

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **19th day of July 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	Absent

and the following orders were passed:



**COUNTY OF VICTORIA
MINUTES
COMMISSIONERS' COURT OF VICTORIA COUNTY, TEXAS
MONDAY, JULY 19, 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. July 19, 2021. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, July 19, 2021 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. July 19, 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.

(3-1:05)

3. July 19, 2021. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

David Gonzales, Public Health Director, recognized Melody Stanford with the Environmental Division for passing the registered sanitarian course and stated she is now a registered sanitarian for the Victoria County Public Health Department.

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

4. Consider approval of minutes and take appropriate action.

(4-4:42)

4. July 19, 2021. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the minutes of the Commissioners Court meeting held on July 12, 2021. Motion adopted.

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

(5-4:55)

5. July 19, 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	7/19/2021	\$211,268.62
Supplemental Accounts	7/9/2021 – 7/15/2021	\$205,908.05

Motion adopted.

6. **Receive monthly and quarterly reports from various county officials and departments and take appropriate action.**
(6-5:30)

6. July 19, 2021. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the monthly reports from County Commissioner, Precinct No. 2 and Constables, Precincts Nos. 1, 2, and 4. Motion adopted.
7. **Consider approval of bond forfeiture releases and take appropriate action.**
(7-5:54)

7. July 19, 2021. None. No action taken.
8. **Consider approval of CMC Interim vendor payments and take appropriate action.**
(8-5:58)

8. July 19, 2021. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated July 15, 2021 in the amount of \$831,155.04 and the ACH report dated July 15, 2021 in the amount of \$2,715,422.73. Motion adopted.
9. **Consider appointing County Tax Assessor-Collector to calculate no new revenue and voter approval rates and take appropriate action.**
(9-6:34)

9. July 19, 2021. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court approved appointing the County Tax Assessor-Collector to calculate the no new revenue and voter approval rates. Motion adopted.
10. **Consider approval of Task Order 001-2021 from Rawley McCoy & Associates for the Victoria County Courthouse entry and steps repairs and take appropriate action.**
(10-7:13)

10. July 19, 2021. County Engineer John Johnston provided information to the Court and answered the Court's questions. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved Task Order 001-2021 from Rawley McCoy and Associates regarding the Victoria County Courthouse Entry and Steps Repairs. Motion adopted.
11. **Consider approval of the request for a variance for Mission Valley Estates located on FM 236 in Precinct No. 3, and take appropriate action.**
(11-9:08)

11. July 19, 2021. John Johnston, County Engineer, provided the Court with information and recommended approval of the variance with the following conditions:

 - a. The original variance application did not include the certification of a Professional Engineer as required by Section I General Development Standard Information (D) General Process (3) Variances of the VCDSM. The Commissioners Court waives the formality of the certification of the Variance Application by a Professional Engineer.
 - b. This variance only applies to proposed conceptual development of the 116.11-acre tract identified in Instrument Number 201707420 of the Victoria Country Clerk Deed Records.

- c. With approval of this variance, Victoria County has not agreed to accept the dedication of the private access easement at some time in the future and may never accept the dedication of the private access easement.
- d. The development is subject to all other VCDSM requirements
- e. All daughter tracts must be greater than 10 acres.
- f. A minimum 60' wide private access easement noted as "Private Road" on the plat.
- g. Lots, which front the private access easement, shall extend their property line to the centerline of the easement.
- h. All daughter tracts must have private access easement frontage.
- i. Any violation or deviation of these conditions will automatically forfeit the variance and any associated approved plats or plans.

The Court held a lengthy discussion. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the request as presented with conditions by the County Engineer for a variance for Mission Valley Estates located on FM 236 in Precinct No. 3 with additional conditions that the developer place signs stating the County will not maintain roads and the same verbiage is required to be on the plat before lots are sold. Motion adopted.

12. Consider approval to submit Bureau of Justice Assistance (BJA) FY21 Body-Worn Camera Policy and Implementation Program to Support Law Enforcement Agencies Grant Application A-366036 and take appropriate action.

(12-41:09)

12. July 19, 2021. Grant Administrator Robin Knipling explained the grant to the Court. Chief Deputy Will Franklin answered Commissioner Janak's question. Commissioner Janak spoke in regards to the Sheriff's Office. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved to submit the Bureau of Justice Assistance (BJA) FY21 Body Worn Camera Policy and Implementation Program to Support Law Enforcement Agencies, Grant Application A-366036. Motion adopted.

13. Receive and consider approval of Engineer's Contract Award Recommendation for General Land Office (GLO) Community Development Block Grant-Disaster Relief (CDBG-DR) Grant 20-065-094-C262 Precinct No. 4 Paving Improvements for Gin Road, Minatre Road, Hiller Road, Midway Road, and Leita Road and take appropriate action.

(13-45:03)

13. July 19, 2021. County Engineer John Johnston provided information to the Court. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court received the Engineer's Contract Award recommendation to award CK Newberry, LLC for the General Land Office (GLO) Community Development Block Grant Disaster Relief (CDBG-DR) Grant 20-065-094-C262 in Precinct No. 4 for Paving Improvements on Gin Road, Minatre Road, Hiller Road, Midway Road, and Leita Road in the amount of \$818,629.95 for Base Bid plus Add Alternate No. 1. Motion adopted.

14. Consider approval of Resolution No. 2021-0072 for a donation from Smith South

Plains Community Action of a 2021 Ford Bus to the Victoria County Women, Infant, and Children Center (WIC) and take appropriate action.

(14-46:37)

14. July 19, 2021. Public Health Director David Gonzales spoke in regards to the donation of the 2021 Ford Bus. Moved by Danny Garcia and seconded by Clint Ives, pursuant to Local Government Code §81.032, the Commissioners Court approved Resolution No. 2021-0072 for a donation from Smith South Plains Community Action of a 2021 Ford Bus with 1141 miles valued at \$94,839.55 to be utilized for and dedicated to the Victoria County Women, Infant, and Children (WIC) Center. Motion adopted.

- 15. Consider approval of Interlocal Agreements for E9-1-1 Services between the Golden Crescent Regional Planning Commission (GCRPC) and Victoria County Sheriff's Office Public Safety Answering Point (PSAP) for the FY 2022-2023 biennium and take appropriate action.**

(15-47:55)

15. July 19, 2021. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the Interlocal Agreement for E9-1-1 Services between the Golden Crescent Regional Planning Commission (GCRPC) and Victoria County Sheriff's Office Public Safety Answering Point (PSAP) for the FY 2022-2023 biennium. Motion adopted.

- 16. Consider approval of an amended TAC Website Services Agreement for 2022 and take appropriate action.**

(16-48:34)

16. July 19, 2021. IT Director John Sestak provided information to the Court. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the amended TAC Website Services Agreement for 2022. Motion adopted.

- 17. Consider amendments and/or corrections to Purchasing Policy and take appropriate action.**

(17-49:54)

17. July 19, 2021. County Judge Zeller reviewed the amendments/corrections to the Purchasing Policy. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the amendment to clarify and correct the section regarding professional services as it pertains to the use of a Request for Qualifications (RFQ) in the Purchasing Policy. Motion adopted.

- 18. Consider approval of the Texas Forest Service Grant in the amount of \$15,000 for the purchase of structural gear for Victoria County volunteer firefighters and take appropriate action.**

(18-50:54)

18. July 19, 2021. Richard Castillo, Fire Marshal, provided information to the Court. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the Texas Forest Service Grant in the amount of \$15,000.00 for purchase of structural gear for Victoria County volunteer firefighters. Motion adopted.

- 19. Consider reappointment of Russell Marshall to the Citizens Medical Center Board of Managers and take appropriate action.**

(19-52:52)

19. July 19, 2021. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the reappointment of Russell Marshall to the Citizens Medical Center Board of Managers. Motion adopted.

20. Receive fully executed Memorandum of Understanding with the City of Victoria for the use of county facilities October 1-4, 2021, and take appropriate action.

(20-53:32)

20. July 19, 2021. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court received the fully executed Memorandum of Understanding with the City of Victoria for the use of county facilities during October 1-4, 2021 (Bootfest 2021). Motion adopted.

21. Consider approval of the following 2021 budget amendments and take appropriate action:

(21-53:55)

21. July 19, 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. Road and Bridge, Precinct No. 2, Expenditures – Line item transfer
- c. Elections Administrators Special, Revenues and Expenditures - Line item transfer

Motion adopted.

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

(22-54:25)

22. July 19, 2021. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. Clint Ives, Commissioner, Precinct No. 4 - Road and Bridge, Precinct No. 4:
 - 1. Employment of Chandler Burkes, Extra Help, at a rate of \$14.00 per hour, Budget Code 204-614-1130, effective July 20, 2021.
 - 2. Employment of Austin Alkek, Extra Help, at a rate of \$14.00 per hour, Budget Code 204-614-1130, effective July 20, 2021.
- b. David Gonzales, Public Health Director - Victoria County Public Health Department:
 - 1. Budget Code Change for Ralph Montes, PHEP Coordinator, at a rate of \$25.62 per hour, from Budget Code 800-666-1104 to Budget Code 800-678-1104, effective July 03, 2021. Other Remarks: ****Cell Phone Allowance change to budget coding: 800-678-1139; \$41.54 per pay period.

- CONTINUED -

- c. Justin Marr, Sheriff - Sheriff's Office:
 - 1. VCSO Salary Adjustment Certification for Omar Garcia, to be paid

Intermediate Certificate Pay of \$23.08 per pay period, effective July 23, 2021. Certification date for Omar Garcia is May 22, 2021. Budget Coding: Enforcement/CID Certificate Pay 100-563-1137. Remarks: Omar Garcia received his Enforcement/CID cert. on May 22, 2021. The certification begins on 7/23/21 PR. One payment for \$92.32 should be paid on 7/23/21 and \$23.08 thereafter.

2. Salary change for Omar Garcia, Sr. Patrol Deputy, from a rate of \$23.57 per hour, Budget Codes 100-563-1109-\$22.57 and 100-563-1136-\$1.00 to a rate of \$24.66 per hour, Budget Codes 100-563-1109-\$23.66 and 100-563-1136-\$1.00, effective July 17, 2021.
3. Salary and position change for Jose L. Pena, II, from Sr. Patrol Deputy at a rate of \$24.66 per hour, Budget Codes 100-563-1109-23.66 and 100-563-1136-1.00 to Patrol Corporal at a rate of \$25.51 per hour, Budget Codes 100-563-1112-24.51 and 100-563-1136-1.00, effective July 17, 2021.
4. Dismissal of Robin DeLeon, Certified Medical Aide, effective July 13, 2021.
5. Dismissal of Cody Bravanec, Detention Officer Tier 3, with 80.0 PTO and 268.96 Compensatory hours due, effective July 15, 2021.
- d. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
 1. Salary and position change for Jennifer Michelle Cantrell, from Extra Help - Rover at a rate of \$14.50 per hour, Budget Code 100-573-1130 to Supervision Officer at a rate of \$15.67 per hour, Budget Code 100-573-1156, effective July 17, 2021.
- e. Vinicio Llerena, Airport Manager - Victoria Regional Airport:
 1. Dismissal of Arndra Thomas, Ops/Maint Spec II, with 4.62 PTO hours and .01 Compensatory hours due, effective July 15, 2021.
- f. Ben Zeller, County Judge - County Judge's Office:
 1. Correction (Salary Change) for Giani Cantu, Chief of Staff, effective June 5, 2021. Other Remarks: Correct change on annual cell phone allowance \$479.96 (100-400-1139) per budget.

Motion adopted.

23. Adjourn.

(23-56:11)

23. July 19, 2021. The Commissioners Court adjourned the meeting of July 19, 2021.