

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

DeWitt County Commissioners Court met in regular session September 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, 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:

General Land Office Grant (No. 1)

MOTION: Mr. Randle made a motion to approve the application for \$500,000 grant from the General Land Office (GLO) and authorize the county judge to submit the application and administer it. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

File Conversion Services Agreement (No. 2)

MOTION: Mr. Kaiser made a motion to give permission to DataBank for document preparation and scanning services for Justice of the Peace Precinct No. 2 and authorize Judge to sign the commencement to begin work. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Video Magistrate Service Agreement (No. 3)

MOTION: Mr. Kaiser made a motion to approve agreement with NewProtec LLC for video magistration services for Justice of the Peace Precinct No. 1 and Justice of the Peace Precinct No. 2. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Order of General Election (No. 4)

Court passed until the Election Administrator corrected the paperwork.

[Clerk's Note: See Page 2]

Proclamation for 2022 National 4-H Week (No. 5)

MOTION: Mr. Randle made a motion to adopt the proclamation designating October 2 through October 8, 2022 as National 4-H Week in DeWitt County. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Order Granting Variance to the 2011 Flood Damage Prevention Court Order (No. 6)

MOTION: Mr. Afflerbach made a motion to adopt Court Order Number 2022-029 granting a variance to the 2011 DeWitt County flood damage prevention court order. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Interlocal Agreement for Environmental Public Health Services (No. 7)

MOTION: Mr. Kaiser made a motion to approve an Interlocal Agreement between Victoria County Public Health Department and DeWitt County for the environmental public health services for a one-year term beginning October 1, 2022 at a rate of \$5,709.60 per month. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Interlocal Agreement (No. 8)

Court passed on this agenda item until the agreement is signed by the City of Yorkton.

Inmate Health Services Agreement (No. 9)

MOTION: Mr. Kaiser made a motion to approve the renewal rate for the Inmate Health Services Agreement between Southern Health Partners and DeWitt County for the period beginning October 1, 2022 through September 30, 2023. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Sheriffs' and Constables' Fees Update (No. 10)

MOTION: Mr. Kaiser made a motion to adopt of Sheriffs' and Constables' updated fees for 2023 with no changes as required by local Government Code 118.131. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Order of General Election (No. 4)

[Clerk's Note: Continued from Page 1]

MOTION: Mr. Randle made a motion to receive the Notice of General Election and approve the Order of General Election for County Officers to be held November 8, 2022 and authorize the County Judge Daryl L. Fowler to sign. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Traffic Patrol Supplement (No. 11)

No action taken.

Cleaning Services Proposal (No. 12)

MOTION: Mr. Kaiser made a motion to approve the proposal from Ramos Expert Cleaning LLC for janitorial services at \$65 per hour with a five (5) hour minimum twice a week. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

HB 2521 Division Order (No. 13)

MOTION: Mr. Pilchick made a motion to receive division order from Hurd Enterprises Ltd. (HB 2521) for the Boedeker #2 gas unit. Mr. Kaiser 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 a temporary water line on H. Koopman Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Pipeline Crossing Permit (No. 15)

MOTION: Mr. Pilchick made a motion to approve permit application for pipeline from EVX Eagle Ford Partners LLC to cross St. Clair Road in Commissioner Precinct No. 2. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Records and Proceeds from the Sale of Salvage or Surplus Property (No. 16)

MOTION: Mr. Randle made a motion to receive report from Auditor showing records and proceeds from the sale of salvage or surplus property pursuant to Local Government Code §263, Subchapter D. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Monthly Report of Officials (No. 17)

County Auditor Carrie Rea reported that the auditor's office had received reports from all officials except Constable Pct. 2.

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

County Auditor's Monthly Report (No. 18)

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.

County Treasurer's Monthly Report (No. 19)

MOTION: Mr. Kaiser made a motion to receive and approve Court Order Number 2022-028 approving Treasurer's Monthly Report. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Minutes (No. 20)

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.

Accounts Payable (No. 21)

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. 22)

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. 23)

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

Personnel Policy (No. 24)

John Schlinger addressed the court regarding his employee classification and why he was not receiving benefits that full time employees received. Discussion continued later during the meeting when Rob Lassmann could be present. *[Clerk's note: See Page 5]*

Bonds (No. 25)

Bond of Jacie Rickman as Reserve Deputy Sheriff.

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

Courthouse/Annex/Museum Expenditures/Maintenance/Improvements (No. 26)

Judge Fowler reported that Trane came and worked on the leak in District Clerk's office. The Trane employee noticed in the basement that there is a lot of air supply but not enough of air returns in the offices the way they are divided up. He is going to write something up and provide suggestions on how the space should be modified or else it is going to be hot.

Mr. Afflerbach reported that no work has been performed except some patch work where the water is leaking at the DeWitt County Historical Museum.

Legislative Update (No. 27)

Judge Fowler reported that this week he will be going to San Antonio to speak at the South Texas Summit.

Judge Fowler provided information on the STEER organization that does an award ceremony in San Antonio recognizing businesses in the Eagle Ford Shale counties. Energy Waste has received an award for several years. Glynis Straus, ConocoPhillips Community Relations Advisor, nominated her boss and stakeholder relations department for a community and social investment award for companies with more than 250 employees. Judge Fowler submitted a letter of support on behalf of the county.

Discussion of Commissioner Precinct Operations (No. 28)

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 that half of River Road has been stabilized and other than that normal precinct operations.

Personnel Policy (No. 24)

[Clerk's Note: Continued from Page 4]

Court continued discussion with John Schlinger and Rob Lassmann.

MOTION: Mr. Randle made a motion to authorize the HR Department to correct the policy book stating the fact that a full time employee will have a normal work schedule of at least forty (40) hours per week for the full year. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Building & Use Agreement Workshop (No. 29)

Court did not hold a workshop.

Public Announcements/Comments (No. 30)

None

Adjourn (No. 31)

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 11:50 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – SEPTEMBER 26, 2022**

DeWitt County Commissioners Court met in regular session September 26, 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

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:

US 87 at Nolte Boehl Road Closure (No. 1)

MOTION: Mr. Afflerbach made a motion to receive the advisory letter from TxDOT in regards to road closure and bridge replacement on US 87 at Nolte Boehl Road at Birds Creek and for the signing of the document. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

Letter of Support (No. 2)

MOTION: Mr. Afflerbach made a motion to authorize County Judge to submit a letter of support on behalf of the Commissioners Court to the Cuero Chamber of Commerce for the purpose of applying for the U.S. Economic Development Administration Grant to renovate their Chamber of Commerce and Visitors' Bureau building. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

Texas Historical Commission 2021 Distinguished Service Award Certificate (No. 3)

DeWitt County Historical Commission was presented a certificate of award in recognition of its active and well-balanced preservation program.

DeWitt County Drainage District No. 1 Budget (No. 4)

MOTION: Mr. Pilchick made a motion to receive the FY2023 Budget of DeWitt County Drainage District No. 1. Mr. Afflerbach seconded the motion. Motion carried on a vote of 3-0.

District Attorney Forfeited Property Budget (No. 5)

MOTION: Mr. Pilchick made a motion to receive the proposed budget of the District Attorney Seized & Forfeited Narcotics Assets for FY2023 pursuant to Chapter 59.06(d) of the Code of Criminal Procedures. Mr. Afflerbach seconded the motion. Motion carried on a vote of 3-0.

Order Rescinding Burn Ban (No. 6)

MOTION: Mr. Afflerbach made a motion to ratify Order No. 2022-027 rescinding burn ban in DeWitt County. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

Court Order Designating Day(s) of Week Court Shall Convene (7)

MOTION: Mr. Afflerbach made a motion to adopt Court Order No. 2022-030 designating the 2nd and 4th Monday of each month that the commissioners court shall convene during the 2023 fiscal year pursuant to Local Government Code §81.005. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

Resolution on Texas Indigent Defense Formula Grant Program (No. 8)

MOTION: Mr. Afflerbach made a motion to approve the adoption of a resolution designating the county judge as the Authorized Official, authorizing the county judge to apply for and manage the Indigent Defense Formula Grant and designating the county auditor as the Financial Officer for the FY2023 grant, Order Number 2022-031. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

District Court Reporters' Salaries (No. 9)

MOTION: Mr. Afflerbach made a motion to receive the Order(s) from the Administrative District Judges setting and allocating the salaries of the Official Court Reporters for the 24th, 135th, 267th Judicial Districts and the Official Alternate Court Reporter for the 24th, 135th, 267th and 377th Judicial Districts. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

Professional Services Contract (No. 10)

MOTION: Mr. Afflerbach made a motion to renew the professional services contract with Cornerstone Government Affairs Inc. beginning October 1, 2022 and ending September 30, 2023 at a rate of \$7,500.00 per month. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

Interlocal Agreement (No. 11)

MOTION: Mr. Pilchick made a motion to approve an Interlocal Agreement between the County of Atascosa and the County of DeWitt for sharing the expense of legislative consulting services for a one-year term beginning October 1, 2022, Order Number 2022-032. Mr. Afflerbach seconded the motion. Motion carried on a vote of 3-0.

Interlocal Agreement (No. 12)

MOTION: Mr. Pilchick made a motion to approve an Interlocal Agreement between the County of Gonzales and the County of DeWitt for sharing the expense of legislative consulting services for a one-year term beginning October 1, 2022, Order Number 2022-033. Mr. Afflerbach seconded the motion. Motion carried on a vote of 3-0.

Interlocal Agreement (No. 13)

MOTION: Mr. Pilchick made a motion to approve an Interlocal Agreement between the County of Karnes and the County of DeWitt for sharing the expense of legislative consulting services for a one-year term beginning October 1, 2022, Order Number 2022-034. Mr. Afflerbach seconded the motion. Motion carried on a vote of 3-0.

Interlocal Agreement (No. 14)

MOTION: Mr. Pilchick made a motion to approve an Interlocal Agreement between the County of McMullen and the County of DeWitt for sharing the expense of legislative consulting services for a one-year term beginning October 1, 2022, Order Number 2022-035. Mr. Afflerbach seconded the motion. Motion carried on a vote of 3-0.

Interlocal Agreement (No. 15)

MOTION: Mr. Afflerbach 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, 2022 and ending September 30, 2023, Order Number 2022-036. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

Field Agreement for Predatory Animal Control (No. 16)

MOTION: Mr. Afflerbach made a motion to approve a Field Agreement between the County of DeWitt and the USDA, Texas AgriLife Extension and Texas Wildlife Damage Management Association, Inc. for predatory animal control beginning October 1, 2022 and ending September 30, 2023. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

Temporary Right of Way (No. 17)

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

Declare Fixed Assets as Salvage (No. 19)

MOTION: Mr. Afflerbach 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 3-0.

Accounts Payable (No. 20)

MOTION: Mr. Pilchick made a motion to approve accounts payable. Mr. Afflerbach seconded the motion. Motion carried on a vote of 3-0.

Ratified Accounts Payable (No. 21)

MOTION: Mr. Pilchick made a motion to approve ratified accounts payable. Mr. Afflerbach seconded the motion. Motion carried on a vote of 3-0.

Budget Amendment Requests (No. 22)

MOTION: Mr. Pilchick made a motion to approve budget amendment requests. Mr. Afflerbach seconded the motion. Motion carried on a vote of 3-0.

Personnel Policy (No. 23)

None

Bonds (No. 24)

None

Courthouse/Annex/Museum Expenditures/Maintenance/Improvements (No. 25)

Judge Fowler reported that he escorted property appraisers around to all of the county's property and appraisal values will be provided.

Judge Fowler reported that he did not have an update on when the adult probation department would be moving into the basement of the courthouse.

Judge Fowler reported that Sheriff Carl Bowen recently spoke with him regarding potentially needing some office space for the Texas Rangers to have an office.

Mr. Afflerbach reported on patch work being performed at the museum to stop the water leaks.

Legislative Update (No. 26)

No Legislative update.

Discussion of Commissioner Precinct Operations (No. 27)

Commissioner Precinct No. 1 reported on re-furbishing Old San Antonio Road and Lindenau Road.

Commissioner Precinct No. 2 reported on plans to replace the bridge on Dagg Road.

Commissioner Precinct No. 3 was absent.

Commissioner Precinct No. 4 was absent.

Receive and Award Bid (No. 18)

MOTION: Mr. Afflerbach made a motion to reject all bids for asphalt maintenance and road maintenance applicable to all commissioner precincts and authorize the auditor to advertise for bids for asphalt maintenance and road maintenance. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

Building & Use Agreement Workshop (No. 28)

Court did not hold a workshop.

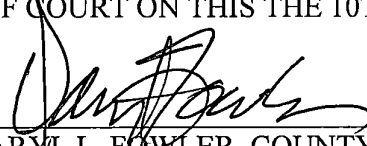
Public Announcements/Comments (No. 29)

None

Adjourn (No. 30)

MOTION: Mr. Afflerbach made a motion to adjourn. [Adjourned at 11:12 a.m.]

THE FOREGOING MINUTES FOR THE MONTH OF SEPTEMBER A.D. 2022 WERE
READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 10TH DAY
OF OCTOBER, A.D. 2022.



DARYL L. FOWLER, COUNTY JUDGE



Natalie Carson

NATALIE CARSON, COUNTY CLERK