

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **21st day of March 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, MARCH 21, 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. March 21, 2022. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, March 21, 2022 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. March 21, 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.

(3-1:15)

3. March 21, 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, addressed dog issues at the East North Mobile Home Park and asked for an additional trap from Animal Control. He also would like Animal Control to increase the fines.

Rick McBrayer, Emergency Management Coordinator, gave an update on the Regional Infusion Center. He stated they are now open Monday through Friday only, from 8 a.m. to 5 p.m., and answered Judge Zeller's question regarding the duration of the center being open. Mr. McBrayer also informed the Court that the FEMA Public Assistance that County Auditor Michelle Samford and First Assistant Auditor Becky Smiley applied for has been awarded at 100% to Victoria County by the Texas Division of Emergency Management. He expressed gratitude to Mrs. Samford and Mrs. Smiley for applying for this assistance and stated this item will go through Commissioners Court in about two weeks.

Commissioner Clint Ives informed the Court that Aaron Bryce Wilfert, who was the 2020 Congressional App Challenge winner, has been accepted to the Air Force Service Academy.

Commissioner Gary Burns stated Victoria County's Administrative Service's new office location at the 311 Constitution Building looks good.

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

4. Consider approval of minutes and take appropriate action.

(4-6:10)

4. March 21, 2022. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the minutes of the Commissioners Court meeting held on March 14, 2022. Motion adopted.

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

(5-7:33)

5. March 21, 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	3/21/2022	\$318,580.09
Supplemental Accounts	3/11/2022 – 3/17/2022	\$89,414.13

Motion adopted.

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

(6-8:05)

6. March 21, 2022. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the monthly report from Pre-Trial Services. Motion adopted.

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

(7-8:22)

7. March 21, 2022. None. No action taken.

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

(8-8:33)

8. March 21, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved interim vendor payments for Citizens Medical Center dated March 17, 2022 in the amount of \$710,509.82 and the ACH report dated March 17, 2022 in the amount of \$2,698,912.83. Motion adopted.

9. Discuss and consider approval of the purchase from Motorola Solutions for Countywide replacement/upgrade of digital portable/mobile radios in the amount of \$3,965,035.04 and take appropriate action.

(9-9:12)

9. March 21, 2022. Emergency Management Coordinator Rick McBrayer provided information to the Court. George Ebel with Motorola Solutions provided the timeline for the radios. Commissioner Janak asked when the old radios would be turned in and Mr. McBrayer responded and he also answered Judge Zeller's question regarding when the last time the radios were upgraded or replaced. Commissioner Janak asked if they could use their old batteries and Mr. McBrayer stated that everything would be replaced. Mr. Ebel stated the old batteries could be turned in and he would issue a credit for future purchases. Commissioner Garcia questioned the clip-ons for the volunteer fire departments and Fire Marshal Castillo and Mr. McBrayer responded. Additional information was discussed by

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the Court. Judge Zeller thanked everyone involved with this purchase. Moved by Kevin

Janak and seconded by Danny Garcia, the Commissioners Court approved the purchase for Countrywide replacement/upgrade of digital portable/mobile radios in the amount of \$3,965,035.04 from Motorola Solutions. Motion adopted.

10. Ratify an Engagement Letter and Scope of Work with Baker Tilly US, LLP for a compensation study & analysis and take appropriate action.

(10-18:35)

10. March 21, 2022. Moved by Clint Ives and seconded by Kevin Janak, the Commissioners Court ratified the Engagement Letter and Scope of Work with Baker Tilly US, LLP for a compensation study and analysis. Motion adopted.

11. Consider approval of the 2021 Homeland Security Grant Program (HSGP) Operation Stonegarden Grant Program (OPSG) Resolution No. 2022-0031, Grant No. 318207, and take appropriate action.

(11-19:40)

11. March 21, 2021. Grant Administrator Robin Knipling and Sheriff Justin Marr provided information to the Court. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the 2021 Homeland Security Grant Program (HSGP) Operation Stonegarden Grant Program (OPSG) Resolution, No. 2022-0031, Grant No. 318207. Motion adopted.

12. Consider approval of the following in relation to Hazard Mitigation Program Grant (HMGP) DR-4332-0356 Hurricane Harvey, EOC Hardening Initiation Project, and take appropriate action:

a. Local cost commitment increase due to project cost overruns.

(12a-21:17)

12a. March 21, 2022. Robin Knipling, Grant Administrator, explained the different scenarios for the grant cost overrun and answered the Court's questions. Commissioner Janak reminded the Court how much water Hurricane Harvey left in that area and stated there is a lot of traffic and the stairs are dangerous when wet. He also mentioned this is well needed for the EOC. Rick McBrayer, Emergency Management Coordinator, explained what will be repaired and accomplished. Commissioner Garcia asked once this is approved, when would the work begin and County Engineer John Johnston responded. Commissioner Janak spoke about the parking issues when this project starts. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court approved the local cost commitment increase due to project cost overrun in relation to the Hazard Mitigation Program Grant (HMGP) D-4332-0356 Hurricane Harvey, EOC Hardening Initiation Project. Motion adopted.

Consider approval of the following in relation to Hazard Mitigation Program Grant (HMGP) DR-4332-0356 Hurricane Harvey, EOC Hardening Initiation Project, and take appropriate action:

b. Construction bid award to Lauger Construction.

(12b-21:17)

12b. March 21, 2022. County Engineer John Johnston stated that all other bids will need to be rejected once Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court approved the Construction bid award to Lauger Construction in relation to the Hazard Mitigation Program Grant (HMGP) DR-4332-0356 Hurricane Harvey, EOC Hardening Initiation Project. Motion adopted.

- 13. Consider approval of Resolution No. 2022-0030 accepting a donation of \$1,000.00 from American Legion Post 166 for the Crossroads Area Veteran's Center and take appropriate action.**

(13-30:14)

13. March 21, 2022. Commissioner Garcia stated this is not the first \$1,000.00 donation from the American Legion Post to the Crossroads Area Veteran Center and he appreciates them. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved Resolution No. 2022-0030 accepting a donation of \$1,000.00 from American Legion Post 166 for the Crossroads Area Veteran Center. Motion adopted.

- 14. Consider approval of the following contracts from the Victoria Public Health Department and take appropriate action:**

a. Texas Health and Human Services FY2021 Indirect Cost Rate Agreement

(14a-31:07)

14a. March 21, 2022. Public Director David Gonzales provided information to the Court. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the Indirect Cost Rate Agreement for the Victoria County Public Health Department to be allowed to use the indirect cost rate of 18.36% for 1/1/2021 through 12/31/2021 per the Health Department's indirect cost rate proposal created by Maximus Consulting Services, Inc. for Texas Health and Human Services contracts. Motion adopted.

Consider approval of the following contracts from the Victoria Public Health Department and take appropriate action:

b. Ryan White Service Delivery (Ryan White) Contract No. 5608/6-565-01

(14b-31:07)

14b. March 21, 2022. David Gonzales, Public Health Director, provided the Court with information. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the Ryan White Service Delivery (Ryan White) Contract No. 5608/6-565-01 for the period April 1, 2022 through March 31, 2023 between the Brazos Valley Council of Governments and the Victoria County Public Health Department/HIV/AIDS Resource Program. Motion adopted.

Consider approval of the following contracts from the Victoria Public Health Department and take appropriate action:

c. HIV Health and Social Services Supplemental (State Services R) Contract No. 5608/SR4-565-01

(14c-31:07)

14c. March 21, 2022. Public Health Director David Gonzales provided information to the Court. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the HIV Health and Social Services Supplemental (State Services R) Contract No. 5608/SR4-565-01 for the period of April 1, 2022 through March 31, 2023 between Brazos Valley Council of Governments and the Victoria County Public Health Department/HIV/AIDS Resource Program. Motion adopted.

Consider approval of the following contracts from the Victoria Public Health Department and take appropriate action:

d. Building Brands Marketing Billboard Rotation & Design Contract No. 24551033.
(14d-31:07)

14d. March 21, 2022. David Gonzales, Public Health Director, provided the Court with information. Commissioner Janak stated that most of the items with expenses for the Health Department are covered by grants. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved Building Brands Marketing Billboard Rotation and Design Contract No. 24551033 for Texas Home Visiting Grant advertising. Motion adopted.

15. Consider approval of the following Open-End (Equity) Lease Rate Quotes with Enterprise Fleet Management and take appropriate action:

a. Quote No. 6272870 for a 2022 Ford Escape.
(15a-33:09)

15a. March 21, 2022. David Gonzales, Public Health Director, provided information to the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the Open-End (Equity) Lease Rate Quote No. 6272870 for a 2022 Ford Escape between Enterprise Fleet Management and Victoria County Public Health Department. Motion adopted.

Consider approval of the following Open-End (Equity) Lease Rate Quotes with Enterprise Fleet Management and take appropriate action:

b. Quote No. 6276024 for a 2022 Ford Escape.
(15b-33:09)

15b. March 21, 2022. Public Health Director David Gonzales provided the Court with information. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the Open-End (Equity) Lease Rate Quote No. 6276024 for a 2022 Ford Escape between Enterprise Fleet Management and Victoria County Public Health Department. Motion adopted.

Consider approval of the following Open-End (Equity) Lease Rate Quotes with Enterprise Fleet Management and take appropriate action:

c. Cancellation of Quote No. 6234346 for a 2022 Chevrolet Equinox.
(15c-33:09)

15c. March 21, 2022. David Gonzales, Public Health Director, provided information to the Court. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the Open-End (Equity) Lease Rate Quote No. 6234346 cancellation of a 2022 Chevrolet Equinox between Enterprise Fleet Management and Victoria County Public Health Department. Motion adopted.

16. Consider approval of the subdivision development application and Preliminary Plat for Mustang Valley Subdivision in Precinct No. 2 and take appropriate action.
(16-34:38)

16. March 21, 2022. County Engineer John Johnston provided information and answered the Courts questions. Jake Helfer with Elite Engineering also provided information and answered questions from the Court. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the subdivision development application and preliminary plat for Mustang Valley Subdivision in Precinct No. 2. Motion adopted.

17. Consider approval of the subdivision development application and Preliminary Plat

for Castaway Boat & RV Storage Subdivision in Precinct No. 2 and take appropriate action.

(17-39:04)

17. March 21, 2022. County Engineer John Johnston provided information to the Court and answered Commissioner Janak's question. Commissioner Janak provided additional information. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court approved the subdivision development application and preliminary plat for Castaway Boat and RV Storage Subdivision in Precinct No. 2. Motion adopted.

18. Receive bids for the following Victoria County Annual Road Material Contracts for all precincts and take appropriate action:

a. Processed Base, Crushed Limestone Base, Type II Portland Cement, and Aggregate for Surface Treatment.

b. Hot Mix Cold Laid Asphalt.

c. Cold Mix Limestone Rock Asphalt.

d. Asphaltic Materials.

(18a,b,c,d-42:16)

18a,b,c,d. March 21, 2022. County Engineer John Johnston read the bids that were opened on March 17, 2022 at 2:00 p.m. for the annual road materials. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court received bids from ABN Construction, LLC; Colorado Materials, Ltd; Quality Hot Mix, Inc.; Rexco, Inc.; Vulcan Construction Materials, LLC; Brauntex Materials, LLC; Waller County Asphalt, Inc.; Cleveland Asphalt Products, Inc.; Ergon Asphalt and Emulsions, Inc.; Martin Asphalt Company; and Valero Marketing and Supply Company for Victoria County annual road materials for all precincts. Motion adopted.

19. Consider approval of a proposal from WAVE Plus System to upgrade the duress button security systems at the Victoria County Courthouse and Justice of the Peace Offices and take appropriate action.

(19-44:24)

19. March 21, 2022. Sheriff Justin Marr provided information to the Court. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the Wave Plus System Upgrade Proposal for Victoria County Courthouse Annex and all four Justices of the Peace offices. Motion adopted.

20. Consider the following items in connection with Victoria County Sheriff's Office Public Safety Software Project-Proposal No. 202201VCSORFP and take appropriate action.

a. Receive proposal tabulation from the selection committee.

(20a-46:24)

20a. March 21, 2022. Jack Justus with the Victoria County Sheriff's Office explained the software proposal tabulations to the Court. Grant Administrator Robin Knipling answered Judge Zeller's question regarding ARPA Funding for this. Mr. Justus, Chief Deputy Franklin, and Sheriff Marr answered Commissioner Janak's question. Commissioner Garcia thanked everyone for working on this project. Commissioner Janak questioned the wands being replaced and Chief Deputy and Mr. Justus responded. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court received the proposal tabulation from the selection committee in connection with Victoria County Sheriff's Office Public Safety Project-Proposal No. 202201VCSORFP. Motion adopted.

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Consider the following items in connection with Victoria County Sheriff's Office

Public Safety Software Project-Proposal No. 202201VCSORFP and take appropriate action.

b. Authorize the selection committee to proceed with contract negotiations with the current preferred vendor, ProPhoenix.

(20b-46:24)

20b. March 21, 2022. County Engineer John Johnston stated that after a completed contract for the VCSO Public Safety Project has been presented to Court then all other proposals will need to be rejected. Judge Zeller mentioned that today is unique by Commissioners Court accomplishing several big projects on today's agenda. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court authorized the selection committee to proceed with contract negotiations with the current preferred vendor, ProPhoenix, in connection with Victoria County Sheriff's Office Public Safety Project-Proposal No. 202201VCSORFP. Motion adopted.

- 21. Consider approval of a refund for overpayments of Special Inventory 2021 escrow taxes to Dale's Fun Center on accounts P136075 & P144165 and take appropriate action.**

(21-58:05)

21. March 21, 2022. Commissioner Janak thanked Ashley Hernandez, County Tax Assessor, for the letter explaining the refund. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved Dale's Fun Center refund for Special Inventory 2021 over disbursement Accounts P136075 (motorcycles) and P144165 (trailers and watercrafts). Motion adopted.

- 22. Consider approval of the Renewal Agreement with the Texas Association of Counties for the Affordable Care Act Reporting (ARTS) and tracking Service Renewal Information and take appropriate action.**

(22-59:08)

22. March 21, 2022. Sean Kennedy, County Treasurer, provided information to the Court. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the Renewal Agreement with the Texas Association of Counties for the Affordable Care Act Reporting (ARTS) and tracking Service Renewal Information. Motion adopted.

- 23. Consider an amendment to the American Rescue Plan Act Committee and take appropriation action.**

(23-59:52)

23. March 21, 2022. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the amendment to the American Rescue Plan Act Committee. Motion adopted.

- 24. Consider approval of Resolution No. 2022-0029 for a road donation in Precinct No. 4 from Melvin Gerdes for installation of a pipe culvert to improve drainage on 6778 Old Hwy Rd., Inez, Texas in the amount of \$1,650.00 and take appropriate action.**

(24-1:00:27)

24. March 21, 2022. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved Resolution No. 2022-0029 for a road donation in the amount of \$1,650.00 from Melvin Gerdes for installation of a pipe culvert to improve drainage on 6778 Old Highway Road, Inez, Texas in Precinct No. 4. Motion adopted.

- 25. Consider approval of the following 2022 budget amendments and take appropriate**

action:

(25-1:01:05)

25. March 21, 2022. Moved by Gary Burns and seconded by Clint Ives, 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
- c. Courthouse Security Fund, Expenditures - Increase
- d. National School Lunch Program, Revenues and Expenditures - Line item transfer

Motion adopted.

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

(26-1:01:34)

26. March 21, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. Kevin Janak, Commissioner, Precinct No. 2 - Road and Bridge, Precinct No. 2:
 - 1. Certificate of Completion of continuing education hours from County Judges and Commissioners Association of Texas for Kevin Janak, County Commissioner, Precinct No. 2.
- b. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
 - 1. Salary change for Dora Lively, Food Service Supervisor, from a rate of \$18.67 per hour, Budget Codes 100-573-1173 \$6.22 (33.33%) and 392-573-1173 \$12.45 (66.67%) to a rate of \$19.69 per hour, Budget Codes 100-573-1173 \$6.56 (33.33%) and 392-573-1173 \$13.13 (66.67%), effective March 26, 2022. Remarks: Budget Amendment pending.
 - 2. Employment of Nikkita Mascorro, Extra Help-Rover, at a rate of \$14.75 per hour, Budget Code 100-573-1130, effective March 22, 2022.
- c. David Gonzales, Public Health Director - Victoria County Public Health Department:
 - 1. Resignation of Krystal Salazar, Nurse, with 4.62 PTO hours due, effective March 18, 2022.

Motion adopted.

27. Adjourn.

(27-1:02:12)

27. March 21, 2022. The Commissioners Court adjourned the meeting of March 21, 2022.