

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **9th day of May A.D., 2022**, the Commissioners Court convened in **Regular 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
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
MONDAY, MAY 9, 2022, 10:00 AM, REGULAR TERM
VICTORIA COUNTY COURTHOUSE
115 N. BRIDGE ST., ROOM 241, SECOND FLOOR, VICTORIA, TX

1. Call to Order.

(1-0:00)

1. May 9, 2022. Ben Zeller, County Judge, called to order the Commissioners Court Regular Term for Monday, May 9, 2022 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. May 9, 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.

(3-1:31)

3. May 9, 2022. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Jena West, Office of Emergency Management Coordinator, presented an invitation video for the Hurricane Town Halls this Thursday, May 12, 2022 at 10:00 a.m. and 2 p.m. at University of Houston-Victoria Walker Auditorium. Ms. West gave an explanation of the Hurricane Town Halls and provided registration information.

Michael Vonderau of 2204 E. North Street, Victoria, Texas, spoke about the over pricing of the Victoria County appraisals. Mr. Vonderau also mentioned that Animal Control and Victoria Police Department will be at Meals on Wheels, 603 East Murray Street, on May 16, 2022 from 6:00 p.m. to 8:00 p.m.

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

4. Consider approval of minutes and take appropriate action.

(4-6:02)

4. May 9, 2022. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the minutes of the Commissioners Court meeting held on May 2, 2022. Motion adopted.

5. Consider approval of accounts payable and take appropriate action.

(5-6:19)

5. May 9, 2022. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the accounts payable as presented by Michelle Samford, County Auditor.

Regular Accounts	5/9/2022	\$778,367.90
Supplemental Accounts	4/29/2022 – 5/5/2022	\$87,812.90

Motion adopted.

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

(6-6:45)

6. May 9, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the monthly reports from the County Judge; County Commissioners, Precincts Nos. 1 - 4; County Treasurer; District Clerk; Criminal District Attorney; Tax Assessor Collector; County Auditor; Fire Marshal; and Justices of the Peace, Precincts Nos. 1 - 4. Motion adopted.

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

(7-7:19)

7. May 9, 2022. None. No action taken.

8. Consider approval of CMC Interim vendor payments and take appropriate action.

(8-7:29)

8. May 9, 2022. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated May 5, 2022 in the amount of \$685,974.94 and the ACH report dated May 5, 2022 in the amount of \$1,995,929.52. Motion adopted.

9. Consider an Order Enacting a Burn Ban in Victoria County and take appropriate action.

(9-8:08)

9. May 9, 2022. Fire Marshal Richard Castillo asked the Court to consider a burn ban for 90 days, due to the index numbers, dry weather, and winds, unless Victoria County receives a substantial amount of rainfall. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the Order Enacting a Burn Ban in Victoria County. Motion adopted.

10. Receive for the record notification of the 2022 pro-rata share of tobacco settlement proceeds in the amount of \$40,230.75 and take appropriate action.

(10-9:20)

10. May 9, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court received for the record the notification of the 2022 pro-rata share of tobacco settlement proceeds in the amount of \$40,230.75. Motion adopted.

11. Consider approval of the following items for the Victoria County Health Department and take appropriate action:

a. Contract Amendment No. 4 for the renewal of the Immunization/Locals Grant Contract HHS000119700011.

(11a-10:45)

11a. May 9, 2022. Public Health Director David Gonzales provided information to the Court. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved Contract Amendment No. 4 for the renewal of the Immunization/Locals Grant Contract HHS000119700011 for the Victoria County Public Health Department. Motion adopted.

Consider approval of the following items for the Victoria County Health Department and take appropriate action:

b. Contract Amendment No. 1 for the Zoonosis Control Program Animal Friendly Grant — DSHS Contract No. HHS000932900004.

(11b-10:45)

11b. May 9, 2022. Public Health Director David Gonzales provided information to the Court and answered County Judge Zeller's and Commissioner Burns' questions. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved Contract Amendment No. 1 for the Zoonosis Control Program Animal Friendly Grant - DSHS Contract No. HHS000932900004 for the Victoria County Public Health Department. Motion adopted.

12. Establish a selection review committee for the RFP - Air Service Marketing & Advertising for the Victoria Regional Airport and take appropriate action.

(12-13:25)

12. May 9, 2022. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the selection review committee of County Judge Ben Zeller, Commissioner Gary Burns, Judge's Chief of Staff Giani Cantu, Executive Director of Victoria Regional Airport Lenny Llerena, and Airport Chairman Bill Russell or his designee for the RFP - Air Service Marketing and Advertising for the Victoria Regional Airport. Motion adopted.

13. Ratify Community Development Block Grant-Disaster Relief (CDBG-DR) Amendment No. 2 for General Land Office (GLO) Grant Contract No. 20-065-094-C262 and take appropriate action.

(13-14:42)

13. May 9, 2022. Grant Administrator Robin Knipling provided the Court with information. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court ratified the Community Development Block Grant- Disaster Relief (CDBG-DR) Amendment No. 2 for the General Land Office (GLO) Grant Contract No. 20-065-094-C262. Motion adopted.

14. Consider approval of construction contract with Lauger Companies, Inc. for EOC Stair Enclosure subject to legal counsel recommendations, Hazard Mitigation Grant Program Contract No. DR-4332-0356 and take appropriate action.

(14-15:36)

14. May 9, 2022. Grant Administrator Robin Knipling and Rick McBrayer, Emergency Management Coordinator, provided information to the Court. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court approved the construction contract with Lauger Companies, Inc. for EOC Stair Enclosure subject to legal counsel recommendations, Hazard Mitigation Grant Program Contract No. DR-4332-0356. Motion adopted.

15. Receive Notice of Grant Award for FY22 Formula Grant, Texas Indigent Defense Commission, and take appropriate action.

(15-17:18)

15. May 9, 2022. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court received the Notice of Statement of Grant Award for FY22 Formula Grant, Texas Indigent Defense Commission in the amount of \$70,265.00. Motion adopted.

16. Consider approval of the following requests for plat exemption and take appropriate action:

a. Elizabeth Hay at 1783 Coletoville Rd. in Precinct No. 3.

(16a-19:04)

16a. May 9, 2022. Clerk Maddison Heibel, provided information to the Court. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the plat exemption request from Elizabeth Hay at 1783 Coletoville Road in Precinct No. 3. Motion adopted.

Consider approval of the following requests for plat exemption and take appropriate action:

b. O'Connor & Hewitt Real Estate L.P and Mary Austin Hewitt at 1332 Warburton Rd., in Precinct No. 3.

(16b-19:04)

16b. May 9, 2022. Clerk Maddison Heibel provided information to the Court. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the plat exemption request from O'Connor and Hewitt Real Estate L.P. and Mary Austin Hewitt at 1332 Warburton Road in Precinct No. 3. Motion adopted.

Consider approval of the following requests for plat exemption and take appropriate action:

c. Jason Dyson at 311 Midway Rd. South in Precinct No. 4.

(16c-19:04)

16c. May 9, 2022. Clerk Maddison Heibel provided information to the Court. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the plat exemption request from Jason Dyson at 311 Midway Road South in Precinct No. 4. Motion adopted.

17. Consider approval of a commercial real estate listing agreement for property at 2604 E Mockingbird Lane, Suite B, in Victoria, and take appropriate action.

(17-20:56)

17. May 9, 2022. The Court passed on the commercial real estate listing agreement for

the property at 2604 E. Mockingbird Lane, Suite B in Victoria. No action taken.

- 18. Consider approval of a request from the Mission Valley Volunteer Fire Department to repair damaged areas caused by fire trucks at the dry hydrants located at the Urban Property on Lower Mission Valley Road in Precinct No. 2 and take appropriate action.**

(18-21:04)

18. May 9, 2022. Fire Marshal Richard Castillo explained the reason for the assistance request. Commissioner Janak provided information to the Court. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court approved the request from the Mission Valley Volunteer Fire Department to repair damaged areas caused by fire trucks at the dry hydrants located at the Urban Property on the Lower Mission Valley Road and on the property of Harwell's Custom Processing located on FM 236 in Precinct No. 2. Motion adopted.

- 19. Consider approval of the following Resolutions for road donations in Precinct No. 4 for the installation of a driveway and pipe culvert to improve drainage and take appropriate action:**

a. Resolution No. 2022-0042 for David Flores, 205 Bradley St., Telferner, Texas in the amount of \$400.00.

(19a-22:52)

19a. May 9, 2022. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved Resolution No. 2022-0042 for road donation in the amount of \$400.00 from David Flores of 205 Bradley Street, Telferner, Texas, in Precinct No. 4 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

Consider approval of the following Resolutions for road donations in Precinct No. 4 for the installation of a driveway and pipe culvert to improve drainage and take appropriate action:

b. Resolution No. 2022-0043 for Tony Escobar, 107 Ridgemont St., Telferner, Texas in the amount of \$650.00.

(19b-22:52)

19b. May 9, 2022. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved Resolution No. 2022-0043 for road donation in the amount of \$650.00 from Tony Escobar of 107 Ridgemont Street, Telferner, Texas, in Precinct No. 4 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

- 20. Consider approval of the following 2022 budget amendments and take appropriate action:**

(20-23:30)

20. May 9, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the 2022 budget amendments for:

- a. General Fund, Various Departments, Expenditures – Line item transfer
- b. Records Management Fund, Expenditures – Line item transfer
- c. Courthouse Security Fund, Expenditures - Increase
- d. Justice Court Building Security, Expenditures - Increase
- e. Elections Administrators Special, Revenues and Expenditures - Line item transfer

Motion adopted.

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

(21-24:47)

21. May 9, 2022. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
 - 1. TJJD Salary Adjustment for Tacara Di-ann Garcia, Juvenile Detention Officer (JSO), to be paid \$46.42 per pay period, effective April 23, 2022. Certification date for Tacara Di-ann Garcia is March 30, 2021. Budget Coding: Post-Adj Secure (JSO) 231-578-1135. Remarks: Tacara Di-Ann Garcia became a certified JSO on 3/30/21. The 2022 salary adjustment of \$46.42 should begin on pay date 5/13/22. One payment of \$46.42 should be paid on 5/13/22 and \$46.42 thereafter.
 - 2. TJJD Salary Adjustment for Daisy Contreras, Juvenile Detention Officer (JSO), to be paid \$46.42 per pay period, effective April 23, 2022. Certification date for Daisy Contreras is November 17, 2021. Budget Coding: Post-Adj Secure (JSO) 231-578-1135. Remarks: Daisy Contreras became a certified JSO on 11/17/2021. The 2022 salary adjustment of \$46.42 should begin on pay date 5/13/2022. One payment of \$46.42 should be paid on 5/13/22 and \$46.42 thereafter.
 - 3. Employment of Mykel Brandy Padron, Clerk III, at a rate of \$15.58 per hour, Budget Code 231-588-1109, effective May 10, 2022.
 - 4. Dismissal of Ciro Hernandez, II, JSO, with 8.26 Compensatory hours due, effective May 2, 2022.
- b. Constance Filley Johnson, Criminal District Attorney - District Attorney's Office:
 - 1. Employment of Luis A. Martinez, Misd. Assistant CDA, at a rate of \$37.15 per hour, Budget Code 100-475-1105, effective May 17, 2022.
- c. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Resignation of Nicholas Lowe, Detention Tier 1, with 64.51 Compensatory hours due, effective May 16, 2022.

- CONTINUED -

- 2. VCSO Salary Adjustment Certification for Hank Cunningham, to be paid Master Certificate Pay of \$69.23 per pay period, effective March 26, 2022. Budget Coding: Admin. Certificate Pay 100-562-1137. Remarks: Changed divisions.
- d. Clint Ives, Commissioner, Precinct No. 4 – Road and Bridge, Precinct

No. 4:

1. Position change for Thorbin Briones, Courtesy Station Operator, at a rate of \$16.00 per hour, Budget Coding 204-614-1120, effective April 23, 2022. Remarks: Hours increased.

Motion adopted.

22. Adjourn.

(22-25:14)

22. May 9, 2022. The Commissioners Court adjourned the meeting of May 9, 2022.