

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS  
REGULAR MEETING – JUNE 5, 2019**

DeWitt County Commissioners Court met in regular session June 5, 2019 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:**

**PAYROLL DISBURSEMENTS (NO. 1)**

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

**AWARD OF BID PROPOSAL (NO. 2)**

MOTION: Mr. Randle made a motion to ratify the ranking committee's number one ranked proposer and to authorize entering into a verbally pre-approved AIA contract with Weaver & Jacobs Constructors, Inc. as Construction Manager at Risk for the proposed new County Annex Building. Mr. Kaiser seconded the motion. Motion carried on a vote of 3-0.

**MOTOROLA UPDATE (NO. 3)**

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

**ACCOUNTS PAYABLE (NO. 4)**

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

**PERSONNEL CHANGES (NO. 5)**

Keira Merrill, Dispatcher, Sheriff Office; hired effective May 22, 2019; Category 7 Step 1; rate of pay to be \$1,385.79/bi-weekly \$17.32/hourly; next possible step increase May 22, 2020

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

**PUBLIC COMMENT**

Sheriff Carl Bowen addressed the court about Motorola request for additional funds.

**ADJOURN (NO. 6)**

MOTION: Mr. Randle made a motion to adjourn. Mr. Kaiser seconded the motion. Motion carried on a vote of 3-0. [Adjourned at 2:05 p.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS  
REGULAR MEETING – JUNE 10, 2019**

DeWitt County Commissioners Court met in regular session June 10, 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**

Mr. Afflerbach 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 a proposal to establish a 35 MPH speed limit on Sapp Road in Commissioner Precinct No. 2, a 45 MPH speed limit on Tamm Road in Commissioner Precinct No. 3, a 45 MPH speed limit on Callahan Road in Commissioner Precinct No. 3, and a 35 MPH speed limit on Biemer Road & Spies 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. Kaiser made a motion to establish a 35 MPH speed limit on Sapp Road in Commissioner Precinct No. 2 for the entire road effective when the signs go up. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Kaiser made a motion to establish a 45 MPH speed limit on Tamm Road in Commissioner Precinct No. 3 for the entire road effective when the signs go up. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Kaiser made a motion to establish a 45 MPH speed limit on Callahan Road in Commissioner Precinct No. 3 for the entire road effective when the signs go up. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Kaiser made a motion to establish a 35 MPH speed limit on Biemer Road in Commissioner Precinct No. 1 for the entire road effective when the signs go up. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Kaiser made a motion to establish a 35 MPH speed limit on Spies Road in Commissioner Precinct No. 1 for the entire road effective when the signs go up. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**DeWITT COUNTY AGRILIFE EXTENSION AGENT (NO. 4)**

Court heard introductions from DeWitt County AgriLife Extension Agent Anthony Netardus of his new employee, summer intern Allison Drabek. No action taken.

**STEVENSON UNIT 25TH ANNIVERSARY PROCLAMATION (NO. 5)**

MOTION: Mr. Randle made a motion to adopt a proclamation celebrating the 25th anniversary of the Texas Department of Criminal Justice – Stevenson Unit. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

**MOTOROLA PROPOSAL (NO. 6)**

Court heard presentation regarding equipment required for additional tower locations. No action taken.

### **MEMORANDUM OF AGREEMENT EXTENSION (NO. 7)**

MOTION: Mr. Kaiser made a motion to approve the extension of the current Memorandum of Agreement Extension between U.S. Immigration and Customs Enforcement (ICE) a component of the Department of Homeland Security (DHS) and the DeWitt County Sheriff's Office delegating certain immigration enforcement functions as specified. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

### **INDEPENDENT EXTERNAL AUDIT (NO. 8)**

MOTION: Mr. Pilchick made a motion to authorize an annual outside audit of DeWitt County financial statements for the year ending September 30, 2019 by Harrison, Waldrop & Uherek. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

### **INDEPENDENT EXTERNAL AUDIT (NO. 9)**

MOTION: Mr. Kaiser made a motion to authorize Harrison, Waldrop & Uherek to do an annual outside audit of DeWitt County Juvenile Probation Funds for the year ending August 31, 2019. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

### **RATIFY BOND (NO. 10)**

MOTION: Mr. Kaiser made a motion to ratify the bond to the county for DeWitt County Tax Assessor Collector Ashley Mraz. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

### **COUNTY BUILDING WORKSHOP (NO. 26)**

Court discussed county buildings due to new annex construction.

### **UNCLAIMED CAPITAL CREDITS (NO. 11)**

MOTION: Mr. Randle made a motion to authorize a written request to Texas Comptroller of Public Accounts Pursuant to §74.602 of the Texas Property Code for allocation of a portion of unclaimed capital credits received from electric cooperatives back to counties in cooperatives' service area and certify the purpose of the funds is in compliance with the provisions of §381.004 of the Local Government Code for 2018 reporting years. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

### **AWARD OF BID (NO. 12)**

MOTION: Mr. Afflerbach made a motion to receive bids for bridge construction on Dubose Ranch Road and Matejek Road in Commissioner Pct. 1 and award bid to Wakefield Bridge Inc. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

**TEMPORARY RIGHT OF WAY AGREEMENT (NO. 13)**

MOTION: Mr. Pilchick made a motion to permit application from Select Energy Services for installation of a dual water line along Richter Road in Commissioner Precinct No. 2. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

**DECLARE FIXED ASSETS AS SALVAGE (NO. 14)**

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 4-0 with Judge Fowler absent.

**AUTHORIZE AUDITOR TO SELL SURPLUS PROPERTY (NO. 15)**

MOTION: Mr. Afflerbach made a motion to authorize Auditor to sell surplus property: Inventory #4332 – 2005 Chevrolet ¾ Ton Truck in possession of the Commissioner, Pct. #1, pursuant to Local Government Code 263, Subchapter D by means of an online auction. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

**MONTHLY REPORT OF OFFICIALS (NO. 16)**

County Auditor reported that her office had received monthly reports from all officials.

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

**COUNTY AUDITOR'S MONTHLY REPORT (NO. 17)**

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

**COUNTY TREASURER'S MONTHLY REPORT (NO. 18)**

MOTION: Mr. Kaiser made a motion to receive report County Treasurers Monthly Report and approve Order Approving Treasurer's Monthly Report, Order Number 2019-042. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

**MINUTES (NO. 19)**

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

## **ACCOUNTS PAYABLE (NO. 20)**

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

## **BUDGET AMENDMENT REQUESTS (NO. 21)**

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

## **PERSONNEL CHANGES (NO. 22)**

Lisa Campos, IHC Administrator, Indigent Healthcare; assignment of additional responsibility effective July 1, 2019; 3 years 9 months of employment; rate of pay to be \$480.00/month

Kristie Kolodziejcyk, IHC Clerk, Indigent Healthcare; assignment of additional responsibility effective July 1, 2019; 6 years 1 month of employment; rate of pay to be \$480.00/month

Julius Hull, IHC/Veterans Officer; resignation effective June 28, 2019; 5 years 3 months

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

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

No report on courthouse/annex expenditures/maintenance/improvements.

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

No Legislative update.

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

Commissioners discussed normal precinct operations.

## **PUBLIC COMMENT**

None

## **ADJOURN (NO. 27)**

MOTION: Mr. Kaiser made a motion to adjourn. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent. [Adjourned at 10:30 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS  
REGULAR MEETING – JUNE 19, 2019**

DeWitt County Commissioners Court met in regular session June 19, 2019 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:**

**PAYROLL DISBURSEMENTS (NO. 1)**

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

**ACCOUNTS PAYABLE (NO. 4)**

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

**PERSONNEL CHANGES (NO. 5)**

Rachael Hernandez, Deputy, District Clerk; step increase effective June 10, 2019; Category 1 Step 9; 17 years of employment; rate of pay to be \$1,590.71/bi-weekly \$19.88/hour; next possible step increase June 10, 2022; comp time will be paid out at time of step

Christopher Romans, Jailer, Sheriff Office; hired effective June 3, 2019; Category 12 Step 1; rate of pay to be \$1,489.73/bi-weekly \$17.32/hour; next possible step increase June 3, 2020

Phillip Cisneros, Jr., Equipment Operator, Precinct 1; step increase effective June 23, 2019; Category 17 Step 4; 5 years of employment; rate of pay to be \$1,601.94/bi-weekly \$20.02/hour; next possible step increase June 23, 2019; comp time will be paid out at time of step

Holly Mulligan, Part-Time Assistant, Elections; hired effective June 3, 2019; rate of pay to be \$14.33/hour

Nikole Nelson, Clerk, Juvenile Probation; step increase effective June 19, 2019; Category 1 Step 3; 2 years of employment; rate of pay to be \$1,310.00/bi-weekly \$16.37/hourly; next possible step increase June 19, 2022; comp time will be paid out at time of step

Richard Ramirez, Sergeant/Investigator, Sheriff Office; step increase effective June 6, 2019; Category 14 Step 4; 5 years of employment; rate of pay to be \$1,966.50/bi-weekly \$22.87/hour; next possible step increase June 6, 2019; comp time will be paid out at time of step

Herman Hernandez, Jr., Patrol Deputy, Sheriff Office; step increase effective June 23, 2019; Category 15 Step 4; 5 years of employment; rate of pay to be \$1,874.98/bi-weekly \$21.80/hour; next possible step increase June 23, 2019; comp time will be paid out at time of step

Chyann Sammons, Executive Secretary, District Attorney; step increase effective June 4, 2019; Category 3 Step 5; 7 years of employment; rate of pay to be \$1,716.10/bi-weekly \$21.45/hourly; next possible step increase June 4, 2022; comp time will be paid out at time of step

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

### **MOTOROLA UPDATE (NO. 2)**

County Attorney Raymond H. Reese gave an update on the Motorola project Change Order #TX018I295A.

### **MOTOROLA CONTRACT (NO. 3)**

MOTION: Mr. Randle made a motion to approve the Change Order #TX-18I295A for the structural towers, associated buildings and equipment on a municipal lease of five (5) years. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

### **PUBLIC COMMENT**

Mr. Randle reported that he had received paperwork of drawings, pictures and recommendation for the leveling of the Bates Sheppard house (Historical Museum).

Mr. Afflerbach reported that the airport committee met and approve the purchase of land for the airport. The county will need to discuss this item during budget work sessions.

### **ADJOURN (NO. 6)**

MOTION: Mr. Kaiser made a motion to adjourn. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0. [Adjourned at 2:30 p.m.]



**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS  
REGULAR MEETING – JUNE 24, 2019**

DeWitt County Commissioners Court met in regular session June 24, 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.

**NEW BUSINESS:**

**TEXAS HISTORICAL COMMISSION 2018 DISTINGUISHED SERVICE AWARD CERTIFICATE (NO. 1)**

DeWitt County Historical Commission was presented the Texas Historical Commission 2018 Distinguished Service Award in recognition of its active and well-balanced preservation program.

**COMMISSIONERS ROAD REPORTS (NO. 2)**

**MOTION:** Mr. Afflerbach made a motion to receive the Commissioner's Road Reports for FY 2019 for DeWitt County Precinct No. 1, Precinct No. 2, Precinct No. 3, and Precinct No. 4, and forward them to the grand jury pursuant to the provisions outlined in the Texas Transportation Code Chapter 251.005 and 251.018. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**LAW ENFORCEMENT SUPPORT OFFICE APPLICATION (NO. 3)**

**MOTION:** Mr. Randle made a motion to ratify DeWitt County Sheriff's Office application for participation with the Law Enforcement Support Office. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**DEPARTMENT OF STATE HEALTH SERVICES FISCAL COMPLIANCE REPORT  
(NO. 4)**

MOTION: Mr. Afflerbach made a motion to receive report regarding fiscal compliance by DeWitt County Health Department. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**CONSIDERATION OF ORDER FOR DISBURSEMENT OF SALARIES AND ROUTINE OFFICE EXPENSES (NO. 5)**

MOTION: Mr. Randle made a motion to adopt Court Order #2019-041 for the disbursement of salaries & routine office expenses according to SB 354 approved by the 86<sup>th</sup> Legislative Session of Texas. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Kaiser made a motion to adopt Court Order #2019-044 styled First Amended Court Order Designating the Day of the Week the Court Shall Convene pursuant to LGC §81.005. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

**NATIONAL FLOODPLAIN INSURANCE PROGRAM AUDIT (NO. 6)**

Court received information and provided opportunity for questions about audit by the Texas Water Board for the National Floodplain Insurance Program. No action taken.

**HEALTH INSURANCE RENEWAL (NO. 7)**

MOTION: Mr. Kaiser made a motion to renew the employee health insurance benefit plan provided through Texas Association of Counties Risk Pool. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**NATIONWIDE LIFE INSURANCE COMPANY/FIXED ACCOUNT AMENDMENT (NO. 8)**

No action taken.

**AMENDMENT TO SALARY ORDER (NO.9)**

MOTION: Mr. Kaiser made a motion to amend the DeWitt County Salary Order # 2019-043 to include health department personnel assuming duties for indigent health care services. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**COUNTY POLICY ON DRUG TESTING AFTER ACCIDENT (NO. 10)**

Court discussed the county's policy for Drug and Alcohol Testing After any Accident. No action taken.

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

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 H. Koopman 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 with Burlington Resources Oil & Gas LP for installation of a dual water line along Alfred Blaschke Road & Simpson Ranch 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 with Burlington Resources Oil & Gas LP for installation of a dual water line along Simpson Ranch 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 Burlington Resources Oil & Gas LP 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. Kaiser made a motion to approve pipeline crossing permit with Burlington Resources Oil & Gas LP to cross Schultz Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**COUNTY TREASURER'S MONTHLY REPORT (NO. 16)**

No action taken.

**ACCOUNTS PAYABLE (NO. 17)**

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

**BUDGET AMENDMENT REQUESTS (NO. 18)**

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. 19)**

None

**BONDS (NO. 20)**

Andrew Jay Condie -- County Attorney

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

**COURTHOUSE/ANNEX EXPENDITURES/MAINTENANCE/IMPROVEMENTS (NO. 21)**

Judge Fowler discussed the courthouse roof and elevator issues.

**LEGISLATIVE UPDATE (NO. 22)**

None

**DISCUSSION OF COMMISSIONER PRECINCT OPERATIONS (NO. 23)**

Commissioners discussed routine precinct operations.

**COUNTY BUILDING WORKSHOP (NO. 24)**

Court discussed county buildings due to new annex construction.

**WORKSHOP ON FY2020 BUDGET (NO. 25)**

Court held a workshop on FY2020 budget.

**PUBLIC COMMENT**

None

**ADJOURN (NO. 26)**

MOTION: Mr. Kaiser made a motion to adjourn. Mr. Randle seconded the motion. Motion carried on a vote of 5-0. [Adjourned at 11:35 a.m.]

THE FOREGOING MINUTES FOR THE MONTH OF JUNE A.D. 2019 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 8TH DAY OF JULY, A.D. 2019.



A handwritten signature in black ink, appearing to read "Daryl L. Fowler", is written over a horizontal line.

DARYL L. FOWLER, COUNTY JUDGE

ATTEST: Natalie Carson

NATALIE CARSON, DE WITT COUNTY CLERK