

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **9th day of October A.D., 2023**, the Commissioners Court convened in **Regular 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	Absent
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 9, 2023, 10:00 AM, REGULAR TERM

VICTORIA COUNTY COURTHOUSE

115 N. BRIDGE ST., ROOM 241, SECOND FLOOR, VICTORIA, TX

1. Call to Order.

(1-0:00)

1. October 9, 2023. Ben Zeller, County Judge, called to order the Commissioners Court Regular Term for Monday, October 9, 2023 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. October 9, 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.

(3-1:41)

3. October 9, 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 the Meet a Cop event held last Wednesday and stated Christ's Kitchen held a first responders meeting last Tuesday.

Administrative Assistant Loria Rose congratulated Procurement Specialist Amanda Reyes on completing her official certification and is now a Certified Texas Contract Developer.

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

4. Consider approval of minutes and take appropriate action.

(4-4:00)

4. October 9, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the minutes of the Commissioners Court meeting held on October 2, 2023. Motion adopted.

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

(5-4:20)

5. October 9, 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	10/9/2023	\$305,195.74
Supplemental Accounts	9/29/2023 – 10/5/2023	\$451,185.58

Motion adopted.

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

(6-4:46)

6. October 9, 2023. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court received the monthly reports from the County Judge; County Commissioners, Precincts Nos. 1 – 4; County Treasurer; Criminal District Attorney; Tax Assessor-Collector; County Auditor; Fire Marshal; Justices of the Peace, Precincts Nos. 2 and 3; and Pre-Trial Services. Motion adopted.

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

(7-5:23)

7. October 9, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the release of the following bond forfeiture judgments from the Court:

- a. Cause No. CIV1-21194: The State of Texas vs. Francisco Estrada, Jr., Defendant and A & A Bail Bonds, Surety.
- b. Cause No. CIV1-21195: The State of Texas vs. Francisco Estrada, Jr., Defendant and A & A Bail Bonds, Surety.
- c. Cause No. CIV2-20749: The State of Texas vs. Edgar Juarez Martinez, Defendant and Alissa Benton DBA ABC Bonding Co., Surety.
- d. Cause No. CIV2-20620: The State of Texas vs. Jeremiah Eugene Buckner, Defendant and Alissa Benton DBA ABC Bonding Co., Surety.
- e. Cause No. CIV2-21207: The State of Texas vs. Jonmichael Ramirez, Defendant and DBA A & A Bail Bonds, Surety.

Motion adopted.

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

(8-5:44)

8. October 9, 2023. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated October 5, 2023 in the amount of \$545,744.98 and the ACH report dated October 5, 2023 in the amount of \$2,546,497.75. Motion adopted.

9. Recognize third-quarter employee anniversaries.

(9-6:32)

9. October 9, 2023. County Judge Zeller recognized Victoria County employee's anniversaries for the third quarter. Judge Zeller presented each of the following employees with a certificate for their years of service.

NAME	YEARS
BRIANNA DUNN	1
JUVENTINO MOCTEZUMA JR.	1
CHRISTOPHER GARCIA	1
STEPHANIE MORALES	1
KENNETH WELLS	1
CHRISTOPHER KING	1
NATIVIDAD MORENO JR.	1
BELINDA GONZALEZ	1
LORIA ROSE	1
MITCHELL ELLIS	1
RACHEL MILLER	1
NEKO GONZALES	1
SAMARA PACHECO	1
MARIA DIAZ	1
MARGARET GARCIA	1

NAME	YEARS
CECILIA BONUZ	5
MATT BOZKA	5
SHAINA MATA	5
PATRICK OSBORN	5
KIMBERLY KIRBO	5
KELLIE RILEY	5
MELISSA GARCIA	5
RICARDO MONTEMAYOR	5

NAME	YEARS
TRAVIS CAMPBELL	10
JOHN DODDS	10
MATTHEW HITT	10
VERONICA GAJER	10
MICHELLE SAMFORD	10

NAME	YEARS
FREDERICK TAYLOR	15
CHRISTOPHER WRIGHT	15

NAME	YEARS
ELIZABETH VASQUEZ	20
TOBY OHRT JR.	20
SALLY RUBIO	20
LORI DELGADO	20
JANET SLATEN	20

No action taken.

10. Hear a presentation from the Victoria County Veterans Service Office and take

appropriate action.

(10-15:23)

10. October 9, 2023. Veterans Service Officer John Williams reviewed the number of Veterans that are served at the Victoria County Veterans Service Office. Mr. Williams also spoke about other organizations that the office works with to provide services to the Veterans. He discussed the funds they receive and the benefits that the Veterans are provided. Commissioner Jason Ohrt commended Mr. Williams on services provided. County Clerk Heidi Easley thanked John Williams for his hard work at the Veterans Service Office. No action taken.

11. Hear an update and hold a discussion on the Regional Public Defender Office and take appropriate action.

(11-26:50)

11. October 9, 2023. County Judge Zeller spoke about the Interlocal Agreement for the Regional Public Defender's Office. Judge Zeller stated the County would enter into an Interlocal Agreement with Jackson, Lavaca, and Refugio counties. He mentioned there are questions regarding the composition of the board that needs to be discussed. After the Interlocal Agreement is signed, each county will appoint their member to the board and then the Chief Public Defender position will be posted. Commissioner Ohrt questioned adding other counties to the program with Judge Zeller responding. Commissioner Sexton asked who would be responsible for the salaries and Judge Zeller responded. No action taken.

12. Discussion of capital projects planning and approval process and take appropriate action.

(12-39:04)

12. October 9, 2023. County Judge Zeller spoke about the capital projects estimates and asked County Engineer John Johnston about what the process should be. Mr. Johnston stated the projects should be identified and then prioritized. Mr. Johnston reviewed the projects that were discussed. Commissioner Sexton suggested that the planning workshop date be changed from October 24th to October 31st at 9:00 a.m. The Court continued to discuss the process and timeline for the capital projects. No action taken.

13. Hear a presentation by Centurion Planning & Design, LLC regarding information to be submitted in support of an FAA grant for the construction service airline terminal facility and take appropriate action.

(13-53:31)

13. October 9, 2023. Executive Director Lenny Llerena provided information to the Court. Molly Waller with Centurion Planning and Design, LLC, reviewed the grant opportunity for a new commercial passenger terminal facility at the Victoria Regional Airport. Ms. Waller spoke about the terminal history overview, enplanements and forecast demands, grant funding application process, new terminal possibilities, and the preliminary implementation plan. The Court held a discussion with Mr. Llerena and Ms. Waller. No action taken.

14. Approval of Amendment #4 to our Employee Benefit Plan for Occupational Therapy

effective August 1, 2023 and take appropriate action.

(14-1:18:49)

14. October 9, 2023. Human Resources Director Gina Howard provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved Amendment No. 4 to the Employee Benefit Plan for Occupational Therapy effective August 1, 2023. Motion adopted.

- 15. Receive executed Proposal No: PV-231296 with TSI Laboratories, Inc. for geotechnical investigation in connection to the Victoria County Public Safety Training Center Renovation Project and take appropriate action.**

(15-1:20:00)

15. October 9, 2023. County Engineer John Johnston provided information to the Court. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court received the executed Proposal No: PV-231296 from TSI Laboratories, Inc. for geotechnical investigation in connection to the Victoria County Public Safety Training Center Renovation Project. Motion adopted.

- 16. Consider approval to dedicate a Public Utility Easement on a portion of Lot 4R, Block 143 of the Original Townsite Resubdivision No. 91, an addition to the City of Victoria, Victoria County Texas, and take appropriate action.**

(16-1:21:02)

16. October 9, 2023. County Engineer John Johnston provided the Court with information. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the Dedication of Subsurface Utility Easement on a portion of Lot 4R, Block 143 of the Original Townsite Resubdivision No. 91, an addition to the City of Victoria, Victoria County, Texas. Motion adopted.

- 17. Receive for the record Temporary Construction/Access Easements for TXDOT Off-System Bridge Program and take appropriate action:**
a. Guadalupe Road Bridge in Pct. 1 - McDonald and Nunez.

(17a-1:22:26)

17a. October 9, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received for the record the Temporary Construction/Access Easements for TXDOT Off-System Bridge Program for the Guadalupe Road Bridge in Precinct No. 1 from Edna M. McDonald and Victor and Celina Nunez. Motion adopted.

Receive for the record Temporary Construction/Access Easements for TXDOT Off-System Bridge Program and take appropriate action:

- b. Benbow Road in Pct. 4 - O'Connor Hewitt Real Estate LP.**

(17b-1:22:26)

17b. October 9, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received for the record the Temporary Construction/Access Easements for TXDOT Off-System Bridge Program for the Benbow Road in Precinct No. 4 from O'Connor and Hewitt Real Estate, LP. Motion adopted.

- 18. Consider approval and authorization of payment to Rawley McCoy & Associates, PLLC, for Architectural Services for the Victoria County Courthouse Entry Steps & Repair Project and take appropriate action.**

(18-1:22:52)

18. October 9, 2023. County Engineer John Johnston provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved and authorized the payment in the amount of \$2,125.00 to Rawley McCoy and Associates, PLLC for Architectural Services for the Victoria County Courthouse Entry Steps and Repair Project. County Auditor Michelle Samford stated the bond money has been received and instead of paying out of the general fund, to start paying for this out of the bond money. 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. Somervell County.

(19a-1:23:23)

19a. October 9, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the Detention Contract between Victoria Regional Juvenile Justice Center and Somervell 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. Webb County.

(19b-1:23:23)

19b. October 9, 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 Webb County. Motion adopted.

- 20. Consider approval of Resolution No. 2023-0114 for a road donation in Pct. 3 from Mary Holmes for the installation of a driveway and pipe culvert to improve drainage on 676 De La Garza Road, Victoria, Texas for the value of \$359.00 and take appropriate action.**

(20-1:24:15)

20. October 9, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved Resolution No. 2023-0114 for a road donation from Mary Holmes in the amount of \$359.00 for a corrugated pipe to install a driveway and pipe culvert to improve drainage at 676 De La Garza Road, Victoria, Texas in Precinct No. 3. Motion adopted.

- 21. Receive for the record 2023 Discretionary Funds Budget Amendment (380) and take appropriate action.**

(21-1:24:33)

21. October 9, 2023. Moved by Jason Ohrt and seconded by Gary Burns, the Commissioners Court received for the record the 2023 Discretionary Funds Budget Amendment Sheriff Commissary Fund (380) as a line item transfer to revenues and expenditures. Motion adopted.

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

(22-1:24:59)

22. October 9, 2023. Moved by Jason Ohrt 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. Emergency Management, Expenditures - Line item transfer
- c. Road and Bridge, Precinct No. 4, Expenditures - Line item transfer
- d. Airport Operating Fund, Revenues and Expenditures - Line item transfer
- e. Airport Capital Projects Fund, Revenues and Expenditures - Line item transfer
- f. National School Lunch Program, Expenditures - Line item transfer
- g. Capital Projects Fund, Expenditures - Increase
- h. General Fund Sheriff's Office, Expenditures - Line item transfer
- i. Health Department, Expenditures – Line item transfer
- j. Road and Bridge, Precinct No. 1, Expenditures - Line item transfer

Motion adopted.

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

(23-1:26:06)

23. October 9, 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. Ben Zeller, County Judge - County Judge's Office:
 - 1. Salary change for John Williams, Veterans Service Director, from a rate of \$29.40 per hour, Budget Code 100-405-1104 to a rate of \$31.25 per hour, effective October 7, 2023. Grade 10 Plan General.
- b. Danny Garcia, Commissioner, Precinct No. 1 - Road and Bridge, Precinct No. 1:
 - 1. Request to payout 224.66 hours of compensatory time, as of 9/22/2023, for Pete Villarreal. The payout will be paid out of 201-611-1103 Salary Foreman with available funds in the amount of \$7,330.66.
- c. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Dismissal of Antonio Acosta, Detention Deputy - Tier 1, with 21.77 Compensatory hours due, effective October 4, 2023.
- d. David Gonzales, Public Health Director - Victoria County Public Health Department:
 - 1. Other Code Change for Emmanuel Opada, Epidemiologist, at a rate of \$29.78 per hour, Budget Code 800-689-1104, effective September 23, 2023. Other Remarks: G/L CODE CHANGE - Cell phone allowance CHANGE TO 800-689-1139 \$41.54 per pay period.
 - 2. Other Code Change for Ashley Cano, Public Health Community Advocate/Program Coordinator, at a rate of \$22.00 per hour, effective September 23, 2023. Other Remarks: GRANT CODE CHANGE - Cell phone allowance CHANGE TO 800-686-1139.

3. Employment of Bryce Keith, Stormwater Inspector, at a rate of \$19.00 per hour, Budget Code 800-631-1155, effective October 10, 2023. Grade 6 Plan General.

Motion adopted.

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

(24-1:26:22)

24. October 9, 2023. The Commissioners Court went into closed session at 11:26 a.m., pursuant to V.T.C.A. Government Code §551.072 to discuss real property and §551.074 to discuss personnel, various departments.

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

(25-3:05:47)

25. October 9, 2023. The Commissioners Court returned to an open meeting at 1:04 p.m., pursuant to V.T.C.A. Government Code §551.102, with no action taken.

26. **Adjourn.**

(26-3:06:12)

26. October 9, 2023. The Commissioners Court adjourned the meeting of October 9, 2023.