

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **8th day of August 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



COUNTY OF VICTORIA
MINUTES
COMMISSIONERS' COURT OF VICTORIA COUNTY, TEXAS
MONDAY, AUGUST 8, 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. August 8, 2022. Ben Zeller, County Judge, called to order the Commissioners Court Regular Term for Monday, August 8, 2022 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. August 8, 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.

(3-1:30)

3. August 8, 2022. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Wanda Ulrey, Victoria County resident, thanked the Court for taking a stand against the obscene books in the Victoria Public Library for the juvenile picture section ages 4-8, the juvenile sections ages 8-12 and the young adult section ages 12 and up. She stated that one thing that should never change is the responsibility as adults to protect the innocence of children and youth with taxpayers dollars.

Michael Vonderau of 2204 E. North Street, Victoria, Texas, voiced his concerns about the inappropriate books at the Victoria Public Library. He stated that Goodwill and the Public Library offers free computer skills classes.

Toni Stithem with the Volunteer Fire Department informed the Court that the Victoria County Volunteer Fire Department will be having a fundraiser this Saturday from 11 a.m. to 2 p.m. at the Officers Club with plates to go or dine in, a dessert table, a silent auction, and a raffle.

Harley Fisk of Independence Drive, Victoria, Texas, spoke about banning books at the Victoria Public Library. He stated how the world has changed tremendously and that the Victoria Library and citizens have a duty to educate people that these things happen and children should be taught how to make their way through the world.

Commissioner Gary Burns responded to Mr. Fisk that obscenity is what matters and spoke about his visit with the Victoria Public library employees.

Clint Ives spoke about the conversation regarding these library books that was held last Monday in Commissioners Court.

Pat Talley, Victoria County resident, spoke about the offensive books at the Victoria Public Library. She also spoke about how children should be prepared for issues they are facing today. Some things that should be thought about are adding books that would be beneficial to children, different topics, and supervising what children bring home to read. She also stated this situation is about asserting will over others, over people who are different, and have different ways of parenting children, and politicians that are weak enough to be their agents. She mentioned calling out the leaders of the community to make a positive difference. She hopes to see that the future of the source of these complaints would be more focused on what could be done for this community than the focus on what others shouldn't do.

Woodrow Wilson of 205 Brushy Creek, Victoria, Texas, spoke about his background, beliefs and how people feel marginalized or attacked from last week's conversations held in Commissioners Court regarding the obscene books at the Victoria Public Library. Mr. Wilson asked the Court to sit down with people that are for and against these library books to get their opinion about them.

Commissioner Garcia stated how descriptive in nature some books are at the Public Library and how he hopes the advisory board, librarian, staff, and the City of Victoria will find a solution for everyone involved with the issues of these books.

Commissioner Janak mentioned to individuals that live in the Parsons Road and Nursery area that Parsons Road will be closed for two weeks starting today for a drainage project. The road will be closed Monday through Thursday between the hours of 8:30 a.m. and 4:30 p.m. and the public may detour on Haynes Road, Northside Road, or Levi Sloan Road.

County Judge Zeller informed the public that court members are able to voice their opinion and comment during Citizens Communication and the City of Victoria will be the one to make the decision on the Victoria Public Library books.

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

4. Consider approval of minutes and take appropriate action.

(4-36:54)

4. August 8, 2022. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the minutes of the Commissioners Court meeting held on August 1, 2022. Motion adopted.

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

(5-37:11)

5. August 8, 2022. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the accounts payable as presented by Michelle Samford, County Auditor.

Regular Accounts	8/8/2022	\$313,194.60
Supplemental Accounts	7/29/2022 – 8/4/2022	\$236,153.69

Motion adopted.

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

and take appropriate action.

(6-37:42)

6. August 8, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court received the monthly reports from the County Judge; Commissioners, Precincts Nos. 1 - 4; County Treasurer; District Clerk; County Clerk; Criminal District Attorney; Tax Assessor Collector; County Auditor; Fire Marshal; Justices of the Peace, Precincts Nos. 2, 3, and 4; and Constable, Precinct No. 2. Motion adopted.

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

(7-38:20)

7. August 8, 2022. None. No action taken.

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

(8-38:34)

8. August 8, 2022. Moved by Danny Garcia and seconded by Gary Burns , the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated August 4, 2022 in the amount of \$555,309.65 and the ACH report dated August 4, 2022 in the amount of \$2,343,857.95. Motion adopted.

9. Hear Proclamation proclaiming August 7th-13th as National Farmer's Market Week and take appropriate action.

(9-39:05)

9. August 8, 2022. Meredith Byrd, with the Food Bank of the Golden Crescent, gave an update on the local farmer's market. Judge Zeller read the Proclamation. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court received the Proclamation proclaiming August 7th - 13th as National Farmer's Market Week. Motion adopted.

10. Consider approval of Resolution No. 2022-0063 supporting an audit or other third-party review of the processes and valuations of the Victoria Central Appraisal District and take appropriate action.

(10-50:09)

10. August 8, 2022. Lou Svetlik and John Haliburton spoke to the Court regarding the Victoria Central Appraisal District audit. Mr. Svetlik and Mr. Haliburton held a discussion with the Court regarding Resolution No. 2022-0063 supporting an audit or other third-party review of the processes and valuations of the Victoria Central Appraisal District. Mr. Svetlik requested that the Victoria Central Appraisal District present a formal presentation to the Court so they will have all necessary information to decide if they want to adopt or not adopt the Resolution. No action taken.

11. Consider the recommendation of the County Fire Marshal to approve Order No. 2022-0064 to enact a burn ban and take appropriate action.

(11-1:22:27)

11. August 8, 2022. Fire Marshal Richard Castillo reviewed the KBDI numbers with the Court and requested a burn ban for Victoria County. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved Order No. 2022-0064 enacting a burn ban for Victoria County. Motion adopted.

12. Consider approval of Resolution No. 2022-0065 accepting a donation of a 2012 Ford

brush truck valued at \$35,100 from the Victoria County Volunteer Fire Department to the Victoria County Fire Marshal's Department and take appropriate action.

(12-1:25:13)

12. August 8, 2022. Fire Marshal Richard Castillo and Rusty Knezek with the Inez Volunteer Fire Department provided information to the Court regarding the brush truck. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved Resolution No. 2022-0065 accepting a donation of a 2012 Ford brush truck valued at \$35,100.00 from the Victoria County Volunteer Fire Department to the Victoria County Fire Marshal's Department. Motion adopted.

- 13. Consider approval of a Motor Vehicle License Registration Agent Agreement between H.E.B., LLP and the Victoria County Tax Assessor-Collector and take appropriate action.**

(13-1:31:11)

13. August 8, 2022. County Tax Assessor Ashley Hernandez explained the program for motor vehicle license registration that would be available at both HEB stores and answered questions from the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the Motor Vehicle License Registration Agent Agreement between H.E.B., LLP and the Victoria County Tax Assessor-Collector. Motion adopted.

- 14. Receive a fully executed Master Equity Lease and Maintenance agreement between Enterprise Fleet Management and the Victoria Public Health Department and take appropriate action.**

(14-1:38:41)

14. August 8, 2022. Public Health Director David Gonzales provided information to the Court. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court received the fully executed Master Equity Lease agreement and Maintenance agreement to lease four vehicles between Enterprise Fleet Management and the Victoria Public Health Department. Motion adopted.

- 15. Receive for the record notice of 2022 Supply Chain Assistance (SCA) Reallocation Award, Federal Grant Award Number 6TX300400 and take appropriate action.**

(15-1:39:13)

15. August 8, 2022. Grant Administrator Robin Knipling provided information to the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court received for the record the notice of the additional funding allocation for the 2022 Supply Chain Assistance (SCA) Reallocation Award, Federal Grant Award Number 6TX300400 from the Texas Department of Agriculture for the Victoria County Juvenile Justice Center. Motion adopted.

- 16. Consider approval of Resolution No. 2022-0062 Authorizing Funds for Community Development Block Grant-Disaster Relief (CDBG-DR) Contract No. 20-065-094-C262 and take appropriate action.**

(16-1:39:55)

16. August 8, 2022. Robin Knipling, Grant Administrator, provided information to the Court. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved Resolution No. 2022-0062 authorizing funds for Community Development Block Grant Disaster Relief (CDBG-DR) Contract No. 20-065-094-C262 for Victoria County. Motion adopted.

- 17. Receive for the record fully executed FY22 Statewide Automated Victim Notification**

Services (SAVNS) Contract No. 2219640 Amendment No. 1 and take appropriate action.

(17-1:40:41)

17. August 8, 2022. Grant Administrator Robin Knipling provided information to the Court. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court received for the record the fully executed FY22 Statewide Automated Victim Notification Services (SAVNS) Contract No. 2219640 Amendment No. 1 between the Office of the Attorney General of the State of Texas and Victoria County. Motion adopted.

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

a. Wesley S. Kliem & Linsey A. Kliem for 1433 Hood Rd. in Inez, TX - Precinct No. 4.

(18a-1:41:11)

18a. August 8, 2022. John Johnston, County Engineer, provided information to the Court. Moved by Clint Ives and seconded by Kevin Janak, the Commissioners Court approved the plat exemption request from Wesley S. Kliem and Linsey A. Kliem for 1433 Hood Road in Inez, Texas, in Precinct No. 4. Motion adopted.

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

b. Karl and Barbara Fontenot for 10559 US Highway South - Precinct No. 3.

(18b-1:41:11)

18b. August 8, 2022. John Johnston, County Engineer, provided information to the Court. Moved by Gary Burns and seconded by Danny Garcia, the Commissioners Court approved the plat exemption request from Karl and Barbara Fontenot for 10559 US Highway 59 South, Victoria, Texas, in Precinct No. 3. Motion adopted.

19. Receive for the record Owner's Title Policy for the property purchase of 101 S. William St. and take appropriate action.

(19-1:42:54)

19. August 8, 2022. John Johnston, County Engineer, provided information to the Court. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court received for the record the Owner's Title Policy for the property purchase of 101 S. William Street, Victoria, Texas. Motion adopted.

20. Receive for the record Public Officials and Law Enforcement Liability Coverage update, in accordance with Local Government Code §119.012, and take appropriate action.

(20-1:43:08)

20. August 8, 2022. County Engineer John Johnston provided the Court with information. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court received for the record the notice of Public Officials and Law Enforcement Liability Coverage update, in accordance with Local Government Code §119.012. Motion adopted.

21. Consider approval of the following items in regards to Animal Control and take appropriate action:

a. Fully executed Reunification Disclosure Agreement with Petpoint.

(21a-1:43:46)

21a. August 8, 2022. Moved by Gary Burns and seconded by Danny Garcia, the Commissioners Court received the fully executed Reunification Disclosure Agreement with Petpoint. Motion adopted.

Consider approval of the following items in regards to Animal Control and take appropriate action:

b. Hear and discuss the proposed procurement and discretionary bid exemption Pursuant to Local Government Code §262.024(a) for the purchase of equipment and vehicles for Animal Control.

(21b-1:43:46)

21b. August 8, 2022. Commissioner Gary Burns stated he has a ruling from Texas Association of Counties and Kevin Cullen, but a vehicle was found for under \$50,000.00 so the proposed procurement and discretionary bid exemption Pursuant to Local Government Code §262.024(a) for the purchase of equipment and vehicles for Animal Control is not required at this time. No action taken.

22. Consider approval of the renewal Memorandum of Understanding with Victoria Independent School District (VISD) for the School Resource Officer (SRO) Program for the 2022/2023 school year and take appropriate action.

(22-1:45:52)

22. August 8, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the renewal of the Memorandum of Understanding with Victoria Independent School District (VISD) for the School Resource Officer (SRO) Program for the 2022/2023 school year. Motion adopted.

23. Review and consider the Memorandum of Understanding (MOU) with Jackson County and the Victoria County Sheriff's Office to receive equipment and software and take appropriate action.

(23-1:47:00)

23. August 8, 2022. Moved by Clint Ives and seconded by Kevin Janak, the Commissioners Court approved the Memorandum of Understanding (MOU) with Jackson County and the Victoria Cocnty Sheriff's Office to receive equipment and software. Motion adopted.

24. Consider approval of a request for payment No. 13 in connection to the Rehabilitate and Widen Roadway Project for McCoy Road and Bayer Road in Precinct No. 1 to Rexco Construction Services in the amount of \$18,081.00 and take appropriate action.

(24-1:49:04)

24. August 8, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the request for payment no. 13 from Rexco Construction Services in the amount of \$18,081.00 in connection to the Rehabilitate and Widen Roadway Project for McCoy Road and Bayer Road in Precinct No. 1. Motion adopted.

25. Receive and discuss no new revenue and voter approval tax rates calculated by Tax Assessor-Collector and take appropriate action.

(25-1:49:40)

25. August 8, 2022. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court approved the no new revenue and voter approval tax rates calculated by Tax Assessor-Collector. Motion adopted.

26. Pursuant to Local Government Code §118.025, hold a public hearing for the 2023 Victoria County Clerk Archival Plan and take appropriate action.

(26-1:51:10)

26. August 8, 2022. County Clerk Heidi Easley explained the archival records. County Judge Zeller declared a public hearing open, pursuant to Local Government Code §118.258, to hold a public hearing for the 2023 Victoria County Clerk Archival Plan. Mrs. Easley informed the Court that the archival fee will go up from \$5.00 to \$10.00 and this will allow the completion of archival process to be completed in half the time. She would like to go to phase two of this process, which will allow 109 additional volumes to be processed. Mrs. Easley also answered questions from the Court. With no public comments, County Judge Zeller closed the public hearing. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the Victoria County Clerk Archival Plan. Motion adopted.

27. Consider the request from Victoria County Criminal District Attorney's Office for Victoria County Auditor's Office to conduct the FY2022 audit for Article 59.06 of the Code of Criminal Procedure, Asset Forfeiture Report and take appropriate action.

(27-1:58:15)

27. August 8, 2022. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the request from Victoria County Criminal District Attorney's Office for Victoria County Auditor's Office to conduct the FY2022 audit for Article 59.06 of the Code of Criminal Procedure, Asset Forfeiture Report. Motion adopted.

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

a. Cameron County.

(28a-1:58:43)

28a. August 8, 2022. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Cameron County. Motion adopted.

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

b. Wood County.

(28b-1:58:43)

28b. August 8, 2022. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Wood County. Motion adopted.

- CONTINUED -

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

c. Waller County.

(28c-1:58:43)

28c. August 8, 2022. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Waller County. Motion adopted.

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

d. 220th Judicial District (Residential only).

(28d-1:58:43)

28d. August 8, 2022. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the Residential Contract between Victoria Regional Juvenile Justice Center and 220th Judicial District County. Motion adopted.

29. Receive letters of permission to enter and work on private property of Carrie Rosenquest located at 2261 Parsons Road for the purpose of cleaning ditches and underbrush for drainage improvement in the County ROW in Precinct No. 2 and take appropriate action.

(29-1:59:06)

29. August 8, 2022. Commissioner Janak provided information to the Court. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court received the letter of permission to enter and work on private property from Carrie Rosenquest of 2261 Parsons Road in Victoria County, Texas, for the purpose of cleaning ditches and underbrush for drainage improvement in the County Right of Way in Precinct No. 2. Motion adopted.

30. Receive for the record the following 2022 Discretionary Funds Budget Amendments and take appropriate action:

a. CDA Contraband Forfeiture Fund (370).

(30a-2:00:21)

30a. August 8, 2022. Moved by Danny Garcia and seconded by Clint Ives, 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.

Receive for the record the following 2022 Discretionary Funds Budget Amendments and take appropriate action:

b. Juvenile Commissary Fund (390).

(30b-2:00:21)

30b. August 8, 2022. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court received for the record the 2022 Discretionary Fund Budget Amendment for the Juvenile Commissary Fund (390) as an increase to expenditures. Motion adopted.

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

(31-2:00:50)

31. August 8, 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, Revenues and Expenditures – Line item transfer
- c. Road and Bridge, Precinct No. 4, Revenues and Expenditures - Line item transfer
- d. General Fund/Sheriff's Office, Expenditures - Line item transfer
- e. Emergency Management, Expenditures - Line item transfer
- f. Road and Bridge, Precinct No. 2, Expenditures - Line item transfer
- g. Health Department, Revenue and Expenditures - Line item transfer

Motion adopted.

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

(32-2:01:38)

32. August 8, 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. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Resignation of Michelle Schroeder, CMA/EMT/EMT-P, with 80.0 PTO and 261.07 Compensatory hours due, effective August 3, 2022.
 - 2. Resignation of Reagan Hawk, Nurse, with 30.0 Compensatory hours due, effective August 12, 2022.
 - 3. Position change for Morgan Trevino, 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 School Resource Officer Tier 3 (Paid as Tier 1), Budget Codes 395-560-1309-23.25 and 395-560-1136-1.00, effective August 13, 2022.
 - 4. Salary and position change for Kenneth Wenske, from School Resource Officer Tier 2, at a rate of \$25.86 per hour, Budget Codes 395-560-1209-24.86, 395-560-1136-1.00, and 395-560-1137-Cert Pay to Corporal-School Resource Officer, at a rate of \$27.60 per hour, Budget Codes 395-560-1107-26.60, 395-560-1136-1.00, and 395-560-1137-Cert Pay, effective August 13, 2022.
 - 5. Position change for Jacob Basaldua, 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 School Resource Officer Tier 2 (Paid as Tier 1), Budget Codes 395-560-1209-23.25 and 395-560-1136-1.00, effective August 13, 2022.

- CONTINUED -

- b. David Gonzales, Public Health Director - Victoria County Public Health Department:

1. Employment of Stephanie Morales, Nurse, at a rate of \$18.25 per hour, Budget Code 810-633-1106, effective August 9, 2022.

Motion adopted.

33. Adjourn.

(33-2:02:25)

33. August 8, 2022. The Commissioners Court adjourned the meeting of August 8, 2022.