

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS  
REGULAR MEETING – MAY 2, 2018**

DeWitt County Commissioners Court met in regular session May 2, 2018 at 1:15 p.m. in the County Courtroom at the DeWitt County Courthouse in Cuero, Texas, with the following members present:

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**

Mr. Pilchick 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.

**PAYROLL DISBURSEMENTS (NO. 3)**

No action taken.

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

No Hurricane Harvey update.

**AFFIDAVIT GRANTING PERMISSION TO ENTER PRIVATE PROPERTY (NO. 5)**

MOTION: Mr. Randle made a motion to receive affidavit granting permission to enter private property owned by Scott D. Hay along Kubala Store Road in order to provide a temporary public road to bypass for new bridge construction. Mr. Kaiser seconded the motion. Motion carried on a vote of 3-0.

**REQUEST FROM CONSTABLE PRECINCT NO. 2 (NO. 6)**

MOTION: Mr. Randle made a motion to deny the request to discontinue payment for patrol stipend for traffic patrol control for Steve Wehlmann for the rest of the budget year. Mr. Kaiser seconded the motion. Motion carried on a vote of 3-0.

### **ROAD CLOSURE (NO. 7)**

MOTION: Mr. Kaiser made a motion to hear announcement from Commissioner Afflerbach on the need to close Kubala Store Road in Commissioner Precinct 1 for a bridge replacement. Mr. Randle seconded the motion. Motion carried on a vote of 3-0.

### **INTERLOCAL AGREEMENT (NO. 8)**

MOTION: Mr. Kaiser made a motion to approve an Interlocal agreement between the Cuero-DeWitt County Health Department and the City of Yoakum for the use of office space within the Mitchel W. Harbus, Jr. Building located at 307 Crittenden Street, in Yoakum, Texas for the purpose of providing service benefits to people within the Yoakum community, beginning on April 3, 2018 for a term of one year. Mr. Randle seconded the motion. Motion carried on a vote of 3-0.

### **CERTIFICATE OF MEMBERSHIP TEXAS JUDICIAL ACADEMY (NO. 9)**

MOTION: Mr. Kaiser made a motion to receive certification that County Judge Daryl L. Fowler has successfully completed judicial education of 46.5 hours that qualifies for membership in the Texas Association of Counties Texas Judicial Academy. Mr. Randle seconded the motion. Motion carried on a vote of 3-0.

### **ACCOUNTS PAYABLE (NO. 2)**

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

### **PUBLIC COMMENT**

No public comment.

### **ADJOURN (NO. 10)**

MOTION: Mr. Kaiser made a motion to adjourn. Mr. Randle seconded the motion. Motion carried on a vote of 3-0. [Adjourned at 1:35 p.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS  
REGULAR MEETING – MAY 9, 2018**

DeWitt County Commissioners Court met in regular session May 9, 2018 at 1:30 p.m. in the County Courtroom at the DeWitt County Courthouse in Cuero, Texas, with the following members present:

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**

Mr. Afflerbach called the meeting to order and led everyone in the pledge of allegiance. Mr. Randle gave the invocation.

**NEW BUSINESS:**

**ACCOUNTS PAYABLE (NO. 1)**

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

**PAYROLL DISBURSEMENTS (NO. 2)**

MOTION: Mr. Kaiser made a motion to approve payroll disbursements. Mr. Randle seconded the motion. Motion carried on a vote of 3-0.

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

No Hurricane Harvey update.

**HAZARD MITIGATION GRANT PROGRAM LETTER (NO. 4)**

MOTION: Mr. Kaiser made a motion to receive letter from Harris County Judge's Office regarding FEMA's Hazard Mitigation Grant Program to be sent to Governor Abbott encouraging the State of Texas to match 25% of the cost of flood mitigation efforts. Mr. Randle seconded the motion. Motion carried on a vote of 3-0.

**PUBLIC COMMENT**

None

**ADJOURN (NO. 5)**

MOTION: Mr. Randle made a motion to adjourn. Mr. Kaiser seconded the motion. Motion carried on a vote of 3-0. [Adjourned at 1:35 p.m.]

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

DeWitt County Commissioners Court met in regular session May 14, 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. Randle gave the invocation.

**NEW BUSINESS:**

**CODERED (REVERSE 911) SERVICES (NO. 1)**

Emergency Management Coordinator Cyndi Smith presented a cost distribution update on the CodeRed (Reverse 911) Services. No action taken.

**EMERGENCY COMMUNICATIONS UPDATE (NO. 2)**

Court heard an assessment of current law enforcement communication system and update on equipment status and critical needs from Sheriff Bowen, Golden Crescent Communications Representative Johnny Jank and Westhoff Fire Department Fire Chief Andrew Weikel. Consensus of the court was to proceed with the assessment.

**INTERLOCAL COOPERATIVE AGREEMENT FOR HOUSING INMATES (NO. 5)**

MOTION: Mr. Afflerbach made a motion to approve an agreement between DeWitt County, Texas and Gonzales County, Texas to provide housing and care of certain inmates at a rate of \$40 per day, Court Order Number 2018-031. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**PROCLAMATION FOR NATIONAL PEACE OFFICER MEMORIAL WEEK (NO. 10)**

MOTION: Mr. Kaiser made a motion to adopt a proclamation recognizing May 14th through May 18th as National Peace Officer Memorial Week in DeWitt County, and acknowledge ceremony taking place on Tuesday, May 15th at 9 A.M. in front of the DeWitt County Courthouse. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**BURN BAN (NO. 3)**

No action taken.

**MEMORANDUM OF DONATION (NO. 21)**

No action taken.

**HURRICANE HARVEY INFORMATION UPDATE AND ACCOUNTS PAYABLE (NO. 33)**

Emergency Management Coordinator Cyndi Smith reported that she has been having weekly update phone call meetings. Ms. Smith reported that more information was needed on Steen Road and there were some missing timesheets of EOC. County Auditor advised the timesheets in question were previously submitted.

**COMMISSIONERS COURT MEETING SCHEDULE (NO. 23)**

MOTION: Mr. Kaiser made a motion to reschedule the Monday Commissioners Court Meeting to May 30, 2018 at 9:00 a.m. because of the Memorial Day holiday. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

**DeWITT COUNTY APPRAISAL DISTRICT (NO. 4)**

MOTION: Mr. Randle made a motion to receive letter from the DeWitt County Appraisal District, date April 30, 2018, regarding the Estimate of Net Taxable Value for 2018 required by § 26.01(e) or the Texas Property Tax Code. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

**AUTHORIZE A WRITTEN REQUEST (NO. 6)**

MOTION: Mr. Randle made a motion to authorize County Judge Daryl L. Fowler to execute the County Request for Capital Credits form pursuant to Property Tax Code §74.602 and acknowledge that the use of the funds received will be in compliance with the provisions of Texas Local Government Code Section 381.004 for the 2018 reporting year. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**TIDC STATEMENT OF GRANT AWARD (NO. 7)**

MOTION: Mr. Afflerbach made a motion to receive Statement of Grant Award, FY18 Formula Grant for \$20,404 from the Texas Indigent Defense Commission. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**TOBACCO SETTLEMENT PROCEEDS PAYMENT (NO. 8)**

MOTION: Mr. Afflerbach made a motion to receive 2018 Texas Department of State Health Services payment from tobacco settlement proceeds for \$13,842.06. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**AFFIDAVIT GRANTING PERMISSION TO ENTER PRIVATE PROPERTY (NO. 9)**

Passed

**INDEPENDENT EXTERNAL AUDIT (NO. 11)**

MOTION: Mr. Randle made a motion to authorize the annual external audit of DeWitt County Juvenile Probation funds for the year ending August 31, 2018 and nominate a Certified Public Accountant to conduct audit as Harrison, Waldrop & Uherek LLP. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

**INDEPENDENT EXTERNAL AUDIT (NO. 12)**

MOTION: Mr. Randle made a motion to authorize the annual external audit of DeWitt County financial statements for the year ending September 30, 2018 and nominate a Certified Public Accountant to conduct the audit as Harrison, Waldrop & Uherek, LLP. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

**PURCHASING AGREEMENT (NO. 13)**

MOTION: Mr. Afflerbach made a motion to approve a purchasing agreement with National Intergovernmental Cooperative Purchasing Alliance for products and services. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

**PIPELINE CROSSING PERMIT (NO. 14)**

MOTION: Mr. Afflerbach made a motion to approve pipeline crossing permit application of JME Interests to cross Bellevue Cemetery 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. 15)**

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement application with Price Petro Services, Inc. for installation of a water line along Seiler 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. 16)**

MOTION: Mr. Afflerbach made a motion to approve temporary right of way agreement permit application from Breakwater Energy Services for installation of a dual water line along Catholic Church Lane in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

**TEMPORARY RIGHT OF WAY AGREEMENT (NO. 17)**

MOTION: Mr. Afflerbach made a motion to approve temporary right of way agreement permit application from Breakwater Energy Services for installation of a dual water line along Cheapside Road in Commissioner Precinct No. 1. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**TEMPORARY RIGHT OF WAY AGREEMENT (NO. 18)**

MOTION: Mr. Afflerbach made a motion to approve temporary right of way agreement permit application from Breakwater Energy Services for installation of a dual water line along Arndt Road in Commissioner Precinct No. 1. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**TEMPORARY RIGHT OF WAY AGREEMENT (NO. 19)**

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

**SUBSURFACE EASEMENT (NO. 20)**

MOTION: Mr. Kaiser made a motion to approve a subsurface easement between DeWitt County and BHP Billiton Petroleum Properties (N.A.), LP, for one wellbore (LP-Butler A 10H well) under Cabeza Road in Commissioner Precinct No. 3. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

**SETTLEMENT AGREEMENT (NO. 22)**

MOTION: Mr. Pilchick made a motion to approve authorization for settlement agreement and release of all claims from Fiberlink USA LLC for damages caused by Fiberlink to the courthouse security system server. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**BUDGET AMENDMENT REQUEST (NO. 24)**

MOTION: Mr. Kaiser made a motion to receive certification of funds from County Auditor and adopt a special budget for the limited purpose of spending the revenue per Local Government Code 111.0108 in accordance with Interlocal Agreement Number 2018-011. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**BUDGET CALENDAR (NO. 25)**

Court reviewed and discuss budget calendar. No action taken.

**DECLARE FIXED ASSETS AS SALVAGE (NO. 26)**

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

**COUNTY TREASURER’S MONTHLY REPORT (NO. 27)**

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

**ACCOUNTS PAYABLE (NO. 28)**

MOTION: Mr. Kaiser made a motion to approve accounts payable of \$947,219.00. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Kaiser made a motion to approve accounts payable for a partial payment of \$157,917.23 to Virtex LLC. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

**BUDGET AMENDMENT REQUESTS (NO. 29)**

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

**PERSONNEL CHANGES (NO. 30)**

No personnel changes.

**BONDS (NO. 31)**

Michael Todd Parkinson – Reserve Deputy Sheriff

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



### **HEALTH INSURANCE WORKSHOP (NO. 32)**

No health insurance workshop held.

### **COURTHOUSE/ANNEX EXPENDITURES/MAINTENANCE/IMPROVEMENTS (NO. 34)**

Judge Fowler presented some quotes from Trane for replacement of a return air CO2 sensor and East End for repairs to the courthouse exterior doors and the handicap rail.

Judge Fowler reported that Election Administrator Melissa Alcazar requested to have someone look at the heavy sliding gate that goes into the courtyard. It is not functioning properly.

Mr. Afflerbach reported that his employees repaired and hung “do not lean on hand rails” signs on the handrails at the Tax Assessor Collector’s office.

### **LEGISLATIVE UPDATE (NO. 35)**

Judge Fowler reported that he engaged in conversation with the Governor in Victoria on May 3, 2018 on the county’s infrastructure needs.

### **DISCUSSION OF COMMISSIONER PRECINCT OPERATIONS (NO. 36)**

Commissioner Precinct No. 1 reported that the second bridge on Kubala Store Road has been removed and foundations are being set today.

Ryan Varela provided information about a safety glass program that employees of Commissioner Precinct No. 1 are using.

Commissioners discussed routine precinct operations.

### **PUBLIC COMMENT**

None

### **ADJOURN (NO. 37)**

**MOTION:** Mr. Kaiser made a motion to adjourn. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0. [Adjourned at 10: 20 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS  
REGULAR MEETING – MAY 16, 2018**

DeWitt County Commissioners Court met in regular session May 16, 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.

**NEW BUSINESS:**

**ACCOUNTS PAYABLE (NO. 1)**

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

**PAYROLL DISBURSEMENTS (NO. 2)**

None

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

Judge Fowler reported that he had received a spreadsheet from the current FEMA representative with projects status and completions.

**PUBLIC COMMENT**

None

**ADJOURN (NO 4)**

MOTION: Mr. Kaiser made a motion to adjourn. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0. [Adjourned at 1:43 p.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS  
REGULAR MEETING – MAY 23, 2018**

DeWitt County Commissioners Court met in regular session May 23, 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. Afflerbach gave the invocation.

**NEW BUSINESS:**

**BURN BAN (NO. 1)**

MOTION: Mr. Randle made a motion to enact the 90 day burn ban for the unincorporated areas of the county under Court Order Number 2018-032 effective 12:01 a.m. May 24, 2018. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-1 with Mr. Afflerbach voting against the motion.

**ACCOUNTS PAYABLE (NO. 1)**

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

**PAYROLL DISBURSEMENTS (NO. 2)**

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

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

No update.

**PUBLIC COMMENT**

County Auditor Carrie Rea advised the commissioners to be careful when purchasing from Allstar Materials and approving invoices. Mrs. Rea has been speaking with Kenneth Benbow concerning the invoices being in excess of the bid amount.

County Auditor Carrie Rea advised the court that the flagpole in front of the courthouse is in need of some repairs. She also addressed how bad the flags were looking. Mrs. Rea is getting quotes for a new flag.

**ADJOURN (NO 4)**

MOTION: Mr. Randle made a motion to adjourn. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0. [Adjourned at 1:43 p.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS  
REGULAR MEETING – MAY 30, 2018**

DeWitt County Commissioners Court met in regular session May 30, 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. Randle gave the invocation.

**NEW BUSINESS:**

**EMERGENCY COMMUNICATIONS UPDATE (NO. 1)**

MOTION: Mr. Afflerbach made a motion to adopt Court Order Number 2018-033, an order declaring a grave public necessity, meeting an unusual and unforeseen condition, authorizing an emergency expenditure, authorizing a budget transfer of \$104,354.57 during Fiscal Year 2018 pursuant to the authority given in Local Government Code §111.010 and conforming to the Open Meetings Act. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**SCHEDULE PUBLIC HEARING DATE (NO. 2)**

MOTION: Mr. Afflerbach made a motion to schedule a public hearing date to consider establishing a 30 MPH speed limit, on Old Cheapside Road, from Cuero City Limits to FM 766 in

Commissioner Precinct No. 1 to be held in the DeWitt County Courthouse at 9:00 a.m. on June 25, 2018. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

### **AERIAL FIREWORKS BAN (NO. 3)**

MOTION: Mr. Pilchick made a motion to adopt Court Order Number 2018-034, an order prohibiting certain fireworks in unincorporated areas of DeWitt County, Texas. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-1 with Mr. Afflerbach voting against the motion.

### **COMMISSIONERS COURT MEETING SCHEDULE (NO. 4)**

MOTION: Mr. Kaiser made a motion to cancel the June 13, 2018 Commissioners Court Meeting. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

### **PREDATOR TRAPPER REPORT (NO. 5)**

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

### **COUNTY ROAD INVENTORY (NO. 6)**

MOTION: Mr. Kaiser made a motion to receive letter from Texas Department of Transportation for the purpose of submitting updates to county road inventory and take no action. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

### **CERTIFICATE OF COMPLETION (NO. 7)**

MOTION: Mr. Kaiser made a motion to receive certificate of completion from Texas Department of Transportation, Center for Alcohol and Drug Education Studies certifying that Blanca McBride has completed a 4-hour Ignition Interlock Training for Judges training course. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

### **MEMORANDUM OF DONATION (NO. 8)**

MOTION: Mr. Kaiser made a motion to approve a monetary donation from BHP Billiton for purchase of safety equipment for firefighters in DeWitt County pursuant to Local Government Code § 81.032 in the amount of \$112,560.00. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

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

MOTION: Mr. Kaiser made a motion to approve a monetary donation from BHP Billiton in the amount of \$112,560.00 pursuant to Local Government Code § 81.032. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**TEMPORARY RIGHT OF WAY AGREEMENT (NO. 11)**

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 A. Metting 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. 12)**

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 Dudlefski 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. 13)**

MOTION: Mr. Kaiser 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 Czaja Bros. Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**PIPELINE CROSSING PERMIT (NO. 14)**

MOTION: Mr. Kaiser made a motion to approve pipeline crossing permit with JME Interests to cross Gruenau Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**PIPELINE CROSSING PERMIT (NO. 15)**

MOTION: Mr. Afflerbach made a motion to approve pipeline crossing permit application from JME Interests to cross Respondek Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

**PIPELINE CROSSING PERMIT (NO. 16)**

MOTION: Mr. Afflerbach made a motion to approve pipeline crossing permit application from JME Interests to cross Warzecha Lane in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

## **MINUTES (NO. 17)**

MOTION: Mr. Afflerbach 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 5-0.

## **ACCOUNTS PAYABLE (NO. 18)**

MOTION: Mr. Kaiser made a motion to approve partial payment of \$7,044.90 to Virtex LLC for damages incurred during installation of the fiber optic. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Kaiser made a motion to approve accounts payable for the amount of \$362,690.82. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

## **BUDGET AMENDMENT REQUESTS (NO. 19)**

None

## **PERSONNEL CHANGES (NO. 20)**

Blair Duran, Executive Secretary, County Judge; hired effective April 23, 2018; Category 3 Step 1; rate of pay to be \$1,441.19/bi-weekly \$18.01/hour; next possible step increase April 23, 2019

Charlotte Anderson, Dispatcher, Sheriff's Office; rehired effective April 26, 2018; Category 7 Step 1; rate of pay to be \$1,345.43bi-weekly \$16.82/hour; next possible step increase April 26, 2019

John Garoni, Part Time Deputy Sheriff; Sheriff's Office; hired effective April 27, 2018; rate of pay to be \$19.45/hour

Esther Francis, Chief Deputy, Tax Assessor-Collector's Office; step increase effective May 15, 2018; Category 3 Step 7; 12 years of employment; rate of pay to be \$1,756.96/bi-weekly \$21.96/hour; next possible step increase May 15, 2021; comp time will be paid out at time of step

Leonides Vasquez, Clerk, District Clerk's Office; step increase effective May 16, 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 May 16, 2021; comp time will be paid at time of step

Kristie Kolodziejcyk, Clerk, Health Department; step increase effective May 21, 2018; Category 1 Step 4; 5 years of employment; rate of pay to be \$1,317.27/bi-weekly \$16.47/hour; next possible step increase May 21, 2020; comp time will be paid at time of step

Celina Rodriguez, Deputy, Sheriff's Office; step increase effective May 22, 2018; Category 15 Step 2; 1 year of employment; rate of pay to be \$1,722.70/bi-weekly \$20.03/hour; next possible step increase May 22, 2019

Pamela Ficklen, Administrative Secretary, Extension Office; step increase effective May 28, 2018; Category 2 Step 4; 5 years of employment; rate of pay to be \$1,555.28/bi-weekly \$19.44/hour; next possible step increase May 28, 2020; comp time will be paid out at time of step

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. 21)**

None

#### **HURRICANE HARVEY INFORMATION UPDATE AND ACCOUNTS PAYABLE (NO. 22)**

No Hurricane Harvey update.

#### **COURTHOUSE/ANNEX EXPENDITURES/MAINTENANCE/IMPROVEMENTS (NO. 23)**

Judge Fowler reported that he had requested that David Slovacek seek several competitive bids for routine maintenance of the new boiler system.

#### **LEGISLATIVE UPDATE (NO. 24)**

No Legislative update.

#### **DISCUSSION OF COMMISSIONER PRECINCT OPERATIONS (NO. 25)**

Commissioner Precinct No. 1 - last pour on the second bridge on Kubala Store Road takes place tomorrow.

Commissioner Precinct No. 2 – working on Cattleguard Road.

Commissioner Precinct No. 3 – priming Nordheim Slickfield Road today and hopefully will chip seal next week weather permitting.

Commissioner Precinct No. 4 – Dentler Road is complete; Boggie Branch bridge re-build on Mission Valley Road was complete.

#### **PUBLIC COMMENT**

Emergency Management Coordinator Cyndi Smith reported that there is a subdivision going in on Benbow Road in Commissioner Precinct No. 2. This location is in the floodplain and there is no subdivision permit. Ms. Smith will talk with the property owner and request that all construction is stopped until further notice and that all subdivision paperwork has been filed and approved by Commissioners Court.



**EXECUTIVE/CLOSED SESSION (NO. 9)**

Judge Fowler announced a need for the court to go into a closed session held pursuant to § 551.074 of the Texas Government Code for the Commissioners Court to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee. Judge Fowler declared at 10:13 a.m. that the court is now in executive session and that County Judge Daryl L. Fowler would be the official keeper of the certified agenda.

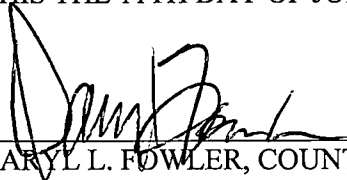
**DISCUSSION AND POTENTIAL ACTION (NO. 10)**

Court returned to open session at 11:42 a.m. with no action to be taken.


**ADJOURN (NO. 25)**

MOTION: Mr. Kaiser made a motion to adjourn. Mr. Randle seconded the motion. Motion carried on a vote of 5-0. [Adjourned at 11:45 a.m.]

THE FOREGOING MINUTES FOR THE MONTH OF MAY A.D. 2018 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 11TH DAY OF JUNE, A.D. 2018.

  
DARYL L. FOWLER, COUNTY JUDGE

ATTEST:

  
NATALIE CARSON, DE WITT COUNTY CLERK

