - FEBRUARY 2011

Motion was made by Commissioner Murph and seconded by Commissioner Casterline to approve indigent health care report for February 2011.

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

BUDGET LINE ITEM TRANSFERS

Motion was made by Commissioner Smith and seconded by Commissioner Murph to approve budget line item transfers as 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 Murph to approve the accounts payable including additional bills presented by County Auditor.

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 February 2011.

(Report inserted)

PRESS QUESTIONS

Norma Martinez with The Rockport Pilot questioned whether the Court should have disapproved agenda item 21 (part-time cashier

at the Transfer Station) instead of tabling. Commissioner Smith agreed with her assessment.

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