

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **18th 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
Monday, September 18, 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 18, 2023. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, September 18, 2023 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. September 18, 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.

(3-1:27)

3. September 18, 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 stated that Keep Victoria Beautiful will clean the Queen City area on October 21, 2023. Mr. Vonderau also spoke about panhandlers in Victoria.

Harley Fisk, a Victoria County resident, spoke for himself about the local democratic party and the Trevor project.

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

4. Consider approval of minutes and take appropriate action.

(4-8:50)

4. September 18, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the minutes of the Commissioners Court meeting held on September 11, 2023. Motion adopted.

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

(5-9:10)

5. September 18, 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	9/18/2023	\$661,780.96
Supplemental Accounts	9/8/2023 – 9/14/2023	\$188,922.27

Motion adopted.

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

(6-9:38)

6. September 18, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received the monthly reports from the County Treasurer; County Clerk; Justice of the Peace, Precinct No. 1; Constable, Precinct No. 1; and Pre-Trial Services. Motion adopted.

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

(7-10:02)

7. September 18, 2023. None. No action taken.

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

(8-10:12)

8. September 18, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated September 14, 2023 in the amount of \$840,820.86 and the ACH report dated September 14, 2023 in the amount of \$1,410,952.33. Motion adopted.

9. Consider approval of the following Texans Feeding Texans: Home Delivered Meals Program (HDM) Resolutions and take appropriate action:

a. Resolution No. 2023-0107 for Community Action Committee of Victoria.

(9a-11:00)

9a. September 18, 2023. Grant Administrator Robin Knipling provided information to the Court. Mark Bethune, Chief Executive Officer for the Community Action Committee of Victoria, introduced himself and listed a few services they provide. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved Resolution No. 2023-0107 for Community Action Committee of Victoria in connection to the Texans Feeding Texans: Home Delivered Meals Program (HDM). Motion adopted.

Consider approval of the following Texans Feeding Texans: Home Delivered Meals Program (HDM) Resolutions and take appropriate action:

b. Resolution No. 2023-0108 for Meals on Wheels South Texas.

(9b-11:00)

9b. September 18, 2023. Robin Knipling, Grant Administrator, provided the Court with information. Dan Capone, Executive Director of Meals on Wheels, spoke about how the grant helps them provide services to the citizens. Mr. Capone answered questions from the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners

Court approved Resolution No. 2023-0108 for Senior Citizens Center, Inc. dba Meals on Wheels South Texas in connection to the Texans Feeding Texans: Home Delivered Meals Program (HDM). Motion adopted.

10. Receive the record final closing bond documents for the Certificates of Obligation Series 2023 and take appropriate action.

(10-17:56)

10. September 18, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court received for the record the final closing bond documents for the Certificates of Obligation Series 2023. Motion adopted.

11. Receive and consider approval of the Texas Indigent Defense Commission Statement of Grant Award for the FY2024 Improvement Grant - Grant No. 212-24C14 and take appropriate action.

(11-18:44)

11. September 18, 2023. The Commissioners Court passed on the Texas Indigent Defense Commission Statement of Grant Award for the FY2024 Improvement Grant No. 212-24C14 due to a correction that needs to be made in the paperwork, No action taken.

12. Consider approval to withdraw an application for Project Safe Neighborhoods Grant No. 4716901 and take appropriate action.

(12-19:51)

12. September 18, 2023. Grant Administrator Robin Knipling provided information and answered questions from the Court. Commissioner Danny Garcia spoke about the amount of phone calls he receives from Bloomington and helping the Sheriff's Office. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court approved the withdrawal of the Project Safe Neighborhoods Grant No. 4716901 application. Motion adopted.

13. Ratify the FY23 State Automated Victim Notification System (SAVNS) Grant Contract No. C-01187, Office of the Attorney General (OAG), and take appropriate action.

(13-23:54)

13. September 18, 2023. Robin Knipling, Grant Administrator, provided information to the Court. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court ratified the FY23 State Automated Victim Notification System (SAVNS) Grant Contract No. C-01187, Office of the Attorney General (OAG). Motion adopted.

14. Consider approval of the FY24 Victim Information and Notification Everyday (VINE) Services Agreement Contract No. 20222344900-515-01 and take appropriate action.

(14-25:14)

14. September 18, 2023. Grant Administrator Robin Knipling provided information to the Court. Moved by Kenneth Sexton and seconded by Danny Garcia, the Commissioners Court approved the FY24 Victim Information and Notification Everyday (VINE) Services Agreement Contract No. 20222344900-515-01. Motion adopted.

15. Consider approval of a Request for Plat Exemption from William Vincent Jr., located at 7813 FM 236, Victoria, Texas 77905, in Pct. 2, and take appropriate action.
(15-25:42)

15. September 18, 2023. County Engineer John Johnston spoke to the Court about the plat exemption. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court approved the plat exemption request from William Vincent, Jr. at 7813 FM 236, Victoria, Texas, 77905 in Precinct No. 2 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.

16. Consider approval of the Development Authorization to begin construction of public improvements to the Garcitas Creek Estates Subdivision - Phase II located in Pct. 4 and take appropriate action.
(16-28:55)

16. September 18, 2023. John Johnston, County Engineer, provided the Court with information. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the Development Authorization to begin construction of public improvements to the Garcitas Creek Estates Subdivision - Phase II located in Precinct No. 4. Motion adopted.

17. Consider approval of Resolution 2023-0109 accepting a donation of \$2,500.00 from American Legion Post 166 for the Crossroads Area Veterans Center and take appropriate action.
(17-29:59)

17. September 18, 2023. Commissioner Danny Garcia and Sheriff Justin Marr provided information to the Court. Moved by Danny Garcia and seconded by Jason Ohrt, pursuant to Local Government Code §81.032, the Commissioners Court approved Resolution No. 2023-0109 for a donation in the amount of \$2,500.00 from American Legion Post 166 to be utilized for and dedicated to the Crossroads Area Veterans Center. Motion adopted.

18. Consider approval of the following detention and/or residential contracts with the Victoria Regional Juvenile Justice Center and take appropriate action:
a. Brazoria County.
(18a-31:23)

18a. September 18, 2023. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Brazoria 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. Yoakum County.

(18b-31:23)

18b. September 18, 2023. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the Residential Contract between Victoria Regional Juvenile Justice Center and Yoakum 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. DeWitt County.

(18c-31:23)

18c. September 18, 2023. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the Detention Contract between Victoria Regional Juvenile Justice Center and DeWitt 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. Karnes County.

(18d-31:23)

18d. September 18, 2023. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Karnes 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. Wilson County.

(18e-31:23)

18e. September 18, 2023. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Wilson 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. Smith County.

(18f-31:23)

18f. September 18, 2023. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Smith 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. Kendall County.

(18g-31:23)

18g. September 18, 2023. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Kendall County. Motion adopted.

- 19. Consider approval of Resolution No. 2023-0110 for a road donation in Pct. 1 from Micheal R. Hiller for the installation of a driveway and pipe culvert to improve drainage on Hanselman Road, Victoria, Texas for the value of \$240 and take appropriate action.**

(19-31:56)

19. September 18, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved Resolution No. 2023-0110 for a road donation in the amount of \$240.00 from Micheal R. Hiller on Hanselman Road, Victoria, Texas, in Precinct No. 1 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

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

(20-32:24)

20. September 18, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the 2023 budget amendments for:

- a. General Fund, Various Departments, Revenues and Expenditures – Line item transfer
- b. Road and Bridge, Precinct No. 1, Expenditures - Line item transfer
- c. Road and Bridge, Precinct No. 3, Expenditures - Increase
- d. Road and Bridge, Precinct No. 4, Expenditures - Line item transfer
- e. Airport Fund, Expenditures - Line item transfer
- f. Health Insurance Fund, Expenditures - Line item transfer
- g. Capital Projects Fund, Revenues and Expenditures - Decrease

Motion adopted.

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

(21-33:24)

21. September 18, 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. David Gonzales, Public Health Director - Victoria County Public Health Department:
 - 1. Other: Employment Delayed for 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.
 - 2. Employment of Jodie Brown, Env. Admin. Secretary, at a rate of \$16.00 per hour, Budget Code 800-631-1173, effective September 19, 2023. Grade 2, Plan General.
- b. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
 - 1. Employment of Brandon Hodge, JSO-PT, at a rate of \$18.74 per hour, Budget Code 100-573-1157, effective September 19, 2023. Remarks: Grade 6 LE.
 - 2. Resignation of Kathryn Bender, JSO-PT, effective September 10, 2023.

- c. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Employment of Jody McBride, CMA, at a rate of \$18.42 per hour, Budget Code 100-565-1126, effective September 19, 2023. Remarks: Grade 6 General plan.
- d. Danny Garcia, Commissioner, Precinct No. 1 - Road and Bridge, Precinct No. 1:
 - 1. Retirement of Kenneth Karnei, Jr., Sr. Equipment Operator, with 80.00 or less PTO and 61.37 Compensatory hours due, effective October 12, 2023.
 - 2. Dismissal of Jeremy Shedd, Sr. Equipment Operator, effective September 13, 2023.
- e. Gary Burns, Commissioner, Precinct No. 3 - Road and Bridge, Precinct No. 3:
 - 1. Employment of Richard A. Williams, Sr. Equipment Operator, at a rate of \$21.00 per hour, Budget Code 203-613-1108, effective September 19, 2023. Grade 7, Plan General.

Motion adopted.

- 22. Closed meeting pursuant to V.T.C.A. Government Code §551.074 to discuss various department personnel, §551.087 to discuss Economic Development, §551.072 to discuss real property, and §551.071 to conduct a private consultation with the County's attorney regarding matters protected by the attorney-client privilege.**

(22-34:24)

22. September 18, 2023. The Commissioners Court went into closed session at 10:34 a.m., pursuant to V.T.C.A. Government Code §551.074 to discuss various department personnel, §551.087 to discuss Economic Development, §551.072 to discuss real property, and §551.071 to conduct a private consultation with the County's attorney regarding matters protected by the attorney-client privilege.

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

(23-1:53:54)

23. September 18, 2023. The Commissioners Court returned to open meeting at 11:53 a.m., pursuant to V.T.C.A. Government Code §551.102 with no action taken.

- 24. Adjourn.**

(24-1:54:06)

24. September 18, 2023. The Commissioners Court adjourned the meeting of September 18, 2023.