

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **5th day September 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

Tuesday, September 5, 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. September 5, 2023. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Tuesday, September 5, 2023 at 10:02 a.m.

2. Invocation and Pledges.

(2-0:00)

2. September 5, 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.

(3-1:44)

3. September 5, 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 spoke about a shooting that occurred around Christ's Kitchen and thanked the HIDTA Task Force for their work during a vehicle chase.

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

4. Consider approval of minutes and take appropriate action.

(4-3:32)

4. September 5, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the minutes of the Commissioners Court meeting held on August 28, 2023. Motion adopted.

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

(5-3:46)

5. September 5, 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	9/5/2023	\$827,960.19
Supplemental Accounts	8/25/2023 – 8/31/2023	\$31,776.09

Motion adopted.

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

(6-4:15)

6. September 5, 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; Fire Marshal; and Constable, Precinct No. 3. Motion adopted.

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

(7-4:45)

7. September 5, 2023. None. No action taken.

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

(8-4:49)

8. September 5, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated August 31, 2023 in the amount of \$720,390.49 and the ACH report dated August 31, 2023 in the amount of \$1,434,764.08. Motion adopted.

9. Receive notice of Victoria County's 'AA Stable' credit rating by Standard & Poor's rating agency and take appropriate action.

(9-5:29)

9. September 5, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court received the notice of Victoria County's 'AA Stable' credit rating by Standard and Poor's rating agency. Motion adopted.

10. Receive an update from the Victoria County Sheriff regarding Operation Lone Star and the activities of the Sheriff's Office conducted with OLS funding and take appropriate action.

(10-6:48)

10. September 5, 2023. Sheriff Justin Marr spoke about the Operation Lone Star funding and the Victoria County Sheriff's Office assistance towards illegal aliens at the border. Sheriff Marr also informed the Court about upcoming town hall meetings. No action taken.

11. Receive for the record an updated Interlocal Agreement with Bloomington Independent School District (BISD) for the School Resource Officer (SRO) Program for the 2023/2024 school year and take appropriate action.

(11-14:03)

11. September 5, 2023. Sheriff Justin Marr provided information to the Court and answered Commissioners Garcia's question regarding security at elementary schools. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received for the record an updated Interlocal Agreement with Bloomington Independent School District (BISD) for the School Resource Officer (SRO) Program for the 2023/2024 school year. Motion adopted.

12. Receive District Court Orders setting the 2024 salaries of the Victoria County Auditor's Office and take appropriate action.

(12-15:55)

12. September 5, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court received the District Court Orders setting the 2024 salaries of the Victoria County Auditor's Office. Motion adopted.

13. Hold a public hearing on the 2024 Proposed Budget.

(13-16:25)

13. September 5, 2023. Ben Zeller, County Judge, declared the public hearing open at 10:18 a.m. for the 2024 Proposed Budget. Judge Zeller stated the 2024 budget shows an increase in the general fund by 6% and the primary focus and goal was to implement the Baker Tilly compensation study. Dale Zuck, Victoria County resident, questioned the placement of the additional 4.8 million dollars and where the money will come from to remove the old jail. Judge Zeller responded to Mr. Zuck. County Judge Zeller declared the public hearing closed at 10:24 a.m. No action taken.

14. Hold a public hearing on the proposed 2023 tax rate of 0.3880.

(14-22:58)

14. September 5, 2023. Judge Zeller opened the public hearing for the 2023 Victoria County tax rate at 10:25 a.m. Judge Zeller stated that the proposed tax rate will be 0.3880, which is below the voter approval rate and above the no new revenue rate. Dale Zuck, a Victoria County resident, spoke about the appraisal values in Victoria County Precinct No. 1. Judge Zeller closed the public hearing at 10:31 a.m. No action taken.

15. Announce the date, time, and place for a vote on the 2024 Victoria County Budget and 2023 tax rate and take appropriate action. *The 2024 budget and 2023 tax rate are set to be adopted on September 11, 2023, at the Victoria County Courthouse, 115 N. Bridge St. Second Floor, Rm 241, Victoria, Texas at 10:00 a.m.*

(15-30:02)

15. September 5, 2023. County Judge Ben Zeller spoke about the date, time, and place for a vote on the 2024 Victoria County Budget and 2023 tax rate. The 2024 budget and 2023 tax rate are set to be adopted on September 11, 2023, at the Victoria County Courthouse, 115 N. Bridge Street, Second Floor, Room 241, Victoria, Texas at 10:00 a.m. No action taken.

16. Receive for the record, responses in relation to the Community Development Block Grant Mitigation Method of Distribution (CDBG MIT-MOD) Request for Proposals (RFP), reject all non-awarded bids and take appropriate action.

(16-32:32)

16. September 5, 2023. Grant Specialist Robin Knipling provided information to the Court. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court received for the record, the responses in relation to the Community Development Block Grant Mitigation Method of Distribution (CDBG MIT-MOD) Request for Proposals (RFP) and rejected all non-awarded bids. Motion adopted.

- 17. Consider approval of the following regarding the Pattie Dodson Health Center Improvement Project and take appropriate action:**
a. Professional Services Agreement dated August 17, 2023, with Elite Engineering.
(17a-33:26)

17a. September 5, 2023. Compliance Specialist Sarah Hamman provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Professional Services Agreement dated August 17, 2023 with Elite Engineering in connection to the Pattie Dodson Health Center Improvement Project. Motion adopted.

Consider approval of the following regarding the Pattie Dodson Health Center Improvement Project and take appropriate action:

- b. Authorize John A. Johnston, County Engineer, to execute any future related project documents.**
(17b-33:26)

17b. September 5, 2023. Sarah Hamman, Compliance Specialist, provided the Court with information. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court authorized John A. Johnston, County Engineer, to execute any future related project documents in connection to the Pattie Dodson Health Center Improvement Project. Motion adopted.

- 18. Consider approval of the following request for payment in connection to CDBG Hurricane Harvey Disaster Recovery Program Contract No. 20-065-094-C262 and take appropriate action:**

- a. Constar Construction in the amount of \$153,711.00.**
(18a-35:57)

18a. September 5, 2023. Commissioner Danny Garcia provided information to the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the Constar Construction in the amount of \$153,711.00 in connection to the CDBG Hurricane Harvey Disaster Recovery Program Contract No. 20-065-094-C262. Motion adopted.

Consider approval of the following request for payment in connection to CDBG Hurricane Harvey Disaster Recovery Program Contract No. 20-065-094-C262 and take appropriate action:

- b. CivilCorp Engineers in the amount of \$10,882.50.**
(18b-35:57)

18b. September 5, 2023. Commissioner Danny Garcia provided the Court with information. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the CivilCorp Engineers in the amount of \$10,882.50 in connection to the CDBG Hurricane Harvey Disaster Recovery Program Contract No. 20-065-094-C262. Motion adopted.

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

a. Henderson County.

(19a-37:06)

19a. September 5, 2023. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the Detention Contract between Victoria Regional Juvenile Justice Center and Henderson 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. Hale County.

(19b-37:06)

19b. September 5, 2023. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Hale 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. Walker County.

(19c-37:06)

19c. September 5, 2023. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Walker 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. Williamson County.

(19d-37:06)

19d. September 5, 2023. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Williamson 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. Fayette County

(19e-37:06)

19e. September 5, 2023. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Fayette 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. Comal County

(19f-37:06)

19f. September 5, 2023. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Comal 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. Hockley County.

(19g-37:06)

19g. September 5, 2023. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Hockley 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. Panola County

(19h-37:06)

19h. September 5, 2023. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Panola County. Motion adopted.

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

i. Bandera County

(19i-37:06)

19i. September 5, 2023. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Bandera County. Motion adopted.

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

j. 220th Judicial District (Bosque, Comanche, and Hamilton Counties)

(19j-37:06)

19j. September 5, 2023. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and 220th Judicial District (Bosque, Comanche, and Hamilton Counties). Motion adopted.

20. Consider approval of Order 2023-0102 setting fees for the Victoria County Patriot Park pavilion rentals and take appropriate action.

(20-37:53)

20. September 5, 2023. Commissioner Burns suggested that the Patriot Park pavilion rental fees go to Precinct No. 3, since they handle the expenses. The Court held a short discussion and will revisit this at a later date. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved Order No. 2023-0102 for setting the rates/fees for the Victoria County Patriot Park pavilion rentals. Motion adopted.

21. Receive for the record a 2023 Discretionary Fund Budget Amendment for Sheriff's Forfeiture Fund 360 and take appropriate action.

(21-41:28)

21. September 5, 2023. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court received for the record the 2023 Discretionary Funds Budget Amendment for the Sheriff's Forfeiture Fund No. 360 as an increase to expenditures. Motion adopted.

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

(22-41:59)

22. September 5, 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 – Increase
- b. Road and Bridge, Precinct No. 3, Expenditures - Increase
- c. Airport Fund, Expenditures – Line item transfer
- d. Road and Bridge, Precinct No. 4, Revenues and Expenditures - Line item transfer
- e. Airport Capital Projects Fund, Revenues and Expenditures - Line item transfer
- f. General Fund, Sheriff's Office, Expenditures - Line item transfer

Motion adopted.

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

(23-42:49)

23. September 5, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. Vinicio Llerena, Executive Airport Director - Victoria Regional Airport:
 - 1. Employment of Tyler Owen, Line Attendant, at a rate of \$16.00 per hour, Budget Code 321-606-1110, effective September 12, 2023. Remarks: General - Grade 3.
- b. John Sestak, IT Director - IT Department:
 - 1. Salary change for David Solis, System Admin, at a rate of \$30.97 per hour, Budget Code 100-503-1110, effective September 9, 2023. Other Remarks: Change cell phone allowance to Expanded G/L 100-503-1139 \$1080.04 Annually/\$41.54 bi-weekly.
 - 2. Salary change/position/other change for Clint Chovanec, from System Admin, at a rate of \$25.85 per hour, Budget Code 100-503-1110 to Network Engineer, at a rate of \$28.83 per hour, Budget Code 100-503-1109, effective September 9, 2023. Other Remarks: Grade change; Add cell phone allowance Basic G/L 100-503-1139 \$479.96 Annually/\$18.46 bi-weekly. Grade 13 Plan General.
- c. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
 - 1. Employment of Joseph Hancock, JSO, at a rate of \$18.74 per hour, Budget Codes 100-573-1156 and 231-572-1136 (Sal Adj Dir/115.38), effective September 6, 2023. Other Remarks: Application of Salary Adj. Directive \$115.38 bi-weekly. Remarks: LE Grade 6.
 - 2. Correction: State Funded Position Salary Adjustment Directive Order for Isabella Martinez.
- d. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Employment of Mariah Salazar, Telecomm. Operators-Tier 2 (Tier 1), at a rate of \$21.76 per hour, Budget Code 100-562-1253, effective September 6, 2023. Remarks: LE Grade 6.
 - 2. Resignation of Martin Miller, Detention Tier 3 (DO Tier 1), effective September 9, 2023.

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

1. Correction: Employment of Mary Lou Herrera, Nurse LVN, 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 September 12, 2023. Grade 7 Plan General.

Motion adopted.

24. Adjourn.

(24-43:13)

24. September 5, 2023. The Commissioners Court adjourned the meeting of September 5, 2023.