

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **18th day of July 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	
Clint C. Ives,	Commissioner Precinct No. 4	Absent
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, JULY 18, 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. July 18, 2022. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, July 18, 2022 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. July 18, 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.

(3-1:41)

3. July 18, 2022. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Joe Rivera, a private attorney, presented a proposal to the court to improve attorney access to court appointed clients at the Victoria County Jail.

Matt Bochat, Victoria County Extension Agent, spoke about Pesticides Collection Day and stated it was a huge success.

Michael Vonderau of 2204 E. North Street, Victoria, Texas, voiced his concerns about the high appraisal values.

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

4. Consider approval of minutes and take appropriate action.

(4-8:49)

4. July 18, 2022. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the minutes of the Commissioners Court meeting held on July 11, 2022. Motion adopted.

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

(5-9:02)

5. July 18, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the accounts payable as presented by Michelle Samford, County Auditor.

Regular Accounts	7/18/2022	\$1,717,051.69
Supplemental Accounts	7/8/2022 – 7/14/2022	\$163,452.71

Motion adopted.

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

(6-9:32)

6. July 18, 2022. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court received the monthly reports from the County Judge; Constable, Precinct No. 1; and Pre-Trial Services. Motion adopted.

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

(7-9:59)

7. July 18, 2022. None. No action taken.

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

(8-10:04)

8. July 18, 2022. Moved by Gary Burns and seconded by Danny Garcia, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated July 14, 2022 in the amount of \$939,419.64 and the ACH report dated July 14, 2022 in the amount of \$2,175,085.04. Motion adopted.

9. Receive for the record the following documents related to the burn ban and disaster declaration of June 21, 2022 and take appropriate action:

a. Order lifting the burn ban.

(9a-10:42)

9a. July 18, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court received for the record the order lifting the burn ban of June 21, 2022 for Victoria County. Motion adopted.

Receive for the record the following documents related to the burn ban and disaster declaration of June 21, 2022 and take appropriate action:

b. Suspension of the disaster declaration and firework prohibition.

(9b-10:42)

9b. July 18, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court received for the record the suspension of the disaster declaration and firework prohibition of June 21, 2022 for Victoria County. Motion adopted.

10. Consider approval of the following items for the Victoria Fire Marshal's office and take appropriate action:

a. Order No. 2022-0059 to enact a burn ban.

(10a-11:33)

10a. July 18, 2022. Fire Marshal Richard Castillo stated that due to the amount of rain Victoria County received, the KBDI numbers are lower and recommended that the burn ban not be enacted at this time. Mr. Castillo stated he would be monitoring the numbers. The Commissioners Court passed on Order No. 2022-0059 to enact a burn ban. No action taken.

Consider approval of the following items for the Victoria Fire Marshal's office and take appropriate action:

b. Request an increase of \$12,000.00 to the current budget for fuel.

(10b-11:33)

10b. July 18, 2022. Richard Castillo, Fire Marshal, provided information to the Court and answered the Court's questions. Moved by Gary Burns and seconded by Kevin Janak, the Commissioners Court approved the request for an increase of \$12,000.00 to the current budget for fuel for the Victoria Fire Marshal's Office. Motion adopted.

Consider approval of the following items for the Victoria Fire Marshal's office and take appropriate action:

c. Service agreement with Fire Programs Software.

(10c-11:33)

10c. July 18, 2022. Fire Marshal Richard Castillo provided the Court with information. Moved by Gary Burns and seconded by Kevin Janak, the Commissioners Court approved the service agreement with Fire Programs Software for the Victoria Fire Marshal's Office. Motion adopted.

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

a. Hear a presentation from the HIV/AIDS Resource Program (HARP) and the Texas Home Visiting Program (TXHV-DFPS).

(11a-18:50)

11a. July 18, 2022. Kim Kirbo with the HIV/AIDS Resource Program (HARP) explained the HARP program and the services they offer at the Victoria County Public Health Department. Angie Stafford with Texas Home Visiting Program (TXHV-DFPS) gave an overview of what the program is and explained the services for the program at 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. HARP Personal Service Agreement with Victoria Nephrology Associates, LLC.

(11b-18:50)

11b. July 18, 2022. Public Health Director David Gonzales provided information to the Court. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court approved the HARP Personal Service Agreement with Victoria Nephrology Associates, LLC for the Victoria County Public Health Department. Motion adopted.

- CONTINUED -

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

c. Memorandum of Understanding (MOU) with Victoria College Adult Education Program.

(11c-18:50)

11c. July 18, 2022. David Gonzales, Public Health Director, provided information to the Court. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court approved the Memorandum of Understanding (MOU) with Victoria College Adult Education Program for the Victoria County Public Health Department. Motion adopted.

12. Hear update related to the Texas A&M Forest Service's developments and activities at Victoria Regional Airport and take appropriate action.

(12-33:36)

12. July 18, 2022. Lenny Llerena, Victoria Regional Airport Executive Director, spoke about the aircrafts that would be used for the forestry services. Mr. Llerena updated the Court on the Texas A&M Forestry Service's developments and operations for Victoria Regional Airport. Motion adopted.

13. Consider approval of the 2022 High-Intensity Drug Trafficking Areas (HIDTA) Grant Award, Grant No. G22HN0020A and take appropriate action.

(13-54:32)

13. July 18, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the 2022 High-Intensity Drug Trafficking Areas (HIDTA) Grant Award, Grant No. G22HN0020A for the Victoria County Sheriff's Office. Motion adopted.

14. Consider approval of Bureau of Justice Assistance FY22 Justice Assistance Grant (JAG) Application submission and take appropriate action.

(14-56:33)

14. July 18, 2022. Grant Administrator Robin Knipling provided information to the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the application for the FY 2022 Edward Byrne Memorial Justice Assistance Grant (JAG) Program funded by U.S. Department of Justice-Office of Justice Programs (OJP) and Bureau of Justice Assistance (BJA). Motion adopted.

15. Ratify Community Development Block Grant-Disaster Relief (CDBG-DR) Contract No. 20-065-094-C262 Performance Statement Amendment No. 3 request and take appropriate action.

(15-58:17)

15. July 18, 2022. Robin Knipling, Grant Administrator, provided information to the Court and answered questions from the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court ratified the Community Development Block Grant Disaster Relief (CDBG-DR) Contract No. 20-065-094-C262 Performance Statement Amendment No. 3 request. Motion adopted.

16. Receive the following executed documents in connection with our Employee Health Plan:

a. Health Plan Amendment No. 2 effective 9-1-2021 for payment process on Forced Providers for healthcare services.

(16a-1:02:52)

16a. July 18, 2022. Human Resources Director Gina Howard provided information to the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court received the executed Health Plan Amendment No. 2 effective September 1, 2021 for the payment process on Forced Providers for healthcare services for the Employee Health Plan for Victoria County. Motion adopted.

Receive the following executed documents in connection with our Employee Health Plan:

b. 2022 Application and Schedule of Benefits for excess loss insurance through Great Midwest Insurance Company as previously authorized.

(16b-1:02:52)

16b. July 18, 2022. Gina Howard, Human Resources Director, provided the Court with information. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court received the executed 2022 Application and Schedule of Benefits for excess loss insurance through Great Midwest Insurance Company as previously authorized for the Employee Health Plan for Victoria County. Motion adopted.

- 17. Consider approval of a Master Interlocal Agreement between 791 Purchasing Cooperative (791 COOP) and Victoria County Sheriff's Office and take appropriate action.**

(17-1:04:16)

17. July 18, 2022. Lieutenant Jeremy Bateman provided information to the Court. Moved by Gary Burns and seconded by Kevin Janak, the Commissioners Court approved the Master Interlocal Agreement between 791 Purchasing Cooperative (791 COOP) and the Victoria County Sheriff's Office and the 791 Purchasing Cooperative Board/Commissioners Court Resolution. Motion adopted.

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

a. Bowie County.

(18a-1:05:00)

18a. July 18, 2022. Commissioner Janak thanked the Juvenile Board for raising the juvenile contract rates to \$150.00 per day for each child. 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 Bowie County. Motion adopted.

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

b. Cherokee County for 2022 & 2023.

(18b-1:05:00)

18b. July 18, 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 Cherokee County for 2022 and 2023. Motion adopted.

- CONTINUED -

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

c. Leon County.

(18c-1:05:00)

18c. July 18, 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 Leon County. Motion adopted.

19. Consider approval of the following County Road Crossing Application and receive fees in the amount of \$1,000.00 from AEP Texas, Inc. in Precinct No. 2 and take appropriate action:

a. Oliver Road.

(19a-1:06:42)

19a. July 18, 2022. Commissioner Janak provided the Court with information. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the county road and pipeline crossing application and received a fee in the amount of \$500.00 from AEP Texas, Inc. for Oliver Road in Precinct No. 2 in Victoria County. Motion adopted.

Consider approval of the following County Road Crossing Application and receive fees in the amount of \$1,000.00 from AEP Texas, Inc. in Precinct No. 2 and take appropriate action:

b. Kohutek Road.

(19b-1:06:42)

19b. July 18, 2022. Commissioner Janak provided information to the Court. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the county road and pipeline crossing application and received a fee in the amount of \$500.00 from AEP Texas, Inc. for Kohutek Road in Precinct No. 2 in Victoria County. Motion adopted.

20. Receive for the record 2022 Discretionary Fund Budget Amendment for CDA Contraband Forfeiture Fund (370) and take appropriate action.

(20-1:07:50)

20. July 18, 2022. Moved by Gary Burns and seconded by Kevin Janak, the Commissioners Court received for the record the 2022 Discretionary Fund Budget Amendment for the CDA Contraband Forfeiture Fund (370) as an Increase to Expenditures. Motion adopted.

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

(21-1:08:16)

21. July 18, 2022. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court approved the 2022 budget amendments for:

- a. Emergency Management, Expenditures – Line item transfer
- b. Road and Bridge, Precinct No. 3, Expenditures – Line item transfer
- c. National School Lunch Program, Expenditures - Line item transfer
- d. LEOSE Fund, Revenues and Expenditures - Line item transfer
- e. County Jury Fund, Revenues and Expenditures - Line item transfer

Motion adopted.

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

(22-1:09:48)

22. July 18, 2022. Moved by Gary Burns and seconded by Danny Garcia, the

Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. Vinicio Llerena, Airport Executive Director - Victoria Regional Airport:
 - 1. Resignation of Jacob Pope, Line Attendant, with 59.68 PTO and 1.88 Compensatory hours due, effective July 9, 2022.
- b. Margetta Hill, Elections Administrator - Elections Office:
 - 1. Salary and position change for Monica Michelle Peoples, from Extra Help, at a rate of \$12.50 per hour, Budget Code 450-490-1130 to P/T Clerk II, at a rate of \$13.50 per hour, Budget Code 450-490-1110, effective July 16, 2022.
- c. David Gonzales, Public Health Director - Victoria County Public Health Department:
 - 1. Resignation of Rebecca Mahan, Nurse, effective July 12, 2022.
 - 2. Position/Code change for Ralph Montes, PHEP Coordinator, at a rate of \$26.39 per hour, from Budget Code 800-678-1104 to Budget Code 800-681-1104, effective July 2, 2022. Other Remarks: ****Cell Phone Allowance change to budget coding: 800-681-1139; \$41.54 per pay period.
- d. Justin Marr, Sheriff - Sheriff's Office:
 - 1. VCSO Salary Adjustment Certification for Esau Lopez, to be paid Intermediate Certificate Pay of \$23.08 per pay period, effective August 5, 2022. Certification date is June 30, 2022. Budget Coding: Enforcement/CID Certificate Pay 100-563-1137. Remarks: Deputy Lopez has obtained his Intermediate TCOLE License.
 - 2. Resignation of Wendy Saldana, Cooks, with 80.0 PTO and 200.32 Compensatory hours due, effective July 22, 2022.
- e. Ben Zeller, County Judge - Commissioners Court:
 - 1. Salary change for Rachel Deaton, Chief Deputy, from a rate of \$25.71 per hour, Budget Code 100-497-1103 to a rate of \$30.71, Budget Codes 100-497-1103 (\$25.71) and 100-497-1103 (\$5.00) Temp Pay, effective July 16, 2022. Other Remarks: Temporary Salary Increase for action as Chief Deputy under GC601.002.
 - 2. Request for payout of compensatory time for Rachel Deaton of 103.83 Compensatory hours, to be paid from Line item 100-497-1104.
- f. Ashley Hernandez, County Tax Assessor Collector - County Tax Office:
 - 1. A 2021 Continuing Education Transcript for Ashley Hernandez, County Tax Assessor, for completion of 153.00 continuing education hours from the Tax Assessor Collectors Association of Texas.

Motion adopted.

23. Adjourn.

(23-1:10:12)

23. July 18, 2022. The Commissioners Court adjourned the meeting of July 18, 2022.