

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS  
REGULAR MEETING – AUGUST 9, 2021**

DeWitt County Commissioners Court met in regular session August 9, 2021 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 G. 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:**

**Order of Election (No. 1)**

MOTION: Mr. Randle made a motion to ratify Order of Special Election to be held November 2, 2021 issued by County Judge Daryl L. Fowler on August 9, 2021. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

**Juvenile Probation Update (No. 2)**

MOTION: Mr. Kaiser made a motion to receive a probation update from Chief Juvenile Probation Officer Terri Rogers regarding recidivism rates over the past 5 years and department prevention and intervention program success. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Juvenile Probation Programs (No. 3)**

Court received information from Chief Juvenile Probation Officer Terri Rogers regarding prevention and intervention programs that will be made available to the schools within the county this year.

**Residential Services Agreement (No. 4)**

MOTION: Mr. Kaiser made a motion to approve a one-year contract for residential treatment services between the Gulf Coast Trade Center and DeWitt County Juvenile Probation Department beginning September 1, 2021 through August 31, 2022. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Residential Services Agreement (No. 5)**

MOTION: Mr. Kaiser made a motion to approval of a one-year contract for residential treatment services between the Cameron County Ladies Inspired for Excellence (LIFE) Residential Program and DeWitt County Juvenile Probation Department beginning September 1, 2021 through August 31, 2022. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Residential Services Agreement (No. 6)**

MOTION: Mr. Kaiser made a motion to approve a contract between Lutheran Social Services of the South, Inc. and the County of DeWitt for residential treatment services of juvenile offenders beginning September 1, 2021 and ending on August 31, 2022. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Residential Services Agreement (No. 7)**

MOTION: Mr. Afflerbach made a motion to approve a one-year contract for residential boot camp services between Amador R. Rodriguez Juvenile Boot Camp & Educational Center and DeWitt County Juvenile Probation Department beginning September 1, 2021 through August 31, 2022. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

**Residential Services Agreement (No. 8)**

MOTION: Mr. Afflerbach made a motion to approve a contract between the Victoria County Juvenile Justice Center and the County of DeWitt for residential treatment services of juvenile offenders beginning September 1, 2021 and ending on August 31, 2022. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

**Detention Services Agreement (No. 9)**

MOTION: Mr. Kaiser made a motion to approve a one-year contract for detention services between Darrell B. Hester Juvenile Detention Center and DeWitt County Juvenile Probation Department beginning September 1, 2021 through August 31, 2022. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Detention Services Agreement (No. 10)**

MOTION: Mr. Pilchick made a motion to approve a contract between the Victoria County Juvenile Justice Center and the County of DeWitt for detention services of juvenile offenders beginning September 1, 2021 and ending on August 31, 2022. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**Detention Services Agreement (No. 11)**

MOTION: Mr. Kaiser made a motion to renew a one-year contract between the Guadalupe County Juvenile Services and the County of DeWitt for detention services of juvenile offenders beginning October 1, 2021 through September 30, 2022. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Contract Extension (No. 12)**

MOTION: Mr. Randle made a motion to extend the Road Maintenance Contract with ABN Construction for one (1) year from beginning October 1, 2021 through September 30, 2022. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Randle made a motion to authorize the county auditor to advertise for bids for Road Asphalt Contracts for the upcoming year from October 1, 2021 through September 30, 2022. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**Moving Company Contract (No. 13)**

MOTION: Mr. Randle made a motion to approve quote from Armstrong Warehouse and Transfer for moving the five (5) offices that needs to be transferred and moved to the new annex. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**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 5-0.

**Monthly Report of Officials (No. 15)**

County Auditor reported that the auditor's office received monthly reports from all officials except Sheriff's Office and Constable Precinct No. 2.

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

**County Auditor's Monthly Report (No. 16)**

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

**County Treasurer's Monthly Report (No. 17)**

MOTION: Mr. Kaiser made a motion to receive and approve Court Order Number 2021-041 Order Approving Treasurer's Monthly Report. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Minutes (No. 18)**

MOTION: Mr. Kaiser made a motion to approve minutes of the previous term of court. Mr. Randle seconded the motion. Motion carried on a vote of 3-0 with Judge Fowler and Mr. Afflerbach abstaining.

**Accounts Payable (No. 19)**

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. 20)**

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

**Budget Amendment Requests (No. 21)**

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

**Bonds (No. 22)**

None

**Courthouse/Annex/Museum Expenditures/Maintenance/Improvements (No. 23)**

Judge Fowler reported that JC Stoddard is trying to wrap up the project around the courthouse, smooth out the ground and remove rocks. The irrigation contractor has been moving in, attempting to work and rebuild the irrigation system.

Mr. Afflerbach reported that the inside air conditioner is currently being installed at the Historical Museum. The plumber has requested 8-1-1 service and he is ready to go as soon as he gets the okay. The building had water in several locations within inside the building last week due to the heavy rain. The architect will be meeting next Wednesday with Mr. Perez regarding the leveling of the building.

### **Legislative Update (No. 24)**

County Treasurer discussed HB 2073, which requires the county to establish a paid quarantined leave policy for peace officers, detention officers and nurses and the effect of the bill on the county.

### **Discussion of Commissioner Precinct Operations (No. 25)**

Mr. Edwin P. Danford and Mr. Brett Ckudre addressed the court regarding the amount of traffic on Ckudre Road located in Commissioner Precinct No. 3 and the condition of the road. Mr. Danford reported that the road was in a better condition than when he first move to his property. The men thanked Mr. Kaiser and the court for all that had been done on the roads and for explaining what the county has had to go through to maintain the roads within the county.

Commissioner Precinct No. 1 reported that he had received the engineering reviews on Hahn Road and Schlenstedt Road.

Commissioner Precinct No. 2 reported that the roadwork on Hample Road and Cattleguard Road are moving along as scheduled.

Commissioner Precinct No. 3 reported normal precinct operations.

Commissioner Precinct No. 4 reported that the roadwork on Five Mile Road had been finished and started operations on Thomaston River Road.

### **County Building Workshop (No. 26)**

Mr. Randle reported that the inside work and outside brickwork is coming along. The completion date is still scheduled for the last week of August with a move in date the middle of September. Air conditioner was started under construction guidelines with the official startup date being next week.

### **COVID-19 Disaster Update (No. 27)**

Judge Fowler reported that he posted an update on the Emergency Management Facebook page last Friday. He reported 80 new cases with 54 of those within Cuero. Some of the individuals are hospitalized but most are at home. Some are also getting a touch of pneumonia along with having COVID-19.

### **Workshop on 2022 Budget (No. 28)**

Court discussed some of the sheriff's employee payroll title classifications. Court also discussed the salaries of the Assistant District Attorney's and clerical staff.

Judge Fowler reported that the IT Administrator turned down the exempt employee status so the alternative was to find a place to put him in a stepladder along with any other county employee.

**Adjourn (No. 29)**

MOTION: Mr. Afflerbach made a motion to adjourn. [Adjourned at 11:12 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS  
REGULAR MEETING – AUGUST 23, 2021**

DeWitt County Commissioners Court met in regular session August 23, 2021 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 G. 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 (No. 1)**

Public hearing held in order to provide opportunity for public comments on the proposed annual written archive plan for funding the preservation and restoration of the county clerk's records archive pursuant to Local Government Code 118.025. No one was present to speak for or against the proposed annual written archive plan.

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

Judge Fowler closed the public hearing.

**Rule on Public Hearing (No. 3)**

MOTION: Mr. Kaiser made a motion to approve the annual archive plan for preservation and restoration of the county clerk’s record archive pursuant to Local Government Code §118.025. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Public Hearing (No. 4)**

Public hearing held in order to provide opportunity for public comments on the proposed annual written plan for the preservation and restoration of the district court records archive pursuant to Government Code 51.305. No one was present to speak for or against the proposed annual written plan.

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

Judge Fowler closed the public hearing.

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

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

**Public Hearing on the Proposed FY2022 Budget and the 2021 Tax Rate (No. 7)**

Public hearing held in order to provide opportunity for public comments on the proposed FY2022 budget and the 2021 tax rate.

Judge Fowler presented information on the proposed FY2022 budget and 2021 tax rate. No one was present to speak for or against the proposed budget.

**Close Public Hearing (No. 8)**

Judge Fowler closed the public hearing.

**Action on Proposed FY2022 Budget (No 9)**

MOTION: Mr. Kaiser made a motion to adopt Commissioners Court Order #2021-043 approving the FY2022 Budget for DeWitt County. Mr. Pilchick seconded the motion.

Record Vote: Commissioner Precinct No. 1 “Aye”  
Commissioner Precinct No. 2 “Aye”  
Commissioner Precinct No. 3 “Aye”  
Commissioner Precinct No. 4 “Aye”  
Judge Fowler “Aye”

**Action on Tax Rate (No. 10)**

MOTION: Mr. Randle made a motion to adopt Commissioners Court Order #2021-044, setting the 2021 Maintenance & Operating Tax Rate at tax rate of 0.46937, out of a total tax rate of 0.46937 pursuant to Local Government Code § 81.0067 and Tax Code §26.05(b). Mr. Afflerbach seconded the motion.

Record Vote: Commissioner Precinct No. 1 “Aye”  
Commissioner Precinct No. 2 “Aye”  
Commissioner Precinct No. 3 “Aye”  
Commissioner Precinct No. 4 “Aye”  
Judge Fowler “Aye”

**Pay Schedule/Job Classifications for FY2022 (No. 11)**

MOTION: Mr. Kaiser made a motion to approve the Pay Schedule and Job Classifications for DeWitt County Officials and Employees during FY2022. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Order Setting Salary of DeWitt County Officials and Employees for FY 2022 (No. 12)**

MOTION: Mr. Randle made a motion to approve the Salary Order FY2022 Court Order #2021-042. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

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

MOTION: Mr. Afflerbach 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, 2021 and enter into minutes of the Court. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

**Schedule a Public Hearing (No. 14)**

MOTION: Mr. Kaiser made a motion to set a public hearing for September 13, 2021 at 9:00 a.m. in the DeWitt County Courthouse for the purpose of establishing No Thru Trucks on Schroeder Road in Precinct Three. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Schedule a Public Hearing (No. 15)**

MOTION: Mr. Kaiser made a motion to set a public hearing for the purpose of setting a 30-MPH Speed Limit on Schroeder Road for September 13, 2021 at 9:00 a.m. in the DeWitt County Courthouse in the Courtroom. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.



**Department of State Health Services Contract HHS001021300001 (No. 16)**

MOTION: Mr. Kaiser made a motion to approve the contract between the Department of State Health Services and Cuero-DeWitt County Health Department, in the amount of \$75,738.00, effective dates of 9/1/2021 through 8/31/2023, Program Name RLSS/LPHS RLSS/Local Public Health System-PnP. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Regional Public Defender Program (No. 17)**

MOTION: Mr. Kaiser made a motion to approve an Interlocal Agreement with Lubbock County acting through the Regional Public Defender for Capital Cases and pursuant to the Fair Defense Act, Texas Code of Criminal Procedure 26.044(b) and Texas Government Code Chapter 791; authorize the payment of invoice in the amount of \$4,005.00. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

**Detention Services Agreement (No. 18)**

MOTION: Mr. Kaiser made a motion to approve a contract between the Atascosa County Juvenile Services and the County of DeWitt for detention services of juvenile offenders beginning September 1, 2021. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Child Welfare Board Interlocal Agreement (No. 19)**

MOTION: Mr. Kaiser made a motion to approve an Interlocal Agreement between DeWitt County and the DeWitt County Child Welfare Board. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Jury Reimbursement Plan (No. 20)**

MOTION: Mr. Kaiser made a motion to approve Court Order #2021-045 approving the Jury Reimbursement Plan retroactive in the amount of \$2,720.00 for FY2021 and the plan for FY2022. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0. [See page 10 - after agenda item # 23 for further actions]

**Certificate of Completion (No. 21)**

MOTION: Mr. Kaiser made a motion to receive Certificate of Completion from the V.G. Young Institute of County Government for Judge Fowler for successfully completing 12 hours of educational training during the 87th Annual South Texas County Judges and Commissioners Association Conference, June 28th to July 1st, 2021. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Certificate of Attendance (No. 22)**

MOTION: Mr. Kaiser made a motion to receive Certificate of Attendance for Elections Administrator Melissa Alcazar from Texas Secretary of State for the successful completion of 20.5 hours at the 39th Annual Election Law Seminar for County Election Officials. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Continuing Education Transcript (No. 23)**

MOTION: Mr. Randle made a motion to receive a continuing education transcript from the Texas Tax Assessor-Collectors Association indicating that the Honorable Ashley D. Mraz, DeWitt County Tax Assessor-Collector, has completed 32.75 hours of continuing education for reporting period of 05/06/2021 to 05/05/2022. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

**Jury Reimbursement Plan (No. 20)**

MOTION: Mr. Kaiser made a motion to rescind the first motion adopting Court Order No. 2021-045. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Kaiser made a motion to adopt Court Order Number 2021-045, a Jury Reimbursement Plan as amended. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Kaiser made a motion to pay the jurors \$2,720.00 to be reimbursed by Texas Comptroller's office. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Contract Extension (No. 24)**

Court passed on taking any action.

**Award of Bid for Precinct 1 Truck (No. 25)**

MOTION: Mr. Kaiser made a motion to award bid and authorize payment to Henna Chevrolet for the purchase of a for new 4X4 Crew Cab Truck to be used by Precinct 1. Mr. Pilchick 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 the permit application of Hurd Enterprises Ltd. to cross Kaiser-Adams Road in Commissioner Precinct No. 2. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**Accounts Payable (No. 27)**

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. 28)**

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

**Budget Amendment Requests (No. 29)**

None

**Bonds (No. 30)**

None

**Courthouse/Annex Expenditures/Maintenance/Improvements (No. 31)**

Judge Fowler reported that Carroll Blank is installing the irrigation system and the ground is being leveled.

MOTION: Mr. Kaiser made a motion to approve a requisition for courthouse for \$18,000.00 for the irrigation system installation. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Mr. Afflerbach reported on the status of the air conditioning and foundation work at the Historical Museum.

**Legislative Update (No. 32)**

No Legislative update.

**County Building Workshop (No. 34)**

Mr. Randle reported that the county had received an Engineered Commissioning Scope Proposal submitted by Hendrix Consulting Engineers for the HVAC system and the new annex building.

MOTION: Mr. Randle made a motion to authorize the judge to enter into the modified Engineered Commissioning Scope Proposal dated August 6, 2021 with Hendrix Consulting Engineers. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Mr. Randle reported on a floor tile issue at the new annex building and the solution.

As of this date, the tentative move in date is still the middle of September. He reported that there would be a meeting on Wednesday with Constructors, Architect, Building Committee, Ashley D. Mraz and Joey Trungale regarding moving timelines.

**Discussion of Commissioner Precinct Operations (No. 33)**

Commissioner Precinct No. 1 reported on working on the last four (4) culvert pipes and cement work on the ends on Hahn Road. He reported also working on setting culverts and cementing the ends on Von Haefen Road.

Commissioner Precinct No. 2 reported on still working on Hample Road.

Commissioner Precinct No. 3 reported on getting Salt Creek Cemetery Road ready for paving.

Commissioner Precinct No. 4 reported on working on grounding up Thomaston River Road.

**COVID-19 Disaster Update (No. 35)**

No COVID-19 disaster update.

**Workshop on 2022 Budget (No. 36)**

Court did not hold a workshop on 2022 budget

**Adjourn (No. 37)**

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 10:48 a.m.]

THE FOREGOING MINUTES FOR THE MONTH OF AUGUST A.D. 2021 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 13TH DAY OF SEPTEMBER, A.D. 2021.

  
DARYL L. FOWLER, COUNTY JUDGE

ATTEST:   
NATALIE CARSON, COUNTY CLERK

