

**THE STATE OF TEXAS   §**

**COUNTY OF VICTORIA   §**

Be it remembered that on this the **25th 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 25, 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 25, 2021. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, October 25, 2021 at 10:00 a.m.

**2. Invocation and Pledges.**

(2-0:00)

2. October 25, 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.**

(3-1:04)

3. October 25, 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, presented his staff, Jena West, Jessica Kalmus, and Ralph Montes, with a plaque to show his appreciation of their hardwork during the COVID-19 pandemic.

Michael Vonderau of 2204 East North Street, Victoria, Texas, thanked Commissioner Ives for his work with Keep Victoria Beautiful and asked for his help with the Arms of Hope Charity bins around Victoria. Mr. Vonderau stated that trash is being dumped in and around these bins and would like to see a permit fee charged for the bins.

Bernard Klimist, Victoria County citizen, voiced his concerns regarding the Interlocal Agreement between the County of Victoria and the City of Victoria that pertains to animal control in Victoria County. Mr. Klimist asked the Court for a workshop and an agenda item to be put in place for Victoria County and City of Victoria to get together and consolidate the operations of animal control under the County. Commissioner Burns responded to Mr. Klimist and held a discussion.

County Judge Zeller mentioned early voting is still going on for the November 2, 2021 Constitutional Amendment Election and Victoria I.S.D Bond Election.

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

**4. Consider approval of minutes and take appropriate action.**

(4-20:12)

4. October 25, 2021. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the minutes of the Commissioners Court meeting held on October 18, 2021. Motion adopted.

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

(5-20:31)

5. October 25, 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      | 10/25/2021              | \$488,442.64 |
| Supplemental Accounts | 10/15/2021 – 10/21/2021 | \$284,296.50 |

Motion adopted.

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

(6-21:05)

6. October 25, 2021. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the quarterly report from the County Treasurer and the monthly reports from the County Treasurer and Sheriff. Motion adopted.

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

(7-21:23)

7. October 25, 2021. None. No action taken.

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

(8-21:28)

8. October 25, 2021. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated October 21, 2021 in the amount of \$722,658.60 and the ACH report dated October 21, 2021 in the amount of \$2,146,253.54. Motion adopted.

**9. Consider approval of FY2022 Operation Lone Star Grant Program (OLS) Resolution for Grant Application No. 4381001 and take appropriate action.**

(9-22:06)

9. October 25, 2021. Grant Administrator Robin Knipling provided information to the Court. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved Resolution No. 2021-0103 for Grant Application No. 4381001 for the FY2022 Operation Lone Star Grant Program (OLS), to the Office of the Governor. Motion adopted.

**10. Consider approval of the contract with Tuberculosis Prevention and Control-Federal (TB/PC) - HHS001096400026 for the Victoria County Health Department and take appropriate action.**

(10-24:02)

10. October 25, 2021. Public Health Director David Gonzales provided the Court with information. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the Interlocal Cooperation Contract No. HHS001096400026 for Tuberculosis Prevention and Control-Federal (TB/PC-Federal) Grant Program between the Department of State Health Services and Victoria County Public Health Department. Motion adopted.

- 11. Ratify a grant application with Matagorda Bay Mitigation Trust for the 2021-2022 Funding Cycle Projects for Precinct 1 and take appropriate action.**

(11-24:41)

11. October 25, 2021. Grant Administrator Robin Knipling provided information to the Court. Commissioner Garcia responded to Judge Zeller. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court ratified the grant application with Matagorda Bay Mitigation Trust for the 2021-2022 Funding Cycle Projects, Bloomington Drainage Contamination and Remediation Study for Precinct No. 1. Motion adopted.

- 12. Consider approval of items related to the Edward Byrne Memorial Assistance Grant (JAG) Program FY 2021 and take appropriate action:**

**a. Approval of Grant Award.**

(12a-27:46)

12a. October 25, 2021. Robin Knipling, Grant Administrator, provided information to the Court. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved the Grant Award for 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.

**Consider approval of items related to the Edward Byrne Memorial Assistance Grant (JAG) Program FY 2021 and take appropriate action:**

**b. Receive executed copy of the City-County Memorandum of Understanding.**

(12b-27:46)

12b. October 25, 2021. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court received the executed copy of the City-County Memorandum of Understanding for the 2021 Edward Byrne Memorial Assistance Grant (JAG) Program between the County of Victoria and the City of Victoria. Motion adopted.

- 13. Consider approval of resolution 2021-0102 nominating a candidate for the Victoria County Appraisal District Board of Directors and take appropriate action.**

(13-28:44)

13. October 25, 2021. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved Resolution No. 2021-0102 nominating Kevin Janak as a candidate for a position on the Board of Directors of the Victoria County Appraisal District. Motion adopted.

- 14. Consider approval of Community Development Block Grant - Disaster Relief (CDBG-DR) Local Buyout and Acquisition Program Amendment, Texas General Land Office (GLO) Grant Number 20-066-004-C033 and take appropriate action.**

(14-29:46)

14. October 25, 2021. Grant Administrator Robin Knipling provided the Court with information. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved Community Development Block Grant-Disaster Relief (CDBG-DR) Local Buyout and Acquisition Program Amendment No. 2, Texas General Land Office (GLO) Grant Number 20-066-004-C033. Motion adopted.

- 15. Consider having an analysis performed regarding land release and governance options available for the Victoria Regional Airport and take appropriate action.**

(15-30:34)

15. October 25, 2021. County Judge Zeller spoke on the governance model for the Victoria Regional Airport (VRA). The Court along with Airport Manager Lenny Llerena and Airport Commissioner Buddy Billups, discussed land releases, proposals, sponsorships, and alternative methods of governance models for the Victoria Regional Airport. County Engineer John Johnston and County Auditor Michelle Samford provided information to the Court. After discussion, Commissioners Court will check with their legal department regarding guidelines, let the Airport Commission spearhead the project, and have a memorandum of understanding from each entity to share the cost. No action taken.

- 16. Consider approval of Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Bastrop, Burleson, Lee, and Washington Counties and take appropriate action.**

(16-1:15:06)

16. October 25, 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 Bastrop, Burleson, Lee, and Washington Counties. Motion adopted.

- 17. Consider approval of minutes for August 2021 from Victoria Regional Airport and take appropriate action.**

(17-1:15:25)

17. October 25, 2021. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the Victoria Regional Airport Commission Meeting minutes of August 11, 2021. Motion adopted.

- 18. Consider approval of the temporary construction license creating a temporary easement and granting permission to enter the private property during the construction and replacement of the bridge located on Fordtran Store Rd. at Haines Flat Creek in Precinct 2 and take appropriate action.**

(18-1:15:44)

18. October 25, 2021. Commissioner Janak provided information to the Court. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court approved the temporary construction license creating a temporary easement and granting permission to enter private property during the construction and replacement of the bridge located on Fordtran Store Road at Haines Flat Creek in Precinct No. 2. Motion adopted.

- 19. Consider approval of Resolution No. 2021-0104 for a road donation from Dottie Becker for the installation of a driveway and pipe culvert to improve drainage at 785 Old Goliad Rd., Victoria, Texas in the amount of \$789.00 in Precinct No. 3 and take appropriate action.**

(19-1:16:56)

19. October 25, 2021. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved Resolution No. 2021-0104 for road donation in the amount of \$789.00 from Dottie Becker of 785 Old Goliad Road, Victoria, Texas, in Precinct No. 3 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

- 20. Consider approval of contract maintenance renewal with Lee Backhoe Service Inc., for the aerobic septic system at 226 Beck Rd., Inez, TX 77968 in Precinct No. 4 and take appropriate action.**

(20-1:17:25)

20. October 25, 2021. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the maintenance contract renewal with Lee Backhoe Service Inc. for the aerobic septic system at 226 Beck Road in Inez, Texas, 77968 in Precinct No. 4. Motion adopted.

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

(21-1:17:50)

21. October 25, 2021 Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court received for the record the 2021 Discretionary Fund Budget Amendment for the Sheriff's Commissary Fund No. 380 as an Increase to Expenditures. Motion adopted.

- 22. Consider approval of the following 2021 budget amendments and take appropriate actions:**

(22-1:18:12)

22. October 25, 2021. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the 2021 budget amendments for:

- a. General Fund, Various Departments, Revenues and Expenditures – Line item transfer
- b. Road and Bridge, Precinct No. 3, Revenues and Expenditures - Line item transfer
- c. Road and Bridge, Precinct No. 4, Expenditures - Line item transfer
- d. Health Department, Expenditures - Line item transfer
- e. Emergency Management, Expenditures - Line item transfer
- f. Airport Fund, Expenditures - Line item transfer
- g. Elections Administrators Special, Expenditures - Line item transfer
- h. General Fund, Sheriff's Office, Expenditures - Line item transfer

Motion adopted.

- 23. Consider approval of personnel changes and take appropriate action.**

(23-1:19:07)

23. October 25, 2021. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
  - 1. Employment of Brandee Hess Vickery, Extra Help-PRN, at a rate of \$13.50 per hour, Budget Code 100-573-1130, effective October 26, 2021.
  - 2. Employment of Billy Dyrell Martin, Supervision Officer, at a rate of \$15.67 per hour, Budget Code 100-573-1156, effective October 26, 2021.
  - 3. Resignation of Miranda Celeste Beaver, Extra Help-PRN, effective October 19, 2021.

- b. Justin Marr, Sheriff - Sheriff's Office:
  - 1. Employment of Willis Kisner III, Maintenance Officer, at a rate of \$19.12 per hour, Budget Code 100-565-1113, effective November 2, 2021.
  - 2. Employment of Leobardo Mendez, Detention Officer Tier 1, at a rate of \$17.99 per hour, Budget Code 100-565-1116, effective October 26, 2021.
  - 3. Employment of Jason Yarborough, Detention Officer Tier 1, at a rate of \$17.99 per hour, Budget Code 100-565-1116, effective October 26, 2021.
  - 4. Employment of Nicholas Lowe, Detention Officer Tier 1, at a rate of \$17.99 per hour, Budget Code 100-565-1116, effective October 26, 2021.
- c. David Gonzales, Public Health Director - Victoria County Public Health Department:
  - 1. Salary and position change for Kimberly Kirbo, from Caseworker/Associate, at a rate of \$18.00 per hour, Budget Codes 800-637-1104 (70%) \$ 12.60 and 800-638-1104 (30%) \$ 5.40 to Program Manager, at a rate of \$21.00 per hour, Budget Codes 800-674-1102 (70%) \$ 14.70 and 800-638-1102 (30%) \$ 6.30, effective October 9, 2021. Other Remarks: POSITION CHANGE.
  - 2. Employment of Belinda Delgado, Medical Case Manager, at a rate of \$16.50 per hour, Budget Codes 800-674-1113 (60%) \$9.90 and 800-672-1113 (40%) \$ 6.60, effective October 26, 2021.
- d. Kim Plummer, District Clerk - District Clerk's Office:
  - 1. Certificate of completion of the 21st Annual TDCA Workshop from Texas District Court Alliance for District Clerk Kim Plummer.
- e. Vinicio Llerena, Airport Manager - Victoria Regional Airport:
  - 1. Salary change for Jacob Pope, Line Attendant, from a rate of \$14.50 per hour, Budget Code 321-606-1110 to a rate of \$15.00 per hour, effective October 9, 2021.

Motion adopted.

## **24. Adjourn.**

(24-1:20:27)

24. October 25, 2021. Commissioner Janak asked for prayers for the American citizens left behind enemy lines in Afghanistan and Commissioner Burns stated that the media doesn't cover it or the Southern border. The Commissioners Court adjourned the meeting of October 25, 2021.