

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **5th day of April 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	Present until 10:48 a.m.
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, April 5, 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. April 5, 2021. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, April 5, 2021, at 10:00 a.m.

2. Invocation and Pledges.

(2-0:08)

2. April 5, 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.

(3-1:16)

3. April 5, 2021. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Public Health Director, David Gonzales, updated the Court on the recent and future COVID-19 vaccine distributions.

Judge Zeller stated there will be an Elections Commission meeting this Friday at 1:30 p.m. in the Commissioners Courtroom regarding rules and technicalities of poll watching. Judge Zeller also mentioned that the Texas Senate will be taking up in committee Senate Bill 10 in Austin on Tuesday.

Bill Pozzi, Republican Chair, mentioned he spoke with Legislatures and Representatives and stated they are tracking the big cities regarding Senate Bill 10.

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

4. Consider approval of minutes and take appropriate action.

(4-8:35)

4. April 5, 2021. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the minutes of the Commissioners Court meeting held on March 29, 2021. Motion adopted.

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

(5-9:02)

5. April 5, 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	4/5/2021	\$239,352.25
Supplemental Accounts	3/26/2021 – 3/31/2021	\$131,070.81

Motion adopted.

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

(6-9:38)

6. April 5, 2021. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the monthly reports from the County Treasurer; District Clerk; and Justice of the Peace, Precinct No. 4. Motion adopted.

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

(7-9:43)

7. April 5, 2021. None. No action taken.

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

(8-9:51)

8. April 5, 2021. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated April 1, 2021 in the amount of \$647,676.63 and the ACH report dated April 1, 2021 in the amount of \$1,764,963.99. Motion adopted.

9. Hear presentation from the Victoria County Sheriff related to human trafficking in the Crossroads, consider approval of Resolution 2021-0037 related to human trafficking awareness and take appropriate action.

(9-10:39)

9. April 5, 2021. Sheriff Justin Marr gave a presentation on human trafficking in the Crossroads. County Judge Zeller read the Resolution. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved Resolution No. 2021-0037 related to human trafficking awareness. Motion adopted.

10. Consider approval of the following items for the Public Health Department and take

appropriate actions:

**Receive fully executed Immunization/Locals Grant Contract HHS000119700011
Amendment No. 3.**

(10a-28:13)

10a. April 5, 2021. Public Health Director David Gonzales provided information to the Court. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court received the fully executed Immunization/Locals Grant Contract HHS000119700011 Amendment No. 3. Motion adopted.

Consider approval of the following items for the Public Health Department and take appropriate actions:

Renewal of CPS/Hazards Contract No. 537-18-0181-00001 Amendment No. 5.

(10b-28:13)

10b. April 5, 2021. Public Health Director David Gonzales provided information to the Court. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the renewal of CPS/Hazards Contract No. 537-18-0181-00001 Amendment No. 5. Motion adopted.

- 11. Consider approval of Letter of Support for Victoria Parks Coalition, Inc. to proceed with fundraising for playground equipment at Patriot Park in Precinct 3 and take appropriate action.**

(11-29:34)

11. April 5, 2021. Commissioner Burns provided information to the Court. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the letter of support for the Victoria Parks Coalition, Inc. to proceed with fundraising for playground equipment at Patriot Park in Precinct No. 3. Motion adopted.

- 12. Award bids for the following Victoria County Annual Road Material Contracts for all precincts and take appropriate action:**

Processed Base, Crushed Limestone Base, Portland Cement, Aggregate for Surface Treatment Type PB and Type PE

(12a-30:55)

12a. April 5, 2021. The Commissioners Court awarded the Victoria County annual road material contract bid for Processed Base, Crushed Limestone Base, Portland Cement, Aggregate for Surface Treatment Type PB and Type PE for all precincts effective April 1, 2021 as follows:

Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court awarded the Victoria County annual road material contract bid to Rexco, Inc. of Port Lavaca, Texas for Gravel Processed Flexible Base Type B, Grade 3 for all precincts effective April 1, 2021. Motion adopted. All per spreadsheet as filed in the minutes of this Court.

Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court awarded the Victoria County annual road material contract bid to Colorado Materials, Ltd. of San Marcos, Texas for Crushed Limestone Base Type A, Grade 4 for all precincts effective April 1, 2021. Motion adopted. All per spreadsheet as filed in the minutes of this Court.

Type II Portland Cement - No Bids.

After the Commissioners Court discussed the bid for Surface Treatment Aggregate Type PB, Grade 4, the Court passed on this road material at this time.

Moved by Clint Ives and seconded by Kevin Janak, the Commissioners Court awarded the Victoria County annual road material contract bid to Colorado Materials, Ltd. of San Marcos, Texas for Aggregate Type PE, Grade 4 for all precincts effective April 1, 2021. Motion adopted. All per spreadsheet as filed in the minutes of this Court.

Award bids for the following Victoria County Annual Road Material Contracts for all precincts and take appropriate action:

Cold Mix Limestone Rock Asphalt

(12b-30:55)

12b. April 5, 2021. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court awarded the Victoria County annual road material contract bid to Vulcan Materials Company of San Antonio, Texas for Cold Mix Limestone Rock Asphalt LRA, Type D and Type AA for all precincts effective April 1, 2021. Motion adopted. All per spreadsheet as filed in the minutes of this Court.

Award bids for the following Victoria County Annual Road Material Contracts for all precincts and take appropriate action:

Hot Mix Cold Laid Asphalt

(12c-30:55)

12c. April 5, 2021. Moved by Gary Burns and seconded Clint Ives, the Commissioners Court awarded the Victoria County annual road material contract bid to Quality Hot Mix, Inc. of El Campo, Texas for Hot Mix Cold Laid Asphalt Type D for all precincts effective April 1, 2021. Motion adopted. All per spreadsheet as filed in the minutes of this Court.

Award bids for the following Victoria County Annual Road Material Contracts for all precincts and take appropriate action:

Asphaltic Materials

(12d-30:55)

12d. April 5, 2021. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court awarded the Victoria County annual road material contract bids to Martin Asphalt Company of Houston, Texas for Asphalt, Type AC-15P, Type MC-30, Type CRS2-Emulsions, and Type CRS2-P Emulsions for all precincts effective April 1, 2021. Motion adopted. All per spreadsheet as filed in the minutes of this Court.

13. Ratify FY 21-22 Property Renewal Questionnaire in regards to Victoria County Property & Liability Insurance with Texas Association of Counties and take appropriate action.

(13-49:07)

13. April 5, 2021. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court ratified the FY 21-22 Property Renewal Questionnaire in regards to Victoria County Property and Liability Insurance with Texas Association of Counties. Motion adopted.

14. Receive 2021 First Quarter Plat Request Report from County Engineer and take

appropriate action.

(14-50:23)

14. April 5, 2021. County Engineer John Johnston provided information to the Court. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court received the 2021 First Quarter Plat Request Exemption Report from County Engineer John Johnston. Motion adopted.

- 15. Consider approval and authorization of payment for Invoice #927-003 to Rawley McCoy & Associates, PLLC for Professional Services in connection to the RDRRC Freight Elevator Renovation and take appropriate action.**

(15-51:18)

15. April 5, 2021. County Engineer John Johnston provided information to the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved and authorized the payment for Invoice No. 927-003 in the amount of \$2,230.25 to Rawley McCoy and Associates, PLLC for Professional Services in connection to the Victoria County Regional Disaster Response and Recovery Center Freight Elevator Renovation. Motion adopted.

- 16. Consider approval of ACH Processing Services Agreement with Accelerated Card Company, LLC DBA Certified Payments for collection of property tax payments and take appropriate action.**

(16-52:14)

16. April 5, 2021. County Tax Assessor Ashley Hernandez provided information to the Court. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the ACH Processing Services Agreement with Accelerated Card Company, LLC DBA Certified Payments for collection of property tax payments at the Victoria County Tax Assessor Collector's Office. Motion adopted.

- 17. Consider approval of contract for Psychoeducational/Counseling Services with Hope of South Texas, Inc./Hope Child Advocacy Center and take appropriate action.**

(17-55:18)

17. April 5, 2021. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the contract for Psychoeducational/Counseling Services with Hope of South Texas, Inc./Hope Child Advocacy Center. Motion adopted.

- 18. Consider approval of Resolution 2021-0036 for road donation in Precinct 4 from Walter Knezek for installation of driveway and pipe culvert to improve drainage at 405 Hill Rd, Victoria in the amount of \$810.00 and take appropriate action.**

(18-55:39)

18. April 5, 2021. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved Resolution No. 2021-0036 for road donation from Walter Knezek for installation of a driveway and pipe culvert to improve drainage at 405 Hill Road, Victoria, Texas, Precinct No. 4 in the amount of \$810.00. Motion adopted.

- 19. Consider approval of 2021 Budget Amendments and take appropriate actions:**

(19-56:14)

19. April 5, 2021. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the following 2021 Budget Amendments:

- a. General Fund, Sheriff's Office, Expenditures - Line item transfer
- b. Road and Bridge, Precinct No. 3, Expenditures - Line item transfer

Motion adopted.

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

(20-56:40)

20. April 5, 2021 Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
 - 1. TJJD Salary Adjustment Certification for Michael Porter to be paid Juvenile Detention Officer (JSO) of \$46.42 per pay period, effective April 1, 2021. Certification date for Michael Porter is March 16, 2021. Budget Coding: Post-Adj Secure (JSO) 231-578-1135. Remarks: Michael Porter became a certified JSO on 3/16/2021. The 2021 salary adjustment of \$46.42 should begin on pay date 4/1/2021. One payment of \$92.84 should be paid on 4/16/2021 and \$46.42 thereafter.
- b. Kelly Hubert/Danny Garcia, Facilities Manager/Commissioner, Precinct No. 1 – Facilities Management/Road and Bridge, Precinct No. 1:
 - 1. Salary and position change for Erick Ramos Flores, from Facilities Tech II, at a rate of \$20.00 per hour, Budget Code 100-510-1107 to Sr. Equipment Operator, at a rate of \$21.00 per hour, Budget Code 201-611-1108, effective April 10, 2021. Other Remarks: Transfer of Departments.
- c. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Resignation of Richard 'Scott' Barton, Sr. Patrol Deputy, with 80.0 PTO and 249.0 Compensatory hours due, effective April 6, 2021.
- d. David Gonzales, Public Health Director - Victoria County Public Health Department:
 - 1. Dismissal of James W. Peach, III, Shelter Care Tech, with 80.0 PTO and .03 Compensatory hours due, effective March 29, 2021.
 - 2. Salary change for Ashley Cano, Public Health Community Advocate, from a rate of \$18.00 per hour, Budget Code 800-675-1104 to a rate of \$19.00 per hour, effective March 27, 2021. Other Remarks: Cell phone allowance remains the same.

Motion adopted.

21. Closed meeting pursuant to V.T.C.A. Government Code §551.072 to discuss real property to purchase a portion of Lots 1 and 4, Block 143, The Original Townsite of Victoria, Victoria Texas.

(21-57:22)

21. April 5, 2021. The Commissioners Court went into closed session at 10:58 a.m., pursuant to V.T.C.A. Government Code §551.072 to discuss real property to purchase a portion of Lot 1 and 4 Block 143, The Original Townsite of Victoria, Victoria, Texas.

22. Pursuant to V.T.C.A. Government Code §551.102, return to open meeting and take any action deemed necessary purchase a portion of Lots 1 and 4, Block 143, The Original Townsite of Victoria, Victoria Texas.

(22-1:31:41)

22. April 5, 2021. The Commissioners Court returned to open meeting at 11:32 a.m. pursuant to V.T.C.A. Government Code §551.102. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved to authorize the County Judge to sign the Earnest Money Contract to purchase a portion of Lots 1 and 4, Block 143, The Original Townsite of Victoria, Victoria, Texas and authorize the County Auditor to issue an earnest money check in the amount of \$5,000.00 to Cullen, Carsner, Seerden and Cullen Trust Account. Motion adopted. County Judge Zeller, Commissioner Burns, and Commissioner Ives voted aye. Commissioner Kevin Janak abstained. Commissioner Garcia was absent.

23. Adjourn

(23-1:33:12)

23. April 5, 2021. The Commissioners Court adjourned the meeting of April 5, 2021.