MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS REGULAR MEETING – JULY 13, 2020

DeWitt County Commissioners Court met in regular session July 13, 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. Pilchiek Sr., Precinct No. 2 Commissioner James Kaiser, Precinct No. 3 Commissioner Richard Randle, Precinct No. 4

Call to Order; Pledge of Allegiance & Invocation

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

New Business:

Burn Ban (No. 1)

MOTION: Mr. Pilchiek made a motion for the adoption of a burn ban for the unincorporated areas of the county effective at 12:01 a.m. on July 14, 2020, Court Order Number 2020-041. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Public Hearing (No. 2)

Public hearing held in order to provide opportunity for public comments on placing 4-way stop signs at the intersections of Matthew-Adams Road, Primitive Baptist Church Road, and Edgar-Leesville Road in Commissioner Precinct No. 2. No one was present to speak either for or against.

Close Public Hearing (No. 3)

Judge Fowler closed the public hearing.

Rule on Public Hearing (No. 4)

MOTION: Mr. Pilchiek made a motion for the approval of placing 4-way stop signs at the intersections of Matthew-Adams Road, Primitive Baptist Church Road, and Edgar-Leesville Road in Commissioner Precinct No. 2. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Public Hearing (No. 5)

Public hearing held in order to provide opportunity for public comments on designating Charco Road as a No Thru Truck Traffic road in Commissioner Precinct No. 3. No one was present to speak either for or against.

Close Public Hearing (No. 6)

Judge Fowler closed the public hearing.

Rule on Public Hearing (No. 7)

MOTION: Mr. Kaiser made a motion to designate Charco Road as a No Thru Truck Traffic road in Commissioner Precinct No. 3 effective immediately. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

Schedule Public Hearing Date (No. 8)

MOTION: Mr. Kaiser made a motion to establish August 10, 2020 to schedule a public hearing for a 40 MPH speed limit on Charco Road at the DeWitt County Courthouse Courtroom at 9:00 a.m. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

DeWitt County Appraisal District (No. 9)

Mr. Patrick B. Elder, DeWitt County Appraisal District Board Member, provided the court with information concerning the proposed FY2020 Budget.

MOTION: Mr. Randle made a motion to receive proposed FY2020 Budget and post on public bulletin board. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Personnel and Policy Manual Proposed Change (No. 10)

MOTION: Mr. Randle made a motion to change language of the policy on salvage and surplus to the language that was presented to the court as dated July 13, 2020. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

Personnel and Policy Manual Proposed Change (No. 11)

MOTION: Mr. Randle made a motion to adopt Court Order Number 2020-039 which waives the requirement that the County Judge approve all requisitions according to Texas Local Government Code 113.901(c). Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

GVEC Easement (No. 12)

MOTION: Mr. Afflerbach made a motion to approve right of way easement for access to Motorola tower facility at Ratcliff Road location by GVEC and approve payment of invoice for Work Order Number 1754152. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

GVEC Easement (No. 13)

Court passed on this agenda item until documentation is received from GVEC.

ConocoPhillips 2021 Community Contributions Grant Application (No. 14)

MOTION: Mr. Kaiser made a motion to authorize Cyndi Smith, EMC, to apply for the ConocoPhillips 2021 Community Contributions Grant in order to fund training and safety equipment for unmet needs of DeWitt County. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

Texas Historical Commission 2020 Distinguished Service Award Certificate (No. 15)

DeWitt County Historical Commission was presented with the Texas Historical Commission 2020 Distinguished Service Award Certificate in recognition of its active and well-balanced preservation program.

Taxing Unit Letter (No. 16)

MOTION: Mr. Randle made a motion to receive letter from DeWitt County Tax Assessor-Collector Ashley D. Mraz regarding taxing unit being affected by disaster declaration and take no action. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

Certificate of Completion (No. 17)

MOTION: Mr. Randle made a motion to receive Certificate of Completion for Tax Assessor Collector Ashley D. Mraz from V.G. Young Institute of County Government for the successful completion of the TACA Annual Conference: SIT, Ethics, and TNT training courses. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Certificate of Completion (No. 18)

MOTION: Mr. Randle made a motion to receive Certificate of Completion for Deputy Tax Assessor Collector Esther Francis from V.G. Young Institute of County Government for the successful completion of the TACA Annual Conference: SIT, Ethics, and TNT training courses. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Certificate of Completion (No. 19)

MOTION: Mr. Randle made a motion to receive Certificate of Completion for Deputy Tax Assessor Collector Kandis May from V.G. Young Institute of County Government for the successful completion of the TACA Annual Conference: SIT and Ethics training courses. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Agreement for Assessment and Collection Services (No. 20)

MOTION: Mr. Kaiser made a motion to approve an Agreement between the City of Yorktown and the County of DeWitt for consolidating the assessment and collection of property taxes into one agency, the Assessor-Collector of the County of DeWitt. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

Agreement for Assessment and Collection Services (No. 21)

MOTION: Mr. Kaiser made a motion to approve an Agreement between the Nordheim Independent School District and the County of DeWitt for consolidating the assessment and collection of property taxes into one agency, the Assessor-Collector of the County of DeWitt. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

Agreement for Assessment and Collection Services (No. 22)

MOTION: Mr. Randle made a motion to approve an Agreement between the Pecan Valley Ground Water Conservation District and the County of DeWitt for consolidating the assessment and collection of property taxes into one agency, the Assessor-Collector of the County of DeWitt. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Agreement for Assessment and Collection Services (No. 23)

MOTION: Mr. Randle made a motion to approve an Agreement between the Cuero Independent School District and the County of DeWitt for consolidating the assessment and collection of property taxes into one agency, the Assessor-Collector of the County of DeWitt. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Agreement for Assessment and Collection Services (No. 24)

MOTION: Mr. Kaiser made a motion to approve an Agreement between the City of Yoakum and the County of DeWitt for consolidating the assessment and collection of property taxes into one agency, the Assessor-Collector of the County of DeWitt. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

Agreement for Assessment and Collection Services (No. 25)

MOTION: Mr. Randle made a motion to approve an Agreement between the Meyersville Independent School District and the County of DeWitt for consolidating the assessment and collection of property taxes into one agency, the Assessor-Collector of the County of DeWitt. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Agreement for Assessment and Collection Services (No. 26)

MOTION: Mr. Kaiser made a motion to approve an Agreement between the Yoakum Hospital District and the County of DeWitt for consolidating the assessment and collection of property taxes into one agency, the Assessor-Collector of the County of DeWitt. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

Agreement for Assessment and Collection Services (No. 27)

MOTION: Mr. Kaiser made a motion to approve an Agreement between the City of Nordheim and the County of DeWitt for consolidating the assessment and collection of property taxes into one agency, the Assessor-Collector of the County of DeWitt. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

Agreement for Assessment and Collection Services (No. 28)

MOTION: Mr. Kaiser made a motion to approve an Agreement between the Yorktown Independent School District and the County of DeWitt for consolidating the assessment and collection of property taxes into one agency, the Assessor-Collector of the County of DeWitt. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

Agreement for Assessment and Collection Services (No. 29)

MOTION: Mr. Randle made a motion to approve an Agreement between the City of Cuero and the County of DeWitt for consolidating the assessment and collection of property taxes into one agency, the Assessor-Collector of the County of DeWitt. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Monthly Report of Officials (No. 30)

County Auditor reported that her office had received monthly reports from all officials except Sheriff's Office and Flood Plain Coordinator (May and June Reports).

MOTION: Mr. Kaiser made a motion to approve monthly reports of officials. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

County Auditor's 3rd Quarter 2020 Cash Count Report (No. 31)

MOTION: Mr. Randle made a motion to receive County Auditor's 3rd Quarter 2020 Cash Count Report. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

County Auditor's Monthly Report (No. 32)

MOTION: Mr. Kaiser made a motion to receive County Auditor's Monthly Report. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

County Treasurer's Quarterly Investment Report (No. 33)

MOTION: Mr. Kaiser made a motion to receive and approve County Treasurer's Quarterly Investment Report. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

County Treasurer's Monthly Report (No. 34)

MOTION: Mr. Randle made a motion to receive and approve County Treasurer's Monthly Report, Court Order Number 2020-040. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

Minutes (No. 35)

MOTION: Mr. Afflerbach made a motion to receive and approve the minutes of the previous term of court. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Accounts Payable (No. 36)

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

MOTION: Mr. Kaiser made a motion to approve late bill of \$301,112.36 to Motorola. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Ratified Accounts Payable (No. 37)

MOTION: Mr. Afflerbach 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. 38)

None

Personnel Changes (No. 39)

Terri Ann Rogers, Chief Juvenile Probation Officer, Juvenile Probation; exempt employee effective June 13, 2020; 3 years 10 months of employment; rate of pay to be \$2,523.42/bi-weekly \$16.16/bi-weekly (cell phone)

Keira Merrill, Dispatcher, Sheriff Office; step increase effective May 22, 2020; Category 7 Step 2; 1 year of employment; rate of pay to be \$18.44/hour; next possible step increase May 22, 2021

Norman Saenz, Deputy, Sheriff Office; step increase effective May 20, 2020; Category 15 Step 2; 1 year of employment; rate of pay to be \$21.25/hour; next possible step increase May 20, 2021

Hilary Allen, Assistant Treasurer, County Treasurer; termination effective June 22, 2020; 1 year 2 months of employment; vacation time will be paid out on last check

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

Bonds (No. 40)

None

Courthouse/Annex Expenditures/Maintenance/Improvements (No. 41)

Judge Fowler reported that Trane was at the courthouse working on a leaking seal in a pump located in the basement of the courthouse. County is still awaiting the delivery of new blower unit on the second floor of the courthouse and the assembly and arrival of the new chiller.

Legislative Update (No. 42)

Judge Fowler reported that he has received acknowledgment from the coalition partners that they will stay onboard and continue their sharing of the expense for the legislative professional services.

COVID-19 Disaster Update (No. 47)

Court received an update regarding COVID-19 virus from Emergency Management Coordinator Cyndi Smith.

On Wednesday, July 15, 2020, there will be a testing site at the Yorktown ISD new gym.

Ms. Smith has been working and planning with South Texas Blood & Tissue Center to hold a community blood drive at the end of August. All blood donors will also have anti-body test performed.

Discussion of Commissioner Precinct Operations (No. 43)

Commissioner Precinct No. 1 reported on finishing seal coating on Respondek and starting a complete road restoration project on Nolte Boehl Road.

Commissioner Precinct No. 2 reported normal precinct operations.

Commissioner Precinct No. 3 reported on work being done on Bubba Palmer and Tully Roads.

Commissioner Precinct No. 4 reported normal precinct operations.

Judge Fowler reported that TxDOT has closed out the grant process. DeWitt County will be receiving a reimbursement of \$6,129,994.00

Motorola Update (No. 44)

No Motorola update.

County Building Workshop (No. 45)

Mr. Randle reported that the work has begun on the new building. City of Cuero has moved the old transformer pole and placed a new pole.

Workshop on 2021 Budget (No. 46)

Court held a workshop on 2020 Budget.

Adjourn (No. 48)

MOTION: Mr. Afflerbach made a motion to adjourn. Mr. Kaiser seconded the motion. Motion carried 5-0. [Adjourned at 11:50 a.m.]

MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS REGULAR MEETING – JULY 27, 2020

DeWitt County Commissioners Court met in regular session July 27, 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. Pilchiek Sr., Precinct No. 2 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. Randle made a motion to set a public hearing date of August 24, 2020 at 9:00 a.m. in the DeWitt County Courthouse to consider the annual written archive plan for funding the preservation and restoration of the county clerk's records archive pursuant to Local Government Code 118.025. Mr. Afflerbach seconded the motion. Motion carried on a vote of 4-0.

Schedule Public Hearing Date (No. 2)

MOTION: Mr. Randle made a motion to set a public hearing date of August 24, 2020 at 9:00 a.m. in the DeWitt County Courthouse to consider the annual written plan for the preservation and restoration of the district court records archive pursuant to Government Code 51.305. Mr. Afflerbach seconded the motion. Motion carried on a vote of 4-0.

Sheriffs' and Constables' Fees Update (No. 3)

MOTION: Mr. Afflerbach made a motion to approve adoption of fees for 2021 as required by local Government Code 118.131. Mr. Pilchiek seconded the motion. Motion carried on a vote of 4-0.

Golden Crescent Regional Planning Commission- General Assembly and Board of Directors Representatives (No. 4)

MOTION: Mr. Afflerbach made a motion to reappoint Mr. Pilchiek to the General Assembly and reappoint Mr. Randle to the General Assembly to sit on the Board of Directors. Mr. Pilchiek seconded the motion. Motion carried on a vote of 4-0.

Optional Vehicle Registration Fees 2021 (No. 5)

MOTION: Mr. Pilchiek made a motion to continue collecting only the County Road and Bridge fee amounts pursuant to Transportation Code 502.401 in the FY 2021. Mr. Afflerbach seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 6)

MOTION: Mr. Afflerbach made a motion to approve temporary right of way permit application request from Burlington Resources Oil & Gas Company LP for installation of a dual water line along Edna Hattenbach Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

Accounts Payable (No. 7)

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

Ratified Accounts Payable (No. 8)

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

Budget Amendment Requests (No. 9)

MOTION: Mr. Randle made a motion to approve budget amendment requests. Mr. Pilchiek seconded the motion. Motion carried on a vote of 4-0.

Declare Fixed Assets as Salvage (No. 10)

MOTION: Mr. Randle made a motion to declare certain inventory items as salvage pursuant to Local Government Code §263.152(A). Mr. Pilchiek seconded the motion. Motion carried on a vote of 4-0.

Personnel Changes (No. 11)

Romie Sauceda, Assistant Auditor, Auditor's office; hired effective July 31, 2020; Category 2 Step 1; rate of pay to be \$17.74/hour; next possible step increase July 31, 2021

Desirae Poth, Assistant Treasurer, Treasurer's office; transfer from Assistant Auditor to Assistant Treasurer effective August 10, 2020; Category 2 Step 2; 1 year of employment; rate of pay to be \$19.42/hour; next possible step increase July 29, 2021

Zachary Mraz, Jailer, Sheriff Office; resignation effective July 1, 2020; 1 year 2 months of employment; vacation time will be paid out on last check

Elvis Ruiz, Foreman, Precinct 4; step increase effective August 5, 2020; Category 16 Step 10; 20 years of employment; rate of pay to be \$25.11/hour; reached the final step-no further steps

Krystal Hernandez, Jail Corporal, Sheriff Office; step increase effective August 11, 2020; Category 11 Step 4; 5 years of employment; rate of pay to be \$20.13/hour; next possible step increase August 11, 2022

Ryan Richter, Jail Corporal, Sheriff Office; step increase effective August 26, 2020; Category 11 Step 5; 7 years of employment; rate of pay to be \$20.73/hour; next possible step increase August 26, 2023

Brandi Reyes, Deputy, County Clerk's office; step increase effective August 11, 2020; Category 1 Step 4; 5 years of employment; rate of pay to be \$17.47/hour; next possible step increase August 11, 2022

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

Bonds (No. 12)

None

Courthouse/Annex Expenditures/Maintenance/Improvements (No. 13)

See Agenda Item No. 14 & 15

J.C. Stoddard Construction Change Order #1 (No. 14)

MOTION: Mr. Randle made a motion to approve a change order regarding waterproofing system for courthouse basement by J.C. Stoddard Construction Company Change Order #1 with a \$20,258.00 decrease and authorize county judge to sign proposal. Mr. Afflerbach seconded the motion. Motion carried on a vote of 4-0.

J.C. Stoddard Construction Change Order #2 (No. 15)

MOTION: Mr. Randle made a motion to approve J.C. Stoddard Construction Change Order #2 regarding removal of concrete obstructions and reduced excavation on the West side of the courthouse by J.C. Stoddard Construction Company for a sum of \$29,832.00 and authorize county judge to sign proposal. Mr. Afflerbach seconded the motion. Motion carried on a vote of 4-0.

Legislative Update (No. 16)

Judge Fowler reported that he has received acknowledgment from the coalition partners that they will stay onboard and continue their sharing of the expense for the legislative professional services.

Discussion of Commissioner Precinct Operation (No. 17)

Commissioner Precinct No. 1 reported on having the first coat of #3 rock and applying second coat of #3 rock Respondek Road that will complete this project, putting limestone, shaping up Nolte-Boehl Road, and planning on fixing up and paving Zimmerman Road if his budget allows

Commissioner Precinct No. 2 reported normal precinct operations.

Commissioner Precinct No. 4 reported normal precinct operations.

Motorola Update (No. 18)

No Motorola project update.

County Building Workshop (No. 19)

Mr. Randle reported that he has a meeting schedule for tomorrow (July 28th) with J.C. Stoddard and Komatsu representatives to discuss the DeWitt County Historical Museum.

Mr. Randle reported that the new annex building foundation groundwork has been done and anticipating to start drilling piers tomorrow (July 28th).

Workshop on 2021 Budget (No. 20)

Court held a workshop on 2020 Budget.

COVID-19 Disaster Update (No. 21)

No COVID-19 disaster update.

Adjourn (No. 22)

MOTION: Mr. Afflerbach made a motion to adjourn. [Adjourned at 11:01 a.m.]

MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS SPECIAL MEETING – JULY 31, 2020

DeWitt County Commissioners Court met in special session July 31, 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. Pilchiek 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:

Agreement for Assessment and Collection Services (No. 1)

MOTION: Mr. Kaiser made a motion to approve an Agreement between the Westhoff Independent School District and the County of DeWitt for consolidating the assessment and collection of property taxes into one agency, the Assessor-Collector of the County of DeWitt. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

Agreement for Assessment and Collection Services (No. 2)

MOTION: Mr. Kaiser made a motion to approve an Agreement between the DeWitt Medical District and the County of DeWitt for consolidating the assessment and collection of property taxes into one agency, the Assessor-Collector of the County of DeWitt. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

2020 Certified Appraisal Values (No. 3)

MOTION: Mr. Kaiser made a motion to receive the certified appraised values for DeWitt County for 2020 from the DeWitt County Tax Assessor/Collector Ashley D. Mraz. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

2021 Anticipated Tax Collection Rate (No. 4)

MOTION: Mr. Pilchiek made a motion to receive the 2021 Tax Assessor/Collector's certification of the anticipated tax collection rate of 100%. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

2020 Tax Rate Calculation (No. 5)

Consensus of the court is to keep the tax rate the same as the previous year.

MOTION: Mr. Randle made a motion to receive the 2020 tax rate calculations required by Property Tax Code § 26.04. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Schedule Public Hearings (No. 6)

MOTION: Mr. Kaiser made a motion to set public hearing for August 24, 2020 at 9:00 a.m. in the DeWitt County Courtroom for the purpose of the FY 2021 proposed budget, adopt the FY 2021 budget and conduct a record vote on the proposed 2020 tax rate(s). Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Workshop on FY2021 Budget (No. 7)

Workshop on FY2021 budget not held.

Adjourn (No. 8)

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 10:45 a.m.]

THE FOREGOING MINUTES FOR THE MONTH OF JULY A.D. 2020 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 10TH DAY OF AUGUST, A.D. 2020.

DARYL, L. FOWLER, COUNTY JUDGE

FALIE CARSON, COUNTY CLERK