THE STATE OF TEXAS \* COMMISSIONERS COURT

COUNTY OF KENEDY \* OF KENEDY COUNTY, TEXAS

On the 12th day of September, 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, Jr., County Judge

Joe Recio, Commissioner, Precinct 1

Israel Vela, Jr., Commissioner, Precinct 2

Sarita Armstrong-Hixon, Commissioner, Precinct 3

Gumecinda “Cindy” Gonzales, Commissioner, Precinct 4

**Also Present**:

Veronica Vela, County Clerk

Cynthia Salinas, County Treasurer

Allison Strauss, County Attorney

Irma Longoria, Tax Assessor/Collector

Leo Villarreal, Administrative Assistant

JP Cecilia Schulz

JP Jana Norrell

Tom Denney, Chief Appraiser

Andy Garza, Kenedy County Groundwater Conservation District

Grace Salinas, Administrative Secretary

Javier Zambrano

Capt. Eddie Cruz

Jose E. Mendietta, Fire Chief

Kevin O’Hanlon

Mitch Thomas

**Absent:**

Brian Birdwell, Elections Administrator

JP Patti Fain

JP Jerry Miller

Sheriff Ramon Salinas

Sandra Guzman

Anita Garza, Appraisal District Office

1. **Judge Burns Called the 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, Jr. led the Commissioners Court in the Pledge of Allegiance.

1. **Receive Public Comments**.

No public comments were made.

1. **Discuss & Act on the Regular Minutes of August 8th, 2022 and Special Meeting for August 15th, 2022, and August 22nd , 2022**.

Judge Charles E. Burns presented the Commissioners Court Minutes of the regular August 8, 2022, meeting, the special meetings of August 15, 2022 and August 22, 2022.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the minutes of the regular August 8, 2022, meeting, the special meetings of August 15, 2022 and August 22, 2022 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 August 31, 2022.

Commissioner Gumecinda “Cindy” Gonzales moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the Treasurer's Monthly Report and Transfers ending August 31, 2022, be accepted as presented.

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

Deputy Eddie Cruz presented the Sheriff’s monthly report to the Commissioners Court for the month ending August 31, 2022 including the Chapter 59 Funds report.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Gumecinda “Cindy” Gonzales seconded the motion; the motion was unanimously passed that the Sheriff’s Monthly Report be accepted as presented including the Chapter 59 Funds report.

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

Jose E. Mendietta, Fire Chief, presented the Fire District’s monthly report to the Commissioners Court for the month ending August 31, 2022.

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**.

Commissioner Joe Recio presented the Maintenance Department’s monthly report for the month ending August 31, 2022. Judge Charles E. Burns thanked Commissioner Joe Recio for his work regarding the Maintenance Department.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Gumecinda “Cindy” Gonzales seconded the motion; the motion was unanimously passed that the Maintenance Department’s monthly report be accepted as presented.

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

Daniel Almeida was not present; therefore, no report was made.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that this item be tabled.

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

Anthony Covacevich with GrantWorks presented the Commissioners Court with GrantWorks monthly reports regarding compliance of Colonia Grant #7219075 and Community Development Grant #7219220; that the electrician should come this month; however, a six-month extension was requested in case the electrician fails to come; that the new state contract ending date is January 31, 2023; and that the Texas Historical Environmental Commission approved the environmental re-evaluation for phase 2 small purchases procurement project.

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

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

Judge Charles E. Burns reported to the Commissioners Court the status of the construction regarding the Justice of the Peace Building/Hurricane Shelter.

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

1. **Final Report on CTIF Grant Status**.

Judge Charles E. Burns presented the Commissioners Court with the CTIF Grant Status final report and stated that all the millings had been picked up.

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

1. **Receive Status Report on Ralph Cuellar’s Mobile Home**.

Judge Charles E. Burns presented the Commissioners Court with a status report on Ralph Cuellar’s mobile home including that Ralph Cuellar has started to clean the yard and has to the end of October to destroy and remove the mobile home, otherwise, in November 2022, the Commissioners Court will commence proceedings to remove the mobile home.

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

1. **Discuss & Act on HAVA Election Security Grant Application to Aid in Paying for the Expense of New Election Equipment**.

Judge Charles E. Burns informed the Commissioners Court regarding the 2022 HAVA Election Security Sub-Grant to counties and regarding the need for an Application to aid paying new election equipment expenses.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that Judge Charles E. Burns proceed with completing and filing the 2022 Help America Vote Act Election Security Sub-Grant to Texas Counties regarding the payment of new election equipment expenses.

1. **Consent Agenda:**
2. **Approve Travel and Registration Expenses for Commissioner Israel Vela, Jr. to Attend the 100th Annual CJCA of Texas Conference in Lost Pines, Texas on October 3, 2022. ($612.50 within budget)**

Judge Charles E. Burns informed the Commissioners Court of the need for Commissioner Israel Vela, Jr. to attend the 100th Annual CJCA of Texas Conference in Lost Pines, Texas, on October 3, 2022, for $612.50 in expenses be advanced by the County.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that Commissioner Israel Vela, Jr. attend the 100th Annual CJCA of Texas Conference in Lost Pines, Texas, on October 3, 2022, including payment of $612.50 in expenses to be advanced by the County, provided proper receipts be provided to the County Treasurer.

1. **Discuss & Act on Part-Time Position for the County Attorney’s Office and Full-Time Position for the District & County Clerk’s Office**.

Allison Strauss, County Attorney, presented the Commissioners Court with the Order OR2022-08 regarding amending the 2022 Budget to create two new positions: 1) a part-time Administrative Assistant for the County Attorney office and 2) a full-time Clerk for the County Clerk’s office.

Commissioner Gumecinda “Cindy” Gonzales moved and Commissioner Sarita Armstrong-Hixon seconded the motion; the motion was unanimously passed that Order OR2022-08 be approved and that a part-time employee be hired for the County Attorney’ Office and a full-time employee be hired for the County Clerk’s Office.

1. **Discuss & Act on Nominating One Individual to Fill the Remainder of Homero Vera’s Term on the Kenedy County Central Appraisal District’s Board of Directors**.

Judge Charles E. Burns informed the Commissioners Court that Homero Vera had retired, therefore, it was necessary to consider nominating William Dieterle as a candidate to complete the remainder of Homero Vera’s term on the Kenedy County Central Appraisal District’s Board of Directors.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Gumecinda “Cindy” Gonzales seconded the motion; the motion was unanimously passed that William Dieterle be nominated as a candidate to complete the remainder of Homero Vera’s term on the Kenedy County Central Appraisal District’s Board of Directors.

1. **Discuss & Act on Proposed Tax Rate for Kenedy County-Wide Common School District for Maintenance and Operations of $0.8646 Per Hundred Value and to Adopt a Tax Rate for the Interest and Sinking Fund of $0.00 Per Hundred Value for the 2022 Tax Year, for a Total Tax Rate of $0.8646 Per Hundred Value**.

Judge Charles E. Burns informed the Commissioners Court that it was necessary to adopt the proposed tax rate for the Kenedy County-Wide Common School District for Maintenance and Operations of $0.8646 per hundred value and a tax rate for interest and sinking fund of $0.00 per hundred value, and that the total tax rate for 2022 of $0.8646 per hundred value.

Commissioner Gumecinda “Cindy” Gonzales moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that proposed tax rate for the Kenedy County-Wide Common School District for Maintenance and Operations be $0.8646 per hundred value and a tax rate for interest and sinking fund be $0.00 per hundred value and that the total tax rate for 2022 be $0.8646 per hundred value be adopted.

1. **Discuss & Act on Panic Button Protocol**.

Judge Charles E. Burns informed the Commissioners Court regarding the need to consider repairing the panic button protocol and for the Sheriff’s office personnel conduct monthly testing of the panic button protocol system.

Commissioner Gumecinda “Cindy” Gonzales moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the panic button protocol be repaired and that the Sheriff’s Office personnel conduct monthly testing of the panic button protocol system.

1. **Discuss & Act on Deputy Gerardo Rosa’s Salary Increase to Full Budget Amount. ($43,699)**

Judge Charles E. Burns informed the Commissioners Court regarding the need to increase Deputy Gerardo Rosa’s salary to the full budget amount of $43,699.00.

Commissioner Joe Recio moved and Commissioner Gumecinda “Cindy” Gonzales seconded the motion; the motion was unanimously passed that Deputy Gerardo Rosa’s salary be increased to the full-time budget amount of $43,699.00.

1. **Discuss & Act on the 2023 Sheriffs’ and Constables’ Fees**.

Judge Charles E. Burns informed the Commissioners Court regarding the proposed 2023 Sheriffs’ and Constables’ fees be as follows: Subpoenas - $105.00; Summons - $105.00; Citations (All) - $105.00; Precept to Serve - $105.00; Temporary Restraining Orders/Injunctions - $105.00; Writ (All) - $130.00; Arrest Fees - $60.00; and Bond Fees - $25.00.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the Sheriffs’ and Constables’ 2023 fees be set as follows: Subpoenas - $105.00; Summons - $105.00; Citations (All) - $105.00; Precept to Serve - $105.00; Temporary Restraining Orders/Injunctions - $105.00; Writ (All) - $130.00; Arrest Fees - $60.00; and Bond Fees - $25.00.

1. **Discuss & Act on Amending the Burn Ban**.

Judge Charles E. Burns informed the Commissioners Court regarding the need to amend the burn ban.

Commissioner Sarita Armstrong-Hixon moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the burn ban is lifted.

1. **Report on Kenedy County’s 1st Annual Health Fair on September 22, from 9 a.m. to 1 p.m**.

Judge Charles E. Burns informed the Commissioners Court regarding the proposed Kenedy County First Annual Health Fair scheduled for September 22, 2022, from 9:00 a.m. to 1:00 p.m.

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

1. **Discuss & Act on Approving the Payment List of Monthly Recurring Bills**.

Judge Charles E. Burns informed the Commissioners Court regarding the need to consider approving payment of the monthly recurring bills without prior Commissioners Court’s approval.

Commissioner Gumecinda “Cindy” Gonzales moved and Commissioner Joe Recio seconded the motion; the motion was unanimously passed that the County monthly recurring bills be paid without Commissioners Court prior approval.

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

Judge Charles E. Burns informed the Commissioners’ Court of the need to pay the bills.

Commissioner Gumecinda “Cindy” Gonzales moved and Commissioner Israel Vela, Jr. seconded the motion; the motion was unanimously passed that the bills be paid as presented including payment the Maintenance Department fax line invoice but dropping it thereafter and to correct the Maintenance Department budget line item regarding this issue.

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

Judge Charles E. Burns, at 10:39 a.m. announced that it was necessary for the Commissioners Court to enter into an Executive Session regarding Personnel Matters of the opening of the applications for the Maintenance Supervisor position.

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

Judge Charles E. Burns, at 10:44 a.m. announced that the Commissioners Court was now in Open Session.

Commissioner Gumecinda “Cindy” Gonzales moved and Commissioner Sarita Armstrong-Hixon seconded the motion; the motion was unanimously passed that applicants for the Maintenance Supervisor position be interviewed on September 27, 2022 and that 45 minutes be allowed for each applicant interview.

1. **Adjournment**.

There being no further business 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 meeting be adjourned at 10:46 a.m.

/s/ Charles Burns

Judge Charles Burns

ATTESTED BY:

/s/ Veronica Vela

VERONICA VELA

Clerk of Commissioners Court