

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **21st day of November 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, NOVEMBER 21, 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. November 21, 2022. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, November 21, 2022 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. November 21, 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.

(3-1:23)

3. November 21, 2022. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

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

4. Consider approval of minutes and take appropriate action.

(4-1:43)

4. November 21, 2022. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the minutes of the Commissioners Court meeting held on November 14, 2022. Motion adopted.

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

(5-2:11)

5. November 21, 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	11/21/2022	\$365,362.09
Supplemental Accounts	11/10/2022 – 11/17/2022	\$185,965.47

Motion adopted.

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

(6-2:36)

6. November 21, 2022. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court received the monthly reports from the County Treasurer and Justice of the Peace, Precinct No. 1 Motion adopted.

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

(7-3:00)

7. November 21, 2022. None. No action taken.

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

(8-3:05)

8. November 21, 2022. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated November 17, 2022 in the amount of \$795,099.07 and the ACH report dated November 17, 2022 in the amount of \$2,675,763.23. Motion adopted.

- 9. Receive for the record a copy of the "Final Report of Governance Review and Recommendations" related to the Victoria Regional Airport and take appropriate action.**

(9-3:56)

9. November 21, 2022. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court received for the record a copy of the "Final Report of Governance Review and Recommendations" related to the Victoria Regional Airport. Motion adopted.

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

a. Addendum to the License and Service Agreement and Services Quote-CureMD.com, Inc.

(10a-5:08)

10a. November 21, 2022. Public Health Director David Gonzales provided information to the Court. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the addendum to the License and Service Agreement and Services Quote-CureMD.com, Inc. 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. Receive the fully executed contract for the Tuberculosis Prevention and Control-Federal (TB/PC) - HHS001096400026 Amendment No. 1.

(10b-5:08)

10b. November 21, 2022. David Gonzales, Public Health Director, provided the Court with information. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court received the fully executed contract for the Tuberculosis Prevention and Control-Federal (TB/PC) - HHS001096400026 Amendment No. 1 for the Victoria County Public Health Department. Motion adopted.

- 11. Consider approval of the following resolutions authorizing the selection of providers to provide application and project-related administration services for the following in relation to the Regional Council of Governments Methods of Distribution (COG-MOD) Programs funding and administered through the Texas General Land Office (GLO) and take appropriate action:**

a. Resolution No. 2022-0100 for Administration Services.

(11a-7:16)

11a. November 21, 2022. Grant Administrator Robin Knipling provided information to the Court. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved Resolution No. 2022-0100 selecting GrantWorks to provide application and project-related administration services for the Regional Council of Governments Methods of Distribution (COG-MOD) Programs funded and administered through the Texas General Land Office (GLO). Motion adopted.

Consider approval of the following resolutions authorizing the selection of providers to provide application and project-related administration services for the following in relation to the Regional Council of Governments Methods of Distribution (COG-MOD) Programs funding and administered through the Texas General Land Office (GLO) and take appropriate action:

b. Resolution No. 2022-0101 for Professional Engineering Services.

(11b-7:16)

11b. November 21, 2022. Robin Knipling, Grant Administrator, provided the Court with information. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved Resolution No. 2022-0101 selecting Lynn Engineering dba John D. Mercer and Associates to provide application and project-related professional engineering services for the Regional Council of Governments Methods of Distribution (COG-MOD) Programs funded and administered through the Texas General Land Office (GLO). Motion adopted.

- 12. Consider approval for authorization to advertise for Professional Administration and Engineering services for the Texas Department of Agriculture (TDA) 2023 Texas Community Development Block Grant Program (TxCDBG) and take appropriate action.**

(12-10:02)

12. November 21, 2022. Grant Administrator Robin Knipling provided information to the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved and authorized to advertise for Professional Administration and Engineering services for the Texas Department of Agriculture (TDA) 2023 Texas Community Development Block Grant Program (TxCDBG). Motion adopted.

- 13. Consider approval of FY22 Operation Lone Star Grant Program (OLS) Supplemental Award Adjustment for Grant No. 4381001 and take appropriate action.**

(13-10:58)

13. November 21, 2022. Chief Deputy Will Franklin provided information to the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the FY22 Operation Lone Star Grant Program (OLS) Supplemental Award Adjustment for Grant No. 4381001. Motion adopted.

- 14. Consider approval of the request for payment to Union Pacific Railroad Company in connection to Rehabilitate and Widen Roadway Project for McCoy Road and Bayer Road in Pct. No. 1 in the amount of \$1,535.00 and take appropriate action:**

(14-12:37)

14. November 21, 2022. Commissioner Danny Garcia provided information to the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the request for payment to Union Pacific Railroad Company in the amount of \$1,535.00 in connection to the Rehabilitate and Widen Roadway Project for McCoy Road and Bayer Road in Precinct No. 1. Motion adopted.

- 15. Receive for the record additional invoices paid by the Port of Victoria in connection to Rehabilitate and Widen Roadway Project for McCoy Road and Bayer Road in Pct. No. 1 and take appropriate action:**

a. Civil Corp in the amount of \$98,503.32.

(15a-13:30)

15a. November 21, 2022. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court received for the record additional invoices paid by the Port of Victoria to Civil Corp in the amount of \$98,503.32 in connection to the Rehabilitate and Widen Roadway Project for McCoy Road and Bayer Road in Precinct No. 1. Motion adopted.

Receive for the record additional invoices paid by the Port of Victoria in connection to Rehabilitate and Widen Roadway Project for McCoy Road and Bayer Road in Pct. No. 1 and take appropriate action:

b. Union Pacific Railroad Company in the amount of \$9,180.77.

(15b-13:30)

15b. November 21, 2022. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court received for the record additional invoices paid by the Port of Victoria to Union Pacific Railroad Company in the amount of \$9,180.77 in connection to the Rehabilitate and Widen Roadway Project for McCoy Road and Bayer Road in Precinct No. 1. Motion adopted.

- 16. Consider approval of the following requests for payment in connection to CDBG Hurricane Disaster Recovery Program Contract No. 20-065-094-C262 and take appropriate action:**

a. Brannan Paving Co., Ltd in the amount of \$526,277.92.

(16a-14:10)

16a. November 21, 2022. Grant Administrator Robin Knipling provided the Court with information. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court approved the request for payment in the amount of \$526,277.92 to Brannan Paving Co., Ltd. in connection to CDBG Hurricane Disaster Recovery Program Contract No. 20-065-094-C262. Motion adopted.

Consider approval of the following requests for payment in connection to CDBG Hurricane Disaster Recovery Program Contract No. 20-065-094-C262 and take appropriate action:

b. CivilCorp, LLC, in the amount of \$85,052.50.

(16b-14:10)

16b. November 21, 2022. Robin Knipling, Grant Administrator, provided information to the Court. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court approved the request for payment in the amount of \$85,052.50 to CivilCorp, LLC in connection to CDBG Hurricane Disaster Recovery Program Contract No. 20-065-094-C262. Motion adopted.

Consider approval of the following requests for payment in connection to CDBG Hurricane Disaster Recovery Program Contract No. 20-065-094-C262 and take appropriate action:

c. GrantWorks, Inc., in the amount of \$38,291.05.

(16c-14:10)

16c. November 21, 2022. Grant Administrator Robin Knipling provided the Court with information. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court approved the request for payment in the amount of \$38,291.05 to GrantWorks, Inc. in connection to CDBG Hurricane Disaster Recovery Program Contract No. 20-065-094-C262. Motion adopted.

- 17. Consider approval of Stop Loss Contract with Great Midwest Insurance Company and the Administrative Contract with Boon Chapman for the Plan Year January 1, 2023, through December 31, 2023, and take appropriate action.**

(17-15:24)

17. November 21, 2022. Laura Gwaltney with Walker and Associates provided information to the Court. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court approved the Stop Loss Contract with Great Midwest Insurance Company and the Administrative Contract with Boon Chapman for the Plan Year January 1, 2023 through December 31, 2023. Motion adopted.

- 18. Consider approval of Task Order No. 012-2022 in relation to the 1967 Victoria County Courthouse - HVAC, BAS, and Electrical Distribution Improvements and take appropriate action.**

(18-21:22)

18. November 21, 2022. Facilities Manager Kelly Hubert provided information to the Court. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved Amendment No. 1 for Task Order No. 012-2022 in relation to the 1967 Victoria County Courthouse - HVAC, BAS, and Electrical Distribution Improvements. Motion adopted.

- 19. Canvass the November 8, 2022 General Election results and take appropriate action.**

(19-25:57)

19. November 21, 2022. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved to canvass the November 8, 2022 General Election results. Motion adopted.

- 20. Consider approval of a request to pay down employee's Paid Time Off (PTO) balance from the Victoria Regional Airport and take appropriate action.**

(20-26:54)

20. November 21, 2022. Lauren Daniels, Director of Operations and Maintenance, provided information to the Court. Human Resources Director Gina Howard provided information to the Court. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the request from the Victoria Regional Airport to pay down employee's Paid Time Off (PTO) balances from the Victoria Regional Airport's budget in the amount of \$12,739.93. Motion adopted.

- 21. Consider approval of a County Road Crossing Application from AEP Texas, Inc. for Chamrad Lane in Pct. No. 1 and take appropriate action.**

(21-28:53)

21. November 21, 2022. Commissioner Danny Garcia provided the Court with information. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the County Road Crossing Application from AEP Texas, Inc. for Chamrad Lane in Precinct No. 1. Motion adopted.

- 22. Consider approval of the following Resolutions for road donations in Pct. No. 1 for the installation of a driveway and pipe culvert to improve drainage and take appropriate action:**

a. Resolution No. 2022-0097 for Tim McFarland at 1045 Schlebach Rd., in Port Lavaca, in the amount of \$600.00.

(22a-29:47)

22a. November 21, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved Resolution No. 2022-0097 for a road donation in the amount of \$600.00 from Tim McFarland at 1045 Schlebach Road in Port Lavaca, Texas, in Precinct No. 1 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

Consider approval of the following Resolutions for road donations in Pct. No. 1 for the installation of a driveway and pipe culvert to improve drainage and take appropriate action:

b. Resolution No. 2022-0099 for Sarah Sendejo at 295 Indiana Street, in Bloomington, in the amount of \$200.00.

(22b-29:47)

22b. November 21, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved Resolution No. 2022-0099 for a road donation in the amount of \$200.00 from Sarah Sendejo at 295 Indiana Street in Bloomington, Texas, in Precinct No. 1 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

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

(23-30:44)

23. November 21, 2022. Moved by Gary Burns and seconded by Danny Garcia, the Commissioners Court approved the 2022 budget amendments for:

- a. General Fund/Various Departments, Revenues and Expenditures - Line item transfer
- b. General Funds/Sheriff's Office, Expenditures - Line item transfer
- c. Emergency Management Fund, Revenues - Line item transfer
- d. Records Management Fund, Expenditures - Line item transfer
- e. Road and Bridge, Precinct No. 3, Expenditures - Line item transfer
- f. Road and Bridge, Precinct No. 4, Expenditures - Increase
- g. Health Department, Expenditures – Line item transfer

Motion adopted.

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

(24-31:33)

24. November 21, 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. Vinicio Llerena, Executive Director - Victoria Regional Airport:
 - 1. Employment of Dalton Blanton, FBO Line Attendant, at a rate of \$15.50 per hour, Budget Code 321-606-1110, effective November 22, 2022.
- b. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Resignation of Agustin Galvan, Cook, with 12.01 Compensatory hours due, effective November 24, 2022.
 - 2. Resignation of Kyle Hengst, Patrol Deputy Tier 2, with 80.0 PTO and 129.78 Compensatory hours due, effective November 10, 2022.
- c. David Gonzales, Public Health Director - Victoria County Public Health Department:
 - 1. Employment of Diana Cano, PAT Parent Educator, at a rate of \$18.00 per hour, Budget Code 803-631-1150, effective November 22, 2022.

Motion adopted.

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

(25-32:05)

25. November 21, 2022. The Commissioners Court went into closed session at 10:32 a.m., pursuant to V.T.C.A. Government Code §551.074 to discuss Personnel, §551.0745 to discuss Boards and Commissions, and §551.087 to discuss Economic Development.

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.

(26-1:16:17)

26. November 21, 2022. The Commissioners Court returned to open meeting at 11:16 a.m., pursuant to V.T.C.A. Government Code §551.102, with no action taken.

27. Adjourn.

(27-1:16:30)

27. November 21, 2022. The Commissioners Court adjourned the meeting of November 21, 2022.