

**THE STATE OF TEXAS   §**

**COUNTY OF VICTORIA   §**

Be it remembered that on this the **27th day April A.D., 2026**, 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       |
| Shannon Martin, | 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, April 27, 2026, 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. April 27, 2026. Ben Zeller, County Judge, called to order the Commissioners Court Special Term for Monday, April 27, 2026, at 10:02 a.m.

#### **2. Invocation and Pledges.**

(2-0:00)

2. April 27, 2026. 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.**

(3-10:03:09)

3. April 27, 2026. Judge Ben Zeller opened the meeting to anyone wishing to address general County business which was not on the meeting agenda.

Republican Chair Bill Pozzi mentioned today and tomorrow are the last days for early voting and Election Day is on May 2, 2026.

Michael Vonderau of 2107 N. Ben Jordan spoke about a dog issue and informed the Court that the water fountain outside the Commissioners Courtroom is not working. Mr. Vonderau also mentioned that Citizens Medical Center will be hosting a diabetes screening tomorrow and spoke about homeless individuals.

Ernie Byrd, a Victoria resident, thanked Commissioner Martin for the improvements to Timber Drive. Mr. Byrd also spoke about the relief bridge on Business 59, the pothole in front of Firestone, the Guadalupe Blanco River Authority clearing log jams and how the shooting range is affecting the lakes.

Woodrow Wilson Wagner, a Victoria resident, spoke to the Court about trust and results and spoke in support of the VISD Bond.

Scott Bauer spoke on behalf of Congressman Michael Cloud and thanked the Court for their support.

Animal Services Director Crystal Riemenschneider congratulated Lorraina Kief on receiving national recognition and spoke about the conference in Austin. Ms. Riemenschneider informed the Court about the Shine the Light Walk in Riverside Park this weekend and spoke about how Victoria Animal Services assisted an elderly man and his dogs.

Judge Zeller stated today is the last day to register to vote for the runoff election. Judge Zeller mentioned a Proclamation that was issued for the Board of Soil and Water

Conservation.

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

**4. Consider approval of minutes and take appropriate action.**

(4-10:25:32)

4. April 27, 2026. Moved by Kenneth Sexton and seconded by Shannon Martin, the Commissioners Court approved the minutes of the Commissioners Court meeting held on April 20, 2026. Motion adopted.

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

(5-10:26:05)

5. April 27, 2026. 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      | 4/27/2026             | \$585,497.12   |
| Supplemental Accounts | 4/14/2026 – 4/20/2026 | \$1,194,899.25 |

Motion adopted.

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

(6-10:26:19)

6. April 27, 2026. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court approved the monthly report from the County Treasurer. Motion adopted.

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

(7-10:26:52)

7. April 27, 2026. There were no bond forfeiture releases. No action taken.

**8. Consider approval of Citizens Medical Center interim vendor payments and take appropriate action.**

(8-10:26:56)

8. April 27, 2026. Moved by Danny Garcia and seconded by Kenneth Sexton, the Commissioners Court approved the interim vendor payments for Citizens Medical Center dated April 23, 2026, in the amount of \$241,543.36 and the ACH report dated April 23, 2026, in the amount of \$2,116,542.62. Motion adopted.

**9. Discuss and recognize South Texas Archery Junior Olympic Archery Development (JOAD) Program Achievements for the 2025-2026 season and take appropriate action.**

(9-10:27:25)

9. April 27, 2026. Kari Goehring of South Texas Archery Junior Olympic Archery Development introduced team members and read their accomplishments. The Commissioners Court recognized the South Texas Archery Junior Olympic Archery Development (JOAD) Program members and their achievements for the 2025-2026 season. No action taken.

- 10. Receive for the record adopted Order from the Victoria County Elections Commission appointing Karen Cline as Victoria County Elections Administrator and take appropriate action.**

(10-10:33:17)

10. April 27, 2026. Moved by Kenneth Sexton and seconded by Shannon Martin, the Commissioners Court received for the record the adopted Order from the Victoria County Elections Commission appointing Karen Cline as the Victoria County Elections Administrator. Motion adopted.

- 11. Receive and discuss the proposed Victoria County Budget Calendar for FY2027 and take appropriate action.**

(11-10:34:45)

11. April 27, 2026. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court received the proposed Victoria County Budget Calendar for FY2027. Motion adopted.

- 12. Conduct public hearing and consider and take possible action regarding the approval of Tax Abatement Agreements with FA Victoria I LLC, pursuant to Chapter 312, Texas Tax Code, on property owned by the Port of Victoria in Victoria County Reinvestment Zone #2 for the construction of green ammonia facilities Phase I and Phase II with a capital investment of approximately \$530,000,000 and \$250,000,000 respectively, and take appropriate action.**

(12-10:36:06)

12. April 27, 2026. Jonas Titas, President of Victoria Economic Development Corporation spoke about how the tax abatement will be an asset for Victoria County. County Judge Zeller opened the public hearing at 10:39 a.m. Commissioner Martin thanked Jonas Titas. Commissioner Ohrt thanked Lee Raymond with First Ammonia. Mr. Lee Raymond with First Ammonia thanked the Court for this opportunity. Jewel Buchanan spoke against the tax abatement. Jeri Alvarez, member service and communications manager with Victoria Electric Co-op, spoke in support of the tax abatement. Jim Allison with Allison, Bass and Magee stated that in the agreement, First Ammonia will make payments each year in lieu of taxes. County Judge Zeller closed the public hearing at 10:48 a.m. Moved by Shannon Martin and seconded by Kenneth Sexton, the Commissioners Court approved the Tax Abatement Agreements with FA Victoria I LLC, pursuant to Chapter 312, Texas Tax Code, on property owned by the Port of Victoria in Victoria County Reinvestment Zone No. 2 for the construction of green ammonia facilities Phase I and Phase II with a capital investment of approximately \$530,000,000.00 and \$250,000,000.00 respectively. Motion adopted.

- 13. Conduct Public Hearing and consider approval of Amendments to the Victoria County Guidelines and Criteria for purposes of tax abatement to provide economic development within the county, and take appropriate action.**

(13-10:48:40)

13. April 27, 2026. County Judge Zeller opened the public hearing at 10:49 a.m. Jonas Titas, President of Victoria Economic Development Corporation (VEDC), thanked the Court for their service and leadership during this process and spoke about how competitive economic development is. William Myers, VEDC member, asked the Court to table the Victoria County Guidelines and Criteria amendments. Lee Swearingen gave a historical perspective of Victoria County and the projected growth of Victoria County. Lee Keeling, VEDC member, asked the Court to table the adoption of the Victoria County Guidelines and Criteria amendments today. Jeff Lyon, President of The Chamber, and

Byron Burris, Chairman of the Port of Victoria, also asked the Court to table the amendments. County Judge Zeller provided background information on the tax abatement guidelines and criteria. Jim Allison with Allison, Bass, and Magee explained the revenue cap. Sean Stibich, Executive Director of the Port of Victoria, spoke about past tax abatements for Victoria County and asked the Court to table the amendments at this time. Judge Zeller closed the public hearing at 11:27 a.m. The Court held a discussion regarding the Victoria County Guidelines and Criteria. Moved by Kenneth Sexton and seconded by Jason Ohrt, the Commissioners Court tabled the Amendments to the Victoria County Guidelines and Criteria for purposes of tax abatement to provide economic development within the county. Motion adopted.

**14. Consider approval of System Data Use Agreements, Security and Privacy Inquiry (SPI) for Texas Health and Human Services for the following from the Victoria County Public Health Department and take appropriate action:**

**a. Mobile Food Vendors.**

(14a-11:35:18)

14a. April 27, 2026. David Gonzales, Public Health Director, provided information to the Court. Moved by Jason Ohrt and seconded by Shannon Martin, the Commissioners Court approved the System Data Use Agreements, Security and Privacy Inquiry (SPI) for Texas Health and Human Services for Mobile Food Vendors from the Victoria County Public Health Department. Motion adopted.

**Consider approval of System Data Use Agreements, Security and Privacy Inquiry (SPI) for Texas Health and Human Services for the following from the Victoria County Public Health Department and take appropriate action:**

**b. Texas Home Visiting.**

(14b-11:35)

14b. April 27, 2026. Public Health Director David Gonzales provided the Court with information. Moved by Jason Ohrt and seconded by Shannon Martin, the Commissioners Court approved the System Data Use Agreements, Security and Privacy Inquiry (SPI) for Texas Health and Human Services for Texas Home Visiting from the Victoria County Public Health Department. Motion adopted

**15. Consider the following in connection to the Texas Indigent Defense Commission Texas Indigent Defense Improvement Grant Program for the Texas Rio Grande Public Defender for Conflict Cases Program and take appropriate action**

**a. Approval of the department budget.**

(15a-11:37:14)

15a. April 26, 2026. Grant Administrator Robin Knipling and Stephanie Carnero, Director of Operations for Texas RioGrande Public Defender, provided information to the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved the department budget in connection to the Texas Indigent Defense Commission Texas Indigent Defense Improvement Grant Program for the Texas Rio Grande Public Defender for Conflict Cases Program. Motion adopted.

**Consider the following in connection to the Texas Indigent Defense Commission Texas Indigent Defense Improvement Grant Program for the Texas Rio Grande Public Defender for Conflict Cases Program and take appropriate action**

**b. Approval of Resolution No. 2026-052 to submit the grant application.**

(15b-11:37:14)

15b. April 26, 2026. Grant Administrator Robin Knipling and Stephanie Carnero,

Director of Operations for Texas RioGrande Public Defender, provided information to the Court. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved Resolution No. 2026-052 to submit the grant application in connection to the Texas Indigent Defense Commission Texas Indigent Defense Improvement Grant Program for the Texas Rio Grande Public Defender for Conflict Cases Program. Motion adopted.

**16. Consider the following in connection with the Texas Indigent Defense Commission Rural Regional Public Defender Sustainability Grant for the Crossroad Defenders Program and take appropriate action:**

**a. Approval of the department budget.**

(16a-11:44:02)

16a. April 27, 2026. Grant Administrator Robin Knipling provided information to the Court. Moved by Jason Ohrt and seconded by Shannon Martin, the Commissioners Court approved the department budget in connection with the Texas Indigent Defense Commission Rural Regional Public Defender Sustainability Grant for the Crossroad Defenders Program. Motion adopted.

**Consider the following in connection with the Texas Indigent Defense Commission Rural Regional Public Defender Sustainability Grant for the Crossroad Defenders Program and take appropriate action:**

**b. Approval of Resolution No. 2026-053 to submit the grant application.**

(16b-11:44:02)

16b. April 27, 2026. Robin Knipling, Grant Administrator, provided the Court with information. Moved by Jason Ohrt and seconded by Shannon Martin, the Commissioners Court approved Resolution No. 2026-053 to submit the grant application in connection with the Texas Indigent Defense Commission Rural Regional Public Defender Sustainability Grant for the Crossroad Defenders Program. Motion adopted.

**17. Consider approval of payment application No. 23 in the amount of \$575,536.90 to Forney Construction, LLC in connection with the CMC ICU Additions and Renovations project and take appropriate action.**

(17-11:45:31)

17. April 27, 2026. Moved by Shannon Martin and seconded by Danny Garcia, the Commissioners Court approved payment application No. 23 in the amount of \$575,536.90 to Forney Construction, LLC in connection with the CMC ICU Additions and Renovations project. Motion adopted.

**18. Consider approval of American Rescue Plan Act (ARPA) Draw Request No. 15 in the amount of \$352,894.86 from Citizens Medical Center and take appropriate action.**

(18-11:46:07)

18. April 27, 2026. Grant Administrator Robin Knipling provided information to the Court. Moved by Jason Ohrt and seconded by Shannon Martin, the Commissioners Court approved the American Rescue Plan Act (ARPA) Draw Request No. 15 in the amount of \$352,894.86 from Citizens Medical Center. Motion adopted.

**19. Consider approval of Addendum No. 1 to add a fuel surcharge to bids for the Annual Supply Contract for Road Materials and take appropriate action.**

(19-11:46:42)

19. April 27, 2026. Procurement Specialist Adrienne Willis provided information to the Court. Moved by Danny Garcia and seconded by Shannon Martin, the Commissioners

Court approved Addendum No. 1 to add a fuel surcharge to bids for the Annual Supply Contract for Road Materials. Motion adopted.

- 20. Consider approval of a Road Use Agreement between Victoria County and Traverse Pipeline, LLC in connection with the development and construction of a natural gas pipeline within Victoria County, Texas and take appropriate action.**

(20-11:49:09)

20. April 27, 2026. Assistant County Engineer Avery Flessner provided the Court with information. Moved by Shannon Martin and seconded by Danny Garcia, the Commissioners Court approved the Road Use Agreement between Victoria County and Traverse Pipeline, LLC in connection with the development and construction of a natural gas pipeline within Victoria County, Texas. Motion adopted.

- 21. Receive the following in connection with the Victoria County Mental & Behavioral Health Facility Project and take appropriate action:**

**a. Fully executed Victoria County Mental & Behavioral Health Facility GMP Proposal Revision 01 with SpawGlass.**

(21a-11:51:36)

21a. April 27, 2026. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court received the fully executed Victoria County Mental and Behavioral Health Facility GMP Proposal Revision 01 with SpawGlass in connection with the Victoria County Mental and Behavioral Health Facility Project. Motion adopted.

**Receive the following in connection with the Victoria County Mental & Behavioral Health Facility Project and take appropriate action:**

**b. Fully executed Change Order 001 – Add Alternate 01.**

(21b-11:51:36)

21b. April 27, 2026. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court received the fully executed Change Order 001 - Add Alternate 01 in connection with the Victoria County Mental and Behavioral Health Facility Project. Motion adopted.

- 22. Receive fully executed Agreement with Staff Concrete Construction in connection with the Victoria County Spray Truck Storage Building project, and take appropriate action.**

(22-11:52:58)

22. April 27, 2026. Moved by Jason Ohrt and seconded by Danny Garcia, the Commissioners Court received the fully executed Agreement with Staff Concrete Construction in connection with the Victoria County Spray Truck Storage Building project. Motion adopted.

- 23. Consider approval of a request for plat exemption from Whitney Smith & Aaron Coons, located at 1690 FM 444 South, in Precinct 4, Victoria County, Texas and take appropriate action.**

(23-11:53:23)

23. April 27, 2026. Assistant County Engineer Avery Flessner provided information to the Court. Moved by Kenneth Sexton and seconded by Shannon Martin, the Commissioners Court approved the request for plat exemption from Whitney Smith and Aaron Coons at 1690 FM 444 South, located in Precinct No. 4, Victoria County, Texas 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 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 owner(s).
  - ~The developer/property owner(s) 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.

**24. Receive for the record fully executed agreement with Victoria Steel Erectors in connection with the Victoria County Road and Bridge, Precinct 2 Pole Barn construction project and take appropriate action.**

(24-11:54:26)

24. April 27, 2026. Moved by Jason Ohrt and seconded by Kenneth Sexton, the Commissioners Court received for the record the fully executed agreement with Victoria Steel Erectors in connection with the Victoria County Road and Bridge, Precinct No. 2 Pole Barn construction project. Motion adopted.

**25. Receive for the record a corrected Warranty Deed from Derek Jay Waitschies for the purchase of right-of-way (ROW) on Tipton Road in Precinct 4, Victoria County, Texas in the amount of \$500.00 in connection with the TxDOT Tipton Road Bridge Replacement Project, and take appropriate action.**

(25-11:54:46)

25. April 27, 2026. Moved by Kenneth Sexton and seconded by Shannon Martin, the Commissioners Court received for the record a corrected Warranty Deed from Derek Jay Waitschies for the purchase of right-of-way (ROW) on Tipton Road in Precinct No. 4, Victoria County, Texas in the amount of \$500.00 in connection with the TxDOT Tipton Road Bridge Replacement Project. Motion adopted.

**26. Receive for the record the following Letters of Permission to enter private property in Precinct 3, Victoria County, Texas and take appropriate action:**

**a. Benny Pantel located at 3486 Coletoville Road to deposit dirt from cleaning ditches.**

(26a-11:55:10)

26a. April 27, 2026. Moved by Shannon Martin and seconded by Kenneth Sexton, the Commissioners Court received for the record the Letter of Permission from Benny Pantel to enter private property at 3486 Coletoville Road located in Precinct No. 3, Victoria County, Texas to dump dirt or material from cleaning ditches or cutting road shoulders. Motion adopted. Victoria County will no longer be responsible for material requested by the landowner.

**Receive for the record the following Letters of Permission to enter private property in Precinct 3, Victoria County, Texas and take appropriate action:**

**b. Matthew Heinold located at 7715 Coletoville Road for the purpose of improving drainage and to deposit dirt from cleaning ditches.**

(26b-11:55:10)

26b. April 27, 2026. Moved by Shannon Martin and seconded by Kenneth Sexton, the Commissioners Court received for the record the Letter of Permission from Matthew Heinold to enter private property at 7715 Coletoville Road located in Precinct No. 3, Victoria County, Texas to dump dirt or material from cleaning ditches or cutting road shoulders. Motion adopted. Victoria County will no longer be responsible for material requested by the landowner.

- 27. Consider approval of Resolution No. 2026-051 for a road donation from Jessica Helmer in the amount of \$575.00 for installation of a culvert pipe located at 3427 Burroughsville Road in Precinct 1, Victoria County, Texas and take appropriate action.**

(27-11:55:38)

27. April 27, 2026. Moved by Danny Garcia and seconded by Jason Ohrt, the Commissioners Court approved Resolution No. 2026-051 for a road donation in the amount of \$575.00 from Jessica Helmer at 3427 Burroughsville Road in Precinct No. 1, Victoria County, Texas for the installation of a culvert pipe. Motion adopted.

- 28. Consider reclassification of Maintenance Supervisor, Facilities Tech, and RM Tech positions and take appropriate action.**

(28-11:56:03)

28. April 27, 2026. Human Resources Director Giani Cantu provided information to the Court. Moved by Shannon Martin and seconded by Jason Ohrt, the Commissioners Court approved the reclassification of Maintenance Supervisor, Facilities Tech, and RM Tech positions. Motion adopted.

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

(29-12:00:02)

29. April 27, 2026. There were no personnel changes. No action taken.

- 30. Receive for the record Discretionary Fund Budget Amendments, if any, and take appropriate action.**

(30-12:00:15)

30. April 27, 2026. There were no 2026 Discretionary Fund Budget Amendments. No action taken.

- 31. Consider approval of 2026 budget amendments and take appropriate action.**

(31-12:00:26)

31. April 27, 2026. Moved by Danny Garcia and seconded by Jason Ohrt, the

Commissioners Court approved the 2026 budget amendments for:

- a. General Fund, Various Departments, Expenditures - Line item transfer
- b. Emergency Management, Expenditures - Line item transfer
- c. General Fund/Sheriff's Office, Expenditures - Line item transfer

Motion adopted.

**32. Adjourn.**

(32-12:00:37)

32. April 27, 2026. The Commissioners Court adjourned the meeting of April 27, 2026.