

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **11th day of April 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, APRIL 11, 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. April 11, 2022. Ben Zeller, County Judge, called to order the Commissioners Court Regular Term for Monday, April 11, 2022 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. April 11, 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.

(3-1:10)

3. April 11, 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, stated it's child abuse awareness month and voiced his concerns about sex offenders. He also spoke about the VFW Hall in Bloomington giving free microchips and vaccinations to animals in that area.

Rick McBrayer, Emergency Management Coordinator, stated the Regional Infusion Center is set to close by the end of April due to the end of Federal funding and provided additional information.

Judge Zeller spoke to the Court regarding a Public Defenders Office. He stated that within the next couple of weeks, the Court will need to make a determination if they would like to apply for funding for this office and mentioned he should have the budgets today and should have something next week for the Court to consider.

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

4. Consider approval of minutes and take appropriate action.

(4-7:21)

4. April 11, 2022. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the minutes of the Commissioners Court meeting held on April 4, 2022. Motion adopted.

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

(5-7:35)

5. April 11, 2022. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved the accounts payable as presented by Michelle Samford, County Auditor.

Regular Accounts	4/11/2022	\$1,149,771.82
Supplemental Accounts	4/1/2022 – 4/7/2022	\$156,277.88

Motion adopted.

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

(6-8:04)

6. April 11, 2022. 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, 3, and 4; County Treasurer; District Clerk; County Clerk; Criminal District Attorney; Tax Assessor Collector; County Auditor; Justices of the Peace, Precincts Nos. 1,- 4; and Constables, Precincts Nos. 1 and 3. Motion adopted.

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

(7-8:40)

7. April 11, 2022. None. No action taken.

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

(8-8:49)

8. April 11, 2022. Moved by Danny Garcia and seconded by Kevin Janak, the Commissioners Court approved the accounts payable and interim vendor payments for Citizens Medical Center dated April 7, 2022 in the amount of \$501,762.67 and the ACH report dated April 7, 2022 in the amount of \$2,062,719.49. Motion adopted.

9. Consider renewal of the Victoria Farmers Market Lease Extension Agreement for space located on Dr. Pattie Dodson Public Health Center parking lot and take appropriate action.

(9-9:30)

9. April 11, 2022. Meridith Byrd with the Victoria Farmer's Market provided the Court with an overview of the Farmer's Market and thanked the Court for their support. Commissioner Ives and Commissioner Janak spoke on the pavilion project for the Victoria Farmer's Market. Ms. Byrd responded with the status of the pavilion project. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court approved the renewal of the Victoria Farmers Market Lease Extension Agreement for space located on Dr. Pattie Dodson Public Health Center parking lot, for a term of one (1) year, commencing May 1, 2022 and ending April 30, 2023. Motion adopted.

10. Receive for the record Certificate of Compliance from the Texas Commission on Jail Standards regarding an administrative re-inspection and take appropriate action.

(10-18:13)

10. April 11, 2022. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court received for the record the Certificate of Compliance from the Texas Commission on Jail Standards regarding an administrative re-inspection. Motion adopted.

- 11. Consider approval of Order No. 2022-0037 appropriation to the City of Victoria for Fire, EMS Services and take appropriate action.**

(11-18:43)

11. April 11, 2022. Commissioner Burns questioned if this appropriation could be negotiated. County Judge Zeller stated that per the current interlocal agreement, this appropriation has to be paid to the City of Victoria for the year 2022. Judge Zeller mentioned discussion is currently taking place with the Mayor and City Manager of Victoria regarding separate appropriations for next year. The Court held a discussion. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved Order No. 2022-0037 appropriation to the City of Victoria for Fire and EMS Services. Motion adopted.

- 12. Receive for the record letter declining Federal Grant Award for Body-Worn Cameras and take appropriate action.**

(12-30:05)

12. April 11, 2022. Sheriff Marr provided information to the Court. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court received for the record the letter declining the Federal Grant Award for body-worn cameras to the Office of Justice Programs, U.S. Department of Justice. Motion adopted.

- 13. Consider approval of Resolution No. 2022-0039 for the Sheriff's Office for 55 body-worn cameras from the Victoria 100 Club in the amount of \$9,841.50 and take appropriate action.**

(13-30:56)

13. April 11, 2022. Sheriff Justin Marr provided the Court with information. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved Resolution No. 2022-0039 for the donation from The Victoria 100 Club in the amount of \$9,841.50 to be utilized toward the purchase of 55 Body-Worn Cameras for Victoria County Sheriff's Office Patrolmen, Warrants Deputies, Interdiction Deputies, School Resource Deputies, and Reserve Deputies. Motion adopted.

- 14. Receive executed copy of Community Development Block Grant (CDBG) Amendment No.1 Contract No. 7219451 and take appropriate action.**

(14-32:18)

14. April 11, 2022. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court received the executed copy of the Texas Community Development Block Grant (CDBG) Program, Amendment No. 1, Contract No. 7219451. Motion adopted.

- 15. Consider approval of an agreement between Blaze Stack and the Victoria County Fire Marshal's Office for fire investigation software and take appropriate action.**

(15-32:54)

15. April 11, 2022. Fire Marshal Richard Castillo provided information to the Court. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court approved the agreement between Blaze Stack and the Victoria County Fire Marshal's Office for fire investigation software. Motion adopted.

- 16. Consider approval of a Legal Service contract with Hines & Leigh, P.C. for the**

application for an H-1B nonimmigrant and take appropriate action.

(16-35:35)

16. April 11, 2022. Human Resources Director Gina Howard explained the contract for legal services regarding the application for an H-1B Nonimmigrant filing with the U.S. Citizenship and Immigration Services. Mrs. Howard stated this H-1B Visa would allow employment of an Epidemiologist to work at the Victoria County Public Health Department. Public Health Director David Gonzales explained how it's been hard to find and keep an Epidemiologist and answered the Court's questions. Commissioner Garcia asked if the ARPA funds could be used for this and County Judge Zeller responded. County Auditor Michelle Samford proposed that the County pay from the Victoria County Public Health Department fund, and if needed at a later date, the ARPA money would be available. Moved by Danny Garcia and seconded by Clint Ives, the Commissioners Court approved the Legal Service contract with Hines and Leigh, P.C. for the application for an H-1B Nonimmigrant and payment of \$1,625.00 to authorize the H-1B Visa process. Motion adopted.

17. Consider approval of the following items regarding the Victoria Regional Airport and take appropriate action:

a. Proposal from Champion Environmental Consulting for a Limited Pre-Renovations/Demolition Asbestos Survey of the Airport Maintenance Building.

(17a-43:58)

17a. April 11, 2022. Lenny Llerena, Regional Airport Executive, provided information to the Court. Patrick Ohrt with RMA Architects provided information on the asbestos disposal and provided the timeline for the RFP. The Court held a lengthy discussion on the leases and rent payments at the airport. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the proposal from Champion Environmental Consulting for a Limited Pre-Renovations/Demolition Asbestos Survey of the Airport Maintenance Building for the Victoria Regional Airport. Motion adopted.

Consider approval of the following items regarding the Victoria Regional Airport and take appropriate action:

b. Proposal from Champion Environmental Consulting for Asbestos Management Services at the Airport Maintenance Building

(17b-43:58)

17b. April 11, 2022. Regional Airport Executive Lenny Llerena, provided the Court with information. Moved by Gary Burns and seconded by Clint Ives, the Commissioners Court approved the proposal from Champion Environmental Consulting for a Limited Pre-Renovations/Demolition Asbestos Survey of the Airport Maintenance Building at the Victoria Regional Airport. Motion adopted.

Consider approval of the following items regarding the Victoria Regional Airport and take appropriate action:

c. A contract with Centurion Planning and Design for a Drainage Study to be funded with an FAA grant and take appropriate action.

(17c-43:58)

17c. April 11, 2022. Regional Airport Executive Lenny Llerena stated he has questions for the FAA about this proposal from Champion Environmental Consulting for Asbestos Management Services for the Victoria Regional Airport. The Court passed on this agenda item. No action taken.

- CONTINUED -

Consider approval of the following items regarding the Victoria Regional Airport and

take appropriate action:

d. Authorization to advertise a Request for Qualifications for Professional On-Call Airport Planning, Engineering, Environmental & Construction Inspection/Administration Consulting Services.

(17d-43:58)

17d. April 11, 2022. The Court held a discussion on the authorization to advertise a Request for Qualifications for Professional On-Call Airport Planning, Engineering, Environmental and Construction Inspection/Administration Consulting Services for the Victoria Regional Airport. The Court passed on this agenda item. No action taken.

- 18. Consider approval of Citizens Medical Center Emergency Department Expansion & Renovation AIA Document G702 Application for Payment No. 18 and take appropriate action.**

(18-1:30:20)

18. April 11, 2022. Moved by Kevin Janak and seconded by Gary Burns, the Commissioners Court approved the Citizens Medical Center Emergency Department Expansion and Renovation AIA Document G702 Application for Payment No. 18 in the amount of \$438,391.82. Motion adopted.

- 19. Consider the reappointment of Commissioner Gary Burns and Steve Hipes to the Gulf Bend Center Board of Trustees and take appropriate action.**

(19-1:30:45)

19. April 11, 2022. Moved by Kevin Janak and seconded by Danny Garcia, the Commissioners Court approved the reappointment of Commissioner Gary Burns and Steve Hipes to the Gulf Bend Center Board of Trustees. Motion adopted.

- 20. Consider approval for setting public hearing and to publish a notice in the newspaper, as required by §251.152, Texas Transportation Code, to consider the adoption of a reduced speed limit in the school zone of Nursery Independent School District Drive and to consider the installation of traffic control devices and take appropriate action.**

(20-1:31:19)

20. April 11, 2022. Commissioner Kevin Janak provided information to the Court. Moved by Kevin Janak and seconded by Clint Ives, the Commissioners Court approved to set a public hearing and to publish a notice in the newspaper, as required by §251.152, Texas Transportation Code, to consider the adoption of a reduced speed limit in the school zone of Nursery Independent School District on Nursery Drive and to consider the installation of traffic control devices. Motion adopted.

- 21. Consider approval of Resolution No. 2022-0038 for a road donation in Precinct No. 4 from Ana Lisa Almendariz for installation of a pipe culvert to improve drainage on 5724 Midway Rd., Inez, Texas in the amount of \$900.00 and take appropriate action.**

(21-1:32:59)

21. April 11, 2022. Moved by Clint Ives and seconded by Gary Burns, the Commissioners Court approved Resolution No. 2022-0038 for a road donation in the amount of \$900.00 from Ana Lisa Almendariz for installation of a pipe culvert to improve drainage on 5724 Midway Road, Inez, Texas in Precinct No. 4. Motion adopted.

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

action:

(22-1:33:24)

22. April 11, 2022. Moved by Clint Ives and seconded by Kevin Janak, the Commissioners Court approved the 2022 budget amendments for:

- a. General Fund/Various Departments, Expenditures – Line item transfer
- b. Road and Bridge, Precinct No. 4, Expenditures - Increase

Motion adopted.

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

(23-1:34:03)

23. April 11, 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. Clint Ives, Commissioner, Precinct No. 4 - Road and Bridge, Precinct No. 4:
 - 1. Request for payment of unused paid time off (PTO) in excess of carryover limit for Greg Kutac, Foreman, Precinct No. 4, in the amount of \$4,923.00 (177 Compensatory hours) to be paid from Road and Bridge, Precinct No. 4 Fund 204-614-1103.
- b. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Employment of Carmen Rojas, SRO's - Tier 1, at a rate of \$24.25 per hour, Budget Codes 395-560-1109-23.25 and 395-560-1136-1.00, effective April 5, 2022.
 - 2. Employment of Robyn Vasquez, Telecomm. Operators, at a rate of \$21.76 per hour, Budget Code 100-562-1153, effective April 5, 2022.
 - 3. Employment of Avery Davila, Crime Scene Tech, at a rate of \$18.53 per hour, Budget Code 100-562-1161, effective April 12, 2022.
 - 4. Resignation of Rebecca White, Records Administrator, with 80.0 PTO and 167.17 Compensatory hours due, effective April 8, 2022.
 - 5. Position change for Walker Baylor, from Patrol Dep-Tier 1, at a rate of \$24.25 per hour, Budget Codes 100-563-1109-\$23.25, 100-563-1136-\$1.00, and 100-563-1137 Cert. Pay to Detention Dep-Tier 1, Budget Codes 100-565-1114-23.25, 100-565-1136-1.00 and 100-565-1137 Cert Pay, effective April 23, 2022.
 - 6. Employment of Collin Hopkins, Detention Dep-Tier 1 (Jailer), at a rate of \$18.53 per hour, Budget Code 100-565-1114, effective April 8, 2022.
- c. Pama Hencerling, Chief Probation Officer - Juvenile Services/Juvenile Detention:
 - 1. Resignation of Katelynn Thedford, JPO, with 80.0 PTO and 9.40 Compensatory hours due, effective April 8, 2022.
 - 2. Employment of Samuel Constancio, Extra Help-Rover, at a rate of \$14.75 per hour, Budget Code 100-573-1130, effective April 12, 2022.

- CONTINUED -

- d. Danny Garcia, Commissioner, Precinct No. 1 - Road and Bridge, Precinct No. 1:

1. Salary change for Jimmy Vasquez, Sr., Sr. Equip Operators, from a rate of \$23.18 per hour, Budget Code 201-611-1108 to a rate of \$24.05 per hour, effective April 9, 2022.
- e. Ashley Hernandez, Tax Assessor Collector - Tax Office:
 1. Correction (Rate): Employment of Mary Kathleen Peebles Kopecky, Clerk III, at a rate of \$16.58 per hour, Budget Code 100-499-1106, effective April 5, 2022. Remarks: Correction to rate.
 2. Resignation of Mary Kathleen Peebles Kopecky, Clerk III, effective April 5, 2022.

Motion adopted.

24. Pursuant to V.T.C.A. Government Code §551.076 to discuss Sheriff's Office security matters, §551.074 to discuss personnel, and §551.087 to discuss economic development.

(24-1:34:44)

24. April 11, 2022. The Commissioners Court went into closed session at 11:40 a.m., pursuant to V.T.C.A. Government Code §551.076, to discuss Sheriff's Office security matters, §551.074 to discuss personnel, and §551.087 to discuss economic development.

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

(25-3:03:02)

25. April 11, 2022. The Commissioners Court returned to open meeting at 1:02 p.m., pursuant to V.T.C.A. Government Code §551.102, with no action taken.

26. Adjourn.

(26-3:03:19)

26. April 11, 2022. The Commissioners Court adjourned the meeting of April 11, 2022.