

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **27th day of September 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, SEPTEMBER 27, 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. September 27, 2021. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, September 27, 2021 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. September 27, 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.

(3-1:54)

3. September 27, 2021. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Will Martin of 5207 FM 1685, Victoria, Texas, thanked Commissioner Danny Garcia and his wife for attending the DAV dance on Saturday night. Mr. Martin voiced his concerns regarding public safety, including businesses that finance drug and human trafficking, border chaos, and game rooms in Victoria County.

Michael Vonderau of 2204 E. North Street, Victoria, Texas, suggested to the Court that Animal Control change their working hours in order for people to adopt animals.

Barbara Hybner of 1144 Menke Road, Victoria, Texas, provided the Court with a handout regarding ideas that the community could start working on to have a no kill shelter at the Victoria County Animal Control Department. Ms. Hybner explained the handout and provided additional information.

Rick McBrayer, Emergency Management Coordinator, updated the Court on the Regional Infusion Center and responded to Commissioners Janak's and Garcia's questions.

County Judge Zeller mentioned the National Night Out kickoff event on Saturday and stated the actual events are held on Tuesdays at various places.

Commissioner Ives spoke about the loss of Victoria County Sr. Deputy Sheriff Phillip Barron. The Commissioners Court held a moment of silence in honor of Sr. Deputy Sheriff Phillip Barron. Commissioner Ives gave condolences to Sheriff Justin Marr, his family and the Sheriff's Office.

Commissioner Janak mentioned that the State has changed the policy for the Appraisal District Board Members. Mr. Janak stated ARB Board members will now be selected by the District Judge, effective immediately. Mr. Janak listed the duties of the board members and responded to Commissioner Ives.

Commissioner Janak asked for prayers for the American citizens left behind enemy lines in Afghanistan, and that the public should remember how this administration failed them.

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

4. Consider approval of minutes, including budget workshop minutes, and take appropriate action.

(4-16:50)

4. September 27, 2021. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the minutes of the Commissioners Court meeting held on September 20, 2021 and the minutes from the 2022 budget workshops held on August 9, 2021, August 10, 2021, August 11, 2021, and August 12, 2021. Motion adopted.

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

(5-17:11)

5. September 27, 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	9/27/2021	\$393,176.25
Supplemental Accounts	9/17/2021 – 9/23/2021	\$229,024.77

Motion adopted.

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

(6-17:40)

6. September 27, 2021. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the monthly reports from the County Treasurer; Sheriff; and Justice of the Peace, Precinct No 1. Motion adopted.

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

(7-17:58)

7. September 27, 2021. None. No action taken.

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

(8-18:13)

8. September 27, 2021. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved payroll, accounts payable, personnel changes, and interim vendor payments for Citizens Medical Center dated September 23, 2021 in the amount of \$681,827.50 and the ACH report dated September 23, 2021 in the amount of \$3,119,746.18. Motion adopted.

- 9. Hear an update concerning the payment of the final invoice from Virtus/Commercial Restoration Company concerning insurance claims and expenditures for damages and repairs after Hurricane Harvey and take appropriate action.**

(9-18:52)

9. September 27, 2021. Commissioner Kevin Janak stated the Hurricane Harvey Airport insurance review process is officially done. Mr. Janak explained the work group's process and the final payment invoice from Virtus/Commercial Restoration Company concerning insurance claims and expenditures for damages and repairs after Hurricane Harvey at the Victoria Regional Airport. Commissioner Janak responded to Commissioner Ives question regarding future disasters. Emergency Management Coordinator Rick McBrayer also responded. A discussion was held by the Court. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the final payment invoice of \$192,301.86 to be paid to Commercial Restoration Company (CRC) to complete Hurricane Harvey work for damages and repairs at the Victoria Regional Airport. Motion adopted.

- 10. Discussion on relocation and other office space needs of the Administrative Services department and take appropriate action.**

(10-42:43)

10. September 27, 2021. County Engineer John Johnston discussed areas for the relocation of the Administrative Services department. Mr. Johnston reviewed pros and cons for the 205 Annex Building Tenant Space and the 311 Building with the Court. A discussion was held on other options and areas for the Administrative Services department relocation and the timeframe with Mr. Johnston, the Court and Facilities Manager Kelly Hubert. No action taken.

- 11. Consider approval of 2022 Indigent Defense Formula Grant Program Resolution No. 2021-0093 and take appropriate action.**

(11-1:02:37)

11. September 27, 2021. Robin Knipling, Grant Administrator, provided the Court with information. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the 2022 Indigent Defense Formula Grant Program Resolution No. 2021-0093. Motion adopted.

- 12. Consider approval to authorize to advertise for bids for the Victoria County Emergency Operations Center Stair Enclosure Project, Hazard Mitigation Grant Program No. DR-4332-0356 and take appropriate action.**

(12-1:03:16)

12. September 27, 2021. Robin Knipling, Grant Administrator, and Rick McBrayer, Emergency Management Coordinator, provided information to the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved to authorize to advertise for bids for the Victoria County Emergency Operations Center Stair Enclosure Project, Hazard Mitigation Grant Program No. DR-4332-0356. Motion adopted.

- 13. Consider approval to authorize to advertise for a request for proposals for Hazard**

Mitigation Grant Program Application Assistance and Administration and take appropriate action.

(13-1:05:07)

13. September 27, 2021. Grant Administrator Robin Knipling provided information to the Court. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved to authorize to advertise for a request for proposals for Hazard Mitigation Grant Program Application Assistance and Administration. Motion adopted.

14. Receive the submitted proposals, Selection Committee's scoring sheet, and award recommendation for the 2021 Victoria County Jail Chiller and Pump Upgrade Project and take appropriate action.

(14-1:06:51)

14. September 27, 2021. County Engineer John Johnston provided information to the Court. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court received the submitted proposals, the Selection Committee's scoring sheet, and the award recommendation to Schroeder Refrigeration, Inc. for the 2021 Victoria County Jail Chiller and Pump Upgrade Project. Motion adopted.

15. Consider authorization of the County Engineer and County Facilities Manager to negotiate a contract with Schroeder Refrigeration Co., Inc. in connection to the 2021 Victoria County Jail Chiller and Pump Upgrade Project and take appropriate action.

(15-1:08:20)

15. September 27, 2021. County Engineer John Johnston provided information to the Court. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court authorized the County Engineer and County Facilities Manager to negotiate a contract with Schroeder Refrigeration Company, Inc. in connection to the 2021 Victoria County Jail Chiller and Pump Upgrade Project. Motion adopted.

16. Consider request to amend the 2021 Adopted Budget for the creation and funding of additional positions under Facilities Management and take appropriate action.

(16-1:09:41)

16. September 27, 2021. Facilities Manager Kelly Hubert provided information to the Court. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the request to amend the 2021 Adopted Budget to open and fund the foreman position immediately under Facilities Management. Motion adopted.

17. Discuss and consider the negative balances on Tax Assessor-Collector accounts and take appropriate action.

(17-1:12:38)

17. September 27, 2021. County Auditor Michelle Samford explained the accounts and negative balances to the Court. Steve Van Manen with Harrison Waldrop and Uherek, LLP and Mrs. Samford answered questions from the Court and provided additional information. County Treasurer Sean Kennedy stated that by law these accounts belong to the Tax Assessor only and the Tax Assessor signs on these accounts and would also reconcile these accounts. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved to use the general fund to make the negative balances of the Ad Valorem Account in the amount of \$1360.57 plus the Texas Highway Account in the amount of \$3090.43 to zero balances. Motion adopted.

18. Consider approval of Resolution No. 2021-0092 continuing the Disaster Declaration

issued by County Judge Ben Zeller on September 20, 2021, in response to the effects of the Border Crisis and take appropriate action.

(18-1:21:00)

18. September 27, 2021. Sheriff Justin Marr informed the Court that as Commissioner's Court began this morning, Sheriff's deputies had detained 16 immigrants on 77 South. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved Resolution No. 2021-0092 continuing the Disaster Declaration issued by County Judge Ben Zeller on September 20, 2021, in response to the effects of the Border Crisis. Motion adopted.

19. Consider approval of 2022 Sheriff's and Constable's Fees and take appropriate action.

(19-1:22:06)

19. September 27, 2021. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court approved the proposed 2022 Victoria County Sheriff's and Constables Fees. Motion adopted.

20. Consider authorization of changes to employee's access to LOGIC Investment pool from the Victoria County Treasurer's office and take appropriate action.

(20-1:22:41)

20. September 27, 2021. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court authorized the changes to delete a former employee and add two current employees of the Victoria County Treasurers' Office to the employee access to the LOGIC Investment Pool. Motion adopted.

21. Consider approval of the following Detention & Residential contracts for Victoria Regional Juvenile Justice-Detention Facility and take appropriate actions:

a. Fully executed Brazoria County

(21a-1:23:27)

21a. September 27, 2021. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court received the fully executed Detention and Residential contracts between the Victoria County Regional Juvenile Justice/Detention Facility and Brazoria County. Motion adopted.

Consider approval of the Detention and Residential Contracts between Victoria Regional Juvenile Justice/Detention Facility and take appropriate action:

b. Comal County.

(21b-1:23:27)

21b. September 27, 2021. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the Detention and Residential contracts between the Victoria County Regional Juvenile Justice/Detention Facility and Comal County. Motion adopted.

- CONTINUED -

Consider approval of the Detention and Residential Contracts between Victoria

Regional Juvenile Justice/Detention Facility and take appropriate action:

c. Reeves County.

(21c-1:23:27)

21c. September 27, 2021. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the Detention and Residential contracts between the Victoria County Regional Juvenile Justice/Detention Facility and Reeves County. Motion adopted.

Consider approval of the Detention and Residential Contracts between Victoria Regional Juvenile Justice/Detention Facility and take appropriate action:

d. Uvalde and Real Counties.

(21d-1:23:27)

21d. September 27, 2021. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the Detention and Residential contracts between the Victoria County Regional Juvenile Justice/Detention Facility and Uvalde and Real Counties. Motion adopted.

Consider approval of the Detention and Residential Contracts between Victoria Regional Juvenile Justice/Detention Facility and take appropriate action:

e. Webb County.

(21e-1:23:27)

21e. September 27, 2021. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the Detention and Residential contracts between the Victoria County Regional Juvenile Justice/Detention Facility and Webb County. Motion adopted.

22. Receive Annual Road Reports for Victoria County, Precincts No. 1, No. 2, No. 3, and No. 4 pursuant to V.T.C.A Texas Transportation Code §251.005 and take appropriate action.

(22-1:24:32)

22. September 27, 2021. Moved by Danny Garcia and seconded by Kevin Janak, pursuant to V.T.C.A. Texas Texas Transportation Code §251.005, the Commissioners Court received the annual road reports for Victoria County Precincts Nos. 1, 2, 3, and 4. Motion adopted.

23. Consider approval of Resolution No. 2021-0094 for a road donation from DC Arrisola (Nicho) for the installation of a driveway and pipe culvert to improve drainage at 106 Al Beamon Dr. Victoria, Texas in the amount of \$360.00 in PCT No. 3 and take appropriate action.

(23-1:25:11)

23. September 27, 2021. Moved by Gary Burns and seconded by Kevin Janak, the Commissioners Court approved Resolution No. 2021-0094 for road donation in the amount of \$360.00 from DC Arrisola (Nicho) of 106 Al Beamon Drive, Victoria, Texas, in Precinct No. 3 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

24. Receive a letter of permission to enter and work on the private property of Vernice Davis located at Coletto, River Oaks, Block 2, Lot 2, Victoria, Texas for the purpose of

cleaning ditches and underbrush for drainage improvement in the County ROW in Precinct No. 3 and take appropriate action.

(24-1:25:44)

24. September 27, 2021. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court received the letter of permission to enter and work on private property in Precinct No. 3 from Vernice Davis of Coletto, River Oaks, Block 2, Lot 2, Victoria, Texas, for the purpose of cleaning ditches and underbrush for drainage improvement in the County ROW on County maintained roads. Motion adopted.

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

(25-1:26:14)

25. September 27, 2021. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the 2021 budget amendments for:

- a. General Fund, Various Departments, Revenues and Expenditures – Line item transfer
- b. General Fund, Sheriff's Office, Expenditures - Line item transfer
- c. Health Department, Revenues and Expenditures - Line item transfer
- d. Road and Bridge, Precinct No. 1, Expenditures - Line item transfer
- e. Road and Bridge, Precinct No. 4, Expenditures - Line item transfer

Motion adopted.

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

(26-1:26:52)

26. September 27, 2021. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
 - 1. Resignation of Georgia Golightly, Extra Help-Rover, effective September 12, 2021.
 - 2. Dismissal of Rodney Chatman, Supervision Officer I, with 80.0 PTO and 20.63 Compensatory hours due, effective September 21, 2021.
 - 3. Resignation of Elizabeth Raymundo, Extra Help-Rover, effective September 20, 2021.
- b. Vinicio Llerena, Airport Manager - Victoria Regional Airport:
 - 1. Dismissal of Christina Ramirez, FBO Clerk III, with 4.62 PTO hours due, effective September 16, 2021.
- c. David Gonzales, Public Health Director - Victoria County Public Health Department:
 - 1. Position/Other Change GL Code for Maribel Rojas, RN Nurse, at a rate of \$28.05 per hour, from Budget Codes 800-631-1105 (31.55%) \$ 8.85, 800-641-1105 (47.45%) \$13.31, and 800-653-1105 (21.00%) \$5.89 to Budget Codes 800-631-1105 (31.55%) \$ 8.85, 800-643-1105 (47.45%) \$13.31, and

- CONTINUED -

800-679-1105 (21.00%) \$ 5.89, effective September 11, 2021. Other
Remarks: GRANT CODE CHANGES.

2. Position/Other Change GL Code for Dana Ramirez, Nurse, at a rate of \$21.75 per hour, from Budget Codes 800-631-1163 (54.85%) \$11.93, 800-653-1140 (20.50%) \$ 4.46, and 800-664-1140 (24.65%) \$ 5.36 to Budget Codes 800-631-1163 (54.85%) \$11.93, 800-679-1140 (20.50%) \$ 4.46, and 800-664-1140 (24.65%) \$ 5.36, effective September 11, 2021. Other Remarks: CHANGE OF GRANT CODE(S).
3. Position/Other Change GL Code for Christina Galindo, Sanitation Inspector, at a rate of \$20.50 per hour, from Budget Codes 800-631-1154 (50.00%) \$10.25 and 800-641-1128 (50.00%) \$10.25 to Budget Codes 800-631-1154 (50.00%) \$10.25 and 800-643-1128 (50.00%) \$10.25, effective September 11, 2021. Other Remarks: GRANT CODE CHANGE.
4. Position/Other Change GL Code for Elizabeth Flores, CSA IV, at a rate of \$18.83 per hour, from Budget Code 800-641-1126 to Budget Code 800-643-1126, effective September 11, 2021. Other Remarks: GRANT CODE CHANGE.
5. Position/Other Change GL Code for Laurie Salinas, CSA III, at a rate of \$17.68 per hour, from Budget Code 800-649-1110 to Budget Code 800-667-1110, effective September 11, 2021. Other Remarks: GRANT CODE CHANGE.
6. Position/Other Change GL Code for Reuben Ybarra, Nurse, at a rate of \$22.18 per hour, from Budget Codes 800-649-1114 (22.54%) \$ 5.00, 800-641-1114 (72.74%) \$16.13 and 800-674-1105 (4.72%) \$ 1.05 to Budget Codes 800-667-1114 (22.54%) \$ 5.00, 800-643-1114 (72.74%) \$16.13 and 800-674-1105 (4.72%) \$ 1.05, effective September 11, 2021. Other Remarks: GRANT CODE CHANGES.
7. Position/Other Change GL Code for Shannon Geistman, RN Nurse (Staff), at a rate of \$27.80 per hour, from Budget Codes 800-649-1107 (96.40%) \$26.80 and 802-631-1107 (3.60%) \$1.00 to Budget Codes 800-667-1107 (96.40%) \$26.80 and 802-631-1107 (3.60%) \$ 1.00, effective September 11, 2021. Other Remarks: GRANT CODE CHANGES.
8. Position/Other Change GL Code for Carrie Fagg, Public Health Tech II, at a rate of \$20.43 per hour, from Budget Codes 800-649-1106 (95.11%) \$19.43 and 802-631-1106 (4.89%) \$ 1.00 to Budget Codes 800-667-1106 (95.11%) \$19.43 and 802-631-1106 (4.89%) \$ 1.00, effective September 11, 2021. Other Remarks: GRANT CODE CHANGES.
9. Position/Other Change GL Code for Ashley Cano, Public Health Community Advocate, at a rate of \$19.00 per hour, from Budget Code 800-675-1104 to Budget Code 800-668-1101, effective September 11, 2021. Other Remarks: GRANT CODE CHANGE - Cell phone allowance CHANGE TO 800-668-1139.
10. Position/Other Change GL Code for Victoria Reyna, Program Administrator, at a rate of \$24.50 per hour, from Budget Codes 800-674-1102 (70%) \$17.15 and 800-663-1102 (30%) \$ 7.35 to Budget Codes 800-674-1102 (70%) \$17.15 and 800-638-1102 (30%) \$ 7.35, effective September 11, 2021. Other Remarks: GRANT CODE CHANGES.

- CONTINUED -

11. Position/Other Change GL Code for Kimberly Kirbo, Caseworker/Associate, at a rate of \$18.00 per hour, from Budget Codes 800-656-1104 (70%) \$12.60

and 800-663-1104 (30%) \$ 5.40 to Budget Codes 800-637-1104 (70%) \$12.60 and 800-638-1104 (30%) \$ 5.40, effective September 11, 2021. Other Remarks: GRANT CODE CHANGES.

12. Employment of Brittany Deen, CSA III, at a rate of \$15.10 per hour, Budget Code 808-631-1108, effective October 5, 2021.
- d. Clint Ives, Commissioner, Precinct No. 4 - Road and Bridge, Precinct No. 4:
 1. Request of payment for Greg Kutac, Foreman, Precinct, No. 4, to be paid for 188.65 hours of compensatory time in the amount of \$5,093.55, for hours accrued through unforeseen projects and the need for current staff to cover the vacancy at the Precinct No. 4 Courtesy Station on Saturdays, to be funded through pending budget amendment out of Road and Bridge, Precinct No. 4 budget.
- e. Justin Marr, Sheriff - Sheriff's Office:
 1. Resignation of Madison Greenwell, Nurse, with 80.0 PTO and 69.90 Compensatory hours due, effective September 24, 2021.

Motion adopted.

27. Adjourn.

(27-1:27:33)

27. September 27, 2021. The Commissioners Court adjourned the meeting of September 27, 2021.