

Kleberg County Commissioners' Court Minutes



Regular Session January 24, 2011 @ 2:00 P.M.

BE IT REMEMBERED, that on this the 24th day of January, 2011, the Commissioners' Court of Kleberg County, Texas, met in Regular Session in the Courthouse Annex, of the Law Enforcement Center, 1500 E. King, Kingsville, Texas with the following present:

Kleberg County Commissioners Court:

Hon. Juan M. Escobar, Co. Judge (not present)
David Rosse, Commissioner Pct. #1
Chuck Schultz, Commissioner Pct. #2
Roy Cantu, Commissioner Pct. #3
Romeo Lomas, Commissioner Pct. #4
Leo H. Alarcon, County Clerk

Also present were:

Melissa Munoz, County Auditor
Priscilla A. Cantu, County Treasurer
Delma Rios-Salazar, County Attorney
Sonja D. Reyna, Deputy Clerk

COURT WAS OPENED and called to order by Commissioner Lomas to consider the following agenda items, Commissioner Rosse gave the invocation, and Commissioner Lomas led the Court in the Pledge of Allegiance of the United States and Texas.

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AGENDA ITEM #1 (Rec.55-74)

In The Matter Of Discussing And Acting On Approving Previous Minutes

The above matter coming on for consideration, a motion was made by Commissioner Cantu and seconded by Commissioner Lomas to approve two sets of minutes, a Regular Session and a Workshop Session both dated January 10, 2011. Upon vote, the motion carried unanimously and so ordered.

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AGENDA ITEM #2 (Rec.75-139)

In The Matter Of Discussing And Acting On Monthly Departmental Reports

The above matter coming on for consideration, a motion was made by Commissioner Rosse and seconded by Commissioner Cantu to approve the monthly reports as presented and make them part of public record. Upon vote, the motion carried unanimously and so ordered.

MONTHLY REPORTS

- County Clerk's Office of Court Administration – December 2010
- Sheriff's – December 2010
- J.P. Pct #1 – December 2010
- J.P. Pct #3 – December 2010
- J.P. Pct #4 – December 2010
- Constable Pct #3 – December 2010

Tax Assessor-Collector Melissa T. De La Garza gave the Court an update as to what her office received on Monday, January 24th. She stated that the total received was at \$2,035,397.95. The total M & O and Interest & Sinking was \$97,986.24 for both current and delinquent tax levy.

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AGENDA ITEM #3 (Rec.140-277)

In The Matter of Discussing And Acting On Monthly Bills

The above matter coming on for consideration, a motion was made by Commissioner Rosse and seconded by Commissioner Cantu to authorize the County Auditor and the County Judge to research the Lowerre, Frederick, Perales, Allmon, & Rockwell bill in the amount of \$38,382.22 and to pay the unpaid balance; the bill is to be paid from the legal expenses line item. Upon vote, the motion carried unanimously and so ordered.

The above matter coming on for consideration, a motion was made by Commissioner Lomas and seconded by Commissioner Cantu to pay the Ramos Refrigeration bill in the amount of \$46,713 from the Jail's Certificate of Obligation Bond Funds. Upon vote, the motion carried unanimously and so ordered.

The above matter coming on for consideration, a motion was made by Commissioner Rosse and seconded by Commissioner Schultz to pay the LNV Engineering bill in the amount of \$14,000 from the Certificate of Obligations (Exxon Building & Human Services Projects) and the Hall of Frames bill in the amount of \$189.95 from the Commissioners' Court Approved or the Contingency Fund. Upon vote, the motion carried unanimously and so ordered.

MONTHLY BILLS

Ramos Refrigeration (Inv. #40734) -- \$46,713
Lowerre, Frederick, Perales, Allmon, & Rockwell (Inv. #4418) -- \$38,382.22
LNV Engineering (Exxon & Human Services Inspections) (Inv. # 8715) -- \$14,000
Hall of Frames (Inv. #12932) -- \$189.95

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AGENDA ITEM #4 (Rec.278-304)

In The Matter Of Discussing And Acting On Budget Line-Item Transfers

The above matter coming on for consideration, a motion was made by Commissioner Cantu and seconded by Commissioner Rosse to approve the budget line-items as presented. Upon vote, the motion carried unanimously and so ordered.

BUDGET LINE-ITEMS

Human Services – 052-632-102 to 052-632-187 -- \$264.79 Human Services – 052-632-332 to 052-632-375 -- \$778.80
Human Services – 052-632-136 to 052-632-187 -- \$152.80 Human Services – 052-632-417 to 052-632-375 -- \$52.56
Human Services – 052-632-151 to 052-632-187 -- \$226.13 Human Services – 052-632-426 to 052-632-375 -- \$410.07
Human Services – 052-632-204 to 052-632-187 -- \$104.55 Human Services – 052-632-427 to 052-632-375 -- \$433.42
Human Services – 052-632-185 to 052-632-187 -- \$413.85 Human Services – 052-632-435 to 052-632-375 -- \$100
Human Services – 052-632-186 to 052-632-187 -- \$1,265.51 Human Services – 052-632-440 to 052-632-375 -- \$439.24
Human Services – 052-632-493 to 052-632-187 -- \$20 Human Services – 052-632-447 to 052-632-375 -- \$769.66
Human Services – 052-632-448 to 052-632-375 -- \$2,580.87

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AGENDA ITEM #13 (Rec.305-1203)

Presentation By County Court At Law Judge Mendoza Regarding The Creation Of A Court Reporter Position

A presentation was made by County Court at Law Judge Lupita Mendoza concerning the position of a Court Reporter. Judge Mendoza said she understood the County's financial position and understood there was not enough funds available in the budget for a Court Reporter position but she wanted to make the Court aware of a few problems she had come across: 1) A contested Probate hearing that was scheduled for a Jury Trial on April 25, 26 and 27, 2011 that will be heard by Hon. John A. Hutchison, III, a visiting Judge from Houston, Texas and Judge Hutchison had requested a court reporter to be available on those dates; 2) A 2006 DWI Jury Trial that was appealed; the Courts of Appeals affirmed the Jury Trial Court Conviction and then the defendant appealed it to the Court of Criminal Appeals and now the Court of Criminal Appeals is requesting a transcript from the 2006 DWI Jury Trial. She said copies of tapes were submitted to the Court of Criminal Appeals by the previous Court Coordinator but the tapes were not audible and the Court of Criminal Appeals informed Judge Mendoza that she had until January 31, 2011 to produce a complete record of the Trial. Judge Mendoza said she had asked for an extension. Commissioner Lomas stated for the past 20 years the previous Judge never had a court reporter in any Court hearings for the County Court at Law. Judge Mendoza and others in the audience disputed Lomas' statement and said there

had been a court report previously. District Attorney John Hubert informed the Court he occasionally contracted a Court Reporter and paid approximately \$100 per hour. Commissioner Lomas suggested Judge Mendoza research and get prices for a contract court reporter for the Jury Trial in April 2011.

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AGENDA ITEM #6 (Rec.1204-1445)

Presentation By District Attorney Regarding Use Of \$17,250.48 From D.A. Asset Forfeiture Account To Be Used For The 1st Year Purchase/Lease Of Hardware And Software From COPSINC For Use By The D.A.'s Office And Kingsville Taskforce

A presentation was done by District Attorney John Hubert. He explained the advantages to purchase/lease hardware and software from COPYNC for the D.A.'s Office and the Kingsville Taskforce.

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AGENDA ITEM #7 (Rec.1446-1540)

Presentation By Arturo Pecos Of Flag Flown Over NATO Role 3 Hospital At Kandahar Airfield, Afghanistan During Operation Enduring Freedom Done In Honor Of Kleberg County Courthouse, Kingsville Texas

Presentation was done by Veterans Administrator Arturo Pecos. He presented a framed flag along with an authentic certificate and asked the Court where the County wanted the frame placed. It was suggested that it be placed in the Veterans Memorial.

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AGENDA ITEM #12 (Rec.1541-2175)

In The Matter Of Discussing And Acting On Taking Action To Hire And Contract A Consultant To Assist Kleberg County with Unforeseen High Dollar Claims Arising Out Of The Medical Plan And To Assist With Other Issues Related To The Kleberg County Medical Plan

The above matter coming on for consideration, a motion was made by Commissioner Lomas and seconded by Commissioner Schultz to hire Bill Rusteberg as a Consultant to assist Kleberg County with unforeseen high dollar claims arising out of the medical plan and to assist with other issues related to the Kleberg County medical plan. Upon vote, Commissioner Rosse voted nay, Commissioner Schultz voted aye, Commissioner Cantu voted nay and Commissioner Lomas voted aye. The motion failed.

The above matter coming on for consideration, a motion was made by Commissioner Rosse and seconded by Commissioner Cantu to hire Jerry Bravenec as a consultant on behalf of Kleberg County to review insurance claims and to make recommendations to this Court. Upon vote, the motion carried unanimously and so ordered. After further discussion Commissioner Cantu withdrew his second. Motion failed for lack of a second.

The above matter coming on for consideration, a motion was made by Commissioner Cantu and seconded by Commissioner Lomas to table the agenda item and have the County Judge set a committee. Upon vote, Commissioner Rosse voted nay, Commissioner Schultz voted aye, Commissioner Cantu voted aye and Commissioner Lomas voted aye. The motion passes and so ordered.

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AGENDA ITEM #9 (Rec.2176-2300)

In The Matter Of Discussing And Acting On Authorizing Parks Department To Install One New Phone Line At J.K. Northway Expo Dedicated To Heating/Air Conditioner Control

The above matter coming on for consideration, a motion was made by Commissioner Cantu and seconded by Commissioner Lomas to authorize the Parks

Department to install a new phone line if needed, at the J.K. Northway Expo dedicated to heating/air conditioner control. Upon vote, the motion carried unanimously and so ordered.

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AGENDA ITEM #10 (Rec.2301-2343)

In The Matter Of Discussing And Acting On Leasing A Portable Toilet For The Weight Station In Riviera, Texas

The above matter coming on for consideration, a motion was made by Commissioner Cantu and seconded by Commissioner Schultz to table the agenda item. Upon vote, the motion carried unanimously and so ordered.

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AGENDA ITEM #11 (Rec.2344-2455)

In The Matter Of Discussing And Acting On Authorizing County Judge To Submit Application For Highway Project Development Under The Texas Department Of Transportation 2011 Pass-Through Finance Program

The above matter coming on for consideration, a motion was made by Commissioner Lomas and seconded by Commissioner Cantu to table the agenda item. Upon vote, the motion carried unanimously and so ordered.

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AGENDA ITEM #8 (Rec.2456-3427)

In The Matter Of Discussing And Acting On Implementing Kleberg County-Wide Hiring Freeze With The Exception Of Law Enforcement And Grant-Funded Positions and Road & Bridge; And A Spending Freeze On An Amount To Be Determined By The Commissioners' Court

The above matter coming on for consideration, a motion was made by Commissioner Schultz and seconded by Commissioner Cantu to implement a Kleberg County-Wide hiring freeze with the exception of Law Enforcement, grant funded positions and Road & Bridge; and to implement a spending freeze of \$250 or more effective Monday, January 24, 2011 at 5:01 p.m. Upon vote, the motion carried unanimously and so ordered.

Commissioner Lomas asked if any Department Heads in the audience had any comments regarding the freeze. County Clerk Leo Alarcon said he was in the process of having the maintenance department build some counters and cameras placed for safety reasons in his office especially in the criminal area where they receive Court payments.

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WITH NO FURTHER BUSINESS AT HAND TO BE CONSIDERED BY THE COURT AT THIS TIME, ADJOURNMENT WAS HAD.

Juan M. Escobar, County Judge

ATTEST:

Leo Alarcon
County Clerk and Ex-Officio Member
Of the Commissioners Court
Kleberg County, Texas

