

ORIGINAL

MINUTES OF THE
COMMISSIONERS' COURT
REGULAR MEETING - JANUARY 27, 2010

On the 27th day of January, 2010, there was a Regular Meeting of the Commissioners' 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; Howard Murph, Commissioner, Precinct 4; and June Gregory, Deputy County Clerk. Other County Officers present were Richard P. Bianchi, County Attorney; Lezlie Kirk, County Auditor; Jerry Brundrett, County Surveyor; James Jackson, Environmental Health Director; Dee Oliver, County Treasurer; Bill Mills, Sheriff; Justin Cook, Sr. IT Director; Iris Sanchez, County Librarian; David Vyoral, Road Administrator; David Reid, Drainage Engineer; Gene Johnson, Airport Manager; and Pam Heard, District Clerk.

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

MINUTES

Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve the minutes of the Regular Meeting of January 11, 2010 and Workshop Meeting of January 15, 2010.

Question. Motion carried unanimously.

It is so ordered.

CITIZENS TO BE HEARD

No citizens registered to speak before the Court.

GULF OF MEXICO ENERGY SECURITY ACT FUNDS

Greg Harlan, Aransas County CIAP Representative, gave the Court a proposal to use a portion of the grant monies for the Aransas County Independent School Districts Wetlands and Marine Science Education Program. After lengthy discussion, the motion was made by Commissioner Chaney and seconded by Commissioner Smith to table this item of using the Gulf of Mexico Energy Security Act (GOMESA) funds for use by the Aransas County ISD Wetlands and Marine Science Education Program.

Question. Motion carried unanimously.

It is so ordered.

AQUARIUM FUNDING

Motion was made by Judge Mills and seconded by Commissioner Chaney to approve request for up to \$17,000.00 funding for the Aquarium from hotel/motel tax.

Question. Motion carried unanimously.

It is so ordered.

ARANSAS COUNTY HISTORICAL COMMISSION

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve 2010 appointments to the Aransas County Historical Commission.

Question. Motion carried with Commissioner Casterline abstaining as he is on the Commission.

It is so ordered.

(Appointments inserted)

LIBRARY BOARD

Motion was made by Commissioner Casterline and seconded by Commissioner Murph to approve Library Board members and alternates for 2010. Suggestion was made to the Court to check the improved law library section.

Question. Motion carried unanimously.

It is so ordered.

(Appointments inserted)

AIRPORT BOARD

Motion was made by Commissioner Murph and seconded by Commissioner Smith to approve Airport Board 2010 reappointments and addition of a new member, Bob Kuhn. The Airport Board now consists of seven (7) members instead of six (6) with two (2) advisors.

Question. Motion carried unanimously.

It is so ordered.

(Members List inserted)

FLOODPLAIN MANAGEMENT & WATERSHED PROTECTION ORDER

David Reid, Drainage Engineer, spoke to the Court regarding the above order. Mr. Reid stated that this order is the same document as presented in the last Court. Jerry Brundrett, County Surveyor questioned several lines in this order regarding violation penalties, the statement of "shall" versus "may" and the velocity zone. After discussion, the motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve the Aransas County Floodplain Management and Watershed Protection Order to be effective March 1, 2010.

Question. Motion carried unanimously.

It is so ordered.

(Order inserted)

FLOODPLAIN DEVELOPMENT FEES

Per recommendation of James Jackson, the fees to be assessed will be two dollars (\$2.00) per each one thousand dollars (\$1,000.00) of construction costs with a minimum fee of seventy dollars (\$70.00). Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve floodplain development fees.

Question. Motion carried unanimously.

It is so ordered.

TULE CREEK WATERSHED

This discussion was led by David Reid, Drainage Engineer, and Craig Thomas of Naismith Engineering, Inc. Due to spillovers on Hwy 35, revisions are being made to expand boundaries along Tule Lake and Long Reach. Long Reach is part of the drainage area behind the movie theater. Plans are being made for an open house for the public to review these updates on March 8, 2010.

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve a recommendation from the Stormwater Management Advisory Committee (SWMAC) to authorize a change of scope for additional hydrologic and hydraulic modeling of the Tule Creek Watershed.

Question. Motion carried unanimously.

It is so ordered.

REVISION - COASTAL IMPACT ASSISTANCE PROGRAM

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve a revision to the 2007 Coastal Impact Assistance Program (CIAP) county plan to include \$278,145.00 for the Aransas County Regional Stormwater Management Plan.

Question. Motion carried unanimously.

It is so ordered.

SURVEY EQUIPMENT - DRAINAGE DEPARTMENT

Motion was made by Commissioner Murph and seconded by Commissioner Casterline to approve purchase of survey equipment in the amount of \$7,018.16 for the Drainage Department.

Question. Motion carried unanimously.

It is so ordered.

AIRPORT HANGAR LEASE

Motion was made by Commissioner Smith and seconded by Commissioner Murph to table the proposal of transferring the Kent Riley hangar lease to Joe Rose dba Petro Resources.

Question. Motion carried unanimously.

It is so ordered.

SURPLUS PROPERTY

On ruling by Richard Bianchi, County Attorney, the Court finds that the radios proposed to be donated to the Volunteer Fire Departments of Rockport, Fulton, and Lamar would not generate more value at auction than their actual worth.

After declaring the value of the radios are less than the cost of disposing at auction, motion was made by Commissioner Smith and seconded by Commissioner Murph to approve the request of Sheriff's Office to declare old radios from the Sheriff's vehicles as surplus and should be donated to Rockport/Fulton/Lamar Volunteer Fire Departments. Sheriff Bill Mills stated the donation needs to be after the radios have been deprogrammed.

Question. Motion carried unanimously.

It is so ordered.

JAIL LAW BOOKS - SURPLUS

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve declaring the outdated jail law books as surplus and accepting the recommendation of the Facilities Director for direct disposal of the same.

Question. Motion carried unanimously.

It is so ordered.

PAYROLL POLICIES AND PROCEDURES

County Treasurer Dee Oliver gave a presentation to the Court on the options recommended by the committee that was formed after the Workshop Meeting which held January 22, 2010 at 9:00 A.M. This committee consisted of a few elected officials, exempt and hourly paid county employees and Mary Ann Saenz, Representative of Texas Association of Counties (TAC). This group was formed to discuss solutions for the payroll policy for the county. The first recommendation of the committee was to restore the pay periods to bi-weekly for all employees, exempt and non-exempt to be re-enacted by April 1, 2010. The second recommendation was to continue the semi-monthly pay schedule for all employees, exempt and non-exempt to be changed to the 15th and last day of the month to prevent pay days falling after a holiday. After much discussion by the Commissioners, heads of offices and the public, decision was made to have two separate payrolls. The payroll for the non-exempt employees (now hourly employees) will be returned to the bi-weekly pay periods beginning with the next pay period due February 12, 2010. The payrolls for the exempt (elected and appointed officials) will stay at semi-monthly with pay dates being the first (1st) and fifteenth (15th) of each month other than a pay period falling on a holiday then the pay date will be the last business day before the holiday except for January 1st. The commissioners stated the Personnel Policy of the County needs to be updated to reflect the

changes being made regarding payroll and personnel classification. Motion was made by Commissioner Smith and seconded by Commissioner Murph to approve changes in payroll policies and procedures regarding county employees with hourly employees being paid every two (2) weeks and elected/appointed officials being paid semi-monthly but under no circumstances receiving more than twenty-four (24) checks in one year and tabling amendment of Personnel Policy. Question. Motion carried unanimously.

It is so ordered.

Motion was made by Commissioner Murph and seconded by Commissioner Smith to approve appointment of an advisory committee to review the Personnel Policy.

Question. Motion carried unanimously.

It is so ordered.

BOND CONTINUATION CERTIFICATE

Motion was made by Commissioner Murph and seconded by Commissioner Smith to approve bond continuation certificate on Melissa Rogers, Deputy District Clerk.

Question. Motion carried unanimously.

It is so ordered.

CONTINUING EDUCATION

Judge Mills presented for recording in the Commissioners' Court minutes certificates of continuing education hours to Public Purchasing Law for Shannon Heuerman, Administrative Secretary and Tracey Wright, Assistant Auditor/Accounts Payable.

Question. Motion so recorded.

(Certificates inserted)

BUDGET LINE ITEM TRANSFERS

No budget line items were presented.

ACCOUNTS PAYABLE

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

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 Murph.

C. H. "BURT" MILLS, JR., COUNTY JUDGE

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