

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **15th 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	Absent
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 15, 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 15, 2023. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, May 15, 2023 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. May 15, 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.

(3-1:33)

3. May 15, 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 thanked Victoria Animal Services for their work at Christ's Kitchen and spoke about the overvalued appraisals. He also informed the Court about the potholes at the East North Street Mobile Home Park.

Rick McBrayer, Emergency Management Director, updated the Court on the current flooding situation in Victoria County.

Mark Sloat, Animal Services Director, updated the Court on the current rabid skunk issue in Victoria County.

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

4. Consider approval of minutes, including planning workshop minutes, and take appropriate action.

(4-9:05)

4. May 15, 2023. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the minutes of the Commissioners Court meeting and Special Meeting held on May 8, 2023. Motion adopted.

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

(5-9:21)

5. May 15, 2023. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court approved the accounts payable as presented by Michelle Samford, County Auditor.

Regular Accounts	5/15/2023	\$391,673.85
Supplemental Accounts	5/5/2023 – 5/11/2023	\$267,921.95

Motion adopted.

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

(6-9:48)

6. May 15, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received the monthly reports from the County Treasurer; Criminal District Attorney; Justices of the Peace, Precincts Nos. 1 and 4; Constables, Precincts Nos. 1, 2, and 4; County Extension Agent-Family Community Health; and County Extension Agent-Ag/Natural Resources. Motion adopted.

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

(7-10:18)

7. May 15, 2023. None. No action taken.

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

(8-10:25)

8. May 15, 2023. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated May 11, 2023 in the amount of \$910,323.53 and the ACH report dated May 11, 2023 in the amount of \$1,094,051.94. Motion adopted.

9. Consider the following items from the Victoria Fire Marshal's Office and take appropriate action:

a. Hear a presentation from the Victoria County Fire Marshal regarding the area Volunteer Fire Departments.

(9a-11:01)

9a. May 15, 2023. Richard Castillo, Fire Marshal, provided a presentation to the Court regarding Voluntary Fire Departments and Fire Service in Victoria County. Commissioner Garcia suggested to Fire Marshal Castillo to provide the presentation to the high schools. No action taken.

Consider the following items from the Victoria Fire Marshal's Office and take appropriate action:

b. Receive for the record compliance inspections for the Victoria County Fire Marshal and Victoria County Fire Department from the Texas Commission on Fire Protection.

(9b-11:01)

9b. May 15, 2023. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court received for the record the compliance inspections for the Victoria County Fire Marshal and Victoria County Fire Department from the Texas Commission on Fire Protections. Motion adopted.

- 10. Consider approval of Invoice #966-005 from Rawley McCoy & Associates, PLLC for the Victoria Regional Airport maintenance building demo project and take appropriate action.**

(10-29:13)

10. May 15, 2023. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court approved Invoice No. 966-005 in the amount of \$487.50 from Rawley McCoy and Associates, PLLC for the Victoria Regional Airport maintenance building demo project. Motion adopted.

- 11. Consider approval of Task Order No. 14 with Stridde, Callins & Associates Inc. for electrical engineering services related to the 311 E. Constitution Improvement Project and take appropriate action.**

(11-29:32)

11. May 15, 2023. Facilities Manager Kelly Hubert provided information to the Court. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the Task Order No. 14 with Stridde, Callins and Associates, Inc. for electrical engineering services related to the 311 E. Constitution Improvement Project. Motion adopted.

- 12. Consider approval of a proposal from Best Friends Animal Society for a Satellite Foster Program with Victoria County Animal Services and take appropriate action.**

(12-30:22)

12. May 15, 2023. Mark Sloat provided information to the Court and answered questions from the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the proposal from Best Friends Animal Society for a Satellite Foster Program with Victoria County Animal Services. Motion adopted.

- 13. Receive the Annual Fire Safety Inspection Report of the Victoria Regional Juvenile Justice Center and take appropriate action.**

(13-34:17)

13. May 15, 2023. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court received the Bi-Annual Fire Safety Inspection Report of the Victoria Regional Juvenile Justice Center. Motion adopted.

- 14. Consider approval of the Final Plat for Coletto Bend West Resubdivision No. 1, located in Pct. 3, and take appropriate action.**

(14-34:39)

14. May 15, 2023. John Johnston, County Engineer, provided information to the Court. Moved by Gary Burns and seconded by Danny Garcia, the Commissioners Court approved the Final Plat for Coletto Bend West Resubdivision No. 1 located in Precinct No. 3. Motion adopted.

- 15. Consider approval of Citizens Medical Center Emergency Department Expansion & Renovation AIA Document G702 Application for Payment No. 30 and take appropriate action.**

(15-36:08)

15. May 15, 2023. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the Citizens Medical Center Emergency Department Expansion and Renovation AIA Document G702 Application for Payment No. 30. Motion adopted.

- 16. Discuss and consider hazardous pay rates for all County Precincts and take appropriate action.**

(16-36:41)

16. May 15, 2023. Commissioner Danny Garcia discussed hazardous pay rates for all County Precincts with the Court. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the hazardous pay rates increasing from \$40.00 to \$100.00 per day for those operating the prime oil truck and \$100.00 to \$200.00 per day for those operating the ac asphalt truck for all County Precincts. Motion adopted.

- 17. Receive bids for the following Victoria County Annual Road Material Contracts, for all precincts, and take appropriate action:**

a. Processed Base, Crushed Limestone Base, Type II Portland Cement, and Aggregate for Surface Treatment.

(17a-41:29)

17a. May 15, 2023. John Johnson, County Engineer, discussed the public bid opening for the annual supply contract. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court received the annual road material contract bids for Processed Base, Crushed Limestone Base, Type II Portland Cement and Aggregate for Surface Treatment for all precincts in Victoria County. Motion adopted.

Receive bids for the following Victoria County Annual Road Material Contracts, for all precincts, and take appropriate action:

b. Hot Mix Cold Laid Asphalt.

(17b-41:29)

17b. May 15, 2023. John Johnson, County Engineer, discussed the public bid opening for the annual supply contract. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court received the annual road material contract bids for Hot Mix Cold Laid Asphalt for all precincts in Victoria County. Motion adopted.

Receive bids for the following Victoria County Annual Road Material Contracts, for all precincts, and take appropriate action:

c. Cold Mix Limestone Rock Asphalt

(17c-41:29)

17c. May 15, 2023. John Johnson, County Engineer, discussed the public bid opening for the annual supply contract. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court received the annual road material contract bids for Cold Mix Limestone Rock Asphalt for all precincts in Victoria County. Motion adopted.

Receive bids for the following Victoria County Annual Road Material Contracts, for all precincts, and take appropriate action:

d. Asphaltic Materials

(17d-41:29)

17d. May 15, 2023. John Johnson, County Engineer, discussed the public bid opening for the annual supply contract. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court received the annual road material contract bids for Asphaltic Materials for all precincts in Victoria County. Motion adopted.

Receive bids for the following Victoria County Annual Road Material Contracts, for all precincts, and take appropriate action:

e. ASPPM 9202

(17e-41:29)

17e. May 15, 2023. John Johnson, County Engineer, discussed the public bid opening for the annual supply contract. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court received the annual road material contract bids for ASPPM 9202 for all precincts in Victoria County. Motion adopted.

- 18. Consider approval of Resolution No. 2023-0069 regarding the Texas Department of Transportation (TxDOT) Highway Bridge Program CSJ No. 0913-27-088 for Draw on Old Highway Rd., in Pct. 4, and take appropriate action.**

(18-42:59)

18. May 15, 2023. Commissioner Danny Garcia provided information to the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved Resolution No. 2023-0069 regarding the Texas Department of Transportation (TxDOT) Highway Bridge Program CSJ No. 0913-27-088 for Draw on Old Highway Road in Precinct No. 4. Motion adopted.

- 19. Consider approval of Resolution No. 2023-0070 for a road donation in Pct. 1 from Rita Escobar for the installation of a driveway and pipe culvert to improve drainage on Rabbit Rd., Victoria, Texas 77905 for the amount of \$216 and take appropriate action.**

(19-44:00)

19. May 15, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved Resolution No. 2023-0070 for a road donation from Rita Escobar in the amount of \$216.00 for installation of a driveway and pipe culvert at Rabbit Road, Victoria, Texas 77905 in Precinct No. 1 to improve drainage. Motion adopted.

- 20. Consider approval of a compensation study from BakerTilly and take appropriate action.**

(20-44:31)

20. May 15, 2023. The Commissioners Court passed on the compensation study due to awaiting a few final things from Baker Tilly. County Judge Zeller reviewed possible items to be approved for the study and provided additional information. No action taken.

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

(21-47:40)

21. May 15, 2023. Moved by Gary Burns and seconded by Danny Garcia, the Commissioners Court approved the 2023 budget amendments for:

- a. General Fund, Various Departments, Revenues and Expenditures - Line item transfer
- b. General Fund, Sheriff's Department, Revenues and Expenditures - Line item transfer
- c. LEOSE Fund, Revenues and Expenditures - Line item transfer

Motion adopted.

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

(22-48:13)

22. May 15, 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. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Employment of Jeremy Torres, Detention Dep-Tier 1 (DO Tier 1), at a rate of \$18.53 per hour, Budget Code 100-565-1114, effective May 23, 2023.
 - 2. Retirement of Timothy Bates, Corporal, with 80.0 PTO and 258.00 Compensatory hours due, effective July 31, 2023.
- b. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
 - 1. Resignation of Rudolph Morales, (Juvenile Supervision Officer) JSO, effective May 8, 2023.
- c. Ben Zeller, County Judge - County Judge's Office:
 - 1. Salary Change for John Williams, Veterans Service Director, from a rate of \$28.00 per hour, Budget Code 100-405-1104 to a rate of \$29.40 per hour, effective May 6, 2023.
- d. Constance Filley Johnson, Criminal District Attorney - District Attorney's Office:
 - 1. Resignation of Megan Jacinto, Clerk III, with 36.75 PTO and .67 Compensatory hours due, effective May 19, 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.

(23-48:25)

23. May 15, 2023. No closed session was held by Commissioners Court.

- 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.**
(24-48:33)

24. May 15, 2023. Commissioners Court did not return to open meeting due to not holding a closed meeting. No action taken.

- 25. Adjourn.**
(25-49:04)

25. May 15, 2023. The Commissioners Court adjourned the meeting of May 15, 2023.