

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – DECEMBER 9, 2019**

DeWitt County Commissioners Court met in regular session December 9, 2019 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.

Public Hearing (No. 1)

Public hearing held in order to provide opportunity for public comments on establishing a 45 MPH speed limit on Hilbrich Road in Commissioner Precinct No. 1 and setting up a yield sign at the intersection of Hilbrich Road and Hilbrich Bypass Road in Commissioner Precinct No. 1. No one was present to speak for or against.

Close Public Hearing (No. 2)

Judge Fowler closed the public hearing.

Rule on Public Hearing (No. 3)

MOTION: Mr. Afflerbach made a motion to approve establishing a 45 MPH speed limit on Hilbrich Road in Commissioner Precinct No. 1 from FM 238 to the county line to be effective when the signs are placed. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Afflerbach made a motion to approve setting up a yield sign at the intersection of Hilbrich Road and Hilbrich Bypass Road in Commissioner Precinct No. 1 to be effective when the signs are placed. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Public Hearing (No. 4)

Public hearing held in order to provide opportunity for public comments on establishing a 40 MPH speed limit on Green DeWitt Road in Commissioner Precinct No. 4. Johnny Goebel spoke in favor of establishing a speed limit. Wayne Wolf spoke against establishing a speed limit.

Close Public Hearing (No. 5)

Judge Fowler closed the public hearing

Rule on Public Hearing (No. 6)

MOTION: Mr. Randle made a motion to establishing a 40 MPH speed limit on Green DeWitt Road in Commissioner Precinct No. 4 for the entirety of the road starting at FM 236 all the way to South River Road. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Subdivision Application (No. 7)

MOTION: Judge Fowler made a motion to adopt Court Order Number 2019-083 approving the application of John Hunter, for the development of the Hunter Subdivision, with conditions. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Floodplain Development Application (No. 8)

Court passed until next meeting.

Guardian Security Solutions LC (No. 9)

MOTION: Mr. Kaiser made a motion to approve the extended warranty agreement with Guardian Security Solutions LC for the price of \$13,140.53. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

District Court Reporters' Salaries (No. 10)

MOTION: Mr. Kaiser made a motion to receive the Order(s) from the Administrative District Judges setting and allocating the salaries of the Official Court Reporters for the 24th, 135th, 267th Judicial Districts and the Official Alternate Court Reporter for the 24th, 135th, 267th and 377th Judicial Districts. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

DeWitt County Historical Commission FY2019 Annual Treasurer's Report (No. 11)

MOTION: Mr. Randle made a motion to receive DeWitt County Historical Commission FY2019 Annual Treasurer's Report. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

ConocoPhillips Donation (No. 12)

MOTION: Judge Fowler made a motion to authorize Cyndi Smith, EMC, to apply for a \$5,000 grant through the DeWitt County LEPC for emergency operational expenses and further, recommend that the grant be applied to the anticipated expenses of reprogramming the emergency response radios of the Law Enforcement, EMS, Volunteer Fire Departments, EMC, Public

Officials, City of Yoakum Fire Department and City of Cuero Fire Department. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

FY2020 EMPG Application (No. 13)

Case passed until the next meeting.

Insurance Renewal Application (No. 14)

MOTION: Mr. Kaiser made a motion to approve the professional liability policy of the Cuero-DeWitt County Health Department, annual premium offered for renewal period beginning December 1, 2019 and authorize the renewal application for policy number HMA 4032280030 issued through Columbia Casualty Company and authorize payment of \$3,806.25 annual premium. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Aerial Fireworks Ban (No. 15)

No action taken.

Certificate of Completion (No. 16)

MOTION: Mr. Kaiser made a motion to receive Certificate of Completion for Tax Assessor Collector Ashley D. Mraz from the V.G. Young Institute of County Government for the successful completion of the Special Inventory Tax training course. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Commercial Document Shredder (No. 17)

MOTION: Mr. Randle made a motion to ratify the purchase of a Swingline 1757578 Stack-and-Shred 750X Auto Feed Heavy Duty Shredder with Super Cross-Cut 750 Sheets at a cost of \$2,700.00. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Temporary Right of Way (No. 18)

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

Temporary Right of Way (No. 19)

MOTION: Mr. Afflerbach made a motion to approve temporary right of way permit application from Burlington Resources for installation of a dual water line along Kubala Store Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Temporary Right of Way (No. 20)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement application with Burlington Resources for installation of a dual water line along H. Koopman Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Monthly Report of Officials (No. 21)

County Auditor Carrie Rea reported that her office had received reports from all officials except Constable Precinct No. 2 and Sheriff.

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

County Treasurer's Monthly Report (No. 23)

MOTION: Mr. Randle 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.

County Auditor's Monthly Report (No. 22)

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

Minutes (No. 24)

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

Accounts Payable (No. 25)

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

Ratified Accounts Payable (No. 26)

MOTION: Mr. Kaiser 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. 27)

None

Personnel Changes (No. 28)

Celina Rodriguez, Part Time Deputy, Sheriff; transfer from full time to part time effective November 10, 2019; 2 years 6 months of employment; rate of pay to be \$21.85/hour \$16.16/bi-weekly cell phone

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

Bonds (No. 29)

None

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

County Auditor Carrie Rea reported that inventory items to be declared salvage or sold are currently being placed in the basement. Due to the software conversion within their office, her office does not have the time to place items to be sold on the GovDeal Online Auction and maintain inventory and assets that officials do not want in their office anymore at this time. Auditor's office will do a GovDeals Online Auction in January 2020. Mrs. Rea requested that officials hang on to items at this time because the county does not have a place to hold these items at this time.

Judge Fowler reported that the elevator has had a phone but not a phone line for some time. IT Administrator Joey Trungale was able to crawl back in the crawl space and he was able to locate the phone line.

Legislative Update (No. 31)

No Legislative update.

Discussion of Commissioner Precinct Operations (No. 32)

Commissioner Pct. 1 reported his crews were working on a section of Nolte-Boehl and DuBose Ranch Roads.

Commissioner Pct. 2 reported normal precinct operations.

Commissioner Pct. 3 reported normal precinct operations.

Commissioner Pct. 4 reported the work on Green DeWitt Road is getting closer to being finished.

Judge Fowler reported that citizens on Tully Road are concerned that no one is getting any attention beyond the Fish Pond Housing.

Judge Fowler reported that he had received phone calls complaining about the potholes in the roads and the precinct employees fixing some of the potholes but not all.

Motorola Update (No. 33)

Mr. Pilchick reported that the Hochheim tower and building are up.

County Building Workshop (No. 34)

The old archive building and elections office have been demolished.

Adjourn (No. 35)

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 11:25 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – DECEMBER 18, 2019**

DeWitt County Commissioners Court met in regular session December 18, 2019 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 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. 1)

Public hearing held in order to provide opportunity for public comments on establishing a 20 MPH speed limit on Hopkinsville Road from Highway 236 for ½ mile in Commissioner Precinct No. 4. Byron Wolf spoke in favor of the speed limit. No one was present to speak against.

Close Public Hearing (No. 2)

Judge Fowler closed the public hearing

Rule on Public Hearing (No. 3)

MOTION: Mr. Randle made a motion to set a 20 MPH speed limit on Hopkinsville Road from Highway 236 for approximately ½ mile going west in Commissioner Precinct No. 4 to be effective when the signs are in place. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

Schedule Public Hearing Date (No. 4)

MOTION: Mr. Afflerbach made a motion to schedule a public hearing date for January 27, 2020 for a hearing at 9:00 a.m. in the County Courtroom for establishing stop signs being placed at the intersection of Schulle Road and Hahn Road. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

Receive Quote on Purchase of Dump Truck (No. 5)

MOTION: Mr. Afflerbach made a motion to accept bid from Performance Truck for a 2020 Mack Day Cab dump truck for Commissioner Precinct 1. Mr. Kaiser seconded the motion. Motion carried on a vote of 3-1 with Judge Fowler abstaining.

Award of Bid and Contract Approval (No. 6)

MOTION: Mr. Kaiser made a motion to reject bid from Complex Contracting, Inc. dba JC Stoddard Construction and authorize the auditor to go out for bids. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

Hanson Professional Services Invoice (No. 7)

Court passed on this agenda item until the January meeting.

FY2019 Assistance to Firefighters Grant (AFG) (No. 8)

Court passed on this agenda item until a later date.

Golden Crescent Regional Planning Commission Grant (No. 9)

Keith Jacobs with Wholesale Tires and Travis Barr with D&T Radiator Service addressed the court with the services that their companies can provide to the county.

Court passed on this agenda item until the January meeting.

Annual Jail Inspection Report (No. 10)

MOTION: Mr. Randle made to receive report of Annual Inspection of DeWitt County Jail by Texas Commission on Jail Standards. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

Motorola Update (No. 21)

Court received an update from DeWitt County Sheriff regarding Motorola project.

Certificates of Participation (No. 11)

MOTION: Mr. Kaiser made a motion to receive Certificates of Participation for Tax Assessor Collector Ashley D. Mraz from the V.G. Young Institute of County Government for the successful completion of the 2019 School for County Tax Assessor-Collectors, Ethics for Tax Assessor-Collectors, and Orientation for New Tax Assessor-Collectors training courses. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

Certificates of Completion (No. 12)

MOTION: Mr. Kaiser made a motion to receive Certificates of Completion for Emergency Management Coordinator Cynthia Smith from the Texas A&M Engineering Extension Service for the successful completion of the Essentials of Community Cybersecurity and the Critical Infrastructure Security and Resilience Awareness training courses and from the Office of the Attorney General of Texas for the successful completion of the Open Meetings Act training course. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

Accounts Payable (No. 13)

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

Ratified Accounts Payable (No. 14)

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

Budget Amendment Requests (No. 15)

None

Personnel Changes (No. 16)

Johnny Amador, Jailer, Sheriff Office; hired effective December 9, 2019; Category 12 Step 2; rate of pay to be \$1,586.22/bi-weekly \$18.44/hour; next possible step increase December 9, 2021

Dennis Torres, Deputy Sheriff, Sheriff Office; hired effective December 9, 2019; Category 15 Step 2; rate of pay to be \$1,827.62/bi-weekly \$21.25/hour cell phone \$16.16/bi-weekly; next possible step increase December 9, 2021

Juan Ruiz, Deputy, Sheriff Office; hired effective December 9, 2019; Category 15 Step 1; rate of pay to be \$1,724.09/bi-weekly \$20.05/hour cell \$16.16; next possible step increase December 9, 2020

Hope Constable, Dispatcher, Sheriff; step increase effective December 5, 2019; Category 7 Step 3; 2 years of employment; rate of pay to be \$1,523.74/bi-weekly \$19.05/hourly; next possible step increase December 5, 2022; comp time will be paid at time of step

Carlos Barrera, Equipment Operator, Precinct 2; step increase effective December 1, 2019; Category 17 Step 4; 5 years of employment; rate of pay to be \$1,650.00/bi-weekly \$20.63/hour; next possible step increase December 1, 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 4-0.

Bonds (No. 17)

Bond of Steven Wehlmann as Reserve Deputy Sheriff.

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

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

Judge Fowler reported that the Annex Building had some roof leaks, which have been repaired.

Judge Fowler reported that the heater at the Annex Building was having issues and Jahn Refrigeration is working on the issues.

Legislative Update (No. 19)

Judge Fowler reported on a conversation he had with Steve Holzheuser yesterday. Mr. Holzheuser had a conversation with the leader of the Permian Basin Petroleum Association about a partnership aligning the county's region with theirs when it comes to moving legislation in the future.

Judge Fowler shared that he had an Public Information Act (open records) request on his desk, as does the other 253 county judges across the state, coming from State Representative Mays Middleton out of Galveston County, who is apparently the enforcer of the new state law that mandates that the counties publish all of their lobbyist's contracts online on the county's websites. Representative Middleton is requesting proof that this has been done.

Discussion of Commissioner Precinct Operations (No. 20)

Commissioner Precinct 1 reported working on approximately one (1) mile of DuBose Ranch Road; Nolte-Boehl Road has been prepped and Mr. Afflerbach is waiting to hear back from TxDOT. TxDOT is working with a land owner to purchase land in order to straighten out the curve in the road that intersects with HWY 87.

Commissioner Precinct 3 reported on normal precinct operations.

Commissioner Precinct 4 reported still working on Green DeWitt Road. Mr. Randle reported on the Historical Commission Museum repairs; waiting on the complete inspection report and recommendations from the architect.

County Building Workshop (No. 21)

Mr. Randle reported that they are still in the process of working on the construction documents and with mechanical engineering firm for electrical plugs.

Judge Fowler reported that a plumber came last week because the excavation work performed collapsed the sewer line.

Adjourn (No. 23)

MOTION: Mr. Randle made a motion to adjourn. Mr. Kaiser seconded the motion. Motion carried on a vote of [Adjourned at 10:15 a.m.]

THE FOREGOING MINUTES FOR THE MONTH OF DECEMBER A.D. 2019 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 13TH DAY OF JANUARY, A.D. 2020.


DARYL L. FOWLER, COUNTY JUDGE

ATTEST: 
NATALIE CARSON, COUNTY CLERK

