

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **4th day of October 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, OCTOBER 4, 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. October 4, 2021. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, October 4, 2021 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. October 4, 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.

(3-1:15)

3. October 4, 2021. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Michael Vonderau, 2204 E. North Street, thanked Commissioner Danny Garcia, Victoria County Animal Control, and Victoria Police Department for rescuing some huskies. Mr. Vonderau mentioned the gentleman last week that spoke about illegal gambling and he told the Court there was an arrest made in Goliad County for illegal gambling.

Barbara Hybner of 1144 Menke Road, Victoria, Texas, thanked Commissioner Janak for meeting with her and Ms. Fojtik regarding the Animal Control situation. Ms. Hybner stated they discussed the possibility of a partnership with a non-profit for Victoria County Animal Control, veterinarian issues, the possibility of a fundraiser by private citizens, and a name change. Commissioner Janak stated the recommendations would need to come from Public Health Director David Gonzales' office.

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 and take appropriate action.

(4-7:08)

4. October 4, 2021. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the minutes of the Commissioners Court meeting held on September 27, 2021. Motion adopted.

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

(5-7:17)

5. October 4, 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	10/4/2021	\$359,071.30
Supplemental Accounts	9/24/2021 – 9/30/2021	\$108,218.40

Motion adopted.

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

(6-7:46)

6. October 4, 2021. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the monthly report from Constable, Precinct No. 3. Motion adopted.

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

(7-8:08)

7. October 4, 2021. None. No action taken.

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

(8-8:14)

8. October 4, 2021. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated September 30, 2021 in the amount of \$555,670.53 and the ACH report dated September 30, 2021 in the amount of \$969,579.39. Motion adopted.

9. Consider approval of Proclamation for National 4-H Week for 2021 and take appropriate action.

(9-8:51)

9. October 4, 2021. Paige Melton, Victoria County 4-H Extension Agent, thanked the Court for their support to the 4-H Program and stated this week is National 4-H week. Mrs. Melton introduced 4-H Ambassadors Bennett Janssen, William Wright, Laney Akin, Thomas Rung, Reilly Amsler, Katelyn John, Jacy Roessler, Bo Neill, Cody Nunez, and Maddie Nunez. Ambassadors Bennett Janssen, William Wright, Reilly Amsler, and Katelyn John informed the Court about the 4-H Program and National 4-H Week. State Health Ambassadors Maddie Nunez and Cody Nunez informed the Court of events they have participated in. Mrs. Melton stated the Food Challenge Team received second place at State fair and received second at the national contest, so they are Reserve Grand Champions. County Judge Zeller read the Proclamation for National 4-H Week. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the Proclamation designating the week of October 3-9, 2021 as National 4-H Week in Texas. Motion adopted. All per resolution as filed in the minutes of this Court.

10. Consider approval of Order No. 2021-0095 and agreement to participate with the

University of Houston - Victoria regarding Innovation Collective and Victoria County and take appropriate action.

(10-20:40)

10. October 4, 2021. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court approved Order No. 2021-0095 for Commissioners Court to participate in agreement with University of Houston-Victoria regarding Innovation Collective. Motion adopted.

11. Consider approval of the Lease Extension Amendment No. 1 with the Farmer's Market and take appropriate action.

(11-22:36)

11. October 4, 2021. Meredith Byrd, Farmer's Market Manager, informed the Court of items that are available at the market along with additional information. Ms. Byrd also requested an amendment to the lease to add a second market to be held on Wednesday's from 9:00 a.m. to 1:00 p.m. Grant Administrator Robin Knipling, County Engineer John Johnston, and Commissioner Ives held a discussion regarding the pavilion for the Farmer's Market. Moved by Gary Burns and seconded by Kevin Janak, the Commissioners Court approved the Lease Extension Agreement Amendment No. 1 by and between Victoria County and Victoria Farmer's Market aka The Farmer's Market. Motion adopted.

12. Receive the fully executed 2021-2022 Environmental Public Health Services Agreement with Victoria County Public Health Department and Dewitt County, Texas, and take appropriate action.

(12-30:04)

12. October 4, 2021. David Gonzales, Public Health Director, provided information to the Court. Moved by Clint Ives and seconded by Kevin Janak, the Commissioners Court received the fully executed 2021-2022 Environmental Public Health Services Agreement with Victoria County Public Health Department and Dewitt County, Texas. Motion adopted.

13. Consider approval of contracts and funding associated to the 2021 County Jail Chiller and Pumps Project and take appropriate action:

a. Consider the allocation of additional funds to support the contracts associated to the 2021 Victoria County Jail Chiller and Pumps Project in the amount of \$183,033.00 and take appropriate action.

(13a-30:33)

13a. October 4, 2021. County Engineer John Johnston and Facilities Manager Kelly Hubert provided information to the Court. County Auditor Michelle Samford and Grant Administrator Robin Knipling answered questions from the Court. Moved by Gary Burns and seconded by Kevin Janak, the Commissioners Court approved the allocation of additional funds to support the contracts associated with the 2021 Victoria County Jail Chiller and Pumps Project in the amount of \$183,033.00. Motion adopted.

- CONTINUED -

Consider approval of contracts and funding associated to the 2021 County Jail

Chiller and Pumps Project and take appropriate action:

b. Consider authorizing the County Judge to execute a contract with Schroeder Refrigeration Co., Inc. in the amount of \$208,300.00 and take appropriate action.

(13b-30:33)

13b. October 4, 2021. Moved by Gary Burns and seconded by Kevin Janak, the Commissioners Court authorized the County Judge to execute a contract with Schroeder Refrigeration Company, Inc. in the amount of \$208,300.00 for the 2021 County Jail Chiller and Pumps Project. Motion adopted.

Consider approval of contracts and funding associated to the 2021 County Jail Chiller and Pumps Project and take appropriate action:

c. Consider authorizing the County Judge to execute a contract with Wendt Services, Inc. in the amount of \$74,500.00 and take appropriate action.

(13c-30:33)

13c. October 4, 2021. Moved by Gary Burns and seconded by Kevin Janak, the Commissioners Court authorized the County Judge to execute a contract with Wendt Services, Inc. in the amount of \$74,500.00 for the 2021 County Jail Chiller and Pumps Project. Motion adopted.

Consider approval of contracts and funding associated to the 2021 County Jail Chiller and Pumps Project and take appropriate action:

d. Consider authorizing the County Judge to execute "*Task Order No. 10 - Victoria County Jail - HVAC System Remediation, Phase 3 Bidding Phase, and Construction Phase Engineering Services*" for hourly services with Stridde, Callins & Associates Inc. and take appropriate action.

(13d-30:33)

13d. October 4, 2021. Moved by Gary Burns and seconded by Kevin Janak, the Commissioners Court authorized the County Judge to execute Task Order No. 10 from Stridde, Callins and Associates, Inc. for Phase 3 Bidding Phase and Construction Phase Engineering Services, for hourly services for the Victoria County Jail HVAC System Remediation. Motion adopted.

Consider approval of contracts and funding associated to the 2021 County Jail Chiller and Pumps Project and take appropriate action:

e. Consider authorizing the County Judge to execute a contract with Trane Canada ULC for the "*VCT Jail CP Controls Upgrade*" in the amount of \$68,363.00 and take appropriate action.

(13e-30:33)

13e. October 4, 2021. Moved by Gary Burns and seconded by Kevin Janak, the Commissioners Court authorized the County Judge to execute a contract with Trane Canada ULC for the VCT Jail CP Controls Upgrade in the amount of \$68,363.00 for the 2021 County Jail Chiller and Pumps Project. Motion adopted.

- CONTINUED -

Consider approval of contracts and funding associated to the 2021 County Jail

Chiller and Pumps Project and take appropriate action:

f. Consider authorizing the County Judge to execute a contract with Trane U.S. Inc. for the "*Continuation of Services Agreement 2230574C2*" in the amount of \$8,955.00 and take appropriate action.

(13f-30:33)

13f. October 4, 2021. Moved by Gary Burns and seconded by Kevin Janak, the Commissioners Court authorized the County Judge to execute a contract with Trane U.S. Inc. for the Continuation of Services Agreement 2230574C2 in the amount of \$8,955.00 for the 2021 County Jail Chiller and Pumps Project. Motion adopted.

14. Receive 2021 Third Quarter Plat Exemption request from the County Engineer and take appropriate action.

(14-41:21)

14. October 4, 2021. County Engineer John Johnston provided information to the Court and answered questions from the Court. Moved by Clint Ives and seconded by Kevin Janak, the Commissioners Court received the 2021 Third Quarter Plat Exemption request from the County Engineer John Johnston. Motion adopted.

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

(15-43:28)

15. October 4, 2021. The Commissioners Court discussed the relocation of the Administrative Services department with John Johnston, County Engineer and Kelly Hubert, Facilities Manager. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved to relocate the Administrative Services department to the 311 Constitution Building. Motion adopted.

16. Receive and ratify school property lease agreement with Victoria ISD for the COVID-19 Regional Infusion Center (RIC) and take appropriate action.

(16-52:17)

16. October 4, 2021. Jena West with the Emergency Management Office, provided information to the Court and answered questions from the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court received and ratified the school property lease agreement with Victoria ISD to use Mitchell Guidance Center for the COVID-19 Regional Infusion Center (RIC). Motion adopted.

17. Consider approval of Order No. 2021-0096 authorizing online instruction for continuing education of County Commissioners and take appropriate action.

(17-59:36)

17. October 4, 2021. Moved by Clint Ives and seconded by Kevin Janak, the Commissioners Court approved Order No. 2021-0096 authorizing online instruction for continuing education of County Commissioners, except for a County Commissioner in the first 12-month period of the Commissioner's first term. Motion adopted.

18. Receive for the record official 2022 Adopted Budget document and take appropriate action.

(18-1:00:18)

18. October 4, 2021. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court received for the record the official 2022 Adopted Budget document. Motion adopted.

19. Award bid for the Annual Supply Contract for Gasoline, Diesel Fuel, and Dyed Diesel Fuel and take appropriate action.

(19-1:01:13)

19. October 4, 2021. County Engineer John Johnston provided information to the Court. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court awarded the bid for the annual supply contract for Gasoline, Diesel Fuel, and Dyed Diesel Fuel to New Distributing Company, Inc. of Victoria, Texas. Motion adopted.

20. Consider approval from CK Newberry, LLC for a road project on Keefe Road in Precinct No. 4 and take appropriate action.

(20-1:02:11)

20. October 4, 2021. Commissioner Clint Ives provided information to the Court. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved CK Newberry, LLC for a road project on Keefe Road in Precinct No. 4. Motion adopted.

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

(21-1:02:55)

21. October 4, 2021. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the 2021 budget amendments for:

- a. General Fund, Various Departments, Expenditures – Line item transfer
- b. Records Management Fund, Expenditures - Line item transfer
- c. Road and Bridge, Precinct No. 2, Expenditures - Line item transfer
- d. Airport Fund - Line item transfer
- e. General Fund, Sheriff's Office, Expenditures - Line item transfer

Motion adopted.

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

(22-1:03:31)

22. October 4, 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. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Correction (Name): Employment of Jacqueline Martin, Records Clerk, at a rate of \$16.10 per hour, Budget Code 100-562-1148, effective September 28, 2021.
 - 2. Other (Deceased) Phillip Barron, Jr., School Resource Officer, effective September 24, 2021.
 - 3. Dismissal of Frances Gutierrez, Detention Officer Tier 3, with 80.0 PTO and 195.97 Compensatory hours due, effective September 13, 2021.

- CONTINUED -

- b. Kelly Hubert, Facilities Manager - Facilities Department:
 - 1. Salary and position change for Russell Tripp, from Facilities Tech II, at a

rate of \$20.00 per hour, Budget Code 100-510-1107 to Facilities Foreman, at a rate of \$24.05 per hour, Budget Code 100-510-1103, effective October 9, 2021. Other Remarks: Continue cell phone allowance. Remarks: Budget amendment 9/27/21.

- c. Danny Garcia/Kelly Hubert, Commissioner, Precinct No. 1/Facilities Manager - Road and Bridge, Precinct No. 1/Facilities Department:
 - 1. Salary and position change for Erick Ramos Flores, from Sr. Equipment Operator (Road and Bridge, Precinct No. 1), at a rate of \$21.00 per hour, Budget Code 201-611-1108 to Facilities Tech II (Facilities Department), at a rate of \$23.35 per hour, Budget Code 100-510-1107, effective October 9, 2021. Other Remarks: Transfer of Departments (add Cell Phone allowance - \$41.54 bi-weekly G/L 100-510-1139). Remarks: Budget Amendment 9/27/21.
- d. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
 - 1. Employment of Ashlee Dellen Guerrero, Extra Help-PRN, at a rate of \$13.50 per hour, Budget Code 100-573-1130, effective September 28, 2021.
 - 2. Salary and position change for Johnny Polk, from Supervision Officer, at a rate of \$15.67 per hour, Budget Code 100-573-1156 to Supervision Officer I, at a rate of \$17.06 per hour, Budget Code 100-573-1155, effective October 9, 2021.
 - 3. Salary and position change for Jacob Juarez, from Supervision Officer I, at a rate of \$17.06 per hour, Budget Code 100-573-1155 to Supervision Officer II, at a rate of \$18.66 per hour, Budget Code 100-573-1154, effective October 9, 2021.
 - 4. Salary and position change for Rane Joan Denson, from Supervision Officer, at a rate of \$15.67 per hour, Budget Code 100-573-1156 to Supervision Officer I, at a rate of \$17.06 per hour, Budget Code 100-573-1155, effective October 9, 2021.
 - 5. Salary and position change for Celeste Maria Garcia, from Supervision Officer, at a rate of \$15.67 per hour, Budget Code 100-573-1156 to Supervision Officer I, at a rate of \$17.06 per hour, Budget Code 100-573-1155, effective October 9, 2021.
- e. David Gonzales, Public Health Director - Victoria County Public Health Department:
 - 1. Employment of Victor Franek, Sanitarian, at a rate of \$18.00 per hour, Budget Code 808-631-1109, effective October 5, 2021.
 - 2. Employment of Kemberley Calk, Community Health Worker II, at a rate of \$17.00 per hour, Budget Code 804-631-1105, effective October 5, 2021. Other Remarks: Cell Phone Allowance: \$1080.00 - 804-631-1139.
 - 3. Resignation of Victoria Reyna, Program Administrator, with 80.0 PTO hours due, effective September 27, 2021.
 - 4. Employment of Jennifer Poncio, ADAP Eligibility Worker, at a rate of \$16.50 per hour, Budget Code 800-672-1105, effective October 5, 2021.

Motion adopted.

23. Adjourn.

(23-1:04:37)

23. October 4, 2021. County Judge Zeller mentioned he would not be at next

Monday's meeting. Commissioner Garcia stated that October is breast cancer awareness month and reminded women to consider getting a breast examination. The Commissioners Court adjourned the meeting of October 4, 2021.