

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **23rd 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 23, 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 23, 2024. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, September 23, 2024, at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. September 23, 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.

(3-1:10)

3. September 23, 2024. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Michael Vonderau of 2204 E. North Street spoke about squatters in Victoria.

Commissioner Danny Garcia stated there will be a cleanup in Placedo on October 19, 2024.

Commissioner Jason Ohrt spoke about the Fordtran Volunteer Fire Department fundraiser.

Commissioner Kenneth Sexton stated the Inez Volunteer Fire Department will hold their fundraiser this Saturday.

Commissioner Gary Burns thanked John and Judy Clegg for their assistance with the helicopter for Patriot Park.

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

4. Consider approval of minutes and take appropriate action.

(4-5:53)

4. September 23, 2024. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the minutes of the Commissioners Court meeting held on September 16, 2024. Motion adopted.

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

(5-6:08)

5. September 23, 2024. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the accounts payable as presented by Michelle Samford, County Auditor.

Regular Accounts	9/23/2024	\$373,710.15
Supplemental Accounts	9/13/2024 – 9/19/2024	\$183,025.72

Motion adopted.

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

(6-6:38)

6. September 23, 2024. Moved by Jason Ohrt and seconded by Danny Garcia, 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.

(7-6:57)

7. September 23, 2024. None. No action taken.

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

(8-7:08)

8. September 23, 2024. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the interim vendor payments dated September 19, 2024, in the amount of \$843,214.61 and the ACH report dated September 19, 2024, in the amount of \$2,725,542.55. Motion adopted.

9. Receive for the record the following orders and take appropriate action:

a. Approval of Order calling for an election to incorporate the community of Bloomington.

(9a-7:43)

9a. September 23, 2024. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the Election Order on the Application for Incorporation of the City of Bloomington, Texas. Motion adopted.

Receive for the record the following orders and take appropriate action:

b. Order denying petition to incorporate portions of the community of Bloomington.

(9b-7:43)

9b. September 23, 2024. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the Order Denying the Application for Incorporation of the Village of Bloomington, Texas. Motion adopted.

10. Hear a presentation regarding the Victoria County's annual audit, and receive the

Annual Comprehensive Financial Report for 2023, and take appropriate action.

(10-11:25)

10. September 23, 2024. Melissa Terry with Harrison, Waldrop, and Uherek LLP, reviewed the Victoria County's annual audit with the Court. Ms. Terry also answered questions from the Court. Moved by Kenneth Sexton and seconded by Danny Garcia, the Commissioners Court received the Victoria County Annual Comprehensive Financial Report for 2023. Motion adopted.

11. Consider approval of posting public notice related to the updated Victoria County Tax Abatement Guidelines & Criteria Public Hearing and take appropriate action.

(11-23:43)

11. September 23, 2024. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved to post a public notice for the updated Victoria County Tax Abatement Guidelines and Criteria for October 7, 2024.

12. Consider and approve the 2025 High-Intensity Drug Trafficking Areas (HIDTA) grant application and take appropriate action.

(12-25:13)

12. September 23, 2024. Grant Administrator Robin Knipling provided information to the Court. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the 2025 High-Intensity Drug Trafficking Areas (HIDTA) grant application. Motion adopted.

13. Receive for the record the fully executed Parking Lot Lease between Trinity Evangelical Lutheran Church and Victoria County and take appropriate action.

(13-25:59)

13. September 23, 2024. County Engineer John Johnston provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received for the record the fully executed parking lot lease between Trinity Evangelical Lutheran Church and Victoria County. Motion adopted.

14. Consider the following items in relation to the Meals on Wheels of South Texas and take appropriate action:

a. Approval of the Community Action Committee allocation transfer to Meals on Wheels of South Texas for senior citizens' home-delivered meals.

(14a-27:09)

14a. September 23, 2024. Moved by Jason Ohrt and seconded by Gary Burns, the Commissioners Court approved the Community Action Committee allocation transfer to Meals on Wheels of South Texas for senior citizens' home-delivered meals. Motion adopted.

Consider the following items in relation to the Meals on Wheels of South Texas and take appropriate action:

b. Texas Department of Agriculture (TDA) Texans Feeding Texans Resolution.

(14b-27:09)

14b. September 23, 2024. Moved by Jason Ohrt and seconded by Gary Burns, the Commissioners Court approved the Texas Department of Agriculture (TDA) Texans Feeding Texans Resolution. Motion adopted.

- 15. Consider and authorize the County Judge to execute a contract with Square One Consultants, Inc. for Owner Representative services in relation to the Health and Human Services Commission's Mental Health Inpatient Facility project, subject to completed negotiations and legal review, and take appropriate action.**

(15-31:48)

15. September 23, 2024. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court authorized the County Judge to execute a contract with Square One Consultants, Inc. for Owner Representative services in relation to the Health and Human Services Commission's Mental Health Inpatient Facility project, subject to completed negotiations and legal review. Motion adopted.

- 16. Consider approval of Resolution 2024-0073 nominating a candidate for the Victoria County Appraisal District Board of Directors and take appropriate action.**

(16-34:14)

16. September 23, 2024. Moved by Kenneth Sexton and seconded by Danny Garcia, the Commissioners Court approved Resolution No. 2024-0073 nominating Jason Ohrt, Commissioner, Precinct No. 2, as a candidate for a position on the Victoria Central Appraisal District Board of Directors. Motion adopted.

- 17. Consider approval of Resolution 2024-0077 accepting a donation of \$2,500.00 from American Legion Post 166 for the Crossroads Area Veterans Center and take appropriate action.**

(17-35:16)

17. September 23, 2024. Moved by Danny Garcia and seconded by Jason Ohrt, pursuant to Local Government Code §81.032, the Commissioners Court approved Resolution 2024-0077 accepting a donation of \$2,500.00 from American Legion Post 166 to be utilized for and dedicated to the Crossroads Area Veterans Center. Motion adopted.

- 18. Consider approval of the Detention and Residential Contracts between Victoria Regional Juvenile/Justice and Detention Facility and Reeves County and take appropriate action.**

(18-36:24)

18. September 23, 2024. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the Detention and Residential Contracts between Victoria Regional Juvenile Justice Center and Reeves County. Motion adopted.

- 19. Consider approval of a Proposal for Professional Surveying Services for the Tipton Road Bridge Right-of-Way in Pct. 4 and take appropriate action.**

(19-36:41)

19. September 23, 2024. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved a Proposal for Professional Surveying Services for the Tipton Road Bridge Right-of-Way in Precinct No. 4. Motion adopted.

- 20. Hear a presentation from VPI regarding consultants' report on certain county-owned**

buildings and take appropriate action.

(20-37:46)

20. September 23, 2024. John Kisalus and John Griffin with the Victoria Preservation Inc. spoke to the Court regarding the consultants' report on the old Victoria County Jail, Continental Hotel and the old fire station. Rick Collie and John Clegg, Victoria Residents, voiced their concerns regarding the buildings. The Court held a discussion. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court received the consultant's report for the old Victoria County Jail, Continental Hotel and the old fire station. Motion adopted.

21. Receive for the record an updated invitation to bid in relation to the Old Jail Demolition and New Parking Lot Project and take appropriate action.

(21-1:19:10)

21. September 23, 2024. The Commissioners Court passed on receiving an updated invitation to bid in relation to the Old Jail Demolition and New Parking Lot Project. No action taken.

22. Consider approval of Resolution No. 2024-0074 for road donation in Pct. 4 from Cody & Amy Parsons for installation of a driveway and pipe culvert to improve drainage at Sophie Ranch Road, in Inez, Texas in the value of \$800.00 and take appropriate action.

(22-1:35:36)

22. September 23, 2024. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court approved Resolution No. 2024-0074 for a road donation in the amount of \$800.00 from Cody and Amy Parsons at Sophie Ranch Road, Inez, Texas, in Precinct No. 4 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:

(23-1:35:57)

23. September 23, 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 – Increase
- b. Emergency Management, Expenditures - Line item transfer
- c. Airport Fund, 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.

(24-1:36:59)

24. September 23, 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. Mark Sloat, Animal Services Director - Animal Services:
 - 1. Resignation of Courtney Bailiff, Animal Control Officer, with 1.14 Compensatory hours due, effective September 13, 2024.
- b. Richard McBrayer, Emergency Management Coordinator - Emergency Management Office:
 - 1. Salary and position/other code change for Jessica Kalmus, Emergency Management Specialist, at a rate of \$25.71 per hour, from Budget Codes 108-599-1104 and 108-599-1139-\$18.46 per pp to Budget Codes 108-599-1104 and 108-599-1139-\$41.54 per pp, effective September 7, 2024. Other Remarks: Increase to Expanded Cell Phone Allowance – \$1080.04 Annual. Grade 5 Plan General.
 - 2. Salary and position/other code change for Alejandro Partida, Disaster Recovery Coordinator, at a rate of \$31.01 per hour, from Budget Code 108-599-1107 to Budget Codes 108-599-1107 and 108-599-1139 – \$41.54 per pp, effective September 7, 2024. Other Remarks: Add Expanded Cell Phone Allowance - \$1080.04 Annual. Grade 10 Plan General.
- c. Pama Hencerling, Chief Juvenile Probation Officer - Juvenile Detention:
 - 1. Correction: Employment of Dagoberto Monsivais Hinojosa, JSO-FT, at a rate of \$20.76 per hour, Budget Codes 100-573-1156 and 231-572-1136 FT @ \$230.77, effective September 17, 2024. Grade 5 Plan Law Enforcement.
 - 2. Correction to Juvenile Detention/Probation State Funded Positions (Fund No. 231), effective September 1, 2024 and Bi-Weekly Salary Adjustment Directive, effective September 13, 2024. Funds 231-585-1135 and 231-572-1136.
 - 3. Employment of Benjamin Jesus Ramos, JSO-PT, at a rate of \$20.76 per hour, Budget Code 100-573-1157, effective October 1, 2024. Grade 5 Plan Law Enforcement.
- d. Brian Watson, Chief Public Defender - Public Defender's Office:
 - 1. Employment of Marvin L. Faires, Jr., Assistant Public Defender II, at a rate of \$49.04 per hour, Budget Code 525-401-1104, effective September 24, 2024. Grade 18 Plan General Tier n/a.
- e. Matthew Schneider, IT Director - IT Department:
 - 1. Position change for Vincent Aguilar, from Computer Tech, at a rate of \$21.00 per hour, Budget Code 100-503-1106 to Senior Tech, Budget Code 100-503-1108, effective September 21, 2024. Grade 7 Plan General.

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- f. David Gonzales, Public Health Director - Victoria County Public Health

Department:

1. Correction (G/L Code) and Salary change for Destiny Cano, Special Projects/Public Relations Director, from a rate of \$20.00 per hour, Budget Code 809-631-1112 to a rate of \$22.00 per hour, effective September 7, 2024. Other Remarks: Budget Code Changes - Cell Phone Allowance: \$1080.04 - 809-631-1139. Grade 7 Plan General Tier n/a.
2. Correction (G/L Code) for Kimberly Kirbo, Program Manager (HIV/Health Services), at a rate of \$25.50 per hour, from Budget Codes 800-671-1102 (70%) \$17.85 and 800-673-1102 (30%) \$7.65 to Budget Codes 800-671-1102 (10.00%) \$2.55, 800-638-1102 (10.00%) \$2.55 and 800-628-1102 (80.00%) \$20.40, effective September 7, 2024. Other Remarks: G/L Code Change Cell phone allowance 800-628-1139 \$18.46 per pay period. Grade 10 Plan General.
3. Correction (G/L Code) for Laurie Salinas, CSA III, at a rate of \$18.76 per hour, from Budget Code 800-648-1110 to Budget Codes 800-649-1110 (77.00%) \$14.45 and 802-631-1110 (23.00%) \$4.31, effective September 7, 2024. Other Remarks G/L Code Change. Grade 3 Plan General.
4. Correction (G/L Code) for Karen Caughron, RN Nurse (Staff), at a rate of \$27.30 per hour, from Budget Code 800-648-1107 to Budget Code 800-649-1107, effective September 7, 2024. Other Remarks: G/L Code Change. Grade 10 Plan General.
5. Correction (G/L Code) for Reuben Ybarra, Nurse (LVN), at a rate of \$23.54 per hour, from Budget Codes 800-648-1114 (21.86%) \$5.15, 800-641-1114 (70.62%) \$16.62, and 800-671-1105 (7.52%) \$1.77 to Budget Codes 800-649-1114 (21.86%) \$5.15, 800-641-1114 (70.62%) \$16.62, and 800-671-1105 (7.52%) \$1.77, effective September 7, 2024. Other Remarks: G/L Code Change. Grade 7 Plan General.
6. Correction (G/L Code) for Carrie Fagg, Immunization Program Manager, at a rate of \$23.19 per hour, from Budget Codes 800-648-1104 (88.93%) \$20.01 and 802-631-1104 (11.07%) \$2.49 to Budget Codes 800-649-1104 (85.00%) \$19.71 and 802-631-1104 (15.00%) \$3.48, effective September 7, 2024. Other Remarks: G/L Code Change. Grade 7 Plan General.
7. Correction (G/L Code) for Ashley Cano, Public Health Community Advocate/Program Coordinator, at a rate of \$23.19 per hour, from Budget Codes 800-686-1104 (89%) \$19.57 and 804-631-1106 (11%) \$2.43 to Budget Codes 800-675-1104 (86.93%) \$20.16 and 804-631-1106 (13.07%) \$3.03, effective September 7, 2024. Other Remarks: G/L Code Change - Cell phone allowance Change to 800-675-1139. Grade 7 Plan General.
8. Correction (G/L Code) for Teresa Gonzales, RN Nurse, at a rate of \$28.33 per hour, from Budget Codes 800-631-1105 (31.53%) \$8.67, 800-641-1105 (47.45%) \$13.05, and 800-668-1105 (21.02%) \$5.78 to Budget Codes 800-631-1105 (31.52%) \$8.93, 800-641-1105 (46.00%) \$13.03, and 800-653-1105 (22.48%) \$6.37, effective September 7, 2024. Other Remarks: G/L Code Change. Grade 10 Plan General.

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9. Correction (G/L Code) for Mary Lou Herrera, Nurse LVN/TB, at a rate

of \$22.15 per hour, from Budget Codes 800-631-1163 (39.50%) \$8.75, 800-668-1140 (26.00%) \$5.76, and 800-664-1140 (34.50%) \$7.64 to Budget Codes 800-631-1163 (39.50%) \$8.75, and 800-653-1140 (60.50%) \$13.40, effective September 7, 2024. Other Remarks: G/L Code Change. Grade 7 Plan General.

10. Correction (G/L Code) for Jennifer Poncio, ADAP Eligibility Worker, at a rate of \$18.50 per hour, from Budget Code 800-673-1105 to Budget Codes 800-671-1105 (10.00%) \$1.85, 800-638-1105 (20.00%) \$3.70, and 800-628-1105 (70.00%) \$12.95, effective September 7, 2024. Other Remarks: G/L Code Change. Grade 3.
 11. Correction (G/L Code) for Veronica Cuellar, Medical Case Manager, at a rate of \$19.00 per hour, from Budget Code 800-671-1113 to Budget Codes 800-671-1113 (90.00%) \$17.10 and 800-628-1113 (10.00%) \$1.90, effective September 7, 2024. Other Remarks: G/L Code Change. Cell phone allowance 800-628-1139 \$18.46 per pay period. Grade 5 Plan General.
 12. Correction (G/L Code) for Lori Marroquin, Casework Associate, at a rate of \$17.50 per hour, from Budget Codes 800-655-1104 (70.00%) \$12.25 and 800-673-1104 (30.00%) \$5.25 to Budget Codes 800-637-1104 (40.00%) \$7.00, 800-638-1104 (10.00%) \$1.75, 800-671-1104 (10.00%) \$1.75, and 800-628-1104 (40.00%) \$7.00, effective September 7, 2024. Other Remarks: G/L Code Change. Grade 3 Plan General.
- g. Richard Castillo, Fire Marshal - Fire Marshal's Office:
1. Employment of Charles A. Lobstein, ARFF Specialist, at a rate of \$16.20 per hour, Budget Codes 100-550-1111 and 100-550-1137 - \$69.23 per pp, effective October 5, 2024. Other Remarks: additional ARFF Specialist to fill 2964 annual schedule - budget amendment using current funds in 100-550-1107. Grade 2 Plan Fire.
 2. Salary and position/other code change for Drew Pilkington, from Assistant Fire Marshal, at a rate of \$23.84 per hour, Budget Codes 100-550-1107, 100-550-1137 - \$69.23 per pp, and 100-550-1139 - \$41.54 per pp to Deputy Fire Marshal, at a rate of \$34.86 per hour, Budget Codes 100-550-1108, 100-550-1137 per pp, and 100-550-1139 per pp, effective September 21, 2024. Other Remarks: move to position on general plan on a 2080 annual work schedule. Grade 8 Plan Fire.
- h. Justin Marr, Sheriff - Sheriff's Office:
1. VCSO Salary Adjustment Certification for Shaina Mata, to be paid Intermediate Certificate Pay of \$23.08 per pay period, effective September 27, 2024. Certification date for Shaina Mata is July 22, 2024. Budget Coding: Detention Certificate Pay 100-565-1137. Remarks: Corporal Mata received her Intermediate Jailer's certificate on 07/22/2024.
 2. Resignation of Brandy Schustereit, Assistant Financial Officer, with 22.37 PTO and 182.85 Compensatory hours due, effective September 13, 2024.

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- i. John Johnston/Ben Zeller, County Engineer/County Judge - Administrative

Services/County Judge's Office:

1. Salary and position change for Maddison Heibel, from Grant Specialist (Administrative Services), at a rate of \$22.39 per hour, Budget Code 100-501-1113 to Projects and Planning Assistant (County Judge's Office), at a rate of \$24.58 per hour, Budget Codes 100-400-1105 and 100-400-1139-\$41.54 per pp, effective September 21, 2024. Other Remarks: Transfer of Departments. Grade 8 Plan General.

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.**

(25-1:38:28)

25. September 23, 2024. The Commissioners Court went into closed session at 11:38 a.m., 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.

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.**

(26-2:21:14)

26. September 23, 2024. The Commissioners Court returned to open meeting at 12:23 p.m., pursuant to V.T.C.A. Government Code §551.102, with no action taken.

27. **Adjourn.**

(27-2:21:29)

27. September 23, 2024. The Commissioners Court adjourned the meeting of September 23, 2024.