

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **1st day of May 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, MAY 1, 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. May 1, 2023. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, May 1, 2023 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. May 1, 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.

(3-1:08)

3. May 1, 2023. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Mr. Michael Vonderau of 2204 E. North Street addressed the Court about the Victoria Central Appraisal District Audit and appraised values. County Judge Zeller and Commissioner Ohrt responded to Mr. Vonderau.

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. Mr. McCaskill also presented Judge Zeller with a letter of request for records and spoke about the way the project has been handled by Victoria County. Mr. McCaskill answered Commissioner Burns' question.

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

4. Consider approval of minutes and take appropriate action.

(4-12:06)

4. May 1, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the minutes of the Commissioners Court meeting held on April 24, 2023. Motion adopted.

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

(5-12:21)

5. May 1, 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	5/1/2023	\$456,200.22
Supplemental Accounts	4/21/2023 – 4/27/2023	\$151,324.75

Motion adopted.

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

(6-12:48)

6. May 1, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received the monthly report from Constable, Precinct No. 3. Motion adopted.

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

(7-13:06)

7. May 1, 2023. None. No action taken.

8. Consider approval of CMC Interim vendor payments, accounts payable, payroll, and personnel changes, and take appropriate action.

(8-13:19)

8. May 1, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the accounts payable, payroll, personnel changes, and interim vendor payments for Citizens Medical Center dated April 27, 2023 in the amount of \$794,380.73 and the ACH report dated April 27, 2023 in the amount of \$3,482,711.46. Motion adopted.

9. Consider a proclamation designating April 30th through May 7th, 2023, as Soil and Water Stewardship Week and take appropriate action.

(9-14:07)

9. May 1, 2023. County Judge Zeller read the proclamation. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the proclamation designating April 30th through May 7th, 2023 as Soil and Water Stewardship Week in Victoria County. Motion adopted.

10. Consider the following items related to the establishment of, and grant application for, a Regional Public Defender's Office and take appropriate action:

a. Receive the Coastal Plains Public Defender Office Planning Study from the Texas Indigent Defense Commission.

(10a-18:46)

10a. May 1, 2023. County Judge Zeller provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received the Coastal Plains Public Defender Office Planning Study from the Texas Indigent Defense Commission related to the establishment of and grant application for a Regional Public Defender's Office. Motion adopted.

Consider the following items related to the establishment of, and grant application for, a Regional Public Defender's Office and take appropriate action:

b. Receive resolutions of support from Jackson and Refugio Counties.

(10b-18:46)

10b. May 1, 2023. County Judge Zeller provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received the resolutions of support from Jackson and Refugio Counties related to the establishment of and grant application for a Regional Public Defender's Office. Motion adopted.

Consider the following items related to the establishment of, and grant application for, a Regional Public Defender's Office and take appropriate action:

c. Receive an executed cooperation agreement signed by the County Court at Law Judges, the 377th, 267th, 135th, and 24th District Judges, and the Juvenile Board.

(10c-18:46)

10c. May 1, 2023. County Judge Zeller provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received the executed Indigent Defense Improvement Grant Program Cooperation Agreement signed by the County Court at Law Judges, the 377th, 267th, 135th, and 24th District Judges, and the Juvenile Board related to the establishment of and grant application for a Regional Public Defender's Office. Motion adopted.

Consider the following items related to the establishment of, and grant application for, a Regional Public Defender's Office and take appropriate action:

d. Approval of Resolution No. 2023-0064 designating the Authorization Official, Program Director, and Financial Officer; and authorizing the submission of the grant application.

(10d-18:46)

10d. May 1, 2023. County Judge Zeller provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved Resolution No. 2023-0064 designating the County Judge of this county as the Authorization Official, Nora Brosig-Kucera as the Program Director, and the Auditor as the Financial Officer for the 2024 Victoria County's Resolution for the Indigent Defense Improvement Grant Program, which is related to the establishment of and grant application for a Regional Public Defender's Office. Motion adopted.

11. Consider approval of Resolution No. 2023-0061 accepting the donation of the Official Texas Rangers Bicentennial Flag and the Texas Rangers Company F Flag from the Huegele Family and take appropriate action.

(11-25:29)

11. May 1, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, pursuant to Local Government Code §81.032, the Commissioners Court approved Resolution No. 2023-0061 accepting the donations of the Official Texas Rangers Bicentennial Flag and the Texas Rangers Company F Flag valued at \$3,600.00 from the Huegele Family to be utilized for and dedicated to Victoria County. Motion adopted.

- 12. Discuss and consider revisions to Sections 16.01 and 16.02 of the Personnel Policy regarding travel and sustenance to include a per diem meal reimbursement for overnight travel and take appropriate action.**

(12-27:30)

12. May 1, 2023. County Judge's Chief of Staff Giani Cantu and First Assistant County Auditor Becky Smiley reviewed the updates and changes to the policy and answered questions from the Court. Sheriff Marr provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the revisions to Sections 16.01 and 16.02 of the Personnel Policy regarding travel and sustenance to include a per diem meal reimbursement for overnight travel effective June 1, 2023. Motion adopted.

- 13. Receive notice of time extension approval for FY21 Operation Stonegarden (OPSG) Grant No. 3186207 and take appropriate action.**

(13-32:24)

13. May 1, 2023. Grant Administrator Robin Knipling provided information to the Court. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court received the notice of time extension approval for FY21 Operation Stonegarden (OPSG) Grant No. 3186207 to April 30, 2023 with an extended liquidation date of July 29, 2023. Motion adopted.

- 14. Consider approval of a request for plat exemption from Sue Ann Pitts at 4179 Coletoville Rd., in Pct. 3 and take appropriate action.**

(14-33:03)

14. May 1, 2023. County Engineer, John Johnston spoke to the Court about the plat exemption. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the plat exemption request from Sue Ann Pitts at 4179 Coletoville Road in Precinct No. 3 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 an ingress/egress easement.
- * Each tract will have its own water well and Onsite Sanitary Sewer Facility (OSSF) (septic system).

Motion adopted.

- 15. Consider approval of the funding notification from the Golden Crescent Regional Planning Commission (GCRPC) MOD regarding the Regional Mitigation Program and take appropriate action.**

(15-34:24)

15. May 1, 2023. Robin Knipling, Grant Administrator, provided the Court with information and answered questions from the Court. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the funding notification from the Golden Crescent Regional Planning Commission (GCRPC) MOD regarding the Regional Mitigation Program. Motion adopted.

- 16. Consider approval of the following request for payments in connection with TX CDBG contract No. 20-066-004-C033 Hurricane Harvey Buyout/Acquisition - General Land Office (GLO) and take appropriate action:**

a. Correction to the Grantworks Draw No. 3 in the amount of \$4,630.46.

(16a-42:53)

16a. May 1, 2023. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the correction to the Grantworks Draw No. 3 in the amount of \$4,630.46 in connection with the TX CDBG Contract No. 20-066-004-C033 Hurricane Harvey Buyout/Acquisition - General Land Office (GLO). Motion adopted.

Consider approval of the following request for payments in connection with TX CDBG contract No. 20-066-004-C033 Hurricane Harvey Buyout/Acquisition - General Land Office (GLO) and take appropriate action:

b. JLL Valuation & Advisory Service Draw No. 4 in the amount of \$875.00

(16b-42:53)

16b. May 1, 2023. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the JLL Valuation and Advisory Service Draw No. 4 in the amount of \$875.00 in connection to the TX CDBG Contract No. 20-066-004-C033 Hurricane Harvey Buyout/Acquisition - General Land Office (GLO). Motion adopted.

- 17. Consider approval of Resolution No. 2023-0062 adopting the 2023 Victoria County Investment Policy and appointment of an Investment Officer and take appropriate action.**

(17-43:58)

17. May 1, 2023. The Commissioners Court passed on the Resolution No. 2023-0062 adopting the 2023 Victoria County Investment Policy and the appointment of the Victoria County Treasurer, Paige Foster, as the Victoria County Investment Officer. No action taken.

- 18. Consider approval of the registration packet for the Texas Cooperative Liquid Assets Securities System (CLASS) Trust and take appropriate action.**

(18-44:02)

18. May 1, 2023. Paige Foster, County Treasurer, provided information to the Court and answered questions from the Court. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the registration packet for the Texas Cooperative Liquid Assets Securities System (CLASS) Trust. Motion adopted.

- 19. Consider approval of a Customer Agreement with VCS Security Systems, Inc. and the Victoria County Sheriff's Office for the Guadalupe School Building and take appropriate action.**

(19-46:18)

19. May 1, 2023. Sheriff Justin Marr and Chief Deputy Will Franklin provided information and answered questions from the Court. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the Customer Agreement with VCS Security Systems, Inc. and the Victoria County Sheriff's Office for the Guadalupe School Building. Motion adopted.

- 20. Consider approval of the following request from the Victoria County Fire Marshal and take appropriate action:**

a. Quail Creek Volunteer Fire Department requesting a cost share in the amount of \$15,000.00 for the purchase of a new brush truck.

(20a-47:48)

20a. May 1, 2023. Fire Marshal Richard Castillo provided information to the Court and answered questions. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the request from Fire Marshal Richard Castillo for the Quail Creek Volunteer Fire Department requesting a cost share in the amount of \$15,000.00 for the purchase of a new brush truck, from the Victoria County Fire Marshal. Motion adopted.

Consider approval of the following request from the Victoria County Fire Marshal and take appropriate action:

b. Victoria County Fire Marshal's purchase of a Kubota Utility package in the amount of \$20,000.00.

(20b-47:48)

20b. May 1, 2023. Fire Marshal Richard Castillo provided information to the Court and answered questions. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved Victoria County Fire Marshal Richard Castillo's purchase of a Kubota Utility package in the amount of \$20,000.00. Motion adopted.

Consider approval of the following request from the Victoria County Fire Marshal and take appropriate action:

c. Request from J & J Fireworks to open their stands for fireworks sales during the Memorial Day holiday.

(20c-47:48)

20c. May 1, 2023. Fire Marshal Richard Castillo provided information to the Court and answered questions. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the request from J & J Fireworks to open their stands for fireworks sales during the Memorial Day holiday. Motion adopted.

Consider approval of the following requests from the Victoria County Fire Marshal and take appropriate action:

d. Order No. 2023-0065 Authorizing Memorial Day fireworks sales.

(20d-47:48)

20d. May 1, 2023. Fire Marshal Richard Castillo provided information to the Court and answered questions. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved Order No. 2023-0065 authorizing Memorial Day fireworks sales. Motion adopted.

- 21. Consider approval of Resolution No. 2023-0063 for a donation from Allan's Wrecker Service in the amount of \$500.00 to Victoria County Animal Services and take appropriate action.**

(21-54:08)

21. May 1, 2023. Mark Sloat, Animal Services Director, 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. 2023-0063 for a donation from Allan's Wrecker Services in the amount of \$500.00 to be utilized for and dedicated to the Victoria County Animal Services. Motion adopted.

- 22. Receive for the record a fully executed Road Use Agreement with Shaula Energy Project, LLC. in Precinct. 2 and take appropriate action.**

(22-55:38)

22. May 1, 2023. Commissioner Jason Ohrt provided information to the Court. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court received for the record a fully executed Road Use Agreement with Shaula Energy Project, LLC in Precinct No. 2. Motion adopted.

- 23. Consider approval of the following 2023 budget amendments and take appropriate action:**

(23-57:01)

23. May 1, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the 2023 budget amendments for:

- a. General Fund, Various Departments, Expenditures - Line item transfer
- b. General Fund, Sheriff's Office, Expenditures - Line item transfer

Motion adopted.

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

(24-57:20)

24. May 1, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, 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. Employment of Amanda Reyes, Procurement Specialist, at a rate of \$25.00 per hour, Budget Codes 100-401-1109 and 100-401-1139 Cellphone Allowance, effective May 2, 2023. Other Remarks: Partial Cellphone Allowance.
- b. Heidi Easley, County Clerk - County Clerk's Office:
 - 1. Salary change for Kelly Kosler, Clerk III, from a rate of \$17.08 per hour, Budget Codes 100-403-1105 (16.58) and 120-403-1105 (0.50) to a rate of \$17.50 per hour, Budget Codes 100-403-1105 (16.58) and 120-403-1105 (0.92), effective April 22, 2023.
- c. Ashley Hernandez, Tax Assessor Collector - County Tax Office:
 - 1. Employment of Shelby Laurence, Clerk III, at a rate of \$14.75 per hour, Budget Code 100-499-1106, effective May 16, 2023.

- d. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Employment of Tonette Meade, Medical Clerk, at a rate of \$16.89 per hour, Budget Code 100-565-1124, effective May 2, 2023.
 - 2. VCSO Salary Adjustment Certification for Trentan Little, to be paid Intermediate Certificate Pay of \$23.08 per pay period, effective May 12, 2023. Certification Date for Trentan Little is March 23, 2023. Budget Coding: Detention Certificate Pay 100-565-1137. Remarks: Trentan Little received his Intermediate Jailer Proficiency on 03/23/2023.
- e. David Gonzales, Public Health Director - Victoria County Public Health Department:
 - 1. Employment of Karen Caughron, RN Nurse (Staff), at a rate of \$26.50 per hour, Budget Code 800-647-1107, effective May 9, 2023.

Motion adopted.

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

(25-58:14)

25. May 1, 2023. The Commissioners Court went into closed session at 11:10 a.m., pursuant to V.T.C.A. Government Code §551.074 to discuss personnel - various departments, §551.087 to discuss Economic Development, §551.071 to conduct a private consultation with the County's attorney regarding matter protected by the attorney-client privilege, and §551.0745 to discuss Boards and Commissions.

- 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.**

(26-2:17:57)

26. May 1, 2023. The Commissioners Court returned to open meeting at 12:19 p.m., pursuant to V.T.C.A. Government Code §551.102 with no action taken.

- 27. Adjourn.**

(27-2:18:21)

27. May 1, 2023. The Commissioners Court adjourned the meeting of May 1, 2023.