

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **22nd day of August 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
and	
Heidi Easley,	County Clerk and Ex-Officio Clerk



COUNTY OF VICTORIA
MINUTES
COMMISSIONERS' COURT OF VICTORIA COUNTY, TEXAS
MONDAY, AUGUST 22, 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. August 22, 2022. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, August 22, 2022 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. August 22, 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.

(3-1:03)

3. August 22, 2022. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Michael Vonderau, 2204 E. North Street, voiced his concerns and requests about loose pit bulls at the East North Mobile Home Park. Mr. Vonderau also stated that the Victoria Central Appraisal District employees are doing an excellent job. He stated that he believes taxes should not be raised on trailer houses and would like them to actually come out to the house to do the appraisals professionally. Commissioner Burns responded to Mr. Vonderau about Animal Control.

Emergency Management Director Rick McBrayer reminded the public that August 25, 2022 is the 5th year anniversary of Hurricane Harvey. He stated we are at the peak of hurricane season and spoke about being prepared. Mr. McBrayer thanked the Victoria County staff for doing a great job and stated Victoria is one of the few communities that have completely closed the books for FEMA recovery from Hurricane Harvey. He mentioned his office will be releasing a PSA this week commemorating the 5th year anniversary of Hurricane Harvey. Judge Zeller thanked Mr. McBrayer for doing a great job. Commissioner Janak also thanked the Emergency Management Office staff and the County Auditor's office and Compliance Specialist Sarah Hamman for getting all funds cleared and balanced out from Hurricane Harvey.

Fire Marshal Richard Castillo reviewed the KBDI numbers and stated the burn ban would remain in effect. Also, anyone that is burning on the ground could receive tickets that could average up to \$600.00 and a class c misdemeanor, but if the fire gets away and destroys neighbors' property or house, you could be looking at arson charges.

- CONTINUED -

James Collins, a Victoria County resident, asked Fire Marshal Castillo if people could burn in a barrel with a lid on it. Mr. Castillo responded to Mr. Collins.

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

4. Consider approval of minutes and take appropriate action.

(4-14:02)

4. August 22, 2022. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the minutes of the Commissioners Court meeting held on August 15, 2022. Motion adopted.

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

(5-14:22)

5. August 22, 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	8/22/2022	\$687,413.62
Supplemental Accounts	8/12/2022 – 8/18/2022	\$66,910.61

Motion adopted.

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

(6-14:51)

6. August 22, 2022. None. No action taken.

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

(7-14:59)

7. August 22, 2022. None. No action taken.

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

(8-15:07)

8. August 22, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated August 18, 2022 in the amount of \$1,673,019.87 and the ACH report dated August 18, 2022 in the amount of \$3,210,277.79. Motion adopted.

9. Consider approval of the Emergency Facilities & Land Use Agreement-Agency Contract No. CO-22-265 between the Texas A&M Forest Service and the Victoria Regional Airport and take appropriate action.

(9-15:53)

9. August 22, 2022. Airport Executive Director Lenny Llerena provided information to the Court and answered Judge Zeller's question. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the Emergency Facilities and Land Use Agreement-Agency Contract No. CO-22-265 between the Texas A&M Forest Services and the Victoria Regional Airport. Motion adopted.

10. Discussion and possible action regarding the order authorizing the issuance, sale, and

delivery of “Victoria County, Texas Certificates of Obligation, Series 2022”; securing the payment thereof by authorizing the levy of an annual ad valorem tax and a pledge of certain surplus revenues of the county’s hospital system; approving and authorizing the execution of all instruments and procedures related thereto including a paying agent/registrar agreement and a purchase contract; approving the form of an official statement; and declaring an effective date. *(This item has been postponed and will be scheduled for consideration at the County's regularly scheduled meeting of August 29, 2022.)*

(10-52:47)

10. August 22, 2022. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved to postpone and reschedule the consideration of the sale to August 29, 2022.

11. Consider approval of the following requests for assistance from the Volunteer Fire Departments and take appropriate action.

a. Dacosta VFD request in the amount of \$11,008.09.

(11a-21:30)

11a. August 22, 2022. Fire Marshal Richard Castillo provided information to the Court. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the Dacosta Volunteer Fire Department’s request for assistance in purchasing a communications system for their fire trucks in the amount of \$11,008.09. Motion adopted.

Consider approval of the following requests for assistance from the Volunteer Fire Departments and take appropriate action.

b. Bloomington VFD request in the amount of \$2,000.00.

(11b-21:30)

11b. August 22, 2022. Richard Castillo, Fire Marshal, provided information to the Court. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved Bloomington Volunteer Fire Department’s request for assistance in their fuel and maintenance expenses in the amount of \$2,000.00. Motion adopted.

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

a. HIV Health and Social Services (State Services) Contract No. 5609/6-565-01

(12a-23:34)

12a. August 22, 2022. David Gonzales, Public Health Director, provided information to the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the HIV Health and Social Services (State Services) Contract No. 5609/6-565-01 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:

b. Housing Opportunities for Persons with AIDS (HOPWA) Contract No. 5607/6-565-01 Amendment

(12b-23:34)

12b. August 22, 2022. Public Health Director David Gonzales provided the Court with information. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the Housing Opportunities for Persons with AIDS (HOPWA) Contract No. 5607/6-565-01 Amendment for the Victoria County Public Health Department. Motion adopted.

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

c. Resolution No. 2022-0070 accepting donations from South Plains Community Action Association for WIC.

(12c-23:34)

12c. August 22, 2022. David Gonzales, Public Health Director, provided information to the Court. Moved by Danny Garcia and seconded by Kevin Janak, pursuant to Local Government Code §81.032, the Commissioners Court approved Resolution No. 2022-0070 accepting donations of 2 Dell Laptops (Latitude 5530) and 2 Dell Desktops (Optiplex CTO 5000) from South Plains Community Action Association to be utilized for and dedicated to the Victoria County Women, Infant and Children (WIC) Center at the Victoria County Public Health Department. Motion adopted.

13. Consider approval of Order No. 2022-0069 ordering the November 8th, 2022 General Election and take appropriate action.

(13-24:50)

13. August 22, 2022. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved Order No. 2022-0069 for the General Election on November 8, 2022. Motion adopted.

14. Consider approval and authorization of payment to PGAL for invoice no. 10056458 for Professional Services in connection to the Victoria County Emergency Operations Center Stair Enclosure Project and take appropriate action.

(14-27:06)

14. August 22, 2022. County Engineer John Johnston provided information to the Court. Emergency Management Director Rick McBrayer thanked the County departments in the building that are being impacted by this project and thanked Precinct No. 4 for assistance with the parking lot signs. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court approved and authorized the payment to PGAL for invoice no. 10056458 for Professional Services in connection to the Victoria County Emergency Operations Center Stair Enclosure Project. Motion adopted.

15. Consider approval of bid awards for the following CDBG-DR Grant No. 20-065-094-C262 projects contingent upon General Land Office (GLO) Amendment No. 3

approval and take appropriate action:

a. Project 1: Placedo, US Hwy 87 & Old Port Lavaca Road Drainage Improvements (Precinct 1).

(15a-28:49)

15a. August 22, 2022. Robin Knipling, Grant Administrator, updated the Court on the General Land Office (GLO) Amendment No. 3. Commissioner Garcia spoke about the delay of this project. Commissioner Janak asked if the bids were able to be awarded and Mrs. Knipling responded. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the bid award to Constar Construction, Victoria, Texas, in the amount of \$1,090,860.00 for Project 1: Placedo, US Hwy 87, and Old Port Lavaca Road Drainage Improvements in Precinct No. 1 in connection to the CDBG-DR Grant No. 20-065-094-C262 project contingent upon General Land Office (GLO) Amendment No. 3. Motion adopted.

Consider approval of bid awards for the following CDBG-DR Grant No. 20-065-094-C262 projects contingent upon General Land Office (GLO) Amendment No. 3

approval and take appropriate action:

b. Project 3: Nursery Road Street Improvements (Precinct 2).

(15b-28:49)

15b. August 22, 2022. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the bid award to Brannan Paving Company, Inc., Victoria, Texas, in the amount of \$1,272,522.07 for Project 3: Nursery Road Street Improvements in Precinct No. 2 in connection to the CDBG-DR Grant No. 20-065-094-C262 project contingent upon General Land Office (GLO) Amendment No. 3. Motion adopted.

Consider approval of bid awards for the following CDBG-DR Grant No. 20-065-094-C262 projects contingent upon General Land Office (GLO) Amendment No. 3

approval and take appropriate action:

c. Project 4: Fordyce Road Drainage Improvements (Precinct 3).

(15c-28:49)

15c. August 22, 2022. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the bid award to Constar Construction, Victoria, Texas, in the amount of \$323,485.00 for Project 4: Fordyce Road Drainage Improvements in Precinct No. 3 in connection to the CDBG-DR Grant No. 20-065-094-C262 project contingent upon General Land Office (GLO) Amendment No. 3. Motion adopted.

- 16. Consider approval of an amended plat request for Bludau Subdivision No. 1, Resubdivision No. 1 and take appropriate action.**

(16-39:08)

16. August 22, 2022. County Engineer John Johnston provided information to the Court. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the amended plat exemption request for Bludau Subdivision No. 1, Resubdivision No. 1. Motion adopted.

- 17. Receive a fully executed final plat for Mustang Valley Subdivision, located in Precinct No. 2, and take appropriate action.**

(17-40:05)

17. August 22, 2022. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court received a fully executed final plat for Mustang Valley Subdivision located in Precinct No. 2. Motion adopted.

- 18. Receive Victoria County's Report of Completion for Cyber Security Training, mandated under Tex. Gov't Code 2054.5191, for FY 2022 and take appropriate action.**

(18-41:04)

18. August 22, 2022. Compliance Specialist Sarah Hamman provided information to the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court received the Victoria County's Report of Completion for Cyber Security Training, mandated under Texas Government Code 2054.5191 for FY 2022. Motion adopted.

- 19. Consider approval and authorization to advertise bids for the Annual Supply Contract for Aggregate for Surface Treatment road materials for all Victoria County Precincts and take appropriate action.**

(19-42:49)

19. August 22, 2022. County Engineer John Johnston provided information to the Court and answered questions from the Court. Michelle Samford, County Auditor, responded to Commissioner Garcia. A short discussion was held. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court approved and authorized to advertise for bids for the Annual Supply Contract for Aggregate for Surface Treatment road materials for all Victoria County Precincts. Motion adopted.

- 20. Receive notice of award increase for the 2022 Supply Chain Assistance Grant Reallocation award for Federal Grant No. 6TX300400 and take appropriate action**

(20-48:18)

20. August 22, 2022. Grant Administrator Robin Knipling provided the Court with information. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court received the notice of award increase for the 2022 Supply Chain Assistance Grant Reallocation award for Federal Grant No. 6TX300400. Motion adopted.

- 21. Consider approval of the fully executed renewal of Memorandum of Understanding with Bloomington Independent School District (BISD) for the School Resource Officer (SRO) Program for the 2022/2023 school year and take appropriate action.**

(21-48:52)

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

- 22. Consider approval of payment to John D. Mercer & Associates in the amount of \$660.00 in connection with TX-CDBG No. 7219451 for the Placedo Water Plant Improvements for WCID No. 2 and take appropriate action.**

(22-49:25)

22. August 22, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the payment to John D. Mercer and Associates in the amount of \$660.00 in connection with TX-CDBG No. 7219451 for the Placedo Water Plant Improvements for WCID No. 2. Motion adopted.

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

a. Madison County.

(23a-50:26)

23a. August 22, 2022. Moved by Gary Burns and seconded by Kevin Janak, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Madison County. Motion adopted.

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

b. Jim Wells County.

(23b-50:26)

23b. August 22, 2022. Moved by Gary Burns and seconded by Kevin Janak, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Jim Wells County. Motion adopted.

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

c. Kleberg-Kenedy County.

(23c-50:26)

23c. August 22, 2022. Moved by Gary Burns and seconded by Kevin Janak, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Kleberg-Kenedy County. Motion adopted.

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

d. Angelina County.

(23d-50:26)

23d. August 22, 2022. Moved by Gary Burns and seconded by Kevin Janak, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Angelina County. Motion adopted.

24. Receive for the record the amended Fund Balance Policy adopted December 2, 2019 and take appropriate action.

(24-50:59)

24. August 22, 2022. Moved by Gary Burns and seconded by Kevin Janak, the Commissioners Court received for the record the amended Fund Balance Policy adopted December 2, 2019. Motion adopted.

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

(25-51:40)

25. August 22, 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. Road and Bridge, Precinct No. 4, Expenditures – Increase
- c. General Fund/Sheriff's Office, Expenditures - Line item transfer
- d. Health Department, Revenues and Expenditures - Line item transfer

Motion adopted.

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

(26-52:20)

26. August 22, 2022. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. Kelly Hubert, Facilities Manager - Facilities Management:
 - 1. Employment of Velma Padierna, Maintenance I, at a rate of \$13.50 per hour, Budget Code 100-510-1104, effective August 23, 2022.
- b. Kevin Janak, Commissioner, Precinct No. 2 - Road and Bridge, Precinct No. 2:
 - 1. Salary change for Chandler Burkes, Equipment Operator, from a rate of \$19.06 per hour, Budget Code 202-612-1105, to a rate of \$20.56 per hour, effective August 13, 2022. Other Remarks: CDL attained.
- c. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Position change for Matthew Cornett from Interdiction Deputies - Tier 2, at a rate of \$25.86 per hour, Budget Codes 100-564-1212-24.86, 100-564-1136-1.00, and 100-564-1137 - Cert Pay (eff. 8-13-22) to Patrol Deputies - Tier 2, Budget Codes 100-563-1209-24.86, 100-563-1136-1.00, and 100-563-1137 - Cert Pay, effective August 13, 2022.
 - 2. Resignation of Asyra Rich, Clerk III, with 59.03 PTO and 70.10 Compensatory hours due, effective August 29, 2022.
 - 3. Employment of Natividad Moreno, Detention Tier 1, at a rate of \$18.53 per hour, Budget Code 100-565-1116-18.53, effective August 23, 2022.
 - 4. Employment of Christopher King, Detention Deputy, at a rate of \$24.25 per hour, Budget Codes 100-565-1114-23.25 and 100-565-1136-1.00, effective August 23, 2022.
 - 5. VCSO Salary Adjustment Certification for Jeffrey Green, to be paid Master Certificate Pay of \$69.23 per pay period, effective September 2, 2022. Certification date for Jeffrey Green is July 31, 2022. Budget Coding: Detention Certificate Pay 100-565-1137. Remarks: Deputy Green received his Master Peace Officer's Certificate on 07/31/2022.

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- 6. VCSO Salary Adjustment Certification for Chris Carter, to be paid Master Certificate Pay of \$69.23 per pay period, effective September 2, 2022. Certification date for Chris Carter is July 22, 2022. Budget Coding: SRO VISD Certificate Pay 395-560-1137. Remarks: Sergeant Carter received his Master Peace Officer's Certificate on 07/22/2022.
- d. David Gonzales, Public Health Director - Victoria County Public Health

Department:

1. Salary change for Angelica Stafford, Program Manager, from a rate of \$24.21 per hour, Budget Code 803-631-1142 to a rate of \$25.21 per hour, effective August 13, 2022.
 2. Salary change for Kimberly Kirbo, Program Manager, from a rate of \$21.63 per hour, Budget Codes 800-635-1102 (70%) \$15.14 and 800-638-1102 (30%) \$6.49 to a rate of \$23.63 per hour, Budget Codes 800-635-1102 (70%) \$16.54 and 800-638-1102 (30%) \$7.09, effective August 13, 2022.
- e. Heidi Easley/Ben Zeller, County Clerk/County Judge - County Clerk's Office/County Judge's Office:
1. Position change for John Williams, from Chief Deputy (County Clerk's Office), at a rate of \$25.96 per hour, Budget Codes 100-403-1103 \$25.71 and 120-403-1105 \$0.25 to Veterans Service Director (County Judge's Office), Budget Code 100-405-1104, effective August 27, 2022. Other Remarks: Transfer of Departments.
 2. Request to pay John Williams \$1,934.54 from line item 100-403-1103 for 74.52 hours of compensatory time, to reduce his balance due to the pending transfer of departments.
- f. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
1. TJJD Salary Adjustment for Shianne Tristan, Juvenile Detention Officer (JSO), to be paid \$46.42 per pay period, effective September 2, 2022. Certification date for Shianne Tristan is July 29, 2022. Budget Coding: Post-Adj Secure (JSO) 231-578-1135. Other Remarks: She will be going full time effective 8/13/2022. Remarks: Shianne Tristan became a certified JSO on 7/29/2022. The 2022 salary adjustment of \$46.42 should begin on pay date 9/2/2022. One payment of \$46.42 should be paid on 9/2/22 and \$46.42 thereafter.
 2. TJJD Salary Adjustment for Jennifer Cantrell, Juvenile Probation Officer (JPO), to be paid \$115.00 per pay period, effective August 5, 2022. Certification date for Jennifer Cantrell is August 5, 2022. Budget Coding: Youth Services (JPO) 231-577-1135. Other Remarks: She was JSO certified and now JPO certified. Remarks: Jennifer Cantrell became a certified JPO on 08/5/22. The 2022 salary adjustment of \$115.00 should begin on pay date of 8/5/2022. One payment of \$230.00 should be paid on 8/19/22 and \$115.00 thereafter. Remarks: Please remove Jennifer Cantrell salary adjustment of \$46.42 as of pay date 8/5/2022.

Motion adopted.

27. Pursuant to V.T.C.A. Government Code §551.0745 to discuss Board and Commissions and §551.074 to discuss personnel.

(27-54:25)

27. August 22, 2022. The Commissioners Court went into closed session at 10:54 a.m., pursuant to V.T.C.A. Government Code §551.0745, to discuss Board and Commissions and §551.074 to discuss personnel.

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

(28-1:28:38)

28. August 22, 2022. The Commissioners Court returned to open meeting at 11:29 a.m., pursuant to V.T.C.A. Government Code §551.102, with no action taken.

- 29. Adjourn.**

(29-1:28:52)

29. August 22, 2022. The Commissioners Court adjourned the meeting of August 22, 2022.