

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **2nd day of August 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, AUGUST 2, 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. August 2, 2021. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, August 2, 2021 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. August 2, 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.

(3-1:17)

3. August 2, 2021. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Toni Stithem with the Victoria County Volunteer Fire Department stated their fundraiser will be held this Saturday at the Fire Marshal's Office at the Victoria Regional Airport. Ms. Stithem stated they will be serving BBQ brisket and sausage plates from 11 a.m. to 2 p.m. and a raffle drawing will be held at 3:00 p.m.

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

4. Consider approval of minutes and take appropriate action.

(4-3:18)

4. August 2, 2021. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the minutes of the Commissioners Court meeting held on July 26, 2021. Motion adopted.

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

(5-3:35)

5. August 2, 2021. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the accounts payable as presented by Michelle Samford, County Auditor.

Regular Accounts	8/2/2021	\$2,203,097.04
Supplemental Accounts	7/23/2021 – 7/29/2021	\$227,748.24

Motion adopted.

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

(6-4:07)

6. August 2, 2021. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the monthly report from County Trapper. Motion adopted.

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

(7-4:24)

7. August 2, 2021. None. No action taken.

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

(8-4:33)

8. August 2, 2021. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the payroll, accounts payable, personnel changes, and interim vendor payments for Citizens Medical Center dated July 29, 2021 in the amount of \$581,316.01 and the ACH report dated July 29, 2021 in the amount of \$2,799,436.69. Motion adopted

9. Hear update regarding Victoria County's American Rescue Plan (ARP) funding and take appropriate action.

(9-5:25)

9. August 2, 2021. County Judge Zeller reviewed and discussed the status of the funding for Victoria County's American Rescue Plan (ARP) with the Court. Judge Zeller mentioned there are delays due to not receiving the executed copy of the agreement from the U.S. Treasury and parameters on how the money is to be spent and eligible categories. Judge Zeller stated Victoria County would send out for an RFP for a grant administrator to help oversee the grant for compliance reporting and eligible projects. He also mentioned there are some eligible categories to start with. County Judge Zeller stated until there is final guidance from the Treasury, a Grant Administrator, and presented in front of the court to prioritize, there will not be a decision made on how the funding will be spent. Commissioner Burns recommended a workshop be held along with the Grant Administrator. Commissioner Janak advised that Commissioners Court be cautious on how the funds are spent. Ann Riechers of 101 Hampton Court, Victoria, Texas, presented a proposal to the Court regarding an option for taxing entities regarding the American Rescue Plan. No action taken.

10. Receive Victoria Economic Development Corporation impact study regarding Zinc

Resources LLC, and take appropriate action.

(10-19:03)

10. August 2, 2021. Sharon Barnard with Victoria Economic Development Corporation introduced Nancy Gardner. Ms. Barnard reviewed the Project ZR Impact Report with the Court and answered questions. Ms. Barnard also introduced Mr. Ron Crittendon, Chief Executive Officer, with Zinc Resources to the Court. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court received the Victoria Economic Development Corporation impact study regarding Zinc Resource LLC. Motion adopted.

11. Hold a public hearing on the application for tax abatement from Zinc Resources, LLC, and take appropriate action.

(11-23:20)

11. August 2, 2021. Judge Zeller opened the public hearing on the application for tax abatement from Zinc Resources, LLC. Ann Riechers of 101 Hampton Court, Victoria, Texas spoke to the Court opposing the tax abatement. Sharon Barnard, Operations Director with Victoria Economic Development Corporation provided information in favor of the tax abatement. Cynthia Brewer of 504 E. Constitution, Victoria, Texas, stated she is against the tax abatement and voiced her concerns regarding Zinc Resources, LLC to the Court. Sean Stibich, Executive Director of the Port Of Victoria, stated the Port of Victoria has completed all environmental reviews and has an option in place with Zinc Resources, LLC and they have completed lease negotiations. Mr. Stibich commented that Zinc Resources, LLC and Mr. Crittendon have done everything they said they will do, and has no doubt they will do the same in regards with Victoria County. Commissioner Gary Burns advised that he had spoken with county commissioners in areas where zinc plants were located in areas in the United States. Commissioner Garcia stated that he feels that Port of Victoria has done their due diligence and Zinc Resources, LLC has met the criteria that Victoria County has set in place. Ann Riechers responded to the Court. Judge Zeller closed the public hearing. No action taken.

12. Consider the approval of a tax abatement agreement with Zinc Resources, LLC, and take appropriate action.

(12-43:10)

12. August 2, 2021. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved a Tax Abatement Agreement between Victoria County, Texas and Zinc Resources, LLC. Motion adopted.

13. Consider replacement of IT department's vehicle that was totaled in a hit and run incident and take appropriate action.

(13-46:57)

13. August 2, 2021. John Sestak, IT Director, provided information to the Court and answered Commissioner Garcia's question. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved the replacement of IT department's vehicle that was totaled in a hit and run incident by purchasing a 2017 Ford Explorer from the Missouri Highway Patrol, through the Sheriff's Office in the amount of \$20,500.00. Motion adopted.

**14. Consider approval of the following items from the Victoria County Health Department and take appropriate action:
Service Agreement for Locum Tenens Coverage with Maxim Physician Resources,**

LLC, d/b/a Maxim Locum Tenens, and Advanced Practitioners (MPR)

(14a-50:25)

14a. August 2, 2021. David Gonzales, Public Health Director, provided information to the Court. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the Service Agreement for Locum Tenens Coverage between Maxim Physician Resources, LLC, d/b/a Maxim Locum Tenens, and Advanced Practitioners (MPR) and the Victoria County Public Health Department to provide an epidemiologist at the Victoria County Public Health Department. Motion adopted.

Consider approval of the following items from the Victoria County Health Department and take appropriate action:

Receive fully executed contract from the Victoria County Public Health Department for the Health and Human Services Commission Contract No. HHS000807400001-Amendment No. 1 Under the Women, Infant and Children's Nutrition Grant Program

(14b-50:25)

14b. August 2, 2021. Public Health Director David Gonzales provided the Court with information. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court received the fully executed Health and Human Services Commission Contract No. HHS000807400001-Amendment No. 1 Under the Women, Infant and Children's Nutrition Grant Program for the Victoria County Public Health Department. Motion adopted.

- 15. Consider approval to submit Edward Byrne Memorial Assistance Grant (JAG) Program FY2021 Local Solicitation Application, Department of Justice, and take appropriate action.**

(15-51:46)

15. August 2, 2021. Grant Administrator Robin Knipling provided the Court with information. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved to submit the local solicitation application for the FY 2021 Edward Byrne Memorial Justice Assistance Grant (JAG) Program funded by U.S. Department of Justice-Office of Justice Programs (OJP) and Bureau of Justice Assistance (BJA). Motion adopted.

- 16. Consider approval of the Pipeline Crossing Application and receive a fee in the amount of \$500.00 from Forza Operating, LLC for Fordyce Road in Precinct No. 3 and take appropriate action.**

(16-53:17)

16. August 2, 2021. Commissioner Gary Burns provided information to the Court. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the Pipeline Crossing Application and an application fee in the amount of \$500.00 from Forza Operating, LLC for Fordyce Road in Precinct No. 3. Motion adopted.

- 17. Consider approval of renewal of the Memorandum of Understanding with Bloomington Independent School District (BISD) for the School Resource Officer (SRO) Program for the 2021/2022 school year and take appropriate action.**

(17-54:01)

17. August 2, 2021. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the renewal of the Memorandum of Understanding with Bloomington Independent School District (BISD) for the School Resource Officer (SRO) Program for the 2021/2022 school year. Motion adopted.

18. Consider approval of a Contractual Services Agreement between Victoria Regional Juvenile Justice/Detention Facility Juvenile Services and Region 3 Education Service Center and take appropriate action.

(18-54:44)

18. August 2, 2021. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the Contractual Services Agreement between Region 3 Education Service Center and Victoria County Juvenile Justice Center, effective September 1, 2021 through August 31, 2022. Motion adopted.

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

(19-55:23)

19. August 2, 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. General Fund, Sheriff's Office, Expenditures - Line item transfer
- c. Health Department, Expenditures - Line item transfer
- d. Road and Bridge, Precinct No. 4, Revenues and Expenditures – Line item transfer

Motion adopted.

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

(20-56:02)

20. August 2, 2021. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. Ben Zeller, County Judge - County Judge's Office:
 - 1. Employment of Lee Bowman, Veteran's Officer, at a rate of \$23.00 per hour, Budget Code 100-405-1104, effective August 3, 2021 at 8:30 a.m.
- b. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Resignation of John McDowell, Patrol Sergeant, with 80.0 PTO and 336.38 Compensatory hours due, effective August 3, 2021.
 - 2. Salary and position change for Lance Orsak, from Patrol Corporal, at a rate of \$25.51 per hour, Budget Codes 100-563-1112-\$24.51 and 100-563-1136-\$1.00 to Patrol Sergeant Enforcement, at a rate of \$26.27 per hour, Budget Codes 100-563-1108-\$25.27 and 100-563-1136-\$1.00, effective August 14, 2021.

- CONTINUED -

- 3. Salary and position change for Omar Garcia, 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 August 14, 2021.
4. VCSO Salary Adjustment Certification for Harbour Holliday, to be paid Advanced Certificate Pay of \$46.15 per pay period, effective August 6, 2021. Certification date for Harbour Holliday is July 9, 2021. Budget Coding: Detention Certificate Pay 100-565-1137.
- c. David Gonzales, Public Health Director - Victoria County Public Health Department:
1. Resignation of Kayla Gutierrez, Community Health Worker I, with 7.45 PTO and 0.01 Compensatory hours due, effective July 30, 2021. Other Remarks: CANCEL - Cell Phone Allowance: \$1080.00 - 804-631-1139.

Motion adopted.

21. Adjourn.

(21-57:24)

21. August 2, 2021. The Commissioners Court adjourned the meeting of August 2, 2021.