THE STATE OF TEXAS \* COMMISSIONERS COURT

COUNTY OF KENEDY \* OF KENEDY COUNTY, TEXAS

On the 9th day of April, 2024, 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.

**Commissioner 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

Grace Salinas, Administrative Secretary

Irma Longoria, County Tax Assessor/Collector

Sheriff Ramon Salinas

Allison Strauss, County Attorney

Stephanie Garza, Elections Administrator

Jose E. Mendietta, Fire Chief

JP Patricia Fain

JP Jana Norrell

JP Cecilia Schulz

Tom Denney, Chief Appraiser

Andy Garza, Kenedy County GCD

Seferino Gutierrez, Maintenance Supervisor

Anita Garza, Appraisal District

Deputy Frank Garza

Deputy Eddie Hinojosa

Sylvia Villarreal

Sandra Guzman, Sheriff’s Office

Javier Zambrano, GrantWorks

Hector Castaneda, Ardurra Engineering

Sandra Maltby, Maltby Builders, Inc.

Kristen Mendez, County Attorney’s Office

Felix Serna

**Absent**:

JP Jerry Miller

Cynthia Salinas, County Treasurer

Daniel Almeida, Sarita Water & Sewer

1. **Judge Burns Calls the Meeting to Order**

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

1. **Pledge of Allegiance**.

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

1. **Receive Public Comments.**

No public comments were made.

1. **Presentation by Stephanie Garza, Elections Administrator, of the March 5th, 2024 Democratic and Republican Joint Primary Election Results.**

Stephanie Garza, Elections Administrator, presented the Commissioners Court with the March 5, 2024 Democratic and Republican Joint Primary Election Results. She stated that there were 30 voters at Early Voting – 13 Republican and 17 Democrat; that she did not have any technical issues and the paper ballots were place in a box sealed to be kept for 22 months before being destroyed and that the results have been canvassed and sent to the Secretary of State. She further stated that there are run-offs.

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

1. **Discuss & Act on the Regular Minutes of March 11th, 2024, and the Special Meeting Minutes of March 21st, 2024 and March 28th, 2024.**

Judge Charles E. Burns presented the Commissioners Court Minutes of the regular March 11, 2024, and special March 21, 2024 and March 28, 2024 meetings.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the Minutes of the regular March 11, 2024, and special March 21, 2024 and March 28, 2024 meetings be accepted as presented.

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

Cynthia Salinas, County Treasurer, was not present; therefore, the Treasurer's Monthly Report and Transfers for the month ending February 29, 2024 was not presented.

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

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

Lt. Adam Rodriguez presented the Sheriff’s monthly report and the Chapter 59 report to the Commissioners Court for the month ending March 31, 2024. He stated that no human remains have been found; that the Sheriff’s Office was hit by lightning and destroyed the dispatch communications; and that DPS came and installed a radio to keep radio communications up and running.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the Sheriff’s monthly report and March Chapter 59 and UCR reports be accepted as presented.

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

Jose E. Mendietta presented the Commissioners Court with his Fire Chief’s monthly report for the month ending March 31, 2024.

He stated that Angel Cuellar attended one training/meeting and is trying to obtain his EMS certification; that Halo Flight will be conducting a course at one of Kenedy County windfarms.

Judge Burns informed the Fire Chief that the Emergency Management Director needs to call a meeting regarding hurricane season to determine what is needed.

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.

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

Seferino Gutierrez presented the Maintenance Department’s monthly report to the Commissioners Court for the month ending March 31, 2024.

Mr. Gutierrez reported on the following:

There was minor damage to the generator and that Loftin is going to work on repairing the damage. Judge Burns stated that insurance will cover the repairs.

The Armstrong tower is up and running

Another air conditioning unit was repaired at the Courthouse

Mowing and trimming and power washing of the bleachers at the park

Handicapped parking at the new JP building has been considered

A larger bee suit is need so that all the crew can fit in the suit

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

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

Daniel Almeida was not present at the Commissioners Court.

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

1. **Receive Hector Castaneda from Ardurra to Present the Update on the Master Drainage Study**

Hector Castaneda with Ardurra Engineering presented the Commissioners Court with an update on the Master Drainage Study.

He reported that the Master Drainage is a public notice regarding the drainage study. He stated they went to all the troubled sites in Sarita and are and collecting data from the public in the process of preparing the public notice. He also stated they will be submitting a master plan so the county may apply for a grant.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Hector Castaneda’s report regarding the update on the master drainage study be accepted as presented.

1. **Discuss & Act on the Consent Agenda:**

**(A) Approve Travel Expenses for Jerry Miller to Attend the Justice of the Peace Seminar in Austin, Tx on April 17-19, 2024. (within budget $501.26)**

**(B) Approve Meal Expenses for Johnny Hernandez to Attend the Bats & Rabies Seminar in McAllen, Tx on April 16th, 2024. (within budget $44.25)**

**(C) Approve Meal Expenses for Ernesto Lerma to Attend the Bats & Rabies Seminar in McAllen, Tx on April 16th, 2024. (within budget $44.25)**

**(D)Approve Travel Expenses for Irma Longoria to Attend the 90th Annual Tax Assessor-Collectors Association Conference in Dallas, Tx on June 2-5, 2024. (within budget $1,645.70)**

**(E) Approve Travel, Lodging, and Meal Expenses for Sandra Guzman to Attend the Texas Criminal Justice Information Users Group Conference in Kerrville, Tx on April 29- May 3, 2024. (within budget $1,220.00)**

**(F) Approve Lodging & Meal Expenses for Diana Serna to Attend the Texas Criminal Justice Information Users Group Conference in Kerrville, Tx on April 29- May 3, 2024. (within budget $950.00)**

Judge Charles E. Burns informed the Commissioners Court that the following Commissioner, employees and/or officials needed to attend the below seminars and conferences and costs be advanced thereon, as follows:

Employee Name: Jerry Miller

Training/Seminar: Justice of the Peace Seminar

Location: Austin, Texas

Date: April 17-19, 2024

Cost: $501.26 within budget

Employee Name: Johnny Hernandez

Training/Seminar: Bats & Rabies Seminar

Location: McAllen, Texas

Date: April 16, 2024

Cost: $44.25 within budget

Employee Name: Ernesto Lerma

Training/Seminar: Bats & Rabies Seminar

Location: McAllen, Texas

Date: April 16, 2024

Cost: $44.25 within budget

Official’s Name: Irma Longoria

Training/Seminar: 90th Annual Tax Assessor-Collectors Association Conference

Location: Dallas, Texas

Date: June 205, 2024

Cost: $1,645.70

Employee Name: Sandra Guzman

Training/Seminar: Texas Criminal Justice Information Users Group Conference

Location: Kerrville, Texas

Date: April 29-May 3, 2024

Cost: $1,220.00

Employee Name: Diana Serna

Training/Seminar: Texas Criminal Justice Information Users Group Conference

Location: Kerrville, Texas

Date: April 29-May 3, 2024

Cost: $950.00

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the above employees are authorized to attend their respective trainings and that the County advance the costs thereof provided that proper receipts be provided to the County Treasurer.

1. **Report on Public Safety Telecommunications Week, April 14-20th, 2024.**

Sandra Guzman read the Proclamation of the State of Texas from the Office of the Governor Declaring that the Public Safety Telecommunications Week is April 14-20, 2024. The Commissioners and audience gave a standing ovation to the Kenedy County dispatchers and Sheriff’s personnel.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the Proclamation regarding the Public Safety Telecommunications Week of April 14-20, 2024 be accepted as presented.

1. **Discuss & Act on Approving the Invoice, Draw #48, from Maltby Builders for Change Orders Performed at the JP Building/Hurricane Shelter in the Amount of $10,106.40.**

Sandra Maltby, Maltby Builders, Inc., informed the Commissioners Court of the need to consider approving Maltby Builders $10,106.40 invoice, Draw #48, for change orders performed at the JP building/hurricane shelter.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Maltby Builders $10,106.40 invoice, draw # 48, for change orders performed at the JP building/hurricane shelter be approved and paid as presented.

1. **Discuss & Act on Staining the Porches, the Steps, the ADA Ramp, and the Exposed Concrete Between the Brick and Ground Level at the JP Building/Hurricane Shelter.**

Judge Charles E. Burns informed the Commissioners Court of the need to consider staining the porches, the steps, the ADA ramp and the exposed concrete between the brick and ground level at the JP Building/Hurricane Shelter and presented John Dolan’s bid for $1,550.00 with an additional one-half of the labor if a second coat is needed.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that John E. Dolan be paid $1,555.00 to paint the porches, steps, ADA ramp and the exposed concrete between the brick and ground level of the JP Building/Hurricane Shelter.

1. **Discuss & Act on Hiring S&G to Repair the Cast Stone Trim Around the County Courthouse.**

Judge Charles E. Burns informed the Commissioners Court of the need to consider hiring S&G to repair the cast stone trim around the county courthouse.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that an investigation be conducted to determine the best way to repair the cast stone trim and to evaluate all of the Courthouse cast stone.

1. **Discuss & Act on Approving the Hiring of a Part-time Employee for the Custodian Position.**

Judge Charles E. Burns informed the Commissioners Court of the need to consider approving the hiring of a part-time employee for the custodian position.

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

1. **Discuss & Act on the Proposal of Services from Rosales Lawn Service for the Installation of the Sprinkler System at the JP Building/Hurricane Shelter for the Amount of $16,000.00.**

Judge Charles E. Burns informed the Commissioners Court of the need to consider the proposal from Rosales Lawn Service regarding the installation of the sprinkler system at the JP Building/Hurricane Shelter in the amount of $16,000.00 which include the area behind the new JP building.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Rosales Lawn Service proposal regarding the installation of the sprinkler system at the JP Building/Hurricane Shelter in the amount of $16,000.00 be approved as presented.

1. **Discuss & Act on the Invoice from Your Sign Company regarding the Two Dedication Plaques for the JP Building and Hurricane Shelter.**

Judge Charles E. Burns informed the Commissioners Court of the need to consider paying the $6,700.00 invoice from Your Sign Company regarding the two dedication plaques for the JP Building and Hurricane Shelter.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that from Your Sign Company be paid $6,700.00 regarding the two dedication plaques for the JP Building and Hurricane Shelter.

1. **Discuss & Act on the Invoice from Your Sign Company regarding the Dedication Plaque for the Sheriff’s Office.**

Judge Charles E. Burns informed the Commissioners Court of the need to consider paying the invoice from Your Sign Company regarding the dedication plaque for the Sheriff’s building in the amount of $3,350.00.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that from Your Sign Company be paid $3,350.00 regarding the dedication plaque for the Sheriff’s building.

1. **Discuss & Act on the Estimate from Texas Primer Communications, LLC, regarding the Repair of the Sheriff’s Office Antenna for the Amount of $65,754.50.**

Judge Charles E. Burns informed the Commissioners Court of the need to consider the estimate from Texas Primer Communications, LLC regarding the repair of the Sheriff’s office antenna for the amount of $65,754.50; that repairing the Sheriff’s antenna is an emergency and the insurance company is on board with the antenna repair.

Sheriff Ramon Salinas stated that the insurance carrier had been called and they instructed him to get it repaired as soon as possible.

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that Texas Primer Communications, LLC’s estimate of $65,754.50 regarding the repair of the Sheriff’s office antenna be accepted as presented.

1. **Discuss & Act on Purchasing a Transport Van for the Sheriff’s Office in the Amount of $75,945.90 with SLFRF/ARPA Funds.**

Judge Charles E. Burns informed the Commissioners Court of the need to consider purchasing a transport van for the Sheriff’s Office in the amount of $75,945.90 to be paid with SLFRF/ARPA funds. Capt. Cruz stated that there were three bids and that the $75,945.90 bid was the lowest bid.

Judge Burns informed the Commissioners Court that the Sheriff was using their own units to transport inmates to Kleberg County. Sheriff Ramon Salinas stated the Sheriff’s Department was in the process of acquiring a contract with Brooks County and that the Sheriff’s Department transports five to twelve inmates; however, the District Court sometimes has at least 12 inmates that are brought by the Kleberg County Sheriff. Thereafter, the Sheriff’s deputies have to make two or three trips in one day to transport the prisoners back to Kleberg County. Capt. Cruz stated that a van could transport as many as 12 persons and that the van would be strictly for prisoner transport.

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that a transport van be purchased for the amount of $75,945.90 for the Sheriff to be paid with SLFRF/ARPA funds.

1. **Discuss & Act on Purchasing a High Lift in the Amount of $32,000 with SLFRF/ARPA Funds.**

Judge Charles E. Burns informed the Commissioners Court of the need to consider purchasing a high lift in the amount of $32,000 with SLFRF/ARPA funds which are federal funds and need to be used by 2026 and if not used, the federal money will have to be returned to the Federal Grant. Also, Gomesa funds will be used to cover the excess of $1,800.00 for the high lift and the tractor hoe below. The lift will be used for trimming trees and replacing lights.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that a high lift be purchased for the amount of $32,000 to be paid from the SLFRF/ARPA funds.

1. **Discuss & Act on Purchasing a 4 Mini Excavator Track Hoe in the Amount of $63,822.37 with GOMESA and ARPA Funds.**

Judge Charles E. Burns informed the Commissioners Court of the need to consider purchasing a 4-mini excavator track hoe in the amount of $63,822.37 to paid from GOMESA and ARPA funds and that the record of the Gomesa and ARPA funds are kept in separate files in the Judge’s office.

Commissioner Joe Recio moved and Commissioner Jose Salazar seconded the motion; the motion was unanimously passed that a 4-mini excavator track hoe be purchased in the amount of $63,822.37 to be paid from the GOMESA and ARPA funds.

1. **Discuss & Act on Replacing the Air Conditioning Unit at the Tax Office.**

Judge Charles E. Burns informed the Commissioners Court of the need to consider replacing the air conditioner unit at the tax office.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the air conditioner at the Tax Office be tabled until additional information is received regarding the need to replace the Tax Office air conditioning unit.

1. **Discuss & Act on Approving a Bid for the Cement Around the Sheriff’s Office Gas Pump. Three Bids Were Submitted.**

Judge Charles E. Burns informed the Commissioners Court that three bids had been submitted regarding the cement around the Sheriff’s Office gas pump and that G&S’s $58,100 bid was the lowest.

Commissioner Joe Recio moved and Commissioner Sarita Armstrong-Hixon seconded the motion; the motion was unanimously passed that G & S’s $58,100.00 bid be accepted and paid regarding the pouring of cement around the Sheriff’s gas pump.

1. **Discuss & Act on Approving the Purchase of a Generator, 250 KW 1000 AMP with Transfer Switch, Battery, and Charger to Include Startup and Delivery for the Sarita Kenedy County-Wide School District in the Amount of $163,118.56, to Be Purchased with GOMESA Funds.**

Judge Charles E. Burns informed the Commissioners Court of the need to consider approving the purchase of a generator, 250 KW 1000 AMP with transfer switch, battery and charger to include startup and delivery for the Sarita Kenedy County-Wide School District in the amount of $163,118.56 to be purchased with GOMESA funds.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that a generator, 250 KW 1000 AMP with transfer switch, battery and charger be purchased (to include startup and delivery) for the Sarita Kenedy County-Wide School District in the amount of $163,118.56 to be purchased with GOMESA funds.

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

Judge Charles E. Burns informed the Commissioner’ Court of the need to pay the bills for the month ending March 31, 2024.

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the bills be paid as presented except that Daniel Almeida’s administrative fees of $282.00 not be paid.

1. **EXECUTIVE SESSION: TEXAS GOVERNMENT CODE, § 551.071, § 551.072, § 551.073, § 551.074- PENDING LITIGATION REGARDING ROBERT ALEGRIA AND CONSULT WITH ATTORNEY**

Judge Charles E. Burns called the Executive Session to order at 11:08 a.m.

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

Judge Charles E. Burns called the Open Session to order at 11:24 a.m.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that Allison Strauss, County Attorney, contact the Kleberg County Attorney regarding the Robert Alegria matter.

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 Kenedy County Commissioners Court be adjourned at 11:25 a.m.

/s/ Charles E. Burns

Charles E. Burns, County Judge

ATTESTED BY:

/s/ Veronica Vela

Veronica Vela, Clerk of Commissioners Court