

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **30th day of January A.D., 2023**, 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
Jason Ohrt,	Commissioner Precinct No. 2
Gary Burns,	Commissioner Precinct No. 3
Kenneth Sexton,	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 30, 2023, 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 30, 2023. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, January 30, 2023 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. January 30, 2023. 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.

(3-1:33)

3. January 30, 2023. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Nicole Nguyen and Cynthia Ramirez with Belong were present. Ms. Nguyen explained the Belong program to the Court and informed them of their involvement with the community.

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

4. Consider approval of minutes and take appropriate action.

(4-4:49)

4. January 30, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the minutes of the Commissioners Court meeting held on January 23, 2023. Motion adopted.

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

(5-5:26)

5. January 30, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the accounts payable as presented by Michelle Samford, County Auditor.

Regular Accounts	1/30/2023	\$225,307.47
Supplemental Accounts	1/20/2023 – 1/26/2023	\$216,713.01

Motion adopted.

- 6. Receive monthly and quarterly reports from various county officials and departments and take appropriate action.**
(6-5:36)

6. January 30, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received the monthly reports from the County Treasurer and Fire Marshal. Motion adopted.
- 7. Consider approval of bond forfeiture releases and take appropriate action.**
(7-5:54)

7. January 30, 2023. None. No action taken.
- 8. Consider approval of CMC Interim vendor payments, accounts payable, payroll and personnel changes and take appropriate action.**
(8-6:02)

8. January 30, 2023. Moved by Jason Ohrt and seconded by Gary Burns, the Commissioners Court approved the payroll, accounts payable, personnel changes, and interim vendor payments for Citizens Medical Center dated January 26, 2023 in the amount of \$996,706.74 and the ACH report dated January 26, 2023 in the amount of \$2,822,631.55. Motion adopted.
- 9. Discuss and consider the following items related to a request for tax abatement from Prairie Energy and take appropriate action.**
 - a. Receive an application for tax abatement.**
(9a-1:28:22)

9a. January 30, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court received an application for tax abatement from Prairie Energy Partners, LLC. Motion adopted.
 - Discuss and consider the following items related to a request for tax abatement from Prairie Energy and take appropriate action.**
 - b. Set a public hearing to consider entering into a Tax Abatement Agreement.**
(9b-1:28:22)

9b. January 30, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved to set a public hearing on February 13, 2023 at 10:00 a.m. to consider entering into a Tax Abatement Agreement with Prairie Energy Partners, LLC. Motion adopted.
- 10. Discuss and consider the Commissioners Court Liaison Program for 2023 and take appropriate action.**
(10-8:56)

10. January 30, 2023. The Commissioners Court discussed the Liaison Program. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the 2023 Commissioners Court Liaison Program with tweaks made. Motion adopted.

- 11. Consider approval of the 2021 High Intensity Drug Trafficking Areas (HIDTA) Grant Award Modification No. 3, Grant No. G21HN0020A and take appropriate action.**

(11-16:06)

11. January 30, 2023. Grant Administrator Robin Knipling provided information to the Court. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the 2021 High Intensity Drug Trafficking Areas (HIDTA) Grant Award Modification No. 3 Grant No. G21HN0020A. Motion adopted.

- 12. Consider approval of the following and take appropriate action:**
a. Receive a withdraw of approved plat exemption request from John Ellsworth, at 12193 State HWY 185 in Pct. 1.

(12a-16:52)

12a. January 30, 2023. County Engineer John Johnston provided information to the Court. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court received the withdrawal of the approved plat exemption request from John Ellsworth at 12193 State Highway 185 in Precinct No. 1. Motion adopted.

Consider approval of the following and take appropriate action:

- b. Approve a request for plat exemption from John Ellsworth & Mark Ellsworth at 4674 Key Rd. in Pct. 1.**

(12b-16:52)

12b. January 30, 2023. County Engineer John Johnston provided information to the Court. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the request for plat exemption from John Ellsworth and Mark Ellsworth at 4674 Key Road in Precinct No. 1. Motion adopted.

- 13. Received an executed copy of the Community Development Block Grant-Disaster Relief (CDBG-DR) Local Buyout and Acquisition Program Amendment No. 4, Texas General Land Office (GLO) Grant No. 20-066-004-C033, and take appropriate action.**

(13-22:39)

13. January 30, 2023. Grant Administrator Robin Knipling provided the Court with information. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received an executed copy of the Community Development Block Grant-Disaster Relief (CDBG-DR) Local Buyout and Acquisition Program Amendment No. 4, Texas General Land Office (GLO) Grant No. 20-066-004-C033. Motion adopted.

- 14. Consider approval of the 2022 Supply Chain Assistance (SCA) Program Award, Federal Grant Award No. 6TX300400, and take appropriate action.**

(14-23:16)

14. January 30, 2023. Grant Administrator Robin Knipling provided information to the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the 2022 Supply Chain Assistance (SCA) Program Award, Federal Grant Award No. 6TX300400 for the Victoria County Juvenile Justice Center. Motion adopted.

- 15. Consider approval of a services agreement with Lisa Kainer for media content creation and take appropriate action.**

(15-24:23)

15. January 30, 2023. Public Health Director David Gonzales provided information to the Court. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the services agreement between Victoria County Public Health Department and Lisa Kainer for media content design services. Motion adopted.

- 16. Consider approval of the following Resolution regarding donation to the Victoria County Sheriff's Office and take appropriate action:**

a. Resolution No. 2023-0019 from the Victoria 100 Club for the purchase of a dual-purpose drug dog and a six-week handler course valued at \$16,500.00.

(16a-25:10)

16a. January 30, 2023. Sheriff Marr spoke to the Court regarding the donation. Moved by Danny Garcia and seconded by Jason Ohrt, pursuant to Local Government Code §81.032, the Commissioners Court approved Resolution 2023-0019 for a donation from the Victoria 100 Club for the purchase of a dual-purpose drug dog and a six-week handler course valued at \$16,500.00. Motion adopted.

Consider approval of the following Resolution regarding donation to the Victoria County Sheriff's Office and take appropriate action:

b. Resolution No. 2023-0020 from Steve Klein for the purchase of SWAT Team equipment in the amount of \$60,000.00.

(16b-25:10)

16b. January 30, 2023. Sheriff Marr spoke to the Court regarding the donation. Moved by Danny Garcia and seconded by Jason Ohrt, pursuant to Local Government Code §81.032, the Commissioners Court approved Resolution 2023-0020 for a donation from Steve Klein to purchase SWAT Team equipment in the amount of \$60,000.00. Motion adopted.

- 17. Receive the 2022 quarterly investment report as presented by the County Treasurer and take appropriate action.**

(17-26:35)

17. January 30, 2023. County Treasurer Paige Foster provided information to the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received the 2022 4th quarterly investment report as presented by the County Treasurer. Motion adopted.

- 18. Consider the two-month lease extension amendment with Texas Facilities Commission - Texas Parks and Wildlife and take appropriate action.**

(18-27:26)

18. January 30, 2023. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the two-month lease extension amendment between Victoria County and the Texas Facilities Commission for the Texas Parks and Wildlife Department. Motion adopted.

- 19. Consider approval of a request from the Mission Valley Volunteer Fire Department to repair damaged areas caused by fire trucks at the dry hydrants located on the Urban property on Lower Mission Valley Road and the property of Harwell's Custom Processing located on FM 236 in Pct. 2 and take appropriate action.**

(19-29:33)

19. January 30, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the request from the Mission Valley Volunteer Fire Department to repair damaged areas caused by fire trucks at the dry hydrants located on the Urban property on Lower Mission Valley Road and the property of Harwell's Custom Processing located on FM 236 in Precinct No. 2. Motion adopted.

- 20. Receive for the record the Discretionary Funds Budget Amendment for the Sheriff's Forfeiture Fund (360) and take appropriate action.**

(20-30:41)

20. January 30, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court received for the record the 2023 Discretionary Funds Budget Amendment for the Sheriff's Forfeiture Fund (360) as an increase to expenditures. Motion adopted.

- 21. Consider approval of the following 2023 budget amendments and take appropriate action:**

(21-30:57)

21. January 30, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the 2023 budget amendments for:

- a. General Fund, Various Departments, Expenditures - Increase
- b. Courthouse Security Fund, Expenditures - Increase
- c. District Clerk Record Management , Expenditures - Increase
- d. District Clerk of the Court Fund, Expenditures - Increase
- e. Health Department, Expenditures - Increase

Motion adopted.

- 22. Consider approval of personnel changes and take appropriate action.**

(22-31:43)

22. January 30, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. Jason Ohrt, Commissioner, Precinct No. 2 - Road and Bridge, Precinct No. 2:
 - 1. Certificate of Completion from the V.G. Young Institute of County Government for 20.50 hours of educational training for the 2023 Seminar for Newly Elected Judges and Commissioners for Jason Ohrt, Commissioner, Precinct No. 2.

- b. Kenneth Sexton, Commissioner, Precinct No. 4 - Road and Bridge, Precinct No. 4:
 - 1. Certificate of Completion from the V.G. Young Institute of County Government for 20.50 hours of educational training for the 2023 Seminar for Newly Elected Judges and Commissioners for Kenneth Sexton, Commissioner, Precinct No. 4.
- c. John Williams, Veterans Service Director - Veterans Service Office:
 - 1. Employment of Linda May, PT Clerk II, at a rate of \$12.50 per hour, Budget Code 100-405-1110, effective January 31, 2023.
- d. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Resignation of Andrew Carrizales, Interdiction Corporal, with 80.0 PTO and 240 Compensatory hours due, effective February 8, 2023.
- e. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
 - 1. Employment of Paul James-Tyson Nunez, (Juvenile Supervision Officer) JSO, at a rate of \$16.14 per hour, Budget Code 100-573-1156, effective February 7, 2023.
 - 2. Employment of Asha Hargrove, (Juvenile Supervision Officer) JSO, at a rate of \$16.14 per hour, Budget Code 100-573-1156, effective January 31, 2023.
 - 3. Salary and position/other change for Brittini Denise Rosalez, from Extra Help-Rover, at a rate of \$15.00 per hour, Budget Code 100-573-1130 to (Juvenile Supervision Officer) JSO, at a rate of \$16.14 per hour, Budget Code 100-573-1156, effective January 28, 2023.
 - 4. Salary and position/other change for Ashton Ellis, from (Juvenile Supervision Officer II) JSO II, at a rate of \$19.22 per hour, Budget Codes 100-573-1154, TJJD 231-578-1135 to JSO Supervisor, at a rate of \$23.27 per hour, Budget Codes 100-573-1150 and TJJD 231-578-21181861135, effective January 28, 2023.
 - 5. Dismissal of Michelle A. Koenig, Supervision Officer III - JSO III, with 80.0 PTO and 50.81 Compensatory hours due, effective January 24, 2023.
 - 6. Salary and position/other change for Patricia Washington, from (Juvenile Supervision Officer II) JSO II, at a rate of \$19.22 per hour, Budget Codes 100-573-1154 and TJJD 231-578-1135 to (Juvenile Supervision Officer III) JSO III, at a rate of \$20.63 per hour, Budget Codes 100-573-1151 and TJJD 231-578-1135, effective January 28, 2023.
 - 7. Salary and position/other change for Rebecca Dianne Aguirre, from (Juvenile Supervision Officer I) JSO I, at a rate of \$17.57 per hour, Budget Codes 100-573-1155 and TJJD 231-578-1135 to (Juvenile Supervision Officer II) JSO II, at a rate of \$19.22 per hour, Budget Code 100-573-1154 and TJJD 231-578-1135, effective January 28, 2023.
 - 8. Salary and position/other change for Linda Jean Flonnery-Bell, from (Juvenile Supervision Officer I) JSO I, at a rate of \$17.57 per hour, Budget Codes 100-573-1155 and TJJD 231-578-1135 to (Juvenile Supervision Officer II) JSO II, at a rate of \$19.22 per hour, Budget Codes 100-573-1154 and TJJD 231-578-1135, effective January 28, 2023.

9. Salary and position/other change for Kathryn Taylor, from (Juvenile Supervision Officer I) JSO I, at a rate of \$17.57 per hour, Budget Codes 100-573-1155 and TJJD 231-578-1135 to (Juvenile Supervision Officer II) JSO II, at a rate of \$19.22 per hour, Budget Codes 100-573-1154 and TJJD 231-578-1135, effective January 28, 2023.
10. Salary and position/other change for Jaden Lane Stephenson, from (Juvenile Supervision Officer) JSO, at a rate of \$16.14 per hour, Budget Codes 100-573-1156 and TJJD 231-578-1135 to (Juvenile Supervision Officer I) JSO I, at a rate of \$17.57 per hour, Budget Codes 100-573-1155 and TJJD 231-578-1135, effective January 28, 2023.
11. Salary and position/other change for Daisy Monik Contreras, from (Juvenile Supervision Officer) JSO, at a rate of \$16.14 per hour, Budget Codes 100-573-1156 and TJJD 231-578-1135 to (Juvenile Supervision Officer I) JSO I, at a rate of \$17.57 per hour, Budget Codes 100-573-1155 and TJJD 231-578-1135, effective January 28, 2023.
12. Salary and position/other change for Anton Dwain Franklin, from (Juvenile Supervision Officer) JSO, at a rate of \$16.14 per hour, Budget Codes 100-573-1156 and TJJD 231-578-1135 to (Juvenile Supervision Officer I) JSO I, at a rate of \$17.57 per hour, Budget Codes 100-573-1155 and TJJD 231-578-1135, effective January 28, 2023.
13. Salary and position/other change for Michael Lee Porter, from (Juvenile Supervision Officer) JSO , at a rate of \$16.14 per hour, Budget Code 100-573-1156 to (Juvenile Supervision Officer I) JSO I, at a rate of \$17.57 per hour, Budget Code 100-573-1155, effective January 28, 2023.
14. Dismissal of Maria Solis, Cook, with 80.0 PTO and 183.32 Compensatory hours due, effective January 27, 2023.
15. Correction (Separation): Resignation of Michelle A. Koenig, Supervision Officer III, effective January 24, 2023.
- f. Gary Burns, Commissioner, Precinct No. 3 - Road and Bridge, Precinct No. 3 :
 1. Employment of Mark Crawford, Sr. Equipment Operator, at a rate of \$22.50 per hour, Budget Code 203-613-1108, effective January 31, 2023 at 8:30 am.
- g. Danny Garcia, Commissioner, Precinct No. 1 - Road and Bridge, Precinct No. 1:
 1. Resignation of Juan Juarez, Sr. Equipment Operator, effective January 26, 2023.
 2. Retirement of John Knezek, II, Sr. Equipment Operator, with 15.38 PTO hours due, effective January 30, 2023.
- h. David Gonzales, Public Health Director - Victoria County Public Health Department:
 1. Employment of Taylor Nylin, CMA, at a rate of \$19.50 per hour, Budget Code 808-631-1113, effective January 31, 2023.

Motion adopted.

- 23. Closed meeting pursuant to V.T.C.A. Government Code §551.074 to discuss Personnel in various departments, §551.0745 to discuss Boards and Commissions, and §551.087 to discuss Economic Development.**

(23-32:37)

23. January 30, 2023. The Commissioners Court went into closed session at 10:32 a.m., pursuant to V.T.C.A. Government Code §551.074 to discuss Personnel in various departments, §551.0745 to discuss Boards and Commissions and §551.087 to discuss Economic Development.

- 24. 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.**

(24-1:28:06)

24. January 30, 2023. The Commissioners Court returned to open meeting at 11:27 a.m., pursuant to V.T.C.A. Government Code §551.102, and continued with agenda item no. 9.

- 25. Adjourn.**

(25-1:29:42)

25. January 30, 2023. The Commissioners Court adjourned the meeting of January 30, 2023.