

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **1st day April A.D., 2024**, 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, April 1, 2024, 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. April 1, 2024. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, April 1, 2024, at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. April 1, 2024. County 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.

(3-1:25)

3. April 1, 2024. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

John Griffin, a Victoria resident, stated to the Court he hopes they had a blessed Easter.

John Kisalus, a Victoria resident, thanked the Court for their decision last week, in regard to the master plan for the old jail.

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

4. Consider approval of minutes and take appropriate action.

(4-2:42)

4. April 1, 2024. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the minutes of the Commissioners Court meeting held on March 25, 2024. Motion adopted.

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

(5-3:01)

5. April 1, 2024. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court approved the accounts payable as presented by Michelle Samford, County Auditor.

Regular Accounts	4/1/2024	\$638,545.14
Supplemental Accounts	3/22/2024 – 3/27/2024	\$126,760.30

Motion adopted.

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

(6-3:31)

6. April 1, 2024. 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.

(7-3:50)

7. April 1, 2024. None. No action taken.

8. Consider approval of CMC Interim vendor payments board minutes, accounts payable, payroll, and personnel changes, and take appropriate action.

(8-3:58)

8. April 1, 2024. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the board minutes, accounts payable, payroll, personnel changes, and interim vendor payment for Citizens Medical Center dated March 28, 2024, in the amount of \$514,785.14 and the ACH report dated March 28, 2024, in the amount of \$1,540,002.17. Motion adopted.

9. Hear a Proclamation designating April 2024 as Child Abuse Prevention & Awareness Month and take appropriate action.

(9-5:59)

9. April 1, 2024. Criminal District Attorney Constance Filley Johnson thanked everyone for wearing blue today. Meagen Gumm, Executive Director with Hope Child Advocacy Center, spoke about child abuse in Victoria County and stated this is an opportunity to honor those impacted by abuse. Ms. Gumm thanked the community for their support and for wearing blue. Judge Zeller read the Proclamation. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the Proclamation which proclaims the month of April as Child Abuse Prevention and Awareness Month in Victoria County. Motion adopted.

10. Consider approval of the following items for the Victoria County Public Health Department and take appropriate action:

a. Ryan White Service Delivery Contract No. 5611/1-565-04.

(10a-13:10)

10a. April 1, 2024. Public Health Director David Gonzales provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Ryan White Service Delivery Contract No. 5611/1-565-04 for the Victoria County Public Health Department. Motion adopted.

Consider approval of the following items for the Victoria County Public Health Department and take appropriate action:

b. Ryan White Service Delivery Contract No. 5611/2-565-01.

(10b-13:10)

10b. April 1, 2024. David Gonzales, Public Health Director, provided the Court with information. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Ryan White Service Delivery Contract No. 5611/2-565-01 for the Victoria County Public Health Department. Motion adopted.

Consider approval of the following items for the Victoria County Public Health Department and take appropriate action:

c. Receive for the record a fully executed Housing Opportunities for Persons with AIDS (HOPWA) Contract No. 5613/1-565-02.

(10c-13:10)

10c. April 1, 2024. Public Health Director David Gonzales provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received for the record a fully executed Housing Opportunities for Person with AIDS (HOPWA) Contract No. 5613/1-565-02 for the Victoria County Public Health Department. Motion adopted.

Consider approval of the following items for the Victoria County Public Health Department and take appropriate action:

d. Receive for the record a fully executed Immunization/Locals Grant Contract HHS001331300049 Amendment No. 1.

(10d-13:10)

10d. April 1, 2024. David Gonzales, Public Health Director, provided the Court with information. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received for the record a fully executed Immunization/Locals Grant Contract HHS001331300049 Amendment No. 1 for the Victoria County Public Health Department. Motion adopted.

11. Hear and consider the placement of a helicopter monument at Patriot Park in Precinct 3 by the Vietnam Veterans of America and take appropriate action.

(11-15:18)

11. April 1, 2024. Ernest Montez and Gary Gay, Vietnam Veterans of America, discussed the request for a helicopter monument to be placed at Patriot Park with the Court and answered questions from the Court. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the County Judge to sign the request application when it is prepared and ready to be submitted for the placement of a helicopter monument at Patriot Park in Precinct No. 3 by the Vietnam Veterans of America. Motion adopted.

12. Consider approval of a proposal by Mitchell Glass Company from Constable Easley to install an exterior door at his office located in the Justice of the Peace No. 3 building and take appropriate action.

(12-26:53)

12. April 1, 2024. Facilities Manager Kelly Hubert provided information to the Court. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved a proposal by Mitchell Glass Company from Constable Easley to install an exterior door at his office located in the Justice of the Peace, No. 3 building. Motion adopted.

- 13. Consider approval of the following items by the Victoria County Sheriff's Office and take appropriate action:**
a. Grant a Discretionary Bid Exemption pursuant to Local Government Code 262.024(a)(2) for an item necessary to preserve or protect the public health and safety of residents of the County.

(13a-30:10)

13a. April 1, 2024. Sheriff Justin Marr provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved to Grant a Discretionary Bid Exemption pursuant to Local Government Code 262.024(a)(2) for an item necessary to preserve or protect the public health and safety of residents of the County. Motion adopted.

Consider approval of the following items by the Victoria County Sheriff's Office and take appropriate action:

- b. Authorize purchase of 3 used fleet vehicles from the Missouri State Highway Patrol Fleet Division.**

(13b-30:10)

13b. April 1, 2024. Sheriff Justin Marr provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court authorized the purchase of 3 used fleet vehicles from the Missouri State Highway Patrol Fleet Division. Motion adopted.

- 14. Consider approval and authorize the County Judge to sign the commercial Real Estate Listing Agreement - Executive Right to Sell with Jimmy Zaplac at Coldwell Banker D'Ann Harper, Realtors, in connection to sell the property located at 8410 FM 236, Victoria, Texas 77905, and take appropriate action.**

(14-32:03)

14. April 1, 2024. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court approved and authorized the County Judge to sign the commercial Real Estate Listing Agreement-Executive Right to Sell with Jimmy Zaplac at Coldwell Banker D'Ann Harper, Realtors in connection to sell the property located at 8410 FM 236, Victoria, Texas 77905. Motion adopted.

- 15. Consider approval of establishing an evaluation committee for the Request for Qualifications (RFQ) for Owner's Representative services for the inpatient mental health facility in Victoria County and take appropriate action.**

(15-33:59)

15. April 1, 2024. County Engineer John Johnston and the County Judge's Chief of Staff provided information to the Court. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved an evaluation committee consisting of Jason Ohrt, Commissioner, Precinct No. 2; John Johnston, County Engineer; Giani Cantu, Chief of Staff; Robin Knipping, Grant Administrator; and Becky Smiley, First Assistant Auditor for the Request for Qualifications (RFQ) for Owner's Representative services for the inpatient mental health facility in Victoria County. Motion adopted.

- 16. Hear an update and hold a discussion on capital improvement projects and take**

appropriate action.

(16-36:34)

16. April 1, 2024. The Commissioners Court held a brief discussion on the property for the mental health hospital and mentioned the Public Defender's Office and Emergency Response Complex. Airport Executor Director Lenny Llerena discussed the property at the airport. County Engineer John Johnston mentioned Rawley McCoy and Associates has moved into the 311 Constitution building and Senator Lois Kolkhorst and Representative Geanie Morrison are now operating in the building. No action taken.

- 17. Consider approval of Resolution No. 2024-0026 for a road donation in Pct. 3 from Paul Miksch for the installation of a pipe culvert to improve drainage on 1450 Fordyce Road, Victoria, Texas 77905 in the amount of \$1,456.50 and take appropriate action.**

(17-41:56)

17. April 1, 2024. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court approved Resolution No. 2024-0026 for a road donation in the amount of \$1,456.50 from Paul Miksch at 1450 Fordyce Road, Victoria, Texas, 77905 in Precinct No. 3 for installation of a pipe culvert to improve drainage. Motion adopted.

- 18. Consider approval of Resolution No. 2024-0027 for a road donation in Pct. 4 from Frank Hermes for the installation of a pipe culvert to improve drainage on 369 Meadowlane Dr., Yoakum, Texas 77995 in the amount of \$1,000, and take appropriate action.**

(18-42:33)

18. April 1, 2024. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved Resolution No. 2024-0027 for a road donation in the amount of \$1,000.00 from Frank Hermes at 369 Meadowlane Drive, Yoakum, Texas, 77995 in Precinct No. 4 for installation of a pipe culvert to improve drainage. Motion adopted.

- 19. Consider the following regarding the Victoria County Heritage Department and take appropriate action:**

a. Review interoffice memorandum regarding working hours and job description of Victoria County Heritage Director and make any clarifications necessary

(19a-43:49)

19a. April 1, 2024. Heritage Director Jeff Wright discussed his working hours for Victoria County and job description regarding the master plan for the old jail with the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved that any other entity activities performed by Heritage Director Jeff Wright has to be approved by Commissioners Court in order for it to be counted toward the 30 hours; he clocks in and out on the time clock and attends Commissioners Court on a regular basis. Motion adopted.

Consider the following regarding the Victoria County Heritage Department and take appropriate action:

b. Review and evaluate the 2005 lease agreement between Victoria County and Victoria Preservation Inc. and determine if any clarifications or updates are needed

(19b-43:49)

19b. April 1, 2024. The Commissioners Court did not review or evaluate the 2005 lease agreement between Victoria County and Victoria Preservation Inc. No action taken.

20. Consider approval of the following 2024 budget amendments and take appropriate action:

(20-56:22)

20. April 1, 2024. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the 2024 budget amendments for:

- a. General Fund/Various Departments, Expenditures – Line item transfer
- b. Health Department, Expenditures - Line item transfer
- c. Airport Capital Projects Fund, Revenues and Expenditures - Line item transfer
- d. Leose Fund, Revenues and Expenditures – Line item transfer
- e. Elections Administrators Special, Revenues and Expenditures - Line item transfer

Motion adopted.

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

(21-57:07)

21. April 1, 2024. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. Kenneth Sexton, Commissioner, Precinct No. 4 - Road and Bridge, Precinct No. 4:
 - 1. Certificate of completion for 10 hours of continuing education from the V.G. Young Institute of County Government for Kenneth Sexton, Commissioner, Precinct No. 4.
- b. Jason Ohrt, Commissioner, Precinct No. 2 - Road and Bridge, Precinct No. 2:
 - 1. Certificate of completion for 10 hours of continuing education from the V.G. Young Institute of County Government for Jason Ohrt, Commissioner, Precinct No. 2.
 - 2. Retirement of James K. Rosenquest, Sr. Equipment Operator, with 4.62 PTO and 7.13 Compensatory hours due, effective April 1, 2024.
- c. John Johnston, County Engineer - Administrative Services:
 - 1. Position/other code change for Maddison Heibel, Grant Specialist, at a rate of \$22.39 per hour, from Budget Code 190-591-1112 to Budget Code 100-501-1112, effective April 6, 2024. Other Remarks: Position subject to available ARPA funding and/or other funding sources as determined by the Commissioner's Court - Funding source change mid FY2024. Grade 5 Plan General.
- d. Pama Hencerling, Chief Probation Officer - Juvenile Services:
 - 1. Position/other code change for Juan Llanes, JPO, at a rate of \$26.05 per hour, \$1.00 Interlocal Agreement; Salary Adjustment Directive, from Budget Codes 231-571-1107 - \$26.05, Inter. Agree: 231-577-1108 - \$1.00, Salary Adjust. Direct: 231-572-1135 \$115.38 to Budget Codes 231-571-1106 - \$26.05, Inter. Agree: 231-577-1108 - \$1.00, Salary Adjust. Direct: 231-572-1135 \$115.38, effective March 23, 2024. Grade 9 plan General.

2. Position/other code change for Jennifer Cantrell, JPO, at a rate of \$25.05 per hour, \$1.00 Interlocal Agreement; Salary Adjustment Directive, from Budget Codes 231-571-1107 - \$25.05, Inter. Agree: 231-577-1108 - \$1.00, Salary Adjust. Direct: 231-572-1135 \$115.38 to Budget Codes 231-571-1106 - \$25.05, Inter. Agree: 231-577-1108 - \$1.00, Salary Adjust. Direct: 231-572-1135 \$115.38, effective March 23, 2024. Grade 9 Plan General.
 3. Position/other code change for Kenneth Wells, JPO, at a rate of \$24.05 per hour, \$1.00 Interlocal Agreement; Salary Adjustment Directive from Budget Codes 231-571-1109 - \$24.05, Inter. Agree: 231-577-1108 - \$1.00, Salary Adjust. Direct: 231-572-1135 \$115.38 to Budget Codes 231-571-1106 - \$24.05, Inter. Agree: 231-577-1108 - \$1.00, Salary Adjust. Direct: 231-572-1135 \$115.38, effective March 23, 2024. Grade 9 Plan General.
 4. Position/other code change for Jason Whiddon, JPO, at a rate of \$24.05 per hour, \$1.00 Interlocal Agreement; Salary Adjustment Directive from Budget Codes 231-571-1107 - \$24.05, Inter. Agree: 231-577-1108 - \$1.00, Salary Adjust. Direct: 231-572-1135 \$115.38 to Budget Codes 231-571-1106-\$24.05, Inter. Agree: 231-577-1108 - \$1.00, Salary Adjust. Direct: 231-572-1135 \$115.38, effective March 23, 2024. Grade 9 Plan General.
 5. Position/other code change for Dakota Stewart, JPO, at a rate of \$24.05 per hour, \$1.00 Interlocal Agreement; Salary Adjustment Directive, from Budget Codes 231-571-1108 - \$24.05, Inter. Agree: 231-577-1108 - \$1.00, Salary Adjust. Direct: 231-572-1135 \$115.38 to Budget Codes 231-571-1106 - \$24.05, Inter. Agree: 231-577-1108 - \$1.00, Salary Adjust. Direct: 231-572-1135 \$115.38, effective March 23, 2024. Grade 9 Plan General.
 6. Position/other code change for Vera M Le Blanc-Abernathy, Clerk III, at a rate of \$16.00 per hour, from Budget Code 231-588-1111 to Budget Code 231-588-1109, effective March 23, 2024. Grade 3 Plan General.
- e. David Gonzales, Public Health Director - Victoria County Public Health Department:
1. Resignation of Jodie Brown, Environmental Administrative Secretary, effective April 5, 2024.

Motion adopted.

22. Closed meeting pursuant to V.T.C.A. Government Code §551.074 to discuss personnel matters.

(22-57:44)

22. April 1, 2024. The Commissioners Court went into closed session at 10:48 a.m., pursuant to V.T.C.A. Government Code §551.074 to discuss personnel matters.

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

(23-1:40:23)

23. April 1, 2024. The Commissioners Court returned to open meeting at 11:40 a.m., pursuant to V.T.C.A. Government Code §551.102, with no action taken.

24. Adjourn.

(24-1:40:38)

24. April 1, 2024. The Commissioners Court adjourned the meeting of April 1, 2024.