

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **23rd 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 23, 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 23, 2023. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, October 23, 2023 at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. October 23, 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.

(3-1:50)

3. October 23, 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 he would like to see Queen City Park shut down.

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

4. Consider approval of minutes and take appropriate action.

(4-6:03)

4. October 23, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the minutes of the Commissioners Court meeting held on October 16, 2023. Motion adopted.

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

(5-6:26)

5. October 23, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the accounts payable as presented by Becky Smiley, First Assistant County Auditor.

Regular Accounts	10/23/2023	\$681,123.82
Supplemental Accounts	10/13/2023 – 10/19/2023	\$45,843.91

Motion adopted.

6. **Receive monthly and quarterly reports from various county officials and departments and take appropriate action.**
(6-6:52)
 6. October 23, 2023. None. No action taken.
7. **Consider approval of bond forfeiture releases and take appropriate action.**
(7-6:58)
 7. October 23, 2023. None. No action taken.
8. **Consider approval of CMC Interim vendor payments and take appropriate action.**
(8-7:09)
 8. October 23, 2023. Moved by Jason Ohrt and seconded by Gary Burns, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated October 19, 2023 in the amount of \$696,603.60 and the ACH report dated October 19, 2023 in the amount of \$2,117,601.61. Motion adopted.
9. **Consider approval of the following related to the Crossroads Regional Public Defender Office and take appropriate action.**
 - a. **Interlocal Agreement between Victoria, Lavaca, Jackson and Refugio Counties.**
(9a-7:46)
 - 9a. October 23, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the Interlocal Agreement between Victoria, Lavaca, Jackson, and Refugio Counties for the Crossroads Regional Public Defender Office. Motion adopted.
 - Consider approval of the following related to the Crossroads Regional Public Defender Office and take appropriate action.**
 - b. **Oversight Board - Development and Plan.**
(9b-7:46)
 - 9b. October 23, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the Oversight Board Development and Plan for the Crossroads Regional Public Defender Office. Motion adopted.
 - Consider approval of the following related to the Crossroads Regional Public Defender Office and take appropriate action.**
 - c. **Crossroads Regional Public Defender Office - Written Plan.**
(9c-7:46)
 - 9c. October 23, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the Crossroads Regional Public Defender Office Written Plan for the Crossroads Regional Public Defender Office. Motion adopted.
 10. **Vote and approve the ballot for the election of Victoria Central Appraisal District Board of Directors and take appropriate action.**
(10-11:19)
 10. October 23, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved Commissioner Jason Ohrt for the ballot for the election of the Victoria Central Appraisal District Board of Directors. Motion adopted.

11. Consider approval of 2023 Supply Chain Assistance (SCA) Program Reallocation Award and take appropriate action.

(11-13:35)

11. October 23, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the 2023 Supply Chain Assistance (SCA) Program Reallocation Award. Motion adopted.

12. Receive for the record fully executed 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.

(12-15:24)

12. October 23, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court received for the record the fully executed 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. Motion adopted.

13. Consider approval of Resolution 2023-0116 designating an authorized representative for grants and take appropriate action.

(13-15:52)

13. October 23, 2023. Grant Administrator Robin Knipling provided information to the Court. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved Resolution No. 2023-0116 designating an authorized representative for grants. Motion adopted.

14. Receive the executed Texas Association of Counties Liability Renewal Questionnaire for FY 2024 Liability Insurance Coverage Renewal and take appropriate action.

(14-17:45)

14. October 23, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court received the executed Texas Association of Counties Liability Renewal Questionnaire for FY 2024 Liability Insurance Coverage Renewal. Motion adopted.

15. Consider the following in connection to the Road Use Agreement between Victoria County, Texas and Old Hickory Solar, LLC for a solar project located in Jackson County and take appropriate action:

a. Receive executed Performance Surety Bond from Hickory Solar, LLC.

(15a-19:21)

15a. October 23, 2023. Commissioner Kenneth Sexton provided information to the Court. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court received the executed Performance Surety Bond from Hickory Solar, LLC in connection to the Road Use Agreement between Victoria County, Texas and Old Hickory Solar, LLC for a solar project located in Jackson County. Motion adopted.

Consider the following in connection to the Road Use Agreement between Victoria County, Texas and Old Hickory Solar, LLC for a solar project located in Jackson County and take appropriate action:

b. Consider approval to waive the required 30-day notice prior to the commencement of construction of the project.

(15b-19:21)

15b. October 23, 2023. Commissioner Kenneth Sexton provided information to the Court. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved to waive the required 30-day notice prior to the commencement of construction of the project in connection to the Road Use Agreement between Victoria County, Texas and Old Hickory Solar, LLC for a solar project located in Jackson County. Motion adopted.

- 16. Consider approval of a request for payment to Constar Construction in the amount of \$75,258 in connection to CDBG Hurricane Disaster Recovery Program Contract 20-065-094-C262 and take appropriate action.**

(16-21:35)

16. October 23, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the request for payment to Constar Construction in the amount of \$75,258.00 in connection to CDGB Hurricane Disaster Recovery Program Contract 20-065-094-C262. Motion adopted.

- 17. Consider approval of the Victoria County Procurement Policies and Procedures for Federal Funds and take appropriate action.**

(17-22:57)

17. October 23, 2023. Grant Administrator Robin Knipling provided the Court with information. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Victoria County Procurement Policies and Procedures for Federal Funds. Motion adopted.

- 18. Consider approval of the following items for the County Treasurer and take appropriate action.**

a. Receive a quarterly investment report.

(18a-26:15)

18a. October 23, 2023. County Treasurer Paige Foster provided information to the Court. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court received a quarterly investment report as presented by the County Treasurer. Motion adopted.

Consider approval of the following items for the County Treasurer and take appropriate action.

b. Resolution No. 2023-0117 Designating Authorized Representatives for the Victoria County Valic 529 Deferred Compensation Plan.

(18b-26:15)

18b. October 23, 2023. Paige Foster, County Treasurer, approved the Court with information. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court approved Resolution No. 2023-0117 Designating an Authorized Representative for the Victoria County Valic 529 Deferred Compensation Plan. Motion adopted.

Consider approval of the following items for the County Treasurer and take appropriate action.

c. Resolution No. 2023-0118 Designating Authorized Representatives for MetLife.
(18c-26:15)

18c. October 23, 2023. County Treasurer Paige Foster provided information to the Court. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court approved Resolution No. 2023-0118 Designating an Authorized Representative for MetLife. Motion adopted.

- 19. Consider approval of Resolution 2023-0119 for a donation of a leather loveseat in the amount of \$2,500 from Chesnick Furniture Company and Luke Leather to the Victoria County Sheriff's Office Special Operations Unit and take appropriate action.**
(19-33:44)

19. October 23, 2023. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved Resolution No. 2023-0119 for a donation of a leather loveseat in the amount of \$2,500.00 from Chesnick Furniture Company and Luke Leather to the Victoria County Sheriff's Office Special Operations Unit. Motion adopted.

- 20. Receive for the record the annual certification of the Juvenile Detention/Residential Facility and take appropriate action.**
(20-34:58)

20. October 23, 2023. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received for the record the annual certification of the Juvenile Detention/Residential Facility. Motion adopted.

- 21. Receive the Biannual Fire Safety Inspection Report of the Victoria Regional Juvenile Facility and take appropriate action.**
(21-35:36)

21. October 23, 2023. The Commissioners Court passed on the Biannual Fire Safety Inspection Report of the Victoria Regional Juvenile Facility. No action taken.

- 22. Receive for the record the 2023 Discretionary Fund Budget Amendment for the Sheriff's Commissary Fund #380 and take appropriate action.**
(22-36:43)

22. October 23, 2023. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court received for the record the 2023 Discretionary Fund Budget Amendment for the Sheriff's Commissary Fund (380) as a line item transfer to revenues and expenditures. Motion adopted.

- 23. Consider approval of the following 2023 budget amendments and take appropriate**

action:

(23-37:13)

23. October 23, 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, Revenues and Expenditures - Increase
- c. Road and Bridge, Precinct No. 2, Expenditures - Line item transfer
- d. Airport Operating Fund, Revenues and Expenditures - Line item transfer
- e. Road and Bridge, Precinct No. 3, Expenditures -Line item transfer
- f. General Fund, Sheriff's Office, Expenditures - Line item transfer
- g. National School Lunch Program, Revenues and Expenditures - Line item transfer

Motion adopted.

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

(24-38:02)

24. October 23, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. Pama Hencerling, Chief Probation Officer - Juvenile Services:
 - 1. Salary change for Mykel Brandy Padron, Clerk III, from a rate of \$17.00 per hour, Budget Code 231-588-1109 to a rate of \$17.50 per hour, effective October 21, 2023.
 - 2. Dismissal of Christopher Hirsch, JSO - PT, effective October 18, 2023.
- b. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Employment of Austin Nelson, Detention Officer Tier 1, at a rate of \$18.74 per hour, Budget Code 100-565-1117-18.74, effective October 24, 2023. Remarks: LE Grade 6.
 - 2. VCSO Salary Adjustment Certification for Linda Fury, to be paid Master Certificate Pay of \$69.23 per pay period, effective November 9, 2023. Certification Date for Linda Fury is October 12, 2023. Budget Coding: Admin. Certificate Pay 100-562-1137. Remarks: TCO Linda Fury received her Master Telecommunicator Certificate on 10/12/2023.
 - 3. Resignation of Sherry Ficklen, LVN, with 72.01 Compensatory hours due, effective October 19, 2023.
- c. Mark Sloat, Animal Services Director - Victoria County Animal Services:
 - 1. Employment of Arlette Bernice Rocha, Animal Control Officer, at a rate of \$16.57 per hour, Budget Code 100-630-1107, effective October 24, 2023. Grade 4 Plan General.
- d. David Gonzales, Public Health Director - Victoria County Public Health Department:
 - 1. Position/Other Code Change GL for Mary Lou Herrera, Nurse LVN, at a rate of \$21.50 per hour, from Budget Codes 800-631-1163 (39.50%) \$8.49; 800-651-1140 (34.50%) \$7.42; and 800-652-1140 (26.00%) \$5.59 to

Budget Codes 800-631-1163 (39.50%) \$8.49; 800-668-1140 (34.50%) \$7.42; and 800-652-1140 (26.00%) \$5.59, effective October 7, 2023. Other Remarks: G/L Code Change.

2. Position/Other Code Change GL for Jennifer Poncio, ADAP Eligibility Worker, at a rate of \$17.50 per hour, from Budget Code 800-659-1105 to Budget Code 800-673-1105, effective October 7, 2023. Other Remarks: G/L CODE CHANGE.
3. Salary change (cell phone) and position/other change GL for Veronica Cuellar, Medical Case Manager, at a rate of \$18.00 per hour, Budget Codes 800-676-1113 (60%) \$10.80 and 800-673-1113 (40%) \$7.20 to Budget Code 800-676-1113, effective October 7, 2023. Other Remarks: Correct G/L Code & RE-ADD: Cell phone allowance 800-628-1139 \$18.46 per pay period.

e. Ben Zeller, County Judge - County Judge's Office:

1. A revised job description for Chief of Staff, effective October 24, 2023.
2. A job description for Projects & Planning Assistant, effective October 24, 2023.

Motion adopted.

- 25. Closed meeting pursuant to V.T.C.A. Government Code §551.072 to discuss real property, §551.074 to discuss personnel, §551.0745 to discuss board and commissions, and §551.087 to discuss Economic Development.**

(25-38:51)

25. October 23, 2023. The Commissioners Court went into closed session at 10:39 a.m., pursuant to V.T.C.A. Government Code §551.072 to discuss real property, §551.074 to discuss personnel, §551.0745 to discuss board and commissions, and §551.087 to discuss Economic Development.

- 26. 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.**

(26-2:04:03)

26. October 23, 2023. The Commissioners Court returned to an open meeting at 12:04 p.m., pursuant to V.T.C.A. Government Code §551.102, with no action taken.

- 27. Adjourn.**

(27-2:04:20)

27. October 23, 2023. The Commissioners Court adjourned the meeting of October 23, 2023.