

MINUTES OF THE
COMMISSIONERS' COURT

REGULAR MEETING - DECEMBER 13, 2010

On the 13th day of December, 2010, there was an 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; Howard Murph, Commissioner, Precinct 4; and Peggy L. Friebele, County Clerk.

Other County Officers present were Richard P. Bianchi, County Attorney; Lezlie Kirk, County Auditor; David Vyoral, Road Administrator; Jerry Brundrett, County Surveyor; Gene Johnson, Airport Manager; David Reid, Drainage Engineer; Justin Cook, Assistant IT Director; Iris Sanchez, County Library Director; Jeri D. Cox, Tax Assessor-collector; and James Jackson, Environmental Health Director.

The Meeting was convened at 9:00 a.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 Regular Meeting of November 24, 2010.

Question. Motion carried unanimously.

It is so ordered.

LIBRARY DONATION

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve request of Library to use the \$1,500.00 received from Castaways for literacy books.

Question. Motion carried unanimously.

It is so ordered.

LIBRARY GRANT APPLICATION

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve request of the Library to apply for a \$2,500.0 grant from the Texas Book Festival to be used for the 2011 summer reading program.

Question. Motion carried unanimously.

It is so ordered.

COMMUNITY GARDEN

Judy Sanders gave a presentation to the Court on the progress of the community garden project proposed for the area north of

Walmart. The City of Rockport owns this property.

(Report inserted)

H.O.T. FUNDS - ROCKPORT-FULTON CHAMBER OF COMMERCE

John Jackson, Chairman of the Building Task Force, appeared before the Court to give a presentation on the use of the H.O.T. funds the Chamber was requesting. He stated these funds would be used for new construction only.

Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve using up to \$100,000.00 H.O.T. funds to help finance the Visitor's Center expansion to the new Chamber office requiring quarterly reports on expenditure of funds.

Question. Motion carried with Commissioner Smith abstaining.

It is so ordered.

SERVICE AGREEMENT/CONTRACT - PUBLIC SAFETY CENTER

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve service agreement/contract with KST Electric for repairs to the grounding electrode system for the Aransas County Public Safety Center.

Question. Motion carried unanimously.

It is so ordered.

(Agreement inserted)

TAX ASSESSOR-COLLECTOR - PART-TIME POSITION

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve request of County Tax Assessor-Collector to advertise and hire an hourly part-time position in the Tax Office for the month of January 2011 and part of February 2011.

Question. Motion carried unanimously.

It is so ordered.

DONATION - COASTAL BEND TROOP SUPPORT, INC.

Motion was made by Commissioner Murph and seconded by Commissioner Smith to approve donation of one kitchen base cabinet and counter top, three (3) steel shelving units, three (3) wall mount cabinets, and two (2) rolling desk chairs to Coastal Bend Troop Support, Inc.

Question. Motion carried unanimously.

It is so ordered.

PETITION- PALM HARBOR PROPERTY OWNERS

Richard Bianchi, County Attorney, acknowledged receipt of a petition from Palm Harbor Property Owners requesting a study of drainage problems impacting that subdivision. Commissioner Chaney stated he had been in contact with the property owner, Raulie Irwin, and Mr. Irwin was willing to work with the County to solve the problem. The consensus of the Court was to get the County Engineer and Drainage Engineer to review existing drainage data and report possible solutions to Commissioners' Court by February 23, 2011.

(Petition inserted)

CONTRACT - ENGINEERING SERVICES

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve the engineering services contract with Naismith Engineering, Inc. for engineering services relating to the 2007 Coastal Impact Assistance Program (CIAP) Live Oak Peninsula Shoreline Stabilization Project and to authorize the County Judge to sign the same.

Question. Motion carried unanimously.

It is so ordered.

(Contract inserted)

PROJECT MANAGER - SHORELINE STABILIZATION PROJECT

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to authorize David Reid to act as the County's Project Manager for the 2007 Coastal Impact Assistance Program (CIAP) Live Oak Peninsula Shoreline Stabilization Project.

Question. Motion carried unanimously.

It is so ordered.

AMENDMENT - BLOCK GRANT CONTRACT NO. 728011

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve amendment NO. 4 to contract No. 728011 between Aransas County and the Texas Department of Rural Affairs for the Texas Community Development Block Grant Program and to authorize County Judge to sign the same.

Question. Motion carried unanimously.

It is so ordered.

(Amendment inserted)

AMENDMENT - BLOCK GRANT CONTRACT NO. 728025

Motion was made by Commissioner Casterline and seconded by Commissioner Smith to approve amendment NO. 5 to contract No. 728025 between Aransas County and the Texas Department of Rural Affairs for the Texas Community Development Block Grant Program and to authorize County Judge to sign the same.

Question. Motion carried unanimously.

It is so ordered.

(Amendment inserted)

INTERGOVERNMENTAL COOPERATION AGREEMENTS

Motion was made by Commissioner Chaney and seconded by Commissioner Casterline to approve the 2011 Intergovernmental Cooperation Agreements between Aransas County and the City of Rockport for animal control, dispatching services, jail services, roads, sanitation/restaurants, septic inspections, and hotel occupancy tax funding grant contract with amendments recommended by County Attorney and to authorize County Judge to sign same.

Question. Motion carried unanimously.

It is so ordered.

(Agreements inserted)

INTERGOVERNMENTAL COOPERATION AGREEMENTS

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve the 2011 Intergovernmental Cooperation Agreements between Aransas County and the Town of Fulton for animal control, law enforcement, roads, sanitation/restaurants and septic inspections with amendments recommended by County Attorney and to authorize County Judge to sign same.

Question. Motion carried unanimously.

It is so ordered.

(Agreements inserted)

INTERGOVERNMENTAL COOPERATION AGREEMENTS

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve the 2011 Intergovernmental Cooperation Agreements between Aransas County, Aransas County Independent School District, City of Rockport, and Town of Fulton for the Community Aquatic Center and to authorize County Judge to sign same.

Question. Motion carried unanimously.

It is so ordered.

(Agreement inserted)

LEASE - AQUARIUM

Motion was made by Judge Mills and seconded by Commissioner Smith to approve lease with Aransas County Navigation District for the Aquarium.

Question. Motion carried unanimously.

It is so ordered.

(Lease inserted)

VENUE TAX PENALTIES

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve waiving venue tax penalties and interest for the months of October and November 2010.

Question. Motion carried unanimously.

It is so ordered.

LIVE OAK TREE ORDINANCE

After some discussion regarding more public notice of proposed ordinance, motion was made by Commissioner Smith and seconded by Judge Mills to table approval of the Aransas County Live Oak Tree Ordinance #1-2010 until January 10, 2011 and issue public notice.

Question. Motion carried unanimously.

It is so ordered.

2011 MATERIAL BIDS - ROAD AND BRIDGE

Motion was made by Commissioner Casterline and seconded by Commissioner Murph to award 2011 material bids for the Road and Bridge Department to the low bidders.

Question. Motion carried unanimously.

It is so ordered.

(Bids inserted)

AIRPORT PROJECT PARTICIPATION AGREEMENT

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve Texas Department of Transportation (TXDOT) Airport Project Participation Agreement for the design and construction of "game fencing" and to authorize County Judge to sign the same.

Question. Motion carried unanimously.

It is so ordered.

(Agreement inserted)

AIRPORT LEASE

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve lease of Airport property to Petroleum Helicopter Incorporated for auto parking and Helo pad. Question. Motion carried unanimously.

It is so ordered.

(Lease inserted)

AIRPORT CONSTRUCTION

Motion was made by Commissioner Smith and seconded by Commissioner Casterline to approve construction of hanger and other improvements on existing lease with Petroleum Helicopter Incorporated.

Question. Motion carried unanimously.

It is so ordered.

NON-BINDING AGREEMENT - PRINTER MAINTENANCE

Motion was made by Commissioner Casterline and seconded by Commissioner Murph to approve non-binding agreement with Dahill, a Xerox company, for printer maintenance and supplies for Aransas County.

Question. Motion carried unanimously.

It is so ordered.

(Agreement inserted)

COMMUNITY SERVICES BLOCK GRANT - FFY 2011 BUDGET

Motion was made by Commissioner Casterline and seconded by Commissioner Chaney to approve certification of board approval of Community Services Block Grant (CSBG) proposed estimated FFY 2011 budget and to authorize County Judge to sign the same.

Question. Motion carried unanimously.

It is so ordered.

(Certification inserted)

SHERIFF - VACANT POSITIONS

Motion was made by Commissioner Chaney and seconded by Commissioner Smith to approve request of Sheriff to fill three (3) vacant budgeted corrections officer positions as part of the staffing ratio for jail standards.

Question. Motion carried unanimously.

It is so ordered.

SHERIFF - VACANT MEDICAL AIDE POSITION

Motion was made by Commissioner Smith and seconded by

Commissioner Casterline to approve request of Sheriff to fill the vacant budgeted position of Medical Aide at the Detention Center.

Question. Motion carried unanimously.

It is so ordered.

DUMPSTERS - ARANSAS-SAN PATRICIO LIVESTOCK SHOW

Motion was made by Commissioner Casterline and seconded by Commissioner Murph to approve providing two (2) roll-off dumpsters and disposal of contents to the Aransas-San Patricio Livestock Show.

Question. Motion carried unanimously.

It is so ordered.

CERTIFICATE OF PARTICIPATION

Judge Mills presented for recording the Commissioners' Court Minutes a certificate of participation in the V.G. Young Institute of County Government for Jack Chaney, County Commissioner, Precinct 1.

(Certificate inserted)

PUBLIC OFFICIAL BOND

Motion was made by Commissioner Murph and seconded by Commissioner Smith to approve public official bonds on Charles H. Mills, County Judge; William Adams, County Court at Law Judge; Leslie Casterline, County Commissioner, Precinct 2; Clyde Howard Murph, County Commissioner, Precinct 4; Jerald L. Brundrett, County Surveyor; Pam Heard, District Clerk; Peggy L. Friebele, County Clerk; Dee Oliver, County Treasurer; Patrick Joseph Daly, Justice of the Peace Precinct 2; Diane Dupnik, Justice of the Peace Precinct 1; and bond continuation certificates on Barbara Atkison, Deputy County Treasurer; Christy Gibson and Gayle T. Otto, Deputy County Clerks; James L. Weston, Deputy Sheriff; and Sharron L. Loflin, Deputy Sheriff.

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 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 Murph to approve accounts payable.

Question. Motion carried unanimously.

It is so ordered.

FEE REPORTS

County Auditor Kirk read November 2010 fee reports received from Justice of the Peace, Precinct 1; Justice of the Peace, Precinct 2; District Clerk; County Clerk; and Sheriff.

(Report inserted)

PRESS QUESTIONS

There were none.

The Court entered into closed session at 11:13 a.m. as authorized by Texas Government Code Section 551.072 to real estate negotiations pertinent to the new County Courthouse project; and resumed Open Meeting at 11:24 a.m. with all members present, and further proceedings were had and done to wit:

Motion was made by Commissioner Smith and seconded by Commissioner Chaney to approve purchase of Lot 9, Block 15, Smith and Wood known as 919 E. Mimosa at a cost of \$30,470.00.

Question. Motion carried unanimously.

It is so ordered.

Motion was made by Commissioner Smith and seconded by Commissioner Murph to approve up to \$2,000.00 for consulting from WKMC Architects on staging options for new Courthouse.

Question. Motion carried unanimously.

It is so ordered.

Motion was made by Commissioner Smith and seconded by Commissioner Murph to approve purchase of 319 Magnolia Street (N 4' of Lot 3 and all of Lots 4-8, Block 16, Smith and Wood) at a price of \$135,000.00.

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