

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **22nd day of November 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, Kevin Janak, County Judge Pro Tem, presiding and the following Commissioners attending:

Ben Zeller,	County Judge	Absent
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 22, 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. November 22, 2021. Kevin Janak, County Judge Pro Tem, called to order the Commissioners Court Special Term for Monday, November 22, 2021 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. November 22, 2021. Judge Pro Tem Kevin Janak opened the meeting with prayer by Commissioner Clint Ives and the reciting of the Pledges of Allegiance of the United States of America and the State of Texas.

3. Citizens Communication.

(3-1:06)

3. November 22, 2021. Judge Pro Tem Kevin Janak opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Commissioner Gary Burns mentioned the Victoria Regional Airport was recognized as the top performing airport in the Texas Louisiana Area for 92 1/2 % of their flights arriving on time.

Commissioner Kevin Janak stated someone used Nursery Road as a dumping ground along with areas on Levi Sloan and Raab Roads. Commissioner Janak asked if anyone knows any details or has any leads to please contact the Sheriff's Office, Constable Calaway, or himself.

Commissioner Danny Garcia commented that his precincts also deals with people dumping trash on a weekly basis. Commissioner Garcia stated it would cost residents \$50.00 to \$100.00 to dispose of the loads and its costs the taxpayers \$1,500.00 to \$2,000.00 to send manpower and equipment from the precincts to clean up the trash, then dispose of it. He also mentioned to please contact the Sheriff's Office or Constable in the precinct you live in if you see this happening, and they will start pressing charges.

Hearing no further comments, Judge Pro Tem Kevin Janak continued to the next agenda item.

4. Consider approval of minutes and take appropriate action.

(4-5:38)

4. November 22, 2021. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the minutes of the Commissioners Court meeting held on November 15, 2021. Motion adopted.

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

(5-5:56)

5. November 22, 2021. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the accounts payable as presented by Becky Smiley, First Assistant County Auditor.

Regular Accounts	11/22/2021	\$540,353.61
Supplemental Accounts	11/11/2021 – 11/18/2021	\$258,882.44

Motion adopted.

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

(6-6:24)

6. November 22, 2021. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the monthly reports from County Treasurer; County Tax Assessor Collector; Sheriff; Fire Marshal; Justice of the Peace, Precinct No. 1, and Constable, Precinct No. 2. Motion adopted.

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

(7-6:54)

7. November 22, 2021. None. No action taken.

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

(8-7:07)

8. November 22, 2021. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved the payroll, accounts payable, personnel changes, and interim vendor payments for Citizens Medical Center dated November 18, 2021 in the amount of \$900,997.37 and the ACH report dated November 18, 2021 in the amount of \$2,674,590.59. Motion adopted.

9. Hear presentation regarding the Downtown Victoria Master Plan, including discussion of a possible Tax Incremental Reinvestment Zone (TIRZ) and take appropriate action.

(9-7:55)

9. November 22, 2021. Jesus Garza, City Manager, introduced Danielle Williams, Executive Director for Main Street Program, and presented the Victoria Downtown Master Plan to the Court. Mr. Garza gave a project overview which included the purpose, planning process, study area, and engagement of the plan. He mentioned there was community input for the process and discussed the illustrative plan, catalysts, financing and incentive strategies, and partner information. A discussion was held on the Tax Incremental Reinvestment Zone (TIRZ). Mr. Garza answered the Courts questions. No action taken.

- 10. Consider approval of Amended Order No. 2021-0113 Levying Taxes for 2021 to include property tax rates for other taxing jurisdictions and take appropriate action.**
(10-1:16:11)
10. November 22, 2021. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved amended Order No. 2021-0113 Levying Taxes for 2021 to include property tax rates for other taxing jurisdictions. Motion adopted.
- 11. Consider request to amend the 2021 Adopted Budget for the creation and funding of an additional position under the Victoria County Criminal District Attorney and take appropriate action.**
(11-1:17:39)
11. November 22, 2021. Moved by Gary Burns and seconded by Danny Garcia, the Commissioners Court approved to amend the 2021 Adopted Budget for a Misdemeanor Juvenile Assistant District Attorney position and funding for the Victoria County Criminal District Attorney's Office. Motion adopted.
- 12. Consider approval of a contract with Building Brands Marketing (BBM) and the Victoria Public Health Department and take appropriate action.**
(12-1:18:53)
12. November 22, 2021. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the contract with Building Brands Marketing (BBM) and the Victoria Public Health Department for a media campaign for vaccination efforts. Motion adopted.
- 13. Discuss and consider Resolution No. 2021-0114 approving the grant application for FY22 Body-Worn Camera Program No. 4394701 and take appropriate action.**
(13-1:19:39)
13. November 22, 2021. Grant Administrator Robin Knipling and Sheriff Justin Marr provided information to the Court. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved Resolution No. 2021-0114 approving the submission of grant application for the Victoria County Sheriff's Office FY22 Body-Worn Cameras Implementation Program No. 4394701 to the Office of the Governor. Motion adopted.
- 14. Consider approval of the following request for payment in connection to CDBG Hurricane Harvey Disaster Recovery Program Contract No. 20-065-094-C262 and take appropriate action:**
a. CK Newberry, LLC in the amount of \$257,281.20.
(14a-1:24:25)
14a. November 22, 2021. Commissioner Ives provided the Court with information. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved the request for payment in connection to CDBG Hurricane Harvey Disaster Recovery Program Contract No. 20-065-094-C262 to CK Newberry, LLC in the amount of \$257,281.20. Motion adopted.

Consider approval of the following request for payment in connection to CDBG Hurricane Harvey Disaster Recovery Program Contract No. 20-065-094-C262 and take appropriate action:

b. CivilCorp in the amount of \$33,117.50.

(14b-1:24:25)

14b. November 22, 2021. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved the request for payment in connection to CDBG Hurricane Harvey Disaster Recovery Program Contract No. 20-065-094-C262 to CivilCorp in the amount of \$33,117.50. Motion adopted.

Consider approval of the following request for payment in connection to CDBG Hurricane Harvey Disaster Recovery Program Contract No. 20-065-094-C262 and take appropriate action:

c. CK Newberry, LLC in the amount of \$202,230.90.

(14c-1:24:25)

14c. November 22, 2021. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved the request for payment in connection to CDBG Hurricane Harvey Disaster Recovery Program Contract No. 20-065-094-C262 to CK Newberry, LLC in the amount of \$202,230.90. Motion adopted.

- 15. Consider approval of the request for payment in connection to CDBG Contract No. 7219451 Victoria County Water Control District (WCID) No. 2 Water Plant Improvements to John D. Mercer & Associates in the amount of \$2,850 and take appropriate action.**

(15-1:26:15)

15. November 22, 2021. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the request for payment in connection to Texas CDBG Contract No. 7219451 for the Victoria County Water Control District (WCID) No. 2 Placedo Water Plant Improvements to John D. Mercer and Associates in the amount of \$2,850.00. Motion adopted.

- 16. Consider approval of the following items for the Fire Marshall's Office and take appropriate action:**

a. Request for assistance with equipment in the amount of \$2,672 from the Bloomington Volunteer Fire Department.

(16a-1:26:55)

16a. November 22, 2021. Richard Castillo, Fire Marshal, explained the request for assistance from the Bloomington Volunteer Fire Department Station. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the Bloomington Volunteer Fire Department's request for assistance with water supply equipment in the amount of \$2,672.00. Motion adopted.

Consider approval of the following items for the Fire Marshall's Office and take appropriate action:

b. Request for assistance with repairs and upgrades to their newly-acquired engine in the amount of \$10,000 from the Raisin Volunteer Fire Department.

(16b-1:26:55)

16b. November 22, 2021. Richard Castillo, Fire Marshal, explained the request for assistance from the Raisin Volunteer Fire Department Station. Fire Marshal Castillo stated

the remaining balance in the Assistance Fund is \$7,715.00. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the Raisin Volunteer Fire Department's request for assistance with repairs and upgrades to their newly-acquired engine in the amount of \$10,000.00. Motion adopted.

Consider approval of the following items for the Fire Marshall's Office and take appropriate action:

c. Accept and approve a grant award from Invista for the 2021 Helping Heroes Program in the amount of \$3,400 to provide safety vests to all-volunteer fire departments.

(16c-1:26:55)

16c. November 22, 2021. Richard Castillo, Fire Marshal, provided information to the Court. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the grant award from Invista for the 2021 Helping Heroes Program in the amount of \$3,400.00 to provide safety vests to all volunteer fire departments. Motion adopted.

- 17. Consider approval of payment no. 1 to Rexco Construction Services in connection to Rehabilitate and Widen Roadway Project for McCoy Road and Bayer Road in Precinct No. 1 and take appropriate action.**

(17-1:33:20)

17. November 22, 2021. Commissioner Garcia and John Johnston, County Engineer, provided information to the Court. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved payment no. 1 in the amount of \$65,610.08 to Rexco Construction Services in connection to the Rehabilitate and Widen Roadway Project for McCoy Road and Bayer Road in Victoria County Precinct No. 1. Motion adopted.

- 18. Consider approval of the detention and residential contracts between Victoria Regional Juvenile Justice-Detention Facility and Hale County and take appropriate action.**

(18-1:35:34)

18. November 22, 2021. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the Detention and Residential contracts between the Victoria County Regional Juvenile Justice/Detention Facility and Hale County. Motion adopted.

- 19. Consider approval of the following resolutions for road donations in PCT No. 4 and take appropriate action:**

a. Resolution No. 2021-0112, donation from William McFarland for the installation of a driveway and pipe culvert to improve drainage at 29 Post Oak Ave., Inez, Texas for the amount of \$300.

(19a-1:36:21)

19a. November 22, 2021. Commissioner Ives provided information to the Court. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved Resolution No. 2021-0112 for road donation in the amount of \$320.00 from William McFarland of 29 Post Oak Avenue, Inez, Texas, in Precinct No. 4 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

Consider approval of the following resolutions for road donations in PCT No. 4 and take appropriate action:

b. Resolution No. 2021-0113, donation from Jayson W. Moore for the installation of a driveway and pipe culvert to improve drainage at 993 J-2 Ranch Rd., Inez, Texas for the amount of \$250.

(19b-1:36:21)

19b. November 22, 2021. Commissioner Ives provided the Court with information. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved Resolution No. 2021-0113 for road donation in the amount of \$250.00 from Jayson W. Moore of 993 J-2 Ranch Road, Inez, Texas, in Precinct No. 4 for one load of material for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

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

(20-1:37:38)

20. November 22, 2021. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the following 2021 budget amendments:

- a. General Fund, Various Departments, Revenues and Expenditures – Increase
- b. General Fund, Sheriff's Office, Expenditures- Line Item Transfer
- c. Emergency Management, Expenditures- Line Item Transfer
- d. Records Management Fund, Expenditures- Line Item Transfer
- e. District Clerk Record Management, Revenues & Expenditures- Line Item Transfer
- f. Gulf of Mexico Energy Security Act, Expenditures - Line item transfer
- g. Health Department, Revenues and Expenditures - Line item transfer

Motion adopted.

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

(21-1:38:25)

21. November 22, 2021. Moved by Gary Burns 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/Probation:
 - 1. TJJD Salary Adjustment Certification for Shelly Hencerling, Juvenile Probation Officer (JPO), to be paid \$115.00 per pay period, effective November 12, 2021. Certification date for Shelly Hencerling is November 3, 2021. Budget Coding: Youth Services (JPO) 231-577-1135. Other Remarks: S. Hencerling started full time on June 22, 2021 and was certified on 11/03/2021. Remarks: Shelly Hencerling became a certified JPO on 11/3/2021. The 2021 salary adjustment of \$115.00 should begin on pay date of 11/12/2021. One payment of \$230.00 should be paid on 11/24/2021 and \$115.00 thereafter.
 - 2. TJJD Salary Adjustment Certification for Anton Franklin, Juvenile Detention Officer (JSO), to be paid \$46.42 per pay period, effective November 12, 2021. Certification date for Anton Franklin is October 29, 2021. Budget Coding:

Post-Adj Secure (JSO) 231-578-1135. Other Remarks: A. Franklin moved to full time on October 12, 2021, and was certified on 10/29/2021. Remarks: Anton Franklin became a certified JSO on 10/29/2021. The 2021 salary adjustment of \$46.42 should begin on pay date 11/12/2021. One payment of \$92.84 should be paid on 11/24/2021 and \$46.42 thereafter.

3. Request for Compensatory Payout for Juvenile Probation.
- b. Ashley Hernandez, Tax Assessor Collector - County Tax Office:
 1. Certificate of Professional Achievement (Professional County Collector) from Tax Assessor-Collectors Association of the State of Texas for Ashley Hernandez, County Tax Assessor Collector.
- c. Danny Garcia, Commissioner, Precinct No. 1 - Road and Bridge, Precinct No. 1:
 1. Request for overtime payment of 252.74 Compensatory hours for Pedro Villarreal.
- d. Justin Marr, Sheriff - Sheriff's Office:
 1. Salary and position change for Shaina Johnson, from Detention Officer Tier 3, at a rate of \$22.19 per hour, Budget Code 100-565-1115 to Corporal, at a rate of \$24.51 per hour, Budget Code 100-565-1109, effective October 9, 2021. Remarks: Received 11-12-21 with report of clerical error by Sheriff's staff during week ending 9-24-21. Reviewed Sec 53 of Tx Constitution and attorney opinion allows County to retro pay due to clerical error.
 2. Retirement of Cassandra Mares Ortiz, Detention Lieutenant, with 80.0 PTO and 17.26 Compensatory hours due, effective December 10, 2021.
- e. Heidi Easley, County Clerk - County Clerk's Office:
 1. Salary change for Shalee Lynn John, Clerk III, from a rate of \$16.45 per hour, Budget Codes 100-403-1105 (\$16.10) and 120-403-1105 (\$0.35) to \$16.75 per hour, Budget Codes 100-403-1105 (\$16.10) and 120-403-1105 (\$0.65), effective November 6, 2021.
- f. Vinicio Llerena, Airport Manager - Victoria Regional Airport:
 1. Employment of Kaitlien Flenner, FBO Clerk III, at a rate of \$14.75 per hour, Budget Code 321-606-1120, effective November 23, 2021.
- g. David Gonzales, Public Health Director - Victoria County Public Health Department:
 1. Employment of Veronica Pedraza, LVN, at a rate of \$20.00 per hour, Budget Code 808-631-1105, effective November 23, 2021.
 2. Dismissal of Arnold Ecle, Assistant Supervisor, with 80.0 PTO and 1.91 Compensatory hours due, effective November 19, 2021.

Motion adopted.

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

(22-1:39:37)

22. November 22, 2021. The Commissioners Court went into closed session at 11:40 a.m., pursuant to V.T.C.A. Government Code §551.087, to discuss economic development.

23. 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.

(23-1:58:51)

23. November 22, 2021. The Commissioners Court returned to open meeting at 11:59 a.m., pursuant to V.T.C.A. Government Code §551.102, with no action taken.

24. Adjourn.

(24-1:59:20)

24. November 22, 2021. The Commissioners Court adjourned the meeting of November 22, 2021.