

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS  
REGULAR MEETING – NOVEMBER 7, 2018**

DeWitt County Commissioners Court met in regular session November 7, 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.

**REQUEST TO CANCEL TURKEY CREEK SUBDIVISION (NO. 1)**

MOTION: Mr. Afflerbach made a motion to receive the request of Devon Energy Production Company LP, owners of Turkey Creek Subdivision, to cancel said subdivision and schedule a public hearing for December 5, 2018 at 1:30 p.m. at the DeWitt County Courthouse Courtroom. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**AT&T FIRSTNET (NO. 2)**

MOTION: Mr. Randle made a motion to move the Sheriff Office data air cards to AT&T FirstNet for twenty-one (21) device data only with tethering at \$37.00 each at a monthly charge of \$777. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**PAYROLL DISBURSEMENTS (NO. 11)**

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

**REPLACEMENT OF BOILERS AT JAIL (NO. 3)**

MOTION: Mr. Randle made a motion to receive Estimate #788 from Brandt Companies and approve the purchase and installation of three (3) hot water heaters in the jail at a cost of \$96,562.00. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**HVAC SERVICE CONTRACT RENEWAL (NO. 9)**

MOTION: Mr. Pilchick made a motion to approve the renewal of the Trane Scheduled Service Agreement, ID # 2539417, for the courthouse HVAC system at an annual cost of \$11,013.00 and take advantage of the single payment discount of \$330.39. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**DISTRICT ATTORNEY RESOLUTION (NO. 5)**

MOTION: Mr. Kaiser made a motion to adopt a resolution from the District Attorney's office requesting to be under the Professional Prosecutor's Act, Court Order Number 2018-065. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**DEWITT COUNTY HAZARD MITIGATION PLAN (NO. 6)**

MOTION: Mr. Afflerbach made a motion to adopt Court Order Number 2018-066, a Resolution of the Commissioners Court on the County of DeWitt Approving the DeWitt County Hazard Mitigation Plan dated October 31, 2018. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**FEMA PROJECT COMPLETION (NO. 7)**

MOTION: Mr. Randle made a motion to approve the closure of FEMA Projects DR 4332 PW 1176 (0012249-Thomaston River Road Repairs) and DR 4332 PW 2332 (0010885-Rainbow Road Repairs) as projects are completed and paid. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**FEMA PROJECT REQUEST FOR REIMBURSEMENT (NO. 8)**

MOTION: Mr. Randle consider approval of the Request for Reimbursement Form for FEMA Project DR 4332 PW 352 (Thomaston River Bridge and Road Approach). Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**ACCOUNTS PAYABLE (NO. 10)**

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

**PERSONNEL CHANGES (NO. 12)**

Christopher Garcia, Deputy, Sheriff Office; hired effective October 30, 2018; Category 15 Step 1; rate of pay to be \$1,724.09/bi-weekly \$20.05/hour, cell \$16.16; next possible step increase October 30, 2019

Randall Mormon, Jailer Maintenance, Sheriff Office; step increase effective November 21, 2018; Category 12 Step 5; 7 years of employment; rate of pay to be \$1,690.91/bi-weekly \$19.66/hour; next possible step increase November 21, 2021; comp time will be paid out at time of step

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

#### **COUNTY CLERK OFFICE SPACE (NO. 4)**

MOTION: Mr. Randle made a motion to authorize the county judge to proceed with pursuing a contract for lease or rent of the GeoSouthern building with proper inspections of fire codes and electrical codes. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

#### **PUBLIC COMMENT**

None

#### **ADJOURN (NO. 13)**

MOTION: Mr. Randle made a motion to adjourn. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0. [Adjourned at 3:00 p.m.]

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

DeWitt County Commissioners Court met in regular session November 14, 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 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.

## **INSURANCE RENEWAL APPLICATION (NO. 2)**

MOTION: Mr. Kaiser made a motion to approve the professional liability policy of the Cuero-DeWitt County Health Department for renewal period beginning December 1, 2018, authorize the renewal application for policy number HMA 4032280030 issued through Columbia Casualty Company, and authorize payment of \$3,806.25 annual premium. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

## **MEMORANDUM OF UNDERSTANDING (NO. 3)**

MOTION: Mr. Pilchick made a motion to approve the memorandum of understanding between the Texas Department of State Health Services and Cuero-DeWitt County Health Department to submit and access electronic health data through the TxS2 system for supporting public health syndromic surveillance for a term of five years. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

## **TEXAS COUNTY AND DISTRICT RETIREMENT SYSTEM (NO. 4)**

MOTION: Mr. Randle made a motion to receive plan assessment for plan year 2019 effective January 1, 2019 for the Texas County and District Retirement System with no changes. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

## **COUNTY CLERK OFFICE SPACE (NO. 5)**

Passed

## **AUTHORIZE AUDITOR TO SELL SURPLUS PROPERTY (NO. 6)**

MOTION: Mr. Kaiser made a motion to authorize Auditor to sell surplus property: Inventory #3223 Bush Hog 2615 Bat-Wing Mower and Inventory #4054 Bush Hog 2615 Bat-Wing Mower, both in possession of Commissioner, Precinct #3, pursuant to Local Government Code 263, Subchapter D. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

## **COUNTY TREASURER'S MONTHLY REPORT (NO. 7)**

MOTION: Mr. Kaiser made a motion to receive and approve Order Approving Treasurer's Monthly Report. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

## **PAYROLL RATIFICATION (NO. 8)**

MOTION: Mr. Kaiser made a motion to approve the November 9th corrected payroll disbursements. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

**ACCOUNTS PAYABLE (NO. 9)**

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

**PAYROLL DISBURSEMENTS (NO. 10)**

None

**PERSONNEL CHANGES (NO. 11)**

None

**PUBLIC COMMENT**

Randall and Rosemary Burt addressed the court concerning the damage to Bialek Road caused by the gravel trucks.

Tom Cheatham addressed the court concerning the drainage problems on Hotz Road.

**CANVASS OF ELECTION RETURNS (NO. 1)**

Court canvassed the election returns for the November 6, 2018 General Election.

**ADJOURN (NO. 12)**

MOTION: Mr. Kaiser made a motion to adjourn. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0. [Adjourned at 2:50 p.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS  
REGULAR MEETING – NOVEMBER 20, 2018**

DeWitt County Commissioners Court met in regular session November 20, 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 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:**

### **SCHEDULE PUBLIC HEARING DATE (NO. 1)**

MOTION: Mr. Pilchick made a motion to set a public hearing date for the stop signs at the intersections of Hahn Road & Stratton Road and Matthew-Adams Road & Stratton on Monday December 10, 2018 at 9:00 a.m. at the DeWitt County Courtroom. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

### **COUNTY CLERK OFFICE SPACE (NO. 2)**

County Clerk Natalie Carson advised that the county was waiting on access for the City of Cuero Fire Chief/Fire Marshall to perform a walk thru and evaluate the building. No action taken.

### **ACCOUNTS PAYABLE (NO. 3)**

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

### **PAYROLL DISBURSEMENTS (NO. 4)**

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

### **PERSONNEL CHANGES (NO. 5)**

Dennis Fenner, Jailer, Sheriff Office; retirement effective November 16, 2018; 10 years 3 months of employment; comp and vacation time will be paid out on last check

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

## **PUBLIC COMMENT**

Mr. Randle reported that Mr. Dents had the foundation company explore underneath the DeWitt County Historical Museum. As soon as the ground underneath dries out, the foundation company and Mr. Komatsu will have, a crew explore underneath and do a video in order to get a good evaluation for the possibility of leveling.

County Auditor Carrie Rea reported that she had received an email, along with Judge Fowler and EMC Cyndi Smith, from FEMA and she need some clarification from Cyndi Smith.

Mrs. Rea reported that the auditor's office had received a bill from AT&T and was unsure what services the bills covered. Mrs. Rea will get with the IT department and Sheriff Bowen.

Mrs. Rea reported that the new Tahoe should arrive next week. The auditor's office will put up the old Tahoe for sale.

Mrs. Rea reported that she was advised last week while attending the HCSS User Conference that the current financial software will be going away.

**ADJOURN (NO. 6)**

MOTION: Mr. Pilchick made a motion to adjourn. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0. [Adjourned at 9:30 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS  
REGULAR MEETING – NOVEMBER 26, 2018**

DeWitt County Commissioners Court met in regular session November 26, 2018 at 9:00 a.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 B. Pilchick Sr., Precinct No. 2  
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.

**CERTIFICATE OF COMPLETION (NO. 1)**

MOTION: Mr. Randle made a motion to receive 2018 Certificate of Completion for Emergency Management Coordinator Cyndi Smith from the National Emergency Management Basic Academy for the successful completion of their program. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

**CHILD WELFARE BOARD RESIGNATION AND APPOINTMENTS (NO. 2)**

MOTION: Mr. Pilchick made a motion to accept the resignation of the president of the DeWitt County Welfare Board, Kollette Tolbert and to appoint of Mellissa Holcombe as the new temporary president of the DeWitt County Welfare Board until an official vote is conducted; as well as allowing Mellissa Holcombe access to the debit card for the Welfare Board account in order to conduct their business. Mr. Randle seconded the motion. Motion carried on a vote of 3-0.

**LEASE AGREEMENT (NO. 3)**

Passed

**COUNTY CLERK OFFICE SPACE (NO. 4)**

Passed

**INTERNET SERVICES AGREEMENT (NO. 5)**

MOTION: Mr. Randle made a motion to approve with options selected the agreement between County Information Resources Agency (CIRA) and DeWitt County for web hosting and email services. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

**COMMISSIONERS COURT MEETING SCHEDULE (NO. 6)**

MOTION: Mr. Randle made a motion to cancel the regularly scheduled Commissioners Court Meeting of December 24, 2018 due to the Christmas holiday. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

**COMMISSIONERS COURT MEETING SCHEDULE (NO. 7)**

MOTION: Mr. Randle made a motion to cancel the regularly scheduled Wednesday Commissioners Court Meeting of December 26, 2018. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

**PIPELINE CROSSING PERMIT (NO. 8)**

MOTION: Mr. Pilchick made a motion to approve permit application of Burlington Resources Oil & Gas Company LP to cross Gus Meyer Road in Commissioner Precinct No. 3. Mr. Randle seconded the motion. Motion carried on a vote of 3-0.

**PIPELINE CROSSING PERMIT (NO. 9)**

MOTION: Mr. Pilchick made a motion to approve permit application of Burlington Resources Oil & Gas Company LP to cross Interstate 13 in Commissioner Precinct No. 3. Mr. Randle seconded the motion. Motion carried on a vote of 3-0.



**TEMPORARY RIGHT OF WAY AGREEMENT (NO. 10)**

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

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

MOTION: Mr. Randle made a motion to approve permit application from Burlington Resources for installation of a dual water line along Sievers Pit Road & Respondek Road in Commissioner Precinct No. 1. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

**TEMPORARY RIGHT OF WAY AGREEMENT (NO. 12)**

MOTION: Mr. Pilchick made a motion to approve permit application from Burlington Resources for installation of a dual water line along Dudlefski Road in Commissioner Precinct No. 3. Mr. Randle seconded the motion. Motion carried on a vote of 3-0.

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

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

**MONTHLY REPORT OF OFFICIALS (NO. 14)**

County Auditor reported that her office had received reports from all officials including September report from Constable Precinct 2 and June thru October from Flood Plain Coordinator. Mr. Randle requested to make a note on the record that the monthly reports of the Flood Plain Coordinator are continuously late and not submitted on time.

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

**MINUTES (NO. 15)**

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

**ACCOUNTS PAYABLE (NO. 16)**

None

**BUDGET AMENDMENT REQUESTS (NO. 17)**

None

**PERSONNEL CHANGES (NO. 18)**

None

**BONDS (NO. 19)**

None

**COURTHOUSE/ANNEX EXPENDITURES/MAINTENANCE/IMPROVEMENTS (NO. 20)**

Mr. Randle reported that concerning the leveling of the DeWitt County Museum, the foundation company took pictures from underneath the museum but due to the water underneath the building they were not able to do a complete analysis and inspection. A future date will be scheduled for a complete inspection.

Mr. Pilchick reported that the elevator is scheduled to be fixed on Thursday.

**LEGISLATIVE UPDATE (NO. 21)**

No update.

**DISCUSSION OF COMMISSIONER PRECINCT OPERATIONS (NO. 22)**

Commissioners discussed normal precinct operations.

**PUBLIC COMMENT**

None

**ADJOURN (NO. 23)**

MOTION: Mr. Randle made a motion to adjourn. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0. [Adjourned at 9:52 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS  
REGULAR MEETING – NOVEMBER 28, 2018**

DeWitt County Commissioners Court met in regular session November 28, 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 Richard Randle, Precinct No. 4

**CALL TO ORDER; PLEDGE OF ALLEGIANCE & INVOCATION**

Judge Fowler called the meeting to order, led everyone in the pledge of allegiance and gave the invocation.

**NEW BUSINESS:**

**ACCOUNTS PAYABLE (NO. 1)**

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

**PAYROLL DISBURSEMENTS (NO. 2)**

None

**PERSONNEL CHANGES (NO. 3)**

None

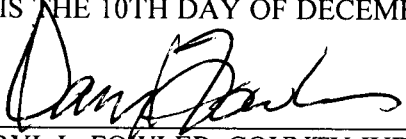
**PUBLIC COMMENT**

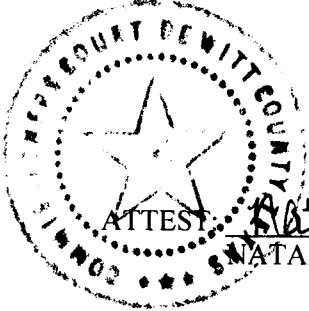
None

**ADJOURN (NO. 4)**

MOTION: Mr. Afflerbach made a motion to adjourn. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0. [Adjourned at 1:31 p.m.]

THE FOREGOING MINUTES FOR THE MONTH OF NOVEMBER A.D. 2018 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 10TH DAY OF DECEMBER, A.D. 2018.

  
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DARYL L. FOWLER, COUNTY JUDGE



  
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NATALIE CARSON, DE WITT COUNTY CLERK