



**COUNTY OF VICTORIA**  
**COMMISSIONERS COURT**  
**MINUTES • DECEMBER 4, 2017**

**Special Term Meeting**

**Commissioners Court Room**

**10:00 AM**

115 N Bridge Street, 2nd Floor, Victoria, TX 77901

CALL TO ORDER:

1. December 4, 2017. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, December 4, 2017, at 10:00 a.m.

**RESULT: NO ACTION TAKEN**

INVOCATION AND PLEDGES:

2. December 4, 2017. 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.

**RESULT: NO ACTION TAKEN**

MINUTES:

3. December 4, 2017. Moved by Kevin M. Janak and seconded by Danny Garcia, the Commissioners Court approved the minutes of the Commissioners Court meeting held on November 27, 2017. Motion adopted.

**RESULT: APPROVED [UNANIMOUS]**  
**MOVER:** Kevin M Janak, Commissioner Pct 2  
**SECONDER:** Danny Garcia, Commissioner Pct 1  
**AYES:** Zeller, Garcia, Janak, Burns, Ives

CITIZENS' COMMUNICATION:

4. December 4, 2017. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Bill Pozzi, County Chair for Victoria GOP, informed the court that the closing date for Democratic and Republican petitions is a week from today.

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

**RESULT: NO ACTION TAKEN**

ACCOUNTS PAYABLE:

5. December 4, 2017. Moved by Gary Burns and seconded by Clint C. Ives, the Commissioners Court approved the accounts payable as presented by Susan Gabrysch, Assistant County Auditor.

|                       |                   |              |
|-----------------------|-------------------|--------------|
| Regular Accounts      | 12/04/2017        | \$180,895.57 |
| Supplemental Accounts | 11/21 -11/30/2017 | \$80,880.07  |

Motion adopted.

**RESULT: APPROVED [UNANIMOUS]**  
**MOVER:** Gary Burns, Commissioner Pct 3  
**SECONDER:** Clint C Ives, Commissioner Pct 4  
**AYES:** Ben Zeller, Danny Garcia, Gary Burns, Clint C Ives  
**ABSENT:** Kevin M Janak

REPORTS:

6. December 4, 2017. Moved by Clint C. Ives and seconded by Gary Burns, the Commissioners Court approved the monthly reports from the District Clerk and the amended November 2017 monthly report for Justice of the Peace, Precinct No. 2. Motion adopted.

**RESULT: APPROVED [UNANIMOUS]**  
**MOVER:** Clint C Ives, Commissioner Pct 4  
**SECONDER:** Gary Burns, Commissioner Pct 3  
**AYES:** Ben Zeller, Danny Garcia, Gary Burns, Clint C Ives  
**ABSENT:** Kevin M Janak

BOND FORFEITURE RELEASES:

7. December 4, 2017. Moved by Gary Burns and seconded by Clint C. Ives, the Commissioners Court approved the release of the following bond forfeiture judgments from the Court:

- a. Cause No. CIV2-18394: The State of Texas vs. Desmond Olajaun Green, Defendant and Warren Alkek DBA A & A Bail Bonds, Surety
- b. Cause No. CIV2-18190: The State of Texas vs. Gustavo Espinoza Tovar, Defendant and E. P. Salas and Ernest Guajardo, Sureties.
- c. Cause No. CIV2-18187: The State of Texas vs. Roxaine Rodriguez, Defendant and Warren Alkek DBA A & A Bails Bonds, Surety .

Motion adopted.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Gary Burns, Commissioner Pct 3  
**SECONDER:** Clint C Ives, Commissioner Pct 4  
**AYES:** Ben Zeller, Danny Garcia, Gary Burns, Clint C Ives  
**ABSENT:** Kevin M Janak

ACCOUNTS PAYABLE - PERSONNEL CHANGES - INTERIM VENDOR PAYMENTS - ACH REPORT - CITIZENS MEDICAL CENTER:

8. December 4, 2017. Moved by Gary Burns and seconded by Clint C. Ives, the Commissioners Court approved the accounts payable, personnel changes, and interim vendor payments for Citizens Medical Center dated November 30, 2017, in the amount of \$967,812.59 and the ACH report dated November 30, 2017, in the amount of \$3,419,830.33. Motion adopted.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Gary Burns, Commissioner Pct 3  
**SECONDER:** Clint C Ives, Commissioner Pct 4  
**AYES:** Ben Zeller, Danny Garcia, Gary Burns, Clint C Ives  
**ABSENT:** Kevin M Janak

PRESENTATION - CONSIDER - RETENTION OF COUNSEL- PURSUE OPIOID LITIGATION - VICTORIA COUNTY

9. December 4, 2017. Mr. Richard Dodd of Cappolino, Dodd, Krebs, L.L.C. and Ms. Amy Carter of Simon, Greenstone, Panatier, Bartlett gave a presentation to the Court regarding opioid litigation. Mr. Dodd and Ms. Carter answered the Courts questions. The Court held a lengthy discussion. No action taken.

**RESULT:** NO ACTION TAKEN

AMENDMENT- CONTRACT- DEBRIS REMOVAL PROJECT - TREVINO WATER ENGINEERING - VICTORIA COUNTY

10. December 4, 2017. Moved by Clint C. Ives and seconded by Gary Burns, the Commissioners Court approved the Debris Removal Project Management Contract Amendment with Trevino Water Engineering for Victoria County. Motion adopted.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Clint C Ives, Commissioner Pct 4  
**SECONDER:** Gary Burns, Commissioner Pct 3  
**AYES:** Ben Zeller, Danny Garcia, Gary Burns, Clint C Ives  
**ABSENT:** Kevin M Janak

CONTRACT - NO. 7217479 - 2017-18 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT AWARD - GRANT WORKS ADMINISTRATION SERVICES CONTRACT- VICTORIA COUNTY

11. December 4, 2017. Moved by Danny Garcia and seconded by Clint C. Ives, the Commissioner's

Court approved the 2017-18 Texas Community Development Block Grant Award: Contract No. 7217479 and Grant Works Administration Services Contract. Motion adopted.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Danny Garcia, Commissioner Pct 1  
**SECONDER:** Clint C Ives, Commissioner Pct 4  
**AYES:** Ben Zeller, Danny Garcia, Gary Burns, Clint C Ives  
**ABSENT:** Kevin M Janak

PAYMENT - REHABILITATE AND WIDEN ROADWAY PROJECT - MCCOY ROAD, CANAL ROAD, AND OLD BLOOMINGTON ROAD - REXCO CONSTRUCTION SERVICES, INC. - VICTORIA COUNTY:

12. December 4, 2017. Moved by Danny Garcia and seconded by Clint C. Ives, the Commissioners

Court approved the payment to Rexco Construction Services, Inc. in connection to Rehabilitate and Widen Roadway Project for McCoy Road, Canal Road and Old Bloomington Road in Victoria County. Motion adopted.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Danny Garcia, Commissioner Pct 1  
**SECONDER:** Clint C Ives, Commissioner Pct 4  
**AYES:** Ben Zeller, Danny Garcia, Gary Burns, Clint C Ives  
**ABSENT:** Kevin M Janak

BUDGET AMENDMENTS:

13. December 4, 2017. Moved by Danny Garcia and seconded by Clint C. Ives, the Commissioners

Court approved the following budget amendments:

- a. General Fund, Various Departments, Expenditures - Line item transfer
- b. General Fund, Sheriff's Office, Expenditures- Line item transfer
- c. Health Department, Expenditures - Line item transfer

Motion adopted.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Danny Garcia, Commissioner Pct 1  
**SECONDER:** Clint C Ives, Commissioner Pct 4  
**AYES:** Ben Zeller, Danny Garcia, Gary Burns, Clint C Ives  
**ABSENT:** Kevin M Janak

RECEIVE FOR RECORD - CERTIFICATES - CONGRESSIONAL RECOGNITION - COMMISSIONERS COURT - VICTORIA COUNTY:

14. December 4, 2017. Moved by Clint C. Ives and Gary Burns, the Commissioners Court received for record the certificates of congressional recognition for Victoria County Commissioners Court. Motion adopted.

**RESULT:** RECEIVED [UNANIMOUS]  
**MOVER:** Clint C Ives, Commissioner Pct 4  
**SECONDER:** Gary Burns, Commissioner Pct 3  
**AYES:** Ben Zeller, Danny Garcia, Gary Burns, Clint C Ives  
**ABSENT:** Kevin M Janak

PERSONNEL:

15. December 4, 2017. Moved by Gary Burns and seconded by Clint C. Ives, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. T. Michael O'Connor, Sheriff - Victoria County Sheriff's Department:
  1. Salary and position change for Rigoberto Robles, from Sr. Patrol Deputy at a rate of \$22.66 per hour, Budget Code 100-563-1109, to Patrol Corporal at a rate of \$23.51 per hour, Budget Code 100-563-1112, effective December 9, 2017.
- b. Derrick Neal, Public Health Director - Victoria County Public Health Department:
  1. Salary change for Kellie Merzbacher, Clerk I, from a rate of \$12.50 per hour, Budget Code 800-630-1108, to a rate of \$13.00 per hour, effective December 9, 2017.
  2. Salary and position change for Chauna Ordower, from Animal Control Officer at a rate of \$15.24 per hour, Budget Code 800-630-1108, to Sr. Animal Control Officer at a rate of \$16.24 per hour, Budget Code 800-630-1110, effective December 9, 2017.
  3. Salary and position change for Arnold Ecle, from Animal Control Officer at a rate of \$15.00 per hour, Budget Code 800-630-1110, to Assistant Supervisor at a rate of \$17.00 per hour, Budget Code 800-630-1106, effective December 9, 2017.
- c. Kyle Dalton, Constable- Precinct No. 4;
  1. Request to swear in Reserve Deputy Constable, Brandon Koley Karl, effective December 4, 2017.

Motion adopted.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Gary Burns, Commissioner Pct 3  
**SECONDER:** Clint C Ives, Commissioner Pct 4  
**AYES:** Ben Zeller, Danny Garcia, Gary Burns, Clint C Ives  
**ABSENT:** Kevin M Janak

CLOSED MEETING:

16. December 4, 2017. The Commissioners Court went into closed session at 11:17 a.m., pursuant to V.T.C.A. Government Code §551.071, to conduct private consultation with the County's attorney regarding matters protected by the Attorney-Client privilege.

**RESULT:** NO ACTION TAKEN

OPEN MEETING:

17. December 4, 2017. The Commissioners Court returned to open meeting at 12:16 p.m., pursuant to V.T.C.A. Government Code §551.102 with no action taken.

**RESULT:** NO ACTION TAKEN

ADJOURN:

18. December 4, 2017. The Commissioners Court adjourned the meeting of December 4, 2017.

**RESULT:** NO ACTION TAKEN

| Attendee Name | Title              | Status  | Arrived |
|---------------|--------------------|---------|---------|
| Ben Zeller    | County Judge       | Present |         |
| Danny Garcia  | Commissioner Pct 1 | Present |         |
| Kevin M Janak | Commissioner Pct 2 | Absent  |         |
| Gary Burns    | Commissioner Pct 3 | Present |         |
| Clint C Ives  | Commissioner Pct 4 | Present |         |