

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **24th 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	Absent
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 24, 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 24, 2023. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, April 24, 2023 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. April 24, 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.

(3-1:26)

3. April 24, 2023. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

County Judge Zeller spoke about the American Legion Family Day Proclamation. Commander James Kurth of the American Legion Post 166 thanked the Court and informed them about the upcoming American Legion Family Day on Saturday, April 29, 2023 from 10 a.m to 5 p.m. Mr. Kurth also stated they would be dedicating this weekend to Mr. Will Martin, a passed lead member of the post. County Judge Zeller read the Proclamation recognizing April 29, 2023 as American Legion Family Day. Commissioner Garcia spoke about the American Legion Post 166 donations to the Veterans Service Center and thanked Mr. Saucedo for helping high school students.

County Judge Zeller recognized Rick McBrayer and the Emergency Management Office for the Hurricane Disaster and Preparedness Conference they held and recognized Jessica Kalmus for receiving the Emergency Manager of the Year Award.

Mr. Bill Pozzi stated voting started at 8:00 a.m. today for the two District Trustees for the VISD school board and bond for the junior college.

Mr. Michael Vonderau of 2204 E. North Street thanked Commissioner Sexton, and his boss John for being a crew leader at the Keep Victoria Beautiful event around the Academy location. He also thanked City Manager Jesus Garza for help cleaning up the trash at the old Maverick Market and Commissioner Garcia's wife for the work she does at the Veterans Service Center.

Commissioner Danny Garcia spoke to the Court about the clean-up day that was held in the Bloomington/Placedo area.

Billy McCaskill, a Victoria County Resident, spoke about the archaeological scanning of the planes buried at the Victoria Regional Airport, at the end of WWII.

Fire Marshal Richard Castillo informed the Court that the Nursery Volunteer Fire Department will hold their fundraiser this Sunday at KB's from 11:00 a.m. to 1:00 p.m. Fire Marshal Castillo stated the Volunteer Fire Departments are in need of volunteers and support.

Arlen Williams, a Victoria County resident, voiced his concerns regarding absentee voting and registration ballots.

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

4. Consider approval of minutes and take appropriate action.

(4-22:35)

4. April 24, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the minutes of the Commissioners Court meeting held on April 17, 2023. Motion adopted.

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

(5-22:52)

5. April 24, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the accounts payable as presented by Michelle Samford, County Auditor.

Regular Accounts	4/24/2023	\$674,718.29
Supplemental Accounts	4/13/2023 – 4/20/2023	\$179,390.64

Motion adopted.

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

(6-23:24)

6. April 24, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received the monthly reports from the Tax Assessor Collector, Sheriff, and County Extension Agent-4-H Youth Development. Motion adopted.

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

(7-23:45)

7. April 24, 2023. None. No action taken.

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

(8-23:55)

8. April 24, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated April 20, 2023 in the amount of \$813,562.76 and the ACH report dated April 20, 2023 in the amount of \$1,879,759.89. Motion adopted.

- 9. Consider renewal of the Victoria Farmers Market Lease Extension Agreement for space located on Dr. Pattie Dodson Public Health Center parking lot and take appropriate action.**

(9-24:31)

9. April 24, 2023. Meridith Byrd with the Victoria Farmer's Market explained how the Farmer's Market operates and how much it is growing. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the renewal of the Victoria Farmers Market Lease Extension Agreement for space located on Dr. Pattie Dodson Public Health Center parking lot. Motion adopted.

- 10. Discuss and consider revisions to the County's travel policy changing to a per diem basis for overnight travel and take appropriate action.**

(10-32:41)

10. April 24, 2023. County Auditor Michelle Samford and First Assistant Auditor Becky Smiley provided information to the Court. Chief Will Franklin with the Sheriff's Office also provided information. Executive Airport Director Lenny Llerena voiced his concerns regarding the policy. The Commissioners Court discussed the revisions to the County's travel policy changing to a per diem basis for overnight travel and passed on the agenda item at this time. No action taken.

- 11. Consider the following contracts from the Victoria County Public Health Department and take appropriate action:**

a. Approval of the Texas Healthy Communities Grant Contract No. HHS000438400007-Amendment No. 4.

(11a-44:03)

11a. April 24, 2023. David Gonzales, Public Health Director, provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Texas Healthy Communities Grant Contract No. HHS000438400007-Amendment No. 4 for the Victoria County Public Health Department. Motion adopted.

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

b. Receive for the record a fully executed Ryan White Service Delivery Contract No. 5611/1-565-02 Amendment.

(11b-44:03)

11b. April 24, 2023. David Gonzales, Public Health Director, provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received for the record the fully executed Ryan White Service Delivery Contract No. 5611/1-565-02 Amendment for the Victoria County Public Health Department. Motion adopted.

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

c. Receive for the record a fully executed HIV Health and Social Services Supplemental (State Services R) Contract No. 5611/SR1-565-02 Amendment.

(11c-44:03)

11c. April 24, 2023. David Gonzales, Public Health Director, provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received for the record the fully executed HIV Health and Social Services Supplemental (State Services R) Contract No. 5611/SR1-565-02 Amendment for the Victoria County Public Health Department. Motion adopted.

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

d. Receive for the record a fully executed Housing Opportunities for Persons with AIDS (HOPWA) Contract No. 5607/6-565-02 Amendment

(11d-44:03)

11d. April 24, 2023. David Gonzales, Public Health Director, provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received for the record the fully executed Housing Opportunities for Persons with AIDS (HOPWA) Contract No. 5607/6-565-02 Amendment for the Victoria County Public Health Department. Motion adopted.

12. Ratify FY22 Operation Lone Star (OLS) Grant Budget Adjustment, Grant No. 4381001 and take appropriate action.

(12-45:09)

12. April 24, 2023. Grant Administrator Robin Knipling provided information to the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court ratified the FY22 Operation Lone Star (OLS) Grant Budget Adjustment, Grant No. 4381001 for the Victoria County Sheriff's Office. Motion adopted.

13. Consider approval of a Discretionary Bid Exemption, pursuant to Local Government Code §262.024(a)(2) for an item necessary to preserve or protect the public health and safety of the residents of the County, for the purchase of License Plate Readers and accessories and take appropriate action.

(13-46:17)

13. April 24, 2023. Grant Administrator Robin Knipling provided information to the Court. County Judge's Chief of Staff Giani Cantu and Chief Will Franklin answered the Courts questions. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the Discretionary Bid Exemption pursuant to Local Government Code §262.024(a)(2) for an item necessary to preserve or protect the public health and safety of the residents of the County, for the purchase of License Plate Readers and accessories. Motion adopted.

14. Consider approval of the following in connection to the Victoria County 311 E. Constitution Fiber Optic Cable Project and take appropriate action:

a. Award bid to Triumph Cabling Systems, LLC.

(14a-49:19)

14a. April 24, 2023. County Engineer John Johnston provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the award bid to Triumph Cabling Systems, LLC., in connection to the Victoria County 311 E. Constitution Fiber Optic Cable Project. Motion adopted.

Consider approval of the following in connection to the Victoria County 311 E. Constitution Fiber Optic Cable Project and take appropriate action:

b. Authorize County Judge to execute future contract with Triumph Cabling Systems, LLC, subject to negotiations and review by County Attorney

(14b-49:19)

14b. April 24, 2023. County Engineer John Johnston provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court authorized the County Judge to execute a future contract with Triumph Cabling Systems, LLC, subject to negotiations and review by the County Attorney and approved as a fund balance expenditure. Motion adopted.

15. Consider approval of the Partnership Agreement with the Golden Crescent Workforce Development Board (GCWDB) and take appropriate action.

(15-54:39)

15. April 24, 2023. Henry Guajardo with the Golden Crescent Workforce Development Board provided information to the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the Partnership Agreement with the Golden Crescent Workforce Development Board (GCWDB). Motion adopted.

16. Consider the following items from the Victoria Regional Airport and take appropriate action:

a. Approval of authorization to advertise a Request for Proposal (RFP) for an Aviation Fuel Supplier.

(16a-57:49)

16a. April 24, 2023. Executive Director Lenny Llerena provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the authorization to advertise for a Request for Proposal (RFP) for an Aviation Fuel Supplier for the Victoria Regional Airport. Motion adopted.

Consider the following items from the Victoria Regional Airport and take appropriate action:

b. Hear an operational update regarding the Victoria Regional Airport

(16b-57:49)

16b. April 24, 2023. Executive Director Lenny Llerena gave an operational update on the financials, year to date 2023 fuel sales, March 2023 FBO report, and the March 2023 Enplanements at the Victoria Regional Airport. Mr. Llerena answered questions from the Court. No action taken.

17. Hear a presentation from the Victoria Central Appraisal District and take appropriate action.

(17-1:07:51)

17. April 24, 2023. Keri Wickliffe, Interim Chief Appraiser, gave a presentation regarding the Victoria Central Appraisal District. Ms. Wickliffe answered the Courts questions. The Court held a discussion with Ms. Wickliffe, Mr. Lou Svetlik, and Mr. Allen Junek. No action taken.

18. Consider the following items regarding the Victoria County Treasurer's Office and take appropriate action:

a. Order No. 2023-0057 Ratifying Purchase of Certificate of Deposits.

(18a-1:50:30)

18a. April 24, 2023. County Auditor Paige Foster provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved Order No. 2023-0057 ratifying the purchase of a Certificate of Deposits for the Victoria County Treasurer's Office. Motion adopted.

Consider the following items regarding the Victoria County Treasurer's Office and take appropriate action:

b. Receive a Quarterly Investment Report

(18b-1:50:30)

18b. April 24, 2023. County Auditor Paige Foster provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received a Quarterly Investment Report from the Victoria County Treasurer's Office. Motion adopted.

19. Consider approval of a request for payment to the Victoria County Navigation District in the amount of \$58,573.78 in connection to Rehabilitate and Widen Roadway Project for McCoy Road and Bayer Road in Pct. 1 and take appropriate action.

(19-1:58:11)

19. April 24, 2023. County Auditor Michelle Samford answered Commissioner Garcia's questions. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved a request for payment to the Victoria County Navigation District in the amount of \$58,573.78 in connection to the Rehabilitate and Widen Roadway Project for McCoy Road and Bayer Road in Precinct No. 1. Motion adopted.

20. Consider approval of the following resolutions for road donations in Pct. 1 for the installation of a driveway and pipe culvert to improve drainage and take appropriate action:

a. Resolution 2023-0058 from Taylor Waida at Brownson Rd., Victoria, Texas 77905 in the amount of \$270.00.

(20a-1:59:15)

20a. April 24, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved Resolution No. 2023-0058 for a road donation from Taylor Waida in the amount of \$270.00 for installation of a driveway and pipe culvert at Brownson Road, Victoria, Texas 77905 in Precinct No. 1 to improve drainage. Motion adopted.

Consider approval of the following resolutions for road donations in Pct. 1 for the installation of a driveway and pipe culvert to improve drainage and take appropriate action:

b. Resolution 2023-0059 from Emily Escalante at Park St., Bloomington, Texas 77951 in the amount of \$520.00.

(20b-1:59:15)

20b. April 24, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved Resolution No. 2023-0059 for a road donation from Emily Escalante in the amount of \$520.00 for installation of a driveway and pipe culvert at Park Street, Bloomington, Texas 77951 in Precinct No. 1 to improve drainage. Motion adopted.

Consider approval of the following resolutions for road donations in Pct. 1 for the installation of a driveway and pipe culvert to improve drainage and take appropriate action:

c. Resolution 2023-0060 from Jessica Sloan at 2498 Guadalupe Rd., Victoria, Texas 77905 in the amount of \$792.00.

(20c-1:59:15)

20c. April 24, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved Resolution No. 2023-0060 for a road donation from Jessica Sloan in the amount of \$792.00 for installation of a driveway and pipe culvert at 2498 Guadalupe Road, Victoria, Texas 77905 in Precinct No. 1 to improve drainage. Motion adopted.

21. Receive for the record a Discretionary Funds Budget Amendment for the CDA Contraband Forfeiture Fund (370) and take appropriate action.

(21-2:00:16)

21. April 24, 2023. Moved by Danny Garcia and seconded by Ben Zeller, the Commissioners Court received the 2023 Discretionary Funds Budget Amendment for CDA Contraband Forfeiture Fund (370) as an increase to expenditures. Motion adopted.

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

(22-2:01:09)

22. April 24, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the 2023 budget amendments for:

- a. General Fund, Various Departments, Expenditures - Line item transfer
- b. Emergency Management, Expenditures - Line item transfer
- c. Road and Bridge, Precinct No. 1, Expenditures - Line item transfer

Motion adopted.

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

(23-2:01:28)

23. April 24, 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. Heidi Easley, County Clerk - County Clerk's Office:
 - 1. Salary change for Sarita De La Garza, Clerk III, from a rate of \$17.25 per hour, Budget Codes 100-403-1105 (\$16.58) and 120-403-1105 (\$0.67) to a rate of \$18.00 per hour, Budget Codes 100-403-1105 (\$16.58) and 120-403-1105 (\$1.42), effective April 8, 2023. Other Remarks: expiration of probationary hire period; increased duties.
- b. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Employment of Tray'lon Thomas, Detention Tier 3 (DO Tier 1), at a rate of \$18.53 per hour, Budget Code 100-565-1115, effective April 25, 2023.

2. Position/Other Change for Christopher Garcia, from Detention Dep – Tier 1, at a rate of \$24.25 per hour, Budget Codes 100-565-1114-23.25, 100-565-1136-1.00, and 100-565-1137 Cert Pay to Courts/Extrad Tier 3 (CE Tier 1), at a rate of \$24.25 per hour, Budget Codes 100-565-1310-23.25, 100-565-1136-1.00, and 100-565-1137 Cert Pay, effective April 22, 2023.
3. Retirement of Valdemar Vasquez, Jr., Civil Deputy-Tier 3, with 80.0 PTO and 240.00 Compensatory hours due, effective May 31, 2023.
- c. Pama Hencerling/Justin Marr, Chief Probation Officer/Sheriff - Juvenile Detention/Sheriff's Office:
 1. Salary and Position/Other Change for Elexis Crump, from JSO 1 (Juvenile Detention), at a rate of \$17.57 per hour, Budget Codes 100-573-1155 - \$17.57 and 231-578-1135 - TJPC to Detention Tier 3 (DO Tier 1) (Sheriff's Office), at a rate of \$18.53 per hour, Budget Code 100-565-1115, with 61.90 Compensatory hours due, effective April 22, 2023. Remarks: Comp time pay out by Juvenile Det. before transfer.
- d. David Gonzales, Public Health Director- Victoria County Public Health Department:
 1. Other Code Change for Reuben Ybarra, Nurse, at a rate of \$22.85 per hour, from Budget Codes 800-647-1114 (22.54%) \$5.15, 800-643-1114 (72.74%) \$16.62, and 800-635-1105 (4.72%) \$1.08 to Budget Codes 800-647-1114 (22.54%) \$5.15, 800-643-1114 (72.74%) \$16.62, and 800-676-1105 (4.72%) \$1.08, effective April 8, 2023. Other Remarks: G/L CODE CHANGE.
 2. Other Code Change for Kimberly Kirbo, Program Manager, at a rate of \$23.63 per hour, from Budget Codes 800-635-1102 (70%) \$16.54 and 800-658-1102 (30%) \$7.09 to Budget Codes 800-676-1102 (70%) \$16.54 and 800-658-1102 (30%) \$7.09, effective April 8, 2023. Other Remarks: G/L CODE CHANGE. Cell phone allowance 800-628-1139 \$18.46 per pay period.
 3. Other Code Change for Jennifer Poncio, ADAP Eligibility Worker, at a rate of \$17.50 per hour, from Budget Code 800-640-1105 to Budget Code 800-659-1105, effective April 8, 2023. Other Remarks: G/L CODE CHANGE.
 4. Other Code Change for Veronica Cuellar, Medical Case Manager, at a rate of \$18.00 per hour, from Budget Codes 800-635-1113 (60%) \$10.80 and 800-640-1113 (40%) \$7.20 to Budget Codes 800-676-1113 (60%) \$10.80 and 800-659-1113 (40%) \$7.20, effective April 8, 2023. Other Remarks: G/L CODE CHANGE. Cell phone allowance 800-628-1139 \$18.46 per pay period.
 5. Salary change for Elisa Salazar-Wilson, Clerk III, from a rate of \$16.50 per hour, Budget Code 810-633-1107 to a rate of \$17.50 per hour, effective April 22, 2023.
 6. Salary change for Jessica Carrillo, Clerk III, from a rate of \$14.50 per hour, Budget Code 810-633-1107 to a rate of \$15.75 per hour, effective April 22, 2023.

7. Position/Other Code Change for Shannon Geistman, from RN Nurse (Staff), at a rate of \$30.63 per hour, Budget Codes 800-647-1107 (90.11%) \$27.60 and 802-631-1107 (9.89%) \$3.03 to Nurse Manager, Budget Code 800-631-1161, effective May 6, 2023. Other Remarks: ADD: Cell Phone Allowance \$1,080.04 Annual / 800-631-1139.
8. Retirement of Di Anna Harris, RN, Nurse Manager, effective May 5, 2023. Other Remarks: CANCEL-Cell Phone Allowance \$1,080.04 Annual / 800-631-1139.

Motion adopted.

24. **Closed meeting pursuant to V.T.C.A Government Code §551.074 to discuss personnel - various departments, §551.087 to discuss Economic Development, and §551.0745 to discuss Board and Commissions.**

(24-2:13:57)

24. April 24, 2023. The Commissioners Court went into closed session at 12:14 p.m., pursuant to V.T.C.A. Government Code §551.074 to discuss personnel - various departments, §551.087 to discuss Economic Development, and §551.0745 to discuss Boards and Commissions.

25. **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.**

(25-2:32:23)

25. April 24, 2023. The Commissioners Court returned to open meeting at 12:32 p.m., pursuant to V.T.C.A. Government Code §551.102 with no action taken.

26. **Adjourn.**

(26-2:32:35)

26. April 24, 2023. The Commissioners Court adjourned the meeting of April 24, 2023.