

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **4th day December 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	Absent
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, December 4, 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. December 4, 2023. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, December 4, 2023 at 10:02 a.m.

2. Invocation and Pledges.

(2-0:00)

2. December 4, 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.

(3-1:44)

3. December 4, 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 stated today is the last day for mayoral filings and one week left for standard filings.

Victoria Regional Airport Executive Director Lenny Llerena informed the Court that the Victoria Regional Airport met the 10,000 enplanements and stated that the airport is now a primary commercial airport.

Michael Vonderau of 2204 E. North Street thanked Trap, Neuter and Release for their work and the Victoria Regional Airport.

Commissioner Danny Garcia stated that he knows individuals that have moved to Victoria due to the Victoria Regional Airport. Lenny Llerena, Executive Director, responded to Commissioner Garcia.

County Judge Zeller spoke about the Public Defender's Office meeting of the oversight board that was held last Friday and stated the meeting was very productive.

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

4. Consider approval of minutes, including project and planning workshop minutes, and take appropriate action.

(4-11:15)

4. December 4, 2023. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the minutes of the Project and Planning Workshop meetings held on October 31, 2023 and November 1, 2023 and the Commissioners Court meeting held on November 27, 2023. Motion adopted.

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

(5-11:33)

5. December 4, 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	12/4/2023	\$454,936.37
Supplemental Accounts	11/21/2023 – 11/29/2023	\$100,697.74

Motion adopted.

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

(6-11:59)

6. December 4, 2023. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court received the monthly reports from the County Judge; County Commissioners, Precincts Nos. 1, 3, and 4. Motion adopted.

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

(7-12:33)

7. December 4, 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.

(8-12:39)

8. December 4, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved payroll, accounts payable, personnel changes, board minutes, and interim vendor payment for Citizens Medical Center dated November 30, 2023, in the amount of \$862,808.64 and the ACH report dated November 30, 2023, in the amount of \$2,317,297.28. Motion adopted.

9. Hold a discussion regarding illegal dumping in Victoria County and take appropriate action.

(9-13:07)

9. December 4, 2023. Commissioners Kenneth Sexton and Danny Garcia discussed illegal dumping in their precincts. The Court will continue this discussion on next week's agenda. No action taken.

10. Receive Application for Tax Abatement from Centerline and take appropriate action.

(10-19:06)

10. December 4, 2023. Sharon Barnard of Victoria Economic Development Corporation spoke about the tax abatement and the progress of Centerline Technologies, LLC. and asked the Court to modify the abatement. Waylan Brannan of Centerline Technologies, LLC informed the Court about the process and growth of Centerline Technologies, LLC. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court received an Application for Tax Abatement from Centerline. Motion adopted.

11. Set a public hearing to consider a tax abatement agreement with Centerline and take

appropriate action.

(11-25:31)

11. December 4, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved to set a public hearing for January 8, 2024 at 10:00 a.m. in the Commissioners Courtroom to consider a tax abatement agreement with Centerline Technologies, LLC. Motion adopted.

12. Receive for the record the Victoria Central Appraisal District 2024 Board of Directors election results and take appropriate action.

(12-26:08)

12. December 4, 2023. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court received for the record the Victoria Central Appraisal District 2024 Board of Directors election results. Motion adopted.

13. Consider the following items by the Public Health Department and take appropriate action:

a. Approval of a Master Internship Agreement with Brigham Young University – Idaho.

(13a-26:54)

13a. December 4, 2023. David Gonzales, Public Health Director, provided information to the Court. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the Master Internship Agreement with Brigham Young University Idaho for the Victoria County Public Health Department. Motion adopted.

Consider the following items by the Public Health Department and take appropriate action:

b. Receive for the record the fully executed Ryan White Service Contract Amendment No. 5611/1-565-03.

(13b-26:54)

13b. December 4, 2023. Public Health Director David Gonzales provided the Court with information. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court received for the record the fully executed Ryan White Service Contract Amendment No. 5611/1-565-03 for the Victoria County Public Health Department. Motion adopted.

Consider the following items by the Public Health Department and take appropriate action:

c. Receive for the record the fully executed Tuberculosis Prevention and Control-Federal (TB/PC) HHS001096400026 Amendment No. 2.

(13c-26:54)

13c. December 4, 2023. David Gonzales, Public Health Director, provided information to the Court. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court received for the record the fully executed Tuberculosis Prevention and Control-Federal (TB/PC) HHS001096400026 Amendment No. 2 for the Victoria County Public Health Department. Motion adopted.

14. Consider approval of the following requests for assistance from the Victoria Fire Marshal's Office and take appropriate action:

a. Mission Valley Volunteer Fire Department in the amount of \$1,935.00

(14a-28:24)

14a. December 4, 2023. Richard Castillo, Fire Marshal, provided information to the Court. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the request for assistance from the Victoria Fire Marshal's Office for the Mission Valley Volunteer Fire Department in the amount of \$1,935.00 to repair the air conditioning unit in their primary brush truck. Motion adopted.

Consider approval of the following requests for assistance from the Victoria Fire Marshal's Office and take appropriate action:

b. Raisin Volunteer Fire Department in the amount of \$15,114.34.

(14b-28:24)

14b. December 4, 2023. Fire Marshal Richard Castillo provided the Court with information. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the request for assistance from the Victoria Fire Marshal's Office for the Raisin Volunteer Fire Department in the amount of \$15,114.34 to assist in the purchase of a slip in unit and repairs to their Unit Brush 5 truck. Motion adopted.

15. Consider the following in relation to Public Assistance Alternative Procedures for Direct Administrative Costs (PAAP DAC) and take appropriate action:

a. Receive notice of approval from the Texas Division of Emergency Management (TDEM) to utilize PAAP DAC funds for Hazard Mitigation Action Plan (MAP) update expenses.

(15a-33:12)

15a. December 4, 2023. Emergency Management Director Rick McBrayer provided information to the Court. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court received notice of approval from the Texas Division of Emergency Management (TDEM) to utilize PAAP DAC Funds for Hazard Mitigation Action Plan (MA) update expenses in relation to Public Assistance Alternative Procedures for Direct Administrative Costs (PAAP DAC). Motion adopted.

Consider the following in relation to Public Assistance Alternative Procedures for Direct Administrative Costs (PAAP DAC) and take appropriate action:

b. Approve use of PAAP DAC allocation to fund 90% of MAP update expenses

(15b-33:12)

15b. December 4, 2023. Rick McBrayer, Emergency Management Director, provided the Court with information. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the PAAP DAC allocation to fund 90% of MAP update expenses. Motion adopted.

16. Discuss and consider grant management software and take appropriate action.

(16-35:27)

16. December 4, 2023. Grant Administrator Robin Knipling gave a presentation regarding the operational goals and direction for the Administrative Services department and presented a grant management proposal from eCivis. County Judges Chief of Staff Giani Cantu and County Auditor Michelle Samford provided information to the Court. No action taken.

17. Consider approval of Resolution No. 2023-0132 accepting a donation from the

Greater Houston Community Foundation - Jay and Barbara Lack Family Fund to be used by Victoria County Sheriff's Office and take appropriate action.

(17-53:59)

17. December 4, 2023. The Commissioners Court passed on Resolution No. 2023-0132 accepting a donation from the Greater Houston Community Foundation - Jay and Barbara Lack Family Fund for the Victoria County Sheriff's Office. No action taken.

18. Receive for the record an Order Approving Juvenile Referrals from the Victoria County Juvenile Board and take appropriate action.

(18-54:14)

18. December 4, 2023. Moved by Kenneth Sexton and seconded by Danny Garcia, the Commissioners Court received for the record an Order Approving Juvenile Referrals from the Victoria County Juvenile Board. Motion adopted.

19. Consider approval of the Detention contract between Victoria Regional Juvenile Justice Center and Brooks County and take appropriate action.

(19-54:45)

19. December 4, 2023. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the Detention Contract between Victoria Regional Juvenile Justice Center and Brooks County. Motion adopted.

20. Consider approval of the appointment of Darlyn Williams and reappointment of Angie Stafford to the Victoria County Child Welfare Board and take appropriate action.

(20-55:10)

20. December 4, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the appointment of Darlyn Williams and reappointment of Angie Stafford to the Victoria County Child Welfare Board. Motion adopted.

21. Consider approval of Resolution No. 2023-0131 for the removal of the Dupont Rd. Bridge and take appropriate action.

(21-56:26)

21. December 4, 2023. Commissioner Danny Garcia provided information to the Court. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved Resolution No. 2023-0131 for the removal of the DuPont Road Bridge. Motion adopted.

22. Consider approval of Resolution 2023-0133 for a road donation in Pct. 3 from Kevin Patek for the installation of a driveway and pipe culvert to improve drainage at 8572 Coletoville Rd, Victoria, Texas for the value of \$232 and take appropriate action.

(22-58:25)

22. December 4, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved Resolution No. 2023-0133 for a road donation from Kevin Patek in the amount of \$232.00 for the installation of a driveway and pipe culvert to improve drainage at 8572 Coletoville Road, Victoria, Texas in Precinct No. 3. Motion adopted.

23. Consider approval of Order No. 2023-0134 amending the 2023 Salary Order and take appropriate action.

(23-58:43)

23. December 4, 2023. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved Order No. 2023-0134 amending the 2023 Salary Order for the licensed peace officer pay for the position of Victoria County Sheriff. Motion adopted.

24. Receive for the record 2023 Discretionary Fund Budget Amendment for Sheriff's Commissary Fund No. 380 and take appropriate action.

(24-59:47)

24. December 4, 2023. Moved by Kenneth Sexton and seconded by Danny Garcia, the Commissioners Court received for the record the 2023 Discretionary Fund Budget Amendment for the Sheriff Commissary Fund No. 380 as an increase to expenditures. Motion adopted.

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

(25-1:00:15)

25. December 4, 2023. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the 2023 budget amendments for:

- a. General Fund, Various Departments, Expenditures – Increase
- b. Road and Bridge, Precinct No. 1, Expenditures - Line item transfer
- c. Road and Bridge, Precinct No. 2, Expenditures - Line item transfer
- d. Road and Bridge, Precinct No. 3, Expenditures - Line item transfer
- e. Airport Fund, Expenditures - Line item transfer
- f. Elections Administrators Special, Expenditures - Line item transfer
- g. General Fund, Sheriff's Office, Revenues and Expenditures - Line item transfer

Motion adopted.

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

(26-1:01:10)

26. December 4, 2023. Moved by Danny Garcia 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 Detention:
 - 1. Employment of Evan Diego Rodriguez, JSO - FT, at a rate of \$18.74 per hour, Budget Codes 100-573-1156 \$18.74/HR and 231-572-1136 FT @ \$115.38/BWKLY, effective December 5, 2023. Other Remarks: TJJD SALARY ADJUSTMENT - \$115.38. Remarks: LE Grade 6.
 - 2. Employment of Rebecca Ramirez, Clerk III, at a rate of \$17.42 per hour, Budget Code 100-573-1147, effective December 5, 2023. Remarks General, Grade 3.
- b. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Salary and position change for Kristopher Rodriguez, from Corporal, at a rate of \$27.60 per hour, Budget Codes 100-565-1109-26.60 and 100-565-1136-1.00 to Patrol Deputy, at a rate of \$24.29 per hour, Budget Codes 100-563-1109-23.29 and 100-563-1136-1.00, effective December 2, 2023. Remarks: LE New Grade 7.

Motion adopted.

- 27. 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, §551.087 to discuss Economic Development, and §551.071 to conduct a private consultation with the County's attorney regarding matters protected by the Attorney-Client Privilege.**

(27-1:11:05)

27. December 4, 2023. The Commissioners Court went into closed session at 11:13 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, §551.087 to discuss Economic Development, §551.071 to conduct a private consultation with the County's attorney regarding matters protected by the Attorney-Client Privilege.

- 28. 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.**

(28-2:16:14)

28. December 4, 2023. The Commissioners Court returned to an open meeting at 12:18 p.m., pursuant to V.T.C.A. Government Code §551.102, with no action taken.

- 29. Discuss and consider the restructure of the Facilities Management and Records Management Departments and take appropriate action.**

(29-2:16:25)

29. December 4, 2023. Moved by Kenneth Sexton and seconded by Gary Burns the Commissioners Court approved the restructuring of the Facilities Management and Records Management Departments, position profiles (job descriptions), and personnel change in status as follows:

- a. Ben Zeller, County Judge - Records Management/Facilities Department:
 1. Position/other code change for Raquel Vasquez, from RM Tech (Records Management), at a rate of \$16.58 per hour, Budget Code 100-402-1105 to RM Tech (Facilities - Custodial Division), at a rate of \$16.58 per hour, Budget Code 100-510-1115, effective December 2, 2023. Other Remarks: Department alignment - Annual Cell Phone Allowance for Records 100-402-1139 to 100-510-1139 \$479.96. Grade 3 Plan General.
 2. Position/other code change for Russell "Rusty" Tripp, from Facilities Foreman (Facilities Management), at a rate of \$25.60 per hour, Budget Code 100-510-1103 to Maintenance Supervisor (Facilities - Maintenance Division), at a rate of \$25.60 per hour, Budget Code 100-510-1103, effective December 2, 2023. Other Remarks: Position name change – Annual Cell Phone Allowance 100-510-1139 \$1080.04. Grade 10 Plan General.
 3. Position/other code change for Amanda Shedd, from Records Manager (Records Management), at a rate of \$24.08 per hour, Budget Code 100-402-1104 to Facilities Coordinator (Facilities - Custodial Division), at a rate of \$24.08 per hour, Budget Code 100-510-1110, effective December 2, 2023. Other Remarks: Department alignment - Annual Cell Phone Allowance for Records 100-402-1139 to 100-510-1139 \$479.96. Grade 9 Plan General.

4. Position/other code change for MacArthur Villa, from Facilities Tech (Facilities Management), at a rate of \$20.60 per hour, Budget Code 100-510-1103 to Facilities Tech 1 (Facilities - Maintenance Division), at a rate of \$20.60 per hour, Budget Code 100-510-1106, effective December 2, 2023. Other Remarks: Position/Grade update - Annual Cell Phone Allowance 100-510-1139 \$479.96. Grade 3 Plan General.

Motion adopted.

30. Adjourn.

(30-2:17:10)

30. December 4, 2023. The Commissioners Court adjourned the meeting of December 4, 2023.