

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **8th day of November A.D., 2021**, the Commissioners Court convened in **Regular 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, NOVEMBER 8, 2021, 10:00 AM, REGULAR TERM

VICTORIA COUNTY COURTHOUSE

115 N. BRIDGE ST., ROOM 241, SECOND FLOOR, VICTORIA, TX

1. Call to Order.

(1-0:00)

1. November 8, 2021. Ben Zeller, County Judge, called to order the Commissioners Court Regular Term for Monday, November 8, 2021 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. November 8, 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.

(3-1:16)

3. November 8, 2021. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Ann Riechers of 101 Hampton Court, Victoria, Texas, spoke to the Court about solar installation and energy saving programs.

Michael Vonderau of 2204 East North Street, Victoria, Texas, thanked Commissioner Burns for talking about animal codes at City Council and thanked Commissioner Janak and Animal Control for taking care of a dead deer. Mr. Vonderau would like to see a hearing on the pit bull dogs that attacked law enforcement officers and a fine increase from Animal Control.

Commissioner Ives mentioned this coming Saturday, they will have their annual Cobra Cleanup in Inez from 9 a.m. to 11 a.m. He invited anyone that needs service hours or that would like to help clean up the community to come join them. They will be set up behind the St. Joseph Catholic Church in Inez.

Commissioner Garcia stated the Veterans Parade will be on Thursday at 10:00 a.m. in downtown Victoria.

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

4. Consider approval of minutes and take appropriate action.

(4-7:22)

4. November 8, 2021. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the minutes of the Commissioners Court meeting held on November 1, 2021. Motion adopted.

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

(5-7:32)

5. November 8, 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	11/8/2021	\$411,823.21
Supplemental Accounts	10/29/2021 – 11/4/2021	\$5,778.49

Motion adopted.

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

(6-8:10)

6. November 8, 2021. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the monthly reports from the County Judge; County Commissioners, Precincts Nos. 1 - 4; County Treasurer; District Clerk; County Clerk; Criminal District Attorney; County Auditor; Justices of the Peace, Precincts Nos. 2, 3, and 4; and Pre-Trial Services. Motion adopted.

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

(7-8:42)

7. November 8, 2021. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the release of the following bond forfeiture judgments from the Court:

- a. Cause No. CIV1-20506: The State of Texas vs. Jason Leon Waters, Defendant and Warren Alkek d/b/a A & A Bail Bonds, Surety.
- b. Cause No. CIV1-20507: The State of Texas vs. Jason Leon Waters, Defendant and Warren Alkek d/b/a A & A Bail Bonds, Surety.

Motion adopted.

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

(8-9:21)

8. November 8, 2021. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated November 4, 2021 in the amount of \$569,762.26 and the ACH report dated November 4, 2021 in the amount of \$2,015,532.82. Motion adopted.

9. Pursuant to Chapter 552 of the Texas Government Code, the public is hereby given

notice that the Commissioners Court of Victoria County, Texas will convene in special session on the 8th day of November 2021, at 10:00 a.m. to receive public comment on redistricting of county election, justice of the peace and commissioners court precincts. After the public hearing, the Commissioners Court will take up for consideration and take possible action regarding one or more alternative plans for the redistricting of County Commissioners Court precincts. The Court reserves the right to take any and all appropriate actions regarding the redistricting of Victoria County political boundaries, including the acceptance of new boundaries for the Commissioners Court precincts, modification of any boundaries, and/or tabling the pending proposals for later consideration and/or action. *De conformidad con el Capítulo 552 del Código de Gobierno de Texas, por la presente se notifica al público que el Tribunal de Comisionados del condado de Victoria del condado, Texas se reunirá en sesión especial el día 8 de noviembre 2021, a las 10:00 a.m. para recibir comentarios del público sobre la redistribución de distritos elecciones del condado, juez de paz y precintos de la corte de comisionados. Después de la audiencia pública, el Tribunal de Comisionados tomará en consideración y tomará una posible acción con respecto a uno o más planes alternativos para la redistribución de distritos de los precintos del Tribunal de Comisionados del Condado. El Tribunal se reserva el derecho de tomar todas y cada una de las acciones apropiadas con respecto a la redistribución de los límites políticos del Condado de Victoria, incluida la aceptación de nuevos límites para los precintos del Tribunal de Comisionados, la modificación de cualquier límite y / o la presentación de las propuestas pendientes para más adelante. consideración y / o acción.*

(9-9:56)

9. November 8, 2021. Judge Zeller reviewed the process to complete the redistricting of Victoria County political boundaries and the impact on the population and ethnicities. Commissioner Janak stated there was a change for Precincts Nos. 2 and 3, which moves the river bottom area back into Precinct No. 2, which is not reflected in the original map in the packet. The change was made to both proposed options 1 and 1a by the attorney.

Commissioner Ives stated that option 1a proposes splitting an election precinct so he would not be in favor of that. He would be more in favor of option 1 which encompasses the remainder of Tanglewood and Brentwood going to Precinct No. 1. Commissioner Garcia spoke about the redistricting process timeline and shared his thoughts regarding the options. Judge Zeller opened the public hearing for public comment. Commissioner Ives stated this may be the last simple redistricting Victoria County may see based on the growth trajectory more on the outlying areas of town. Commissioner Burns spoke regarding the software used to help determine political boundaries. Elections Administrator Margetta Hill also discussed current polling locations with the court. Hearing no further request for public comment, Judge Zeller closed the public hearing. No action was taken.

10. Consider approval of Order 2021-0109 adopting the redistricting plan for commissioners court precincts and take appropriate action.

(10-35:14)

10. November 8, 2021. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court approved Order No. 2021-0109 adopting the redistricting plan 1 for the Victoria County Political Boundaries as amended. Motion adopted.

11. Presentation of TDA Form A1024: CDBG Section 3 Program Goals Presentation for

TxCDBG Project 7219451. Presented by grant administration consultant Shirley Rempe, GrantWorks.

(11-36:19)

11. November 8, 2021. Robin Knipling, Grant Administrator, provided information to the Court. Commissioners Court heard a presentation by Grantworks Grant Administration Consultant Shirley Rempe on the Section 3 Program Goals for the Victoria County Tx-CDBG Project 7219451 Placedo Water Treatment Plant. No action taken.

12. Canvass the November 2, 2021 Joint Special Election results and take appropriate action.

(12-45:24)

12. November 8, 2021. Margetta Hill, Elections Administrator, provided the Court with information. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court canvassed the November 2, 2021 Joint Special Election results for the Victoria County Elections Office. Motion adopted.

13. Consider approval of the following request for plat exemptions and take appropriate action:

a. Brian H. Ferguson, on behalf of Fermar Enterprises, LLC, on FM 444 in Precinct No. 4

(13a-48:42)

13a. November 8, 2021. John Johnston, County Engineer, provided the Court with information. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the request for plat exemption from Brian H. Ferguson on behalf of Fermar Enterprises, LLC on FM 444, Inez, Texas 77968 in Precinct No. 4. Motion adopted.

Consider approval of the following request for plat exemptions and take appropriate action:

b. Nathan Budd on Old Hwy Rd., in Precinct No. 4

(13b-48:42)

13b. November 8, 2021. John Johnston, County Engineer, provided the Court with information. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved the request for plat exemption from Nathan Budd at Old Highway Road, Inez, Texas 77968 in Precinct No. 4. Motion adopted.

14. Consider approval of the grant agreement related to the Texas Department of Transportation (TxDOT) Airport Rescue Plan for the minimum amount of \$59,000 and take appropriate action.

(14-51:10)

14. November 8, 2021. Lenny Llerena, Airport Manager, provided the Court with information. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the Texas Department of Transportation Airport Rescue Plan Act Grant Agreement with a maximum obligation of \$59,000.00 for the Victoria Regional Airport. Motion adopted.

15. Vote and approve the ballot for the election of Victoria Central Appraisal District Board of Directors and take appropriate action.

(15-55:16)

15. November 8, 2021. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved to cast the 941 votes on the ballot for the election of Victoria Central Appraisal District Board of Directors to Mr. Kevin Janak. Motion adopted.

16. Consider approval of Citizens Medical Center Emergency Department Expansion & Renovation AIA Document G702 Application for Payment No. 13 and take appropriate action.

(16-57:30)

16. November 8, 2021. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the Citizens Medical Center Emergency Department Expansion and Renovation AIA Document G702 Application for Payment No. 13 in the amount of \$476,913.55. Motion adopted.

17. Review and discuss two proposals for FY 2022 Victoria County Liability Insurance renewal from the Texas Association of Counties and take appropriate action.

(17-59:03)

17. November 8, 2021. The Commissioner Court reviewed and discussed two proposals for FY 2022 Victoria County Liability Insurance renewal from the Texas Association of Counties with Sarah Hamman, Compliance Specialist. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved to renew Victoria County's Liability Insurance with Texas Association of Counties, Option 2, five year plan, in the amount of \$304,369.00. Motion adopted.

18. Consider approval of the following Detention and Residential contracts between Victoria Regional Juvenile Justice/Detention Facility and take appropriate action:
a. Callahan County

(18a-1:06:05)

18a. November 8, 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 Callahan County. Motion adopted.

Consider approval of the following Detention and Residential contracts between Victoria Regional Juvenile Justice/Detention Facility and take appropriate action.

b. Coleman County

(18b-1:06:05)

18b. November 8, 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 Coleman County. Motion adopted.

- CONTINUED -

Consider approval of the following Detention and Residential contracts between Victoria Regional Juvenile Justice/Detention Facility and take appropriate action.

c. Taylor County

(18c-1:06:05)

18c. November 8, 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 Taylor County. Motion adopted.

19. Receive for the record notice from TxDOT regarding road closure at Fordtran Store Road in Precinct No. 2 and take appropriate action.

(19-1:06:15)

19. November 8, 2021. Commissioner Janak stated that Fordtran Store Road will be closed when the replacement of the bridge begins, which has a February 2022 letting date. Commissioner Janak said the construction will start about two to three months after the letting date. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court received for the record the notice from the Texas Department of Transportation (TxDOT) regarding the road closure at Fordtran Store Road in Precinct No. 2. Motion adopted.

20. Pursuant to V.T.C.A. Transportation Code §251.152 to hold a public hearing for traffic regulation to install Stop Signs at the Intersection of La Luz Dr., Monte Vista St., and Bella Vista St. in Precinct No. 3 and take appropriate action.

(20-1:07:48)

20. November 8, 2021. County Judge Ben Zeller declared a public hearing open, pursuant to V.T.C.A. Transportation Code §251.152, prior to the adoption of traffic regulation. Commissioner Gary Burns provided information to the Court. County Judge Zeller closed the public hearing. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court adopted the following traffic regulation change:

PRECINCT NO. 3---STOP SIGNS AT THE FOLLOWING INTERSECTIONS

1. LA LUZ DR. @
Monte Vista St.

2. LA LUZ DR. @
Bella Vista St.

Motion adopted.

21. Consider approval of a Service Agreement with Generator Supercenter of Victoria in the amount of \$2,760 for Precinct No. 4 and take appropriate action.

(21-1:09:08)

21. November 8, 2021. Commissioner Ives stated this is a five year service agreement to handle all maintenance and periodic checks on the back-up generator at Precinct No. 4. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners court approved the service agreement with Generator Supercenter of Victoria in the amount of \$2,760.00 for Precinct No. 4. Motion adopted.

22. Receive for the record notice from TxDOT regarding road closure on Raven Road in Precinct No. 4 and take appropriate action.

(22-1:09:36)

22. November 8, 2021. Commissioner Garcia and Commissioner Ives provided information to the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court received for the record the notice from Texas Department of Transportation (TxDOT) regarding road closure on Raven Road in Precinct No. 4. Motion adopted.

23. Receive for the record a 2021 Discretionary Fund Budget Amendment for Juvenile Commissary Fund No. 390 and take appropriate action.

(23-1:10:26)

23. November 8, 2021 Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court received for the record the 2021 Discretionary Fund Budget Amendment for the Juvenile Commissary Fund No. 390 as an Increase to Expenditures. Motion adopted.

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

(24-1:11:40)

24. November 8, 2021. Moved by Clint Ives and seconded by Danny Garcia, 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. Emergency Management Fund, Expenditures - Line item transfer
- d. District Clerk Record Management Fund, Revenues and Expenditures - Line item transfer
- e. Road and Bridge, Precinct No. 1, Expenditures - Line item transfer
- f. 4H Activity Center Fund, Expenditures - Line item transfer
- g. Health Insurance Fund, Expenditures - Line item transfer
- h. Health Department Fund, Expenditures - Line item transfer

Motion adopted.

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

(25-1:12:40)

25. November 8, 2021. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. David Gonzales, Public Health Director - Victoria County Public Health Department:
 - 1. Employment of Sarah Sanchez Cann, Community Engagement/Public Relations Supervisor, at a rate of \$20.00 per hour, Budget Code 808-631-1112, effective November 9, 2021. Other Remarks: CELL PHONE ALLOWANCE: \$1080.00 - 808-631-1139.

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- 2. Employment of Joshua Rodgers, Sanitation Inspector, at a rate of \$17.00 per hour, Budget Code 808-631-1109, effective November 16, 2021.
- b. Ashley Hernandez, Tax Assessor Collector - County Tax Office:
 - 1. Resignation of Erica Nava, Clerk III, effective November 5, 2021.

- c. Heidi Easley/Ashley Hernandez, County Clerk/Tax Assessor Collector – County Clerk's Office/County Tax Office:
 - 1. Position and Salary Change/GL Code Update for Sharon Moehrig, from Clerk III, at a rate of \$16.45 per hour, Budget Codes 100-403-1105 \$16.10 and 120-403-1105 \$0.35 (County Clerk) to Clerk III, at a rate of \$16.10 per hour, Budget Code 100-499-1106 (County Tax Office), effective November 20, 2021. Other Remarks: Transfer of Departments.
- d. Vinicio Llerena, Airport Manager - Victoria Regional Airport:
 - 1. Salary and position change for Marshall Frazier IV, from Line Attendant, at a rate of \$15.50 per hour, Budget Code 321-606-1110 to Oper/Maint Spec III, at a rate of \$16.50 per hour, Budget Code 321-606-1117, effective November 6, 2021.
- e. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
 - 1. Resignation of Tatiana Chade Espinoza, Extra Help - PRN, effective October 29, 2021.
 - 2. TJJD Salary Adjustment Certification for Anthony Hernandez, Juvenile Detention Officer (JSO), to be paid \$46.42 per pay period, effective October 29, 2021. Certification date for Anthony Hernandez is October 15, 2021. Budget Coding: Post-Adj Secure (JSO) 231-578-1135. Other Remarks: A. Hernandez moved to full time on October 12, 2021. Per Pama certification date 10/15/2021. Remarks: Anthony Hernandez became a certified JSO on 10/15/2021. The 2021 salary adjustment of \$46.42 should begin on pay date 11/12/2021. One payment of \$92.84 should be paid on 11/12/2021 and \$46.42 thereafter.
- f. Clint Ives, Commissioner, Precinct No. 4 - Road and Bridge, Precinct No. 4:
 - 1. Salary change for Eduardo Cantu, Equipment Operator, from a rate of \$18.00 per hour, Budget Code 204-614-1108 to a rate of \$21.04 per hour, effective November 6, 2021.
- g. John Miller, Justice of the Peace - Justice of the Peace, Precinct No. 4:
 - 1. Resignation of Makayla Ramirez, Regular Part Time Clerk III, effective October 25, 2021.
- h. Kevin Janak, Commissioner, Precinct No. 2 - Road and Bridge, Precinct No. 2:
 - 1. Salary and position change for James Rosenquest, from Equipment Operator, at a rate of \$21.03 per hour, Budget Code 202-612-1105 to Sr. Equipment Operator, at a rate of \$22.03 per hour, Budget Code 202-612-1108, effective November 6, 2021.
- i. Clint Ives/Kevin Janak, Commissioner, Precinct No. 4/Commissioner, Precinct No. 2 - Road and Bridge, Precinct No. 4/Road and Bridge, Precinct No. 2:
 - 1. Salary and position change/GL Code Update for Chandler Burkes, from Extra Help, at a rate of \$14.00 per hour, Budget Code 204-614-1130 to Equipment Operator, at a rate of \$18.50 per hour, Budget Code 202-612-1105, effective November 6, 2021. Other Remarks: Transfer of Departments.

- CONTINUED -

- j. Justin Marr, Sheriff - Sheriff's Office:
 - 1. VCSO Salary Adjustment Certification for Jacob Lopez, to be paid Intermediate Certificate Pay of \$23.08 per pay period, effective November 24, 2021. Certification date for Jacob Lopez is October 27, 2021. Budget

Coding: Enforcement/CID Certificate Pay 100-563-1137.

2. VCSO Salary Adjustment Certification for Amber Hume, to be paid Intermediate Certificate Pay of \$23.08 per pay period, effective November 24, 2021. Certification date for Amber Hume is October 27, 2021. Budget Coding: Enforcement/CID Certificate Pay 100-563-1137.

- k. Kemper Stephen Williams, 135th District Judge Judicial District Court – District Court:

1. Request to pay compensatory hours of 162.63 for Jennifer Karl, District Court Reporter and compensatory hours of 166.38 for Jackie Gloor, Court Coordinator. This payout will be fully funded from the District Court Department Fund 100-435, due to a vacancy in one of the Court Coordinator positions.

Motion adopted.

- 26. Closed meeting pursuant to V.T.C.A. Government Code §551.087 to discuss economic development.**

(26-1:13:52)

26. November 8, 2021. The Commissioners Court went into closed session at 11:14 a.m., pursuant to V.T.C.A. Government Code §551.087, to discuss economic development.

- 27. Pursuant to V.T.C.A. Government Code §551.102, return to an open meeting and take any action deemed necessary based upon discussion in the closed meeting.**

(27-1:35:37)

27. November 8, 2021. The Commissioners Court returned to open meeting at 11:35 a.m., pursuant to V.T.C.A. Government Code §551.102, with no action taken.

- 28. Adjourn.**

(28-1:36:10)

28. November 8, 2021. The Commissioners Court adjourned the meeting of November 8, 2021.