

MINUTES OF THE  
COMMISSIONERS' COURT

REGULAR MEETING - SEPTEMBER 9, 2013

On the 9th day of September, 2013, there was a Regular Meeting of the Commissioner' Court in the Courthouse, Rockport, Aransas County, Texas, with the following members present: Jack Chaney, Commissioner, Precinct 1; Leslie "Bubba" Casterline, Commissioner, Precinct 2; Charles Smith, Commissioner, Precinct 3; Betty Stiles, Commissioner, Precinct 4; and Joy M. Dias, Chief Deputy, County Clerk.

Other County Officers present were Richard Bianchi, County Attorney; Lezlie Kirk, County Auditor; David Reid, Drainage Engineer; Alma Cartwright, County Treasurer; David Vyoral, Road Administrator; David Reid, Drainage Engineer; James Jackson, Director of Environmental Health; Pam Heard, District Clerk; Bill Mills, Sheriff; Iris Sanchez, Library Director; and Richard Thompson, Project Manager.

The Meeting was convened at 9:00 a.m. at which time a quorum was declared by Judge Pro-Tem Charles Smith, WHEREUPON, the following proceedings were had and done to wit:

CITIZENS TO BE HEARD

There were none.

PRESENTATIONS

Sheriff Mills presented certificates of employee recognition to Investigator Chapa and Investigator Cox for their diligence in the narcotics investigations over the last four years.

Rockport Aquarium President Don Sheets and other board members gave a presentation on the negative impact on the community and our environment caused by plastic refuse.

ITEMS FOR DELIBERATION AND/OR ACTION

RESOLUTION - "SKIP THE PLASTIC"

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve Resolution #R23-2013, "Skip the Plastic" Resolution of Support.

Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

PROCLAMATION - "NATIONAL POW/MIA DAY"

Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve Proclamation #P06-2013 designating September 20, 2013 as "National POW/MIA Day" in Aransas County.

Question. Motion carried unanimously.

It is so ordered.

(Proclamation inserted)

MINUTES

Motion was made by Commissioner Stiles and seconded by Commissioner Chaney to approve the minutes of the Public Hearing of August 26, 2013 and Regular Meeting of August 26, 2013.

Question. Motion carried unanimously.

It is so ordered.

2013-2014 TAX ASSESSMENT/COLLECTION INTERLOCAL AGREEMENTS

County Attorney Bianchi questioned the wording of this agenda item. He stated the Tax Assessor-Collector could be put in a legal situation if the entities did not sign the agreement.

Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve 2013-2014 tax assessment/collection interlocal agreements to be signed by County Judge when approved and submitted by local taxing entities.

Question. Motion carried unanimously.

It is so ordered.

(Agreements inserted)

VITAL STATISTICS CONTRACT

Motion was made by Commissioner Casterline and seconded by Commissioner Stiles to approve and authorize County Judge to sign a contract with Department of State Health Services (DSHS) for the DSHS Program Vital Statics Unit for the Aransas County Clerk.

Question. Motion carried unanimously.

It is so ordered.

(Contract inserted)

RULES AND REGULATIONS - HISTORY CENTER

Motion was made by Commissioner Stiles and seconded by Commissioner Casterline to table approval of Friends of the History Center for Aransas County Rules and Regulations for the operation of the History Center.

Question. Motion carried unanimously.

It is so ordered.

ANIMAL CONTROL - FANCIER'S FEE

County Attorney Bianchi questioned the County's authority to set a fee for the City.

Motion was made by Commissioner Chaney and seconded by Commissioner Stiles to disapprove Animal Control setting a fancier's fee of \$100.00 annually based upon Rockport City Ordinance.

Question. Motion carried unanimously.

It is so ordered.

MEMORANDUM OF AGREEMENT - SCIENCE & SEA PROJECT

Motion was made by Commissioner Stiles and seconded by Commissioner Casterline to approve memorandum of agreement with Aransas County Independent School District (ACISD) and the University of Texas Marine Science Institute (US-MSI) extending the Science and Sea Project to June 30, 2014.

Question. Motion carried unanimously.

It is so ordered.

(Memo agreement inserted)

WEST TULE CREEK - BRIDGE AND KIOSK

Motion was made by Commissioner Casterline and seconded by Commissioner Stiles to table approval of an agreement accepting the proposal from York Pedestrian Bridge, Inc. to construct a pedestrian bridge at West Tule Creek as a part of the bridge and kiosk at West Tule Creek Project (Pathways Project 011).

Question. Motion carried unanimously.

It is so ordered.

WEST TULE CREEK - METAL STRUCTURE

Motion was made by Commissioner Casterline and seconded by Commissioner Stiles to table approval of an agreement accepting the proposal from BJ'S Park and Recreation Products, Inc. to construct a metal structure at West Tule Creek as a part of the bridge and kiosk at West Tule Creek Project (Pathways Project 011).

Question. Motion carried unanimously.

It is so ordered.

WEST TULE CREEK - SOIL TESTING AND BORING

Motion was made by Commissioner Casterline and seconded by Commissioner Stiles to table approval of an agreement accepting the proposal from PSI Engineering, Inc. to perform soil testing and boring at West Tule Creek as a part of the bridge and kiosk at West Tule Creek Project (Pathways Project 011).

Question. Motion carried unanimously.

It is so ordered.

LEASE AGREEMENT - AIRPORT

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve and authorize County Judge to sign a lease agreement with the City of Rockport for property situated at the west end of Airport Road for an approved Aransas Pathways venue (AP Project 028 - Airport Road kayak launch).

Question. Motion carried unanimously.

It is so ordered.

(Agreement inserted)

SURPLUS PROPERTY - AUDITOR'S LIST

Motion was made by Commissioner Casterline and seconded by Commissioner Stiles to declare County Auditor's list of property as surplus and donate to charitable organizations.

Question. Motion carried unanimously.

It is so ordered.

(List inserted)

PUBLIC OFFICIAL BOND

Motion was made by Commissioner Stiles and seconded by Commissioner Casterline to approve public official bond continuation certificate for Joy Marie Dias, Chief Deputy County Clerk.

Question. Motion carried unanimously.

It is so ordered.

(Bond inserted)

PROVIDER CONTRACT - DETENTION CENTER

Motion was made by Commissioner Chaney and seconded by Commissioner Stiles to approve a one-year extension of the provider contract with Randy Bingham, PA, in regards to Aransas County Detention Center Inmate medical care.

Question. Motion carried unanimously.

It is so ordered.

(Contract inserted)

PROVIDER CONTRACT - DETENTION CENTER

Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve a one-year extension of the provider contract with Diamond Pharmacy Services in regards to pharmaceutical services for the Aransas County Detention Center Inmates.

Question. Motion carried unanimously.

It is so ordered.

(Contract inserted)

PROVIDER CONTRACT - DETENTION CENTER

Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve a one-year extension of the provider contract with X-Ray on Wheels in regards to Aransas County Detention Center Inmate medical care.

Question. Motion carried unanimously.

It is so ordered.

(Contract inserted)

OUT-OF-COUNTY INMATE MEDICAL EXPENSES

Motion was made by Commissioner Casterline and seconded by Commissioner Stiles to authorize out-of-county inmate medical expenses to be paid out of the Indigent Health Care funds instead of jail funds, per HB 2454 allowing these expenses for State reimbursement.

Question. Motion carried unanimously.

It is so ordered.

OPTIONAL HEALTH CARE SERVICES - INDIGENT HEALTH CARE

Motion was made by Commissioner Casterline and seconded by Commissioner Stiles to approve optional health care services to be paid from Indigent Health Care funds.

Question. Motion carried unanimously.

It is so ordered.

COUNTY TREASURER'S REPORT - AUGUST, 2013

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

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

INDIGENT HEALTH CARE REPORT - AUGUST, 2013

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

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

INDIGENT HEALTH CARE END OF YEAR REPORT

Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve end of year indigent health care report.

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

BUDGET LINE ITEM TRANSFERS

Motion was made by Commissioner Casterline and seconded by Commissioner Stiles to approve budget line item transfer presented by County Auditor Kirk.

Question. Motion carried unanimously.

It is so ordered.

(Transfers inserted)

ACCOUNTS PAYABLE

Motion was made by Commissioner Stiles 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

County Auditor Kirk read the fee reports for August 2013 received from the District Clerk, County Clerk, Sheriff, and Justices of the Peace, Precincts 1 and 2.

(Report inserted)

Commissioner Chaney reported he attended the Legislative Session where it was stressed to use computers, etc., for government business only - not personal.

Sheriff Mills reported the Sheriff's Office has been granted a Contract Providers License for training peace officers. Without this license not all training received certification towards their continuing education. This allows his Office to conduct all training up to but not including the Basic Police Officer Training for the initial license.

Commissioner Smith presented a refund check of \$13,357.75 from the Aransas County Appraisal District for the County's proportionate share of the 2012 budget. He also reported the Texas General Land Office has approved funding of \$1,071,032.00 from GOMESA for the Cedar Bayou and Vinson Slough Restoration project.

REPORTS ABOUT ITEMS OF COMMUNITY INTEREST

Commissioner Casterline commented on how great the Wounded Warrior Project was. "It was very humbling."

PRESS QUESTIONS

Norma Martinez with The Rockport Pilot asked if the County was going to take the lead on resolving the fancier fee problem or leave it up to the City? County Attorney Bianchi responded that he would be working with Animal Control and the City of Rockport for a resolution. He also emphasized that the Court needs to set a time frame for all involved for reviewing contracts prior to being placed on the agenda for approval.

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The Court held no closed session.  
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No further business presenting, the Court adjourned on a motion made by Commissioner Casterline duly seconded by Commissioner Chaney.

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Charles Smith, JUDGE PRO-TEM

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