

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **26th day August 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, August 26, 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. August 26, 2024. Gary Burns, County Judge Pro Tem, called to order the Commissioners Court Special Term for Monday, August 26, 2024, at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. August 26, 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.

(3-0:55)

3. August 26, 2024. Judge Pro Tem Gary Burns opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Marcie Kucera with the Texas A&M AgriLife Extension Service presented Patti Welder Junior High School with a Proclamation and recognition for being the first healthy South Texas school in many years.

Michael Vonderau of 2204 E. North Street congratulated the Victoria Northeast Senior League Baseball Team for making the World Series and spoke about squatters at the East North Mobile Home Park.

Animal Services Director Mark Sloat spoke about the Victoria Animal Services Hawaii event adoptions and stated there was a rabid skunk on the north side of town.

County Judge Pro Tem Gary Burns mentioned Patriot Park will get a helicopter.

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

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

(4-9:20)

4. August 26, 2024. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the minutes of the Commissioners Court meeting held on August 19, 2024, including the 2025 budget workshop minutes. Motion adopted.

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

(5-9:31)

5. August 26, 2024. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court approved the accounts payable as presented by Michelle Samford, County Auditor.

Regular Accounts	8/26/2024	\$546,241.02
Supplemental Accounts	8/16/2024 – 8/22/2024	\$132,600.94

Motion adopted.

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

(6-9:58)

6. August 26, 2024. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received the monthly reports from the District Clerk and Sheriff. Motion adopted.

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

(7-10:15)

7. August 26, 2024. None. No action taken.

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

(8-10:19)

8. August 26, 2024. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the Citizens Medical Center interim vendor payments dated August 24, 2024, in the amount of \$461,947.00 and the ACH report dated August 24, 2024, in the amount of \$3,020,264.32. Motion adopted.

9. Consider approval of an Interlocal Cooperation Agreement for the Provision of Mental Health Peace Office Services (PESC) between Gulf Bend Center and the Victoria County Sheriff's Office and take appropriate action.

(9-11:12)

9. August 26, 2024. Chief Deputy Will Franklin provided the Court with information. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Interlocal Cooperation Agreement for the Provision of Mental Health Peace Office Services (PESC) between Gulf Bend Center and the Victoria County Sheriff's Office. Motion adopted.

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

a. Approval of a CPS/PHEP (CPS/Hazards) contract No. HHS001439500032 Amendment No. 1.

(10a-12:01)

10a. August 26, 2024. Public Health Director David Gonzales provided information to the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the CPS/PHEP (CPS/Hazards) contract No. HHS001439500032 Amendment No. 1 for the Victoria County Public Health Department. Motion adopted.

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

b. Approval of a Memorandum of Understanding (MOU) with the Department of State Health Services (DSHS) contract No. HHS001472800030.

(10b-12:01)

10b. August 26, 2024. David Gonzales, Public Health Director, provided the Court with information. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the Memorandum of Understanding (MOU) with the Department of State Health Services (DSHS) contract No. HHS001472800030 for the Victoria County Public Health Department. Motion adopted.

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

c. Approval of a Housing Opportunities contract for Persons with AIDS (HOPWA) No. 5613/2-565-01.

(10c-12:01)

10c. August 26, 2024. Public Health Director David Gonzales provided information to the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the Housing Opportunities contract for Persons with AIDS (HOPWA) No. 5613/2-565-01 for the Victoria County Public Health Department. Motion adopted.

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

d. Approval of an HIV Health and Social Services (State Services) contract No. 5612/2-565-01.

(10d-12:01)

10d. August 26, 2024. David Gonzales, Public Health Director, provided the Court with information. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the HIV Health and Social Services (State Services) contract No. 5612/2-565-01 for the Victoria County Public Health Department. Motion adopted.

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

e. Receive for the record a fully executed amended HIV Health and Social Services (State Services) Contract No. 5612/1-565-02.

(10e-12:01)

10e. August 26, 2024. Public Health Director David Gonzales provided information to the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received for the record a fully executed amended HIV Health and Social Services (State Services) Contract No. 5612/1-565-02 for the Victoria County Public Health Department. Motion adopted.

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

f. Receive for the record a fully executed Tuberculosis Prevention and Control Combined-State and Federal (TB/PC) contract No. HHS001437400027

(10f-12:01)

10f. August 26, 2024. David Gonzales, Public Health Director, provided the Court with information. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received for the record a fully executed Tuberculosis Prevention and Control Combined-State and Federal (TB/PC) contract No. HHS001437400027 for the Victoria County Public Health Department. Motion adopted.

- 11. Consider approval of a request for payment to the Victoria County Navigation District in the amount of \$197,572.93 for American Act (ARPA) Subrecipient Project No. VICT-13 and take appropriate action.**

(11-16:33)

11. August 26, 2024. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the request for payment to the Victoria County Navigation District in the amount of \$197,572.93 for American Act (ARPA) Subrecipient Project No. VICT-13. Motion adopted.

- 12. Receive the fully executed Road Use Agreement with BANGL, LLC. for a pipeline installation project in Pct. 2 and Pct. 4 and take appropriate action.**

(12-17:03)

12. August 26, 2024. County Engineer John Johnston provided information to the Court. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court received the fully executed Road Use Agreement with BANGL, LLC for a pipeline installation project in Precinct No. 2 and Precinct No. 4. Motion adopted.

- 13. Consider approval of a contract with Staff Concrete Construction regarding the Victoria County Downtown Parking Lot Improvements Sealed Bid Solicitation and take appropriate action.**

(13-17:56)

13. August 26, 2024. John Johnston, County Engineer, provided the Court with information. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the contract with Staff Concrete Construction regarding the Victoria County Downtown Parking Lot Improvements Sealed Bid Solicitation. Motion adopted.

14. Consider approval of a request for a Plat Exemption form from Warren Keith Janak at 5376 Coletoville Rd., Victoria, Texas in Pct. 3, and take appropriate action.

(14-18:43)

14. August 26, 2024. County Engineer John Johnston spoke to the Court about the plat exemption. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court approved the plat exemption request from Warren Keith Janak for 5376 Coletoville Road in Victoria, Texas, in Precinct No. 3 with the following conditions:

- * Shall secure and verify the 911 addresses for the tracts with the Golden Crescent Regional Planning Commission.
- * All created/revised tracts, new property deeds and ingress/egress easement(s) must be created and filed in the Victoria County Clerk's Public Records.
- * Further subdivision of tracts shall comply with the requirements of the effective published version of the VCDSM at the time of subdivision.
- * No future tract created shall be less than 1-acre, excluding easements.
- * Each tract shall have public right of way frontage or access to a public right-of-way through an ingress/egress easement.
- * Each tract will have its own water well and Onsite Sanitary Sewer Facility (OSSF) (septic system).

Motion adopted.

15. Consider approval of the following for the Victoria County Courthouse Entry Steps & Repair project and take appropriate action:

a. Change Order No. 001.

(15a-20:24)

15a. August 26, 2024. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Change Order No. 001 for the Victoria County Courthouse Entry Steps and Repair project. Motion adopted.

Consider approval of the following for the Victoria County Courthouse Entry Steps & Repair project and take appropriate action:

b. Certificate of Substantial Completion.

(15b-20:24)

15b. August 26, 2024. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Certificate of Substantial Completion for the Victoria County Courthouse Entry Steps and Repair project. Motion adopted.

Consider approval of the following for the Victoria County Courthouse Entry Steps & Repair project and take appropriate action:

c. Payment Application No. 7 to A&A Constructors Inc.

(15c-20:24)

15c. August 26, 2024. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved the Payment Application No. 7 to A&A Constructors, Inc. for the Victoria County Courthouse Entry Steps and Repair project. Motion adopted.

- 16. Pursuant to Local Government Code §118.025, hold a public hearing for the 2025 Victoria County Clerk Archival Plan and take appropriate action.**

(16-23:42)

16. August 26, 2024. County Clerk Heidi Easley provided information to the Court. County Judge Pro Tem Gary Burns opened the public hearing at 10:26 a.m. and, with no public comments, closed the public hearing at 10:27 a.m. Moved by Danny Garcia and seconded by Kenneth Sexton, pursuant to Local Government Code §118.025, the Commissioners Court approved the 2025 Victoria County Clerk Archival Plan. Motion adopted.

- 17. Consider approval of the Proposed 2025 Victoria County Sheriff & Constable fees and take appropriate action.**

(17-28:06)

17. August 26, 2024. Heidi Easley, County Clerk, provided the Court with information. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the proposed 2025 Victoria County Sheriff and Constable fees. Motion adopted.

- 18. Consider approval of Order No. 2024-0060 ratifying the purchase of Certificate of Deposits and take appropriate action.**

(18-28:55)

18. August 26, 2024. County Treasurer Paige Foster provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved Order No. 2024-0060 ratifying the purchase of Certificate of Deposits. Motion adopted.

- 19. Receive for the record the District Court Order setting the 2025 salaries of the Victoria County Auditor and Assistants and take appropriate action.**

(19-31:22)

19. August 26, 2024. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court received for the record the District Court Order setting the 2025 salaries of the Victoria County Auditor and Assistants. Motion adopted.

- 20. Consider approval of ICU Additions and Renovations AIA Document G702 Application for Payment No. 3 and take appropriate action.**

(20-31:50)

20. August 26, 2024. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the ICU Additions and Renovations AIA Document G702 Application for Payment No. 3. Motion adopted.

- 21. Consider approval of the following residential and/or detention contracts for the Victoria Regional Juvenile Justice Center and take appropriate action:**

a. Erath County.

(21a-32:27)

21a. August 26, 2024. Moved by Kenneth Sexton and seconded by Danny Garcia, the Commissioners Court approved the Detention and Residential contracts between Victoria Regional Juvenile Justice Center and Erath County. Motion adopted.

Consider approval of the following residential and/or detention contracts for the Victoria Regional Juvenile Justice Center and take appropriate action:

b. Bandera County.

(21b-32:27)

21b. August 26, 2024. Moved by Kenneth Sexton and seconded by Danny Garcia, the Commissioners Court approved the Residential contract between Victoria Regional Juvenile Justice Center and Bandera County. Motion adopted.

Consider approval of the following residential and/or detention contracts for the Victoria Regional Juvenile Justice Center and take appropriate action:

c. DeWitt County.

(21c-32:27)

21c. August 26, 2024. Moved by Kenneth Sexton and seconded by Danny Garcia, the Commissioners Court approved the Residential contract between Victoria Regional Juvenile Justice Center and DeWitt County. Motion adopted.

Consider approval of the following residential and/or detention contracts for the Victoria Regional Juvenile Justice Center and take appropriate action:

d. Comal County.

(21d-32:27)

21d. August 26, 2024. Moved by Kenneth Sexton and seconded by Danny Garcia, the Commissioners Court approved the Detention and Residential contracts between Victoria Regional Juvenile Justice Center and Comal County. Motion adopted.

Consider approval of the following residential and/or detention contracts for the Victoria Regional Juvenile Justice Center and take appropriate action:

e. Grimes County.

(21e-32:27)

21e. August 26, 2024. Moved by Kenneth Sexton and seconded by Danny Garcia, the Commissioners Court approved the Detention and Residential contracts between Victoria Regional Juvenile Justice Center and Grimes County. Motion adopted.

Consider approval of the following residential and/or detention contracts for the Victoria Regional Juvenile Justice Center and take appropriate action:

f. Smith County.

(21f-32:27)

21f. August 26, 2024. Moved by Kenneth Sexton and seconded by Danny Garcia, the Commissioners Court approved the Detention and Residential contracts between Victoria Regional Juvenile Justice Center and Smith County. Motion adopted.

Consider approval of the following residential and/or detention contracts for the Victoria Regional Juvenile Justice Center and take appropriate action:

g. Leon County.

(21g-32:27)

21g. August 26, 2024. Moved by Kenneth Sexton and seconded by Danny Garcia, the Commissioners Court approved the Detention and Residential contracts between Victoria Regional Juvenile Justice Center and Leon County. Motion adopted.

22. Receive for the record the 2024 Discretionary Fund Budget Amendment for Sheriff Commissary Fund (380) and take appropriate action.

(22-32:52)

22. August 26, 2024. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received for the record the 2024 Discretionary Fund Budget Amendment for the Sheriff Commissary Fund (380) as a line item transfer. Motion adopted.

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

(23-33:09)

23. August 26, 2024. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the 2024 budget amendments for:

- a. General Fund, Various Departments, Expenditures – Increase
- b. Emergency Management, Expenditures - Line item transfer
- c. Airport Fund, Expenditures - Line item transfer
- d. Health Department, Expenditures - Line item transfer
- e. General Fund, Sheriff's Office, Expenditures - Line item transfer

Motion adopted.

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

(24-33:28)

24. August 26, 2024. 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. Mark Sloat, Animal Services Director - Victoria Animal Services:
 - 1. Employment of Aiyana Olivarez, Adoption Coordinator, at a rate of \$15.50 per hour, Budget Code 560-630-1113, effective August 27, 2024. Other Remarks: This position is funded for 2080 hrs via PetSmart Charities + Cell Phone Allowance 560-630-1139 \$1,080.04. Grade 3 Plan General Tier n/a.
- b. Pama Hencerling, Chief Juvenile Probation Officer - Juvenile Detention/Probation:
 - 1. Salary orders for Juvenile Detention/Probation employees, Fund 231-585-1135 and 231-572-1136, State Funded Positions, effective September 1, 2024 and Bi-Weekly Salary Adjustment Directive, effective September 13, 2024.
- c. Kenneth Sexton, Commissioner, Precinct No. 4 - Road and Bridge, Precinct No. 4:
 - 1. Salary and position/other code change for Jason Garcia, from Equipment Operator, at a rate of \$20.00 per hour, Budget Code 204-614-1105 to Sr. Equipment Operator, at a rate of \$23.19 per hour, Budget Code 204-614-1108, effective August 24, 2024. Grade 7 Plan General Tier n/a.
 - 2. Salary and position/other code change for Angelo Rodriguez, from Extra Help, at a rate of \$14.00 per hour, Budget Code 204-614-1130 to Equipment Operator, at a rate of \$17.56 per hour, Budget Code 204-614-1105, effective August 24, 2024. Grade 5 Plan General Tier n/a.

Motion adopted.

25. Adjourn.

(25-34:00)

25. August 26, 2024. The Commissioners Court adjourned the meeting of August 26, 2024.