THE STATE OF TEXAS \* COMMISSIONERS COURT

COUNTY OF KENEDY \* OF KENEDY COUNTY, TEXAS

 On the 12th day of June, 2023, at 1:30 o'clock p.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

 Grace Salinas, Administrative Secretary

 Allison Strauss, County Attorney

 Sandra Maltby, Maltby Builders, Inc.

 Caleb Maltby, Maltby Builders, Inc.

 JP Jana Norrell

 JP Patricia Fain

 JP Cecilia Schulz

 Oralia Cardenas, GrantWorks

 Robert Davila, GrantWorks by phone

 Capt. Edward Cruz

 Jose E. Mendietta, Fire Chief

 Stephanie Garza, Elections Administrator

 Tom Denney, Chief Appraiser

 Andy Garcia, Kenedy County Groundwater Conservation District

 Nancy Garcia

 Seferino Gutierrez, Maintenance Supervisor

 Frank Escobedo, County Agent

 Sandra Guzman, Sheriff’s Department

 Daniel Almeida, Sarita Sewer and Water

 Chief Gilbert San Miguel

 Deputy Frank Garza

 **Absent**:

 Leo Villarreal, Administrative Assistant

 JP Jerry Miller

 Sheriff Ramon Salinas

 Cynthia Salinas, County Treasurer

 Irma Longoria, County Tax Assessor/Collector

1. **Call Meeting to Order**

Judge Charles E. Burns called the meeting to order at 9:02 a.m.

1. **Pledge of Allegiance**.

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

1. **Receive Public Comments**.

No public comments were made.

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

Abdul Kamar was not present.

 Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that this item be table.

1. **Discuss & Act on the Regular Minutes of May 8th, 2023 and the Special Meeting Minutes of May 15th, 2023**.

 Judge Charles E. Burns presented the Commissioners Court Minutes of the regular May 8, and special May 15, 2023 meetings.

 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 May 8, 2023, and the special May 15, 2023 minutes meeting be accepted as presented.

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

 Judge Charles E. Burns informed the Commissioners Court that Cynthia Salinas, County Treasurer, was not present, due to being at the Investment Conference in Georgetown, Texas; however, she had provided copies of her reports for April and May.

 Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the transfers in the Treasurer’s Report be approved.

1. **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 May 31, 2023. Capt. Cruz informed the Commissioners Court that there has been a steady increase of narcotics and accident cases with most of the work being done on the Kenedy County west side and there has been an increase of intercoastal waterway activity. Further, that the Sheriff’s Department may receive grant funds for the Fire and EMS; and presented the Chapter 59 monthly report.

 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.

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

 Jose E. Mendietta, Fire Chief, presented the Commissioners Court with the Fire District report.

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

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

 Seferino Gutierrez, Maintenance Supervisor, presented the Maintenance Department’s monthly report to the Commissioners Court for the month ending May 31, 2023.

 He reported that the female custodians have been cleaning the park and the Ag Building; that a person had living and dead rabbits in a cage and a steer on the Ag premises; that same of the rabbits have been removed, but part of the area is infested with maggots and poison was applied; that the generators have been tested every Monday to insure they are working in the event they are needed during a hurricane; that he has addressed yards with high grass and that two owners have mowed their yards; that he has addressed old buildings and some of the owners have complied right away; and that the Sheriff’s substation will need sewer lines in the future.

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

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

 Daniel Almeida presented the Commissioners Court with the Sewer & Water System monthly report.

 He reported that he had repaired a minor leak on Turcotte Street; that he had conducted the annual tank inspection and cleaning and had placed the report in the TCEQ folder; that he had trouble shooting the well; however, he and the grant representative had a final walk through on the well generator; that there was a power issue and he had spoken to Nueces Electric and he and Haggerton had walked it though. Further, he stated that he did not receive what Hector had sent Judge Burns.

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

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

Oralia Cardenas and Javier Zambrano from GrantWorks were present at the Commissioners Court and Robert Davila and Donna Johnson from GrantWorks were present by phone.

Javier Zambrano presented the GrantWorks monthly report to the Commissioners Court regarding the Kenedy County 7219220 and 7219075 as follows:

 Kenedy County Colonia 7219075 (Colonia)

 Contractor: Donald Hubert Construction; Sub, Southern Trenchless Solutions

 Contract Start Date: 2/1/20

 Original Contract End Date: 1/31/22

 Extended Contract End Date: 9/30/23

 Phase I (Prime: Donald Hubert Construction)

 The payment requests to TDA-Go are not able to be submitted because the pending amendment act has placed a freeze in the system. Once it is approved, we can proceed with closing out Phase I. This entails completing the Final Wage Compliance Report and Certificate of Construction Completion.

 Final inspection took place on May 10, 2023.

 Phase II – Award will go to Donald Hubert Construction following the Small Purchase Procurement

 Contract Amount When Awarded: $21,958.00

 The amendment to add 1 first-time connection and a lift station pump remains at TDA for review.

 Once the amendment is approved at TDA, the County may proceed with awarding Donald Hubert Construction the $21,958.00 contract at the next Commissioners Court meeting or in a special meeting. A pre-construction meeting can take place soon after award.

 This amendment was submitted on 4/3/23, but TDA has pushed back two times with request for corrections. These corrections were addressed promptly. TDA pushed back a 3rd time requesting a list of addresses form be completed and submitted. This form has not been requested by TDA in the past. The contract Specialist is aware that the County is waiting on this amendment to award the contractor and proceed with construction. She has informed me that it’s with the TDA Director (Chad Hinds) for review. TDA should have everything they need for this amendment to be processed.

 Construction is expected to be completed in August if work begins by the end of June.

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

1. **Receive Report on the Construction Progress of the Justice of the Peace Building/Hurricane Shelter & Court House Repairs**.

Caleb Maltby with Maltby Builders, Inc. informed the Commissioners Court of the progress on the Justice of the Peace Building/Hurricane Shelter and the Courthouse repairs as follows:

That the cast stone is getting installed today and as soon as the cast stone is installed, the porches will be installed; painting is continuing in the main courtroom and the offices; the remainder of the door shipment will be in this Wednesday; plumbing fixtures scheduled be in by the end of next week; the sewer and gas are connected; the fire panel will be moved out of the way; inspector is coming to the site today; and annunciator panel will be placed there and the fire panel will be tucked behind.

He further reported that the work on the Kenedy County Courthouse will start right away and will take about a month to complete; that the noisy part will be about a week or less, but there will be a lot of dust generated in the offices; but they should be done by the end of July.

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

1. **Consent Agenda:**

**(A) Approve Registration & Travel Expenses for Stephanie Garza to Attend the Secretary of State 41st Annual Election Law Seminar in Austin, Tx on July 30- August 2, 2023. ($776.50 without lodging, within budget)**

**(B) Approve Registration & Meals for Lt. A Rodriguez to Attend the National Highway**

**Traffic Safety Administration and Safe Kids Training in Pharr, Tx on June 20- 23,**

**2023. ($302.00 within budget)**

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

 Name: Stephanie Garza, Elections Administrator

 Seminar: Secretary of State 41st Annual Election Law Seminar

 Date: July 30-August 2, 2023

 Place: Austin, Texas

 Amount: $776.50

 Name: Lt. A. Rodriguez

 Seminar: National Highway Traffic Safety Administration and Safe Kids Training

 Date: June 20-23, 2023

 Place: Pharr, Texas

 Amount: $302.00

 Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the following employees attend the following seminars/conferences and be reimburse their expenses provided proper receipts are given to the County Treasurer:

 Name: Stephanie Garza, Elections Administrator

 Seminar: Secretary of State 41st Annual Election Law Seminar

 Date: July 30-August 2, 2023

 Place: Austin, Texas

 Amount: $776.50

 Name: Lt. A. Rodriguez

 Seminar: National Highway Traffic Safety Administration and Safe Kids Training

 Date: June 20-23, 2023

 Place: Pharr, Texas

 Amount: $302.00

1. **Discuss & Act on Purchasing 6, Two-Way Radios for the Maintenance Department**.

 Judge Charles E. Burns informed the Commissioners Court of the need to purchase six two-way radios for the Maintenance Department not to exceed $500.00.

 Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the Maintenance Department is authorized to purchase six two-way radios in an amount not to exceed $500.00.

1. **Discuss & Act on Halo Flight’s Request for Funding the 2024 Fiscal Year Beginning January 2024 in the Amount of $7,500.00**.

 Judge Charles E. Burns informed the Commissioners Court that Halo Flight had requested the annual $7,500.00 to fund the 2024 fiscal year beginning January 2024.

 Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Halo Flight’s $7,500 request to fund the 2024 Fiscal Year beginning January 2024 be paid as presented.

1. **Discuss & Act on Transferring Budget Line Items as Follows: Transfer $12,000.00 From Salary Budget Line Item to Travel/Training Budget Line Item to Pay Tuition Fees for Police Cadets Attending Del Mar Police Academy July-December. Tuition to be Reimbursed to the County Upon Completion of Academy. (Approximately $6,000 per Officer)**

 Judge Charles E. Burns informed the Commissioners Court of the need to amend the Sheriff’s 2023 Budget to transfer $12,000 from Salary Budget Line Item to Travel/Training Budget Line Item to pay tuition fees for police cadets attending Del Mar Police Academy from July to December and tuition to be reimbursed to the County upon completion of the academy.

 Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the Sheriff’s 2023 Budget be amended by transferring $12,000 from Salary Budget Line Item to Travel/Training Budget Line Item to pay tuition fees for police cadets attending Del Mar Police Academy from July to December and tuition to be reimbursed to the County upon completion of the academy.

1. **Discuss & Act on Approving Budget Amendments for the Sheriff’s Office as Follows:**

**Transfer $45,000 From 1000.0560.4568 Capital Purchases O/$5,000 Budget Line Item to 1000.0560.4454 Inmate Expense Budget Line Item**

**Transfer $9,000 From 1000.0560.4568 Capital Purchases O/$5,000 Budget Line Item to 1000.0560.4246 Travel, Training Budget Line Item**

**Transfer $1000 From 1000.0560.4568 Capital Purchases O/$5,000 Budget Line Item to 1000.0560.4499 Miscellaneous Budget Line Item**

 Judge Charles E. Burns informed the Commissioners Court of the need to amend the Sheriff’s 2023 Budget as follows:

 Transfer $45,000 from Line Item 1000.0560.4658, Capital Purchases O/$5,000 to Line Item 1000.0560.4454, Inmate Expense

 Transfer $9,000 from Line Item 1000.0560.4568, Capital Purchases O/$5,000 to Line Item 1000.0560.4247, Travel, Training

 Transfer $1,000 from Line Item 1000.0560.4568, Capital Purchase O/$5,000 to Line Item 1000.0560.4499, Miscellaneous

 Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the Sheriff’s 2023 Budget be amended as follows:

 Transfer $45,000 from Line Item 1000.0560.4658, Capital Purchases O/$5,000 to Line Item 1000.0560.4454, Inmate Expense

 Transfer $9,000 from Line Item 1000.0560.4568, Capital Purchases O/$5,000 to Line Item 1000.0560.4247, Travel, Training

 Transfer $1,000 from Line Item 1000.0560.4568, Capital Purchase O/$5,000 to Line Item 1000.0560.4499, Miscellaneous

1. **Discuss & Act on the Healthy County Wellness Incentive Program**.

 Judge Charles E. Burns informed the Commissioners Court of the need to approve the Healthy County Wellness Incentive Program.

 Commissioner Joe Recio moved and Commissioner Sarita Armstrong-Hixon seconded the motion; the motion was unanimously passed that the Healthy County Wellness Incentive Program be approved as presented.

1. **Discuss & Act on the TAC 2023-2024 Health and Employee Benefits Pool Renewal, Increasing the County’s Contribution Amount and Adding Flexible Spending Account (FSA) from Wex to the 2023-2024 Health and Employee Benefits Pool**

 Judge Charles E. Burns informed the Commissioners Court of the need to pay TAC 2023-2024 Health & Employee Benefits Pool renewal, increasing the County’s contribution amount in the amount of $300.00 and add flexible spending account (FSA) from Wex to the 2023-2024 Health & Employee Benefits Pool.

 Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the 2023-2024 Health & Employee Benefits Pool be renewed and that an FSA account from Wex be added to the 2023-2024 Health & Benefits Pool.

1. **Discuss & Act on the TAC Risk Management Pool Coverage Invoice in the Amount of $65,240.00 for July 1, 2023 – July 1, 2024**.

 Judge Charles E. Burns informed the Commissioners Court of the need to pay the TAC Risk Management Pool Coverage invoice in the amount of $65,240.00 for coverage from July 1, 2023 to July 1, 2024.

 Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that TAC Risk Management Pool Coverage invoice be paid in the amount of $65,400.00for coverage from July 1, 2023 to July 1, 2024.

1. **Discuss & Act on Adopting, by Resolution, Kenedy County’s Order Establishing a Policy Regarding Tall Grass and Debris on Lots and Real Property Within the Sarita Township**

 Judge Charles E. Burns informed the Commissioners Court of the need to pass the following Order Establishing a Policy Regarding Tall Grass and Debris on Lots and Real Property Within the Sarita Townsite.

**KENEDY COUNTY’S POLICY AND ORDER REGARDING**

**WEEDS AND TALL GRASS ON LOTS/REAL PROPERTY**

**IN THE SARITA TOWNSITE**

**DATED JUNE 12, 2023**

**IT IS HEREBY ORDERED THAT WEEDS AND TALL GRASS TWELVE INCHES OR HIGHER ARE PROHIBITED IN THE TOWNSITE OF SARITA, TEXAS.**

Weeds and grass twelve inches high must be kept mowed by the owner, lessee, occupant or by the person in control of the real property hereinafter referred to as “Owner/Occupant/Lessee” situated in the Sarita Townsite, Sarita, Texas.

The County Judge, or his designee, is hereby authorized to give written notice to the Owner/Occupant/Lessee of the property where the weeds and grass are 12 inches or higher to mow the weeds or grass.

The written notice shall be given to the Owner/Occupant/Lessee by letter addressed to the Owner/Occupant/Lessee at the Owner/Occupant/Lessee’s post office address or by posting on or near the front door of each building of the Owner/Occupant/Lessee’s property where the weeds and grass are 12 inches or higher.

If the Owner/Occupant/Lessee of the property does not comply with the written notice in mowing the removing the weeds and grass twelve inches or higher, within ten (10) days from the date of receipt or posting of the written notice, Kenedy County shall:

1. Enter the property and do or cause the work to be done required to abate the weeds and grass twelve inches or higher.
2. Pay for the work done and charge the expenses to the Owner/Occupant/Lessee’s property at the cost of $100 per man hour with the minimum of one hour and minimum of two men.

The cost for mowing and removal of mowed weeds and grass will be charged against the real property and lot. A County Weed and Grass Lien will be filed with the Kenedy County Clerk’s Office on the real property and lot in the Sarita Townsite.

Payment, at the County Judge’s Office, of the Weed and Grass Lien will remove the Weed and Grass Lien from the County Clerk’s Records.

This Kenedy County Policy and Order Regarding Weeds and Tall Grass Lots/Real Property in the Sarita Townsite Dated June 12, 2023, shall become effective on June 12, 2023.

 Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed and **IT IS HEREBY RESOLVED** that the below Order Establishing a Policy Regarding Tall Grass and Debris on Lot and Real Property Within the Sarita Townsite be adopted as follows:

**KENEDY COUNTY’S POLICY AND ORDER REGARDING**

**WEEDS AND TALL GRASS ON LOTS/REAL PROPERTY**

**IN THE SARITA TOWNSITE**

**DATED JUNE 12, 2023**

**IT IS HEREBY ORDERED THAT WEEDS AND TALL GRASS TWELVE INCHES OR HIGHER ARE PROHIBITED IN THE TOWNSITE OF SARITA, TEXAS.**

Weeds and grass twelve inches high must be kept mowed by the owner, lessee, occupant or by the person in control of the real property hereinafter referred to as “Owner/Occupant/Lessee” situated in the Sarita Townsite, Sarita, Texas.

The County Judge, or his designee, is hereby authorized to give written notice to the Owner/Occupant/Lessee of the property where the weeds and grass are 12 inches or higher to mow the weeds or grass.

The written notice shall be given to the Owner/Occupant/Lessee by letter addressed to the Owner/Occupant/Lessee at the Owner/Occupant/Lessee’s post office address or by posting on or near the front door of each building of the Owner/Occupant/Lessee’s property where the weeds and grass are 12 inches or higher.

If the Owner/Occupant/Lessee of the property does not comply with the written notice in mowing the removing the weeds and grass twelve inches or higher, within ten (10) days from the date of receipt or posting of the written notice, Kenedy County shall:

1. Enter the property and do or cause the work to be done required to abate the weeds and grass twelve inches or higher.
2. Pay for the work done and charge the expenses to the Owner/Occupant/Lessee’s property at the cost of $100 per man hour with the minimum of one hour and minimum of two men.

The cost for mowing and removal of mowed weeds and grass will be charged against the real property and lot. A County Weed and Grass Lien will be filed with the Kenedy County Clerk’s Office on the real property and lot in the Sarita Townsite.

Payment, at the County Judge’s Office, of the Weed and Grass Lien will remove the Weed and Grass Lien from the County Clerk’s Records.

This Kenedy County Policy and Order Regarding Weeds and Tall Grass Lots/Real Property in the Sarita Townsite Dated June 12, 2023, shall become effective on June 12, 2023.

1. **Discuss & Act on Adopting, by Resolution, Kenedy County’s Order Establishing a Policy Regarding Removal of Tree Limbs and Brush from Lots and Real Property Within the Sarita Township**

 Judge Charles E. Burns informed the Commissioners Court of the need to adopt the following Order Regarding Brush, Cut Tree Limbs and Trimmings on Lots/Real Property in the Sarita Townsite by Resolution:

**KENEDY COUNTY’S POLICY AND ORDER REGARDING**

**BRUSH, CUT TREE LIMBS AND TRIMMINGS ON LOTS/REAL PROPERTY**

**IN THE SARITA TOWNSITE**

**DATED JUNE 12, 2023**

**IT IS HEREBY ORDERED THAT BRUSH, CUT TREE LIMBS AND TRIMMINGS SHALL NOT REMAIN ON LOTS/REAL PROPERTY IN THE SARITA TOWNSITE, SARITA, TEXAS, BUT SHALL BE PLACED ON THE PROPERTY’S BOUNDARY LINE ADJACENT TO THE STREET’S PUBLIC EASEMENT, OR ON THE STREET’S PUBLIC EASEMENT IF THERE IS A FENCE ON THE AFOREMENTIONED PROPERTY’S BOUNDARY LINE.**

In the event that a fence does not exist on boundary line adjacent to the street in front of the Owner/Occupant/Lessee’s property, the brush, cut tree limbs and trimmings shall be placed on the property’s boundary line adjacent to the street’s public easement, or on the street’s public easement, if there is a fence on the aforementioned property’s boundary line.

The brush, cut tree limbs and trimmings shall not exceed four feet in length nor six inches in diameter.

The County Judge, or his designee, shall in writing, notify the owner, lessee or occupant of a residence, house or mobile home or the person in charge of the lot/real property (hereinafter referred to as “Owner/Occupant/Lessee”) in the Sarita Townsite, to remove, within ten (10) days of the receipt of the written notice, the brush, cut tree limbs and trimmings from their real property and lots and place the brush, cut tree limbs and trimmings on the property’s boundary line adjacent to the street’s public easement, or on the street’s public easement, if there is a fence on the aforementioned property’s boundary line.

The written notice shall be given to the Owner/Occupant/Lessee at their post office address or by placing the written notice on or near the front door of each building of the Owner/Occupant/Lessee’s property wherein the brush, cut tree limbs and trimmings are located.

If the Owner/Occupant/Lessee of the property does not comply with the written notice by removing brush, cut tree limbs and trimmings within ten (10) days from the date of receipt or posting of the written notice, Kenedy County shall:

1. Enter the property and do or cause the work to be done required to remove brush, cut tree limbs and trimmings.
2. Pay for the work done and charge the expenses to the Owner/Occupant/Lessee’s property at the cost of $200 per man hour with the minimum of one hour and minimum of two men.

The cost incurred by Kenedy County for the removal of the brush, cut tree limbs and trimmings will be charged against the real property and lot. A County Brush Tree Lien will be placed on the real property and lot in the Kenedy County Clerk’s Office in the Sarita Townsite, Sarita, Texas.

Payment, at the County Judge’s Office, of the Brush Tree Lien will remove the Brush Tree Lien from the County Records.

This Kenedy County Policy and Order Regarding Brush, Cut Tree Limbs and Trimmings on Lots/Real Property in the Sarita Townsite Dated June 12, 2023, shall become effective on June 12, 2023.

 Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed and **IT IS HEREBY RESOLVED** that the below Order Regarding Brush, Cut Tree Limbs and Trimmings on Lots/Real Property in the Sarita Townsite Dated June 12, 2023, be adopted as follows:

**KENEDY COUNTY’S POLICY AND ORDER REGARDING**

**BRUSH, CUT TREE LIMBS AND TRIMMINGS ON LOTS/REAL PROPERTY**

**IN THE SARITA TOWNSITE**

**DATED JUNE 12, 2023**

**IT IS HEREBY ORDERED THAT BRUSH, CUT TREE LIMBS AND TRIMMINGS SHALL NOT REMAIN ON LOTS/REAL PROPERTY IN THE SARITA TOWNSITE, SARITA, TEXAS, BUT SHALL BE PLACED ON THE PROPERTY’S BOUNDARY LINE ADJACENT TO THE STREET’S PUBLIC EASEMENT, OR ON THE STREET’S PUBLIC EASEMENT IF THERE IS A FENCE ON THE AFOREMENTIONED PROPERTY’S BOUNDARY LINE.**

In the event that a fence does not exist on boundary line adjacent to the street in front of the Owner/Occupant/Lessee’s property, the brush, cut tree limbs and trimmings shall be placed on the property’s boundary line adjacent to the street’s public easement, or on the street’s public easement, if there is a fence on the aforementioned property’s boundary line.

The brush, cut tree limbs and trimmings shall not exceed four feet in length nor six inches in diameter.

The County Judge, or his designee, shall in writing, notify the owner, lessee or occupant of a residence, house or mobile home or the person in charge of the lot/real property (hereinafter referred to as “Owner/Occupant/Lessee”) in the Sarita Townsite, to remove, within ten (10) days of the receipt of the written notice, the brush, cut tree limbs and trimmings from their real property and lots and place the brush, cut tree limbs and trimmings on the property’s boundary line adjacent to the street’s public easement, or on the street’s public easement, if there is a fence on the aforementioned property’s boundary line.

The written notice shall be given to the Owner/Occupant/Lessee at their post office address or by placing the written notice on or near the front door of each building of the Owner/Occupant/Lessee’s property wherein the brush, cut tree limbs and trimmings are located.

If the Owner/Occupant/Lessee of the property does not comply with the written notice by removing brush, cut tree limbs and trimmings within ten (10) days from the date of receipt or posting of the written notice, Kenedy County shall:

1. Enter the property and do or cause the work to be done required to remove brush, cut tree limbs and trimmings.
2. Pay for the work done and charge the expenses to the Owner/Occupant/Lessee’s property at the cost of $200 per man hour with the minimum of one hour and minimum of two men.

The cost incurred by Kenedy County for the removal of the brush, cut tree limbs and trimmings will be charged against the real property and lot. A County Brush Tree Lien will be placed on the real property and lot in the Kenedy County Clerk’s Office in the Sarita Townsite, Sarita, Texas.

Payment, at the County Judge’s Office, of the Brush Tree Lien will remove the Brush Tree Lien from the County Records.

This Kenedy County Policy and Order Regarding Brush, Cut Tree Limbs and Trimmings on Lots/Real Property in the Sarita Townsite Dated June 12, 2023, shall become effective on June 12, 2023.

1. **Receive Report Regarding Windstorm Coverage Provided by Higginbotham Insurance and Act If Necessary**.

 Judge Charles E. Burns informed the Commissioners Court of the need to terminate the windstorm coverage provided by Higginbotham Insurance because Kenedy County had the same insurance with TAC.

 Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the windstorm coverage provided by Higginbotham Insurance be terminated effective June 12, 2023, because Kenedy County had the same insurance with TAC.

1. **Receive Report on the Texas Indigent Commission Award of the Formula Grant in the Amount of $15,520.00**.

 Judge Charles E. Burns informed the Commissioners Court that the County had been awarded the Texas Indigent Commission Award of the Formula Grant in the amount of $15,520.00 which is used for Court appointments.

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

1. **Receive Report on the Trap, Neuter, & Release Program for Stray and Residential Cats within Kenedy County**.

 Judge Charles E. Burns presented the Commissioners Court a report on the trapping, neutering and release program of stray and residential cats within Kenedy County. He stated that not all cats are removed due to their vital function of ridding the county of rodents and snakes; however, they are neutered or spayed to control the population of cats in the county.

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

1. **Discuss & Act on Opioid Settlement Participation Forms Regarding Funds Received on April 4, 2023 in the Amount of $314.08**.

 Judge Charles E. Burns informed the Commissioners Court that Opiod Settlement Participation Forms and a $314.08 check had been received on April 4, 2023. Allison Strauss, County Attorney, stated that in view that the funds had already been received, there was no need to complete the forms and return them.

 Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the $314.08 Opiod Settlement Participation Funds be accepted.

1. **Discuss & Act on a 2023 Budget Workshop Date**.

 Judge Charles E. Burns informed the Commissioners Court of the need to set a date to hold a 2023 Budget Workshop.

 Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the 2023 Budget Workshop be held on June 22, 2023 at 1:30 p.m.

1. **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 May 31, 2023.

 Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio. 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**

An Executive Session was not needed and none was held.

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

An Executive Session not being held, an Open Session was not required.

1. **Adjournment.**

 There being no further business at this time to come before the Commissioners Court, Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the Commissioners Court be adjourned at 10:55 a.m.

 /s/ Charles E. Burns

 Charles E. Burns, County Judge

ATTESTED BY:

/s/ Veronica Vela

Veronica Vela, Clerk of Commissioners Court