

Kleberg County Commissioners' Court Minutes



Special Session On Monday, December 16th, 2024 @ 1:30 P.M.

BE IT REMEMBERED, that on this the 16th day of December, 2024 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. Rudy Madrid, County Judge
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, Co. Attorney
Melissa Green, Co. Auditor
Priscilla A. Cantu, Co. Treasurer (NP)
Janie Espindola, Deputy Clerk
Delma Trevino, Chief Deputy Clerk(NP)

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

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PUBLIC COMMENTS:

*****NO COMMENTS*****

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AGENDA ITEM #1

In The Matter Of Discussing And Acting On Approving Payment Of Bills

The above matter coming on for consideration, a motion was made by Commissioner Schultz and seconded by Commission Salinas approving to pay the bills as presented. Upon vote, the motion carried unanimously and so ordered.

Bills

A C Lawn and Garden--\$813.86
A C Lawn and Garden--\$477.72
Appriss Insights--\$4,642.83
CCI Surety, Inc.--\$1,775.00
CCI Surety, Inc.--\$1,775.00
CNA Surety Direct Bill--\$700.00
Christus Spohn Health System--\$1,828.40
Companion Life Ins Co--\$4,479.18
Election Systems & Software--\$336.77
4 Imprint--\$4,189.82
Gateway Printing & Office Supply--\$405.87
Jerry's Heating & Air Conditioning--\$3,860.00
Kingsville Record--\$585.00
Rosendo Munoz--\$331.00
National Association of Coun--\$621.00
ODP Business Solutions LLC--\$319.99
Petty's Electronic--\$1,921.00
Quill Corporation--\$442.34
Quill Corporation--\$375.39
Scott-Merriman Inc--\$985.00
Turcotte-Piper Mortuary--\$995.00
US Foodservice Inc--\$1,777.81
US Foodservice Inc--\$2,641.94
US Foodservice Inc--\$4,260.47

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AGENDA ITEM #2

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 Rosse and seconded by Commissioner Martinez to approve the budget line-item transfers as presented. Upon vote, the motion carried unanimously and so ordered.

Budget Line-Item Transfers

Human Servies

128-632-403 to 128-632-450--\$2000.00
128-632-426 to 128-632-450--\$1000.00
128-632-427 to 128-632-450--\$1000.00
128-632-454 to 128-632-450--\$15,000.00
128-632-452 to 128-632-450--\$1,609.00

Sheriff

010-560-330 to 010-560-458--\$690.00

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AGENDA ITEM #3

In The Matter Of Discussing And Acting On Approving Budget Amendments

The above matter coming on for consideration, a motion was made by Commissioner Schultz and seconded by Commissioner Martinez to approve the budget amendments as presented. Upon vote, the motion carried unanimously and so ordered.

Budget Amendments

Human Services

128-632-343--\$27,925.00

SAVMS Grant

048-581-453--\$18,571.32
048-333-300--\$18,571.32

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AGENDA ITEM #4

In The Matter Of Discussing And Acting On Approval Of A Burn Ban In Kleberg County.

TABLED UNTIL DECEMBER 23, 2025

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AGENDA ITEM #5

In The Matter Of Discussing And Acting On Approval of The Purchase Of Baffin Bay Estates, Lot 1 & 2, Block 4, Of The Baffin Bay Subdivision, In The Amount Of \$500,000.00 Plus Closing Costs.

The above matter coming on for consideration, a motion was made by Commissioner Schultz and seconded by Commissioner Salinas to approve the purchase of Baffin Bay Estates, Lot 1 & 2, Block 4, of the Baffin Bay Subdivision in the amount of \$500,000.00 plus closing costs. Upon vote, the motion carried unanimously, and so ordered.

AGENDA ITEM #6

In The Matter Of Discussing And Acting On Approval To Amend The 2024 Holiday Schedule And Add December 31, 2024 As A Kleberg County Holiday.

The above matter coming on for consideration, a motion was made by Commissioner Schultz and seconded by Commissioner Salinas to approve to amend the 2024 schedule and add December 31, 2024 as a Kleberg County Holiday. Upon vote, the motion carried unanimously and so ordered.

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AGENDA ITEM #7

In The Matter of Discussing And Acting On Lenslock Agreement, Previously Approved On July 9, 2024, For The Kleberg County Sheriff's Department.

The above matter coming on for consideration, a motion was made by Commissioner Rosse and seconded by Commissioner Martinez to approve this motion and it will taken care of as a Line Item Transfer. Upon vote, the motion carried unanimously and so ordered.

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AGENDA ITEM #8

In The Matter Of Discussing And Acting On Interlocal Cooperation Agreement Between Kleberg County Attorney's Specialized Crimes & Narcotics Task Force And San Patricio County Sheriff's Office For Law Enforcement Services.

The above matter coming on for consideration, a motion was made by Commissioner Rosse and seconded by Commissioner Schultz to approve on the Interlocal Agreement between Kleberg County Attorney's Specialized Crimes & Narcotics Task Force and San Patricio County Sheriff's Office for Law Enforcement Services. Upon vote, the motion carried, and so ordered.

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AGENDA ITEM #9

In The Matter Of Discussing And Acting On Approval Of Resolution Authorizing The County Judge To Enter Into An interlocal Cooperation Agreement Between Kleberg County Attorney's Specialized Crimes & Narcotics Task Force And San Patricio County Sheriff's Office For Law Enforcement Services.

The above matter coming on for consideration, a motion was made by Commissioner Schultz and seconded by Commissioner Rosse to approve Resolution authorizing the County Judge to enter into an Intercoastal Cooperation Agreement between Kleberg County Attorney's Specialized Crimes & Narcotics Task Force and San Patricio County Sheriff's Office for Law Enforcement Services. Upon vote, the motion carried, and so ordered.

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AGENDA ITEM #10

In The Matter Of Discussing And Acting On Approval For Commissioner Pct. #3, Road and Bridge, To Use The John Deer Tractor From Fire Station 1, Until Needed By The Fire Department.

The above matter coming on for consideration, a motion was made by Commissioner Rosse and seconded by Commissioner Salinas approving Commissioner Pct. #3, Road and Bridge, to use the John Deere Tractor from Fire Station 1, until needed by the Fire Department. Upon vote, motion carried, and so ordered.

AGENDA ITEM #11

In The Matter Of Discussing And Acting On Approval Of TxDOT 5311 Project# 51018012125 For Kleberg County Human Services.

The above matter coming on for consideration, a motion was made by Commissioner Salinas and seconded by Commissioner Martinez to approve TxDOT 5311 Project # 51018012125 for Kleberg County Human Services. Upon vote, motion carried, and so ordered.

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AGENDA ITEM #12

In The Matter Of Discussing Acting On Approval Of TxDOT Project# 51016051625 Contract Amend #1ED For Kleberg County Human Services.

The above matter coming on for consideration, a motion was made by Commissioner Martinez and seconded by Commissioner Salinas to approve TxDOT Project # 5101651625 Contract Amend #1ED for Kleberg County Human Services. Upon vote, the motion carried unanimously, and so ordered.

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AGENDA ITEM #13

In The Matter Of Discussing And Acting On Approval Of TxDOT #5106012124 Contract Amend #1 For Kleberg County Human Services.

The above matter coming on for consideration, a motion was made by Commissioner Rosse and seconded by Commissioner Martinez, to approve TxDOT Project # 5106012124 Contract Amend #1 for Kleberg County Human Services. Upon vote, the motion carried unanimously, and so ordered.

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AGENDA ITEM #14

In The Matter of Discussing And Acting On Approval Of 589400044176 CEAP Contract Amend #1 For Kleberg County Human Services.

The above matter coming on for consideration, a motion was made by Commissioner Salinas and seconded by Commissioner Rosse to approve 589400044176 CEAP Contract Amend #1 for Kleberg County Human Services. Upon vote, the motion carried unanimously, and so ordered.

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AGENDA ITEM #15

In The Matter Of Discussing And Acting Of 58240004028 CEAP Contract #4 For Kleberg County Human Services

The above matter coming on for consideration, a motion was made by Commissioner Schultz and seconded by Commissioner Martinez to approve 58240004028 CEAP Contract #4 for Kleberg County Human Services. Upon vote, the motion carried unanimously, and so ordered.

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AGENDA ITEM #16

In The Matter Of Discussing And Acting On Approval For Open Enrollment To Be Held From January 8-January 10, 2025 For The Cafeteria Plan 125 And Supplemental Policies.

The above matter coming on for consideration, a motion was made by Commissioner Rosse and seconded by Commissioner Schultz to approve having Open Enrollment to be held from January 8-January 10, 2025 for the Cafeteria Plan 125 and Supplemental Policies.

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AGENDA ITEM #17

Workshop Session Regarding Volunteer Fire Department.

Judge Madrid: Did all the Fire Department get the message we were having a meeting today? Where are we at with all of that?

County Attorney: What it's coming down to is trying to figure this out. I did ask for Articles of Appropriation and have not received any, I am trying to figure out how to do the contract so we can move forward, that is the issue.

Commissioner Rosse: It is my understanding the only ones who have registered with the state is Riviera Volunteer Fire Department, is that right?

County Attorney: Yes, they are here and they did submit their Articles of Incorporation, I don't believe they have their 501C3 which they would also have to submit.

Jacob Mosley: That could be expedited through the IRS. It's not necessary to register with the state.

Adam LaRosa: It is not necessary to register with the state. A 501C3 is not required in our province.

County Attorney: They do have their Articles of Incorporation, but I do feel it is important we do have someone from the county that can be designated to be able to have access to everything that is going on with the employees, not in charge, but someone who can make sure the contract is being followed. A new contract needs to be written up.

Commissioner Rosse: For liability purposes, you don't want to be in control because then it would expose the taxpayers of this community to, by my understanding, it would expose Kleberg County to potential liability, is that right?

County Attorney: Yes, but we can designate someone that is going to make sure our interest is being covered as we are the ones funding everything. The buildings, the equipment, everything is being funded by Kleberg County but they are their own entity, that's why we have to re-write the contract. That's why it would say that at the beginning of each year we can audit everything, we can have our designee come in and out as they want making sure everything is being done correctly. They should be giving us proof of their Articles of Incorporation every year before we give them their funding.

Judge Madrid: Certifications, training.

County Attorney: Certifications, training that is required and all of that will be in the contract and they have to show us that before the funding is given every year.

Rosse: It would be my suggestion to authorize the County Attorney to work up a contract between Kleberg County and Riviera Volunteer Fire Department for the operation of fire protection in Kleberg County. Having said that I would suggest that it be, the first (1st) initial, six (6) months that we would evaluate in the first (3) months and then six (6) months to make sure Kleberg County's interest is covered and at the same time there is fire protection in the county. Right now anything south of 772 is not covered. There is no coverage down there and we have to make sure we have fire fighters throughout the county.

JP Chris Lee: So we are splitting again?

County Attorney: As of the last few years the funding is for both together.

JP Chris Lee: I understand that, what you are saying we are going to split again between Ricardo and Riviera.

Commissioner Rosse: No, Riviera will be

Judge Madrid: What I see happening and this is the way I see it, and I have listened to the legal advice given to Kira, what I see is happening is that will be the Riviera Fire Department Station I and II. I think it's all going to fall under Riviera now because they are the only ones that are incorporated to the State. There is no Kleberg County Fire Department Station I and II. We have looked at it a thousand different directions, we are just trying to it the legal way. There are options that were offered to us that we are not interested in. The county wants to run their own, no, we are not interested in doing that. Do we want to continue to fund it and have a designee, who is a designated supervisor on behalf of the county to ensure all the financials are in order and to ensure all is done in accordance with State and Federal laws basically, which we are allowed to do as we have a vested interest in it.

Commissioner Rosse: And I mentioned six (6) months, but if there is no objections then it would automatically roll to continue, so we are not continually doing this.

Judge Madrid: Just do a status hearing in six (6) months, do evaluation.

Commissioner Rosse: This evaluation is just to see where we are at, what we can do better just to get fire protection out in the county.

County Attorney: If you would allow me to meet with them, first to go over possible contract firsts, I already have an idea about all that we need in it so it will be a matter of getting that done.

Judge Madrid: I know the auditor wants the back cleared up. Commissioners have concerns about vehicle usages and things of that nature. There need to be clearer guidelines on when and where to use those vehicles. Just need to tidy up the books here and we can help with that.

Commissioner Rosse: Because it says Workshop Session, can we vote on that?

County Attorney: You can discuss it.

Commissioner Rosse: My motion will be to authorize you (County Attorney) to work with them to get that contract worked out and bring it back to the court, and that is my motion.

Judge Madrid: So County Attorney, just for clarification, will work with fire department, put together a contract and bring it back to Commissioner's Court for review and approval. We have a motion on that, do we have a second?

Commissioner Martinez: That only includes Riviera, not Ricardo?

Judge Madrid: The contract right not for all practical purposes, nothing changes right now. The dates of operation is going to stay as is right now. Once they all agree on the contract it will have an effective date on it. My only expectation is that we do have a county representative involved here.

County Attorney: You will have to designate that person.

Commissioner Rosse: That will be part of the contract.

County Attorney: It will be part of the contract, that the county has a right to designee, it does not have to have designee's name on it.

Commissioner Schultz: Riviera Fire Department I & II.

County Attorney: It's just a title, just like it was Kleberg County Fire & Rescue. But if it is not a valid entity it does not matter what the name of it is, the 2 buildings are still the county's, the equipment, then Station I and II

Judge Madrid: Sounds good to me.

Commissioner Rosse: Would it be appropriate now that the motion has been made and seconded if they have any question and comments.

Commissioner Schultz: I don't think that it's been seconded. Did someone second it?

Commissioner Rossi: Yes

Commissioner Schultz: When

Commissioner Rosse: I thought Marcus had.

Commissioner Martinez: You seconded it?

Commissioner Salinas: I'll second it, I got you.

Judge Madrid: The only thing that needs to be put in that contract, is , I do understand that in order, you are not required to have a 501C3 but you do need to know that if you do have fund raising activities for the fire department, you will have to get one for that.

Adam LaRosa: We have every intention of obtaining one.

Commissioner Rossi: Adam come to the podium and repeat your name for the County Clerk.

Adam LaRosa: We have every intention of obtaining a 501C3 that we have actually been working on that. The only thing that I was speaking about was that it was not a requirement to register the entity within the state.

Judge Madrid: That's good.

Adam LaRosa: Fund raising efforts will be included with that as well because we don't want to be completely dependent on the county if not entirely necessary.

Commissioner Schultz: There's lots of county's that don't give any monies to the Volunteer Fire Departments.

Adam LaRosa: There has been a lot of breakdown in the practices within Kleberg County Volunteer as it pertains to the Volunteer Fire Department, so as a result of that we are going to be starting from the ground up unfortunately, and this is our first step towards that.

Commissioner Schultz: Absolutely, get all the help you can get. Does anyone have anything to air out there?

Judge Madrid: Alright, is there any other business for the court?

Commissioners: We need to vote.

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AGENDA ITEM #18

**In The Matter Of Discussing And Acting On Workshop Session Regarding
Volunteer Fire Department.**

The above matter coming on for consideration, a motion was made by Commissioner Rossi and seconded by Commissioner Salinas to approve motion to authorize County Attorney to work with Riviera Volunteer Fire Department to get contract worked out and bring it back to the court. Upon vote, motion carried, and so ordered.

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

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.

- Carpet in Library has been found to have excess moisture. Carpet was found bubbled up this morning when Library staff arrived. Judge Madrid, Commissioner Schultz and Ray DeLaGarza have been at Library to look at it and found that there does seem to be moisture coming up from underneath. The three of the them also checked outside the building for any leaks and found none. Veronica Hare, County Insurance Coordinator said she had contacted the County Insurance company and that an adjustor would be out tomorrow, Tuesday, December 17, 2024 at 2:30 P.M. A suggestion was made for the carpet to be removed, seal it and place vinyl over it. Due to floor, the Library will be closed while this is all taken care of due to liability issues. Staff will be working while it is closed to the public.

**With No Further Business At Hand To Be Considered By The Court At This Time,
Adjournment Was Had.**



Rudy Madrid, County Judge

ATTEST:



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