

**REGULAR**

**MARCH 15, 2010**

**MEETING**

THE STATE OF TEXAS            }  
  }  
COUNTY OF SAN PATRICIO       }

**BE IT REMEMBERED THAT**, notice had been duly filed and posted by the County Clerk on the 11<sup>th</sup> day of March, 2010 at 9:35 A.M. at a regular meeting of the Commissioners' Court on **MONDAY** March 15, 2010 at 9:00 A. M. in the San Patricio County Courthouse Commissioners Courtroom # 230 second Floor, Sinton, Texas. At which time the following subjects were discussed, concerned, passed, or adopted. In accordance with the notice, the meeting was called to order at 9:00 A. M.

The following members were present, to-wit:

- Terry Simpson                   County Judge
- Nina G. Trevino               Commissioner, Precinct 1
- Fred P. Nardini               Commissioner, Precinct 2
- Alma Moreno                  Commissioner, Precinct 3
- Jim Price, Jr.                 Commissioner, Precinct 4
- Gracie Alaniz-Gonzales      County Clerk, and
- David Wendel                 County Auditor

The following proceedings were had, to-wit:

**1.2 PLEDGES OF ALLEGIANCE**

The Court opened the regular meeting with the Pledges of Allegiance to the flag of the United States and to the flag of the State of Texas

\* \* \* \* \*

**2.1 EXAMINATION OF ALL CLAIMS AGAINST SAN PATRICIO COUNTY**

Commissioner Trevino made the motion seconded by Commissioner Moreno to pay all claims against San Patricio County dated March 12, 2010. Motion Carried 5-0 See Commissioners' Court Exhibits Vol. 166 Pages 416-458

\* \* \* \* \*

**2.2 BUDGET LINE ITEM TRANSFERS**

Commissioner Trevino made the motion seconded by Commissioner Nardini to approve budget line item transfer as follows:

| <b><u>Department</u></b> | <b><u>To</u></b> | <b><u>From</u></b> | <b><u>Amount</u></b> |
|--------------------------|------------------|--------------------|----------------------|
| Road & Bridge #1         | Signage          | Seal Coating       | +/- \$ 625.00        |
| Road & Bridge #1         | Signage          | Hauling Charges    | +/- \$ 625.00        |
| Road & Bridge #1         | Signage          | Fuel, Oil & Lube   | +/- \$1,250.00       |

Motion Carried 5-0 See Commissioners' Court Exhibits Vol. 166 Page 459-461

\* \* \* \* \*

**2.3 RECONCILIATION AND INVESTMENT REPORTS**

Ms. Dugat, County Treasurer was not present at this time will wait for her to come in

\* \* \* \* \*

**1.3 MINUTES**

Commissioner Trevino made the motion seconded by Commissioners Nardini to approve minutes for March 8, 2010 with minor correction already made. Motion Carried 5-0

**1.4 CITIZENS TO BE HEARD**

Stella Herman appeared before the Court and expressed concerns with the San Patricio County Port Commissioner appointee. She stated that her concern was that on several occasions this Commissioner has not represented San Patricio County. She stated that there were several projects in San Patricio County that this Commissioner was not looking out for the best interest of San Patricio County i.e. La Quinta, Naval Station Ingleside. She stated that she would like the Court to carefully examine who they appoint in the future.

\* \* \* \* \*

**1.5 CONSENT ITEMS**

Judge Simpson made the motion seconded by Commissioner Moreno to approve, accept and record the following:

- a. Resolution approving tax resale deeds as follows:  
 Suit #S-05-1186-TX; Mathis ISD, San Patricio County and City of Mathis vs. H. R. Lookingbill, a/k/a/ Herbert R. Lookinbill, et al  
 Suit# S-05-1209-TX; Mathis ISD, San Patricio County and City of Mathis vs. Margarito Rodriguez, et al
- b. TCEQ Public Water System Plan review submitted for regarding San Patricio County-Water distribution system improvement proposed looped lines, TCDP contract #728381/ Falman Acres
- c. Resolution approving submission of grant application for the Criminal Justice Support to the Office of the Governor Criminal Justice Division

Motion Carried 5-0 See Commissioners' Court Exhibits Vol. 166 Pages 462-471

\* \* \* \* \*

**1.6 HEATHLH DEPARTMENT**

Josie Michael informed the Court that the department was busy planning and preparing for the health fair that is scheduled for August. Also preparing for the Relay for Life event. Food handlers classes would be today at 6:30 p.m. at the Sinton office. The Diabetic support group will be meeting on April 6, 2010. Department head meeting on Wednesday at 8:30 a.m. She also mention that a proclamation was signed this morning on Diabetic Alert. Virginia Longoria announced the 22<sup>nd</sup> Annual American Diabetes Association Alert Day will be on March 23, 2010. She stated that there would be educational activities at the Courthouse and at the Health department. See Commissioners' Court Exhibits Vol. 166 Pages 472-474

\* \* \* \* \*

**1.7 TAX ABATEMENT APPLICATION FOR SHERWIN ALUMINA COMPANY LLC**

Tom Ballou, Jr. appeared before the Court requesting that the County approve the tax abatement application that was submitted by Sherwin Alumina LLC for their upcoming project of replacing their ship unloaders. He stated that this project would not create new jobs but would preserve the existing 550 jobs. This project is due to start on April 10, 2010. Commissioner Price made the motion seconded by Commissioner Moreno to approve seven (7) year abatement starting at 70% incrementing out at 10% per year. Motion Carried 5-0 See Commissioners' Court Exhibits Vol. 166 Pages 475-481

\* \* \* \* \*

**1.8 CONTRACT WITH BOB KISER FOR REMOVAL AND REPLACEMENT OF SAN PATRICIO COUNTY FAIRGROUNDS ARENA FOOTING (DIRT, CLAY AND SAND MIX)**

Diane Wade appeared before the Court requesting that the Court approve contract with Bob Kiser for the removal and replacement of the San Patricio County Fairgrounds arena footing (dirt, clay and sand mix). She stated that the estimated cost would be between \$35,000.00 and \$40,000.00. Judge Simpson asked her what amount she was asking the Court to approve and she stated she would need \$40,000.00. Judge Simpson made the motion seconded by Commissioner Nardini to approve the contract with Bob Kiser for the removal and replacement of the San Patricio County Fairgrounds arena footing (dirt, clay and sand mix) in the amount of \$40,000.00. Motion Carried 5-0 See Commissioners' Court Exhibits Vol. 166 Pages 482-483

**2.3 RECONCILIATION AND INVESTMENT REPORTS**

No reports this week

\* \* \* \* \*

**1.9 REQUEST FROM ALTA MESA FOR PERMITS**

Commissioner Moreno made the motion seconded by Commissioner Nardini to approve request from Alta Mesa for permits as follows: CR 1400 4960 west of intersection of CR 1400 & I-37 length of crossing will be 30 feet type of construction will be bored. Motion Carried 5-0 See Commissioners' Court Exhibits Vol. 166 Pages 484-487

\* \* \* \* \*

**1.11 RESOLUTION CASTING VOTES FOR VACANCIES ON THE SAN PATRICIO APPRAISAL BOARD**

Commissioner Price made that all necessary votes to assure the appointment of Doil Kellar be cast for him and the remaining votes could go to another candidate. Motion DIED for lack of second. Commissioner Price made the motion seconded by Commissioner Trevino to allocate 503 votes to Doil Kellar and 4 votes to John Curlee to fill vacancies on the San Patricio County Appraisal District Board. Motion Carried 5-0 See Commissioners' Court Exhibits Vol. 166 Pages 488-491

\* \* \* \* \*

**1.12 REPORT ON CURRENT ON GOING DRAINAGE PROJECT**

Commissioner Moreno reported to the Court that she was concerned with ongoing drainage problems in the Rancho Chico subdivision. However she stated that in conjunction with the drainage district work would be starting on CR 61 and Dodd subdivision because it is a smaller area.

\* \* \* \* \*

**3.1 EMPLOYMENT**

Judge Simpson made the motion seconded by Commissioner Trevino to record the following employees' status changes implemented by the following departments of San Patricio County in accordance with current personnel policies, county budget, and State law and notification of such changes to the payroll division of the County Treasurer's Office.

- a. Ana Ybarra-Transfer—Elm/Curfew Tech/Juvenile Detention part time temporary at \$7.39 per hour to Control Tech/Juvenile Detention part time temporary at \$7.39 per hour effective March 3, 2010
- b. Emmanuel Cerda—Transfer—Jailer/County Jail full time regular at \$2,417.00 per month to Corporal/County Jail full time regular at \$2,547.00 per hour effective March 16, 2010
- c. Eloisa Aguirre—Transfer—Corporal/County Jail full time regular at \$2,768.00 per month to Sergeant/County Jail full time regular at \$3,572.00 per month effective March 16, 2010

Motion Carried 5-0 See Commissioners' Court Exhibits Vol. 166 Pages 492-494

\* \* \* \* \*

**5. REPORT**

- a. HALO Flight—Letter of appreciation
- b. Coastal Bend Regional Water Planning Group-- Letter of appreciation
- c. Urban Counties News—Regarding Health ranking of Texas Counties

See Commissioners' Court Exhibits Vol. 166 Pages 495-499

**4. EXECUTIVE SESSION**

Public Notice is given that the San Patricio Commissioners' Court may elect to go into Executive Session anytime during the meeting to discuss matters listed on the agenda. When authorized by the provisions of the Open Meeting Act chapter 551 of the Texas Government Code. *In the event the Commissioners' Court elects to go into Executive Session regarding an agenda item, the section or sections of the Open Meeting Act authorizing the Executive Session will be publicly announced by the presiding officer.* In accordance with the authority of the Government Code Vernon's Texas Codes, Section 551.071, 551.072, 551.073, 551.074, 551.076, & 551.086 the Commissioners' Court will hold an Executive Session to consult with attorney(s) including matters related to litigation; deliberation regarding real property; prospective gift(s); personnel matters; including termination; security devices, and/or economic development negotiation and other matters that may be discussed in Executive Session. Upon completion of the Executive Session, the Commissioners' Court may in open session take such action as appropriated on item discussed in an Executive Session

At 9:57 a.m. the Court with its Attorney went into closed session in reference to Litigation and for Items 1.10 and 1.13

At 10:20 a.m. the Court reconvened into regular session

**1.10 WORK COMPLETED BY KING-ISLES, INC**

Commissioner Nardini made the motion seconded by Commissioner Moreno to accept the work completed by King-Isles, Inc. for the "Wastewater Collection System Improvements (TCDP Contract Nos. 72195 & 726205)" in the City of Odem as being satisfactory in accordance with the plans, specifications and all approved change orders. Motion Carried 5-0 See Commissioners' Court Exhibits Vol. 166 Pages 500-503

\* \* \* \* \*

**1.13 SETTLEMENT WITH ROAD DAMAGES IN PRECINCT #4**

Judge Simpson made the motion seconded by Commissioner Nardini to TABLE this item for further investigation. Motion Carried 5-0

\* \* \* \* \*


**6. ANNOUNCEMENT**

San Patricio County Employee Awards Luncheon--Wednesday, March 17<sup>th</sup> starting at 11:00 until 2:00 at the Civic Center

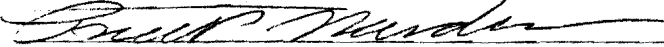
\* \* \* \* \*


**7. ADJOURNED**

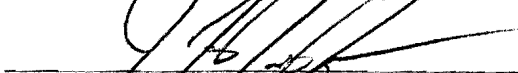
Commissioner Nardini made the motion seconded by Judge Simpson that with no further business before the Court the meeting adjourned. Motion Carried 5-0 Meeting was adjourned 10:00 a.m.

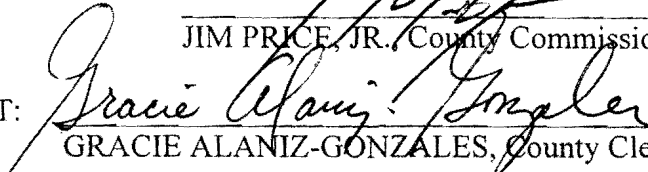
  
TERRY SIMPSON, County Judge

  
NINA TREVINO, County Commissioner, Precinct 1

  
FRED P. NARDINI, County Commissioner, Precinct 2

  
ALMA V. MORENO, County Commissioner, Precinct 3

  
JIM PRICE, JR., County Commissioner, Precinct 4

ATTEST:   
GRACIE ALANIZ-GONZALES, County Clerk, Ex Officio