

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – APRIL 11, 2022**

DeWitt County Commissioners Court met in regular session April 11, 2022 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:

Soil & Water Stewardship Week Proclamation (No. 1)

MOTION: Mr. Randle made a motion to adopt a proclamation establishing April 24, 2022 through May 1, 2022 as 2022 Soil & Water Stewardship Week. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Affidavit Granting Permission to Enter Private Property (No. 2)

MOTION: Mr. Afflerbach made a motion to receive affidavit granting permission to enter private property owned by Norma Mata on South Lee Avenue in Westhoff for tree and litter removal in Commissioner Precinct No. 1. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Personnel Policy Manual Change (No. 3)

MOTION: Mr. Afflerbach made a motion to remove the sentence “Employees shall resign employment with DeWitt County upon filing for elected office against an elected official who is their supervisor” from the personnel policy. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Affordable Care Act Reporting and Tracking Renewal Services Information (No. 4)

MOTION: Mr. Kaiser made a motion to ratify the ACA Reporting and Tracking Service (ARTS) 2022 Renewal Confirmation Program Agreement; ACA Reporting and Tracking Service (ARTS) Contract Designation Form and the ACA Reporting and Tracking Service (ARTS) HEBP

Member (Fully Insured or ASO) 2022 Fee Schedule (Renewal). Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Tax Office Software (No. 5)

MOTION: Mr. Kaiser made a motion to authorize auditor to advertise for requests for proposals for new tax office software. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Pipeline Crossing Permits (No. 6)

MOTION: Mr. Pilchick made a motion to approve permit applications for two pipelines from BPX Energy to cross Ward Road in Commissioner Precinct No. 2. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Temporary Right of Way (No. 7)

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

Road Maintenance Bid Contract (No. 8)

Court passed on this agenda item.

Asphalt Maintenance Bid Contract (No. 9)

Court passed on this agenda item.

Award of Bid and Contract Approval (No. 10)

MOTION: Mr. Kaiser made a motion to award bid and contract approval for motor fuels applicable to all commissioner precincts to Schmidt & Son. Mr. Pilchick seconded the motion.

After discussion, the motion was withdrawn.

Court passed on this agenda item until later in the meeting to allow the court to obtain clarification on the contract. [Clerk's Note: See Page 5]

Executive Session

Judge Fowler announced the need for the court to go into executive session regarding potential litigation and consultation with the county's attorney.

MOTION: Mr. Randle made a motion to appoint the judge as the keeper of the records. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Court went into executive session at 9:55 a.m.

Judge Fowler announced that executive session closed at 10:25 a.m. with no action to be taken.

Declare Fixed Assets as Salvage (No. 11)

MOTION: Mr. Kaiser made a motion to declare fixed assets as salvage as worn, damaged or obsolete, pursuant to Local Government Code §263.152. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Monthly Report of Officials (No. 12)

County Auditor Carrie Rea reported that the auditor's office had received monthly reports from all officials.

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

County Auditor's Monthly Report (No. 13)

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 Auditor's 2nd Quarter 2022 Cash Count Report (No. 14)

MOTION: Mr. Kaiser made a motion to receive County Auditor's 2nd Quarter 2022 Cash Count Report. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

County Treasurer's Monthly Report (No. 15)

MOTION: Mr. Kaiser made a motion to receive Court Order Number 2022-009 and approve Order Approving Treasurer's Monthly Report. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

County Treasurer's Quarterly Investment Report (No. 16)

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

Minutes (No. 17)

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

Accounts Payable (No. 18)

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. 19)

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. 20)

None

Bonds (No. 21)

None

Courthouse/Annex/Museum Expenditures/Maintenance/Improvements (No. 22)

Judge Fowler discussed issues with the mini split air conditioner unit located in the IT closet at the Weber Annex building. The unit is leaking and needs to be replaced.

MOTION: Mr. Kaiser made a motion to authorize the purchase of the Mitsubishi splitter for the Weber Annex. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Mr. Afflerbach reported that Weaver and Jacobs Constructors has received a proposal from USA Foundation & Repairs for roof and foundation work at the DeWitt County Historical Museum.

Judge Fowler reported that the doors are being installed this week and the floor tile in the basement of the courthouse.

Mr. Randle inquired if the county had a set list of duties and days of cleaning for Ramos Cleaning.

Legislative Update (No. 23)

Judge Fowler reported that he would be going with Judge Teal to a meeting on the 26th with Todd Staples, President of the Oil & Gas Association.

Geanie Morrison's Chief of Staff announced his withdraw from her office and was moving into the office of Senator Bettencourt's office.

Discussion of Commissioner Precinct Operations (No. 24)

Commissioner Precinct No. 1 reported on completion of hot mix on Schlenstedt Road and finishing driveways and will need to do work on the shoulders. He reported that he is setting culvert pipes on Elder Road and then will be ready to be stabilized and put a seal coat on the road.

Judge Fowler asked Mr. Afflerbach what the status was on TxDOT's work on Nolte-Boehl Road. Mr. Afflerbach reported the last that he had heard was that TxDOT was going to replace the whole box culvert.

Commissioner Precinct No. 2 reported on completion of Morris Community Road, 2½ miles of Old Yoakum Road and 1½ miles of Old Cuero Road.

Commissioner Precinct No. 3 reported on normal precinct operations.

Commissioner Precinct No. 4 reported on normal precinct operations.

Recess

Court recessed until Tuesday, April 12, 2022 at 8:00 a.m.

Reconvene

Court reconvened on Tuesday, April 12, 2022 at 8:20 a.m.

Award of Bid and Contract Approval (No. 10)

MOTION: Mr. Randle made a motion to receive bid package from Schmidt and Sons and award the contract to Schmidt and Sons including all addendums and exhibits to the package. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Adjourn (No. 25)

MOTION: Mr. Afflerbach made a motion to adjourn. [Adjourned at 8:25 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – APRIL 25, 2022**

DeWitt County Commissioners Court met in regular session April 25, 2022 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:

Schedule Public Hearing Date (No. 1)

MOTION: Mr. Afflerbach made a motion to schedule a public hearing on May 23, 2022 at 9:00 a.m. in the DeWitt County Courthouse to hear any comments on establishing a 35 MPH speed limit on Schlinke Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Burn Ban (No. 2)

MOTION: Mr. Afflerbach made a motion to renew the burn ban for the unincorporated areas of the county, Court Order Number 2022-010. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Agreement to Contribute Right of Way Funds (No. 3)

MOTION: Mr. Pilchick made a motion to approve ROW CSJ #0840-02-025 agreement with Texas Department of Transportation to contribute funds for right of way acquisition and eligible utility adjustments for FM 682/FM 1447 in the Terryville community, Commissioners Court Resolution Number 2022-011. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

DeWitt County Historical Commission (No. 4)

MOTION: Mr. Randle made a motion receive the 2021 Annual Report from the DeWitt County Historical Commission. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

DeWitt County Historical Commission Appointment (No. 5)

MOTION: Mr. Randle made a motion to approve the appointment of additional members to the DeWitt County Historical Commission for the remaining 2021-2022 term. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Participation Agreement (No. 6)

MOTION: Mr. Kaiser made a motion to approve the participation agreement with Office of Court Administration for UCMS Project (Uniform Case Management System). Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

License & Service Agreement (No. 7)

Court passed on this agenda item.

Local Government Solutions (LGS) License Agreement (No. 8)

MOTION: Mr. Randle made a motion to approve the Non-Exclusive License and Service Agreement between DeWitt County and Local Government Solutions (LGS) for use in the offices of Justice of the Peace Pct. 1 & Pct. 2 under Court Order Number 2022-012 and Proposal LGS17-0071-A1. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

CodeRED Next Services Agreement (No. 9)

MOTION: Mr. Kaiser made a motion to enter into an agreement for the approval CodeRED Next Services Agreement with OnSolve for one (1) year at the price of \$10,500.00. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Golden Crescent Regional Planning Commission (No. 10)

MOTION: Mr. Kaiser made a motion to appoint Commissioner Richard Randle and Commissioner James Pilchick, Sr. as voting delegates on the General Assembly of Golden Crescent Regional Planning Commission (CRPC) for a term effective September 1, 2022 through August 31, 2023. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Temporary Right of Way (No. 11)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement with Enersol Group for installation of temporary water line along Scheffler Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Temporary Right of Way (No. 12)

MOTION: Mr. Afflerbach made a motion to approve temporary right of way permit application with Burlington Oil & Gas Company LP for installation of temporary water line along Seidel Road in Commissioner Precinct No. 1. Mr. Randle 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 with Select Energy for installation of temporary water line along VFW Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Authorize Auditor to Advertise for Bids (No. 14)

MOTION: Mr. Pilchick made a motion to authorize the county auditor to advertise for bids for purchase of a used Ledwell Hydra-Tail trailer for Commissioner Precinct 2. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Declare Fixed Assets as Salvage (No. 15)

MOTION: Mr. Kaiser made a motion to declare certain inventory items as worn, damaged or obsolete, pursuant to Local Government Code §263.152. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Authorize Auditor to Dispose of Salvage or Surplus Property (No. 16)

MOTION: Mr. Randle made a motion to authorize auditor to dispose of salvage or surplus property, pursuant to Local Government Code §263, Subchapter D by means of an online auction. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Accounts Payable (No. 17)

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

Ratified Accounts Payable (No. 18)

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. 19)

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

Bonds (No. 20)

None

Courthouse/Annex/Museum Expenditures/Maintenance/Improvements (No. 21)

MOTION: Mr. Randle made a motion to approve roof repairs and coating from American Roofing & Metal for \$17,696.00. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Mr. Afflerbach reported that the representative for Weaver & Jacobs Constructors has found a gentleman that still knows how to build the window frames. Mr. Afflerbach reported that there is issue with the log cabin for preservation purposes.

County Treasurer Carol Ann Martin reported that her office had been receiving request from outside entities wanting to use the county's conference room located at the DeWitt County Annex. DeWitt County currently does not have a policy regarding outside entities utilizing the conference room and Mrs. Martin does not have the authority to approve a reservation for an outside entity.

Legislative Update (No. 22)

Judge Fowler reported that he has a meeting scheduled tomorrow, April 26th, with a Legislative Director of Senator Bettencourt in Austin to talk about state tax policy when it comes to the treatment of new minerals entering the tax roll.

Judge Fowler reported that he has a meeting scheduled tomorrow afternoon, April 26th, with another judge and Todd Staples, President of the Texas Association of Oil & Gas.

Discussion of Commissioner Precinct Operations (No. 23)

Commissioner Precinct No. 1 reported on normal precinct operations.

Commissioner Precinct No. 2 reported on normal precinct operations.

Commissioner Precinct No. 3 reported on normal precinct operations.

Commissioner Precinct No. 4 reported on normal precinct operations.

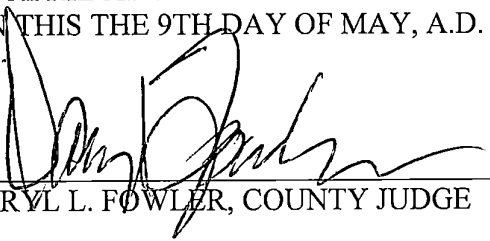
Public Announcements/Comments (No. 24)

None

Adjourn

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 10:44 a.m.]

THE FOREGOING MINUTES FOR THE MONTH OF APRIL A.D. 2022 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 9TH DAY OF MAY, A.D. 2022.


DARYL L. FOWLER, COUNTY JUDGE

ATTEST: Natalie Carson
NATALIE CARSON, COUNTY CLERK

