

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **4th day of January A.D., 2021**, the Commissioners Court convened in **Special Session** at the Victoria County Courthouse, 115 N. Bridge Street, Room 241, 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, January 4, 2021, 10:00 AM, SPECIAL TERM
VICTORIA COUNTY COURTHOUSE
115 N. BRIDGE ST., ROOM 241, VICTORIA, TX**

1. Call to Order

January 4, 2021. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, January 4, 2021, at 10:00 AM.

2. Invocation and Pledges

January 4, 2021. Judge Ben Zeller opened the meeting with prayer and Sheriff Deputies Alfred Garza and Christian Martinez, Sergeant Phoenix Henderson and Lieutenant Joseph Randolph presented the Texas State Flag and the United States Flag and Lieutenant Joseph Randolph recited the Pledges of Allegiance of the United States of America and the State of Texas.

3. Citizens Communication.

The following addressed the court:

John Johnston spoke to the Court about the Flood Plain Management Group.

The following addressed the court:

Gary Smejkal thanked Victoria County for their support while he served as Constable in Precinct No. 1.

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

4. Consider approval of minutes and take appropriate action.

Commissioner Court minutes from meeting held on December 21, 2020. Motion adopted.

RESULT:	APPROVED
MOVER:	Commissioner Precinct 1 Danny Garcia
SECONDER:	Commissioner Precinct 2 Kevin Janak
AYES:	Ben Zeller, Danny Garcia, Kevin Janak, Gary Burns, Clint Ives
NAYS:	None

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

County Auditor Michelle Samford presented accounts payable. Motion adopted.
Regular Accounts 1-4-2021 \$428,103.71
Supplemental Accounts 12-18-2020 - 12-30-2020 \$266,834.45

RESULT:	APPROVED
MOVER:	Commissioner Precinct 4 Clint Ives
SECONDER:	Commissioner Precinct 3 Gary Burns
AYES:	Ben Zeller, Danny Garcia, Kevin Janak, Gary Burns, Clint Ives
NAYS:	None

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

County Clerk
Justice of the Peace, Precinct No. 3
Constable, Precinct No. 3
Motion adopted.

RESULT:	APPROVED
MOVER:	Commissioner Precinct 1 Danny Garcia
SECONDER:	Commissioner Precinct 4 Clint Ives
AYES:	Ben Zeller, Danny Garcia, Kevin Janak, Gary Burns, Clint Ives
NAYS:	None

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

None. No action taken.

8. Ratify approval of Citizens Medical Center interim vendor payments dated December 23, 2020 and consider approval of interim vendor payments dated December 30, 2020 and take appropriate action.

Citizens Medical Center interim vendor payments dated December 23, 2020 in the amount of \$403,918.91 and the ACH report dated December 23, 2020 in the amount of \$2,226,230.96 and approved the Citizens Medical Center interim vendor payments dated December 30, 2020 in the amount of \$592,141.72 and the ACH report dated December 30, 2020 in the amount of \$1,593,232.77. Motion adopted.

RESULT:	RATIFIED/APPROVED
MOVER:	Commissioner Precinct 1 Danny Garcia
SECONDER:	Commissioner Precinct 4 Clint Ives
AYES:	Ben Zeller, Danny Garcia, Kevin Janak, Gary Burns, Clint Ives
NAYS:	None

9. Reappointment of Dr. John McNeill as Public Health Authority and take

appropriate action.

Judge Zeller commended Dr. McNeill for his service and leadership as Victoria County's Public Health Authority. Judge Zeller swore in Dr. McNeill and Dr. McNeill responded to the Court regarding Victoria County's assistance and thanked the Court. Motion adopted.

RESULT:	APPROVED
MOVER:	Commissioner Precinct 3 Gary Burns
SECONDER:	Commissioner Precinct 4 Clint Ives
AYES:	Ben Zeller, Danny Garcia, Kevin Janak, Gary Burns, Clint Ives
NAYS:	None

10. Consider Victoria County mileage reimbursement rates beginning January 1, 2021 and take appropriate action.

Motion adopted.

RESULT:	APPROVED
MOVER:	Commissioner Precinct 2 Kevin Janak
SECONDER:	Commissioner Precinct 4 Clint Ives
AYES:	Ben Zeller, Danny Garcia, Kevin Janak, Gary Burns, Clint Ives
NAYS:	None

11. Consider approval of Order No. 2021-0001 authorizing Victoria County, including Citizens Medical Center, to issue payments for payroll, withholding, social security, retirement, insurance, unemployment compensation, Credit Union, United Way, CMC Healthplex, out of county fines, fees, cash bonds, postage, utilities, bond fees and jury service payments and take appropriate action.

County Treasurer Sean Kennedy provided information to the Court. Motion adopted.

RESULT:	APPROVED
MOVER:	Commissioner Precinct 2 Kevin Janak
SECONDER:	Commissioner Precinct 4 Clint Ives
AYES:	Ben Zeller, Danny Garcia, Kevin Janak, Gary Burns, Clint Ives
NAYS:	None

12. Consider approval of Resolution No. 2021-0002 authorizing substitutions, withdrawals and additions of pledged collateral for fiscal year 2021 and take

appropriate action.

County Treasurer Sean Kennedy provided information to the Court. Motion adopted.

RESULT:	APPROVED
MOVER:	Commissioner Precinct 2 Kevin Janak
SECONDER:	Commissioner Precinct 4 Clint Ives
AYES:	Ben Zeller, Danny Garcia, Kevin Janak, Gary Burns, Clint Ives
NAYS:	None

13. **Consider approval of Order No. 2021-0003 authorizing debt service payments for fiscal year 2021 and take appropriate action.**

Motion adopted.

RESULT:	APPROVED
MOVER:	Commissioner Precinct 3 Gary Burns
SECONDER:	Commissioner Precinct 4 Clint Ives
AYES:	Ben Zeller, Danny Garcia, Kevin Janak, Gary Burns, Clint Ives
NAYS:	None

14. **Consider approval of Resolution No. 2021-0004 determining the general prevailing wage for the year 2021 and take appropriate action.**

County Engineer John Johnston provided information to the Court. Motion adopted.

RESULT:	APPROVED
MOVER:	Commissioner Precinct 4 Clint Ives
SECONDER:	Commissioner Precinct 3 Gary Burns
AYES:	Ben Zeller, Danny Garcia, Kevin Janak, Gary Burns, Clint Ives
NAYS:	None

15. **Consider approval of the detention contract between the Victoria Regional Juvenile Justice Center and Montgomery County and take appropriate action.**

Motion adopted.

RESULT:	APPROVED
MOVER:	Commissioner Precinct 3 Gary Burns
SECONDER:	Commissioner Precinct 4 Clint Ives
AYES:	Ben Zeller, Danny Garcia, Kevin Janak, Gary Burns, Clint Ives
NAYS:	None

16. **Consider approval of Resolution No. 2021-0005, pursuant to Local Government Code §81.032, to accept a donation of a 2018 Nissan Altima with 32,710 miles valued at \$ from Gulf Bend Center to be used by Victoria County Sheriff's Office and take appropriate action.**

Motion adopted.

RESULT:	APPROVED
MOVER:	Commissioner Precinct 3 Gary Burns
SECONDER:	Commissioner Precinct 4 Clint Ives
AYES:	Ben Zeller, Danny Garcia, Kevin Janak, Gary Burns, Clint Ives
NAYS:	None

17. **Consider approval of Citizens Medical Center Emergency Department Expansion & Renovation Project No 1821 Application for Payment #3 and take appropriate action.**

Motion adopted.

RESULT:	APPROVED
MOVER:	Commissioner Precinct 1 Danny Garcia
SECONDER:	Commissioner Precinct 2 Kevin Janak
AYES:	Ben Zeller, Danny Garcia, Kevin Janak, Gary Burns, Clint Ives
NAYS:	None

18. **Consider the following for the Public Health Department and take appropriate actions.**

- a. **Agreement with Best Friends Animal Society (BFAS) to assess Animal Control shelter and/or field operations**
- b. **Contract Amendment for the State Services-R Grant Contract Number 5608/SR2-565-02**
- c. **Contract Amendment for the Ryan White Service Delivery Contract Number 5608/4-565-02**

David Gonzales, Public Health Director, provided information to the Court. Motion adopted.

RESULT:	APPROVED
MOVER:	Commissioner Precinct 2 Kevin Janak
SECONDER:	Commissioner Precinct 4 Clint Ives
AYES:	Ben Zeller, Danny Garcia, Kevin Janak, Gary Burns, Clint Ives
NAYS:	None

19. **Consider approval of FY 2021 State and Local Overtime (SLOT) Funding Allotment and take appropriate action.**

Motion adopted.

RESULT:	APPROVED
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MOVER:	Commissioner Precinct 4 Clint Ives
SECONDER:	Commissioner Precinct 3 Gary Burns
AYES:	Ben Zeller, Danny Garcia, Kevin Janak, Gary Burns, Clint Ives
NAYS:	None

20. **Pursuant to Local Government Code 263.152 authorize sale of surplus and salvage property of Victoria County and Citizens Medical Center and take appropriate action.**

Motion adopted.

RESULT:	APPROVED
MOVER:	Commissioner Precinct 1 Danny Garcia
SECONDER:	Commissioner Precinct 2 Kevin Janak
AYES:	Ben Zeller, Danny Garcia, Kevin Janak, Gary Burns, Clint Ives
NAYS:	None

21. **Pursuant to Local Government Code 262.024 (a)(9) grant discretionary bid exemption for Victoria County purchases through a state licensed auctioneer and take appropriate action.**

Motion adopted.

RESULT:	APPROVED
MOVER:	Commissioner Precinct 2 Kevin Janak
SECONDER:	Commissioner Precinct 3 Gary Burns
AYES:	Ben Zeller, Danny Garcia, Kevin Janak, Gary Burns, Clint Ives
NAYS:	None

22. **Pursuant to Local Government Code 262.024 (a)(11) grant discretionary bid exemption for Victoria County vehicle and equipment repairs and take appropriate action.**

Motion adopted.

RESULT:	APPROVED
MOVER:	Commissioner Precinct 2 Kevin Janak
SECONDER:	Commissioner Precinct 1 Danny Garcia
AYES:	Ben Zeller, Danny Garcia, Kevin Janak, Gary Burns, Clint Ives
NAYS:	None

23. **Consider authorization for the Victoria County Auditor to conduct the Chapter 59 Asset Forfeiture Report required by Article 59.06 of the Code Criminal Procedure for all Victoria County law enforcement agencies, upon their requests and take appropriate action.**

Motion adopted.

RESULT:	APPROVED
MOVER:	Commissioner Precinct 1 Danny Garcia
SECONDER:	Commissioner Precinct 3 Gary Burns
AYES:	Ben Zeller, Danny Garcia, Kevin Janak, Gary Burns, Clint Ives
NAYS:	None

24. Consider approval of the following 2021 Budget Amendments and take appropriate action:

- a. General Fund, Various Departments, Expenditures - Increase**
- b. Road & Bridge Precinct #3, Expenditures - Increase**

Motion adopted.

RESULT:	APPROVED
MOVER:	Commissioner Precinct 1 Danny Garcia
SECONDER:	Commissioner Precinct 4 Clint Ives
AYES:	Ben Zeller, Danny Garcia, Kevin Janak, Gary Burns, Clint Ives
NAYS:	None

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

Payroll to be processed in compliance with policy and personnel changes:

1. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
 - a. Salary and position change for Karolina Clifford, from Extra Help-Rover, at a rate of \$14.50 per hour, Budget Code 100-573-1130 to Juvenile Supervision Officer, at a rate of \$15.67 per hour, Budget Code 100-573-1156, effective January 2, 2021.
 - b. Salary and position change for Rebecca Dianne Aguirre, from Juvenile Supervision Officer, at a rate of \$15.67 per hour, Budget Code 100-573-1156 to Juvenile Supervision Officer I, at a rate of \$17.06 per hour, Budget Code 100-573-1155, effective January 2, 2021.
 - c. Salary and position change for Victoria Lynn Delagarza, from Juvenile Supervision Officer, at a rate of \$15.67 per hour, Budget Code 100-573-1156 to Juvenile Supervision Officer I, at a rate of \$17.06 per hour, Budget Code 100-573-1155, effective January 2, 2021.

- CONTINUED -

- d. Position change for Christopher O. Jimenez, from Juvenile Supervision Officer (JSO I), at a rate of \$15.67 per hour, Budget Code 100-573-1155 to Juvenile Supervision Officer, Budget Code 100-573-1156, effective January 2, 2021.
2. Justin Marr, Sheriff - Sheriff's Office:
 - a. Resignation of Michael Beyer, School Resource Officer, with 41.18 PTO

- and 9.38 Compensatory hours due, effective January 5, 2021.
- b. Salary and position change for Kenneth Gerloff, from Detention Deputy, at a rate of \$23.57 per hour, Budget Codes 100-565-1114-\$22.57 and 100-565-1136-\$1.00 to Cook, at a rate of \$19.12 per hour, Budget Code 100-565-1123, effective January 2, 2021.
 - c. Salary and position change for Ryan Mikulec, from Investigator, at a rate of \$26.27 per hour, Budget Codes 100-563-1106-\$25.27 and 100-563-1136-\$1.00 to Lieutenant, Enforcement, at a rate of \$28.01 per hour, Budget Codes 100-563-1105-\$27.01 and 100-563-1136-\$1.00, effective January 2, 2021.
 - d. Position change for Mark Flores, from Sgt. Enforcement, at a rate of \$26.27 per hour, Budget Codes 100-563-1108-\$25.27 and 100-563-1136-\$1.00 to Quartermaster, at a rate of \$26.27 per hour, Budget Codes 100-562-1144-\$23.66, 360-560-1144-\$1.61, and 100-562-1136-\$1.00, effective January 2, 2021.
 - e. Resignation of Derly E. Chapa, Misd. Assistant CDA, with 80.0 PTO hours due, effective December 29, 2020.

Motion adopted.

RESULT:	APPROVED
MOVER:	Commissioner Precinct 3 Gary Burns
SECONDER:	Commissioner Precinct 4 Clint Ives
AYES:	Ben Zeller, Danny Garcia, Kevin Janak, Gary Burns, Clint Ives
NAYS:	None

26. **Adjourn**

The Commissioners Court adjourned the meeting of January 4, 2021.

PRESENT:	County Judge Zeller, Commissioner Precinct 1 Garcia, Commissioner Precinct 2 Janak, Commissioner Precinct 3 Burns, Commissioner Precinct 4 Ives
ABSENT:	

27. **3:00 PM - OPEN HOUSE OF NEWLY RENOVATED COMMISSIONERS COURT SPACE**

Judge Zeller stated there will be an Open House at 3:00 p.m. today for the newly renovated Commissioners Court Space. No action taken.