

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – SEPTEMBER 9, 2024**

DeWitt County Commissioners Court met in regular session September 9, 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. Mr. Carson gave the invocation.

New Business:

Road Closure (No. 1)

Court heard announcement from Commissioner Varela on the need to close Mueller Road in Commissioner Precinct 1 for a bridge replacement and the publication of Notice to Close Road in local newspapers.

Lease Agreement (No. 2)

MOTION: Mr. Pilchick made a motion for the approval of a one year lease agreement of \$1,650 per month between DeWitt County and 1884 Investments LLC for use of office space for the Justice of the Peace Pct. 2. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Professional Services Agreement (No. 3)

MOTION: Mr. Kaiser made a motion to enter into an agreement between DeWitt County and H2O Partners Inc. for professional services involving the DeWitt County Hazard Mitigation Action Plan. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Field Agreement for Predatory Animal Control (No. 4)

MOTION: Mr. Kaiser made a motion to approve a Field Agreement between the County of DeWitt and the USDA, Texas AgriLife Extension and Texas Wildlife Damage Management Association, Inc. for predatory animal control beginning October 1, 2024 and ending September 30, 2025. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Interlocal Agreement (No. 5)

MOTION: Mr. Kaiser made a motion to approve the Interlocal Agreement between DeWitt County and the City of Yorktown for 24-Hour Law Enforcement Services for a term beginning October 1, 2024 and ending September 30, 2025. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Authorize Auditor to Issue a Purchase Order with Special Conditions (No. 6)

MOTION: Mr. Pilchick made a motion to approve the request of the DeWitt County Sheriff’s Department for a purchase order required by the vendor GT Distributors Inc. to order a body armor set for purchase in FY2025, Quote #QTE0196230 dated August 23, 2024 for the purchase of \$1,455.50. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Continuing Education Transcript (No. 7)

MOTION: Mr. Kaiser made a motion to receive a continuing education transcript from the FEMA Emergency Management Institute indicating that Desirae Poth-Garibay, DeWitt County Treasurer, has completed the prerequisite training to complete the ICS 300 and ICS 400 courses. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

County Road Inventory (No. 8)

MOTION: Mr. Kaiser made a motion to authorize the judge’s secretary to submit the county road inventory with no road changes. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

County Holiday Schedule (No. 9)

New Year’s Day	Wednesday	January 1
Martin Luther King Jr. Day	Monday	January 20
Presidents’ Day	Monday	February 17
Good Friday	Friday	April 18
Memorial Day	Monday	May 26
Independence Day	Friday	July 4
Labor Day	Monday	September 1
Veterans Day	Tuesday	November 11
Thanksgiving	Thursday	November 27
	Friday	November 28
Christmas	Wednesday	December 24
	Thursday	December 25

MOTION: Mr. Varela made a motion to adopt the holiday schedule for the year 2025 for DeWitt County Holiday’s. Mr. Carson seconded the motion. Motion carried on a vote of 5-0.

Temporary Right of Way (No. 10)

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

Temporary Right of Way (No. 11)

MOTION: Mr. Varela made a motion to approve right of way permit application with Select Water Solutions LLC for installation of a temporary water line along Walter Mueller Road, Dubose Ranch Road, Lincke Road, Kubala Store Road, Gus Meyer Road, A. Metting Road, Gruenau Road, and Salt Creek Cemetery Road in Commissioner Precinct No. 1 and Commissioner Precinct No. 3. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Temporary Right of Way (No. 12)

MOTION: Mr. Varela made a motion to approve the temporary right of way permit application from Burlington Resources Oil & Gas Company LP for installation of a temporary water line along Walter Mueller Road in Commissioner Precinct No. 1. Mr. Carson seconded the motion. Motion carried on a vote of 5-0.

Pipeline Crossing Permits (No. 13)

MOTION: Mr. Kaiser made a motion to approve pipeline crossing permit for two (2) pipelines from BPX (Eagle Ford) Gathering LLC to cross Leo Nelson Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Authorize Auditor to Advertise for Bids (No. 14)

MOTION: Mr. Carson made a motion to authorize the County Auditor to advertise for bids for the purchase of a new one ton pickup truck for Commissioner Pct. #4. Mr. Varela seconded the motion. Motion carried on a vote of 5-0.

County Auditor's Deposit Receipt Audit for August 2024 (No. 15)

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. Pilchick seconded the motion. Motion carried on a vote of 5-0.

County Auditor's Payroll Audit Report August 2024 (No. 16)

MOTION: Mr. Kaiser made a motion to receive County Auditor's Payroll Audit Report, pursuant to Local Government Code, Chapter 115. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

County Auditor’s Child Welfare Board Audit for FY2022 and FY2023 (No. 17)

MOTION: Mr. Kaiser made a motion to receive County Auditor’s Child Welfare Board Audit Report for FY2022, FY2023 and 1st, 2nd and 3rd quarter of FY2024, pursuant to Local Government Code, Chapter 115. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Deletion or Transfer of Fixed Asset Request (No. 18)

MOTION: Mr. Varela made a motion to approve the transfer of 2019 Chevrolet Silverado 1500, Asset Tag #4914, from De Witt County Sheriff’s Office to Constable Precinct 2. Mr. Carson seconded the motion. Motion carried on a vote of 5-0.

Monthly Report of Officials (No. 19)

County Auditor Neomi Williams reported that the auditor’s office had received monthly reports from all officials except for Constable Pct. 2. Constable Pct. 1, Pct. 2 and 24th Judicial District reports missing last month have been submitted.

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. 20)

MOTION: Mr. Kaiser made a motion to receive County Auditor’s Monthly Report. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

County Treasurer’s Monthly Report (No. 21)

MOTION: Mr. Kaiser made a motion to receive report and approve Court Order Number 2024-042, an Order Approving Treasurer’s Monthly Report. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Minutes (No. 22)

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

Accounts Payable (No. 23)

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. 24)

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. 24)

MOTION: Mr. Kaiser made a motion to approve budget amendments request for interdepartmental transfers in accordance with attached orders. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Personnel Policy (No. 25)

None

Payroll Reports (No. 26)

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

Jury Report (No. 27)

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

Courthouse/Annex/Museum Expenditures/Maintenance/Improvements (No. 28)

Judge Fowler reported on the periodic maintenance of the boilers and chillers. They were serviced last week and Kenneth Swope, the new building maintenance superintendent was able to participate and observe the scope of work performed.

Judge Fowler reached out again to Texas Historical Commission representative that came in July. Judge Fowler asked if a report was going to be put together on the things discussed. Some of the items that will be on the report are some painting and maintenance of the windows and the repair of the clock at the courthouse.

Legislative Update (No. 29)

Judge Fowler reported on his meeting with the Craig Holzheuser and Ross Giesinger with Cornerstone Government Affairs. They have already starting knocking on doors at the Capitol and presenting the need to refund the road grant.

Discussion of Commissioner Precinct Operations (No. 30)

Commissioner Precinct No. 1 reported on normal precinct operations.

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 (No. 31)

None

Adjourn (No. 32)

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 10:13 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – SEPTEMBER 23, 2024**

DeWitt County Commissioners Court met in regular session September 23, 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. Mr. Carson gave the invocation.

New Business:

Proclamation for 2024 National 4-H Week (No. 2)

MOTION: Mr. Kaiser made a motion to adopt the proclamation designating October 6 through October 12, 2024 as National 4-H Week in DeWitt County. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

City of Cuero Indemnity and Hold Harmless Agreement and Presentation of Proposed Christmas Attractions (No. 3)

MOTION: Mr. Pilchick made a motion for the approval of the Hold Harmless Agreement with the City of Cuero for placing lighted Christmas attractions on the south lawn of the Courthouse from November 11, 2024 thru January 13, 2025. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

General Election Agreement (No. 4)

MOTION: Mr. Kaiser made a motion to ratify the contract for rental of election equipment and elections services for the November 5th General Election between the DeWitt County and Yoakum ISD. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Wal-Mart Good Spark Grant Application (No. 5)

MOTION: Mr. Kaiser made a motion to authorize Emergency Management Coordinator Billy Jordan to apply for the Wal-Mart Good Spark Grant in order to fund community engagement supplies and for emergency and crisis operations. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Certificate of Completion (No. 6)

MOTION: Mr. Kaiser made a motion to receive Certificate of Completion for DeWitt County Emergency Management Coordinator Billy Jordan Jr. from the Texas Division of Emergency Management for the successful completion of the Emergency Operations Center/Incident Command System Interface training course. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Affidavit Granting Permission to Enter Private Property (No. 7)

MOTION: Mr. Varela made a motion to receive the affidavit granting permission to enter private property owned by Norma Lee Rhodes on South Lee Avenue in Westhoff to move an awning and a fence back behind the property line in preparation for road construction in Commissioner Precinct No. 1. Mr. Carson seconded the motion. Motion carried on a vote of 5-0.

Court Order Designating Day(s) of Week Court Shall Convene (No. 8)

MOTION: Mr. Kaiser made a motion to adopt Court Order No. 2024-043 designating the 2nd and 4th Monday of each month as the day(s) of the week commissioners court shall convene during

the 2025 fiscal year pursuant to Local Government Code §81.005. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Resolution on Texas Indigent Defense Formula Grant Program (No. 9)

MOTION: Mr. Kaiser made a motion to adopt a resolution designating the county judge as the Authorized Official, authorizing the county judge also to apply for and manage the Indigent Defense Formula Grant and designating the county auditor as the Financial Officer for the FY2025 grant, Court Order No. 2024-044. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Positive Pay Agreement (No. 10)

MOTION: Mr. Kaiser made a motion to approve agreement between First National Bank of Shiner and DeWitt County for Positive Pay Services. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

ACH Master Agreement (No. 11)

MOTION: Mr. Kaiser made a motion to approve ACH Master Agreement between First National Bank of Shiner and DeWitt County. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Payroll Discrepancy (No. 12)

MOTION: Mr. Kaiser made a motion that the County Treasurer absorb the cost of payroll overpayment of \$22.09 to Texas County and District Retirement System coming out of General Fund of the Jail Account Number 012-155-4120. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

DeWitt County Deposit Revenue Collection Policy (No. 13)

MOTION: Mr. Kaiser made a motion to adopt the updated revenue collection policy. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

DeWitt County Purchasing and Accounts Payable Policy (No. 14)

MOTION: Mr. Kaiser made a motion to adopt the updated purchasing and accounts payable policy. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Order Adopting Policy for Establishing a Records Management Program (No. 15)

Court passed on this agenda item.

Receive and Award Bid (No. 16)

MOTION: Mr. Carson made a motion to receive and award road maintenance services to ABN Construction, CK Newberry, Dunn Services and Leland Land Formers for the year October 2024 thru September 2025. Mr. Varela seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Kaiser made a motion to receive and award bids for asphalt maintenance services to ABN Construction, CK Newberry and H&C Construction. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Deletion or Transfer of Fixed Asset Request (No. 17)

MOTION: Mr. Kaiser made a motion to approve the transfer of 2014 Chevrolet Tahoe, Asset Tag #4553, between De Witt County Constable Precinct 2 and the Sheriff's Office. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Accounts Payable (No. 18)

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

Ratified Accounts Payable (No. 19)

MOTION: Mr. 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. 20)

MOTION: Mr. Kaiser made a motion to approve the following items in accordance with the attached orders: the budget amendment requests for interdepartmental transfers; the revenue and expense amendment requests for the County Attorney Judicial Supplement; the budget amendment request to increase juvenile probation post adjudication secure expenses; and the budget amendment request to increase the Rural Sheriff's Salary Assistance Grant motor vehicle expenses. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Payroll Reports (No. 21)

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

Jury Report (No. 22)

None

Courthouse/Annex/Museum Expenditures/Maintenance/Improvements (No. 23)

Judge Fowler gave an update on the new building superintendent.

Legislative Update (No. 24)

Judge Fowler reported that he attended the Far West Texas County Judges Association Meeting where he gave a presentation on the update on the CTIF Grant and solicited membership on the coalition of counties. Live Oak County wants to get back into our coalition.

Judge Fowler reported on his conversation with Craig Holzheuser and others. Craig Holzheuser attended the Premium Basin Petroleum Association meeting two (2) weeks ago and was able to meet with a new Senator, Senator Sparks.

Discussion of Commissioner Precinct Operations (No. 25)

Commissioner Precinct No. 1 reported on bridge construction Mueller Road as started. He also reported on normal precinct operations.

Commissioner Precinct No. 2 reported on normal precinct operations.

Commissioner Precinct No. 3 reported on the need to close Pete Jablonski Road next Monday thru Thursday to refurbish the road.

Commissioner Precinct No. 4 reported on rehabbing Arneckeville Road. Mr. Carson advised that the engineering looked at Emil Zielonka and will get a proposal to him.

Executive/Closed Session (No. 1)

MOTION: Mr. Kaiser made a motion to go into executive session and authorize judge to be record keeper. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Judge Fowler announced that the closed session of the DeWitt County Commissioners Court ended at 10:42 a.m. on September 23, 2024. There is no deliberation or action to be taken in open session on this particular item with the discussion with consultation with our attorney.

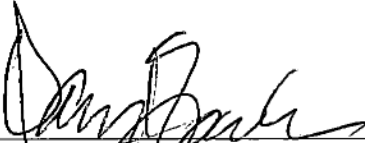
Public Announcements/Comments (No. 26)

None

Adjourn (No. 27)

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 10:47 a.m.]

THE FOREGOING MINUTES FOR THE MONTH OF SEPTEMBER A.D. 2024 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 14TH DAY OF OCTOBER, A.D. 2024.



DARYL L. FOWLER, COUNTY JUDGE

ATTEST: Natalie Carson
NATALIE CARSON, COUNTY CLERK

