

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
SPECIAL MEETING – OCTOBER 3, 2022**

DeWitt County Commissioners Court met in special session October 3, 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:

Reconsider Motion to Reject Bids for Asphalt Maintenance and Road Maintenance (No. 1)

MOTION: Mr. Pichiek made a motion to rescind the motion made and approved to reject bids from previous meeting on September 26, 2022. Mr. Kaiser seconded the motion. Motion carried on a vote of 3-0 with Mr. Afflerbach and Judge Fowler absent.

Review Bid Packages for Asphalt Maintenance and Road Maintenance (No. 2)

MOTION: Mr. Randle made a motion to accept the road construction bid with the one verbiage change on item number 17, from square foot to yards. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Randle made a motion to resubmit the bid with the revised bid packages as described. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Adjourn (No. 3)

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 9:50 a.m.]

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

DeWitt County Commissioners Court met in regular session October 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 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:

Child Welfare Board Interlocal Agreement (No. 1)

MOTION: Mr. Afflerbach made a motion to approve the Interlocal Agreement between DeWitt County and the DeWitt County Child Welfare Board effective October 1, 2022. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

District Attorney Investigator (No. 2)

Court heard request from Robert Lassmann, District Attorney, to create a full time investigator position in the Office of the District Attorney. No action taken by the court.

Burn Ban (No. 3)

No action taken by the court.

Elections Inspector Report (No. 6)

MOTION: Mr. Kaiser made a motion to receive inspector report for DeWitt County Elections Office from the Texas Secretary of State. Mr. Afflerbach seconded the motion. Motion carried on a vote of 4-0.

Practitioner Agreement (No. 4)

MOTION: Mr. Kaiser made a motion to approve the Practitioner Agreement by and between TML MultiState Intergovernmental Employee Benefits Pool and Cuero-DeWitt County Health

Department for the City of Yoakum. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

Proclamation for German-American Day (No. 5)

MOTION: Mr. Randle made a motion to ratify the proclamation designating October 6, 2022 as German-American Day in DeWitt County. Mr. Afflerbach seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 7)

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 Plasczyk Road in Commissioner Precinct No. 3. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 8)

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 Simpson Ranch Road in Commissioner Precinct No. 3. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 9)

MOTION: Mr. Afflerbach made a motion to approve permit application from Burlington Resources Oil & Gas Company LP for installation of a temporary water line on Hattenbach Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 10)

MOTION: Mr. Afflerbach made a motion to approve permit application from Burlington Resources Oil & Gas Company LP for installation of a temporary water line on Sievers Pit Road and Respondek Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 11)

MOTION: Mr. Afflerbach made a motion to approve permit application from Burlington Resources Oil & Gas Company LP for installation of a temporary water line on Respondek Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 12)

MOTION: Mr. Afflerbach made a motion to approve 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. Randle seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 13)

MOTION: Mr. Afflerbach made a motion to approve permit application from Burlington Resources Oil & Gas Company LP for installation of a temporary water line on Nessel Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 14)

MOTION: Mr. Afflerbach made a motion to approve permit application from Burlington Resources Oil & Gas Company LP for installation of a temporary water line on Nolte Boehl Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 15)

MOTION: Mr. Afflerbach made a motion to approve permit application from Burlington Resources Oil & Gas Company LP for installation of a temporary water line on Bellevue Cemetery Road and Chaddock Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 16)

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 Simecek Road and Stanchos Road in Commissioner Precinct No. 3. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 17)

MOTION: Mr. Afflerbach made a motion to approve permit application from Burlington Resources Oil & Gas Company LP for installation of 2 temporary water lines on Bellevue Cemetery Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 18)

MOTION: Mr. Afflerbach made a motion to approve permit application from EOG Resources for installation of a temporary water line on Hahn Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 19)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement with Select Energy LLC for installation of a temporary water line on Cotton Patch Road and Garfield Road in Commissioner Precinct No. 3. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

County Treasurer's Monthly Report (No. 20)

MOTION: Mr. Afflerbach made a motion to receive and approve Order Number 2022-039 approving County Treasurer's Monthly Report. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

County Treasurer's Quarterly Investment Report (No. 21)

MOTION: Mr. Kaiser made a motion to receive and approve County Treasurer's Quarterly Investment Report. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

County Treasurer's Annual Report (No. 22)

MOTION: Mr. Kaiser made a motion to receive County Treasurer's Annual Report. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

DeWitt County Investment Policy, Court Order No. 2022-040 (No. 23)

MOTION: Mr. Kaiser made a motion to receive Court Order Number 2022-040 pursuant to Local Government Code 116.112 and the Public Funds Investment Act 2256.005(e) which requires annual review of investment policy and investment strategies. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

Resolution to Adopt Investment Policy, Court Order No. 2022-041 (No. 24)

MOTION: Mr. Kaiser made a motion to adopt Resolution Court Order Number 2022-041 to Adopt Investment Policy as pursuant to Local Government Code 116.112 and the Public Funds Investment Act 2256.005(e). Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

Resolution to Adopt DeWitt County Investment Strategies, Court Order No. 2022-042 (No. 25)

MOTION: Mr. Kaiser made a motion to adopt Court Order Number 2022-042, adoption of a resolution setting out a separate written investment strategy for each of the funds under control of DeWitt County as pursuant to Public Funds Investment Act 2256.005(d) and (e). Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

Resolution to Adopt List of Qualified Brokers/Dealers, Court Order No. 2022-041 (No. 26)

MOTION: Mr. Kaiser made a motion to adopt a Resolution Number 2022-043, a resolution to Adopt List of Qualified Brokers/Dealers as pursuant to Public Funds Investment Act of Texas, Section 2256.025 which requires the government body to annually review, revise and adopt a list of qualified brokers that are authorized to engage in investment transactions with DeWitt County. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

Monthly Report of Officials (No. 27)

The auditor's office received reports from all officials.

MOTION: Mr. Afflerbach made a motion to approve monthly report of officials. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

County Auditor's 4th Quarter 2022 Cash Count Report (No. 28)

MOTION: Mr. Kaiser made a motion to receive County Auditor's 4th Quarter 2022 Cash Count Report. Mr. Afflerbach seconded the motion. Motion carried on a vote of 4-0.

County Auditor's Monthly Report (No. 29)

MOTION: Mr. Kaiser made a motion to receive County Auditor's Monthly Report. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

Minutes (No. 30)

MOTION: Mr. Kaiser made a motion to approve minutes of the previous term of court. Mr. Randle seconded the motion. Motion carried on a vote of 3-0 with Mr. Afflerbach abstaining.

Accounts Payable (No. 31)

MOTION: Mr. Kaiser made a motion to approve accounts payable. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

Ratified Accounts Payable (No. 32)

MOTION: Mr. Kaiser made a motion to approve ratified accounts payable. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

Budget Amendment Requests (No. 33)

None

Personnel Policy (No. 34)

County Treasurer presented the court with travel expense policy that was inadvertently left out of the policy manual.

MOTION: Mr. Kaiser made a motion to approve the necessary amendments and changes to the personnel policy. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

Bond for County Treasurer & Assistants (No. 35)

MOTION: Mr. Kaiser made a motion to set amount of bonds at \$125,000.00 for the county treasurer and assistant treasurers pursuant to LGC Sections 83.002 & 83.008. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

Bonds (No. 36)

County Treasurer Carol Ann Martin advised the court that she is extending the assistant treasurer's bond, which ran from October 4th to October 4th of each year, for coverage for the remaining part of this year. Beginning January 1, 2023, the assistant treasurer's blanket bond will run for a four (4) year period instead of annual bond.

No action taken by the court.

Courthouse/Annex/Museum Expenditures/Maintenance/Improvements (No. 37)

Judge Fowler reported that the fire protection company had contacted him for updated emergency call list for the DeWitt County Annex building. Consensus of the court to update the list to add Judge Fowler and Mr. Afflerbach.

Judge Fowler reported on issues with the heaters in the basement. Trane will be coming back this week to look at the issues.

Mr. Afflerbach reported that the foundation company reached out to him to schedule a date to begin work at the DeWitt County Historical Commission. The first available date is not until the beginning of 2023.

Legislative Update (No. 38)

Judge Fowler reported that Steve Holzheuer contacted him regarding a meeting with Senator Bettencourt's office and the only available date for Judge Fowler is October 21, 2022.

Judge Fowler reported that he attended the Farm Bureau annual meeting. The meeting is where they pick up local resolutions to advance to the state conference in December. One resolution picked up is to close the loop in Tax Code regarding the oil and gas companies having advantage when it comes to calculating the tax rate. The second resolution picked up is where Judge Fowler strongly encourage the State of Texas to use the severance tax or part of it and remit the money

back to the counties where it was collected from to begin with so that the county could offset the property tax and work on the county roads.

Discussion of Commissioner Precinct Operations (No. 39)

Commissioner Precinct No. 1 reported on Old San Antonio Road and Lindenau Road under construction.

Commissioner Precinct No. 2 was absent.

Commissioner Precinct No. 3 reported on normal precinct operations.

Commissioner Precinct No. 4 reported on River Road project completely stabilized and are waiting on some rock to get it chip sealed.

Building & Use Agreement Workshop (No. 40)

Court did not hold a workshop.

Public Announcements/Comments (No. 41)

None

Adjourn (No. 42)

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 – OCTOBER 24, 2022**

DeWitt County Commissioners Court met in regular session October 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 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:

2022 DeWitt County Tax Roll (No. 1)

MOTION: Mr. Kaiser made a motion to receive the 2022 DeWitt County tax roll from the County Tax Assessor pursuant to Tax Code, Title 1 Property Tax Code, Section D, and Chapter 26.09(e). Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

2022 DeWitt County Road and Bridge Tax Roll (No. 2)

MOTION: Mr. Kaiser made a motion to receive the 2022 DeWitt County Road and Bridge tax roll from the County Tax Assessor pursuant to Tax Code, Title 1 Property Tax Code, Section D, and Chapter 26.09(e). Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Database Access Agreement (No. 3)

MOTION: Mr. Kaiser made a motion to receive update to access agreement between Texas Department of Housing and Community Affairs – Manufactured Housing Division and the DeWitt County Tax Assessor-Collector adding Yoakum Independent School District to the MHD database for the purpose of releasing personal property tax liens on home ownership records. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Sheriff Bowen Presentation on Law Enforcement Needs, Employment Conditions and Staffing (No. 4)

Court heard from Sheriff Carl Bowen about the current employment needs of the DeWitt County Sheriff's Office. No action taken.

Road Easement (No. 5)

MOTION: Mr. Randle made a motion to approve access and egress easement to Delvin Arndt across 0.76 acres of county property located in Precinct 4 adjacent to FM 3157 in the Luke M. Mason Survey A-153. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Temporary Right of Way (No. 7)

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

Temporary Right of Way (No. 8)

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

Temporary Right of Way (No. 9)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement with Enersol Group for installation of two temporary water lines on Schneider Ranch Road, Maron Road, & Seiler Road in Commissioner Precinct No. 3. Mr. Pilchick 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 Legacy Energy Services for installation of a temporary water line on Spies Road in Commissioner Precinct No. 1. Mr. Randle 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 Legacy Energy Services for installation of a temporary water line on Metting Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Trade-in of Backhoe for Precinct 1 (No. 12)

Court passed on this agenda item.

Authorize Auditor to Advertise for Bids (No. 13)

MOTION: Mr. Pilchick made a motion to authorize the county auditor to advertise for bids for purchase of a one-ton club cab pickup truck for Commissioner Precinct 2. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Commissioners Court Meeting Schedule (No. 6)

MOTION: Mr. Kaiser made a motion to cancel the December 26, 2022 Commissioners Court Meeting due to the Christmas holiday. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Renewal Applications for Insurance Policies (No. 14)

MOTION: Mr. Randle made a motion to authorize the judge to submit the renewal application to the Texas Association of Counties for crime, auto physical damage, auto liability, general liability, public officials' liability and law enforcement liability with all corrections submitted by this afternoon. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

County Auditor's Annual Report (No. 15)

MOTION: Mr. Kaiser made a motion to receive county auditor's report on Fiscal Year 2022 pursuant to Texas Local Government Code §114.022. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Accounts Payable (No. 16)

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

Ratified Accounts Payable (No. 17)

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

Budget Amendment Requests (No. 18)

None

Personnel Policy (No. 19)

None

Bonds (No. 20)

None

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

Judge Fowler reported that the adult probation department plans to move into the basement of the courthouse next month.

Judge Fowler reported on lights going out in the hallways and offices. He will contact Danny Tyl with Tyl Electric to change the lights out.

Judge Fowler reported on information received from termite pest control service wanting to know if the county wanted to continue the warranty service agreement on the new annex building. There

is no a need for the terminate service at the new annex building but would send the company over to the Weber Annex Building.

Legislative Update (No. 22)

Judge Fowler reported that the meeting with Senator Bettencourt last week never materialize.

Discussion of Commissioner Precinct Operations (No. 23)

Commissioner Precinct No. 1 reported on Lindenau Road & Old San Antonio Road in the process of being completely re-based and re-poured. The roads are completely ground. ABN Construction maintainer is broke down and is hoping to move in tomorrow to start setting the road up, stabilize and go from there. ABN Construction is waiting on the concrete crews to do some culvert work.

Commissioner Precinct No. 2 reported on work on Horseshoe Road. The pipes are finished in today, start concrete work on the pipe and pour a low water section with concrete on the east end.

Commissioner Precinct No. 3 reported on normal precinct operations.

Commissioner Precinct No. 4 reported on starting chip sealing this week on River Road, Clinton Cemetery Road and Old Goliad Road.

Building & Use Agreement Workshop (No. 24)

Building & Use Agreement Workshop not held.

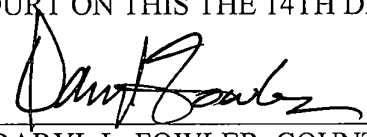
Public Announcements/Comments (No. 25)

No public announcements/comments.

Adjourn (No. 26)

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

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



DARYL L. FOWLER, COUNTY JUDGE

ATTEST: Natalie Carson

NATALIE CARSON, COUNTY CLERK

