

MINUTES OF THE
COMMISSIONERS' COURT

SPECIAL MEETING - JUNE 14, 2010

On the 14th day of June, 2010, there was an Special 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; David Vyoral, Road Administrator; Bill Mills, Sheriff; Dee Oliver, County Treasurer; Jerry Brundrett, County Surveyor; Gene Johnson, Airport Manager; David Reid, Drainage Engineer; Pam Heard, District Clerk; Amy O'Brien-Glenn and Ginger Easton Smith, Extension Agents; and James Jackson, Environmental Health Director.

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:

MINUTES

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve the minutes of the Workshop Meeting of May 24, 2010 and the Special Meeting of May 26, 2010.

Question. Motion carried unanimously.

It is so ordered.

CITIZENS TO BE HEARD

None appeared.

PRESENTATION - ARANSAS COUNTY HISTORICAL SOCIETY

Janie White, President of the Aransas County Historical Society, told the Court the Historical Society had worked on the photo project for two (2) plus years. The Commissioners' Court funded the project in 2007. Bay Survey put the photos on an aluminum surface that can be cleaned easily using commercial glass cleaner. The Commissioners' were also presented with an album which included historical photographs.

PRESENTATION - AQUARIUM

Jerry Lewis gave a presentation and report on the accomplishments of the Aquarium and requested \$14,000.00 in funding for 2011. He reported on the status of the Aquarium from June 2009 through May 2010. Mr. Lewis also presented a preliminary design for the Education Center and an audio/visual system for the Education Center.

(Reports inserted)

TEXAS AGRILIFE EXTENSION

Amy O'Brien-Glenn and Ginger Easton Smith, Aransas County Extension Agents, made a presentation on "One Day 4-H" and presented the keys to the Courthouse curriculum developed by Texas Agrilife Extension.

(Handouts inserted)

SPRINGFIELD PROJECT - CHAMBER OF COMMERCE

Diane Probst, Rockport/Fulton Chamber of Commerce Director, presented the 2009-10 Project Springfield budget and told the Court what the funds are used to attract mid-week groups.

Motion was made by Commissioner Casterline and seconded by Commissioner Murph to approve request from Rockport/Fulton Chamber of Commerce for funding of \$10,000.00 from the hotel/motel tax fund for the Springfield Project.

Question. Motion carried unanimously.

It is so ordered.

(Budget inserted)

LNV ENGINEERING CONTRACT - PHASE II

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve LNV Engineering contract documents and technical specifications for sewer system improvements Project Phase II for Aransas County, Texas.

Question. Motion carried unanimously.

It is so ordered.

(Contract inserted)

NAISMITH ENGINEERING - AGRILIFE EXTENSION OFFICE

Motion made by Commissioner Casterline and seconded by Commissioner Smith to approve Naismith Engineering, Inc. contract for \$594,000.00 for the designing and overseeing of construction of a new maximum 5,000 s.f. Agrilife Extension Office in Aransas County.

Question. Motion carried unanimously.

It is so ordered.

(Contract on file in County Judge's Office)

GARNER ENVIRONMENTAL SERVICES, INC.

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve request of Garner Environmental Services, Inc. for extension of current contract with Aransas County through July 14, 2011.

Question. Motion carried unanimously.

It is so ordered.

(Contract inserted)

HOTEL/MOTEL TAX MONEY - AIR SHOW

Commissioner Murph asked the Court to transfer \$60,000.00 allocated for the Air Show to a proposed birding trail on FM 1781 since the Air Show will not be held. His estimated cost on the proposed birding trail is \$185,000.00. The \$60,000.00 would pay for Phase I.

Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to table approval of transfer of hotel/motel tax money earmarked for the Air show to the 1781 birding trail to allow Commissioner Murph to bring exact proposal to Court.

Question. Motion carried unanimously.

It is so ordered.

VENUE TAX - RESOLUTION

Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to table approval of a Resolution establishing a venue tax fund, a start date for collection of venue tax, the venue tax rate, and collection procedures.

Question. Motion carried unanimously.

It is so ordered.

AIRPORT ROAD - REGRADING

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to allow adjacent landowner to enter Airport property for the purpose of regrading a small portion of Airport property and to remove existing irregularities in grades south of Airport Road, subject to Drainage Engineer Reid's approval.

Question. Motion carried unanimously.

It is so ordered.

(Request inserted)

DESIGN CLASSIFICATION - AIRPORT

Motion was made by Commissioner Murph and seconded by Commissioner Chaney to approve change in design classification of the Aransas County Airport from C-2 to B-2.

Question. Motion carried unanimously.

It is so ordered.

EMERGENCY MANAGEMENT COORDINATOR

Motion was made by Judge Mills and seconded by Commissioner Murph to approve hiring as of July 1, 2010, Rick McLester as Aransas County Emergency Management Coordinator and providing a county vehicle for his use in said capacity; salary would be amount currently in budget.

Question. Motion carried unanimously.

It is so ordered.

FIRE MARSHALL

Motion was made by Commissioner Casterline and seconded by Commissioner Murph to approve appointment of Rick McLester as Aransas County Fire Marshall effective July 1, 2010 for a two-year period ending June 30, 2012, with salary being amount currently in budget.

Question. Motion carried unanimously.

It is so ordered.

TRANSFER STATION - CONTAINERS

Motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve Environmental Health Department request to declare Transfer Station old 40-yard containers as surplus to sell as scrap metal.

Question. Motion carried unanimously.

It is so ordered.

CERTIFICATE OF CONTINUING EDUCATION

Judge Mills presented for recording on Commissioners' Court Minutes certificate of continuing education for Dee Oliver, County Treasurer, from the V.G. Young Institute of County Government to the 38th Annual County Treasurer's Continuing Education Seminar and Certificate of Investment Training pursuant to the Public Funds Investment Act.

(Certificates inserted)

CERTIFICATE OF CONTINUING EDUCATION

Judge Mills presented for recording on Commissioners' Court Minutes certificate of continuing education for Lendon J. Chaney, County Commissioner, Precinct 1, from Texas Engineering Extension Service for bridge maintenance.

(Certificate inserted)

COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT - BUDGET

Judge Mills presented for recording on Commissioners' Court Minutes the Community Supervision and Corrections Department budget adjustment for Fiscal Year 2010.

(Budget adjustment inserted)

OFFICIAL BOND

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve official public bond on Cynthia Huff, Deputy Tax Assessor-Collector.

Question. Motion carried unanimously.

It is so ordered.

COUNTY TREASURER'S MONTHLY REPORT

Motion was made by Commissioner Smith and seconded by Commissioner Murph to approve County Treasurer's Report for May 2010.

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

INDIGENT HEALTH CARE INCOME STANDARD

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve changing the Indigent Health Care Income Standard from the 50% Federal Poverty Guideline (FPG) approved September 1, 2008 to the minimum income standard of 21% FPG to be effective September 1, 2010.

Question. Motion carried unanimously.

It is so ordered.

INDIGENT HEALTH CARE EXPENDITURES

Motion was made by Commissioner Smith and seconded by Commissioner Murph to approve indigent health care expenditures for the month of May 2010.

Question. Motion carried unanimously.

It is so ordered.

(Expenditures inserted)

SOUTH TEXAS FAMILY PLANNING AND HEALTH CORPORATION

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve extension of rental support in the amount of \$687.50 per month for South Texas Family Planning and Health Corporation for another twelve (12) months through the end of June 2011.

Question. Motion carried unanimously.

It is so ordered.

BUDGET LINE ITEM TRANSFERS

Motion was made by Commissioner Smith and seconded by Commissioner Casterline 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 Murph and seconded by Commissioner Chaney to approve accounts payable.

Question. Motion carried unanimously.

It is so ordered.

FEE REPORTS

County Auditor Kirk read May 2010 fee reports received from Justice of the Peace, Precinct 1; Justice of the Peace, Precinct 2; District Clerk; County Clerk; and Sheriff.

(Report inserted)

The Court recessed at 11:00 a.m. and returned to Open Meeting at 11:10 a.m. with all members present and further proceedings were had and done to wit:

2010 BUDGET

County Auditor Kirk presented several reports on the status of the budget. She told the Court that 65% of the budget is salaries and perks. She recommended the Court initiate a hiring freeze. After evaluation of Ms. Kirk's information, Commissioner Smith interjected that the County has a \$250,000.00 shortfall at this time not the \$1M they were told last week. Commissioner Chaney complained to County Treasurer Oliver because her personnel deputy was not present at the meeting to answer questions regarding the possible cost savings if the County did initiate a hiring freeze. Both Commissioner Chaney and Commissioner Smith suggested the County may have to cut salaries in order to balance the budget. Commissioner Smith stated he would not be in favor of raising taxes again this year.

Motion was made by Commissioner Smith and seconded by Commissioner Murph to table any action on the 2010 budget at this time.

Question. Motion carried unanimously.

It is so ordered.

PERSONNEL POLICY CHANGE

Motion was made by Commissioner Smith and seconded by Commissioner Murph to table approval immediate change in the County Personnel Policy regarding any remaining attrition from vacant budgeted job positions.

Question. Motion carried unanimously.

It is so ordered.

The Court entered into closed session at 12:00 noon as authorized by Texas Government Code Section 551.072 to discuss terms of contract regarding the purchase from Episcopal Church of a 9.893 acre tract on Henderson Street for stormwater management; and resumed Open Meeting at 12:10 p.m. with all members present, and further proceedings were had and done to wit:

TERMS OF CONTRACT - EPISCOPAL CHURCH

Motion was made by Commissioner Smith and seconded by Commissioner

June 14, 2010

Chaney to table approval of terms of contract regarding the purchase from Episcopal Church of a 9.893 acre tract on Henderson Street for stormwater management.

Question. Motion carried unanimously.

It is so ordered.

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