

November 30, 2023

Regular Meeting

BE IT REMEMBERED, that on the 30th day of November, A.D., 2023 there was held a Regular Meeting of the Honorable Commissioners' Court of Willacy County, Texas at the County Judge's Office, 576 West Main, in the City of Raymondville, Texas for the purpose of transacting the following agenda:

1. Call to Order.
2. Roll Call / Establishment of Quorum.
3. Invocation / Pledge.
4. Public Comment (s).
5. Approval of Claims. ACTION REQUIRED.
6. Approval of Previous Minutes as follows: October 26, 2023 Regular Meeting; October 31, 2023 Public Workshop; November 9, 2023 Regular Meeting; November 15, 2023 Special Meeting; November 17, 2023 Special Meeting; ACTION REQUIRED.
7. Update by Willacy County Constable's Office Precinct 4 Quarterly Report (January 1, 2023 – September 30, 2023).
8. Discussion and Approval of payment for Annual Maintenance cost of the El Morillo Drain per billing from the I.B.W.C. International Boundary and Water Commission in accordance with prior Willacy County Resolution. ACTION REQUIRED.
9. Discussion and Action to approve payment to New Core Inc. for Muffin Monster installation services done at the Willacy County Sheriff's Department. ACTION REQUIRED.
10. Discussion and Approval of Resolution for nomination of Board Member for Willacy County Appraisal District. ACTION REQUIRED.
11. Discussion and action to approve a discretionary exemption as per local government code (1gc) Sec. 262.024 (4) for professional auditing services. ACTION REQUIRED.
12. Discussion and Action to select and approve Burton McCumber & Longoria, LLP as the external auditing firm for Willacy County. ACTION REQUIRED.
13. Discussion and Action to approve the submission of the 2024-2025 Texas Veterans Commission General Assistance-VCSO grant application in the amount of \$150,000. ACTION REQUIRED.
14. Discussion and Action to enroll employees in the 2024 Texas Association of Counties Cybersecurity Course. ACTION REQUIRED.
15. Discussion and Approval to de-obligate \$150,000.00 from Fund 114 American Rescue Plan Act for the Negative Pressure Cell ARPA Project #2227. ACTION REQUIRED.

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16. Discussion and Approval to obligate \$150,000.00 to ARPA Project #2379 Facility Upgrade to be funded by Fund 114 American Rescue Plan Act. ACTION REQUIRED.
17. Discussion and Approval to withdraw motion from item #25 on agenda dated, Thursday, September 14, 2023, Regular Meeting Willacy County Commissioners Court. ACTION REQUIRED.
18. Discussion and Approval to obligate computers and equipment for Precinct 2, Precinct 3 and Precinct 4 Justice of Peace Offices, not to exceed \$7,000.00. To be paid from Fund 114 Local Assistance and Tribal Consistency Fund (LATCF). ACTION REQUIRED.
19. Requesting permission to install a new service line. Location of proposed bore is approximately 800-feet south from the southwest corner of FM 1761 and Spence County Road, 2-inch PVC casing, 3/4-inch meter service to a 6-inch water line. Will bore Spence County Road from west to east 5-feet deep. (Precinct 1). ACTION REQUIRED
20. Discussion and Approval of Proclamation of Tree of Angels and to recognize the week of December 4-10, 2023, as The Tree of Angels Week. ACTION REQUIRED
21. Approval of Travel Request. ACTION REQUIRED.
22. EXECUTIVE SESSION:
 - (a) Confer with Commissioners Court legal counsel regarding pending or contemplated litigation and/or negotiations involving the county, its employees, or its interests, pursuant to VTCA Government Code, Section 551.071.
 - (b) Confer with commissioners' court legal counsel concerning Ryan Busse, et.al. v. South Texas ISD, et.al., and Willacy county; cause no. 2023-cv-0282-a, for discussion on status of case, pursuant to V.T.C.A. government code, section 551.071(1)(a).
 - (c) Consultation with attorney regarding pending litigation involving Game Rooms and Willacy County Ordinance 1915 and settlement of same.
23. ACTION RELATIVE TO EXECUTIVE SESSION:
 - (a) possible Action.
 - (b) Possible Action.
 - (c) Possible Action.
24. Adjourn.

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THE COURT MET:

PRESENT:

Aurelio Guerra, Jr.,	County Judge,	
Eliberto Guerra,	Commissioner, Precinct 1,	
Mario Tijerina,	Commissioner, Precinct 2,	
Henry De La Paz,	Commissioner, Precinct 3,	Absent
Ernesto Garcia,	Commissioner, Precinct 4,	
Annette Hinojosa,	County Attorney,	Absent
Maria Del Carmen Maldonado,	County Auditor,	
Elizabeth Rios,	County Chief Deputy Clerk,	

WHEREUPON, the Court was opened to the following proceedings were had to wit:

PERSONS VISITING THE COURT:

Paul Anders	Mark Ross
Sheila Guajardo	Cindy Perez
Jim Darling	Frances Najera
Dallas Ross	Estella McKee

1. Call to Order – Chairman Aurelio Guerra, Jr.
2. Roll Call/Establishment of Quorum – Commissioner Henry De La Paz – **Absent**
3. Pledge – Commissioner Ernesto Garcia Invocation – Chairman Aurelio Guerra, Jr.
4. Public Comments – None

Agenda # 5

IN REGARDS TO APPROVAL
OF CLAIMS

Motion was made by Commissioner Tijerina, seconded by Commissioner Garcia for approval of Claims, as presented. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina and Garcia voting AYE. NAYS NONE. Motion was declared carried.

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Agenda # 6

IN REGARDS TO APPROVAL OF
PREVIOUS MINUTES AS FOLLOWS:
OCTOBER 26, 2023 REGULAR MEETING,
OCTOBER 31, 2023 PUBLIC WORKSHOP,
NOVEMBER 9, 2023 REGULAR MEETING,
NOVEMBER 15, 2023 SPECIAL MEETING
AND NOVEMBER 17, 2023 SPECIAL
MEETING

Motion was made by Commissioner Tijerina, seconded by Commissioner Garcia for approval of previous minutes as follows: October 26, 2023 Regular Meeting, October 31, 2023 Public Workshop, November 9, 2023 Regular Meeting, November 15, 2023 Special Meeting and November 17, 2023 Special Meeting. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina and Garcia voting AYE. NAYS NONE. Motion was declared carried.

Agenda # 7

UPDATE BY WILLACY COUNTY
CONSTABLE'S OFFICE PRECINCT 4
QUARTERLY REPORT (JANUARY 1, 2023 –
SEPTEMBER 30, 2023)

As per the Chairman, spread in the minutes of Willacy County Constable's Office Precinct 4 Quarterly Report (January 1, 2023 – September 30, 2023).

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Agenda # 8

DISCUSSION AND APPROVAL OF
PAYMENT FOR ANNUAL MAINTENANCE
COST OF THE EL MORILLO DRAIN PER
BILLING FROM THE I.B.W.C. INTERNATIONAL
BOUNDARY AND WATER COMMISSION
IN ACCORDANCE WITH PRIOR WILLACY
COUNTY RESOLUTION

Motion was made by Commissioner Guerra to table this item.

Commissioner Eliberto Guerra Rescinds his Motion.

Motion was made by Commissioner Garcia, seconded by Commissioner Tijerina for approval of payment for Annual Maintenance cost of the El Morillo Drain per billing from the I.B.W.C. International Boundary and Water Commission in accordance with prior Willacy County Resolution for Invoice Number EMD 2022-103 in the amount of \$22,605.10 the check payable to Rio Grande Regional Water Authority to be taken from the General Fund. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina and Garcia voting AYE. NAYS NONE. Motion was declared carried.

Agenda # 9

DISCUSSION AND ACTION TO
APPROVE PAYMENT TO NEW
CORE, INC. FOR MUFFIN MONSTER
INSTALLATION SERVICES DONE AT
THE WILLACY COUNTY SHERIFF'S
DEPARTMENT

Motion was made by Commissioner Garcia, seconded by Commissioner Tijerina for approval of payment to New Core, Inc. for the replacement of the grinder for maintenance done at the Willacy County Sheriff's Department from 2021-2022 the invoice number 2328 in the total amount of \$57,509.00 to be paid from Capital Fund and will generate a requisition. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina and Garcia voting AYE. NAYS NONE. Motion was declared carried.

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Agenda # 10

DISCUSSION AND APPROVAL OF
RESOLUTION FOR NOMINATION OF
BOARD MEMBER FOR WILLACY
COUNTY APPRAISAL DISTRICT

Motion was made by Commissioner Garcia, seconded by Commissioner Tijerina for approval of Resolution for nomination of Elizabeth Barnhart of 834 votes and the remaining votes of 653 to the City of Raymondville. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina and Garcia voting AYE. NAYS NONE. Motion was declared carried.

Agenda # 11

DISCUSSION AND ACTION TO
APPROVE A DISCRETIONARY
EXEMPTION AS PER LOCAL
GOVERNMENT CODE (1GC)
SEC. 262.024 (4) FOR PROFESSIONAL
AUDITING SERVICES

Motion was made by Commissioner Guerra, seconded by Commissioner Tijerina for approval of granting a discretionary exemption for professional services to enter into an agreement with "Burton, McCumber and Longoria, LLP" for independent audit services for fiscal year 2023. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina and Garcia voting AYE. NAYS NONE. Motion was declared carried.

Agenda # 12

DISCUSSION AND ACTION TO
SELECT AND APPROVE BURTON
MCCUMBER AND LONGORIA, LLP
AS THE EXTERNAL AUDITING FIRM
FOR WILLACY COUNTY

Motion was made by Commissioner Garcia, seconded by Commissioner Tijerina to table this item. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina and Garcia voting AYE. NAYS NONE. Motion was declared carried.

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Agenda # 13

DISCUSSION AND ACTION TO
APPROVE THE SUBMISSION OF
THE 2024-2025 TEXAS VETERANS
COMMISSION GENERAL ASSISTANCE-
VCSO GRANT APPLICATION IN THE
AMOUNT OF \$150,000.00

Motion was made by Commissioner Guerra, seconded by Commissioner Garcia to table this item. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina and Garcia voting AYE. NAYS NONE. Motion was declared carried.

Agenda # 14

DISCUSSION AND ACTION TO
ENROLL EMPLOYEES IN THE 2024
TEXAS ASSOCIATION OF COUNTIES
CYBERSECURITY COURSE

Motion was made by Commissioner Tijerina, seconded by Commissioner Garcia for approval to enroll Employees in the 2024 Texas Association of Counties Cybersecurity Course, to be funded by General Fund. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina and Garcia voting AYE. NAYS NONE. Motion was declared carried.

Agenda # 15

DISCUSSION AND APPROVAL TO
DE-OBLIGATE \$150,000.00 FROM
FUND 114 AMERICAN RESCUE
PLAN ACT FOR THE NEGATIVE PRESSURE
CELL ARPA PROJECT NUMBER 2227

Motion was made by Commissioner Tijerina, seconded by Commissioner Garcia for approval to de-obligate \$150,000.00 from Fund 114 American Rescue Plan Act for the Negative Pressure Cell ARPA Project Number 2227. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina and Garcia voting AYE. NAYS NONE. Motion was declared carried.

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Agenda # 16

DISCUSSION AND APPROVAL TO
OBLIGATE \$150,000.00 TO ARPA
PROJECT NUMBER 2379 FACILITY
UPGRADE TO BE FUNDED BY FUND
114 AMERICAN RESCUE PLAN ACT

Motion was made by Commissioner Tijerina, seconded by Commissioner Garcia for approval to obligate \$150,000.00 to ARPA Project Number 2379 Facility Upgrade to be funded by Fund 114 American Rescue Plan Act. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina and Garcia voting AYE. NAYS NONE. Motion was declared carried.

Agenda # 17

DISCUSSION AND APPROVAL TO
WITHDRAW MOTION FROM ITEM
NUMBER 25 ON AGENDA DATED,
THURSDAY, SEPTEMBER 14, 2023,
REGULAR MEETING WILLACY COUNTY
COMMISSIONERS COURT

Motion was made by Commissioner Garcia, seconded by Commissioner Tijerina to table this item. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina and Garcia voting AYE. NAYS NONE. Motion was declared carried.

Agenda # 18

DISCUSSION AND APPROVAL TO
OBLIGATE COMPUTERS AND
EQUIPMENT FOR PRECINCT 2,
PRECINCT 3 AND PRECINCT 4
JUSTICE OF THE PEACE OFFICES,
NOT TO EXCEED \$7,000.00. TO
BE PAID FROM FUND 114 LOCAL
ASSISTANCE AND TRIBAL
CONSISTENCY FUND (LATCF)

Motion was made by Commissioner Guerra, seconded by Commissioner Tijerina to table this item. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina and Garcia voting AYE. NAYS NONE. Motion was declared carried.

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Agenda # 19

IN REGARDS OF REQUESTING
PERMISSION TO INSTALL A NEW
SERVICE LINE. LOCATION OF
PROPOSED BORE IS APPROXIMATELY
800-FEET SOUTH FROM THE SOUTHWEST
CORNER OF FM 1761 AND SPENCE
COUNTY ROAD, 2-INCH PVC CASING,
3/4-INCH METER SERVICE TO A 6-INCH
WATER LINE. WILL BORE SPENCE COUNTY
ROAD FROM WEST TO EAST 5-FEET DEEP.
(PRECINCT 1)

Motion was made by Commissioner Guerra, seconded by Commissioner Tijerina for approval of permission to install a new service line. Location of proposed bore is approximately 800-feet south from the southwest corner of FM 1761 and Spence County Road, 2-inch PVC Casing, 3/4-inch meter service to a 6-inch water line. Will bore Spence County Road from west to east 5-feet deep. (Precinct 1). Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina and Garcia voting AYE. NAYS NONE. Motion was declared carried.

Agenda # 20

DISCUSSION AND APPROVAL OF
PROCLAMATION OF TREE OF ANGELS
AND TO RECOGNIZE THE WEEK OF
DECEMBER 4-10, 2023, AS THE TREE
OF ANGELS WEEK

Motion was made by Commissioner Garcia, seconded by Commissioner Tijerina for approval of Proclamation of Tree of Angels and to recognize the week of December 4-10, 2023, as The Tree of Angels Week. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina and Garcia voting AYE. NAYS NONE. Motion was declared carried.

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Agenda # 21

IN REGARDS TO APPROVAL
OF TRAVEL REQUEST

Motion was made by Commissioner Tijerina, seconded by Commissioner Guerra that the following travel requests be approved:

1. Sheriff's Department, once (1) Employee to Corpus Christi, Texas on December 4-8, 2023.
2. Extension Agent, Georgina Macias to Benavidez, Texas on December 1-2, 2023. (County Agent will be needing county vehicle, hotel and meals paid for).
3. Extension Agent, Georgina Macias to Brownwood, Texas on December 5-6, 2023. (County Agent will be needing county vehicle, hotel and meals paid for).
4. Extension Agent, Georgina Macias to Leming, Texas on December 13, 2023. (County Agent will be needing county vehicle and meals paid for. County Agent will be staying with a relative so she will not need a hotel).

Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina and Garcia voting AYE. NAYS NONE. Motion was declared carried.

Agenda # 22

EXECUTIVE SESSION:

- (A) CONFER WITH COMMISSIONERS
COURT LEGAL COUNSEL REGARDING
PENDING OR CONTEMPLATED
LITIGATION AND/OR NEGOTIATIONS
INVOLVING THE COUNTY, ITS EMPLOYEES,
OR ITS INTERESTS, PURSUANT TO VTCA
GOVERNMENT CODE, SECTION 551.071
- (B) CONFER WITH COMMISSIONERS'
COURT LEGAL COUNSEL CONCERNING
RYAN BUSSE, ET.AL. V. SOUTH TEXAS ISD,
ET.AL., AND WILLACY COUNTY; CAUSE
NUMBER 2023-CV-0282-A, FOR DISCUSSION
ON STATUS OF CASE, PURSUANT TO V.T.C.A.
GOVERNMENT CODE, SECTION 551.071(1)(A)
- (C) CONSULTATION WITH ATTORNEY
REGARDING PENDING LITIGATION
INVOLVING GAME ROOMS AND WILLACY
COUNTY ORDINANCE 1915 AND
SETTLEMENT OF SAME

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Agenda # 23

ACTION RELATIVE TO EXECUTIVE
SESSION:

(A) POSSIBLE ACTION

(B) POSSIBLE ACTION

(C) POSSIBLE ACTION

Motion was made by Commissioner Tijerina, seconded by Commissioner Guerra to table item numbers 22 – 23. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina and Garcia voting AYE. NAYS NONE. Motion was declared carried.

Motion was made by Commissioner Garcia, seconded by Commissioner Tijerina that Court Adjourned. Motion was put before the Court by the Chairman. Chairman Guerra, Commissioners Guerra, Tijerina and Garcia voting AYE. NAYS NONE. Motion was declared carried.

There being no further action,

Court Adjourned.