

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **14th day of August 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, August 14, 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. August 14, 2023. Ben Zeller, County Judge, called to order the Commissioners Court Regular Term for Monday, August 14, 2023 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. August 14, 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.

(3-2:08)

3. August 14, 2023. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Michael Vonderau of 2204 E. North Street mentioned that Keep Victoria Beautiful is September 9, 2023 and thanked Commissioner Garcia and Commissioner Sexton for participating in their events. He also spoke about homeless people and the trash situation around local businesses.

County Engineer John Johnston informed the Court that the negotiations with Rawley McCoy and Associates are now complete.

Fire Marshal Richard Castillo updated the Court on the Dewberry fire this past Friday and thanked all the responding agencies for their coordinated efforts and response. Deputy Fire Marshal Marshall Frazier explained the probable origin of where the fire started. The KBDI numbers for Victoria County were discussed.

Emergency Management Coordinator Rick McBrayer updated the Court on the disaster declarations and spoke about the Dewberry fire.

Commissioner Jason Ohrt commended all the agencies on the handling of the Dewberry fire.

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

4. Consider approval of minutes and take appropriate action.

(4-15:52)

4. August 14, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the minutes of the Commissioners Court meeting held on August 7, 2023. Motion adopted.

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

(5-16:07)

5. August 14, 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	8/14/2023	\$264,386.71
Supplemental Accounts	8/4/2023 – 8/10/2023	\$448,451.81

Motion adopted.

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

(6-16:42)

6. August 14, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received the monthly reports from the District Clerk; County Clerk; Fire Marshal; Justices of the Peace, Precincts Nos. 1 and 4; Constables, Precincts Nos. 1 and 2; Pre-Trial Services; and County Extension Agent-Ag/Natural Resources. Motion adopted.

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

(7-17:11)

7. August 14, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the release of the following bond forfeiture judgment from the Court:

a. Cause No. CIV2-21092: The State of Texas vs. Blaise Christopher Vasquez, Defendant and Julio Espinosa and Roland Espinosa, Surety.

Motion adopted.

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

(8-17:34)

8. August 14, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated August 10, 2023 in the amount of \$588,885.50 and the ACH report dated August 10, 2023 in the amount of \$1,627,437.87. Motion adopted.

9. Consider approval of the 2024 County Holiday Schedule and take appropriate action.

(9-18:21)

9. August 14, 2023. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court approved the 2024 Victoria County holiday schedule. Motion adopted.

10. Consider the following related to the Victoria Regional Airport and take appropriate action:

a. Review Year-to-Date enplanement performance and consider options for ensuring 10K by year-end.

(10a-19:11)

10a. August 14, 2023. Airport Executive Director Lenny Llerena gave a review of the year-to-date enplanements performance for the Victoria Regional Airport. Mr. Llerena presented different options for ensuring 10,000 enplanements by the end of the year and explained how reaching the 10,000 enplanements would benefit the Victoria Regional Airport. Mr. Llerena answered questions from the Court. Susannah Porr of 302 Tampa Drive, Victoria, Texas, spoke about her experience with the Victoria Regional Airport services. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the three initiatives up to the amounts listed on each one and for funds to be transferred to Victoria Regional Airport as they are utilized. Motion adopted.

Consider the following related to the Victoria Regional Airport and take appropriate action:

b. Discuss and consider pursuing a federal grant for the construction of a new terminal at the airport, including the application process/timeline, and any needed preliminary engineering.

(10b-19:11)

10b. August 14, 2023. Lenny Llerena, Airport Executive Director, provided information regarding the terminal grant application. David Alexander with Centurion Planning and Design spoke about the process for terminal renderings. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the scope of work for a new commercial terminal planning study/report from Centurion Planning and Design for the Victoria Regional Airport. Motion adopted.

Consider the following related to the Victoria Regional Airport and take appropriate action:

c. Receive the Aircraft Rescue and Fire Fighting (ARFF) Vehicle bid and authorize negotiation with the bidder.

(10c-19:11)

10c. August 14, 2023. Airport Executive Director Lenny Llerena provided the Court with information. Deputy Fire Marshal Marshall Frazier spoke about the ARFF vehicle. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court received the Aircraft Rescue and Fire Fighting (ARFF) Vehicle bid from Oshkosh Airport Products and authorized negotiation with Oshkosh Airport Products for the Victoria Regional Airport. Motion adopted.

11. Consider adopting rates and percentage breakdown for Road and Bridge revenues for 2024 and take appropriate action.

(11-1:11:06)

11. August 14, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court adopted the rates and percentage breakdown for the 2024 Road and Bridge revenues. Motion adopted.

- 12. Consider FY2024 reclassification requests, and changes to the position gradings to be effective January 1, 2024, and take appropriate action.**
(12-1:11:43)

12. August 14, 2023. The Commissioners Court passed on the FY2024 reclassification requests, and changes to the position grading to be effective January 1, 2024. No action taken.
- 13. Consider approval of the 2023 High-Intensity Drug Trafficking Areas (HIDTA) Grant Award, Grant No. G23HN0020A and take appropriate action.**
(13-1:11:55)

13. August 14, 2023. Grant Specialist Maddison Heibel and Sheriff Justin Marr provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the 2023 High-Intensity Drug Trafficking Areas (HIDTA) Grant Award, Grant No. G23HN0020A. Motion adopted.
- 14. Consider approval to submit the Edward Byrne Memorial Assistance Grant (JAG) Program FY2023, Local Solicitation Application, Department of Justice, and take appropriate action.**
(14-1:13:01)

14. August 14, 2023. Grant Specialist Maddison Heibel provided information to the Court. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved to submit the Edward Byrne Memorial Assistance Grant (JAG) Program FY2023, Local Solicitation Application, Department of Justice for Victoria County. Motion adopted.
- 15. Consider approval and authorization of payment to Tim Westphal for Texas Accessibility Standard Services, in connection to the Victoria County Courthouse Entry Steps & Repair Project, and take appropriate action.**
(15-1:14:22)

15. August 14, 2023. County Engineer John Johnston provided information to the Court. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved and authorized the payment in the amount of \$1,135.00 to Tim Westphal for Texas Accessibility Standard Services, in connection to the Victoria County Courthouse Entry Steps and Repair Project. Motion adopted.
- 16. Consider approval of the renewal Memorandum of Understanding with Victoria Independent School District (VISD) for the School Resource Officer (SRO) Program for the 2023/2024 school year and take appropriate action.**
(16-1:15:14)

16. August 14, 2023. Justin Marr, Sheriff, provided information to the Court. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the renewal of the Memorandum of Understanding with Victoria Independent School District (VISD) for the School Resource Officer (SRO) Program for the 2023/2024 school year. Motion adopted.

- 17. Consider approval to purchase night vision equipment from Army Surplus World for the Victoria County Sheriff's Office and take appropriate action.**

(17-1:16:08)

17. August 14, 2023. Sheriff Justin Marr provided information to the Court. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the purchase of night vision equipment from Army Surplus World for the Victoria County Sheriff's Office. Motion adopted.

- 18. Review and discuss no new revenue and voter approval tax rates calculated by the Tax Assessor-Collector and take appropriate action.**

(18-1:16:47)

18. August 14, 2023. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court approved the no new revenue and voter approval tax rates calculated by the Tax Assessor-Collector. Motion adopted.

- 19. Set a date for public hearings on the adoption of the proposed 2024 Victoria County Budget, and the 2023 tax rate and take appropriate action.**

(19-1:18:44)

19. August 14, 2023. County Judge Ben Zeller provided information to the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the date for the public hearing for the adoption of the proposed 2024 Victoria County Budget and 2023 Tax Rate date for September 5, 2023 at 10:00 a.m. in Commissioner's Court. Motion adopted.

- 20. Consider approval of the following items by the Public Health Department and take appropriate action:**

a. COVID-19 Health Disparities Grant Contract No. HHS001057600044 Amendment No. 2.

(20a-1:21:02)

20a. August 14, 2023. David Gonzales, Public Health Director, provided information to the Court. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the COVID-19 Health Disparities Grant Contract No. HHS001057600044 Amendment No. 2 for the Victoria County Public Health Department. Motion adopted.

Consider approval of the following items by the Public Health Department and take appropriate action:

b. HIV Health and Social Services (State Services) Contract No. 5612/1-565-01.

(20b-1:21:02)

20b. August 14, 2023. Public Health Director David Gonzales provided information to the Court. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the HIV Health and Social Services (State Services) Contract No. 5612/1-565-01 for the Victoria County Public Health Department. Motion adopted.

Consider approval of the following items by the Public Health Department and take appropriate action:

c. Receive the fully executed amended Housing Opportunities for Persons with AIDS (HOPWA) Contract No. 5607/6-565-03.

(20c-1:21:02)

20c. August 14, 2023. David Gonzales, Public Health Director, provided information to the Court. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners

- CONTINUED -

Court received the fully executed amended Housing Opportunities for Persons with AIDS (HOPWA) Contract No. 5607/6-565-03 for the Victoria County Public Health Department. Motion adopted.

Consider approval of the following items by the Public Health Department and take appropriate action:

d. Receive the fully executed Housing Opportunities for Persons with AIDS (HOPWA) Contract No. 5613/1-565-01

(20d-1:21:02)

20d. August 14, 2023. Public Health Director David Gonzales provided information to the Court. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court received the fully executed Housing Opportunities for Persons with AIDS (HOPWA) Contract No. 5613/1-565-01 for the Victoria County Public Health Department. Motion adopted.

Consider approval of the following items by the Public Health Department and take appropriate action:

e. Receive the fully executed Interlocal Cooperation Contract - DSHS Contract No. HHS001077700001 Amendment No. 2 (CPS/Public Health Workforce).

(20e-1:21:02)

20e. August 14, 2023. David Gonzales, Public Health Director, provided information to the Court. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court received the fully executed Interlocal Cooperation Contract - DSHS Contract No. HHS001077700001 Amendment No. 2 (CPS/Public Health Workforce) for the Victoria County Public Health Department. Motion adopted.

Consider approval of the following items by the Public Health Department and take appropriate action:

f. Receive the fully executed IMPaCT Care Inc. Training and Education Services Agreement and Scopes of Work.

(20f-1:21:02)

20f. August 14, 2023. Public Health Director David Gonzales provided information to the Court. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court received the fully executed IMPaCT Care Inc. Training and Education Services Agreement and Scopes of Work for the Victoria County Public Health Department. Motion adopted.

- 21. Consider a request from the Victoria County Criminal District Attorney's Office for the Victoria County Auditor's Office to conduct the FY2023 audit for Article §59.06 of the Code of Criminal Procedure, Asset Forfeiture Report and take appropriate action.**

(21-1:23:46)

21. August 14, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the request from the Victoria County Criminal District Attorney's Office for Victoria County Auditor's Office to conduct the FY2023 audit for Article §59.06 of the Code of Criminal Procedure, Asset Forfeiture Report. Motion adopted.

22. Consider approval of the detention and residential contracts with the Victoria Regional Juvenile Justice Center and take appropriate action:

a. Waller County.

(22a-1:23:28)

22a. August 14, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Waller County. Motion adopted.

Consider approval of the detention and residential contracts with the Victoria Regional Juvenile Justice Center and take appropriate action:

b. Hill County.

(22b-1:23:28)

22b. August 14, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Hill County. Motion adopted.

Consider approval of the detention and residential contracts with the Victoria Regional Juvenile Justice Center and take appropriate action:

c. Tom Green County - Residential Only.

(22c-1:23:28)

22c. August 14, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the Residential Contract between Victoria Regional Juvenile Justice Center and Tom Green County. Motion adopted.

Consider approval of the detention and residential contracts with the Victoria Regional Juvenile Justice Center and take appropriate action:

d. Upton/Reagan Counties.

(22d-1:23:28)

22d. August 14, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Upton/Reagan Counties. Motion adopted.

Consider approval of the detention and residential contracts with the Victoria Regional Juvenile Justice Center and take appropriate action:

e. 2nd 25th Judicial District (Gonzales, Colorado and Lavaca Counties)

(22e-1:23:28)

22e. August 14, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and 2nd 25th Judicial District (Gonzales, Colorado, and Lavaca Counties). Motion adopted.

Consider approval of the detention and residential contracts with the Victoria Regional Juvenile Justice Center and take appropriate action:

f. Matagorda County - Detention Only.

(22f-1:23:28)

22f. August 14, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the Detention Contract between Victoria Regional Juvenile Justice Center and Matagorda County. Motion adopted.

Consider approval of the detention and residential contracts with the Victoria Regional Juvenile Justice Center and take appropriate action:

g. Bell County - Residential Only.

(22g-1:23:28)

22g. August 14, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the Residential Contract between Victoria Regional Juvenile Justice Center and Bell County. Motion adopted.

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

(23-1:24:09)

23. August 14, 2023. County Engineer John Johnston informed the Court that progress continues with the consultants for capital projects. Mr. Johnston also discussed the transformer on Constitution and Moody streets. No action taken.

24. Consider approval of a request for the 2024 Clerk's Annual Archive Plan and a revised proposal with Kofile Technologies, Inc., and take appropriate action.

(24-1:26:04)

24. August 14, 2023. County Clerk Heidi Easley provided information to the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the 2024 Clerk's Annual Archive Plan and a revised proposal with Kofile Technologies, Inc. for the Victoria County Clerk's Office. Motion adopted.

25. Consider approval of Resolution No. 2023-0099 for a road donation in Pct. 4 from Patrick Patterson for the installation of a driveway and pipe culvert to improve drainage on 205 Evelyn Ave., Telferner, Texas 77988 for the value of \$350.00 and take appropriate action.

(25-1:27:27)

25. August 14, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved Resolution No. 2023-0099 for a road donation from Patrick Patterson in the amount of \$350.00 for installation of a driveway and pipe culvert to improve drainage at 205 Evelyn Avenue, Telferner, Texas 77988 in Precinct No. 4. Motion adopted.

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

(26-1:27:55)

26. August 14, 2023. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the 2022 budget amendments for:

- a. General Fund/Various Departments, Expenditures – Line item transfer
- b. Road and Bridge, Precinct No. 1, Revenues and Expenditures - Line item transfer
- c. Elections Administrators Special, Expenditures - Line item transfer
- d. Health Department, Expenditures – Line item transfer

Motion adopted.

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

(27-1:28:42)

27. August 14, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. Danny Garcia, Commissioner, Precinct No. 1 - Road and Bridge, Precinct No. 1:
 - 1. Certificate of Completion for Danny Garcia from the V.G. Young Institute of County Government for completing 9.00 hours of educational training at the South Texas County Judges and Commissioners Annual Conference.
- b. Gary Burns, Commissioner, Precinct No. 3 - Road and Bridge, Precinct No. 3:
 - 1. Certificate of Completion for Gary Burns from the V.G. Young Institute of County Government for completing 10.00 hours of educational training at the South Texas County Judges and Commissioners Annual Conference.
- c. Ashley Hernandez, Tax Assessor-Collector - Tax Office:
 - 1. Certificate of Completion for Ashley Hernandez from the V.G. Young Institute of County Government for completing 4.00 hours of educational training during the Advanced Course - Team Building and from Tax-Assessor Collector Association of Texas for completing 2.00 hours of educational training for Ethics for County Tax Assessor-Collectors.
- d. Gina Howard, Human Resources Director - Human Resources:
 - 1. Comp time payout request for various exempt county staff in order to reduce liability. Regular salary line items from each department will cover the payout of this time in an amount totaling \$24,715.19.
- e. Mark Sloat, Animal Services Director - Victoria County Animal Services:
 - 1. Correction (name): Employment of Amber Lewis, at a rate of \$14.75 per hour, Budget Code 100-630-1113, effective August 8, 2023. Grade 2 Plan General.
- f. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
 - 1. Resignation of Brittni Denise Rosalez, (Supervision Officer I) JSO, with 11.38 Compensatory hours due, effective August 7, 2023.
 - 2. Position/other code change for Isabella Renee Martinez, from JSO-PT, at a rate of \$18.74 per hour, Budget Code 100-573-1157 to JSO-FT, Budget Code 100-573-1156, effective August 12, 2023. Remarks: LE; Grade 6 PT to FT status.
- g. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Employment of BreNae Williams, Detention Tier 3 (DO Tier 1), at a rate of \$18.74 per hour, Budget Code 100-565-1115, effective August 15, 2023. Remarks: LE - Grade 6 Tier 1.
- h. Rick McBrayer, Emergency Management Director - Emergency Management Office:
 - 1. Employment of Alejandro Partida, Jr., Disaster Recovery Coordinator, at a rate of \$28.60 per hour, Budget Code 108-599-1107, effective August 15, 2023. Grade 10 Plan General.

i. David Gonzales, Public Health Director - Victoria County Public Health Department:

1. Salary change for Stephanie Morales, Nurse LVN, from a rate of \$19.50 per hour, Budget Code 810-633-1106 to a rate of \$20.50 per hour, effective July 29, 2023. Grade 7 Plan General.
2. Salary change for Crystal Rodriguez, Nurse Qual Assur Coor (LVN), from a rate of \$22.43 per hour, Budget Code 810-633-1105 to a rate of \$23.25 per hour, effective July 29, 2023. Grade 7 Plan General.
3. Salary change for Maribel Rangel, Clerk III, from a rate of \$18.80 per hour, Budget Code 810-633-1107, to a rate of \$19.50 per hour, effective July 29, 2023. Grade 3 Plan General.
4. Salary change for Elizabeth Cazares, WIC Office Manager, from a rate of \$20.75 per hour, Budget Code 810-633-1104 to a rate of \$21.50 per hour, effective July 29, 2023. Grade 7 Plan General.
5. Salary change for Onelia Trevino, Clerk III, from a rate of \$18.03 per hour, Budget Code 810-633-1107 to a rate of \$18.80 per hour, effective July 29, 2023. Grade 3 Plan General.
6. Salary change for Leticia Villarreal, Clerk III, from a rate of \$18.25 per hour, Budget Code 810-633-1107 to a rate of \$18.80 per hour, effective July 29, 2023. Grade 3 Plan General.
7. Correction (category): Employment of Lisa Kainer, Community Health Worker, at a rate of \$18.00 per hour, Budget Code 807-631-1101, effective August 8, 2023. Other Remarks: Cell Phone Allowance: \$480.00 - 807-631-1139 (\$18.46 per pay period).
8. Correction: Employment of Mary Lou Herrera, Nurse LVN/TB, at a rate of \$21.50 per hour, Budget Codes 800-631-1163 (39.50%) \$8.49, 800-651-1140 (34.50%) \$7.42, and 800-652-1140 (26.00%) \$5.59, effective August 29, 2023. Grade 7 Plan General.

Motion adopted.

28. Adjourn.

(28-1:29:17)

28. August 14, 2023. The Commissioners Court adjourned the meeting of August 14, 2023.