

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – MARCH 7, 2018**

DeWitt County Commissioners Court met in regular session March 7, 2018 at 1:30 p.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 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.

BURN BAN (NO. 1)

No action taken.

ACCOUNTS PAYABLE (NO. 3)

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

PAYROLL DISBURSEMENTS (NO. 4)

No action taken.

HURRICANE HARVEY INFORMATION UPDATE AND ACCOUNTS PAYABLE (NO. 5)

None

PUBLIC COMMENT

Chief Juvenile Probation Officer Terri Rogers spoke to the court concerning the Truancy Grant. Judge Robinson is shown on the grant paperwork as the judge serving truancy matters. Due to Judge Robinson's death, Mrs. Rogers was checking with the court as to what needs to be done concerning the grant. Mrs. Rogers will check on the possibility of County Judge Daryl Fowler serving as interim judge until commissioner's court appoints someone for the position of Justice of the Peace Pct. 2.

Cyndi Smith requested the court to consider the approval of a fundraiser for signs to be placed by citizens on gatepost or mailbox post. A portion of the funds from the fundraiser could be donated to one of the organizations on a list. Consensus of the court was that the county did not have the authority to insist that the citizens purchase the signs and place them on the gatepost or mail box post. Court did not object to Cyndi Smith offering this option to the local fire departments.

ADJOURN (NO. 6)

MOTION: Mr. Kaiser made a motion to adjourn. Mr. Randle seconded the motion. Motion carried on a vote of 4-0. [Adjourned at 1:55 p.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – MARCH 12, 2018**

DeWitt County Commissioners Court met in regular session March 12, 2018 at 2:00 p.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 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.

JUSTICE OF THE PEACE PRECINCT NO. 2 (NO. 1)

Court discussed the process of filling the vacancy of Justice of the Peace Precinct No. 2 per LGC 87.041, position previously held by the late Judge George “Bill” Robinson.

ROAD CLOSURE (NO. 2)

MOTION: Mr. Afflerbach made a motion close 1.7 miles of Kubala Store Road between Matejek Road and Haase Road for bridge replacement effective March 13, 2018 until the bridge is completed. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

INTERLOCAL AGREEMENT (NO. 3)

MOTION: Mr. Randle made a motion to approve the interlocal cooperation agreement between the DeWitt County Sheriff's Office and the City of Yorktown for law enforcement services effective April 1, 2018. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0. [Court Order No. 2018-011]

SCHEDULE PUBLIC HEARING DATE (NO. 4)

MOTION: Mr. Kaiser made a motion to schedule a public hearing date of April 9, 2018 at 9:00 a.m. at the DeWitt County Courthouse Courtroom to consider establishing a 30 MPH speed limit, on Nordheim Cemetery Road, from Hwy. 72 to FM 239 in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

SCHEDULE PUBLIC HEARING DATE (NO. 5)

MOTION: Mr. Kaiser made a motion to schedule a public hearing date of April 9, 2018 at 9:00 a.m. at the DeWitt County Courthouse Courtroom to consider establishing a 45 MPH speed limit, on Nordheim Cemetery Road, from FM 239 to the DeWitt County line in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

CHILD WELFARE BOARD BUDGET (NO. 6)

MOTION: Mr. Kaiser made a motion to receive the 2018-2019 fiscal year budget of the DeWitt County Child Welfare Board. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

BURN BAN (NO. 7)

No action taken.

GOLDEN CRESCENT REGIONAL PLANNING COMMISSION ADVISORY COMMITTEE MEMBERS (NO. 8)

MOTION: Mr. Kaiser made a motion to receive the list of nominees to GCRPC advisory committees. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

PRO-RATA TOBACCO SETTLEMENT DISTRIBUTION (NO. 9)

MOTION: Mr. Kaiser made a motion authorize the county judge to submit the expenditure statement to the Texas Department of State Health Services. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

TDCJ PROJECT AGREEMENT FORM (NO. 10)

MOTION: Mr. Afflerbach made a motion to approve the Project Agreement Form between Texas Department of Criminal Justice and DeWitt County for prison labor at the DeWitt County Historical Museum with effective dates of June 1, 2018 through October 31, 2018. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

DEWITT COUNTY APPRAISAL DISTRICT (NO. 11)

MOTION: Mr. Afflerbach made a motion to receive the audited DeWitt County Appraisal District Financial Statements dated December 31, 2017. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

DeWITT COUNTY HISTORICAL COMMISSION (NO. 14)

MOTION: Mr. Kaiser made a motion to receive FY2018 Budget and Annual Report for the DeWitt County Historical Commission. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

PROPERTY INSURANCE RENEWAL APPLICATION (NO. 12)

MOTION: Mr. Afflerbach made a motion to approve the renewal application for property insurance. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

DISCRETIONARY EXEMPTION (NO. 13)

MOTION: Mr. Kaiser made a motion to approve the sole source exemption as provided in LGC 262.024(7) (A) for P² Emulsions, LLC. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

AWARD OF BID AND CONTRACT APPROVAL (NO. 15)

MOTION: Mr. Kaiser made a motion to award bid to Schmidt & Sons for motor fuels. Mr. Randle seconded the motion. Motion carried on a vote of 5-0. [Court Order No. 2018-009]

AWARD OF BID AND CONTRACT APPROVAL (NO. 16)

MOTION: Mr. Pilchick made a motion to award bid to H & C Construction Co., Inc. for the contract for seal coating applicable to all commissioner precincts. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0. [Court Order No. 2018-010]

COMMISSIONERS ANNUAL ROAD REPORT 2018 (NO. 17)

MOTION: Mr. Kaiser made a motion to set the timeline of June 25, 2018 to be completed and presented to court and sent to the Grand Jury by July 10, 2018. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

COMMISSIONERS ANNUAL ROAD REPORT 2018 FORMAT (NO. 18)

MOTION: Mr. Kaiser made a motion that there will be no change of the format of the 2018 Commissioner's Annual Road Report. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

AFFIDAVIT GRANTING PERMISSION TO ENTER PRIVATE PROPERTY (NO. 19)

MOTION: Mr. Afflerbach made a motion to receive affidavit granting permission to enter private property owned by Eric Gaus along Kubala Store Road in order to perform drainage maintenance on two (2) culverts located in the county road right-of-way in Commissioner Precinct No. 1. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

TEMPORARY RIGHT OF WAY AGREEMENT (NO. 20)

MOTION: Mr. Afflerbach made a motion to approve temporary right of way agreement permit application from Burlington Resources Oil & Gas, L.P. for installation of a water line along Respondek & Edna Hattenbach Roads in Commissioner Precinct No. 1. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

TEMPORARY RIGHT OF WAY AGREEMENT (NO. 21)

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

TEMPORARY RIGHT OF WAY AGREEMENT (NO. 22)

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

TEMPORARY RIGHT OF WAY AGREEMENT (NO. 23)

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

TEMPORARY RIGHT OF WAY AGREEMENT (NO. 24)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement permit application with Wolverine Enterprise, LLC for installation of a water line along Elroyce Helmers Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

TEMPORARY RIGHT OF WAY AGREEMENT (NO. 25)

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

TEMPORARY RIGHT OF WAY AGREEMENT (NO. 26)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement permit application from Price Petro Services, Inc. for installation of a water line along Eckhardt Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

TEMPORARY RIGHT OF WAY AGREEMENT (NO. 27)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement permit application from Price Petro Services, Inc. for installation of a water line along Eckhardt Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

PIPELINE CROSSING PERMIT (NO. 28)

MOTION: Mr. Kaiser made a motion to approve pipeline crossing permit application with Statoil Pipelines, LLC to cross Seiler Road in Commissioner Precinct No. 3. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

EXECUTIVE/CLOSED SESSION (NO. 29)

Commissioners Court went into a closed session on March 12, 2018 at 3:18 p.m. pursuant to Section 551.071 of the Texas Government Code for the Commissioners Court to consult with and seek advice from its attorney regarding a topic listed on the agenda. Consensus of the court was that Judge Fowler serve as the official keeper of the certified agenda. Closed session ended at 4:04 p.m.

DISCUSSION AND POTENTIAL ACTION (NO. 30)

MOTION: Mr. Afflerbach made a motion to authorize the County Attorney to engage in negotiations with representatives of CTI Environmental Services, LLC. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

No action taken on item number (2) which was authorization to pay certain outstanding invoices of VerTek, LLC and/or authorize and/or initiate certain legal remedies with respect to damages suffered during the drilling and completion phase(s) of the Information Technology Fiber Optic Cable Project in 2017.

MONTHLY REPORT OF OFFICIALS (NO. 31)

County Auditor Carrie Rea reported that her office had received reports from all officials.

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

COUNTY TREASURER'S MONTHLY REPORT (NO. 32)

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

MINUTES (NO. 33)

MOTION: Mr. Kaiser made a motion to receive and approve minutes of the previous term of court. Mr. Randle seconded the motion. Motion carried on a vote of 3-0 with Mr. Afflerbach and Judge Fowler abstaining.

ACCOUNTS PAYABLE (NO. 34)

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

BUDGET AMENDMENT REQUESTS (NO. 35)

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

PERSONNEL CHANGES (NO. 36)

Brandon Mays, Deputy Sheriff, Sheriff Office; resignation effective February 28, 2018; 1 year 11 months of employment; comp & vacation time will be paid out on last check

Mary Villanueva, 1st Assistant Treasurer, Treasurer Office; promotion from Assistant Treasurer to 1st Assistant Treasurer effective March 6, 2018; Category 3 Step 3; 3 years 9 months of

employment; rate of pay to be \$1,575.27/bi-weekly \$19.69/hour; next possible step increase June 23, 2019; comp time will be paid out at time of step

Candice West, 1st Assistant, Treasurer's Office; resignation effective March 5, 2018; 4 years 5 months of employment; comp & vacation time will be paid out on last check

Kenneth Tam, Equipment Operator, Precinct No. 3; resignation effective January 11, 2018; 4 years 2 months of employment; comp & vacation will be paid on last check

MOTION: Mr. Kaiser made a motion to approve personnel changes. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler abstaining.

BONDS (NO. 37)

None

HURRICANE HARVEY INFORMATION UPDATE AND ACCOUNTS PAYABLE (NO. 38)

No update.

COURTHOUSE/ANNEX EXPENDITURES/MAINTENANCE/IMPROVEMENTS (NO. 39)

Judge Fowler reported on the following items:

1. The new chiller is not functional yet due to some communication issues.
2. Small maintenance issues above the District Attorney's Office
3. Some issues with the new hot water.

LEGISLATIVE UPDATE (NO. 40)

None

DISCUSSION OF COMMISSIONER PRECINCT OPERATIONS (NO. 41)

Commissioners discussed normal precinct operations.

PUBLIC COMMENT

None

ADJOURN (NO. 42)

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

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – MARCH 14, 2018**

DeWitt County Commissioners Court met in regular session March 14, 2018 at 1:30 p.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 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.

ACCOUNTS PAYABLE (NO. 3)

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

PAYROLL DISBURSEMENTS (NO. 4)

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

HURRICANE HARVEY INFORMATION UPDATE AND ACCOUNTS PAYABLE (NO. 5)

None

PUBLIC COMMENT

None

ADJOURN (NO. 6)

MOTION: Mr. Kaiser made a motion to adjourn. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0. [Adjourned at 1:37p.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – MARCH 21, 2018**

DeWitt County Commissioners Court met in regular session March 21, 2018 at 1:30 p.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 Sr., Precinct No. 2
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.

ACCOUNTS PAYABLE (NO. 1)

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

PAYROLL DISBURSEMENTS (NO. 2)

MOTION: Mr. Randle made a motion to approve payroll disbursements. Mr. Afflerbach seconded the motion. Motion carried on a vote of 4-0.

HURRICANE HARVEY INFORMATION UPDATE AND ACCOUNTS PAYABLE (NO. 3)

No update.

PUBLIC COMMENT

None

ADJOURN

MOTION: Mr. Pilchick made a motion to adjourn. Mr. Randle seconded the motion. Motion carried on a vote of 4-0. [Adjourned at 1:45 p.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – MARCH 26, 2018**

DeWitt County Commissioners Court met in regular session March 26, 2018 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 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.

BURN BAN (NO. 1)

No action taken.

YORKTOWN DISPATCH SERVICES (NO. 2)

MOTION: Mr. Afflerbach made a motion to approve a letter to the City of Yorktown terminating the “Interlocal Agreement between the County of DeWitt and the City of Yorktown for 24-Hour Police Dispatch Services” (Court Order #2017-072). Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

TRUANCY PREVENTION REPORT (NO. 3)

MOTION: Mr. Afflerbach made a motion to receive the six (6) month Truancy Prevention Report for Juvenile Probation. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0

JUVENILE COURT ACCOMMODATIONS (NO. 4)

MOTION: Mr. Pilchick made a motion to receive report from Terri Rogers on suitability for quarters and facilities of the juvenile court pursuant to Texas Family Code § 51.05. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

PREDATOR TRAPPER REPORT (NO. 6)

MOTION: Mr. Kaiser made a motion to receive the current activity report from the Texas A&M Wildlife Services predator trapper for February 2018 and Year to Date FY2018. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

CERTIFICATE OF MEMBERSHIP COUNTY INVESTMENT ACADEMY (NO. 7)

MOTION: Mr. Kaiser made a motion to receive Certificate of Membership County Investment Academy that County Treasurer Carol Ann Martin successfully completed investment education of 15 hours that qualifies for membership in the Texas Association of Counties County Investment Academy. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

CERTIFICATE OF COMPLIANCE (NO. 8)

MOTION: Mr. Randle made a motion to receive Certificate of Compliance that certifies County Treasurer Carol Ann Martin has successfully completed the required hours of continuing education satisfying education requirements as pursuant to Section 83.003 of the Texas Local Government Code. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

CERTIFICATE OF COMPLIANCE (NO. 9)

MOTION: Mr. Afflerbach made a motion to receive Certificate of Compliance that certifies County Treasurer Carol Ann Martin has successfully completed the required hours of investment training pursuant to Chapter 2256 of the Texas Government Code, the Public Funds Investment Act, Section 2256.008, Investment Training; Local Governments. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

CERTIFICATE OF MEMBERSHIP COUNTY INVESTMENT ACADEMY (NO. 10)

MOTION: Mr. Kaiser made a motion to receive Certificate of Membership County Investment Academy that County Judge Daryl L. Fowler has successfully completed investment education of 15 hours that qualifies for membership in the Texas Association of Counties County Investment Academy. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

CERTIFICATE OF PARTICIPATION (NO. 11)

MOTION: Mr. Kaiser made a motion to receive Certificate of Participation from the V.G. Young Institute of County Government for Commissioner Richard Randle for successfully completing 20 hours of educational training during the 60th Annual V. G. Young School for County Commissioners Courts, February 20-22, 2018. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

CERTIFICATE OF COMPLETION (NO. 12)

MOTION: Mr. Afflerbach made a motion to receive 2017 Certificate of Completion for Commissioner Richard Randle from the County Judges and Commissioners Association of Texas for the successful completion of the continuing education provisions of Article 81.0025 of the Texas Local Government Code. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

AUTHORIZE AUDITOR TO SELL SURPLUS PROPERTY (NO. 13)

MOTION: Mr. Pilchick made a motion to authorize Auditor to sell surplus property in possession of Commissioner, Pct. #2; Inventory #1801- New Holland 5610 Tractor with 23' Boom Ax Mower, Inventory #4264 – 2003 Chevrolet ½ T Pickup, Inventory #4336 – 2005 International Dump Truck, and a Utility Truck Bed (no Inventory number), pursuant to LGC § 263, Subchapter D by means of an online auction. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

DECLARE FIXED ASSETS AS SALVAGE (NO. 14)

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

TEMPORARY RIGHT OF WAY AGREEMENT (NO. 15)

MOTION: Mr. Pilchick made a motion to approve temporary right of way agreement application from Select Energy Services, LLC for installation of two (2) water lines along Gerdes Road in Commissioner Precinct No. 2. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

TEMPORARY RIGHT OF WAY AGREEMENT (NO. 16)

MOTION: Mr. Pilchick made a motion to approve temporary right of way agreement application from Select Energy Services, LLC for installation of a water line along Gerdes Road & Rathkamp Dreyer Road in Commissioner Precinct No. 2. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

TEMPORARY RIGHT OF WAY AGREEMENT (NO. 17)

MOTION: Mr. Pilchick made a motion to approve temporary right of way agreement application from Select Energy Services, LLC for installation of two (2) water lines along Gerdes Road & Rathkamp Dreyer Road in Commissioner Precinct No. 2. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

TEMPORARY RIGHT OF WAY AGREEMENT (NO. 18)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement with Burlington Resources Oil & Gas, L.P. for installation of a water line along Jaeger Road in Commissioner Precinct No. 2. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

TEMPORARY RIGHT OF WAY AGREEMENT (NO. 19)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement with Burlington Resources Oil & Gas, L.P. for installation of a water line along Chris House Road, Romero Korth Road and Schendel Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

ACCOUNTS PAYABLE (NO. 22)

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

BUDGET AMENDMENT REQUESTS (NO. 23)

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

PERSONNEL CHANGES (NO. 24)

Lacy Lane, Seasonal/Temporary Executive Secretary, County Attorney; hired effective March 26, 2018; rate of pay to be \$15.00/hour

Joe C. "Jode" Zavesky, Part-Time Deputy, Sheriff Office; resignation effective February 14, 2018; 9 months of employment

Hilary Allen, Clerk, Tax Assessor; hired effective March 19, 2018; Category 1 Step 1; rate of pay to be \$1,146.62/bi-weekly \$14.33/hour; next possible step increase effective March 19, 2019

Ashley Mraz, Assistant Treasurer, Treasurer Office; transfer from Judge Office to Treasurer Office effective April 9, 2018; Category 2 Step 2; 6 months of employment; rate of pay to be \$1,464.44/bi-weekly \$18.31/hour; next possible step increase is September 27, 2019; comp time will be paid out on next check

Benancio Luna, Custodian/Janitor, Building Maintenance; step increase effective April 1, 2018; Category 5 Step 4; 5 years of employment; rate of pay to be \$1,359.06/bi-weekly \$16.99/hourly; next possible step increase April 1, 2020; comp time balance will be paid at time of step

Dee Ann Watts, Clerk, Tax Assessor; step increase effective April 11, 2018; Category 1 Step 3; 2 years of employment; rate of pay to be \$1,271.84/bi-weekly \$15.90/hour; next possible step increase April 11, 2021; comp time will be paid out at time of step

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

BONDS (NO. 25)

None

HURRICANE HARVEY INFORMATION UPDATE AND ACCOUNTS PAYABLE (NO. 26)

No update.

COURTHOUSE/ANNEX EXPENDITURES/MAINTENANCE/IMPROVEMENTS (NO. 27)

Judge Fowler reported that Trane would be at the courthouse later this week to replace an actuator in one of the lines. They will have to freeze the system in order to do this project.

Mr. Randle questioned the status of the fiber optic project and why the project had not been completed. IT Administrator Joey Trungale was not available to address the court on this topic.

Mr. Afflerbach gave an update on the Komatsu engineering project. There will two testing holes done on the outside of the courthouse to determine moisture. One test hole would be by Judge Fowler's office and the other one would be by the steps on the side of the courthouse facing the funeral home.

LEGISLATIVE UPDATE (NO. 28)

Judge Fowler reported that he is planning to attend a joint hearing between the House Transportation Committee and House Energy Resources Committee on April 17, 2018. One of the items to be discussed is the energy sector damages to county roads and how to remedy the issue.

Judge Fowler reported that the first royalty check should be in the bank around April 15th or April 20th.

DISCUSSION OF COMMISSIONER PRECINCT OPERATIONS (NO. 29)

Mr. Afflerbach reported that Wakefield had begun the bridge replacement last week.

Commissioners discussed normal precinct operations.

SALARY ORDER AMENDMENT (NO. 5)

MOTION: Mr. Randle made a motion to transfer \$10,000.00 from Contingent and Uncommitted to the budget of County Attorney for the employment of a temporary seasonal employee to meet an unforeseen need and avoid a grave emergency pursuant to Local Government Code § 111.010 (C). Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Randle made a motion to amend the FY2018 Salary Order to add a temporary seasonal employee to the County Attorney's budget and a \$10,000.00 appropriation in that budget. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

EXECUTIVE/CLOSED SESSION (NO. 20)

Judge Fowler announced that commissioners court would go into closed session at 10:06 a.m. on March 26, 2018 under § 551.074 of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, in this case specifically to review the applications for the unexpired term of Justice of the Peace Pct. 2 and it was the consensus of the court that Judge Fowler would be the official keeper of the certified agenda. Court returned into open session at 11:33 a.m.

DISCUSSION AND POTENTIAL ACTION (NO. 21)

No action taken.

PUBLIC COMMENT

None

ADJOURN

MOTION: Mr. Kaiser made a motion to adjourn. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0. [Adjourned at 11:35 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – MARCH 28 2018**

DeWitt County Commissioners Court met in regular session March 28, 2018 at 1:30 p.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 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.

BURN BAN (No. 1)

No action taken.

ACCOUNTS PAYABLE (NO. 2)

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

PAYROLL DISBURSEMENTS (NO. 3)

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

EXECUTIVE/CLOSED SESSION (No. 5)

Judge Fowler announced that DeWitt County Commissioners Court would go into closed session on March 28, 2018 at 1:36 p.m. to interview applicants for the position of Justice of the Peace Pct. 2 and it was the consensus of the court that Judge Fowler would be the official keeper of the certified agenda. Court returned into open session at 4:35 p.m.

DISCUSSION AND POTENTIAL ACTION (No. 6)

MOTION: Mr. Randle made a motion that according to Section 87 of the Local Government Code, I will nominate Blanca McBride as the finalist for filling the unexpired term of the Justice of the Peace Pct. 2, former Justice of the Peace Bill Robinson position. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler abstaining.

HURRICANE HARVEY INFORMATION UPDATE AND ACCOUNTS PAYABLE (NO. 4)

Cyndi Smith reported that she had received a phone call from TDEM on the grant; concerning the Thomaston River Bridge, the expenses are over \$200,000.00 and they are waiting on final approval.

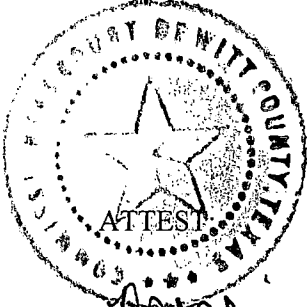
PUBLIC COMMENT

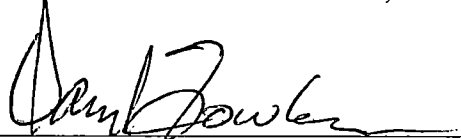
None

ADJOURN (NO. 6)


MOTION: Mr. Kaiser made a motion to adjourn. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0. [Adjourned at 4:35 p.m.]

THE FOREGOING MINUTES FOR THE MONTH OF MARCH A.D. 2018 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 9TH DAY OF APRIL, A.D. 2018.





DARYL L. FOWLER, COUNTY JUDGE



NATALIE CARSON, DE WITT COUNTY CLERK