

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **1st day of March A.D., 2021**, 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	Absent
Gary Burns,	Commissioner Precinct No. 3	
Clint C. Ives,	Commissioner Precinct No. 4	
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, March 1, 2021, 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. March 1, 2021. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, March 1, 2021 at 10:00 a.m.

2. Invocation and Pledges

(2-0:07)

2. March 1, 2021 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.

(3-01:16)

3. March 1, 2021. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

David Gonzales, Public Health Director, updated the Court on the COVID-19 vaccine clinic last week and the waitlist. Matt Schneider, IT, stated that there were a few glitches, but, all went well. Mr. Gonzales went on to answer the Court's questions. John Sestak, IT Department, complimented Mr. Schneider on working hand in hand with the City of Victoria's IT Department and others in order to get the sign up and waitlist running as smooth as possible.

Rick McBrayer, Emergency Management Coordinator, addressed the Court on last week's Hazmat spill.

John Hammack- Former Precinct 3 County Commissioner, addressed the Court on an article that was in the paper about state government and their actions involving county government. The Court then held a brief discussion.

Commissioner Danny Garcia, stated that the Victoria Livestock Show Auction is tonight and will be held online. Heidi Easley, County Clerk, talked about the auction being both in person and online, including where to find the link and additional information. Commissioner Garcia, referenced back to the article Mr. Hammack talked about and wanted to invite our state legislators to address the Court and asked for Mr. Bill Pozzi, Republican Chair, to help. Judge Zeller commented on the situation.

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

4. Consider approval of minutes and take appropriate action.

(4-29:32)

4. March 1, 2021 Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the minutes of the commissioners Court meeting held on February 22, 2021. Motion adopted.

5. Consider approval of accounts payable for Victoria County and take appropriate action.

(5-29:44)

5. March 1, 2021. 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	3/1/2021	\$ 381,878.17
Supplemental Accounts	2/12/2021 – 2/25/2021	\$ 196,338.15

Motion adopted.

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

(6-30:13)

6. March 1, 2021. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the monthly reports from the Sheriff and Justice of the Peace, Precinct No. 1. Motion adopted.

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

(7-30:29)

7. March 1, 2021 None. No Action taken.

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

(8-30:38)

8. March 1, 2021. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the payroll, accounts payable, personnel changes, and interim vendor payments for Citizens Medical Center dated February 25, 2021 in the amount of \$317,170.91 and the ACH report dated February 25, 2021 in the amount of \$2,983,070.08. Motion adopted.

9. Consider approval and authorization of payment for hours worked related to Winter Storm Uri and Viola and take any action deemed necessary.

(9-31:32)

9. March 1, 2021. A discussion was held in regards to Winter Storm Uri and Viola. Commissioner Clint Ives and Heidi Easley, County Clerk inquired how the authorization of payment due to the winter storm will work for those employees that were not able to stay home. Judge Ben Zeller along with Rick McBrayer, Emergency Management Coordinator and Becky Smiley, Auditor Office provided the court with answers. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved and authorized the payment for hours worked related to Winter Storm Uri and Viola. Motion adopted.

10. Discuss Victoria County Airport building damages and emergency remediation services needed related to Winter Storm Uri and Viola and take any action deemed

necessary.

(10-41:12)

10. March 1, 2021 Faye Turner, Victoria Regional Airport and Sara Hamman, Administrative Services addressed the Court on the Victoria County Airport building damages and emergency remediation services needed related to Winter Storm Uri and Viola. Kelly Hubert, Maintenance Director, addressed the Court on the winter storm prep and stated there was no significant damage. Judge Ben Zeller thanked them for the update. No Action Taken.

11. Receive Racial Profiling Report for 2020 from the Victoria County Constable Precinct #3 and take appropriate action.

(11-49:51)

11. March 1, 2021 Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court received the Racial Profiling Report for 2020 from the Victoria County Constable Precinct #3. Motion adopted.

12. Receive Racial Profiling Report for 2020 from the Victoria County Sheriff's Office and take appropriate action.

(12-50:24)

12. March 1, 2021 Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court received the Racial Profiling Report for 2020 from the Victoria County Sheriff's Office. Motion adopted.

13. Receive for the record fully executed Depository Contract Extension with Prosperity Bank and take appropriate action.

(13-51:46)

13. March 1, 2021 Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved for the record the fully executed Depository Contract Extension with Prosperity Bank. Sean Kennedy, Treasurer, thanked Prosperity Bank and John Zacak, President of Prosperity Bank. Motion adopted.

14. Consider approval of Citizens Medical Center Emergency Department Expansion & Renovation AIA Document G702 Application for Payment #4 and take appropriate action.

(14-52:18)

14. March 1, 2021 Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved Citizens Medical Center Emergency Department Expansion & Renovation AIA Document G702 Application for Payment #4. Motion adopted.

15. Consider approval of request for plat exemption from John Ellsworth at 12193 State Highway 185 in Precinct #1 and take appropriate action.

(15-52:47)

15. March 1, 2021. John Johnston, County Engineer, briefed the court on the plat exemption request from John and Debra Ellsworth. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the request for plat exemption from John Ellsworth at 12193 State Highway 185 in Precinct #1. Motion adopted.

16. Ratify 2019 Homeland Security Grant Program (HSGP) Operation Stonegarden Grant Program (OSGP) Budget Adjustment, Grant Number: 3186205 and take

appropriate action.

(16-53:57)

16. March 1, 2021. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court ratified the 2019 Homeland Security Grant Program (HSGP) Operation Stonegarden Grant Program (OSGP) Budget Adjustment, Grant Number: 3186205. Motion adopted.

17. Consider approval of Modernization Proposal from Thyssenkrupp Elevator Corporation in connection to the RDRRC Freight Elevator Renovation and take appropriate action.

(17-54:37)

17. March 1, 2021 John Johnston, County Engineer, provided information on the Thyssenkrupp (TK) proposal. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the Modernization Proposal from Thyssenkrupp Elevator Corporation in connection to the RDRRC Freight Elevator Renovation. Motion adopted.

18. Consider approval and authorization of payment for Request for Payment #2020-2-968677 to Thyssenkrupp Elevator Corporation in connection to the RDRRC Freight Elevator Renovation and take appropriate action.

(18-58:00)

18. March 1, 2021. John Johnston, County Engineer, spoke to the Court in regards to payment towards the elevator renovation. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved and authorized payment for Request for Payment #2020-2-968677 to Thyssenkrupp Elevator Corporation in connection to the RDRRC Freight Elevator Renovation. Motion adopted.

19. Consider approval of the following resolutions for road donations in PCT #1 and take appropriate actions:

(19-58:51)

19. March 1, 2021 Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the following resolutions for road donations in PCT #1:

- a. Resolution No. 2021-0022 donation from Jesse M. Garcia for installation of a driveway and pipe culvert to improve drainage at Gonzales Lane & Williams St., Placedo, Texas 77977 in the amount of \$668.20.
- b. Resolution No. 2021-0023 donation from David Juenke for installation of a driveway and pipe culvert to improve drainage at 6619 Hanselman Road, Victoria, Texas 77901 in the amount of \$677.30.
- c. Resolution No. 2021-0024 donation from Bernabe Ortiz for installation of a driveway and pipe culvert to improve drainage at Houston St., Placedo, Texas 77977 in the amount of \$239.65.

Motion adopted.

20. Consider approval of the following items for PCT #4 and take appropriate actions:

(20-1:00:38)

20. March 1, 2021. Commissioner Clint Ives spoke in regards to item “C” and working with Mr. Daniel Witte. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved the following items for PCT #4:

- a. Resolution No. 2021-0020 road donation from Muniz Cattle & Ranch L.L.C. for installation of a driveway and pipe culvert to improve drainage at 280 Hambleton Road, Victoria, Texas 77905 in the amount of \$750.00.
- b. Resolution No. 2021-0021 road donation from Bubba Leita for installation of a driveway and pipe culvert to improve drainage at 1422 Johnson Road, Victoria, Texas 77905 in the amount of \$2,130.00.
- c. Receive letter of permission to enter and work on private property of Daniel Witte located at 1235 LaSalle Road, Inez, Texas 77968 for purpose of cleaning ditches and underbrush for drainage improvement.

Motion Adopted

21. Receive for the record 2021 Discretionary Funds Budget Amendment for CDA Contraband Forfeiture Fund and take appropriate action.

(21-1:02:19)

21. March 1, 2021 Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court received for the record 2021 Discretionary Funds Budget Amendment for CDA Contraband Forfeiture Fund as an increase. Motion adopted.

22. Consider approval of the following 2021 Budget Amendments and take appropriate actions:

(22-1:02:49)

22. March 1, 2021 Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the following 2021 Budget Amendments:

- a. General Fund/Various Departments, Expenditures- Line Item Transfer
- b. General Fund/Sheriff's Office, Expenditures- Line Item Transfer

Motion adopted.

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

(23-1:03:12)

23. March 1, 2021 Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

a. Justin Marr, Sheriff- Sheriff's Office:

1. VCSO Salary Adjustment Certification for Scott Townsend, to be paid Master Certificate Pay of \$69.23 per pay period, effective March 5, 2021. Certification date for Scott Townsend is January 26, 2021. Budget Coding: Detention Certificate Pay 100-565-1137.

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2. VCSO Salary Adjustment Certification for Brandy Harrold, to be paid Intermediate Certificate Pay of \$23.08 per pay period, effective March 5, 2021.

Certification date for Brandy Harrold is January 7, 2021. Budget Coding: Enforcement/CID Certificate Pay 100-563-1137.

3. VCSO Salary Adjustment Certification for Wendy Salas, to be paid Advanced Certificate Pay of \$46.15 per pay period, effective March 5, 2021. Certification date for Wendy Salas is October 11, 2020. Budget Coding: Enforcement/CID Certificate Pay 100-563-1137.

b. Pama Hencerling, Chief Probation Officer - Juvenile Detention:

1. Dismissal of Aaron Peter Glynn, Supervision Officer, with 0 PTO and 50.63 Compensatory hours due, Effective February 23, 2021.

Motion adopted.

24. Adjourn

(24-1:03:31)

24. March 1, 2021. The Commissioners Court adjourned the meeting of March 1, 2021.