

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **5th day of December 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, DECEMBER 5, 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. December 5, 2022. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, December 5, 2022 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. December 5, 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.

(3-1:26)

3. December 5, 2022. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Michael Vonderau of 2204 E. North Street thanked the County of Victoria for the Better Living for Texans program. Mr. Vonderau spoke about a car that resembles a deputy car driving through the East North Street Mobile Home Park and the potholes at the mobile home park.

Commissioner Burns spoke to the Court about a grant they received for trailer loads of junk tires. Commissioner Burns and Commissioner Garcia stated the Victoria County Sheriff's Office was very cooperative and helpful.

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

4. Consider approval of minutes and take appropriate action.

(4-5:19)

4. December 5, 2022. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the minutes of the Commissioners Court meeting held on November 28, 2022. Motion adopted.

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

(5-5:33)

5. December 5, 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	12/5/2022	\$776,035.82
Supplemental Accounts	11/23/2022 – 12/1/2022	\$30,504.92

Motion adopted.

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

(6-5:57)

6. December 5, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court received the monthly reports from the Fire Marshal, Pre-Trial Services and Justices of the Peace, Precincts Nos. 2 and 3. Motion adopted.

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

(7-6:19)

7. December 5, 2022. None. No action taken.

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

(8-6:28)

8. December 5, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the accounts payable, payroll, personnel changes, and interim vendor payments for Citizens Medical Center dated December 1, 2022 in the amount of \$473,438.52 and the ACH report dated December 1, 2022 in the amount of \$2,344,969.66. Motion adopted.

9. Consider approval of professional services agreement with Building Brands Marketing for the development of logo and branding kit for Victoria County Animal Services and take appropriate action.

(9-7:22)

9. December 5, 2022. County Judge's Chief of Staff Giani Cantu spoke about the agreement and new logo items for Victoria County Animal Services. Mark Sloat, Animal Services Director, spoke about the logos, branding and timeline. He also provided an overview of Victoria County Animal Services. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the professional services agreement with Building Brands Marketing for the development of a logo and branding kit for Victoria County Animal Services. Motion adopted.

- 10. Consider approval and authorize the County Judge to execute the 2022 Master Contract for Continuing Professional Services with Rawley McCoy & Associates, PLLC, and take appropriate action.**

(10-20:23)

10. December 5, 2022. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved and authorized the County Judge to execute the 2022 Master Contract for Continuing Professional Services with Rawley McCoy and Associates, PLLC. Motion adopted.

- 11. Authorize County Judge to execute the following Task Order with Rawley McCoy & Associates, PLLC, and take appropriate action:**

a. Task Order 001-2022: Victoria County 311 Constitution Master Plan.

(11a-21:21)

11a. December 5, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved to authorize the County Judge to execute Task Order 001-2022 with Rawley McCoy and Associates, PLLC for the Victoria County 311 Constitution Master Plan. Motion adopted.

Authorize County Judge to execute the following Task Order with Rawley McCoy & Associates, PLLC, and take appropriate action:

b. Task Order 002-2022: Victoria County Sliding Entrance Doors.

(11b-21:21)

11b. December 5, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved to authorize the County Judge to execute Task Order 002-2022 with Rawley McCoy and Associates, PLLC for the Victoria County Sliding Entrance Doors. Motion adopted.

- 12. Consider approval of the following documents related to Garcitas Creek Ranch Estates-Phase 1 Subdivision, located in Pct. No. 4, and take appropriate action:**

a. Receive the dedication of the Offsite Drainage Easement.

(12a-25:05)

12a. December 5, 2022. County Engineer John Johnston and Commissioner Clint Ives provided information to the Court. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court received the dedication of the Offsite Drainage Easement for the Garcitas Creek Ranch Estates-Phase I Subdivision located in Precinct No. 4. Motion adopted.

Consider approval of the following documents related to Garcitas Creek Ranch Estates-Phase 1 Subdivision, located in Pct. No. 4, and take appropriate action:

b. Approve the Final Plat.

(12b-25:05)

12b. December 5, 2022. John Johnson, County Engineer, and Clint Ives, Commissioner, provided the Court with information. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the Final Plat for the Garcitas Creek Ranch Estates-Phase I Subdivision located in Precinct No. 4. Motion adopted.

Consider approval of the following documents related to Garcitas Creek Ranch Estates-Phase 1 Subdivision, located in Pct. No. 4, and take appropriate action:
c. Receive and authorize filing with the Victoria County Clerk the Master Declaration of Covenants, Conditions, and Restrictions for Garcitas Creek Ranch Estates.
(12c-25:05)

12c. December 5, 2022. County Engineer John Johnston and Commissioner Clint Ives provided information to the Court. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court received and authorized the filing of the Master Declaration of Covenants, Conditions, and Restrictions for Garcitas Creek Ranch Estates, Phase 1 Subdivision located in Precinct No. 4 with the Victoria County Clerk. Motion adopted.

- 13. Consider approval and authorization of payment for Application and Certificate for Payment No. 004 to Lauger Companies, Inc. in connection to Victoria County EOC Stair Enclosure Project and take appropriate action.**

(13-29:14)

13. December 5, 2022. County Engineer John Johnston provided information to the Court. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court approved and authorized the payment in the amount of \$16,978.40 for the Application and Certificate for Payment No. 004 to Lauger Companies, Inc. in connection to the Victoria County EOC Stair Enclosure Project. Motion adopted.

- 14. Receive notice of budget adjustment for 2022 High Intensity Drug Trafficking Areas (HIDTA) for Grant No. G22HN0020A and take appropriate action.**

(14-29:53)

14. December 5, 2022. Grant Administrator Robin Knipling provided information to the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court received the notice of budget adjustment for 2022 High Intensity Drug Trafficking Areas (HIDTA) for Grant No. G22HN0020A. Motion adopted.

- 15. Consider approval of the renewal of CPS/Hazards Contract No. 537-18-0181-00001 Amendment No. 7 between the Victoria Public Health Department and the Department of State Health Services and take appropriate action.**

(15-30:27)

15. December 5, 2022. Public Health Director David Gonzales provided the Court with information. Moved by Gary Burns and seconded by Kevin Janak, the Commissioners Court approved the renewal for the CPS/Hazards Contract No. 537-18-0181-00001 Amendment No. 7 between the Victoria Public Health Department and the Department of State Health Services. Motion adopted.

- 16. Consider approval of the purchase of additional Water Source Heat Pumps (WSHP) for the 1892 Courthouse from Texas AirSystems and take appropriate action.**

(16-31:40)

16. December 5, 2022. Facilities Manager Kelly Hubert provided information to the Court. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court approved the purchase of additional Water Source Heat Pumps (WSHP) for the 1892 Courthouse from Texas AirSystems. Motion adopted.

17. Consider approval of change order for the Victoria County Sheriff's Office Prophoenix Software implementation project and take appropriate action.

(17-36:54)

17. December 5, 2022. John Sestak, IT Director, provided information to the Court. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the change order for the Victoria County Sheriff's Office Prophoenix Software implementation project. Motion adopted.

18. Consider Order No. 2022-0102 Ratifying the Purchase of Certificate of Deposits for Victoria County General Fund and take appropriate action.

(18-38:16)

18. December 5, 2022. County Treasurer Paige Foster provided information to the Court and answered the Court's questions. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court ratified Order No. 2022-0102 for the Purchase of Certificate of Deposits for Victoria County General Fund. Motion adopted.

19. Consider approval of a contract with Kofile for deed preservation services for the County Clerk and take appropriate action.

(19-42:29)

19. December 5, 2022. County Clerk Heidi Easley provided information to the Court. Moved by Gary Burns and seconded by Danny Garcia, the Commissioners Court approved the contract with Kofile for deed preservation services for the Victoria County Clerk's Office. Motion adopted.

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

a. Udelhoven, Inc. in the amount of \$97,784.59.

(20a-45:19)

20a. December 5, 2022. Robin Knipling, Grant Administrator, provided information to the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the request for payment in the amount of \$97,784.59 to Udelhoven, Inc. in connection with TX-CDBG No. 7219451 Water Plant Improvements for WCID No. 2 in Placedo. Motion adopted.

Consider approval of the following requests for payment 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.

(20b-45:19)

20b. December 5 2022. Robin Knipling, Grant Administrator, provided information to the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the request for payment 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.

- 21. 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 \$85,669.42 in Grant Funds.

(21a-46:20)

21a. December 5, 2022. Grant Administrator Robin Knipling provided information to the Court. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the request for payment to Brannan Paving Co., Ltd. in the amount of \$85,669.42 in Grant Funds 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. Brannan Paving Co., Ltd in the amount of \$510,495.89 in Local Match Funds.

(21b-46:20)

21b. December 5, 2022. Grant Administrator Robin Knipling provided information to the Court. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the request for payment to Brannan Paving Co., Ltd. in the amount of \$510,495.89 in Local Match Funds in connection to CDBG Hurricane Disaster Recovery Program Contract No. 20-065-094-C262. Motion adopted.

- 22. Consider approval of the following requests to pay down employee balances of the Victoria Regional Juvenile Justice Detention Facility/Juvenile Services and take appropriate action:**

a. Paid Time Off (PTO).

(22a-48:37)

22a. December 5, 2022. Lynette Acuna with Juvenile Services provided information to the Court. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the request to pay down employees' Paid Time Off (PTO) balances in the amount of \$12,035.05 from JSO line item 100-573-1156 for the Victoria Regional Juvenile Justice Detention Facility/Juvenile Services. Motion adopted.

Consider approval of the following requests to pay down employee balances of the Victoria Regional Juvenile Justice Detention Facility/Juvenile Services and take appropriate action:

b. Compensatory Hours.

(22b-48:37)

22b. December 5, 2022. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the request to pay down employees' Compensatory hour balances in the amount of \$11,766.42 from JSO line item 100-573-1156 of the Victoria Regional Juvenile Justice Detention Facility/Juvenile Services. Motion adopted.

- 23. Consider approval of the following contracts for the Psychoeducational/Counseling Services Contract for the Victoria Juvenile Justice Center and take appropriate action:**

a. D. Ross Braune M.A. L.P.C.

(23a-51:01)

23a. December 5, 2022. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the contract for the Psychoeducational/Counseling Services Contract with D. Ross Braune M.A. L.P.C. for the Victoria County Juvenile Justice Center. Motion adopted.

Consider approval of the following contracts for the Psychoeducational/Counseling Services Contract for the Victoria Juvenile Justice Center and take appropriate action:

b. Ellen Vallejo Smith M.Ed. L.P.C.

(23b-51:01)

23b. December 5, 2022. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the contract for the Psychoeducational/Counseling Services Contract with Ellen Vallejo Smith M.Ed. L.P.C. for the Victoria County Juvenile Justice Center. Motion adopted.

- 24. Consider approval of the Detention Contract between Victoria Regional Juvenile Justice Center and Upton-Reagan Juvenile Probation and take appropriate action.**

(24-51:36)

24. December 5, 2022. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court approved the Detention Contract between Victoria Regional Juvenile Justice Center and Upton/Reagan Counties. Motion adopted.

- 25. Discuss and consider County Assistance Program allocation from the Texas Department of Transportation for the fiscal year 2023 and take appropriate action.**

(25-51:59)

25. December 5, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the County Assistance Program allocation from the Texas Department of Transportation for the fiscal year 2023. Motion adopted.

- 26. Consider approval of Resolution No. 2022-0103 for a road donation in Pct. No. 1 from King Ranch Turf Grass for the installation of a driveway and pipe culvert to improve drainage at Boehm Road & FM 2615 in Victoria, Texas 77905 in the amount of \$1,800.00 and take appropriate action.**

(26-53:19)

26. December 5, 2022. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved Resolution No. 2022-0103 for a road donation in the amount of \$1,800.00 from King Ranch Turf Grass at the intersection of Boehm Road and FM 2615, in Victoria, Texas, 77905 in Precinct No. 1 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

27. Receive for the record the Discretionary Funds Budget Amendment for the Sheriff's Forfeiture Fund (360) and take appropriate action.

(27-53:51)

27. December 5, 2022. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court received for the record the 2022 Discretionary Funds Budget Amendment for the Sheriff's Forfeiture Fund (360) as a line item transfer to expenditures. Motion adopted.

28. Receive for the record the Discretionary Funds Budget Amendment for the CDA Contraband Forfeiture Fund (370) and take appropriate action.

(28-54:24)

28. December 5, 2022. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court received for the record the 2022 Discretionary Funds Budget Amendment for the CDA Contraband Forfeiture Fund (370) as a line item transfer to expenditures. Motion adopted.

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

(29-54:43)

29. December 5, 2022. Moved by Danny Garcia 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 Funds/Sheriff's Office, Expenditures - Line item transfer
- c. Emergency Management Fund, Expenditures - Line item transfer
- d. Road and Bridge, Precinct No. 1, Revenues and Expenditures - Line item transfer
- e. Road and Bridge, Precinct No. 2, Revenues and Expenditures - Increase
- f. Road and Bridge, Precinct No. 4, Expenditures - Increase
- g. Airport Fund, Expenditures - Line item transfer
- h. Elections Administrators Special, Expenditures - Line item transfer
- i. Health Department, Revenues and Expenditures – Decrease

Motion adopted.

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

(30-55:42)

30. December 5, 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. Clint Ives, Commissioner, Precinct No. 4 - Road and Bridge, Precinct No. 4:
 - 1. Correction for request of payment of unused Paid Time Off (PTO) to Compensatory Time in excess of the carry-over limit for Greg Kutach, Foreman, Precinct No. 4, in the amount of \$5,144.85, from 204-614-1103.
- b. Mark Sloat, Animal Services Director - Animal Services:
 - 1. Employment of Lorraina Kay Kief, Animal Control Officer, at a rate of \$15.00 per hour, Budget Code 100-630-1107, effective December 6, 2022.

- CONTINUED -

- c. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
 - 1. Employment of Jenna Rae Newport, Clerk III, at a rate of \$16.58 per hour, Budget Code 100-573-1147, effective December 6, 2022.
- d. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Employment of Armando Ruiz, Jr., Detention Dep (Det. Off. Tier 1), at a rate of \$18.53 per hour, Budget Code 100-565-1114. effective December 6, 2022.
 - 2. Resignation of Rogelio Mata, Detention Officer Tier 1, effective November 23, 2022.

Motion adopted.

31. Adjourn.

(31-56:04)

31. December 5, 2022. The Commissioners Court adjourned the meeting of December 5, 2022.