

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
SPECIAL MEETING – MAY 4, 2023**

DeWitt County Commissioners Court met in special session May 4, 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 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, led everyone in the pledge of allegiance and gave the invocation.

New Business:

Workshop on FY2024 Budget (No. 1)

Court held a workshop of FY2024 Budget. Court reviewed and discussed recommendations of the salary committee.

Adjourn (No. 2)

MOTION: Mr. Carson made a motion to adjourn. [Adjourned at 9:44 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – MAY 8, 2023**

DeWitt County Commissioners Court met in regular session May 8, 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 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, led everyone in the pledge of allegiance and gave the invocation.

New Business:

FM 240 Rerouting Project (No. 1)

Court passed on this agenda item.

DeWitt County Historical Commission (No. 2)

MOTION: Mr. Pilchick made a motion to receive 2022 Annual Report of the DeWitt County Historical Commission. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

Joint Election Agreement (No. 3)

MOTION: Mr. Kaiser made a motion to void the contract made for the General Election between DeWitt County, the City of Cuero and Cuero ISD made on the 27th of March. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

MOTION: Mr. Kaiser made a motion to approve the contract for elections services and joint election agreement for the May 6th General Election between DeWitt County, the City of Cuero and Cuero ISD. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Nolte-Boehl Road at US 87 Closure (No. 4)

MOTION: Mr. Kaiser made a motion to receive letter from TxDOT on the pending road closure on Nolte-Boehl at US 87 for the replacement of a culvert and let the emergency personnel be notified. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Estimate of Net Taxable Value for 2023 (No. 5)

MOTION: Mr. Pilchick made a motion to receive the preliminary value estimate of appraised taxable property from the Chief Appraiser pursuant to Texas Property Tax Code Sec. 26.01(e). Mr. Carson seconded the motion. Motion carried on a vote of 4-0.

General Land Office Grant (No. 6)

MOTION: Mr. Kaiser made a motion to approve ratification of the acceptance of funds from a method of distribution for the Regional Mitigation Program as part of the state of Community Development Block Grant (CDBG) mitigation action plan in the amount of \$1,337,900.00. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

A&S Recycling Agreement (No. 7)

MOTION: Mr. Carson made a motion to enter into an agreement with A&S Recycling for Precinct No. 4 for use of a scrap container and disposal of scrap material. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

Lease and Rental Agreement (No. 8)

MOTION: Mr. Kaiser made a motion to approve an equipment lease and rental agreement between DeWitt County Precinct No. 1 and Nueces Power Equipment for the purpose of renting a motor grader. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Water Treatment Contract Renewal (No. 9)

MOTION: Mr. Kaiser made a motion to renew the agreement from Trane Service for the courthouse water treatment system and an annual cost of \$3,732.00 a year, which we will authorize the payment of a one-time 3% discount for the full payment, starting April 1, 2023 through March 31, 2024. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Unclaimed Rural Electric Cooperative Capital Credits (No. 10)

MOTION: Mr. Kaiser made a motion to authorize a written request to Texas Comptroller of Public Accounts Pursuant to §74.602 of the Texas Property Code for allocation of a portion of unclaimed capital credits received from electric cooperatives back to counties in cooperatives' service area and certify the purpose of the funds is in compliance with the provisions of §381.004 of the Local Government Code for 2023 and allow the county judge to sign such documents. Mr. Carson seconded the motion. Motion carried on a vote of 4-0.

Predator Trapper Report (No. 11)

MOTION: Mr. Pilchick made a motion to receive the current activity report for the Texas A&M Wildlife Services predator trapper for Year to Date FY2023. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

Tobacco Settlement Proceeds Payment (No. 12)

MOTION: Mr. Kaiser made a motion to receive the 2023 Texas Department of State Health Services payment from tobacco settlement proceeds in the amount of \$10,054.35. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Certificate of Completion (No. 13)

MOTION: Mr. Kaiser made a motion to receive Certificates of Completion for Justice of the Peace Pct. 2 Blanca McBride from the Texas State University Texas Justice Court Training Center for the successful completion of the Justice of the Peace FY2023 Justice of the Peace 20 Hour Seminar. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Certificate of Completion (No. 14)

MOTION: Mr. Kaiser made a motion to approve the Certificate of Completion for Justice of the Peace Pct. 2 Blanca McBride from the Texas Department of Public Safety for the successful completion of the Criminal Justice Practitioner Test. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Certificate of Completion (No. 15)

MOTION: Mr. Kaiser receive Certificate of Completion for Judge Daryl Fowler from the V.G. Young Institute of County Government for the successful completion of 15 hours of educational training from the 65th Annual V.G. Young School for Commissioners Courts. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 16)

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

Monthly Report of Officials (No. 17)

County Auditor Carrie Rea reported that the auditor's office had receive monthly 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 4-0.

County Auditor's Monthly Report (No. 18)

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.

County Treasurer's Monthly Report (No. 19)

MOTION: Mr. Kaiser made a motion to receive report and Court Order 2023-012 approving Treasurer's Monthly Report. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Minutes (No. 20)

MOTION: Mr. Kaiser made a motion to receive and approve the previous term of court minutes. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

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 4-0.

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 4-0.

Budget Amendment Requests (No. 23)

None

Payroll Reports (No. 24)

MOTION: Mr. Kaiser made a motion to receive and ratify payroll reports for the period of April 15, 2023 through April 28, 2023. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Bonds (No. 25)

None

Personnel Policy (No. 26)

None

Courthouse/Annex/Museum Expenditures/Maintenance/Improvements (No. 27)

Judge Fowler reported that he had a conversation with Carl Komatsu and an on-site visit with Curtis Stoddard regarding the water standing on the southwest corner of the courthouse. There is a possible slope issue.

Judge Fowler reported that he had American Roofing do an inspection of the courthouse roof. There is no hail damage to the roof.

Judge Fowler reported that Trane was coming back today. There is an actuator apparently going out in the county judge's office. The third floor offices are complaining of freezing temperatures in their offices. Trane will be performing planned quarterly maintenance on the chillers.

Legislative Update (No. 28)

Judge Fowler has received something from Allison & Bass this morning. Significant deadlines are looming this week if not today to get Senate Bills out of House Committees. SB 175 is still pending in the House Committee on State Affairs. If it does not get voted out this week it will most likely die.

There are some other bills that are still pending that the counties hope will pass. Those are bills that will force the State of Texas to compensate counties for certain mental health patients in our jails and certain juveniles that are in detention and awaiting transfer to state facilities.

Discussion of Commissioner Precinct Operations (No. 29)

Commissioner Precinct No. 1 was absent.

Commissioner Precinct No. 2 reported on the bridge on Dagg Road is all poured, waiting for it to dry and cure, guardrail work and are ripping up that road for repair.

Commissioner Precinct No. 3 reported on finished blacktopping Old Cuero Road, which is now completely done. The rest of this week is repairing roads that the rain tore up.

Commissioner Precinct No. 4 reported on a tree that had fallen on Fox Crossing Road after the rain before last and have trimmed it up. Old Goliad Road is open again hot mixed over the culverts and are supposed to be pouring the sides of them this week.

Public Announcements/Comments (No. 30)

Brett Ckudre addressed the court as to whether the recycling scrap containers would be available to the public or just for county use. He also asked that with the upscale values on property if the county has decided what the tax rate will be.

Pedro Gonzales introduced himself to the court. He resides in DeWitt County, is a retired civil engineer and offered his services if the county needed any assistance.

Adjourn (No. 31)

MOTION: Mr. Kaiser made a motion to adjourn. Mr. Carson seconded the motion. Motion carried on a vote of 4-0. [Adjourned at 10:34 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – MAY 22, 2023**

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

Schedule Public Hearing Date (No. 3)

MOTION: Mr. Kaiser made a motion to set a public hearing date of June 12, 2023 at 9:00 a.m. in the DeWitt County Courthouse Courtroom for the purpose of a stop sign being placed on Stanchos Road at the intersection of Stanchos Road and Gohlke School Road. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Commissioners Road Reports (No. 4)

MOTION: Mr. Pilchick made a motion to receive the Commissioner's Road Reports for FY 2023 for DeWitt County from Precinct No. 2, Precinct No. 3 and Precinct No. 4. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Amendment to Pharmacy Benefit Management Services (No. 5)

MOTION: Mr. Pilchick made a motion for the approval of amendment to Pharmacy Benefit Management Agreement between Integrated Prescription Management Inc. and DeWitt County such as Cuero-DeWitt County Health Department. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Interlocal Cooperative Agreement for Housing Inmates (No. 6)

MOTION: Mr. Afflerbach made a motion to approve the Interlocal Cooperative Agreement for Housing Inmates between DeWitt County, Texas and Gonzales County, Texas to provide housing and care of certain Gonzales County inmates at a rate of \$59 per day. Mr. Carson seconded the motion. Motion carried on a vote of 5-0.

HB2521 Division Order (No. 7)

MOTION: Mr. Pilchick made a motion to receive division order from Hurd Enterprises Ltd. (HB2521) for the McCabe #4 Unit and authorize the judge to sign. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Aerial Fireworks Ban (No. 8)

No action taken.

Commissioners Court Meeting Schedule (No. 9)

No action taken.

Temporary Right of Way (No. 10)

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. 11)

MOTION: Mr. Afflerbach made a motion to approve temporary right of way permit application request from Select Energy Services for installation of temporary water line along Old San Antonio Road, Mueller Road, and Lindenau Road in Commissioner Precinct No. 1. Mr. Carson seconded the motion. Motion carried on a vote of 5-0.

Certificate of Completion (No. 12)

MOTION: Mr. Afflerbach made a motion to receive Certificate of Completion for Constable Pct. 1 Kelly Phelps from Texas State University - Texas Justice Court Training Center for the successful completion of 20 hours of the FY23 Civil Process Seminar training course. Mr. Carson seconded the motion. Motion carried on a vote of 5-0.

Deposit Receipt Audit for April 2023 (No. 13)

MOTION: Mr. Kaiser made a motion to receive Deposit Receipt Audit for April 2023 from the DeWitt County Auditor's Audit Report, pursuant to Local Government Code, Chapter 115. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Payroll Audit for April 2023 (No. 14)

County Auditor 1st Assistant Neomi Williams reported that there was no findings therefore no report to present.

Court did not taken any action on this agenda item.

24th Judicial District Attorney Forfeiture Account Audit for January 2023 - April 2023 (No. 15)

MOTION: Mr. Kaiser made a motion to receive DeWitt County Auditor's 24th Judicial District Attorney Forfeiture Account audit for January 2023 through April 2023, pursuant to Local Government Code, Chapter 115. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Declare Fixed Assets as Salvage (No. 16)

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

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 5-0.

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 5-0.

Budget Amendment Requests (No. 19)

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. 20)

MOTION: Mr. Pilchick made a motion to receive and ratify approval for payroll reports for the period of April 29, 2023 through May 12, 2023. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Bonds (No. 21)

None

Personnel Policy (No. 22)

None

Courthouse/Annex/Museum Expenditures/Maintenance/Improvements (No. 23)

Judge Fowler reported that he had contacted a contractor, Chip Dents with East End Builders, to perform work on the window sashes on the north and south windows of the fourth floors beneath the bell mechanism. The glass of one sash had slipped about 8-10 inches and allowing rain water to enter the belfry. Temporary plywood has been installed while the repair is being done.

MOTION: Mr. Kaiser made a motion to approve a quote from A-1 Shiner Fire and Safety Inc. for safety inspection of the new building annex, Quote #SF0516DCA in the amount of \$1,922.50. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Mr. Afflerbach reported that the roof and fascia boards are on at the DeWitt County Historical Museum. Cox Brothers and Karl Komatsu with Komatsu Architects are working on the design of the gutters. County is waiting for final specs on design changes of removing some windows, replacing siding and re-working windows from the architect before we can move forward with this step.

Legislative Update (No. 24)

None

Executive/Closed Session (No. 1)

Executive/closed session not held.

Discussion and Potential Action (No. 2)

MOTION: Mr. Afflerbach made a motion to approve Order Number 2023-013 as submitted to Commissioners Court. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Discussion of Commissioner Precinct Operations (No. 25)

Ricky Gohmert addressed the court with a suggestion that the county hire a full time engineer. Mr. Gohmert discussed having water crossing at the intersection of River Road and Old Goliad Road. The county serviced the road & put hot mix at the intersection, installed a low water crossing up the hill instead of putting it where the water comes over the road. The first good rain caused the water to back up at his cattle guard. The big rain came, the water backed up at this cattle guard and through his neighbor's property. If the county would have a staffed engineer that would work with the four (4) commissioners, he thinks that is the route that the county has to go because there is a lot of money being spent on somebody and it is not on the county roads.

Clifford Diebel addressed the court regarding the flood water damage caused by the new box culvert installed on Meyersville-Mission Valley Road near his property and is concerned about the destruction of trees and creek bank.

Commissioner Precinct No. 1 reported on a guardrail that washed off on Mueller Road. The guardrail is temporarily being repaired because TxDOT is contracted to rebuild the bridge. Crews are working on washouts on the road from the recent rain.

Commissioner Precinct No. 2 reported on double shot seal coats on Horseshoe Road. The road has been improved from a Class C road to a Class A road. Crews started to re-seal coat a couple of roads out the other way. Dagg Road we should probably have the bridge open Tuesday or Wednesday, will be doing some fill in on each side of the bridge and re-pave the road.

Commissioner Precinct No. 3 reported on crews re-doing what had washed out, which was probably 80% of the roads and putting limestone back. He is having to wait for the limestone to dry out because the creek in town came up and the water was about half way up the stock pile at the yard on 12th Street. He reported on a waste management berm on Hohn Road that had washed out and came across the county road which the crews had to clean up.

Commissioner Precinct No. 4 reported that most roads had flood damage. He also reported that a guardrail was washed off a bridge on Fordtran Road. McMahan Welding is trying to re-attach the guardrail.

Court discussed Texas Department of Emergency Management request for the commissioners to track damage due to recent heavy rainfall.

Public Announcements/Comments (No. 27)

Dawn Bade with DeWitt County Child Welfare Board provided the court with flyers about the Friends of DeWitt County Touch a Truck event.

Workshop on FY2023 Budget (No. 26)

Court held a workshop on the FY2023 budget. Court discussed a new pay scale and plans for a HR department to be created.

Adjourn (No. 28)

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 12:06 p.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
SPECIAL MEETING – MAY 25, 2023**

DeWitt County Commissioners Court met in special session May 25, 2023 at 10:00 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:

Health Insurance Workshop (No. 1)

Court held a health insurance workshop. Clarissa Martinez, Texas Association of Counties Employee Benefits Consultant, discussed with the court the employee health insurance benefit plan options provided through Texas Association of Counties Health and Employee Benefits Pool.

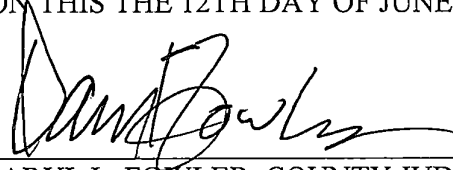
MOTION: Mr. Afflerbach made a motion that the county continue with the HRA100 plan with a \$2000.00 deductible and adjust the county's HRA contribution to \$1000.00. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Afflerbach made a motion that the county participate in the Plan Document Administration Premium Only Plan offered by WEX. Mr. Carson seconded the motion. Motion carried on a vote of 5-0.

Adjourn (No. 2)

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 11:36 a.m.]

THE FOREGOING MINUTES FOR THE MONTH OF MAY A.D. 2023 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 12TH DAY OF JUNE, A.D. 2023.



DARYL L. FOWLER, COUNTY JUDGE

ATTEST: Natalie Carson
NATALIE CARSON, COUNTY CLERK

