

MINUTES OF THE
COMMISSIONERS' COURT
REGULAR MEETING - JUNE 29, 2011

On the 29th day of June, 2011, 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; and Peggy L. Friebele, County Clerk.

Other County Officers present were Richard P. Bianchi, County Attorney; Lezlie Kirk, County Auditor; Jerry Brundrett, County Surveyor; Alma Cartwright, Chief Deputy County Treasurer; Bill Mills, Sheriff; David Vyoral, Road Administrator; David Reid, Drainage Engineer; James Jackson, Director of Environmental Health; Pam Heard, District Clerk; Gene Johnson, Airport Manager; Patrick Flanigan, District Attorney; and Justin Cook, IT Director.

The Meeting was convened at 2:05 p.m. at which time a quorum was declared by 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 Regular Meeting of June 13, 2011.

Question. Motion carried unanimously.

It is so ordered.

DISTRICT CLERK - TECHNOLOGY FUND

Motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve District Clerk Technology Fund.

Question. Motion carried unanimously.

It is so ordered.

FIRST QUARTER 2011 HOTEL TAX REPORT - ROCKPORT-FULTON

CHAMBER OF COMMERCE

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve the first quarter 2011 hotel occupancy tax funds expended report for the Rockport-Fulton Chamber of Commerce.

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

AIRPORT PARK

Motion was made by Judge Mills and seconded by Commissioner Casterline to approve naming the Airport Park the "Howard Murph Memorial Park."

Question. Motion carried unanimously.

It is so ordered.

2010 OUTSIDE AUDIT

Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve the 2010 Fiscal Year Comprehensive Financial Audit as presented by Michael A. Arnold, CPA.

Question. Motion carried unanimously.

It is so ordered.

(Letter inserted)

ORDER PROHIBITING OUTDOOR BURNING

Motion was made by Judge Mills and seconded by Commissioner Chaney to approve Commissioners' Court Order #O-02-2011 Prohibiting Outdoor Burning.

Question. Motion carried unanimously.

It is so ordered.

(Order inserted)

ORDER PROHIBITING RESTRICTED FIREWORKS

Motion was made by Judge Mills and seconded by Commissioner Chaney to approve Commissioners' Court Order #O-03-2011 declaring Aransas County a local disaster area and prohibiting restricted fireworks.

Question. Motion carried unanimously.

It is so ordered.

(Order inserted)

ON-SITE TRAINING SEMINAR - COUNTY EMPLOYEES

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to table approval of expending funds in the amount of \$8,200.00 for an on-site training seminar in Excel 2007 and 2010 basics and beyond the basics for County employees.

Question. Motion Carried unanimously.

It is so ordered.

REMOVAL OF HIRING FREEZE - BUDGETED VACANT POSITIONS

Motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve removal of hiring freeze on budgeted vacant positions.

Question. Motion carried unanimously.

It is so ordered.

SHERIFF - VACANT POSITIONS

No action was required in light of approval of the previous motion.

VENUE TAX PENALTY WAIVER

Brian Olson appeared before the Court to request a waiver of one-half of the \$994.47 venue tax penalty assessed. The corporate failed to pay the tax collected; that person is no longer with them.

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve venue tax penalty waiver requested by Heritage Hotels Rockport, LLC.

Question. Motion carried unanimously.

It is so ordered.

RESOLUTION - INVESTMENT BROKER LIST

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve Resolution #R-18-2011 to amend the investment broker list.

Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

RESOLUTION - INVESTMENT POLICY

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve Resolution #R-19-2011 to adopt the investment policy as amended.

Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

RESOLUTION - INVESTMENT OFFICERS

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve Resolution #R-20-2011 to appoint investment officers Dee Oliver and Alma Cartwright.

Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

RESOLUTION - SENATOR GLENN HEGAR

Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve Resolution #R-21-2011 in recognition of Senator Glenn Hegar for his support in passage of the County's Legislative Bills.

Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

RESOLUTION - REPRESENTATIVE TODD HUNTER

Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve Resolution #R-22-2011 in recognition of Representative Todd Hunter for his support in passage of the County's Legislative Bills.

Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

RESOLUTION - CERTIFICATES OF OBLIGATION

Robert Henderson of RBC Drain Rauscher, Inc., Investors, appeared before the Court to discuss publication of the notice of intent to issue certificates of obligation for drainage. The notice must be published by August 8th. The cost per year will be approximately \$400,000.00 on the certificates.

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve Resolution authorizing publication of notice of intent to issue certificates of obligation in the amount of \$5.5 million dollars (\$5,500,000.00) (as previously approved for county-wide drainage).

Question. Motion carried unanimously.

It is so ordered.

RETIREMENT PLAN YEAR 2012

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve authorization to maintain Texas County and District Retirement System (TCDRS) Plan provisions for plan year 2012 at 8.03% and authorize County Judge to sign the same.

Question. Motion carried unanimously.

It is so ordered.

(Authorization inserted)

CONTRACT - IMAGE TEK

Motion was made by Commissioner Casterline and seconded by

Commissioner Chaney to approve contract with Image Tek for County Clerk Imaging.

Question. Motion carried unanimously.

It is so ordered.

(Contract inserted)

CONTRACT - UNIFIRST

Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve contract with Unifirst Corporation with stipulation they will be paid for prior deliveries at the same rate as this contract and to authorize County Judge to sign the same.

Question. Motion carried unanimously.

It is so ordered.

(Contract inserted)

TRANSFER ANIMAL CONTROL

Motion was made by Commissioner Chaney to approve transfer of Animal Control functions and budget to Environmental Health.

This motion died for lack of a second.

Sheriff Mills recommended the Court hold a workshop to discuss the issue. Commissioner Chaney suggested a January 1, 2012 effective date. Judge Mills stated the change would cost the County between \$15,000.00 and \$20,000.00.

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to table approval of transfer of Animal Control functions and budget to Environmental Health for more information..

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

It is so ordered.

AIRPORT AGREEMENT

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve Texas Department of Transportation Airport Project Participation Agreement Amendment No. 1.

Question. Motion carried unanimously.

It is so ordered.

(Amendment inserted)

AUTHORITY TO SIGN RELEASES

Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve delegation of authority for County

Judge to sign releases of liens when full payment has been received.

Question. Motion carried unanimously.

It is so ordered.

(Release inserted)

COUNTY CLERK - COMPENSATORY TIME

Motion was made by Commissioner Casterline and seconded by Judge Mills to approve request of County Clerk to pay Joy Dias for all but 40 hours of her compensatory time at her current rate with no new funds and authorize budget line item transfer for the same.

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

It is so ordered.

(Transfer inserted)

HOLIDAY SCHEDULES

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to table approval of holiday schedules for FY 2012 for both regular Aransas County employees and Transfer Station employees.

Question. Motion carried unanimously.

It is so ordered.

PUBLIC OFFICIAL BOND

Motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve public official bond on Lora Rios, Juvenile Court Clerk and bond continuation certificate on James S. Jackson, Environmental Health director.

Question. Motion carried unanimously.

It is so ordered.

(Bonds inserted)

BUDGET LINE ITEM TRANSFERS

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve all budget line item transfers presented by County Auditor Kirk except IT transfer.

Question. Motion carried unanimously.

It is so ordered.

(Transfers inserted)

ACCOUNTS PAYABLE

Motion was made by Commissioner Smith and seconded by

Commissioner Chaney to approve the accounts payable including Walmart invoice.

Question. Motion carried unanimously.

It is so ordered.

PRESS QUESTIONS

None.

The Court did not hold closed session.

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