



**COUNTY OF VICTORIA**  
**COMMISSIONERS COURT**  
**MINUTES • NOVEMBER 20, 2017**

**Special Term Meeting**

**Commissioners Court Room**

**10:00 AM**

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

CALL TO ORDER:

1. November 20, 2017. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, November 20, 2017, at 10:00 a.m.

**RESULT: NO ACTION TAKEN**

INVOCATION AND PLEDGES:

2. November 20, 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. November 20, 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 13, 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. November 20, 2017. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Rick McBrayer, Emergency Management Coordinator, stated that last Friday he received approval for the FEMA presentation. Mr. McBrayer introduced Faye Cooley, Crew Lead with FEMA. Ms. Cooley gave the Court a presentation on the assistance that FEMA has provided to Victoria County since Hurricane Harvey. Mr. McBrayer informed the public that the last day for individual assistance from FEMA Disaster Recovery Center is November 30, 2017, and the Disaster Recovery Center at the Victoria

County Public Health Department will close on December 8, 2017. Mr. McBrayer and Ms. Cooley answered the Court's questions.

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

**RESULT: NO ACTION TAKEN**

ACCOUNTS PAYABLE:

5. November 20, 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	11/20/2017	\$802,737.31
Supplemental Accounts 11/09 -11/16/2017		\$266,715.06

Motion adopted

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

REPORTS:

6. November 20, 2017. Moved by Danny Garcia and seconded by Kevin M. Janak, the Commissioners Court approved the monthly reports from the County Judge; County Commissioners, Precincts Nos. 1-4; County Auditor; the amended monthly report for October 2017 from Justice of the Peace, Precinct No. 2; and Constable, Precinct No. 4 Motion adopted.

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

BOND FORFEITURE RELEASES:

7. November 20, 2017. Moved by Clint C. Ives and seconded by Gary Burns, the Commissioners Court approved the release of the following bond forfeiture judgments from the Court:

- a. Cause No. CIV2-18463: The State of Texas vs. Bonifacio Gonzales, III, Defendant and Warren Alkek d/b/a A & A Bail Bonds, Surety.
- b. Cause No. CIV2-18460: The State of Texas vs. Bonifacio Gonzales, III, Defendant and Warren Alkek d/b/a A & A Bail Bonds, Surety.

- c. Cause No. CIV2-18188: The State of Texas vs. Roxaine Rodriguez, Defendant and Warren Alkek d/b/a A & A Bail Bonds, Surety.
- d. Cause No. CIV2-18187: The State of Texas vs. Roxaine Rodriguez, Defendant and Warren Alkek d/b/a A & A Bail Bonds, Surety.
- e. Cause No. CIV1-18195: The State of Texas vs. Gustavo Espinoza Tovar, Defendant and E.P. Salas and Ernest Guajardo as Sureties.
- f. Cause No. CIV1-18427: The State of Texas vs. Elias Israel Guajardo, Defendant and Warren Alkek d/b/a A & A Bail Bonds, Surety.
- g. Cause No. CIV1-18192: The State of Texas vs. Roberto Davila Luna, Defendant and Warren Alkek d/b/a A & A Bail Bonds, Surety.

Motion adopted.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Clint C Ives, Commissioner Pct 4
<b>SECONDER:</b>	Gary Burns, Commissioner Pct 3
<b>AYES:</b>	Zeller, Garcia, Janak, Burns, Ives

INTERIM VENDOR PAYMENTS - ACH REPORT - CITIZENS MEDICAL CENTER

8. November 20, 2017. Moved by Gary Burns and seconded by Danny Garcia, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated November 16, 2017, in the amount of \$985,605.84 and the ACH report dated November 16, 2017, in the amount of \$2,160,704.62.

Motion adopted.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Gary Burns, Commissioner Pct 3
<b>SECONDER:</b>	Danny Garcia, Commissioner Pct 1
<b>AYES:</b>	Zeller, Garcia, Janak, Burns, Ives

AGREEMENT - FLEETCOR TECHNOLOGIES (DBA FUEL MAN) - VICTORIA COUNTY:

9. November 20, 2017. Chief Roy Boyd and Brandy Jones with the Victoria County Sheriff's Department provided information to the Court. Moved by Gary Burns and seconded by Clint C. Ives, the Commissioners Court approved the agreement with Fleetcor Technologies (dba FuelMan) and Victoria County. Motion adopted.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Gary Burns, Commissioner Pct 3
<b>SECONDER:</b>	Clint C Ives, Commissioner Pct 4
<b>AYES:</b>	Zeller, Garcia, Janak, Burns, Ives

RECEIVE - FULLY EXECUTED - AGREEMENT - VICTORIA INDEPENDENT SCHOOL DISTRICT - VICTORIA COUNTY PUBLIC HEALTH DEPARTMENT:

10a. November 20, 2017. Derrick Neal, Public Health Department Director, provided information to the Court. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court received the fully executed agreement with the Victoria Independent School District and Victoria County Public Health Department. Motion adopted. All per agreement as filed in the minutes of this Court.

<b>RESULT:</b>	<b>RECEIVED [UNANIMOUS]</b>
<b>MOVER:</b>	Danny Garcia, Commissioner Pct 1
<b>SECONDER:</b>	Gary Burns, Commissioner Pct 3
<b>AYES:</b>	Zeller, Garcia, Janak, Burns, Ives

RECEIVE - FULLY EXECUTED - AGREEMENT - SOUTH TEXAS ASSESSMENT AND REFERRAL SERVICES - VICTORIA COUNTY PUBLIC HEALTH DEPARTMENT:

10b. November 20, 2017. Derrick Neal, Public Health Department Director, provided information to the Court. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court received the fully executed agreement with the South Texas Assessment and Referral Services and Victoria County Public Health Department. Motion adopted. All per agreement as filed in the minutes of this Court.

<b>RESULT:</b>	<b>RECEIVED [UNANIMOUS]</b>
<b>MOVER:</b>	Danny Garcia, Commissioner Pct 1
<b>SECONDER:</b>	Gary Burns, Commissioner Pct 3
<b>AYES:</b>	Zeller, Garcia, Janak, Burns, Ives

AMENDMENT - CONTRACT NO. 5607-565-02 - HOUSING OPPORTUNITIES FOR PERSONS (HOPWA) WITH AIDS - VICTORIA COUNTY PUBLIC HEALTH DEPARTMENT:

10c. November 20, 2017. Derrick Neal, Public Health Department Director, provided information to the Court. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the amendment to Housing Opportunities for Persons (HOPWA) with Aids Contract No. 5607-565-02. Motion adopted.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Danny Garcia, Commissioner Pct 1
<b>SECONDER:</b>	Gary Burns, Commissioner Pct 3
<b>AYES:</b>	Zeller, Garcia, Janak, Burns, Ives

AMENDMENT - GRANT CONTRACT NO. 5608-565-03-S - RYAN WHITE SERVICE DELIVERY SUPPLEMENTAL - VICTORIA COUNTY PUBLIC HEALTH DEPARTMENT:

10d. November 20, 2017. Derrick Neal, Public Health Department Director, provided information to the Court. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the amendment to the Ryan White Service Delivery Supplemental Grant Contract No. 5608-565-03-S. Motion adopted.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Danny Garcia, Commissioner Pct 1
<b>SECONDER:</b>	Gary Burns, Commissioner Pct 3
<b>AYES:</b>	Zeller, Garcia, Janak, Burns, Ives

CONTRACT - TUBERCULOSIS PREVENTION - CONTROL-FEDERAL GRANT PROGRAM (TB/PC) NO. HHS000036000017 - VICTORIA COUNTY PUBLIC HEALTH DEPARTMENT:

10e. November 20, 2017. Derrick Neal, Public Health Department Director, provided information to the Court. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the contract for the Tuberculosis Prevention and Control-Federal Grant Program (TB/PC) No. HHS000036000017. Motion adopted.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Danny Garcia, Commissioner Pct 1
<b>SECONDER:</b>	Gary Burns, Commissioner Pct 3
<b>AYES:</b>	Zeller, Garcia, Janak, Burns, Ives

CANVASS - ELECTION - NOVEMBER 7, 2017 - CONSTITUTIONAL AMENDMENT - VICTORIA COUNTY ELECTIONS OFFICE:

11. November 20, 2017. Vicki Vogel, Elections Administrator, Kayla Vasquez, Deputy Elections Administrator and County Judge Zeller provided the Court with information. Moved by Kevin M. Janak and seconded by Clint C. Ives, the Commissioners Court canvassed the November 7, 2017 Constitutional Amendment Election. Motion adopted.

<b>RESULT:</b>	<b>CANVASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Kevin M Janak, Commissioner Pct 2
<b>SECONDER:</b>	Clint C Ives, Commissioner Pct 4
<b>AYES:</b>	Zeller, Garcia, Janak, Burns, Ives

RECEIVE - NOTICE OF AWARD - FY 17 - EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) - TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT (TDEM) GRANT NO. 17TX-EMPG-0605 - VICTORIA COUNTY:

12. November 20, 2017. Judge Zeller provided information to the Court. Moved by

Danny Garcia and seconded by Clint C. Ives, the Commissioners Court received the Notice of Award of FY17 Emergency Management Performance Grant (EMPG) Award from the Texas Department of Emergency Management (TDEM) Grant No. 17TX-EMPG-0605. Motion adopted.

<b>RESULT:</b>	<b>RECEIVED [UNANIMOUS]</b>
<b>MOVER:</b>	Danny Garcia, Commissioner Pct 1
<b>SECONDER:</b>	Clint C Ives, Commissioner Pct 4
<b>AYES:</b>	Zeller, Garcia, Janak, Burns, Ives

ORDER - RATIFYING PURCHASE - CERTIFICATE OF DEPOSITS - VICTORIA COUNTY:

13. November 20, 2017. Sean Kennedy, County Treasurer, provided the Court with information. Moved by Kevin M. Janak and seconded by Danny Garcia, the Commissioners Court approved the order ratifying purchase of Certificate of Deposits. Motion adopted.

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

RESOLUTION - APPROVING TERMS AND CONDITIONS - INTERLOCAL AGREEMENT - REGION 4 EDUCATION SERVICE CENTER - VICTORIA COUNTY:

14. November 20, 2017. Moved by Kevin M. Janak and seconded by Clint C. Ives, the Commissioners Court approved the Resolution approving the terms and conditions of an Interlocal Agreement between Region 4 Education Service Center and Victoria County. Motion adopted.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Kevin M Janak, Commissioner Pct 2
<b>SECONDER:</b>	Clint C Ives, Commissioner Pct 4
<b>AYES:</b>	Zeller, Garcia, Janak, Burns, Ives

INTERLOCAL COOPERATION AGREEMENT - PROVISION OF MENTAL HEALTH PEACE OFFICER SERVICES - GULF BEND CENTER - VICTORIA COUNTY:

15. November 20, 2017. Chief Roy Boyd provided the Court with information. Moved by Gary Burns and seconded by Clint C. Ives, the Commissioners Court approved the Interlocal Cooperation Agreement between Victoria County and Gulf Bend Center for the provision of mental health peace officer services. Motion adopted.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Gary Burns, Commissioner Pct 3
<b>SECONDER:</b>	Clint C Ives, Commissioner Pct 4
<b>AYES:</b>	Zeller, Garcia, Janak, Burns, Ives

RESOLUTION - LOCAL GOVERNMENT CODE §81.032 - DONATIONS - PATRIOT PARK - PRECINCT NO. 3 - VICTORIA COUNTY:

16. November 20, 2017. Commissioner Gary Burns provided information to the Court. Moved by Gary Burns and seconded by Clint C. Ives, pursuant to Local Government Code §81.032, the Commissioners Court received donations to be utilized for and dedicated to Patriot Park from the following:

<u>NAME</u>	<u>AMOUNT</u>
Don E. Kolesar, Jr.	\$ 50.00
Judy Clegg	\$ 100.00
Richard Wooten	\$ 200.00
Nora Kucera	\$ 50.00
John Baylor	\$ 60.00

Motion adopted. All per resolution as filed in the minutes of this Court.

<b>RESULT:</b>	<b>RECEIVED [UNANIMOUS]</b>
<b>MOVER:</b>	Gary Burns, Commissioner Pct 3
<b>SECONDER:</b>	Clint C Ives, Commissioner Pct 4
<b>AYES:</b>	Zeller, Garcia, Janak, Burns, Ives

BUDGET AMENDMENTS:

17. November 20, 2017. Moved by Clint C. Ives and seconded by Gary Burns, 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. Emergency Management, Expenditures - Line item transfer
- d. Road & Bridge, Precinct No. 2, Revenues & Expenditures - Line item transfer
- e. Road & Bridge, Precinct No. 3, Revenues & Expenditures - Line item transfer
- f. Road & Bridge, Precinct No. 4, Revenues & Expenditures - Increase

Motion adopted.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Clint C Ives, Commissioner Pct 4
<b>SECONDER:</b>	Gary Burns, Commissioner Pct 3
<b>AYES:</b>	Zeller, Garcia, Janak, Burns, Ives

- a. General Fund, Various Dept., Expenditures
- b. General Fund, Sheriff's Office, Expenditures
- c. Emergency Management, Expenditures
- d. Road & Bridge, Pct. #2, Revenues & Expenditures
- e. Road & Bridge, Pct. #3, Revenues & Expenditures
- f. Road & Bridge Pct. #4, Revenues & Expenditures

RECEIVE FOR RECORD - BUDGET AMENDMENT - 2017 DISCRETIONARY FUND - CDA CONTRABAND FORFEITURE FUND - VICTORIA COUNTY:

18. November 20, 2017. Moved by Clint C. Ives and seconded by Gary Burns, the Commissioners Court received for the record the 2017 Discretionary Fund Budget Amendment for CDA Contraband Forfeiture Fund. Motion adopted.

<b>RESULT:</b>	<b>RECEIVED [UNANIMOUS]</b>
<b>MOVER:</b>	Clint C Ives, Commissioner Pct 4
<b>SECONDER:</b>	Gary Burns, Commissioner Pct 3
<b>AYES:</b>	Zeller, Garcia, Janak, Burns, Ives

PERSONNEL:

19. November 20, 2017. Moved by Clint C. Ives and seconded by Gary Burns, 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. Resignation of Quintin Moses, Sergeant, with 80.0 PTO and 235.28 Compensatory hours due, effective December 8, 2017.
  2. Retirement of Gary Lytle, Lieutenant, Enforcement, effective December 31, 2017.
  3. Retirement of Armando Daniel, Courts/Extradition, effective January 31, 2018.
  4. VCSO Salary Adjustment Certification for Ronald Clinton, to be paid Advanced Certificate Pay \$46.15 per pay period, effective December 1, 2017. Certification date for Ronald Clinton is October 21, 2017. Budget Coding: Enforcement Certificate Pay 100-563-1137.
  5. VCSO Salary Adjustment Certification for Daniel Boots, to be paid Master Certificate Pay \$69.23 per pay period, effective December 1, 2017. Certification date for Daniel Boots is August 8, 2017. Budget Coding: Enforcement Certificate Pay 100-563-1137.
  6. VCSO Salary Adjustment Certification for Francisco Gonzales, to be paid Advanced Certificate Pay \$46.15 per pay period, effective December 1, 2017. Certification date for Francisco Gonzales is October 30, 2017. Budget Coding: Detention Certificate Pay 100-565-1114.
- b. Joyce Dean, Administrative Services Director - Administrative Services:
  1. Resignation of Alicia Zapata, Asst. Chief Clerk, with 38.45 PTO and 3.75 Compensatory hours due, effective November 15, 2017.



- c. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
  - 1. Employment of Johnny Ray Polk, Extra Help, at a rate of \$13.20 per hour, Budget Code 100-573-1130, effective November 20, 2017.
  - 2. Employment of Tyera Lewis, Extra Help, at a rate of \$13.20 per hour, Budget Code 100-573-1130, effective November 20, 2017.
  - 3. Dismissal of Aaron Carroll, Supervision Officer, effective November 6, 2017.
  - 4. Dismissal of Samuel Escobar, Extra Help, effective November 13, 2017.
  - 5. TJJJD Salary Adjustment Certification for Jaquiesha Barefield, Juvenile Detention Officer (JSO), to be paid \$46.42 per pay period, effective November 3, 2017. Certification date for Jaquiesha Barefield is October 27, 2017. Budget Coding: Post-Adj Secure (JSO) 231-578-1135.
- d. Derrick Neal, Public Health Director - Victoria County Public Health Department:
  - 1. Position change (GL Code) for Samantha Friar, Program Administrator, at a rate of \$21.00 per hour, from Budget Code 800-674-1102 (60%), 800-663-1102 (40%) to Budget Code 800-674-1102 (60%), 800-662-1102 (40%), effective November 11, 2017 at 12:00 a.m.
  - 2. Position change (GL Code) for Derrick Neal, Director, at a rate of \$48.08 per hour, from Budget Code 800-631-1140 (87.11%) \$41.88, 800-643-1140 (4.99%) \$2.40, 800-684-1140 (7.90%) \$3.80 to Budget Code 800-631-1140 (87.11%) \$41.88, 800-643-1140 (4.99%) \$2.40, 800-668-1140 (7.90%) \$3.80, effective November 11, 2017. Other Remarks: cell phone allowance 800-631-1139; auto allowance \$207.69 802-631-1135.
- e. Stephen B. Tyler, Criminal District Attorney - District Attorney's Office:
  - 1. Longevity pay for Jacquelyn Johnson, GL Code 100-475-1135, to be paid in the amount of \$147.76 on November 17, 2017 and in the amount of \$36.92 thereafter. Remarks: Jacquelyn Johnson qualifies for longevity pay of \$147.76 on 11/17/2017 and then \$36.92 thereafter.
- f. Vicki Vogel, Elections Administrator - Elections:
  - 1. Request to pay overtime (if any) for hours worked in the November 7, 2017 Joint General Election from the Victoria County General Fund 100-490-1120 for John Sestak, Clint Chovanec, David Solis, Brad McFarlane, Lorenzo Mata, Matt Schneider, Raul Villalobos, John Williams and Shauna Burger.

Motion adopted.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Clint C Ives, Commissioner Pct 4
<b>SECONDER:</b>	Gary Burns, Commissioner Pct 3
<b>AYES:</b>	Zeller, Garcia, Janak, Burns, Ives

DISCUSSION - POTENTIAL ACTION - BENEFICIAL LAND MANAGEMENT, L.L.C.'S APPLICATION - PRELIMINARY DECISION - TCEQ - LAND APPLICATION PERMIT OF SEWAGE SLUDGE RENEWAL - PERMIT NO. WQ0004666000 - VICTORIA COUNTY:

20. November 20, 2017. Passed. No discussion.

<b>RESULT:</b>	<b>NO ACTION TAKEN</b>
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DISCUSSION - POTENTIAL ACTION - SOLID WASTE ORDINANCE - PROPOSED - NOTICE OF HEARING - VICTORIA COUNTY:

(21-48:19)

21. November 20, 2017. Passed. No discussion.

**RESULT: NO ACTION TAKEN**

CLOSED MEETING:

22. November 20, 2017. Passed. No discussion.

**RESULT: NO ACTION TAKEN**

OPEN MEETING:

23. November 20, 2017. Passed. No discussion.

**RESULT: NO ACTION TAKEN**

ADJOURN:

24. November 20, 2017. The Commissioners Court adjourned the meeting of November 20, 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	Present	
Gary Burns	Commissioner Pct 3	Present	
Clint C Ives	Commissioner Pct 4	Present	