

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – JUNE 9, 2022**

DeWitt County Commissioners Court met in regular session June 9, 2022 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:

Child Welfare Board Budget (No. 1)

MOTION: Mr. Afflerbach made a motion to receive the 2022-2023 fiscal year budget of the DeWitt County Child Welfare Board. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Motorola Service Agreements (No. 2)

Court passed on this agenda item.

Hot Water Heater Replacement Proposal (No. 3)

MOTION: Mr. Randle made a motion to approve Proposal #P-20220503-0078 from The Brandt Companies LLC to replace hot water heaters at DeWitt County Jail, under warranty, at a cost of \$18,715.00. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Memorial Highway Proclamation (No. 4)

Court passed on this agenda item.

DeWitt County Appraisal District (No. 5)

MOTION: Mr. Pilchick made a motion to receive the proposed DeWitt County Appraisal District budget for Fiscal Year 2023 and publish it out on the bulletin board and a give a copy to

the County Clerk where it may be available to the public for inspection. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Health Insurance Renewal (No. 8)

MOTION: Mr. Randle made a motion to renew the employee health insurance benefit plan HRA 100 with prescription option G provided through Texas Association of Counties Risk Pool. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

REDAC Voting and Non-Voting Member Nominations (No. 6)

MOTION: Mr. Kaiser made a motion to accept Judge Fowler's declination to serve another term on the Regional Economic Development Advisory Committee for Fiscal Year 2023. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Data Extraction and Dissemination Agreement for DeWitt County Tax Assessor-Collector (No. 7)

MOTION: Mr. Randle made a motion to ratify a data extraction and dissemination agreement with NET Data. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

DeWitt County Health Fair (No. 9)

Court heard a report on upcoming health fair scheduled for September 14, 2022 from County Treasurer Carol Ann Martin.

Annual Fire Protection Systems Inspection Proposal (No. 10)

MOTION: Mr. Kaiser made a motion to approve the proposal from Koetter Fire Protection of San Antonio LLC to perform preventative maintenance on the fire protections systems at the DeWitt County Weber Annex for the price of \$1,225.00 for one (1) year. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Aerial Fireworks Ban (No. 11)

Court did not take any action.

HB2521 Division Order (No. 12)

MOTION: Mr. Randle made a motion to receive division order from Hurd Enterprises Ltd. (HB2521) for the Boedeker Et Al GU and authorize Judge Fowler to sign. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Pipeline Crossing Permit (No. 13)

MOTION: Mr. Pilchick made a motion to approve pipeline permit application for a pipeline from BPX Energy to cross St. Clair Road in Commissioner Precinct No. 2. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Pipeline Crossing Permit (No. 14)

MOTION: Mr. Pilchick made a motion to approve pipeline permit application for a pipeline from BPX Energy to cross Wild Road in Commissioner Precinct No. 2. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Temporary Right of Way (No. 15)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement with Burlington Resources Oil & Gas LP for installation of temporary water line along Muschalek Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Temporary Right of Way (No. 16)

MOTION: Mr. Afflerbach made a motion to approve temporary right of way agreement from Burlington Resources Oil & Gas LP for installation of temporary water line along Schulle Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Temporary Right of Way (No. 17)

MOTION: Mr. Afflerbach made a motion to approve temporary right of way agreement from Burlington Resources Oil & Gas LP for installation of temporary water line along Kubala Store Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Temporary Right of Way (No. 18)

MOTION: Mr. Afflerbach made a motion to approve temporary right of way agreement from Burlington Resources Oil & Gas LP for installation of temporary water line along Kubala Store Road & Haase Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Temporary Right of Way (No. 19)

MOTION: Mr. Afflerbach made a motion to approve temporary right of way water line permit application from Select Energy Services LLC for installation of two temporary water lines along Kozielski Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Monthly Report of Officials (No. 20)

County Auditor Carrie Rea reported that the auditor's office received monthly reports from all officials except Justice of the Peace Pct. 2, Elections and Constable Pct. 1.

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

County Auditor's Monthly Report (No. 21)

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

County Treasurer's Monthly Report (No. 22)

MOTION: Mr. Kaiser made a motion to approve of County Treasurer's Monthly Report, Court Order Number 2022-019. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Minutes (No. 23)

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

Accounts Payable (No. 24)

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. 25)

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. 26)

None

Personnel Policy (No. 27)

MOTION: Mr. Kaiser made a motion to approve the amendment to the separations definition of the personnel policy effective immediately. Mr. Pilchick seconded the motion. Motion carried on vote of 5-0.

MOTION: Mr. Randle made a motion to adopt the additional language to the direct deposit in the personnel policy of DeWitt County effective immediately. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Bonds (No. 28)

None

Courthouse/Annex/Museum Expenditures/Maintenance/Improvements (No. 29)

Judge Fowler reported that the floor and, baseboards are installed and the door hard ware is in boxes waiting to be installed in the basement of the courthouse. Weaver & Jacobs will come back and do a punch list. There are two (2) storage rooms in the basement and probation department office space in the basement.

Judge Fowler reported that the vinyl part of the Weber Annex Building roof has been laid but is loose on the ends. Cox Brothers is waiting on metal to finish the roof and then will modify the canopy by installing some flashing to get bats out of the way.

Judge Fowler reported that the mural is on the second floor wall, some photos have been placed in the windows on the walls at the DeWitt County Annex Building. The leather with the officials names have been installed but has some lighting issues.

Mr. Afflerbach reported that Weaver & Jacobs Constructors are trying to get quotes on the roof, siding and window projects before work begins at the Historical Museum. The window installer is delaying with providing a quote. Consensus of the court was to move forward with the roof work and then the other projects.

Legislative Update (No. 30)

No Legislative update.

Discussion of Commissioner Precinct Operations (No. 31)

Commissioner Precinct No. 1 reported on finishing Schlenstedt Road and has started prep work on Elder Road.

Commissioner Precinct No. 2 reported on plans to chip seal Rice Davis Road next Tuesday. Judge Fowler discussed some possible issues with Cattleguard Road by FM 682 where garbage trucks have peeled off.

Commissioner Precinct No. 3 reported on hot mix work on Salt Creek Road and Plasczyk Road, which will come out of grant money.

Commissioner Precinct No. 4 reported on getting ready to do drainage work on River Road, Old Goliad Road and Clinton Cemetery Road.

Building & Use Agreement Workshop (No. 32)

Court did not hold a workshop.

Workshop on FY2023 Budget (No. 33)

County Treasurer handed out different job classification and salary schedule options as per the some of the commissioners and Judge Fowler’s request.

Public Announcements/Comments (No. 34)

No public announcements/comments.

Adjourn (No. 35)

MOTION: Mr. Randle made a motion to adjourn. [Adjourned at 12:05 p.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
SPECIAL MEETING – JUNE 20, 2022**

DeWitt County Commissioners Court met in special session June 20, 2022 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.

Canvass of Election Returns (No. 1)

MOTION: Mr. Afflerbach made a motion to adopt the canvass report and certify the June 14, 2022 Special Election. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Adjourn (No. 2)

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 9:15 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – JUNE 27, 2022**

DeWitt County Commissioners Court met in regular session June 27, 2022 at 9:00 a.m. in the County Courtroom at the DeWitt County Courthouse in Cuero, Texas, with the following members present:

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

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

New Business:

Accounts Payable (No. 17)

MOTION: Mr. Kaiser made a motion to approve accounts payable. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Ratified Accounts Payable (No. 18)

MOTION: Mr. Kaiser made a motion to approve ratified accounts payable. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Budget Amendment Requests (No. 19)

None

Mileage Rate (No. 7)

MOTION: Mr. Kaiser made a motion to accept the 2022 IRS increase of the standard mileage rate of 62.5 cents per mile effective July 1, 2022 for the last six (6) months of the year. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Schedule Public Hearing Date (No. 1)

MOTION: Mr. Kaiser made a motion to consider placing stop signs at the following intersections in Commissioner Precinct No. 3: 1) On Salt Creek Cemetery Road at Salt Creek Cemetery Road and Leo Nelson Road intersection; 2) On Leo Nelson Road at Leo Nelson Road and Old Davy Road intersection.; 3) On Plasczyk Road at Plasczyk Road and Old Davy Road

intersection at a public hearing date of July 25, 2022 at 9:00 a.m. at the DeWitt County Courthouse Courtroom. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

Meals on Wheels South Texas (No. 2)

Court heard a presentation on Meals on Wheels South Texas program and request for funding to be consider during budget planning.

Volunteer Fire Department Service Call Stipend (No. 3)

Court heard an appeal from Westhoff Fire Chief Andrew Weikel for adjustment of the fee paid to volunteer fire departments for responding to emergencies.

Department of State Health Services (No. 6)

MOTION: Mr. Randle made a motion to approve the Department of State Health Services Contract #HHSREV100002455, between Department of State Health Services Vital Statistics Section and DeWitt County, effective dates of September 1, 2022 through August 31, 2024. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

HB2521 Division Order (No. 8)

MOTION: Mr. Kaiser made a motion to receive division order from Ensign Natural Resources (HB2521) for the Respondek 01 Unit. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

HB2521 Division Order (No. 9)

MOTION: Mr. Pilchick made a motion to receive division order from Hurd Enterprises Ltd. (HB2521) for the McCabe #3 Unit. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

EXECUTIVE/CLOSED SESSION (No. 4)

Court went into executive/closed session at 9:40 a.m. regarding the following matters and as necessary, a closed meeting will be held: (1) pursuant to Section 551.071 of the Texas Government Code (consultation with attorney) for the Commissioners Court to consult with and seek advice from its attorney regarding any topic listed on the agenda posted for this meeting; and (2) regarding the County's proposed purchase of certain real property located in DeWitt County, Texas, a part of the Robert Parmer Survey (Abstract No. 382) therein, as described in this agenda, and pursuant to Section 551.072 of the Texas Government Code (deliberation regarding real property), for the Commissioners Court to deliberate the purchase or value of real property because deliberation in an open meeting would have a detrimental effect on the position of the Commissioners Court in negotiations with a third person. Mr. Afflerbach will serve as the official record keeper of the meeting. Mr. Afflerbach announced that the executive/closed session ended at 9:55 a.m.

DISCUSSION AND POTENTIAL ACTION (No. 5)

MOTION: Mr. Kaiser made a motion to authorize the purchase of the property being generally described as those certain adjoining tracts or parcels of land located in DeWitt County, Texas, a part of the Robert Parmer Survey (Abstract No. 382) therein, in the Town of Westhoff, Texas (formerly Bello) at a price of \$5,000.00. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 10)

MOTION: Mr. Pilchick made a motion to consider approval of permit application from Select Energy Services LLC for installation of a temporary water line along Steen Road in Commissioner Precinct No. 2. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 11)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement with Select Energy Services LLC for installation of a temporary water line along Cabeza Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 12)

MOTION: Mr. Randle made a motion to approve permit application from EOG Resources for installation of a temporary water line along Hahn Road in Commissioner Precinct No. 1. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 13)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement with Legacy Energy Services for installation of a temporary water line along Garfield Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 14)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement with Burlington Resources Oil & Gas LP for installation of a temporary water line along Plasczyk Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 15)

MOTION: Mr. Randle made a motion to approve permit application from Burlington Resources Oil & Gas LP for installation of a temporary water line along Seidel Road in Commissioner Precinct No. 1. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 16)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement with Enersol Group for installation of a temporary water line along SA Butler Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Personnel Policy (No. 20)

No necessary amendments/changes.

Bonds (No. 21)

None

Courthouse/Annex/Museum Expenditures/Maintenance/Improvements (No. 22)

Mr. Afflerbach reported on sprinkler system issues at the Historical Museum. He will be getting in contact with Weaver & Jacob Constructors regarding the roof, siding and window repairs.

Mr. Randle reported on the bad acoustics in the lobbies of the County Clerk and Tax Assessor Collector offices. Judge Fowler has emailed Brad Kocurek with RMA Architects and Randy Boone with Weaver & Jacobs Constructors.

Legislative Update (No. 23)

No Legislative update.

Discussion of Commissioner Precinct Operations (No. 24)

Commissioner Precinct No. 1 reported on concluding prep work on Elder Road with the hopes of doing some P2 and top coat with the next week or two.

Commissioner Precinct No. 2 reported on finishing Rice Davis Road and will be moving to Rice Road next.

Commissioner Precinct No. 3 reported on finishing the paving on all grant roads and are working on the paperwork with the auditor's office now.

Commissioner Precinct No. 4 reported on drainage work on Old Goliad Road and River Road and hoping to do some stabilization as soon as drainage work is complete.

County Judge Secretary Blair Duran requested that each commissioner provide her with updated mileage figures of roads in order to complete the TxDOT certification.

Building & Use Agreement Workshop (No. 25)

Court did not hold a workshop.

Workshop on FY2023 Budget (No. 26)

Court did not hold a workshop.

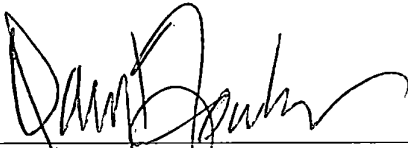
Public Announcements/Comments (No. 27)

None


Adjourn (No. 28)

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 10:15 a.m.]

THE FOREGOING MINUTES FOR THE MONTH OF JUNE A.D. 2022 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 11TH DAY OF JULY, A.D. 2022.



DARYL L. FOWLER, COUNTY JUDGE

ATTEST: 

NATALIE CARSON, COUNTY CLERK

