

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **31st 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 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	Absent
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 31, 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 31, 2022. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, October 31, 2022 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. October 31, 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.

(3-1:24)

3. October 31, 2022. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Bill Pozzi, Republican Chair, stated that 6,559 people have voted so far. Mr. Pozzi mentioned that the Pattie Dodson Public Health Center will be open from 7:00 a.m. to 7:00 p.m. Monday through Friday and on election day, for the public to go vote.

Stan Reinke, a Victoria resident, thanked the Court for the new Victoria Public Library Board appointments. Mr. Reinke also presented Judge Zeller with a list of citizens that were in favor of removing obscene literature from the Victoria Public Library to protect the innocence of young children.

Harley Fisk, a Victoria resident, voiced his concerns regarding a blog posted in the Victoria Advocate about a book called Irreversible Damage.

Commissioner Gary Burns recognized the new Animal Control Director, Mark Sloat. Mr. Sloat provided his background information to the Court.

Judge Zeller spoke about the political signs conversation that was held in Commissioner's Court last week. He stated the sign ordinance remains and will continue to be enforced.

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

4. Consider approval of minutes and take appropriate action.

(4-10:34)

4. October 31, 2022. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the minutes of the Commissioners Court meeting held on October 24, 2022. Motion adopted.

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

(5-10:54)

5. October 31, 2022. Moved by Gary Burns and seconded by Danny Garcia, the Commissioners Court approved the accounts payable as presented by Michelle Samford, County Auditor.

Regular Accounts	10/31/2022	\$328,085.88
Supplemental Accounts	10/21/2022 – 10/27/2022	\$274,061.58

Motion adopted.

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

(6-11:22)

6. October 31, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court received the monthly report from Justice of the Peace, Precinct No. 1. Motion adopted.

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

(7-11:40)

7. October 31, 2022. None. No action taken.

8. Consider approval of CMC Interim vendor payments, payroll, accounts payable, and personnel changes and take appropriate action.

(8-11:49)

8. October 31, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated October 27, 2022 in the amount of \$668,100.25 and the ACH report dated October 27, 2022 in the amount of \$1,724,895.49. Motion adopted.

9. Reschedule and call a new public hearing on approval/reauthorization of Guidelines and Criteria for tax abatement agreements entered into by Victoria County for Monday, November 14, 2022 at 10:00 a.m. and take appropriate action.

(9-12:37)

9. October 31, 2022. Moved by Gary Burns and seconded by Kevin Janak, the Commissioners Court approved to reschedule the public hearing on the approval and reauthorization of Guidelines and Criteria for Tax Abatement Agreements entered into by Victoria County for Monday, November 14, 2022 at 10:00 a.m. Motion adopted.

10. Consider approval and authorize the County Judge to sign the Amendment to the Listing Agreement between the County of Victoria and Carol McLarry at Re/Max Land & Homes, in connection to lease space located at 311 E. Constitution Street, and take appropriate action.

(10-13:42)

10. October 31, 2022. County Engineer John Johnston provided information to the Court. Moved by Gary Burns and seconded by Kevin Janak, the Commissioners Court approved and authorized the County Judge to sign the Amendment to the Listing Agreement between the County of Victoria and Carol McLarry at Re/Max Land and Homes, in connection to leasing space located at 311 E. Constitution Street. Motion adopted.

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

(11-15:14)

11. October 31, 2022. Grant Administrator Robin Knipling provided the Court with information. Kevin Wheat with Wildlife Services provided an update regarding urban and other issues in Victoria. Judge Zeller held a discussion with Mrs. Knipling, Mr. Wheat and County Auditor Michelle Samford. Commissioner Janak thanked the Texas Agrilife Extension Service for this grant and thanked Mr. Wheat for everything he has done. Commissioner Janak also stated that this service is for rural and urban areas. Moved by Gary Burns and seconded by Kevin Janak, the Commissioners Court approved the FY23 Feral Hog Grant Award from the Texas Agrilife Extension Service. Motion adopted.

12. Consider approval of addendum to BLX Group LLC for Arbitrage Rate Compliance Services contract dated July 25, 2022, and take appropriate action.

(12-24:23)

12. October 31, 2022. Commissioner Janak and County Auditor Michelle Samford provided information to the Court. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court approved the addendum to BLX Group LLC for Arbitrage Rate Compliance Services contract dated July 25, 2022. Motion adopted.

13. Consider approval of Construction Change Order No. 6 for Udelhoven Oilfield Services, Inc. in relation to Community Development Block Grant (CDGB) Contract No. 7219451 and take appropriate action.

(13-25:37)

13. October 31, 2022. Grant Administrator Robin Knipling and Commissioner Garcia provided information to the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the Construction Change Order No. 6 for Udelhoven Oilfield System Services, Inc. in relation to the Community Development Block Grant (CDGB) Contract No. 7219451. Motion adopted.

14. Consider approval of the following payments in connection with TX-CDBG No. 7219451 Water Plant improvements for WCID No. 2 in Placedo and take appropriate action:

a. Undelhoven, Inc. in the amount of \$98,936.05.

(14a-26:59)

14a. October 31, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the Application for Payment No. 1 in the amount of \$98,936.05 to Undelhoven, Inc. in connection with TX-CDBG No. 7219451 Water Plant improvements for WCID No. 2 in Placedo. Motion adopted.

Consider approval of the following payments in connection with TX-CDBG No. 7219451 Water Plant improvements for WCID No. 2 in Placedo and take appropriate action:

b. GrantWorks, Inc. in the amount of \$3,025.00.

(14b-26:59)

14b. October 31, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the payment for Invoice No. 004 in the amount of \$3,025.00 to GrantWorks, Inc. in connection with TX-CDBG No. 7219451 Water Plant improvements for WCID No. 2 in Placedo. Motion adopted.

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

a. Provider Billing & Consulting Service Agreement-Addendum B with Integrative Medical Billing & Coding Solutions, LLC.

(15a-27:37)

15a. October 31, 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 Provider Billing and Consulting Service Agreement Addendum B with Integrative Medical Billing and Coding Solutions, LLC for the Victoria County Public Health Department. Motion adopted.

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

b. Fully executed Memorandum of Understanding (MOU) with the Parents as Teachers National Center.

(15b-27:37)

15b. October 31, 2022. Public Health Director David Gonzales provided information to the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court received the fully executed Memorandum of Understanding (MOU) with the Parents as Teachers National Center for the Victoria County Public Health Department. Motion adopted.

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

c. Fully executed HIPPA Compliance Software Agreement with Compliancy Group LLC - The Guard user Software (EULA).

(15c-27:37)

15c. October 31, 2022. David Gonzales, Public Health Director, provided information to the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court received the fully executed HIPPA Compliance Software Agreement with Compliancy Group LLC-The Guard user Software (EULA) for the Victoria County Public Health Department. Motion adopted.

16. Receive for the record the fully executed BAA agreement between the Victoria County Public Health Department and Opentext (fax services) and take appropriate action.

(16-29:32)

16. October 31, 2022. Public Health Director David Gonzales provided information to the Court. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court received for the record the fully executed BAA agreement between the Victoria County Public Health Department and Opentext (fax services). Motion adopted.

17. Consider a name change for Victoria Animal Services and take appropriate action.

(17-30:22)

17. October 31, 2022. Mark Sloat, Animal Control Director, explained the reason for the name change from Victoria Animal Control Services to Victoria County Animal Services. Commissioner Burns informed the Court about some information he learned from a recent conference. After a short discussion, the Commissioners Court passed on the name change for Victoria Animal Control. No action taken. County Judge Zeller thanked Mr. Sloat and Scott Buchanan of the Victoria Animal Control for the great job they do.

- 18. Consider approval of the following Detention and Residential contracts with the Victoria Regional Juvenile Justice/Detention Facility and take appropriate action.**

a. Reeves County.

(18a-35:34)

18a. October 31, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Reeves County. Motion adopted.

Consider approval of the following Detention and Residential contracts with the Victoria Regional Juvenile Justice/Detention Facility and take appropriate action.

b. Maverick, Dimmit, and Zavala Counties.

(18b-35:34)

18b. October 31, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Maverick, Dimmitt, and Zavala Counties. Motion adopted.

Consider approval of the following Detention and Residential contracts with the Victoria Regional Juvenile Justice/Detention Facility and take appropriate action.

c. Johnson County.

(18c-35:34)

18c. October 31, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Johnson County. Motion adopted.

- 19. Receive the following road notice from Golden Crescent Regional Planning Commission for Pct. No. 2 and take appropriate action:**

a. A new road named Wright Creek Road that intersects with 442 Escalera Ranch Road.

(19a-36:46)

19a. October 31, 2022. Commissioner Janak provided information to the Court. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court received the road notice from Golden Crescent Regional Planning Commission for a new road named Wright Creek Road that intersects with 442 Escalera Ranch Road in Precinct No. 2. Motion adopted.

Receive the following road notice from Golden Crescent Regional Planning Commission for Pct. No. 2 and take appropriate action:

b. A road extension to Escalera Ranch Road that intersects with 4398 FM 1685.

(19b-36:46)

19b. October 31, 2022. Commissioner Janak provided information to the Court. Moved by Kevin Janak and seconded by Danny Garcia the Commissioners Court received the road notice from Golden Crescent Regional Planning Commission for a road extension to Escalera Ranch Road that intersects with 4398 FM 1685 in Precinct No. 2. Motion adopted.

20. Consider approval of Order No. 2022-0095 levying taxes on all taxing jurisdictions within Victoria County and take appropriate action.

(20-38:11)

20. October 31, 2022. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved Order No. 2022-0095 levying taxes for all taxing jurisdictions in Victoria County for the year 2022. Motion adopted.

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

(21-38:51)

21. October 31, 2022. Moved by Gary Burns and seconded by Kevin Janak, 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. Road and Bridge, Precinct No. 1, Expenditures - Line item transfer
- d. Road and Bridge, Precinct No. 3, Expenditures - Increase
- e. Road and Bridge, Precinct No. 4, Expenditures - Line item transfer
- f. Health Department, Revenues and Expenditures - Decrease

Motion adopted.

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

(22-39:48)

22. October 31, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
 - 1. Employment of Tina Knudsen, Extra Help - Rover, at a rate of \$15.00 per hour, Budget Code 100-573-1130, effective November 1, 2022.
- b. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Employment of Theresa Boggess, CMA/EMT/EMT-P, at a rate of \$18.42 per hour, Budget Code 100-565-1126, effective November 1, 2022.
 - 2. Employment of Braeden Yaws, Det. Deputy Tier 1 (Det. Officer Tier 1), at a rate of \$18.53 per hour, Budget Code 100-565-1114, effective November 1, 2022.
 - 3. Correction (date): Resignation of Rhonda Ullman, Nurse Supervisor, effective November 18, 2022. Remarks: Extended last day.
 - 4. Resignation of Matthew Cornett, Patrol Deputy Tier 2, with 61.88 Compensatory hours due, effective October 7, 2022.
- c. Mark Sloat, Director - Animal Control Services:
 - 1. Correction: Position change for Ashley Moreno, Clerk III, at a rate of \$15.42 per hour, Budget Code 100-630-1108, effective October 31, 2022. Other Remarks: Rescind resignation dated 10/31/2022.

Motion adopted.

- 23. Closed meeting pursuant to V.T.C.A. Government Code §551.087 to discuss Economic Development, §551.0745 to discuss Boards and Commissions, and §551.074 to discuss Personnel.**

(23-40:33)

23. October 31, 2022. The Commissioners Court went into closed session at 10:40 a.m., pursuant to V.T.C.A. Government Code §551.087 to discuss Economic Development, §551.0745 to discuss Boards and Commissions, and §551.074 to discuss Personnel.

- 24. 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.**

(24-1:22:57)

24. October 31, 2022. The Commissioners Court returned to open meeting at 11:22 a.m., pursuant to V.T.C.A. Government Code §551.102, with no action taken.

- 25. Adjourn.**

(25-1:23:09)

25. October 31, 2022. The Commissioners Court adjourned the meeting of October 31, 2022.