THE STATE OF TEXAS \* COMMISSIONERS COURT

COUNTY OF KENEDY \* OF KENEDY COUNTY, TEXAS

On the 13th day of May, 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 Justice Court Building.

**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

Stephanie Garza, Elections Administrator

Allison Strauss, County Attorney

Cynthia Salinas, County Treasurer

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

Kirsten Mendez

Deputy Frank Garcia

Deputy Rick Platas

Sylvia Villarreal

Capt. Eddie Cruz

Sheriff Ramon Salinas

Daniel Almeida

Erika Aguirre Vasquez, TCDRS

Dave Furzer

Frank Escobedo

Sandra Guzman

Rick Gonzales, IT

Hector Castaneda, Ardurra

**Absent**:

JP Jerry Miller

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

Judge Charles E. Burns called the meeting to order at 9:05 a.m.

1. **Pledge of Allegiance**.

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

1. **Receive Public Comments.**

Daniel Almeida thanked the Commissioners Court for the opportunity to serve Kenedy County and expressed his deep appreciation and stated that he would always be available to assist the County. Judge Burns informed Daniel Almeida that his service and time to the County was appreciated.

Irma Longoria informed the Commissioners Court that there were two high school graduates from Sarita that were valedictorians and that she wanted to express her gratitude to the Sarita school. One student was graduating from Riviera High School and the other from Academy High School.

1. **Report on the National Day of Prayer, May 2, 2024.**

Judge Charles E. Burns informed the Commissioners Court that Senator John Cornyn’s office had sent the National Day of Prayer statement and Judge Burns requested a two-minute silence.

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

1. **Discuss & Act on the Regular Minutes of April 9th, 2024, and the Special Meeting Minute of April 15th, 2024.**

Judge Charles E. Burns presented the Commissioners Court Minutes of the regular April 9, 2024, and the two special April 15, 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 April 9, 2024, and the two special April 15, 2024 meetings be accepted as presented.

1. **Receive William Castillo with Big Fish to Discuss Refund to Kenedy County and Act If Necessary.**

William Castillo, Big Fish representative, was not present.

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

1. **Receive Erika Aguirre Vasquez with TCDRS to Discuss the Partial Lump Sum Election for Retirees and Act If Necessary.**

Erika Aguirre Vasquez, TCDRS representative, thanked the Commissioners Court for being invited and stated that she serves as Kenedy County’s representative. Ms. Aguirre Vasquez proceeded to present the County’s partial lump sum election for retirees and the available options and stated that she will provide the County with the written material regarding the partial lump sum election for retirees.

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

1. **Discuss & Act on TCDRS Plan Assessment Employer Contribution Rates for 2025.**

Judge Charles E. Burns informed the Commissioners Court of the need to consider the employer contribution rates for 2025 regarding the TCDRS Plan Assessment.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that this item be tabled until Erika Aguirre Vasquez could provide the rates and the information needed to make an informed decision.

1. **Receive Report from the Kenedy County Tax Office Regarding the 2024 Preliminary Tax Rate Calculations Based on the Preliminary Values for Kenedy County**.

Irma Longoria, Tax Assessor/Collector informed the Commissioners Court that the 2024 preliminary value was $660,000,000 which does not include the tax abatements and other sources.

Tom Denney, Chief Appraiser, stated that minerals have decreased, no new wells have been developed and that the prices for gas have increased.

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

1. **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 April 30, 2024.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the Treasurer's Monthly Report and Transfers ending April 30, 2024, be accepted as presented.

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

Capt. Eddie Cruz informed the Commissioners Court as follows: there had been 356 calls for the month of April: 14 accidents, 5 major and 9 minor, 13 felony arrests and 8 misdemeanor arrests; and that the north tower is not working due to being struck by lightning and an estimate is being obtained to get it fixed.

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 be approved as presented.

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

Jose E. Mendietta, Fire Chief, informed the Commissioners Court that there had been a fire in the southern end of the County; there had been a Halo Flight training at a windfarm; the employee appreciation luncheon had been held at the Fire Station; that he had attended a safety and security meeting at the Sarita school; that the electrical box at the station had been replaced; and that he had responded to nine calls and four accidents; and that there had been fire service calls. Judge Burns spoke about the Hurricane Conference held in Robstown. The Fire Chief stated that Mr. Barney had been promoted to a new position and that the TDEM contact is Michael McMillin.

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 presented the Maintenance Department’s monthly report to the Commissioners Court for the month ending April 30, 2024.

Mr. Gutierrez stated that the air conditioning units at the Tax Office will be replaced and that another unit in the courtroom also needs to be replaced with a new unit; that the air conditioning unit at the auditor’s office needed the compressor replaced; that there are mildew problems at the Sheriff’s office; that there is no insulation in the Sheriff’s building and that there is water dripping at the front entrance; that bids are being obtained for spray insulation; that removal of ceiling tile showed that wires are exposed without any insulation; that the generators and fuel tanks will be filled up this week and that the Maintenance Department has chain saws and pole saws ready for hurricane season.

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

Dave Furzer introduced himself and informed the Commissioners Court that he will be taking over Daniel Almeida’s position and provided the Commissioners Court his phone number.

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

1. **Receive Hector Castaneda’s Presentation of Update on the Master Drainage Study**

Hector Castaneda informed the Commissioners Court that his drainage study is making progress and this report is just a monthly comment.

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

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

**(A) Approve Travel Expenses for Jose Recio to Attend the Coastal Bend Hurricane Conference on May 1st- 2nd, in Robstown, Tx. ($249.64 within budget)**

**(B) Approve Travel Expenses for Irma Longoria to Attend the TAAO & ICTA 85th Annual Conference on August 25th – 28th, 2024, in Round Rock, Tx. ($1,844.50 within budget)**

**(C) Approve Travel Expenses for Cynthia Salinas to Attend the County Investment Academy on June 10th – 12th, 2024, in Irving, Tx. (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:

Official’s Name: Joe Recio

Training/Seminar: Coastal Bend Hurricane Conference

Location: Robstown, Texas

Date: May 1-2, 2024

Cost: $249.64 within budget

Official’s Name: Irma Longoria

Training/Seminar: TAAO & ICTA 85th Annual Conference

Location: Round Rock, Texas

Date: August 25-28, 2024

Cost: $1,844.50 within budget

Official’s Name: Cynthia Salinas

Training/Seminar: County Investment Academy

Location: Irving, Texas

Date: June 10-12, 2024

Cost: 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. **Receive Commissioner Sarita Hixon’s Updated Report on Texas A&M University’s Rural Medical Program Mobile Clinic.**

Commissioner Sarita Armstrong-Hixon presented the Commissioners Court with an updated report on Texas A&M University’s Rural Medical Program Mobile Clinic which will provide medical services to the County residents on a weekly basis. She stated that Texas A&M had succeeded in raising the money to construct the new medical containers where the medical services will be provided, one for Kenedy County and one for another county which will be ready in April 2025. These medical containers will be used to service our community regarding medical needs. Physical and mental health will be provided on a weekly basis and this program does not require medical insurance, but will be provided for free to the County residents.

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

1. **Discuss & Act on Governor Abbott’s Disaster Proclamation Renewal Regarding the Border Crisis.**

Judge Charles E. Burns informed the Commissioners Court of the need to consider adopting Governor Abbott’s Disaster Proclamation Renewal regarding the Border crisis.

Commissioner Sarita Armstrong-Vela moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that Governor Abbott’s Disaster Proclamation Renewal regarding the Border crisis be adopted as presented.

1. **Discuss & Act on the Continuation of Health, Dental, & Life Insurance Benefits for Mrs. Sue Garcia.**

Judge Charles E. Burns informed the Commissioners Court of the need to consider continuation of health, dental and life insurance benefits for Mrs. Sue Garcia.

Commissioner Sarita Armstrong-Vela moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that health, dental and life insurance benefits be continued for Mrs. Sue Garcia.

Sarita Armstrong-Vela moved and Commissioner Israel Vela, Jr. second the motion; there was unanimously passed that all retirees’ spouses who are enrolled in the County’s health, dental and life insurance be continued.

1. **Discuss & Act on Terminating the Covid Incentive Assigned to Monika Gutierrez and Ernesto Lerma.**

Judge Charles E. Burns informed the Commissioners Court that the Covid issues were over and of the need to consider terminating the Covid incentive pay assigned to Monika Gutierrez and Ernesto Lerma.

Sarita Armstrong-Vela moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that Monika Gutierrez and Ernesto Lerma’s Covid incentive pay be terminated.

1. **Discuss & Act on Approving Ernesto Lerma’s Incentive Pay Regarding Mosquito Spraying Starting January 2024.**

Judge Charles E. Burns informed the Commissioners Court of the need to consider paying Ernesto Lerma incentive pay regarding mosquito spraying retroactive to October 2023 at $25.00 per pay period.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Ernesto Lerma be paid $25.00 per pay period retroactive to October 2023.

1. **Discuss & Act on the Estimate from Air Force One in the Amount of $3,696.85 Regarding the Installation of a New AC Unit at the Tax Office.**

Judge Charles E. Burns informed the Commissioners Court of the need to consider approving an estimate from Air Force One in the amount of $3,696.85 for the purchase and installation of a new air conditioning unit at the Tax Office.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Air Force One’s $3,696.85 estimate for the purchase and installation of a new air conditioning unit at the Tax Office be approved as presented.

1. **Discuss & Act on Installing Sliding Gates at the Sheriff’s Office for Gas Pumps.**

Judge Charles E. Burns informed the Commissioners Court of the need to consider installing the cement pad and the sliding gates at the Sheriff’s Office regarding the gas pumps for the cost of $38,940.00.

Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that sliding gates be installed at the Sheriff’s Office regarding the gas pumps for the cost of $38,940.00.

1. **Discuss & Act on Purchasing an A Utility Locator for the Maintenance Department to Be Paid From the Maintenance Budget Line Item Capital Purchases Under $5,000.**

Judge Charles E. Burns informed the Commissioners Court of the need to consider purchasing a utility locator for $1,290.00 for the Maintenance Department to be paid from the Maintenance Budget Line Item, Capital Purchases Under $5,000

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that a utility locator be purchased for $1,290.00 and be paid from the Maintenance Budget Line Item, Capital Purchases Under $5,000.

1. **Discuss & Act on Purchasing and Planting 9 Pallets of Grass on the West Side of the Justice of the Peace Building for the Amount of $1,461.38.**

Judge Charles E. Burns informed the Commissioners Court of the need to consider purchasing and planting seven pallets of grass to be placed on the west side of the Justice Court Building for the amount of $1,461.38.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that seven pallets of grass be purchased for $1,461.38 and to be planted on the west side of the new Justice Court Building.

1. **Discuss & Act on Loftin’s Renewal Proposals for the Annual Maintenance of the Generator Regarding the Sheriff’s Office, Appraisal Office, and Water Pump Station.**

Judge Charles E. Burns informed the Commissioners Court of the need to consider Loftin’s renewal proposals for the annual maintenance of the generator regarding the Sheriff’s office, appraisal office and water pump station.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Loftin’s annual renewal proposals for the annual maintenance of the generator regarding the Sheriff’s office, appraisal office and water pump station be approved as presented.

1. **Discuss & Act on Participating in the BuyBoard System and Approving the Required Interlocal Participation Agreement.**

Judge Charles E. Burns informed the Commissioners Court of the need to consider participating in the BuyBoard system and approving the required Interlocal Participation Agreement.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the County participate in the BuyBoard system and that the required Interlocal Participation Agreement be approved as presented subject to the County Attorney’s approval.

1. **Discuss & Act on Approving the Elections Administrator, Stephanie Garza, to Enter into a Contract with VistaSG to Digitize Voter Registration Applications and Elections Records; Project Cost is $4,550.00 With an Annual Fee of $2,500, Total Cost is $7,050.00.**

Stephanie Garza, Elections Administrator, informed the Commissioners Court of the need to consider approving the Elections Administrator, Stephanie Garza, to enter into a contract with VistaSG to digitize voter registration applications and election records with a projected cost of $4,550 with an annual fee of $2,500 for a total cost of $7,050.00.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Elections Administrator, Stephanie Garza, enter into a contract with VistaSG to digitize voter registration applications and election records with a projected cost of $4,550 with an annual fee of $2,500 for a total cost of $7,050.00.

1. **Discuss & Act on the Contract with Revize Regarding ADA Compliance of the County Website.**

Stephanie Garza, Elections Administrator, informed the Commissioners Court of the need to consider approving the contract with Revise regarding ADA compliance of the County Website.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that this item be tabled until more information is received from TAC.

1. **Discuss & Act on Requiring the Use of Compensation Time By the Sheriff’s Personnel.**

Judge Charles E. Burns informed the Commissioners Court of the need to consider requiring the use of compensation time by the Sheriff’s personnel.

Cynthia Salinas, County Treasurer, mentioned that requiring the use of compensation time by the Sheriff’s personnel should apply to all employees, not only the deputies.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that all county employees use compensation time prior to any other leave time, effective May 1, 2024 and that the Kenedy County Policy Manual be amended accordingly.

1. **Discuss & Act on Approving an Updated Payment list of Monthly Recurring Bills.**

Judge Charles E. Burns informed the Commissioners Court of the need to consider updating the monthly recurring bills list by adding FI to the monthly recurring bills list.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the list of monthly recurring bills be updated by adding FI to the monthly recurring bills list.

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 April 30, 2024.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the bills be paid except that Daniel Almeida be paid $402.18 but not the administrative fees and to see if TJ Electric’s $73,000 bills has already been paid.

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

**§ 551.074 – Meet with Attorney Regarding Daniel Almeida’s Sewer & Water System Exit Report, TCEQ Violations and Final Payments.**

Judge Charles E. Burns called the Executive Session to order at 11:21 a.m.

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

Judge Charles E. Burns called the Open Session to order at 12:01 p.m.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Dave Furzer work with TCEQ regarding the water system violations and that Daniel Almeida’s $402.18 bill be paid, but not his administrative fees.

1. **Adjournment.**

There being no further business at this time to come before the Commissioners Court, Commissioner Joe Recio moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the Kenedy County Commissioners Court be adjourned at 12:02 p.m.

/s/ Charles E. Burns

Charles E. Burns, County Judge

ATTESTED TO:

/s/ Veronica Vela

Veronica Vela, Court Clerk