

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **20th 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 20, 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 20, 2023. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, March 20, 2023 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. March 20, 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.

(3-2:48)

3. March 20, 2023. Judge Ben Zeller opened the meeting to anyone wishing to address general County Business which was not on the meeting agenda.

Ben Zeller, County Judge shared date for County Employee Appreciation Bar-b-que on April 13th, 2023.

Rick McBrayer, Emergency Management Coordinator- Emergency Management office, updated court on Stairwell Enclosure Project
John Johnston, County Engineer-Administrative Services, spoke about modification to parking lot.

4. Consider approval of minutes and take appropriate action.

(4-6:18)

4. March 13, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the minutes of the Commissioners Court meetings held on March 13, 2023. Motion adopted.

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

(5-6:35)

5. March 20, 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	3/20/2023	\$327, 621.51
Supplemental Accounts	3/10/2023 – 3/16/2023	\$168,022.11

Motion adopted.

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

(6-7:00)

6. March 20, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received the monthly reports from the County Treasurer; Justice of the Peace, Precincts Nos. 1 and 3; Constable, Precinct No. 2 Motion adopted.

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

(7-7:23)

7. March 20, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioner Court approved the release of the following bond forfeiture judgments from the Court:

- a. Cause No. CIV1-20795: The State of Texas vs. Maria Zavala, Defendant and Bankers Insurance Co., Agent Albert Saenz d/b/a AA Best Bail Bonds, Surety.
- b. Cause No. CIV1-20796: The State of Texas vs. Maria Zavala, Defendant and Bankers Insurance Co., Agent Albert Saenz d/b/a AA Best Bail Bonds, Surety.

Motion adopted.

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

(8-7:56)

8. March 20, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated March 16, 2023 in the amount of \$762,533.48 and the ACH report dated March 16, 2023 in the amount of \$2,233,687.31 Motion adopted.

9. Consider and have a discussion regarding a tuition reimbursement employee benefit and take appropriate action.

(9-8:39)

9. March 20, 2023. Loria Rose, County Judges Office, provided information to court. Commissioners Danny Garcia, Jason Ohrt, Gary Burns and Kenneth Sexton discussed the tuition reimbursement employee benefit. Ben Zeller, County Judge spoke No action taken.

10. Hear update regarding Victoria County's effort to secure grant funding for a Regional Public Defender Office and take appropriate action.

(10-24:33)

10. March 20, 2023. Ben Zeller, County Judge, spoke provided information to the Court. Commissioners Jason Ohrt, Gary Burns and Danny Garcia spoke. Constance Filley Johnson, Criminal District Attorney spoke. No action taken

- 11. Consider approval and authorization of payment for Invoice No. 10058257 to PGAL in connection to the Victoria County EOC Stair Project and take appropriate action.**
(11-35:41)

11. March 20, 2023. John Johnston, County Engineer spoke. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court approved the authorization of payment for Invoice No. 10058257 to PGAL in connection to the Victoria County EOC Stair Project. Motion adopted. John Johnston, County Engineer, spoke.

- 12. Consider the following in connection to the 311 E. Constitution Street Finish Out Project and take appropriate action:**

a. Approval of Task Order No. 001-2023: 311 Constitution Phase 1 with Rawley McCoy & Associates, PLLC

(12a-36:37)

12a. March 20, 2023. John Johnson, County Engineer, spoke. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved Task Order No. 001-2023: 311 Constitution Phase 1 with Rawley McCoy & Associates, PLLC. John Johnson, County Engineer spoke. Motion adopted.

Consider the following in connection to the 311 E. Constitution Street Finish Out Project and take appropriate action:

b. Authorize John Johnston, County Engineer to execute any related project documents

(12b-36:37)

12b. March 20, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court authorized John Johnston to execute any related project documents in connection to the 311 E. Constitution Street finish out project. Motion adopted

- 13. Consider approval of the County Road Crossing and Right-of-Way Permit Agreement with TISD in connection to the Quail Creek Fiber Optic Installation and take appropriate action.**

(13-37:45)

13. March 20, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the County Road Crossing and Right-of-Way permit Agreement with TISD in connection to the Quail Creek Fiber Optic Installation. Motion adopted.

- 14. Consider approval of the following items from the Victoria County Public Health Department and take appropriate action:**

a. HIV Health and Social Services Supplemental (State Services R) Contract No. 5610/SR4-565-03 Amendment

(14a-39:05)

14a. March 20, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved HIV Health and Social Service Supplemental (State Services R) Contract No. 5610/SR4-565-03 Amendment, Ryan White Service Delivery Grant Contract No. 5610/2-565-01, for the Victoria County Public Health Department Motion adopted.

Consider approval of the following items from the Victoria County Public Health Department and take appropriate action:

b. Ryan White Service Delivery Grant Contract No. 5610/2-565-01

(14b-39:05)

14b. March 20, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved Ryan White Service Delivery Grant Contract No. 5610/2-565-01, for the Victoria County Public Health Department. Motion adopted.

15. Consider approval of the following items from the Victoria County Fire Marshal and take appropriate action.

a. 2022 Racial Profiling Report.

(15a-40:10)

15a. March 20, 2023. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the 2022 Racial Profiling Report for the Victoria County Fire Marshal. Motion adopted.

Consider approval of the following items from the Victoria County Fire Marshal and take appropriate action.

b. 2022 Chapter 59 Asset Forfeiture Report

(15b.-40:10)

15b. March 20, 2023. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved 2022 Chapter 59 Asset Forfeiture Report the for the Victoria County Fire Marshal. Motion adopted.

16. Consider approval of the Constable Pct. 4 2022 Racial Profiling Report and take appropriate action.

(16-41:33)

16. March 20, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the Constable Pct. 4 2022 Racial Profiling Report for Constable Precinct No.4. Motion adopted.

17. Consider approval of an amended interlocal agreement with the University of Houston-Victoria for the use of facilities by the Victoria County Sheriff's Office and take appropriate action.

(17-42:07)

17. March 20, 2023. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the amended interlocal agreement with the University of Houston-Victoria for the use of facilities by the Victoria County Sheriff's Office. Motion adopted.

18. Consider approval of a contract for Psychoeducational/Counseling Services with Hope of South Texas, Inc./Hope Child Advocacy Center for the Juvenile Justice Center, and take appropriate action.

(18-42:57)

18. March 20, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved a contract for Psychoeducation/Counseling Services with Hope of South Texas, Inc./Hope Child Advocacy Center for the Juvenile Justice Center. Motion adopted.

19. Receive and open responses to the Request for Applications for Depository Banking Services and take appropriate action.

(19-44:00)

19. March 20, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court received open responses to the Request for applications for Depository Banking Services from Prosperity Bank and Frost Bank. Motion adopted.

20. Consider approval of the following in connection with the Texas Department of Transportation (TxDOT) to contribute Right of Way funds for improvements on Highway FM 236 from US 77 to FM 622 in Pct. 2 and take appropriate action:

a. Resolution No. 2023-0044

(20a.-46:03)

20a. March 20, 2023. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court approved Resolution No. 2023-0044 to approve an agreement with the Texas Department of Transportation (TxDOT) to contribute Right of Way funds for improvements on Highway FM 236 from US 77 to FM 622 in Precinct. No 2. Motion adopted.

Consider approval of the following in connection with the Texas Department of Transportation (TxDOT) to contribute Right of Way funds for improvements on Highway FM 236 from US 77 to FM 622 in Pct. 2 and take appropriate action:

b. Agreement

(20b.-46:03)

20b. March 20, 2023. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court approved the agreement to contribute right of way funds between the state of Texas acting through Texas Department of Transportation (TxDOT) and Victoria County to contribute Right of Way funds for improvements on Highway FM 236 from US 77 to FM 622 in Precinct. No 2. Motion adopted.

21. Consider approval of Resolution No. 2023-0043 for a road donation in Pct. 3 from Clayton D. Johnson for the installation of a driveway and pipe culvert to improve drainage on Old Goliad Rd. Victoria, Texas in the amount of \$2,066 and take appropriate action.

(21-48:32)

21. March 20, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the Resolution No. 2023-0043 for a road donation from Clayton D. Johnson in the amount of \$2,066.00 for installation of a driveway and pipe culvert on Old Goliad Rd., Victoria, Texas in Precinct 3 to improve drainage. Motion adopted.

22. Hold public hearing on the application for tax abatement from Prairie Energy, and take appropriate action. (POSTPONED)

(22-49:25)

22. March 20, 2023. Ben Zeller, County Judge postponed public hearing. No action taken.

23. Consider approval of the 2023 budget amendments for Courthouse Security Fund, Expenditures and take appropriate action.

(23.-51:32)

23. March 20, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the 2023 budget amendment for Courthouse Security Fund, Expenditures, as an increase. Motion adopted.

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

(24-52:11)

24. March 20, 2023. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
 1. Employment of Rudolph Morales Jr., (Juvenile Supervision Officer) JSO at a rate of \$16.14 per hour, Budget Code 100-573-1156, effective March 28, 2023.
- b. Ashley Hernandez, County Tax Assessor Collector- County Tax Office:
 1. Salary Change for Ashley Nicole Garcia, Asst. Chief Deputy, at a rate of \$18.00 per hour, Budget Code 100-499-1104 to 19.00 per hour, effective March 11, 2023.
- c. Justin Marr, Sheriff - Sheriff's Office:
 1. Salary and position/other change for David Parma, from Patrol Dep-Tier 3, at a rate of \$26.36. per hour, Budget Codes 100-563-1309 (\$25.36) and 100-563-1136 (\$1.00) Cert pay 100-563-1137 to Patrol Corporal, at a rate of \$27.60 per hour, Budget Code 100-563-1112 (26.60) 100-563-1136 (1.00) Cert pay 100-563-1137. Effective April 22, 2023.
 2. Position change for Angelica Hernandez, from Detention Dept-Tier 1, at a rate of \$24.25 per hour, Budget code 100-565-1113 to SRO's-Tier 3 (SRO Tier 1) at a rate of \$24.25 per hour, Budget Code 395-560-1309 (\$23.25) 395-560-1309 (\$1.00) effective March 25, 2023.
 3. Retirement of Randall Branecky, SRO's Tier 3, with 80.0 PTO and 262.88 Compensatory hours due, effective April 5, 2023.
 4. Salary and position change for David Hinojosa, 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) to SRO's-Tier 1, at a rate of \$24.25 per hour Budget Code 395-1109 (\$23.25) Budget Codes 395-560-1136 (\$1.00). effective March 25, 2023.
 5. Salary and position change for Walker Baylor, from Detention Dep-Tier 2 at a rate of \$25.86 per hour, Budget codes 100-565-1214 (\$24.86) 100-565-1136 (\$1.00) Cert pay 100-565-1137, to Corporal, at a rate of \$27.60 per hour Budget Codes 100-565-1109 (\$26.60) 100-565-1136 (\$1.00) Cert pay 100-565-1137, effective March 25, 2023
 6. Position change for Steven Nelson, from Sgt. Enforcement, at a rate of \$29.14 per hour, Budget codes 100-563-1108 (\$28.14) 100-563-1136 (1.00) Cert Pay 100-563-1137 to Investigator, at a rate of \$29.14 per hour, effective April 22, 2023.
 7. Salary and position change for Robert Vandygriff, from Patrol Corporal, at a rate of \$27.60 per hour, Budget codes 100-563-1112 (\$26.60) and 100-563 1136 (1.00) to Cert Pay 100-563-1137 Sgt., Enforcement, at a rate of \$29.14 per hour, Budget Codes

100-563-1108- (28.14) 100-563-1136 (\$1.00) Cert pay 100-563-1137 effective April 22, 2023.

d. Paige Foster, County Treasurer - County Treasurers' Office:

1. Public Funds Investment Conference 2022 Certificate of Course completion from the County Treasurers' Association of Texas for Lori Paige Foster, Treasurer.

Motion adopted.

- 25. Closed meeting pursuant to V.T.C.A. Government Code §551.071 to conduct a private consultation with the County's attorney regarding matters protected by the attorney-client privilege, §551.072 to discuss Real Property, §551.087 Economic Development, and §551.074 to discuss personnel - various departments.**

(25-52:41)

25. March 20, 2023. The Commissioners Court went into closed session at 10:53 a.m., pursuant to V.T.C.A. Government Code §551.071 to conduct a private consultation with the County's attorney regarding matters protected by the attorney-client privilege, §551.072 to discuss Real Property, §551.087 Economic Development, and §551.074 to discuss personnel - various departments.

- 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.**

(26-2:33:05)

26. March 20, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt The Commissioners Court returned to open meeting at 12:32 p.m., pursuant to V.T.C.A Government Code 551.102. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Commercial Letter of Intent to Purchase and the Intermediary Relationship Notice in connection to the property located at 1952 Guadalupe Road, Victoria, Texas 77905. Motion adopted.

- 27. Adjourn.**

(27-2:35:11)

27. March 20, 2023. 24. The Commissioners Court adjourned the meeting of March 20, 2023.