**FRIO COUNTY COMMISSIONERS COURT MINUTES FOR**

**Regular Meeting September 12 2022**

 On the 12TH day of September, 2022, at 3:00 p.m., the Commissioners Court of Frio County met in a regular meeting with the following members either absent or present, to-wit: Arnulfo C. Luna, Frio County Judge was present; Joe Vela, Commissioner Pct 1 present; Richard “Dicki” Graf, Commissioner Pct 2 present; Raul Carrizales , Commissioner Pct 3 present; Jose Asuncion, Commissioner Pct 4 present; Joseph A. Sindon, Legal Counsel for Frio County Commissioners Court present; and Aaron Ibarra, Frio County Clerk present when the following meeting was held, to-wit:

I. Invocation and Pledge of Allegiance

II. Adopt Agenda

MOTION: RAUL CARRIZALES

SECOND: RICHARD GRAF

MOTION PASSED

III. Old Business

 **PRESENTATION**

 **ACTION AGENDA ITEMS**

IV. General Discussion

V. Citizens To Be Heard

*Please note that the Rules of Procedure, Conduct and Decorum at Meetings of the Commissioners Court of Frio County, Texas limit each speaker to a maximum of three (3) minutes to make his or her remarks. Inappropriate conduct or comments during this time, including but not limited to disruptive behavior, insults, personal attacks, and inappropriate language, may result in the speaker being ordered to leave the meeting and forfeit any remaining speaking time. For more information regarding the above-mentioned rules, please see the complete Rules of Procedure, Conduct and Decorum at Meetings of the Commissioners Court of Frio County, Texas, which is available upon request.*

Mr. Reyes

VI. New Business

 **PRESENTATION**

(1) Ronald Rocha, Attorney at Law, Linebarger Goggan Blair & Sampson, LLP**,** requests:

Update on the delinquent fines and collection services by Linebarger Goggan Blair & Sampson LLP.

(2) Drew Thornton, Energy Advisor, Tradition Energy

 Discussion regarding available energy procurement & management services.

**ACTION AGENDA ITEMS**

(1) Anna L. Alaniz, Frio County Tax Assessor-Collector, requests:

1.1 Conduct public hearing regarding proposed Tax Rate for the Frio County General Fund and the Frio County Lateral Road for the fiscal year beginning October 1, 2022 and ending September 30, 2023.

MOTION: RICHARD GRAF

SECOND: RAUL CARRIZALES

MOTION PASSED

1.2 Consider/take action on approving the Frio County General Fund/Lateral Road tax rates for the fiscal year beginning October 1, 2022 and ending September 30, 2023.

1.3 If approved, sign an order levying taxes for the 2022-2023 fiscal year Frio County Tax Rate.

(2) Hon. Crystal Marquez, Frio County Auditor, requests:

 2.1 Open and hold public hearing on the proposed Fiscal Year 2022-2023 budget.

(Pursuant to Texas Local Government Code, Section 111.007a)

MOTION: RICHARD GRAF

SECOND: RAUL CARRIZALES

MOTION PASSED

2.2 Close public hearing.

MOTION: JOSE ASUNCION

SECOND: RAUL CARRIZALES

MOTION PASSED

2.3 Consider/take action on making any necessary changes to the budget. (Pursuant to Texas Local Government Code, Section 111.008b)

MOTION: RAUL CARRIZALES

SECOND: RICHARD GRAF

MOTION PASSED

2.4 Consider/take action on setting the salary, expenses and other allowances of elected county or precinct officers. (Pursuant to Texas Local Government Code, Section 152.013a)

MOTION: RICHARD GRAF

SECOND: JOSE ASUNCION

MOTION PASSED

2.5 Consider/take action on adopting Frio County Budget for Fiscal Year 2022-2023 by record vote. (Pursuant to Texas Local Government Code, Section 111.008a)

(3) Roxana Garcia, P.E., Frio County Engineer, requests:

Consider/take action on selecting a winning bid from bids received by the specified deadline for the Frio County Bridge Repair Project at County Road 1301/Yancey Road over Tehuacana Creek.

MOTION: RAUL CARRIZALES

SECOND: JOSE ASUNCION

MOTION PASSED

(4) Roxana Garcia, P.E., Frio County Engineer, requests:

Consider/take action on selecting an engineer from qualifications received by the specified deadline for an engineering firm registered in the State of Texas to assist the County with Construction Engineering Inspection (CEI) services.

(5) Yolanda Rendon, requests:

Consider/take action on waiving and refunding the rental fees for use of the Frio County Regional Park on September 24, 2022 to host a fundraiser event for her parents’ funeral services.

MOTION: JOSE ASUNCION

SECOND: JOE VELA

MOTION PASSED

(6) Carlos Segura, Frio County Elections Administrator, requests:

Frio County Commissioners review, discuss and approve The Order of Appointment of Elections Judges and Alternates for a two-year term that starts on October 1, 2022 and due to expire on October 1, 2024 in accordance with Texas Election Code Ann. S 32.009.

MOTION: RAUL CARRIZALES

SECOND: JOE VELA

MOTION PASSED

(7) Frio County Commissioners Court, requests:

Consider / take action to designate day of each month on which the court shall convene in a regular term in each month during the next fiscal year. (Pursuant to Texas Local Government Code, Section 81.005(a).

MOTION: JOSE ASUNCION

SECOND: RAUL CARRIZALES

MOTION PASSED

(8) Hon. Richard Graf, Frio County Commissioner, Precinct No. 2, requests:

MOTION: RICHARD GRAF

SECOND: JOSE ASUNCION

MOTION PASSED

8.1 Discussion regarding the current burn ban in Frio County that is set to expire on September 14, 2012.

8.2 Consider/take action on rescinding the current Frio County burn ban effective September 12, 2022.

8.3 Consider/take action on finding that circumstances present in all or part of the unincorporated areas of Frio County that create a public safety hazard that would be exacerbated by outdoor burning.

8.4 Consider/take action on adopting an Order of the Frio County Commissioners Court Prohibiting or Restricting Outdoor Burning in the Unincorporated Areas of Frio County, Texas from September 14, 2022 to December 13, 2022.

(9) Hon. Crystal Marquez, Frio County Auditor, requests:

Consider/take action on approving and signing a resolution authorizing a grant of $4,392.50 to the Home Delivered Meal Grant Program run by the Texas Department of Agriculture.

MOTION: RAUL CARRIZALES

SECOND: JOE VELA

MOTION PASSED

(10) Hon. Crystal Marquez, Frio County Auditor, requests:

Discuss and/or take appropriate action to certify the revenue received, $1,972,101.00 under the American Rescue Plan Fund (fund 126) and add the following line items to the 2021-2022 Budget to receipt the funds and allow expenses:

Account #: **126/40000.****4350** Intergovernmental Revenue      Account Name: American Rescue Plan Fund

Account #: **126/50000.5591** Eligible Expenditures                  Account Name: American Rescue Plan Fund

MOTION: RAUL CARRIZALES

SECOND: JSOE ASUNCION

MOTION PASSED

(11) Hon. Mike Morse, Frio County Sheriff, requests:

Consider/take action on terminating the contract between Frio County and South Texas Rural Health Medical Services for medical services for Frio County Inmates effective October 12, 2022 and authorize the sending of 30-day notice of termination.

MOTION: RICHARD GRAF

SECOND: JOE VELA

MOTION PASSED

(12) Hon. Mike Morse, Frio County Sheriff, requests:

 12.1 Consider/take action on approving an Amended Quote and Standard Terms and Conditions with LumenServe for a Frio County Tower Lighting Upgrade at a rate of $461.00 per month.

MOTION: RAUL CARRIZALES

SECOND: JOSE ASUNCION

MOTION PASSED

 12.2 If the agreement is approved, then sign a resolution authorizing Frio County Judge Arnulfo C. Luna to enter into said contract on behalf of Frio County.

(13) Hon. Crystal Marquez, Frio County Auditor, requests:

MOTION: RICHARD GRAF

SECOND: JOSE ASUNCION

MOTION PASSED

 13.1 Consider/take action on approving a services order and all other necessary documents needed for Frio County to begin receiving telephone and internet services from Spectrum.

 13.2 If the agreement is approved, consider/take action on approving a resolution granting Hon. Arnulfo C. Luna, Frio County Judge to enter into said services order and all other necessary documents needed for Frio County to begin receiving telephone and internet services from Spectrum.

(14) Mary Perez, Frio County Human Resources Director, requests:

MOTION: RICHARD GRAF

SECOND: JOSE ASUNCION

MOTION PASSED

Consider/take action on approving Frio County Premium Conversion Cafeteria Plan and resolution stating same.

(15) Hon. Arnulfo C. Luna, Frio County Judge, requests:

Discuss, consider and act on Frio County Commissioner’s Court accepting a donation from Union Pacific in the amount of $5000.  Funds are to be used during the fan/heater project or any county project designated to assist the elderly, disabled or needy families that are overseen by our County Judge.

MOTION: RAUL CARRIZALES

SECOND: JOE VELA

MOTION PASSED

(16) Roxana Garcia, P.E., Frio County Engineer, requests:

 Consider/take action on approving new hire adjustment for Juan Ray Maldonado who currently holds the position of Roadway Technician I.

(17) Roxana Garcia, P.E., Frio County Engineer, requests:

17.1 Consider/take action on approving and adopting resolutions granting permits to Humberto Gonzales II to lay bore, construct and maintain one (1) 4” water tap under the County Road 4410 right-of-way for a total permit fee of $150.00.

17.2 Consider/take action on waiving the permit fee for Humberto Gonzales II to lay bore, construct and maintain one (1) 4” water tap under the County Road 4410 right-of-way as he is a resident of Derby, Texas.

17.3 If the resolution is approved and adopted, then authorize Frio County Judge Arnulfo C. Luna to execute the permit on behalf of Frio County, Texas to Humberto Gonzales II.

MOTION: RAUL CARRIZALES

SECOND: JOE VELA

MOTION PASSED

(18) Frio County Commissioners Court, requests:

MOTION: RICHARD GRAF

SECOND: RAUL CARRIZALES

MOTION PASSED

Receive in person from the following county officials the following reports as mandated by law:

 18.1 Presentation by Frio County Treasurer of detailed report as mandated by Section 114.026, Local Government (“Code”) (this report is to be presented at each **regular term of commissioners court).**

 18.2 Frio County Treasurer to exhibit the books and accounts of that office for the inspection of the commissioners court (**to be done at each regular term of commissioners court).**

 18.3 Consider/take action on authorizing the execution by Frio County Commissioners Court (the Judge and each commissioner) of an affidavit stating the requirements of the treasurer’s report have been met as mandated by section 114.026 of the Code.

 18.4 Consider/take action on execution of an order of the commissioners court approving the county treasurer’s report and order their publication in the Frio-Nueces Current as mandated by Section 114.026 of the Code or publication on the county’s website.

(19) Frio County Commissioners Court requests:

MOTION: RAUL CARRIZALES

SECOND: JOSE ASUNCION

MOTION PASSED

 Presentation, pursuant to Section 114.044 of the Local Government Code, by:

 1. Frio County District Clerk;

 2. Frio County Clerk

 3. Frio County Treasurer

 4. Frio County Attorney

 5. Frio County Judge

 6. Frio County Sheriff

 7. Frio County Auditor

 8. Frio County Justice of the Peace

 9. Frio County Constables

**(who collects or handles any money for the use of the county) of all fines imposed, judgments rendered and collected, and all jury fees collected by the respected courts in favor of or for the use of the county and at that time when the reports are presented to present receipts vouchers that show disposition of the money, fines or judgments.**

After examination by the commissioners court as to the correctness of the reports, consider/action on directing the county clerk to enter information in county finance records as mandated by Section 114.044 of the Code.

(20) Documents (resolutions, orders, contracts, etc.) to be signed.

(21) Allow bills payable

MOTION: RAUL CARRIZALES

SECOND: JOSE ASUNCION

MOTION PASSED

(22) Adjourn

MOTION: RAUL CARRIZALES

SECOND: JOE VELA

MOTION PASSED

**THE FRIO COUNTY COURTHOUSE IS WHEELCHAIR ACCESSIBLE AND HANDICAP PARKING IS AVAILABLE. ANY REQUEST FOR SIGN INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THE MEETING. TO MAKE ARRANGEMENTS, PLEASE CALL (830) 334-2154.**

**THE FRIO COUNTY COMMISSIONERS COURT RESERVES THE RIGHT TO CONVENE INTO CLOSED (EXECUTIVE SESSION) UNDER V.T.C.A., GOVERNMENT CODE, CHAPTER 551, SUBCHAPTER D; SECTION 551.071, FOR PURPOSE OF CONSULTING WITH ITS ATTORNEYS; SECTION 551.072, DELIBERATING ABOUT REAL PROPERTY; SECTION 551.073, DELIBERATING ABOUT GIFTS, AND DONATIONS; SECTION 551.074, DELIBERATING ABOUT PERSONNEL MATTERS; SECTION 551.076, DELIBERATING ABOUT SECURITY DEVICES; SECTION 551.084, REGARDING EXCLUSION OF WITNESS FROM HEARING IN CONNECTION WITH AN INVESTIGATION; SECTION 551.086, DELIBERATING, VOTING, AND TAKING ACTION AS A POWER UTILITY ON A COMPETITIVE MATTER; SECTION 551.087, DELIBERATING ABOUT ECONOMIC DEVELOPMENT NEGOTIATIONS; AND SECTION 551.088, DELIBERATING ABOUT TEST ITEMS TO DISCUSS AND/OR DELIBERATE ANY OF THE POSTED MATTERS TO BE CONSIDERED DURING THE OPEN MEETING AND, IF IT DOES SO AFTER TAKING A VOTE IN OPEN SESSION, IT WILL THEN GO INTO CLOSED (EXECUTIVE) SESSION, DELIBERATE, THEN RECONVENE IN OPEN SESSION, VOTE ON ANY DECISION TAKEN, AND ANNOUNCE SAME FOR THE COMMISSIONERS COURT’S MINUTES.**

 Dated this the 9th of September, 2022.

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 Hon. Arnulfo C. Luna

 Frio County Judge

I, the undersigned, County Clerk, do hereby certify that the above Notice of Meeting of the above-named Commissioners’ Court, is a true and correct copy of said Notice on the bulletin board at the Courthouse door of Frio County, Texas at a place readily accessible to the general public at all times on the **9th** day of **September,** **2022** and said Notice remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

Dated this the 9th day of September, 2022.

 COUNTY CLERK, FRIO COUNTY, TEXAS

 BY\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_