

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **3rd day of May 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
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, MAY 3, 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. May 3, 2021. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, May 3, 2021 at 10:00 a.m.

2. Invocation and Pledges

(2-0:09)

2. May 3, 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.

(3-8:06)

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

County Treasurer Sean Kennedy spoke to the Court in regards to the Feds selling Treasury Bills last Thursday and what the Victoria County's depository is paying and earned for the past month.

Fire Marshal Richard Castillo provided a summary of the first quarter's report run numbers for the Victoria County Volunteer Fire Departments with the Court and answered Commissioner Janak's question regarding the number of phone calls for controlled burns. Commissioner Janak provided additional information regarding controlled burning. Fire Marshal Castillo mentioned that the Raisin Volunteer Fire Department will be having a fundraiser this weekend.

County Judge Zeller reminded the public that the Courthouse Tour will be held this Wednesday morning at 10:00 a.m. and there is still time to register. Judge Zeller also informed the Court that Elton Calhoun passed away yesterday afternoon. Judge Zeller mentioned Mr. Calhoun was a well known business owner, respected individual, and was a Port Commissioner for the Navigation District and gave his condolences to Ann Calhoun and the family.

Commissioner Gary Burns complimented the Sheriff's Office on handling the situation at Patriot's Park due to the rain and mud this weekend.

Sandra McKenzie, Attorney in Victoria County, voiced her concerns regarding the proposed Zinc Recycling Plant and existing Zinc facilities. Ms. McKenzie presented the Court with flash drives for them to review the information she is presenting.

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

4. Consider approval of minutes and take appropriate action.

(4-22:00)

4. May 3, 2021. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the minutes of the Commissioners Court meeting held on April 26, 2021. Motion adopted.

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

(5-22:06)

5. May 3, 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	5/3/2021	\$252,803.68
Supplemental Accounts	4/23/2021 – 4/29/2021	\$101,228.46

Motion adopted.

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

(6-22:37)

6. May 3, 2021. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the monthly reports from Constables, Precincts Nos. 3 and 4. Motion adopted.

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

(7-22:50)

7. May 3, 2021. None. No action taken.

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

(8-22:59)

8. May 3, 2021. The Commissioners Court passed on the payroll, accounts payable, personnel changes, interim vendor payments and ACH report for Citizens Medical Center. No action taken.

9. In response to Governor Abbott's letter dated 4/26/2021, consider approval of Resolution No. 2021-0049 supporting request for reimbursement of all costs incurred as a result of the border crisis, hear report from Victoria County Sheriff's Office related to same, and take appropriate action.

(9-24:56)

9. May 3, 2021. Commissioners Court heard a report from Chief Deputy Franklin with the Sheriff's Office regarding how the border crisis is affecting the Sheriff's Office. Judge Zeller read the Resolution to the Court. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court approved Resolution No. 2021-0049 in support of Federal Reimbursement of the costs incurred related to US/Mexico Border Crisis and supports all efforts needed to eliminate the unlawful and inhumane practices and to restore safety, security, and lawfulness to our state and nation. Motion adopted.

10. Read Proclamation designating May 2021 as Mental Health Awareness month in

Victoria County and take appropriate action.

(10-32:08)

10. May 3, 2021. Jeff Tunnell, Executive Director for Gulf Bend Center, gave an overview of Gulf Bend Center's services. County Judge Zeller read the Proclamation. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the Proclamation designating May 2021 as Mental Health Awareness month in Victoria County. Motion adopted.

- 11. Receive for the record notification from the Texas Department of State Health Services for the county's 2021 pro rata share of tobacco settlement proceeds in the amount of \$41,998.64 and take appropriate action.**

(11-42:43)

11. May 3, 2021. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court received for the record the notification from the Texas Department of State Health Services for Victoria County's 2021 pro rata share of tobacco settlement proceeds in the amount of \$41,998.64. Motion adopted.

- 12. Receive executed Modernization Proposal from Thyssenkrupp Elevator Corporation in connection to the RDRRC Freight Elevator Renovation and take appropriate action.**

(12-44:09)

12. May 3, 2021. John Johnston, County Engineer, provided information to the Court. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court received the executed Modernization Proposal from Thyssenkrupp Elevator Corporation in connection to the RDRRC Freight Elevator Renovation Project. Motion adopted.

- 13. Received the fully executed TXDOT Project Completion Form and Approval to Commence Construction for the TXDOT Rider 45 Road Improvement Project: McCoy Road and Bayer Road and take appropriate action.**

(13-44:44)

13. May 3, 2021. County Engineer John Johnston provided information to the Court. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court received the fully executed TXDOT Project Completion Form and Approval to Commence Construction for the TXDOT Rider 45 Road Improvement Project for McCoy Road and Bayer Road. Motion adopted.

- 14. For the Victoria County Jail, consider inclusion of pump and piping upgrades to the already approved Chiller Replacement Project and take appropriate actions:**
a. Review project budget and approve funding for the pump and piping upgrades.

(14a-45:24)

14a. May 3, 2021. Kelly Hubert, Facilities Manager, provided the Court with information. Moved by Gary Burns and seconded by Kevin Janak, the Commissioners Court approved funding for the pump and piping upgrades for the Chiller Replacement Project at the Victoria County Jail. Motion adopted.

- CONTINUED -

For the Victoria County Jail, consider inclusion of pump and piping upgrades to the

already approved Chiller Replacement Project and take appropriate actions:

b. Review and approve Task Order No. 7 to Stridde, Callins & Associates to complete the design documents.

(14b-45:24)

14b. May 3, 2021. Kelly Hubert, Facilities Manager, provided the Court with information. Moved by Gary Burns and seconded by Kevin Janak, the Commissioners Court approved Task Order No. 7 from Stridde, Callins and Associates for Phase 2 Design Services for the Victoria County Jail HVAC System Remediation Project. Motion adopted.

For the Victoria County Jail, consider inclusion of pump and piping upgrades to the already approved Chiller Replacement Project and take appropriate actions:

c. Review and approve Resolutions 1, 2, and 3 to start the Competitive Sealed Proposal process.

(14c-45:24)

14c. May 3, 2021. Facilities Manager Kelly Hubert provided information to the Court. Moved by Gary Burns and seconded by Kevin Janak, the Commissioners Court approved Resolution No. 1 (Construction Procurement Method), Resolution No. 2 (Delegation of Authority) and Resolution No. 3 (Prevailing Wage Determination) to start the Competitive Sealed Proposal Process for the Victoria County Jail Chiller and Pump Upgrade Project. Motion adopted.

15. Receive for the record the amended and restated bylaws for the Victoria Regional Airport Commission and take appropriate action.

(15-58:25)

15. May 3, 2021. Moved by Gary Burns and seconded by Danny Garcia, the Commissioners Court received for the record the amended and restated bylaws for the Victoria County Regional Airport Commission. Motion adopted.

16. Consider approval of the following resolutions for road donations in Precinct No. 3 for installation of driveway and pipe culvert to improve drainage and take appropriate actions:

a. Resolution No. 2021-0047, donation from Jessica Schilhab for 602 Chukar Drive, Victoria in the amount of \$1054.50.

(16a-58:51)

16a. May 3, 2021. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved Resolution No. 2021-0047 for road donation in the amount of \$1,054.50 from Jessica Schilhab of 602 Chukar Drive, Victoria, Texas, Precinct No. 3 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

Consider approval of the following resolutions for road donations in Precinct No. 3 for installation of driveway and pipe culvert to improve drainage and take appropriate actions:

b. Resolution No. 2021-0048, donation from Keith D. Williams for 4327 Old Goliad Rd, Victoria in the amount of \$756.00.

(16b-58:51)

16b. May 3, 2021. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved Resolution No. 2021-0048 for road donation in the amount of \$756.00 from Keith D. Williams of 4327 Old Goliad Road, Victoria, Texas, Precinct No. 3 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

17. Receive for the record 2021 Discretionary Fund Budget Amendment for Sheriff's

Commissary Fund 380 and take appropriate action.

(17-59:41)

17. May 3, 2021 Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court received for the record the 2021 Discretionary Fund Budget Amendment for the Sheriff's Commissary Fund 380 as an Increase. Motion adopted.

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

(18-1:00:14)

18. May 3, 2021. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the 2021 budget amendments for:

- a. General Fund, Various Departments, Expenditures – Line item transfer
- b. Gulf of Mexico Energy Security Act, Revenues and Expenditures – Line item transfer

Motion adopted.

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

(19-1:02:12)

19. May 3, 2021. Moved by Clint Ives and seconded by Gary Burns, 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 Elexis Crump, Juvenile Detention Officer (JSO) to be paid \$46.42 per pay period, effective April 30, 2021. Certification Date for Elexis Crump is November 24, 2020. Budget Coding: Post-Adj Secure (JSO) 231-578-1135. Other Remarks: Moved to a full time position on 4/23/2021. Remarks: Elexis Crump became a certified JSO on 11/24/2020. The 2021 salary adjustment of \$46.42 should begin on pay date 4/30/2021. One payment of \$92.84 should be paid on 5/14/2021 and \$46.42 thereafter.
 - 2. Resignation of Alexis Suzanne Valderamos, Extra Help-PRN, effective April 21, 2021.
 - 3. Resignation of Delia Alonzo Guzman, Extra Help-PRN, effective April 27, 2021.
 - 4. Employment of Madyson Paige McGaharan, Extra Help-Rover, at a rate of \$14.50 per hour, Budget Code 100-573-1130, effective May 4, 2021.
 - 5. Employment of Jaden Lane Stephenson, Extra Help-Rover, at a rate of \$14.50 per hour, Budget Code 100-573-1130, effective May 4, 2021.
- b. Ashley Hernandez, County Tax Assessor Collector - County Tax Office:
 - 1. Certificate of completion of continuing education hours from V.G. Young Institute of County Government for Budget Planning Year 2 for Ashley Hernandez, County Tax Assessor Collector.

- CONTINUED -

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

1. Employment of Addie Kasten, Detention Officer Tier 1, at a rate of \$17.99 per hour, Budget Code 100-565-1114, effective May 4, 2021.
2. Employment (Re-Hire) of Amber Warmuth, Detention Deputy, at a rate of \$23.57 per hour, Budget Codes 100-565-1114-\$22.57 and 100-565-1136-\$1.00, effective May 4, 2021.
- d. David Gonzales, Public Health Director - Victoria County Public Health Department:
 1. Resignation of Eunice Martinez-Gonzalez, Receptionist/Transportation Clerk, effective April 30, 2021.

Motion adopted.

20. Adjourn

(20-1:02:41)

20. May 3, 2021. The Commissioners Court adjourned the meeting of May 3, 2021.