

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

DeWitt County Commissioners Court met in regular session October 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 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:

Proclamation for German-American Day (No. 1)

MOTION: Mr. Kaiser made a motion to adopt a proclamation designating October 6, 2021 as German-American Day in DeWitt County. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

DeWitt County Appraisal District Budget (No. 3)

MOTION: Mr. Randle made a motion to receive the adopted FY2022 budget of the DeWitt County Appraisal District pursuant to Tax Code §6.06 and designate posting at the courthouse on the bulletin board on the first floor near the elevators for inspection. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

2021 DeWitt County Tax Roll (No. 4)

MOTION: Mr. Kaiser made a motion to receive the 2021 DeWitt County tax roll from the County Tax Assessor pursuant to Tax Code, Title 1 Property Tax Code, Section D, and Chapter 26.09(e). Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

2021 DeWitt County Road and Bridge Tax Roll (No. 5)

MOTION: Mr. Kaiser made a motion to receive the 2021 DeWitt County Road and Bridge tax roll from the County Tax Assessor pursuant to Tax Code, Title 1 Property Tax Code, Section D, and Chapter 26.09(e). Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Budget Amendment Request (No. 7)

MOTION: Mr. Kaiser made a motion to approve request from DeWitt County Sheriff to change vehicle purchase orders from Chevrolet Tahoe’s to Chevrolet Silverado Pickup Truck Special Service Vehicles, internal transfer of vehicle inventory to patrol service. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

Internet Services Agreement (No. 6)

MOTION: Mr. Kaiser made a motion to approve agreement between County Information Resources Agency (CIRA) and DeWitt County for web hosting and email services for a period of January 1, 2022 thru December 31, 2022 with no changes. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

Budget Amendment Request (No. 8)

MOTION: Mr. Pilchick made a motion to approve the request from DeWitt County Constable Pct. 1 to amend budget to replace an obsolete Taser. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

Natural Gas Utility Contract (No. 9)

Court passed on this agenda item.

Interlocal Agreement (No. 10)

MOTION: Mr. Kaiser made a motion to approve the Interlocal Agreement between DeWitt County and the City of Yorktown for 24-Hour Law Enforcement Services for a term beginning October 1, 2021 and ending September 30, 2022, Court Order Number 2021-059. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

County Holiday Schedule (No. 11)

New Year’s Day	Monday	January 3
Martin Luther King Jr. Day	Monday	January 17
Presidents’ Day	Monday	February 21
Good Friday	Friday	April 15
Memorial Day	Monday	May 30
Independence Day	Monday	July 4
Labor Day	Monday	September 5
Veterans Day	Friday	November 11
Thanksgiving	Thursday	November 24
	Friday	November 25
Christmas	Friday	December 23
	Monday	December 26

MOTION: Mr. Kaiser made a motion to approve the official 2022 DeWitt County Holiday Schedule. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

HB2521 Division Order (No. 12)

MOTION: Mr. Randle made a motion to receive division order from Magnolia Oil & Gas Operating LLC under the (HB2521) for the Jahn Unit 1H. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

Pipeline Crossing Permit (No. 13)

MOTION: Mr. Kaiser made a motion to approve pipeline crossing permit with Ensign Operating LLC to cross Gohlke School 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 (No. 14)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement with Select Energy Services for installation of temporary water line along Ckodre 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 (No. 15)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement with Select Energy Services for installation of temporary water line along Cabeza 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 (No. 16)

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 Gruenau 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 (No. 17)

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 Simecek Road & Schultz 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 (No. 18)

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 Kubala Store Road & Haase Road in Commissioner Precinct No. 1. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

DeWitt County Investment Policy and Investment Strategies (No. 19)

MOTION: Mr. Randle made a motion, that pursuant to Local Government Code 116.112 and the Public Funds Investment Act 2256.005(e) that the investment policy and investment strategies, move to adopt Court Order Number 2021-060 to receive that policy. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

MOTION: Mr. Randle made a motion to adopt resolution to adopt investment policy, Court Order 2021-061. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

MOTION: Mr. Randle made a motion to adopt resolution to adopt DeWitt County Investment Strategies, Court Order Number 2021-062. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

List of Qualified Brokers/Dealers (No 20)

MOTION: Mr. Randle made a motion to adopt resolution to Adopt List of Qualified Brokers/Dealers, Court Order Number 2021-063. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

County Treasurer's Quarterly Investment Report (No. 21)

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

County Treasurer's Annual Report (No. 22)

MOTION: Mr. Kaiser made a motion to receive County Treasurer's Annual Report. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

County Auditor's Fourth Quarter 2021 Cash Count Report (No. 23)

MOTION: Mr. Kaiser made a motion to receive the County Auditor's Fourth Quarter 2021 Cash Count Report. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

Renewal Applications for Insurance Policies (No. 24)

MOTION: Mr. Kaiser made a motion to approve the renewal applications for crime, auto physical damage, auto liability, general liability, public officials' liability and law enforcement liability. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

Court Order Appointing Carrie Rea County Auditor (No. 25)

MOTION: Mr. Kaiser made a motion to receive the certified court order from the District Clerk of the 24th, 135th and 267th Judicial Districts appointing Carrie Rea as county auditor in and for DeWitt County for a term of two years beginning November 1, 2021 and ending October 31, 2023. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

Monthly Report of Officials (No. 27)

County Auditor reported that the auditor's office had received monthly reports from all officials except Constable Pct. 2 (July, August & September).

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 with Judge Fowler absent.

County Auditor's Monthly Report (No. 28)

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. 29)

MOTION: Mr. Kaiser made a motion to receive and approve the Order Approving Treasurer's Monthly Report, Court Order Number 2021-057. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

Minutes (No. 30)

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

Accounts Payable (No. 31)

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

Ratified Accounts Payable (No. 32)

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.

Budget Amendment Requests (No. 33)

None

Bonds (No. 34)

None

Courthouse/Annex/Museum Expenditures/Maintenance/Improvements (No. 35)

Mr. Afflerbach reported that he spoke to Mike Weaver regarding the Historical Commission roof work and requested that Mr. Weaver expedite the roof work by Cox Brothers.

County Auditor Carrie Rea reported that since the outside work was completed around the courthouse it was time to move forward with getting bids on repairs for the inside so the probation department could move in.

Substantial Completion Certificate (No. 36)

MOTION: Mr. Randle made a motion to receive certificate from Komatsu Architecture for Substantial Completion of Courthouse Drainage and Basement Envelope Waterproofing project (punch list and pictures included) nearly 100% complete. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

Contractor Pay Vouchers #13 and #14 (No. 37)

MOTION: Mr. Kaiser made a motion to authorize pay vouchers #13 and #14 from Komatsu Architecture; Voucher #13 is \$8,639.53 and Voucher #14 for the amount of \$22,258.83. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

Legislative Update (No. 38)

Mr. Randle reported that the Senate has released redistricting maps but was not sure if the House had approved the maps. Mr. Randle had not heard what changes, if any; there will be for DeWitt County.

Discussion of Commissioner Precinct Operations (No. 39)

Commissioner Precinct No. 1 reported Hahn Road (CTIF grant road) stabilization done and requisition in for grid. Von Haefen Road is getting slicked off, has been stabilized and next step will be seal oil and paving. Elder Road is being grinded, setting culvert pipes and replacing cattle guard.

Commissioner Precinct No. 2 reported on first coat of rock on Cattleguard Road (CTIF grant road) and waiting to see what the weather to put the second coat.

Commissioner Precinct No. 3 reported on working on getting Plasczyk Road ready to be paved.

Commissioner Precinct No. 4 reported on Thomaston River Road (CTIF grant road) and by this afternoon should have approximately 3.2 miles paved.

Mr. Afflerbach reported that the commissioners are having problems with Pub Works program. The program has been updated and there are some glitches. Assistant IT Administrator Shelly Parker reached out to Ryan Varela for assistance since he was familiar with the program. Mr. Varela has step-by-step instructions of what needs to be done that he can provide all commissioners.

Mr. Pilchick advised that the distributor truck had to be taken in for repairs. Since Commissioner Precinct 2 and Commissioner Precinct 3 have mainly used the truck, those two commissioners will pay the cost of the repairs.

Contract Extension (No. 26)

After discussion with County Attorney A. Jay Condie, court passed on this agenda item.

County Building Workshop (No. 40)

Mr. Randle reported that the primary delay in the completion of the new county annex is the bricklayers.

The tentative move in dates are November 30, 2021 through December 3, 2021 for the county clerk's office; December 8, 2021 for the IT department; December 14-15, 2021 for the tax assessor collector's office.

COVID-19 Disaster Update (No. 41)

No COVID-19 disaster update.

Recess

Court recessed until 1:30 p.m. to discuss Agenda Item Number 2 - DeWitt County Appraisal District Board of Directors Nominee(s) for 2022-2023.

Reconvene

Court reconvened at 1:38 p.m. with Judge Fowler, Commissioner Afflerbach and Commissioner Randle present. Judge Fowler reported that he had not received the information that he was waiting on regarding the DeWitt County Appraisal District Board of Directors Nominee(s) for 2022-2023.

Recess

Court recessed until Tuesday, October 12, 2021 at 9:00 a.m.

Reconvene

Court reconvened on Tuesday, October 12, 2021 at 9:50 a.m. with Judge Fowler, Commissioner Afflerbach and Commissioner Randle present.

DeWitt County Appraisal District Board of Directors Nominee(s) for 2022-2023 (No. 2)

MOTION: Mr. Randle made a motion to adopt Resolution Number 2021-064 for the nomination for the director of DeWitt County Central Appraisal District, our nominee name of James B. Pilchick Sr., as a nominee is duly qualified and eligible per the Chapter 6.03 of the Property Tax Code. Mr. Afflerbach seconded the motion. Motion carried on a vote of 3-0 with Commissioner Pilchick and Commissioner Kaiser absent.

Adjourn (No. 42)

MOTION: Mr. Afflerbach made a motion to adjourn. [Adjourned at 9:55 a.m.]

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

DeWitt County Commissioners Court met in regular session October 25, 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 establishing a 35 MPH speed limit on Hample Road in Commissioner Precinct No. 2. No one was present to speak either for or against establishing a speed limit.

Close Public Hearing (No. 2)

Judge Fowler closed the public hearing.

Rule on Public Hearing (No. 3)

MOTION: Mr. Pilchick made a motion to establish a 35 MPH speed limit on Hample Road in Commissioner Precinct No. 2 effective when the signs are in place. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Resolution for Public Reprimand of District Attorney (No. 4)

MOTION: Mr. Afflerbach made a motion to adopt Resolution Number 2021-065 publicly reprimanding District Attorney Robert C. Lassmann for inappropriate conduct in the workplace. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

After agenda item #23, Deputy District Clerk Leonides Ramirez spoke to the court regarding this agenda item.

Order Rescinding Burn Ban (No. 5)

MOTION: Mr. Randle made a motion to ratify Order No. 2021-058 rescinding burn ban in DeWitt County. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Schedule Public Hearing Date (No. 6)

MOTION: Mr. Pilchick made a motion for a public hearing date to establish stop signs on Bluebonnet Lane and Thiele Road and 2) on Petru Lane at Bluebonnet Lane intersections on November 22, 2021 at 9:00 a.m. in the DeWitt County Courtroom at 9:00 a.m. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Grant Application for Home-Delivered Meals (No. 7)

MOTION: Mr. Kaiser made a motion to adopt a resolution authorizing a county grant in support of services provided by Meals on Wheels of Victoria, appropriation of \$1,000.00. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Airport Committee Request (No. 8)

MOTION: Mr. Afflerbach made a motion to authorize county judge to contact Texas Department of Criminal Justice in regards to exercising the county's option to purchase 100 acres of land pursuant to House Bill 3636 (86-R). Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Electricity Utility Contract (No. 10)

Court passed on this agenda item.

Contract Extension (No. 11)

No action taken by the court.

County Auditor's Annual Report (No. 12)

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

County Auditor's Monthly Report (No. 13)

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

Accounts Payable (No. 14)

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

Ratified Accounts Payable (No. 15)

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. 16)

None

Bonds (No. 17)

None

Courthouse/Annex/Museum Expenditures/Maintenance/Improvements (No. 18)

Mr. Afflerbach reported that the roofing materials on order for the Historical Museum pending a contract with Cox Brothers for the installation. Some carpenter work is being done on the inside of the building as well.

Judge Fowler reported that the grass has been laid around the courthouse and the lights are up. Mr. Tyl was at the courthouse last week working on the floodlights. Sod contractor will be back hopefully this week to fill in the gaps that they have been left behind, and then they will roll it in with a roller. They offered to do the work on the sinkhole in the back and Judge Fowler noticed today a sinkhole in the front.

County (Weber) Annex Roof Repair (No. 19)

Court discussed the needed roof repairs at Weber Annex and engagement of Weaver & Jacobs for obtaining quotes for necessary repairs.

Legislative Update (No. 20)

Judge Fowler reported that the 2020 Census was complete and the county will need to engage Allison & Bass to help with redistricting services.

Discussion of Commissioner Precinct Operations (No. 21)

Commissioner Precinct No. 1 reported that CK Newberry was paving Von Haefen Road. Mr. Afflerbach reported that CK Newberry was scheduled to perform work on Elder Road but due to their contract expiring he will need to get another company to perform the work.

Commissioner Precinct No. 2 reported on normal precinct operations.

Commissioner Precinct No. 3 reported on normal precinct operations. Employees are fixing damaged roads due to the recent rains.

Commissioner Precinct No. 4 reported on finishing shouldering out, drainage ditches on Thomaston River Road. Mr. Randle reported that approximately 500 feet of Thomaston River Road had to be dug out and re-surfaced.

County Building Workshop (No. 22)

Mr. Randle reported that he spoke with Randy Boone last week and are on top of the bricklayers, pushing them to finish. The items on the punch list are being addressed. Judge Fowler inquired about the mural on the back wall located on the second floor.

COVID-19 Disaster Update (No. 23)

Judge Fowler reported that the DeWitt Health Department is continuing to help people with booster shots when available. Judge Fowler retrieved from the EMC trailer a large container of facemasks and there are containers of face shields if they need to be distributed.

Recess

Court recessed until 1:30 p.m.

Reconvened

Court reconvened at 1:34 p.m. with Judge Fowler, Mr. Afflerbach and Mr. Pilchick present.

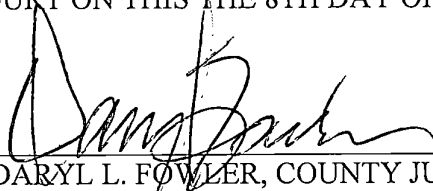
Service Order (No. 9)

MOTION: Mr. Pilchick made a motion to approve service order #12662348 with Spectrum for 1G of data service for a rate of \$1,449.00/month for 36 months effective immediately. Mr. Afflerbach seconded the motion. Motion carried on a vote of 3-0.

Adjourn (No. 24)

MOTION: Mr. Afflerbach a motion to adjourn. [Adjourned at 1:45 p.m.]

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


DARYL L. FOWLER, COUNTY JUDGE



ATTEST: 
NATALIE CARSON, COUNTY CLERK