

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **8th day of May A.D., 2023**, the Commissioners Court convened in **Regular 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 8, 2023, 10:00 AM, REGULAR TERM

VICTORIA COUNTY COURTHOUSE

115 N. BRIDGE ST., ROOM 241, SECOND FLOOR, VICTORIA, TX

1. Call to Order.

(1-0:00)

1. May 8, 2023. Ben Zeller, County Judge, called to order the Commissioners Court Regular Term for Monday, May 8, 2023 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. May 8, 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.

(3-1:15)

3. May 8, 2023. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Bill Pozzi stated there was a good showing for the election this past Saturday. Mr. Pozzi also mentioned the filing period for the 2024 election starts in exactly six months.

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 presented Judge Zeller with an open records request and answered Commissioner Burns' questions.

Rick Collie with the Kiwanis Club informed the Court of some organizations they have supported. Mr. Collie stated the Kiwanis Club would like to distribute funds to help benefit kids in this region and asked the Court to please present them with a program or get in touch with them so they may provide for the kids in Victoria County.

Fire Marshal Richard Castillo thanked everyone that supported the Nursery Volunteer Fire Department Fundraiser this past Saturday. He also informed the Court that the Raisin Volunteer Fire Department will be having their fundraiser on Saturday, May 13, 2023 from 11:00 a.m to 2:00 p.m.

Ron Reyna, Victoria County resident, thanked the Court for their input on the proposed refinery and asked the court to consider options to proceed with this project.

Judge Zeller introduced Amanda Reyes, the new Procurement Specialist.

Animal Services Director Mark Sloat informed the Court of the May the 4th event that was held for the Victoria Animal Services.

4. Consider approval of minutes and take appropriate action.

(4-21:07)

4. May 8, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the minutes of the Commissioners Court meeting held on May 1, 2023. Motion adopted.

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

(5-21:21)

5. May 8, 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	5/8/2023	\$230,877.26
Supplemental Accounts	4/28/2023 – 5/4/2023	\$91,367.86

Motion adopted.

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

(6-21:42)

6. May 8, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received the monthly reports from the County Judge; County Commissioners, Precincts Nos. 1- 4; County Treasurer; District Clerk; County Clerk; Tax Assessor Collector; County Auditor; and Justices of the Peace, Precincts Nos. 2 and 3. Motion adopted.

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

(7-22:13)

7. May 8, 2023. None. No action taken.

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

(8-22:24)

8. May 8, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated May 4, 2023 in the amount of \$395,865.44 and the ACH report dated May 4, 2023 in the amount of \$1,631,049.04. Motion adopted.

9. Hear a proclamation designating May 7th through 13th, 2023, as National Correctional Officers Week in Victoria County and take appropriate action.

(9-23:25)

9. May 8, 2023. County Judge Zeller read the proclamation. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved a proclamation designating May 7 - May 13, 2023 as National Correctional Officers Week in Victoria County. Motion adopted.

10. Consider the appointment of the Victoria County Judge or his designee as the

"Hearing Examiner" pursuant to section 2.3 of the Victoria County Game Room Ordinance and take appropriate action.

(10-28:46)

10. May 8, 2023. The Court held a discussion with Chief Will Franklin and Captain Richard Martin. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved Order No. 2023-0068 to appoint the Victoria County Judge or his designee as the "Hearing Examiner" pursuant to section 2.3 of the Victoria County Game Room Ordinance. Motion adopted.

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

a. Approval of the HARP - Memorandum of Understanding with the Housing Authority of Victoria.

(11a-32:50)

11a. May 8, 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 HARP-Memorandum of Understanding with the Housing Authority of Victoria for the Victoria County Public Health Department. Motion adopted.

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

b. Approval of the HARP Personal Services Agreement with Gulf Bend Center.

(11b-32:50)

11b. May 8, 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 HARP - Personal Services Agreement with Gulf Bend Center for the Victoria County Public Health Department. Motion adopted.

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

c. Approval of the DSHS contract No. HHS001313500001 (Public Health Infrastructure Grant) Amendment No. 1.

(11c-32:50)

11c. May 8, 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 DSHS Contract No. HHS001313500001 (Public Health Infrastructure Grant) Amendment No. 1 for the Victoria County Public Health Department. Motion adopted.

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

d. Receive the fully executed Texas Healthy Communities Grant No. HHS000438400007- Amendment No. 4.

(11d-32:50)

11d. May 8, 2023. David Gonzales, Public Health Director, provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received the fully executed Texas Healthy Communities Grant No. HHS000438400007- Amendment No. 4 for the Victoria County Public Health Department. Motion adopted.

12. Consider approval of Resolution No. 2023-0062 adopting the 2023 Victoria County

Investment Policy and appointment of an Investment Officer and take appropriate action.

(12-35:20)

12. May 8, 2023. County Treasurer Paige Foster provided information to the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved Resolution No. 2023-0062 adopting the 2023 Victoria County Investment Policy and appointment of Victoria County Treasurer, Paige Foster, as the Victoria County Investment Officer. Motion adopted.

13. Consider the following items regarding the Request for Proposals for the Bank Depository and take appropriate action:

a. Receive the selection committee scoring sheet and committee recommendation.

(13a-36:56)

13a. May 8, 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 received the selection committee scoring sheet and committee recommendation to stay with Prosperity Bank regarding the Request for Proposals for the Bank Depository. Motion adopted.

Consider the following items regarding the Request for Proposals for the Bank Depository and take appropriate action:

b. Grant authorization to enter into negotiations with a selected vendor.

(13b-36:56)

13b. May 8, 2023. County Treasurer Paige Foster provided the Court with information. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the grant authorization to enter into negotiations with a selected vendor regarding the Request for Proposals for the Bank Depository. Motion adopted.

14. Consider approval and authorization of payment for Invoice No. 947-003 to Rawley McCoy & Associates, PLLC, for Architectural Services on the Victoria County Courthouse Entry Steps & Repair Project and take appropriate action.

(14-46:36)

14. May 8, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved and authorized the payment for Invoice No. 947-003 in the amount of \$1,122.50 to Rawley McCoy and Associates, PLLC for Architectural Services on the Victoria County Courthouse Entry Steps and Repair Project. Motion adopted.

15. Consider approval and authorize the County Judge to sign the Amendment to the Listing Agreement with Carol McLarry at RE/MAX Land & Homes, in connection to lease space located at 311 E. Constitution St., and take appropriate action.

(15-47:08)

15. May 8, 2023. County Engineer John Johnston provided information to the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved and authorized the County Judge to sign the Amendment to the Listing Agreement with Carol McLarry at RE/MAX Land and Homes, in connection to the lease space located at 311 E. Constitution Street. Motion adopted.

- 16. Consider the following in connection to the Victoria County 311 E. Constitution Fiber Optic Cable Project and take appropriate action:**
a. Receive a fully executed agreement with Triumph Cabling Services.
(16a-48:46)
16a. May 8, 2023. County Engineer John Johnston provided information to the Court. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court received the fully executed agreement with Triumph Cabling Services in connection to the Victoria County 311 E. Constitution Fiber Optic Cable Project. Motion adopted.
- Consider the following in connection to the Victoria County 311 E. Constitution Fiber Optic Cable Project and take appropriate action:**
b. Reject all other bids.
(16b-48:46)
16b. May 8, 2023. John Johnston, County Engineer, provided information to the Court. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court rejected all other bids for the Victoria County 311 E. Constitution Fiber Optic Cable Project. Motion adopted.
- 17. Receive notice of a time extension approval for CDBG DR-4332-0356 Victoria County EOC Stair Enclosure Project and take appropriate action.**
(17-49:59)
17. May 8, 2023. Grant Administrator Robin Knipling provided information to the Court. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court received the notice of the time extension approval for the HMGP DR-4332-0356 Victoria County EOC Stair Enclosure Project. Motion adopted.
- 18. Consider approval of 2022 Homeland Security Grant Program (HSGP) Operation Stonegarden Program (OPSG) Resolution, State of Texas eGrants Grant Number: 3186208 and take appropriate action.**
(18-50:59)
18. May 8, 2023. Grant Administrator Robin Knipling provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the 2022 Homeland Security Grant Program (HSGP) Operation Stonegarden Program (OPSG) Resolution No. 2023-0067, State of Texas eGrants Grant Number: 3186208 for the Victoria County Sheriff's Office. Motion adopted.
- 19. Consider the following in relation to the Supply Chain Assistance (SCA) Program for the Victoria County Juvenile Justice Center and take appropriate action:**
a. Ratify Supply Chain Assistance Funding Attestation of Eligibility.
(19a-52:47)
19a. May 8, 2023. Grant Administrator Robin Knipling provided information to the Court. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court ratified the Supply Chain Assistance Funding Attestation of Eligibility in relation to the Supply Chain Assistance (SCA) Program for the Victoria County Juvenile Justice Center. Motion adopted.

Consider the following in relation to the Supply Chain Assistance (SCA) Program for the Victoria County Juvenile Justice Center and take appropriate action:

b. Approve Funding Allocation

(19b-52:47)

19b. May 8, 2023. Grant Administrator Robin Knipling provided information to the Court. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court approved the funding allocation in relation to the Supply Chain Assistance (SCA) Program for the Victoria County Juvenile Justice Center. Motion adopted.

20. Receive for the record a resolution of support for a Regional Public Defender's office from Lavaca County and take appropriate action.

(20-54:19)

20. May 8, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received for the record a resolution of support for a Regional Public Defender's office from Lavaca County. Motion adopted.

21. Consider approval of Resolution No. 2023-0066 for a road donation in Pct. 1 from Jessica Sloan for the installation of a driveway and pipe culvert to improve drainage on 2498 Guadalupe Rd., Victoria, Texas, for the amount of \$792 and take appropriate action.

(21-58:27)

21. May 8, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved Resolution No. 2023-0066 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.

22. Receive for the record a fully executed 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 Pct. 2 and take appropriate action.

(22-58:58)

22. May 8, 2023. Commissioner Jason Ohrt provided the Court with information. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court received for the record a fully executed 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.

23. Consider approval of the purchase of an office building from Morgan Buildings for the weigh station located off of U.S. Hwy 59 in Pct. 4 and take appropriate action.

(23-59:42)

23. May 8, 2023. Commissioner Kenneth Sexton provided information to the Court. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the purchase of an office building from Morgan Buildings for the weigh station located off of U.S. Hwy 59 in Precinct No. 4. Motion adopted.

24. Ratify Resolution No. 2023-0050 regarding the Texas Department of Transportation

(TxDOT) Highway Bridge Program Amendment CSJ No. 0913-27-093 for Bischoff Cem Rd., over Arenosa Creek in Pct. 4, and take appropriate action.

(24-1:03:46)

24. May 8, 2023. County Engineer John Johnston and Commissioner Danny Garcia provided information to the Court. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court ratified Resolution No. 2023-0050 regarding the Texas Department of Transportation (TxDOT) Highway Bridge Program Amendment CSJ No. 0913-27-093 for Bischoff Cem Rd., over Arenosa Creek in Precinct No. 4. Motion adopted.

25. Consider approval of the 2023 budget amendments for the General Fund, Various Departments, Revenues and Expenditures and take appropriate action.

(25-1:05:35)

25. May 8, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the 2023 budget amendments for:

- a. General Fund, Various Departments, Revenues and Expenditures - Line item transfer

Motion adopted.

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

(26-1:06:02)

26. May 8, 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. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
 - 1. Employment (Re-hire) of Vince Allen Johnson, Sr., (PRN) Extra Help, at a rate of \$14.50 per hour, Budget Code 100-573-1130, effective May 9, 2023.
 - 2. Salary and position/other - code change for Wendy Annette Saldana, from JSO - PT, at a rate of \$15.00 per hour, Budget Code 100-573-1157 to Extra Help - PRN, at a rate of \$14.50 per hour, Budget Code 100-573-1130, with 7.88 Compensatory hours due, effective May 6, 2023.
 - 3. Salary and position/other - code change for Terrean Steele, from JSO-PT, at a rate of \$15.00 per hour, Budget Code 100-573-1157 to Extra Help - PRN, at a rate of \$14.50 per hour, Budget Code 100-573-1130, effective May 20, 2023.
 - 4. Salary change for Kenneth Wells, JPO, from a rate of \$19.64 per hour, Budget Codes 231-571-1109 and TJJD-231-578-1135 to a rate of \$20.64 per hour, Budget Codes 231-571-1109 - \$19.64, State Funds: 231-577-1108 - \$1.00, and TJJD - 231-578-1135, effective May 6, 2023.
- b. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Resignation of Cullen Machac, Detention Deputy-Tier 1, with 65.50 PTO and 245.64 Compensatory hours due, effective May 12, 2023.
 - 2. Resignation of Allison Cunningham, Clerk III, with 39.39 Compensatory hours due, effective May 16, 2023.

- CONTINUED -

- c. Kelly Hubert, Facilities Manager - Facilities Department:
 - 1. Resignation of Erick Ramos-Flores, Facilities Tech II, with 80.0 PTO and 0.10 Compensatory hours due, effective May 12, 2023. Other Remarks: end Cell Phone allowance 100-510-1139 \$41.54.
- d. David Gonzales, Public Health Director - Victoria County Public Health Department:
 - 1. Resignation of Melody Stanford, Stormwater Inspector, with 4.62 PTO hours due, effective May 3, 2023.

Motion adopted.

27. Adjourn.

(27-1:06:23)

27. May 8, 2023. The Commissioners Court adjourned the meeting of May 8, 2023.