

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **4th day of January A.D., 2022**, the Commissioners Court convened in **Special Session** at the Victoria County Courthouse in the City of Victoria, Victoria County, Texas, with His Honor, Ben Zeller, County Judge, presiding and the following Commissioners attending:

Danny Garcia,	Commissioner Precinct No. 1	
Kevin M. Janak,	Commissioner Precinct No. 2	
Gary Burns,	Commissioner Precinct No. 3	Absent
Clint C. Ives,	Commissioner Precinct No. 4	
and		
Heidi Easley,	County Clerk and Ex-Officio Clerk	

and the following orders were passed:



COUNTY OF VICTORIA

MINUTES

COMMISSIONERS' COURT OF VICTORIA COUNTY, TEXAS

TUESDAY, JANUARY 4, 2022, 10:00 AM, SPECIAL TERM

VICTORIA COUNTY COURTHOUSE

115 N. BRIDGE ST., ROOM 241, SECOND FLOOR, VICTORIA, TX

1. Call to Order.

(1-0:00)

1. January 4, 2022. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Tuesday, January 4, 2022 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. January 4, 2022. Judge Ben Zeller opened the meeting with prayer and the reciting of the Pledges of Allegiance of the United States of America and the State of Texas.

3. Citizens Communication.

(3-1:28)

3. January 4, 2022. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Michael Vonderau of 2204 E. North Street, Victoria, Texas, addressed the Court regarding dog issues and trash dumping at the East North Mobile Home Park.

Public Health Director David Gonzales gave the Court an update on the increase of COVID-19 cases.

Rick McBrayer, Emergency Management Operator, discussed the numbers of infusions that have been administered through the Regional Infusion Center and stated a letter has been sent to the State for an extension of the contract for the Regional Infusion Center to remain open longer, but are awaiting a response from the State. Mr. McBrayer and Mr. Gonzales answered questions from the Court and provided additional information.

Fire Marshal Richard Castillo mentioned Patriot Park was open for New Year's Eve for fireworks and the Victoria County Volunteer Fire Department, Raisin Volunteer Fire Department, and the Fire Marshal's Office were there at the park. Mr. Castillo also provided the end of the year report on fire calls to the Court.

Hearing no further comments, Judge Ben Zeller continued to the next agenda item.

4. Consider approval of minutes and take appropriate action.

(4-12:49)

4. January 4, 2022. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the minutes of the Commissioners Court meeting held on December 20, 2021. Motion adopted.

5. Consider approval of accounts payable for Victoria County and take appropriate action.

(5-13:05)

5. January 4, 2022. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved the accounts payable as presented by Michelle Samford, County Auditor.

Regular Accounts	1/4/2022	\$1,308,484.67
Supplemental Accounts	12/17/2021 – 12/30/2021	\$193,784.60

Motion adopted.

6. Receive monthly and quarterly reports from various county officials and departments and take appropriate action.

(6-13:44)

6. January 4, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the monthly reports from the Justice of the Peace, Precinct No. 1 and Constable, Precinct No. 3. Motion adopted.

7. Consider approval of bond forfeiture releases and take appropriate action.

(7-14:02)

7. January 4, 2022. None. No action taken.

8. Ratify approval of Citizens Medical Center interim vendor payments dated December 23, 2021 and consider approval of interim vendor payments dated December 27, 2021 and accounts payable and take appropriate action.

(8-14:13)

8. January 4, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court ratified the interim vendor payments for Citizens Medical Center dated December 23, 2021 in the amount of \$604,154.50 and the ACH report dated December 23, 2021 in the amount of \$1,030,171.65; and approved the interim ACH report dated December 27, 2021 in the amount of \$796,387.89; and approved the interim vendor payment report dated December 30, 2021 in the amount of \$617,438.15 and the ACH report dated December 30, 2021 in the amount of \$2,097,869.67. Motion adopted.

9. Consider approval of FY22 Operation Lone Star Grant Program Award, Grant No. 4381001 and take appropriate action.

(9-15:44)

9. January 4, 2022. Sheriff Justin Marr explained how the grant will benefit the Sheriff's Office to the Court. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the FY22 Operation Lone Star Grant Program Award Grant No. 4381001 for the Victoria County Sheriff's Office. Motion adopted.

10. Consider approval of allocation of 2022 Child Safety Fee Revenues and take appropriate action.

(10-18:47)

10. January 4, 2022. Moved by Clint Ives and seconded by Kevin Janak, the Commissioners Court approved the allocation of the 2022 Child Safety Fee Revenues. Motion adopted.

- 11. Consider Victoria County mileage reimbursement rates beginning January 1, 2022, and take appropriate action.**

(11-20:53)

11. January 4, 2022. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the standard mileage reimbursement rates for Victoria County at 58.5 cents per mile, beginning January 1, 2022. Motion adopted.

- 12. Consider approval of a Health and Human Services Certificate of Indirect Costs-Indirect Cost Rate Proposal and Cost Policy Statement (CPS) Requirements and take appropriate action.**

(12-21:25)

12. January 4, 2022. Public Health Director David Gonzales and County Auditor Michelle Samford provided information to the Court. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved the Health and Human Services Certificate of Indirect Costs-Indirect Cost Rate Proposal and Cost Policy Statement (CPS) Requirements for the Victoria County Public Health Department. Motion adopted.

- 13. Consider approval of a Memorandum of Understanding (MOU) between the Parents as Teachers National Center and Victoria County Public Health Department for FY22 and take appropriate action.**

(13-23:35)

13. January 4, 2022. Public Health Director David Gonzales provided information to the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the Memorandum of Understanding (MOU) between the Parents as Teachers National Center and Victoria County Public Health Department for FY22. Motion adopted.

- 14. Consider approval of Order No. 2022-0001 authorizing Victoria County, including Citizens Medical Center, to issue payments for payroll, withholding, social security, retirement, insurance, unemployment compensation, Credit Union, United Way, CMC Healthplex, out of county fines, fees, cash bonds, postage, utilities bond fees, and jury service payments and take appropriate action.**

(14-24:14)

14. January 4, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved Order No. 2022-0001 authorizing Victoria County, including Citizens Medical Center, to issue payments for payroll, withholding, social security, retirement, insurance, unemployment compensation, Credit Union, United Way, CMC Healthplex, out of county fines, fees, cash bonds, postage, utilities, bond fees, and jury service payments. Motion adopted.

- 15. Consider approval of Resolution No. 2022-0002 authorizing substitutions, withdrawals, and additions of pledged collateral for the fiscal year 2022 and take appropriate action.**

(15-25:18)

15. January 4, 2022. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved Resolution No. 2022-0002 authorizing the substitutions, withdrawals, and additions of pledged collateral for the fiscal year 2022. Motion adopted.

- 16. Consider approval of Order No. 2022-0003 authorizing debt services payments for**

the fiscal year 2022 and take appropriate action.

(16-25:58)

16. January 4, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved Resolution No. 2022-0003 authorizing debt services payments for the fiscal year 2022. Motion adopted.

17. Consider approval of Resolution No. 2022-0004 determining the general prevailing wage for the year 2022 and take appropriate action.

(17-26:45)

17. January 4, 2022. John Johnston, County Engineer, provided information to the Court. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved Resolution No. 2022-0004 determining the general prevailing wage for the year 2022. Motion adopted.

18. Consider approval of Order 2022-0005 for the following 2022 Victoria County Appropriations and take appropriate action:

(18-27:38)

18. January 4, 2022. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved Order No. 2022-0005 for the following 2022 Victoria County Appropriations:

a. Gulf Bend Center	\$ 40,000.00
b. Mid-Coast Family Services	\$ 5,000.00
c. Victoria Economic Development Corporation	\$ 54,000.00
d. Victoria County Senior Citizens Center	\$ 10,000.00
e. Victoria Soil and Water Conservation	\$ 1,500.00
f. Volunteer Fire Departments	\$ 10,000.00

Motion adopted.

19. Consider approval to Certify FY20 Operation Stonegarden Budget Adjustment, Grant No. 3186206 and take appropriate action.

(19-28:44)

19. January 4, 2022. Grant Administrator Robin Knipling provided the Court with information. Moved by Clint Ives and seconded by Kevin Janak, the Commissioners Court approved to certify the FY20 Operation Stonegarden Budget Adjustment, Grant No. 3186206. Motion adopted.

20. Receive 2021 Fourth Quarter Plat Request Report from the County Engineer and take appropriate action.

(20-30:17)

20. January 4, 2022. County Engineer John Johnston provided information to the Court. Moved by Clint Ives and seconded by Kevin Janak, the Commissioners Court received the 2021 Fourth Quarter Plat Exemption Request Report from County Engineer John Johnston. Motion adopted.

21. Pursuant to the Local Government Code §263.152 authorizes the sale of surplus and salvage property of Victoria County and Citizens Medical Center and take

appropriate action.

(21-31:41)

21. January 4, 2022. Moved by Kevin Janak and seconded by Clint Ives, pursuant to Local Government Code §263.152, the Commissioners Court authorized the sale of surplus and salvage property of Victoria County and Citizens Medical Center. Motion adopted.

22. Consider the appointment of County Judge Pro Tem and take appropriate action.

(22-32:09)

22. January 4, 2022. Commissioner Garcia stated Commissioner Kevin M. Janak should remain County Judge Pro Tem for 2022. Moved by Danny Garcia and seconded by Clint C. Ives, the Commissioners Court appointed Kevin Janak as County Judge Pro Tem for the year 2022. Motion adopted.

23. Pursuant to Local Government Code §262.024 (a) (9) grant discretionary bid exemption for Victoria County purchases through a state-licensed auctioneer and take appropriate action.

(23-33:28)

23. January 4, 2022. Moved by Clint Ives and seconded by Kevin Janak, pursuant to Local Government Code §262.024 (a)(9), the Commissioners Court granted the discretionary bid exemption for Victoria County purchases through a state licensed auctioneer. Motion adopted.

24. Pursuant to Local Government Code §262.024 (a)(11) grant discretionary bid exemption for Victoria County vehicle and equipment repairs and take appropriate action.

(24-34:52)

24. January 4, 2022. Moved by Danny Garcia and seconded by Clint Ives, pursuant to Local Government Code §262.024(a)(11), the Commissioners Court granted discretionary bid exemption for Victoria County vehicle and equipment repairs. Motion adopted.

25. Consider authorization for the Victoria County Auditor to conduct the Chapter 59 Asset Forfeiture Report required by Article §59.06 of the Code Criminal Procedure for all Victoria County law enforcement agencies, upon their requests and take appropriate action.

(25-35:51)

25. January 4, 2022. County Auditor Michelle Samford provided information to the Court. Moved by Clint Ives and seconded by Kevin M. Janak, the Commissioners Court authorized the Victoria County Auditor to conduct the Chapter 59 Asset Forfeiture Report required by Article 59.06 of the Code of Criminal Procedure for all Victoria County law enforcement agencies, upon their request. Motion adopted.

26. Consider approval of the following 2022 budget amendments and take appropriate action.

(26-36:43)

26. January 4, 2022. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the 2022 budget amendments for:

- a. General Fund, Various Departments, Expenditures – Line item transfer
- b. Road and Bridge, Precinct No. 1, Expenditures - Line item transfer
- c. Road and Bridge, Precinct No. 2, Revenues and Expenditures - Line item transfer
- d. Road and Bridge, Precinct No. 3, Expenditures - Line item transfer
- e. Road and Bridge, Precinct No. 4, Expenditures - Line item transfer

Motion adopted.

27. Consider approval of personnel changes and take appropriate action.

(27-38:20)

27. January 4, 2022. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. Constance Filley Johnson, Criminal District Attorney - Victoria County Criminal District Attorney's Office:
 - 1. Correction: Reg/PT; Salary change for Virginia Garber, P/T Legal Assistant, from a rate of \$24.24 per hour, Budget Code 300-475-1108 to a rate of \$24.97 per hour, Budget Code 370-475-1109, effective December 18, 2021.
- b. Vinicio Llerena, Airport Manager - Victoria Regional Airport:
 - 1. Retirement of Faye Turner, Director of Operations, with 80.0 PTO and 3.01 Compensatory hours due, effective December 31, 2021.
 - 2. Resignation of Devlin Flanary, FBO Line Attendant, with .38 Compensatory hours due, effective January 12, 2022.
 - 3. Retirement of Victor Bodkin, Maintenance Spec II, with 80.0 PTO and 2.74 Compensatory hours due, effective January 6, 2022.
- c. Matt Bochat, County Extension Agent - County Extension Service:
 - 1. Resignation of Gayle Bludau, Agent FCS, effective December 31, 2021.
- d. Clint Ives/Gary Burns, Commissioner, Precinct No. 4/Commissioner, Precinct No. 3 - Road and Bridge, Precinct No. 4/Road and Bridge, Precinct No. 3:
 - 1. Position change for Douglas Frenzel, from Sr. Equip. Operator (Road and Bridge, Precinct No. 3), at a rate of \$24.05 per hour, Budget Code 203-613-1108 to Road and Bridge, Precinct No. 4, Budget Code 204-614-1108, effective January 1, 2022. Other Remarks: Transfer of Depts.
- e. John G. Miller, Justice of the Peace, Precinct No. 4 - Justice of the Peace, Precinct No. 4:
 - 1. Employment of Arianna Canchola, Regular Part Time Clerk III, at a rate of \$13.00 per hour, Budget Code 100-458-1106, effective January 5, 2022.
- f. David Gonzales, Public Health Director, Victoria County Public Health Department:
 - 1. Employment of Kelsey Newman, Medical Case Manager, at a rate of \$16.00 per hour, Budget Codes 800-674-1113 (60%) \$9.60 and 800-672-1113 (40%) \$6.40, effective January 5, 2022.

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- 2. Resignation of Dana Ramirez, Nurse, with 62.29 PTO hours due, effective December 31, 2021.
- 3. Resignation of Maribel Rojas, RN Nurse, with 80.0 PTO hours due, effective

December 31, 2021.

g. Justin Marr, Sheriff - Sheriff's Office:

1. Employment of Carlaliget Moreno, Detention Officer (Tier 1), at a rate of \$18.53 per hour, Budget Code 100-565-1114, effective December 28, 2021.
2. VCSO Salary Adjustment Certification for Phillip Garcia, to be paid Advanced Certificate Pay of \$46.15 per pay period, effective January 7, 2022. Certification date for Phillip Garcia is August 28, 2020. Budget Coding: SRO VISD Certificate Pay 395-560-1137. Other Remarks: Phillip is a recent Hire of the VCSO and was an Advanced P.O. at Hire. Remarks: Hire date 12/28/21.
3. VCSO Salary Adjustment Certification for Julie Smith, to be paid Advanced Certificate Pay of \$46.15 per pay period, effective January 7, 2022. Certification date for Julie Smith is April 5, 2021. Budget Coding: Detention Certificate Pay 100-565-1137.
4. VCSO Salary Adjustment Certification for Christian Martinez, to be paid Master Certificate Pay of \$69.23 per pay period, effective January 7, 2022. Certification date for Christian Martinez is November 24, 2021. Budget Coding: MHPO Certificate Pay 356-560-1137.
5. VCSO Salary Adjustment Certification for Johnny Amador, to be paid Advanced Certificate Pay of \$46.15 per pay period, effective January 7, 2022. Certification date for Johnny Amador is July 23, 2020. Budget Coding: Detention Certificate Pay 100-565-1137. Remarks: Johnny is a recent hire and he had this certificate level at the time he was hired.
6. VCSO Salary Adjustment Certification for Dale Kolar, to be paid Master Certificate Pay of \$69.23 per pay period, effective January 7, 2022. Certification date for Dale Kolar is December 11, 2021. Budget Coding: Detention Certificate Pay 100-565-1137.
7. Position change for Walker Baylor, from Detention Deputy-Tier 1, at a rate of \$24.25 per hour, Budget Codes 100-565-1114-23.25 and 100-565-1136-1.00 to Patrol Deputy-Tier 1, Budget Codes 100-563-1109-23.25 and 100-563-1136-1.00, effective January 1, 2022.
8. Salary and position change for Travis Campbell, from Patrol Deputy-Tier 2, at a rate of \$25.86 per hour, Budget Codes 100-563-1209-24.86 and 100-563-1136-1.00 to Patrol Corporal-Tier 1, at a rate of \$27.60 per hour, Budget Codes 100-563-1112-26.60 and 100-563-1136-1.00, effective January 1, 2022.

h. Danny Garcia, Commissioner, Precinct No. 1 - Road and Bridge, Precinct No. 1:

1. Transcript from the County Judges and Commissioners Association of Texas for continuing education hours for Danny Garcia, Commissioner, Precinct No. 1.

i. Kevin Janak, Commissioner, Precinct No. 2 - Road and Bridge, Precinct No. 2:

1. Transcript from the County Judges and Commissioners Association of Texas for continuing education hours for Kevin Janak, Commissioner, Precinct No. 2.

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j. Gary Burns, Commissioner, Precinct No. 3 - Road and Bridge, Precinct No. 3:

1. Transcript from the County Judges and Commissioners Association of Texas for continuing education hours for Gary Burns, Commissioner, Precinct No.

3.
 - k. Clint Ives, Commissioner, Precinct No. 4 - Road and Bridge, Precinct No. 4:
 1. Transcript from the County Judges and Commissioners Association of Texas for continuing education hours for Clint Ives, Commissioner, Precinct No. 4.
 - l. Richard McBrayer, Emergency Management Coordinator - Emergency Management Office:
 1. Employment of Alexander Esparza, Disaster Recovery Coordinator, at a rate of \$27.40 per hour, Budget Code 108-599-1107, effective January 5, 2022.

Motion adopted.

28. Closed meeting pursuant to V.T.C.A. Government Code §551.076 to discuss security matters.

(28-39:35)

28. January 4, 2022. The Commissioners Court went into closed session at 10:41 a.m., pursuant to V.T.C.A. Government Code §551.076, to discuss security matters.

29. Pursuant to V.T.C.A. Government Code §551.102 return to open meeting and take any action deemed necessary based upon discussion in closed meeting.

(29-2:35:37)

29. January 4, 2022. The Commissioners Court returned to open meeting at 12:36 p.m., pursuant to V.T.C.A. Government Code §551.102, with no action taken.

30. Adjourn.

(30-2:36:07)

30. January 4, 2022. The Commissioners Court adjourned the meeting of January 4, 2022.