

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – MARCH 8, 2021**

DeWitt County Commissioners Court met in regular session March 8, 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. Randle gave the invocation.

New Business:

Redistricting Update (No. 1)

MOTION: Mr. Kaiser made a motion to receive the redistricting update from Allison, Bass & McGee. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Annual Financial Report (No. 2)

MOTION: Mr. Pilchick made a motion to receive Annual Financial Report for DeWitt County Drainage District No. 1 for fiscal year ended September 30, 2020. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Pro-rata Tobacco Settlement Distribution (No. 3)

MOTION: Mr. Randle made a motion to receive the County Expenditure Statement – 2021 from the county auditor and authorize the county judge to submit the expenditure statement to the Texas Department of State Health Services. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Annual Financial Report (No. 6)

Court passed on this agenda item.

Monthly Report of Officials (No. 7)

County Auditor Carrie Rea reported that her office received monthly reports from all officials except Sheriff.

MOTION: Mr. Kaiser made a motion to approve monthly report of officials. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

County Auditor's Monthly Report (No. 8)

MOTION: Mr. Randle made a motion to receive County Auditor's Monthly Report. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

County Treasurer's Monthly Report (No. 9)

MOTION: Mr. Pilchick made a motion to receive and approve the County Treasurer's Monthly Report. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0. [Court Order Number 2021-009]

Minutes (No. 10)

MOTION: Mr. Afflerbach made a motion to receive and approve minutes of the previous term of court. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Accounts Payable (No. 11)

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

Ratified Accounts Payable (No. 12)

MOTION: Mr. Randle 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. 13)

None

Payroll Summary Register (No. 14)

Court passed on this agenda item.

Bonds (No. 15)

None

Courthouse/Annex Expenditures/Maintenance/Improvements (No. 16)

Judge Fowler reported two weekends ago the electricity was shut off to the courthouse in order for the electrician to replace the conduit that feeds the building.

Legislative Update (No. 17)

Judge Fowler reported the Chairman of Republican Party was at a Republican event last week in Yoakum. He gave some insight on some items that the party was taking an initiative on and trying to raise some awareness with the crowd. One of the items was the legislature taking up a matter that would prevent counties from hire someone with the skill set of Steve Holzheuser to present cases when it comes to road and bridge damages due to oilfield activity.

Discussion of Commissioner Precinct Operations (No. 18)

Commissioner Precinct No. 1 discussed pending projects with TxDOT on FM 240 and Nolte Boehl Road and seal coating project on DuBose Ranch Road.

Commissioner Precinct No. 2 discussed seal coating project on Bootlegger and Herder Roads.

Commissioner Precinct No. 3 discussed Goehring Road project.

Commissioner Precinct No. 4 discussed chip seal project on South Golly Road

Authorize Auditor to Advertise for Bids (No. 5)

MOTION: Mr. Kaiser made a motion to authorize the county auditor to advertise for bids for concrete. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

County Building Workshop (No. 19)

Court discussed the new county annex building construction.

COVID-19 Disaster Update (No. 20)

Court received an update regarding COVID-19 virus from Emergency Management Coordinator Cyndi Smith.

Lease/Purchase Agreement (No. 4)

MOTION: Mr. Pilchick made a motion to approve a lease/purchase for a 2018 Bomag RS360 recycler with Anderson Machinery Co. for Commissioner Precinct No. 2. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Follow up Report (No. 21)

Court received follow up report from Constable Pct. 1.

Adjourn (No. 22)

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 10:29 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – MARCH 22, 2021**

DeWitt County Commissioners Court met in regular session March 22, 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:

Schedule Public Hearing Date (No. 1)

MOTION: Mr. Afflerbach made a motion to schedule a public hearing on April 26, 2021 at 9:00 a.m. in the County Courthouse for the purpose of placing stop signs in the following locations in Commissioner Precinct No. 1: 1) On Matejek Rd. at Dubose Ranch Rd.; 2) On Matejek Rd. at Kubala Store Rd.; 3) On Jackson Rd. at Dubose Ranch Rd.; 4) On Jackson Rd. at Kubala Store Rd.; 5) On Lincke Rd. at Dubose Ranch Rd.; 6) On Dubose Ranch Rd. at Meyer Rd.; 7) Four Way Stop at intersection of Lincke Rd. with Kubala Store Rd. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

175th Anniversary Flag (No. 2)

MOTION: Mr. Kaiser made a motion to receive the commemorative flag along with the certificate from State Representative Geanie Morrison, District 30. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

175th Anniversary Proclamation (No. 3)

MOTION: Mr. Randle made a motion to adopt the proclamation of celebrating the 175th anniversary of the establishment of DeWitt County. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

175th Anniversary Proclamation (No. 4)

MOTION: Mr. Randle made a motion to receive the Senate Resolution Number 8 from Senator Lois Kolkhorst celebrating the 175th anniversary of the establishment of DeWitt County. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

175th Anniversary Proclamation (No. 5)

MOTION: Mr. Randle made a motion to receive the House Resolution proclaimed by Representative Geanie Morrison celebrating the 175th anniversary of the establishment of DeWitt County. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Resolutions Opposing Proposed Legislation (No. 6)

MOTION: Mr. Kaiser made a motion to approve a resolution opposing SB10, Court Order Number 2021-010. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Afflerbach made a motion to approve Resolution Number 2021-011 opposing SB234 and file it with the Secretary of State in the 87th Texas Legislature. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Kaiser made a motion to approve a resolution opposing HB749, Resolution Number 2021-012. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Kaiser made a motion to adopt Resolution Number 2021-013 opposing HB4050 and file it with the Secretary of State in the 87th Texas Legislature. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

County Judges and Commissioners Association of Texas County Dues (No. 7)

MOTION: Mr. Kaiser made a motion to approve the payment of \$1,800 to County Judges and Commissioners Association of Texas for the annual county dues. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Annual Financial Report (No. 25)

MOTION: Mr. Randle made a motion to receive the DeWitt County Comprehensive Annual Financial Report (CAFR) from Harrison, Waldrop & Uherek, L.L.P. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Residential Treatment Services Agreement (No. 9)

MOTION: Mr. Kaiser made a motion to approve the contract between Travis County and the County of DeWitt for residential treatment services of juvenile offenders. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Residential Services Agreement (No. 10)

MOTION: Mr. Randle made a motion to approve and enter into a contract between AMIkids Rio Grande Valley and the County of DeWitt for residential services of juvenile offenders beginning February 15, 2021 and authorize the county juvenile probation officer and the DeWitt County Judge to make assignments. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Racial Profiling Report (No. 11)

MOTION: Mr. Kaiser made a motion to receive Racial Profiling Report from DeWitt County Sheriff's Office. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Motorola Project Completion Letter (No. 12)

MOTION: Mr. Kaiser made a motion to receive letter regarding completion of tower communications project from Motorola. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Courthouse/Annex Expenditures/Maintenance/Improvements (No. 36)

MOTION: Mr. Pilchick made a motion to receive the approval of the Texas Historical Commission regarding security access modifications to the District Attorney Office file room and Asst. District Attorney Office. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

County Auditor Carrie Rea discussed the work that will need to be done in the basement of the courthouse, the annex building roof and the changes in the offices within the annex building. She advised that Weaver & Jacobs is a member of the same purchasing cooperative as the county. Since Weaver & Jacobs is a member, the county could hire them to perform the work and the county would not have to go out for bids.

Local Government Solutions (LGS) License Agreement Addendum (No. 20)

MOTION: Mr. Kaiser made a motion to approve the Non-Exclusive License and Service Agreement Addendum between DeWitt County and Local Government Solutions (LGS) for use in the County Attorney Office. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Mr. Afflerbach absent.

Court-Appointed Attorney Fee Schedule (No. 21)

MOTION: Mr. Kaiser made a motion to receive Court-Appointed Attorney Fee Schedule and ratify effective March 1, 2021 per Code of Criminal Procedure Art. 26.05(4)(b). Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Mr. Afflerbach absent.

FY2020 EMPG (No. 22)

MOTION: Mr. Kaiser made a motion to authorize Cyndi Smith, EMC, to apply for the FY2020 Emergency Management Program Grant (EMPG) administered by the Texas Division of Emergency Management (TDEM), TXDPS. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Mr. Afflerbach absent.

COVID-19 Disaster Update (No. 40)

Cyndi Smith, EMC, provided an update on the number of cases within DeWitt County; within the last month, three (3) clinics were held at Cuero ISD Intermediate Campus with 1,100 first dosages being given; 208 vaccinations were given by the military in Yorktown last Saturday; and starting second dosage vaccinations on March 31, 2021 at the Cuero ISD Intermediate Campus.

MOTION: Mr. Pilchick made a motion to receive the update on COVID-19. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0 with Mr. Afflerbach absent.

Trane Water Treatment Quote (No. 8)

MOTION: Mr. Kaiser made a motion to approve payment of \$3,200.00 for proposal ID #2925228 for the treatment of water services provided by Trane; take advantage of the 3% discount and approve payment today. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Mr. Afflerbach absent.

Designation of Depository (No. 23)

MOTION: Mr. Kaiser made a motion that pursuant to Local Government Code Chapter 116.025 designate First National Bank of Shiner/Cuero National Bank Branch as depository bank for county funds for the next two years from May 15, 2021 through May 15, 2023. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Mr. Afflerbach absent.

Pledge Collateral Contract (No. 24)

MOTION: Mr. Kaiser made a motion to receive pledged collateral from First National Bank of Shiner/Cuero National Bank Branch, Resolution Number 2021-014, from First National Bank of Shiner/Cuero National Bank Branch ratifying and adopting depository bid; and pledge collateral and approve pledge contract. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Mr. Afflerbach absent.

Certificates of Completion (No. 13)

MOTION: Mr. Randle made a motion to receive Certificates of Completion for DeWitt County Constable Pct. 2 Jefferson Hobbs from the Office of the Attorney General of Texas for the successful completion of the Open Meetings Act and Public Information Act training courses. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Mr. Afflerbach absent.

Certificate of Completion (No. 14)

MOTION: Mr. Kaiser made a motion to receive Certificate of Completion from the County Judges and Commissioners Association of Texas for Commissioner James B. Pilchick, Sr. for successfully completing the continuing education provisions of Article 81.0025 of the Texas Local Government Code for 2020. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Mr. Afflerbach absent.

Certificate of Completion (No. 15)

MOTION: Mr. Randle made a motion to receive Certificate of Completion from the County Judges and Commissioners Association of Texas for Commissioner James Kaiser for successfully completing the continuing education provisions of Article 81.0025 of the Texas Local Government Code for 2020. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Mr. Afflerbach absent.

Certificate of Completion (No. 16)

MOTION: Mr. Kaiser made a motion to receive Certificate of Completion from the County Judges and Commissioners Association of Texas for Commissioner Richard Randle for successfully completing the continuing education provisions of Article 81.0025 of the Texas Local Government Code for 2020. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Mr. Afflerbach absent.

Certificate of Completion (No. 17)

MOTION: Mr. Randle made a motion receive Certificate of Completion from the V.G. Young Institute of County Government for Commissioner Curtis Afflerbach for successfully completing 14 hours of educational training at the 2021 School for County Commissioners Courts. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0 with Mr. Afflerbach absent.

DeWitt County Appraisal District (No. 18)

MOTION: Mr. Kaiser made a motion to receive the audited DeWitt County Appraisal District Financial Statements dated December 31, 2020 and place it on public display at the County Clerk’s office. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Mr. Afflerbach absent.

Predator Trapper Report (No. 19)

MOTION: Mr. Kaiser made a motion to receive the current activity report for the Texas A&M Wildlife Services predator trapper for January and February 2021 and authorize payment of \$4,500.00 paid today for January 2021. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Mr. Afflerbach absent.

Order Appointing Assistant County Auditor (No. 26)

MOTION: Mr. Kaiser made a motion to receive order appointing Vanessa Jahn as Assistant County Auditor. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Mr. Afflerbach absent.

Award of Bid and Contract Approval (No. 27)

Road Materials:

<u>Product</u>	<u>Primary</u>	<u>Alternate</u>
Pre-Coated Aggregate Grade 3	Colorado Materials	Brauntex Materials Inc.
Pre-Coated Aggregate Grade 4	Colorado Materials	Brauntex Materials Inc.
Pre-Coated Aggregate Grade 5	Brauntex Materials Inc. & Colorado Materials	No Alternate
Premix Rock Asphalt	Martin Marietta SW LLC	No Alternate Bid
Hot Mix Cold Laid Grade B	Brauntex Materials, Inc.	Colorado Materials
Hot Mix Cold Laid Grade D	Brauntex Materials, Inc.	Colorado Materials

Crushed Limestone Base Pct. 1	Colorado Materials	Allstar Materials
Pct. 2	Colorado Materials & Allstar Materials	No Alternate Bid
Pct. 3	Colorado Materials	Quality Hot Mix Inc.
Pct. 4	Quality Hot Mix Inc.	Allstar Materials
Crushed Limestone Cover Stone, ¼" F Rock Pct. 1, 2 & 3	Colorado Materials	Allstar Materials
Pct. 4	Allstar Materials	Quality Hot Mix, Inc.
Crushed Limestone Cover Stone, Type B, Grade 3 Pct. 1	Carson Services LLC	No alternate
Pct. 2	Allstar Materials & Carson Services LLC	No alternate
Pct. 3	Quality Hot Mix Inc.	Carson Services LLC
Pct. 4	Allstar Materials, Carson Services LLC & Quality Hot Mix Inc.	No alternate
Crushed Limestone Cover Stone, Type B, Grade 4 Pct. 1	Carson Services LLC	Allstar Materials & Quality Hot Mix Inc.
Pct. 2	Allstar Materials, Carson Services LLC & Quality Hot Mix Inc.	No alternate
Pct. 3	Quality Hot Mix Inc.	Carson Services LLC
Pct. 4	Allstar Materials, Carson Services LLC & Quality Hot Mix Inc.	No alternate

¾ to Dust Limestone Pct. 1 & 2 Pct. 3 & 4	Colorado Materials Quality Hot Mix, Inc.	Quality Hot Mix, Inc. Colorado Materials
Bulk Rate Cement	Martin Marietta Materials	No Alternate Bid
3/8" Pea Gravel Delivered Not Delivered	Allstar Materials ABN Construction LLC	Colorado Materials Carson Services LLC
1-340-C PG70-22 SAC Delivered & Not Delivered	Colorado Materials	No Alternate
1-340-C PG64-22 SAC Delivered	Colorado Materials	Brauntex Materials Inc.
HMAC Type D Delivered	Colorado Materials	Brauntex Materials Inc.
Pit Run Gravel Delivered & Not Delivered	All Bids	
Screened Gravel Delivered & Not Delivered	All Bids	
Bull Rock Delivered & Not Delivered	All Bids	

MOTION: Mr. Kaiser made a motion to receive bids and award as stated for road materials as applicable to all commissioner precincts as list provided. Mr. Randle seconded the motion. Motion carried on a vote of 3-0 with Judge Fowler and Mr. Afflerbach absent.

Award of Bid and Contract Approval (No. 28)

Asphalt Oils:

<u>Product</u>	<u>Primary</u>	<u>Alternate</u>
AC-5	Martin Asphalt	Ergon Asphalt
AC-10	Martin Asphalt	Ergon Asphalt
AC-15P	Martin Asphalt	Ergon Asphalt
MC-30	Martin Asphalt	Wright Asphalt
CRS-2P	Martin Asphalt	Cleveland Asphalt

MOTION: Mr. Kaiser made a motion to receive bids and award as stated for asphalt oils applicable to all commissioner precincts as list provided. Mr. Randle seconded the motion. Motion carried on a vote of 3-0 with Judge Fowler and Mr. Afflerbach absent.

Award of Bid and Contract Approval (No. 29)

Motor Fuels:

MOTION: Mr. Kaiser made a motion to receive bid and award contract to Schmidt & Sons fuel. Mr. Randle seconded the motion. Motion carried on a vote of 3-0 with Judge Fowler and Mr. Afflerbach absent.

Property Insurance Renewal Application (No. 30)

MOTION: Mr. Randle made a motion to approve the renewal application for property insurance and authorize county judge to sign. Mr. Kaiser seconded the motion. Motion carried on a vote of 3-0 with Judge Fowler and Mr. Afflerbach absent.

Accounts Payable (No. 31)

MOTION: Mr. Kaiser made a motion to approve accounts payable. Mr. Randle seconded the motion. Motion carried on a vote of 3-0 with Judge Fowler and Mr. Afflerbach absent.

Ratified Accounts Payable (No. 32)

MOTION: Mr. Kaiser made a motion to approve ratified accounts payable. Mr. Randle seconded the motion. Motion carried on a vote of 3-0 with Judge Fowler and Mr. Afflerbach absent.

Budget Amendment Requests (No. 33)

MOTION: Mr. Kaiser made a motion to approve budget amendments. Mr. Randle seconded the motion. Motion carried on a vote of 3-0 with Judge Fowler and Mr. Afflerbach absent.

Payroll Summary Register (No. 34)

Court did not take action on this agenda item.

Bonds (No. 35)

None

Legislative Update (No. 37)

No Legislative update.

Discussion of Commissioner Precinct Operations (No. 38)

Commissioner Precinct No. 2 reported on normal precinct operations.

Commissioner Precinct No. 3 reported on normal precinct operations.

Commissioner Precinct No. 4 reported that paving was finished last week on South Golly Road.

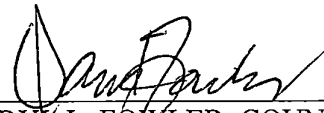
County Building Workshop (No. 39)

Mr. Randle gave an update on the new county annex building construction.

Adjourn

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 11:45 a.m.]

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



DARYL L. FOWLER, COUNTY JUDGE



ATTEST:



NATALIE CARSON, COUNTY CLERK