

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – MARCH 14, 2022**

DeWitt County Commissioners Court met in regular session March 14, 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:

Letter of Recommendation (No. 1)

MOTION: Mr. Randle made a motion to authorize County Judge to submit letter of recommendation on behalf of the Commissioners Court encouraging the Region 11 Guadalupe Regional Flood Planning Group (RFPG) to appoint Doug Sethness as the representative of Flood Districts. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

In-Service Pension Distribution (No. 2)

MOTION: Mr. Kaiser made a motion to approve resolution adopting amendment to In-Service Pension Distribution Plan (457 Plan) from Security Benefits. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

HB2521 Division Order (No. 3)

MOTION: Mr. Kaiser made a motion to receive division order from Magnolia Oil & Gas Operating LLC (HB2521) for the D&S 3H, 4H, 5H & 6H Units and authorize the county judge to sign the division order. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Commissioners Annual Road Report 2022 (No. 4)

MOTION: Mr. Kaiser made a motion to set a timeline for the 2022 Commissioners Annual Road Report as 11th day of July, 2022. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Elevator Monitoring Contract (No. 5)

MOTION: Mr. Kaiser made a motion to approve a contract with VCS Security Systems for a Monthly Elevator Monitoring service at the 2021 Annex building for a cost of \$55.00 per month. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

VCS Security Systems Payment (No. 6)

MOTION: Mr. Kaiser made a motion to approve payments to VCS Security Systems for monthly elevator monitoring service for November 2021, December 2021, January 2022, February 2022 and March 2022 at \$55.00 each. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Fuel Bid Contract (No. 7)

Court did not take any action on this agenda item.

Road Maintenance Bid Contract (No. 8)

Court did not take any action on this agenda item.

Asphalt Maintenance Bid Contract (No. 9)

Court did not take any action on this agenda item.

Declare Fixed Assets as Salvage (No. 10)

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

Property Insurance Renewal Application (No. 11)

Court passed on this agenda item.

Monthly Report of Officials (No. 12)

MOTION: Mr. Randle made a motion to approve monthly report of county 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 Treasurer's Monthly Report (No. 14)

MOTION: Mr. Kaiser made a motion to receive County Treasurer's Monthly Report and approve the Order Approving Treasurer's Monthly Report, Court Order 2022-006. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Minutes (No. 15)

MOTION: Mr. Afflerbach 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 5-0.

Accounts Payable (No. 16)

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

Ratified Accounts Payable (No. 17)

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. 18)

None

Bonds (No. 19)

None

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

Judge Fowler reported on the continued progress for the adult probation department office space in the basement of the courthouse. There was an issue last week when the workers washed the excess mud down the janitorial sink, which caused an alarm on the sunk pump alarm went off. Tyl Electric was called in and the expense will be charged back to Weaver & Jacob Constructors.

Judge Fowler reported that there is still some painting to be done on the second floor of the courthouse after the County Attorney moves out of their current office.

Weaver and Jacobs Constructors has been contacted to repair the Weber Annex roof.

Judge Fowler reported that the Weber Annex Courtroom has been painted. Ramos Expert Cleaning LLC has cleaned the floor and there is some damage to the floor but not enough damage to strip.

County Auditor Carrie Rea reported that one (1) of the storage rooms had been cleared out.

Mr. Afflerbach reported that he would meet with a foundation person on Thursday.

Legislative Update (No. 21)

No Legislative update.

Discussion of Commissioner Precinct Operations (No. 22)

Commissioner Precinct No. 1 reported that TxDOT would be closing FM766 at Gohlke Road on March 28th. He reported on plans to do hot mix work on Schlenstedt Road next week and currently working on the shoulders on Hahn Road.

Commissioner Precinct No. 2 reported that 10 miles of road is ready for chip sealing.

Commissioner Precinct No. 3 reported normal road maintenance. He reported that FM 2980 would be closed for two (2) weeks for culvert replacement.

Commissioner Precinct No. 4 reported that Zengerle Road, Rainbow Road, Hotz Road and Fordtran Road are ready to be chip sealed.

Workshop on Policy and Personnel Manual (No. 23)

Workshop on Policy and Personnel Manual held.

County Building Workshop (No. 24)

County building workshop not held.

COVID-19 Disaster Update (No. 25)

No COVID-19 disaster update.

Public Announcements/Comments (No. 26)

No public announcements or comments.

Adjourn (No. 27)

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 10:52 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – MARCH 28, 2022**

DeWitt County Commissioners Court met in regular session March 28, 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:

Public Hearing (No. 1)

Charles Kimbrough addressed the court regarding Texas Guidelines and Criteria for Tax Abatement and Other Economic Development.

Public hearing held regarding the proposed DeWitt County, Texas Guidelines and Criteria for Tax Abatement and Other Economic Development (“Guidelines”) at which members of the public were given an opportunity to be heard regarding the content and proposed approval and adoption of the Guidelines by the County. No one was present to speak either for or against.

Executive/Closed Session (No. 2)

Court did not go into executive/closed session.

Discussion and Potential Action (No. 3)

MOTION: Mr. Kaiser made a motion to approve Court Order Number 2022-007 pursuant to Chapter 381 of the Texas Local Government Code and Chapter 312 of the Texas Tax Code and other authority discussion to approve economic development and all related matters. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0:

Child Abuse Awareness and Prevention Month Proclamation (No. 4)

MOTION: Mr. Afflerbach made a motion to approve Proclamation for Golden Crescent CASA establishing April 2022 as National Child Abuse Prevention Month in DeWitt County. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Residential Treatment Services Agreement (No. 5)

MOTION: Mr. Kaiser made a motion to renew agreement between Travis County and the County of DeWitt for post-adjudication residential treatment services of juvenile offenders. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Memorandum of Understanding (No. 6)

MOTION: Mr. Kaiser made a motion to approve a Memorandum of Understanding between DeWitt County Juvenile Probation Department and Cuero Independent School District for substance abuse classes for juveniles. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Memorandum of Understanding (No. 7)

MOTION: Mr. Randle made a motion to approve Memorandum of Understanding for the extension of the IHS Non-Exclusive License Agreement and the Addendum to the Data Processing Services Agreement for Power Search Services between Indigent Healthcare Solutions and DeWitt County for a period of two years beginning April 1, 2022 through March 31, 2024. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

CPL Energy Renewal (No. 8)

MOTION: Mr. Kaiser made a motion to approve the renewal of contract with CPL Business for energy services. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Keep Cuero Beautiful Letter (No. 9)

MOTION: Mr. Randle made a motion to receive letter from Keep Cuero Beautiful regarding survey of litter on DeWitt County properties. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Affidavit Granting Permission to Enter Private Property (No. 10)

MOTION: Mr. Randle made a motion to receive affidavit granting permission to enter private property owned by Clifford Diebel at 4027 Mission Valley Road for the purpose of erosion mitigation. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Property Insurance Renewal Application (No. 11)

MOTION: Mr. Kaiser made a motion to approve the renewal application for property insurance. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Discretionary Exemption (No. 12)

MOTION: Mr. Pilchick made a motion to receive sole-source affidavit from P2 Emulsions regarding the purchase of items that can be obtained from only one source as provided in LGC 262.024 (7)(A). Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Award of Bid and Contract Approval (No. 13)

Road Materials:

<u>Product</u>	<u>Primary</u>	<u>Alternate</u>
Pre-Coated Aggregate Grade 3	Quality Hot Mix Inc.	Colorado Materials
Pre-Coated Aggregate Grade 4	Brauntex Materials Inc. Quality Hot Mix Inc.	Colorado Materials
Pre-Coated Aggregate Grade 5	Colorado Materials	No Alternate Bid
Premix Rock Asphalt	No Bids Submitted	
Hot Mix Cold Laid Grade B	Brauntex Materials, Inc.	Colorado Materials
Hot Mix Cold Laid Grade D	Quality Materials	Brauntex Materials Inc.
ASPPM Grade IV Performance Cold Mix Delivered & Not Delivered	Waller County Asphalt	No Alternate Bid
Crushed Limestone Base	All Bids	
Crushed Limestone Cover Stone, 1/4" F Rock	Allstar Materials	Quality Hot Mix, Inc.
Crushed Limestone Cover Stone, Type B, Grade 3	All Bids	
Crushed Limestone Cover Stone, Type B, Grade 4	All Bids	

¾ to Dust Limestone	All Bids	
Bulk Rate Cement	Martin Marietta	No Alternate Bid
3/8” Pea Gravel	All Bids	
1-340-C PG70-22 SAC B	All Bids	
1-340-C PG64-22 SAC B Delivered & Not Delivered	Brauntex Materials Inc.	Colorado Materials
HMAC Type D Delivered & Not Delivered	Brauntex Materials Inc.	Colorado Materials
Pit Run Gravel Delivered & Not Delivered	All Bids	
Screened Gravel Delivered & Not Delivered	All Bids	
Bull Rock Delivered & Not Delivered	All Bids	

MOTION: Mr. Afflerbach made a motion to receive bids and award contracts applicable to all commissioner precincts. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Award of Bid and Contract Approval (No. 14)

One (1) concrete bid received from ABN Construction LLC.

MOTION: Mr. Afflerbach made a motion to receive bids and award contract to ABN Construction LLC for concrete applicable to all commissioner precincts. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Award of Bid and Contract Approval (No. 15)

Asphalt Oils:

<u>Product</u>	<u>Primary</u>	<u>Alternate</u>
AC-5	Martin Asphalt	Wright Asphalt
AC-15P	Wright Asphalt	Martin Asphalt
MC-30	Martin Asphalt	Wright Asphalt

MOTION: Mr. Afflerbach made a motion to receive bids and award contracts for asphalt oils applicable to all commissioner precincts. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Award of Bid and Contract Approval (No. 16)

Court passed on this agenda item.

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 Simpson Ranch Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Temporary Right of Way (No. 18)

MOTION: Mr. Afflerbach made a motion to approve temporary right of way permit application from Burlington Resources Oil & Gas Company LP for installation of temporary water line along Bellevue Cemetery Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Temporary Right of Way (No. 19)

MOTION: Mr. Afflerbach made a motion to approve temporary right of way permit application from EOG Resources Inc. for installation of temporary water line along Hahn Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Accounts Payable (No. 20)

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. 21)

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. 22)

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

Bonds (No. 23)

Blanket Bond Three (3) Reserve Constable Precinct Number 1 positions.

MOTION: Mr. Kaiser made a motion to approve bond. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-1 with Judge Fowler voting against the motion.

Courthouse/Annex/Museum Expenditures/Maintenance/Improvements (No. 24)

Judge Fowler reported on the progress with the construction in the basement of the courthouse for the adult probation office space. The Historical Commission has moved into the Weber Annex Courtroom.

Mr. Afflerbach gave an update on the DeWitt County Historical Museum foundation and repair assessment and work.

Legislative Update (No. 25)

No Legislative update.

Discussion of Commissioner Precinct Operations (No. 26)

Commissioner Precinct No. 1 reported on waiting for hot mix for 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 normal precinct operations.

Workshop on Policy and Personnel Manual (No. 27)

Workshop on Policy and Personnel Manual held.

MOTION: Mr. Afflerbach made a motion to approve the additions, provisions and corrections. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Pilchick made a motion that DeWitt County Commissioner Court hereby approve and adopt the DeWitt County Personnel Policy, Court Order Number 2022-008 effective today. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

County Building Workshop (No. 28)

County building workshop not held.

COVID-19 Disaster Update (No. 29)

No COVID-19 disaster update.

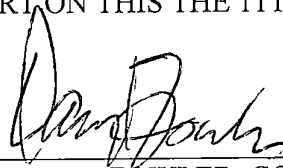
Public Announcements/Comments (No. 30)

No public announcements or comments.

Adjourn (No. 31)

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 11:52 a.m.]

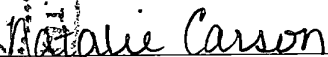
THE FOREGOING MINUTES FOR THE MONTH OF MARCH A.D. 2022 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 11TH DAY OF APRIL, A.D. 2022.



DARYL L. FOWLER, COUNTY JUDGE



ATTEST



NATALIE CARSON, COUNTY CLERK