

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS  
SPECIAL MEETING – FEBRUARY 3, 2020**

DeWitt County Commissioners Court met in special session February 3, 2020 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 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:**

**Request to Amend Personnel Policy and Procedures Manual (No. 1)**

MOTION: Mr. Kaiser made a motion that the county take the option to accrue compensatory time will be removed from the DeWitt County Policy and employees will be paid as follows effective immediately:

*OVERTIME PAY. Employees who work more than 40 hours in a single workweek and are not classified as "207K Employees" are in overtime status.*

*An employee in approved overtime status will receive Overtime Pay at a regular rate of 1½ times the employee's current regular rate of pay for each hour of overtime worked. Payment for overtime will be included on the paycheck for the pay period in which it was earned.*

Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

MOTION: Mr. Kaiser made a motion to pay out all accrued comp time as of the end of the day February 7, 2020. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

MOTION: Mr. Randle made a motion to add thirty-two (32) additional hours to the personal/excused hours that are allotted by DeWitt County, which would bring the total to fifty-six (56) hours. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0

**Alternative Work Week Proposal (No. 2)**

No action taken.

**Accounts Payable (No. 4)**

No action taken.

**Subdivision Application (No. 3)**

MOTION: Mr. Pilchick made a motion to approve Court Order 2020-002, regarding the application submitted by John Hunter for the Hunter Subdivision on a 17.09-acre tract of land in the J. G. Swisher Survey, Abstract 421 (on Cattle Guard Road and Neal Road) in DeWitt County. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**Adjourn (No. 5)**

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 9:55 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS  
REGULAR MEETING – FEBRUARY 10, 2020**

DeWitt County Commissioners Court met in regular session February 10 2020 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 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. Afflerbach gave the invocation.

**New Business:**

**Election Judges and Alternates (No. 1)**

MOTION: Mr. Kaiser made a motion to approve the emergency replacement of Election Judges and Alternates for March 3rd Joint Primary Election pursuant to Article 32.007, Texas Election Code. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

**175th Anniversary of DeWitt County (No. 2)**

MOTION: Mr. Afflerbach made a motion to allow the courthouse to be open on March 27, 2021 and April 10, 2021. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

**Elevator Contract (No. 3)**

Court passed on this agenda item.

**Livestock Show Proclamation (No. 7)**

MOTION: Mr. Randle made a motion to adopt the resolution proclaiming March 3 through March 6, 2020 as DeWitt County Youth Livestock Show Week. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

**Residential Services Agreement (No. 5)**

MOTION: Mr. Kaiser made a motion to approve the contract with the Travis County Juvenile Probation Department for secure residential treatment services and authorize the county judge to sign the contract as chairman of the DeWitt County Juvenile Board. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Psychological Evaluation Testing Contract (No. 6)**

MOTION: Mr. Kaiser made a motion to approve the contract with Dr. Karan Redus for psychological evaluation testing for juvenile offenders and authorize the county judge to sign the contract as chairman of the DeWitt County Juvenile Board retroactive to begin September 1, 2019. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Racial Profiling Report (No. 11)**

MOTION: Mr. Kaiser made a motion to receive Tier 1 Partial Exemption Racial Profiling Report from DeWitt County Constable Precinct No. 1. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Constable Precinct No. 1 Activity Report (No. 13)**

MOTION: Mr. Afflerbach made a motion to receive Constable Precinct No. 1 Activity Report for year 2019. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Racial Profiling Report (No. 12)**

Court passed on this agenda item.

**Constable Precinct No. 2 Activity Report (No. 14)**

Court passed on this agenda item.

**Racial Profiling Report (No. 9)**

MOTION: Mr. Kaiser made a motion to receive Full Exemption Racial Profiling Report from DeWitt District Attorney's Office. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Racial Profiling Report (No. 10)**

Court passed on this agenda item.

**DeWitt County Sheriff Office Year-End Report (No. 8)**

MOTION: Mr. Kaiser made a motion to receive report from DeWitt County Sheriff Carl Bowen. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Motorola Primary Site Shelter Proposal (No. 4)**

MOTION: Mr. Randle made a motion to approve the proposal for a new equipment shelter at primary tower site on a change order TX-18I295A for the sum of \$235,000.00 on a municipal lease over five (5) years with a one (1) year delay. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

**State Certified Cyber Security Training (No. 15)**

MOTION: Mr. Randle 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. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

**Temporary Right of Way (No. 16)**

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

### **Monthly Report of Officials (No. 17)**

County Auditor's office received monthly reports from all officials except Flood Plain Coordinator.

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 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. 19)**

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

### **Minutes (No. 20)**

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 4-0 with Mr. Afflerbach abstaining due to him not reading and reviewing the minutes.

### **Accounts Payable (No. 21)**

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

MOTION: Mr. Kaiser made a motion to approve a late payment for \$25,000.00 to Accuworx Environmental Incorporated and authorize the auditor to withdrawn the funds from General Fund Contingent and Uncommitted. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Afflerbach made a motion to approve late bill for \$119,784.28 Road and Bridge Precinct No. 1 Fund for a dump truck payable to Performance Truck. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

### **Ratified Accounts Payable (No. 22)**

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

### **Budget Amendment Requests (No. 23)**

None

**Personnel Changes (No. 24)**

Keith Payne, Jailer, Sheriff Office; resignation effective February 6, 2020; 2 years 6 months of employment; comp & vacation time will be paid out on last check

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

**Bonds (No. 25)**

None

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

MOTION: Mr. Kaiser made a motion to approve Purchase Order Number 2352 for amount of \$2,400.49 for the repair of leaks in the courtroom on the annex roof. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Legislative Update (No. 27)**

No legislative update.

**Discussion of Commissioner Precinct Operations (No. 28)**

Commissioners reported on normal precinct operations.

**Motorola Update (No. 29)**

Motorola update previously given.

**County Building Workshop (No. 30)**

No update on the county building.

**Subdivision Regulation Development Workshop (No. 31)**

No action taken.

**Adjourn (No. 32)**

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 11:05 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS  
REGULAR MEETING – FEBRUARY 24, 2020**

DeWitt County Commissioners Court met in regular session February 24 2020 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 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:**

**Letter of Resignation (No. 1)**

MOTION: Mr. Afflerbach made a motion to receive letter of resignation from District Clerk Tabeth Gardner. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**Schedule Public Hearing Date (No. 2)**

MOTION: Mr. Kaiser made a motion to schedule a public hearing date to receive public comment and discuss the development and implementation of updated DeWitt County Subdivision and Manufactured Home Rental Community Regulations set for March 23, 2020 at 9:00 a.m. at the DeWitt County Courthouse. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Schedule Public Hearing Date (No. 3)**

MOTION: Mr. Pilchick made a motion to set a hearing date for March 23, 2020 at 9:00 a.m. in the DeWitt County Courthouse for consideration to establishing a 45 MPH speed limit on Martinez Road in Commissioner Precinct No. 2. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

#### **Memorandum of Understanding (No. 4)**

MOTION: Mr. Afflerbach made a motion to approve the Memorandum of Understanding between DeWitt County, Westhoff ISD and Texas Department of Transportation regarding placement of traffic control signs in the vicinity of Westhoff Independent School District campuses, Court Order Number 2020-005. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

#### **Annual Financial Report (No. 5)**

MOTION: Mr. Kaiser made a motion to receive Annual Financial Report for DeWitt County Drainage District No. 1 for fiscal year ended September 30, 2019. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

#### **FY2020 Homeland Security Grant Program (No. 6)**

No action taken.

#### **Commissioners Annual Road Report 2020 (No. 7)**

MOTION: Mr. Randle made a motion to adopt Annual Road Report timeline with the report being due June 22, 2020 to Commissioners Court and submitted to Grand Jury on July 6, 2020 according to the Transportation Code Sections 251.005 and 251.018. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

#### **Commissioners Annual Road Report 2020 Format (No. 8)**

MOTION: Mr. Kaiser made a motion to accept the format that has been used in the past for Commissioners Annual Road Report according to Transportation Code Section 251.005. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

#### **Resolution for Signature Authority (No. 9)**

MOTION: Mr. Kaiser made a motion to adopt the signature authority resolutions to update all bank accounts, Court Order Number 2020-004. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

#### **Award of Bid and Contract Approval (No. 10)**

MOTION: Mr. Randle made a motion to accept low bid of J C Stoddard Construction for the basement water mitigation project, award the bid and authorize the county judge to sign the contract. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.



**Document Shredding (No. 11)**

MOTION: Mr. Kaiser made a motion to approve the purchase order for bulk document shredding with Marshall Shredding Company at a price of \$70.00 for the first 96-gallon bin and \$55.00 for succeeding bins. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

**Accounts Payable (No. 12)**

MOTION: Mr. Kaiser made a motion to approve accounts payable for \$281,494.94. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Kaiser made a motion to pay the late bill for \$330.00 for the Texas Department of Corrections. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**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 5-0.

**Budget Amendment Requests (No. 14)**

None

**Personnel Changes (No. 15)**

None

**Bonds (No. 16)**

Bond of Esther Ruiz for District Clerk

MOTION: Mr. Kaiser made a motion to approve bond of Esther Ruiz as District Clerk of DeWitt County. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Courthouse/Annex Expenditures/Maintenance/Improvements (No. 17)**

Judge Fowler reported that he received a proposal from Koetter Fire Protection for work on the OS&Y valve.

MOTION: Mr. Kaiser made a motion to approve a purchase order for \$3,482.03 to Koetter Fire Protection. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**Legislative Update (No. 18)**

Judge Fowler reported that he has set up a meeting with Executive Director of the Texas Oil & Gas Association Todd Staples on April 7, 2020 for a lunch in Cuero.

**Discussion of Commissioner Precinct Operations (No. 19)**

Commissioner Precinct No. 1 reported on work being done on DuBose Ranch Road, hot mix work on Kubala Store Road, Rosie Dunn Road is ground and braces to set culverts and Zimmerman Road is ground and waiting on a fence move.

Commissioner Precinct No. 2 reported that he is still working on Lockhart Cemetery Road and Old Yoakum Road and then moving the grinder to Sapp Road, Matthew Adams Road, Benbow Road and Primitive Baptist Church Road

Commissioner Precinct No. 3 reported on normal precinct operations.

Commissioner Precinct No. 4 reported on normal precinct operations.

**Motorola Update (No. 20)**

No Motorola update.

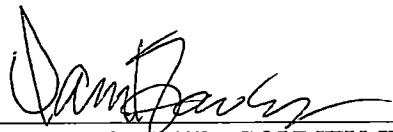
**County Building Workshop (No. 21)**



Mr. Randle reported that the City of Cuero was concerned with some of the flow lines going to the alley. Brad Kocurek with RMI Architect has to look at an addition to the survey on how the flow lines could go to Church Street and this is delaying the start date of the construction.

**Adjourn.**

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 9:58 a.m.]

THE FOREGOING MINUTES FOR THE MONTH OF FEBRUARY A.D. 2020 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 9TH DAY OF MARCH, A.D. 2020.

  
DARYL L. FOWLER, COUNTY JUDGE

 ATTEST   
NATALIE CARSON, COUNTY CLERK