

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – FEBRUARY 8, 2021**

DeWitt County Commissioners Court met in regular session February 8, 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 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:

Discussion and Potential Action (No. 1)

MOTION: Mr. Randle made a motion that pursuant to Chapter 232 of the Texas Local Government Code and other authority, discussion and potential action shall occur regarding for the approval and adoption of the Subdivision and Manufactured Home Rental Community Regulations for DeWitt County, Texas – Court Order No. 2021-006. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

Livestock Show Proclamation (No. 2)

MOTION: Mr. Pilchick made a motion for the adoption of resolution proclaiming February 27 through March 5, 2021 as DeWitt County Youth Livestock Show Week. Mr. Randle seconded the motion. Mr. Randle seconded the motion. Motion carried on a vote of 3-0.

DeWitt County Historical Commission Appointment (No. 3)

New Members: Henry Lueddeke, Rebecca Dawson, Jim Dawson and Glenn Rea

MOTION: Mr. Randle made a motion to appoint the four (4) member(s) suggested by Mrs. Ledbetter to the DeWitt County Historical Commission for the remaining 2021-2022 term. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

DeWitt County Historical Commission (No. 4)

MOTION: Mr. Pilchick made a motion to receive DeWitt County Historical Commission Annual Report. Mr. Randle seconded the motion. Motion carried on a vote of 3-0.

Lease Agreement (No. 5)

MOTION: Mr. Randle made a motion to renew the extension of lease agreement for office space for Justice of the Peace Precinct 2 Blanca McBride. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

Inmate Medical Expense Refund (No. 6)

Southern Health Partners Representative presented a refund check to DeWitt County for inmate medical expenses. No action taken.

Resolution for the DeWitt County Sex Trafficking Prevention and Intervention Program (No. 12)

MOTION: Mr. Pilchick made a motion to adopt a resolution Court Order No. 2021-007 authorizing submission of a grant application for the DeWitt County Sex Trafficking Prevention and Intervention Grant Program and designating County Judge Daryl Fowler as the grantee's authorized official. Mr. Randle seconded the motion. Motion carried on a vote of 3-0.

Racial Profiling Report (No. 7)

MOTION: Mr. Randle made a motion to receive – Full Exemption Racial Profiling Report from DeWitt County District Attorney's Office. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

District Attorney Matter (No. 8)

Court has taken the District Attorney's request for security measures for his office under advisement.

Executive/Closed Session (No. 9)

Court did not go into executive/closed session.

Discussion and Potential Action (No. 10)

No action taken.

Motorola Update (No. 37)

Court received an update from DeWitt County Sheriff regarding Motorola project. Sheriff Bowen reported that the project has been completed and are working on the final stages of implementing the last of the radios.

J.C. Stoddard Construction Change Order (No. 34)

Vincent Ramirez with Komatsu Architecture, Inc. presented information on the discovered condition of the courthouse basement water drainage issue and the proposed change orders.

MOTION: Mr. Randle made a motion to approve Change Order No. 4 for \$3,959.00 for cleaning clogged drain pipes at the downspouts from J.C. Stoddard; also approve proposed Change Order No. 6 adding two additional downspouts & below grade drain piping on the east side of the courthouse for a sum of \$15,095.00; and also approve proposed Change Order No. 7 which would include excavation, backfill, and haul off, forming and reinforcing the 6” concrete wall between the beams of the southwest side corner of the courthouse for a total of \$43,949.00. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

Affidavit Granting Permission to Enter Private Property (No. 11)

MOTION: Mr. Pilchick made a motion to receive affidavit granting permission to enter private property owned by Sylvia H. Imhoff on or near Dubose Ranch Road in order to fix drainage problems along the road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 3-0.

State Certified Cyber Security Training (No. 13)

MOTION: Mr. Randle made a motion to approve enrolling county employees in required state certified cyber security training pursuant to, and in compliance with, the provisions of Government Code Section 2054.5191 (a-1) and designate the DIR-approved training program offered through the Texas Association of Counties as the approved program and provide for the registration and training of DeWitt County officials and employees. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

Amended Order Setting Salary of DeWitt County Auditor and Assistants (No. 14)

MOTION: Mr. Randle made a motion to receive the Amended Order Setting Salaries of DeWitt County Auditor and Assistants from the 24th, 135th and 267th District Courts and enter into the minutes of the Court. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

Amend 2021 Salary Order (No. 15)

MOTION: Mr. Pilchick made a motion for the approval of amendment to FY2021 DeWitt County Salary Order for the reduction of the part time position and addition of one full time position for the DeWitt County Auditor's Office pursuant to Court Order No. 2021-008. Mr. Randle seconded the motion. Motion carried on a vote of 3-0.

Temporary Right of Way (No. 16)

MOTION: Mr. Pilchick made a motion for the approval of permit application from Burlington Resources Oil & Gas LP for installation of a dual water line along Jaeger Road in Commissioner Precinct No. 3. Mr. Randle seconded the motion. Motion carried on a vote of 3-0.

Temporary Right of Way (No. 17)

MOTION: Mr. Pilchick made a motion for the approval of permit application from Burlington Resources Oil & Gas LP for installation of a dual water line along H. Koopman Road in Commissioner Precinct No. 3. Mr. Randle seconded the motion. Motion carried on a vote of 3-0.

Temporary Right of Way (No. 18)

MOTION: Mr. Pilchick made a motion for the approval of permit application from Burlington Resources Oil & Gas LP for installation of a dual water line along Salt Creek Cemetery Road in Commissioner Precinct No. 3. Mr. Randle seconded the motion. Motion carried on a vote of 3-0.

Temporary Right of Way (No. 19)

MOTION: Mr. Pilchick made a motion for the approval of permit application from Burlington Resources Oil & Gas LP for installation of a dual water line along A. Metting Road, Jaeger Road & Gruenau Road in Commissioner Precinct No. 3. Mr. Randle seconded the motion. Motion carried on a vote of 3-0.

Temporary Right of Way (No. 20)

MOTION: Mr. Pilchick made a motion for the approval of permit application from Burlington Resources Oil & Gas LP for installation of a dual water line along H. Koopman Road in Commissioner Precinct No. 3. Mr. Randle seconded the motion. Motion carried on a vote of 3-0.

Temporary Right of Way (No. 21)

MOTION: Mr. Pilchick made a motion for the approval of permit application from Burlington Resources Oil & Gas LP for installation of a dual water line along Seidel Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 3-0.

Temporary Right of Way (No. 22)

MOTION: Mr. Pilchick made a motion for the approval of permit application from Burlington Resources Oil & Gas LP for installation of a dual water line along Edna Hattenbach & Respondek Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 3-0.

Temporary Right of Way (No. 23)

MOTION: Mr. Pilchick made a motion for the approval of permit application from Burlington Resources Oil & Gas LP for installation of a dual water line along Gruenau Road in Commissioner Precinct No. 3. Mr. Randle seconded the motion. Motion carried on a vote of 3-0.

Monthly Report of Officials (No. 24)

County Auditor Carrie Rea reported that her office had received monthly reports from all officials except Elections, Sheriff, and Flood Plain Coordinator (December and January).

MOTION: Mr. Pilchick made a motion to approve monthly report of officials. Mr. Randle seconded the motion. Motion carried on a vote of 3-0.

County Auditor's Monthly Report (No. 25)

MOTION Mr. Randle made a motion to receive report County Auditor's Monthly Report. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

County Treasurer's Monthly Report (No. 26)

MOTION: Mr. Randle made a motion to receive report and approve the Order Approving Treasurer's Monthly Report, Court Order Number 2021-005. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

Minutes (No. 27)

MOTION: Mr. Pilchick made a motion to approve minutes of the previous term of court. Mr. Randle seconded the motion. Motion carried on a vote of 3-0.

Accounts Payable (No. 28)

MOTION: Mr. Pilchick made a motion to approve accounts payable. Mr. Randle seconded the motion. Motion carried on a vote of 3-0.

Ratified Accounts Payable (No. 29)

MOTION: Mr. Randle made a motion to approve ratified accounts payable. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

Budget Amendment Requests (No. 30)

MOTION: Mr. Randle made a motion to approve budget amendments. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

Personnel Changes (No. 31)

Isabelle Noblett, Dispatcher, Sheriff Office; resignation effective January 14, 2021; Category 7 Step 1; 3 months of employment; rate of pay \$17.84/hour

Andre Carmona, Part-Time Equipment Operator, Precinct 1; hired effective January 21, 2021; rate of pay to be \$16.00/hour

MOTION: Mr. Pilchick made a motion to approve personnel changes. Mr. Randle seconded the motion. Motion carried on a vote of 3-0.

Bonds (No. 32)

None

Courthouse/Annex Expenditures/Maintenance/Improvements (No. 33)

Judge Fowler reported that he had received from American Roofing a work order for replacing roof at the Weber Annex building.

Legislative Update (No. 35)

Judge Fowler reported that Senator Bettencourt, who was a co-author of Senate Bill 2 that passed in 2019, has been named chairman of a committee in the Senate on County Affairs.

Discussion of Commissioner Precinct Operations (No. 36)

Commissioner Precinct No. 2 reported that Herder Road is under construction, Hennessey Road is being stabilized and Bootlegger Road has been stabilized and waiting on the weather to chip seal

Commissioner Precinct No. 4 reported that South Golly Road has been stabilized and plan to chip seal within the next couple of weeks.

COVID-19 Disaster Update (No. 39)

Emergency Management Coordinator Cyndi Smith reported that the National Guard came in and gave 100 doses and the second doses are scheduled for February 26, 2021. EMC Cyndi Smith is working with Cuero Regional Hospital for DeWitt County becoming a hub but is receiving negative results from the state as far as allowing any additional hubs. Cuero ISD has offered the intermediate school to set up COVID-19 vaccine clinic at any time. Ms. Smith reported that the numbers are starting to going down but the numbers are still are in the high 80's low 90's. DeWitt County is still at 50% with the trauma center area and has been at 50% since New Year's Eve. The State is not sending out any vaccines to the hospital or health department at this time. Ms. Smith reported that she had some 15-minute rapid result test for county employees and first responders if needed.

County Building Workshop (No. 38)

Mr. Randle reported that the progress of the construction of the new county annex is moving right along and holding around September 1, 2021 as the completion date but subject to be moving forwards or backwards. Mr. Randle reported that they are working on the air conditioner work and ductwork on both floors and studwork on the second floor, which is what has to be done before they can do the roof. They should be pouring flatwork around premises at the end of this week if the weather permits.

Adjourn (No. 40)

MOTION: Mr. Pilchick made a motion to adjourn. [Adjourned at 11:20 a.m.]

MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS REGULAR MEETING – FEBRUARY 22, 2021

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

DeWitt County 175th Anniversary (No. 1)

Court heard a presentation from Peggy Ledbetter and Mary Gayle Brindley regarding upcoming 175th Anniversary of DeWitt County.

Airport Committee Update (No. 2)

Court received an update from City/County Airport Review Committee Chairman Michael Cavanaugh regarding progress and future plans.

Request to Establish a Reserve Deputy Constable Program (No. 3)

MOTION: Mr. Afflerbach made a motion to establish a reserve deputy constable program that Constable Pct. 1 Kelly Phelps is requesting and approve the job description for the reserve deputy constable position. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler abstaining.

Racial Profiling Report (No. 4)

MOTION: Mr. Randle made a motion to receive Full Exemption Racial Profiling Report from DeWitt County Attorney's Office. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Racial Profiling Report (No. 5)

MOTION: Mr. Afflerbach made a motion to receive Full Racial Profiling Report from DeWitt County Constable Precinct No. 2. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Storm Ready Recognition (No. 6)

MOTION: Mr. Kaiser made a motion to receive recognition from the National Weather Service (NWS) for DeWitt County becoming storm ready. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Emergency Plan Review (No. 7)

No action taken

Commissioners Annual Road Report 2021 (No. 8)

MOTION: Mr. Kaiser made a motion to adopt Annual Road Report 2021 timeline with the report being due June 28, 2021 to Commissioners Court and submitted to Grand Jury on July 7, 2021 pursuant to Transportation Code Sections 251.005 and 251.018. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Commissioners Annual Road Report 2021 Format (No. 9)

MOTION: Mr. Kaiser made a motion to keep the same format that has been used in the prior years pursuant to Transportation Code Section 251.005. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Depository Bid (No. 10)

MOTION: Mr. Afflerbach made a motion to receive tabulated bids for bank depository and award the bid to First National Bank, Shiner (Cuero National Bank Branch). Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Affordable Care Act Reporting and Tracking Renewal Services Information (No. 11)

MOTION: Mr. Kaiser made a motion to approve the ACA Reporting and Tracking Service (ARTS) 2021 Renewal Confirmation Program Agreement; ACA Reporting and Tracking Service (ARTS) Contract Designation Form and the ACA Reporting and Tracking Service (ARTS) HEBP Member (Fully Insured or ASO) 2021 Fee Schedule (Renewal). Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Temporary Right of Way (No. 12)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement with Burlington Resources Oil & Gas LP for installation of a dual water line along Gruenau Road and Interstate 13 in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Accounts Payable (No. 13)

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

Ratified Accounts Payable (No. 14)

MOTION: Mr. Afflerbach 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. 15)

None

Personnel Changes (No. 16)

Patricia Strieber, Part-Time Assistant Auditor; resignation effective February 3, 2021; 6 months 10 months of employment

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

Bonds (No. 17)

None

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

Judge Fowler reported that the weather hampered the planned replacement of the aluminum conduit for the electrical service coming into the building by Danny Tyl Electric. The work tentatively is scheduled for this upcoming weekend.

Judge Fowler reported that David Slovacek would be meeting with Trane tomorrow to look at some hot water pumps in the basement indicating a need for service. They will also talk about if it is something for David to worry about by shutting down the electrical service for the chillers.

Legislative Update (No. 19)

No Legislative update.

Discussion of Commissioner Precinct Operations (No. 20)

Commissioners discussed the road projects list for grant purposes.

County Building Workshop (No. 21)

Mr. Randle reported that the construction of a new county annex is behind schedule due to the weather last week.

COVID-19 Disaster Update (No. 22)

Emergency Management Coordinator Cyndi Smith reported that numbers are down. The second round of shots from the military are still scheduled for Friday, February 26th. Ms. Smith will send out a CodeRed message this afternoon, after receiving confirmation, to remind individuals. She will send out another message on Wednesday advising the individuals of the time of their appointment.

Adjourn (No. 23)

MOTION: Mr. Kaiser made a motion to dismiss. [Adjourned at 11:40 a.m.]

THE FOREGOING MINUTES FOR THE MONTH OF FEBRUARY A.D. 2021 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 8TH DAY OF MARCH, A.D. 2021.



DARYL L. FOWLER, COUNTY JUDGE

ATTEST: Natalie Carson
NATALIE CARSON, COUNTY CLERK

