

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – DECEMBER 12, 2022**

DeWitt County Commissioners Court met in regular session December 12, 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, 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:

Discussion Only – No Action (No. 1)

Court heard a presentation by representatives of Shaula Energy Project LLC, Shaula Energy Project II, LLC, and Shaula Energy Project III, LLC (“Companies”) regarding the following matters: (a) their three separate and proposed solar energy generation plant projects to be located, constructed, and operated in eastern De Witt County, Texas near Friar Road and Wolf Hollow Road; and (b) the three separate and pending tax abatement applications submitted by the aforesaid Companies to the County regarding the aforesaid projects.

Residential Services Agreement (No. 6)

MOTION: Mr. Kaiser made a motion to approve a nine month residential services agreement between the Father Flanagan’s Boys’ Home and DeWitt County Juvenile Probation Department beginning December 1, 2022 through August 31, 2023. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

DeWitt County Historical Commission FY2022 Annual Treasurer’s Report (No. 4)

MOTION: Mr. Kaiser made a motion to receive the DeWitt County Historical Commission FY2022 annual treasurer’s report. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

DeWitt County Historical Commission Appointments (No. 5)

MOTION: Mr. Kaiser made a motion to approve the DeWitt County Historical Commission appointees for DeWitt County Historical Commission members for the 2023-2024 term of service. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

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

MOTION: Mr. Kaiser made a motion to authorize the auditor to dispose of salvage or surplus property, pursuant to Local Government Code §263, Subchapter D by means of donating to a civic or charitable organization located in the County, mainly the City of Yorktown. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Sheriff Commissary and Inmate Trust Account Audit (No. 11)

MOTION: Mr. Randle made a motion to receive the DeWitt County Auditor's Audit Report on the Sheriff Commissary and Inmate Trust Account. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Monthly Report of Officials (No. 13)

County Auditor's office received monthly reports from all officials.

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

County Auditor's Monthly Report (No. 14)

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. 15)

MOTION: Mr. Kaiser made a motion to receive and approve Court Order Number 2022-048, approval of Order Approving Treasurer's Monthly Report. Mr. Randle 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. Randle seconded the motion. Motion carried on a vote of 5-0.

Minutes (No. 16)

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

Budget Amendment Requests (No. 19)

None

Personnel Policy (No. 20)

None

Bonds (No. 21)

Bond of Brian Carson as Commissioner Precinct No. 4

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

TxDOT County Assistance Program (No. 7)

MOTION: Mr. Kaiser made a motion to adopt TxDOT County Assistance Program for FY2023 in the amount of \$26,827.00. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Maintenance Agreement (No. 8)

MOTION: Mr. Kaiser made a motion to approve the gold service agreement with TK Elevator for elevator maintenance at the DeWitt County 2021 Annex and authorize the full annual payment. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Aerial Fireworks Ban (No. 9)

No action taken.

Certificate of Completion (No. 10)

MOTION: Mr. Afflerbach made a motion to receive certificate of completion from the Bill Blackwood Law Enforcement Management Institute of Texas for Constable Precinct No. 1 Kelly Phelps for completing Continuing Education for Constables on November 28 – December 2, 2022. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

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

No update

Legislative Update (No. 23)

No update

Discussion of Commissioner Precinct Operations (No. 24)

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.

Building & Use Agreement Workshop (No. 25)

Court did not hold a workshop.

Public Announcements/Comments (No. 26)

None

Executive/Closed Session (No. 2)

MOTION: Mr. Kaiser made a motion to go into an executive/closed session meeting regarding the following matters: (a) pursuant to Section 551.071(2) and 551.129 of the Texas Government Code for the purpose of consultation with the attorney and economic development negotiations and also let the judge be the minute taker. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Per Judge Fowler, executive session began at 11:29 a.m. and ended at 12:29 p.m.

Discussion and Potential Action (No. 3)

Per Judge Fowler, no further action was taken.

Adjourn (No. 27)

Per Judge Fowler, Mr. Kaiser made a motion to adjourn. [Adjourned at 12:31 p.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
SPECIAL MEETING – DECEMBER 27, 2022**

DeWitt County Commissioners Court met in special session December 27, 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, 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:

Nominations for Drainage District Commissioner (No. 1)

MOTION: Mr. Afflerbach made a motion to approve the nominations for appointment of Joseph Olive, John Varela and Doug Sethness to the Green DeWitt Drainage District for a two year term beginning January 1, 2023. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Accounts Payable (No. 2)

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

Bonds (No. 3)

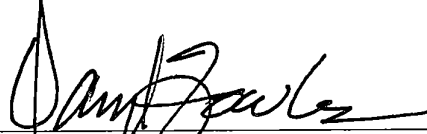
Bond for County Judge Daryl L. Fowler, County Clerk Natalie Carson, District Clerk Esther Ruiz, County Treasurer Carol Ann Martin, Rider to Blanket Bond for 1st Assistant Treasurer and Assistant Treasurer, Justice of the Peace Precinct No. 1 Peggy Mayer and Justice of the Peace Precinct No. 2 Blanca McBride.

MOTION: Mr. Kaiser made a motion to approve the bonds and the certificate of continuation of the bond of Judge Blanca McBride. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Adjourn (No. 4)

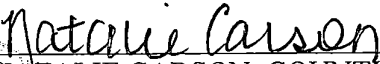
MOTION: Mr. Randle made a motion to adjourn. [Adjourned at 9:18 a.m.]

THE FOREGOING MINUTES FOR THE MONTH OF DECEMBER A.D. 2023 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 9TH DAY OF JANUARY, A.D. 2023.



DARYL L. FOWLER, COUNTY JUDGE

ATTEST:



NATALIE CARSON, COUNTY CLERK

