

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **30th 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, Gary Burns, County Judge Pro Tem, presiding and the following Commissioners attending:

Ben Zeller,	County Judge	Absent
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

TUESDAY, MAY 30, 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 30, 2023. Gary Burns, County Judge Pro Tem, called to order the Commissioners Court Special Term for Tuesday, May 30, 2023 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. May 30, 2023. Judge Pro Tem Gary Burns 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.

(3-1:31)

3. May 30, 2023. Judge Pro Tem Gary Burns opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Hearing no comments, Judge Pro Tem Burns continued to the next agenda item.

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

(4-1:45)

4. May 30, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the minutes of the Commissioners Court meeting and the Planning meeting held on May 22, 2023. Motion adopted.

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

(5-1:56)

5. May 30, 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	5/30/2023	\$337,055.40
Supplemental Accounts	5/19/2023 – 5/25/2023	\$115,734.78

Motion adopted.

6. **Receive monthly and quarterly reports from various county officials and departments and take appropriate action.**
(6-2:25)

6. May 30, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court received the monthly report from the County Clerk. Motion adopted.
7. **Consider approval of bond forfeiture releases and take appropriate action.**
(7-2:53)

7. May 30, 2023. None. No action taken.
8. **Consider approval of CMC Interim vendor payments, board minutes, accounts payable, payroll, and personnel changes, and take appropriate action.**
(8-3:03)

8. May 30, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the board minutes, accounts payable, payroll, personnel changes and interim vendor payments for Citizens Medical Center dated May 25, 2023 in the amount of \$567,135.95 and the ACH report dated May 25, 2023 in the amount of \$1,662,507.13. Motion adopted.
9. **Receive for the record the Texas Commission on Law Enforcement(TCOLE) audit from the Victoria Fire Marshal's Office and take appropriate action.**
(9-3:45)

9. May 30, 2023. Marshall Frazier, Deputy Fire Marshal, provided information to the Court. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court received for the record the Texas Commission on Law Enforcement Agency (TCOLE) audit report from the Victoria County Fire Marshal's Office. Motion adopted.
10. **Consider approval of the following request for plat exemption in Pct.1 and take appropriate action:**
 - a. **Timothy McFarland at 1333 Schleich Rd.**
(10a-4:25)

10a. May 30, 2023. County Engineer John Johnston spoke to the Court about the plat exemption. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the plat exemption request from Timothy McFarland at 1333 Schleich Road 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 an ingress/egress easement.
 - * Each tract will have its own water well and Onsite Sanitary Sewer Facility (OSSF) (septic system).

Motion adopted.

Consider approval of the following request for plat exemption in Pct.1 and take appropriate action:

b. Richard Tagle at Schlebach Rd.

(10b-4:25)

10b. May 30, 2023. County Engineer John Johnston spoke to the Court about the plat exemption. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the plat exemption request from Richard Tagle at Schlebach Road 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 an ingress/egress easement.
- * Each tract will have its own water well and Onsite Sanitary Sewer Facility (OSSF) (septic system).

Motion adopted.

11. Receive executed Subrecipient Agreement with the Victoria County Navigation District in connection to the American Rescue Plan Act (ARPA) funds and take appropriate action.

(11-6:23)

11. May 30, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received the executed Subrecipient Agreement with the Victoria County Navigation District in connection to the American Rescue Plan Act (ARPA) funds. Motion adopted.

12. Receive operation updates from the Victoria Regional Airport Executive Director and take appropriate action.

(12-6:58)

12. May 30, 2023. Executive Director Lenny Llerena gave a presentation to the Court regarding the Victoria Regional Airport financials, fuel sales and FBO report for 2023. Mr. Llerena also answered questions from the Court. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court received operation updates from the Victoria Regional Airport Executive Director, Lenny Llerena. Motion adopted.

13. Consider approval of the following detention and/or residential contracts with the Victoria Regional Juvenile Justice Center and take appropriate action.

a. Hunt County – Detention.

(13a-23:30)

13a. May 30, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Detention Contract between Victoria Regional Juvenile Justice Center and Hunt County. Motion adopted.

Consider approval of the following detention and/or residential contracts with the Victoria Regional Juvenile Justice Center and take appropriate action.

b. Jim Wells County - Detention & Residential.

(13b-23:30)

13b. May 30, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Jim Wells County. Motion adopted.

Consider approval of the following detention and/or residential contracts with the Victoria Regional Juvenile Justice Center and take appropriate action.

c. Johnson County – Detention.

(13c-23:30)

13c. May 30, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Detention Contract between Victoria Regional Juvenile Justice Center and Johnson County. Motion adopted.

Consider approval of the following detention and/or residential contracts with the Victoria Regional Juvenile Justice Center and take appropriate action.

d. Kaufman County – Detention.

(13d-23:30)

13d. May 30, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Detention Contract between Victoria Regional Juvenile Justice Center and Kaufman County. Motion adopted.

Consider approval of the following detention and/or residential contracts with the Victoria Regional Juvenile Justice Center and take appropriate action.

e. Madison County - Detention & Residential.

(13e-23:30)

13e. May 30, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Madison County. Motion adopted.

Consider approval of the following detention and/or residential contracts with the Victoria Regional Juvenile Justice Center and take appropriate action.

f. Orange County - Detention & Residential.

(13f-23:30)

13f. May 30, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Orange County. Motion adopted.

Consider approval of the following detention and/or residential contracts with the Victoria Regional Juvenile Justice Center and take appropriate action.

g. Wise County - Detention & Residential.

(13g-23:30)

13g. May 30, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Wise County. Motion adopted.

Consider approval of the following detention and/or residential contracts with the Victoria Regional Juvenile Justice Center and take appropriate action.

h. 1st Judicial District Juvenile Probation Department (Jasper, Newton, Sabine, & San Augustine Counties) - Detention & Residential.

(13h-23:30)

13h. May 30, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and 1st Judicial District Juvenile Probation Department (Jasper, Newton, Sabine, and San Augustine Counties). Motion adopted.

Consider approval of the following detention and/or residential contracts with the Victoria Regional Juvenile Justice Center and take appropriate action.

i. Leon County - Detention & Residential.

(13i-23:30)

13i. May 30, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Leon County. Motion adopted.

Consider approval of the following detention and/or residential contracts with the Victoria Regional Juvenile Justice Center and take appropriate action.

Austin County - Detention & Residential.

(13j-23:30)

13j. May 30, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Austin County. Motion adopted.

- 14. Receive for the record the following fully executed agreements in regard to the Texas Department of Transportation (TxDOT) Highway Bridge Program and take appropriate action:**

a. Highway Bridge Program CSJ No. 0913-27-098 for Old Bloomington Rd., over Draw in Pct. 1.

(14a-24:02)

14a. May 30, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received for the record the fully executed Advance Funding Agreement for the Highway Bridge Program CSJ No. 0913-27-098 for Old Bloomington Road over Draw in Precinct No. 1 in regards to the Texas Department of Transportation (TxDOT) Highway Bridge Program. Motion adopted.

Receive for the record the following fully executed agreements in regard to the Texas Department of Transportation (TxDOT) Highway Bridge Program and take appropriate action:

b. Highway Bridge Program CSJ No. 0913-27-102 for Lower Mission Valley Rd., over Draw in Pct. 2.

(14b-24:02)

14b. May 30, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received for the record the fully executed Advance Funding Agreement for the Highway Bridge Program CSJ No. 0913-27-102 for Lower Mission Valley Road over Draw in Precinct No. 2 in regards to the Texas Department of Transportation (TxDOT) Highway Bridge Program. Motion adopted.

Receive for the record the following fully executed agreements in regard to the Texas Department of Transportation (TxDOT) Highway Bridge Program and take appropriate action:

c. Highway Bridge Program CSJ No. 0913-27-097 or Cologne Rd., over Draw in Pct. 3.

(14c-24:02)

14c. May 30, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received for the record the fully executed Advance Funding Agreement for the Highway Bridge Program CSJ No. 0913-27-097 for Cologne Road over Draw in Precinct No. 3 in regards to the Texas Department of Transportation (TxDOT) Highway Bridge Program. Motion adopted.

Receive for the record the following fully executed agreements in regard to the Texas Department of Transportation (TxDOT) Highway Bridge Program and take appropriate action:

d. Highway Bridge Program CSJ No. 0913-27-099 for Tipton Rd., over Casa Blanca Creek in Pct. 4

(14d-24:02)

14d. May 30, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received for the record the fully executed Advance Funding Agreement for the Highway Bridge Program CSJ No. 0913-27-099 for Tipton Road over Casa Blanca Creek in Precinct No. 4 in regards to the Texas Department of Transportation (TxDOT) Highway Bridge Program. Motion adopted.

Receive for the record the following fully executed agreements in regard to the Texas Department of Transportation (TxDOT) Highway Bridge Program and take appropriate action:

e. Highway Bridge Program CSJ No. 0913-27-093 for Bischoff Cem Rd., over Arenosa Creek in Pct. 4

(14e-24:02)

14e. May 30, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received for the record the fully executed Advance Funding Agreement for the Highway Bridge Program CSJ No. 0913-27-093 for Bischoff Cem Road over Arenosa Creek in Precinct No. 4 in regards to the Texas Department of Transportation (TxDOT) Highway Bridge Program. Motion adopted.

- 15. Consider approval of Resolution No. 2023-0073 for a road donation in Pct. 3 from Troy Zinda for the installation of a driveway and pipe culvert to improve drainage on 715 Dove Dr., Victoria, Texas 77905 for the value of \$366.00 and take appropriate action.**

(15-24:50)

15. May 30, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved Resolution No. 2023-0073 for a road donation from Troy Zinda in the amount of \$366.00 for installation of a driveway and pipe culvert to improve drainage at 715 Dove Drive, Victoria, Texas 77905 in Precinct No. 3. Motion adopted.

- 16. Consider approval of Resolution No. 2023-0074 for a road donation in Pct. 4 from Wayne Leita for the installation of a driveway and pipe culvert to improve drainage on 535 Leita Rd., Inez, Texas 77968 for the value of \$800.00 and take appropriate action.**

(16-25:23)

16. May 30, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved Resolution No. 2023-0074 for a road donation from Wayne Leita in the amount of \$800.00 for installation of a driveway and pipe culvert to improve drainage at 535 Leita Road, Inez, Texas 77968 in Precinct No. 4. Motion adopted.

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

(17-26:58)

17. May 30, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the 2023 budget amendments for:

- a. General Fund, Various Departments, Expenditures - Line item transfer
- b. Courthouse Security Fund, Expenditures - Increase
- c. Airport Fund, Expenditures - Line item transfer

Motion adopted.

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

(18-27:57)

18. May 30, 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. Kim Plummer, District Clerk - District Clerk's Office:
 - 1. Salary and position change for Erica Grimaldo, from Collections Clerk, at a rate of \$16.58 per hour, Budget Code 100-450-1110 to Deputy Clerk, at a rate of \$17.83 per hour, Budget Codes 100-450-1110 (\$16.58), 125-450-1110 (\$1.00), and 123-450-1110 (\$.25), effective May 20, 2023.
- b. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
 - 1. Employment of Donovan Nathaniel Perez, JSO-P.T., at a rate of \$18.74 per hour, Budget Code 100-573-1157, effective June 6, 2023. Remarks: Grade 6 LE/TIER I.
 - 2. Dismissal of Joe Luis Rosas, Juvenile Supervision Officer-JSO, with 16.13 Compensatory hours due, effective May 23, 2023.
 - 3. Resignation of Theresa Mathis, Cook, with 80.0 PTO and 193.43 Compensatory hours due, effective May 19, 2023.
 - 4. Resignation of Brenda Sierra, Cook, effective May 18, 2023.
 - 5. TJJD Salary Adjustment for Kenneth Wells. Please remove Kenneth Wells salary adjustment of \$46.42 as of pay date 5/26/2023.
- c. Ben Zeller, County Judge - County Judge's Office:
 - 1. Salary and position/other change for Ben Zeller, County Judge. to be paid \$969.23 per pay period, Budget Coding: 100-400-1102, effective June 1, 2023. Constitutional Judge State Supplement GC \$26.006 – \$6,300.00/Quarterly. Remarks: Budget Amendment submitted. Received

- CONTINUED -

implementation for supplement pay effective State's 3rd Qtr 22-23. One payment for \$7,269.23 should be paid on 06/09/23 payroll and \$969.23 thereafter per receipt of supplement.

d. Ashley Hernandez, Tax Assessor Collector - County Tax Office:

1. Correction (Rate) and Salary change for Ashley Nicole Garcia, Asst. Chief Deputy, from a rate of \$19.00 per hour, Budget Code 100-499-1104 to a rate of \$19.03 per hour, effective May 20, 2023.

e. Commissioner's Court:

1. Approve the following applications for personnel action effective May 20, 2023 in connection to the BakerTilly Salary Study:

- * County Judge
- * County Clerk
- * Pre-Trial Services
- * District Clerk
- * Justice of the Peace, Precinct No. 1
- * Justice of the Peace, Precinct No. 2
- * Justice of the Peace, Precinct No. 3
- * Justice of the Peace, Precinct No. 4
- * Criminal District Attorney
- * County Auditor
- * County Treasurer
- * Tax Assessor-Collector
- * Information Technology
- * Human Resources
- * Facilities Management
- * Fire Marshal
- * Sheriff
- * Juvenile Detention/Probation
- * Animal Services
- * Victoria Regional Airport
- * Road and Bridge, Precinct No. 2
- * Road and Bridge, Precinct No. 3
- * Health Insurance Fund
- * Elections Administrator
- * Health Department

Motion adopted.

19. Adjourn.

(19-28:10)

19. May 30, 2023. The Commissioners Court adjourned the meeting of May 30, 2023.