

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **28th day of August 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
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 28, 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. August 28, 2023. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, August 28, 2023 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. August 28, 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.

(3-2:25)

3. August 28, 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 informed the Court that August 31, 2023 is International Overdose Awareness Day and spoke about the opioid crisis. Mr. Vonderau also spoke about panhandlers in Victoria.

Robert Cabriaes with the Trap Neuter Return (TNR) program, informed the Court about a situation he encountered with feeding stray cats around the courthouse.

Animal Services Director Mark Sloat stated that both of the cats that were removed from the courthouse were sent to the TNR program and provided additional information.

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

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

(4-13:27)

4. August 28, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the Budget minutes from August 7, 2023, August 8, 2023, August 9, 2023, and minutes of the Commissioners Court meeting held on August 21, 2023. Motion adopted.

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

(5-13:40)

5. August 28, 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	8/28/2023	\$1,113,366.85
Supplemental Accounts	8/18/2023 – 8/24/2023	\$130,290.57

Motion adopted.

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

(6-14:07)

6. August 28, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received the monthly reports from the County Treasurer and Sheriff. Motion adopted.

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

(7-14:28)

7. August 28, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the release of the following bond forfeiture judgments from the Court:

- a. Cause No. CIV1-20292: The State of Texas vs. Caitlin Alexandra Burger, Defendant and Alissa Benton dba ABC Bonding Company, Surety.
- b. Cause No. CIV1-20293: The State of Texas vs. Caitlin Alexandra Burger, Defendant and Alissa Benton dba ABC Bonding Company, Surety.

Motion adopted.

8. Consider approval of CMC Interim vendor payments, board minutes, accounts payable, payroll and personnel changes, and take appropriate action.

(8-14:42)

8. August 28, 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 August 24, 2023 in the amount of \$985,876.69 and the ACH report dated August 24, 2023 in the amount of \$2,406,029.33. Motion adopted.

9. Consider approval of FY24 grant award from the Texas Indigent Defense Commission for the creation of a Regional Public Defenders Office, Grant No. SN-24-002 and take appropriate action.

(9-15:34)

9. August 28, 2023. Discussion was held regarding the grant award, board composition, and adding other counties in the future. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the FY24 grant award from the Texas Indigent Defense Commission for the creation of a Regional Public Defenders Office, Grant No. SN-24-002. Motion adopted.

- 10. Consider approval of Task Order No. 13-2023 in relation to Victoria County Jail Electrical Service Modifications Professional Engineering Services and take appropriate action.**

(10-24:52)

10. August 28, 2023. Facilities Manager Kelly Hubert provided information to the Court and answered questions. Moved by Kenneth Sexton and seconded by Danny Garcia, the Commissioners Court approved Task Order No. 13-2023 in relation to Victoria County Jail Electrical Service Modifications Professional Engineering Services. Motion adopted.

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

a. Approval of a Texas Health and Human Services Indirect Cost Rate Agreement.

(11a-28:36)

11a. August 28, 2023. Public Health Director David Gonzales provided information to the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the Texas Health and Human Services Indirect Cost Rate Agreement for the Victoria County Public Health Department. Motion adopted.

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

b. Receive for the record a fully executed COVID-19 Health Disparities Grant Contract No. HHS001057600044 Amendment No. 2.

(11b-28:36)

11b. August 28, 2023. Public Health Director David Gonzales provided the Court with information. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received for the record a fully executed COVID-19 Health Disparities Grant Contract No. HHS001057600044 Amendment No. 2 for the Victoria County Public Health Department. Motion adopted.

- 12. Consider approval of the following in relation to the Community Development Block Grant Mitigation Method of Distribution (CDBG MIT - MOD) program and take appropriate action:**

a. Contract for Administration Services with GrantWorks, Inc.

(12a-29:31)

12a. August 28, 2023. Grant Administrator Robin Knipling provided information to the Court. Kevin Carruth with GrantWorks, Inc. was present. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the contract for Administration Services with GrantWorks, Inc. in relation to the Community Development Block Grant Mitigation Method of Distribution (CDBG-MIT - MOD) program. Motion adopted.

Consider approval of the following in relation to the Community Development Block Grant Mitigation Method of Distribution (CDBG MIT - MOD) program and take appropriate action:

b. Victoria County Citizens Participation Plan.

(12b-29:31)

12b. August 28, 2023. Robin Knipling, Grant Administrator, provided the Court with information. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the Victoria County Citizens Participation Plan in relation to the Community Development Block Grant Mitigation Method of Distribution (CDBG-MIT - MOD) program. Motion adopted.

13. Consider approval of an addendum to the Arbitrage Rate Compliance Services contract with BLX Group, LLC and take appropriate action.

(13-40:59)

13. August 28, 2023. County Auditor Michelle Samford provided information to the Court. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the addendum to the Arbitrage Rate Compliance Services contract with BLX Group, LLC. Motion adopted.

14. Receive for the record a notice of termination of an Interlocal Agreement with the Nueces County Medical Examiner for the Performance of Postmortem Examination and take appropriate action.

(14-41:37)

14. August 28, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received for the record a notice of termination of an Interlocal Agreement with the Nueces County Medical Examiner for the Performance of Postmortem Examination. Motion adopted.

15. Consider approval of the Proposed 2024 Victoria County Sheriff & Constable fees and take appropriate action.

(15-42:55)

15. August 28, 2023. County Clerk Heidi Easley provided information to the Court. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court approved the proposed 2024 Victoria County Sheriff and Constable fees. Motion adopted.

16. Hear an operation update regarding the Victoria Regional Airport and take appropriate action.

(16-43:45)

16. August 28, 2023. Airport Executive Director Lenny Llerena provided an update regarding the Victoria Regional Airport. Mr. Llerena discussed 2023 Airport Financials, 2023 YTD Fuel Sales, June/July 2023 FBO Report, July 2023 Enplanements, pending grant application and unexpected expenditures at the Victoria Regional Airport. No action taken.

17. Consider approval of the Psychoeducational/Counseling Services Contract for the Victoria Juvenile Justice Center and take appropriate action.

(17-1:00:47)

17. August 28, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the Psychoeducational/Counseling Services Contract with Allison Besio for the Victoria Juvenile Justice Center. Motion adopted.

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

a. Kerr County.

(18a-1:01:27)

18a. August 28, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Kerr County. Motion adopted.

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

b. Kleberg & Kenedy Counties.

(18b-1:01:27)

18b. August 28, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Kleberg and Kenedy Counties. Motion adopted.

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

c. Grimes County.

(18c-1:01:27)

18c. August 28, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Grimes County. Motion adopted.

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

d. LaSalle County - Detention Only

(18d-1:01:27)

18d. August 28, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the Detention Contract between Victoria Regional Juvenile Justice Center and LaSalle County. Motion adopted.

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

e. Cen - Tex - (Bastrop, Burleson, Lee and Washington Counties).

(18e-1:01:27)

18e. August 28, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Cen-Tex (Bastrop, Burleson, Lee and Washington Counties). Motion adopted.

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

f. Cherokee County.

(18f-1:01:27)

18f. August 28, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Cherokee County. Motion adopted.

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

g. Lamar County.

(18g-1:01:27)

18g. August 28, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Lamar County. Motion adopted.

19. Discuss and consider approval of Victoria County's Reduced & No Cost Gym Benefit Policy and take appropriate action.

(19-1:01:41)

19. August 28, 2023. Administrative Assistant Loria Rose stated the policy only includes Victoria County employees at this time and the retirees would be revisited at the beginning of the year. Gina Howard, Human Resources Director, answered questions from the Court about retirees. County Treasurer Paige Foster spoke about deductions and provided additional information. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Victoria County's Reduced and No Cost Gym Benefit Policy. Motion adopted.

20. Consider the following items regarding bids for the Victoria County Annual Road Materials Contracts for all precincts and take appropriate action:

a. Receive and award bids for Type II Portland Cement, ASPPM 9202 Grade IV Cold Mix, and Asphaltic Materials.

(20a-1:11:17)

20a. August 28, 2023. Procurement Specialist Amanda Reyes provided information to the Court. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court received and awarded the bids for Victoria County Annual Road Materials for all precincts as follows:

ASPPM 8202 Grade IV Cold Mix - Waller County Asphalt, Inc.
Type AC - 15P Asphalt - Valero Marketing and Supply
Type MC - 30 Asphalt - Valero Marketing and Supply
Type CRS2 Emulsions - Cleveland Asphalt
Type CRS2 P Emulsions - Martin Asphalt Company

Motion adopted.

Consider the following items regarding bids for the Victoria County Annual Road Materials Contracts for all precincts and take appropriate action:

b. Reject all non-awarded bids.

(20b-1:11:17)

20b. August 28, 2023. Procurement Specialist Amanda Reyes provided information to the Court. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court rejected all non-awarded bids for the Victoria County Annual Road Materials for Type II Portland Cement, ASPPM 8202 Grade IV Cold Mix, and Asphaltic Materials for all precincts. Motion adopted.

21. Receive for the record, 2023 Discretionary Funds Budget Amendment for Sheriff's DOT Federal Forfeiture No. 362 and take appropriate action.

(21-1:13:59)

21. August 28, 2023. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court received for the record the 2023 Discretionary Funds Budget Amendment for the Sheriff's DOT Federal Forfeiture No. 362 as an increase to expenditures. Motion adopted.

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

(22-1:14:29)

22. August 28, 2023. Moved by Jason Ohrt and seconded by Gary Burns, the Commissioners Court approved the 2023 budget amendments for:

- a. General Fund, Various Departments, Expenditures – Increase
- b. Road and Bridge, Precinct No. 2, Expenditures - Increase
- c. Road and Bridge, Precinct No. 3, Expenditures – Line item transfer
- d. Road and Bridge, Precinct No. 1, Revenues and Expenditures - Line item transfer
- e. Airport Operating Fund, Revenues and Expenditures - Line item transfer
- f. General Fund, Sheriff's Office, Expenditures - Line item transfer
- g. Health Department, Expenditures - Line item transfer

Motion adopted.

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

(23-1:15:13)

23. August 28, 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. Kenneth Sexton, Commissioner, Precinct No. 4, Road and Bridge, Precinct No. 4:
 - 1. Position/other code change for Thorbin N. Briones, Courtesy Station Operator, at a rate of \$18.15 per hour, Budget Code 204-614-1120, effective August 26, 2023. Remarks: General Grade 1 (1040-2080 hours increase) Journal Dept Split 22/18 w/ Prec #3.
- b. Justin Marr, Sheriff - Sheriff's Office:
 - 1. VCSO Salary Adjustment Certification for Christopher Garcia, to be paid Advanced Certificate Pay of \$46.15 per pay period, effective September 15, 2023. Certification Date for Christopher Garcia is August 19, 2023. Budget Coding: Detention Certificate Pay 100-565-1137. Remarks: Deputy C. Garcia received his Advanced Jailer Certificate on 08/19/2023.
 - 2. Employment of Amelie Trevino, Detention Dep-Tier 1 (DO Tier 1), at a rate of \$18.74 per hour, Budget Code 100-565-1114, effective August 29, 2023. Remarks: Grade 6 LE.
- c. Paige Foster, Treasurer - County Treasurer's Office:
 - 1. Salary change for Kaci Crawford, Payroll Assistant, from a rate of \$17.89 per hour, Budget Code 100-497-1104 to a rate of \$18.64 per hour, Budget Code 100-497-1104, effective August 12, 2023.
- d. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
 - 1. Juvenile Personnel Actions for Juvenile Detention and Probation State-Funded Positions (Fund No. 231), GL Code 231-572-1135, effective September 1, 2023 and Bi-Weekly Salary Adjustment Directive, GL Code 231-572-1136, effective September 15, 2023.
 - 2. Employment of Kathryn Bender, JSO-PT, at a rate of \$18.74 per hour, Budget Code 100-573-1157, effective August 29, 2023. Remarks: Grade 6 LE.
 - 3. Retirement of Robyn Cox, Data Coordinator, with 80.00 PTO and 3.62 Compensatory hours due, effective August 25, 2023.

- CONTINUED -

- e. Ashley Hernandez, Tax Assessor-Collector - County Tax Office:
 - 1. Employment (Re-Hire) of Betsi Rivera - Lopez, Deputy Clerk, at a rate of \$16.58 per hour, Budget Code 100-499-1106, effective August 29, 2023. Grade 4 Plan General.

Motion adopted.

24. Closed meeting pursuant to V.T.C.A. Government Code §551.074 to discuss personnel in various departments, and §551.072 to discuss real property.

(24-1:16:02)

24. August 28, 2023. The Commissioners Court went into closed session at 11:17 a.m., pursuant to V.T.C.A. Government Code §551.074 to discuss personnel in various departments and §551.072 to discuss real property.

25. Pursuant to V.T.C.A. Government Code §551.102, return to an open meeting and take any action deemed necessary.

(25-1:03:34)

25. August 28, 2023. The Commissioners Court returned to open meeting at 12:04 p.m., pursuant to V.T.C.A. Government Code §551.102 with no action taken.

26. Adjourn.

(26-2:03:46)

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