

Kleberg County Commissioners' Court Minutes



Workshop Session On Monday, March 9, 2026 @ 10:00 A.M.

BE IT REMEMBERED, that on this the 9th day of March, 2026 the Commissioners' Court of Kleberg County, Texas, met in Workshop Session in the Courthouse Annex, of the Law Enforcement Center, 1500 E. King, Kingsville, Texas with the following present:

Kleberg County Commissioners Court:

Hon. Rudy Madrid, County Judge - N/P
David Rosse, Commissioner Pct. #1
Chuck Schultz, Commissioner Pct. #2
Jerry Martinez, Commissioner Pct. #3
Marcus Salinas, Commissioner Pct. #4
Salvador "Sonny" Barrera, III, County Clerk

Also present were:

Kira Talip- Sanchez, County Attorney
Melissa S. Green, County Auditor - N/P
Priscilla A. Cantu, County Treasurer - N/P
Delma Treviño, Chief Deputy Clerk
Michelle Hernandez, Deputy Clerk

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

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PUBLIC COMMENTS:

****** NONE ******

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Deliberate And Consider The Following Items:

- 1. WORKSHOP SESSION:** Regarding County Road 100 in S.W. Corner of Kleberg County

Elizabeth Wright: Will Judge Madrid be present.

Commissioner Rosse: stated that the County Judge would not be present; however, the three other Commissioners and he were in attendance. He also noted that he met with Mr. Al Higginbotham over the weekend. Commissioner Rosse then read the documentation that he and Mr. Higginbotham prepared regarding Kleberg County Road 100, which he believes could help bring all parties to an agreement. The documentation stated that the road is used as a 911 corridor, providing emergency access and services to property owners in the northeast corner of the subdivision.

Commissioner Rosse: The County was under the impression that Road 100 was a county road. However, the County is willing to relinquish that right if all parties can come together, reach a peaceful agreement, and work out the necessary details.' It is believed that this approach will help resolve the matter. The County would like to resolve the issue today; however, the agreement will not be signed until all parties are present.

Commissioner Rosse: stated that the road may be locked; however, because it serves as a 911 corridor, it must remain accessible to utility companies, EMS, firefighters, and law enforcement. He noted that this would be a key issue in any agreement, and Kleberg County would want this requirement clearly written into the agreement if one is established.

Charles Mainly: Commissioner Rosse described County Road 100 as a two-mile straight road running from south to north and from north to south.

Commissioner Rosse: It was stated that a retired deputy from the Kleberg County Sheriff's Office explained that the road runs all the way down to the Canales Ranch.

Charles Mainly: (representing South Texas Property Rights) stated that he wanted to address the Hall property, as it falls within this discussion. He noted that this presents an opportunity for the County to approach the legislature for an extension beyond the 2011 deadline to help resolve similar issues in the future.

Commissioner Rosse: noted that he did not have the plat with him.

Kira Talip Sanchez, County Attorney: stated that the plat could be obtained. I can ask our 911 coordinator.

Commissioner Rosse: He stated that he was unsure how to resolve the issue when it first occurred.

Al Higginbotham: He stated that there are three property owners who have been operating under a prescriptive easement, which was originally arranged for Paul Wright in the 1950s.

Charles Mainly: He stated that a prescriptive easement cannot be established if it was imposed on someone without their knowledge. He added that this is a civil matter regarding access, and it is a civil issue that this Court can't address regardless.

Commissioner Rosse: He explained that, as Jim Allison noted in the paperwork previously read, it does not matter whether the road is a county road—every property owner within the subdivision has certain rights to those easements.

Charles Mainly: This is a civil issue, not a public matter, and the Court cannot resolve it, regardless of Jim Allison's opinion on access. Mr. Bass noted in his 2011 presentation that mere dedication does not obligate the County to maintain a road, except where specifically ordered, with defined meets and bounds. After 1981, the County can only own or maintain a road through a specific purchase or formal dedication accepted by the Court. An approved plat alone does not create a county road—separate acceptance is required. If there is no record of an offer, dedication, or acceptance, the road is not a county road, even if it has been used or maintained.

Kira Talip Sanchez, County Attorney: What are the Wrights intending to do? She stated that she is aware the Wrights provided everyone with a key.

Phillip Wright: The issue is that the County became involved and claimed nearly three miles of our private property, which is now being used to leverage someone else's rights. We offered a legal easement, but they never responded.

Al Higginbotham: It was stated that the Wrights do not have ownership of these roads. Property is conveyed by lot, block, and edition with reference to the county plat, and the Wrights have never owned anything related to the roads other than an easement. They never purchased any property from Burton or Dan Ford. If anyone owns the surface of these roads, it is Burton and Dan Ford; the roads have never been conveyed to anyone else.

Kira Talip Sanchez, County Attorney: Mr. Mainly was asked what he believes would be a good solution to the issue.

Charles Mainly: He stated that he was unsure because he did not know exactly what the Wrights were wanting to do.

Kira Talip Sanchez, County Attorney: What would be a possible solution that affects all property owners? From an outside perspective, what would generally be the best way to resolve the issue?

Charles Mainly: He stated that the first step would be to determine whether the road is a county road. If it is a county road, the question would be whether the County is attempting to take the road. If it is not a county road, then someone may need to be compensated. He added that there are two issues involved—access concerns and the dispute between the parties. He noted that since it is a civil matter, the Commissioners Court shouldn't be involved.

Kira Talip Sanchez, County Attorney: Asked how the other property owners would obtain access.

Charles Mainly: Stated that, to his understanding, the Wrights had given them permission, and some of the access appeared to come from the west.

Mrs. Wright: We have been dealing with harassment and the possibility that the county may be attempting to claim the road.

Kira Talip Sanchez, County Attorney: Exclude the county. This did not appear to be an issue until more personal matters became involved.

Elizabeth Wright: There was not an issue until Mr. Hall obtained the land and placed it under his name.

Kira Talip Sanchez, County Attorney: It appears to me that this is more of a personal matter.

Elizabeth Wright It is a civil matter.

Charles Mainly: The Commissioners Court does have the authority to create a road if it chooses. They could provide access to the two properties; however, there are currently no residences there. If the county decided to build a road between Canales Ranch and King Ranch, it could dedicate the road, condemn the land, if necessary, install utilities, and construct a blacktop road 30 or even 50 feet wide if it is determined to be in the best interest of the county. However, the county would have to compensate the landowner for the property taken. The first step would be to resolve the issue regarding County Road 100 and determine whether there were a dedication and acceptance or whether the road was taken. The primary issue is whether Mr. Hall has access to his property. If not, the county would either must condemn additional right-of-way and proceed with condemnation, or the matter would need to be resolved outside of this court. Using this situation to force the parties to reach an agreement is not what the statute intends, nor is it within the authority of the county.

Commissioner Rosse: What we are trying to do is follow the guidance provided by Jim Allison.

Charles Mainly: Are you claiming that all those subdivision roads are county roads?

Al Higginbotham: No, they are dedicated as open roads, and no surface rights were ever granted to the state. Can you provide proof that you own that road?

Phillip Wright: Yes, it is in our deed.

Al Higginbotham: Prove it. The road originated from Berton and Dan Ford, who never conveyed any road surface to any property owner—retaining all rights and appurtenances.

Elizabeth Wright: We have agreements with all parties, which are renewed annually. The only families we are having issues with are the Halls and Munkfords. In 2023/2024, we offered them an express legal easement, which comes with several attached rules.

Al Higginbotham: The Wrights have no authority to grant access—you cannot execute easements on property you don't own. Show us the deed; otherwise, you have no more rights than they do.

Phillip Wright: the Sharpe's were able to close their property

Charles Mainly: Commissioner Rosse specifically noted in the documents that roads surrounding the property were abandoned. If the owners had the right to abandon or close roads, none of these were formally closed. Asking the county to close them is not appropriate. While past plats may show dedication, these roads were never county-owned—only accepted as implied easements for use. I believe all properties should have access. Any county where a land parcel exists has the authority to create a new road to these properties through dedication, condemnation, or purchase. Over the years, once fences were placed and taxes paid, some form of adverse possession may have occurred, and those lines could effectively be erased from the map.

Al Higginbotham: A gate cannot be placed across the road if anyone requires access.

Charles Mainly: Yes, it can be done, but only if the county approves it. Gates or cattle guards may be installed across the road; however, they must be built to county standards. Technically, there should be a 60-foot hinge area on each side of the gate. There have been gates placed across roads in this county in the past that were never required to be removed. As a result, the county has not exercised authority over those gates or that road, since multiple gates have existed across it.

Al Higginbotham: The Commissioners Court relied on this dedication in the 1970s.

Charles Mainly: After 2011, that can no longer be used except as limited evidence. You would have to prove that the road has been maintained continuously from before 1981 to the present. To my knowledge, there would need to be a specific budget line item showing maintenance of County Road 100 every year since 1981. Other than the testimony of one person, it would likely become more of a civil matter.

Kira Talip Sanchez, County Attorney: What's the other alternative?

Charles Mainly: Let's step away from this road issue and avoid continuing the dispute. It would be best to allow civil court to determine the matter. The court can decide whether the Wrights own the road and whether Ben and Dan Ford dedicated the roads to the county. Civil court can also address and determine the access issues first.

Commissioner Rosse: We were trying to save all parties from litigation we don't have to go any further.

Phillip Wright: I offered an agreement and tried to make peace. Our goal was to stop the illegal traffic from coming through, but someone is using this situation to their own benefit.

Elizabeth Wright: I don't think we are going to get anywhere today, and this seems like a conflict of interest. We are not trying to fight the court; we just want this matter to be put to rest and to maintain a good relationship with our neighbors, which for the most part we do. The Hall situation has spiraled out of control and has become a safety issue. We have small children who live at the ranch.

Phillip Wright: We came to Mr. Higginbotham for support.

Al Higginbotham: You called asking if I could help you close the roads

Elizabeth Wright: We didn't understand the legality.

Al Higginbotham: You locked the property, and Ms. Hall and her children were locked inside.

The Wrights: We gave them a key.

Al Higginbotham: You do not have the right to do that because you do not own the road. Let's see proof that you do. You have never given anything but easements across those roads.

Charles Mainly: For the county: If you choose to take that position, you are essentially telling landowners across this county that they don't own their entire ranch—including large properties like the King Ranch. There are fences surrounding dedicated roads like this all over Texas. By taking this stance, the county is effectively claiming they don't own that land. Again, this appears to be a civil court matter, and it would be best to let the court resolve it first.

Commissioner Rosse: I was trying to save everyone money and do what was right, but if this goes to court, I want to be clear that I would not sign an agreement allowing access to the road.

Phillip Wright: Is the Road 100 we are discussing considered our private property?

Commissioner Rosse: Those are easements that Jim Allison...

Phillip Wright: The same Jim Allison who says that the Sharpe family can close their roads.

Commissioner Rosse: Only within their property.

Charles Mainly: There are many civil issues involved, and I am not taking sides. This is a property rights matter. The Hall family and the Munkford family have the right to ask the court to resolve it if it's in the best interest of the county, or to let them resolve it themselves. The county can revisit the situation and create north and south access if the court determines that Dan Ford's easements are valid and grant them access. That would resolve the issue. I do not want the county to spend money maintaining the road.

Charles Mainly: If this road is made public, it is likely to cause significant concern and opposition from a number of people.

Al Higginbotham: What you are asking the Court to do is to relinquish those roads and allow the involved parties to resolve the matter themselves.

Charles Mainly: No, I am suggesting that the civil matter be resolved first. If the Wrights, by virtue of installing fencing around all of those subdivision roads, are attempting to claim those areas as part of their property—and it appears the Sharpes may already be doing the same—then this becomes a title issue that should be settled before any further action. My recommendation is that the County wait until this matter is resolved before expending funds to pursue County Road 100. It would not be a prudent use of resources to spend money on this issue if the families involved may not have access regardless, especially considering that the other family served by this road already has access.

Kira Talip Sanchez, County Attorney: Are they trying to resolve this issue?

Charles Mainly: I believe the Court's options at this point are limited. The Halls may need to pursue legal action again to obtain access. The law is clear that, even if the County is presumed to own the road, the Wrights can take action—such as installing a gate—to force the issue of whether the County does or does not have ownership. For that reason, I recommend that this matter be addressed through the civil court system so it can be properly resolved. It is also possible the families may reach an agreement before the case proceeds, as many disputes are settled outside of court, although that is not guaranteed. Once the issue is resolved, and if the Court determines it is appropriate, the road could then be formally established as a county road and opened for public use.

Phillip Wright: Commissioner Rosse stated, "No good deed goes unpunished." In this situation, we believe we are the ones who acted in good faith. We are present and making an effort to work cooperatively; however, this is not a matter for the Court to determine.

Commissioner Rosse: I made a sincere effort to resolve this situation, and I apologize, but it does not appear that we are making progress. At this time, I am calling this meeting adjourned.

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Pursuant to the authority granted under Government Code, Chapter 551, the Commissioners' Court may convene a closed session to discuss any of the above agenda items. Immediately before any closed session, the specific section or sections of government code, chapter 551 that provides statutory authority will be announced.

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• Conduct Any Other Business Necessary For The Proper Functioning Of County Business

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With No Further Business At Hand To Be Considered By The Court At This Time, Adjournment Was Had @11:20am.



Rudy Madrid, County Judge

ATTEST:



Salvador "Sonny" Barrera, III
County Clerk
Kleberg County, Texas