

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **11th day of July 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	Absent

and the following orders were passed:



COUNTY OF VICTORIA

MINUTES

COMMISSIONERS' COURT OF VICTORIA COUNTY, TEXAS

MONDAY, JULY 11, 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. July 11, 2022. Ben Zeller, County Judge, called to order the Commissioners Court Regular Term for Monday, July 11, 2022 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. July 11, 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.

(3-1:55)

3. July 11, 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, stated how bad the heat has been and informed the public that VCAM at 108 North Liberty Street, Victoria, Texas, offers free fans for anyone that is unable to afford an air conditioner.

Commissioner Janak informed the Commissioners that the Reclaimer is not working at this time and will be taken to Holt. Commissioner Janak informed the Court to be prepared for a large repair bill. Commissioner Burns considered replacing it compared to repairing it.

County Judge Zeller stated that Sean Kennedy's visitation will be held this Saturday, July 16, 2022, from 2 to 4 pm at Rosewood Funeral Home.

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

4. Consider approval of minutes and take appropriate action.

(4-5:32)

4. July 11, 2022. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court approved the minutes of the Commissioners Court meeting held on July 5, 2022. Motion adopted.

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

(5-5:57)

5. July 11, 2022. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the accounts payable as presented by Becky Smiley, First Assistant County Auditor.

Regular Accounts	7/11/2022	\$593,616.66
Supplemental Accounts	7/1/2022 – 7/7/2022	\$94,316.63

Motion adopted.

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

(6-6:26)

6. July 11, 2022. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court received the monthly reports from the County Commissioners, Precincts Nos. 1 - 4; County Treasurer; District Clerk; County Clerk; Criminal District Attorney; Tax Assessor Collector; County Auditor; Justices of the Peace, Precincts Nos. 1 - 4; and Constables, Precincts Nos. 2 and 4. Motion adopted.

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

(7-6:59)

7. July 11, 2022. None. No action taken.

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

(8-7:12)

8. July 11, 2022. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated July 7, 2022 in the amount of \$479,136.04 and the ACH report dated July 7, 2022 in the amount of \$1,055,341.99. Motion adopted.

9. Hear a status report on the search for the Animal Control Director, consider appointment of an interview committee, and take appropriate action.

(9-7:50)

9. July 11, 2022. The County Judge mentioned that the Animal Control Director position had been posted online and with the Texas Animal Control Commission. County Judge recommended that Giani Cantu be removed from the committee due to the upcoming budget process for Victoria County. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the appointment of Gary Burns, Commissioner, Precinct No. 3; Danny Garcia, Commissioner, Precinct No. 1; Mike Atkinson, Animal Control Advisory Board Chair; and Gina Howard, Human Resources Director to the interview selection committee for the Animal Control Director position. Motion adopted.

10. Consider any action needing to be taken in regard to the vacancy in the office of the County Treasurer and take appropriate action.

(10-11:51)

10. July 11, 2022. County Judge Zeller reviewed the steps, Local Government Code, and Election Code regarding the vacancy that occurred in the office of County Treasurer due to Sean Kennedy's passing. Judge Zeller stated while the Commissioners Court maintains the prerogative to appoint a replacement for this position from present to December 31, 2022, the Victoria County Republican Party Executive Committee would be responsible for nominating an individual to be on the November ballot for Victoria County Treasurer.

Currently, the Chief Deputy or Deputy Clerk has the legal authority to carry out the affairs of the office by acting as County Treasurer until a successor is qualified. Bill Pozzi, Republican Chair, stated he has prepared an application packet for interested candidates and the committee will advertise the vacant position by television, Victoria Advocate, and local radio shows. The timeline for this process is tentative, but by law, the committee must submit a certificate of nomination by August 29, 2022 at 5:00 p.m. The Committee hopes to hold a meeting on July 18, 2022 to review and discuss the process and pending decision, and hopes to interview the applicants on August 8, 2022. Mr. Pozzi stated if a decision is not made by August 29, 2022 at 5:00 pm the decision diverts to the State. The forms and packet will be received through August 5, 2022 and must include a resume. For interested candidates, you may contact Bill Pozzi at billpozzi@gmail.com or 361-727-7029 to obtain a packet. Commissioner Garcia questioned if there is a benefit to appointing the new individual by August and asked if anyone would be able to submit their name as a write-in on the November ballot. Clarification was given that write-in candidates must follow a separate section of the Election Code. Commissioner Janak suggested swearing in the new individual the Monday after the official nomination is made. Bill Pozzi and the Court recognized Sean Kennedy for being a great gentleman and for the service he provided to Victoria County Treasurer's Office. No action taken.

11. Receive 2022 Second Quarter Plat Request Report from the County Engineer and take appropriate action.

(11-30:32)

11. July 11, 2022. Administrative Assistant Maddison Heibel provided information to the Court. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court received the 2022 second quarter Plat Exemption Request report from County Engineer John Johnston. Motion adopted.

12. Consider approval of plat exemption request from the Watts Family for 292 Dreyer Ln. and 762 Arnold Rd. in Precinct No. 2 and take appropriate action.

(12-31:29)

12. July 11, 2022. Maddison Heibel, Administrative Assistant, spoke to the Court regarding the plat exemption request. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the plat exemption request from the Watts Family at 292 Dreyer Lane and 762 Arnold Road in Precinct No. 2. Motion adopted.

13. Consider approval of a request for payment to Rexco Construction Services in the amount of \$343,166.16 in connection to Rehabilitate and Widen Roadway Project for McCoy and Bayer Road in Precinct No. 1 and take appropriate action.

(13-32:10)

13. July 11, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the request for payment to Rexco Construction Services in the amount of \$343,166.16 in connection to Rehabilitate and Widen Roadway Project for McCoy and Bayer Road in Precinct No. 1. Motion adopted.

14. Consider approval of the following items by the Victoria County Public Health Department and take appropriate action:

a. Hear a presentation from Epidemiologist (IDCU/SUR) and Nursing.

(14a-33:24)

14a. July 11, 2022. Di Anna Harris in Nursing at the Victoria County Public Health Department informed the Court about the personnel in her division. Ms. Harris spoke about the Texas Department of State Health Services grant for immunizations and the services they provide from this grant. She stated they are TVFC and Adult Safety Net Providers and explained the programs. She provided the number of vaccines and tests they provided in 2021. Ms. Harris spoke on the Tuberculosis Care and Control grant from the State of Texas. She reviewed other child and adult services they provide.

Emmanuel Opada, Epidemiologist (IDCU/SUR) with the Victoria County Public Health Department explained his role and what Epidemiology is. Mr. Opada also spoke about disease surveillance, the top three cases that were investigated in 2022, COVID-19 cases for the first and second quarters of 2021 and 2022, outbreak investigations, recent outbreaks, and vaccines provided by the Victoria County Public Health Department. No action taken.

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

b. Receive fully executed amendment to the Housing Opportunities for Persons with AIDS (HOPWA) Contract No. 5607/5-565-02.

(14b-33:24)

14b. July 11, 2022. David Gonzales, Public Health Director, provided information to the Court. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court received the fully executed amendment to the Housing Opportunities for Persons with AIDS (HOPWA) Contract No. 5607/5-565-02. Motion adopted.

15. Consider approval of a correction to the bid comparison for milk/juice, a part of the Victoria County Sheriff's Office Bi-Annual Food Bids and take appropriate action.

(15-56:19)

15. July 11, 2022. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the correction to the bid comparison sheet for Oak Farm Dairies and Hill Country Dairies for milk/juice, for the Victoria County Sheriff's Office Bi-Annual Food Bids. Motion adopted.

16. Consider approval of minutes for April 19, 2022 for Victoria Regional Airport Commission and take appropriate action.

(16-56:50)

16. July 11, 2022. Moved by Gary Burns and seconded by Clint Ives, the Commissioners

Court approved the Victoria Regional Airport Commission Meeting minutes for April 19, 2022. Motion adopted.

17. Consider approval of the following Detention and Residential Contracts for the Victoria Regional Juvenile Justice Center and take appropriate action:

a. Grimes County.

(17a-57:23)

17a. July 11, 2022. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Grimes County. Motion adopted.

Consider approval of the following Detention and Residential Contracts for the Victoria Regional Juvenile Justice Center and take appropriate action:

b. Brazos County.

(17b-57:23)

17b. July 11, 2022. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Brazos County. Motion adopted.

18. Consider approval of Citizens Medical Center Emergency Department Expansion & Renovation AIA Document G702 Application for Payment No. 21 and take appropriate action.

(18-58:12)

18. July 11, 2022. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the Citizens Medical Center Emergency Department Expansion and Renovation AIA Document G702 Application for Payment No. 21 in the amount of \$125,722.40 Motion adopted.

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

(19-58:44)

19. July 11, 2022. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the 2022 budget amendments for:

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

Motion adopted.

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

(20-59:15)

20. July 11, 2022. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. Justin Marr, Sheriff - Sheriff's Office:
 - 1. VCSO Salary Adjustment Certification for Ricardo Montemayor, to be paid Advanced Certificate Pay of \$46.15 per pay period, effective August 5, 2022. Certification date for Ricardo Montemayor is June 30, 2022. Budget Coding: Special Crimes Certificate Pay 100-564-1137. Remarks: Deputy Montemayor has obtained his Advanced TCOLE License.
 - 2. Employment of Juventino Moctezuma, Jr., Detention Tier 1, at a rate of \$18.53 per hour, Budget Code 100-565-1116, effective July 12, 2022.
- b. Ben Zeller/John Johnston, County Judge/Director of Administrative Services - Commissioners Court/Administrative Services:
 - 1. Salary and position change for Maddison P. Heibel, from Adm. Assistant, at a rate of \$17.63 per hour, Budget Code 100-401-1106 to Grant Specialist, at a rate of \$21.43 per hour, Budget Code 190-591-1112, effective July 16, 2022.

Motion adopted.

21. Closed meeting pursuant to V.T.C.A. Government Code §551.074 to discuss personnel matters.

(21-59:40)

21. July 11, 2022. The Commissioners Court went into closed session at 11:00 a.m., pursuant to V.T.C.A. Government Code §551.074, to discuss personnel matters.

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

(22-1:14:32)

22. July 11, 2022. The Commissioners Court returned to open meeting at 11:14 a.m., pursuant to V.T.C.A. Government Code §551.102, with no action taken.

23. Adjourn.

(23-1:14:47)

23. July 11, 2022. The Commissioners Court adjourned the meeting of July 11, 2022.