

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **25th 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 25, 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 25, 2023. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, September 25, 2023 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. September 25, 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.

(3-1:12)

3. September 25, 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 thanked Victoria County Animal Services for their assistance with the SWAT team during a drug bust.

Fire Marshal Richard Castillo recommended the burn ban be lifted as of today and reviewed KBDI numbers with the Court. County Judge Zeller stated the burn ban will be lifted, effective immediately. Fire Marshal Castillo also informed the Court that the Inez Volunteer Fire Department will hold their fundraiser this Saturday.

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

4. Consider approval of minutes and take appropriate action.

(4-4:05)

4. September 25, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the minutes of the Commissioners Court meeting held on September 18, 2023. Motion adopted.

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

(5-4:18)

5. September 25, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the accounts payable as presented by Michelle Samford, County Auditor.

Regular Accounts	9/25/2023	\$436,918.13
Supplemental Accounts	9/15/2023 – 9/21/2023	\$66,264.72

Motion adopted.

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

(6-4:46)

6. September 25, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received the monthly report from the Sheriff. Motion adopted.

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

(7-5:03)

7. September 25, 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. CIV1-20140: The State of Texas vs. Colten Bryce Ellington, Defendant and Allegheny Casualty, Co., Agent Mark Tamez DBA Bail Bond Hotline of Texas, Surety.
- b. Cause No. CIV2-20841: The State of Texas vs. Sandra Rios Villa, Defendant and Julio Espinosa and Roland Espinosa, Surety.

Motion adopted.

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

(8-5:44)

8. September 25, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated September 21, 2023 in the amount of \$1,153,499.92 and the ACH report dated September 21, 2023 in the amount of \$3,155,150.57. Motion adopted.

9. Hear a Proclamation designating the month of September as Child Cancer Awareness Month and take appropriate action.

(9-6:27)

9. September 25, 2023. County Judge Zeller spoke about the story of a young girl, Keimyrn Lee, who lost her battle against cancer. County Judge Zeller recognized Pastor and Mrs. Hobbs, the grandparents of Keimyrn Lee and read the Proclamation in honor of Keimyrn Lee. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Proclamation designating the month of September 2023 as Child Cancer Awareness Month in Victoria County and dedicates this proclamation to Keimyrn Lee, whose brave fight with cancer has greatly raised awareness in Victoria County and whose example continues to be an inspiration to all. Motion adopted.

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

(10-12:51)

10. September 25, 2023. Grant Specialist Maddison Heibel provided information to the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received the Texas Indigent Defense Commission Statement of Grant Award for the FY2024 Improvement Grant - Grant No. 212-24-C14. Motion adopted.

- 11. Receive for the record the following fully executed items from the Victoria County Public Health Department and take appropriate action:**

a. 2023- 2024 Environmental Public Health Services Agreement between Victoria County Public Health Department and DeWitt County.

(11a-13:49)

11a. September 25, 2023. Delilah Perez with the Victoria County Public Health Department provided information to the Court. Moved by Kenneth Sexton and seconded by Danny Garcia, the Commissioners Court received for the record the fully executed 2023-2024 Environmental Public Health Services Agreement between the Victoria County Public Health Department and Dewitt County. Motion adopted.

Receive for the record the following fully executed items from the Victoria County Public Health Department and take appropriate action:

b. HARP - Business Associate Agreement with Fernando Garcia, M.D.

(11b-13:49)

11b. September 25, 2023. Delilah Perez with the Victoria County Public Health Department provided information to the Court. Moved by Kenneth Sexton and seconded by Danny Garcia, the Commissioners Court received for the record the fully executed HARP Business Associate Agreement between the Victoria County Public Health Department and Fernando Garcia, M.D. Motion adopted.

Receive for the record the following fully executed items from the Victoria County Public Health Department and take appropriate action:

c. HARP - Personal Services Agreement with South Texas Eye Center.

(11c-13:49)

11c. September 25, 2023. Delilah Perez with the Victoria County Public Health Department provided information to the Court. Moved by Kenneth Sexton and seconded by Danny Garcia, the Commissioners Court received for the record the fully executed HARP Personal Services Agreement between the Victoria County Public Health Department and South Texas Eye Center. Motion adopted.

Receive for the record the following fully executed items from the Victoria County Public Health Department and take appropriate action:

d. HARP - Personal Services Agreement with Thomas B. Carter D.D.S., M.S.

(11d-13:49)

11d. September 25, 2023. Delilah Perez with the Victoria County Public Health Department provided information to the Court. Moved by Kenneth Sexton and seconded by Danny Garcia, the Commissioners Court received for the record the fully executed HARP Personal Services Agreement between the Victoria County Public Health Department and Thomas B. Carter, D.D.S., M.S. Motion adopted.

Receive for the record the following fully executed items from the Victoria County Public Health Department and take appropriate action:

e. HARP - Personal Services Agreement with Victoria Nephrology Associates.

(11e-13:49)

11e. September 25, 2023. Delilah Perez with the Victoria County Public Health Department provided information to the Court. Moved by Kenneth Sexton and seconded by Danny Garcia, the Commissioners Court received for the record the fully executed HARP Personal Services Agreement between the Victoria County Public Health Department and Victoria Nephrology Associates. Motion adopted.

Receive for the record the following fully executed items from the Victoria County Public Health Department and take appropriate action:

f. HARP - Memorandum of Understanding with Cheryl J. Green, LCSW.

(11f-13:49)

11f. September 25, 2023. Delilah Perez with the Victoria County Public Health Department provided information to the Court. Moved by Kenneth Sexton and seconded by Danny Garcia, the Commissioners Court received for the record the fully executed HARP Memorandum of Understanding between the Victoria County Public Health Department and Cheryl J. Green, LCSW. Motion adopted.

12. Consider approval of an ARFF Vehicle purchase agreement between Oshkosh Airport Products and the Victoria Regional Airport and take appropriate action.

(12-15:05)

12. September 25, 2023. Executive Director Lenny Llerena provided information to the Court. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the ARFF Vehicle purchase agreement between Oshkosh Airport Products and the Victoria Regional Airport requiring a local match of \$123,368. Motion adopted.

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

a. Brown & Mills Counties.

(13a-18:05)

13a. September 25, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the Detention Contract between Victoria Regional Juvenile Justice Center and Brown/Mills 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. Dewitt County.

(13b-18:05)

13b. September 25, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the Residential Contract between Victoria Regional Juvenile Justice Center and Dewitt County. Motion adopted.

14. Ratify an electrical service agreement with Victoria Electric Cooperation, Inc. (VEC) for the Precinct 1 building and take appropriate action.

(14-18:32)

14. September 25, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court ratified the electrical service agreement with Victoria Electric Cooperation, Inc. (VEC) for the Victoria County Precinct No. 1 building. Motion adopted.

- 15. Consider approval of Resolution No. 2023-0111 for a road donation in Pct. 3 from Tony Trevino Jr. for the installation of a driveway and pipe culvert to improve drainage on 5544 Coletoville Road, Victoria, Texas for the value of \$718 and take appropriate action.**

(15-19:26)

15. September 25, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved Resolution No. 2023-0111 for a road donation in the amount of \$718.00 from Tony Trevino, Jr. on 5544 Coletoville Road, Victoria, Texas, in Precinct No. 3 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

- 16. Receive for the record, 2023 Discretionary Funds Budget Amendment for Sheriff's DOJ Federal Forfeiture No. 362 and take appropriate action.**

(16-19:57)

16. September 25, 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 DOJ Federal Forfeiture Fund No. 362 as an increase to expenditures. Motion adopted.

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

(17-20:30)

17. September 25, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the 2023 budget amendments for:

- a. General Fund, Various Departments, Revenues and Expenditures – Line item transfer
- b. County Clerk, Clerk of the Court, Revenues and Expenditures - Line item transfer
- c. Road and Bridge, Precinct No. 1, Revenues and Expenditures - Line item transfer
- d. Airport Operating Fund, Revenues and Expenditures - Line item transfer
- e. Emergency Management, Expenditures - Line item transfer
- f. Courthouse Security Fund, Expenditures - Line item transfer
- g. Road and Bridge, Precinct No. 2, Expenditures - Line item transfer
- h. Health Insurance Fund, Expenditures - Increase
- i. General Fund, Sheriff's Office, Expenditures - Line item transfer
- j. Gulf of Mexico Energy Security Act, Expenditures - Line item transfer

Motion adopted.

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

(18-21:55)

18. September 25, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
 - 1. Employment of Felizia N. Galarza, Clerk III, at a rate of \$16.00 per hour, Budget Code 231-588-1111, effective October 3, 2023. Remarks: General, Grade 3 - New FTE Position.
- b. Justin Marr, Sheriff - Sheriff's Office:
 - 1. VCSO Salary Adjustment Certification for Jeremy Torres, to be paid Intermediate Certificate Pay of \$23.08 per pay period, effective October 13, 2023. Certification date for Jeremy Torres is September 8, 2023. Budget Coding: Detention Certificate Pay 100-565-1137. Remarks: Jeremy Torres received his Intermediate Detention Certificate on 09/08/2023.
- c. David Gonzales, Public Health Director - Victoria County Public Health Department:
 - 1. Resignation of Ariel Gomez, Sanitation Inspector, with 19.05 PTO hours due, effective September 29, 2023.
 - 2. Resignation of Makayla Jones, Data Entry Specialist, effective September 14, 2023.
 - 3. Other Code Change for Carrie Fagg, Immunization Program Manager, at a rate of \$22.50 per hour, from Budget Codes 800-647-1104 (88.93%) \$20.01 and 802-631-1104 (11.07%) \$2.49 to Budget Codes 800-648-1104 (88.93%) \$20.01 and 802-631-1104 (11.07%) \$2.49, effective September 9, 2023. Other Remarks: G/L Code Change. Grade 7 Plan General.
 - 4. Other Code Change for Karen Caughron, RN Nurse (Staff), at a rate of \$26.50 per hour, from Budget Code 800-647-1107 to Budget Code 800-648-1107, effective September 9, 2023. Other Remarks: G/L Code Change.
 - 5. Other Code Change for Reuben Ybarra, Nurse (LVN), at a rate of \$22.85 per hour, from Budget Codes 800-647-1114 (22.54%) \$5.15, 800-643-1114 (72.74%) \$16.62, and 800-676-1105 (4.72%) \$1.08 to Budget Codes 800-648-1114 (22.54%) \$5.15, 800-641-1114 (72.74%) \$16.62, and 800-676-1105 (4.72%) \$1.08, effective September 9, 2023. Other Remarks: G/L Code Change.
 - 6. Other Code Change for Laurie Salinas, CSA III, at a rate of \$18.21 per hour, from Budget Code 800-647-1110 to Budget Code 800-648-1110, effective September 9, 2023. Other Remarks: G/L Code Change.
 - 7. Other Code Change for Gina Pacheco, CSA IV, at a rate of \$18.83 per hour, from Budget Code 800-643-1126 to Budget Code 800-641-1126, effective September 9, 2023. Other Remarks: G/L Code Change.
 - 8. Other Code Change for Christina Galindo, Sanitation Inspector, at a rate of \$21.12 per hour, from Budget Codes 800-631-1154 (50.00%) \$10.56 and 800-643-1128 (50.00%) \$10.56 to Budget Codes 800-631-1154 (50.00%) \$10.56 and 800-641-1108 (50.00%) \$10.56, effective September 9, 2023. Other Remarks: G/L Code Change.

9. Other Code Change for Kimberly Kirbo, Program Manager (HIV/Health Services), at a rate of \$23.63 per hour, from Budget Codes 800-676-1102 (70%) \$16.54 and 800-658-1102 (30%) \$7.09 to Budget Codes 800-676-1102 (70%) \$16.54 and 800-673-1102 (30%) \$7.09, effective September 9, 2023. Other Remarks: G/L Code Change.
10. Other Code Change for Veronica Cuellar, Medical Case Manager, at a rate of \$18.00 per hour, from Budget Codes 800-676-1113 (60%) \$10.80 and 800-659-1113 (40%) \$7.20 to Budget Codes 800-676-1113 (60%) \$10.80 and 800-673-1113 (40%) \$7.20, effective September 9, 2023. Other Remarks: G/L Code Change.
11. Other Code Change for Ashley Cano, Public Health Community Advocate/Program Coordinator, at a rate of \$22.00 per hour, from Budget Codes 800-646-1104 (89%) \$19.57 and 804-631-1106 (11%) \$2.43 to Budget Codes 800-686-1104 (89%) \$19.57 and 804-631-1106 (11%) \$2.43, effective September 9, 2023. Other Remarks: G/L Code Change.
12. Other Code Change for Emmanuel Opada, Epidemiologist, at a rate of \$29.78 per hour, from Budget Code 800-642-1104 to Budget Code 800-689-1104, effective September 9, 2023. Other Remarks: G/L Code Change.
13. Other Code Change for Teresa Gonzales, RN Nurse, at a rate of \$27.50 per hour, from Budget Codes 800-631-1105 (31.54%) \$8.67, 800-643-1105 (47.46%) \$13.05, and 800-651-1105 (21.00%) \$5.78 to Budget Codes 800-631-1105 (31.54%) \$8.67, 800-641-1105 (47.46%) \$13.05, and 800-668-1105 (21.00 %) \$5.78, effective September 9, 2023. Other Remarks: G/L Code Change.
14. Other Code Change for Crystal Vasquez, Casework Associate, at a rate of \$17.08 per hour, from Budget Codes 800-636-1104 (70.02%) \$11.96 and 800-658-1104 (29.98%) \$5.12 to Budget Codes 800-655-1104 (70.02%) \$11.96 and 800-673-1104 (29.98%) \$5.12, effective September 9, 2023. Other Remarks: G/L Code Change.

Motion adopted.

19. Closed meeting pursuant to V.T.C.A. Government Code §551.074 to discuss personnel.

(19-22:27)

19. September 25, 2023. The Commissioners Court did not hold a closed session, pursuant to V.T.C.A. Government Code §551.074 to discuss personnel.

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

(20-22:28)

20. September 25, 2023. The Commissioners Court did not return to an open meeting at a.m., pursuant to V.T.C.A. Government Code §551.102 due to no closed session needed.

21. Adjourn.

(21-22:56)

21. September 25, 2023. The Commissioners Court adjourned the meeting of September 25, 2023.