

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **7th day of June 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, JUNE 7, 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. June 7, 2021. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, June 7, 2021 at 10:00 a.m.

2. Invocation and Pledges

(2-0:00)

2. June 7, 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.

(3-2:46)

3. June 7, 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, spoke to the Court about the recent rainfall levels. Mr. McBrayer advised the public to use the WEA feature on their smart devices and download the SWIFT 911 app from the Emergency Management Office website. He also answered questions from the Court. Commissioner Ives spoke about the situations that have occurred in Precinct No. 4 due to all the recent rain. Commissioner Janak spoke about sink holes in Precinct No. 2 and asked the public to please don't drive around, move, or steal the barricades. He also discussed historical trends with the Guadalupe River. Commissioner Ives suggested to start having aggressive conversations for drainage opportunities. Commissioner Garcia stated he has a meeting set up today with TXDOT officials, drainage district officials, and the engineering firm for Precinct No. 1 to discuss drainage issues and the responsibilities of these agencies. Commissioner Garcia asked the public to be patient with them as they repair the damaged roads in Precinct No.

1. Mr. McBrayer spoke to the Court about reimbursement for damages in Victoria County due to the excessive rain. Commissioner Burns addressed the Court with issues in Precinct No. 3.

Public Health Director David Gonzales stated to the Court that as soon as conditions are favorable, the County will continue spraying for mosquitoes. Mr. Gonzales answered Commissioner Garcia's question regarding phone calls on bees.

Commissioner Janak stated they will be shredding as soon as conditions are possible and asked the public to please be patient.

Ann Riechers of 101 Hampton Court, Victoria, Texas, voiced her concerns regarding the Zinc Recycling Plant. Commissioner Burns responded to Ms. Riechers.

Sister Elizabeth Riebschlaeger of 1603 E. Brazos, Victoria, Texas, spoke to the Court regarding the flooding problems in Victoria County and the Zinc Recycling Plant. Sister Riebschlaeger asked the Court to hold a public hearing so that the public may be informed about the Zinc Recycling Plant.

Eileen Stewart of 216 Iron Gate, Victoria, Texas, voiced her concerns regarding the Zinc Recycling Plant and the tax abatement for the plant.

Jill Blucher of 801 E Mistletoe, Victoria, Texas, spoke on how the Zinc Recycling plant would affect individuals that do not have health insurance.

Gary Hall, 216 Iron Gate, Victoria, Texas, spoke on how the Zinc Recycling Plant would affect the water ways in Victoria County.

Cindy Brewer, 504 E. Constitution Street, Victoria, Texas, voiced her concerns regarding the Zinc Recycling Plant and asked if a study has been done on how this industry will affect the gulf's shrimping industry and/or the sport fishing industry. Commissioner Garcia responded to Ms. Brewer's question regarding a study and stated the study can be found on the Port of Victoria's website under news and media. Judge Zeller answered Ms. Brewer's question on making a decision for this business.

Sandra McKenzie, 503 E. Constitution, Victoria, Texas, asked the Court to request a public hearing before TCEQ so the public can question and get answers from the polluter and to notify the public of the hearing. Ms. McKenzie also spoke on the HDR report.

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

4. Consider approval of minutes and take appropriate action.

(4-53:48)

4. June 7, 2021. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the minutes of the Commissioners Court meeting held on June 1, 2021. Motion adopted.

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

(5-54:08)

5. June 7, 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	6/7/2021	\$168,236.52
Supplemental Accounts	5/28/2021 – 6/3/2021	\$24,035.97

Motion adopted.

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

(6-54:27)

6. June 7, 2021. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the monthly reports from the County Treasurer; District Clerk; County Clerk; Criminal District Attorney; Tax Assessor Collector; County Auditor; Justices of the Peace, Precincts Nos. 2 and 3; and Constables, Precincts Nos. 3 and 4. Motion adopted.

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

(7-55:05)

7. June 7, 2021. None. No action taken.

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

(8-55:10)

8. June 7, 2021. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated June 3, 2021 in the amount of \$637,156.82 and the ACH report dated June 3, 2021 in the amount of \$2,335,479.04. Motion adopted.

9. Pursuant to V.T.C.A. Tax Code, Chapter 312 hold public hearing to consider designation of a Reinvestment Zone at the Port of Victoria North Industrial Park.

(9-55:56)

9. June 7, 2021. Judge Zeller opened the public hearing for the designation of a Reinvestment Zone at the Port of Victoria North Industrial Park. Sharon Barnard, Operations Director with Victoria Economic Development Corporation thanked the Court for their consideration and answered Judge Zeller's questions. Sister Elizabeth Riebschlaeger of 1603 E. Brazos spoke on the tax abatement and also stated she is against the tax abatement. Sandra McKenzie of 503 E. Constitution, asked the Court who would give tax incentives in the Reinvestment Zone and how the Reinvestment Zone would benefit Victoria County. Judge Zeller and Sharon Barnard responded to Ms. McKenzie. Ms. Barnard also responded to Commissioner Burns and Commissioner Ives. Judge Zeller provided additional information. Ann Riechers of 101 Hampton Court, Victoria, Texas asked the Court if the polluters could be excluded from the proposal and Judge Zeller responded. Cindy Brewer of 504 E. Constitution, Victoria, Texas, asked the Court if Caterpillar would have come to Victoria if a Zinc plant already existed. County Judge Zeller, Danny Garcia and County Engineer John Johnston responded to Ms. Brewer. Sandra McKenzie questioned Judge Zeller regarding the comparisons between the proposed facility and the existing industries. Judge Zeller responded. Ms. Riechers and Ms. McKenzie provided additional information. Ms. Barnard once again thanked the Court for their consideration. Judge Zeller closed the public hearing. No action taken.

10. Consider Resolution No. 2021-0062 designating Port of Victoria County Reinvestment Zone No. 1 and take appropriate action.

(10-1:21:09)

10. June 7, 2021. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved Resolution No. 2021-0062 designating a 700.72 acre tract of land situated in the Diego Garcia Survey, Abstract 39 to be known as Port of Victoria County Reinvestment Zone No. 1. Motion adopted.

- 11. Receive fully executed contract from the Victoria County Public Health Department for the Texas Healthy Communities Grant Contract No. HHS000438400007-Amendment No. 2 and take appropriate action.**

(11-1:22:13)

11. June 7, 2021. Public Health Director David Gonzales provided information to the Court. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court received the fully executed contract from the Victoria County Public Health Department for the Texas Healthy Communities Grant Contract No. HHS000438400007 Amendment No. 2. Motion adopted.

- 12. Receive fully executed Commissary Service Partnership Agreement between the Victoria County Sheriff's Office and Correct Commissary and take appropriate action.**

(12-1:22:51)

12. June 7, 2021. Chief Deputy Will Franklin provided information to the Court. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court received the fully executed Commissary Service Partnership Agreement between the Victoria County Sheriff's Office and Correct Commissary. Motion adopted.

- 13. Consider approval of Southwest Border Rural Law Enforcement Assistance Program Award, 2021-SWB-0030 Victoria County Sheriff's Office and take appropriate action.**

(13-1:23:34)

13. June 7, 2021. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the Southwest Border Rural Law Enforcement Assistance Program Award, 2021-SWB-0030 in the amount of \$14,600.00 to be utilized to provide payment for a Dual Purpose Patrol/Narcotic Detection Dog and Handler Training Program with the K-9 for the Victoria County Sheriff's Office. Motion adopted.

- 14. Consider approval of Citizens Medical Center Emergency Department Expansion & Renovation AIA Document G702 Application for Payment No. 8 and take appropriate action.**

(14-1:24:55)

14. June 7, 2021. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the Citizens Medical Center Emergency Department Expansion and Renovation AIA Document G702 Application for Payment No. 8. Motion adopted.

- 15. Consider approval of Resolution No. 2021-0061 for road donation in Precinct No. 4 from Christopher Dobsky for installation of a driveway and pipe culvert to improve drainage at Old Hwy Rd. Inez, Texas 77968 in the amount of \$750.00 and take appropriate action.**

(15-1:25:28)

15. June 7, 2021. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved Resolution No. 2021-0061 for road donation in the amount of \$750.00 from Christopher Dobsky of Old Highway Road, Inez, Texas, 77968, Precinct No. 4 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

16. Receive for the record 2021 Discretionary Funds Budget Amendment for Sheriff's Commissary Fund No. 380 and take appropriate action.

(16-1:25:58)

16. June 7, 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 No. 380 as an increase. Motion adopted.

17. Consider approval of the following 2021 budget amendments and take appropriate actions:

(17-1:26:20)

17. June 7, 2021. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the 2021 budget amendments for:

- a. General Fund, Various Departments, Expenditures – Line item transfer
- b. Elections Administrators Special, Expenditures – Line item transfer
- c. General Fund, Sheriff's Office, Expenditures - Line item transfer

Motion adopted.

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

(18-1:26:49)

18. June 7, 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. Danny Garcia, Commissioner, Precinct No. 1 - Road and Bridge, Precinct No. 1:
 - 1. Resignation of Constantino Martin, Courtesy Station Operator, effective June 1, 2021.
- b. Kelly Hubert, Facilities Manager - Facilities Department:
 - 1. Salary and position change for Russell Tripp, from Facilities Tech at a rate of \$16.60 per hour, Budget Code 100-510-1105 to Facilities Tech II, at a rate of \$20.00 per hour, Budget Code 100-510-1107, effective May 22, 2021. Other Remarks: Cell Phone Allowance GL Code 100-510-1139 \$1,080.04 Annually.
 - 2. Salary and position change for Antonio Rodriguez, from Maintenance I, at a rate of \$15.31 per hour, Budget Code 100-510-1104 to Facilities Tech, at a rate of \$16.00 per hour, Budget Code 100-510-1105, effective May 22, 2021.
 - 3. Salary change for Shamisha Rogers, Maintenance I, from a rate of \$14.25 per hour, Budget Code 100-510-1104 to a rate of \$14.50 per hour, effective May 22, 2021.
 - 4. Salary change for Lydia Wright, Maintenance I, from a rate of \$14.25 per hour, Budget Code 100-510-1104 to a rate of \$14.75 per hour, effective May 22, 2021.
 - 5. Salary change for Herlinda Gaytan, Maintenance I, from a rate of \$14.25 per hour, Budget Code 100-510-1104 to a rate of \$14.75 per hour, effective May 22, 2021.

6. Salary change for Enedelia Guerrero, Maintenance I, from a rate of \$13.50 per hour, Budget Code 100-510-1104 to a rate of \$14.25 per hour, effective May 22, 2021.
- c. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
 1. Resignation of Leticia Marie Alaniz, Supervision Officer I, with 63.21 PTO and 3.01 Compensatory hours due, effective June 2, 2021.
 2. Resignation of Brian Fenton, Jr., Supervision Officer I, with 80.0 PTO and 114.40 Compensatory hours due, effective June 2, 2021.
 3. Resignation of Christopher O. Jimenez, Extra Help- PRN, effective June 2, 2021.
 4. Resignation of Angela Adames, Supervision Officer Supervisor, with 80.0 PTO and 144.54 Compensatory hours due, effective June 4, 2021.
- d. Justin Marr, Sheriff - Sheriff's Office:
 1. Resignation of Trevor Volkert, Detention Officer Tier 2, with 63.61 PTO and 12.77 Compensatory hours due, effective June 9, 2021.
 2. Position change for Abraham Alhamzawi, 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 Sr. Patrol Deputy, Budget Codes 100-563-1109-22.57 and 100-563-1136-1.00, effective June 19, 2021.
 3. Position change for Jonathan Billman, 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 Sr. Patrol Deputy, Budget Codes 100-563-1109-22.57 and 100-563-1136-1.00, effective June 19, 2021.
 4. VCSO Salary Adjustment Certification for Jeffery Thomas, to be paid Master Certificate Pay of \$69.23 per pay period, effective June 25, 2021. Certification date for Jeffery Thomas is May 28, 2021. Budget Coding: Detention Certificate Pay 100-565-1137.
- e. Ben Zeller, County Judge, County Judge's Office:
 1. Salary and position change for Giani Cantu, from Administrative Assistant, at a rate of \$20.53 per hour, Budget Code 100-401-1106 to Chief of Staff, at a rate of \$26.97 per hour, Budget Code 100-400-1103, effective June 5, 2021. Other Remarks: Cell Phone Allowance 100-400-1139 \$1080.04 Annual.

Motion adopted.

19. Adjourn

(19-1:28:18)

19. June 7, 2021. The Commissioners Court adjourned the meeting of June 7, 2021.