

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **8th day of March A.D., 2021**, the Commissioners Court convened in **Regular 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

and the following orders were passed:



COUNTY OF VICTORIA

MINUTES

COMMISSIONERS' COURT OF VICTORIA COUNTY, TEXAS

Monday, March 8, 2021, 10:00 AM, REGULAR TERM

VICTORIA COUNTY COURTHOUSE

115 N. BRIDGE ST., ROOM 241, SECOND FLOOR, VICTORIA, TX

1. Call to Order.

(1-0:38)

1. March 8, 2021. Ben Zeller, County Judge, called to order the Commissioners Court Regular Term for Monday, March 8, 2021 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:47)

2. March 8, 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.

(3-1:27)

3. March 8, 2021. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda..

County Judge Zeller spoke in regards to the passing of Mayor Rawley McCoy and held a moment of silence in his honor.

Public Health Director David Gonzales updated the Court on the COVID-19 vaccine clinic last week and provided information on this week's clinics and answered the Court's questions.

Rick McBrayer, Emergency Management Coordinator, stated help is needed for the COVID-19 hotline if any County staff is available to help. Mr. McBrayer also updated the Court on the progress of the Hazmat on dry creek.

Judge Zeller acknowledged the Victoria County IT Department for their effort on providing services to Victoria County.

John Johnston, County Engineer, announced to the Court that Juan Briones with the Victoria County Environmental Services Department passed his certified floodplain managers test and is now a Certified Floodplain Manager.

Michael Vonderau, Citizen, thanked the Victoria Fire Department for giving the COVID-19 vaccines on the weekend and thanked the Victoria Police Department for handling a situation at the East North Mobile Home Park.

Bill Pozzi, Republican Chair, stated that the deadline to register to vote is on April 1, 2021 and there will be an election on May 1, 2021 for the school bond, school board and City elections.

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

4. Consider approval of minutes and take appropriate action.

(4-15:39)

4. March 8, 2021. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the minutes of the Commissioners Court meeting held on March 1, 2021. Motion adopted.

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

(5-16:02)

5. March 8, 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	3/8/2021	\$361,892.02
Supplemental Accounts	2/26/2021 – 3/4/2021	\$37,272.35

Motion adopted.

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

(6-16:33)

6. March 8, 2021. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the monthly reports from the County Treasurer; District Clerk; County Clerk; Criminal District Attorney; County Auditor; Justices of the Peace, Precincts Nos. 2-4; and Constable, Precinct No. 3. Motion adopted.

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

(7-17:07)

7. March 8, 2021. None. No action taken.

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

(8-17:13)

8. March 8, 2021. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated March 4, 2021 in the amount of \$630,673.07 and the ACH report dated March 4, 2021 in the amount of \$2,587,850.83. Motion adopted.

9. Consider Resolution 2021-0026 opposing unfunded mandates in the State of Texas and take appropriate action.

(9-18:23)

9. March 8, 2021. County Judge Zeller read the Resolution and answered Commissioner Garcia's question regarding an example of an unfunded mandate. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved Resolution 2021-0026 opposing unfunded mandates in the State of Texas. Motion adopted.

10. Hear status reports on Hurricane Harvey Community Development Block Grant-Disaster Relief (CDBG-DR) Projects and take any action necessary.

(10-29:04)

10. March 8, 2021. Robin Knipling, Grant Administrator, provided an update to the Court and answered the Court's questions regarding the Hurricane Harvey Community Development Block Grant-Disaster Relief (CDBG-DR) Projects including the following contracts:

- a. Infrastructure Program Contract No. 20-065-094-C262
- b. Local Acquisition and Buyout Program Contract No. 20-066-004-C033

Commissioner Ives, Commissioner Janak, and Commissioner Burns provided information to the Court. No action taken.

11. Consider and approve Hurricane Harvey Community Development Block Grant-Disaster Relief (CDBG-DR) Infrastructure Amendment Request, Contract No. 20-065-094-C262 and take appropriate action.

(11-44:58)

11. March 8, 2021. Passed. No action taken.

12. Consider approval of 2021 High Intensity Drug Trafficking Areas (HIDTA) Grant Award and take appropriate action.

(12-47:29)

12. March 8, 2021. Grant Administrator Robin Knipling explained the HIDTA Grant to the Court. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the 2021 High Intensity Drug Trafficking Areas (HIDTA) Grant Award, Grant No. G21HN0020A in the amount of \$129,500.00. Motion adopted.

13. Receive Fully Executed Engineering Services Agreement for the TXDOT Rider 45 Road Improvement Project and take appropriate action.

(13-48:15)

13. March 8, 2021. John Johnston, County Engineer, provided information to the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court received the fully executed Professional Engineering Services Agreement for the TXDOT Rider 45 Road Improvements Project to McCoy and Bayer Road in Victoria, County, Texas. Motion adopted.

14. Consider approval and authorize the County Judge to execute the Interlocal Agreement between Victoria County and the Victoria County Navigation District for the TXDOT Rider 45 Road Improvement Project and take appropriate action.

(14-49:58)

14. March 8, 2021. County Engineer John Johnston and Commissioner Garcia provided information to the Court. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved and authorized the County Judge to execute the Interlocal Agreement between Victoria County and the Victoria County Navigation District for the TXDOT Rider 45 Road Improvement Project. Motion adopted.

- 15. Consider approval and authorize the County Judge to execute the Public Highway At-Grade Crossing Agreement for McCoy Road with Union Pacific Railroad, Victoria County and the Victoria County Navigation District related to the TXDOT Rider 45 Road Improvement Project and take appropriate action.**

(15-54:58)

15. March 8, 2021. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court approved and authorized the County Judge to execute the Public Highway At-Grade Crossing Agreement with McCoy Road with Union Pacific Railroad, Victoria County and the Victoria County Navigation District related to the TXDOT Rider 45 Road Improvement Project. Motion adopted.

- 16. Consider approval of Resolution 2021-0025 for road donation from Sam Neil for installation of a driveway and pipe culvert to improve drainage at 395 Wischkaemper Rd in PCT 4 and take appropriate action.**

(16-55:51)

16. March 8, 2021. Moved by Clint Ives and seconded by Kevin Janak, the Commissioners Court received Resolution No. 2021-0025 donation from Sam Neil of 395 Wischkaemper Road, Victoria, Texas, in Precinct No. 4, in the amount of \$650.00 for installation of a driveway and pipe culvert to improve drainage. Motion adopted. All per resolution as filed in the minutes of this Court.

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

(17-56:14)

17. March 8, 2021. Public Health Director David Gonzales provided the Court with information. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the following items for the Victoria County Public Health Department:

- a. Contract No. 3572084 with LAMAR for advertising for health related items listed in the 20/21 Texas Health Communities Grant
- b. Memorandum of Understanding with Parents as Teachers National Center
- c. Contract amendment for the Ryan White Service Delivery CARES Grant, Contract No. 5608/3-565-02C for April 1, 2020 through March 31, 2021
- d. Contract amendment for the Ryan White Service Delivery Grant, Contract No. 5608/4-565-03 for April 1, 2020 through March 31, 2021
- e. Contract amendment for the State Services-R Grant, Contract No. 5608/SR2-565-03 for April 1, 2020 through March 31, 2021

Motion adopted.

- 18. Receive Racial Profiling Report for 2020 from the Victoria County Constable Precinct #1 and take appropriate action.**

(18-58:36)

18. March 8, 2021. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court received the Racial Profiling Report for 2020 from the Victoria County Constable, Precinct No. 1. Motion adopted.

- 19. Receive fully executed memorandum of understanding between the City of Victoria, County of Victoria, Victoria County Navigation District, Victoria Regional Airport and City of Victoria Sales Tax Development Corporation and take appropriate action.**

(19-59:10)

19. March 8, 2021. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court received the fully executed Memorandum of Understanding between the City of Victoria, County of Victoria, Victoria County Navigation District, Victoria Regional Airport, and City of Victoria Sales Tax Development Corporation. Motion adopted.

- 20. Consider approval of the following 2021 Budget Amendments and take appropriate actions:**

(20-1:00:34)

20. March 8, 2021. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved the 2021 budget amendments for:

- a. General Fund, Various Departments, Revenues and Expenditures - Increase
- b. County Specialty Court Fund, Revenues and Expenditures – Line item transfer
- c. Leose Fund, Revenues and Expenditures – Line item transfer

Motion adopted.

- 21. Consider approval of personnel changes and take appropriate action.**

(21-1:00:58)

21. March 8, 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 Melissa Garcia to be paid Intermediate Certificate Pay of \$23.08 per pay period, effective March 19, 2021. Certification date for Melissa Garcia is January 7, 2021. Budget Coding: Detention Certificate Pay 100-565-1137. Remarks: Melissa Garcia received her Intermediate Cert. on Jan 7, 2021. The Certification begins with 3/19/21 PR. One pymt of \$92.32 should be paid on 3/19/21 and \$23.08 thereafter.
 - 2. VCSO Salary Adjustment Certification for Walker Baylor to be paid Intermediate Certificate Pay of \$23.08 per pay period, effective March 19, 2021. Certification date for Walker Baylor is December 4, 2020. Budget Coding: Detention Certificate Pay 100-565-1137. Remarks: Walker Baylor received his Intermediate Cert. on Dec 4, 2020. The Certification began with 3/19/21 PR. One payment of \$161.56 should be paid on 3/19/21 and \$23.08 thereafter.
 - 3. Dismissal of Pedro Keller, Detention Deputy, with 80.0 PTO and 169.54 Compensatory hours due, effective March 3, 2021.
- b. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
 - 1. Resignation of William Fain Durham, Extra Help-PRN, effective March 1, 2021.

Motion adopted.

22. Adjourn

(22-1:01:27)

22. March 8, 2021. The Commissioners Court adjourned the meeting of March 8, 2021.