

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **17th day of April 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, APRIL 17, 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. April 17, 2023. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, April 17, 2023 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. April 17, 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.

(3-1:27)

3. April 17, 2023. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Billy McCaskill, Victoria County resident, spoke to the Court regarding the Victoria Regional Airport Archaeology Project.

Jena West with the Emergency Management Office informed the Court that the 2023 Midcoast Hurricane and Disaster Conference will be held this Thursday at the Victoria Community Center starting at 8:00 a.m. Ms. West provided registration information.

John Hammack, Victoria County resident, thanked the Court for the raise they gave retirees. Mr. Hammack also voiced his concerns regarding the operations of Victoria Animal Services. Commissioner Burns responded.

County Judge Zeller stated the planning study from the Texas Indigent Defense Commission for the Regional Public Defender's Office has been received.

County Judge Zeller stated that this year is the Bicentennial Celebration of the Texas Rangers. Judge Zeller mentioned there will be a flag dedication on May 4th at 2:00 p.m. on the third floor of the 1967 Courthouse to display the two large Texas Ranger flags that will be donated by a local resident.

Commissioner Danny Garcia spoke about the Public Defender's Office.

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

4. Consider approval of minutes and take appropriate action.

(4-21:12)

4. April 17, 2023. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the minutes of the Commissioners Court meeting held on April 10, 2023. Motion adopted.

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

(5-21:29)

5. April 17, 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	4/17/2023	\$689,548.84
Supplemental Accounts	4/6/2023 – 4/13/2023	\$443,640.72

Motion adopted.

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

(6-21:53)

6. April 17, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received the monthly reports from the County Commissioners, Precincts Nos. 1 - 4; County Treasurer; Justices of the Peace, Precincts Nos. 2 and 4; and Constables, Precincts Nos. 1 and 2. Motion adopted.

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

(7-22:25)

7. April 17, 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. CIV1-21049: The State of Texas vs. Miguel Angel Rodriguez, Defendant and A & A Bail Bonds, Surety.
- b. Cause No. CIV2-20761: The State of Texas vs. Melissa Ann Lopez, Defendant and Julio Espinosa and Roland Espinosa, Surety.
- c. Cause No. CIV2-20760: The State of Texas vs. Melissa Ann Lopez, Defendant and Julio Espinosa and Roland Espinosa, Surety.
- d. Cause No. CIV2-20685: The State of Texas vs. Xavier Rene Huerta, Defendant and Julio Espinosa and Roland Espinosa, Surety.
- e. Cause No. CIV2-20686: The State of Texas vs. Xavier Rene Huerta, Defendant and Julio Espinosa and Roland Espinosa, Surety.
- f. Cause No. CIV2-20335: The State of Texas vs. Jacob Liquez, Defendant and Julio Espinosa and Roland Espinosa, Surety.
- g. Cause No. CIV2-20334: The State of Texas vs. Jacob Liquez, Defendant and Julio Espinosa and Roland Espinosa, Surety.
- h. Cause No. CIV2-20337: The State of Texas vs. Jessica Lynn Castro, Defendant and Julio Espinosa and Roland Espinosa, Surety.
- i. Cause No. CIV2-20336: The State of Texas vs. Jessica Lynn Castro, Defendant and Julio Espinosa and Roland Espinosa, Surety.
- j. Cause No. CIV2-19793: The State of Texas vs. James Gabriel Morales, Defendant and Julio Espinosa and Roland Espinosa, Surety.
- k. Cause No. CIV2-20488: The State of Texas vs. Felicia Ann Hernandez, Defendant and Julio Espinosa and Roland Espinosa, Surety.

- l. Cause No. CIV2-20501: The State of Texas vs. Angelica Maria Hernandez, Defendant and Julio Espinosa and Roland Espinosa, Surety.
- m. Cause No. CIV2-20840: The State of Texas vs. Jose Luis Garcia-Galindo, Defendant and Julio Espinosa and Roland Espinosa, Surety.
- n. Cause No. CIV2-20340: The State of Texas vs. Wendy Kennedy Migl, Defendant and Julio Espinosa and Roland Espinosa, Surety.
- o. Cause No. CIV2-20260: The State of Texas vs. Branden James Williams, Defendant and Julio Espinosa and Roland Espinosa, Surety.

Motion adopted.

8. Consider approval of CMC Interim vendor payments and take appropriate action.
(8-22:37)

8. April 17, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated April 13, 2023 in the amount of \$724,712.86 and the ACH report dated April 13, 2023 in the amount of \$1,649,355.92. Motion adopted.

9. Consider approval of the Victoria County Tuition Reimbursement Policy and take appropriate action.
(9-23:14)

9. April 17, 2023. Administrative Assistant Loria Rose provided information to the Court. Judge Zeller reviewed the tuition reimbursement policy and answered Commissioner Burn's question. Commissioner Garcia and Commissioner Ohrt encouraged Victoria County employees to look into this benefit. Ms. Rose answered Commissioner Ohrt's question regarding the monitoring of grades. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Victoria County Tuition Reimbursement Policy. Motion adopted.

10. Consider approval of the 2024 Budget Calendar/Timeline and take appropriate action.
(10-33:05)

10. April 17, 2023. County Judge Zeller reviewed the Budget Calendar/Timeline with the Court. Judge Zeller also explained the new item on the calendar, which is the Preliminary Commissioners Court Budget Workshops on Mondays in the month of May. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the 2024 Budget Calendar/Timeline for Victoria County. Motion adopted.

11. Consider authorization of payment for Invoice No. 10058588 to PGAL in connection to the EOC Stair Enclosure Project and take appropriate action.
(11-35:56)

11. April 17, 2023. County Engineer John Johnston provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court authorized the payment in the amount of \$563.14 for Invoice No. 10058588 to PGAL in connection to the EOC Stair Enclosure Project. Motion adopted.

12. Consider approval of a request for plat exemption from Krystal Ellsworth at 12059 State Highway 185 in Pct. 1 and take appropriate action.

(12-36:52)

12. April 17, 2023. County Engineer John Johnston provided information to the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the request for plat exemption from Krystal Ellsworth at 12059 State Highway 185 in Precinct No. 1 with the following conditions:

- * Shall secure and verify the 911 addresses for the tracts with the Golden Crescent Regional Planning Commission.
- * 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.
- * Further subdivision of tracts shall comply with the requirements of the effective published version of the VCDSM at the time of subdivision.
- * No future tract created shall be less than 1-acre, excluding easements.
- * Each tract shall have public right of way frontage or access to a public right-of-way through and ingress/egress easement.
- * Each tract will have its own water well and Onsite Sanitary Sewer Facility (OSSF) (septic system).

Motion adopted.

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

a. Ryan White Service Delivery Contract No. 5611/1-565-02.

(13a-37:53)

13a. April 17, 2023. David Gonzales, Public Health Director, provided information to the Court. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the Ryan White Service Delivery Contract No. 5611/1-565-02 for the Victoria County Public Health Department. Motion adopted.

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

b. HIV Health and Social Services Supplemental (State Services R) Contract No. 5611/SR1-565-02.

(13b-37:53)

13b. April 17, 2023. Public Health Director David Gonzales provided information to the Court. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the HIV Health and Social Services Supplemental (State Services R) Contract No. 5611/SR1-565-02 for the Victoria County Public Health Department. Motion adopted.

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

c. Housing Opportunities for Persons with AIDS (HOPWA) Contract No. 5607/6-565-02 Amendment.

(13c-37:53)

13c. April 17, 2023. David Gonzales, Public Health Director, provided information to the Court. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the Housing Opportunities for Persons with AIDS (HOPWA) Contract No. 5607/6-565-02 Amendment for the Victoria County Public Health Department. Motion adopted.

14. Receive for the record the following fully executed contracts from the Victoria County Public Health Department and take appropriate action:

a. Interlocal Cooperation Contract – DSHS Contract No. HHS001077700001 Amendment No. 1 (CPS/Public Health Workforce).

(14a-39:03)

14a. April 17, 2023. David Gonzales, Public Health Director, provided information to the Court. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court received for the record the fully executed Interlocal Cooperation Contract - DSHS Contract No. HHS001077700001 Amendment No. 1 (CPS/Public Health Workforce) for the Victoria County Public Health Department. Motion adopted.

Receive for the record the following fully executed contracts from the Victoria County Public Health Department and take appropriate action:

b. Ryan White Service Delivery (Ryan White) Contract No. 5610/1-565-03.

(14b-39:03)

14b. April 17, 2023. Public Health Director David Gonzales provided the Court with information. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court received for the record the fully executed Ryan White Service Delivery (Ryan White) Contract No. 5610/1-565-03 for the Victoria County Public Health Department. Motion adopted.

Receive for the record the following fully executed contracts from the Victoria County Public Health Department and take appropriate action:

c. Tuberculosis Prevention and Control – State (TB/PC-State) – HHS001182200025 Amendment No. 1.

(14c-39:03)

14c. April 17, 2023. David Gonzales, Public Health Director, provided information to the Court. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court received for the record the fully executed Tuberculosis Prevention and Control - State (TB/PC-State) - HHS001182200025 Amendment No. 1 for the Victoria County Public Health Department. Motion adopted.

Receive for the record the following fully executed contracts from the Victoria County Public Health Department and take appropriate action:
d. DSHS Contract No. HHS001313500001 (Public Health Infrastructure Grant).
(14d-39:03)

14d. April 17, 2023. Public Health Director David Gonzales provided the Court with information. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court received for the record the fully executed DSHS Contract No. HHS001313500001 (Public Health Infrastructure Grant) for the Victoria County Public Health Department. Motion adopted.

Receive for the record the following fully executed contracts from the Victoria County Public Health Department and take appropriate action:
e. COVID-19 Health Disparities Grant – Contract No. HHS001057600044 Amendment No. 1.
(14e-39:03)

14e. April 17, 2023. David Gonzales, Public Health Director, provided information to the Court. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court received for the record the fully executed COVID-19 Health Disparities Grant-Contract No. HHS001057600044 Amendment No. 1 for the Victoria County Public Health Department. Motion adopted.

Receive for the record the following fully executed contracts from the Victoria County Public Health Department and take appropriate action:
f. HIV Health and Social Services Supplemental (State Services R) Contract No. 5610/SR2-565-01.
(14f-39:03)

14f. April 17, 2023. Public Health Director David Gonzales provided the Court with information. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court received for the record the fully executed HIV Health and Social Services Supplemental (State Services R) Contract No. 5610/SR2-565-01 for the Victoria County Public Health Department. Motion adopted.

- 15. Consider a vehicle purchase request by the Victoria County Office of Emergency Management and take appropriate action.**
(15-40:46)

15. April 17, 2023. Rick McBrayer, Emergency Management Director, provided information to the Court. County Judge's Chief of Staff Giani Cantu spoke about ARPA Funds eligibility. County Auditor Michelle Samford answered questions from the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the vehicle purchase request from the Victoria County Office of Emergency Management and if the Court determines that it's ARPA eligible, then that would be the source of funds, otherwise it would be a General Fund purchase and then if the City of Victoria is obligated to pay half, settling up would be done at the end of the year. Motion adopted.

- 16. Authorization to advertise the Invitation to Bid for the project titled 1967 Victoria County – HVAC, BAS and Electrical Distribution Improvements and take appropriate action.**

(16-47:57)

16. April 17, 2023. Kelly Hubert, Facilities Manager, provided information to the Court. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court authorized to advertise the Invitation to Bid for the project titled 1967 Victoria County-HVAC, BAS and Electrical Distribution Improvements. Motion adopted.

- 17. Receive for the record the fully executed contract with Centurion with the scope of work for the taxiway improvements and take appropriate action.**

(17-50:21)

17. April 17, 2023. Executive Director Lenny Llerena provided the Court with information. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received for the record the fully executed contract with Centurion with the scope of work for the taxiway improvements. Motion adopted.

- 18. Receive for the record two letters regarding changes to the certified values from the Victoria Central Appraisal District and take appropriate action.**

(18-50:49)

18. April 17, 2023. Keri Wickliffe, Interim Chief Appraiser for the Victoria Central Appraisal District, explained the letters to the Court. Commissioner Ohrt applauded Ms. Wickliffe for an outstanding job. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court received for the record two letters from the Victoria Central Appraisal District regarding changes to the certified values. Motion adopted.

- 19. Consider approval of Resolution No. 2023-0056 for a road donation in Pct. 1 from Wanda Olguin for the installation of a driveway and pipe culvert to improve drainage on 3rd St. Bloomington, Texas in the amount of \$450.00 and take appropriate action.**

(19-55:30)

19. April 17, 2023. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved Resolution No. 2023-0056 for a road donation in the amount of \$450.00 from Wanda Olguin at 3rd Street, Bloomington, Texas, in Precinct No. 1 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

- 20. Consider approval of a Road Use Agreement with Shaula Energy Project, LLC. in Pct. 2 and take appropriate action.**

(20-56:08)

20. April 17, 2023. Kim Wells with Lightsource BP was present. Commissioner Jason Ohrt provided information to the Court. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the Road Use Agreement between Victoria County and Shaula Energy Project, LLC for Precinct No. 2. Motion adopted.

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

(21-57:48)

21. April 17, 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. Road and Bridge, Precinct No. 1, Revenues and Expenditures - Line item transfer
- c. Gulf of Mexico Energy Security Act Fund, Revenues and Expenditures – Line item transfer
- d. General Fund, Sheriff's Office, Expenditures - Line item transfer

Motion adopted.

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

(22-59:09)

22. April 17, 2023. Moved by Jason Ohrt and seconded by Gary Burns, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. Ben Zeller, County Judge - County Judge's Office:
 - 1. Certificate of Achievement from The Emergency Management Institute for Giani B. Cantu, Chief of Staff, for successfully completing the Independent Study Course: IS-29.A: Public Information Officer Awareness.
- b. Kim Plummer, District Clerk - District Clerk's Office:
 - 1. Employment of Erica Grimaldo, Collections Clerk, at a rate of \$16.58 per hour, Budget Code 100-450-1110, effective April 25, 2023.
- c. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Position/other change for Leathia Ellis from Patrol Dep-Tier 1, at a rate of \$24.25 per hour, Budget Codes 100-563-1109-23.25 and 100-563-1136-1.00 to Detention Deputy-Tier 1, at a rate of \$24.25 per hour, Budget Codes 100-565-1114-23.25 and 100-565-1136-1.00, effective April 22, 2023.
- d. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
 - 1. Employment of Roslyn Benavides, Juvenile Supervision Officer (JSO), at a rate of \$16.14 per hour, Budget Code 100-573-1156, effective April 18, 2023.
- e. Danny Garcia, Commissioner, Precinct No. 1 - Road and Bridge, Precinct No. 1:
 - 1. Employment of Anthony Hernandez, Extra Help, at a rate of \$19.00 per hour, Budget Code 201-611-1130, effective April 18, 2023. Other Remarks: Temporary worker over 90 day period.
- f. David Gonzales, Public Health Director - Victoria County Public Health Department:
 - 1. Salary change for Jose Sanchez, Extra Help, from a rate of \$11.50 per hour, Budget Code 800-632-1130 to a rate of \$13.00 per hour, effective April 8, 2023.

- CONTINUED -

2. Salary change for Lori Marroquin, CSA III, from a rate of \$15.00 per hour, Budget Code 808-631-1108 to a rate of \$16.00 per hour, effective April 8, 2023.

Motion adopted.

23. **Closed meeting pursuant to V.T.C.A Government Code §551.074 to discuss personnel - various departments, §551.071 to conduct a private consultation with the County's attorney regarding matters protected by the attorney-client privilege, §551.087 Economic Development, and §551.0745 to discuss Board and Commissions.**

(23-59:40)

23. April 17, 2023. The Commissioners Court went into closed session at 11:00 a.m., pursuant to V.T.C.A. Government Code §551.074 to discuss personnel in various departments, §551.071 to conduct a private consultation with the County's attorney regarding matters protected by the attorney-client privilege, §551.087 Economic Development, and §551.0745 to discuss Boards and Commissions.

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.**

(24-2:12:55)

24. April 17, 2023. The Commissioners Court returned to open meeting at 12:12 p.m., pursuant to V.T.C.A. Government Code §551.102 with no action taken.

25. **Adjourn.**

(25-2:13:10)

25. April 17, 2023. The Commissioners Court adjourned the meeting of April 17, 2023.