

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – JUNE 12, 2023**

DeWitt County Commissioners Court met in regular session June 12, 2023 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 Afflerbach, Precinct No. 1
Commissioner James B. Pilchick, Precinct No. 2
Commissioner James Kaiser, Precinct No. 3
Commissioner Brian Carson, 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:

Executive/Closed Session (No. 1)

Judge Fowler announced that the court would be going into an executive session with the county's attorney at 9:05 a.m. for agenda items number 1 & 2.

Judge Fowler announced that the court ended the executive session with the county's attorney ended on this date, June 12, 2023, at 9:30 a.m. and returned to an open session to take up pending business that may have risen from the discussion in the executive session.

Discussion and Potential Action (No. 2)

MOTION: Mr. Afflerbach made a motion that Order Number 2023-015 be approved by the DeWitt County Commissioners Court approving a corrected subdivision plat of the town of Westhoff, Texas located in the unincorporated area of DeWitt County, Texas; accepting Carter Avenue (a dedicated public road depicted and described on said plat) for all purposes into the county's public road and bridge system; and establishing an effective date and compliance with the Texas Open Meeting Act. Mr. Carson seconded the motion. Motion carried on a vote of 5-0.

Public Hearing (No. 4)

Public hearing held in order to provide opportunity for public comments on placing stop signs at the intersection of Stanchos Road and Gohlke School Road in Commissioner Precinct No. 3. No one was present to speak for or against the placing of the stop sign.

Close Public Hearing (No. 5)

Judge Fowler closed the public hearing.

Rule on Public Hearing (No. 6)

MOTION: Mr. Kaiser made a motion to place a stop sign at the intersection of Stanchos Road and Gohlke School Road in Commissioner Precinct No. 3 as soon as the sign goes up and this is for safety purposes. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Subdivision Variance Request (No. 3)

MOTION: Mr. Carson made a motion to grant the request for variance in the subdivision to Kailey and Martin Leske, III. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Schedule Public Hearing Date (No. 7)

MOTION: Mr. Pilchick made a motion to schedule a public hearing to establish a 40 MPH speed limit on Horseshoe Road in Commissioner Precinct No. 2 on July 10, 2023 at 9:00 a.m. at the county courthouse. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Commissioners Road Reports (No. 8)

MOTION: Mr. Afflerbach made a motion to receive the Commissioner Precinct No. 1 Road Report for FY 2023. Mr. Carson seconded the motion. Motion carried on a vote of 5-0.

Lease and Rental Agreement (No. 9)

MOTION: Mr. Afflerbach made a motion to approve an equipment lease and rental agreement between DeWitt County Precinct No. 1 and Anderson Machinery for the purpose of renting a John Deere 672GP motor grader starting on June 12, 2023 to run until September 30, 2023 at a rate of \$9,000.00/month. Mr. Carson seconded the motion. Motion carried on a vote of 5-0.

Memorandum of Donation (No. 10)

MOTION: Mr. Kaiser made a motion to approve a monetary donation of \$1200 from Devon Energy for public safety purposes for the DeWitt County Sheriff's Office pursuant to Local Government Code section 81.032. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

HB2521 Division Order (No. 11)

MOTION: Mr. Pilchick made a motion to receive division order from GulfMark Energy Inc. (HB2521) for the McCabe Et Al GU #4 Unit. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

HB2521 Division Order (No. 12)

MOTION: Mr. Pilchick made a motion to receive division order from Hurd Enterprises Ltd. (HB2521) for the Boedeker #3 Unit. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

HB2521 Division Order (No. 13)

MOTION: Mr. Kaiser made a motion to receive division order from VirTex Operating Co. Inc. (HB2521) for the Kolodziejczyk #1 Unit. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

TIDC Statement of Grant Award (No. 14)

MOTION: Mr. Kaiser made a motion to receive Statement of Grant Award, FY2023 Formula Grant for \$26,480 from the Texas Indigent Defense Commission. Mr. Pilchick 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 permit from Qwik Pipe Inc. for installation of temporary water line along Thieme Road, Schneider Ranch Road, Scheffler Road, Edmund Mueller Road, and Cabeza Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Monthly Report of Officials (No. 16)

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

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. 17)

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

County Treasurer's Monthly Report (No. 18)

MOTION: Mr. Kaiser made a motion to receive County Treasurer's Monthly Report and approve Order Number 2023-014. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Minutes (No. 19)

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

Accounts Payable (No. 20)

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. 21)

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. 22)

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

Payroll Reports (No. 23)

MOTION: Mr. Kaiser made a motion to receive and ratify payroll reports for the time period of May 13, 2023 through May 26, 2023. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Personnel Policy (No. 24)

None

Bonds (No. 25)

None

Courthouse/Annex/Museum Expenditures/Maintenance/Improvements (No. 26)

Judge Fowler reported on the following:

1. Trane would be coming on Thursday. The county courtroom is still freezing. Trane has not been able to get the actuator to shut the air flow back. Trane has not been able to take care of the issue remotely with their electronics.
2. Refugio Garcia (Gelasio Garcia's brother) would be taking care of the courthouse and annex building lawns.
3. The gentleman working on the bell tower windows is finished.
4. A-1 Shiner Fire & Safety has performed their inspection of the new annex building.

Mr. Afflerbach did not have any information to update on the DeWitt County Historical Museum.

Mr. Afflerbach inquired about the clock in the bell tower not working. Judge Fowler was contacted by someone from up north and that person is planning on swinging through Texas and wanted to take a look at the clock.

Legislative Update (No. 27)

Judge Fowler reported that there is currently a special session going on which is limited to property tax issues. There is a hangover bill that was approved by both chambers is sitting on the Governor's desk right now that would amend Texas Property Code and restrict Commissioners Court ability to regulate flag lots in subdivisions. If the Governor allow it to become law, the county would have to go back to the drawing board and strip that out of the county's subdivision regulations.

Discussion of Commissioner Precinct Operations (No. 28)

Commissioner Precinct No. 1 reported on normal precinct operations. Mr. Afflerbach reported that Texas Department of Transportation (TxDOT) has closed Nolte Boehl to rebuild the culvert on Hwy 87.

Commissioner Precinct No. 2 reported on normal precinct operations.

Commissioner Precinct No. 3 reported on repairing flashflood road damage.

Commissioner Precinct No. 4 reported on repairing on flashflood road damage. In regards to Mr. Diebel that appeared before the court two weeks ago, contractor is getting prices on being able to stabilize the creek in order to keep the oak trees from falling into it.

Workshop on FY2023 Budget (No. 29)

Court did not hold a workshop.

Public Announcements/Comments (No. 30)

None

Adjourn (No. 31)

MOTION: Mr. Kaiser made a motion to adjourn. Mr. Carson seconded the motion. [Adjourned at 10:06 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – JUNE 26, 2023**

DeWitt County Commissioners Court met in regular session June 26, 2023 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 Afflerbach, Precinct No. 1
Commissioner James B. Pilchick, Precinct No. 2
Commissioner James Kaiser, Precinct No. 3
Commissioner Brian Carson, 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 2023-2024 fiscal year budget of the DeWitt County Child Welfare Board. Mr. Carson seconded the motion. Motion carried on a vote of 5-0.

Child Welfare Board Membership (No. 2)

MOTION: Mr. Afflerbach made a motion to approve the three (3) appointments to the DeWitt County Child Welfare Board, names being Rachel Barlow, Rachel Cox and Krista Dogan. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Child Welfare Board Interlocal Agreement (No. 3)

MOTION: Mr. Afflerbach made a motion to approve the Interlocal Agreement between DeWitt County and the DeWitt County Child Welfare Board for an additional year. Mr. Carson seconded the motion. Motion carried on a vote of 5-0.

Texas Historical Commission 2022 Distinguished Service Award Certificate (No. 4)

Court presented certificate of award to the DeWitt County Historical Commission in recognition of its active and well-balanced preservation program.

Trade-in of Pickup Truck for Precinct 4 (No. 5)

MOTION: Mr. Carson made a motion to approve the request from Pct. 4 for trade-in of a 2012 Ford F150 for the purchase of a new Chevrolet ½ ton. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Schedule Public Hearing Date (No. 6)

MOTION: Mr. Carson made a motion to schedule a public hearing for installing stop signs on Jutz Road at the intersection at Golly Road and at the intersection of Mission Valley Road intersection for July 24th at 9:00 a.m. in the county courtroom. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Affidavit Granting Permission to Enter Private Property (No. 7)

MOTION: Mr. Carson made a motion to approve the affidavit granting permission to enter private property owned by Claudio Gonzales Jr. on Clinton Road to repair the driveway. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Temporary Right of Way (No. 8)

MOTION: Mr. Kaiser made a motion to approve temporary right agreement with Conoco Phillips for installation of temporary water line along Coskey Ranch Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Temporary Right of Way (No. 9)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement with ROCC Operating LLC for installation of temporary water line along Cabeza Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Pipeline Crossing Permit (No. 10)

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

Certification of Funds (No. 11)

MOTION: Mr. Kaiser made a motion to receive letter from County Auditor certifying donations for DeWitt County Sheriff's Office for public safety purposes from Devon Energy in the amount of \$1,500.00 and \$1,200.00 to make a total of \$2,700.00. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Declare Fixed Assets as Salvage (No. 12)

MOTION: Mr. Carson made a motion to declare fixed assets as salvage pursuant to Local Government Code §263.152. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Records and Proceeds from the Sale of Salvage or Surplus Property (No. 13)

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.

Accounts Payable (No. 14)

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

Ratified Accounts Payable (No. 15)

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

Budget Amendment Requests (No. 16)

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

Payroll Reports (No. 17)

MOTION: Mr. Afflerbach made a motion to receive and ratify approval of payroll reports. Mr. Carson seconded the motion. Motion carried on a vote of 5-0.

Personnel Policy (No. 18)

None

Bonds (No. 19)

None

Courthouse/Annex/Museum Expenditures/Maintenance/Improvements (No. 20)

Judge Fowler reported on the following:

1. The county custodian has been out for a couple weeks and the janitorial service company has filled in and worked extra hours.

2. The storm last week knocked out a big portion of the console in the Sheriff's Office dispatch office.
3. The storm last week damaged the sensor on the chiller and the irrigation pump at the courthouse. Trane will be here this week to change the sensor.
4. Judge Fowler and Natalie Carson met with Weaver & Jacobs employee, RMA Architect to look at some new lighting under the stairway at the DeWitt County Annex Building.

Mr. Afflerbach reported that the roof and fascia boards are finished at the DeWitt County Historical Museum. The contractor and Weaver & Jacobs been in discussion with the architect and the Texas Historical Commission regarding the gutters.

Legislative Update (No. 21)

Judge Fowler discussed a phone call he had with Steve Holzheuser to discuss the last Legislative session and where the county will go with Mr. Holzheuser since there weren't really any bills that the county had proposed and were advocating as part of the county's coalition.

Discussion of Commissioner Precinct Operations (No. 22)

Commissioner Precinct No. 1 reported on still finishing up on wash outs. Old Gonzales Road was previously closed for the replacement of a bridge and a box culvert. The road has been opened but is now needing to be closed for bridge replacement at a different location on the road.

Commissioner Precinct No. 2 reported on normal precinct operations.

Commissioner Precinct No. 3 reported on still fixing wash outs and shredding.

Commissioner Precinct No. 4 reported on shredding and still fixing wash outs. A culvert gave away on Friar Road because of the excessive number of gravel trucks going through in support of the solar project.

Texas Emergency Management County Liaison Officer Kevin Lamprecht addressed the court regarding a public website access for reporting public entity damages. A workshop will be scheduled in the future for training.

Workshop on FY2024 Budget (No. 23)

Court did not hold a workshop.

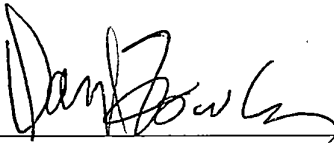
Public Announcements/Comments (No. 24)

None

Adjourn (No. 25)

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 10:00 a.m.]

THE FOREGOING MINUTES FOR THE MONTH OF JUNE A.D. 2023 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 10TH DAY OF JULY, A.D. 2023.



DARYL L. FOWLER, COUNTY JUDGE



Natalie Carson

NATALIE CARSON, COUNTY CLERK