

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **10th day of October 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	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, OCTOBER 10, 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. October 10, 2022. Ben Zeller, County Judge, called to order the Commissioners Court Regular Term for Monday, October 10, 2022 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. October 10, 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.

(3-1:18)

3. October 10, 2022. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Judge Zeller stated that the swearing-in ceremony will be held on January 1, 2023 at 2:00 p.m. in the historic courtroom on the second floor of the 1892 Historical Courthouse. Judge Zeller also stated the last Commissioners Court meeting for 2022 will be held on December 19, 2022 and the first Commissioners Court meeting for 2023 will be held on January 9, 2023. He also mentioned that tomorrow is the last day to register to vote.

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

4. Consider approval of minutes and take appropriate action.

(4-3:35)

4. October 10, 2022. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court approved the minutes of the Commissioners Court meeting held on October 3, 2022. Motion adopted.

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

(5-3:47)

5. October 10, 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	10/10/2022	\$422,686.91
Supplemental Accounts	9/30/2022 – 10/6/2022	\$13,085.12

Motion adopted.

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

(6-4:24)

6. October 10, 2022. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court received the monthly reports from the County Judge; County Commissioners, Precincts Nos. 1, 2, and 3; County Treasurer; District Clerk, County Clerk; Criminal District Attorney; County Tax Assessor Collector; County Auditor; Justices of the Peace, Precincts Nos. 3 and 4; and Pre-Trial Services. Motion adopted.

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

(7-4:58)

7. October 10, 2022. None. No action taken.

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

(8-5:07)

8. October 10, 2022. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated October 6, 2022 in the amount of \$432,471.23 and the ACH report dated October 6, 2022 in the amount of \$1,598,527.54. Motion adopted.

9. Consider approval of Resolution No. 2022-0089 accepting a donation in the amount of \$500.00 from Hochheim Prairie Insurance, Branch No. 5 to the Victoria County Volunteer Fire Department and take appropriate action.

(9-5:43)

9. October 10, 2022. Marshall Frazier with the Victoria County Fire Marshal's Office thanked Hochheim Prairie for the donation and stated the drought index numbers are on the rise and they will be keeping an eye on the numbers. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved Resolution No. 2022-0089 accepting a donation in the amount of \$500.00 for each of the 11 Volunteer Fire Departments from Hochheim Prairie Insurance Branch No. 5. Motion adopted.

10. Receive the Travis County Medical Examiner's notice of an increase in fees beginning January 1, 2023, and take appropriate action.

(10-8:23)

10. October 10, 2022. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court received the Travis County Medical Examiner's notice of a 10% increase in fees beginning January 1, 2023. Motion adopted.

- 11. Receive notice of non-renewal of natural gas agreement at existing price, authorize the County Judge to execute a new agreement and take appropriate action.**

(11-9:24)

11. October 10, 2022. County Auditor Michelle Samford provided information to the Court. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court received the notice from Symmetry Energy for the non-renewal of the natural gas agreement at the existing price and authorized the County Judge to execute a new agreement. Motion adopted.

- 12. Consider approval of Resolution No. 2022-0088 Authorizing Individuals to Act on Behalf of Plan in connection to the Victoria County 457 Deferred Compensation Plan for the benefit of its employees and their beneficiaries and take appropriate action.**

(12-10:44)

12. October 10, 2022. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court approved Resolution No. 2022-0088 authorizing Individuals to Act on Behalf of Plan in connection to the Victoria County 457 Deferred Compensation Plan for the benefit of its employees and their beneficiaries. Motion adopted.

- 13. Receive the 2022 Third Quarter Request for Plat Exemption Report from the County Engineer and take appropriate action.**

(13-11:47)

13. October 10, 2022. County Engineer John Johnston provided information to the Court. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court received the 2022 third quarter Plat Exemption Request report. Motion adopted.

- 14. Consider approval of request for plat exemption from Zachary Riehs at FM 237 in Pct. No. 2 and take appropriate action.**

(14-13:01)

14. October 10, 2022. John Johnston, County Engineer, addressed the court on the request for plat exemption. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court approved the request for plat exemption from Zachary Riehs at FM 237 in Precinct No. 2. Motion adopted.

- 15. Consider approval for the purchase of a 52" mower from Daniel Industries for the Victoria County Sheriff's Office and take appropriate action.**

(15-13:35)

15. October 10, 2022. Sheriff Justin Marr provided information to the Court. County Auditor Michelle Samford discussed the funding for the mower. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court approved the purchase of a 52" mower from Daniel Industries for the Victoria County Sheriff's Office. Motion adopted.

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

a. Zapata County.

(16a-16:24)

16a. October 10, 2022. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Zapata County. Motion adopted.

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

b. Scurry & Borden Counties.

(16b-16:24)

16b. October 10, 2022. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Scurry/Borden County. Motion adopted.

- 17. Consider approval of Citizens Medical Center Emergency Department Expansion & Renovation AIA Document G702 Application for Payment No. 24 and take appropriate action.**

(17-16:53)

17. October 10, 2022. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the Citizens Medical Center Emergency Department Expansion and Renovation AIA Document G702 Application for Payment No. 24 in the amount of \$212,530.24. Motion adopted.

- 18. Consider approval of the following request for payment in connection to Rehabilitate and Widen Roadway Project for McCoy and Bayer Road in Pct. No. 1 and take appropriate action.**

a. Rexco, Inc. invoice No. 251965 in the amount of \$8,550.00.

(18a-17:24)

18a. October 10, 2022. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court approved the request for payment of Invoice No. 251965 in the amount of \$8,550.00 to Rexco, Inc. for the Rehabilitate and Widen Roadway Project for McCoy and Bayer Road in Precinct No. 1. Motion adopted.

Consider approval of the following request for payment in connection to Rehabilitate and Widen Roadway Project for McCoy and Bayer Road in Pct. No. 1 and take appropriate action.

b. Rexco, Inc. retainage invoice No. 090822 in the amount of \$145,560.53.

(18b-17:24)

18b. October 10, 2022. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court approved the request for payment of the retainage Invoice No. 090822 in the amount of \$145,560.53 to Rexco, Inc. for the Rehabilitate and Widen Roadway Project for McCoy and Bayer Road in Precinct No. 1. Motion adopted.

- 19. Consider the exchange of labor and material valued at approximately \$500 in consideration for materials from Safety Railway in Pct. No. 3 and take appropriate action.**

(19-18:15)

19. October 10, 2022. Commissioner Burns provided information to the Court and answered questions from the Court. The Court held a discussion regarding the legal aspect of the exchange of labor and material valued at approximately \$500.00 in consideration for materials from Safety Railway in Precinct No. 3. After discussion, the Court decided to pass on this agenda item.

20. Consider approval for payment of the VEC estimate for the installation of an electrical box on Bischoff Rd. in Pct. No. 4 and take appropriate action.

(20-25:08)

20. October 10, 2022. Commissioner Ives and Commissioner Janak provided information to the Court. Moved by Clint Ives and seconded by Kevin Janak, the Commissioners Court approved the payment in the amount of \$5,314.27 for the VEC estimate for the installation of an electrical box on Bischoff Road in Precinct No. 4. Motion adopted.

21. Consider approval of Resolution No. 2022-0087 for a road donation in Pct. No. 4 from John Pitonyak for the installation of a driveway and pipe culvert to improve drainage at Keefe Road, Victoria, Texas in the amount of \$750.00, and take appropriate action.

(21-29:28)

21. October 10, 2022. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved Resolution No. 2022-0087 for a road donation in the amount of \$750.00 from John Pitonyak on Keefe Road, Victoria, Texas, in Precinct No. 4 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

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

(22-29:53)

22. October 10, 2022. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the 2022 budget amendments for:

- a. General Fund/Various Departments, Revenues and Expenditures – Line item transfer
- b. General Fund/Sheriff's Office, Expenditures - Line item transfer
- c. Emergency Management, Expenditures - Line item transfer
- d. Road and Bridge, Precinct No. 3, Revenues and Expenditures - Line item transfer
- e. Road and Bridge, Precinct No. 4, Expenditures - Line item transfer
- f. Elections Administrators Special, Expenditures - Line item transfer
- g. Debt Service Fund, Revenues and Expenditures - Line item transfer

Motion adopted.

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

(23-30:43)

23. October 10, 2022. Moved by Kevin Janak and seconded by Clint Ives, 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 McKenzie Laqua, Nurse, with 36.03 PTO and 180.01 Compensatory hours due, effective October 7, 2022.
- b. Pama Hencerling - Chief Probation Officer - Juvenile Detention:
 - 1. Salary change for Daisy Marie Vrana, Extra Help - PRN, from a rate of \$13.75 per hour, Budget Code 100-573-1130 to a rate of \$14.50 per hour, effective October 8, 2022.

- CONTINUED -

2. Salary change for Jennifer Ann Olguin, Extra Help - PRN, from a rate of \$13.75 per hour, Budget Code 100-573-1130 to a rate of \$14.50 per hour, effective October 8, 2022.
 3. Salary change for Sonia Olguin, Extra Help - PRN, from a rate of \$13.75 per hour, Budget Code 100-573-1130 to a rate of \$14.50 per hour, effective October 8, 2022.
 4. Salary change for Raylynn Perez, Extra Help - Rover, from a rate of \$14.75 per hour, Budget Code 100-573-1130 to a rate of \$15.00 per hour, effective October 8, 2022.
 5. Salary change for Dakota Stewart, Extra Help - Rover, from a rate of \$14.75 per hour, Budget Code 100-573-1130 to a rate of \$15.00 per hour, effective October 8, 2022.
 6. Salary change for Mitchell Ellis, Extra Help - Rover, from a rate of \$14.75 per hour, Budget Code 100-573-1130 to a rate of \$15.00 per hour, effective October 8, 2022.
- c. David Gonzales, Public Health Director - Victoria County Public Health Department:
1. Resignation of Tina Page, PAT Parent Educator, with 4.50 Compensatory hours due, effective October 6, 2022.

Motion adopted.

24. Adjourn.

(24-31:27)

24. October 10, 2022. The Commissioners Court adjourned the meeting of October 10, 2022.