

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **10th day of May 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, May 10, 2021, 10:00 AM, REGULAR TERM
VICTORIA COUNTY COURTHOUSE
115 N. BRIDGE ST., ROOM 241, SECOND FLOOR, VICTORIA, TX

1. Call to Order

(1-0:00)

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

2. Invocation and Pledges

(2-0:06)

2. May 10, 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.

(3-01:57)

3. March 10, 2021. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Rick McBrayer, Emergency Management Coordinator and Jena West, Deputy Emergency Management Coordinator presented the Court a slide show on Hurricane Preparedness week.

Michael Vonderau, Citizen, 2204 E. North St., wanted to thank the Constable of Precinct 1 for making rounds in the trailer park.

Mark Caylor, Citizen, 59 Alabama Ave., Crescent Valley, addressed the Court about his concern with the Zinc Resource Plant and the harmful chemicals that are emitted. Mr. Caylor requested a community meeting. Danny Garcia, County Commissioner, Precinct No. 1, agreed to attend when the meeting is scheduled. Gary Burns, County Commissioner, Precinct 3, stated the Port of Victoria hired a 3rd party Environmentalist to answer questions. Judge Ben Zeller agreed.

David Gonzales, Public Health Director, updated the Court on the COVID-19 vaccine clinic. After the COVID-19 update Mr. Gonzales stated that they have started spraying for mosquitos and the Court held a discussion.

Michael Carbajal, Victoria County Fire Marshal Department, notified the Court that the Victoria County Fire Marshal Office and Fire Department training division will be hosting their tri-annual drill tomorrow at the airport.

*** Continue***

Bryce Wilfert, Junior at Industrial High School, was invited by Clint Ives, County Commissioner, Precinct 4, to share his accomplishments. Mr. Wilfert, won the 2020 Congressional APP Challenge at the United States Congress. Mr. Wilfert demonstrated how he is a product of the generous support of the youth and public programs Victoria has to offer. One public work service that has changed his life is the Victoria Library. Mr. Wilfert then presented to the Court his APP. The Court held a discussion and presented Mr. Wilfert with an achievement award.

Vinicio Lenny Llerena, Airport Manager, stated that they are looking for ways to increase the number of passengers on flight. Mr. Llerena will be using marketing as a way to make the public aware of the services offered at the Victoria Regional Airport through United Airlines.

Kevin Janak, County Commissioner, Precinct 2, stated there are two Dollar Generals in his precinct that have retaining ponds. Mr. Janak will contact the stores and remind them that the water needs to be removed due to mosquitos. Mr. Janak also commented border issues concerning children. He asked for the public to write or call the Congressmen about the ongoing border crisis.

4. Consider approval of minutes and take appropriate action.

(4-43:21)

4. May 10, 2021. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the minutes of the Commissioners Court meeting held on May 3, 2021 and the correction to the April 12, 2021 meeting. Motion adopted.

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

(5-43:55)

5. May 10, 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	5/10/2021	\$ 208,690.40
Supplemental Accounts	4/30/2021 – 5/6/2021	\$ 168,845.37

Motion adopted.

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

(6-44:24)

6. May 10, 2021. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the monthly reports from County Judge, County Commissioners Precinct 1, 2, 3 and 4, Treasurer, District Clerk, County Clerk, Auditor, District Attorney, Tax Assessor Collector, Fire Marshal, Justice of the Peace Precinct No. 2, 3 and 4.

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

(7-45:07)

7. May 10, 2021. None. No action taken.

- 8. Consider approval of CMC Interim Vendor Payments dated April 29,2021, Interim Vendor Payments dated May 6, 2021, payroll, accounts payable and personnel changes and take appropriate action.**

(8-45:20)

8. May 10, 2021. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated April 29, 2021 in the amount of \$ 411,277.08 and the ACH report dated April 29, 2021 in the amount of \$ 2,105,120.26 and the interim vendor payments dated May 6, 2021 in the amount of \$ 514,297.93 and the ACH report dated May 6, 2021 in the amount of \$ 2,408,435.66. Motion adopted.

- 9. Consider approval of Resolution No. 2021-0054 supporting House Bill 2977 to enhance the City of Victoria's ability to induce qualified hotel and convention centers and take appropriate action.**

(9-46:14)

9. May 10, 2021. Thomas Gwosdz, City Attorney, presented to the Court local incentives on having a hotel and convention center in our community. Mr. Gwosdz asked for a resolution of support to show that the City and County are aligned. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court approved Resolution No. 2021-0054 supporting House Bill 2977 to enhance the City of Victoria's ability to induce qualified hotel and convention centers. Motion adopted.

- 10. Presentation of Economic Development Administration (EDA) Grant opportunity for the Victoria Regional Airport, consider directive on how to proceed with grant application and take appropriate action.**

(10-53:48)

10. May 10, 2021. Vinicio Lenny Llerena, Airport Manager, addressed the Court about applying for an Economic Development Administration grant. Golden Crescent Regional Planning Commission recommends a dual purpose hanger at the Victoria Regional Airport. The Commissioners Court heard the presentation of Economic Development Administration (EDA) Grant opportunity for the Victoria Regional Airport, considered directive on how to proceed with grant application and after discussion the Court recommended Mr. Llerena talk with Rick McBrayer, Emergency Management Coordinator, to discuss the dual purpose of the facility.

- 11. Consider renewal of Victoria Central Appraisal District lease agreement for space located at the Victoria County Public Health Department and take appropriate action.**

(11-1:15:04)

11. May 10, 2021. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court renewed Victoria Central Appraisal District lease agreement for space located at the Victoria County Public Health Department. Motion adopted.

- 12. Receive for the record Court Appointed Fee Schedule adopted by the six county**

judicial district: Victoria, Calhoun, Refugio, Goliad, DeWitt and Jackson counties effective March 1, 2021 and take appropriate action.

(12-1:16:10)

12. May 10, 2021. Nora Kucera, Pre-Trial Services Coordinator, addressed the Court about the attorney fee schedule for 2021. Ms. Kucera answered questions from Ben Zeller, County Judge and Kevin Janak, County Commissioner, Precinct 2. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court received for the record Court Appointed Fee Schedule adopted by the six county judicial district: Victoria, Calhoun, Refugio, Goliad, DeWitt and Jackson counties effective March 1, 2021.
Motion adopted.

- 13. Consider approval of Citizens Medical Center Emergency Department Expansion & Renovation AIA Document G702 Application for Payment #7 and take appropriate action.**

(13-1:22:17)

13. May 10, 2021. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved Citizens Medical Center Emergency Department Expansion & Renovation AIA Document G702 Application for Payment #7.
Motion adopted.

- 14. Consider approval of the Tuberculosis Prevention and Control-State (TB/PC) - HHS000481800001 Amendment No. 2 for the Victoria County Health Department and take appropriate action.**

(14-1:22:41)

14. May 10, 2021. David Gonzales, Public Health Director, addressed the Court about the Tuberculosis Control grant and stated that there will be level funding through next year. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved of the Tuberculosis Prevention and Control-State (TB/PC) - HHS000481800001 Amendment No. 2 for the Victoria County Health Department.
Motion adopted.

- 15. Ratify Coronavirus Emergency Supplemental Funding (CESF) Program Grant FY2020 Budget Adjustment for Grant No. 2020-VD-BX-1620 and take appropriate action.**

(15-1:23:23)

15. May 10, 2021. Robin Knipling, Administrative Services, addressed the Court in regard to budget adjustments for funding allocated to the County for COVID-19. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court ratified Coronavirus Emergency Supplemental Funding (CESF) Program Grant FY2020 Budget Adjustment for Grant No. 2020-VD-BX-1620.
Motion adopted.

- 16. Ratify Hazard Mitigation Grant Program (HMGP) Award for the Sheriff's Office & Jail Dry Floodproofing Project, FEMA Project No. DR-4332-0149 and take**

appropriate action.

(16-1:24:14)

16. May 10, 2021. Robin Knipling, Administrative Services, spoke to the Court in regards to the Hazard Mitigation project grant award for Hurricane Harvey. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court ratified Hazard Mitigation Grant Program (HMGP) Award for the Sheriff's Office & Jail Dry Floodproofing Project, FEMA Project No. DR-4332-0149.

Motion adopted.

17. Ratify Coronavirus Emergency Supplement Funding (CESF) Program Grant FY 2020 Budget Adjustment Grant No. 4136701 and take appropriate action.

(17-1:25:33)

17. May 10, 2021. Robin Knipling, Administrative Services, spoke to the Court in regards to the State Coronavirus Emergency Supplement Funding (CESF) Program Grant. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court ratified Coronavirus Emergency Supplement Funding (CESF) Program Grant FY 2020 Budget Adjustment Grant No. 4136701.

Motion adopted.

18. Consider request from County Line Fireworks to open their stands for fireworks sale during Memorial Day holiday and take appropriate action.

(18-1:26:17)

18. May 10, 2021. Richard Castillo, Fire Marshal, spoke to the Court in regards to a request he received from a fireworks vendor opening Memorial Day weekend. Mr. Castillo stated they had no problem with this. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved County Line Fireworks to open their stands for fireworks sale during Memorial Day Holiday.

Motion adopted.

19. Receive for the record the following compliance inspections for the Victoria County Fire Marshal and Victoria County Fire Department from the Texas Commission on Fire Protection and take appropriate action.

(19-1:27:16)

19. May 10, 2021 Richard Castillo, Fire Marshal, approached the Court and stated that this inspection is through the State which allows them to keep functioning. They were able to pass the inspection and wanted to thank the Court for their help. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court received for the record the compliance inspections for the Victoria County Fire Marshal and Victoria County Fire Department from the Texas Commission on Fire Protection.

Motion adopted.

20. Consider approval of the following requests for payment in connection with TX-CDBG Contract No. 7219451 Water Plant Improvements for WCID No. 2 in Placedo and take appropriate actions:

(20a-1:28:31)

20a May 10, 2021. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved payment to GrantWorks in the amount of \$6,050.00. Motion adopted.

Consider approval of the following requests for payment in connection with TX-CDBG Contract No. 7219451 Water Plant Improvements for WCID No. 2 in Placedo and take appropriate actions:

(20b-1:28:31)

20b May 10, 2021. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved payment to John D. Mercer & Associates in the amount of \$2,137.50. Motion adopted.

- 21. Consider approval of the following resolutions for road donations in PCT 1 for installation of a driveway and pipe culvert to improve drainage and take appropriate actions:**

(21a-1:29:08)

21a May 10, 2021. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved Resolution 2021-0050 from Reynold William at 103 Girdy Rd., Victoria, Texas 77905 in the amount of \$545.70. Motion Adopted.

Consider approval of the following resolutions for road donations in PCT 1 for installation of a driveway and pipe culvert to improve drainage and take appropriate actions:

(21b-1:29:08)

21b May 10, 2021. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved Resolution 2021-0052 from Juan & Christina Diaz at 415 Serene Dr. W., Victoria, Texas 77905 in the amount of \$648.00. Motion Adopted.

Consider approval of the following resolutions for road donations in PCT 1 for installation of a driveway and pipe culvert to improve drainage and take appropriate actions:

(21c-1:29:08)

21c May 10, 2021. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved Resolution 2021-0053 from Live Wire at 255 DuPont Rd., Victoria, Texas 77905 in the amount of \$324.00. Motion adopted.

- 22. Consider approval of proposal from Service Supply of Victoria, Inc. in the amount of \$41,653.82 for the purchase of culverts and drain basins for Precinct 2 and take appropriate action.**

(22-1:30:16)

22. May 10, 2021 Kevin Janak, County Commissioner, Precinct 2, stated to the Court that he received three bids for culverts and drain basins for Precinct 2. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court awarded the proposal to Service Supply of Victoria, Inc. in the amount of \$41,653.82 for the purchase of culverts and drain basins for Precinct 2 and rejected all other bids. Commissioner Janak advised that although Service Supply of Victoria, Inc. did not have the lowest bid, he followed Local Government Code Section 271.905, which is the consideration of location of bidder.

Motion adopted.

23. Pursuant to V.T.C.A. Transportation Code §251.152 hold public hearing for traffic regulation in Precinct #3 and take appropriate action.

(23-1:32:27)

23. May 10, 2021. Ben Zeller, County Judge declared a public hearing open, pursuant to V.T.C.A. Transportation Code §251.152, prior to the adoption of traffic regulation. Gary Burns, Commissioner Precinct 3, spoke to the Court in regards to a request he received from the Home Owners Association of Quail Creek for additional stop signs. Hearing no public comments, County Judge Zeller declared the public hearing closed. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court adopted the following traffic regulations:

Precinct No. 3:

Install 8 additional stop signs in Quail Creek

Teal Dr. & Grouse Rd.

Teal Dr. & Sandpiper Dr.

Canadian & Grouse Rd.

Sandpiper & Pheasant Dr.

Pintail Dr. & Pheasant Dr.

Duck & Mallard

Chaparral & Chukar

Chaparral & Bob White (make it a 4 way stop right at the park)

Motion adopted.

24. Consider approval of Resolution No. 2021-0051 for road donation in PCT #3 from Robert Bartos for installation of a driveway and pipe culvert to improve drainage at 302 W. Partridge Rd., Victoria, Texas 77905 in the amount of \$675.00 and take appropriate action.

(24-1:35:06)

24. May 10, 2021. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved of Resolution No. 2021-0051 for road donation in PCT #3 from Robert Bartos for installation of a driveway and pipe culvert to improve drainage at 302 W. Partridge Rd., Victoria, Texas 77905 in the amount of \$675.00.

Motion adopted.

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

(25-1:35:41)

25. May 10, 2021. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the following 2021 Budget Amendments.

- a. General Fund, Sheriff's Office, Expenditures- Line Item Transfer
 - b. Records Management Fund, Expenditures- Line Item Transfer
- Motion adopted.

26. Consider Approval of personnel changes and take appropriate action.

(26-1:36:06)

26. May 10, 2021. Moved by Kevin Janak and seconded by Danny Garcia, 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 Jordan Flanagan, Juvenile Detention Officer (JSO), to be paid 46.42 per pay period, effective March 5, 2021. Certification date for Jordan Flanagan is March 4, 2021. Budget Coding: Post-Adj Secure (JSO) 231-578-1135. Remarks: Jordan Flanagan became a certified JSO on 3/4/2021. The 2021 salary adjustment of \$46.42 should begin on pay date 3/5/2021. One payment of \$278.52 should be paid on 5/14/2021 and \$46.42 thereafter.
 - 2. TJJD Salary Adjustment Certification for Shyrone Moore, Juvenile Detention Officer (JSO), to be paid 46.42 per pay period, effective March 5, 2021. Certification date for Shyrone Moore is March 4, 2021. Budget Coding: Post-Adj Secure (JSO) 231-578-1135. Remarks: Shyrone Moore became a certified JSO on 3/4/2021. The 2021 salary adjustment of \$46.42 should begin on pay date 3/5/2021. One payment of \$278.52 should be paid on 5/14/2021 and \$46.42 thereafter.
- b. David Gonzales, Public Health Director- Victoria County Public Health Department:
 - 1. Employment of Jessica Carrillo, Clerk III, at a rate of \$13.33 per hour, Budget Code 810-633-1107, effective May 11, 2021.
- c. John Miller- Justice of the Peace, Pct. 4:
 - 1. Resignation of Shannon Lee Brown, Regular Part Time Clerk III, effective May 7, 2021.
- d. Daniel Gilliam, Judge County Court At Law #2:
 - 1. Retirement of Regina Payton, Court Reporter, with 80 PTO and 0.22 Compensatory hours due, effective May 31, 2021.
 - 2. Employment of Shelley Stingley, Court Reporter, at a rate of \$34.25 per hour, Budget Code 100-425-1103, effective June 1, 2021.
- e. Justin Marr, Sheriff – Sheriff's Office:
 - 1. Employment of Kayla Lemke, Detention Officer (Tier 1), at a rate of \$17.99 per hour, Budget Code 100-565-1114, effective May 11, 2021.
 - 1. Employment of Kristopher Rodriguez, Detention Officer (Tier 1), at a rate of \$17.99 per hour, Budget Code 100-565-1114, effective May 11, 2021.
- f. Vinicio Llerena, FBO Executive Director:
 - 1. Dismissal of Jonathon Carter, Line Attendant, with 13.52 Compensatory hours due, effective May 4, 2021.

Motion adopted.

27. Adjourn

(27-1:36:46)

27. May 10, 2021. The Commissioners Court adjourned the meeting of May 10, 2021.

Motion adopted.