

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **21st day October 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, October 21, 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. October 21, 2024. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, October 21, 2024, at 10:00 a.m.

2. Invocation and Pledges.

(2-0:00)

2. October 21, 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.

(3-2:07)

3. October 21, 2024. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Human Resources Director Giani Cantu provided an update on open enrollment for Victoria County employees.

Emergency Management Director Rick McBrayer thanked the Victoria County Sheriff's Office for the use of the Command Center Trailer which is being utilized by the Texas Forest Services as a daily command area for the ongoing firefighting operations in our local area.

Sherri Strickland with Promise Pointe introduced members present and spoke about the services they provide for homeless individuals. Ms. Strickland asked the Court for assistance to purchase land for Promise Pointe.

Nicole Way also with Promise Pointe provided background information about Promise Pointe.

Sister Rebecca Janacek spoke about waiting list and partnerships for Promise Pointe.

Michael Vonderau of 2204 E. North Street mentioned early voting starts today and spoke about repairs at the East North Mobile Home Park.

County Engineer John Johnston gave an update on the proposals for the Animal Services Relocation and the Mental Health Facility.

Victoria Animal Services Director Mark Sloat spoke about the Chips and Salsa microchip event that was held this past weekend.

Tiki Venglar, a Bloomington resident, spoke about the Bloomington Water Department meetings and additional issues. Ms. Venglar asked the Court for any suggestions or directions to receive help with the situation.

Commissioner Danny Garcia mentioned there will be a Public Hearing for the overpass through Bloomington Tuesday from 4:30 p.m. to 6:30 p.m. in the Bloomington Elementary cafeteria.

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

4. Consider approval of minutes and take appropriate action.

(4-29:11)

4. October 21, 2024. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the minutes of the Commissioners Court meetings held on October 9, 2024 and October 14, 2024. Motion adopted.

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

(5-29:24)

5. October 21, 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	10/21/2024	\$434,735.88
Supplemental Accounts	10/11/2024 – 10/17/2024	\$156,146.45

Motion adopted.

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

(6-29:50)

6. October 21, 2024. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court received the monthly reports from the Sheriff; Constable, Precinct No. 3; and County Extension Agent 4-H Youth Development. Motion adopted.

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

(7-30:08)

7. October 21, 2024. None. No action taken.

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

(8-30:17)

8. October 21, 2024. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the interim vendor payments dated October 17, 2024, in the amount of \$1,052,171.61 and the ACH report dated October 17, 2024, in the amount of \$2,033,240.28. Motion adopted.

9. Hear a proclamation proclaiming October 20-26, 2024 as Friends of the Library week and take appropriate action.

(9-30:58)

9. October 21, 2024. Diana Sneed, President of the Friends of the Library, provided information to the Court. County Judge Zeller read the Proclamation. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the Proclamation No. proclaiming October 20-26, 2024 as Friends of Libraries week in Victoria, Texas.

Motion adopted.

10. Consider approval of Citizens Medical Center ICU Additions and Renovations AIA Document G702 for Payment No. 5 and take appropriate action.

(10-36:23)

10. October 21, 2024. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the Citizens Medical Center ICU Additions and Renovations AIA Document G702 for Payment No. 5. Motion adopted.

11. Consider approval of 2025 Indigent Defense Formula Grant Program Resolution and take appropriate action.

(11-36:43)

11. October 21, 2024. Grant Administrator Robin Knipling and Chief Public Defender Brian Watson provided information to the Court. Moved by Kenneth Sexton and seconded by Danny Garcia, the Commissioners Court approved the 2025 Indigent Defense Formula Grant Program Resolution No. 2024-0081 for Victoria County. Motion adopted.

12. Consider approval of the following in connection to the Bloomington Yard Expansion Project and Halk Road Right-of-Way, and take appropriate action:

a. Road Relocation Agreement with Union Pacific Railroad Company.

(12a-40:08)

12a. October 21, 2024. Commissioner Danny Garcia and County Engineer John Johnston provided information. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the Road Relocation Agreement with Union Pacific Railroad Company in connection to the Bloomington Yard Expansion Project and Halk Road Right-of-Way, subject to legal review and taxes paid by Union Pacific. Motion adopted.

Consider approval of the following in connection to the Bloomington Yard Expansion Project and Halk Road Right-of-Way, and take appropriate action:

b. Request for Variance to Section 1(C)(1)(a & b) of the Victoria County Development Standards Manual.

(12b-40:08)

12b. October 21, 2024. Commissioner Danny Garcia and County Engineer John Johnston provided information. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the request for variance to Section 1(C)(1)(a & b) of the Victoria County Development Standards Manual in connection to the Bloomington Yard Expansion Project and Halk Road Right-of-Way, subject to legal review and taxes paid by Union Pacific. Motion adopted.

13. Consider approval of the following in connection to the Grain Elevator Subdivision, located in Precinct 1, and take appropriate action:

a. Request for Variance of Section 5, Roadway Standards (D) of the Victoria County Development Standards Manual for Ripple Road.

(13a-45:13)

13a. October 21, 2024. Commissioner Danny Garcia and County Engineer John Johnston provided information. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the Request for Variance of Section 5, Roadway Standards (D) of the Victoria County Development Standards Manual for Ripple Road in connection to the Grain Elevator Subdivision located in Precinct No. 1. Motion adopted.

Consider approval of the following in connection to the Grain Elevator Subdivision,

located in Precinct 1, and take appropriate action:

b. Final Plat.

(13b-45:13)

13b. October 21, 2024. Commissioner Danny Garcia and County Engineer John Johnston provided information. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the Final Plat in connection to the Grain Elevator Subdivision located in Precinct No. 1. Motion adopted.

14. Consider approval of a request for plat exemption from Sarah Bryan & Chelsey Keen at 2339 Lower Mission Valley Road, located in Precinct 2, and take appropriate action.

(14-48:16)

14. October 21, 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 Sarah Bryan and Chelsey Keen at 2339 Lower Mission Valley Road, in Precinct No. 2 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 way 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 service 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.

15. Consider the purchase of a 2024 Chevrolet 2500 from Lake Country Chevrolet in place of the 2025 Chevrolet 2500 HD from Sewell Chevrolet for Road & Bridge, Pct. 2 and take appropriate action.

(15-49:26)

15. October 21, 2024. Commissioner Jason Ohrt provided information to the Court. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the purchase of a 2024 Chevrolet 2500 from Lake Country Chevrolet in place of the 2025 Chevrolet 2500 HD from Sewell Chevrolet for Road and Bridge, Precinct No. 2. Motion adopted.

- 16. Consider approval of Resolution No. 2024-0083 for road donation in Pct. 3 from Albert Beamon for installation of a driveway and pipe culvert to improve drainage at 156 AL Beamon Dr. in the amount of \$573.36 and take appropriate action.**

(16-50:13)

16. October 21, 2024. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved Resolution No. 2024-0083 for a road donation in the amount of \$573.36 from Albert Beamon at 156 Al Beamon Drive in Precinct No. 3 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

- 17. Consider approval of Resolution No. 2024-0084 for road donation in Pct. 1 from Hector SantaCruz for installation of a driveway and pipe culvert to improve drainage at 1398 Wood Hi Road in the amount of \$960.00 and take appropriate action.**

(17-50:48)

17. October 21, 2024. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved Resolution No. 2024-0084 for a road donation in the amount of \$960.00 from Hector SantaCruz at 1398 Wood Hi Road in Precinct No.1 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

- 18. Receive for the record 2024 Discretionary Fund Budget Amendment for Tax Assessor Special Fund 499 and take appropriate action.**

(18-51:17)

18. October 21, 2024. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court received for the record the 2024 Discretionary Fund Budget Amendment for the Tax Assessor Special Fund 499 as a line item transfer to Revenues and Expenditures. Motion adopted.

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

(19-51:41)

19. October 21, 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 - Line item transfer
- b. Road and Bridge, Precinct No. 4, Revenues and Expenditures - Line item transfer
- c. Health Department, Revenues and Expenditures - Line item transfer

Motion adopted.

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

(20-52:10)

20. October 21, 2024. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved that payroll be processed in compliance with policy and personnel changes:

- a. Danny Garcia, Commissioner, Precinct No. 1 - Road and Bridge, Precinct No. 1:
 - 1. Request to pay out 276.02 hours of compensatory time in the amount of \$9,271.51 from Line Item 201-611-1103 to Pedro Villarreal for accrued additional compensatory time during the performance of his duties as Foreman.
- b. David Gonzales, Public Health Director - Victoria County Public Health Department:

1. Position/other code change for Jennifer Poncio, ADAP Eligibility Worker, at a rate of \$19.25 per hour, from Budget Codes 800-671-1105 (10.00%) \$1.93, 800-638-1105 (20.00%) \$3.85, and 800-628-1105 (70.00%) \$13.47 to Budget Codes 800-671-1118 (10.00%) \$1.93, 800-638-1105 (20.00%) \$3.85, and 800-628-1105 (70.00%) \$13.47, effective October 5, 2024. Other Remarks: G/L CODE CORRECTION. Grade 3 Plan General.

Motion adopted.

21. **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.**

(21-52:35)

21. October 21, 2024. The Commissioners Court passed on the 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, and §551.071 to conduct a private consultation with the County's attorney regarding matters protected by attorney-client privilege.

22. **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.**

(22-52:44)

22. October 21, 2024. The Commissioners Court did not return to an open meeting, pursuant to V.T.C.A. Government Code §551.102, due to closed session not held.

23. **Adjourn.**

(23-52:54)

23. October 21, 2024. The Commissioners Court adjourned the meeting of October 21, 2024.