

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **21st day of February 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

Tuesday, February 21, 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. February 21, 2023. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, February 21, 2023 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. February 21, 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.

(3-1:46)

3. February 21, 2023. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda. Heidi Easley, County Clerk, asked about updates on salary study.

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

4. Consider approval of minutes and take appropriate action.

(4-2:39)

4. February 21, 2023. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the minutes of the Commissioners Court meeting held on February 13, 2023. Motion adopted.

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

(5-2:57)

5. February 21, 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	2/21/2023	\$506,898.03
Supplemental Accounts	2/10/2023 – 2/16/2023	\$203,320.86

Motion adopted.

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

(6-3:24)

6. February 21, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received the monthly reports from the County Extension Agent-4-H Youth Development. Motion adopted

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

(7-3:42)

7. February 21, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioner Court approved the release of the following bond forfeiture judgments from the Court:

a. Cause No. CIV1-20291: The State of Texas vs. Ryan Devodrick Yarbrough, Defendant and Albert Saenz DBA AA Best Bail Bonds, Surety.

b. Cause No. CIV1-20290: The State of Texas vs. Ryan Devodrick Yarbrough, Defendant and Albert Saenz DBA AA Best Bail Bonds, Surety.

c. Cause No. CIV1-20682: The State of Texas vs. Ryan Devodrick Yarbrough, Defendant and Financial Casualty Albert Saenz, Agent DBA AA Best Bail Bonds, Surety.

d. Cause No. CIV2-20313: The State of Texas vs. Erica Nicole Salinas, Defendant and Christopher Embrey, Executor of the Estate of Bruce E. Embrey DBA A-Action Bail Bonds, Surety.

e. Cause No. CIV2-20302: The State of Texas vs. Anna Nicole Byrd, Defendant and Bankers Ins. Co Albert Saenz, Agent, DBA AA Best Bail Bonds, Surety.

f. Cause No. CIV2-20303: The State of Texas vs. Anna Nicole Byrd, Defendant and Bankers Ins. Co Albert Saenz, Agent, DBA AA Best Bail Bonds, Surety.

g. Cause No. CIV2-20888: The State of Texas vs. Melissa Marie Cantwell, Defendant and Neftali J. Villafranca, Surety.

Motion adopted.

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

(8-4:00)

8. February 21, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated February, 2023 in the amount of \$ 1,128,876.13 and the ACH report dated February, 2023 in the amount of \$2,691,291.96 Motion adopted.

9. Consider the following related to the Airport/FBO Executive Director and take appropriate action.

a. An employment agreement with Vinicio Llerena

b. Authorize payment of wages owed for the period of July 1, 2022, through December 31, 2022

c. A 2023 budget amendment for Airport Fund (321)

(9a-4:38)

9a. February 21, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved an employment agreement with Vinicio Llerena, Airport/FBO Executive Director. Motion adopted.

(9b-4:38)

9b. February 21, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court authorized the payment of wages owed for the period of July 1, 2022 through December 31, 2022 for Vinicio Llerena, Airport/FBO Executive Director. Motion adopted.

(9c-4:38)

9c. February 21, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved a 2023 budget amendment for Airport Fund (321). Motion adopted.

10. Receive operation updates from the Victoria Regional Airport Executive Director and take appropriate action.

(10-6:45)

10. February 21, 2023 Airport Executive Director Lenny Llerena provided an operation update for the Victoria Regional Airport. Commissioners Jason Ohrt and Kenneth Sexton spoke. Ben Zeller, County Judge thanked Rick McBrayer, Emergency Management Coordinator, and the Texas Forestry Service. Robin Knipling, Grant Administrator, spoke. No action taken.

11. Consider acceptance of the Golden Crescent Regional Planning Commission (GCRPC) Method of Distribution (MOD) Funding Notification for the Texas Community Block Development Grant (CDBG) Mitigation Action Plan as amended and take appropriate action.

(11-46:15)

11. February 21, 2023. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the acceptance of the Golden Crescent Regional Planning Commission (GCRPC) Method of Distribution (MOD) Funding Notification for the Texas Community Block Development Grant (CDBG) Mitigation Action Plan as amended. Commissioner Danny Garcia, Commissioner Jason Ohrt, County Judge Ben Zeller, and Robin Knipling, Grant Administrator, spoke. Motion adopted.

12. Consider and approve the following items for the 1967 Victoria County Courthouse - HVAC, BAS, and Electrical Distribution Improvements project and take appropriate action:

a. Resolution No. 2023-0026 – Construction Procurement Method

(12a-52:01)

12a. February 21, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved Resolution No. 2023-0026 for the Construction Procurement Method in connection to the 1967 Victoria County Courthouse - HVAC, BAS, and Electrical Distribution Improvements project. Motion adopted.

b. Resolution No. 2023-0027 – Delegation of Authority

(12b-52:01)

12b. February 21, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved Resolution No. 2023-0027 for the Delegation of Authority in connection to the 1967 Victoria County Courthouse - HVAC, BAS, and Electrical Distribution Improvements project. Motion adopted.

c. Resolution No. 2023-0028- Prevailing Wage Determination

(12c-52:01)

12c. February 21, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved Resolution No. 2023-0028 for the Prevailing Wage Determination in connection to the 1967 Victoria County Courthouse - HVAC, BAS, and Electrical Distribution Improvements project. Kelly Hubert, Facilities Manager. Motion adopted.

13. Consider approval of the following in connection to the Pattie Dodson Public Health Center Signage Project and take appropriate action:

a. Authorize the County Judge to sign the Certificate of Substantial Completion

(13a-52:30)

13a. February 21, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court authorized the County Judge to sign the Certificate of Substantial Completion in connection to the Pattie Dodson Public Health Center Signage Project. John Johnston, County Engineer, provided information. Motion approved subject to correcting date on Certificate of Substantial Completion.

b. Authorization of the final payment and retainage to United Signs, LLC

(13b-52:30)

13b. February 21, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the authorization of the final payment and retainage to United Signs, LLC. in connection to the Pattie Dodson Public Health Center Signage Project. Motion adopted subject to County Engineer John Johnston's approval.

14. Consider approval of an engagement letter with Gabriel, Roeder, Smith & Company (GRS) for December 31, 2021, OPEB Valuation, and the GASB 75 Valuation Reports for fiscal years ending 2022 and 2023 and take appropriate action.

(14-54:39)

14. February 21, 2023. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court approved the engagement letter with Gabriel, Roeder, Smith, and Company (GRS) for December 31, 2021, OPEB Valuation, and the GASB 75 Valuation Reports for fiscal years ending 2022 and 2023. Michelle Samford, County Auditor, spoke. Motion adopted.

15. Receive the Racial Profiling Report for 2022 from the Pct. 1 Constable and take appropriate action.

(15-56:46)

15. February 21, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received the Racial Profiling Report for 2022 from Constable, Precinct No. 1. Motion adopted.

16. Consider approval of Order No. 2023-0024 Ratifying Purchase of Certificate of Deposits and take appropriate action.

(16-57:01)

16. February 21, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved Order No. 2023-0024 ratifying the purchase of a Certificate of Deposits. Commissioner Jason Ohrt and County Treasurer Paige Foster, spoke. Motion adopted.

17. Consider approval of the Detention and Residential contracts between Victoria Regional Juvenile Justice Center and Tom Green County and take appropriate action.

(17-59:00)

17. February 21, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Tom Green County. Motion adopted.

18. Consider approval of Resolution No. 2023-0025 for a road donation in Pct. 4 from Keith Mueller for the installation of a pipe culvert to improve drainage on 1449 Live Oak Dr., Inez, Texas in the amount of \$500 and take appropriate action.

(18-59:18)

18. February 21, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved Resolution No. 2023-0025 for a road donation in the amount of \$500.00 from Keith Mueller at 1449 Live Oak Drive, Inez, Texas, in Precinct No. 4 for the installation of a pipe culvert to improve drainage. Motion adopted.

19. Receive for the record a discretionary fund budget amendment for Sheriffs Commissary Fund (380) and take appropriate action.

(19-59:43)

19. February 21, 2023. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court received for the record the 2023 Discretionary Fund Budget Amendment for Sheriff's Commissary Fund (380) as a line item transfer to revenues and expenditures. Motion adopted.

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

(20-1:00:06)

20. February 21, 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 - Increase
- b. District Clerk Records Management Fund, Expenditures - Line item transfer
- c. Road and Bridge, Precinct No. 4, Expenditures - Line item transfer

Motion adopted.

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

(21-1:00:33)

21. February 21, 2023. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

a. Vinicio Llerena, Executive Director - Victoria Regional Airport:

1. Salary change for Kaitlen Flenner, FBO Clerk III, from a rate of \$15.50 per hour, Budget Code 321-606-1120 to a rate of \$16.50 per hour, effective February 11, 2023.

b. Pama Hencerling, Chief Probation Officer, Juvenile Detention:

1. Employment of Samuel James Brychta, Juvenile Supervision Officer (JSO), at a rate of \$16.14 per hour, Budget Code 100-573-1156, effective February 14, 2023.

Motion adopted.

22. Adjourn.

(22-1:00:08)

22. February 21, 2023. The Commissioners Court adjourned the meeting of February 21, 2023.