

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
SPECIAL MEETING – APRIL 5, 2021**

DeWitt County Commissioners Court met in special session April 5, 2021 at 11:00 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:

Residential Services Agreement (No. 1)

MOTION: Mr. Kaiser made a motion to approve a Contract for Residential Services between Rite of Passage, Inc. and the DeWitt County Juvenile Board, by and through the County of DeWitt, for long-term residential care for at-risk juveniles. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Secure Short-Term Detention Services Agreement (No. 2)

MOTION: Mr. Randle made a motion to approve a Contract for Secure Short-Term Detention Services between Rite of Passage, Inc. and the DeWitt County Juvenile Board, by and through the County of DeWitt, for short-term detention care of juveniles. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Adjourn (No. 3)

MOTION: Mr. Afflerbach made a motion to adjourn. [Adjourned at 11:10 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – APRIL 12, 2021**

DeWitt County Commissioners Court met in regular session April 12, 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:

Airport Presentation (No. 1)

Court received April 12th Master Plan Update on City of Cuero/DeWitt County Airport from Michael Cavanaugh, Cuero Airport Committee Chairman.

MOTION: Mr. Pilchick made a motion to receive the April 12th Master Plan Update on City of Cuero/DeWitt County Airport. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Soil & Water Stewardship Week Proclamation (No. 5)

MOTION: Mr. Kaiser made a motion to adopt a proclamation establishing April 25, 2021 through May 2, 2021 as 2020 Soil & Water Stewardship Week. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Schedule Public Hearing Date (No. 2)

MOTION: Mr. Randle made a motion to schedule a public hearing date to consider establishing a 40 MPH speed limit on South Golly Road and Golly Road in Commissioner Precinct No. 4 on May 10, 2021 at 9:00 a.m. at the County Courthouse. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

DeWitt County Historical Museum (No. 9)

MOTION: Mr. Pilchick made a motion to receive letter from DeWitt County Historical Commission regarding repairs needed to DeWitt County Historical Museum. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Computing Services Contract (No. 13)

MOTION: Mr. Kaiser made a motion to approve a contract between Net Data and DeWitt County for “Cloud Computing” service for the office of the DeWitt County Tax Assessor Collector beginning October 1, 2021. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

Road Materials Bid (No. 3)

Road Materials (clarification from March 22, 2021 meeting):

Crushed Limestone

Pct. 1	Colorado Materials	Quality Hot Mix Inc.
Pct. 2	Quality Hot Mix Inc.	Allstar Materials & Colorado Materials

Crushed Limestone

Cover Stone ¼ F Rock		
Pct. 1	Colorado Materials	Quality Hot Mix Inc.
Pct. 2	Colorado Materials	Quality Hot Mix Inc.
Pct. 3	Colorado Materials	Quality Hot Mix Inc.
Pct. 4	Allstar Materials	Quality Hot Mix Inc.

Crushed Limestone

Cover Stone Type B Grade		
Pct. 1	Carson Services LLC	Allstar Materials & Quality Hot Mix Inc.
Pct. 2	Allstar Materials Carson Services LLC & Quality Hot Mix Inc.	No alternate

¾” to Dust Limestone (Colorado Materials Bid ½” to Dust)

Pct. 1 & 2	Colorado Materials	Quality Hot Mix Inc.
Pct. 3 & 4	Quality Hot Mix Inc.	Colorado Materials

3/8 Pea Gravel

Pct. 1, 2, 3, 4 (Delivered & Not Delivered)	All Bids	
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MOTION: Mr. Kaiser made a motion to clarify awards approved at previous meeting for road materials bid. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

Award of Bid and Contract Approval (No. 4)

MOTION: Mr. Randle made a motion to receive bids and award a contract to ABN Construction, LLC for concrete applicable to all commissioner precincts. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

American Rescue Plan Act of 2021 (No. 6)

Court discussed COBRA premium assistance.

Local Government Solutions (LGS) License Agreement Addendum (No. 7)

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 5-0.

Certificate of Membership 2019 County Investment Academy (No. 8)

MOTION: Mr. Randle made a motion to receive the 2019 certification for DeWitt County Judge Daryl L. Fowler for successful completion of investment education that satisfies Section 2256.008 of the Texas Public Funds Investment Act. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Division Order (No. 10)

MOTION: Mr. Pilchick made a motion to receive division order from Hurd Enterprises LLC (HB2521) for the McCabe #1R Unit and authorize county judge to sign. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Pooling Agreement (No. 11)

MOTION: Mr. Kaiser made a motion to receive pooling agreement for HB2521 Right of Way lease for Wuench Road in the Mountain View Ranch Unit. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

FM 766 at Gohlke Creek & FM 766 at Guadalupe River Closure (No. 12)

MOTION: Mr. Kaiser made a motion to receive road closure for bridge replacement by TXDOT on FM 766 at Gohlke Creek and FM 766 at Guadalupe River. Mr. Randle 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 from Dos Oilfield Services for installation of a dual water line along Gohlke School Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

Temporary Right of Way (No. 16)

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

Temporary Right of Way (No. 17)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement from Bruce Franks Rentals LLC for installation of a dual water line along Gohlke School Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

Temporary Right of Way (No. 18)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement from Select Energy Services for installation of a dual water line along Maron Road & Roeder Ranch Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

Order Appointing Assistant County Auditor (No. 19)

MOTION: Mr. Randle made a motion to receive order appointing Gina Gurrola as Assistant County Auditor from the district judges. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

Monthly Report of Officials (No. 20)

County Auditor Carrie Rea reported that her office had received monthly reports from all officials except Election Administrator, Flood Plain Administrator and 24th Judicial District Attorney.

MOTION: Mr. Randle made a motion to approve monthly report of officials. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

County Auditor's Monthly Report (No. 21)

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 with Judge Fowler absent.

County Auditor's 2nd Quarter 2021 Cash Count Report (No. 22)

MOTION: Mr. Kaiser made a motion to receive County Auditor's 2nd Quarter 2021 Cash Count Report. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

County Treasurer's Monthly Report (No. 23)

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

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

County Treasurer's Quarterly Investment Report (No. 24)

MOTION: Mr. Kaiser made a motion to approve County Treasurer's Quarterly Investment Report. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

Minutes (No. 25)

MOTION: Mr. Randle made a motion to receive and approve minutes of the previous term of court. Mr. Afflerbach 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, FY21 Formula Grant for \$26,908 from the Texas Indigent Defense Commission. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Accounts Payable (No. 26)

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. 27)

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

Budget Amendment Requests (No. 28)

None

Bonds (No. 29)

None

Courthouse/Annex Expenditures/Maintenance/Improvements (No. 30)

Judge Fowler reported on the following items:

1. Trane performed some work last week on Chiller #2 and now the warranty is being questioned. Trane service tech advised that there was a one (1) year warranty not a five (5) year warranty.
2. Weaver & Jacobs is a part of a cooperative purchasing. Since they are part of the cooperative purchasing, the county can consider Weaver & Jacobs to perform the interior work in the basement.
3. Texas Historical Commission staff looked upstairs at the keypad issue with the DA and she was happy with the product. She was very skeptical as to who approved the dead bolt locks on all of the offices and key fob on the County Attorney and IT doors.
3. Due to the strong south wind, the District Courtroom exterior windows in the atrium were really rattling and noticed that the window sash was separated.

Legislative Update (No. 31)

Judge Fowler discussed SB10.

Discussion of Commissioner Precinct Operations (No. 32)

Commissioner Precinct No. 1 reported normal precinct operations. Mr. Afflerbach discussed a bill he recently received from Hanson Professional Services. Mr. Randle requested that the county auditor not pay the bill until the county gets some paperwork and documentation for bid applications.

Commissioner Precinct No. 2 reported normal precinct operations.

Commissioner Precinct No. 3 reported on hauling materials on Salt Creek Road.

Commissioner Precinct No. 4 reported normal precinct operations.

County Building Workshop (No. 33)

Court discussed construction of a new county annex.

COVID-19 Disaster Update (No. 34)

Judge Fowler reported on the military vaccine clinic held in Yorktown over the past weekend.

Adjourn (No. 35)

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 11:55 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – APRIL 26, 2021**

DeWitt County Commissioners Court met in regular session April 26, 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:

Public Hearing (No. 2)

Public hearing held in order to provide opportunity for public comments on placing stop signs at the following intersections in Commissioner Precinct No. 1: 1) On Matejek Road at Dubose Ranch Road; 2) On Matejek Road at Kubala Store Road; 3) On Jackson Road at Dubose Ranch Road; 4) On Jackson Road at Kubala Store Road; 5) On Lincke Road at Dubose Ranch Road; 6) On Dubose Ranch Road at Meyer Road; 7) Four Way Stop at intersection of Lincke Road with Kubala Store Road.

Mr. Afflerbach withdrew the request for Four Way Stop at intersection of Lincke Road with Kubala Store Road.

Close Public Hearing (No. 3)

Judge Fowler closed the public hearing.

Rule on Public Hearing (No. 4)

MOTION: Mr. Afflerbach made a motion to approve placing stop signs at the following intersections in Commissioner Precinct No. 1: 1) On Matejek Road at Dubose Ranch Road.; 2) On Matejek Road at Kubala Store Road; 3) On Jackson Road at Dubose Ranch Road; 4) On Jackson Road at Kubala Store Road; 5) On Lincke Road at Dubose Ranch Road; and 6) On Dubose Ranch Road at Meyer Road effective upon installation of the signs. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Emergency Management Program Grant (No. 5)

Judge Fowler requested to step down and that Mr. Afflerbach oversee this agenda item.

MOTION: Judge Fowler made a motion to withdraw the application for the Emergency Management Program Grant for FY2021. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Judge Fowler re-assumed overseeing the agenda.

Advance Funding Agreement TXDOT (No. 6)

No action taken.

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

MOTION: Mr. Afflerbach made a motion to receive affidavit granting permission to enter private property owned by Nopal Oaks Ranch LLC on Isaac Baker Survey A-89 near Dubose Ranch Road in order to excavate road material that has eroded into the property from Dubose Ranch Road and repair any fence damaged in the process, in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Texas County and District Retirement System (No. 8)

MOTION: Mr. Kaiser made a motion to receive plan assessment for plan year 2022 effective January 1, 2022 with a contribution rate of 7.78%. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Golden Crescent Regional Planning Commission Advisory Committee Members (No. 9)

MOTION: Mr. Kaiser made a motion to re-appoint Richard Randle with voting delegate and board of director representative and James B. Pilchick, Sr. as voting delegate. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

CodeRED Next Services Agreement (No. 10)

MOTION: Mr. Afflerbach made a motion to renew a countywide emergency notification system to include the citizens of the incorporated townships of Yorktown and Yoakum; consider approval of the CodeRED Next Services Agreement between Emergency Communications Network, LLC and DeWitt County (Licensee) for emergency communication services (Reverse 911 with SMS text messaging). Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Interlocal Agreement (No. 11)

MOTION: Mr. Afflerbach made a motion to approve an Interlocal agreement between the County of DeWitt and the City of Yorktown for the cost sharing of annual services fees for emergency communication services provided through a license granted to DeWitt County through the CodeRED Next Services Agreement effective May 1, 2021, Court Order Number 2021-031. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Interlocal Agreement (No. 12)

MOTION: Mr. Afflerbach made a motion to approve an Interlocal agreement between the County of DeWitt and the City of Yoakum for the cost sharing of annual services fees for emergency communication services provided through a license granted to DeWitt County through the CodeRED Next Services Agreement effective May 1, 2021, Court Order Number 2021-032. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Authorize Auditor to Dispose of Salvage or Surplus Property (No. 13)

MOTION: Mr. Kaiser made a motion to authorize auditor to dispose 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. 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. 15)

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

Budget Amendment Requests (No. 16)

None

Bonds (No. 17)

None

Courthouse/Annex/Museum Expenditures/Maintenance/Improvements (No. 18)

Mr. Randle reported that he has spoken with Vincent, with Komatsu Architecture concerning the Historic Museum Bates-Sheppard House. Mr. Randle expressed the county's concerns of the delays and what needs to be prioritized. Mr. Randle advised, after the discussion with the museum members, the air conditioning was the priority and is currently getting quotes. Since Weaver & Jacobs is on the purchasing cooperative, Mr. Randle has discussed the air conditioning and construction work. JC Stoddard Construction Company will perform the first phase of the foundation and drainage plan work.

Judge Fowler reported problems with the hot water pump located in the basement of the courthouse.

Judge Fowler discussed the need for a generator for the courthouse. The court will need to consider during the next year's budget planning.

County Building Workshop (No. 21)

Mr. Randle reported that the back alley work was put on hold because the city needed the alley drive thru teller window for payments. The progression of the work is still on schedule with a tentative completion date of 1st part of September.

Legislative Update (No. 19)

Judge Fowler reported that SB10 has been assigned to State Affairs Committee in the House.

Discussion of Commissioner Precinct Operations (No. 20)

Commissioner Precinct No. 1 reported that on May 3, 2021 his crews would be excavating for bones for a cold case out of Victoria. Mr. Afflerbach reported David Underbrink advised that the delays were due to COVID-19 and an employee had quit so a new employee had to be hired.

Commissioner Precinct No. 2 reported normal precinct operations. IT Administrator Joey Trungale is working on getting Spectrum set up at his precinct.

Commissioner Precinct No. 3 reported normal precinct operations.

Commissioner Precinct No. 4 reported Golly Road and South Golly Road are completed and are on normal precinct operations now.

Burn Ban (No. 1)

MOTION: Mr. Afflerbach made a motion to adopt a burn ban for the unincorporated areas of the county effective April 27, 2021 at 12:01 a.m., Court Order Number 2021-033. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

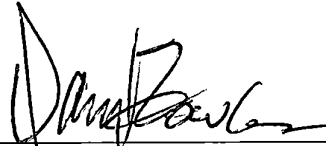
COVID-19 Disaster Update (No. 22)

No COVID-19 update.

Adjourn (No. 23)

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

THE FOREGOING MINUTES FOR THE MONTH OF APRIL A.D. 2021 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 10TH DAY OF MAY, A.D. 2021.



DARYL L. FOWLER, COUNTY JUDGE

ATTEST: Natalie Carson
NATALIE CARSON, COUNTY CLERK

