

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **13th day of February A.D., 2023**, 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
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, February 13, 2023, 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. February 13, 2023. Ben Zeller, County Judge, called to order the Commissioners Court Regular Term for Monday, February 13, 2023 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. February 13, 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.

(3-2:40)

3. February 13, 2023. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Dale Zuck, Victoria County resident, asked if anyone had courtesy stations opened for a mattress that was dumped on the road. Mr. Zuck spoke on the Victoria Regional Airport Steering Committee and the Central Appraisal District.

4. Consider approval of minutes and take appropriate action.

(4-6:17)

4. February 13, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the minutes of the Commissioners Court meeting held on February 6, 2023. Motion adopted.

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

(5-6:32)

5. February 6, 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	02/13/2023	\$383,963.36
Supplemental Accounts	02/03/2023-02/09/2023	\$122,181.77

Motion adopted.

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

(6-6:59)

6. February 13, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received the monthly reports from the County Treasurer; District Clerk; County Clerk; District Attorney; Tax Assessor Collector; County Auditor; Sheriff; Justices of the Peace, Precincts Nos. 1, 3 and 4; Constables, Precincts Nos. 1-4; County Extension Agent-Ag/Natural Resources; and County Extension Agent- Family Community Health. Motion adopted.

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

(7-7:41)

7. February 13, 2023. None. No action taken.

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

(8-7:52)

8. February 13, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated February 9, 2023 in the amount of \$496,240.42 and the ACH report dated February 9, 2023 in the amount of \$1,841,065.49. Motion adopted.

9. **Receive for the record the following additional settlement participation forms in relation to Resolution No. 2021-0110 participating in and adopting the Texas Opioid Settlement Term Sheet and take appropriate action.**

(9a-8:24)

9a. February 13, 2023. Giani Cantu, Chief of Staff, County Judge's Office, provided information to the Court. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court received for the record the Subdivision Participation and Release form from Allegren in relation to Resolution No. 2021-0110, participating in and adopting the Texas Opioid Settlement Term Sheet. Motion adopted.

Receive for the record the following additional settlement participation forms in relation to Resolution No. 2021-0110 participating in and adopting the Texas Opioid Settlement Term Sheet and take appropriate action.

(9b-8:24)

9b. February 13, 2023. Giani Cantu, Chief of Staff, County Judge's Office, provided information to the Court. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court received for the record the Subdivision Participation and Release form from CVS Settlement in relation to Resolution No. 2021-0110, participating in and adopting the Texas Opioid Settlement Term Sheet. Motion adopted.

Receive for the record the following additional settlement participation forms in relation to Resolution No. 2021-0110 participating in and adopting the Texas Opioid Settlement Term Sheet and take appropriate action.

(9c-8:24)

9c. February 13, 2023. Giani Cantu, Chief of Staff, County Judge's Office, provided information to the Court. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court received for the record the Subdivision Participation and Release form from Walgreens in relation to Resolution No. 2021-0110, participating in and adopting the Texas Opioid Settlement Term Sheet. Motion adopted.

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Receive for the record the following additional settlement participation forms in relation to Resolution No. 2021-0110 participating in and adopting the Texas Opioid Settlement Term Sheet and take appropriate action.

(9d-8:24)

9d. February 13, 2023. Giani Cantu, Chief of Staff, County Judge's Office, provided information to the Court. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court received for the record the Subdivision Participation and Release form from Walmart in relation to Resolution No. 2021-0110, participating in and adopting the Texas Opioid Settlement Term Sheet. Motion adopted.

10. Receive for the record 2022 Indigent Defense and Pre-Trial Services Yearly Report and take appropriate action.

(10-12:14)

10. February 13, 2023. Nora Kucera, Pre-Trial Services Coordinator, provided information to the Court. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court received the record 2022 Indigent Defense and Pre-Trial Services Yearly Report. Motion adopted.

11. Consider approval and authorization of payment to Rawley McCoy & Associates, PPLC for Architectural Services on the Victoria County Courthouse Entry Steps & Repair Project and take appropriate action.

(11-24:36)

11. February 13, 2023. John Johnston, County Engineer, spoke. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved to authorize the payment to Rawley McCoy & Associates PPLC for Architectural Services for the Victoria County Courthouse Entry Steps & Repair Project. Motion adopted

12. Receive for the record submitted bids for the Victoria County 311 E. Constitution Fiber Optic Cable Project and take appropriate action.

(12-25:59)

12. February 13, 2023. John Johnston, County Engineer, spoke about the bids, Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received for the record the bids for the Victoria County 311 E. Constitution Fiber Optic Cable Project from the following:

Computer Command	Victoria, Texas
Infinity Communications Technologies Inc.	Victoria, Texas
Triumph Cabling Systems, LLC	Houston, Texas

Motion adopted.

13. Consider approval and authorization of payment for the following in connection to the Victoria County EOC Stair Enclosure Project and take appropriate action

a. Application and Certification for Payment No. 006 to Lauger Companies, Inc.

(13a-28:02)

13a. February 13, 2023. John Johnston, County Engineer, provided information. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the authorization of application and certification for Payment No. 006 to Lauger Companies, Inc. in connection to the Victoria County EOC Stair Enclosure Project. Motion adopted.

Consider approval and authorization of payment for the following in connection to the Victoria County EOC Stair Enclosure Project and take appropriate action:

b. Invoice No. 10057975 to PGAL.

(13b-28:02)

13b. February 13, 2023. John Johnston, County Engineer, provided information. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved Invoice No. 10057975 to PGAL in connection to the Victoria County EOC Stair Enclosure Project. Motion adopted.

14. Receive the fully executed service agreement with Media Content Design Services/Texas Healthy Communities Grant and Health Disparities Grant between Victoria County Public Health Department and Lisa Kainer and take appropriate action.

(14-29:07)

14. February 13, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court received the fully executed service agreement with Media Content Design Services/ Texas Healthy Communities Grant and Health Disparities Grant between Victoria County Public Health Department and Lisa Kainer Motion adopted.

15. Consider approval of the following purchases for Constable Pct. 1 and take appropriate action:

a. Dana Safety Supply in the amount of \$16,974.72.

(15a-29:44)

15a. February 13, 2023. Jeff Meyer, Constable Precinct No. 1, spoke. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the purchase from Dana Safety Supply in the amount of \$16,974.72 for Constable Precinct No. 1. Motion adopted.

Consider approval of the following purchases for Constable Pct. 1 and take appropriate action:

b. Route 1 in the amount of \$5,387.28.

(15b-29:44)

15b. February 13, 2023. Jeff Meyer, Constable Precinct No. 1, spoke. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the purchase from Route 1 in the amount of \$5,387.28 for Constable Precinct No. 1. Motion adopted.

Consider approval of the following purchases for Constable Pct. 1 and take appropriate action:

c. Onsite Decals in the amount of \$890.00.

(15c-29:44)

15c. February 13, 2023. Jeff Meyer, Constable Precinct No. 1, spoke. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the purchase from Onsite Decals in the amount of \$890.00 for Constable Precinct No. 1. Motion adopted.

- 16. Consider approval of the Department of Justice Equitable Sharing Agreement and Certification for the Victoria County Sheriff's Office and take appropriate action.**

(16-31:03)

16. February 13, 2023. Michelle Samford, County Auditor, provided information. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the Department of Justice Equitable Sharing Agreement and Certification for the Victoria County Sheriff's. Motion adopted.

- 17. Consider the appointment of Loria Rose, Will Sciba, and Davy Charbula to the Community Action Committee of Victoria, Texas (CACVT) and take appropriate action.**

(17-32:44)

17. February 13, 2023. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court appointed Loria Rose, Will Sciba, and Davy Charbula to the Community Action Committee of Victoria, Texas (CACVT). Motion adopted.

- 18. Consider the reappointment of Robby Burdge and Bryon Burris to the Victoria County Navigation District and take appropriate action.**

(18-34:18)

18. February 13, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved to reappointments of Robby Burdge, and Bryon Burris to the Victoria County Navigation District. Motion adopted.

- 19. Consider approval of payment to GrantWorks in connection with TX-CDBG No. 7219451 Water Plant Improvements for WCID No. 2 in Placedo and take appropriate action.**

(19-35:10)

19. February 13, 2023. Michlle Samford provided information. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the payment to Grant Works in the amount of \$3,025.00 in connection with TX-CDBG No. 7219451 Water Plant Improvements for WCID No. 2 in Placedo. Motion adopted.

- 20. Consider approval of Citizens Medical Center Emergency Department Expansion & Renovation AIA Document G702 Application for Payment No. 28 and take appropriate action.**

(20-36:06)

20. February 13, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the Citizens Medical Center Emergency Department Expansion & Renovation AIA Document G702 Application for Payment No. 28. Motion adopted.

21. Receive the record 2023 Discretionary Fund Budget Amendment for Sheriff's Forfeiture Fund (360) and take appropriate action.

(21-36:54)

21. February 13, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court received for the record the 2023 Discretionary Fund Budget Amendment for Sheriff's Forfeiture Fund (360) as a line item transfer. Motion adopted.

22. Receive the record 2023 Discretionary Fund Budget Amendment for CDA Contraband Forfeiture Fund (370) and take appropriate action.

(22-37:23)

22. February 13, 2023. Moved by Jason Ohrt and seconded by Danny Garcia, Commissioners Court received for the record the 2023 Discretionary Fund Budget Amendment for CDA Contraband Forfeiture Fund (370) as an increase to expenditures. Motion adopted.

23. Consider approval of the following 2023 budget amendments and take appropriate action.

(23-37:45)

23. February 13, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the 2023 budget amendments for:

- a. General Fund, Various Departments, Expenditures- Line item transfer
- b. Sheriff's Donation Fund, Expenditures- Line item transfer
- c. National School Lunch Program, Expenditures- Line item transfer

Motion adopted.

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

(24-38:15)

24. February 13, 2023. Moved by Kenneth Sexton and seconded by Danny Garcia , the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. Kim Plummer, District Clerk - District Clerk's Office:
 - 1. Salary and position change for Kirstie Dillard, from Assistant Chief Deputy, at a rate of \$20.83 per hour, Budget Codes 100-450-1104, (\$18.83) 125-450-1104 (\$1.50) and 123-450-1104, (.50) to Chief Deputy, at a rate of \$27.71 per hour. effective February 11, 2023.
- b. Pamela Hencerling, Chief Probation Officer, Juvenile Detention
 - 1. Salary and position change for Wendy Annette Saldana, from Extra Help (PRN), at a rate of \$14.50 per hour, Budget Code 100-573-1130 to JSO-PT, at a rate of \$15.00 per hour, Budget Code 100-573-1157, effective February 11, 2023.
 - 2. Resignation of Antonio Campuzano, Jr., (Supervision Officer) JSO, Budget Code 100-573-1156, effective February 2, 2023.

- c. Nora Brosig Kucera, Pre-Trial Services Coordinator, Pre-Trial Services.
 - 1. Employment of Rosalinda Mendiola, Indigent Defense Asst., at a rate of \$15.75 per hour, Budget Code 520-404-1107, effective February 14, 2023.
- d. Vinicio Llerena, Airport Executive Director, Victoria Regional Airport:
 - 1. Salary Change for Andrew Neuenkirk, Oper/Main Specialist II, from a rate of \$15.50 per hour, Budget Code 321-606-1116 to a rate of \$16.00 per hour, effective January 28, 2023.
- e. Ashley Hernandez, Tax Assessor Collector, Tax Office:
 - 1. Salary Change for Kamryn Rodriguez, Asst. Chief Deputy, from a rate of \$18.83 per hour, Budget Code 100-499-1104 to a rate of \$19.15 per hour, Budget Code 100-499-1104, effective February 11, 2023.
 - 2. Salary and position change for Ashley Nicole Garcia, from Part-Acctg Clerk, at a rate of 17.70 per hour, Budget Code 100-499-1107 to Asst. Chief Deputy, at a rate of \$18.00 per hour, Budget Code 100-499-1104, effective February 11, 2023.
 - 3. Salary Change for Maria Diaz, Clerk III, at a rate of \$15.00 per hour, Budget Code 100-499-1106 to \$15.50 per hour, Budget Code 100-499-1106, effective February 11, 2023
- f. Justin Marr, Sheriff, Sheriff's Office
 - 1. Employment of Austin Fielder, Detention Officer- Tier I, at a rate of 18.53 per hour, Budget code 100-565-1114, effective February 22, 2023.
 - 2. Position change for Willis Kisner III, from Maintenance Officer (2080), at a rate of \$19.69 per hour, Budget code 100-565-1113 to Cook, at a rate of \$19.69 per hour, Budget Code 100-565-1123 effective February 25, 2023.
 - 3. Salary and position change for Michael Behrends, from Captain, Enforcement, at a rate of \$37.90 per hour, Budget codes 100-563-1104-36.90 and 100-563-1136-1.00 to Detention Dept-Tier I, at a rate of \$24.25 per hour, Budget Codes 100-565-1114- 23.25 and 100-565-1136-1.00 effective February 25, 2023.
 - 4. Salary and position change for Christopher King, from Detention Dep-Tier I at a rate of \$24.25 per hour, Budget codes 100-565-1114-23.25, 100-565-1136-1.00 Cert pay 100-565-1137, to Investigator, at a rate of \$29.14 per hour Budget Codes 100-563-1106-28.14, 100-563-1136-1.00 Cert pay 100-563-1137, effective February 25, 2023.
 - 5. Salary and position change for Abraham Ceron, from Corporal, at a rate of \$26.60 per hour, Budget code 100-565-1109 to Sergeants, at a rate of \$28.14 per hour, Budget Code 100-565-1108, effective February 25, 2023.
 - 6. Salary and position change for Dale Kolar, from Sergeant, at a rate of \$28.14 per hour, Budget codes 100-565-1108, and Cert Pay 100-565-1137 to Inmate Services Asst, at a rate of \$22.86 per hour Budget Codes 380-560-1104, and Cert Pay 380-560-1137, effective February 25, 2023.

Motion adopted.

25. Closed meeting pursuant to V.T.C.A. Government Code §551.074 to discuss Personnel in various departments, and §551.0745 to discuss Boards and Commissions.
(25-38.49)

25. February 13, 2023. The Commissioners Court went into closed session at 10:37 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.

- 26. 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.**

(26-1:13:13)

26. February 13, 2023. The Commissioners Court returned to open meeting at 11:11 a.m., pursuant to V.T.C.A. Government Code §551.102 with no action taken.

- 27. Adjourn.**

(27-1:13:27)

27. February 13, 2023. The Commissioners Court adjourned the meeting of February 13, 2023.