

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – JANUARY 13, 2020**

DeWitt County Commissioners Court met in regular session January 13, 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:

Burn Ban

Court passed on this agenda item.

Garrett Road at Chicolete Creek Road Closure (No. 2)

Court discussed road closure and bridge replacement on Garrett Road at Chicolete Creek and sign form for TXDOT. Mr. Pilchick advised the court that he had notified the property owner of the fence encroachment into county right of way and that the property owner got his permission to put the fence back the way it belongs when the project is complete.

MOTION: Judge Fowler made a motion to receive the December 16, 2019 letter announcing the road closure on Garrett Road at Chicolete Creek and authorize Judge Fowler to sign the notification and return to TxDOT. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Set Terms of Constitutional County Court (No. 3)

MOTION: Mr. Kaiser made a motion to set terms of constitutional County Court for 2020 pursuant to Government Code § 26.002 as January 1st, April 1st, July 1st and October 1st with each term to run until the beginning of the next term. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

FY2020 EMPG (No. 4)

MOTION: Mr. Afflerbach made a motion to authorize Cyndi Smith, EMC, to apply for the FY2020 Emergency Management Program Grant (EMPG) administered by the Texas Division of Emergency Management (TDEM), TXDPS. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

FY2020 Homeland Security Grant Program (No. 5)

Court passed on this agenda item.

ConocoPhillips Donation (No. 6)

MOTION: Mr. Randle made a motion to receive the donation from ConocoPhillips for \$5,000.00 to be designated in to Fund 52 and authorize the County Judge to accept and endorse the check. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Appraisal District Board of Directors Election for 2020-2021 (No. 7)

MOTION: Mr. Randle made a motion to receive letter from DeWitt County Appraisal District with results from the Board of Directors Election for the 2020-2021 term. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Continuing Education Transcript (No. 8)

MOTION: Mr. Kaiser made a motion to receive a continuing education transcript from the Texas Tax Assessor-Collectors Association indicating that the Honorable Ashley D. Mraz, DeWitt County Tax Assessor-Collector, has completed 85.5 hours of continuing education for reporting period of 5/6/2019 to 5/5/2020. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Sick Pool Policy (No. 9)

MOTION: Mr. Randle made a motion to amend sick pool policy according to Local Government Code to make the maximum number of days to be one-third (1/3) of the total amount of time in the Pool at the time of the request or 180 days, whichever is less. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Southern Health Partners (No. 10)

MOTION: Mr. Kaiser made a motion to receive refund check for \$25,487.55 from Southern Health Partners for inmate medical expenses going into 12-100-645. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Golden Crescent Regional Planning Commission Grant (No. 11)

Court passed on this agenda item.

HVAC Unit Purchase Ratification (No. 15)

MOTION: Mr. Kaiser made a motion to ratify purchase of HVAC unit from Jahn Refrigeration for DeWitt County Annex at a cost of \$7,260.00. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Per Diem and Mileage Rates (No. 16)

MOTION: Mr. Randle made a motion to approve mileage rate of 57.5 cents per mile driven for business use effective today. Mr. Pilchick seconded the motion. Motion carried of 5-0.

Authorize Auditor to Advertise for Bids (No. 17)

MOTION: Mr. Kaiser made a motion to authorize the county auditor to advertise for bids for seal coating, motor fuels, road materials, asphalt oils, and concrete. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Authorize Auditor to Advertise for Bids (No. 18)

MOTION: Mr. Kaiser made a motion to authorize the county auditor to advertise for bids for food service for DeWitt County Jail. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Authorize Auditor to Advertise for Bids (No. 19)

MOTION: Mr. Randle made a motion to authorize the county auditor to advertise for bids for the foundation and roof scope of work for DeWitt County Historical Museum. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Hanson Professional Services Invoice (No. 14)

Court passed on this agenda item.

County Treasurer's Monthly Report (No. 29)

MOTION: Mr. Kaiser made a motion to receive report and approve Order Approving Treasurer's Monthly Report, Court Order Number 2020-001. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

County Treasurer's Quarterly Investment Report (No. 30)

MOTION: Mr. Kaiser made a motion to receive quarterly report ending December 31, 2019. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Minutes (No. 31)

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

County Auditor's Cash Count Report 1st Quarter FY 2020 (No. 32)

MOTION: Mr. Kaiser made a motion to receive County Auditor's Cash Count Report 1st Quarter FY2020. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Monthly Report of Officials (No. 33)

County Auditor Carrie Rea reported that her office had 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. 34)

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

Accounts Payable (No. 35)

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. 36)

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

Budget Amendment Requests (No. 37)

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

Executive Closed Session (No. 12)

Judge Fowler announced that court would go into an executive closed session at 10:17 a.m. on January 13, 2020 on the specific agenda item Number 12 to consult with an attorney about a legal matter.

Court concluded the executive closed session at 1:37 p.m. this afternoon following a recess for lunch at 12:27 p.m. with no further business in the meeting taken so Judge Fowler announced that the executive session ended at 1:38 p.m. on this date, January 13, 2020.

Discussion and Potential Action (No. 13)

Consensus of the court that no action to be taken after existing the executive session.

Pipeline Crossing Permit (No. 20)

MOTION: Mr. Afflerbach made a motion to approve pipeline crossing permit application of Verdun Oil Company to cross Baker Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Pipeline Crossing Permit (No. 21)

MOTION: Mr. Kaiser made a motion to consider application with Verdun Oil Company to cross Wischkaemper Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Pipeline Crossing Permit (No. 22)

MOTION: Mr. Afflerbach made a motion to approve pipeline crossing permit application of Copano Pipelines/South Texas LLC to cross Oliver Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Pipeline Crossing Permit (No. 23)

MOTION: Mr. Afflerbach made a motion to approve pipeline crossing permit application of Copano Pipelines/South Texas LLC to cross Bellevue Cemetery Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Temporary Right of Way (No. 24)

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

Temporary Right of Way (No. 25)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement with Burlington Resources Oil & Gas Company LP for installation of a dual water line along 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. 26)

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

Temporary Right of Way (No. 27)

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

Temporary Right of Way (No. 28)

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement with Burlington Resources Oil & Gas Company LP for installation of a dual 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

Personnel Changes (No. 38)

Christina Serbin, Dispatcher Captain, Sheriff Office; step increase effective January 4, 2020; Category 6 Step 5; 7 years of employment; rate of pay to be \$1,783.00/bi-weekly \$22.29/hourly; next possible step increase January 4, 2023; comp time balance will be paid at time of step

Neomi Williams, 1st Assistant Auditor, Auditor's Office; step increase effective January 28, 2020; Category 3 Step 5; 7 years of employment; rate of pay to be \$1,767.58/bi-weekly \$22.09/hourly; next possible step increase January 28, 2023; comp time balance will be paid at time of step

Jayden Webb, Equipment Operator, Precinct 3; seasonal/temporary employee hired effective January 6, 2020 thru January 15, 2020; rate of pay to be \$18.27/hour

David Norrell, Equipment Operator, Precinct 3; step increase effective January 28, 2020; Category 17 Step 5; 7 years of employment; rate of pay to be \$1,698.19/bi-weekly \$21.23/hourly; next possible step increase January 28, 2023; comp time balance will be paid at time of step

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. 39)

None

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

Judge Fowler reported that the county lost roof caps due to the high winds.

Judge Fowler reported that David Slovacek had been having issues with the new boilers in the basement. The valve is being replaced today.

County Auditor Carrie Rea reported the following schedule for the work to be performed on the water leakage in the basement of the courthouse:

January 22nd and 29th – County Auditor will advertise.

February 5th – mandatory walk thru meeting

February 18th – deadline to receive bids

February 24th – Commissioners Court will consider awarding bid

Legislative Update (No. 41)

No Legislative update.

Discussion of Commissioner Precinct Operations (No. 42)

Commissioner Pct. 1 – had the surveyor email the survey that the county had done on intersection of Nolte-Boehl Road and Hwy 87 to TxDOT and continually working on FM240 project

Commissioner Pct. 2 – working on Lockhart Cemetery Road; one (1) mile ripped up on Old Yoakum Road; and waiting for spring time to finish up Hrabovsky Road

Commissioner Pct. 3 – normal precinct operations

Commissioner Pct. 4 – close to finishing work on Green DeWitt Road

Motorola Update (No. 43)

Court received an update regarding Motorola project. There is a meeting scheduled for Wednesday, January 22nd for the commissioners court to look at one of the tower locations.

County Building Workshop (No. 44)

Mr. Randle reported that the county had received some 50% drawings for review by the court hopefully by the end of the month. Any department head that will have an office in the new building needs to review the 50% drawings. Sometime during the month of February, the contractor will be selected and the tentative construction start date is March 1st.

Adjourn (No. 45)

MOTION: Mr. Afflerbach made a motion to adjourn. Mr. Kaiser seconded the motion.
[Adjourned at 2:15 p.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – JANUARY 27, 2020**

DeWitt County Commissioners Court met in regular session January 27, 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:

Public Hearing (No. 1)

Public hearing held in order to provide opportunity for public comments on placing stop signs at the intersection of Hahn Road and Schulle Road in Commissioner Precinct No. 1. No one was present to speak for or against.

Close Public Hearing (No. 2)

Judge Fowler closed the public hearing.

Rule on Public Hearing (No. 3)

MOTION: Mr. Afflerbach made a motion to approve the placing of a stop sign at the intersection of Hahn Road and Schulle Road in Commissioner Precinct No. 1 to be effective when the sign go up. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Gulf Bend Center FY2020 Budget (No. 6)

No action taken.

Gulf Bend Center Director (No. 7)

MOTION: Mr. Kaiser made a motion to allow the reappointment of Daryl L. Fowler to a two-year term (January 2020 through January 2022) to Gulf Bend Center Board of Trustees. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Interlocal Cooperation Contract – Failure to Appear Program (No. 5)

MOTION: Mr. Kaiser made a motion to approve the revised contract between Texas Department of Public Safety and DeWitt County Justice of the Peace Precinct No. 1 for implementation of provisions of Texas Transportation Code Chapter 706, that number is DPS #DLD20180628 (revised on January 1, 2020), and authorize Judge Fowler to sign it. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Salary Grievance Committee (No. 4)

MOTION: Mr. Randle made a motion to appoint members to the County Salary Grievance Committee pursuant to Government Code 152.014 and Government Code Section 152.015 and selection by use of the Grand Jury committee. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Randle made a motion to utilize the names of the Grievance Committee from the names selected in the order that they were called. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Election Judges and Alternates (No. 8)

Court passed on this agenda item until the Election Administrator could get more information.

LCRA CDDP Grant (No. 9)

Court passed on this agenda item until the Grant Committee can review.

GVEC Power Up Grant (No. 10)

Court passed on this agenda item until the Grant Committee can review.

Hanson Professional Services Invoice (No. 11)

MOTION: Mr. Randle made a motion to partially pay Invoice #1074769 basically on the communications conduit for a total of \$7,395.10. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Certificates of Completion (No. 12)

MOTION: Mr. Kaiser made a motion to receive certificates of completion from the County & District Clerk's Association of Texas for County Clerk Natalie Carson and District Clerk Tabeth Gardner for completing the required 20 hours of continuing education for 2019 as prescribed in Section 51.605 of the Texas Government Code. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Certificate of Completion (No. 13)

MOTION: Mr. Kaiser made a motion to receive certificate of completion from the Texas Association of Election Administrators for Melissa Alcazar for completing a professional curriculum of multiple courses entitling her to be known as a Registered Election Official and entering her into Texas's REO registry. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Pipeline Crossing Permit (No. 14)

MOTION: Mr. Kaiser made a motion to approve pipeline crossing permit with Enterprise Crude Pipeline LLC to cross Garfield Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Pipeline Crossing Permit (No. 15)

MOTION: Mr. Kaiser made a motion to approve pipeline crossing permit with Enterprise Crude Pipeline LLC to cross Cabeza Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion.

Pipeline Crossing Permit (No. 16)

MOTION: Mr. Kaiser made a motion to approve pipeline crossing permit with Enterprise Crude Pipeline LLC to cross Alfred Blaschke Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Pipeline Crossing Permit (No. 17)

MOTION: Mr. Kaiser made a motion to approve pipeline crossing permit with Enterprise Crude Pipeline LLC to cross Simpson Ranch Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Pipeline Crossing Permit (No. 18)

MOTION: Mr. Kaiser made a motion to approve pipeline crossing permit with Enterprise Crude Pipeline LLC to cross Noe Hinojosa Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Pipeline Crossing Permit (No. 19)

MOTION: Mr. Afflerbach made a motion to approve pipeline crossing permit application of Burlington Resources Oil & Gas Company LP to cross Respondek Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Pipeline Crossing Permit (No. 20)

MOTION: Mr. Afflerbach made a motion to approve pipeline crossing permit application of Burlington Resources Oil & Gas Company LP to cross Respondek Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Pipeline Crossing Permit (No. 21)

MOTION: Mr. Kaiser made a motion to approve pipeline crossing permit application of Verdun Oil Company to cross Wischkaemper 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. Pilchick made a motion to approve the temporary right of way agreement permit application from Select Energy Services LLC for installation of a dual water line along Rathkamp-Dreyer Road and Gerdes Road in Commissioner Precinct No. 2. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Temporary Right of Way (No. 23)

MOTION: Mr. Pilchick made a motion to approve temporary right of way permit application from Select Energy Services LLC for installation of a dual water line along Dreyer-Turkey Bottom Road in Commissioner Precinct No. 2. Mr. Kaiser 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)

MOTION: Mr. Randle made a motion to approve budget amendment requests. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Personnel Changes (No. 27)

Jayden Webb, Seasonal/Temporary Equipment Operator, Precinct 3; resignation effective January 15, 2020;

Jessica Bechtold, Deputy, Sheriff Office; resignation effective November 25, 2019; 6 months of employment; comp & vacation time will be paid out on last check

Vincent Cross, Juvenile Probation Officer, Juvenile Probation Dept.; termination effective January 21, 2020; 2 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. 28)

Bond for Roy Kuester 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.

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

MOTION: Mr. Kaiser made a motion to authorize the County Judge to sign the proposal for the rooftop air handler and purchase order for \$5,400.00. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Legislative Update (No 30)

No Legislative update.

Motorola Update (No. 32)

MOTION: Mr. Kaiser made a motion to approve Judge Fowler to pay invoice for the first payment of the Motorola update for \$355,067.07. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

County Building Workshop (No. 33)

New Building committee and officials met last week to discuss and make sure that the electrical boxes and internet connections in the right locations.

Mr. Randle reported that the inside designs were a little behind schedule but hopefully will have complete drawings in early February.

Discussion of Commissioner Precinct Operations (No. 31)

Commissioner Precinct No. 1 reported that he was working with Rodney with TxDOT trying to get the .50 acre squared away to complete the move to the entrance of Nolte-Boehl Road project. Mr. Afflerbach also reported that the engineers that are working on the FM240 project are doing a layout of FM240 to meet with TxDOT for their approval to the right of way acquisition.

Commissioner Precinct No. 2 reported that his crews were redoing Lockhart Cemetery Road and part of Old Yoakum Road.

Commissioner Precinct No. 3 reported that his crews were performing normal maintenance work.

Commissioner Precinct No. 4 reported that Green DeWitt Road project had been completed.

Adjourn (No. 34)

MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 10:00 a.m.]

THE FOREGOING MINUTES FOR THE MONTH OF JANUARY A.D. 2020 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 10TH DAY OF FEBRUARY, A.D. 2020.



ATTEST: Natalie Carson
NATALIE CARSON, COUNTY CLERK

Daryl L. Fowler
DARYL L. FOWLER, COUNTY JUDGE