

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
SPECIAL MEETING – JANUARY 4, 2021**

DeWitt County Commissioners Court met in special session January 4, 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 James B. Pilchick Sr., Precinct No. 2
Commissioner James Kaiser, Precinct No. 3

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:

Bonds (No. 1)

MOTION: Mr. Kaiser made a motion to accept bonds. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

Swearing in of Elected Officials (No. 2)

Swearing in ceremony of Elected Officials held for Commissioner Precinct No. 3 James Kaiser, District Clerk Esther Ruiz, County Attorney A. Jay Condie, County Tax Assessor-Collector Ashley D. Mraz, Sheriff Carl Bowen, Deputy Sheriff's and Reserve Deputy Sheriff's.

Adjourn (No. 3)

MOTION: Mr. Pilchick made a motion to adjourn. [Adjourned at 9:24 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – JANUARY 11, 2021**

DeWitt County Commissioners Court met in regular session January 11, 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 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 was held in order to provide the opportunity for public comments on designating Old Clinton Road as a No Thru Truck Traffic road in Commissioner Precinct No. 3. Blanca McBride spoke in favor of designating the road as a No Thru Truck Traffic road. No one was present to speak against.

Close Public Hearing (No. 2)

Judge Fowler closed the public hearing.

Rule on Public Hearing (No. 3)

MOTION: Mr. Kaiser made a motion to install a No Thru Truck Traffic sign on Old Clinton Road from the stop sign at Berger Addition to State Highway 72 in Commissioner Precinct No. 3 effective once the signs are posted. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Public Information Announcement (No. 4)

Court heard information from Commissioner Randle about the periodic closing of South Golly Road for culvert work from January 15 – February 15, 2021.

Agreement for Legal Services (No. 5)

MOTION: Mr. Kaiser made a motion to approve Court Order Number 2021-004 Approving Engagement Agreement for Legal Services Engagement (Tax Abatement and Other Economic Development) with Bickerstaff Heath Delgado Acosta LLP, Court Order Number 2021-004. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Constable Pct. 2 Patrol Stipend Request (No. 6)

Court received request from Constable Pct. 2 Jefferson Hobbs of his intent to patrol traffic in DeWitt County.

MOTION: Mr. Pilchick made a motion to approve payroll status change for Jefferson Hobbs that adds the traffic patrol stipend of \$20,070.00 to his scheduled pay in compliance with the current county budget. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

CPL Energy Renewal (No. 7)

MOTION: Mr. Kaiser made a motion to approve the renewal of contract with CPL Business (AEP Texas Central Company) for energy services for the office of Justice of the Peace Precinct No. 2. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

Amend 2021 Salary Order (No. 8)

MOTION: Mr. Kaiser made a motion to amend the FY2021 DeWitt County Salary Order for reduction of two part time positions and addition of one full time position for DeWitt County Sheriff's Office pursuant to Court Order #2021-003. Mr. Randle seconded the motion. Motion carried on a vote of 3-0 with Mr. Pilchick absent.

DeWitt County Sheriff Office Year-End Report (No. 9)

MOTION: Mr. Randle made a motion to receive report from DeWitt County Sheriff Carl Bowen. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

Motorola Update (No. 34)

Sheriff Bowen reported that Motorola is coming to the completion phase of system. All law enforcement officers have been converted over. EMS and Volunteer Fire Departments are still having some issues with compatibility. He reported that letters for authorization to have radios programmed have been mailed to Texas Department of Emergency Management and Texas Department of Public Safety. Sheriff Bowen reported that the entire alarm system is going in this week and expect by January 25, 2021 the construction phase is to be completed.

Municipal Nomination to the GBRA Flood Planning Group (No. 10)

MOTION: Mr. Randle made a motion to receive the letter of solicitation of a member and authorize County Judge to serve as a DeWitt County nominee on the GBRA Flood Planning Group for the seat representing counties. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Bonds (No. 30)

Kelly Phelps – Constable Precinct No. 1

MOTION: Mr. Kaiser made a motion to approve bond for Constable Precinct No. 1 Kelly Phelps. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Set Terms of Constitutional County Court (No. 11)

MOTION: Mr. Kaiser made a motion to set terms of constitutional County Court for 2021 pursuant to Government Code § 26.002 as January 1st, April 1st, July 1st and October 1st with each term to run until the beginning of the next term. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Presentation of Certificate and Award (No. 12)

Court presented a Certificate of Achievement for Excellence in Financial Reporting and an Award of Financial Reporting Achievement to Carrie Rea, county auditor, and her staff on behalf of the Government Finance Officers Association of the United States and Canada.

Letter Agreement Amendment (No. 15)

MOTION: Mr. Randle made a motion to amend the Letter Agreement for County of DeWitt, Money Market Investment Account, to accept the offer of First National Bank of Shiner to implement a floor rate of 0.01% effective immediately and for the remaining term of the parties' agreement and Depository Contract set to expire May 15, 2021. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

Resolution for Signature Authority (No. 18)

MOTION: Mr. Kaiser made a motion to adopt a signature authority resolution to update County Clerk accounts, Court Order Number 2021-001. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Depository Bids (No. 19)

MOTION: Mr. Randle made a motion to authorize the County Treasurer to advertise for depository bids and establish the date February 19, 2021 for when the bids shall be delivered to the County Judge or a designated representative. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Per Diem and Mileage Rates (No. 16)

MOTION: Mr. Kaiser made a motion to approve the change of the 2021 IRS Per Diem and the 2021 IRS standard Mileage rate as \$55.00/night for overnight stay and 0.56/mile. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

Authorize Auditor to Advertise for Bids (No. 17)

MOTION: Mr. Kaiser made a motion to authorize the county auditor to advertise for bids motor fuels, road materials, and asphalt oils. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Pipeline Crossing Permit (No. 13)

MOTION: Mr. Kaiser made a motion to approve permit application of BPX (Eagleford) Gathering LLC to cross Rogge Seifert Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Pipeline Crossing Permit (No. 14)

MOTION: Mr. Kaiser made a motion to approve permit application of BPX (Eagleford) Gathering LLC to cross Metting School Road in Commissioner Precinct No. 1. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Monthly Report of Officials (No. 20)

County Auditor reported that her office received monthly reports from all officials except Constable Precinct No 1 and Flood Plain Administrator.

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

County Auditor's Monthly Report (No. 21)

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.

County Auditor's Cash Count Report 1st Quarter FY 2021 (No. 22)

MOTION: Mr. Kaiser made a motion to receive County Auditor's Cash Report 1st Quarter FY2021. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

County Treasurer's Monthly Report (No. 23)

MOTION: Mr. Kaiser made a motion to receive County Treasurer's Monthly Report and approve Order Approving Treasurer's Monthly Report. Mr. Randle seconded the motion. Motion carried on a vote of 4-0. [Court Order Number 2021-002]

County Treasurer's Quarterly Investment Report (No. 24)

MOTION: Mr. Randle made a motion to approve the quarterly report ending December 31, 2020 from the County Treasurer's office. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Minutes (No. 25)

MOTION: Mr. Randle made a motion to receive and approve minutes of the December term of court. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Accounts Payable (No. 26)

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

Ratified Accounts Payable (No. 27)

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

Budget Amendment Requests (No. 28)

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

Personnel Changes (No. 29)

Trent Matula, Equipment Operator, Commissioner Precinct No. 2; hired effective January 11, 2021; Category 17 Step 2; rate of pay to be \$20.00/hour; next possible step increase January 11, 2023

Mark Herchek, Precinct Foreman, Commissioner Precinct No. 2; promotion from Equipment Operator to Precinct Foreman effective January 11, 2021; Category 16 Step 2; 1 month of employment; rate of pay to be \$20.90/hour; next possible step increase December 7, 2022

Jacie Rickman, Deputy, Sheriff Office; transfer from Part-Time Secretary to Full-Time Deputy effective December 21, 2020; Category 15 Step 1; 5 years 4 months of employment; rate of pay to be \$20.65/hour; next possible step increase December 21, 2021

Celina Rodriguez, Part Time Deputy, Sheriff Office; resignation effective December 21, 2020; 3 year 7 months of employment

Michael R. Gonzales, Equipment Operator, Commissioner Precinct No. 4; step increase effective February 4, 2021; Category 17 Step 3; 2 years of employment; rate of pay to be \$20.62/hour; next possible step increase February 4, 2024

Bryan Dippel, Jailer, Sheriff Office; hired effective January 4, 2021; Category 12 Step 1; rate of pay to be \$17.84/hour; next possible step increase January 4, 2022

Carol Cunningham, Jail Sergeant, Sheriff Office; step increase effective January 27, 2021; Category 10 Step 6; 10 years of employment; rate of pay to be \$23.13/hour; next possible step increase January 27, 2023

Victoria Ferrell, Juvenile Probation Officer, Juvenile Probation Dept.; step increase effective February 18, 2021; Category 19 Step 2; 1 year of employment; rate of pay to be \$23.54/hour; next possible step increase February 18, 2022

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

Courthouse/Annex Expenditures/Maintenance/Improvements (No. 30)

Judge Fowler reported that the south side drainage was not doing its job and when the ground dries up, they will have to go deeper. There has been three flooding issues at the elevator. Judge Fowler reported that there would be a meeting on Tuesday, January 12th.

Legislative Update (No. 32)

No legislative update.

Discussion of Commissioner Precinct Operations (No. 33)

Commissioner Precinct No. 2 reported that Herder Road is ground up and full of mud, Hennessey Road ground up and doing good and hoping to stabilize Bootlegger Road this week.

Commissioner Precinct No. 3 reported normal precinct operations.

Commissioner Precinct No. 4 reported on upgrading drainage & restoration of the road surface of South Golly Road.

County Building Workshop (No. 35)

Mr. Randle reported the crew was still working on the steel, date for the second floor cement being poured is still undetermined, the mock up wall is in place and the brickwork looks amazing.

COVID-19 Disaster Update (No. 36)

Emergency Management Coordinator Cyndi Smith gave an update on the vaccine supply and the wait list.

Adjourn (No. 37)

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 11:47 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – JANUARY 25, 2021**

DeWitt County Commissioners Court met in regular session January 25, 2021 at 9:00 a.m. in the County Courtroom at the DeWitt County Courthouse in Cuero, Texas, with the following members present:

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

Mr. Afflerbach called the meeting to order. Mr. Pilchick led everyone in the pledge of allegiance. Mr. Randle gave the invocation.

Request for Additional Cash Drawer (No. 2)

MOTION: Mr. Pilchick made a motion for the approval of the request for additional cash drawer of \$100 for new full time position for District Clerk Esther Ruiz. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

Certificate of Completion (No. 3)

MOTION: Mr. Kaiser made a motion to receive certificates of completion from the County & District Clerk’s Association of Texas for County Clerk Natalie Carson and District Clerk Esther Ruiz for completing the required 20 hours of continuing education for 2020 as prescribed in Section 51.605 of the Texas Government Code. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Constable Precinct No. 1 Activity Report (No. 4)

MOTION: Mr. Kaiser made a motion to receive Constable Precinct No. 1 activity report. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Racial Profiling Report (No. 5)

MOTION: Mr. Kaiser made a motion to receive Tier 1 – Partial Exemption Racial Profiling Report from DeWitt County Constable Precinct No. 1. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Request to Establish a Reserve Program (No. 6)

Court passed on this agenda item.

DeWitt County Sex Trafficking Prevention and Intervention Program Grant Application (No. 7)

Juvenile Probation Officer Terri Rogers and Texas Department of Public Safety Special Agent Randy Kaiser spoke to the court.

MOTION: Mr. Randle made a motion to authorize Terri Rogers, Chief Juvenile Probation Officer, to apply for the County Innovations to Address Commercial Sex Exploitation Grant through the Office of the Governor Public Safety Office in order to fund the creation of the DeWitt County Sex Trafficking Prevention and Intervention Program. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Gulf Bend Center FY2021 Budget (No. 8)

MOTION: Mr. Kaiser made a motion to receive Gulf Bend Center FY2021 budget. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 9)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement with Select Energy Services LLC for installation of a dual water line along Gohlke School Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 10)

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

Temporary Right of Way (No. 11)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement with Burlington Resources Oil & Gas LP for installation of a dual water line along Schlenstedt Road & Nessel Road in Commissioner Precinct No. 1. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Authorize Auditor to Dispose of Salvage or Surplus Property (No. 12)

MOTION: Mr. Randle made a motion to authorize Auditor to dispose of salvage or surplus property, pursuant to Local Government Code §263, Subchapter D. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

Declare Fixed Assets as Salvage (No. 13)

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

Accounts Payable (No. 14)

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

Ratified Accounts Payable (No. 15)

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

Budget Amendment Requests (No. 16)

None

Personnel Changes (No. 17)

Marshall Rauch, Part-Time Equipment Operator, Commissioner Precinct No. 1; resignation effective December 30, 2020; 2 years of employment; rate of pay \$16.00/hour

Deborah Rider, Deputy Clerk, District Clerk; hired effective January 19, 2021; Category 1 Step 1; rate of pay to be \$15.20/hour; next possible step increase January 19, 2022

Audrey Barrera, Deputy Clerk, District Clerk; hired effective January 19, 2021; Category 1 Step 1; rate of pay to be \$15.20/hour; next possible step increase January 19, 2022

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

Bonds (No. 18)

None

Salary Grievance Committee (No. 1)

MOTION: Mr. Kaiser made a motion to appoint public members to the County Salary Grievance Committee pursuant to Government Code 152.014. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

MOTION: Mr. Kaiser made a motion to appoint public members to County Salary Grievance Committee pursuant to Government Code Section 152.015. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Courthouse/Annex Expenditures/Maintenance/Improvements (No. 19)

County Auditor Carrie Rea reported that she had been contacted by Adult Probation Department. The department wants to get started on the next steps to the basement of the courthouse to get it ready for their office.

Mr. Randle reported that a meeting was held a couple weeks ago with the contractor, engineer and architect concerning the problem with the influx of water in the basement. It was discovered that the work done with the French drain system was 2 ft. higher than it should have been. The contractor has redone the work since the meeting.

County Building Workshop (No. 23)

Mr. Randle reported that a progress meeting is scheduled for tomorrow. He reported that the woodwork that the contractor was waiting on finally came in. The contractor is planning on finishing the metalwork and pouring the second floor concrete the first week of February. There are two (2) crews of framers coming in to make up time. There has been some discussion with the Masonic Lodge about the stone and now it is now in the hands of the Masonic Lodge.

Legislative Update (No. 20)

No legislative update.

Motorola Update (No. 22)

No Motorola project update.

Discussion of Commissioner Precinct Operations (No. 21)

County Auditor Carrie Rea reported that her office has been having problems with the new bids as far as what the auditor staff is supposed to be checking on the billing that is coming in compared to what was actually bid.

Commissioner Precinct No. 1 reported working on DuBose Ranch Road.

Commissioner Precinct No. 2 reported normal precinct operations.

Commissioner Precinct No. 3 reported normal precinct operations.

Commissioner Precinct No. 4 reported working on South Golly Road project.

COVID-19 Disaster Update (No. 24)



Emergency Management Coordinator Cyndi Smith reported that the COVID-19 2nd shots are coming in. Currently there is no guarantee when the second shots will be given. There will be a meeting tomorrow afternoon to discuss a mass vaccination of the COVID-19 shots. Ms. Smith reported that she continues to hand out masks within the county.

Adjourn (No. 25)

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 10:31 a.m.]

THE FOREGOING MINUTES FOR THE MONTH OF JANUARY A.D. 2021 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 8TH DAY OF FEBRUARY, A.D. 2021.


DARYL L. FOWLER, COUNTY JUDGE


Attest: 
NATALIE CARSON, COUNTY CLERK