THE STATE OF TEXAS \* COMMISSIONERS COURT

COUNTY OF KENEDY \* OF KENEDY COUNTY, TEXAS

On the 11th day of July, 2022, at 9:00 o'clock a.m., a regular meeting of the Commissioners Court of Kenedy County, Texas, was held in the Kenedy County Courthouse.

**Commissioners present:**

Charles E. Burns, County Judge

Joe Recio, Commissioner, Precinct No. 1

Israel Vela, Jr., Commissioner, Precinct No. 2

Sarita Armstrong-Hixon, Commissioner, Precinct No. 3

Gumecinda "Cindy" Gonzales, Commissioner, Precinct No. 4

**Also present:**

Veronica Vela, County & District Clerk

Cynthia Salinas, County Treasurer

Leo Villarreal, Administrative Assistant

Grace Salinas, Administrative Secretary

Allison Strauss, County Attorney, by phone

Ramon Salinas, Sheriff

JP Cecelia Schulz

Tom Denny, County Appraiser

Andy Garza, Kenedy County Groundwater Conservation District

Jose E. Mendietta, Fire Chief

Daniel Almeida

Richard Flores

**Absent**:

Irma Longoria, County Tax Assessor/Collector

Ruben Hernandez, Maintenance Supervisor

Deputy Cameron Kirk

Brian Birdwell, Elections Administrator

1. **Judge Burns Called the Meeting to Order at 9:00 a.m., Quorum Present**.

Judge Charles E. Burns called the meeting to order at 9:00 a.m. and announced that a quorum was present.

1. **Pledge of Allegiance**.

Judge Charles E. Burns lead the Commissioners Court in the Pledge of Allegiance.

1. **Receive Public Comments**.

No public comments were made.

1. **Discuss & Act on the Regular Minutes of June 6th, 2022 and the Special Minutes of June 21st, 2022**.

Judge Charles E. Burns presented the Commissioners Court Minutes of the regular June 6, 2022 meeting and the special June 21, 2022, meeting.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the minutes of the Minutes of the regular June 6, 2022 meeting and the special June 21, 2022, meeting be accepted as presented.

1. **Discuss & Act on Brad Womack’s Report on Kleberg Bank’s CD Rates**.

Brad Womack with Kleberg Bank was not present; therefore, Commissioner Gumecinda “Cindy” Gonzales moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that this item be tabled.

1. **Discuss & Act on Treasurer’s Monthly Report and Transfers**.

Cynthia Salinas, County Treasurer, presented the Treasurer's Monthly Reports and Transfers for the month ending June 20, 2022 and informed the Commissioners Court that Brad Womack should be present to address present and future interest rates and withdrawal penalties.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Gumecinda “Cindy” Gonzales seconded the motion; the motion was unanimously passed that the Treasurer's Monthly Reports and Transfers ending June 20, 2022, be accepted as presented.

1. **Discuss & Act on the Sheriff’s Monthly Report**.

Deputy Eddie Cruz presented the Sheriff’s monthly report to the Commissioners Court for the month ending June 30, 2022 and stated that there has been an increase in calls for service; that there were 11 bodies recovered in the last 30 days and one accident; and that 30 people were incarcerated.

Sheriff Ramon Salinas stated that six bodies were recovered in one week and the Justices of the Peace have been very busy.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the Sheriff’s monthly report be accepted as presented.

1. **Discuss & Act on Fire Chief’s Monthly Report**.

Jose E. Mendietta, Fire Chief, presented the Fire District’s monthly report to the Commissioners Court for the month ending June 30, 2022.

This being a report only, no vote was needed and none was taken.

1. **Discuss & Act on the Maintenance Department Monthly Report**.

Commissioner Joe Recio presented the Maintenance Department’s monthly report to the Commissioners Court for the month ending June 30, 2022.

Commissioner Gumecinda “Cindy” Gonzales moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously accepted that the Maintenance Department monthly report be approved as presented.

1. **Receive Daniel Almeida and Act on the Sewer & Water System Monthly Report**.

Daniel Almeida presented to the Commissioners Court the monthly Sewer & Water System report and stated that the pump was installed and was running well and that he is working with a customer whose fixtures filled up with sand and that he will report on the success thereof.

Commissioner Gumecinda “Cindy” Gonzales moved and Commissioner Sarita Armstrong-Hixon seconded the motion; the motion was unanimously passed that the Sewer & Water System monthly report be accepted as presented.

1. **Discuss & Act on Approving the Designation of Kenedy County Office, Tax Assessor Collector and/or Chief Deputy, to Calculate and Publish the No-New-Revenue Tax Rate and Voter Approval Tax Rates for 2022 and Until Further Notice and Take Any Appropriate Action**.

Judge Charles E. Burns informed the Commissioners Court of the need to designate the Kenedy County Tax Office, Tax Assessor Collector and/or Chief Deputy to calculate and publish the no-new-revenue tax rate and voter approval tax rates for 2022 and that the Kenedy County Tax Office, Tax Assessor Collector and/or Chief Deputy remain designated as such until further notice.

Commissioner Gumecinda “Cindy” Gonzales moved and Commissioner Sarita Armstrong-Hixon seconded the motion; the motion was unanimously passed that the Kenedy County Tax Office, Tax Assessor Collector and/or Chief Deputy is designated to calculate and publish the no-new-revenue tax rate and voter approval tax rates for 2022 and that the Kenedy County Tax Office, Tax Assessor Collector and/or Chief Deputy remain designated as such until further notice.

1. **Discuss & Act on the Tax Office Using the TNT (Truth in Taxation) Software Provided by Appraisal & Collection Technologies (ACT) Beginning 2022**.

Irma Longoria, Tax Assessor/Collector, informed the Commissioners Court of the need for the Tax Office to use the TNT (Truth in Taxation) Software provided by Appraisal & Collection Technologies (ACT) beginning 2022.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Gumecinda “Cindy” Gonzales seconded the motion; the motion was unanimously passed that the Tax Office is authorized to use the TNT (Truth in Taxation) Software provided by Appraisal & Collection Technologies (ACT) beginning 2022.

1. **Receive Richard Flores with Bearcom Regarding his Report on the Cell Tower Project and Act If Necessary**.

Richard Flores with Bearcom informed the Commissioners Court that the general design of the system has been completed on the Kenedy County Radio and Surveillance project; that they are now in the process of bringing all of the technical information together along with pricing in order to develop a proposal for the County. There are elements which fall in the scope of the project but will require local resources to perform the work:

Tower work – Sarita and Voter 3

Connex site chelters – Voter 3 and Voter 4

Foundation – Voter 3 and Voter 4

Electrical – Water tower, Voter 3 and Voter 4

Fencing – Voter 3

Engineering – Sarita Water Tower

He further reported that he has developed a preliminary project task worksheet and that while we have handshake agreements with commercial tower groups SBA, Hemphill and United Radio, it might be helpful to bring them in for general discussions with the county. Conversations and agreements still must be worked with the Yturria and King Ranch to ensure that everyone agrees to the terms of the contracts and policies so we do not have unresolved issues which might create problems later on.

This being a report only, no vote was needed and none was taken.

1. **Receive Javier Zambrano with GrantWorks Monthly Reports Regarding Compliance with Colonia Grant #7219075 and Community Development Grant #7219220 and Act if Necessary**.

Javier Zambrano with GrantWorks presented the Commissioners Court with GrantWorks’ monthly reports regarding compliance with Colonia Grant #7219075 and Community Development Grant #7219220 and stated that a south well generator is being added. He further stated that the project is coming to an end and because of change orders not being approved and the electrician not showing up is slowing contract completion down. An extension has been requested because the contract has an ending date of September 30, 2022.

This being a report only, no vote was needed and none was taken.

1. **Receive Report on the Construction Progress Regarding the Justice of the Peace Building/Hurricane Shelter**.

Judge Charles E. Burns presented the Commissioners Court with a report on the construction progress regarding the Justice of the Peace Building/Hurricane Shelter; that mesquite lumber will be used to build the benches, jury box and tables; that Nueces Electric has been contacted regarding the removal of the electrical poles; and and that all services will be underground. Leo Villarreal stated that the school has made the kitchen available for use during a hurricane.

This being a report only, no vote was needed and none was taken.

1. **Discuss & Act on Ralph Cuellar’s Mobile Home Status Report.**

Judge Charles E. Burns and Leo Villarreal informed the Commissioners Court that on July 7th, 2022, the mobile home had been inspected; that the mobile home is not reparable and needs to be demolished or moved because it is not habitable; the metal roofing is folded over and can become a projectile during a hurricane or high wind. Leo Villarreal stated that Frank Lopez, the contractor, an electrician, a plumber, the Fire Chief and Mr. Nick Daniels, the Kingsville Home Inspector, were present during the inspection. Leo Villarreal stated that he needed to receive the reports from all of the inspectors before moving forward.

This being a report only, no vote was needed and none was taken.

1. **Discuss & Act on County Buildings Safety**.

Judge Charles E. Burns and Leo Villarreal informed the Commissioners Court that Judge Burns and Sheriff Salinas are working on the costs for the Sheriff’s Office to be able to monitor all outside activity of the county public buildings and that they are working on a plan to protect all the public buildings and school.

Commissioner Gumecinda “Cindy” Gonzalez moved and Commissioner Sarita Armstrong-Hixon seconded the motion; the motion was unanimously passed that research continue on the safety of our county buildings and school.

1. **Consent Agenda:**
2. **Approve Travel and Registration Expenses for Grace Salinas to attend the TCDRS Annual Conference in Austin, Tx on July 20-22, 2022. ($1,097.55 within budget)**
3. **Approve Registration and Meal Expenses for Ashley Gonzalez to attend the T-CPR TCOLE #786 and Basic CPR Training in Aransas Pass, Tx on July 12, 2022. ($80.00 within budget)**
4. **Approve Registration and Meal Expenses for Nicole Longoria to attend the T-CPR TCOLE #786 and Basic CPR Training in Aransas Pass, Tx on July 12, 2022.($80.00 within budget)**
5. **Approve Registration and Meal Expenses for Amy Ybarra to attend the T-CPR TCOLE #786 and Basic CPR Training in Aransas Pass, Tx on July 13, 2022.($80.00 within budget)**
6. **Approve Registration and Meal Expenses for Lionel Longoria, Jr. to attend the T-CPR TCOLE #786 and Basic CPR Training in Aransas Pass, Tx on July 13, 2022.($80.00 within budget)**
7. **Approve Registration, Meals, and Lodging for Gilberto San Miguel, Jr. to attend SOT (Sheriff’s Association of Tx) Conference in Fort Worth, Tx on July 23-27, 2022. ($1,450 within budget)**
8. **Approve Registration for Irma Longoria for Online 2022 Legislative Conference on August 24- 26, 2022. ($175.00 within budget)**

Judge Charles E. Burns informed the Commissioners Court of the need to consider the Consent Agenda.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously approved that the Consent Agenda is approved.

1. **Report on Sam Noble Park Usage for Community Events**.

Judge Charles E. Burns informed the Commissioners Court that some residents have requested permission to use the park. Cynthia Salinas stated that some churches were requesting use of the park and that there will be a park committee meeting tomorrow at the Courthouse to address the park rules and forms.

This being a report only, no vote was needed and none was taken.

1. **Receive Report on Fire Prevention Committee**.

Judge Charles E. Burns informed the Commissioners Court that the Fire Prevention Committee had met and they are still working on a plan of action and will address the lots and perimeter of the townsite due to fires and will include mulching the properties.

This being a report only, no vote was needed and none was taken.

1. **Discuss & Act on Signing the Property Damage Release Form from National General Upon Receiving Insurance Payment Regarding the Damaged License Plate Reader**.

Judge Charles E. Burns informed the Commissioners Court of the need to consider signing the property damage release form from National General upon receiving the $25,000.00 insurance payment regarding the damaged license plate reader.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Gumecinda “Cindy” Gonzales seconded the motion; the motion was unanimously passed that Judge Charles E. Burns is authorized to sign the property damage release form from National General upon receipt of the $25,000.00 insurance proceeds.

1. **Discuss & Act on Policy for Placing and Removing Political Signs**.

Judge Charles E. Burns and Leo Villarreal informed the Commissioners Court of the need to consider creating a policy for placing and removing political signs and that Kingsville and Kleberg County had a political sign policies and will be consulted for their contributions; thereafter, a report will be provided to the Commissioners Court regarding the creation of a political sign policy.

This being a report only, no vote was needed and none was taken.

1. **Approve Reimbursement of $855.58 for Registration and Lodging expenses for Sarita Hixon While Attending the South Texas Judges & Commissioners Association Annual Conference in Corpus Christi, Tx**.

Judge Charles E. Burns informed the Commissioners Court of the need to consider reimbursing Sarita Hixon $855.58 for registration and lodging expenses while attending the South Texas Judges & Commissioners Association Annual Conference in Corpus Christi, Texas.

Commissioner Gumecinda “Cindy” Gonzales moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the County reimburse Sarita Hixon $855.58 for registration and lodging expenses while attending the South Texas Judges & Commissioners Association Annual Conference in Corpus Christi, Texas.

1. **Discuss & Act Whether New Positions May be Created Pursuant to TAC’s Opinion and Rules**.

Judge Charles E. Burns informed the Commissioners Court of the need to consider whether new positions may be created pursuant to TAC’s opinion and rules.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Gumecinda “Cindy” Gonzales seconded the motion; the motion was unanimously passed that the County Attorney determine if an emergency exists in creating new positions due to the increase in cases in the District and County Clerks’ office.

1. **Discuss & Act on Extending the Burn Ban**.

Judge Charles E. Burns informed the Commissioners Court of the need to consider extending the burn ban an additional 90 days.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the Kenedy County Burn Ban be extended for 90 days.

1. **Discuss & Act on Mr. Rosales’ Proposal Regarding Grass for the Courthouse**.

Judge Charles E. Burns informed the Commissioners Court of the need to consider Mr. Rosales’ proposal regarding planting grass on the Courthouse grounds for the amount of $9,000.00.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that Mr. Rosales’ $9,000.00 proposal to plant grass on the Courthouse grounds be accepted as presented.

1. **Discuss & Act on Establishing Fees to Clean Lots with Tall Grass**.

Judge Charles E. Burns informed the Commissioners Court of the need to consider establishing a policy regarding cleaning lots in the Sarita Townsite which have overgrown with tall grass and are fire hazards.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Gumecinda “Cindy” Gonzales seconded the motion; the motion was unanimously passed that research be made to develop a policy and fee schedule to be charged for the County to mow and clean lots in the Sarita townsite.

1. **Discuss & Act on TexMesonet Weather Station Proposal**.

Judge Charles E. Burns informed the Commissioners Court of the need to consider the placing of a TexMesonet Weather Station in Kenedy County.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that this proposal be investigated to determine a private or public place to locate the TexMesonet Weather Station in Kenedy County.

1. **Discuss & Act on Kenedy County Policy Regarding Kenedy County Employees, Which are Firefighter Volunteers, Responding to Emergency Calls**.

Allison Strauss, County Attorney, informed the Commissioners Court of the need to table this item for further study.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that this item be tabled.

1. **Discuss & Act on Purchasing a Digital Recorder for Commissioners Court Purposes**.

Judge Charles E. Burns informed the Commissioners Court of the need to consider purchasing a digital recorder for Commissioners Court purposes.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that this item be tabled so that Allison Strauss may research the matter.

1. **Discuss & Act on Options to Hire Workers for Election Day Polling Places**.

Judge Charles E. Burns informed the Commissioners Court of the need to consider employing Kenedy County employees to work on Election Day polling places at the same employee’s hourly wages.

Commissioner Gumecinda “Cindy” Gonzales moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Kenedy County employees may be employed as workers for Election Day polling places at the employee’s hourly wages.

1. **Discuss & Act on Election Administrator’s Temporary Part-time Employment of Eva Elisa Munoz**.

Judge Charles E. Burns informed the Commissioners Court of the need to consider changing Eva Elisa Munoz’s position of a clerk to a temporary part-time position.

Commissioner Gumecinda “Cindy” Gonzales moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that Eva Elisa Munoz’s position to temporary part-time employment be approved.

1. **Discuss & Act on Payment to Langford Community Management Services for TxDot CTIF Project**.

Judge Charles E. Burns informed the Commissioners Court of the need to consider paying $22,157.00 to Langford Community Management Services for the TxDot CTIF Project.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that Langford Community Management Services be paid $22,157.00 for the TxDot CTIF Project.

1. **Distribute Budget Worksheets to Department Heads for Review and Setup Special Meeting for Budget Workshop and Act If Necessary**.

Judge Charles E. Burns distributed Budget Worksheets to the Commissioners Court that were copies thereof of those that were distributed to the Department Heads to review and that a special meeting for the Budget Workshop needed to be determined.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the 2023 Budget Workshop is set for August 8, 2022, at 2:00 p.m.

1. **Discuss & Act on Consolidating Polling Places in the Sarita Townsite and in Armstrong and Norias**.

Judge Charles E. Burns informed the Commissioners Court of the need to consider consolidating polling places in the Sarita Townsite and in Armstrong and Norias.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Allison Strauss, County Attorney, research the possibility of consolidating polling places in the Sarita Townsite and in Armstrong and Norias.

1. **Discuss & Act on Payment of Bills**.

Judge Charles E. Burns presented the Commissioners Court with the bills to be paid.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the bills be paid as presented.

1. **EXECUTIVE SESSION: TEXAS GOVERNMENT CODE, § 551.071, § 551.072, § 551.073 § 551.074 - PERSONNEL**

Judge Charles E. Burns announced, at 11:45 a.m., to the Commissioners’ Court of the need to enter into Executive Session, pursuant to Texas Government Code, Section 551.074 regarding personnel matters.

1. **OPEN SESSION: Discuss & Act on Items Addressed in Executive Session**.

The Commissioners’ Court returned to Open Session at 12:00 o’clock p.m.

Commissioner Gumecinda “Cindy” Gonzales moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Ruben Hernandez be given the option to resign by July 15, 2022 at 5:00 p.m. or be terminated as Maintenance Supervisor on July 15, 2022.

1. **Discuss & Act on Advertising of the Hiring of a Maintenance Supervisor**

Judge Charles E. Burns informed the Commissioners Court of the need to consider placing an advertisement to hire a new Maintenance Supervisor.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Gumecinda “Cindy” Gonzales seconded the motion; the motion was unanimously passed that the position of Maintenance Supervisor be advertised.

1. **Adjournment**.

There being no further business to come before the Commissioners Court, Commissioner Sarita Armstrong-Hixon moved and Commissioner Gumecinda “Cindy” Gonzales seconded the motion the motion was unanimously passed that the Commissioners Court Meeting be adjourned at 12:05 p.m.

/s/ Charles E. Burns

Charles E. Burns, County Judge

ATTESTED:

/s/ Veronica Vela

VERONICA VELA,

Clerk of Commissioners Court