

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
SPECIAL MEETING – APRIL 3, 2023**

DeWitt County Commissioners Court met in special session April 3, 2023 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 Brian Carson, 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:

Trade-in of Backhoe for Precinct 4 (No. 1)

MOTION: Mr. Carson made a motion to trade-in roller tag number 4663 which is a Volvo 84 inch steel wheel smooth drum roller compactor towards the purchase of a new piece of equipment pursuant to LGC 263.152(a)(2). Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Quote for Purchase of Compactor (No. 2)

MOTION: Mr. Afflerbach made a motion receive quote from Anderson Machinery Company and authorize purchase order for a 2019 Bomag BW211D compactor for use in Commissioner Precinct 1 and 4. Mr. Carson seconded the motion. Motion carried on a vote of 5-0.

Adjourn (No. 3)

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 9:07 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
SPECIAL MEETING – APRIL 6, 2023**

DeWitt County Commissioners Court met in special session April 6, 2023 at 10:00 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 Brian Carson, 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.

Workshop on Liability Insurance (No. 1)

Court held a workshop to discuss liability coverage with representatives from the Texas Association of Counties Risk Management Pool.

Adjourn (No. 2)

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 11:40 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – APRIL 10, 2023**

DeWitt County Commissioners Court met in regular session April 10, 2023 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 Brian Carson, 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:

Update to PubWorks Agreement (No. 1)

MOTION: Mr. Kaiser made a motion to approve the updated subscription agreement with GWorks (formerly PubWorks) for Road and Bridge maintenance software services for all four Commissioner Precinct Offices. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

DeWitt County Appraisal District (No. 2)

MOTION: Mr. Pilchick made a motion to receive the audited DeWitt County Appraisal District Financial Statements dated December 31, 2022 and deposit it with the County Clerk. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Drainage District Expansion Resolution (No. 3)

Court passed on this agenda item.

Soil & Water Stewardship Week Proclamation (No. 4)

MOTION: Mr. Afflerbach made a motion to adopt a proclamation establishing April 30, 2023 through May 7, 2023 as 2023 Soil & Water Stewardship Week in DeWitt County. Mr. Carson seconded the motion. Motion carried on a vote of 5-0.

County Depository Pledge Contract (No. 5)

MOTION: Mr. Afflerbach made a motion to receive and approve County Depository Pledge Contract; and accept resolution of Board of Directors of First National Bank of Shiner - Cuero National Bank Branch ratifying the proposal to extend the current depository contract for two years with terms negotiated by the Commissioners Court and extend pledge contract to begin May 15, 2023 through May 15, 2025. Mr. Carson seconded the motion. Motion carried on a vote of 5-0.

Certificate of Compliance County Treasurers Association of Texas (No. 6)

MOTION: Mr. Afflerbach made a motion to receive certification that County Treasurer Carol Ann Martin has successfully completed required hours of continuing education in 2022 as required by Section 83.003 of the Texas Local Government Code Continuing Education. Mr. Carson seconded the motion. Motion carried on a vote of 5-0.

Certificate of Membership County Investment Academy (No. 7)

MOTION: Mr. Kaiser made a motion to receive certification that County Treasurer Carol Ann Martin has successfully completed investment education that satisfies Section 2256.008 of the Texas Public Funds Investment Act. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Victoria Air HVAC Maintenance Agreement (No. 8)

MOTION: Mr. Kaiser made a motion to approve the renewal of HVAC service and maintenance agreement for the DeWitt County 2021 Annex at an annual rate of \$9,168.00 paid quarterly at \$2,292.00. 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 Burlington Resources for installation of a temporary water line on Nessel Road in Commissioner Precinct No. 1. Mr. Carson 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 permit application for a temporary right of way from Burlington Resources for installation of a temporary water line on Nolte Boehl Road in Commissioner Precinct No. 1. Mr. Carson 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 AJ's Logistics Services for installation of a temporary water line on Rogge Seifert Road and Simpson Ranch Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Safety Committee and Safety Policy (No. 12)

Court passed on this agenda item.

Employee Health and Wellness Benefit Workshop (No. 13)

MOTION: Mr. Kaiser made a motion to approve funding of the Colors Personality Workshop on May 17 by Jeanne Kelley and subsequent dates if necessary to be paid from the Healthy County Rewards Money. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Monthly Revenue Reports from County Officials and Department Heads (No. 14)

No action taken.

Deposit Receipt Audit for February 2023 (No. 15)

MOTION: Mr. Kaiser made a motion to receive deposit receipt audit for February 2023 from the DeWitt County Auditor, pursuant to Local Government Code, Chapter 115. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Deposit Receipt Audit for March 2023 (No. 16)

MOTION: Mr. Kaiser made a motion to receive deposit receipt audit for March 2023 from the DeWitt County Auditor, pursuant to Local Government Code, Chapter 115. 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 reports.

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. Kaiser made a motion to approve County Auditor's Monthly Report. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

County Auditor's 2nd Quarter FY 2023 Cash Count Report (No. 19)

MOTION: Mr. Kaiser made a motion to receive County Auditor's 2nd Quarter FY2023 Cash Count Report. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

County Treasurer's Monthly Report (No. 20)

MOTION: Mr. Afflerbach made a motion to receive and approve the County Treasurer's Monthly Report, Court Order Number 2023-010. Mr. Carson seconded the motion. Motion carried on a vote of 5-0.

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

MOTION: Mr. Kaiser made a motion to receive County Treasurer's Quarterly Investment Report. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

January Minutes (No. 22)

MOTION: In order to have approval of the January 23rd Commissioners Court minutes, Mr. Afflerbach made a motion to rescind the motion that he made on Item Number 12 that dealt with the Golden Crescent Regional Planning Commission Advisory Committee Nominations. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Afflerbach made a motion to nominate Curtis Afflerbach to the voting delegate position of Golden Crescent Regional Planning Commission, also nominate Mr. Carson as the non-voting Golden Crescent Regional Planning Commission delegate and also nominate Mr. Pilchick as the ongoing RERAC Golden Crescent Regional Commission delegate. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Afflerbach made a motion to rescind Item Number 19 that was made by myself and seconded by Mr. Carson. Mr. Carson seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Afflerbach made a motion to receive the certificate of renewal from the Texas Association of Election Administrators and the Election Center, Katy, Texas for Elections Administrator Melissa Alcazar for completing the recertification requirements to maintain Registered Election Official status for 2023. Mr. Carson seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Afflerbach made the motion to accept the January minutes as amended. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Minutes (No. 23)

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

Accounts Payable (No. 24)

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. 25)

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. 26)

None

Payroll Reports (No. 27)

MOTION: Mr. Kaiser made a motion to receive and ratify approval of payroll reports for period beginning March 18, 2023 through March 31, 2023 pay date April 6, 2023 in the amount of \$424,594.83. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Personnel Policy (No. 28)

None

Bonds (No. 29)

None

Courthouse/Annex/Museum Expenditures/Maintenance/Improvements (No. 30)

Judge Fowler reported on the water has pooled up again in the French drain outside the elevator closet. He has taken a picture and will forward the picture to the architect.

County Treasurer Carol Ann Martin discussed the fire alarm going off every morning at the DeWitt County 2021 Annex. Judge Fowler is working on getting someone to service the alarm.

County Clerk Natalie Carson discussed the filter on the water fountains at the DeWitt County 2021 Annex.

Mr. Afflerbach reported that Cox Brothers have finished replacing the roof at the DeWitt County Historical Museum. He reported on five (5) windows that will need to be removed. The next step is the work on the siding and windows.

Legislative Update (No. 31)

No Legislative update.

Discussion of Commissioner Precinct Operations (No. 32)

Commissioner Precinct No. 1 reported on the completion of the road work on Old San Antonio Road and Lindenau Road. His crews are addressing washouts from the last rain. He has started work on Boehm Road. Mr. Afflerbach reported that barricades were placed on Cheapside Road on Saturday and are still barricaded this morning.

Commissioner Precinct No. 2 reported on normal precinct operations.

Commissioner Precinct No. 3 reported on putting MC-30 oil on Rogge-Seifert Road to help control the dust.

Commissioner Precinct No. 4 reported on a tree blown down on Friday across Live Oak Road that his crews temporarily and will finish the work today. He reported on culvert work on Old Goliad Road that is about half way finished.

County Auditor Carrie Rea reported that Tractor Supply (TSC) is no longer allowing in store charges. They have gone to credit card charges. Mrs. Rea advised the commissioners that they would have to get the CitiBank credit card from the auditor's office and submit requisitions for the CitiBank.

Public Announcements/Comments (No. 33)

None

Adjourn (No. 34)

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

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – APRIL 24, 2023**

DeWitt County Commissioners Court met in regular session April 24, 2023 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, Precinct No. 2
Commissioner James Kaiser, Precinct No. 3
Commissioner Brian Carson, Precinct No. 4

Call to Order; Pledge of Allegiance & Invocation

Judge Fowler called the meeting to order, led everyone in the pledge of allegiance and gave the invocation.

New Business:

Emergency Plan Review (No. 1)

MOTION: Mr. Kaiser made a motion to adopt the updated the Emergency Plan – Basic Plan and submit it to the cities of Cuero, Yorktown and Nordheim for approval. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

CR 130 at Deer Creek Road Closure (No. 2)

MOTION: Mr. Kaiser made a motion to close the road for bridge replacement on CR 130, which is Mueller Road, at Deer Creek, and authorize the judge to sign the form for TXDOT and authorize the judge to allow the press access to the information. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

TIDC Planning Study (No. 3)

Court passed on this agenda item.

Interlocal Agreement (No. 4)

MOTION: Mr. Kaiser made a motion to approve an Interlocal Agreement between the County of DeWitt and the City of Yorktown for the cost sharing of annual services fees for emergency communication services provided through a license granted to DeWitt County through the CodeRED Next Services Agreement effective May 1, 2023, Court Order Number 2023-011. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

HB2521 Division Order (No. 5)

MOTION: Mr. Kaiser made a motion to receive notification of purchase and division order from Marathon Oil Company (HB 2521) for the Afflerbach 01 Unit and authorize the county judge to sign the division order. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Receive and Award Bid (No. 6)

MOTION: Mr. Kaiser made a motion to receive and award the bid for a dump truck for Road & Bridge Precinct No. 1 to Performance Truck for the amount of \$131,230.66. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 7)

MOTION: Mr. Kaiser made a motion to receive temporary right of way agreement with Burlington Oil & Gas Company LP for installation of temporary water line along Klein Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 8)

MOTION: Mr. Kaiser made a motion to receive temporary right of way agreement with Burlington Oil & Gas Company LP for installation of temporary water line along Simecek Road in Precinct No. 1 & Stanchos Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 9)

MOTION: Mr. Kaiser made a motion to receive temporary right of way agreement with EOG Resources for installation of temporary water line along Hahn Road in Commissioner Precinct No. 1. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Declare Fixed Assets as Salvage (No. 10)

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 4-0.

Authorize Auditor to Dispose of Salvage or Surplus Property (No. 11)

MOTION: Mr. Kaiser made a motion to authorize county auditor to dispose of salvage or surplus property, pursuant to Local Government Code §263, Subchapter D by means of an online auction. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Accounts Payable (No. 12)

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

Ratified Accounts Payable (No. 13)

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

Budget Amendment Requests (No. 14)

MOTION: Mr. Kaiser made a motion to approve budget amendments. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Payroll Reports (No. 15)

MOTION: Mr. Kaiser made a motion to receive and ratify approval of payroll reports for the period of April 1st through April 14th. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

Personnel Policy (No. 16)

No personnel policy amendments/changes.

Bonds (No. 17)

None

Courthouse/Annex/Museum Expenditures/Maintenance/Improvements (No. 18)

Judge Fowler reported that he and Rene had performed routine maintenance on air conditioner filters at the courthouse.

Judge Fowler received some feedback from Komatsu Architect regarding the French drain located outside the courthouse. They are trying to bring JC Stoddard.

Judge Fowler has engaged a local contractor to fill some of the low spots with dirt and level out the yard, which has not happened yet.

Judge Fowler has received notification from Garcia Lawn Service that the business was shutting down.

Legislative Update (No. 19)

Judge Fowler reported that Marathon Oil Company had a representative enter a bill for them that would remove the obligation to pay the oil and gas severance tax on wells that had been producing for more than five (5) years and suspend that for a period of five (5) years if the company's would come back in and re-frac or stimulate those wells. Marathon has been asking Judge Fowler for support. Judge Fowler is willing to support except for one thing, it might add to the county's tax base, Marathon will be tearing up the roads and the county will not be able to recover the money.

Discussion of Commissioner Precinct Operations (No. 20)

Commissioner Precinct No. 1 was absent.

Commissioner Precinct No. 2 reported on the bridge on Dagg Road. Brian is pumping out water again. Brian will start working on today continuously, start doing the fill in tomorrow and set the forms on top.

Commissioner Precinct No. 3 reported on hot mixing on Old Yorktown Road. It will be paved all the way from Hwy 72 to Hwy 87. He has roads to prime but the weather has not been cooperating but have half of the roads done. There was some bridge damage on Charco Road due to an accident. There was an 18-wheeler accident outside of Nordheim on Hwy. 72.

Commissioner Precinct No. 4 reported on a maintainer being vandalized in Meyersville over the weekend. Some kids were playing on four wheelers, throwing rocks and broke out two (2) windows. The incident has been reported to the Sheriff's Department. Normal precinct operations.

Safety Committee and Safety Policy (No. 21)

Court did not take any action on this agenda item.

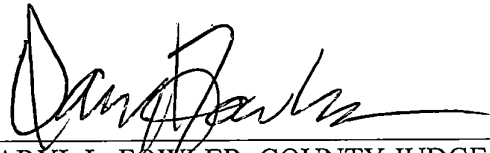
Public Announcements/Comments (No. 22)

None

Adjourn (No. 23)

MOTION: Mr. Carson made a motion to adjourn. [Adjourned at 10:22 a.m.]

THE FOREGOING MINUTES FOR THE MONTH OF APRIL A.D. 2023 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 8TH DAY OF MAY, A.D. 2023.



DARYL L. FOWLER, COUNTY JUDGE

ATTEST: Natalie Carson
NATALIE CARSON, COUNTY CLERK

