

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **10th day of July 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, July 10, 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. July 10, 2023. Ben Zeller, County Judge, called to order the Commissioners Court Regular Term for Monday, July 10, 2023 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. July 10, 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.

(3-1:29)

3. July 10, 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 stated that Abel Arriozola, a former Victoria County Sheriff's Office employee, passed away yesterday and held a moment of silence in his honor.

Michael Vonderau of 2204 E. North Street spoke to the Court regarding the homeless camping in Victoria County.

Mark Sloat, Animal Services Director, stated there is an adoption event at Petsmart today and that this evening's meeting has been rescheduled to July 17, 2023 at 6:00 p.m.

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

4. Consider approval of minutes and take appropriate action.

(4-7:31)

4. July 10, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the minutes of the Commissioners Court meeting held on July 3, 2023. Motion adopted.

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

(5-7:42)

5. July 10, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the accounts payable as presented by Becky Smiley, First Assistant County Auditor.

Regular Accounts	7/10/2023	\$252,049.63
Supplemental Accounts	6/30/2023 – 7/6/2023	\$230,196.08

Motion adopted.

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

(6-8:04)

6. July 10, 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; Criminal District Attorney; County Auditor; Fire Marshal; Justice of the Peace, Precinct No. 2; Constable, Precinct No. 1; and County Extension Agent-Ag/Natural Resources. Motion adopted.

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

(7-8:32)

7. July 10, 2023. None. No action taken.

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

(8-8:40)

8. July 10, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated July 6, 2023 in the amount of \$314,375.18 and the ACH report dated July 6, 2023 in the amount of \$1,326,009.23. Motion adopted.

9. Recognize first-quarter employee anniversaries.

(9-9:13)

9. July 10, 2023. County Judge Zeller recognized Victoria County employee's anniversaries for the first quarter. Judge Zeller presented each of the following employees with a certificate for their years of service.

EMPLOYEE	YEARS
DENNISCANO	1
ASHLEY GARCIA	1
TERESA GONZALES	1
DAVID HINOJOSA	1
ARIANA ORDONEZ	1
MONICA PEOPLES	1
ALEXANDER ROCHA	1
AARON SLAUGHTER	1
MORGAN TREVINO	1

EMPLOYEE	YEARS
LUIS ACUNA	5
REBECCA CANO	5
ABRAHAM CERON	5
LINDA FLONNORY-BELL	5
THOMAS GUTIERREZ	5
MARION HETHERINGTON	5
JENNIFER KARL	5
LAUREL PATION	5
RYAN VASQUEZ	5
JESSICA WOODWARD	5

EMPLOYEE	YEARS
VIRGINIA GARBER	10
BLAKE MOZISEK	10
DAMARIS RABSATI	10
GWENDOLYN SANFORD	10
JEFF WRIGHT	10

EMPLOYEE	YEARS
CARMEN ALVAREZ	15
DONACIANO CHACON	15
DIANA GALVAN FNP	15
JACQUELINE TORRES	15

EMPLOYEE	YEARS
LEEROY CREAGER	25
SUZANNE JIMENEZ	25
ANGELA MARTINEZ	25
KENNETH WELLS	25

EMPLOYEE	YEARS
KERRY POZZI	30

No action taken.

10. Hear an update from Daniel Barrientos regarding the Billy T. Cattan Recovery Outreach Center and take appropriate action.

(10-16:14)

10. July 10, 2023. Daniel Barrientos with Billy T. Cattan Recovery Outreach Center gave an update to the Court regarding the Residential Detox project. Mr. Barrientos also answered questions from the Court. No action taken.

11. Discuss and consider polling location consolidation and take appropriate action.

(11-23:38)

11. July 10, 2023. Jewel Buchanan, a Victoria County resident, informed the Court that she has been working on encouraging more volunteers to work polling locations, and provided additional information. Dale Zuck, a Victoria County resident, spoke to the Court regarding the number of voters and the distances of the polling locations being considered to close. Leann Nalls, a Victoria County resident, spoke to the Court in regards to finding a polling location for residents to utilize in voting precincts 15 and 16. Bill Pozzi, Republican chair, spoke about the turnouts, locations, and Covid affecting the voting numbers. Elections Administrator Margetta Hill spoke about the staff and polling locations. The Commissioners Court discussed and considered polling location consolidation. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved to consolidate the VISD, Dudley Elementary, and F.W. Gross polling locations and will actively look for a polling location for voting precincts 15 and 16. Motion adopted.

12. Consider approval of a Sales Order Agreement with Election Systems & Software (ES&S) and take appropriate action.

(12-1:05:45)

12. July 10, 2023. Elections Administrator Margetta Hill provided information to the Court. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court approved the Sales Order Agreement with Election Systems and Software (ES&S) for the Victoria County Elections Office. Motion adopted.

13. Consider an Order enacting a Burn Ban in Victoria County and take appropriate action.

(13-1:10:14)

13. July 10, 2023. Fire Marshal Richard Castillo discussed the current KBDI numbers with the Court and recommended waiting to enact a burn ban at this time. The Commissioners Court passed on the Order enacting a Burn Ban in Victoria County. No action taken.

14. Consider approval of Resolution 2023-0088 making a nomination to fill the vacancy on the Victoria Central Appraisal District Board and take appropriate action.

(14-1:12:05)

14. July 10, 2023. Commissioner Jason Ohrt provided information to the Court. Moved by Kenneth Sexton and seconded by Danny Garcia, the Commissioners Court approved Resolution No. 2023-0088 nominating Dr. John McNeill as a candidate for a position on the Board of Directors of the Victoria Central Appraisal District. Motion adopted.

15. Receive Law Enforcement Officer (LEO) Reimbursement Program, Contract Number 70T02021T6114N288 - Modification No. 00005 and take appropriate action.

(15-1:14:38)

15. July 10, 2023. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court received the Law Enforcement Officer (LEO) Reimbursement Program, Contract Number 70T02021T6114N288 - Modification No. 00005 for Victoria County. Motion adopted.

- 16. Receive for the record the corrected 2022 Homeland Security Grant Program (HSGP) Operation Stonegarden Grant Program (OPSG) Award for Grant No. 3186208 and take appropriate action.**

(16-1:16:05)

16. July 10, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court received for the record the corrected 2022 Homeland Security Grant Program (HSGP) Operation Stonegarden Grant Program (OPSG) Award for Grant No. 3186208 for the Victoria County Sheriff's Office. Motion adopted.

- 17. Receive the 2023 second quarter request for Plat Exemption Report and take appropriate action.**

(17-1:16:49)

17. July 10, 2023. Sarah Hamman, Compliance Specialist, provided information to the Court. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court received the 2023 Second Quarter Request for Plat Exemption Report from the County Engineer. Motion adopted.

- 18. Consider approval of the following requests for plat exemption in Pct. 4 and take appropriate action:**

a. Tim and Michelle Matthews at 6267 Old Highway Road.

(18a-1:17:44)

18a. July 10, 2023. Compliance Specialist Sarah Hamman spoke to the Court about the plat exemption. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the plat exemption request from Tim and Michele Matthews at 6267 Old Highway Road in Precinct No. 4 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 requests for plat exemption in Pct. 4 and take appropriate action:

b. Larry and Alice Cockrell at 6245 Old Highway Road.

(18b-1:17:44)

18b. July 10, 2023. Compliance Specialist Sarah Hamman spoke to the Court about the plat exemption. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the plat exemption request from Larry and Alice Cockrell at 6245 Old Highway Road in Precinct No. 4 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.

19. Consider authorization to advertise an Invitation to Bid for an Aircraft Rescue and Firefighting (ARFF) Vehicle and take appropriate action.

(19-1:18:43)

19. July 10, 2023. Fire Marshal Richard Castillo provided information to the Court and answered questions. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court authorized to advertise an Invitation to Bid for an Aircraft Rescue and Firefighting (ARFF) Vehicle for the Victoria Regional Airport. Motion adopted.

20. Consider approval of a renewal parking lease agreement between Prosperity Bank and the County of Victoria and take appropriate action.

(20-1:22:59)

20. July 10, 2023. County Treasurer Paige Foster provided information to the Court. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the renewal of the parking lease agreement between Prosperity Bank and the County of Victoria. Motion adopted.

21. Have a discussion regarding capital projects and take appropriate action.

(21-1:24:20)

21. July 10, 2023. The Commissioners Court passed on the capital projects discussion. No action taken.

22. Consider approval of a letter to the Texas Historical Commission regarding the possible demolition of a county building and take appropriate action.

(22-1:24:44)

22. July 10, 2023. Sarah Hamman, Compliance Specialist, provided the Court with information. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the letter to the Texas Historical Commission regarding the demolition of the Victoria County Old Jail building located at 210 W. Constitution Street to construct a new parking lot in its place. Motion adopted.

23. Consider approval of a discretionary bid exemption to purchase software with GrayShift for the Victoria County Sheriff's Office and take appropriate action.

(23-1:32:26)

23. July 10, 2023. Chief Deputy Franklin provided information to the Court. Moved by Kenneth Sexton and seconded by Danny Garcia, the Commissioners Court approved a discretionary bid exemption to purchase software with GrayShift for the Victoria County

Sheriff's Office. Motion adopted.

- 24. Consider approval of the detention and residential contracts between Victoria Regional Juvenile Justice Center and Bowie County and take appropriate action.**

(24-1:33:01)

24. July 10, 2023. Moved by Kenneth Sexton and seconded by Danny Garcia, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Bowie County. Motion adopted.

- 25. Consider approval of Resolution 2023-0089 regarding the Texas Department of Transportation (TxDot) Highway Bridge Program CSJ No. 0913-27-094 for DuPont Road over Victoria Barge Canal in Pct. 1, and take appropriate action.**

(25-3:01:21)

25. July 10, 2023. Commissioner Danny Garcia and Port of Victoria's Executive Director, Sean Stibich, provided information to the Court. After discussion in closed session, the Commissioners Court will not adopt Resolution No. 2023-0089 regarding the Texas Department of Transportation (TxDOT) Highway Bridge Program CSJ No. 0913-27-094 for DuPont Road over Victoria Barge Canal in Precinct No. 1. The Court's plan is to use the levy going to Invista for access. No action taken.

- 26. 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 2023-0084 from Lauren Johnson at 113 Golden Glow Dr., Victoria, Texas 77905, for the value of \$600.00.

(26a-1:45:17)

26a. July 10, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved Resolution No. 2023-0084 for a road donation from Lauren Johnson in the amount of \$600.00 for installation of a driveway and pipe culvert to improve drainage at 113 Golden Glow Drive, Victoria, Texas 77905 in Precinct No. 1. 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 2023-0085 from Jessica Sloan at Guadalupe Rd., Victoria, Texas 77905, for the value of \$2,400.00.

(26b-1:45:17)

26b. July 10, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved Resolution No. 2023-0085 for a road donation from Jessica Sloan in the amount of \$2,400.00 for installation of a driveway and pipe culvert to improve drainage at Guadalupe Road, Victoria, Texas 77905 in Precinct No. 1. Motion adopted.

- CONTINUED -

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 2023-0086 from Frankie Garcia at 212 Gentle Breeze, Victoria, Texas 77905, for the value of \$275.00.

(26c-1:45:17)

26c. July 10, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved Resolution No. 2023-0086 for a road donation from Frankie Garcia in the amount of \$275.00 for installation of a driveway and pipe culvert to improve drainage at 212 Gentle Breeze, Victoria, Texas 77905 in Precinct No. 1. Motion adopted.

27. Consider approval of the purchase of a maintainer in the amount of \$335,906 and take appropriate action.

(27-1:46:00)

27. July 10, 2023. Commissioner Danny Garcia and Commissioner Kenneth Sexton provided information about the John Deere and Caterpillar maintainers. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the purchase of the Caterpillar maintainer for Victoria County. Motion adopted.

28. Consider approval of Resolution 2023-0087 for a road donation in Pct. 4 from O.F. Jones III for the installation of a driveway and pipe culvert to improve drainage on 228 South St., Telferner, Texas 77988 for the value of \$1,000 and take appropriate action.

(28-1:49:35)

28. July 10, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved Resolution No. 2023-0087 for a road donation from O.F. Jones III in the amount of \$1,000.00 for installation of a driveway and pipe culvert to improve drainage at 228 South Street, Telferner, Texas 77988 in Precinct No. 4. Motion adopted.

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

(29-1:50:09)

29. July 10, 2023. Moved by Gary Burns 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

Motion adopted.

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

(30-1:50:33)

30. July 10, 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. TJJD Salary Adjustment Certification for Rocky Yabarro Salinas, Juvenile Detention Officer (JSO), to be paid \$46.42 per pay period, effective June 9, 2023. Certification date for Rocky Yabarro Salinas is 5/24/2023. Budget Coding: Post-Adj Secure (JSO) 231-578-1135. Rocky Y. Salinas became a certified JSO on 5/24/2023. The 2023 salary adjustment of \$46.42 should begin on pay date 6/9/2023. One payment of \$185.68 should be paid on 7/21/2023 and \$46.42 thereafter.
 2. TJJD Salary Adjustment Certification for Erik Terrell, Juvenile Detention Officer (JSO), to be paid \$46.42 per pay period, effective June 9, 2023. Certification date for Erik Terrell is May 31, 2023. Budget Coding: Post-Adj Secure (JSO) 231-578-1135. Erik Terrell became a certified JSO on 5/31/2023. The 2023 salary adjustment of \$46.42 should begin on pay date 6/9/2023. One payment of \$185.68 should be paid on 7/21/2023 and \$46.42 thereafter.
 3. TJJD Salary Adjustment Certification for Roslyn Benavides, Juvenile Detention Officer (JSO), to be paid \$46.42 per pay period, effective June 9, 2023. Certification date for Roslyn Benavides is June 2, 2023. Budget Coding: Post-Adj Secure (JSO) 231-578-1135. Roslyn Benavides became a certified JSO on 6/2/2023. The 2023 salary adjustment of \$46.42 should begin on pay date 6/9/2023. One payment of \$185.68 should be paid on 7/21/2023 and \$46.42 thereafter.
 4. TJJD Salary Adjustment Certification for Jason Banks, Juvenile Detention Officer (JSO), to be paid \$46.42 per pay period, effective June 9, 2023. Certification date for Jason Banks is May 24, 2023. Budget Coding: Post-Adj Secure(JSO) 231-578-1135. Jason Banks became a certified JSO on 5/24/2023. The 2023 salary adjustment of \$46.42 should begin on pay date 6/9/2023. One payment of \$185.68 should be paid on 7/21/2023 and \$46.42 thereafter.
- b. Justin Marr, Sheriff - Sheriff's Office:
 1. Employment (Re-hire) of Agustin M. Galvan, Kitchen Officer, at a rate of \$19.69 per hour, Budget Code 100-565-1123, effective July 11, 2023. Remarks: LE, Grade 5.
 2. Resignation of Angelica Hernandez, Detention Deputy-Tier 1, with 61.63 Compensatory hours due, effective July 19, 2023.
- c. David Gonzales, Public Health Director - Victoria County Public Health Department:
 1. Employment of Veronica Wood, PAT Parent Educator, at a rate of \$17.50 per hour, Budget Code 803-631-1150, effective July 11, 2023. Remarks: General, Grade 5.

Motion adopted.

- 31. Closed meeting pursuant to V.T.C.A. Government Code §551.074 to discuss various department personnel, §551.0745 to discuss boards and commissions, and §551.071 to conduct a private consultation with the County's attorney regarding matters protected by the attorney-client privilege.**

(31-1:51:06)

31. July 10, 2023. The Commissioners Court went into closed session at 11:52 a.m., pursuant to V.T.C.A. Government Code §551.074 to discuss various department personnel, §551.0745 to discuss boards and commissions, and §551.071 to conduct a private consultation with the County's attorney regarding matters protected by the attorney-client privilege.

- 32. 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.**

(32-3:00:33)

32. July 10, 2023. The Commissioners Court returned to open meeting at 1:01 p.m., pursuant to V.T.C.A. Government Code §551.102 with no action taken.

- 33. Adjourn.**

(33-3:01:29)

33. July 10, 2023. The Commissioners Court adjourned the meeting of July 10, 2023.