THE STATE OF TEXAS \* COMMISSIONERS COURT

COUNTY OF KENEDY \* OF KENEDY COUNTY, TEXAS

On the 9th day of December, 2022, at 9:00 o'clock a.m., a regular meeting of the Commissioners Court of Kenedy County, Texas, was held in the Kenedy County Courthouse.

**Commissioners present:**

Charles E. Burns, County Judge

Joe Recio, Commissioner, Precinct No. 1

Israel Vela, Jr., Commissioner, Precinct No. 2

Sarita Armstrong-Hixon, Commissioner, Precinct No. 3

Gumecinda "Cindy" Gonzales, Commissioner, Precinct No. 4

**Also present:**

Leo Villarreal, Administrative Assistant

Cynthia Salinas, County Treasurer

Irma Longoria, County Tax Assessor/Collector

Grace Salinas, Administrative Secretary

Ruben Hernandez, Maintenance Supervisor

Allison Strauss, County Attorney

Jennifer Cuellar, County Treasurer’s Office

Gilbert San Miguel, Sheriff’s Dept.

Tom Denney, Chief Appraiser

Daniel Almeida

Andy Garza, Kenedy County GD

Ramon Salinas, III, County Sheriff

JP Cecilia Schulz

JP Patti Fain

JP Jana Norrell

Letty Vela

Javier Zambrano, GrantWorks

Melissa Peros, BearCom

Anita Garza

**Absent**:

Jose E. Mendietta, Fire Chief

JP Jerry Miller

Eddie Cruz, Sheriff’s Department

Veronica Vela, County & District Clerk

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 Court in the Pledge of Allegiance.

1. **Receive Public Comments**.

Judge Charles E. Burns presented Commissioner Gumecinda “Cindy” Gonzales with a framed Texas flag with Cindy Gonzales name and her dates of service to commemorate her retirement.

1. **Discuss & Act on the Regular Minutes of November 14th, 2022**.

Judge Charles E. Burns presented the Commissioners Court Minutes of the regular November 14, 2022, meeting.

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 November 14, 2022, meeting be accepted as presented.

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 November 30, 2022.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Gumecinda “Cindy” Gonzales seconded the motion; the motion was unanimously passed that the County invest $2 million in new Certificates of Deposit at the rate of 3.5% interest with Kleberg Bank.

Commissioner Gumecinda “Cindy” Gonzales moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed the Treasurer's Monthly Report and Transfers ending November 30, 2022, be accepted as presented.

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

Sheriff Ramon Salinas presented the Sheriff’s monthly report to the Commissioners Court for the month ending November 30, 2022.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. 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 Repor**t.

Judge Charles E. Burns informed the Commissioners Court that Jose E. Mendietta, Fire Chief, was not present.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Gumecinda “Cindy” Gonzales seconded the motion; the motion was unanimously passed that the Fire Chief’s monthly report be tabled.

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

Ferman Garza presented the Maintenance Department’s monthly report to the Commissioners Court for the month ending November 30, 2022. He stated that he was in the process of transferring his TDA license to Kenedy County and that in March 2023, there will be a mosquito seminar for employees.

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

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

Judge Charles E. Burns informed the Commissioners Court that Daniel Almeida was not present.

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

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

Javier Zambrano from GrantWorks presented the GrantWorks monthly report to the Commissioners Court regarding the grant status and compliance; that this project is almost completed and that the generator is expected to be delivered by January 2023.

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

1. **Receive Lorenzo Garcia with BearCom and George Ebelt with Motorola Regarding Their Report on the Cell Tower Project and Act if Necessary**.

Lorenzo Garcia with BearCom and George Ebelt with Motorola presented their report to the Commissioners Court regarding Motorola’s cell tower, radio, radar and camera project.

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

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

Caleb Maltby presented Maltby Builders, Inc.’s report to the Commissioners Court regarding the construction progress of the Justice of the Peace Building/Hurricane Shelter; that the lower levels are being waterproofed; that he HVAC units will be placed on the roof when the roof is dry; that an additional meeting will be held with the electrician after Christmas and that, thereafter, the stucco work will commence.

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

1. **Receive Report on Meeting with John & Ramona Wright, Architects for the Justice of the Peace Building/Hurricane Shelter and Discuss & Act on Change Orders**.

Judge Charles E. Burns informed the Commissioners Court regarding of his, Leo Villarreal and the JP’s visit with John and Ramona Wright, Architects regarding the Justice of the Peace Building/Hurricane Shelter, in sound proofing the building ‘s 1st floor, tile selections and inside colors and that an additional meeting will be held.

Sandra Maltby presented Maltby Builders, Inc.’s recommended Change Orders to the Commissioners Court as follows:

Project No. 22-295 Overage on material, equipment and labor $23,316.50

Project No. 22-294 Overage on material, equipment and labor $71,124.07

Project No. 22-292 Materials and Galvanizing $ 8,000.70

Project No. 22-290 Metal Studs $ 2,086.94

Project No. 22-284 Best Block – Fuel Charges $ 400.00

Project No. 22-285 Best Block – Freight charge $ 6,750.00

Project No. 22-296 Copper flashing line 26 $23,736.00

Commissioner Sarita Armstrong-Hixon moved and Commissioner Gumecinda “Cindy” Gonzales seconded the motion; the motion was unanimously passed that Maltby Builders, Inc.’s Change Orders be approved as presented.

1. **Discuss & Act on Submitting by Resolution the Name of One Nominee to Replace Mrs. Gumecinda Cindy Gonzales on the Kenedy County CAD Board**.

Judge Charles E. Burns informed the Commissioners Court of the need to submit, by resolution, a nominee to replace, Gumecinda “Cindy” Gonzales on the Kenedy County Central Appraisal District Board. Joe Recio was nominated to replace Gumecinda “Cindy” Gonzalez as a member of the Kenedy County Central Appraisal District Board.

Commissioner Gumecinda “Cindy” Gonzales moved and Commissioner Sarita Armstrong-Hixon seconded the motion; the motion was unanimously passed and it was

RESOLVED that Commissioner Joe Recio is nominated to serve as a member of the Kenedy County Central Appraisal District Board.

1. **Discuss & Act on Approving Payment for Invoices Regarding the 2023 Appraisal District 911 Support in the Amount of $25,000 and the 2023 Appraisal District Support in the Amount of $131,871.49**.

Judge Charles E. Burns informed the Commissioners Court of the need to approve and pay invoices regarding the 2023 Appraisal District 911 support in the amount of $25,000.00 and the 2023 Appraisal District Support in the amount of $131,871.49.

Commissioner Gumecinda “Cindy” Gonzales \_ moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the 2023 Appraisal District 911 support in the amount of $25,000.00 and the 2023 Appraisal District Support in the amount of $131,871.49 be paid as presented.

1. **Discuss & Act on the Purchase of Two New Computer Monitors for the County Treasurer’s Office. (within budget**)

Judge Charles E. Burns informed the Commissioners Court of the need for the County Treasurer’s Office to purchase two new computer monitors within budget.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Gumecinda “Cindy” Gonzales seconded the motion; the motion was unanimously passed that the County Treasurer’s Office is authorized to purchase two new computer monitors within budget.

1. **Discuss & Act on Purchasing a New Laptop Computer for the County Attorney’s Office. (Within budget)**

Judge Charles E. Burns informed the Commissioners Court that Allison Strauss, the County Attorney, needed to purchase a new laptop computer within budget.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Gumecinda “Cindy” Gonzales seconded the motion; the motion was unanimously passed that Allison Strauss, County Attorney, is authorized to purchase a new laptop computer within budget.

1. **Discuss & Act on Authorizing Chris Russell of South Texas Business Solution to Clean Out Hard Drives on Discarded Computers**.

Judge Charles E. Burns informed the Commissioners Court of the need to authorize Chris Russell with South Texas Business Solutions to clean out hard drives on the county’s discarded computers.

Commissioner Gumecinda “Cindy” Gonzales moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Chris Russell with South Texas Business Solutions is authorized to clean out hard drives on the county’s discarded computers.

1. **Discuss & Act on Approving the Sheriff’s Office Server 2 year-Upgrade and Extensions. ($3,100 within budget)**

Judge Charles E. Burns informed the Commissioners Court that the Sheriff’s Office needed a server 2-year upgrade and extensions in the amount of $3,100.00, within budget.

Commissioner Gumecinda “Cindy” Gonzales moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Sheriff Salinas is authorized to obtain a server 2-year upgrade and extensions in the amount of $3,100.00, within budget.

1. **Discuss & Act on Approving Payment to Eforce Regarding the 2023 Invoice in the amount of $3,224.00, within budget, due On January 1, 2023**.

Judge Charles E. Burns informed the Commissioners Court of the need to authorize payment to Eforce regarding the 2023 invoice in the amount of $3,224.00, within budget, which is due on January 1, 2023.

Commissioner Gumecinda “Cindy” Gonzales moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Eforce 2023 invoice in the amount of $3,224.00, which is due on January 1, 2023, be paid as presented.

1. **Discuss & Act on Appointing Kenedy County Judge, Charles Burns, to Replace Commissioner Gumecinda Cindy Gonzales as the Kenedy County Representative on the Coastal Plains Community Center’s Board of Trustees**.

Judge Charles E. Burns informed the Commissioners Court of the need to appoint Kenedy County Judge, Charles Burns, to replace Commissioner Gumecinda “Cindy” Gonzales as the Kenedy County representative on the Coastal Plains Community Center’s Board of Trustees.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that Kenedy County Judge, Charles Burns, replace Commissioner Gumecinda “Cindy” Gonzales as the Kenedy County representative on the Coastal Plains Community Center’s Board of Trustees.

1. **Discuss & Act on Approving the Date for the Swearing in Ceremony & Who will Conduct it for the Elected Officials: Tuesday, December 27, 2022, Monday, January 2, 2023, or Tuesday, January 3, 2023**.

Judge Charles E. Burns informed the Commissioners Court of the need to select a date to swear all of the newly elected Kenedy County officials; that dates being considered were Monday, December 27, 2022, Monday, January 2, 2023 or Tuesday, January 3, 2023; and to select a person to conduct the swearing in.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Gumecinda “Cindy” Gonzales seconded the motion; the motion was unanimously passed that all of the elected officials be sworn in on December 27, 2022, at a time to be announced.

1. **Discuss & Act on the Title Invoices Regarding the TDHCA Grant Program**.

Judge Charles E. Burns informed the Commissioners Court of the need to act on the title invoices regarding the TDHCA Grant Program.

Commissioner Gumecinda “Cindy” Gonzales moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the title invoices regarding the TDHCA Grant Program be paid as presented.

1. **Distribute Copies of the Labor Laws and Act if Necessary**.

Judge Charles E. Burns distributed to the Commissioners Court copies of labor laws that would assist the elected officials, the employees and Cynthia Salinas, Kenedy County Treasurer, address the employees the wage and hour, vacation and sick leave issues.

Leo Villarreal further explained the employees were on an hourly basis and that Ferman Garza, the Maintenance Supervisor, was an exempt employee, that he was on salary and not an hourly employee.

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

1. **Discuss & Act on Ralph Cuellar’s Mobile Home Status**.

Judge Charles E. Burns informed the Commissioners Court regarding the status of Ralph Cuellar’s mobile home; that Ralph Cuellar had until December 16, 2022 to demolish his mobile home on the east corner of Henry Martinez St. and Kleberg St. and remove the debris; and if he failed to do so, the Commissioners Court will meet ten days thereafter for Ralph Cuellar to come to Court to show why the Commissioners Court not order his mobile home to be condemned and demolished.

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

1. **Discuss & Act on Diana Serna’s Uninhabitable Home Status**.

Judge Charles E. Burns informed the Commissioners Court regarding the status of Diana Serna’s uninhabitable home in Sarita in that Kenedy County needed to proceed with notices to the owner of condemnation proceedings.

Commissioner Gumecinda “Cindy” Gonzales moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the condemnation procedure be started regarding Diana Serna’s uninhabitable home status.

1. **Discuss & Act on Changing the 2022 Approved Holiday of Friday, December 30, 2022 to Monday, January 2, 2023, in Observance of New Year’s Eve**.

Judge Charles E. Burns informed the Commissioners Court of the need to change the 2022 approved holiday of Friday, December 30, 2022 to Monday, January 2, 2023 in observance of New Year’s Eve.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Gumecinda “Cindy” Gonzales seconded the motion; the motion was unanimously passed that the there was no need to change the days; therefore, this item was tabled.

1. **Discuss & Act on Approving the Proposed 2023 Holidays**

Judge Charles E. Burns informed the Commissioners’ Court that the recommended 2023 Holidays are as follows:

New Year’s Day Observed Monday, January 2

Martin Luther King Day Monday, January 16

President’s Day Monday, February 20

Good Friday Friday, April 7

Easter Monday Monday, April 10

Memorial Day Monday, May 29

Juneteenth Monday, June 19

Independence Day Tuesday, July 4

Labor Day Monday, September 4

Columbus Day Monday, October 9

Veteran’s Day Friday, November 10

Thanksgiving Day Thursday, November 23

Day After Thanksgiving Friday, November 24

Christmas Day Monday, December 25

Day After Christmas Tuesday, December 26

Commissioner Sarita Armstrong-Hixon moved and Commissioner Gumecinda “Cindy” Gonzales seconded the motion; the motion was unanimously passed that Kenedy County’s 2023 County holidays be as follows:

New Year’s Day Observed Monday, January 2

Martin Luther King Day Monday, January 16

President’s Day Monday, February 20

Good Friday Friday, April 7

Easter Monday Monday, April 10

Memorial Day Monday, May 29

Juneteenth Monday, June 19

Independence Day Tuesday, July 4

Labor Day Monday, September 4

Columbus Day Monday, October 9

Veteran’s Day Friday, November 10

Thanksgiving Day Thursday, November 23

Day After Thanksgiving Friday, November 24

Christmas Day Monday, December 25

Day After Christmas Tuesday, December 26

1. **Discuss & Act on Continuation or Termination of the Uniform and Utility Mat Lease Agreement with Brite Star Uniform Services**.

Ferman Garza, Maintenance Supervisor, informed the Commissioners Court regarding Brite Star Uniform Services uniform issues. Allison Strauss, County Attorney, stated that she would work with Ferman Garza in contacting Brite Star Uniform Services and would review the contract to see if it could be terminated.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Gumecinda “Cindy” Gonzales seconded the motion; the motion was unanimously passed that this item be tabled until more information is received.

1. **Discuss & Act on Purchase and Installation of Printer and Scanner for District & County Clerk’s Office within Budget. ($2,136.68)**

Judge Charles E. Burns informed the Commissioners Court of the District & County Clerk’s Office need to purchase and install a printer and scanner for the cost of $2,126.89, which is within budget.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Gumecinda “Cindy” Gonzales seconded the motion; the motion was unanimously passed that Veronica Vela with the District & County Clerk’s Office is authorized to purchase and install a printer and scanner for the cost of $2,126.89, which is within budget.

1. **Discuss & Act on Proposal from RCI for On-site Retention Processing Services for an Estimated 32 Boxes of Inactive Records at a Fee of $28.00 Per Box**.

Judge Charles E. Burns informed the Commissioners Court of RCI’s proposal for on-site retention processing services regarding the destruction of an estimated 32 boxes of inactive records for a fee of $28.00 per box.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that RCI’s proposal for the destruction for on-site retention processing services for the destruction of an estimated 32 boxes of inactive records for a fee of $28.00 per box be approved as presented.

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

Judge Charles E. Burns presented the Commissioners Court the bills that needed to be paid for the month ending November 30, 2022.

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

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

An Executive Session was not needed; therefore, it was not held.

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

An Executive Session was not needed; therefore, there were no issues to discuss in open session.

1. **Adjournment**.

There being no further business at this time to come before the Commissioners Court, Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the Kenedy County Commissioners Court be adjourned at 11:05 a.m.

/s/ Charles E. Burns

Charles E. Burns, County Judge

ATTEST:

/s/ Veronica Vela

Veronica Vela, County Clerk