

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – NOVEMBER 12, 2024**

DeWitt County Commissioners Court met in regular session November 12, 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 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. Carson gave the invocation.

New Business:

Proclamation for National Hospice Palliative Care Month (No. 1)

MOTION: Mr. Kaiser made a motion to adopt a proclamation designating November 2023 as National Hospice and Palliative Care Month in De Witt County. Mr. Carson seconded the motion. Motion carried on a vote of 4-0.

Friends of Elder Citizens (No. 2)

Court passed on this agenda item.

Harris County Department of Education (HCDE) Interlocal Agreement (No. 3)

MOTION: Mr. Kaiser made a motion to approve an interlocal agreement to allow DeWitt County to participate in HCDE Choice Partners cooperative purchasing program, permitting the County to purchase goods and services through their competitively bid contracts in accordance with Local Government Code 271, Subchapter F. Mr. Varela seconded the motion. Motion carried on a vote of 4-0.

Detention Services Agreement (No. 4)

MOTION: Mr. Varela made a motion to approve a contract between San Patricio County Juvenile Board and the County of DeWitt for detention services of juveniles beginning January 1 through December 31, 2025. Mr. Carson seconded the motion. Motion carried on a vote of 4-0.

DeWitt County Driveway Access Permit (No. 5)

MOTION: Mr. Kaiser made a motion to approve the amended driveway access permit effective November 12, 2024. Mr. Varela seconded the motion. Motion carried on a vote of 4-0.

Temporary Right of Way Agreement Modification (No. 6)

Repsol Oil & Gas USA representatives Justin Duke and Owen Sinton addressed the court.

Consensus of the Court to work on the temporary right of way agreement permit application. Court did not take any action.

Letters of Intent (No. 7)

MOTION: Mr. Kaiser made a motion to receive letters from City of Cuero, City of Yorktown, City of Nordheim, and Green DeWitt Drainage District stating their intent to participate in the DeWitt County Hazard Mitigation Action Plan Update and send the letters to the General Land Office. Mr. Carson seconded the motion. Motion carried on a vote of 4-0.

Texas Division of Emergency Management Grant Management System (No. 8)

MOTION: Mr. Kaiser made a motion to approve the updated designation of account approval form for the Texas Division of Emergency Management Grant Management System; authorize the County Judge as the Primary Approver and the County Auditor as the Secondary Approver. Mr. Varela seconded the motion. Motion carried on a vote of 4-0.

Annual Report of Eminent Domain Authority (No. 9)

MOTION: Mr. Varela made a motion to approve the current eminent domain authority of the DeWitt County Commissioners Court; authorize the electronic submission of the annual report to the Comptroller of Public Accounts required by Section D of the Texas Government Code Chapter 2206. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

Bond for County Treasurer (No. 10)

MOTION: Mr. Kaiser made a motion to set amount of bond for the County Treasurer pursuant to LGC Section 83.002 at \$211,000.00. Mr. Carson seconded the motion. Motion carried on a vote of 4-0.

Trane Chiller Service & Maintenance Agreement (No. 11)

Court passed on this agenda item.

Trade-in of Equipment for Commissioner Pct. No. 1 (No. 12)

MOTION: Mr. Varela made a motion to approve the request from Commissioner Pct. #1 for the trade in of Inventory #4549, T750 Bobcat Compact Track Loader to go towards the purchase of new compact track loader per Local Government Code 263.152(a) (2). Mr. Carson seconded the motion. Motion carried on a vote of 4-0.

Authorize Auditor to Advertise for Bids (No. 13)

MOTION: Mr. Kaiser made a motion to authorize the County Auditor to advertise for bids for the replacement of HVAC systems in the Jail for the Sheriff's Office. Mr. Carson seconded the motion. Motion carried on a vote of 4-0.

Receive and Award Bid (No. 14)

MOTION: Mr. Varela made a motion to receive bids and award Performance Truck & Trailer for a new 2023 Manac bottom dump, Model Number BD40, in the amount of \$50,697.04. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

County Auditor's Semi-Monthly Reports - October 25-31, 2024 (No. 15)

MOTION: Mr. Kaiser made a motion to receive DeWitt County Auditor's Semi-Monthly Reports for October 25 thru October 31, 2024, pursuant to Local Government Code, Chapter 114. Mr. Varela seconded the motion. Motion carried on a vote of 4-0.

County Auditor's Deposit Receipt Audit October 2024 (No. 16)

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

County Auditor's Payroll Audit Report October 2024 (No. 17)

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

County Auditor's Inventory Audit of Fixed Assets Report (County Auditor) (No. 18)

MOTION: Mr. Kaiser made a motion to receive De Witt County Auditor's Inventory of Fixed Assets Audit Report for the County Auditor, pursuant to Local Government Code, Section 262.011(i). Mr. Carson seconded the motion. Motion carried on a vote of 4-0.

Monthly Report of Officials (No. 19)

County Auditor Neomi Williams reported that the auditor's office had received monthly reports from all officials.

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. 20)

Court did not take any action on this agenda item.

County Treasurer's Monthly Report (No. 21)

MOTION: Mr. Kaiser made a motion to receive and approve Court Order No. 2024-063, Order Approving Treasurer's Monthly Report. Mr. Carson seconded the motion. Motion carried on a vote of 4-0.

Minutes (No. 22)

Court passed on this agenda item.

Accounts Payable (No. 23)

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

Ratified Accounts Payable (No. 24)

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

Budget Amendment Requests (No. 25)

MOTION: Mr. Kaiser made a motion to approve budget amendments request for interdepartmental transfers in accordance with the attached orders. Mr. Varela seconded the motion. Motion carried on a vote of 4-0.

Personnel Policy (No. 26)

Personnel policy and procedure committee will be meeting on November 15, 2024 at 10:00 a.m.

Payroll Reports (No. 27)

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. 18)

MOTION: Mr. Kaiser made a motion to receive and ratify jury report. Mr. Carson seconded the motion. Motion carried on a vote of 4-0.

Courthouse/Annex/Museum Expenditures/Maintenance/Improvements (No. 29)

Judge Fowler reported on work that was done last week on the courthouse chiller.

Judge Fowler reported on Stoddard came down and inspected the perimeter of the courthouse find out where it is leaking. It was discovered that a sprinkler head was causing the leak.

Judge Fowler reported that the final repairs on the courthouse clock should be done this week.

Mr. Varela reported on still waiting for the architect to provide the bid packet for the work to be performed on the DeWitt County Historical Museum.

Legislative Update (No. 30)

Judge Fowler reported that he had visited with Craig Holzheuser on Thursday. Mr. Holzheuser has been visiting with the Chairman of the Senate Finance Committee and her staff.

Discussion of Commissioner Precinct Operations (No. 31)

Commissioner Precinct No. 1 reported on the bridge over Sandies Creek in Westhoff on Cheapside Road has been paved and is now more accessible. Mr. Varela reported currently in the process of getting a contractor to pull up the bypass road. Mr. Varela reported that Mueller Road bridge construction is continuing on and hoping to open the laws week of December. Otherwise, normal precinct operations.

Commissioner Precinct No. 2 was absent.

Commissioner Precinct No. 3 reported on normal precinct operations. Mr. Kaiser is waiting on H&C to finish up work on Pete Jablonski & ½ mile on Metting School Road.

Commissioner Precinct No. 4 reported on paving of Arneckeville Road this week. Otherwise, normal precinct operations.

Public Announcements/Comments (No. 32)

None

Adjourn (No. 33)

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 11:00 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
SPECIAL MEETING – NOVEMBER 18, 2024**

DeWitt County Commissioners Court met in special session November 18, 2024 at 1:30 p.m. in the County Courtroom at the DeWitt County Courthouse in Cuero, Texas, with the following members present:

Commissioner Ryan Varela, Precinct No. 1
Commissioner James Kaiser, Precinct No. 3
Commissioner Brian Carson, Precinct No. 4

Call to Order; Pledge of Allegiance & Invocation

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

Canvass of Election Returns (No. 1)

MOTION: Mr. Carson made a motion to canvass the election returns for the November 5, 2024 General Election. Mr. Varela seconded the motion. Motion carried on a vote of 3-0.

Adjourn (No. 2)

MOTION: Mr. Varela made a motion to adjourn. [Adjourned at 3:27 p.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – NOVEMBER 25, 2024**

DeWitt County Commissioners Court met in regular session November 25, 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 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. Carson gave the invocation.

New Business:

Discussion and Potential Action (No. 1)

MOTION: Mr. Varela made a motion to approve Court Order No. 2024-064, an Order of the DeWitt County Commissioners Court: (1) approving the acquisition by DeWitt County, Texas, by and through an authorized donation for public purposes, from Paschetag Limited Partnership, of a certain tract or parcel or real property (the surface estate only) containing approximately 0.4082 acres more or less, located in said county and a part of the Samuel P. Middleton ¼ League Abstract No. 36 therein; and (2) establishing an effective date and compliance with the Texas Open Meeting Act; the transaction closing cost to not exceed \$4,000. Mr. Carson seconded the motion. Motion carried on a vote of 3-0.

Child Welfare Board Membership (No. 2)

MOTION: Mr. Varela made a motion to appoint Jacqueline A. Mitchell to the DeWitt County Child Welfare Board. Mr. Carson seconded the motion. Motion carried on a vote of 3-0.

Friends of Elder Citizens (No. 3)

Court heard a presentation from Ida Ramirez with Friends of Elder Citizens on the meal delivery program.

Memorandum of Understanding (No. 4)

MOTION: Mr. Varela made a motion to approve the agreement between DeWitt County and the Texas Department of Public Safety to authorize the use of certain radio frequencies by emergency response organizations. Mr. Carson seconded the motion. Motion carried on a vote of 3-0.

Interlocal Agreement (No. 5)

MOTION: Mr. Varela made a motion to approve Court Order No. 2024-065, an Interlocal Agreement between the County of La Salle and the County of DeWitt for sharing the expense of legislative consulting services for a one-year term beginning October 1, 2024. Mr. Carson seconded the motion. Motion carried on a vote of 3-0.

State Certified Cyber Security Training (No. 6)

MOTION: Mr. Varela made a motion to approve enrolling county employees in required state certified cyber security training pursuant to, and in compliance with, the provisions of Government Code Section 2054.5191 (a-1); and designate the DIR-approved training program offered through the Texas Association of Counties as the approved program and provide for the registration and training of DeWitt County officials and employees. Mr. Carson seconded the motion. Motion carried on a vote of 3-0.

Trane Chiller Service & Maintenance Agreement (No. 7)

MOTION: Mr. Varela made a motion to ratify contractor Trane Technology's proposal ID #7835870 for the chiller service and maintenance in the DeWitt County Courthouse due quarterly for the amount of \$31,656.00 due to be paid in quarterly payments of \$7,914.00 starting on January 1, 2025 and expiring on December 31, 2025. Mr. Carson seconded the motion. Motion carried on a vote of 3-0.

Approval of Credit Card Charge for Sheriff's Office (No. 8)

No action taken by the court.

Copier Maintenance Agreement (No. 9)

MOTION: Mr. Varela made a motion to approve the maintenance agreements with DeWitt Poth & Son for inspection and maintenance of the copiers in the Elections office, District Clerk's office, and Auditor's office effective November 7, 2024 through November 6, 2027. Mr. Carson seconded the motion. Motion carried on a vote of 3-0.

County Auditor's Semi-Monthly Reports – November 1 through November 18, 2024 (No. 10)

MOTION: Mr. Varela made a motion to receive De Witt County Auditor's Semi-Monthly Reports from November 1 through November 18, 2024 pursuant to Local Government Code, Chapter 114. Mr. Carson seconded the motion. Motion carried on a vote of 3-0.

County Auditor's Child Welfare Board Audit for FY 2024 Q4 (No. 11)

MOTION: Mr. Varela made a motion to receive De Witt County Auditor's Child Welfare Board Audit Report, pursuant to Local Government Code, Chapter 115. Mr. Carson seconded the motion. Motion carried on a vote of 3-0.

Declare Fixed Assets as Salvage (No. 12)

MOTION: Mr. Varela made a motion to declare fixed assets as salvage items as worn, damaged or obsolete, pursuant to Local Government Code 263.152. Mr. Carson seconded the motion. Motion carried on a vote of 3-0.

Temporary Right of Way (No. 13)

MOTION: Mr. Carson made a motion to approve the application from Qwik Pipe Inc. for installation of a temporary water line along Turkey Bottom Road, Schmidt Road, and Rathkamp-Dreyer Road in Commissioner Precinct No. 2. Mr. Varela seconded the motion. Motion carried on a vote of 3-0.

Temporary Right of Way (No. 14)

MOTION: Mr. Varela made a motion to approve permit application with Select Water Solutions for installation of a temporary water line along Noe Hinojosa Road in Commissioner Precinct No. 3. Mr. Carson seconded the motion. Motion carried on a vote of 3-0.

Temporary Right of Way (No. 15)

MOTION: Mr. Carson made a motion to approve permit application with Select Water Solutions for installation of a temporary water line along Rogge Seifert Road in Commissioner Precinct No. 3. Mr. Varela seconded the motion. Motion carried on a vote of 3-0.

Temporary Right of Way (No. 16)

MOTION: Mr. Varela made a motion to approve permit application from Top Gun Energy Services LLC for installation of a temporary water line along Martinez Road in Commissioner Precinct No. 2. Mr. Carson seconded the motion. Motion carried on a vote of 3-0.

Employee Service Recognition Program (No. 17)

MOTION: Mr. Varela made a motion to approve implementation of Employee Service Recognition Program for continuous years of service with DeWitt County; and approve setting an amount of Healthy County Employer Rewards funds to be used for the program in Fiscal Year 2025 in the amount of \$150.00 to be used in FY 2025. Mr. Carson seconded the motion. Motion carried on a vote of 3-0.

Safe Harbor for Cafeteria Plan (No. 18)

MOTION: Mr. Varela made a motion to receive annual review concerning nondiscriminatory testing of the De Witt County Cafeteria Plan according to section 125 of the Internal Revenue Code from HR Department. Mr. Carson seconded the motion. Motion carried on a vote of 3-0.

Minutes (No. 19)

MOTION: Mr. Carson made a motion to receive and approve the minutes of the previous term of court. Mr. Varela seconded the motion. Motion carried on a vote of 3-0.

Accounts Payable (No. 20)

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

Ratified Accounts Payable (No. 21)

MOTION: Mr. Varela made a motion to approve ratified accounts in the amount of \$22,834.12. Mr. Carson seconded the motion. Motion carried on a vote of 3-0.

Personnel Policy (No. 22)

Judge Fowler reported that the Personnel Policy Committee met and have some objectives to meet and will meet again in January.

Payroll Reports (No. 23)

MOTION: Mr. Varela made a motion to approve payroll in the amount of \$495,548.19. Mr. Carson seconded the motion. Motion carried on a vote of 5-0.

Jury Reports (No. 24)

MOTION: Mr. Varela made a motion to receive, ratify and approve jury reports totaling \$638.00. Mr. Carson seconded the motion. Motion carried on a vote of 5-0.

Bonds (No. 25)

None

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

Judge Fowler reported on waiting on final clock repair. Building Superintendent Kenneth Swope is looking for someone else to perform the repair work because the original person is not responding to his phone calls. Mr. Swope has spoken with Tyl Electric and they think they can fix the clock.

Judge Fowler reported on speaking with the contractor whose father had the contractual firm that repointed the exterior stone during the restoration process. Judge Fowler has requested a proposal to repoint and mitigate any seepage that we are getting from the courthouse steps down into the basement.

Mr. Varela reported that he needs to get with the DeWitt Historical Museum board to go over the plans for the repairs.

Legislative Update (No. 27)

Judge Fowler reported that he and Judge Sklar are on the December 5, 2024 agenda of the Senate of Finance Committee.

Discussion of Commissioner Precinct Operations (No. 28)

Commissioner Precinct No. 1 reported that on Cheapside Road the Sandies Creek bridge bypass road is being taken up and reclaim the pipes in the creek. The FM 240 project ground breaking will take place today at 1:00 p.m. Mr. Varela reported that on Mueller Road they have begun building the embankments on the bridge that goes over one of the creeks. Otherwise, normal precinct operations.

Commissioner Precinct No. 2 was absent.

Commissioner Precinct No. 3 was absent.

Commissioner Precinct No. 4 reported that the paving project on Arneckeville Road was finished last week and finishing the clean-up. Otherwise, normal precinct operations.

Public Announcements/Comments (No. 29)

None

Recess

Court recessed until November 26, 2024 at 9:00 a.m.

Reconvene

Court reconvened on November 26, 2024 at 9:03 a.m. with Judge Fowler, Commissioner Pct. 3 James Kaiser and Commissioner Pct. 4 Ryan Varela present.

Accounts Payable (No. 20)

MOTION: Mr. Kaiser made a motion that the auditor pay the invoices for Carson Services in the amount of \$17,608.14. Mr. Varela seconded the motion. Motion carried on a vote of 3-0.

Adjourn (No. 30)

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 9:05 a.m.]

THE FOREGOING MINUTES FOR THE MONTH OF NOVEMBER A.D. 2024 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 9TH DAY OF DECEMBER, A.D. 2024.


DARYL L. FOWLER, COUNTY JUDGE

ATTEST: 
NATALIE CARSON, COUNTY CLERK

