

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **2nd day October 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, October 2, 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. October 2, 2023. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, October 2, 2023 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. October 2, 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.

(3-3:38)

3. October 2, 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 the SWAT Team and VPD for assisting with a drug raid.

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

4. Consider approval of minutes and take appropriate action.

(4-5:07)

4. October 2, 2023. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the minutes of the Commissioners Court meeting held on September 25, 2023. Motion adopted.

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

(5-5:24)

5. October 2, 2023. Moved by Jason Ohrt and seconded by Gary Burns, the Commissioners Court approved the accounts payable as presented by Michelle Samford, County Auditor.

Regular Accounts	10/2/2023	\$680,401.73
Supplemental Accounts	9/22/2023 – 9/28/2023	\$93,578.47

Motion adopted.

- 6. Receive monthly and quarterly reports from various county officials and departments and take appropriate action.**
(6-5:58)

6. October 2, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received the monthly report from Constable, Precinct No. 3. Motion adopted.
- 7. Consider approval of bond forfeiture releases and take appropriate action.**
(7-6:10)

7. October 2, 2023. None. No action taken.
- 8. Consider approval of CMC Interim vendor payments, board minutes, accounts payable, payroll, and personnel changes, and take appropriate action.**
(8-6:24)

8. October 2, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the payroll, board minutes, accounts payable, personnel changes, and interim vendor payments for Citizens Medical Center dated September 28, 2023 in the amount of \$389,230.73 and the ACH report dated September 28, 2023 in the amount of \$1,545,426.74. Motion adopted.
- 9. Hear a Proclamation for National 4-H Week for 2023 and take appropriate action.**
(9-7:03)

9. October 2, 2023. Paige Melton, Victoria County 4-H Extension Agent, thanked the Court for their support to the 4-H Program and stated this week is National 4-H week. Mrs. Melton introduced 4-H Ambassadors Mattie Garret, Laney Akin, Madison Cowan, Payton Hembree, Thomas Rung, Noah Rung, Magi Jo Cantu, Abbie Nunez, Cody Nunez, Kade Kubecka, and Bo Neill. Four of the Ambassadors informed the Court about the 4-H Program and National 4-H Week. County Judge Zeller read the Proclamation for National 4-H Week. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the Proclamation designating October 1-7, 2023 as National 4-H Week in Texas. Motion adopted. All per resolution as filed in the minutes of this Court.
- 10. Consider approval of Resolution 2023-0113 nominating a candidate for the Victoria Central Appraisal District Board of Directors and take appropriate action.**
(10-15:33)

10. October 2, 2023. Keri Wickliffe with the Victoria Central Appraisal District (VCAD), spoke about the appointment to the VCAD Board of Directors and the duties of the board. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved Resolution No. 2023-0113 nominating Jason Ohrt, Commissioner, Precinct No. 2, as a candidate for a position on the Victoria Central Appraisal District Board of Directors. Motion adopted.
- 11. Review year-to-date enplanement numbers and consider modifications to existing**

promotions at the Victoria Regional Airport and take appropriate action.

(11-20:14)

11. October 2, 2023. Executive Director Lenny Llerena spoke about the enplanement numbers and discussed the Victoria County employee program with the Victoria Regional Airport. Mr. Llerena requested to allow the employee to take advantage of taking their spouse on flights to get additional enplanements. The Court held a discussion on different options. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court reviewed the year-to-date enplanement numbers and approved the modifications to existing promotions at the Victoria Regional Airport to include county employee spouses and city employees and spouses. Motion adopted.

12. Ratify an order lifting the burn ban in Victoria County and take appropriate action.

(12-37:42)

12. October 2, 2023. Fire Marshal Richard Castillo provided information to the Court regarding the KBDI numbers and the economic impact on Victoria County when a burn ban is in place. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court ratified the order lifting the burn ban in Victoria County. Motion adopted.

13. Consider approval of a Memorandum of Understanding with the City of Victoria for the use of the Pattie Dodson Public Health Center parking lot during the Merry on Main event and take appropriate action.

(13-40:57)

13. October 2, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the Memorandum of Understanding with the City of Victoria for the use of the Pattie Dodson Public Health Center parking lot during the Merry on Main 2023 event to be held December 8, 2023. Motion adopted.

14. Consider approval of a request for payment to Citizens Medical Center in the amount of \$111,528.46 for American Rescue Plan Act (ARPA) Subrecipient Project No. VICT-11 and take appropriate action.

(14-41:30)

14. October 2, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the request for payment to Citizens Medical Center in the amount of \$111,528.46 for American Rescue Plan Act (ARPA) Subrecipient Project No. VICT-11. Motion adopted.

15. Consider approval of the following and take appropriate action:

a. Receive a withdraw of approved plat exemption request from Robin Carville at 4241 Wood Hi Road in Pct. 1.

(15a-41:59)

15a. October 2, 2023. County Engineer John Johnston provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received a withdraw of an approved plat exemption request from Robin Carville at 4241 Wood Hi Road in Precinct No. 1. Motion adopted.

Consider approval of the following and take appropriate action:

b. Approve a request for plat exemption from Robin Carville at 4241 Wood Hi Road in Pct. 1.

(15b-41:59)

15b. October 2, 2023. County Engineer John Johnston spoke to the Court about the plat exemption. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the plat exemption request from Robin Carville at 4241 Wood Hi Road in Precinct No. 1 with the following conditions and revised exhibit:

- * 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 following detention and/or residential contracts with the Victoria Regional Juvenile Justice Center and take appropriate action:

a. Dawson County.

(16a-43:07)

16a. October 2, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the Detention Contract between Victoria Regional Juvenile Justice Center and Dawson 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. Hockley County

(16b-43:07)

16b. October 2, 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 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:

c. Goliad County

(16c-43:07)

16c. October 2, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the Residential Contract between Victoria Regional Juvenile Justice Center and Goliad County. Motion adopted.

- 17. Consider approval of Resolution No. 2023-0112 for a road donation in Pct. 1 from Bloomington Independent School District (BISD) for the installation of a driveway and pipe culvert to improve drainage on Marshall St., Bloomington, Texas for the value of \$1,680 and take appropriate action.**

(17-43:26)

17. October 2, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved Resolution No. 2023-0112 for a road donation in the amount of \$1,680.00 from Bloomington Independent School District (BISD) on Marshall Street, Bloomington, Texas, in Precinct No.1 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

- 18. Pursuant to V.T.C.A. Transportation Code §251.152 to hold a public hearing for traffic regulation to install a Stop Sign and a 25 MPH sign at Whitewing Road in Pct. 3 and take appropriate action.**

(18-44:05)

18. October 2, 2023. County Judge Zeller declared a public hearing open at 10:42 a.m., pursuant to V.T.C.A. Transportation Code §251.152, prior to the adoption of traffic regulations. Commissioner Gary Burns provided information to the Court. With no public comments, County Judge Zeller closed the public hearing at 10:43 a.m. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court adopted the following traffic regulation changes:

PRECINCT NO. 3

Install a Stop sign at Whitewing Road
Install a 25 MPH sign at Whitewing Road

Motion adopted.

- 19. Receive for the record the 2024 Adopted Budget document and take appropriate action.**

(19-45:15)

19. October 2, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court received for the record the 2024 Adopted Budget document. Motion adopted.

- 20. Receive for the record a notice of non-renewal for the lease agreement with U.S. Representative Michael Cloud for property located at 111 N. Glass St. and take appropriate action.**

(20-45:51)

20. October 2, 2023. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court received for the record the notice of non-renewal of the lease agreement with U.S. Representative Michael Cloud for property located at 111 N. Glass Street, effective December 31, 2023. Motion adopted.

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

(21-46:41)

21. October 2, 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 – Increase
- b. General Fund, Sheriff's Office, Expenditures - Line item transfer
- c. Road and Bridge, Precinct No. 1, Revenues and Expenditures - Line item transfer
- d. Elections Administrators Special, Expenditures - Line item transfer
- e. Capital Projects Fund, Expenditures - Increase

Motion adopted.

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

(22-47:20)

22. October 2, 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. David Gonzales, Public Health Director - Victoria County Public Health Department:
 - 1. Salary change for Elvira Tijerina, Sanitation Inspector, from a rate of \$18.23 per hour, Budget Code 800-631-1154 to a rate of \$19.00 per hour, effective September 23, 2023.
 - 2. 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 October 3, 2023. Grade 7 Plan General.
- b. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Position/other change for David Hinojosa, from SRO-Tier 1, at a rate of \$24.29 per hour, Budget Codes 395-560-1109-23.29 and 395-560-1136-1.00 to Detention Dep.-Tier 1, at a rate of \$24.29 per hour, Budget Codes 100-565-1114-23.29 and 100-565-1136-1.00, effective September 9, 2023. Remarks: Journal Entry Required LE/Grade 9.
- c. Pamela Hencerling, Chief Probation Officer - Juvenile Detention:
 - 1. Resignation of Terek Dilworth, JSO, with 41.25 Compensatory hours due, effective September 22, 2023.
 - 2. Employment of Gretchen Anderson, JSO-PT, at a rate of \$18.74 per hour, Budget Code 100-573-1157, effective October 3, 2023. Remarks: LE Grade 6.
 - 3. Employment of David Wayne Eberle, JSO - PT, at a rate of \$18.74 per hour, Budget Code 100-573-1157, effective October 3, 2023. Remarks: LE, Grade 6.
- d. Paige Foster, County Treasurer - County Treasurer's Office:
 - 1. Certificates of Completion for continuing education hours for Lori Paige Foster, County Treasurer.

Motion adopted.

- 23. Closed meeting pursuant to V.T.C.A. Government Code §551.0745 to discuss Board and Commissions, §551.074 to discuss personnel, various departments, and §551.072 to discuss real property.**

(23-48:44)

23. October 2, 2023. The Commissioners Court went into closed session at 10:52 a.m., pursuant to V.T.C.A. Government Code §551.0745 to discuss Boards and Commissions; §551.074 to discuss personnel, various departments, and §551.072 to discuss real property.

- 24. Pursuant to V.T.C.A. Government Code §551.102, return to an open meeting and take any action deemed necessary based upon discussion in the closed meeting.**

(24-1:52:27)

24. October 2, 2023. The Commissioners Court returned to an open meeting at 11:56 a.m., pursuant to V.T.C.A. Government Code §551.102, with no action taken.

- 25. Adjourn.**

(25-1:54:20)

25. October 2, 2023. The Commissioners Court adjourned the meeting of October 2, 2023.