

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – NOVEMBER 8, 2021**

DeWitt County Commissioners Court met in regular session November 8, 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 (arrived late)
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:

DeWitt County Appraisal District Amended Budget (No. 2)

MOTION: Mr. Randle made a motion to receive the Notice of Intent to amend the FY2022 budget of the DeWitt County Appraisal District and will be posted on the bulletin board in the foyer by the elevator of the DeWitt County Courthouse. Mr. Afflerbach seconded the motion. Motion carried on a vote of 4-0.

Offer to Donate Vehicle for Use by Assistant District Attorney (No. 3)

No action taken by the court.

Service Contract Renewal (No. 4)

MOTION: Mr. Randle made a motion for the renewal of the Trane Scheduled Service Agreement for the courthouse HVAC system and to utilize the service fee discount of \$411.48 making the remaining bill \$13,304.52. Mr. Afflerbach seconded the motion. Motion carried on a vote of 4-0.

U.S. Department of Agriculture Disaster Declaration S5089 (No. 6)

MOTION: Mr. Afflerbach made a motion to receive Notice of Disaster Declaration from United States Department of Agriculture S5089 and information regarding agricultural loan opportunities for farms and ranches negatively impacted by recurrent rain events beginning April 1, 2021 that has been previously distributed to local media outlets as Public Service Announcement. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Commissioners Court Meeting Schedule (No. 7)

MOTION: Mr. Afflerbach made a motion to cancel the regularly scheduled Commissioners Court Meeting of December 27, 2021. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Monthly Report of Officials (No. 8)

County Auditor Carrie Rea reported that the auditor's office received monthly report from all officials except for Sheriff.

MOTION: Mr. Randle 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. 9)

MOTION: Mr. Afflerbach made a motion to receive the Auditor's Monthly Report. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

County Treasurer's Monthly Report (No. 10)

MOTION: Mr. Afflerbach made a motion to adopt Court Order Number 2021-066, receive and approve Order Approving Treasurer's Monthly Report. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

Minutes (No. 11)

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

Accounts Payable (No. 12)

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. 13)

MOTION: Mr. Randle 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. 14)

None

Bonds (No. 15)

Bond of Carrie Rea, County Auditor

MOTION: Mr. Randle made a motion to approve bond for Carrie Rea to the District Judges, Bond Number 61188186. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Courthouse/Annex/Museum Expenditures/Maintenance/Improvements (16)

Judge Fowler reported that the courthouse grass has been laid and appears to have been rolled and eventually will be leveled out more. Gelasio Garcia requested to remove some of the grass that had been laid around the perimeter and the base of the trees because it is not settling in and will impede water from flowing off the yard onto the sidewalk out into the street. Mr. Garcia also has put in a quote to fill in the bedding under the rows of the oak trees on Courthouse Street and Clinton Street with dirt and lay sod over that. Judge Fowler also spoke with Mr. Garcia about installing more walk thru in the yard to the street. Consensus of the court to have Mr. Garcia move forward with the fill in the bedding under the rows of the oak trees.

Mr. Afflerbach reported that the carpenters are at the museum installing paneling in the corners and fixing the holes in the floors where the air conditioning ducts were. He reported on still waiting on roofing materials.

County Building Workshop (No. 19)

Mr. Randle reported on continued processing of punch list, still waiting on leather imprints to verify the list of names and the bricklayers are still slowing working.

Legislative Update (No. 17)

Judge Fowler reported that Proposition No. 2 that was on the ballot that had general implications for counties that would allow counties to create reinvestment zones and then issue bonds in those reinvestment zones to pay for road improvements passed on the Constitutional Amendment Election last week statewide and there is already a lawsuit filed against it.

Discussion of Commissioner Precinct Operations (No. 18)

Commissioner Precinct No. 1 reported that Von Haefen Road is finished and ABN Construction is currently working on Hahn Road, which is under the grant procedure.

Commissioner Precinct No. 2 reported on finishing the roadwork on Cattleguard Road. Mr. Pilchick reported that he still had some grant money left over and plans to put in an application for the money to be applied to the 2nd road on list.

Commissioner Precinct No. 3 was not present.

Commissioner Precinct No. 4 reported on finishing the roadwork on Thomaston River Road. Mr. Randle reported that he still had some grant money left over and plans to put in an application for the money to be applied to the 2nd road on list, which is Arneckeville Road.

Mr. Randle reported that he received a letter from Golden Crescent Regional Planning Commission in conjunction with TCEQ announcing the availability of the disposal municipal waste grant funding for 2022-2023.

COVID-19 Disaster Update (No. 20)

No COVID-19 disaster update.

Canvass of Election Returns (No. 5)

Court canvassed the election returns for the November 2, 2021 Special (Constitutional Amendment) election.

2020 Census Results and Redistricting (No. 1)

Mr. Frank Reilly, counsel with Allison, Bass & Magee, provided the court with data and maps regarding redistricting of political boundaries in DeWitt County.

MOTION: Mr. Randle made a motion to adopt Court Order 2021-067, which is the finding of fact regarding the political boundaries of DeWitt County, Texas following the publication of the 2020 census data and the order for redistricting of political boundaries. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Kaiser made a motion to adopt Court Order 2021-068, Order Adopting Redistricting Plan for Commissioners Court Precincts. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Adjourn (No. 21)

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 11:53 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – NOVEMBER 22, 2021**

DeWitt County Commissioners Court met in regular session November 22, 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:

Public Hearing (No. 1)

Public hearing held in order to provide opportunity for public comments on placing stop signs at the following intersections; 1) On Thiele Road at Bluebonnet Lane intersection; 2) On Petru Lane at Bluebonnet Lane intersection. Roma Jo Delvige spoke in favor of the stop signs. No one was present to speak against the placement of the stop signs.

Close Public Hearing (No. 2)

Judge Fowler closed the public hearing.

Rule on Public Hearing (No. 3)

MOTION: Mr. Pilchick made a motion placing stop signs at the following intersection on Thiele Road at Bluebonnet Lane effective today. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Pilchick made a motion to install a stop sign at the intersection on Petru Lane at Bluebonnet Lane effective when the signs go up. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Schedule a Public Hearing (No. 4)

MOTION: Mr. Pilchick made a motion to schedule a public hearing to establish a 45 MPH speed limit on Garrett Road in Precinct 2 on December 13, 2021 at 9:00 a.m. in the DeWitt County Courthouse. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Engineering Services Master Contract (No. 5)

Court reviewed Master Contract for Engineering Services with Urban Engineering.

Court passed on this agenda item.

Proclamation for National Hospice Palliative Care Month (No. 6)

MOTION: Mr. Kaiser made a motion to proclaim November 2021 as National Hospice and Palliative Care Month in DeWitt County. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0. [Court Order Number 2021-069]

City of Cuero Indemnity and Hold Harmless Agreement and Presentation of Proposed Christmas Attractions (No. 7)

MOTION: Mr. Randle made a motion to approve an Indemnity and Hold Harmless Agreement with the City of Cuero for placing lighted Christmas attractions on the south side of the Courthouse. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Consider Placement of Christmas Attractions (No. 8)

MOTION: Mr. Randle made a motion to approve the request from the City of Cuero Main Street Committee, in connection with the Christmas in the Park Committee, to place temporary, removable, lighted Christmas Attractions on the grassed areas of the south side of the Courthouse November 22, 2021 - January 10, 2022. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

GCRPC Municipal Solid Waste Grant (No. 9)

MOTION: Mr. Kaiser made a motion authorizing DeWitt County Commissioners to apply for grant funding for Fiscal Year 2022-2023 provided by the Golden Crescent Regional Planning Commission and the Texas Commission on Environmental Quality for disposal of municipal solid waste and authorize county judge to submit grant application. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Joint Primary Election Resolution (No. 10)

MOTION: Mr. Kaiser made a motion to adopt the Primary Joint Resolution proposing a joint Primary Election between the DeWitt County Democratic Party and the DeWitt County Republican Party to be conducted by the DeWitt County Elections Administrator and authorize a 2022 Joint Primary Election Services Contract. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

HB2521 Division Order (No. 11)

MOTION: Mr. Kaiser made a motion to receive division order from Magnolia Oil & Gas Operating LLC (HB2521) for the Jahn Unit 3H and Jahn Unit 4H and authorize county judge to sign. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Temporary Right of Way (No. 12)

MOTION: Mr. Kaiser made a motion to approve two (2) permit applications with Burlington Resources Oil & Gas Company LP for installation of temporary water lines along Gruenau Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Temporary Right of Way (No. 13)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement application with Burlington Resources Oil & Gas Company LP for installation of temporary water line along H. Koopman Road in Commissioner Precinct No. 3. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Temporary Right of Way (No. 14)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement with Burlington Resources Oil & Gas Company LP for installation of temporary water line along A. Metting Road, Jaeger Road, and Gruenau Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Temporary Right of Way (No. 15)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement with Burlington Resources Oil & Gas Company LP for installation of temporary water line along Salt Creek Cemetery Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Accounts Payable (No. 16)

MOTION: Mr. Randle made a motion to approve accounts payable, which would include the payoff of Motorola of \$2,075,246.04 of an early payoff of a five (5) year agreement. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Ratified Accounts Payable (No. 17)

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

Budget Amendment Requests (No. 18)

None

Bonds (No. 19)

None

Courthouse/Annex/Museum Expenditures/Maintenance/Improvements (No. 20)

Judge Fowler reported that Carroll Blank Irrigation Co. provided a quote of \$3,900.00 for landscaping work of laying PVC pipe at the DeWitt County Annex building. Court did not take any action on the quote.

Mr. Afflerbach reported that Mrs. Bartosch advised some shingle samples were dropped off but was unsure what needed to be done.

County Building Workshop (No. 23)

Mr. Randle reported on still waiting on the paver subcontractor to finish.

Mr. Afflerbach reported that his crew had picked up the leftover tile and has it stored.

Legislative Update (No. 21)

Judge Fowler reported that all of the bills have passed with DeWitt County moving into a new district next year, Congressional District 27. The county will remain in Senate District 18 and Legislative District 30.

Discussion of Commissioner Precinct Operations (No. 22)

Commissioner Precinct No. 1 reported on work on two (2) grant roads, which are Hahn Road and Schlenstedt Road.

Commissioner Precinct No. 2 reported on normal precinct operations.

Commissioner Precinct No. 3 reported on normal precinct operations.

Commissioner Precinct No. 4 reported on waiting on the striping crew to finish striping the hill on Thomaston River Road and when the striping is finished, he would seek certification of completion. Arneckeville Road is the next grant road on his agenda.

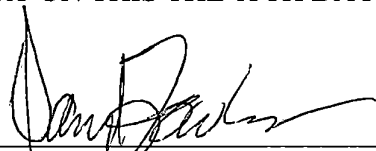
COVID-19 Disaster Update (No. 24)

No COVID-19 disaster update.


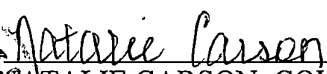
Adjourn (No. 25)

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 10:20 a.m.]

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



DARYL L. FOWLER, COUNTY JUDGE

 ATTEST: 

NATALIE CARSON, COUNTY CLERK