

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **1st day July 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, Gary Burns, County Judge Pro Tem, presiding and the following Commissioners attending:

Ben Zeller,	County Judge	Absent
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, July 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. July 1, 2024. Gary Burns, County Judge Pro Tem, called to order the Commissioners Court Special Term for Monday, July 1, 2024, at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. July 1, 2024. County Judge Pro Tem Gary Burns 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.

(3-1:19)

3. July 1, 2024. Judge Pro Tem Gary Burns opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Hearing no comments, Judge Pro Tem Gary Burns continued with the next agenda item.

4. Consider approval of minutes and take appropriate action.

(4-1:33)

4. July 1, 2024. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the minutes of the Commissioners Court meeting held on June 24, 2024. Motion adopted.

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

(5-2:06)

5. July 1, 2024. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the accounts payable as presented by Becky Smiley, First Assistant County Auditor.

Regular Accounts	7/1/2024	\$517,555.19
Supplemental Accounts	6/21/2024 – 6/27/2024	\$21,279.39

Motion adopted.

- 6. Receive monthly and quarterly reports from various county officials and departments and take appropriate action.**
(6-2:29)

6. July 1, 2024. Moved by Jason Ohrt and seconded by Danny Garcia, 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.**
(7-2:45)

7. July 1, 2024. None. No action taken.
- 8. Consider approval of CMC Interim Vendor Payments and take appropriate action.**
(8-2:53)

8. July 1, 2024. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the Citizens Medical Center interim vendor payments dated June 27, 2024, in the amount of \$536,015.93 and the ACH report dated June 27, 2024, in the amount of \$2,883,874.08. Motion adopted.
- 9. Consider the following items from the Victoria County Public Health Department and take appropriate action:**
 - a. Receive for the record the fully executed LAMAR Contract No. 4599717 (Texas Home Visiting Grant).**
(9a-3:32)

9a. July 1, 2024. Dale Zuck from Inez, Texas voiced his concerns regarding grants and taxpayers. Public Health Director David Gonzales provided information to the Court. A discussion was held by the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received for the record the fully executed LAMAR Contract No. 4599717 (Texas Home Visiting Grant) for the Victoria County Public Health Department. Motion adopted.

Consider the following items from the Victoria County Public Health Department and take appropriate action:

- b. Receive for the record the fully executed HARP - Business Associate Agreement/Subcontractor Agreement.**
(9b-3:32)

9b. July 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 the fully executed HARP-Business Associate Agreement/Subcontractor Agreement for the Victoria County Public Health Department. Motion adopted.

Consider the following items from the Victoria County Public Health Department and take appropriate action:

- c. Receive for the record the fully executed DSHS Contract No. HHS001313500001 (Public Health Infrastructure Grant) Amendment No. 2.**
(9c-3:32)

9c. July 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 the fully executed DSHS Contract No. HHS001313500001 (Public Health Infrastructure Grant) Amendment No. 2 for the Victoria County Public Health Department. Motion adopted.

Consider the following items from the Victoria County Public Health Department and take appropriate action:

d. Receive for the record the fully executed Texas Healthy Communities Grant Contract No. HHS001456400001.

(9d-3:32)

9d. July 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 the fully executed Texas Healthy Communities Grant Contract No. HHS001456400001 for the Victoria County Public Health Department. Motion adopted.

Consider the following items from the Victoria County Public Health Department and take appropriate action:

e. Receive for the record the fully executed Regional Local Services System (RLSS)/LPHS Contract No. HHS001324900053 Amendment No. 1.

(9e-3:32)

9e. July 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 the fully executed Regional Local Services System (RLSS)/LPHS Contract No. HHS001324900053 Amendment No. 1 for the Victoria County Public Health Department. Motion adopted.

Consider the following items from the Victoria County Public Health Department and take appropriate action:

f. Receive for the record the fully executed Housing Opportunities for Persons with AIDS (HOPWA) Contract No. 5613/1-565-03.

(9f-3:32)

9f. July 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 the fully executed Housing Opportunities for Persons with AIDS (HOPWA) Contract No. 5613/1-565-03 for the Victoria County Public Health Department. Motion adopted.

Consider the following items from the Victoria County Public Health Department and take appropriate action:

g. Consider approval of a contract for Tuberculosis Prevention and Control Combined - State and Federal (TB/PC) Contract No. HHS001437400027.

(9g-3:32)

9g. July 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 contract for Tuberculosis Prevention and Control Combined - State and Federal (TB/PC) Contract No. HHS001437400027 for the Victoria County Public Health Department. Motion adopted.

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Consider the following items from the Victoria County Public Health Department and take appropriate action:

h. Consider approval of a contract amendment for HIV Health and Social Services (State Service) Contract No. 5612/1-565-02.

(9h-3:32)

9h. July 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 contract amendment for HIV Health and Social Services (State Service) Contract No. 5612/1-565-02 for the Victoria County Public Health Department. Motion adopted.

Consider the following items from the Victoria County Public Health Department and take appropriate action:

i. Consider approval of a Services Agreement with Sarah Cann, CSCS, PN-1 Nutrition Coach.

(9i-3:32)

9i. July 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 Services Agreement with Sarah Cann, CSCS, PN-1 Nutrition Coach for the Victoria County Public Health Department. Motion adopted.

- 10. Receive Application for Tax Abatement from Portside Energy Center, LLC, and consider authorizing Victoria Economic Development Corporation (VEDC) to conduct an impact study and take appropriate action.**

(10-13:46)

10. July 1, 2024. Jonas Titas with Victoria Economic Development Corporation and Sean Stibich with the Port of Victoria discussed the Portside Energy Center with the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received an Application for Tax Abatement from Portside Energy Center, LLC and authorized Victoria Economic Development Corporation (VEDC) to conduct an impact study. Motion adopted.

- 11. Set a public hearing to consider a tax abatement agreement with Portside Energy Center, LLC, and take appropriate action.**

(11-20:53)

11. July 1, 2024. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved to set a public hearing on August 12, 2024 to consider a Tax Abatement Agreement with Portside Energy Center, LLC. Motion adopted.

- 12. Consider approval of an MOU between Victoria Independent School District and the Victoria County Sheriff's Office regarding the School Resource Officer Program and take appropriate action.**

(12-21:32)

12. July 1, 2024. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the MOU between Victoria Independent School District and the Victoria County Sheriff's Office regarding the School Resource Officer Program. Motion adopted.

- 13. Receive the 2024 Second Quarter Plat Exemption Request Report and take appropriate action.**

(13-21:59)

13. July 1, 2024. County Engineer John Johnston provided information to the Court. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court received the 2024 Second Quarter Plat Exemption Request Report from County Engineer John Johnston. Motion adopted.

- 14. Consider the following in connection with the 2024 Victoria County Flood Damage Prevention Order No. 2024-0045 and take appropriate action:**

a. A Reading and Public Hearing of the 2024 Victoria County Flood Damage Prevention Order.

(14a-22:38)

14a. July 1, 2024. County Engineer John Johnston reviewed the Flood Damage Prevention Order/Ordinance with the Court. County Judge Pro Tem Gary Burns opened a Public Hearing at 10:54 a.m. for the 2024 Victoria County Flood Damage Prevention Order No. 2024-0045. Dale Zuck, Inez Resident, made a suggestion to the Court regarding the Order. County Judge Pro Tem Gary Burns closed the Public Hearing at 10:57 a.m. No action taken.

Consider the following in connection with the 2024 Victoria County Flood Damage Prevention Order No. 2024-0045 and take appropriate action:

b. Consider adoption of the 2024 Victoria County Flood Damage Prevention Order.

(14b-22:38)

14b. July 1, 2024. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the adoption of the 2024 Victoria County Flood Damage Prevention Order No. 2024-0045 with the addition of the following to Article 4, Section A: " or designee of Victoria County Commissioners Court " as an appointee for Floodplain Administrator. Motion adopted.

- 15. Consider approval of Citizens Medical Center ICU Additions and Renovations AIA Document G702 Application for Payment No. 1 and take appropriate action.**

(15-1:03:54)

15. July 1, 2024. The Commissioners Court passed on the Citizens Medical Center ICU Additions and Renovations AIA Document G702 Application for Payment No. 1. No action taken.

- 16. Consider approval of a request for payment to Citizens Medical Center in the amount of \$100,000.00 for American Rescue Plan Act (ARPA) Subrecipient Project No. VICT-11 and take appropriate action.**

(16-1:04:04)

16. July 1, 2024. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved a request for payment to Citizens Medical Center in the amount of \$100,000.00 for American Rescue Plan Act (ARPA) Subrecipient Project No. VICT-11. Motion adopted.

- 17. Consider approval of an Amendment to Subrecipient Agreement with the Victoria County Navigation District for American Rescue Plan Act (ARPA) Project No. VICT-13, contingent upon legal review, and take appropriate action.**

(17-1:04:14)

17. July 1, 2024. Grant Administrator Robin Knipling provided the Court with information. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the Amendment to Subrecipient Agreement with the Victoria County Navigation District for American Rescue Plan Act (ARPA) Project No. VICT-13, contingent upon legal review. Motion adopted.

- 18. Consider approval of Resolution No. 2024-0048 for a road donation in Pct. 3 from Martha Pineda for the installation of a driveway and pipe culvert to improve drainage at 502 Mallard Rd., Victoria, TX, at the value of \$664.56, and take appropriate action.**

(18-1:06:04)

18. July 1, 2024. Moved by Kenneth Sexton and seconded by Danny Garcia, the Commissioners Court approved Resolution No. 2024-0048 for a road donation in the amount of \$664.56 from Martha Pineda at 502 Mallard Road, Victoria, Texas, in Precinct No. 3 for the installation of a driveway and pipe culvert to improve drainage. Motion adopted.

- 19. Consider approval of Resolution 2024-0049 for a road donation in Pct. 4 for H. Ellwood Ernst for the installation of a driveway and pipe culvert to improve drainage at 710 Midway Rd. S, Victoria, TX, at the value of \$750.00, and take appropriate action.**

(19-1:06:41)

19. July 1, 2024. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court approved Resolution No. 2024-0049 for a road donation in the amount of \$750.00 from H Ellwood Ernst at 710 Midway Road S, Victoria, Texas, in Precinct No. 4 for the installation of a driveway and pipe culvert to improve drainage. Commissioner Kenneth Sexton abstained. Motion adopted.

- 20. Discuss the replacement of the water main on Courthouse Square and take appropriate action.**

(20-1:07:49)

20. July 1, 2024. The Commissioners Court discussed the replacement of the water main on the Courthouse Square. Commissioner Sexton will inform Facilities Manager Kelly Hubert to proceed with getting bids for the water main replacement. No action taken.

- 21. Receive for the record the fully executed contract with Brazos County and consider approval of the following residential contract with the Victoria Regional Juvenile Justice Center and take appropriate action:**

a. Brazos County.

(21a-1:09:20)

21a. July 1, 2024. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court received for the record the fully executed Residential contract between Victoria Regional Juvenile Justice Center and Brazos County. Motion adopted.

Receive for the record the fully executed contract with Brazos County and consider approval of the following residential and detention contracts with the Victoria Regional Juvenile Justice Center and take appropriate action:

b. Johnson County.

(21b-1:09:20)

21b. July 1, 2024. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court approved the Residential and Detention Contracts between Victoria

Regional Juvenile Justice Center and Johnson County. Motion adopted.

Receive for the record the fully executed contract with Brazos County and consider approval of the following residential contract with the Victoria Regional Juvenile Justice Center and take appropriate action:

c. Guadalupe County.

(21c-1:09:20)

21c. July 1, 2024. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court approved the Residential Contract between Victoria Regional Juvenile Justice Center and Guadalupe County. Motion adopted.

Receive for the record the fully executed contract with Brazos County and consider approval of the following residential contract with the Victoria Regional Juvenile Justice Center and take appropriate action:

d. Tom Green, Coke, Schleicher, Sterling, Irion, Runnels, and Concho County.

(21d-1:09:20)

21d. July 1, 2024. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court approved the Residential Contract between Victoria Regional Juvenile Justice Center and Tom Green, Coke, Schleicher, Sterling, Irion, Runnels, and Concho County. Motion adopted.

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

(22-1:09:48)

22. July 1, 2024. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the 2024 budget amendments for:

- a. General Fund, Various Departments, Expenditures - Line item transfer
- b. Road and Bridge, Precinct No. 1, Expenditures – Line item transfer
- c. Road and Bridge, Precinct No. 3, Expenditures - Line item transfer
- d. Elections Administrators Special, Expenditures - Increase

Motion adopted.

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

(23-1:10:08)

23. July 1, 2024. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. Matthew Schneider, IT Director - IT Department:
 - 1. Employment of Vincent Aguilar, Computer Tech, at a rate of \$21.00 per hour, Budget Code 100-503-1106, effective July 2, 2024. Remarks: Grade 5, General.
- b. Ashley Hernandez, Tax Assessor Collector - County Tax Office:
 - 1. Salary change for Angelina Torres, Accounting Clerk, from a rate of \$16.00 per hour, Budget Code 100-499-1107 to a rate of \$17.00 per hour, effective June 29, 2024.

Motion adopted.

- 24. Closed meeting pursuant to V.T.C.A. Government Code §551.074 to discuss personnel matters in various departments, §551.071 to conduct a private consultation with the County's attorney regarding matters protected by attorney-client privilege, and §551.072 to discuss real property.**

(24-1:10:23)

24. July 1, 2024. The Commissioners Court went into closed session at 11:10 a.m., pursuant to V.T.C.A. Government Code §551.074 to discuss personnel matters in various departments, §551.071 to conduct a private consultation with the County's attorney regarding matters protected by attorney-client privilege, and §551.072 to discuss real property.

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

(25-2:30:25)

25. July 1, 2024. The Commissioners Court returned to open meeting at 12:31 p.m., pursuant to V.T.C.A. Government Code §551.102, with no action taken.

- 26. Adjourn.**

(26-2:30:38)

26. July 1, 2024. The Commissioners Court adjourned the meeting of July 1, 2024.