

**THE STATE OF TEXAS   §**

**COUNTY OF VICTORIA   §**

Be it remembered that on this the **24th day of October A.D., 2022**, the Commissioners Court convened in **Special Session** at the Victoria County Courthouse in the City of Victoria, Victoria County, Texas, with Commissioner Gary Burns, presiding and the following Commissioners attending:

|                 |                                   |        |
|-----------------|-----------------------------------|--------|
| Ben Zeller,     | County Judge                      | Absent |
| Danny Garcia,   | Commissioner Precinct No. 1       |        |
| Kevin M. Janak, | Commissioner Precinct No. 2       | Absent |
| Gary Burns,     | Commissioner Precinct No. 3       |        |
| Clint C. Ives,  | Commissioner Precinct No. 4       |        |
| and             |                                   |        |
| Heidi Easley,   | County Clerk and Ex-Officio Clerk |        |

and the following orders were passed:



**COUNTY OF VICTORIA**  
**MINUTES**  
**COMMISSIONERS' COURT OF VICTORIA COUNTY, TEXAS**  
**MONDAY, OCTOBER 24, 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. October 24, 2022. Gary Burns, Commissioner, called to order the Commissioners Court Special Term for Monday, October 24, 2022 at 10:00 a.m.

**2. Invocation and Pledges.**

(2-0:00)

2. October 24, 2022. Commissioner Gary Burns 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.**

(3-0:50)

3. October 24, 2022. Commissioner Gary Burns opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Bill Pozzi, Republican Chair, informed the Court that early voting started this morning and asked the public to go vote.

Marshall Frazier of the Victoria County Fire Marshal's Office reviewed the KBDI numbers and gave an update on the fire situation in Victoria County. He asked the public to please have a water supply available if they are going to burn.

Ron Reyna, a Victoria resident, spoke to the Court about the ban the Commissioners Court put on certain campaign signs at the voting locations during polling time.

Commissioner Clint Ives mentioned the Astros won the pennant last night.

Commissioner Burns asked Scott Buchanan of the Animal Control Department to give a report of a man beating his dog. Mr. Buchanan explained the incident to the Court.

Hearing no further comments, Commissioner Burns continued to the next agenda item.

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

(4-6:14)

4. October 24, 2022. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the minutes of the Commissioners Court meeting held on October 17, 2022. Motion adopted.

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

(5-6:28)

5. October 24, 2022. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved the accounts payable as presented by Becky Smiley, First Assistant County Auditor.

|                       |                         |              |
|-----------------------|-------------------------|--------------|
| Regular Accounts      | 10/24/2022              | \$392,383.23 |
| Supplemental Accounts | 10/14/2022 – 10/20/2022 | \$35,685.00  |

Motion adopted.

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

(6-6:58)

6. October 24, 2022. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court received the monthly reports from County Treasurer; Sheriff; and Constable, Precinct No. 1. Motion adopted.

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

(7-7:16)

7. October 24, 2022. None. No action taken.

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

(8-7:29)

8. October 24, 2022. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated October 20, 2022 in the amount of \$647,844.63 and the ACH report dated October 20, 2022 in the amount of \$2,725,961.12. Motion adopted.

**9. Receive fully executed amendment to natural gas agreement No. 799269 with Symmetry Energy Solutions, LLC for services at 103 N. Glass St. and take appropriate action.**

(9-8:04)

9. October 24, 2022. County Judge's Chief of Staff Giani Cantu provided information to the Court. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court received the fully executed amendment to the Natural Gas Sales Agreement No. 799269 between Victoria County and Symmetry Energy Solutions, LLC for services at 103 N. Glass Street. Motion adopted.

**10. Receive notice of Grant Adjustment approval for FY22 Operation Lone Star Grant Program, Grant No. 4381001, and take appropriate action.**

(10-8:49)

10. October 24, 2022. Grant Administrator Robin Knipling provided information to the Court. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court received the notice of Grant Adjustment approval for the FY22 Operation Lone Star Grant Program, Grant No. 4381001. Motion adopted.

**11. Consider approval of FY23 Feral Hog Grant Award from the Texas Agrilife Extension Service and take appropriate action.**

(11-9:27)

11. October 24, 2022. Robin Knipling, Grant Administrator, requested this agenda item be passed. The Commissioners Court passed on the FY23 Feral Hog Grant Award from the Texas Agrilife Extension Service. No action taken.

**12. Consider approval of the request for plat exemption from Platinum Home investments, LLC at 69 Victor Drive in Pct. No. 2 and take appropriate action.**

(12-10:08)

12. October 24, 2022. Compliance Specialist Sarah Hamman addressed the court on the request for plat exemption. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the request for plat exemption from Platinum Home Investments, LLC at 69 Victor Drive in Precinct No. 2. Motion adopted.

**13. Consider approval and authorize the County Judge to execute the Public Benefit Lease Agreement, between Victoria County and the City of Victoria, in connection with the property 403 S. Depot Street and take appropriate action.**

(13-11:35)

13. October 24, 2022. Compliance Specialist Sarah Hamman and Commissioner Danny Garcia provided information to the Court. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved and authorized the County Judge to execute the Public Benefit Lease Agreement between Victoria County and the City of Victoria in connection with the property at 403 S. Depot Street. Motion adopted.

**14. Consider approval of Resolution No. 2022-0093 accepting a donation of \$1,000 to the Crossroads Area Veterans Center and take appropriate action.**

(14-13:01)

14. October 24, 2022. Moved by Danny Garcia and seconded by Clint Ives, pursuant to Local Government Code §81.032, the Commissioners Court approved Resolution 2022-0093 accepting a donation of \$1,000.00 from Warrior's Weekend to be utilized for and dedicated to the Crossroads Area Veterans Center. Motion adopted.

**15. Consider approval of minutes for August 31, 2022 from the Victoria Regional Airport Commission and take appropriate action.**

(15-13:32)

15. October 24, 2022. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved the Victoria Regional Airport Commission Meeting minutes for August 31, 2022. Motion adopted.

**16. Receive the Annual Certification of Juvenile Detention/Residential Facility for 2022 and take appropriate action.**

(16-13:54)

16. October 24, 2022. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court received the Annual Certification of Juvenile Detention/Residential Facility for 2022. Motion adopted.

- 17. Consider approval of the Detention contract between the Victoria Regional Justice Center and Henderson County take appropriate action.**

(17-14:23)

17. October 24, 2022. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the Detention Contract between Victoria Regional Juvenile Justice Center and Henderson County. Motion adopted.

- 18. Consider approval of a County Road Crossing Application from Fiberlight, L.L.C. for FM 2615, S. Price Rd., and Hanselman Rd. in Pct. No. 1 and take appropriate action.**

(18-14:58)

18. October 24, 2022. Commissioner Danny Garcia provided information to the Court. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the County Road Crossing Application from Fiberlight, L.L.C. for FM 2615, S. Price Road, and Hanselman Road in Precinct No. 1. Motion adopted.

- 19. Receive a letter of permission to enter the private property of Dawn Euton located near Aloe Field in Victoria, Texas for the purpose of getting material that will be used to repair the erosion of a county maintainer ditch on Kobitz Rd. in Pct. No. 3 and take appropriate action.**

(19-15:37)

19. October 24, 2022. Commissioner Burns provided information to the Court. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court received the letter of permission from Dawn Euton to enter private property located near Aloe Field in Victoria, Texas for the purpose of getting material that will be used to repair the erosion of a county maintainer ditch on Kobitz Road in Precinct No. 3. Motion adopted.

- 20. Consider approval of maintenance contract renewal with Lee Backhoe Service Inc. for the aerobic septic system at 226 Beck Rd. Inez, Texas, in Pct. No. 4 and take appropriate action.**

(20-16:20)

20. October 24, 2022. Commissioner Clint Ives provided information to the Court. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved the maintenance contract renewal with Lee Backhoe Service Inc. for the aerobic septic system at 226 Beck Road in Inez, Texas, Precinct No. 4. Motion adopted.

- 21. Receive for the record the 2022 Discretionary Fund Budget Amendment for CDA Contraband Forfeiture Fund (370) and take appropriate action.**

(21-16:51)

21. October 24, 2022. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court received for the record the 2022 Discretionary Fund Budget Amendment for CDA Contraband Forfeiture Fund (370) as an Increase to Expenditures. Motion adopted.

**22. Receive for the record 2022 Discretionary Fund Budget Amendment for Sheriff's Commissary Fund (380) and take appropriate action.**

(22-17:08)

22. October 24, 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 Sheriff's Commissary Fund No. 380 as an Increase to Expenditures. Motion adopted.

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

(23-17:33)

23. October 24, 2022. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the 2022 budget amendments for:

- a. General Fund/Various Departments, Expenditures – Line item transfer
- b. General Funds/Sheriff's Office, Expenditures - Line item transfer
- c. Records Management Fund, Expenditures - Line item transfer
- d. District Clerk Record Management, Expenditures - Line item transfer
- e. Road and Bridge, Precinct No. 1, Revenues and Expenditures - Line item transfer
- f. Road and Bridge, Precinct No. 3, Expenditures - Line item transfer
- g. Road and Bridge, Precinct No. 4, Expenditures - Line item transfer
- h. Pretrial Intervention, Expenditures - Increase
- i. Health Insurance Fund, Expenditures - Line item transfer
- j. Health Department, Expenditures - Line item transfer

Motion adopted.

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

(24-18:13)

24. October 24, 2022. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. Richard McBrayer, Emergency Management Coordinator - Emergency Management Office:
  - 1. Salary change for Jessica Kalmus, EM Specialist, from a rate of \$23.47 per hour, Budget Code 108-599-1104 to a rate of \$24.59 per hour, effective November 5, 2022.
- b. Gary Burns, Commissioner, Precinct No. 3 - Animal Control Services:
  - 1. Resignation of Ashley Moreno, Clerk III, with 9.24 PTO and 5.63 Compensatory hours due, effective October 31, 2022.
- c. Justin Marr, Sheriff - Sheriff's Office:
  - 1. Employment of Allison Cunningham, Clerk III, at a rate of \$16.58 per hour, Budget Code 100-562-1148, effective October 25, 2022.
- d. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
  - 1. TJJD Salary Adjustment for Joe Luis Rosas, Juvenile Detention Officer (JSO), to be paid \$46.42 per pay period, effective October 14, 2022. Certification date for Joe Luis Rosas is October 4, 2022. Budget Coding: Post-Adj Secure (JSO) 231-578-1135. Remarks: Joe Luis Rosas became a

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certified JSO on 10/4/22. The 2022 salary adjustment of \$46.42 should begin on pay date 10/14/22. One payment of \$92.84 should be paid on 10/28/22 and \$46.42 thereafter.

2. TJJD Salary Adjustment for Kenneth Wells, Juvenile Detention Officer (JSO), to be paid \$46.42 per pay period, effective October 14, 2022. Certification date for Kenneth Wells is September 29, 2022. Budget Coding: Post-Adj Secure (JSO) 231-578-1135. Remarks: Kenneth Wells became a certified JSO on 9/29/2022. The 2022 salary adjustment of \$46.42 should begin on pay date 10/14/22. One payment of \$92.84 should be paid on 10/28/2022 and \$46.42 thereafter.
3. Dismissal of Anthony Hernandez, Jr., JSO, with 25.88 Compensatory hours due, effective October 18, 2022. Other Remarks: 231-578-1135 TJPC \$46.42 Biweekly.
4. Dismissal of Jennifer Ann Olguin, Extra Help (PRN), effective October 18, 2022.
5. Salary and position change for Kenneth T. Wells from Supervision Officer, at a rate of \$16.14 per hour, Budget Code 100-573-1156 to Probation Officer, at a rate of \$19.64 per hour, Budget Code 231-571-1109, effective November 5, 2022.
6. Employment of Rosalinda Borjas, Extra Help/PRN (non-certified), at a rate of \$12.50 per hour, Budget Code 100-573-1130, effective November 8, 2022.
- e. Vinicio Llerena, Executive Director - Victoria Regional Airport:
  1. Dismissal of Jacob Barraza, FBO Line Attendant, with 4.13 Compensatory hours due, effective October 12, 2022.
- f. Heidi Easley, County Clerk - County Clerk's Office:
  1. Salary and position change for Shalee John, System Analyst, from a rate of \$17.23 per hour, Budget Codes 100-403-1106 (17.00) and 120-403-1105 (0.73) to a rate of \$19.71 per hour, Budget Code 100-403-1106 (19.71), effective October 22, 2022.
  2. Salary change for Madison Dolezal, Clerk III, from a rate of \$17.19 per hour, Budget Codes 100-403-1105 \$16.85, 120-403-1105 \$0.09, and 124-403-1105 \$0.25 to a rate of \$17.73 per hour, Budget Codes 100-403-1105 \$16.85, 120-403-1105 \$0.25, and 124-403-1105 \$0.63, effective October 22, 2022.
  3. Salary change for Stefanie Tumlinson, Clerk III, from a rate of \$17.73 per hour, Budget Codes 100-403-1105 (\$16.58) and 120-403-1105 (\$1.15) to a rate of \$18.48 per hour, Budget Codes 100-403-1105 (\$16.58) and 120-403-1105 (\$1.90), effective October 22, 2022.
  4. Salary change for Ronnie Orsak, Clerk III, from a rate of \$17.20 per hour, Budget Codes 100-403-1105 (\$16.85) and 120-403-1105 (\$0.35) to a rate of \$17.85 per hour, Budget Codes 100-403-1105 (\$16.85) and 120-403-1105 (\$1.00), effective October 22, 2022.
- g. Danny Garcia, Commissioner, Precinct No. 1 - Road and Bridge, Precinct No. 1:
  1. Request to payout 205.31 hours of compensatory time for Pete Villarreal to be paid out of 201-611-1131 Overtime Wages with available funds in the amount of \$5,709.67.

Motion adopted.

**25. Closed meeting pursuant to V.T.C.A. Government Code §551.074 to discuss personnel.**

(25-19:21)

25. October 24, 2022. The Commissioners Court went into closed session at 10:17 a.m., pursuant to V.T.C.A. Government Code §551.074 to discuss personnel.

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

(26-1:01:23)

26. October 24, 2022. The Commissioners Court returned to open meeting at 11:00 a.m., pursuant to V.T.C.A. Government Code §551.102, with action taken under personnel.

**27. Adjourn.**

(27-1:02:05)

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