

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

DeWitt County Commissioners Court met in regular session September 9, 2019 at 9:00 a.m. in the County Courtroom at the DeWitt County Courthouse in Cuero, Texas, with the following members present:

County Judge Daryl L. Fowler  
Commissioner Curtis Afflerbach, Precinct No. 1  
Commissioner James B. Pilchick Sr., Precinct No. 2  
Commissioner James Kaiser, Precinct No. 3  
Commissioner Richard Randle, Precinct No. 4

**Call to Order; Pledge of Allegiance & Invocation**

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

**New Business:**

**Public Hearing (No. 4)**

Public Hearing held in order to provide opportunity for public comments on installing Truck Route signs on Van Vleck Road for redirecting traffic away from the public school in Westhoff in Commissioner Precinct No. 1.

Paddy Burwell, President of Westhoff ISD Board of Trustees, spoke in favor of installing Truck Route signs on Van Vleck Road.

No one was present to speak against the installation of Truck Route signs.

**Close Public Hearing (No. 5)**

Judge Fowler closed the public hearing.

**Rule on Public Hearing (No. 6)**

**MOTION:** Mr. Afflerbach made a motion that the county install Truck Route signs on Van Vleck Road at the intersection with FM 240 and at the intersection with SH87 for redirecting traffic away from the public school in Westhoff in Commissioner Precinct No. 1. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**District Attorney Forfeited Property Budget (No. 18)**

MOTION: Mr. Randle made a motion to receive the proposed budget of the District Attorney Seized & Forfeited Narcotics Assets for FY2020 pursuant to Chapter 59.06(d) of the Code of Criminal Procedures. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

**First Public Hearing on the 2019 Tax Rate (No. 1)**

First Public Hearing held in order to provide opportunity for public comment on the proposed 2019 tax rate.

Bill Blackwell spoke in favor of the proposed 2019 tax rate.

No one was present to speak against the proposed 2019 tax rate.

**Close Public Hearing (No. 2)**

Judge Fowler closed the public hearing.

**Announce Date, Time & Place of Meeting for Vote on Tax Rate and Budgets (No. 3)**

Judge Fowler announced that the 2<sup>nd</sup> Public Hearing on the 2019 Tax Rate would be held next Monday, September 16, 2019 at 9:00 a.m. in the DeWitt County Courtroom.

The Public Hearing on the proposed FY2020 budget will be September 23, 2019 at 9:00 a.m. in the DeWitt County Courtroom.

After the public hearings, Commissioners Court will vote to adopt the FY2020 Budget and take a record vote to adopt the 2019 tax rate.

**Schedule Public Hearing Date (No. 7)**

MOTION: Mr. Pilchick made a motion to schedule a public hearing date of October 14, 2019 at 9:00 a.m. in the DeWitt County Courtroom to establish a 45 MPH speed limit on Gertes Road. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**Child Welfare Board Membership (No. 11)**

MOTION: Mr. Kaiser made a motion to appoint Debra Pirtle Baker to the DeWitt County Child Welfare Board. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Special Tactical Weapons Request (No. 12)**

No action taken

### **Budget Amendment Request for Special Tactical Weapons Purchase (No. 13)**

No action taken

### **Airport Committee Update (No. 8)**

Court receive an update from City/County Airport Review Committee Vice Chairman Michael Cavanaugh regarding progress and future plans.

MOTION: Mr. Afflerbach made a motion to receive update from City/County Airport Review Committee regarding progress and future plans. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Afflerbach made a motion to increase the county's appropriation to \$9,000.00 for the purpose of an evaluation study. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

### **Addendum to Subdivision Development Regulations (No. 9)**

MOTION: Mr. Afflerbach made a motion to approve the adoption of an Addendum to Subdivision Development Regulations, Court Order No. 2019-057, amending the 2008 DeWitt County Subdivision Development and Recreational Vehicle Park Regulations. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

### **Application for a Subdivision Development (No. 10)**

MOTION: Mr. Randle made a motion to receive an application from Rainbow Hotz Ranch Estates, LLC for subdivision development in a 70.90-acre tract of land out of the Charles Lockhart Survey, Abstract No. 26, in DeWitt County pursuant to Chapter 232 of the Local Government Code and the DeWitt County Subdivision Development and Recreational Park Regulations (dated March 25, 2008) and amended as of September 9, 2019. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

### **Courthouse/Annex Expenditures/Maintenance/Improvements (No. 37)**

Court received information from Komatsu Architecture regarding Courthouse Basement Drainage Mitigation and DeWitt County Historical Museum foundation work.

### **County Building Workshop (No. 41)**

Court received information from Rawley McCoy & Associates regarding new annex building.

MOTION: Mr. Randle made a motion to receive information presented by Rawley McCoy & Associates regarding new annex building. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

MOTION: Mr. Randle made a motion to adopt the schematic plan drawing as the layout of the proposed new DeWitt County annex building. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

#### **Geotechnical Report for New Annex Building (No. 14)**

MOTION: Mr. Randle made a motion to approve the proposal from Intertek-PSI for bore testing of three particular drill bores at the location on Church Street adjacent to our current annex building before any construction work can be done, proposed fee is \$4,650.00 for the bores and the laboratory testing of the soils. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

#### **Motorola Update (No. 40)**

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

#### **Certificate of Completion (No. 15)**

MOTION: Mr. Kaiser made a motion to receive Certificate of Completion for Constable Pct. 1 Kelly Phelps from Texas State University - Texas Justice Court Training Center for the successful completion of 5 hours of the Legislative Update Workshop Constable training course. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

#### **Certificate of Completion (No. 16)**

MOTION: Mr. Kaiser made a motion to receive Certificate of Completion for Tax Assessor Collector Ashley D. Mraz from Texas Association of Tax Assessor Collectors for the successful completion of the Course 8 Assessment & Collections training course. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

#### **Grant Application for Home-Delivered Meals (No. 17)**

MOTION: Mr. Randle made a motion to adopt a resolution authorizing a county grant in support of services provided by Community Action Committee of Victoria. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

#### **Field Agreement for Predatory Animal Control (No. 19)**

MOTION: Mr. Pilchick 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, 2019 and ending September 30, 2020. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

### **Professional Services Contract (No. 20)**

MOTION Mr. Randle made a motion to extend an Agreement between Cornerstone Government Affairs, Inc. and DeWitt County for strategic consulting and advocacy services (governmental affairs) commencing on October 1, 2019 and ending on September 30, 2020. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

### **Interlocal Agreement (No. 21)**

MOTION: Mr. Kaiser made a motion to approve an Interlocal Agreement between the County of Atascosa and the County of DeWitt for sharing the expense of legislative consulting services (Cornerstone Governmental Affairs, Inc. contract) for a one-year term beginning October 1, 2019, Court Order Number 2019-058. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

### **Interlocal Agreement (No. 22)**

MOTION: Mr. Kaiser made a motion to approve an Interlocal Agreement between the County of Gonzales and the County of DeWitt for sharing the expense of legislative consulting services (Cornerstone Governmental Affairs, Inc. contract) for a one-year term beginning October 1, 2019, Court Order Number 2019-059. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

### **Interlocal Agreement (No. 23)**

MOTION: Mr. Kaiser made a motion to approve an Interlocal Agreement between the County of Karnes and the County of DeWitt for sharing the expense of legislative consulting services (Cornerstone Governmental Affairs, Inc. contract) for a one-year term beginning October 1, 2019, Court Order Number 2019-060. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

### **Interlocal Agreement (No. 24)**

MOTION: Mr. Kaiser made a motion to approve an Interlocal Agreement between the County of McMullen and the County of DeWitt for sharing the expense of legislative consulting services (Cornerstone Governmental Affairs, Inc. contract) for a one-year term beginning October 1, 2019, Court Order Number 2019-061. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

### **Temporary Right of Way Agreement (No. 25)**

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement permit application with Select Energy Services for installation of a dual water line along Roeder Road & Maron Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

### **Temporary Right of Way Agreements (No. 26)**

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement permit application with EOG Resources Inc. for installation of a dual water line along eight separate locations along Hahn Road in Commissioner Precinct No. 1. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

### **Declare Fixed Assets as Salvage (No. 27)**

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.

### **Monthly Report of Officials (No. 28)**

County Auditor reported that her office had received monthly reports from all officials except Flood Plain Coordinator.

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

### **County Auditor's Monthly Report (No. 29)**

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

### **County Treasurer's Monthly Report (No. 30)**

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

### **Minutes (No. 31)**

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

### **Accounts Payable (No. 32)**

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

### **Ratified Accounts Payable (No. 33)**

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

**Budget Amendment Requests (No. 34)**

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

**Personnel Changes (No. 35)**

Ashley E. Mraz, 1<sup>st</sup> Assistant Treasurer, County Treasurer’s office; step increase effective September 27, 2019; Category 3 Step 3; 2 years of employment; rate of pay to be \$1,622.53/bi-weekly \$20.28/hour; next possible step increase September 27, 2022; comp time will be paid out at time of step

County Treasurer requested to remove the personnel changes of Triston Martin and Miguel A. Flores due to some discrepancies.

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

**Bonds (No. 36)**

None

**Legislative Update (No. 38)**

Mr. Randle gave an update from the recent Legislative conference.

**Discussion of Commissioner Precinct Operations (No. 39)**

Mr. Randle reported that Mission Valley Road had been completed.

Mr. Afflerbach reported that there are two bridges under construction, one on Matejek Road and one on DuBose Ranch Road.

Mr. Kaiser and Mr. Pilchick reported routine precinct operations.

**Workshop on 2020 Budget (No. 42)**

Workshop on 2020 budget not held

**Adjourn (No. 43)**

MOTION: Mr. Kaiser made a motion to adjourn. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent. [Adjourned at 2:58 p.m. ]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS  
SPECIAL MEETING – SEPTEMBER 16, 2019**

DeWitt County Commissioners Court met in special session September 16, 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. Randle gave the invocation.

**New Business:**

Second Public Hearing on the 2019 Tax Rate (No. 1)

Second Public Hearing held in order to provide opportunity for public comment on the proposed 2019 tax rate.

Robert Egg spoke in favor of the proposed 2019 tax rate.

No one was present to speak against the proposed 2019 tax rate.

**Close Public Hearing (No. 2)**

Judge Fowler closed the public hearing.

**Announce Date, Time & Place of Meeting for Vote on Tax Rate and Budgets (No. 3)**

Judge Fowler announced that Commissioners Court would meet on September 23, 2019 at 9:00 a.m. in the DeWitt County Courtroom to vote on the 2019 Tax Rate and the proposed FY2020 budget.

**Practitioner Agreement (No. 4)**

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 17, 2019. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.



**TDCJ Project Agreement Form (No. 5)**

MOTION: Mr. Afflerbach made a motion to approve the Project Agreement Form between Texas Department of Criminal Justice and DeWitt County for prison labor at the DeWitt County Historical Museum with effective dates of November 1, 2019 through April 30, 2020. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

**Asbestos Proposal (No. 6)**

MOTION: Mr. Pilchick made a motion to approve the proposal for asbestos survey of the County Archives and Elections building by Champion Environmental Consulting for a cost of \$2,335.00. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**Mobile Internet Services Quotes (No. 7)**

MOTION: Mr. Randle made a motion to receive and approve quote from AT&T for mobile hotspot and air card for DeWitt County Constable Pct. 2 Jeff Abbott. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**Accounts Payable (No. 8)**

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. 9)**

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

**Public Comment**

Commissioner Randle advised the court that the air conditioner units at the annex building would be able to be used in the new building construction.

**Adjourn (No. 10)**

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 9:20 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS  
SPECIAL MEETING – SEPTEMBER 19, 2019**

DeWitt County Commissioners Court met in special session September 19, 2019 at 9:00 a.m. in the County Courtroom at the DeWitt County Courthouse in Cuero, Texas, with the following members present:

County Judge Daryl L. Fowler  
Commissioner Curtis Afflerbach, Precinct No. 1  
Commissioner James Kaiser, Precinct No. 3  
Commissioner Richard Randle, Precinct No. 4

**Call to Order; Pledge of Allegiance & Invocation**

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

**New Business:**

**Workshop on 2020 Budget (No. 1)**

Workshop on 2020 budget not held

**Workshop on CTIF Grant Requirements (No. 2)**

David Underbrink with Hansen Professional Services Inc. addressed the court with the competitive bid process and the CTIF grant requirements

**County Building Workshop (No. 3)**

Mr. Randle reported that the proposal for asbestos was completed yesterday and the county should get the results next week.

Carol Martin advised the court that Mr. Randle had made an excellent presentation to the DeWitt County Historical Commission during the meeting last week. His presentation helped lessen some concerns of the members.

**Adjourn (No. 4)**

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 2:26 p.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS  
REGULAR MEETING – SEPTEMBER 23, 2019**

DeWitt County Commissioners Court met in regular session September 23, 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. Randle gave the invocation.

**New Business:**

**Public Hearing on FY2020 Budget (No 1)**

Public Hearing held in order to provide opportunity for public comment on the proposed FY2020 budget. No one was present to speak for or against the FY2020 proposed

**Close Public Hearing (No. 2)**

Judge Fowler closed the public hearing.

**Adoption of FY2020 Budget (No. 3)**

MOTION: Mr. Kaiser made a motion to adopt Commissioners Court Order Number 2019-063 approving the FY2020 Budget for DeWitt County. Mr. Pilchick seconded the motion. Motion carried on the following record vote:

Commissioner Precinct No. 1 – Aye  
Commissioner Precinct No. 2 – Aye  
Commissioner Precinct No. 3 – Aye  
Commissioner Precinct No. 4 – Aye  
County Judge Daryl L. Fowler – Aye

**Adoption of Tax Rate (No. 4)**

MOTION: Mr. Kaiser made the motion to adoption of Commissioners Court Order No. 2019-064, setting the 2019 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 & Tax Code § 26.05(b). Mr. Pilchick seconded the motion. Motion carried on the following record vote:

Commissioner Precinct No. 1 – Aye  
Commissioner Precinct No. 2 – Aye  
Commissioner Precinct No. 3 – Aye  
Commissioner Precinct No. 4 – Aye  
County Judge Daryl L. Fowler – Aye

**Job Classification and Salary Schedule for FY2020 (No. 5)**

MOTION: Mr. Kaiser made a motion to approve the Annual Salary Order for DeWitt County Officials Employees during FY2020. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Kaiser made a motion to amend the motion to approve the Job Classification and Salary Schedule for DeWitt County Officials Employees during FY2020. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Annual Salary Order for FY 2020 (No. 6)**

MOTION: Mr. Kaiser made a motion to approve the Annual Salary Order for DeWitt County Officials and Employees during FY2020, Court Order Number 2019-056. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Order Setting Salary of DeWitt County Auditor and Assistants (No. 7)**

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, 2019. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

**Court Order Designating Day(s) of Week Court Shall Convene (No. 8)**

MOTION: Mr. Kaiser made a motion to adopt Court Order No. 2019-062 by this Order and pursuant to Local Government Code §81.005, designates the second and fourth Monday of each month as the days of the week on which the court shall convene in a regular term each month during FY2020. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

### **Order of Election (No. 9)**

MOTION: Mr. Randle made a motion to receive Order of Special Election to be held November 5, 2019 issued by County Judge Daryl L. Fowler on September 23, 2019. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

### **Memorandum of Understanding (No. 10)**

No action taken.

### **Request for Additional Cash Drawer (No. 13)**

MOTION: Mr. Afflerbach made a motion to approve the request for additional cash drawer of \$150 for new part time position for Justice of the Peace Pct. 1 Peggy Mayer. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

### **DeWitt County Appraisal District Board of Directors Nominee(s) for 2020-2021 (No. 14)**

Court passed on this agenda item until a later date.

### **Proclamation for 2019 National 4-H Week (No. 15)**

MOTION: Mr. Afflerbach made a motion to adopt a proclamation designating October 6 through October 12, 2019 as National 4-H Week in DeWitt County. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

### **Gulf Bend Center Board of Trustees Letter (No. 16)**

MOTION: Mr. Kaiser made a motion to receive letter stating that DeWitt County Sheriff Carl Bowen had been selected as an ex officio board member to the Gulf Bend Center Board of Trustees. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

### **Certificates of Completion (No. 17)**

MOTION: Mr. Kaiser made a motion to receive Certificates of Completion for County Judge Daryl L. Fowler from Texas Association of Counties for the successful completion of the TAC Cybersecurity Awareness Training #1, #2 and #3 training course. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

### **Certificates of Completion (No. 18)**

MOTION: Mr. Randle made a motion to receive Certificates of Completion for Blair Duran from Texas Association of Counties for the successful completion of the TAC Cybersecurity Awareness Training #1 #2, and #3 training course. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

**Certificate of Completion (No. 19)**

MOTION: Mr. Afflerbach made a motion to receive Certificate of Completion for County Attorney Andrew Jay Condie from the Texas Attorney General for the successful completion of the Public Information Act training course. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

**Certificate of Completion (No. 20)**

MOTION: Mr. Kaiser made a motion to receive Certificate of Completion for County Attorney Andrew Jay Condie from the Texas Attorney General for the successful completion of the Open Meetings Act training course. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Grant Application for TIDC FY2020 Formula Grant (No. 21)**

MOTION: Mr. Kaiser made a motion to approve the grant application for TIDC FY2020 Formula Grant and authorize the county judge to submit the application to TIDC. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Award of Bid and Contract Approval (No. 22)**

MOTION: Mr. Randle made a motion to receive bids for road construction services, award bid to ABN Construction, authorize the execution of a contract for road construction services with the performance, and payment bonds amount of \$3.5 million. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

**Pipeline Crossing Permit (No. 23)**

MOTION: Mr. Afflerbach made a motion to approve permit application of Burlington Resources to cross Respondek Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

**Pipeline Crossing Permit (No. 24)**

MOTION: Mr. Afflerbach made a motion to approve pipeline crossing permit application of Burlington Resources to cross Respondek Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

**Pipeline Crossing Permit (No. 25)**

MOTION: Mr. Afflerbach made a motion to approve permit application of EVX Eagle Ford Partners, LLC to cross Baker Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

**Pipeline Crossing Permit (No. 26)**

MOTION: Mr. Pilchick made a motion to approve permit application of Teal Natural Resources LLC to cross Rathkamp-Dreyer Road in Commissioner Precinct No. 2. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

**Pipeline Crossing Permit (No. 27)**

MOTION: Mr. Pilchick made a motion to approve permit application of Teal Natural Resources LLC to cross Rathkamp-Dreyer Road in Commissioner Precinct No. 2. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

**Pipeline Crossing Permit (No. 28)**

MOTION: Mr. Pilchick made a motion to approve permit application of Teal Natural Resources LLC to cross Lone Tree Road in Commissioner Precinct No. 2. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

**Pipeline Crossing Permit (No. 29)**

MOTION: Mr. Pilchick made a motion to approve permit application of Teal Natural Resources LLC to cross Lone Tree Road in Commissioner Precinct No. 2. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

**Temporary Right of Way Agreement (No. 30)**

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement with Burlington Resources for installation of a dual water line along A. Metting Road & Gus Meyer Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

**Temporary Right of Way Agreement (No. 31)**

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement with Burlington Resources for installation of a dual water line along Salt Creek Cemetery Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

**Temporary Right of Way Agreement (No. 32)**

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement with 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 4-0 with Judge Fowler absent.

**Temporary Right of Way Agreement (No. 33)**

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement with Burlington Resources Burlington Resources for installation of a dual water line along Lincke Road & Kubala Store Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

**Pipeline Crossing Permit (No. 34)**

MOTION: Mr. Kaiser made a motion to approve an amendment to permit application of Burlington Resources Oil & Gas Company LP to cross Haase Bros. Road in Commissioner Precinct No. 3 Nunc Pro Tunc. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

**Pipeline Crossing Permit (No. 35)**

MOTION: Mr. Kaiser made a motion to approve an amendment to permit application of Burlington Resources Oil & Gas Company LP to cross Haase Bros. Road in Commissioner Precinct No. 3 Nunc Pro Tunc. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

**County Treasurer's Monthly Report (No. 36)**

No action taken.

**Final FY2019 Accounts Payable (No. 37)**

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

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

**Ratified Accounts Payable (No. 38)**

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

**Final FY2019 Budget Amendments (No. 39)**

MOTION: Mr. Kaiser made a motion to approve final FY2019 budget amendments. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.



## **Personnel Changes (No. 40)**

Brandon Caldwell, Dispatcher, Sheriff Office; step increase effective September 24, 2019; Category 7 Step 2; 1 year of employment; rate of pay to be \$1,475.56/bi-weekly \$18.44/hour; next possible step increase September 24, 2020; comp time will be paid out at time of step

Eric English, Equipment Operator, Precinct 4; resignation effective September 19, 2019; 1 year 9 months of employment; comp and vacation time will be paid out

Ashley E. Mraz, 1<sup>st</sup> Assistant Treasurer, County Treasurer; corrected to reflect FY 2020 salary schedule values; Category 3 Step 3; 2 years of employment; rate of pay to be \$1,671.20/bi-weekly \$20.89/hour; next possible step increase September 27, 2022; comp time will be paid out at time of step

Clarence Oliver, Equipment Operator, Precinct 1; step increase effective September 1, 2019; Category 17 Step 3; 2 years of employment; rate of pay to be \$1,555.16/bi-weekly \$19.44/hour; next possible step increase September 1, 2022; comp time will be paid out at time of step

Darline Whitt, Part-Time Clerk, JP #1; resignation effective May 21, 2019; 3 months of employment

Triston Martin, Jailer, Sheriff Office; resignation effective August 24, 2019; 10 months of employment; comp & vacation time will be paid out on last check

Miguel A. Flores, Juvenile Probation Officer, Juvenile Probation Department; resignation effective August 30, 2019; 8 months of employment; comp & vacation time will be paid out on last check

Tresa Urbanovsky, Part-Time Clerk, JP #1; hired effective September 10, 2019; rate of pay to be \$13.50/hour

Cheyenne Slovacek, Dispatcher, Sheriff Office; resignation effective August 30, 2019; 3 weeks of employment

Ariana Vavrusa, Deputy, Sheriff Office; transfer from part-time to full time effective August 26, 2019; Category 15 Step 2; 4 months of employment; rate of pay to be \$1,774.39/bi-weekly \$20.63/hour cell \$16.16/bi-weekly; next possible step increase August 26, 2021

Clint W. Fellers, Jailer, Sheriff Office; step increase effective September 17, 2019; Category 12 Step 2; 1 year of employment; rate of pay to be \$1,540.02/bi-weekly \$17.91/hour; next possible step increase September 17, 2020; comp time will be paid out at time of step

Jeremy Torres, Jailer, Sheriff Office; step increase effective September 7, 2019; Category 12 Step 3; 2 years of employment; rate of pay to be \$1,590.32/bi-weekly \$18.49/hour; next possible step increase September 7, 2022; comp time will be paid out at time of step

Terry Stock, Jailer, Sheriff Office; step increase effective September 7, 2019; Category 12 Step 3; 2 years of employment; rate of pay to be \$1,590.32/bi-weekly \$18.49/hour; next possible step increase September 7, 2022; comp time will be paid out at time of step

William Comiskey, Jailer, Sheriff Office; step increase effective September 7, 2019; Category 12 Step 7; 12 years of employment; rate of pay to be \$1,791.49/bi-weekly \$20.83/hour; next possible step increase September 7, 2022; 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. 41)**

None

### **Rainbow Hotz Estates Proposed Subdivision (No. 12)**

Shane Fox, Richard DeWitt, Bitsy Lee, Sanida D. Lopez, Don Yates, Teresa Dogan addressed the court with their concerns of the Rainbow Hotz Estates proposed subdivision. John Golden addressed the court concerning the subdivision.

### **Closed/Executive Session (No. 11)**

Judge Fowler announced that Commissioners Court would be going into closed session at 10:39 a.m. regarding the following matter(s): 1) House Bill 3167 and subdivision applications, and as necessary, a closed meeting will be held pursuant to Section 551.071 of the Texas Government Code (consultation with attorney) for the Commissioners Court to consult with and seek advice from its attorney regarding any topic listed on the agenda posted for this meeting.

Judge Fowler is the official record keeper of the certified agenda of the closed/executive session.

Court returned to open session at 12.14 p.m.

### **Rainbow Hotz Estates Proposed Subdivision (No. 12)**

MOTION: Mr. Randle made a motion to adopt Court Order Number 2019-065, an Order of the Commissioners Court of DeWitt County, Texas: approving with conditions the active subdivision plat submitted by the developer for the Rainbow Hotz Ranch Estates Subdivision to be located in said county, a part of the Charles Lockhart Survey Abstract No. 26 therein; and establish an effective date and compliance with the Texas Open Meeting Act. Mr. Afflerbach seconded the motion. Motion carried on a vote of 4-1 with Judge Fowler voting against.

### **Recess**

Court recessed until 1:30 p.m.

**Reconvene**

Court reconvened at 1:30 p.m.

**Courthouse/Annex Expenditures/Maintenance/Improvements (No. 42)**

Judge Fowler reported that he and David Slovacek did a visual inspection from the ground of the roof tiles after American Roofing had painted them. They discovered that there were some tiles cracked and a metal piece had ripples. The company will fixed the issues at no cost to the county.

The HVAC, on the ground at the annex, can be used again.

**Legislative Update (No. 43)**

Judge Fowler reported that he had emailed Lois Kolkhorst to see if she would help the county by approaching the Lt. Governor about getting an item considered for the legislators to study prior to next legislation. After speaking with Steve Holzheuser, he suggested that prior to getting the Lt. Governor involved the county should test the waters with the oil and gas industry and if they were not going there, it would be a waste of the county's time.

**Discussion of Commissioner Precinct Operations (No. 43)**

Commissioner Pct. 1 reported that one of the two bridges had been finished.

Commissioner Pct. 4 reported that the work is about to get started on Green DeWitt Road.

Commissioner Pct. 2 & Pct. 3 reported normal precinct operations.

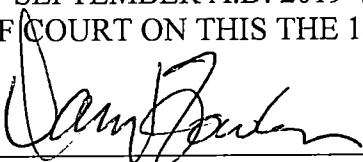
**County Building Workshop (No. 45)**

Mr. Randle reported that the asbestos study had been completed and no asbestos was found.

**Adjourn (No. 46)**

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 1:41 p.m.]

THE FOREGOING MINUTES FOR THE MONTH OF SEPTEMBER A.D. 2019 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 14TH DAY OF OCTOBER, A.D. 2019.

  
DARYL L. FOWLER, COUNTY JUDGE



ATTEST:   
NATALIE CARSON, COUNTY CLERK