THE STATE OF TEXAS \* COMMISSIONERS COURT

COUNTY OF KENEDY \* OF KENEDY COUNTY, TEXAS

On the 12th day of August, 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

Grace Salinas, Administrative Secretary

Leo Villarreal, Administrative Assistant

Irma Longoria, County Tax Assessor/Collector

Cynthia Salinas, County Treasurer

Allison Strauss, County Attorney

Jose E. Mendietta, Fire Chief

JP Jana Norrell

JP Patricia Fain

JP Cecilia Schulz

Jose E. Mendietta, Fire Chief

Tom Denney, Chief Appraiser

Andy Garza, Kenedy County GCD

Hector Castaneda, Ardurra

Kirsten Mendez

Deputy Frank Garcia

Deputy Cameron Kirk

Captain Eddie Cruz

Dave Furzer

James Carr

William Dieterle

Armando Medina, Rodela Restoration

Reynaldo de los Santos, Santos McBain

**Absent**:

Stephanie Garza, Elections Administrator

Seferino Gutierrez, Maintenance Supervisor

Sheriff Ramon Salinas

JP Jerry Miller

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

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

1. **Pledge of Allegiance.**

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

1. **Receive Public Comments.**

James Carr addressed the Commissioners Court and stated that he had called the ambulance service last month for one of his renters; that it took the ambulance over an hour to respond and had to call the Sheriff’s office; and that he would like to see that the ambulance service improves.

1. **Public Hearing Whether Diana Mata’s House is Uninhabitable for Human Use and Act If Necessary.**

Judge Charles E. Burns called the Public Hearing to order at 9:10 a.m. regarding whether Diana Mata’ house is uninhabitable for human use.

Diana Mata was notified of the hearing date and time, but was not present and no comments were made regarding whether the house was uninhabitable for human use. Diana Mata had previously requested to have until February 2023 to remove her personal belongings and the extension was granted.

On November 8, 2023, Seferino Gutierrez declared the house and shed uninhabitable for human use.

Judge Burns proceeded to present to the Commissioners Court pictures of Diana Mata’s house and shed at 277 N. Mallory, Sarita, Texas showing that the house and shed were a fire hazard and were uninhabitable for human use.

Judge Burns and Leo Villarreal informed the Commissioners Court of the Inspectors Reports of Rene H. Herrera, local electrician, Rodriguez & Sons Plumbing and Camacho Demolition, who bid for the demolition of the house and shed, and Joey Mendietta, the Fire Chief, which showed that the house and shed were a fire hazard; and had with no electricity, water or plumbing and the house and shed were abandoned and were not fit for human use.

Commissioner Joe Recio moved and Commissioner Sarita Armstrong-Hixon seconded the motion; the motion was unanimously passed that the house located at 277 N. Mallory Street, Sarita, Texas, is declared to be uninhabitable for human use; that Kenedy County proceed to demolish the house and shed located thereon and remove the debris; and that Kenedy County proceed with the next authorized procedures.

1. **Discuss & Act on the Regular Minutes of July 10th, 2024.**

Judge Charles E. Burns presented the Commissioners Court Minutes of the regular July 10, 2024 meeting.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the Minutes of the regular July 10, 2024 meeting be accepted as presented.

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

Cynthia Salinas, County Treasurer, presented the Commissioners Court with the Treasurer's Monthly Report and Transfers for the month of July 2024.

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the Treasurer’s Monthly Report and Transfers for the month of July 2024 be approved as presented.

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

Captain Eddie Cruz presented the Commissioners Court with the Sheriff’s monthly and Chapter 59 reports for the month of July 2024. He reported that there had been four accidents, one major accident with one fatality; that the Sheriff’s Office assisted the Task Force with a seizure of guns and ammunition; that there are two new dispatchers working; that the portable radios are working well and being utilized by the school resource officer; that the license plate reader and camera could be destroyed; and that National Night Out is scheduled for October 1, 2024.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the Sheriff’s monthly and Chapter 59 reports for the month of July 2024 be approved as presented.

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

Jose E. Mendietta, Fire Chief, informed the Commissioners Court that he had met with Emergency Management twice this past month; that volunteer firefighter meetings were held every Tuesday and they were training on tools to make sure everyone is knowledgeable on proper use of the tools; that he had checked all of the hydrants, greased all the caps and that all the hydrants flowed well and most were in good working order, except one; that the five-ton truck poly tank had been installed; that the semi-truck had been inspected; that there were 15 EMS calls and three grass fires.

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

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

Seferino Gutierrez was absent, therefore, Commissioner Joe Recio presented the Maintenance Department’s monthly report to the Commissioners Court for the month ending July 31, 2024.

Commissioner Recio stated that the Maintenance Department had completed mowing and weed eating; had helped with the Food Bank distribution; were getting items ready for auction set for August 18; had repaired the water sprinkler system; had trimmed trees; had filled trash bins with tires; that the school generator was not ready due to Nueces Electric; an olive tree was planted in the Courthouse yard; that the Courthouse roof had been repaired and will be water tested tomorrow. Judge Burns stated that he was not pleased with the roofing company. Commissioner Recio further reported that the lift had been repaired and that trees along Turcotte Street had been trimmed.

Betty Vela and James Carr stated that Foundation lots and several other lots in town were overgrown. Commissioner Hixon requested that letters be sent to the lot owners.

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

1. **Report on Courthouse Security, Securing South & West Entrances.**

Judge Charles E. Burns informed the Commissioners Court that he was still working on getting the south and west entrances to the Courthouse secured.

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

1. **Report from Rodela Restoration Regarding Kenedy County Sheriff’s Office Mold Issue.**

Armando Medina with All Points Environmental, LLC reported to the Commissioners Court regarding the mold issues in the Kenedy County Sheriff’s building. He stated that he has 2 years experience in the mold business; that the mold issues in the Sheriff’s building is due to humidity in the building; that he took five air samples inside the Sheriff’s building and the humidity was 70% and that the humidity outside the Sheriff’s building is 66%. The mold was a lot higher inside than outside because mold grows with a 70% humidity rate; that the office mold is caused by an air conditioner issue in the Sheriff’s building and that today’s buildings are air tight and prevent outside air to flow into the building; therefore, the air conditioner is the only air circulating in the building; and if the humidity is high, mold will grow inside the building; that he is more than sure that the remedy to prevent the growth of mold in the Sheriff’s building is to fix the air conditioners.

Mr. Medina is not recommending to clean the ductwork, but to clean the air conditioner vents if they are turning black.

The mold cleanup must address the carpets because carpets are the worst item for the building to have regarding mold. All furniture with cloth or leather and partitions are saturated with mold need to be disposed of; that fragrance plugs need to be removed and live plants in the building are recommended to be removed for the soil causes mold; and that the visible mold on desks, chairs, walls and areas with mold need to be addressed and cleaned by state licensed personnel.

Again, Armando Medina’s recommendation is to clean the area and fix the air conditioning system in the Sheriff’s building and continue to clean the mold until the mold issue is resolved. He further stated that it was safe for employees’ safety to work in the Sheriff’s building while the mold is being cleaned and the air conditioning system is being corrected.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Judge Burns is authorized to obtain proposals from a licensed mold removal company and an air conditioner company to address the air conditioning system and thereafter, hold a special meeting.

1. **Receive Dave Furzer and Act on the Sewer & Water System Monthly Report.**

Dave Furzer presented the Commissioners Court with the Sewer & Water System monthly report and stated that he did not have much to report because everything is running smoothly.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the Sewer & Water System monthly report be approved as presented.

1. **Receive Hector Castaneda, with Ardurra, Regarding the Update and Public Input on the Master Drainage Study.**

Hector Castaneda was not present at the Commissioners Court meeting. Commissioner Hixon inquired as to whether the Master Drainage project would qualify for Gomesa funds. Leo Villarreal stated that the Master Drainage project would qualify for Gomesa funds; however, the Master Drainage project would be funded by another grant.

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 the Consent Agenda:**

**(A) Approve Registration and Travel Expenses for Jose Lopez to Attend the Animal**

**Control Office Training Course in San Benito, Tx on September 11 – 13th, 2024.**

**($534.75 within budget)**

**(B) Approve Travel Expenses for Grace Salinas to Attend the TAC RMP Regional**

**Workshop in Corpus Christi, Tx on August 15th, 2024. ($87.33 within budget)**

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’s Name: Jose Lopez

Training/Seminar: Animal Control Office Training Course

Location: San Benito, Texas

Date: September 11-13, 2024

Cost: $534.75 within budget

Employee’s Name: Grace Salinas

Training/Seminar: TAC RMP Regional Workshop

Location: Corpus Christi, Texas

Date: August 15, 2024

Cost: $87.33 within budget

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the above officials 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. **Discuss & Act Ordering the November 5th General Election.**

Judge Charles E. Burns informed the Commissioners Court of the need to authorize an Order Calling the November 5, 2024 General Election and presented the proposed Order Calling the Election to the Commissioners Court.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the Order Calling the November 5, 2024 General Election is approved as presented and that Judge Burns is authorized to sign it.

1. **Discuss & Act on the 2025 Sheriff’s and Constable’s Fees.**

Judge Charles E. Burns presented the Commissioners Court with the proposed 2025 Sheriff’s and Constable’s Fees.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the 2025 Sheriff’s and Constable’s Fees be approved as presented.

1. **Discuss & Act on the CIS Contract Regarding the Sheriff’s Office.**

Capt. Eddie Cruz presented the Commissioners Court of the need to approve the CIS Contract regarding the computer software for the Sheriff’s Office in the amount of $25,000.00 per year and to authorize Sheriff Ramon Salinas to sign the contract.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the CIS Contract for the Sheriff’s Office be purchased for $25,000.00 per year and that Sheriff Ramon Salinas is authorized to sign it.

1. **Report from Kenedy County Sheriff’s Office Regarding SB22 Grant Budget for 2025.**

Judge Charles E. Burns informed the Commissioners Court regarding the SB22 Grant Budget for 2025. He stated that he had found uses for the $250,000 grant funds and that a new application will need to completed and submitted.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Kenedy County Sheriff’s report regarding the SB22 Grant Budget for 2025 be accepted.

1. **Discuss & Act on Accepting Fiber Optic High Speed Internet Prices for All County Buildings.**

Judge Charles E. Burns presented the Commissioners Court of the need to consider the fiber optic high speed internet prices for all of the county buildings.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that this item be tabled until certification of the cost is obtained.

1. **Discuss & Act on Allocating the Surplus Distribution Payment from TAC.**

Judge Charles E. Burns presented the Commissioners Court of the need to allocate the surplus distribution payment from TAC.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the County Treasurer is authorized to distribute the surplus distribution payment from TAC when received.

1. **Discuss & Act on Renewing the WEX Flexible Spending Account (FSA) Program Provided by TAC.**

Judge Charles E. Burns presented the Commissioners Court of the need to renew the WEX Flexible Spending Account (FSA) Program provided by TAC.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the WEX Flexible Spending Account (FSA) Program provided by TAC be renewed.

1. **Discuss & Act on Approving the Rate Modifications Regarding the Frontier Waste Solutions.**

Judge Charles E. Burns presented the Commissioners Court of the need to approve the rate modifications regarding Frontier Waste Solutions in the monthly fee amount of $118.33

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that Frontier Waste Solutions’ monthly fee of $118.33 be approved.

1. **Discuss & Act on Halo Flight’s 5% Increase Request.**

Judge Charles E. Burns presented the Commissioners Court of the need to consider approving Halo Flight’s 5% increase request for the annual amount of $7,875.00.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Halo Flight’s 5% increase request for the annual amount of $7,875.00 be approved.

1. **Report from Santos McBain’s Proposal Regarding Management of GOMESA Funds, Professional Services for Law Enforcement Grant Writing, and General Professional Management Support Services.**

Reynaldo de los Santos with Santos McBain presented the Commissioners Court with a proposed to manage the GOMESA funds, professional services for the Law Enforcement Grant Writing and General Professional Management Support Services.

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

1. **Discuss & Act on the Contract from Burns Architectural Services Regarding the Design and Construction of the Proposed Community Center Building and Hurricane Shelter Addition.**

Judge Charles E. Burns presented the Commissioners Court of the need to consider approving the contract from Burns Architectural Services regarding the design and construction of the proposed Community Center Building and Hurricane Shelter addition for $50,000.00.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that this item be tabled until verification of Architect Buns prior work is received.

1. **Report of TIDC’s Statement of Grant Award FY 2024, 10/1/2023 – 9/30/2024, in the Amount of $16,284.**

Judge Charles E. Burns presented the Commissioners Court of the need to consider approving TIDC’s statement of Grant Award FY 2024, 10/1/2023 – 9/30/2024 in the amount of $16,284.00.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that TIDC’s statement of Grant Award FY 2024, 10/1/2023 – 9/30/2024 in the amount of $16,284.00 be approved.

1. **Discuss & Act on Kenedy County Certification of 2024 Total Appraised Value, Total Assessed Value, Total Taxable Value and Total New Property Taxable Value.**

Judge Charles E. Burns presented the Commissioners Court of the need to approve the Kenedy County Certification of 2024 Total Appraised Value, Total Assessed Value, Total Taxable Value and Total New Property Taxable Value.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the Kenedy County Certification of 2024 Total Appraised Value, Total Assessed Value, Total Taxable Value and Total New Property Taxable Value be approved as presented.

1. **Discuss & Act on Kenedy County Certification of the 2024 Anticipated Collection Rate.**

Judge Charles E. Burns presented the Commissioners Court of the need to approve the Kenedy County Certification of the 2024 Anticipated Collection Rate.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the Kenedy County Certification of the 2024 Anticipated Collection Rate be approved as presented.

1. **Discuss & Act on the TxDMV Imposition of Optional Fees Regarding the CY2025.**

Judge Charles E. Burns presented the Commissioners Court with the TxDMW imposition of optional fees regarding the CY2025.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the TxDMW imposition of optional fees regarding CY2025 not be approved.

1. **Discuss & Act on Hiring Rudy’s Pest Control to Provide Pest Control Services for All County Buildings in the Amount of $1,055.00**

Judge Charles E. Burns presented the Commissioners Court of the need to consider hiring Rudy’s Pest Control to provide pest control services for all county buildings in the amount of $1,055.00.

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

1. **Discuss & Act on Advertising and Hiring a Person for the Maintenance Department.**

Judge Charles E. Burns presented the Commissioners Court of the need to consider advertising and hiring a person for the Maintenance Department.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed to advertise and hire a person for a position in the Maintenance Department.

1. **Discuss & Act on the Estimate from G&S Property Services for 6 Cement Water Run Off Slabs at the Justice of the Peace/ Hurricane Shelter.**

Judge Charles E. Burns presented the Commissioners Court of the need to consider the approval of the estimate from G&S Property Services for six cement water run off slabs at the Justice the Peace/Hurricane Shelter; however, this item should be tabled because the estimate was not submitted.

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 the Estimate from G&S Property Services to Replace the Galvanized Rails with Stainless Steel Railing at the JP Building/Hurricane Shelter.**

Judge Charles E. Burns presented the Commissioners Court of the need to consider the estimate from G&S Property Services to replace the galvanized rails with stainless steel railing at the JP Building/Hurricane Shelter, however, this item should be tabled for the estimate was not submitted.

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 the Estimate from G&S Property Services to Provide a Stainless-Steel Ladder Attached to the JP Building/ Hurricane Shelter to Access the Top of the Building.**

Judge Charles E. Burns presented the Commissioners Court of the need to consider the estimate from G&S Property Services to provide a stainless-steel ladder attached to the JP Building/Hurricane Shelter to access the top of the building; however, the estimate was not submitted, therefore, this item should be tabled.

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 TJ Electric’s Estimates to Provide Electrical Power to the Flag Poles at the JP Building/Hurricane Shelter and the Sheriff’s Office.**

Judge Charles E. Burns presented the Commissioners Court of the need to consider approving TJ Electric’s estimates to provide electrical power to the flag poles at the JP Building/Hurricane Shelter and the Sheriff’s office.

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 Bishop Farm Equipment and Brush Country’s Estimates Regarding a 20’ Bumper Pull Tilt Trailer.**

Judge Charles E. Burns presented the Commissioners Court of the need to consider Bishop Farm Equipment and Brush Country’s estimates regarding a 20’ Bumper Pull Tilt Trainer in the amount of $8,816.63.

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that Bishop Farm Equipment’s $8,816.63 bid be accepted for the purchase of a 20’ Bumper Pull Tilt trailer.

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 July 31, 2024.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the bills be paid.

1. **Review Open Meetings Act and Rules.**

Allison Strauss, County Attorney, presented the need to have Open Meeting Rules regarding public comments and comments on adjourned agenda items. Time regarding this would promote unity and good harmony. Leo Villarreal stated the Commissioners Court follows the Open Meeting Rules and would make them available for the Commissioners’ and for her and their review.

No action was taken.

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

Judge Charles E. Burns called the Executive Session to order at 11:07 a.m.

The Commissioners Court recessed at 11:31 a.m. and Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the Commissioners Court readjourn the Executive Session at 1:30 p.m.

Judge Charles E. Burns called the Executive Session to order at 1:30 p.m.

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

Judge Charles E. Burns called the Open Session to order at 2:02 p.m.

Commissioner Israel Vela, Jr. moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Kirsten Mendez’s salary remain at $50,000.00 and that she be reimbursed the funds that were deducted from her salary in January 2024.

1. **Budget Workshop.**

The Commissioners Court entered the Budget Workshop and worked on the 2025 Budget.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that a 4% COLA be approved across the board; that the 2025 budget be $8,099,879.25 and the 2024 tax rate be $0.783700.

1. **Discuss & Act on Kenedy County Certification of 2024 No New Revenue Tax Rate and 2024 Voter Approval Tax Rate.**

Judge Charles E. Burns presented the Commissioners Court of the need to approve the Kenedy County Certification of 2024 No New Revenue Tax Rate and 2024 Voter Approval Tax Rate.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the Kenedy County Certification of 2024 No New Revenue Tax Rate and 2024 Voter Approval Tax Rate be approved as presented.

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 3:07 p.m.

/s/ Charles E. Burns

Charles E. Burns, County Judge

ATTESTED TO:

/s/ Veronica Vela

Veronica Vela, Clerk of Commissioners Court