

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS  
REGULAR MEETING – JANUARY 10, 2022**

DeWitt County Commissioners Court met in regular session January 10, 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:**

**Appraisal District Board of Directors Election for 2022-2023 (No. 1)**

MOTION: Mr. Afflerbach made a motion to receive letter from DeWitt County Appraisal District with results from the Board of Directors Election for the 2022-2023 term. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

**Per Diem and Mileage Rates (No. 3)**

MOTION: Mr. Afflerbach made a motion approve an increase in the 2022 IRS Per Diem rate from \$55.00 to \$59.00 for overnight stay and the 2022 IRS standard Mileage rate to \$0.585/mile effective today. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**Set Terms of Constitutional County Court (No. 2)**

MOTION: Mr. Kaiser made a motion to set terms of constitutional County Court for 2022 pursuant to Government Code § 26.002 as January 1<sup>st</sup>, April 1st, July 1st, October 1<sup>st</sup> with each term to run until the beginning of the next term. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Service Contract (No. 4)**

Court passed on this agenda item.

### **Maintenance Agreement (No. 5)**

MOTION: Mr. Randle made a motion to approve an agreement with TK Elevator for elevator maintenance at the DeWitt County Courthouse for the twelve (12) month utilizing an annual pay with a 4% discount. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

### **Consider Reappointment (No. 6)**

MOTION: Mr. Kaiser made a motion to consider reappointment of Daryl L. Fowler, to a two-year term (January 2022 through January 2024) to Gulf Bend Center Board of Trustees. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

### **County Treasurer's Monthly Report (No. 16)**

MOTION: Mr. Kaiser made a motion to receive report and approve Court Order Number 2022-001, an 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. 15)**

MOTION: Mr. Afflerbach made a motion to receive treasurer's quarterly report ending December 31, 2021. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

### **Declare Fixed Assets as Salvage (No. 13)**

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.

### **County Auditor's Cash Count Report 1st Quarter FY 2022 (No. 12)**

MOTION: Mr. Randle made a motion to receive County Auditor's Cash Count Report 1<sup>st</sup> Quarter FY 2022. Mr. Afflerbach 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.

### **Minutes (No. 17)**

MOTION: Mr. Kaiser made a motion to approve minutes of the previous term of court. Mr. Pilchick 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)**

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

**Monthly Report of Officials (No. 11)**

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

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.

**Continuing Education Transcript (No. 7)**

MOTION: Mr. Kaiser made a motion to receive a continuing education transcript from the Texas Tax Assessor-Collectors Association indicating that the Honorable Ashley D. Mraz, DeWitt County Tax Assessor-Collector, has completed 51.75 hours of continuing education for reporting period of May 6, 2021 to May 5, 2022. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Certificate of Completion (No. 8)**

MOTION: Mr. Kaiser made a motion to receive certificate of completion from County Judge Daryl L. Fowler for completion of 5 hours of instruction in Public Funds Investment Act Training from Texas State University Distance and Extended Learning. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Temporary Right of Way (No. 9)**

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

**Temporary Right of Way (No. 10)**

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

**Bonds (No. 21)**

None

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

Judge Fowler reported that the county had received two (2) quotes for painting in the tax assessor collector office before the elections administrator transitions over. One quote had been provided for painting in the offices on the 2<sup>nd</sup> and 3<sup>rd</sup> floor of the courthouse. Consensus of the court was to go with Lawrence Dominguez.

Judge Fowler reported that the wording/signage on the front glass doors of the tax assessor collector's office would need to be removed and Election Administrator be added.

Mr. Afflerbach reported that he and Mike Weaver visited with a foundation contractor. Mr. Afflerbach tried to contact Mike Weaver to see if the contractor had agreed to do the work but have not heard back. The shingles have been ordered for the roof and the contractor has been selected to do that. Foundation, siding and windows will be done also.

Mr. Randle reported on working with the offices to clear out the storage buildings.

Shredding company will be at the county on Friday, January 21<sup>st</sup>.

Court discussed janitorial services for the county buildings.

Cuero EMS Director Freddie Solis spoke with the court about the county accepting a Stop the Bleed wall cabinet, which contains six (6) kits to be placed within the county buildings and/or precinct locations.

**Legislative Update (No. 23)**

No Legislative update.

**Discussion of Commissioner Precinct Operations (No. 24)**

Commissioner Precinct No. 1 reported that he had submitted requisitions to cover the total amount of grant money for work on Schlenstedt Road and Hahn Road has been completed.

Commissioner Precinct No. 2 reported on re-working Cattleguard Road and stabilizing Morris Community Road with grant money that was left over.

Commissioner Precinct No. 3 reported on normal precinct operations.

Commissioner Precinct No. 4 reported on rescheduled striping on Thomaston River Road, Arneckeville Road has been finished and doing a small section of Zengerle Road.

**County Building Workshop (No. 25)**

Court discussed the mural on the 2<sup>nd</sup> floor large wall of the DeWitt County Annex building.

**COVID-19 Disaster Update (No. 26)**

Judge Fowler reported that reporting responsibility has been taken away from local authorities.

**Public Announcement**

Nicole Nguyen and Cynthia Ramirez provided information to the court regarding Belong, a nonprofit organization that serves as the lead provider for Community-Based Care in the region.

**Adjourn (No. 27)**

MOTION: Mr. Kaiser made a motion to adjourn. [10:40 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS  
REGULAR MEETING – JANUARY 24, 2022**

DeWitt County Commissioners Court met in regular session January 24, 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 James B. Pilchick Sr., Precinct No. 2  
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:**

**Contract for Professional Services (No. 1)**

Court passed on this agenda item.

**Truancy Prevention Grant Program (No. 2)**

MOTION: Mr. Randle made a motion to authorize DeWitt County Juvenile Probation Department to apply for truancy prevention and the adoption of a resolution authorizing application for grant funds to be signed by the county judge. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0. [Resolution Number 2022-003]

**Resolution for Solid Waste Grant (No. 3)**

MOTION: Mr. Randle made a motion to adopt a resolution authorizing application for grant funds for the Golden Crescent Regional Planning Commission Municipal Solid Waste Grant with the Resolution Number 2022-002 and authorize the county judge to sign. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

**State Certified Cyber Security Training (No. 4)**

MOTION: Mr. Randle made a motion to enroll county employees in certified cyber security training pursuant to, and in compliance with, the provisions of Government Code Section 2054.5191(a-1); designate the DIR-approved training program being offered through the Texas Association of Counties as the approved program. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

**Constable Precinct No. 1 Activity Report (No. 6)**

MOTION: Mr. Randle made a motion to receive Constable Precinct No. 1 Activity Report. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

**Racial Profiling Report (No. 5)**

MOTION: Mr. Randle made a motion to receive Racial Profiling Report from DeWitt County Constable Precinct No. 1. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

**Racial Profiling Report (No. 7)**

MOTION: Mr. Randle made a motion to receive Racial Profiling Report from DeWitt County Constable Precinct No. 2. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

**Constable Precinct No. 2 Activity Report (No. 8)**

MOTION: Mr. Randle made a motion to receive Constable Precinct No. 2 Activity Report. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

**Racial Profiling Report (No. 9)**

MOTION: Mr. Randle made a motion to receive Full Exemption Racial Profiling Report from DeWitt County District Attorney. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

**Gulf Bend Center FY2022 Budget (No. 10)**

MOTION: Mr. Randle made a motion to receive Gulf Bend Center FY2022 budget. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

**Certificate of Completion (No. 12)**

MOTION: Mr. Randle made a motion to receive certificates of completion from the County & District Clerk's Association of Texas for County Clerk Natalie Carson and District Clerk Esther Ruiz for completing the required 20 hours of continuing education for 2021 as prescribed in Section 51.605 of the Texas Government Code. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

**HB2521 Division Order (No. 13)**

MOTION: Mr. Randle made a motion to receive division order from Hurd Enterprises Ltd. (HB2521) for the Boedeker #1 Unit and authorize the county judge to sign. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

**Salary Grievance Committee (No. 11)**

MOTION: Mr. Randle made a motion to appoint public members to the County Salary Grievance Committee pursuant to Government Code 152.014. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

MOTION: Mr. Randle made a motion to appoint the selected public members to County Salary Grievance Committee pursuant to Government Code Section 152.015. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

**Temporary Right of Way (No. 14)**

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

**Temporary Right of Way (No. 15)**

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

**Temporary Right of Way (No. 16)**

MOTION: Mr. Randle made a motion to approve permit application from Select Energy Services for installation of temporary water line along Garfield Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

**Accounts Payable (No. 17)**

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

**Ratified Accounts Payable (No. 18)**

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

**Budget Amendment Requests (No. 19)**

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

**Bonds (No. 20)**

None

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

Mr. Randle reported that the elections office is being moved to the new office location this morning. Court discussed installing a sign, which was previously made by Blanca McBride, on the outside of the building in front of the new election office.

Mr. Randle reported that sold items that were stored in the attic are being moved down to the 3<sup>rd</sup> floor of the courthouse.

Judge Fowler reported that Mr. Dominguez is line up to come back and paint some of the offices located on the 2<sup>nd</sup> and 3<sup>rd</sup> floors of the courthouse.



Judge Fowler reported that basement de-construction has taking place. The wooden structure located in the basement breakroom is being moved to the 3<sup>rd</sup> floor. Tyl Electric is coming to remove the electrical outlets on the front wooden cabinet.

Mr. Randle reported on still waiting on the shingles for the historical museum roof.

The new elevator company was at the courthouse last week and inspected the elevator.

Trane fixed the leak in the heaters in the basement of the courthouse.

#### **Legislative Update (No. 22)**

Judge Fowler reported that Steve Holzeheuser was going to reach out to Senator Betcourt, the author of SB 2, and see if he would make himself available to hear out issue with the mineral valuations creating an abatement for the oil companies working against the county.

#### **Discussion of Commissioner Precinct Operations (No. 23)**

Commissioner Precinct No. 2 reported on starting to stabilize Old Yoakum tomorrow right outside of Cuero. Morris Community Road is almost ready, will try to prime this week weather permitting.

Commissioner Precinct No. 4 reported that Arneckeville Road has been completed and started working on Zengerle Road from the highway up past the gas plant.

#### **County Building Workshop (No. 24)**

MOTION: Mr. Randle made a motion to review Exterior Architectural Punch List for DeWitt County 2021 Annex Building, and authorize county judge to sign Certificate of Substantial Completion. Mr. Pilchick seconded the motion. Motion carried on a vote of 3-0.

#### **COVID-19 Disaster Update (No. 25)**

No update due to the Department of State Health Services taking over the tracking and reporting responsibility.

#### **Adjourn (No. 26)**

MOTION: Mr. Randle made a motion to adjourn. [Adjourned at 10:30 a.m.]

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

DeWitt County Commissioners Court met in special session January 27, 2022 at 1:30 p.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:**

**Burn Ban (No. 1)**

MOTION: Mr. Kaiser made a motion to adopt a burn ban for the unincorporated areas of the county and give the county judge authorization to rescind the order. Mr. Randle seconded the motion. Motion carried on a vote of 5-0. [Court Order Number 2022-004]

**Adjourn (No. 2)**

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 1:40 p.m.]

THE FOREGOING MINUTES FOR THE MONTH OF JANUARY A.D. 2022 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 14TH DAY OF FEBRUARY, A.D. 2022.



*Natalie Carson*  
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NATALIE CARSON, COUNTY CLERK

*Daryl L. Fowler*  
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DARYL L. FOWLER, COUNTY JUDGE