

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **31st day of January A.D., 2022**, 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, JANUARY 31, 2022, 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. January 31, 2022. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, January 31, 2022 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. January 31, 2022. 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.

(3-1:05)

3. January 31, 2022. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Michael Vonderau of 2204 E. North Street, Victoria, Texas, spoke to the Court about the safe outdoors dog act. Mr. Vonderau also congratulated Scott Buchanan for being promoted to Assistant Chief Animal Control Officer and Jose Hernandez to Senior Animal Control Officer with Victoria County Animal Control. Mr. Vonderau also mentioned he would like to see the Animal Control staff become certified to carry pepper spray.

Dawn Rivera, Victoria County Resident, informed the Court of a special event called Night to Shine that was started by NFL Football Player Tim Tebow. Ms. Rivera stated the event is held for people with special needs and explained the event. She also stated it will be held on February 11, 2022 from 6:00 p.m. to 9:00 p.m. at downtown Victoria square. Ms. Rivera also answered questions from the Court. Patsy Garcia, Victoria County Resident, asked if the holiday lights around the gazebo in downtown Victoria could be put up again for this event. County Judge Zeller responded to Ms. Garcia.

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

4. Consider approval of minutes and take appropriate action.

(4-11:26)

4. January 31, 2022. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the minutes of the Commissioners Court meeting held on January 24, 2022. Motion adopted.

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

(5-11:37)

5. January 31, 2022. 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	1/31/2022	\$308,147.58
Supplemental Accounts	1/21/2022 – 1/27/2022	\$283,468.93

Motion adopted.

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

(6-12:13)

6. January 31, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the monthly report from the Sheriff. Motion adopted.

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

(7-12:28)

7. January 31, 2022. None. No action taken.

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

(8-12:36)

8. January 31, 2022. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved accounts payable and interim vendor payments for Citizens Medical Center dated January 27, 2022 in the amount of \$604,730.35 and the ACH report dated January 27, 2022 in the amount of \$2,064,824.53. Motion adopted.

9. Consider approval of appointments to the Victoria Animal Control Shelter Advisory Committee and take appropriate action.

(9-13:16)

9. January 31, 2022. Public Health Director David Gonzales provided information to the Court. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved to appoint Scott Buchannan, Dr. Lee Zeplin, Commissioner Gary Burns, Jennifer Werland, Caleb Shaw, and Mike Atkinson to the Victoria Animal Control Shelter Advisory Committee. Motion adopted.

10. Consider authorizing the purchase of 25 burial plots at the Telferner Memorial Cemetery for pauper burials in an amount not to exceed \$3,750 and take appropriate action.

(10-18:06)

10. January 31, 2022. Diane Zandonatti with Telferner Memorial Cemetery spoke to the Court about the burial plots. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court authorized the purchase of 25 burial plots at the Telferner Memorial Cemetery for pauper burials for an amount not to exceed \$3,750.00. Motion adopted.

- 11. Consider approval of correction to agenda item no. 13 from January 18, 2022, to read: Consider approval of 2020 High-Intensity Drug Trafficking Areas (HIDTA) Grant Award Modification, Grant Number G20HN0020A and take appropriate action.**

(11-22:04)

11. January 31, 2022. Grant Administrator Robin Knipling provided information to the Court. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the correction to agenda item no. 13 from January 18, 2022, to read: Consider approval of 2020 High-Intensity Drug Trafficking Areas (HIDTA) Grant Award Modification, Grant Number G20HN0020A. Motion adopted.

- 12. Ratify the Hazard Mitigation Grant Program (HMGP) DR-4586 Texas Severe Winter Storms Application for Juvenile Justice Center Generator and take appropriate action.**

(12-22:58)

12. January 31, 2022. Robin Knipling, Grant Administrator, explained the need for the generator at the Juvenile Justice Center and the grant. She also answered Judge Zeller's questions. Commissioner Janak suggested the current generator at the Juvenile Justice Center be utilized at another County department and Robin Knipling responded. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court ratified the Hazard Mitigation Grant Program (HMGP) DR-4586 Texas Severe Winter Storms Application for the purchase and installation of a generator at the Victoria County Regional Juvenile Justice Center. Motion adopted.

- 13. 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 \$227,254.86.

(13-28:14)

13. January 31, 2022. Moved by Clint Ives and seconded by Kevin Janak, the Commissioners Court approved the request for payment to CK Newberry, L.L.C. in the amount of \$227,254.86 in connection to CDBG Hurricane Harvey Disaster Recovery Program Contract No. 20-065-094-C262. Motion adopted.

- 14. Consider approval of the Department of Justice Equitable Sharing Agreement and Certification for the Victoria County Criminal District Attorney's Office and take appropriate action.**

(14-29:30)

14. January 31, 2022. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the Department of Justice Equitable Sharing Agreement and Certification for the Victoria County Criminal District Attorney's Office. Motion adopted.

- 15. Consider approval of Detention and Residential contract between Victoria Regional Juvenile Justice Center and Lubbock County and take appropriate action.**

(15-30:12)

15. January 31, 2022. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice/Detention Facility and Lubbock County. Motion adopted.

- 16. Consider approval of Resolution No. 2022-0018 for road donation in Precinct No. 3 from Kenneth Kurtz for installation of a driveway and pipe culvert to improve drainage at 713 Chuckar Drive in the amount of \$694.00 and take appropriate action.**
(16-30:29)

16. January 31, 2022. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved Resolution No. 2022-0018 for road donation in the amount of \$694.00 from Kenneth Kurtz of 713 Chuckar Drive, Victoria, Texas, in Precinct No. 3 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

- 17. Consider approval of the following Resolutions for road donations in Precinct No. 4 for the installation of a driveway and pipe culvert to improve drainage and take appropriate action.**
a. Resolution No. 2022-0016 for Jim Walpole, 1281 Jentry Rd. Inez, TX in the amount of \$650.00.
(17a-31:06)

17a. January 31, 2022. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved Resolution No. 2022-0016 for road donation in the amount of \$650.00 from Jim Walpole of 1281 Jentry Road, 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 Precinct No. 4 for the installation of a driveway and pipe culvert to improve drainage and take appropriate action.

- b. Resolution No. 2022-0017 for Mr. Reynaldo Martinez Jr., 142 Ocelot Rd. Inez, TX in the amount of \$650.00.**
(17b-31:06)

17b. January 31, 2022. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved Resolution No. 2022-0017 for road donation in the amount of \$650.00 from Mr. Reynaldo Martinez, Jr. of 142 Ocelot Road, Inez, Texas, in Precinct No. 4 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

- 18. Consider approval of a Rental Service Agreement with Cintas for Precinct No. 2 and take appropriate action.**
(18-31:58)

18. January 31, 2022. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the Rental Service Agreement with Cintas for Precinct No. 2. Motion adopted.

- 19. Consider the revenue replacement option for ARPA funds and take appropriate action.**
(19-32:22)

19. January 31, 2022. Grant Administrator Robin Knipling reviewed different options and provided additional information to the Court. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the ten million dollar revenue replacement option for ARPA funds. Motion adopted.

20. Consider approval of the following 2022 budget amendments and take appropriate action.

(20-35:47)

20. January 31, 2022. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved the 2022 budget amendments for:

- a. General Fund/Various Departments, Revenues and Expenditures – Line item transfer
- b. Elections Administrators, Special, Expenditures - Line item transfer
- c. Leose Fund, Expenditures - Increase
- d. Health Department, Revenues and Expenditures - Line item transfer

Motion adopted.

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

(21-36:30)

21. January 31, 2022. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Resignation of Jayde Walters, Detention Deputy, with 41.90 PTO and 7.51 Compensatory hours due, effective February 4, 2022.
 - 2. Dismissal of Tyler Painter, Detention Officer Tier 1, effective January 20, 2022.
 - 3. 2022 Salary Order Corrections for the Sheriff's Office.
 - 4. Correction G/L, salary and position change for Matthew Cornett, from Interdiction Deputy, at a rate of \$24.66 per hour, Budget Codes 100-564-1112-23.66 and 100-564-1136-1.00 to Interdiction Deputy-Tier 2, at a rate of \$25.86 per hour, Budget Codes 100-564-1212-24.86 and 100-564-1136-1.00, effective December 18, 2021.
 - 5. Correction G/L, salary and position change for Jason Ellis, from Interdiction Deputy, at a rate of \$24.66 per hour, Budget Codes 100-564-1112-23.66 and 100-564-1136-1.00 to Interdiction Deputy-Tier 2, at a rate of \$25.86 per hour, Budget Codes 100-564-1212-24.86 and 100-564-1136-1.00, effective December 18, 2021.
 - 6. Correction, salary and position change for Ricardo Montemayor, from Interdiction Deputy, at a rate of \$24.66 per hour, Budget Codes 100-564-1112-23.66 and 100-564-1136-1.00 to Interdiction Deputy-Tier 2, at a rate of \$25.86 per hour, Budget Codes 100-564-1212-24.86 and 100-564-1136-1.00, effective December 18, 2021.
 - 7. Correction, salary and position change for Joshua Vaclavik, from Interdiction Deputy, at a rate of \$24.66 per hour, Budget Codes 100-564-1112-23.66 and 100-564-1136-1.00 to Interdiction Deputy-Tier 2, at a rate of \$25.86 per hour, Budget Codes 100-564-1212-24.86 and 100-564-1136-1.00, effective December 18, 2021.

8. Correction rate, salary and position change for Jade Bailey, from Lt. Administration (Cpl) at a rate of \$25.51 per hour, Budget Codes 100-562-1143 \$24.51 and 100-562-1136 \$1.00 to Forensic/IT Investigator, at a rate of \$29.14 per hour, Budget Codes 100-562-1145 \$28.14 and 100-562-1136 \$1.00, effective December 18, 2021.
9. Correction category, salary and position change for Sherri Bluhm, from PT Telecom Operator, at a rate of \$18.00 per hour, Budget Code 100-563-1118 to PT Telecom Operator, at a rate of \$19.29 per hour, Budget Code 100-562-1154, effective December 18, 2021.
10. Correction rate, salary and position change for Jason Garcia, from Sr. Patrol Deputies, at a rate of \$23.57 per hour, Budget Codes 100-563-1109 \$22.57 and 100-563-1136 \$1.00 to Sr. Patrol Deputies - Tier 2, at a rate of \$25.86 per hour, Budget Codes 100-563-1209 \$24.86 and 100-563-1136 \$1.00, effective December 18, 2021.
- b. Gary Burns, Commissioner, Precinct No. 3 - Road and Bridge, Precinct No. 3:
 - 1: Employment of Allen Polonsky, Sr. Equipment Operator, at a rate of \$21.50 per hour, Budget Code 203-613-1108, effective February 1, 2022.
- c. Margetta Hill, Election Administrator - Election's Office:
 1. Employment of Monica M. Peoples, Extra Help, at a rate of \$12.50 per hour, Budget Code 450-490-1130, effective January 27, 2022. Remarks: Budget Amendment Scheduled.
 2. Employment of Deborah Hawkins-Ramey, Extra Help, at a rate of \$12.50 per hour, Budget Code 450-490-1130, effective January 27, 2022. Remarks: Budget Amendment Scheduled.
- d. David Gonzales, Public Health Director - Victoria County Public Health Department:
 1. Retirement of Elizabeth Flores, CSA IV, with 75.30 PTO and .13 Compensatory hours due, effective January 20, 2022.
 2. 2022 Salary Order Corrections for the Victoria County Public Health Department.
 3. Correction %, salary and position change for Delilah Perez, Assistant Director, from a rate of \$36.30 per hour, Budget Codes 800-631-1141 (91.13%) \$33.08 and 803-631-1141 (8.87%) \$3.22 to a rate of \$39.29 per hour, Budget Codes 800-631-1141 (86.71%) \$34.07, 800-628-1141 (5.09%) \$2.00, and 803-631-1141 (8.20%) \$3.22, effective December 18, 2021.
Other Remarks: Code Changes; Cell Phone Allow. \$1,080.00 Annual (\$41.54 bi-wkly) 800-631-1139 - % Corrections.
 4. Correction %, salary and position change for Sharon Taylor, Accounting Clerk, from a rate of \$16.10 per hour, Budget Code 800-631-1174 to a rate of \$17.58 per hour, Budget Codes 800-631-1174 (94.31%) \$16.58 and 800-628-1174 (5.69%) \$1.00, effective December 18, 2021. Other Remarks: Code Changes (Correction on %).

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5. Correction %, salary and position change for Samantha Friar, Deputy Director/Finance Officer, from a rate of \$25.92 per hour, Budget Code 800-631-1190 to a rate of \$28.70 per hour, Budget Codes 800-631-1190 (93.03%) \$26.70 and 800-628-1190 (6.97%) \$2.00, effective December 18, 2021. Other Remarks: Code Changes; Cell Phone Allow. \$1080.00 Annual (\$41.54 bi-wkly) 800-631-1139-% Corrections.
6. Correction %, salary and position change for Charlotte Garner, Accounting Clerk II, from a rate of \$16.90 per hour, Budget Code 800-631-1191 to a rate of \$18.41 per hour, Budget Codes 800-631-1191 (94.57%) \$17.41 and 800-628-1191 (5.43%) \$1.00, effective December 18, 2021. Other Remarks: Code Changes; % Corrections.
- e. Clint Ives, Commissioner, Precinct No. 4 - Road and Bridge, Precinct No. 4:
 1. Correction hours, salary and position change for Apolonia Garcia, Jr., from Extra Help at a rate of \$17.00 per hour, Budget Code 204-614-1130 to PT Equip. Operator, at a rate of \$18.19 per hour, Budget Code 204-614-1110, effective December 18, 2021.
- f. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
 1. 2022 Salary Order Corrections for Juvenile Detention.
 2. Salary change for Tacara Di-Ann Garcia, Extra Help-(PRN), at a rate of \$13.75 per hour, Budget Code 100-573-1130 to Extra Help-(Rover), at a rate of \$14.75 per hour, effective January 29, 2022.
 3. Resignation of Billy Dyrell Martin, Supervision Officer, effective January 20, 2022.
 4. Resignation of Juan D. Martinez, Jr., Extra Help-PRN, effective January 27, 2022.
- g. Gina Howard, HR Director, Human Resources Department:
 1. 2022 Salary Order Correction for Human Resources Department.
- h. Vinicio Llerena, Airport Manager - Victoria Regional Airport:
 1. Salary and position change for Marshall Frazier IV, from Operations/Maintenance Spec III, at a rate of \$17.00 per hour, Budget Code 321-606-1117 to Operations/Maint Spec IV, at a rate of \$17.25 per hour, Budget Code 321-606-1118, effective January 29, 2022.
 2. Salary and position change for Daniel Roznovsky, from Operations/Maintenance Spec II, at a rate of \$17.51 per hour, Budget Code 321-606-1116 to Operations/Maint Spec III, at a rate of \$18.00 per hour, Budget Code 321-606-1117, effective January 29, 2022.
 3. Employment of Alexander Rocha, Operations/Maintenance Spec II, at a rate of \$15.50 per hour, Budget Code 321-606-1116, effective February 1, 2022.
- i. Constance Filley Johnson, Criminal District Attorney - Criminal District Attorney's Office:
 1. 2022 Salary Order Corrections for the Criminal District Attorney's Office.
- j. Kim Plummer, District Clerk - District Clerk's Office:
 1. 2022 Salary Order Corrections for the District Clerk's Office.

Motion adopted.

22. Closed meeting pursuant to V.T.C.A. Government Code §551.072 to discuss real property.

(22-37:49)

22. January 31, 2022. The Commissioners Court went into closed session at 10:38 a.m., pursuant to V.T.C.A. Government Code §551.072, to discuss real property.

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.

(23-57:28)

23. January 31, 2022. The Commissioners Court returned to open meeting at 10:57 a.m., pursuant to V.T.C.A. Government Code §551.102, with no action taken.

24. Adjourn.

(24-58:16)

24. January 31, 2022. The Commissioners Court adjourned the meeting of January 31, 2022.