

**THE STATE OF TEXAS   §**

**COUNTY OF VICTORIA   §**

Be it remembered that on this the **26th 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       |
| 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 26, 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 26, 2022. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, September 26, 2022 at 10:02 a.m.

**2. Invocation and Pledges.**

(2-0:00)

2. September 26, 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.**

(3-1:15)

3. September 26, 2022. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Republican Chair Bill Pozzi informed the Court that October 11, 2022 is the last day to register to vote and early voting begins on October 24, 2022.

Judge Zeller mentioned that the last of the Victoria Public Library Board interviews will be held in closed session today and the decision for the appointments would be made at the end of the agenda today.

Jim Hester, a Victoria County resident, spoke to the Court about providing a Go Fund Me account that would be confidential for people and veterans that are unable to afford their taxes and stated he would like to help.

Jewel Buchanan, a Victoria County resident, thanked the Court for the set of questions they developed for the Victoria Public Library Board interviews and for looking into each candidate to see what they have to offer. Ms. Buchanan informed the Court of her skills.

Harley Fisk, a Victoria County resident, voiced his concerns regarding people and their beliefs.

Michael Vonderau, 2204 E. North Street, spoke to the Court about books being rated and the Victoria Central Appraisal District audit.

Commissioner Janak reminded individuals that when they turn 65 to make sure they contact the Victoria Central Appraisal District to notify them of their age so their property values could be frozen. Commissioner Burns asked about sending a note along with the property values and Commissioner Janak responded.

Commissioner Janak stated they are still working on Nursery Road from downtown Nursery to Highway 77 and also the bridge on Fordtran Store Road is now open.

Commissioner Burns mentioned they had an Animal Control meeting this morning and spoke about the Facebook postings and how passionate and hard working the employees and volunteers are at Animal Control.

County Clerk Heidi Easley informed the public that Victoria County is having some communication issues and to come in person if someone needs to contact a County Office.

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

**4. Consider approval of minutes and take appropriate action.**

(4-16:16)

4. September 26, 2022. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the minutes of the Commissioners Court meeting held on September 19, 2022. Motion adopted.

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

(5-16:31)

5. September 26, 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      | 9/26/2022             | \$250,950.83 |
| Supplemental Accounts | 9/16/2022 – 9/22/2022 | \$38,747.49  |

Motion adopted.

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

(6-16:57)

6. September 26, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court received the monthly reports from the County Clerk, Sheriff, and Pre-Trial Services. Motion adopted.

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

(7-17:16)

7. September 26, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the release of the following bond forfeiture judgment from the Court:

a. Cause No. CIV1-20748-: The State of Texas vs. Taylor Henson, Defendant and A & A Bail Bonds, Surety.

Motion adopted.

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

(8-17:43)

8. September 26, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated September 22, 2022 in the amount of \$632,347.64 and the ACH report dated September 22, 2022 in the amount of \$2,399,432.83. Motion adopted.

**9. Receive and consider approval of the Texas Indigent Defense Commission Statement of Grant Award for the FY2023 Improvement Grant and take appropriate action.**

(9-18:21)

9. September 26, 2022. County Judge's Chief of Staff Giani Cantu explained the grant award and answered Commissioners Garcia's question. Pre-Trial Services Director Nora Kucera explained the duties of the new position and answered questions from the Court. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court received and approved the Texas Indigent Defense Commission Statement of Grant Award for the FY2023 Improvement Grant for the Pre-Trial Services Office. Motion adopted.

**10. Receive a fully executed agreement for Tax Collection Services with Linebarger Goggan Blair & Sampson, LLP., and take appropriate action.**

(10-27:29)

10. September 26, 2022. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court received the fully executed agreement for Tax Collection Services with Linebarger, Goggan, Blair and Sampson, LLP. Motion adopted.

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

**a. Tuberculosis Prevention and Control-Federal (TB/PC) grant contract HHS001096400026 Amendment No. 1.**

(11a-27:54)

11a. September 26, 2022. Public Health Director provided information to the Court. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the Tuberculosis Prevention and Control-Federal (TB/PC) grant contract HHS001096400026 Amendment No. 1 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:**

**b. HIPAA compliance software Proposal with Compliancy Group LLC - The Guard Software.**

(11b-27:54)

11b. September 26, 2022. Public Health Director David Gonzales asked Commissioners Court to pass on the HIPAA compliance software Proposal with Compliancy Group LLC - The Guard Software for the Victoria County Public Health Department. No action taken.

- CONTINUED -

**Consider approval of the following items by the Victoria County Public Health**

**Department and take appropriate action:**

**c. 2022-2023 Environmental Public Health Services agreement with Dewitt County.**  
(11c-27:54)

11c. September 26, 2022. David Gonzales, Public Health Director, provided the Court with information. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the 2022-2023 Environmental Public Health Services agreement with Dewitt County. Motion adopted.

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

**d. Texas Health and Human Services Certificate of Indirect Cost Rate Proposal and Cost Policy Statement (CPS) with MGT of America Consulting, LLC.**  
(11d-27:54)

11d. September 26, 2022. Public Health Director David Gonzales provided information to the Court. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the Texas Health and Human Services Certificate of Indirect Cost Rate Proposal and Cost Policy Statement (CPS) with MGT of America Consulting, LLC. Motion adopted.

**12. Receive fully executed FY23 State Automated Victim Notification System (SAVNS) Grant Contract No. C-00416, Office of the Attorney General (OAG) and take appropriate action.**

(12-31:53)

12. September 26, 2022. Grant Administrator Robin Knipling provided information to the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court received the fully executed FY23 State Automated Victim Notification System (SAVNS) Grant Contract No. C-00416, Office of the Attorney General (OAG). Motion adopted.

**13. Receive the following fully executed Victim Coordinator and Liaison Grant contract for FY23 and take appropriate action:**

**a. Victoria County District Attorney's Office Contract No. C-00069.**

(13a-32:21)

13a. September 26, 2022. Robin Knipling, Grant Administrator, provided the Court with information. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court received the fully executed FY23 Victim Coordinator and Liaison Grant Contract No. C-00069 for the Victoria County District Attorney's Office. Motion adopted.

**Receive the following fully executed Victim Coordinator and Liaison Grant contract for FY23 and take appropriate action:**

**b. Victoria County Sheriff's Office Contract No. C-00070.**

(13b-32:21)

13b. September 26, 2022. Grant Administrator Robin Knipling provided information to the Court. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court received the fully executed FY23 Victim Coordinator and Liaison Grant Contract No. C-00070 for the Victoria County Sheriff's Office. Motion adopted.

**14. Consider approval of the following resolutions in connection to the FY23 Texans Feeding Texans: Home Delivered Meals Program (HDM) and take appropriate**

**action:**

**a. Resolution No. 2022-0083 for Community Action Committee.**

(14a-32:53)

14a. September 26, 2022. Grant Administrator Robin Knipling provided information to the Court. Commissioner Janak and Commissioner Garcia thanked Ms. Vicki Smith with the Community Action Committee for all of her hard work. Commissioner Janak explained the services the Community Action Committee provides and encouraged the public to contact them to help any elderly individuals that might need their services. Commissioner Garcia spoke about the bus and the Senior Citizens Center. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved Resolution No. 2022-0083 for Community Action Committee in connection to the FY23 Texans Feeding Texans: Home Delivered Meals Program (HDM). Motion adopted.

**Consider approval of the following resolutions in connection to the FY23 Texans Feeding Texans: Home Delivered Meals Program (HDM) and take appropriate action:**

**b. Resolution No. 2022-0084 for Senior Citizens Center, Inc., dba Meals on Wheels South Texas.**

(14b-32:53)

14b. September 26, 2022. Robin Knipling, Grant Administrator, provided the Court with information. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved Resolution No. 2022-0084 for Senior Citizens Center, Inc. dba Meals on Wheels South Texas in connection to the FY23 Texans Feeding Texans: Home Delivered Meals Program (HDM). Motion adopted.

**15. Receive notice from Vulcan Materials Company of the price increase for road materials for all precincts and take appropriate action.**

(15-41:48)

15. September 26, 2022. County Engineer John Johnston provided information to the Court. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court received the notice from Vulcan Materials Company of the price increase for road materials for all precincts. Motion adopted.

**16. Receive for the record Owner's Title Policy for the following properties, in connection with the Henderson Road and Bridge Replacement Project, and take appropriate action:**

**a. 0 Henderson Road, Victoria, TX 77901.**

(16a-42:35)

16a. September 26, 2022. County Engineer John Johnston provided information to the Court. Commissioner Garcia spoke to the Court about the bridge projects. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court received for the record the Owner's Title Policy for 0 Henderson Road, Victoria, TX 77901, in connection with the Henderson Road and Bridge Replacement Project. Motion adopted.

- CONTINUED -

**Receive for the record Owner's Title Policy for the following properties, in connection with the Henderson Road and Bridge Replacement Project, and take appropriate**

**action:**

**b. 2555 Henderson Road, Victoria, TX 77901.**

(16b-42:35)

16b. September 26, 2022. John Johnston, County Engineer, provided information to the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court received for the record the Owner's Title Policy for 2555 Henderson Road, Victoria, TX 77901, in connection with the Henderson Road and Bridge Replacement Project. Motion adopted.

- 17. Consider approval of request for plat exemption from Kuy Creek Investments, LLC at McFaddin Rd. N in Precinct No. 3 and take appropriate action.**

(17-44:41)

17. September 26, 2022. John Johnston, County Engineer, addressed the Court on the plat exemption. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the request for plat exemption from Kuy Creek Investments, LLC at McFaddin Road North in Precinct No. 3. Motion adopted.

- 18. Consider approval of Resolution 2022-0082 accepting a donation of \$1,000.00 from American Legion Post 166 for the Crossroads Area Veterans Center and take appropriate action.**

(18-45:42)

18. September 26, 2022. Commissioner Danny Garcia provided information to the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved Resolution No. 2022-0082 accepting a donation of \$1,000.00 from American Legion Post 166 to be utilized for and dedicated to the Crossroads Area Veterans Center. Motion adopted.

- 19. Receive for the record the official 2023 Adopted Budget document and take appropriate action.**

(19-48:04)

19. September 26, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court received for the record the official 2023 Adopted Budget document. Motion adopted.

- 20. Consider approval of proposed 2023 Victoria County Sheriff & Constable fees and take appropriate action.**

(20-49:28)

20. September 26, 2022. County Clerk Heidi Easley provided information to the Court. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the proposed 2023 Victoria County Sheriff and Constables Fees. Motion adopted.

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

**a. Frio County.**

(21a-50:20)

21a. September 26, 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 Frio County. Motion adopted.

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

**b. LaSalle County.**

(21b-50:20)

21b. September 26, 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 LaSalle County. Motion adopted.

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

**c. Navarro County.**

(21c-50:20)

21c. September 26, 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 Navarro County. Motion adopted.

- 22. Consider approval of Resolution No. 2022-0081 for road donation in Pct. No. 1 from Danny Thompson for the installation of a driveway and pipe culvert to improve drainage at 528 Commerce, Bloomington, TX 77951 in the amount of \$540 and take appropriate action.**

(22-51:07)

22. September 26, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved Resolution No. 2022-0081 for a road donation in the amount of \$540.00 from Danny Thompson at 528 Commerce, Bloomington, Texas, 77951 in Precinct No. 1 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

- 23. Receive for the record 2022 Discretionary Fund Budget Amendment for Sheriff Commissary Fund (380) and DOT Federal Forfeiture (372) and take appropriate action.**

(23-51:37)

23. September 26, 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 Sheriff Commissary Fund (380) as a line item transfer for revenues and expenditures, and the Sheriff's DOT Federal Forfeiture (372) as an increase to expenditures. Motion adopted.

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

(24-52:08)

24. September 26, 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. General Fund/Sheriff's Office, Expenditures - Line item transfer
- c. Health Department, Expenditures - Line item transfer
- d. Gulf of Mexico Energy Security Act, Expenditures - Line item transfer
- e. Road and Bridge, Precinct No. 2, Expenditures - Line item transfer

Motion adopted.

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

(25-52:59)

25. September 26, 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. Ashley Hernandez, Tax Assessor Collector - County Tax Office:
  - 1. Employment of Morgan A. Busby, Clerk III, at a rate of \$15.00 per hour, Budget Code 100-499-1106, effective October 4, 2022.
  - 2. Employment of Maria Elena Diaz, Clerk III, at a rate of \$15.00 per hour, Budget Code 100-499-1106, effective September 27, 2022.
- b. David Gonzales, Public Health Director - Victoria County Public Health Department:
  - 1. Employment of Margaret Garcia, Sanitation Inspector, at a rate of \$18.00 per hour, Budget Code 808-631-1109, effective September 27, 2022.
- c. Justin Marr, Sheriff - Sheriff's Office:
  - 1. Employment of Rogelio Mata, III, Detention Deputy - Tier 1 (DO-Tier 1), at a rate of \$18.53 per hour, Budget Code 100-565-1114, effective September 27, 2022.
  - 2. Resignation of Collin Hopkins, Detention Deputy - Tier 1, with 93.0 Compensatory hours due, effective September 28, 2022.
  - 3. Employment of Joseph Arce II, Detention Officer Tier 1, at a rate of \$18.53 per hour, Budget Code 100-565-1116, effective September 20, 2022.
  - 4. Employment of Angelica Hernandez, Detention Officer Tier 1, at a rate of \$18.53 per hour, Budget Code 100-565-1114 (Det. Deputy), effective September 27, 2022.
- d. Kim Plummer, District Clerk - District Clerk's Office:
  - 1. Position/Other Code Change for Keshia Ross, from Collections Clerk, at a rate of \$16.58 per hour, Budget Code 100-450-1110 to Clerk III, Budget Code 100-450-1105, effective September 24, 2022.
  - 2. Employment of Linda Richards, Clerk III, at a rate of \$16.58 per hour, Budget Code 100-450-1105, effective October 11, 2022.

Motion adopted.

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

(26-53:25)

26. September 26, 2022. The Commissioners Court went into closed session at 10:57 a.m., pursuant to V.T.C.A. Government Code §551.0745 to discuss Board and Commissions: Public Library Advisory Board Applicants Interviews.

**27. Pursuant to V.T.C.A. Government Code §551.1012, return to the open meeting and take any action deemed necessary based upon discussion in the closed session.**

(27-55:15)

27. September 26, 2022. The Commissioners Court returned to open meeting at 12:37 p.m., pursuant to V.T.C.A. Government Code §551.102, with no action taken.

**28. Consider approval of the appointments to the Victoria Public Library Advisory Board and take appropriate action.**

(28-55:44)

28. September 26, 2022. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court approved the appointments of Gay Patek (Joint City/County position), La Shaundrea Harris, Dr. Jill Fox, Dale D. Zuck, and Sheri Van Sickle to the Victoria Public Library Advisory Board. Motion adopted.

**29. Adjourn.**

(29-58:34)

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