

**THE STATE OF TEXAS   §**

**COUNTY OF VICTORIA   §**

Be it remembered that on this the **3rd day September 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**

**Tuesday, September 3, 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. September 3 2024. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Tuesday, September 3, 2024, at 10:00 a.m.

**2. Invocation and Pledges.**

(2-0:00)

2. September 3, 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.**

(3-1:56)

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

Bernadette Walker spoke about a petition she has to remove the Bloomington Water Control board members.

Chief Public Defender Brian Watson introduced Noah Jackson, a new Assistant Public Defender I, for the Victoria County Public Defender's Office.

Victoria Regional Airport Executive Director Lenny Llerena provided the August enplanement numbers.

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

**4. Consider approval of minutes, including the Bloomington Town Hall Meeting, and take appropriate action.**

(4-7:34)

4. September 3, 2024. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the minutes of the Commissioners Court meeting held on August 26, 2024, including the Bloomington Town Hall Meeting minutes. Motion adopted.

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

(5-8:18)

5. September 3, 2024. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the accounts payable as presented by Michelle Samford, County Auditor.

|                       |                       |              |
|-----------------------|-----------------------|--------------|
| Regular Accounts      | 9/3/2024              | \$573,491.32 |
| Supplemental Accounts | 8/23/2024 – 8/29/2024 | \$239,083.02 |

Motion adopted.

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

(6-8:44)

6. September 3, 2024. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court received the monthly reports from the County Treasurer and Constable, Precinct No. 3. Motion adopted.

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

(7-9:02)

7. September 3, 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.**

(8-9:11)

8. September 3, 2024. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the board minutes, accounts payable, payroll, personnel, and Citizens Medical Center interim vendor payments dated August 29, 2024, in the amount of \$523,006.36 and the ACH report dated August 29, 2024, in the amount of \$1,789,280.99. Motion adopted.

**9. Consider approval of a license renewal discretionary bid exemption to purchase software with GrayShift for the Victoria County Sheriff's Office and take appropriate action.**

(9-9:59)

9. September 3, 2024. Procurement Specialist Amanda Reyes provided information to the Court. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved a license renewal discretionary bid exemption to purchase software with GrayShift for the Victoria County Sheriff's Office. Motion adopted.

**10. Receive for the record the following fully executed Victoria County Public Health Department contracts and take appropriate action:**

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

(10a-11:04)

10a. September 3, 2024. David Gonzales, Public Health Director, provided information to the Court. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court received for the record the CPS/PHEP (CPS/Hazards) Contract No. HHS001439500032 Amendment No. 1 for the Victoria County Public Health Department. Motion adopted.

**Receive for the record the following fully executed Victoria County Public Health Department contracts and take appropriate action:**

**b. HIV Health and Social Services (State Services) contract No. 5612/2-565-01.**

(10b-11:04)

10b. September 3, 2024. Public Health Director David Gonzales provided the Court with information. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court received for the record the HIV Health and Social Services (State Services) Contract No. 5612/2-565-01 for the Victoria County Public Health Department. Motion adopted.

**Receive for the record the following fully executed Victoria County Public Health Department contracts and take appropriate action:**

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

(10c-11:04)

10c. September 3, 2024. David Gonzales, Public Health Director, provided information to the Court. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court received for the record the Housing Opportunities for Persons with AIDS (HOPWA) Contract No. 5613/2-565-01 for the Victoria County Public Health Department. Motion adopted.

- 11. Consider approval of contract order ID: Q-08819542 for West ProFlex services between Thomson Reuters and the Crossroads Regional Public Defender's Office (CRPDO), contingent upon legal review, and authorize the Chief Public Defender to execute the contract and take appropriate action.**

(11-12:00)

11. September 3, 2024. Chief Public Defender Brian Watson provided the Court with information. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved Contract Order ID: Q-08819542 for West ProFlex services between Thomson Reuters and the Crossroads Regional Public Defender's Office (CRPDO), contingent upon legal review, and authorized the Chief Public Defender to execute the contract. Motion adopted.

- 12. Consider approval of the following FY2025-2026 Victim Coordinator Liaison Grant (VCLG) Contracts and take appropriate action:**

**a. Criminal District Attorney's Office, Contract No. C-01582.**

(12a-14:37)

12a. September 3, 2024. Grant Administrator Robin Knipling provided information to the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received the fully executed FY2025-2026 Victim Coordinator and Liaison Grant (VCLG) Contract C-01582 for the Victoria County Criminal District Attorney's Office. Motion adopted.

**Consider approval of the following FY2025-2026 Victim Coordinator Liaison Grant (VCLG) Contracts and take appropriate action:**

**b. Sheriff's Office, Application No. C-01583**

(12b-14:37)

12b. September 3, 2024. Robin Knipling, Grant Administrator, provided the Court with information. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received the fully executed FY2025-2026 Victim Coordinator and Liaison Grant (VCLG) Contract C-01583 for the Victoria County Sheriff's Office. Motion adopted.

- 13. Consider approval of Revised Payment Application No. 24 in connection with the Community Development Block Grant Disaster Recovery (CDBG-DR) Grant Contract No. 20-065-094-C262 and take appropriate action.**

(13-15:59)

13. September 3, 2024. Robin Knipling, Grant Administrator, provided the Court with information. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the revised Payment Application No. 24 in connection with the Community Development Block Grant Disaster Recovery (CDBG-DR) Grant Contract No. 20-065-094-C262. Motion adopted.

- 14. Hold a public hearing on the 2025 Proposed Budget.**

(14-17:24)

14. September 3, 2024. Ben Zeller, County Judge, declared the public hearing open at 10:17 a.m. for the 2025 Proposed Budget. Judge Zeller reviewed the budget highlights. Dale Zuck, a Victoria resident, questioned the Sheriff's Office step program salaries. Judge Zeller responded to Mr. Zuck. Loria Proctor, Projects and Planning Assistant, reviewed changes to the 2025 Victoria County Budget. County Judge Zeller declared the public hearing closed at 10:29 a.m. No action taken.

- 15. Hold a public hearing on the proposed 2024 tax rate of 0.3880.**

(15-29:01)

15. September 3, 2024. Judge Zeller opened the public hearing for the 2024 Victoria County tax rate at 10:29 a.m. Judge Zeller stated that the proposed tax rate will be 0.3880, which is below the voter approval rate and above the no new revenue rate. Dale Zuck, a Victoria resident, spoke to the Court regarding appraised values. Judge Zeller closed the public hearing at 10:31 a.m. No action taken.

- 16. Announce the date, time, and place for a vote on the 2025 Victoria County Budget and 2024 tax rate and take appropriate action. *The 2025 budget and 2024 tax rate are set to be adopted on September 9, 2024, at the Victoria County Courthouse, 115 N. Bridge St. Second Floor, Rm 241, Victoria, Texas at 10:00 a.m.***

(16-31:50)

16. September 3, 2024. County Judge Ben Zeller spoke about the date, time, and place for a vote on the 2025 Victoria County Budget and 2024 tax rate. The 2025 Victoria County Budget and 2024 tax rate are set to be adopted on September 9, 2024, at the Victoria County Courthouse, 115 N. Bridge Street, Second Floor, Room 241, Victoria, Texas at 10:00 a.m. No action taken.

- 17. Consider approval of the following detention and/or residential**

**Contracts for the Victoria Regional Juvenile Justice Center and take appropriate action:**

**a. Calhoun County.**

(17a-32:24)

17a. September 3, 2024. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the Detention Contract between Victoria Regional Juvenile Justice Center and Calhoun County. Motion adopted.

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

**b. Fayette County**

(17b-32:24)

17b. September 3, 2024. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the Residential Contract between Victoria Regional Juvenile Justice Center and Fayette County. Motion adopted.

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

**c. Hale County.**

(17c-32:24)

17c. September 3, 2024. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Hale County. Motion adopted.

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

**d. Hidalgo County.**

(17d-32:24)

17d. September 3, 2024. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Hidalgo County. Motion adopted.

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

**e. Brown-Mills Counties.**

(17e-32:24)

17e. September 3, 2024. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the Detention Contract between Victoria Regional Juvenile Justice Center and Brown-Mills Counties. Motion adopted.

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

**f. Brown County.**

(17f-32:24)

17f. September 3, 2024. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the Residential Contract between Victoria Regional Juvenile Justice Center and Brown County. Motion adopted.

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

**g. Mills County.**

(17g-32:24)

17g. September 3, 2024. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the Residential Contract between Victoria Regional Juvenile Justice Center and Mills County. Motion adopted.

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

**h. Zapata County.**

(17h-32:24)

17h. September 3, 2024. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the Residential Contract between Victoria Regional Juvenile Justice Center and Zapata County. Motion adopted.

**18. Consider approval of a Commercial Sales Agreement for the purchase of the McFaddin Building located at 203 N. Liberty St, Victoria, TX, and take appropriate action.**

(18-33:03)

18. September 3, 2024. Chief Public Defender Brian Watson thanked the Court for their support. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved a Commercial Sales Agreement for the purchase of the McFaddin Building located at 203 N. Liberty, Victoria, Texas. Motion adopted.

**19. Consider approval of a maintenance contract renewal with Lee Backhoe Service Inc. for the aerobic treatment system at 226 Beck Rd. in Pct. 4 and take appropriate action.**

(19-40:58)

19. September 3, 2024. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved a maintenance contract renewal with Lee Backhoe Service, Inc. for the aerobic treatment system at 226 Beck Road in Precinct No. 4. Motion adopted.

**20. Receive a notice from Golden Crescent Regional Planning Commission (GCRPC) of a**

**road extension to Vaughn Road South in Pct. 4, and take appropriate action.**

(20-41:16)

20. September 3, 2024. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received a notice from Golden Crescent Regional Planning Commission (GCRPC) of a road extension to Vaughn Road in Precinct No. 4. Motion adopted.

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

**a. Resolution 2024-0061 from Joe Lee Evans at 297 E. Partridge Rd. Victoria, Texas 77905, in the value of \$380.20.**

(21a-41:42)

21a. September 3, 2024. Commissioner Gary Burns provided information to the Court. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved Resolution No. 2024-0061 for a road donation in the amount of \$380.20 from Joe Lee Evans at 297 E. Partridge Road, Victoria, Texas, 77905 in Precinct No. 3 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

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

**b. Resolution 2024-0062 from Camaron Cox 8400 Block of San Antonio River Rd., Victoria, Texas 77905, in the value of \$1,416.00.**

(21b-41:42)

21b. September 3, 2024. Commissioner Gary Burns provided information to the Court. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved Resolution No. 2024-0062 for a road donation in the amount of \$1416.00 from Camaron Cox at 8400 Block of San Antonio River Road, Victoria, Texas, 77905 in Precinct No. 3 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

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

(22-42:44)

22. September 3, 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. Emergency Management Fund, Revenues and Expenditures - Line item transfer
- c. Road and Bridge, Precinct No. 4, Expenditures - Line item transfer
- d. Rural Law Enforcement Salary Assistance Fund, Revenues and Expenditures – Line item transfer
- e. Rural Prosecutors Office Salary Assistance Fund, Revenues and Expenditures – Line item transfer
- f. Airport Fund, Expenditures - Line item transfer



g. Airport Capital Projects Fund, Revenues and Expenditures –  
Line item transfer

Motion adopted.

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

(23-43:40)

23. September 3, 2024. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. Brian Watson, Chief Public Defender - Victoria County Public Defender's Office:
  1. Correction G/L Code: Position/other code change/Employment of Noah Jackson, Assistant Public Defender I, at a rate of \$36.06 per hour, Budget Code 525-401-1105, effective August 20, 2024. Grade 17 Plan General Tier n/a. Remarks: Grant position - TIDC PDO Grant Grades - TBD.
  2. Employment of Kathleen Neilson, Assistant Public Defender I, at a rate of \$40.87 per hour, Budget Code 525-401-1105, effective September 3, 2024. Grade 17 Plan General Tier n/a.
  3. Position/other code change (Title) for Jade Ortega, from Felony Defender, at a rate of \$52.88 per hour, Budget Code 525-401-1103 to Assistant Public Defender III, effective August 24, 2024. Grade 19 Plan General Tier n/a.
  4. Position/other code change (G/L) for Claire Profilet, from Assistant Public Defender, at a rate of \$52.88 per hour, Budget Code 525-401-1102 to Assistant Public Defender III, Budget Code 525-401-1103, effective August 24, 2024. Grade 19 Plan General Tier n/a.
- b. Constance Filley Johnson/Brian Watson, Criminal District Attorney/Chief Public Defender - Criminal District Attorney's Office/Victoria County Public Defender's Office:
  1. Salary and position change for Luis Martinez, from Assistant CDA (District Attorney's Office), at a rate of \$50.99 per hour, Budget Codes 100-475-1104 - 39.94 and 289-475-1104 - 11.05 to First Assistant Chief Public Defender (Public Defender's Office), at a rate of \$63.94 per hour, Budget Code 525-401-1102, effective September 7, 2024. Other Remarks: Transfer of Departments. Grade 20 Plan General Tier n/a.
- c. Ashley Hernandez, Tax Assessor-Collector - County Tax Office:
  1. Salary change for Maria Diaz, Deputy Clerk, from a rate of \$18.00 per hour, Budget Code 100-499-1106 to a rate of \$18.75 per hour, effective August 24, 2024. Grade 4 Plan General Tier n/a.
- d. Giani Cantu, Human Resources Director - Human Resources:
  1. Dismissal of Stacy Nunez, HR Specialist with 6.15 PTO hours due, effective August 24, 2024. Remarks: Position is eligible for rehire.

Motion adopted.

**24. Closed meeting pursuant to V.T.C.A. Government code §551.074 to discuss personnel**

**in various departments; §551.076 to discuss security matters; §551.072 to discuss real property; §551.087 to discuss economic development, 551.0745 to discuss Boards and Commissions, and §551.071 to conduct a private consultation with the County's attorney regarding matters protected by the attorney-client privilege.**

(24-45:05)

24. September 3, 2024. The Commissioners Court went into closed session at 10:45 a.m., pursuant to V.T.C.A. Government Code §551.074 to discuss personnel in various departments; §551.076 to discuss security matters; §551.072 to discuss real property; §551.087 to discuss economic development; §551.0745 to discuss Boards 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.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.**

(25-1:51:22)

25. September 3, 2024. The Commissioners Court returned to open meeting at 11:51 a.m., pursuant to V.T.C.A. Government Code §551.102, with no action taken.

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

(26-1:51:35)

26. September 3, 2024. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved to set a public hearing on October 7, 2024 at 10:00 a.m. in Commissioners Court for a tax abatement agreement with Portside Energy Center, LLC. Motion adopted.

**27. Adjourn.**

(27-1:52:11)

27. September 3, 2024. The Commissioners Court adjourned the meeting of September 3, 2024.