

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

Be it remembered that on this the **4th day November 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, November 4, 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. November 4, 2024. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, November 4, 2024, at 10:01 a.m.

2. Invocation and Pledges.

(2-0:00)

2. November 4, 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.

(3-3:18)

3. November 4, 2024. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Bill Pozzi, Republican Chair, stated there were record-breaking crowds during early voting. Mr. Pozzi also stated Election Day is tomorrow and voting is from 7:00 a.m. and 7:00 p.m.

Michael Vonderau of 2204 E. North Street spoke about early voting and Election Day. Mr. Vonderau also spoke about the funding for the Veterans Office and his living situation at the East North Mobile Home Park. Commissioner Garcia responded to Mr. Vonderau regarding the Veteran's Office funding.

Criminal District Attorney Constance Filley Johnson informed the Court about the Support Our Schools (SOS) Teen Summit event that will be held on November 17, 2024.

Rebecca Panza and Ida Ramirez with Friends of Elder Citizens spoke about their program and asked the Court for help with funding to feed seniors in Victoria County. The Court responded to Ms. Panza and Ms. Ramirez.

Fire Marshal Richard Castillo stated the burn ban is still in effect and provided the KBDI numbers. Fire Marshal Castillo also mentioned the Victoria County Volunteer Fire Department fundraiser will be held this Saturday, November 9, 2024, from 10:30 a.m. to 1:30 p.m.

County Engineer John Johnston provided an update on the Mental Health Hospital. Hearing no further comments, Judge Ben Zeller continued with the next agenda item.

4. Consider approval of minutes and take appropriate action.

(4-21:26)

4. November 4, 2024. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the minutes of the Commissioners Court meetings held on October 28, 2024. Motion adopted.

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

(5-21:39)

5. November 4, 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	11/4/2024	\$391,031.11
Supplemental Accounts	10/25/2024 – 10/31/2024	\$232,408.76

Motion adopted.

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

(6-22:13)

6. November 4, 2024. Moved by Jason Ohrt and seconded by Danny Garcia, 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.

(7-22:23)

7. November 4, 2024. None. No action taken.

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

(8-22:30)

8. November 4, 2024. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the interim vendor payments dated October 31, 2024, in the amount of \$570,869.30 and the ACH report dated October 31, 2024, in the amount of \$2,586,347.79. Motion adopted.

9. Hear a Proclamation designating November as Adoption Month and take appropriate action.

(9-23:15)

9. November 4, 2024. Nicole Nguyen and Julie Rosario with Belong, spoke to the Court. County Judge Zeller read the Proclamation. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the Proclamation designating November 2024 as National Adoption Month. Motion adopted.

10. Receive for the record a Jail Inspection Report and Certificate of Compliance from the Texas Commission on Jail Standards and take appropriate action.

(10-29:09)

10. November 4, 2024. Sheriff Justin Marr provided information to the Court. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court received for the record the Jail Inspection Report and Certificate of Compliance from the Texas Commission on Jail Standards. Motion adopted.

- 11. Consider a request from the Victoria County Sheriff's Office to reallocate a 2023 TAC Insurance payment for damage to an LPR in the amount of \$24,072.94 and take appropriate action.**

(11-30:48)

11. November 4, 2024. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the request from the Victoria County Sheriff's Office to reallocate the remaining 2023 TAC insurance payment of \$24,072.94 to help pay for the damaged LPR trailer. Motion adopted.

- 12. Consider FY2025 reclassification requests, and receive for the record updated title and grades effective January 1, 2025, and take appropriate action.**

(12-32:05)

12. November 4, 2024. Human Resources Director Giani Cantu provided information to the Court. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the FY2025 reclassification requests, and received for the record the updated title and grades, effective January 1, 2025. Motion adopted.

- 13. Consider the following in regard to the Sick Leave EML Benefit Policy Discussion and take appropriate action:**

a. Receive recommendation.

(13a-34:42)

13a. November 4, 2024. Giani Cantu, Human Resources Director, provided the Court with information. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court received Human Resources recommendation in regards to the Sick Leave EML Benefit Policy. Motion adopted.

Consider the following in regard to the Sick Leave EML Benefit Policy Discussion and take appropriate action:

b. Approve the Sick Leave EML Benefit Policy.

(13b-34:42)

13b. November 4, 2024. Human Resources Director Giani Cantu provided information to the Court. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved the Sick Leave EML Benefit Policy. Motion adopted.

- 14. Consider approval of the stop loss contract with Berkshire and the administrative contract with Boon Chapman for the Plan year 2025 and take appropriate action.**

(14-43:38)

14. November 4, 2024. Laura Gwaltney of Walker and Associates provided information to the Court. Moved by Kenneth Sexton and seconded by Gary Burns, the Commissioners Court approved the stop loss contract with Berkshire and the administrative contract with Boon Chapman for the Plan year 2025. Motion adopted.

- 15. Discuss and consider possible modifications to the Victoria County Tax Abatement Guidelines and Criteria and take appropriate action**

(15-51:29)

15. November 4, 2024. Jonas Titas, President of Victoria Economic Development Corporation, spoke about the modifications to the Tax Abatement Guidelines and Criteria with the Court. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the modifications to the Victoria County Tax Abatement Guidelines and Criteria. Motion adopted.

- 16. Consider approval of a Business Associate Agreement for a Lactation Consultant/Breastfeeding Peer Counselor to provide services to the Victoria County WIC Program and take appropriate action.**

(16-58:51)

16. November 4, 2024. Public Health Director David Gonzales provided information to the Court. Moved by Gary Burns and seconded by Jason Ohrt, the Commissioners Court approved a Business Associate Agreement for a Lactation Consultant/Breastfeeding Peer Counselor to provide services to the Victoria County WIC Program. Motion adopted.

- 17. Consider approval of the following items regarding the purchase of a fleet vehicle for fire response for the Victoria County Fire Marshal's Office and take appropriate action:**

a. Grant a Discretionary Bid Exemption pursuant to Local Government Code 262.024(a)(2) for an item necessary to preserve or protect the public health and safety of residents of the County.

(17a-59:46)

17a. November 4, 2024. Fire Marshal Richard Castillo provided information to the Court. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court approved the grant for a Discretionary Bid Exemption pursuant to Local Government Code 262.024(a)(2) for an item necessary to preserve or protect the public health and safety of residents of the County regarding the purchase of a fleet vehicle for fire responses for the Victoria County Fire Marshal's Office. Motion adopted.

Consider approval of the following items regarding the purchase of a fleet vehicle for fire response for the Victoria County Fire Marshal's Office and take appropriate action:

b. Authorize the purchase of a 2016 Ford F750 Water Truck from Art's Trucks & Equipment.

(17b-59:46)

17b. November 4, 2024. Richard Castillo, Fire Marshal, provided the Court with information. Moved by Danny Garcia and seconded by Gary Burns, the Commissioners Court authorized the purchase of a 2016 Ford F750 Water Truck from Art's Trucks and Equipment for fire responses for the Victoria County Fire Marshal's Office. Motion adopted.

- 18. Consider approval of a request for plat exemption from Russell Brandt at 398 Strobel Road, located in Precinct 3, and take appropriate action.**

(18-1:03:33)

18. November 4, 2024. County Engineer John Johnston spoke to the Court about the plat exemption. Moved by Gary Burns and seconded by Kenneth Sexton, the Commissioners Court approved the plat exemption request from Russell Brandt 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.
- * 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 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.

19. Receive for the record updated Victoria County 4-H Activity Center Building Use Policy regarding use of the gun range and take appropriate action.

(19-1:04:29)

19. November 4, 2024. Commissioner Kenneth Sexton provided information to the Court. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court received for the record an updated Victoria County 4-H Activity Center Building Use Policy regarding use of the gun range. Motion adopted.

20. Consider approval of Resolution No. 2024-0087 for road donation in the amount of \$742.50 from Grant Sauer for the installation of a driveway and pipe culvert to improve drainage at 563 Boehm Rd. in Pct. 1 and take appropriate action.

(20-1:05:05)

20. November 4, 2024. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved Resolution No. 2024-0087 for a road donation in the amount of \$742.50 from Grant Sauer at 563 Boehm Road in Precinct No. 1 for installation of a driveway and pipe culvert to improve drainage. Motion adopted.

21. Consider approval of Resolution No. 2024-0088 for road donation in the amount of \$1,032.60 from H. Curtis Sipe for the installation of a driveway and pipe culvert to improve drainage at 1986 Stubbs School Rd. in Pct. 3 and take appropriate action.

(21-1:05:38)

21. November 4, 2024. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court approved Resolution No. 2024-0088 for road donation in the amount of \$1,032.60 from H. Curtis Sipe for the installation of a driveway and pipe culvert to improve drainage at 1986 Stubbs School Road in Precinct No. 3. Motion adopted.

22. Consider approval of a detention and/or residential contract with Scurry/Borden County for the Victoria Regional Juvenile Justice Center and take appropriate action.

(22-1:06:10)

22. November 4, 2024. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court approved the Residential Contract between Victoria Regional Juvenile Justice Center and Scurry/Borden County. Motion adopted.

23. Receive for the record a Discretionary Funds Budget Amendment for the Sheriff's Commissary Fund (380) and take appropriate action.

(23-1:06:41)

23. November 4, 2024. Moved by Kenneth Sexton and seconded by Danny Garcia, the Commissioners Court received for the record the 2024 Discretionary Fund Budget Amendment for the Sheriff's Commissary Fund (380) as an increase to expenditures. Motion adopted.

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

(24-1:07:05)

24. November 4, 2024. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court approved the 2024 budget amendments for:

- a. General Fund, Sheriff's Office, Expenditures - Line item transfer
- b. General Fund, Various Departments, Expenditures - Line item transfer
- c. Records Management Fund, Revenues and Expenditures - Increase
- d. County Clerk, Clerk of the Court, Revenues and Expenditures - Line item transfer
- e. Road and Bridge, Precinct No. 1, Expenditures - Line item transfer
- f. Road and Bridge, Precinct No. 2, Expenditures - Line item transfer
- g. Pre-Trial Intervention, Expenditures - Line item transfer
- h. National School Lunch Program, Revenues and Expenditures - Line item transfer
- i. Elections Administrators Special, Revenues and Expenditures - Line item transfer
- j. Capital Projects Fund, Revenues and Expenditures - Line item transfer

Motion adopted.

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

(25-1:08:05)

25. November 4, 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. Justin Marr, Sheriff - Sheriff's Office:
 - 1. Employment of Shelby Fletcher, Detention Officer, at a rate of \$20.76 per hour, Budget Codes 100-565-1116-\$18.74 and 288-565-1116-\$2.02, effective November 5, 2024. Grade 5 Plan Law Enforcement Tier 1.
 - 2. Correction for Charles Williamson from Captain, Detention, at a rate of \$40.39 per hour, Budget Codes 100-565-1104-\$37.90, 288-565-1104-\$2.49, and 100-565-1137-\$69.23-Cert Pay to Captain, Administration, Budget Codes 100-562-1140-\$40.39 and 100-562-1137-\$69.23-Cert Pay, effective October 5, 2024. Grade 17 Plan Law Enforcement Tier 2.
 - 3. Correction for Gregory Kouba, from Lt. Training Officer, at a rate of \$34.06 per hour, Budget Codes 100-562-1142-\$34.06 and 100-562-1137-\$69.23-Cert Pay to Captain, Detention, at a rate of \$40.39 per hour, Budget Codes 100-565-1104-\$37.90, 288-565-1104-\$2.49, and 100-565-1137-\$69.23-Cert Pay, effective October 5, 2024. Grade 17 Plan Law Enforcement Tier 2.
- Other Remarks: Staff moved to Exempt, please pay out comp time.

4. VCSO Salary Adjustment Certification for Austin Nelson, to be paid Intermediate Certificate Pay of \$23.08 per pay period, effective November 8, 2024. Certification date for Austin Nelson is October 22, 2024. Budget Coding: Detention Certificate Pay 100-565-1137.
- b. Pama Hencerling, Juvenile Chief Probation Officer - Juvenile Detention:
 1. Salary change and position/other code change for Rebecca Dianne Aguirre, from JSO, at a rate of \$21.82 per hour, Budget Codes 100-573-1156 and 231-572-1136 FT @ \$230.77 to Part Time JSO, at a rate of \$20.76 per hour, Budget Code 100-573-1157, effective November 2, 2024. Grade 5 Plan Law Enforcement Tier 1.
 2. Employment of Lashandra Denise Callis, JSO, at a rate of \$20.76 per hour, Budget Codes 100-573-1156 and 231-572-1136 FT @ \$230.77, effective November 13, 2024. Grade 5 Plan Law Enforcement Tier 1.
- c. Gary Burns, Commissioner, Precinct No. 3 - Road and Bridge, Precinct No. 3:
 1. Retirement of Leeroy Creager, Asst. Foreman, effective November 7, 2024.
- d. David Gonzales, Public Health Director - Victoria County Public Health Department:
 1. Resignation of Shannon Geistman, Nurse Manager, effective November 15, 2024. Other Remarks: CANCEL Cell Phone Allowance \$1080.04 Annual / 800-631-1139.
 2. Salary change and position/other change for Teresa Gonzales, from RN Nurse, at a rate of \$28.33 per hour, Budget Codes 800-631-1105 (31.52%) \$8.93, 800-641-1105 (46.00%) \$13.03, and 800-653-1105 (22.48%) \$6.37 to Nurse Manager, at a rate of \$31.00 per hour, Budget Code 800-631-1161, effective November 2, 2024. Other Remarks: ADD: Cell Phone Allowance \$1080.04 Annual (\$41.54 bi-weekly) 800-631-1139. Grade 14 Plan General Tier n/a.
- e. Eli E. Garza, 377th Judicial District Judge - 377th Judicial District Court:
 1. Resignation of Allison Rother, DST CRT Court Reporter, effective November 29, 2024.
- f. Danny Garcia, Commissioner, Precinct No. 1 - Road and Bridge, Precinct No. 1:
 1. Salary change and position/other code change for Alberto Adame, from Extra Help, at a rate of \$19.00 per hour, Budget Code 201-611-1130 to Equipment Operator, at a rate of \$20.00 per hour, Budget Code 201-611-1105, effective November 2, 2024. Grade 5 Plan General.

Motion adopted.

26. **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, §551.071 to conduct a private consultation with the County's attorney regarding matters protected by the attorney-client privilege and §551.071(1)(A) to discuss pending or contemplated litigation.**

(26-1:09:24)

26. November 4, 2024. The Commissioners Court went into closed session at 11:09 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 attorney-client privilege and §551.071(1)(A) to discuss pending or contemplated litigation.

27. Pursuant to V.T.C.A. Government Code §551.102, return to an open meeting and take any action deemed necessary based upon discussion in the closed meeting.

(27-1:10:14)

27. November 4, 2024. The Commissioners Court returned to an open meeting at 12:23 p.m., pursuant to V.T.C.A. Government Code §551.102, with no action taken.

28. Adjourn.

(28-1:10:25)

28. November 4, 2024. The Commissioners Court adjourned the meeting of November 4, 2024.