

MINUTES OF THE
COMMISSIONERS' COURT
REGULAR MEETING - OCTOBER 26, 2011

On the 26th day of October, 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; 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; Jerry Brundrett, County Surveyor; Alma Cartwright, County Treasurer; Bill Mills, Sheriff; James Jackson, Director of Environmental Health; David Reid, Drainage Engineer; and Pam Heard, District Clerk.

The Meeting was convened at 2:00 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

None.

MINUTES

Motion was made by Commissioner Smith and seconded by Commissioner Cole to approve the minutes of the Regular Meeting of October 10, 2011.

Question. Motion carried unanimously.

It is so ordered.

REPORT - ROCKPORT ART ASSOCIATION

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve Rockport Art Association, Inc. Third Quarter 2011 hotel occupancy tax funds expended.

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

HOTEL-MOTEL TAX FUNDS REQUEST

Motion was made by Commissioner Chaney and seconded by Commissioner Cole to approve request of Rockport Art Association, Inc. for additional hotel-motel tax funds in the amount of \$14,000.00 in 2011 and \$20,000.00 in 2012.

Question. Motion carried unanimously.

It is so ordered.

(Request inserted)

HUMANE SOCIETY - ADDITIONAL FUNDING

Kathy Noble, President of the Humane Society & Adoption Center of Rockport-Fulton, appeared before the Court to request additional funding from the Court to assist with their spay/neuter program.

Ms. Noble stated their expenses for this program are in excess of \$30,000.00 and she felt the Court had a fiduciary responsibility to help. Commissioner Chaney asked if euthanasia is more costly than spay/neuter. Ms. Noble at first said it was not; however, County Clerk Friebele pointed out the cost for euthanasia is \$30.00 and Ms. Noble stated it costs about \$50.00 for spay/neutering.

Motion was made by Judge Mills and seconded by Commissioner Cole to approve request from the Humane Society & Adoption Center of Rockport-Fulton for additional funding in the amount of \$15,000.00 for the spay/neuter program.

Question. Motion carried with Commissioner Chaney voting "no."
It is so ordered.

(Request inserted)

PROGRESS REPORT - LINEBARGER

M. Jeffrey Rutledge and Michael Carrillo from Linebarger Goggan Blair & Sampson, LLP appeared before the Court to give a progress report on delinquent tax collections.

(Report inserted)

TAX COLLECTION SERVICES - LINEBARGER

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve and authorize County Judge to sign the Linebarger Goggan Blair & Sampson, LLP agreement for tax collection services.

Question. Motion carried unanimously.
It is so ordered.

(Agreement inserted)

AIRPORT PROJECT PARTICIPATION AGREEMENT

Motion was made by Commissioner Cole and seconded by Commissioner Smith to approve and authorize County Judge to sign the Texas Department of Transportation (TXDOT) Airport Project Participation Agreement Amendment No. 2.

Question. Motion carried unanimously.
It is so ordered.

(Amendment inserted)

COMMUNITY DEVELOPMENT PROGRAMS

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve and authorize County Judge to sign Texas Department of Agriculture contract No. 711215 for community development programs.

Question. Motion carried unanimously.

It is so ordered.

(Contract inserted)

INTERGOVERNMENTAL COOPERATION AGREEMENT - FULTON

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve and authorize County Judge to sign the 2012 intergovernmental cooperation agreement between Aransas County and the Town of Fulton for law enforcement.

Question. Motion carried unanimously.

It is so ordered.

(Agreement inserted)

INTERGOVERNMENTAL COOPERATION AGREEMENT - ROCKPORT

After clarifying the county will not be picking up litter on the property and the maintenance will be limited to removing the accumulated sediment in the pond, motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve and authorize County Judge to sign intergovernmental cooperation agreement with the City of Rockport for construction and maintenance of pond project on west Tule Creek.

Question. Motion carried unanimously.

It is so ordered.

(Agreement inserted)

ARANSAS COUNTY PROJECT MANAGER - JOB DESCRIPTION

Motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve modifications to and final acceptance of Aransas County Project Manager job description.

Question. Motion carried unanimously.

It is so ordered.

(Job description inserted)

RIGHT-OF-WAY EASEMENT - AEP TEXAS CENTRAL

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to grant a right-of-way easement to AEP Texas Central Company at the new Aransas County Agrilife Building.

Question. Motion carried unanimously.

It is so ordered.

(Easement inserted)

ENVIRONMENTAL HEALTH FEES - 2012

Motion was made by Commissioner Smith and seconded by Commissioner Cole to approve proposed Environmental Health fees for 2012. Question. Motion carried unanimously.

It is so ordered.

(Fees inserted)

RESOLUTION MODIFICATIONS

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve modifications to Resolution #R33-2011 in support of a grant application for Aransas County Council on Aging. Question. Motion carried unanimously.

It is so ordered.

(Resolution inserted)

UTILITY SERVICE CONTRACT - BRUHL HOUSE

Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve and authorize County Judge to sign a utility service contract with the City of Rockport for the Bruhl-Paul-Johnson House located at 910 E. Concho, Rockport.

Question. Motion carried unanimously.

It is so ordered.

(Contract inserted)

OFFICIAL BONDS

Motion was made by Commissioner Smith and seconded by Commissioner Cole to approve public official bond continuation certificate on Russell F. Buck, Custodian.

Question. Motion carried unanimously.

It is so ordered.

(Bond inserted)

EDUCATION CERTIFICATE

Judge Mills presented for recording in the Commissioners' Court Minutes certificate of completion of registry of the court from V. G. Young Institute of County Government held October 7, 2011 for Pam Heard, District Clerk.

(Certificate inserted)

TREASURER'S QUARTERLY INVESTMENT REPORT

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve Treasurer's quarterly investment report for the 3rd quarter ending September 30, 2011.

Question. Motion carried unanimously.

It is so ordered.

(Report inserted)

BUDGET LINE ITEM TRANSFERS

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

Question. Motion carried unanimously.

It is so ordered.

(Transfer inserted)

ACCOUNTS PAYABLE

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve the accounts payable as presented by County Auditor Kirk and \$46,268.45 to Naismith Engineering, \$150.00 to Aransas Security and two invoices for GrantWorks (\$1,500.00 and \$2,000.00).

Question. Motion carried unanimously.

It is so ordered.

REPORTS OF COMMUNITY INTEREST

County Clerk Friebele reminded everyone to vote in the Constitutional Amendment Election.

PRESS QUESTIONS

Norma Martinez with The Rockport Pilot asked if she could get a copy of the Delinquent Tax Collection Report Linebarger Goggan Blair & Sampson, LLP had for the Court. They would not give her one. Commissioner Smith said she could have his.

The Court had no closed session.

No further business presenting, the Court adjourned on a motion made by Commissioner Smith duly seconded by Commissioner Casterline.

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

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