

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – APRIL 8, 2024**

DeWitt County Commissioners Court met in regular session April 8, 2024 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 (absent on April 8, 2024; present on April 9, 2024)
Commissioner Ryan Varela, 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

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

New Business:

Executive/Closed (No. 1)

Court did not go into executive/closed session on this date. *[Clerk's Note: See Page 8 for more executive/closed session information.]*

Discussion and Potential Action (No. 2)

Court passed.

Joint Election Agreement (No. 3)

MOTION: Mr. Kaiser made a motion to approve the contract for elections services for the May 4th School Election between DeWitt County and Cuero ISD, Nordheim ISD, and Yorktown ISD. Mr. Carson seconded the motion. Motion carried on a vote of 4-0.

Appointment of Local Health Authority (No. 4)

MOTION: Mr. Kaiser made a motion to reappoint John Lee McNeill, DO as the Local Health Authority for DeWitt County for a two year term. Mr. Carson seconded the motion. Motion carried on a vote of 4-0.

Stevenson Unit 30th Anniversary Proclamation (No. 5)

MOTION: Mr. Kaiser made a motion to adopt a proclamation proclaiming April 10th, 2024 as Clarence N. Stevenson Unit Day in DeWitt County. Mr. Varela seconded the motion. Motion carried on a vote of 4-0.

Memorandum of Donation (No. 6)

MOTION: Mr. Kaiser made a motion to approve a memorandum of donation for monetary donation of \$5,000 from Marathon Oil for public safety purposes for the DeWitt County Sheriff's Office pursuant to Local Government Code section 81.032. Mr. Varela seconded the motion. Motion carried on a vote of 4-0.

Certification of Funds (No. 7)

MOTION: Mr. Kaiser made a motion to receive letter from County Auditor certifying donation for the DeWitt County Sheriff's Office from Marathon Oil. Mr. Varela seconded the motion. Motion carried on a vote of 4-0.

DeWitt County Historical Commission (No. 8)

MOTION: Mr. Kaiser made a motion to receive 2023 Annual Report from the DeWitt County Historical Commission Mr. Carson seconded the motion. Motion carried on a vote of 4-0.

Annual Financial Report (No. 9)

MOTION: Mr. Kaiser made a motion to receive Annual Financial Report for Green DeWitt Drainage District for fiscal year ended September 30, 2023. Mr. Carson seconded the motion. Motion carried on a vote of 4-0.

DeWitt County Appraisal District (No. 10)

MOTION: Mr. Kaiser made a motion to receive the audited DeWitt County Appraisal District Financial Statements dated December 31, 2023. Mr. Carson seconded the motion. Motion carried on a vote of 4-0.

TXDOT Participation Waived Project Resolution (No. 11)

MOTION: Mr. Kaiser made a motion to approve resolution supporting the waiver of match fund participation requirements for certain bridge projects with Texas Department of Transportation. Mr. Varela seconded the motion. Motion carried on a vote of 4-0. [Court Order Number 2024-012]

Resolution (No. 12)

MOTION: Mr. Kaiser made a motion to approve resolution authorizing the submission of an application to the Texas General Land Office for the Community Development Block Grant – Mitigation Regional Method of Distribution Program; authorize the county judge to act as the county’s chief executive officer in all matters pertaining to the county’s participation in the Community Development Block Grant – Mitigation Program. Mr. Carson seconded the motion. Motion carried on a vote of 4-0. [Court Order Number 2024-013]

Crossroads Bank (No. 13)

MOTION: Mr. Kaiser made a motion to adopt Court Order Number 2024-011 establishing an account with Crossroads Bank for investments; and approve the resolution for signature authority on Crossroad Bank account; also authorize the transfer of funds from the County Depository to Crossroads Bank. Mr. Carson seconded the motion. Motion carried on a vote of 4-0.

Affidavit Granting Permission to Enter Private Property (No. 14)

MOTION: Mr. Varela made a motion to receive affidavit granting permission to enter private property owned by William F. Miller on Cheapside Road to move the fence back to make way for a temporary bypass road for bridge construction in Commissioner Precinct No. 1. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

Discretionary Exemption (No. 15)

MOTION: Mr. Kaiser made a motion to receive information from P2 Emulsions regarding the purchase of items effective January 1, 2024 that can be obtained from only one source as provided in LGC 262.024(7)(A); and approve the exemption. Mr. Carson seconded the motion. Motion carried on a vote of 4-0.

UniFirst Quote (No. 16)

MOTION: Mr. Kaiser made a motion to receive updated quote from UniFirst for uniforms and supplies. Mr. Varela seconded the motion. Motion carried on a vote of 4-0.

Golden Crescent Regional Planning Commission (No. 17)

MOTION: Mr. Kaiser made a motion to appoint Ryan Varela as the commissioner’s court member to sit on the Board of Directors of the General Assembly of GCRPC. Mr. Varela seconded the motion. Motion carried on a vote of 4-0.

Keep Cuero Beautiful Letter (No. 18)

MOTION: Mr. Kaiser made a motion to receive letter from Keep Cuero Beautiful regarding survey of litter on DeWitt County properties. Mr. Varela seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 19)

MOTION: Mr. Varela made a motion to approve application from AJ's Logistic Services for installation of a temporary water line along Dubose Ranch Road in Commissioner Precinct No. 1. Mr. Carson seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way (No. 21)

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

Pipeline Crossing Permit (No. 22)

MOTION: Mr. Kaiser made a motion to approve pipeline crossing permit from Hurd Enterprises Ltd. to cross Steinmann Road in Commissioner Precinct No. 2. Mr. Carson seconded the motion. Motion carried on a vote of 4-0.

Certificate of Completion (No. 23)

MOTION: Mr. Kaiser made a motion to receive Certificate of Completion for DeWitt County Treasurer Desirae Poth-Garibay from Texas Department of Emergency Management for the successful completion of Texas Disaster Accounting 101. Mr. Carson seconded the motion. Motion carried on a vote of 4-0.

Records and Proceeds from the Sale of Salvage or Surplus (No. 24)

MOTION: Mr. Kaiser 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. Varela seconded the motion. Motion carried on a vote of 4-0.

Payroll Audit Report for March 2024 (No. 25)

MOTION: Mr. Kaiser made a motion to receive DeWitt County Auditor's Payroll Audit Report for March 2024, pursuant to Local Government Code, Chapter 115. Mr. Carson seconded the motion. Motion carried on a vote of 4-0.

County Auditor's Deposit Receipt Audit for March 2024 (No. 26)

MOTION: Mr. Kaiser made a motion to receive DeWitt County Auditor's Report, pursuant to Local Government Code, Chapter 115. Mr. Varela seconded the motion. Motion carried on a vote of 4-0.

County Auditor's Purchasing Audit Report FY 2024 2nd Quarter (No. 27)

MOTION: Mr. Kaiser made a motion to receive DeWitt County Auditor's Purchasing Audit Report FY2024 2nd Quarter, pursuant to Local Government Code, Chapter 115. Mr. Carson seconded the motion. Motion carried on a vote of 4-0.

County Auditor's Cash Count Report FY 2024 2nd Quarter (No. 28)

MOTION: Mr. Kaiser made a motion to receive DeWitt County Auditor's Cash Count Report FY 2024 2nd Quarter Report, pursuant to Local Government Code, Chapter 115. Mr. Carson seconded the motion. Motion carried on a vote of 4-0.

County Auditor's Statutory Compliance Audit of Justice of the Peace, Pct. 1 FY 2024 1st Quarter (No. 29)

MOTION: Mr. Kaiser made a motion to receive DeWitt County Auditor's Statutory Compliance Audit of Justice of the Peace Precinct No. 1 FY 2024 1st Quarter Report pursuant to Local Government Code, Chapter 115. Mr. Varela seconded the motion. Motion carried on a vote of 4-0.

County Auditor's Statutory Compliance Audit of Justice of the Peace, Pct. 2 FY 2024 1st Quarter (No. 30)

MOTION: Mr. Kaiser made a motion to receive DeWitt County Auditor's Statutory Compliance Audit of Justice of the Peace Precinct No. 2 FY2024 1st Quarter Report pursuant to Local Government Code, Chapter 115. Mr. Varela seconded the motion. Motion carried on a vote of 4-0.

Monthly Report of Officials (No. 31)

County Auditor Neomi Williams reported that the auditor's office had received reports from all officials except Constable Precinct No. 2 and Sheriff's Office. Constable Precinct No. 2 is missing the February 2024 report and the March 2024 report. Both Constable Precinct No. 2 and the Sheriff have turned in their missing reports of this morning. Constable Precinct No. 1 has turned in his missing February 2024 report.

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

County Auditor's Monthly Report (No. 32)

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

County Treasurer's Monthly Report (No. 33)

MOTION: Mr. Varela made a motion to receive and approve Order Approving Treasurer's Monthly Report, Court Order Number 2024-010. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

County Treasurer's Quarterly Investment Report (No. 34)

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

Minutes (No. 35)

MOTION: Mr. Kaiser 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 4-0.

Accounts Payable (No. 36)

MOTION: Mr. Kaiser made a motion to approve accounts payable. Mr. Varela seconded the motion. Motion carried on a vote of 3-0 with Mr. Carson abstaining.

Ratified Accounts Payable (No. 37)

MOTION: Mr. Kaiser made a motion to approve ratified accounts payable. Mr. Varela seconded the motion. Motion carried on a vote of 3-0 with Mr. Carson abstaining.

Payroll Reports (No. 38)

MOTION: Mr. Kaiser made a motion to receive and ratify approval of payroll reports. Mr. Varela seconded the motion. Motion carried on a vote of 4-0.

Jury Report (No. 39)

No Jury Report.

Courthouse/Annex/Museum Expenditures/Maintenance/Improvements (No. 40)

County Judge Executive Secretary Blair Duran reported that American Roofing is coming this week to work on the courthouse balcony water leak.

Legislative Update (No. 41)

No Legislative update.

Urban Engineering Task Order (No. 42)

MOTION: Mr. Varela made a motion to approve Task Order No. 2 for engineering services on Nessel Road in Precinct No. 1. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

Discussion of Commissioner Precinct Operations (No. 43)

Citizens Ron Martin discussed the condition of Emil Zielonka Road and Kuwalik Road in Commissioner Precinct No. 3 & 4. Mr. Martin inquired what it is going to take to have the two roads paved and what the process is to move these roads up on the list of roads to repair. Mr. Martin inquired about the grant that was discussed earlier in the meeting. Mr. Carson advised that the grant has already been allocated because the list of roads has already been submitted. Mr. Carson advised that has spoken to the engineer to start the process to see what needs to be done on these roads.

Citizen Bruce Taylor also discussed the condition of Emil Zielonka Road and Kuwalik Road. Mr. Kaiser advised that the big rains come through and washes out the low water crossing. Mr. Kaiser is repairing the low water crossing to fix it up and when he can get the contractors back he will pave it at least up to Goehring Road.

Commissioner Precinct No. 1 reported that he has started to build the bypass on Sandies Creek bridge on Cheapside Road as promised to TxDOT as our contribution for the grant match project and hope to finish to this week. Mr. Varela also reported on normal precinct operations.

Commissioner Precinct No. 2 reported that he has finished Lockhart Cemetery Road; installed a new bridge, road has been repaved and has done two other roads.

Commissioner Precinct No. 3 reported on normal precinct operations.

Commissioner Precinct No. 4 reported on normal precinct operations.

Public Announcements/Comments (No. 43)

None

Recessed

MOTION: Mr. Kaiser made a motion to recess until 9:00 a.m. tomorrow. Mr. Carson seconded the motion. Motion carried on a vote of 4-0.

Reconvened

Court reconvened on Tuesday April 9, 2024 at 9:03 a.m. with Judge Fowler, Commissioner Precinct No. 1 Ryan Varela, Commissioner Precinct No. 2 James B. Pilchick Sr., Commissioner Precinct No. 3 James Kaiser, and Commissioner Precinct No. 4 Brian Carson present.

Executive/Closed Session (No. 1)

Judge Fowler announced the need to go into executive/closed session sanctioned by the Texas Government Code Section 551.072 and the executive session will begin this morning at 9:04 a.m. to take up a real estate matter that is pending on the agenda. Judge Fowler announced that he would be the keeper of the certified agenda of this meeting.

Judge Fowler announced that the executive session ended on the 9th day of April at 9:29 a.m. and returned to regular session and there is no subject matter to deliberate at this present time. There are some more fact gathering has to be done.

Recess

MOTION: Mr. Kaiser made a motion to recess the general session until 4:00 p.m. this afternoon at the courthouse. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Reconvened

Court reconvened on Tuesday April 9, 2024 at 4:00 p.m. with Judge Fowler, Commissioner Precinct No. 1 Ryan Varela, Commissioner Precinct No. 2 James B. Pilchick Sr., Commissioner Precinct No. 3 James Kaiser, and Commissioner Precinct No. 4 Brian Carson present.

Temporary Right of Way (No. 20)

MOTION: Mr. Kaiser made a motion to approve temporary right of way application from Burlington Resources Oil & Gas Company LP for installation of a temporary water line along Gus Meyer Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Executive/Closed Session (No. 1)

Judge Fowler announced that at 4:04 p.m. on April 9, 2024 the court would go into a closed session to take up potential action on the real estate matter under item number 2 and Judge Fowler was appointed to be the certified agenda keeper of this meeting.

Judge Fowler announced that the executive session ended at 4:10 p.m. on the 9th day of April, 2024 and there is no action to be taken on what the court deliberated on at this time.

Adjourn (No. 45)

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 4:11 p.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – APRIL 22, 2024**

DeWitt County Commissioners Court met in regular session April 22, 2024 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 Ryan Varela, 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. Citizen Curtis Afflerbach gave the invocation.

New Business:

Public Announcements/Comments (No. 34)

Pamela Remmers, Nordheim ISD Board President, addressed the court regarding the Nordheim School ISD school board election beginning today. The school did not see a ballot until yesterday afternoon. The ballot is set up as cumulative voting and the schools policy states that they do not do cumulative voting. Mrs. Remmers stated that Election Administrator Melissa Alcazar advised the Nordheim ISD Superintendent this morning that the Secretary of State said the school had to do cumulative voting but their policy reads that they do not. Ms. Remmers also discussed the fee that Nordheim ISD is being charge for the election. She advised that according to the state election website, the school should have been provided with the ballot information 45 days prior.

Public Hearing (No. 2)

Public hearing held in order to provide opportunity for public comments on establishing a 25 MPH speed limit on Taylor Road in Commissioner Precinct No. 4. No one was present to speak for or against.

Close Public Hearing (No. 3)

Judge Fowler closed the public hearing.

Rule on Public Hearing (No. 4)

MOTION: Mr. Carson made a motion to establish a 25 MPH speed limit on Taylor Road in Commissioner Precinct No. 4 to go into effect with the signs are installed. Mr. Varela seconded the motion. Motion carried on a vote of 5-0.

DeWitt County Historical Commission Appointments (No. 5)

MOTION: Mr. Kaiser made a motion to approve appointments of Cynthia Orozco and Tincia Seginski to the DeWitt County Historical Commission for the 2023-2024 term of service. Mr. Varela seconded the motion. Motion carried on a vote of 5-0.

Soil & Water Stewardship Week Proclamation (No. 6)

MOTION: Mr. Kaiser made a motion to adopt a proclamation establishing April 28, 2024 through May 5, 2024 as 2024 Soil & Water Stewardship Week in DeWitt County. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

County Attorney Grant Fund Resolution (No. 8)

MOTION: Mr. Kaiser made a motion to approve Court Order Number 2024-014 to establish a special budget for a DeWitt County Attorney Grant Fund and approve expenditures to hire additional staff or increase salary of existing staff. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Sheriff's Office Grant Fund Resolution (No. 9)

MOTION: Mr. Kaiser made a motion to approve Court Order Number 2024-015 to establish a special budget for a DeWitt County Sheriff's Department Grant Fund, approve expenditures to hire additional staff or increase salary of existing staff, and to purchase vehicles, firearms, and safety equipment. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Amendment to Salary Order (No. 7)

MOTION: Mr. Kaiser made a motion to adopt Salary Order Number 2024-2016 amendment to DeWitt County Salary Order to include grant funds received from Rural Sheriff's Salary Assistance Grant and Rural Prosecutor's Salary Assistance Grant. Mr. seconded the motion. Motion carried on a vote of 5-0.

Resolution (No. 10)

MOTION: Mr. Kaiser made a motion to approve Court Order Number 2024-017 amending the DeWitt County's Investment Strategies. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Budget Amendment Request (No. 11)

MOTION: Mr. Varela made a motion to approve the budget amendment request from Interim Commissioner Ryan Varela for an unbudgeted purchase of a 2024 Chevrolet Colorado pickup truck to replace a 2013 Ford F150. Mr. Carson seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler abstaining.

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

MOTION: Mr. Varela made a motion to authorize Commissioner Pct. 1 for trade-in of a 2013 Ford F150 toward purchase of a new service truck in FY2024 budget per LGC 263.152(a) (2) for a total net amount of \$35,354.46. Mr. Carson seconded the motion. Motion carried on a vote of 5-0.

Memorandum of Understanding (No. 13)

MOTION: Mr. Kaiser made a motion to approve memorandum of understanding between DeWitt County and Health Shield Educational Services in order to conduct an emergency medical service program. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Advance Funding Agreement TXDOT (No. 14)

MOTION: Mr. Kaiser made a motion to adopt Court Order Number 2024-018 releasing funds from the treasury for the purpose of fulfilling Advance Funding Agreement with Texas Department of Transportation for FM 240; and authorize county treasurer to issue check for funds and send to TXDOT. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Certificates of Completion (No. 15)

MOTION: Mr. Varela made a motion to receive Certificates of Completion for DeWitt County Commissioner Pct. 1 employee Amanda Stehling from the Office of the Attorney General of Texas for the successful completion of the Open Meetings Act and Public Information Act training courses. Mr. Carson seconded the motion. Motion carried on a vote of 5-0.

Safety Committee and Safety Policy (No. 16)

MOTION: Mr. Kaiser made a motion to appoint a safety committee and review a policy for safety protocols and the committee members are the County Judge, County Attorney, Commissioner Precinct No. 1, Sheriff, Emergency Management Coordinator and Human Resources Director. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Commissioners Court Meeting Schedule (No. 17)

MOTION: Mr. Kaiser made a motion to a change the regularly scheduled Commissioners Court Meeting of May 27, 2024 due to the Memorial Day holiday to May 30, 2024. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Temporary Right of Way (No. 18)

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 along Chris House Road and Schendel Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Temporary Right of Way (No. 19)

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

Temporary Right of Way (No. 20)

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

Temporary Right of Way (No. 21)

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

Temporary Right of Way (No. 22)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement with Select Water Solutions LLC for installation of a temporary water line along Nathan Mueller Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Temporary Right of Way (No. 23)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement with Select Water Solutions LLC for installation of a temporary water line along Maron Road and Roeder 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. 24)

MOTION: Mr. Varela made a motion to approve permit application from Select Water Solutions LLC for installation of a temporary water line along Boldt Road in Commissioner Precinct No. 1. Mr. Carson seconded the motion. Motion carried on a vote of 5-0.

Pipeline Crossing Permits (No. 25)

MOTION: Mr. Pilchick made a motion to approve permit applications for two (2) pipelines from BPX (Eagle Ford) Gathering LLC to cross Dubose Ranch Road in Commissioner Precinct No. 1. Mr. Varela seconded the motion. Motion carried on a vote of 5-0.

Declare Fixed Assets as Salvage (No. 26)

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.

Bonds (No. 27)

Bond of Todd Pfenninger as Reserve Deputy Sheriff.

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

Accounts Payable (No. 28)

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. 29)

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

Payroll Reports (No. 30)

MOTION: Mr. Kaiser made a motion to receive and ratify payroll reports approval. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Courthouse/Annex/Museum Expenditures/Maintenance/Improvements (No. 31)

Judge Fowler reported that Trane performed some service work last week. The lightning storm that came in with the previous front messed up the controls in the chiller and had to be reset, actuators in various air handlers of the courthouse were not working and had to be replaced, and a belt is missing or broken above the County Attorney's office and will work on it pretty quick.

Judge Fowler reported that the roof was repaired over the balcony.

Judge Fowler reported that a gentleman left his business card for pressure washing.

Judge Fowler reported that Commissioner Precinct No. 1 has removed one (1) of the pavers in front of the 2022 DeWitt County Annex building. Mr. Varela reported that the county is short on pavers and he has reached out to Weaver and Jacobs to see if they can locate some more.

Executive and Closed Session (No. 1)

An executive and closed session meeting was held regarding the following matters pertaining to that certain tract or parcel of real property currently owned by De Witt County, containing 100.0 acres more or less ("Subject Property"), being and situated in De Witt County, Texas, a part of the Samuel Lockhart League (A-28) therein: pursuant to sections 551.071(2) and 551.129 of the Texas Government Code (consultation with attorneys), for the Commissioners Court to consult with and seek advice from its attorneys regarding legal issues related to a proposed sale, donation, or other transfer of the Subject Property to a third-person or third-party for worthwhile public purposes, including the economic development of the county and surrounding region; pursuant to section 551.087 of the Texas Government Code (economic development negotiations), for the Commissioners Court to (i) discuss or deliberate regarding commercial or financial information the Commissioners Court has received from and/or regarding a third-person or third-party business prospect that the Commissioners Court is considering to have locate, stay, or expand in De Witt County, Texas and with which the Commissioners Court is conducting economic development negotiations, and (ii) deliberate the offer of a financial or other incentive to or from said business prospect for a proposed economic development project to be located in said county; pursuant to section 551.072 of the Texas Government Code (deliberation regarding real property), for the Commissioners Court to deliberate the purchase, exchange, lease, or value of real property since deliberation of those matters in an open meeting would have a detrimental effect on the position of the Commissioners Court in negotiations with a third-person or third-party; and pursuant to section 551.0725 of the Texas Government Code (deliberation regarding contract being negotiated), for the Commissioners Court to deliberate business and financial issues relating to a contract being negotiated between De Witt County and a third-person or third-party, provided that (i) the Commissioners Court must first vote unanimously that deliberation in an open meeting of those matters would have a detrimental effect on the position of the Commissioners Court in negotiations with the third-person or third-party, and (ii) the attorney advising the Commissioners Court must have issued a written determination that deliberation in an open meeting of those matters would have a detrimental effect on the position of the Commissioners Court in negotiations with the third-person or third-party.

MOTION: Mr. Kaiser made a motion to go into an executive/closed session to deliberate on matter that could have a detrimental to the Commissioners Court in negotiations with the third-person or third-party and also that the judge would be the keeper of the certified agenda. Mr. Pilchick seconded the motion.

Motion carried on a record vote as follows:

Commissioner Ryan Varela, Precinct No. 1 – “Aye”
Commissioner James B. Pilchick, Precinct No. 2 – “Aye”
Commissioner James Kaiser, Precinct No. 3 – “Aye”
Commissioner Brian Carson, Precinct No. 4 – “Aye”

Judge Fowler announced that at 11:50 a.m. on the morning of April 22, 2024 and the executive session of the Commissioners Court ended at 11:50 a.m. and are now returning to open session. The item on the agenda was a no action item, specifically only for purposes of deliberation and there is no action to come out of it at this present time.

Legislative Update (No. 32)

No Legislative update except a reminder of the May 28, 2024 Republican Primary Runoff election.

Discussion of Commissioner Precinct Operations (No. 33)

Commissioner Precinct No. 1 reported that the bypass has been finished over Sandies Creek on Westhoff Cheapside Road. The set date is April 29, 2024 for Texas Department of Public Safety (TxDOT) to demolish the bridge over Sandies Creek on Cheapside 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.

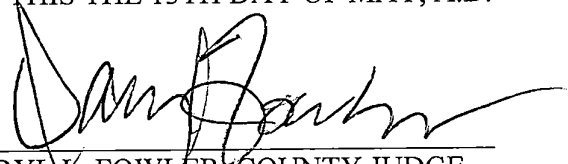
Public Announcements/Comments

Curtis Afflerbach inquired if any information can be shared the path forward as a result of the closed session. Judge Fowler reported that currently debating among each other about the proper disposition of the 100 acres of land and the county has a little attorney work to do before the county can convey.

Adjourn (No. 35)

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 11:55 a.m.]

THE FOREGOING MINUTES FOR THE MONTH OF APRIL A.D. 2024 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 13TH DAY OF MAY, A.D. 2024.



DARYL L. FOWLER, COUNTY JUDGE

ATTEST:  NATALIE CARSON, COUNTY CLERK

