

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **14th day of March A.D., 2022**, 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, MARCH 14, 2022, 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. March 14, 2022. Ben Zeller, County Judge, called to order the Commissioners Court Regular Term for Monday, March 14, 2022 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. March 14, 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.

(3-1:35)

3. March 14, 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, congratulated the Victoria County Sheriff's Office, Victoria Police Department, and the U.S. Marshal's Service for the drug bust on Baass Lane in Victoria County. Mr. Vonderau also thanked Commissioner Garcia for working at the Silver City Cleanup event held by Keep Victoria Beautiful.

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

4. Consider approval of minutes and take appropriate action.

(4-3:16)

4. March 14, 2022. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the minutes of the Commissioners Court meeting held on March 7, 2022. Motion adopted.

5. Consider approval of accounts payable and take appropriate action.

(5-3:38)

5. March 14, 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	3/14/2022	\$296,568.49
Supplemental Accounts	3/4/2022 – 3/10/2022	\$211,483.33

Motion adopted.

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

(6-4:06)

6. March 14, 2022. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved the monthly reports from the County Judge; County Commissioner's Precincts Nos. 1 - 4; County Clerk; Tax Assessor Collector; Justices of the Peace, Precincts Nos. 1 and 3; and Constables, Precincts Nos. 1, 2, and 4. Motion adopted.

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

(7-4:38)

7. March 14, 2022. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the release of the following bond forfeiture judgment from the Court:

a. Cause No. CIV2-20677: The State of Texas vs. Alexandro Louis Reyes, Jr., Defendant and A&A Bail Bonds, Surety.

Motion adopted.

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

(8-4:56)

8. March 14, 2022. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court approved interim vendor payments for Citizens Medical Center dated March 10, 2022 in the amount of \$620,280.41 and the ACH report dated March 10, 2022 in the amount of \$2,164,385.56. Motion adopted.

9. Hear an update regarding SkyWest's notice of termination of commercial air service at various airports throughout Texas, including the Victoria Regional Airport, and take appropriate action.

(9-5:36)

9. March 14, 2022. Victoria Regional Airport's Executive Director Lenny Llerena updated the Court on SkyWest's termination of commercial air service for the Victoria Regional Airport along with 28 other airports, nationwide. Mr. Llerena stated the reason for canceling their service is due to a shortage of pilots. Mr. Llerena stated flights into and out of Victoria Regional Airport will continue as scheduled through at least May and SkyWest will continue their service with Victoria Regional Airport until another airline service is found. He reviewed the goals for finding a new airline service and also answered the Courts questions. No action taken.

10. Receive a recommendation to award the RFP for Compensation Study & Analysis to

BakerTilly and authorize the County Judge, and/or his designee, to enter into negotiations for a possible contract for professional services and take appropriate action.

(10-41:54)

10. March 14, 2022. County Judge's Chief of Staff Giani Cantu reviewed the proposal from Baker Tilly along with the costs, with the Court. Mrs. Cantu stated Baker Tilly is qualified for the job and has a team assigned to Victoria to conduct the study if they are selected. A discussion was held on how the job descriptions should be handled and the completion date. The Court will request for the study to be completed in time for Victoria County's budget and will include all county departments and look at job descriptions. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court received the recommendation to award the RFP for Compensation Study and Analysis to Baker Tilly and authorized the County Judge and/or his designee, to enter into negotiations for a possible contract for professional services. Motion adopted.

- 11. Consider approval of an authorization to advertise a Request for Proposal for Grant Administration of the American Rescue Plan Act Funds, appoint a review committee, and take appropriate action.**

(11-51:39)

11. March 14, 2022. Grant Administrator Robin Knipling stated proposals will be received and a committee will be assigned to review the proposals and decide on the most qualified consultant to use to help Victoria County administer the ARPA funds. Mrs. Knipling mentioned two important things the County will need to do, one being to maintain compliance, and the other to determine if they want to entertain the idea of subrecipient funds. She also provided additional information and answered the Courts questions. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court authorized to advertise a Request for Proposal for Grant Administration of the American Rescue Plan Act Funds and appointed County Judge Ben Zeller, Grant Administrator Robin Knipling, County Auditor Michelle Samford, First Assistant Auditor Becky Smiley, Emergency Management Coordinator Rick McBrayer, Deputy Emergency Management Coordinator Jena West, County Engineer John Johnston, and Commissioner, Precinct No. 1 Danny Garcia, as the review committee. Motion adopted.

- 12. Consider approval of the following requests for payment in connection to the Rehabilitate and Widen Roadway Project for McCoy Road and Bayer Road in Precinct No. 1 and take appropriate action:**

a. Rexco Construction Services in the amount of \$24,301.89.

(12a-1:01:24)

12a. March 14, 2022. Commissioner Danny Garcia provided information to the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the payment to Rexco Construction Services in the amount of \$24,301.89 in connection to the Rehabilitate and Widen Roadway Project for McCoy Road and Bayer Road in Precinct No. 1. Motion adopted.

- CONTINUED -

Consider approval of the following requests for payment in connection to the

Rehabilitate and Widen Roadway Project for McCoy Road and Bayer Road in Precinct No. 1 and take appropriate action:

b. Rexco Construction Services in the amount of \$5,588.30.

(12b-1:01:24)

12b. March 14, 2022. Commissioner Danny Garcia provided information to the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the payment to Rexco Construction Services in the amount of \$5,580.30 in connection to the Rehabilitate and Widen Roadway Project for McCoy Road and Bayer Road in Precinct No. 1. Motion adopted.

Consider approval of the following requests for payment in connection to the Rehabilitate and Widen Roadway Project for McCoy Road and Bayer Road in Precinct No. 1 and take appropriate action:

c. Union Pacific Railroad Company in the amount of \$11,366.03.

(12c-1:01:24)

12c. March 14, 2022. Commissioner Danny Garcia provided information to the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the payment to Union Pacific Railroad Company in the amount of \$11,366.03 in connection to the Rehabilitate and Widen Roadway Project for McCoy Road and Bayer Road in Precinct No. 1. Motion adopted.

13. Consider approval of CK Newberry, LLC Construction Contract Amendment No. 1 related to General Land Office Community Development Block Grant Disaster Recovery Program Contract No. 20-065-094-C262 and take appropriate action.

(13-1:02:31)

13. March 14, 2022. Grant Administrator Robin Knipling provided information to the Court. Commissioner Janak asked Commissioner Ives about the final inspection and Commissioner Ives stated it would be done by Civil Corp. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the CK Newberry, LLC Construction Contract Amendment No. 1 related to General Land Office Community Development Block Grant Disaster Recovery Program Contract No. 20-065-094-C262. Motion adopted.

14. Receive the following fully executed contracts from the Victoria Public Health Department and take appropriate action:

a. State-R Grant Contract No. 5608/SR3-565-04.

(14a-1:04:07)

14a. March 14, 2022. Public Health Director David Gonzales provided information to the Court. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court received the fully executed State-R Grant Contract No. 5608/SR3-565-04 for the Victoria County Public Health Department. Motion adopted.

- CONTINUED -

Receive the following fully executed contracts from the Victoria Public Health

Department and take appropriate action:

b. Ryan White Grant Contract No. 5608/5-559-03.

(14b-1:04:07)

14b. March 14, 2022. David Gonzales, Public Health Director, provided the Court with information. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court received the fully executed Ryan White Grant Contract No. 5608/5-559-03 for the Victoria County Public Health Department. Motion adopted.

15. Consider approval of Citizens Medical Center Emergency Department Expansion & Renovation AIA Document G702 Application for Payment No. 17 and take appropriate action.

(15-1:04:47)

15. March 14, 2022. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the Citizens Medical Center Emergency Department Expansion and Renovation AIA Document G702 Application for Payment No. 17 in the amount of \$450,114.99. Motion adopted.

16. Consider approval of the Constable Precinct No. 4 2021 Racial Profiling Report and take appropriate action.

(16-1:05:29)

16. March 14, 2022. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the 2021 Racial Profiling Report from Victoria County Constable, Precinct No. 4. Motion adopted.

17. Consider approval of the following Resolution 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. 2022-0026 for Michael Montalvo, Wischkemper Rd., Victoria, Texas in the amount of \$950.00.

(17a-1:06:03)

17a. March 14, 2022. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved Resolution No. 2022-0026 for road donation in the amount of \$950.00 from Michael Montalvo of Wischkemper Road, Victoria, Texas, in Precinct No. 4 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

Consider approval of the following Resolution 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. 2022-0027 for David Flores, 204 Bradley St., Telferner, TX in the amount of \$650.00.

(17b-1:06:03)

17b. March 14, 2022. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved Resolution No. 2022-0027 for road donation in the amount of \$650.00 from David Flores of 204 Bradley Street, Telferner, Texas, in Precinct No. 4 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

- CONTINUED -

Consider approval of the following Resolution for road donations in Precinct No. 4

for the installation of a driveway and pipe culvert to improve drainage and take appropriate action:

c. Resolution No. 2022-0028 for Jacob Haenel, 412 Franz Rd. Inez, Texas in the amount of \$250.00.

(17c-1:06:03)

17c. March 14, 2022. Moved by Clint Ives and seconded by Danny Garcia, the Commissioners Court approved Resolution No. 2022-0028 for road donation in the amount of \$250.00 from Jacob Haenel of 412 Franz Road, Inez, Texas, in Precinct No. 4 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

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

(18-1:07:09)

18. March 14, 2022. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the 2022 budget amendments for:

- a. General Fund/Various Departments, Expenditures – Line item transfer
- b. General Fund/Sheriff's Office, Expenditures - Line item transfer

Motion adopted.

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

(19-1:07:36)

19. March 14, 2022. Commissioner Kevin Janak recognized Glenn Vaughn for his service with the City and County of Victoria and hopes he enjoys his well deserved retirement. Commissioner Garcia congratulated Mr. Vaughn. 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. David Gonzales, Public Health Director - Victoria County Public Health Department:
 - 1. Resignation of Kelsey Newman, Medical Case Manager, with 0.38 Compensatory hours due, effective March 4, 2022.
- b. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Retirement of Todd Boutin, Cook, with 80.0 PTO and 145.64 Compensatory hours due, effective April 29, 2022.
 - 2. Resignation of Reagan Gabrysch, Detention Officer Tier 3, effective March 18, 2022.
 - 3. Position change for Johnny Amador, from Detention Deputy Tier 1, at a rate of \$24.25 per hour, Budget Codes 100-565-1114-23.25 and 100-565-1136-1.00 to Patrol Deputy, Budget Codes 100-563-1109-23.25 and 100-563-1136-1.00, effective March 26, 2022.
 - 4. Position change for Ryan Vasquez, from Detention Deputy Tier 1, at a rate of \$24.25 per hour, Budget Codes 100-565-1114-23.25 and 100-565-1136-1.00 to Courts/Extrad Tier 1, Budget Codes 100-565-1110-23.25 and 100-565-1136-1.00, effective March 26, 2022.

- CONTINUED -

- 5. Salary and position change for Mateo Munoz, from Detention Officer

- Tier 3, at a rate of \$22.86 per hour, Budget Code 100-565-1115 to Corporal, at a rate of \$26.60 per hour, Budget Code 100-565-1109, effective March 26, 2022.
- 6. Salary and position change for Kenneth Gerloff, from Cook, at a rate of \$19.69 per hour, Budget Code 100-565-1123 to Detention Officer Tier 1, at a rate of \$18.53 per hour, Budget Code 100-565-1116, effective March 26, 2022.
- 7. Employment of Alejandro Gonzalez, Detention Officer Tier 1, at a rate of \$18.53 per hour, Budget Code 100-565-1116, effective March 15, 2022.
- 8. Resignation of Joe Pena, Detention Officer Tier 3, with 80.0 PTO and 309.03 Compensatory hours due, effective March 11, 2022.
- 9. Retirement of Glenn Vaughn, Patrol Deputy Tier 3, with 11.05 PTO and 6.01 Compensatory hours due, effective March 18, 2022.
- c. Ben Zeller, County Judge - County Judge's Office:
 - 1. Salary and position change for Maddison Heibel, from Extra Help – Clerk I, at a rate of \$12.50 per hour, Budget Code 100-401-1130 to Administrative Assistant, at a rate of \$17.63 per hour, Budget Code 100-401-1106, effective March 12, 2022.
- d. Kevin Janak, Commissioner, Precinct No. 2 - Road and Bridge, Precinct No. 2:
 - 1. A Promissory Agreement for Chandler Burkes to complete a CDL Instruction Course - DPS License, Skills License or Endorsement.
- e. Ashley Hernandez, Tax Assessor Collector - County Tax Office:
 - 1. Employment of Ashley Nicole Garcia, Part-Acctg. Clerk, at a rate of \$17.00 per hour, Budget Code 100-499-1107, effective March 15, 2022.
 - 2. Certificates of Completion of continuing education hours from The V.G. Young Institute of County Government for Ashley Hernandez, Tax Assessor Collector for the following: FLSA, USERRA and Sexual Harassment (TDLR No. 23885) Year 2 (1 hour); FMLA: What Every Employer Needs to Know (TDLR No. 23882) Year 2 (1 hour); and Fundamentals of the ADA (TDLR No. 23884) Year 2 (1 hour).
 - 3. Certificate of Professional Achievement from the Tax Assessor-Collectors Association of the State of Texas for Ashley Hernandez, Tax Assessor Collector, designated as Professional County Collector.

Motion adopted.

20. Closed Meeting pursuant to V.T.C.A. Government Code §551.074 to discuss personnel matters, including personnel matters in the Victoria Public Health Department.

(20-1:08:44)

20. March 14, 2022. The Commissioners Court went into closed session at 11:09 a.m., pursuant to V.T.C.A. Government Code §551.074, to discuss personnel matters, including personnel matters in the Victoria Public Health Department.

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

(21-1:59:44)

21. March 14, 2022. 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.

22. Adjourn.

(22-2:00:09)

22. March 14, 2022. The Commissioners Court adjourned the meeting of March 14, 2022.