

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – AUGUST 10, 2020**

DeWitt County Commissioners Court met in regular session August 10, 2020 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:

Public Hearing (No. 1)

Public Hearing held in order to provide opportunity for public comments on establishing a 40 MPH speed limit on Charco Road in Commissioner Precinct No. 3. No one was present to speak either in favor or against.

Close Public Hearing (No. 2)

Judge Fowler closed the public hearing.

Rule on Public Hearing (No. 3)

MOTION: Mr. Kaiser made a motion to establish a 40 MPH speed limit on Charco Road in Commissioner Precinct No. 3 effective immediately for the total length of the road from FM 2980 to FM 239. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Child Welfare Board Interlocal Agreement (No. 5)

MOTION: Mr. Kaiser made a motion to approve Interlocal Agreement between DeWitt County and the DeWitt County Child Welfare Board effective today. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Certificate of Attendance (No. 6)

MOTION: Mr. Kaiser made a motion to receive Certificate of Attendance from the Texas Secretary of State for DeWitt County Elections Administrator Melissa Alcazar for successfully completing 17 hours of professional education and development from the 38th Annual Election Law Seminar for County Election Officials. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Election Judges and Alternates (No. 7)

MOTION: Mr. Randle made a motion to appoint election judges and alternate judges for General and Special Elections pursuant to Article 32.002, Texas Election Code for a 2-year term beginning September 1, 2020. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Termination of Contract (No. 8)

MOTION: Mr. Kaiser made a motion to receive letter notifying DeWitt County Juvenile Probation of termination of the contract with Karan Redus for psychological evaluation testing for juvenile offenders. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Contract for Services (No. 9)

MOTION: Mr. Kaiser made a motion to approve a one (1) year contract for a Family Conflict Resolution and Skills Training Program between Believe Behavioral Health and DeWitt County Juvenile Probation Department beginning September 1, 2020 through August 31, 2021. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Contract and Agreement (No. 10)

MOTION: Mr. Kaiser made a motion to approve a two (2) year Contract and Agreement for Pre Adjudication Services of Juvenile Offenders for detention services between DeWitt County and the Nueces County Juvenile Board beginning September 1, 2020 through August 31, 2022. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Contract for Services (No. 11)

MOTION: Mr. Kaiser made a motion to approve a one (1) year contract for individual, family and group counseling sessions between Deloris E. White M.A., LPC d/b/a Next Step Counseling and DeWitt County Juvenile Probation Department beginning September 1, 2020 through August 31, 2021. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Detention Services Agreement (No. 12)

MOTION: Mr. Kaiser made a motion to approve a contract between the Atascosa County Juvenile Services and the County of DeWitt for detention services of juvenile offenders beginning September 1, 2020. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Detention Services Agreement (No. 13)

MOTION: Mr. Kaiser made a motion to approve renewal of a one-year contract between the Guadalupe County Juvenile Services and the County of DeWitt for pre-adjudication detention services of juvenile offenders beginning October 1, 2020. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Detention Services Agreement (No. 14)

MOTION: Mr. Kaiser made a motion to approve a one (1) year contract for short-term detention services between Darrell B. Hester Juvenile Detention Center and DeWitt County Juvenile Probation Department beginning September 1, 2020 through August 31, 2021. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Residential Services Agreement (No. 15)

MOTION: Mr. Kaiser made a motion to approve a contract between the Center for Success and Independence at Rockdale Academy and the County of DeWitt for residential services of juvenile offenders beginning September 1, 2020. Mr. Pilchick seconded the motion. Motion carried on vote of 4-0.

Residential Services Agreement (No. 16)

MOTION: Mr. Kaiser made a motion to approve a one (1) year contract for residential care services between the L.I.F.E. Residential Program with Cameron County Juvenile Justice Department and DeWitt County Juvenile Probation Department beginning September 1, 2020 through August 31, 2021. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Residential Services Agreement (No. 17)

MOTION: Mr. Kaiser made a motion to approve a one (1) year contract for residential care services between Amador R. Rodriguez Juvenile Boot Camp & Educational Center and DeWitt County Juvenile Probation Department beginning September 1, 2020 through August 31, 2021. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Residential Services Agreement (No. 18)

MOTION: Mr. Kaiser made a motion to approve a contract between DeWitt County and Shoreline Inc. for residential services of juvenile offenders beginning September 1, 2020. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Residential Services Agreement (No. 19)

MOTION: Mr. Kaiser made a motion to approve a two (2) year Contract and Agreement for Residential Services of Juvenile Offenders between DeWitt County and the Nueces County Juvenile Board beginning September 1, 2020 through August 31, 2022. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Order Designating Emergency Management Coordinator as Exempt Employee Position (No. 20)

MOTION: Mr. Kaiser made a motion to approve Court Order #2020-042 designating DeWitt County's Emergency Management Coordinator as an exempt employee position pursuant to the U.S Department of Labor and 13(a)(1) of the Fair Labor Standards Act. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 21)

MOTION: Mr. Kaiser made a motion to approve permit application with Burlington Resources Oil & Gas Company 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 with Judge Fowler absent.

Temporary Right of Way (No. 22)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement with Burlington Resources Oil & Gas Company 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 with Judge Fowler absent.

Temporary Right of Way (No. 23)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement with Burlington Resources Oil & Gas Company 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 with Judge Fowler absent.

Road Construction Services Contract with ABN Construction (No. 24)

Court passed on this agenda item.

Road Construction Services Bid (No. 25)

MOTION: Mr. Kaiser made a motion to authorize Auditor to advertise for Road Construction Services (Labor & Equipment Rental) for the period of October 1, 2020 through September 30, 2021. Mr. Randle seconded the motion. Motion carried on a vote of 3-0 with Judge Fowler absent.

Monthly Report of Officials (No. 26)

MOTION: Mr. Kaiser made a motion to approve monthly report of officials. Mr. Randle seconded the motion. Motion carried on a vote of 3-0 with Judge Fowler absent.

County Auditor's Monthly Report (No. 27)

MOTION: Mr. Randle made a motion to receive report County Auditor's Monthly Report. Mr. Kaiser seconded the motion. Motion carried on a vote of 3-0 with Judge Fowler absent.

County Treasurer's Monthly Report (No. 28)

MOTION: Mr. Kaiser made a motion to receive report and approve Order Approving Treasurer's Monthly Report, Court Order Number 2020-043. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Minutes (No. 29)

MOTION: Mr. Kaiser made a motion to approve minutes of the previous term of court. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Accounts Payable (No. 30)

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

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

Ratified Accounts Payable (No. 31)

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. 32)

None

Personnel Changes (No. 33)

Jason Wallace, Community Activity Officer, Juvenile Probation Department; position title changed from Truancy Caseworker to Community Activity Officer (fully funded by State Aid Grant) effective September 1, 2020; 2 years 11 months of employment; rate of pay to be \$20.88/hour;

Kandis May, Clerk, Tax Assessor Office; step increase effective August 27, 2020; Category 1 Step 3; 2 years of employment; rate of pay to be \$16.87/hour; next possible step increase August 27, 2023

Ruben Garcia, Equipment Operator, Precinct 3; step increase effective August 12, 2020; Category 17 Step 5; 7 years of employment; rate of pay to be \$21.23/hour; next possible step increase August 12, 2023

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

Bonds (No. 34)

None

CARES Act Discussion (No. 4)

Court discussed Coronavirus Aid, Relief and Economic Security Act and the \$150 billion Coronavirus Relief Fund for state, county and municipal governments.

Workshop on 2021 Budget (No. 40)

MOTION: Mr. Kaiser made a motion to propose a tax rate of 0.46937. Mr. Randle seconded the motion.

Record Vote: Commissioner Precinct 1 Absent
Commissioner Precinct 2 "Aye"
Commissioner Precinct 3 "Aye"
Commissioner Precinct 4 "Aye"
County Judge "Aye"

County Auditor Carrie Rea reported that she is changing the proposed FY2021 budget by adding the amount of \$438,379.00 in the construction fund as the beginning balance and expenditure for the basement work since the work is not going to be performed within the FY2020 budget.

County Building Workshop (No. 39)

Court discussed the name of the new annex building to be the DeWitt County Annex and rename the current annex to the DeWitt County Weber Annex since it is historically the Weber building.

Consensus of the court was to name the new building the DeWitt County Annex.

Mr. Randle reported that the piers will be completed the middle of this week and will begin working on the beams next week.

Courthouse/Annex Expenditures/Maintenance/Improvements (No. 35)

Judge Fowler reported that the new chiller is being installed.

Judge Fowler reported that the permits for work on historical buildings last for six (6) months. Mr. Komatsu has submitted a letter requesting an extension of the permits. The proposed completion date of the courthouse basement water project is March 1, 2021.

Legislative Update (No. 36)

No Legislative update.

Discussion of Commissioner Precinct Operations (No. 37)

Commissioners Precinct No. 2, 3 and 4 reported on normal precinct operations.

Motorola Update (No. 38)

No Motorola project update.

COVID-19 Disaster Update (No. 41)

No COVID-19 update.

Adjourn (No. 42)

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 10:39 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
SPECIAL MEETING – AUGUST 10, 2020**

DeWitt County Commissioners Court met in special session August 10, 2020 at 3:00 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 James B. Pilchick Sr., Precinct No. 2
Commissioner James Kaiser, Precinct No. 3
Commissioner Richard Randle, Precinct No. 4

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Resolution for Signature Authority (No. 1)

MOTION: Mr. Pilchick made a motion to adopt Court Order Number 2020-044 authorizing the signature authority for an additional County of DeWitt Bank Account. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

Adjourn:

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 3:13 p.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – AUGUST 24, 2020**

DeWitt County Commissioners Court met in regular session August 24, 2020 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.**New Business:**

Public Hearing (No. 1)

Public Hearing held in order to provide opportunity for public comments on the proposed annual written archive plan for funding the preservation and restoration of the county clerk’s records archive pursuant to Local Government Code 118.025. No one was present to speak either for or 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 approve the annual archive plan for preservation and restoration of the county clerk's record archive pursuant to Local Government Code § 118.025. Mr. Kaiser 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 the proposed annual written plan for the preservation and restoration of the district court records archive pursuant to Government Code 51.305. No one was present to speak either for or against.

Close Public Hearing (No. 5)

Judge Fowler closed the public hearing.

Rule on Public Hearing (No. 6)

MOTION: Mr. Randle made a motion to approve the annual archive plan for the preservation and restoration of the district clerk's records archive pursuant to Government Code 51.305. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Public Hearing on the Proposed FY2021 Budget and the 2020 Tax Rate (No. 7)

Public Hearing held in order to provide opportunity for public comments on the proposed FY2021 budget and the 2020 tax rate.

Judge Fowler presented information on the proposed FY2021 budget and 2020 tax rate. Anton Machacek, Margie Kacir and Barbie Dolan spoke against the cost of living pay increase for elected officials and employees.

Close Public Hearing (No. 8)

Judge Fowler closed the public hearing.

Action on Proposed FY2021 Budget (No. 9)

MOTION: Mr. Pilchick made a motion to adopt Commissioners Court Order #2020-046 approving the proposed DeWitt County FY 2021 Budget. Mr. Kaiser seconded the motion.

Record Vote: Commissioner Precinct 1 "Aye"
Commissioner Precinct 2 "Aye"
Commissioner Precinct 3 "Aye"
Commissioner Precinct 4 "Aye"
County Judge "Aye"

Action on Tax Rate (No. 10)

MOTION: Mr. Randle made a motion to adopt Commissioners Court Order No. 2020-047, setting the 2020 Maintenance and Operating Tax Rate at a tax rate of 0.46937, out of a total tax rate of 0.46937 pursuant to Local Government Code §81.006 and Tax Code §26.05(b). Mr. Afflerbach seconded the motion.

Record Vote: Commissioner Precinct 1 “Aye”
Commissioner Precinct 2 “Aye”
Commissioner Precinct 3 “Aye”
Commissioner Precinct 4 “Aye”
County Judge “Aye”

Job Classification and Salary Schedule for 2021 (No. 11)

MOTION: Mr. Kaiser made a motion to approve the Job Classification and Salary Schedule for DeWitt County Officials Employees during FY2021. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Order Setting Salary of DeWitt County Officials and Employees for FY 2021 (No. 12)

MOTION: Mr. Kaiser made a motion to approve FY2021 Salary Order, Court Order #2020-045. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Order Setting Salary of DeWitt County Auditor and Assistants (No. 13)

MOTION: Mr. Randle made a motion to receive the Order Setting Salary of the DeWitt County Auditor & Assistants from the 24th, 135th and 267th District Courts for the fiscal year beginning October 1, 2020 and enter into the minutes of the Court. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

De-Go-La Resource Conservation (No. 14)

MOTION: Mr. Kaiser made a motion to pay the sponsorship fee of \$250.00 with De-Go-La Resource Conservation and Development Project. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Texas Historical Commission Extension Letter (No. 15)

MOTION: Mr. Kaiser made a motion to receive letter from Texas Historical Commission regarding extension of the DeWitt County Courthouse’s Historic Structures Permit. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Order of Election (No. 16)

Court passed on this agenda item.

National Highway System Modification Approval Form (No. 17)

MOTION: Mr. Kaiser made a motion to receive form modifying designation of Highway 77 from Minor Arterial to Principal Arterial – Other in the National Highway System and ratify approval. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Interlocal Agreement (No. 18)

Court passed on this agenda item.

Interlocal Agreement (No. 19)

Court passed on this agenda item.

Inmate Health Services Agreement (No. 20)

MOTION: Mr. Afflerbach made a motion to approve the renewal rate for the (Inmate) Health Services Agreement between Southern Health Partners and DeWitt County for the period beginning October 1, 2020 through September 30, 2021. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Practitioner Agreement (No. 21)

MOTION: Mr. Pilchick made a motion to approve the Practitioner Agreement by and between TML Multistate Intergovernmental Employee Benefits Pool and Cuero-DeWitt County Health Department for the City of Yoakum, Date of Service - October 13, 2020. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Field Agreement for Predatory Animal Control (No. 22)

MOTION: Mr. Randle made a motion to approve a Field Agreement between the County of DeWitt and the USDA, Texas AgriLife Extension, and Texas Wildlife Damage Management Association, Inc. for predatory animal control beginning October 1, 2020 and ending September 30, 2021. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Professional Services Contract (No. 23)

MOTION: Mr. Kaiser made a motion to extend an Agreement between Cornerstone Government Affairs, Inc. and DeWitt County for strategic consulting and advocacy services (governmental affairs). Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Accounts Payable (No. 24)

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. 25)

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

Budget Amendment Requests (No. 26)

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

MOTION: Mr. Kaiser made a motion to approve the revenue adjustment of \$5,764.00 of State Grant funding in the Juvenile Probation Department. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Personnel Changes (No. 27)

Bethany McBride-Hobbs, Deputy/Investigator, Sheriff’s Office; position restructuring effective October 1, 2020; Category 15 Step 2; 5 months of employment; rate of pay to be \$21.89/hour; next possible step increase April 6, 2022

Clint W. Fellers, Jailer, Sheriff’s Office; step increase effective September 17, 2020; Category 12 Step 3; 2 years of employment; rate of pay to be \$19.05/hour; next possible step increase September 17, 2023

Brandon Caldwell, Dispatcher, Sheriff’s Office; termination effective August 9, 2020; 1 year 11 months of employment

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. 28)

None

Courthouse/Annex Expenditures/Maintenance/Improvements (No. 29)

No update

Legislative Update (No. 30)

Judge Fowler reported that he had lunch last week with the Executive Director of STEER and another representative of that organization. A meeting is being arranged for the President of the Texas Oil & Gas Association Todd Staples to come to Conoco facility in Kenedy.

Discussion of Commissioner Precinct Operations (No. 31)

Commissioner Precinct No. 1 reported that Nolte-Boehl Road has been completed and should finish placing limestone on Heider Road and Zimmerman Road today. Mr. Afflerbach requested the okay from Mr. Kaiser to go in on Lincke & Kubala Store Road and place curbs and 4-way stop signs.

Commissioner Precinct No. 2 reported that a big rig is scheduled to go up on Williams Road. Mr. Pilchick advised the company due to the bridge rating that they would need to speak with TxDOT to see what needs to be done to cross the bridge.

Commissioner Precinct No. 3 reported that Bubba Palmer is re-topped, one-half of Tully Road is re-topped and Old Clinton Road will be re-topped before the end of the year.

Commissioner Precinct No. 4 reported normal operations.

Motorola Update (No. 32)

No Motorola project update.

County Building Workshop (No. 33)

Mr. Randle reported that the piers have been poured, starting on beam work and plumbing conduit.

COVID-19 Disaster Update (No. 34)


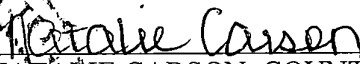
No COVID-19 disaster update.

Adjourn (No. 35)

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 11:58 a.m.]

THE FOREGOING MINUTES FOR THE MONTH OF AUGUST A.D. 2020 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 14TH DAY OF SEPTEMBER, A.D. 2020.


CURTIS AFFLERBACH, PRO TEM


ATTEST: 
NATALIE CARSON, COUNTY CLERK