

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **16th 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

Monday, September 16, 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 16, 2024. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, September 16, 2024, at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. September 16, 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.

(3-1:41)

3. September 16, 2024. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Animal Services Director Mark Sloat informed the Court that Thursday will be International Talk Like A Pirate Day at Victoria Animal Services.

County Engineer John Johnston gave an update on the Downtown Parking project.

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

4. Consider approval of minutes and take appropriate action.

(4-5:34)

4. September 16, 2024. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the minutes of the Commissioners Court meeting held on September 9, 2024. Motion adopted.

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

(5-5:50)

5. September 16, 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	9/16/2024	\$342,183.32
Supplemental Accounts	9/6/2024 – 9/12/2024	\$202,577.51

Motion adopted.

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

(6-6:19)

6. September 16, 2024. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court received the monthly reports from the County Clerk; Justices of the Peace, Precincts Nos. 3 and 4; Constable, Precinct No. 1; County Extension Agent-Ag/Natural Resources and County Extension Agent-4-H Youth Development. Motion adopted.

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

(7-6:45)

7. September 16, 2024. None. No action taken.

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

(8-6:54)

8. September 16, 2024. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the interim vendor payments dated September 12, 2024, in the amount of \$727,555.29 and the ACH report dated September 12, 2024, in the amount of \$1,669,034.77. Motion adopted.

9. Discuss and ratify acceptance of a \$10,606,417.00 FAA Grant No. 3-48-0219-027-2024 for the relocation of Taxiway Charlie and take appropriate action.

(9-7:25)

9. September 16, 2024. Victoria Regional Airport Executive Director Lenny Llerena provided information to the Court. Moved by Kenneth Sexton and seconded by Danny Garcia, the Commissioners Court ratified the acceptance of a \$10,606,417.00 FAA Grant No. 3-48-0219-027-2024 for the relocation of Taxiway Charlie at the Victoria Regional Airport. Motion adopted.

10. Consider approval of the following items regarding the Federal Taxiway Charlie Grant and take appropriate action:

a. Receive bids and tabulation.

(10a-14:38)

10a. September 16, 2024. Moved by Jason Ohrt and seconded by Gary Burns, the Commissioners Court received bids and tabulations regarding the Federal Taxiway Charlie Grant. Motion adopted.

Consider approval of the following items regarding the Federal Taxiway Charlie Grant and take appropriate action:

b. Receive bid review and recommendation for an award from Centurion Planning and Design.

(10b-14:38)

10b. September 16, 2024. Moved by Jason Ohrt and seconded by Gary Burns, the Commissioners Court received bid review and recommendation for an award from Centurion Planning and Design regarding the Federal Taxiway Charlie Grant. Motion adopted.

Consider approval of the following items regarding the Federal Taxiway Charlie Grant and take appropriate action:

c. Consider Base Bid award and Additive Alternate 1.

(10c-14:38)

10c. September 16, 2024. Moved by Jason Ohrt and seconded by Gary Burns, the Commissioners Court approved a Base Bid Award and Additive Alternate I regarding the Federal Taxiway Charlie Grant. Motion adopted.

Consider approval of the following items regarding the Federal Taxiway Charlie Grant and take appropriate action:

d. Authorize the County Judge to execute an agreement with JE Construction, LLC, pending legal review, for Taxiway Charlie Relocation for the Base Bid and Additive Alternate 1.

(10d-14:38)

10d. September 16, 2024. Lenny Llerena, Victoria Regional Airport Executive Director, provided information to the Court. Moved by Jason Ohrt and seconded by Gary Burns, the Commissioners Court authorized the County Judge to execute an agreement with JE Construction, LLC, pending legal review, for Taxiway Charlie Relocation for the Base Bid and Additive Alternate I. Motion adopted.

Consider approval of the following items regarding the Federal Taxiway Charlie Grant and take appropriate action:

e. Authorize the County Judge to execute an agreement with Centurion Planning and Design, pending legal review, for Taxiway Charlie Reconfiguration-Construction Administration for \$681,915.00.

(10e-14:38)

10e. September 16, 2024. Moved by Jason Ohrt and seconded by Gary Burns, the Commissioners Court authorized the County Judge to execute an agreement with Centurion Planning and Design, pending legal review, for Taxiway Charlie Reconfiguration-Construction Administration for \$681,915.00. Motion adopted.

11. Receive for the record a fully executed agreement between the Crossroads Regional Public Defenders Office (CRPDO) and Thomson Reuters and take appropriate action.

(11-19:16)

11. September 16, 2024. Chief Public Defender Brian Watson provided information to the Court. Mr. Watson also introduced Luis Martinez, First Assistant Chief Public Defender. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court received for the record a fully executed agreement between the Crossroads Regional Public Defenders Office (CRPDO) and Thomson Reuters. Motion adopted.

12. Consider approval and authorization for a final Payment Application No. 8 to A&A Constructors, Inc. for the Victoria County Courthouse Entry Steps & Repair project and take appropriate action.

(12-20:46)

12. September 16, 2024. County Engineer John Johnston provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved and authorized a final payment in the amount of \$13,220.50 for Application No. 8 to A&A Constructors, Inc. for the Victoria County Courthouse Entry Steps and Repair project. Motion adopted.

13. Identify a funding source and consider approval for payment of Invoice #778-0715 to Rawley McCoy & Associates, PLLC, and take appropriate action.

(13-21:35)

13. September 16, 2024. County Engineer John Johnston provided information to the Court. County Auditor Michelle Samford spoke about a funding source. Moved by Kenneth Sexton and seconded by Danny Garcia, the Commissioners Court approved the payment in the amount of \$4,290.00, to be paid from Professional Services line item, for Invoice No. 778-015 to Rawley McCoy and Associates, PLLC. Motion adopted.

14. Consider approval of the following in connection to the Profit Street Renovation Victoria County Animal Services Project and take appropriate action:

a. Authorization to Advertise a Competitive Sealed Proposal.

(14a-23:29)

14a. September 16, 2024. County Engineer John Johnston, Commissioner Gary Burns, and Animal Services Director Mark Sloat provided information to the Court. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court authorized to advertise for a Competitive Sealed Proposal in connection to the Profit Street Renovation for the Victoria County Animal Services Project. Motion adopted.

Consider approval of the following in connection to the Profit Street Renovation Victoria County Animal Services Project and take appropriate action:

b. Appoint Project Selection Committee.

(14b-23:29)

14b. September 16, 2024. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court approved to appoint a Project Selection Committee consisting of Commissioner Gary Burns, Commissioner Kenneth Sexton, Facilities Manager Kelly Hubert, Victoria Animal Services Mark Sloat, County Engineer John Johnston, and Patrick Ohrt with Rawley McCoy and Associates in connection to the Profit Street Renovation for the Victoria County Animal Services Project. Motion adopted.

15. Consider approval of the following request for Plat Exemptions and take appropriate action:

a. Kim Sprencel at 849 Givens Rd., located in Pct. 3.

(15a-31:03)

15a. September 16, 2024. County Engineer John Johnston spoke to the Court about the plat exemption. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the plat exemption request from Kim Sprencel at 849 Givens 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.
- * The tract conveyed must be greater than 10-acres.
- * No future tract created shall be less than 1-acre, excluding easements.
- * 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.

- * Each tract will have its own water well and Onsite Sanitary Sewer Facility (OSSF) (septic system).
- * Each tract shall have public right of away frontage or access to a public right-of-way through an ingress/egress easement with the following requirements:
 - ~Any private/public ingress/egress easements to a public ROW shall be constructed and maintained as an all-weather roadway capable of supporting any/all emergency services vehicles as determined by the Sheriff and the Fire Marshal of Victoria County.
 - ~Maintenance of ingress/egress easement(s) shall be the sole responsibility of the developer and/or property owners.
 - ~The developer/property owners shall install Knoxbox(es) at all gates across private/public access easements. The placement and installation of all Knoxbox(es) shall be approved by the Victoria County Fire Marshal.

Motion adopted.

Consider approval of the following request for Plat Exemptions and take appropriate action:

b. Robin & Sherri Tinkey and Erin Tinkey at J-2 Ranch Rd., located in Pct. 4.
(15b-31:03)

15b. September 16, 2024. County Engineer John Johnston spoke to the Court about the plat exemption. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the plat exemption request from Robin and Sherri Tinkey and Erin Tinkey at J-2 Ranch Road in Inez, Texas, in Precinct No. 4 with the following conditions:

- * Shall secure and verify the 911 addresses for the tracts with the Golden Crescent Regional Planning Commission.
- * No future tract created shall be less than 1-acre, excluding easements.
- * 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.
- * Each tract will have its own water well and Onsite Sanitary Sewer Facility (OSSF) (septic system).
- * Each tract shall have public right of away frontage or access to a public right-of-way through an ingress/egress easement with the following requirements:
 - ~Private/public ingress/egress easements to a public right of way shall be constructed and maintained as an all-weather roadway capable of supporting any/all emergency services vehicles as determined by the Sheriff and the Fire Marshal of Victoria County.
 - ~Maintenance of ingress/egress easement(s) shall be the sole responsibility of the developer and/or property owners.
 - ~The developer/property owners shall install Knoxbox(es) at all gates across private/public access easements. The placement and installation of all Knoxbox(es) shall be approved by the Victoria County Fire Marshal.

Motion adopted.

- 16. Receive for the record an award notification from the Victoria County Fire Department regarding the 2024 Union Pacific Community Ties Giving Program grant and take appropriate action.**

(16-31:38)

16. September 16, 2024. Fire Marshal Richard Castillo and Commissioner Garcia provided the Court with information. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court received for the record an award notification from the Victoria County Fire Department regarding the 2024 Union Pacific Community Ties Giving Program grant. Motion adopted.

- 17. Consider appointments to the Victoria County Public Health Department Advisory Board of Health and take appropriate action.**

(17-34:38)

17. September 16, 2024. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the appointments of David Murphy; Heather Glaze, RN; Haley Daniel, D.V.M.; and Jennifer Ortiz-Garza, Ed.D to the Victoria County Public Health Department Advisory Board of Health. Motion adopted.

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

a. Memorandum of Understanding (MOU) with the Texas Department of State Health Services contract No. HHS001454300019.

(18a-35:55)

18a. September 16, 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 Texas Department of State Health Services Contract No. HHS001454300019 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. Memorandum of Understanding (MOU) with the Parents as Teachers National Center agreement No. 2527.

(18b-35:55)

18b. September 16, 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 Memorandum of Understanding (MOU) with the Parents as Teachers National Center Agreement No. 2527 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. Medical Billing Services Statement of Work and Services Quote with CureMD.com, Inc. (CUREMD).

(18c-35:55)

18c. September 16, 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 Medical Billing Services Statement of Work and Services Quote with CureMD.com, Inc. (CUREMD) for the Victoria County Public Health Department. Motion adopted.

- 19. Receive for the record the 2021, 2022, and 2023 Annual Reports for the Historical Commission and take appropriate action.**

(19-37:58)

19. September 16, 2024. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court received for the record the 2021, 2022, and 2023 Annual Reports for the Historical Commission. Motion adopted.

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

a. Williamson County.

(20a-40:25)

20a. September 16, 2024. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Williamson 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. Taylor County.

(20b-40:25)

20b. September 16, 2024. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Taylor 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. Callahan County.

(20c-40:25)

20c. September 16, 2024. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Callahan 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. Coleman County.

(20d-40:25)

20d. September 16, 2024. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Coleman 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. Tom Green County.

(20e-40:25)

20e. September 16, 2024. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the Detention Contract between Victoria Regional Juvenile Justice Center and Tom Green, Coke, Schleicher, Sterling, Irion, Runnels and Concho County. Motion adopted.

- 21. Consider approval of the following resolutions for road donations in Pct. 4 for the installation of a driveway and pipe culvert to improve drainage and take appropriate action:**

a. Resolution 2024-0070 from Travis Huddleston at Sophia Ranch Rd., Inez, Texas 77968, in the value of \$1,500.00.

(21a-40:48)

21a. September 16, 2024. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court approved Resolution No. 2024-0070 for a road donation in the amount of \$1,500.00 from Travis Huddleston at Sophia Ranch Road, Inez, Texas, 77968 in Precinct No. 4 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

Consider approval of the following resolutions for road donations in Pct. 4 for the installation of a driveway and pipe culvert to improve drainage and take appropriate action:

b. Resolution 2024-0071 from H. Ellwood Ernst at Midway Road S. Inez, Texas 77968, in the value of \$400.00.

(21b-40:48)

21b. September 16, 2024. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court approved Resolution No. 2024-0071 for a road donation in the amount of \$400.00 from H. Ellwood Ernst at Midway Road S, Inez, Texas, 77968 in Precinct No. 4 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

- 22. Consider approval of Resolution No. 2024-0072 for road donation in Pct. 1 from Victor Carillo for installation of a driveway and pipe culvert to improve drainage at 350 Burkhart Road at the value of \$550.00 and take appropriate action.**

(22-41:29)

22. September 16, 2024. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court approved Resolution No. 2024-0072 for a road donation in the amount of \$550.00 from Victor Carillo at 350 Burkhart Road, Victoria, Texas, 77905 in Precinct No. 1 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

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

(23-41:54)

23. September 16, 2024. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the 2024 budget amendments for:

- a. General Fund, Various Departments, Revenues and Expenditures – Increase
- b. Capital Projects Fund, Expenditures - Increase
- c. Health Departments, Expenditures - Line item transfer
- d. General Fund, Sheriff's Office, Expenditures – Line item transfer

Motion adopted.

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

(24-42:26)

24. September 16, 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. Pama Hencerling, Chief Juvenile Probation Officer - Juvenile Detention:
 - 1. Employment of Dagoberto Monsivais Hinojosa, JSO, at a rate of \$20.76 per hour, Budget Codes 100-573-1156 and 231-572-1136 FT @ \$115.38, effective September 17, 2024. Grade 5 Plan Law Enforcement Tier 1.
 - 2. Employment (Re-hire) of Celeste Maria Garcia, JSO-PRN Extra Help, at a rate of \$15.50 per hour, Budget Code 100-573-1130, effective September 17, 2024. Tier n/a.
- b. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Employment of Elizabeth Garcia, Detention Officer, at a rate of \$20.76 per hour, Budget Codes 100-565-1116-\$18.74 and 288-565-1116-\$2.02, effective September 17, 2024. Grade 5 Plan Law Enforcement Tier 1.
 - 2. Resignation of Adrian Tovar, Detention Officer, with 80.0 PTO and 139.52 Compensatory hours due, effective September 10, 2024. Other Due: last pay 9/27/24, payout balances per policy. Remarks: PTO balances as of 9/12/24.
- c. Brian Watson, Chief Public Defender - Public Defender's Office:
 - 1. Correction (eff. date): Employment of Kathleen Neilson, Assistant Public Defender I, at a rate of \$40.87 per hour, Budget Code 525-401-1105, effective September 4, 2024. Grade 17 Plan General Tier n/a.
- d. Constance Filley Johnson, Criminal District Attorney - Criminal District Attorney's Office:
 - 1. Resignation of Gwendolyn Sanford, VAC Misdemeanor, with 30.85 PTO and 49.74 Compensatory hours due, effective September 17, 2024. Other Due: last pay 9/27/2024, payout balances per policy. Remarks: PTO balances as of 9/12/24 may change.
 - 2. Salary and position/other code change for Crystal Arguellez, from Assistant Chief Clerk, at a rate of \$19.47 per hour, Budget Code 100-475-1110 to Victim Assistance Coordinator Misdemeanor, at a rate of \$24.34 per hour, Budget Codes 100-475-1230 \$23.63 and 289-475-1230 \$00.71, effective September 21, 2024. Grade 5 Plan General Tier n/a.
 - 3. Salary and position/other code change for Kwana Williams, from Clerk III, at a rate of \$19.47 per hour, Budget Codes 100-475-1108 \$17.08 and 303-475-1108 \$2.39 to Assistant Chief Clerk, at a rate of \$21.86 per hour, Budget Codes 100-475-1110 \$19.47 and 303-475-1108 \$2.39, effective September 21, 2024. Grade 4 Plan General Tier n/a.

Motion adopted.

- 25. Closed meeting pursuant to V.T.C.A. Government code §551.074 to discuss personnel in various departments; §551.072 to discuss real property; §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.**
(25-43:04)

25. September 16, 2024. The Commissioners Court did not hold a closed session, pursuant to V.T.C.A. Government Code §551.074 to discuss personnel in various departments; §551.072 to discuss real property; §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.

- 26. 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.**
(26-43:12)

26. September 16, 2024. Due to no closed session held, the Commissioners Court did not return to an open meeting, pursuant to V.T.C.A. Government Code §551.102, with no action taken.

- 27. Adjourn.**
(27-43:20)

27. September 16, 2024. The Commissioners Court adjourned the meeting of September 16, 2024.