

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **6th day November 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, November 6, 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. November 6, 2023. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, November 6, 2023 at 10:02 a.m.

2. Invocation and Pledges.

(2-0:00)

2. November 6, 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.

(3-1:42)

3. November 6, 2023. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Republican Chair Bill Pozzi informed the Court that the filing dates to run for public office are from November 11, 2023 to December 11, 2023. Mr. Pozzi stated to call him at 361-727-7029 to receive a package to run for office.

County Judge Zeller stated tomorrow is the Constitutional Amendment Election from 7:00 a.m. to 7:00 p.m.

County Clerk Heidi Easley stated the former voting place at the Victoria County Courthouse is now located at the Victoria Public Library.

Michael Vonderau of 2204 E. North Street thanked Victoria Animal Services for rescuing three dogs from a cage in the rain and the Victoria Police Department for arresting three robbers on Lone Tree Road. Mr. Vonderau also spoke about the trash and homeless individuals on Laurent Street.

Mr. John Griffin, Victoria County resident, expressed his thoughts about the future and the proposed demolition of the old Victoria County Jail. Mr. Griffin asked the Court to slow down on the decisions being made in regards to the Continental Hotel, old Victoria County Jail, and the old fire station.

Mr. John Kisalus of 601 W. North, Victoria, Texas, spoke about how the heritage and historical preservation of Victoria County is a very important part of the community. Mr. Kisalus asked the Court to hold off on the demolition and to have a task force look at all the options for the three buildings. He would like to see a First Responders office and a Veterans Museum in the old fire station.

Mr. Bill Murphy stated his reasons for not tearing down the old Victoria County Jail for parking spaces. Mr. Murphy reviewed different options and offices for these three historical buildings. He also spoke about a task force and coordinating with Victoria County.

Dr. Michael Hummell of 2306 N. Wheeler stated he would like to see Victoria County preserve the old Victoria County Jail and as much as they can and also stated that the buildings could be preserved, if the figures add up to do so.

Mr. Michael L. Williams, Victoria County resident, spoke about how he has been involved with the history of Victoria County and voiced his concerns regarding tearing down a historical building to build a parking lot.

The Court responded to all the concerns regarding the old Victoria County Jail, Continental Hotel, and the old fire station. Judge Zeller reviewed the process and plans of Victoria County for these historical buildings.

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

4. Consider approval of minutes and take appropriate action.

(4-56:30)

4. November 6, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the minutes of the Commissioners Court meeting held on October 30, 2023. Motion adopted.

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

(5-56:45)

5. November 6, 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	11/6/2023	\$315,168.26
Supplemental Accounts	10/27/2023 – 11/2/2023	\$49,070.45

Motion adopted.

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

(6-57:13)

6. November 6, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received the monthly reports from the County Judge; County Commissioners, Precincts Nos. 1 - 4; County Treasurer; District Clerk; Justices of the Peace, Precincts Nos. 2, 3, and 4; and Constable, Precinct No. 3. Motion adopted.

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

(7-57:40)

7. November 6, 2023. None. No action taken.

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

(8-57:45)

8. November 6, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved interim vendor payment for Citizens Medical Center dated November 2, 2023 in the amount of \$417,182.51 and the ACH report dated November 2, 2023 in the amount of \$1,801,715.85. Motion adopted.

9. Consider approval of Resolution 2023-0124 in honor and recognition of Veteran's Day and take appropriate action.

(9-58:33)

9. November 6, 2023. County Judge Zeller read the proclamation. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved Resolution No. 2023-0124 declaring November 2023 as "Veterans' Month". Motion adopted.

10. Consider approval of appointments to the Crossroads Regional Public Defender Office Oversight Board and take appropriate action.

(10-1:00:55)

10. November 6, 2023. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the appointments of County Judge Ben Zeller, Pre-Trial Services Coordinator Nora Kucera, and local attorney, Micah Hatley to the Crossroads Regional Public Defender Office Oversight Board. Mrs. Kucera thanked the Court for the recommendation to be placed on the Oversight Board. Motion adopted.

11. Hear an update regarding the Mental Health Facility project and take appropriate action.

(11-1:04:13)

11. November 6, 2023. County Judge Zeller updated the Court on the Mental Health Facility project. Judge Zeller reviewed the next steps that would be taken. Judge Zeller stated that a location needs to be found for the facility and spoke about the contract being signed. No action taken.

12. Hear an update regarding the Victoria County Heritage Department and take appropriate action.

(12-1:06:02)

12. November 6, 2023. Commissioners Court passed on hearing an update regarding the Victoria County Heritage Department. No action taken.

13. Consider approval of a reimbursement request from the Bloomington Volunteer Fire Department regarding a brush unit and take appropriate action.

(13-1:06:12)

13. November 6, 2023. Fire Marshal Richard Castillo provided the Court with information. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the reimbursement request in the amount of \$1,679.59 from the Bloomington Volunteer Fire Department regarding repairs to their Brush 1 unit. Motion adopted.

14. Consider approval of a Memorandum of Understanding (MOU) between the Parents as Teachers National Center and Victoria County Public Health Department for FY24 and take appropriate action.

(14-1:07:15)

14. November 6, 2023. Public Health Director David Gonzales provided information to the Court. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the Memorandum of Understanding (MOU) between the Parents as Teachers National Center and Victoria County Public Health Department for FY24. Motion adopted.

15. Consider the following in connection to the Victoria County Courthouse Entry Steps & Repairs Project and take appropriate action:

a. Receive submitted competitive proposals.

(15a-1:07:52)

15a. November 6, 2023. County Engineer John Johnston provided information to the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received the submitted competitive proposal in connection to the Victoria County Courthouse Entry Steps and Repairs Project. Motion adopted.

Consider the following in connection to the Victoria County Courthouse Entry Steps & Repairs Project and take appropriate action:

b. Award proposal to A&A Constructors, Inc.

(15b-1:07:52)

15b. November 6, 2023. John Johnston, County Engineer, provided the Court with information. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the award proposal to A & A Constructors, Inc. in connection to the Victoria County Courthouse Entry Steps and Repairs Project. Motion adopted.

Consider the following in connection to the Victoria County Courthouse Entry Steps & Repairs Project and take appropriate action:

c. Authorize Victoria County Judge to execute future contract with A&A Constructors, Inc., subject to negotiations and review by Victoria County's Attorney.

(15c-1:07:52)

15c. November 6, 2023. County Engineer John Johnston provided information to the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court authorized the Victoria County Judge to execute a future contract with A & A Constructors, Inc., subject to negotiations and review by Victoria County's Attorney. Motion adopted.

16. Consider approval of FY24 Operation Lone Star Program (OLS) Grant Award, Application No. 4381002, and take appropriate action.

(16-1:11:29)

16. November 6, 2023. Grant Administrator Robin Knipling and Sheriff Justin Marr provided information to the Court. Moved by Jason Ohrt and seconded by Gary Burns, the Commissioners Court approved the FY24 Operation Lone Star Program (OLS) Grant Award Application No. 4381002. Motion adopted.

17. Consider the following in connection with the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY2023 Local Solicitation and take appropriate action:

a. Approval of FY23 JAG Grant Award.

(17a-1:14:15)

17a. November 6, 2023. Grant Administrator Robin Knipling provided information to the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved FY23 JAG Grant Award in connection with the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2023 Local Solicitation. Motion adopted.

Consider the following in connection with the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY2023 Local Solicitation and take appropriate action:

b. Receive an executed copy of the City/County Memorandum of Understanding.
(17b-1:14:15)

17b. November 6, 2023. Robin Knipling, Grant Administrator, provided the Court with information. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received an executed copy of the City/County Memorandum of Understanding in connection with the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2023 Local Solicitation. Motion adopted.

- 18. Consider approval of an annual Routine Maintenance Airport Program Grant from TxDot Aviation for the Victoria Regional Airport and take appropriate action.**
(18-53:45)

18. November 6, 2023. Executive Director Lenny Llerena provided the Court with information. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court approved an annual Routine Maintenance Airport Program Grant from TxDot Aviation Project ID: M2413VICT for the Victoria Regional Airport. Motion adopted.

- 19. Consider approval of Resolution 2023-0125 for a road donation in Pct. 1 from Erick Ramos for the installation of a driveway and pipe culvert to improve drainage at 23 Girdly Rd., Victoria, Texas, and take appropriate action.**
(19-1:15:18)

19. November 6, 2023. Commissioner Danny Garcia provided information to the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved Resolution No. 2023-0125 for a road donation from Erick Ramos in the amount of \$75.00 for repairs to the driveway and pipe culvert to improve drainage at 23 Girdy Road, Victoria, Texas in Precinct No. 1. Motion adopted.

- 20. Consider approval of the following Resolution for road donations in Pct. 3 for the installation of a driveway and pipe culvert to improve drainage and take appropriate action:**
a. Resolution No. 2023-0122 for Sam Faidley, 5000 Old Goliad Rd., Victoria, Texas in the amount of \$348.00.

(20a-1:16:41)

20a. November 6, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved Resolution No. 2023-0122 for a road donation from Sam Faidley in the amount of \$348.00 for the installation of a driveway and pipe culvert to improve drainage at 5000 Old Goliad Road, Victoria, Texas in Precinct No. 3. Motion adopted.

Consider approval of the following Resolution for road donations in Pct. 3 for the installation of a driveway and pipe culvert to improve drainage and take appropriate action:

b. Resolution No. 2023-0123 for Sam Faidley, Coletoville Rd. E. Victoria Texas in the amount of \$348.00.

(20b-1:16:41)

20b. November 6, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved Resolution No. 2023-0123 for a road donation from Sam Faidley in the amount of \$348.00 for the installation of a driveway and pipe culvert to improve drainage at Coletoville Road E Victoria, Texas in Precinct No. 3. Motion adopted.

21. Receive for the record a Discretionary Funds Budget Amendment for the CDA Contraband Forfeiture Fund (370) and take appropriate action.

(21-1:17:49)

21. November 6, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court received for the record the 2023 Discretionary Funds Budget Amendment for the CDA Contraband Forfeiture Fund (370) as a line item transfer to expenditures. Motion adopted.

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

(22-1:18:18)

22. November 6, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the 2023 budget amendments for:

- a. General Fund, Various Departments, Expenditures – Line item transfer
- b. Road and Bridge, Precinct No. 2, Expenditures -Line item transfer
- c. Road and Bridge, Precinct No. 3, Expenditures - Line item transfer
- d. Road and Bridge, Precinct No. 4, Expenditures - Line item transfer
- e. 4/H Activity Center, Expenditures - Line item transfer
- f. Airport Fund, Expenditures - Line item transfer
- g. Airport Capital Projects Fund, Revenues and Expenditures - Line item transfer
- h. National School Lunch Program, Expenditures - Line item transfer
- i. Health Insurance Fund, Expenditures - Line item transfer
- j. General Fund, Sheriff's Office, Expenditures - Line item transfer
- k. Health Department, Expenditures - Line item transfer

Motion adopted.

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

(23-1:19:26)

23. November 6, 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. Employment of Taylor Chinowith, Data Entry Specialist, at a rate of \$17.00 per hour, Budget Code 803-631-1155, effective November 7, 2023. Grade 3 Plan General Tier n/a.
 - 2. Employment of Sunni Edmerson, Community Health Worker I, at a rate of \$17.56 per hour, Budget Code 804-631-1104, effective November 7, 2023. Other Remarks: Cell Phone Allowance: \$480.00 - 804-631-1139 (\$18.46 per pay period). Grade 5 Plan General Tier n/a.
- b. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Resignation of Mariah Salazar, Telecommunications Operator - Tier 1, with 9.13 Compensatory hours due, effective October 29, 2023. Remarks: Grade 6 General Plan.

- c. Pama Hencerling, Chief Probation Officer - Juvenile Detention:
 - 1. Resignation of Dolores Driver, Cook, with 5.77 Compensatory hours due, effective November 1, 2023. Remarks: Grade 1 General Plan.
 - 2. Employment of Misty Green, Cook, at a rate of \$15.00 per hour, Budget Codes 100-573-1174 \$5.00 (33.33%) and 392-573-1174 \$10.00 (66.67%), effective November 7, 2023. Remarks: Grade 1 General Plan.
- d. Ben Zeller, County Judge - County Judge's Office:
 - 1. Certificate of completion of 1.2 Continuing Education Units (CEU) for Giani Cantu from the American Management Association for successfully completing the Executive Presence for Women Conference on October 10-11, 2023.

Motion adopted.

- 24. Closed meeting pursuant to V.T.C.A. Government Code §551.072 to discuss real property, §551.074 to discuss personnel matters, §551.0745 to discuss Board and Commissions, and §551.071 to conduct a private consultation with the County's attorney regarding matters protected by the Attorney-Client Privilege.**

(24-1:19:46)

24. November 6, 2023. The Commissioners Court went into closed session at 11:32 a.m., pursuant to V.T.C.A. Government Code §551.072 to discuss real property, §551.074 to discuss personnel matters, and §551.0745 to discuss Board and Commissions and §551.071 to conduct a private consultation with the County's attorney regarding matters protected by the Attorney-Client Privilege.

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

(25-1:20:26)

25. November 6, 2023. The Commissioners Court returned to an open meeting at 1:13 p.m., pursuant to V.T.C.A. Government Code §551.102, with no action taken.

- 26. Adjourn.**

(26-1:20:28)

26. November 6, 2023. The Commissioners Court adjourned the meeting of November 6, 2023.