

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **6th day of March 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, MARCH 6, 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. March 6, 2023. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, March 6, 2023 at 10:02 a.m.

2. Invocation and Pledges.

(2-0:00)

2. March 6, 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.

(3-1:39)

3. March 6, 2023. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Harlin Rhodes, a Victoria County resident, discussed the issues that he had with Victoria County for repairs on Old Goliad Road in Precinct No. 3. Commissioner Burns responded to Mr. Rhodes.

County Judge Zeller spoke about the sno-cones that were provided to Victoria County employees last Friday and stated that April is County Government Month and on April 13, 2023 there will be a Victoria County employee appreciation BBQ.

Mark Sloat, Animal Services Director, updated the Court on the Queen City area cleanup that Victoria Animal Services was invited to by Commissioner Kenneth Sexton.

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

4. Consider approval of minutes and take appropriate action.

(4-11:47)

4. March 6, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the minutes of the Commissioners Court meeting held on February 27, 2023. Motion adopted.

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

(5-12:01)

5. March 6, 2023. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court approved the accounts payable as presented by Michelle Samford, County Auditor.

Regular Accounts	3/6/2023	\$494,782.03
Supplemental Accounts	2/24/2023 – 3/2/2023	\$161,451.85

Motion adopted.

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

(6-12:36)

6. March 6, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received the monthly reports from the County Commissioners, Precincts Nos. 1 and 4; District Clerk; Criminal District Attorney; Justices of the Peace, Precincts Nos. 2 and 4; Constable, Precinct No. 3. Motion adopted.

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

(7-12:59)

7. March 6, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioner Court approved the release of the following bond forfeiture judgments from the Court:

- a. Cause No. CIV2-20535: The State of Texas vs. Armando Daniel Salazar, Defendant and ACE Bail Bonds, Surety.
- b. Cause No. CIV2-20304: The State of Texas vs. Anna Nicole Byrd, Defendant and Bankers Ins. Co, Albert Saenz, Agent, DBA AA-Best Bail Bonds, Surety.
- c. Cause No. CIV2-20305: The State of Texas vs. Anna Nicole Byrd, Defendant and Bankers Ins. Co, Albert Saenz, Agent, DBA AA-Best Bail Bonds, Surety.

Motion adopted.

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

(8-13:14)

8. March 6, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated March 2, 2023 in the amount of \$379,095.18 and the ACH report dated March 2, 2023 in the amount of \$1,532,536.76. Motion adopted.

9. Hear the Compensation Study presentation by Bakertilly and take appropriate action.

(9-13:48)

9. March 6, 2023. Jada Kent, CCP Senior Manager with Bakertilly, US, LLP, provided an overview of the compensation study for Victoria County and answered the Courts questions. Ms. Kent provided recommendations and the next steps for Victoria County in regards to the compensation study. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court received the Bakertilly report for the Victoria County compensation study. Motion adopted.

10. Consider approval of an agreement with ClearGov for budgeting software and take appropriate action.

(10-42:48)

10. March 6, 2023. County Judge's Chief of Staff Giani Cantu explained the agreement and reviewed options with the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the agreement with ClearGov for budgeting software for Victoria County. Motion adopted.

11. Consider the following items by the Victoria County Public Health Department and take appropriate action:

a. Approval of Interlocal Cooperation Contract with DSHS Contract No. HHS001077700001 Amendment No. 1.

(11a-50:43)

11a. March 6, 2023. Public Health Director David Gonzales provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Interlocal Cooperation Contract with DSHS Contract No. HS001077700001 Amendment No. 1 for the Victoria County Public Health Department. Motion adopted.

Consider the following items by the Victoria County Public Health Department and take appropriate action:

b. Receive a fully executed Family Connects Program Agreement FY23.

(11b-50:43)

11b. March 6, 2023. David Gonzales, Public Health Director, provided the Court with information. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received the fully executed Family Connects Program Agreement FY23 for the Victoria County Public Health Department. Motion adopted.

Consider the following items by the Victoria County Public Health Department and take appropriate action:

c. Receive a fully executed Family Connects International Business Associate Agreement FY23.

(11c-50:43)

11c. March 6, 2023. Public Health Director David Gonzales provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received the fully executed Family Connects International Business Associate Agreement FY23. Motion adopted.

12. Consider the following from the Victoria County Emergency Management Office and take appropriate action:

a. Hear a presentation regarding updates on the Victoria County Hazard Mitigation Action Plan.

(12a-52:26)

12a. March 6, 2023. Rick McBrayer, Emergency Management Director, gave a presentation regarding updates to the Victoria County Hazard Mitigation Action Plan. Mr. McBrayer also provided the plan's history, what the plan does and covers for Victoria County. No action taken.

Consider the following from the Victoria County Emergency Management Office and take appropriate action:

b. Approval of Resolution No. 2023-0036 adopting the Victoria County Hazard Mitigation Plan.

(12b-52:26)

12b. March 6, 2023. Moved by Jason Ohrt and seconded by Gary Burns, the Commissioners Court approved Resolution No. 2023-0036 adopting the Victoria County Hazard Mitigation Plan for the Victoria County Emergency Management Office. Motion adopted.

13. Consider approval of FY21 Operation Stonegarden Budget Adjustment, Grant No. 3186207, and take appropriate action.

(13-1:02:07)

13. March 6, 2023. Grant Administrator Robin Knipling provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the FY21 Operation Stonegarden Budget Adjustment, Grant No. 3186207. Motion adopted.

14. Consider approval of a request for plat exemption for Ramiro Olivares at 724 De La Garza Rd., in Pct. 3, and take appropriate action.

(14-1:02:53)

14. March 6, 2023. John Johnston, County Engineer, provided the Court with information. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the request for plat exemption from Ramiro Olivares at 724 De La Garza Road in Precinct No. 3 subject to the following conditions:

- a. Shall secure and verify the 911 addresses for the tracts with the Golden Crescent Regional Planning Commission.
- b. All created/revised tracts, new property deeds and ingress/egress easement(s) must be created and filed in the Victoria County Clerk's Public Records.
- c. Further subdivision of tracts shall comply with the requirements of the effective published version of the VCDSM at the time of subdivision.
- d. No future tract created shall be less than 1-acre, excluding easements.
- e. Each tract shall have public right of way frontage or access to a public right-of-way through an ingress/egress easement.
- f. Each tract will have its own water well and Onsite Sanitary Sewer Facility (OSSF) (septic system).

Motion adopted.

15. Consider approval of Resolution No. 2023-0031 for the Sheriff's Office for a donation from the Houston HIDTA Division valued at \$750 and take appropriate action.

(15-1:05:45)

15. March 6, 2023. Sheriff Justin Marr provided information to the Court. Moved by Danny Garcia and seconded by Jason Ohrt, pursuant to Local Government Code §81.032, the Commissioners Court approved Resolution No. 2023-0031 for a donation of 6 Dell E2318Hx computer monitors valued at \$750.00 from Houston HIDTA Division to be utilized for and dedicated to the Victoria County Sheriff's Office. Motion adopted.

16. Receive for the record the fully executed First Amendment contract and agreement

from the Victoria County Sheriff's Office with Correct Solutions Group and take appropriate action.

(16-1:06:16)

16. March 6, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court received for the record the fully executed First Amendment to Contract and Agreement between the Victoria County Sheriff's Office and Correct Solutions Group, LLC. Motion adopted.

- 17. Receive for the record an annual audit report for the Victoria County Juvenile Probation Department for FY22 and take appropriate action.**

(17-1:07:03)

17. March 6, 2023. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court received for the record the annual audit report for the Victoria County Juvenile Probation Department for FY22. Motion adopted.

- 18. Discuss and consider improvements to the weigh station located off of U.S. Hwy 59 in Pct. No. 4 and take appropriate action.**

(18-1:07:23)

18. March 6, 2023. Commissioner Kenneth Sexton discussed the weigh station located off of U.S. Hwy 59 in Precinct No. 4 with the Court. Commissioner Sexton also discussed improvements and options for the weigh station. No action taken.

- 19. Consider approval of Invoice #966-004 from Rawley McCoy & Associates, PLLC for the Victoria Regional Airport maintenance building demo project and take appropriate action.**

(19-1:11:26)

19. March 6, 2023. Executive Director Lenny Llerena provided information to the Court. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved Invoice No. 966-004 in the amount of \$471.25 from Rawley McCoy and Associates, PLLC for the Victoria Regional Airport maintenance building demo project. Motion adopted.

- 20. Consider approval of a request for payment to Union Pacific Railroad in the amount of \$640.08 in connection to the Rehabilitate and Widen roadway Project for McCoy Road and Bayer Road in PCT. 1 and take appropriate action.**

(20-1:12:19)

20. March 6, 2023. Commissioner Danny Garcia provided information to the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the request for a payment to Union Pacific Railroad in the amount of \$640.08 in connection to the Rehabilitate and Widen roadway project for McCoy Road and Bayer Road in Precinct No. 1. Motion adopted.

- 21. Consider approval of Resolution No. 2023-0035 for a road donation in Pct. No. 1 from Ernest Moses for the installation of a pipe culvert to improve drainage on 3528 Old Port Lavaca Dr., Placedo, Texas in the amount of \$324 and take appropriate action.**

(21-1:13:06)

21. March 6, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved Resolution No. 2023-0035 for a road donation in the amount of \$324.00 from Ernest Moses at 3528 Old Port Lavaca Drive, Placedo, Texas, in Precinct No. 1 for the installation of a pipe culvert to improve drainage. Motion adopted.

- 22. Consider approval of the following resolution for road donations in Pct. 4 for the installation of a driveway and pipe culvert to improve drainage and take appropriate action:**

a. Resolution 2023-0032 from Victor M. Bueno at 97 Evelyn Ave., Inez, Texas in the amount of \$400.00.

(22a-1:13:39)

22a. March 6, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved Resolution No. 2023-0032 for a road donation in the amount of \$400.00 from Victor M. Bueno at 97 Evelyn Avenue, Inez, Texas, in Precinct No. 4 for the installation of a driveway and pipe culvert to improve drainage. Motion adopted.

Consider approval of the following resolution for road donations in Pct. 4 for the installation of a driveway and pipe culvert to improve drainage and take appropriate action:

b. Resolution 2023-0033 from Earl Toews at 31 Margaret St., Telferner, Texas in the amount of \$500.00.

(22b-1:13:39)

22b. March 6, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved Resolution No. 2023-0033 for a road donation in the amount of \$500.00 from Earl Toews at 31 Margaret Street, Telferner, Texas, in Precinct No. 4 for the installation of a driveway and pipe culvert to improve drainage. Motion adopted.

Consider approval of the following resolutions for road donations in Pct. 4 for the installation of a driveway and pipe culvert to improve drainage and take appropriate action:

c. Resolution 2023-0034 from Dustin Brandl at 1466 Johnson Rd., Victoria, Texas in the amount of \$1,900.00.

(22c-1:13:39)

22c. March 6, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved Resolution No. 2023-0034 for a road donation in the amount of \$1,900.00 from Dustin Brandl at 1466 Johnson Road, Victoria, Texas, in Precinct No. 4 for the installation of a driveway and pipe culvert to improve drainage. Motion adopted.

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

(23-1:14:33)

23. March 6, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, 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.

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

(24-1:15:12)

24. March 6, 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 - Line item transfer
- b. Airport Capital Projects Fund, Expenditures - Increase
- c. LEOSE Fund, Revenues and Expenditures - Line item transfer

Motion adopted.

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

(25-1:15:42)

25. March 6, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. Ashley Hernandez, County Tax Assessor Collector- County Tax Office:
 - 1. Transcript from Tax Assessor Collectors Association of Texas for 62 continuing education hours for the year 2022 for Ashley Hernandez, Tax Assessor.
- b. David Gonzales, Public Health Director - Victoria County Public Health Department:
 - 1. Employment of Lori V. Garza, Community Health Worker, at a rate of \$16.00 per hour, Budget Code 807-631-1101, effective March 7, 2023. Other Remarks: Cell Phone Allowance: 807-631-1139- \$18.46 per pay period.
- c. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Salary and position/other change for Kristi Munoz, from Telecomm. Operators-Tier 2, at a rate of \$22.20 per hour, Budget Codes 100-562-1253-22.20 and cert. pay 100-562-1137 to Extra Help, at a rate of \$17.00 per hour, Budget Code 100-562-1130-17.00, with 80.0 PTO and 153.39 Compensatory hours due, effective February 25, 2023.
 - 2. Retirement of Robert Ontiveros, Investigator, with 80.0 PTO and 12.26 Compensatory hours due, effective March 31, 2023.
 - 3. VCSO Salary Adjustment Certification for Samantha Carter, to be paid Advanced Certificate Pay of \$46.15 per pay period, effective March 17, 2023. Certification date for Samantha Carter is February 21, 2023. Budget Coding: Special Crimes Certificate Pay 100-564-1137. Remarks: Samantha Carter received her Advanced Peace Officer License on 2/21/2023.

Motion adopted.

- 26. Closed meeting pursuant to V.T.C.A. Government Code §551.072 to discuss Real Property, §551.074 to discuss Personnel in various departments, and §551.0745 Boards and Commissions.**

(26-1:16:08)

26. March 6, 2023. The Commissioners Court went into closed session at 11:18 a.m., pursuant to V.T.C.A. Government Code §551.072 to discuss Real Property, §551.074 to discuss Personnel in various departments, and §551.0745 Boards and Commissions.

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

(27-2:13:08)

27. March 6, 2023. The Commissioners Court returned to open meeting at 12:15 p.m., pursuant to V.T.C.A. Government Code §551.102 with no action taken.

- 28. Adjourn.**

(28-2:13:27)

28. March 6, 2023. The Commissioners Court adjourned the meeting of March 6, 2023.