THE STATE OF TEXAS \* COMMISSIONERS COURT

COUNTY OF KENEDY \* OF KENEDY COUNTY, TEXAS

On the 11th day of April, 2023, 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

Jose Salazar, Commissioner, Precinct No. 4

**Also present:**

Veronica Vela, County & District Clerk

Leo Villarreal, Administrative Assistant

Cynthia Salinas, County Treasurer

Irma Longoria, Tax Assessor/Collector

Grace Salinas, Administrative Secretary

Allison Strauss, County Attorney

Stephanie Garza, Elections Administrator

Jose E. Mendietta, Fire Chief

Capt. Eddie Cruz, Sheriff’s Dept.

Tom Denney, Chief Appraiser

Anita Garza, Appraisal District

JP Patti Fain

JP Cecilia Schulz

JP Jana Norrell

Caleb Maltby, Maltby Builders, Inc.

Sandra Maltby, Maltby Builders, Inc.

Javier Zambrano, GrantWorks

Sandra Guzman, Sheriff’s Office

Andy Garza, Kenedy County GCD

Nelda Barrera, GrantWorks

Bill Killian, Frontier Waste

Ernesto Lerma

Jennifer Cuellar

Glenda Gonzalez

Monica Gutierrez

Frank Escobedo, County Agent

Biral Patel, TAC Health & Wellness

Yvette UtleyLoneStarStrategy Group,LLC

William Dieterle

Elizabeth Alaniz

Linda de Leon

Tammy Mendez

Norma Zavala

**Absent**:

Ramon Salinas, III, County Sheriff

JP Jerry Miller

Daniel Almeida

**1.** **Call Meeting to Order at 9:00 a.m**.

Judge Charles E. Burns called the meeting to order at 9:00 a.m.

**2.** **Pledge of Allegiance.**

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

**3.** **Receive Public Comments**.

No public comments were made.

**4.** **Present Ernesto Lerma with a Certificate for Obtaining the Vector & Domestic Rodent Pest Control License**.

Judge Charles E. Burns presented Ernesto Lerma with a certificate and a gift card for obtaining the Vector & Domestic Rodent Pest Control License.

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

**5.** **Receive Yvette Utley with Lone Star Strategy Group, LLC to Present Her Proposal for Consulting Service**.

Yvette Utley with Lone Star Strategy Group, LLC presented the Commissioners Court with her proposal for consulting services for the county, Sheriff’s office and the Kenedy County Fire & Emergency Services District #1 and that her fee would be $3,000.00 a month. Judge Burns stated the issue whether Michelle Martinez had been hired as a Grant Writer and whether the position should be posted were issues to be determined prior to any decision being made.

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

**6.** **Receive Biral Patel with TAC Health & Wellness to Present the Healthy County Wellness Program**.

Biral Patel with TAC Health & Wellness presented the Commissioners Court with the Healthy County Wellness Program; that the County should incentivize employee participation so more employees will get their annual exams, dental cleaning and participation in the many wellness activities; that she would have her team create this program on the TAC site; and that $980.00 be transferred to the wellness meeting and fair budget.

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

**7.** **Receive Abdul Kamar with the Texas Department of State Health Services to Address Emergency Preparedness and Program Specific Regional Updates**.

Abdul Kamar was unable to be present; therefore, Fire Chief Jose E. Mendietta presented the Commissioners Court with the Texas Department of State Health Services Emergency Preparedness and Program Specific Regional Updates including Covid 19 shots to be given every three months after the Food Bank distribution was made.

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

**8.** **Discuss & Act on the Regular Minutes of March 13, 2023 and the Special Meeting Minutes of March 20, 2023**.

Judge Charles E. Burns presented the Commissioners Court Minutes of the regular March 13, 2023, and special March 20, 2023 meetings.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the minutes of the Minutes of the regular March 13, 2023, meeting be accepted as presented and that the special March 20, 2023 minutes, Agenda Item 4, be revised with more specific language.

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

Cynthia Salinas, County Treasurer, presented the Treasurer's Monthly Report and Transfers for the month ending March 31, 2023 and the GOMESA funds update which provides for hurricane protection and the receipt of $1,067,607.77.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed the Treasurer's Monthly Report and Transfers ending March 31, 2023, be accepted as presented.

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

Capt. Eddie Cruz presented the Sheriff’s monthly report to the Commissioners Court for the month ending March 31, 2023 including a 15-year-old adolescent that his deputies had to hold and care for for 18 hours.

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

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

Jose E. Mendietta, Fire Chief, presented the Commissioners Court with the Fire District report and that he had certificate cards for the people who had taken the CPR classes and will get dates for future CPR classes.

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

**12.** **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 March 31, 2023.

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

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

Daniel Almeida was not present at the Commissioners Court to present his Sewer & Water System Monthly Report.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Daniel Almeida’s Sewer & Water System monthly report be tabled.

**14.** **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 GrantWorks monthly report to the Commissioners Court regarding the Kenedy County 7219220 and 7219075 as follows:

Grant No. 7219220 (CD): Contractor – Southern Trenchless Solutions; Subcontractor – Donald Hubert Construction

1. Project Completion Report and Payment for Final Admin were submitted to TDA on March 31, 2023. Congratulations to the County for closing out this grant. TDA will review submissions within the next few months and reach out if there are any comments or questions.
2. The County should be checking their bank accounts in case TDA releases funds for Payment Request 4 this week. The breakdown is attached. A detailed email will be sent.

Grant No. 7219075 (Colonia): Contractor – Donald Hubert Construction; Subcontractor – Southern Trenchless Solutions

1. The generator arrived at the project site a few weeks ago. Waiting on installation status from Hector Castaneda, the Engineer.
2. Small Purchase Solicitation has begun. Hector Castaneda has received quotes for the first-time installation, but not the lift station pump. Hector Castaneda is checking to see if he received quotes for the lift station pump and a plan should be ready to move forward with an award recommendation by the end of the week.

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

**15.** **Discuss & Act on (Reconsideration of Item #11 on January 9, 2023, Agenda and Minutes, to replace GrantWorks with Kenedy County) and be Worded, “Discuss & Act on Authorizing Kenedy County to Issue Requests for Proposals (RFPs) for Administrative Service and Request for Qualifications (RFQs) for Engineering Services Related to the 2023 Colonia Fund-Construction (CFC) Administered by the Texas Department of Agriculture (TDA)**.

Judge Charles E. Burns informed the Commissioners Court that GrantWorks had requested that Item 11 of the January 9, 2023, Agenda and Minutes be revised as follows:

Agenda Item 11: “Discuss & Act on Authorizing Kenedy County to Issue Requests for Proposals (RFPs) for Administrative Service and Request for Qualifications (RFQs) for Engineering Services Related to the 2023 Colonia Fund-Construction (CFC) Administered by the Texas Department of Agriculture (TDA)”

Minutes: “Judge Charles E. Burns informed the Commissioners regarding the need to authorize Kenedy County to issue requests for proposals (RFPs) for administrative service and requests for qualifications (RFQs) for engineering services related to the 2023 Colonia Fund-Construction (CFC) administered by the Texas Department of Agriculture (TDA).

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Kenedy County is authorized to issue requests for proposals (RFPs) for administrative service and requests for qualifications (RFQs) for engineering services related to the 2023 Colonia Fund-Construction (CFC) administered by the Texas Department of Agriculture (TDA).”

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that Item 11 of the January 9, 2023, Agenda and Minutes be revised as follows:

Agenda Item 11: “Discuss & Act on Authorizing Kenedy County to Issue Requests for Proposals (RFPs) for Administrative Service and Request for Qualifications (RFQs) for Engineering Services Related to the 2023 Colonia Fund-Construction (CFC) Administered by the Texas Department of Agriculture (TDA)”

Minutes: “Judge Charles E. Burns informed the Commissioners regarding the need to authorize Kenedy County to issue requests for proposals (RFPs) for administrative service and requests for qualifications (RFQs) for engineering services related to the 2023 Colonia Fund-Construction (CFC) administered by the Texas Department of Agriculture (TDA).

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Kenedy County is authorized to issue requests for proposals (RFPs) for administrative service and requests for qualifications (RFQs) for engineering services related to the 2023 Colonia Fund-Construction (CFC) administered by the Texas Department of Agriculture (TDA).”

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

Caleb Maltby informed the Commissioners Court regarding the construction progress of the Justice of the Peace Building/Hurricane Shelter and that the completion date was estimated to be at the end of June 2023.

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

**17.** **Consent Agenda:**

**(A) Approve Registration and Travel Expenses for Irma Longoria to Attend the 89th Annual Tax Assessor Collectors Association Conference in Dallas, Tx on June 4-7, 2023. ($1,630.17 within budget).**

**(B) Approve Registration and Travel Expenses for Grace Salinas to Attend the 2023 County Technology Conference in Round Rock, TX on May 16-19, 2023. ($1,348.50 within budget)**

**(C) Approve Registration & Meal Expenses for Ernesto Lerma to Attend the Pesticide Applicator Testing on April 27, 2023 in Corpus Christi, Tx. ($176.00 within budget)**

**(D) Approve Travel & Meal Expenses for 2 Telecommunicators to Attend the TCIC/TLETS Full Access Training in New Braunfels, Tx on April 25-28, 2023, Tx. ($1,200.00 within budget)**

Judge Charles E. Burns informed the Commissioners Court that the following employees and public officials needed to attend the below seminars/conferences and be advance/reimbursed their expenses provided that proper receipts are given:

Name: Irma Longoria

Seminar: 89th Annual Tax Assessor Collectors Association Conference

Date: June 4-7, 2023

Place: San Marcos, Texas

Amount: $1,630.17

Name: Grace Salinas

Seminar: 2023 County Technology Conference

Date: May 16-19, 2023

Place: Round Rock, Texas

Amount: $1,348.50

Name: Ernesto Lerma

Seminar: Pesticide Applicator Testing

Date: April 27, 2023

Place: Corpus Christi, Texas

Amount: $176.00

Name: 2 Telecommunicators

Seminar: TCIC/TLETS Full Access Training

Date: April 25-28, 2023

Place: New Braunfels, Texas

Amount: $1,200.00

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the following employees/public officials attend the below seminars/conferences and be advance/reimbursed the costs thereof provided proper receipts are given:

Name: Irma Longoria

Seminar: 89th Annual Tax Assessor Collectors Association Conference

Date: June 4-7, 2023

Place: San Marcos, Texas

Amount: $1,630.17

Name: Grace Salinas

Seminar: 2023 County Technology Conference

Date: May 16-19, 2023

Place: Round Rock, Texas

Amount: $1,348.50

Name: Ernesto Lerma

Seminar: Pesticide Applicator Testing

Date: April 27, 2023

Place: Corpus Christi, Texas

Amount: $176.00

Name: 2 Telecommunicators

Seminar: TCIC/TLETS Full Access Training

Date: April 25-28, 2023

Place: New Braunfels, Texas

Amount: $1,200.00

**18.** **Discuss & Act on Travel/Mileage Reimbursement for Irma Longoria to Attend the 1st Quarter TACA Coastal Bend Regional Meeting in Rockport, Tx on April 5, 2023 ($120.52 within budget)**.

Judge Charles E. Burns informed the Commissioners Court of the need to reimburse Irma Longoria $120.53 for her travel/mileage for attending the 1st Quarter TACA Coastal Bend Regional Meeting in Rockport, Texas on April 5, 2023.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Irma Longoria be reimbursed $120.53 for her travel/mileage for attending the 1st Quarter TACA Coastal Bend Regional Meeting in Rockport, Texas on April 5, 2023.

**19.** **Discuss & Act on Deputations for Telecommunicators Cynthia Cruz and Emma Simms**.

Judge Charles E. Burns informed the Commissioners Court that Telecommunicators Cynthia Cruz and Emma Simms needed to be deputized.

Commissioner Israel Vela, Jr. moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Telecommunicators Cynthia Cruz and Emma Simms be deputized.

**20.** **Discuss & Act on Adopting a Resolution to Designate Authorized Signatories for the Texas Community Development Block Grant Program**.

Judge Charles E. Burns informed the Commissioners Court of the need to adopt a resolution to designate authorized signatories for the Texas Community Development Block Grant Program as follows:

RESOLUTION

A RESOLUTION of the Commissioners Court of Kenedy County, Texas. Authorizing Kenedy County Representatives in Matters Pertaining to the County’s Participation in the Texas Community Development Block Grant Program.

WHEREAS, the Commissioners Court of Kenedy County desire to develop a viable community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to-moderate income; and

WHEREAS, it is necessary and in the best interests of the Kenedy County to participate in the Texas Community Development Block Grant Program; and

WHEREAS, The Commissioners Court of Kenedy County is committed to comply with federal, state and program rules, including the current TxCDBG Project Implementation Manual; and

NOW, THEREFORE, BE IT RESOLVED by the Commissioners Court of Kenedy County, Texas:

That the Commissioners Court directs and designates the following to act in all matters in connection with any grant application and the County’s participation in the Texas Community Development Grant Program;

The County Judge and County Clerk shall serve as the County’s Chief Executive Officer and Authorized Representative to:

Execute a grant application and subsequent contractual documents

Certify environmental review documents between the Texas Department of Agriculture and the County;

Certify the Payment Request form and/or other forms required for requesting funds to reimburse project costs; and

Be assigned the role of Authorized Official in the TDA-GO grant management system.

In addition to the above designated officials, should any grant be funded, the County Auditor, County Treasurer is authorized to:

Certify the Payment Request form and/or other forms required for requesting funds to reimburse project costs;

Prepare and submit other financial documentation; and

Be assigned the role of Project Director or Payment Processor in the TDA-GO grant management system.

PASSED AND APROVED this 11th day of April, 2023.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the above Resolution to Designate Authorized Signatories for the Texas Community Development Block Grant Program be adopted as above stated.

**21.** **Discuss & Act on Adopting a Resolution Authorizing the Submission of a Texas Community Development Block Grant Program Application and Adopting Required CDBG Civil Rights Policies**.

Judge Charles E. Burns informed the Commissioners Court of the need to adopt a resolution authorizing the Submission of a Texas Community Development Block Grant Program Application and Adopting Required CDBG Civil Rights Policies entitled:

RESOLUTION

A RESOLUTION OF THE COMMISSIONERS COURT OF COUNTY OF KENEDY, TEXAS, AUTHORIZING THE SUBMISSION OF A 2023/2024 TEXAS COMMUNITY DEVELOPMENT GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE COMMUNITY DEVELOPMENT FUND and adopting the Required CDBG Civil Rights Policies.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the following Resolution Authorizing the Submission of a Texas Community Development Block Grant Program Application and Adopting Required CDBG Civil Rights Policies be adopted as stated above.

**22.** **Discuss & Act on Accepting the Community-Wide Housing Analysis Performed Regarding Impediments to Fair Housing for the County of Kenedy**.

Judge Charles E. Burns informed the Commissioners Court of the need to consider accepting the Community-Wide Analysis Performed Regarding Impediments to Fair Housing for the County of Kenedy.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the Resolution regarding the Community-Wide Analysis Performed Regarding Impediments to Fair Housing for the County of Kenedy be accepted as presented and that April be declared as Fair Housing Month.

**23.** **Discuss & Act on Governor Abbott’s Proclamation Renewing the Disaster Proclamation Concerning Border Security**.

Judge Charles E. Burns informed the Commissioners Court of the need to consider accepting Governor Abbott’s March 22, 2023 Proclamation Renewing the Disaster Proclamation Concerning Border Security.

Commissioner Joe Recio moved and Commissioner Sarita Armstrong-Hixon seconded the motion; the motion was unanimously passed that Governor Abbott’s March 22, 2023 Proclamation Renewing the Disaster Proclamation Concerning Border Security to accepted as presented.

**24.** **Discuss & Act on Resolution Regarding the Local Border Security Program (LBSP) Grant #2989409**.

Judge Charles E. Burns informed the Commissioners Court of the need to adopt the Resolution Regarding the Local Border Security Program (LBSP) Grant #2899409 and proceeded to read the resolution.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the Resolution Regarding the Local Border Security Program (LBSP) Grant #2899409 be adopted as presented.

**25.** **Discuss & Act on Signing the Resolution Regarding the 2023 Opioids’ Settlements**.

Judge Charles E. Burns informed the Commissioners Court of the need to consider signing the Resolution Regarding the 2023 Opioids’ Settlement.

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

**26.** **Discuss & Act on Posting Bids Regarding Bank Contracts.**

Judge Charles E. Burns informed the Commissioners Court of the need to post bids regarding bank contracts.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that Leo Villarreal is authorized to publish an Invitation for Bids for the 2023 Kenedy County bank contracts.

**27.** **Discuss & Act on Bid Proposal Regarding the Kenedy County Courthouse Repairs**.

Judge Charles E. Burns informed the Commissioners Court that Maltby Builders, Inc.’s bid was the only bid which was received in the amount of $46,188.60 regarding the Kenedy County Courthouse Repairs.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Maltby Builders, Inc.’s bid in the amount of $46,188.60 be approved.

**28.** **Discuss & Act on the Title Invoice Regarding the TDHCA Grant Program in the Amount of $1,838.00**

Judge Charles E. Burns informed the Commissioners Court that a $1,838.00 invoice had been received regarding the TDHCA Grant Program.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the $1,838.00 invoice regarding the TDHCA Grant Program be paid as presented.

**29.** **Discuss & Act on the Purchase of 8 Poll Pads from KnowInk in the Amount of $2,400.00, for the Processing of Registered Voters During Elections Held in Kenedy County from Election Administrator Line Item 1000-0490-4116 (Computers/Printers).**

Judge Charles E. Burns informed the Commissioners Court of the need to purchase eight poll pads from KnowInk in the amount of $2,400.00 for processing the registered voters during elections held in Kenedy County and to be paid from the Election Administrator line item 1000-0490-4116 (Computers/Printers).

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that eight poll pads from KnowInk be purchased for the amount of $2,400.00 for the processing of registered voters during elections held in Kenedy County to be paid from the Election Administrator line item 1000-0490-4116 (Computers/Printers).

**30.** **Discuss & Act on the Purchase of Software and Supplies Needed for the Use of the KnowInk Poll Pad from Hart in the Amount of $11,060.00 from Election Administrator Line Item 1000-0490-4116 (Computers/Printers).**

Judge Charles E. Burns informed the Commissioners Court of the need to purchase software and supplies for the use of the KnowInk Poll Pads from Hart in the amount of $11,060.00 to be paid from the Election Administrator line item 1000-0490-4116 (Computers/Printers).

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that software and supplies be purchased for the use of the KnowInk Poll Pads from Hart in the amount of $11,060.00 to be paid from the Election Administrator line item 1000-0490-4116 (Computers/Printers).

**31.** **Discuss & Act on the Purchase of 6 Express Vote Printers from ES&S in the Amount of $4,800.00 from Election Administrator Line Item 1000-0490-4116 (Computers/Printers).**

Judge Charles E. Burns informed the Commissioners Court of the need to purchase six express vote printers from ES&S in the amount of $4,800.00 to be paid from the Election Administrator line item 1000-0490-4116 (Computers/Printers).

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that purchase six express vote printers be purchased from ES&S in the amount of $4,800.00 to be paid from the Election Administrator line item 1000-0490-4116 (Computers/Printers).

**32.** **Report on the Transfer of Contract Document Regarding Absolute Waste Sold to Frontier Waste.**

Judge Charles E. Burns informed the Commissioners Court that Absolute Waste had sold its business to Frontier Waste and that there was a need to sign the Transfer Agreement.

Bill Killian, owner of Frontier Waste, addressed the Commissioners Court and stated that he will continue to honor Absolute Waste’s contract and the current contract with Absolute Waste will expire either April 30 or May 31 and he will automatically renew with no interruption in service.

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

**33.** **Discuss & Act on Incentive Pay for Kenedy County Workers**

Judge Charles E. Burns informed the Commissioners Court of the need to consider to offer incentive to employees who obtain certification to improve their work skills.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that Kenedy County employees who obtain certifications which improves their work skills be offered incentive pay.

**34**. **Discuss & Act on Replacing the Armstrong Tower Building**

Judge Charles E. Burns informed the Commissioners Court of the need to consider replacing the Armstrong tower building for the cost of $4,070.00.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that to purchase and get deliver of an 8x12 building and awning for the amount of $4,070.00 (without enclosing the generator).

**35.** **Discuss & Act on the Purchase of New Tires from Amazon for the Polaris, Not to Exceed $450.00 for a Set of Four Tires.**

Judge Charles E. Burns informed the Commissioners Court of the need to consider purchasing new tires from Amazon for the Polaris, not to exceed $450.00 for a set of four tires.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that a set of four tires for the Polaris be purchased from Amazon in an amount not to exceed $450.00.

**36.** **Discuss & Act on Delta Tank’s Quote for an 8000 Gallon, Double Wall Skid Tank in the Amount of $26,783.00.**

Judge Charles E. Burns informed the Commissioners Court of the need to consider purchasing an 8000-gallon, double wall skid tank; and that quote in the amount of $26,783.00 had been received from Delta Tank, who is the only vendor in Texas.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that Delta Tank’s quote for an 8000-gallon, double wall skid tank in the amount of $26,783.00 be accepted as presented.

**37.** **Discuss & Act on Reconsidering Personnel Vacation Carryover Hours.**

Judge Charles E. Burns informed the Commissioners Court of the need to reconsider personnel vacation carryover hours.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the 4-tier Personnel Vacation Accrual Rate Hours be as follows: 0-3 years = 40 hours; 4-6 years = 80 hours; 7-15 years = 120 hours; and over 16 years = 160 hours.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed to table the revised policy amendment (June 6, 2022) dated March 13, 2023.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed to honor anniversary dates from 2022 and give vacation to employees who are owed vacation earned in 2022.

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

Judge Charles E. Burns informed the Commissioners’ Court of the need to pay the bills for the month ending March 31, 2023.

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.

**39.** **Discuss & Act on a Resolution Regarding Texas Health & Safety Code, Sec. 775.0422**.

Judge Charles E. Burns read the Commissioners Court the Resolution Regarding Texas Health & Safety Code, Section 775.0422, as follows:

**KENEDY COUNTY COMMISSIONERS’ COURT RESOLUTION**

**REGARDING ADOPTION OF THE**

**TEXAS HEALTH & SAFETY CODE, SECTION 775.0422**

**WHEREAS,** in 2009, the Kenedy County Fire & Emergency Services District #1 was created by the Kenedy County Commissioners Court; and

**WHEREAS**, pursuant to Texas Health & Safety Code, Section 775.034(a), Appointment of Board in District Located Wholly in One County, the Kenedy County Commissioners Court is authorized to appoint, on January 1 of each year, appoint a five-member board of emergency services commissioners to serve as the district’s governing board; and

**WHEREAS**, to effectuate the Kenedy County Commissioners Court authorization to remove an appointed board member, the Kenedy County Commissioners Court must, by resolution, adopt Texas Health & Safety Code, Section 775.0422 in its entirety; and

**WHEREAS**, pursuant to Texas Health & Safety Code, Section 775.0422(b), Removal of Appointed Board Member by Commissioners, the Kenedy County Commissioners Court, by an order adopted by a majority vote after a hearing, may remove a board member.

**NOW, THEREFORE, BE IT BE RESOLVED**, that the Kenedy County Commissioners Court, hereby ADOPTS, by this Resolution, Texas Health & Safety Code, Section 775.0422 in its entirety, which is attached hereto and made a part hereof for all purposes.

**IN WITNESS HEREOF**,we, County Judge Charles E. Burns, Commissioner Joe Recio, Commissioner Israel Vela, Jr., Commissioner Sarita Armstrong-Hixon and Commissioner Jose Salazar hereby ADOPT by this Resolution, Texas Health & Safety Code, Section 775.0422 in its entirety on the 11th day of April, 2023, in Sarita, Texas, set our hand and cause the seal of Kenedy County, Texas, to be hereto affixed.

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the above Resolution Regarding Texas Health & Safety Code, Sec. 775.0422 be adopted as presented and signed be Judge Charles E. Burns and the Commissioners.

**40.** **EXECUTIVE SESSION: TEXAS GOVERNMENT CODE, § 551.071, § 551.072, § 551.073, § 551.074 – PERSONNEL: ROBERT ALEGRIA & MAINTENANCE SUPERVISOR; MEET WITH ATTORNEY REGARDING EEOC LITIGATION**

Judge Charles E. Burns called the Commissioners Court into Executive Session at 11:55 a.m.

**41.** **Open Session: Discuss & Act on Items Addressed in Executive Session**.

Judge Charles E. Burns called the Commissioners Court into Open Session at 12:30 p.m.

Commissioner Sarita Armstrong-Hixon and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the Commissioners Court hold a special meeting on April 28, 2023, at 9:00 a.m. to hold Maintenance Supervisor interviews and that Judge Charles E. Burns send a letter to Robert Alegria, pursuant to Texas Health & Safety Code, Section 775.0422(c)(1) & (2) regarding a hearing on his Fire Commissioner position with the Kenedy County Fire & Emergency Services District No. 1.

**42.** **Adjournment**.

There being no further business at this time to come before the Commissioners Court, Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the Commissioners Court be adjourned at 12:32 p.m.

/s/ Charles E. Burns

Charles E. Burns, County Judge

ATTESTED BY:

/s/ Veronica Vela

Veronica Vela, Clerk of Commissioners Court