

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS  
REGULAR MEETING – JUNE 14, 2021**

DeWitt County Commissioners Court met in regular session June 14, 2021 at 9:00 a.m. in the County Courtroom at the DeWitt County Courthouse in Cuero, Texas, with the following members present:

County Judge Daryl L. Fowler  
Commissioner Curtis G. Afflerbach, Precinct No. 1  
Commissioner James B. Pilchick Sr., Precinct No. 2  
Commissioner James Kaiser, Precinct No. 3  
Commissioner Richard Randle, Precinct No. 4

**Call to Order; Pledge of Allegiance & Invocation**

Judge Fowler called the meeting to order and led everyone in the pledge of allegiance. Mr. Afflerbach gave the invocation.

**New Business:**

**Local Disaster Declaration (No. 1)**

Sheriff Carl Bowen addressed the court regarding the potential threat of disaster from out of control Texas-Mexico border policy. Court passed on taking any action until later in the meeting.

**Commissioners Road Reports (No. 2)**

MOTION: Mr. Afflerbach made a motion to receive the Commissioner's Road Reports for FY 2021 for DeWitt County Precinct No. 1 Precinct No. 2, Precinct No. 3 and Precinct No. 4 and forward them to the grand jury pursuant to the provisions outlined in the Texas Transportation Code Chapter 251.005 and 251.018. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**Drainage District Commissioners Update (No. 3)**

MOTION: Mr. Randle made a motion to receive notice of appointment of Drainage District Commissioner to fill a vacancy created by resignation of Emil Garza pursuant to Texas Water Code 49, the appointment being John Varela. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**Sale of Surplus County Real Estate (No. 4)**

MOTION: Mr. Kaiser made a motion to appoint Commissioner Precinct No. 1 Curtis Afflerbach to conduct a sale of surplus county real estate. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**DeWitt County Appraisal District (No. 5)**

MOTION: Mr. Kaiser made a motion to receive proposed FY2022 Budget and post on public bulletin board for the DeWitt County Appraisal District. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

**Economic Development Discussion (No 6)**

No action taken.

**HB2521 Division Order (No. 7)**

MOTION: Mr. Pilchick made a motion to receive division order from Hurd Enterprises LLC (HB2521) for the McCabe #2 Unit and authorize county judge to sign. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**U.S. Department of Transportation/DeWitt County CDL Policy (No. 8)**

MOTION: Mr. Afflerbach made a motion to receive and consider adoption of DeWitt County Commercial Driver's License (CDL) Drug and Alcohol Testing Policy and Procedures. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**Paid Time Off Policy (No. 9)**

No action taken.

**DeWitt County Sick Leave Pool (No. 10)**

MOTION: Mr. Kaiser made a motion to abolish the DeWitt County Sick Leave Pool effective October 1, 2021. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**County Treasurer's Monthly Report (No. 15)**

MOTION: Mr. Afflerbach made a motion to receive and approve the Order Approving Treasurer's Monthly Report, Court Order Number 2021-038. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**Temporary Right of Way (No. 11)**

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement with Legacy Energy Services for installation of two (2) temporary water lines along Scheffler Road and Roeder Ranch Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

### **Certificate of Membership Texas Judicial Academy (No. 12)**

MOTION: Mr. Kaiser made a motion to receive certification that County Judge Daryl L. Fowler has successfully completed judicial education of 37 hours that qualifies for membership in the Texas Association of Counties Texas Judicial Academy. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

### **Monthly Report of Officials (No. 13)**

County Auditor reported that the auditor's office had received monthly reports from all officials.

MOTION: Mr. Randle made a motion to approve monthly report of officials. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

### **County Auditor's Monthly Report (No. 14)**

MOTION: Mr. Kaiser made a motion to receive County Auditor's Monthly report. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

### **Minutes (No. 16)**

MOTION: Mr. Kaiser made a motion to approve minutes of the previous term of court. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

### **RFQ Grading Criteria (No. 17)**

No action taken.

### **Disposition of Salvage or Surplus Property Policy (No. 18)**

MOTION: Mr. Kaiser made a motion to approve revisions to DeWitt Disposition of Salvage or Surplus Property Policy. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

### **Records and Proceeds from the Sale of Salvage or Surplus Property (No. 19)**

MOTION: Mr. Kaiser made a motion to receive report from Auditor showing records and proceeds from the sale of salvage or surplus property pursuant to Local Government Code §263, Subchapter D. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

### **Interlocal Agreement (No. 20)**

MOTION: Mr. Kaiser made a motion to approve an Interlocal agreement between the County of DeWitt and Region 8 Education Service Center for cooperative purchasing services provided through the TIPS program. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**J.C. Stoddard Construction Change Order No. 8 (No. 26)**

MOTION: Mr. Kaiser made a motion to approve proposal for change order No. 8 regarding waterproofing for courthouse basement by JC Stoddard Construction Company and authorize county judge to sign proposal. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Legislative Update (No. 27)**

No Legislative update.

**Accounts Payable (No. 21)**

MOTION: Mr. Kaiser made a motion to approve accounts payable. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Ratified Accounts Payable (No. 22)**

MOTION: Mr. Kaiser made a motion to approve ratified accounts payable. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Budget Amendment Requests (No. 23)**

MOTION: Mr. Kaiser made a motion to approve budget amendment requests. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Bonds (No. 24)**

None

**Recess**

Court recessed until 1:30 p.m.

**Reconvene**

Court reconvened at 1:30 p.m.

**Local Disaster Declaration (No. 1)**

MOTION: Mr. Randle made a motion to receive, approve and ratify Local Disaster Declaration Order Number 2021-039. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

**Courthouse/Annex/Museum Expenditures/Maintenance/Improvements (No. 25)**

Mr. Randle reported that down spouts are being installed around the courthouse.

**County Building Workshop (No. 29)**

Mr. Randle reported that the Historical Museum HVAC system had been ordered. Court discussed the Historical Museum roof.

**Discussion of Commissioner Precinct Operations (No. 28)**

Commissioner Precinct No. 1 reported that he used Hanson Engineering to run calculations on a bridge on Hoehne Road. Mr. Afflerbach stated that the bridge passed inspection regarding weight restrictions until 2020 when load limits were placed for around 52,000 lbs. He stated that a beam of steel is being added in order to have the restriction removed. Mr. Afflerbach also reported on continued road repair work due to the floods.

Commissioner Precinct No. 2 reported on finishing most roads that were damaged from the floods. He is about to start 3 ½ more miles on Immenhauser Road.

Commissioner Precinct No. 3 reported on flood control damage.

Commissioner Precinct No. 4 reported on starting work on Five Mile Road. Mr. Randle discussed that he had been promised engineering in January and now it is June and he has not received any paperwork except for an invoice.

County Auditor Carrie Rea discussed the need for the commissioners to enter requisitions and not wait until the auditor's office receives the invoices.

**COVID-19 Disaster Update (No. 30)**

No COVID-19 Disaster update.

**Adjourn (No. 31)**

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 2:10 p.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS  
REGULAR MEETING – JUNE 24, 2021**

DeWitt County Commissioners Court met in regular session June 24, 2021 at 8:30 a.m. in the County Courtroom at the DeWitt County Courthouse in Cuero, Texas, with the following members present:

County Judge Daryl L. Fowler  
Commissioner Curtis G. Afflerbach, Precinct No. 1  
Commissioner James B. Pilchick Sr., Precinct No. 2  
Commissioner James Kaiser, Precinct No. 3  
Commissioner Richard Randle, Precinct No. 4

**Call to Order; Pledge of Allegiance & Invocation**

Judge Fowler called the meeting to order and led everyone in the pledge of allegiance. Mr. Randle gave the invocation.

**New Business:**

**RFQ Grading Criteria (No. 1)**

MOTION: Mr. Randle made a motion to accept the evaluation criteria on a 20-20-20 basis point of the five criteria of how the court will select the short list. Mr. Pilchick seconded the motion.

**Holiday Policy (No. 2)**

MOTION: Mr. Kaiser made a motion to adopt the Holiday and Stacking Benefit Hours policy effective immediately. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Accounts Payable (No. 3)**

MOTION: Mr. Kaiser made a motion to approve accounts payable. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

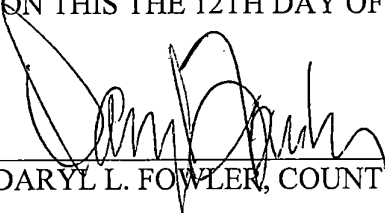
**Ratified Accounts Payable (No. 4)**

MOTION: Mr. Randle made a motion to approve ratified accounts payable. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**Adjourn (No. 5)**

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 9:05 a.m.]

THE FOREGOING MINUTES FOR THE MONTH OF JUNE A.D. 2021 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 12TH DAY OF JUNE, A.D. 2021.

  
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DARYL L. FOWLER, COUNTY JUDGE

ATTEST:   
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NATALIE CARSON, COUNTY CLERK

