

**THE STATE OF TEXAS   §**

**COUNTY OF VICTORIA   §**

Be it remembered that on this the **19th day of September 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       | Absent |
| 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, SEPTEMBER 19, 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. September 19, 2022. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, September 19, 2022 at 10:00 a.m.

**2. Invocation and Pledges.**

(2-0:00)

2. September 19, 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.**

(3-1:21)

3. September 19, 2022. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Harley Fisk, a Victoria County resident, congratulated everyone involved in the art, music, and film event this past weekend. He spoke about the event. Mr. Fisk also spoke about the goals to have a civilized society.

Michael Vonderau, 2204 E. North Street, stated that the property taxes were reduced by 5% instead of 3% and thanked Scott Buchanan with Animal Control for providing him with a trap. Mr. Vonderau also thanked Commissioner Burns for taking care of the nine dogs to make room at Animal Control. Commissioner Burns stated the credit for the nine dogs goes to the District Attorney and Nora Kucera with Pre Trial Services.

Stan Reinke, a Victoria County resident, spoke to the Court about the Victoria Public Library still having the sexually explicit, persuasively vulgar, obscene, and age-inappropriate literature available to the young people of Victoria County. Mr. Reinke spoke about guidelines that are being followed by the Victoria Public Library and encouraged the Court to appoint library board members who will seek to protect the innocence of children in this community.

Brenda Brooks, a Victoria County resident, asked the Court for help in protecting children from sexually explicit materials. Ms. Brooks stated how this material could affect children and read a paragraph from Corrie Ten Boom's life story, The Hiding Place. She asked to Court to be very diligent in selecting members for the Victoria Public Library Board. Commissioner Burns responded to Ms. Brooks.

Scott Buchanan with Animal Control updated the Court on the shelter, stating that American Pets Alive! came out last Friday to evaluate the facility and processes to help move forward with adoptions and transfers at Victoria Animal Control. Commissioner Burns stated that American Pets Alive! had constructive ideas.

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

**4. Consider approval of minutes, including budget workshop minutes, and take appropriate action.**

(4-13:29)

4. September 19, 2022. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court approved the minutes of the Commissioners Court meeting held on September 12, 2022 and the minutes of the Budget Workshop meetings held on August 8, 2022, August 9, 2022, August 10, 2022 and August 11, 2022. Motion adopted.

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

(5-13:47)

5. September 19, 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      | 9/19/2022            | \$389,261.11 |
| Supplemental Accounts | 9/9/2022 – 9/15/2022 | \$336,707.78 |

Motion adopted.

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

(6-14:18)

6. September 19, 2022. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court received the monthly reports from the County Treasurer; Justice of the Peace, Precinct No. 1; Constable, Precinct No. 4; and County Extension Agent 4-H Youth Development. Motion adopted.

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

(7-14:45)

7. September 19, 2022. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the release of the following bond forfeiture judgment from the Court:

a. Cause No. CIV2-20374: The State of Texas vs. Alberto Perez, Defendant and Marisol Salinas, Surety.

Motion adopted.

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

(8-15:08)

8. September 19, 2022. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated September 15, 2022 in the amount of \$675,941.28 and the ACH report dated September 15, 2022 in the amount of \$2,644,418.59. Motion adopted.

- 9. Consider approval of the Emergency Notification System Service agreement with OnSolve (CodeRed) and take appropriate action.**

(9-15:52)

9. September 19, 2022. Emergency Management Director Rick McBrayer provided information to the Court. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the Emergency Notification System Service Agreement with OnSolve (CodeRed) for the Victoria Office of Emergency Management. Motion adopted.

- 10. Consider approval of utilization of current year's surplus in WIC to fund 2023 stipends and take appropriate action.**

(10-17:25)

10. September 19, 2022. Public Health Director David Gonzales provided information to the Court and answered the Courts questions. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court approved the utilization of the current year's surplus in WIC to fund the 2023 stipends for WIC office employees. Motion adopted.

- 11. Consider approval of the Qigong and Meditation Instructor Services agreement with Lowell Smith and take appropriate action.**

(11-21:07)

11. September 19, 2022. David Gonzales, Public Health Director, provided information to the Court. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the Qigong and Meditation Instructor Services agreement with Lowell Smith for the Victoria County Public Health Department. Motion adopted.

- 12. Ratify FY23 Victim Information and Notification Everyday (VINE) Service Agreement Contract No. 20222344900-515-01 and take appropriate action.**

(12-22:53)

12. September 19, 2022. Grant Administrator Robin Knipling provided information to the Court. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court ratified the FY23 Victim Information and Notification Everyday (VINE) Service Agreement, Contract No. 20222344900-515-01. Motion adopted.

- 13. Consider and approve Construction Change Order No. 4 for Udelhoven Oilfield System Services, Inc. in relation to Community Development Block Grant (CDBG), Contract No. 7219451 and take appropriate action.**

(13-23:50)

13. September 19, 2022. Grant Administrator Robin Knipling provided information to the Court. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court approved Construction Change Order No. 4 for Udelhoven Oilfield System Services, Inc. in relation to the Community Development Block Grant (CDBG), Contract No. 7219451. Motion adopted.

- 14. Consider approval of payment to John D. Mercer & Associates in the amount of**

**\$990.00 in connection with TX-CDBG No. 7219451 Water Plant Improvements for WCID No. 2 in Placedo and take appropriate action.**

(14-25:43)

14. September 19, 2022. Robin Knipling, Grant Administrator, provided the Court with information. Moved by Clint Ives and seconded by Kevin Janak, the Commissioners Court approved the payment to John D. Mercer and Associates in the amount of \$990.00 in connection with TX-CDBG No. 7219451 Water Plant Improvements for WCID No. 2 in Placedo, Texas. Motion adopted.

- 15. Receive notification of High-Intensity Drug Trafficking Area (HIDTA) budget adjustment for Grant No. G21HN0020A and take appropriate action.**

(15-26:25)

15. September 19, 2022. Moved by Clint Ives and seconded by Kevin Janak, the Commissioners Court received the notification of High-Intensity Drug Trafficking Area (HiDTA) budget adjustment for Grant No. G21HN0020A. Motion adopted.

- 16. Receive bids for Victoria County Annual Supply Contract for Aggregate Surface Treatment, for all county precincts, and take appropriate action.**

(16-27:06)

16. September 19, 2022. County Engineer John Johnston stated the bid opening was on September 15, 2022 at 3:00 p.m. for the PB and PE rock and there were no bids received. County Auditor Michelle Samford answered Commissioner Ives' question. The Court discussed different options. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court received the acknowledgment that there were no bids for the Victoria County Annual Supply Contract for Aggregate Surface Treatment for all precincts. Motion adopted.

- 17. Consider approval of the following request for plat exemptions and take appropriate action:**

**a. Melven J. Gerdes & Celeste Matejcek at 6648 Old Highway Rd. in Precinct No. 4.**

(17a-32:29)

17a. September 19, 2022. John Johnston, County Engineer, provided information to the Court. Moved by Clint Ives and seconded by Kevin Janak, the Commissioners Court approved the request for plat exemption for Celeste Matejcek and Melven J. Gerdes at 6448 Old Highway Road in Precinct No. 4. Motion adopted.

**Consider approval of the following request for plat exemptions and take appropriate action:**

**b. Platinum Home Investments, LLC at 5121 FM 446 in Precinct No. 3.**

(17b-32:29)

17b. September 19, 2022. County Engineer John Johnston provided information to the Court. Moved by Clint Ives and seconded by Kevin Janak, the Commissioners Court approved the request for plat exemption for Platinum Homes Investments, LLC at 5121 FM 446 in Precinct No. 3. Motion adopted.

- 18. Consider approval of Plan Agreement with Texas County & District Retirement System for plan year 2023 and take appropriate action.**

(18-34:02)

18. September 19, 2022. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court approved the Plan Agreement with Texas County and District Retirement System for plan year 2023. Motion adopted.

**19. Consider authorization to change employee access to the LOGIC Investment Pool for the Victoria County Treasurer's office and take appropriate action.**

(19-35:05)

19. September 19, 2022. County Treasurer Paige Foster provided information to the Court. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court authorized to change employee access to the LOGIC Investment Pool for the Victoria County Treasurer's office. Motion adopted.

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

**a. Medina County.**

(20a-35:56)

20a. September 19, 2022. Moved by Clint Ives and seconded by Kevin Janak, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Medina County. Motion adopted.

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

**b. Uvalde and Real County.**

(20b-35:56)

20b. September 19, 2022. Moved by Clint Ives and seconded by Kevin Janak, the Commissioners Court approved the Detention Contract between Victoria Regional Juvenile Justice Center and Uvalde and Real County. Motion adopted.

**21. Receive for the record 2022 Discretionary Fund Budget Amendment for Special Inventory Fund (499) and take appropriate action.**

(21-37:39)

21. September 19, 2022. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court received for the record the 2022 Discretionary Fund Budget Amendment for the Special Inventory Fund (499) as a decrease. Motion adopted.

**22. Consider approval of the following 2022 budget amendments and take appropriate action.**

(22-38:10)

22. September 19, 2022. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the 2022 budget amendments for:

- a. General Funds/Various Departments, Expenditures – Line item transfer
- b. Health Department, Revenues and Expenditures - Line item transfer
- c. General Funds/Sheriff's Office, Expenditures - Line item transfer

Motion adopted.

**23. Consider approval of personnel changes and take appropriate action.**

(23-38:49)

23. September 19, 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. David Gonzales, Public Health Director - Victoria County Public Health Department:
  1. Correction: Name-Other Code Change for Teresa Gonzales, RN Nurse, at a rate of \$26.00 per hour, from Budget Codes 800-631-1105 (31.55%) \$8.20, 800-643-1105 (47.45%) \$12.34, and 800-679-1105 (21.00%) \$5.46 to Budget Codes 800-631-1105 (31.55%) \$8.20, 800-643-1105 (47.45%) \$12.34, and 800-651-1105 (21.00%) \$5.46, effective September 10, 2022. Other Remarks: G/L CODE CHANGES.
- b. Ben Zeller, County Judge - County Judge's Office:
  1. Salary change for John M. Williams, Veterans Service Director, from a rate of \$25.96 per hour, Budget Code 100-405-1104 to a rate of \$28.00 per hour, effective September 10, 2022. Other Remarks: Accreditation training completed as a VA rep. for the Texas Veterans Commission.
- c. Justin Marr, Sheriff - Sheriff's Office:
  1. Employment of Neko Gonzales, Detention Deputy (Tier 1) (DO-Tier 1), at a rate of \$18.53 per hour, Budget Code 100-565-1114, effective September 19, 2022. Remarks: Detention Officer.
  2. Employment of Samara Pacheco, CMA/EMT/EMT-P, at a rate of \$18.42 per hour, Budget Code 100-565-1126, effective September 20, 2022.

Motion adopted.

**24. Closed meeting pursuant to V.T.C.A. Government Code §551.0745 to discuss Board and Commissions: Public Library Advisory Board Applicants Interviews.**

(24-39:23)

24. September 19, 2022. The Commissioners Court went into closed session at 10:41 a.m., pursuant to V.T.C.A. Government Code §551.0745 to discuss Board and Commissions: Public Library Advisory Board Applicants Interviews.

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

(25-2:14:25)

25. September 19, 2022. The Commissioners Court returned to open meeting at 12:15 p.m., pursuant to V.T.C.A. Government Code §551.102, with no action taken.

**26. Adjourn.**

(26-2:14:38)

26. September 19, 2022. The Commissioners Court adjourned the meeting of September 19, 2022.