

MINUTES OF THE
COMMISSIONERS' COURT

REGULAR MEETING - AUGUST 8, 2011

On the 8th day of August, 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; Russel Cole, Commissioner, Precinct 4; and Peggy L. Friebele, County Clerk.

Other County Officers present were Richard P. Bianchi, County Attorney; Lezlie Kirk, County Auditor; James Jackson, Environmental Health; Alma Cartwright, County Treasurer; Jerry Brundrett, County Surveyor; David Reid, Drainage Engineer; Pam Heard, District Clerk; Gene Johnson, Airport Manager; 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

There were none.

MINUTES

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve the minutes of the Budget Workshop Meetings of July 19 and 20, 2011 and Regular Meeting held July 27, 2011.

Question. Motion carried unanimously.

It is so ordered.

ORDER - FLOOD CONTROL

Bob Henderson with Dain-Rauscher told the Court Aransas County has a AA rating. The certificate of obligation will be at 3.6% for 20 years. Due to current events, the cost to the County will be \$385,000.00 instead of the anticipated \$400,000.00.

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve an order authorizing the issuance of an amount not to exceed \$5,500,000.00 "Aransas County, Texas Combination Tax and Revenue Flood Control Certificates of Obligation, Series 2011."

Question. Motion carried unanimously.

It is so ordered.

(Order inserted)

LEASE - AIRPORT PROPERTY

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve lease of Airport Property to Jim

Nelson for parking lot only and authorize County Judge to sign the same upon approval of County Attorney.

Question. Motion carried unanimously.

It is so ordered.

(Lease inserted)

RESOLUTION - DELINQUENT TAXPAYERS' NAMES

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve Resolution #R28-2011 authorizing the publication of delinquent taxpayers' names by the law firm of Linebarger Goggan Blair & Sampson, LLP.

Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

INTERLOCAL AGREEMENT - E9-1-1

Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve interlocal agreement for E9-1-1 public safety answering point services with Coastal Bend Council of Governments (COGS).

Question. Motion carried unanimously.

It is so ordered.

(Agreement inserted)

INTERGOVERNMENTAL COOPERATION AGREEMENTS - 2012

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve 2012 intergovernmental cooperation agreements between Aransas County and the City of Rockport for jail services, roads, sanitation/restaurants, septic inspections, and hotel occupancy tax funding grant contract.

Question. Motion carried unanimously.

It is so ordered.

(Agreements inserted)

INTERLOCAL ASSISTANCE AGREEMENT

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve Aransas County entering into an interlocal assistance agreement for a Regional Environmental Enforcement Task Force.

Question. Motion carried unanimously.

It is so ordered.

(Agreement inserted)

GRANT APPLICATION - COASTAL MANAGEMENT PROGRAM

Motion was made by Commissioner Smith and seconded by Commissioner Cole to authorize submission of a 60/40 grant application to the Texas General Land Office Coastal Management Program for acquisition of up to 107 acres of land adjacent to the east right-of-way of State Highway 35 between Lamar Point and Holiday Beach East and to authorize the County Judge to act on behalf of Aransas County in all matters related to the application and grant contract, if the project is among those selected for funding.

Question. Motion carried unanimously.

It is so ordered.

GRANT APPLICATION - COASTAL MANAGEMENT PROGRAM

Motion was made by Commissioner Smith and seconded by Commissioner Cole to authorize submission of a 60/40 grant application to the Texas General Land Office Coastal Management for acquisition of 50 acres of land approximately 0.8 miles west of the intersection of State Highway 35 Bypass and FM 3036, and to authorize the County Judge to act on behalf of Aransas County in all matters related to the application and grant contract, if the project is among those selected for funding.

Question. Motion carried unanimously.

It is so ordered.

REVENUE SHARING - REFUGE

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve distribution of \$102,716.00 of U.S. Fish and Wildlife Service Refuge Revenue Sharing Act annual payments to local governments for lands under their administration for fiscal year 2010 received in 2011 for further review.

Question. Motion carried unanimously.

It is so ordered.

(Distribution inserted)

OFFICIAL BOND

Motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve public official bond continuation certificate on Joyce Reyes, Deputy County Clerk.

Question. Motion carried unanimously.

It is so ordered.

(Bond inserted)

ELECTED OFFICIALS SALARIES FOR 2012

Motion was made by Commissioner Smith and seconded by Commissioner Chaney not to give elected officials a raise for 2012 budget year.

Question. Motion carried unanimously.

It is so ordered.

PROPOSED 2012 BUDGET

Discussion was had regarding the proposed 2012 budget. Commissioner Smith suggested going with Alternate Plan 1 for health insurance. This plan would raise the deductible from \$250.00 to \$300.00; raise copay amounts to \$25.00 for office visits and \$90 for emergency room resulting in a \$13.00 savings to the County of \$13.00 per employee. It was suggested the County change the renewal dates to allow for accurate costs during budget hearings.

Motion was made by Commissioner Chaney and seconded by Commissioner Smith not to adopt the budget as presented but adopt a budget that would be offset by revenues.

Commissioner Chaney stated he would support a ½ cent tax increase. Commissioner Cole stated he would like to go with the effective tax rate. Commissioner Smith wanted no increase in taxes and a raise for employees only. Commissioner Casterline wanted a raise for all employees.

The motion failed with only Commissioner Chaney voting for it.

Commissioner Casterline asked the Court to revisit elected officials salaries. County Attorney Bianchi stated it would be permissible since the budget was being discussed.

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to reconsider elected officials salaries.

Question. Motion carried unanimously.

It is so ordered.

County Clerk Friebele reminded the Court they have not received a raise in two years; they are taxpayers also; and the Court is considering lower health care benefits for employees.

District Clerk Heard stated the Court should take away raises for department heads also since they already make more than most elected officials and receive longevity pay.

Both Sheriff Mills and Tax Assessor-Collector Cox agreed with Ms. Heard.

County Attorney Bianchi stated he is in a different situation from most other elected officials in that he is allowed to continue his law practice and bring in additional income;

August 8, 2011

however, he agreed that elected officials should receive a raise.

Motion was made by Commissioner Casterline and seconded by Judge Mills to approve a 3% raise for elected officials.

Question. Motion carried unanimously.

It is so ordered.

PUBLIC HEARING - 2012 BUDGET

Motion was made by Commissioner Cole and seconded by Commissioner Smith to hold a public hearing on August 15, 2011 at 9:00 a.m. on 2012 budget.

Question. Motion carried unanimously.

It is so ordered.

2011 TAX RATE

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to adopt the effective tax rate for 2011.

Question. Motion carried unanimously.

It is so ordered.

PROPOSED 2011 TAX RATE

No action was taken on setting public hearings since the Court will adopt the effective tax rate for 2011.

TIME AND DATE TO ADOPT 2012 BUDGET AND SET 2011 TAX RATE

Motion was made by Commissioner Cole and seconded by Commissioner Casterline to set August 31, 2011 at 2:00 p.m. to adopt the 2012 budget and 2011 tax rate.

Question. Motion carried unanimously.

It is so ordered.

COUNTY TREASURER'S REPORT - JULY 2011

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

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

INDIGENT HEALTH CARE COSTS - JULY 2011

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

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

BUDGET LINE ITEM TRANSFERS

Motion was made by Commissioner Casterline and seconded by Commissioner Smith 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 Casterline to approve the accounts payable 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 July 2011.

(Report inserted)

REPORTS ABOUT ITEMS OF COMMUNITY INTEREST

Judge Mills reported receipt of a \$1,000.00 donation for Cedar Bayou. Commissioner Smith recommended donations be published. County Clerk Friebele informed the Court her scanning project has been started.

Commissioner Casterline reported materials for the Ag Building have been delivered.

PRESS QUESTIONS

Norma Martinez with The Rockport Pilot verified all employees and elected officials will receive a 3% raise.

The Court entered into closed session at 3:50 p. m. as authorized by Texas Government Code Section 551.071 to discuss real estate negotiations; and Section 551.072 to discuss and review current litigation issues; and returned to Open Session at 3:58 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 Cole.

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

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