

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – OCTOBER 12, 2020**

DeWitt County Commissioners Court met in regular session October 12, 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:

Election Clerks (No. 4)

MOTION: Mr. Kaiser made a motion to appoint a total of seventeen (17) election clerks for General and Special Elections for a 2-year term beginning October 1, 2020. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

DeWitt County Drainage District No. 1 Budget (No. 2)

MOTION: Mr. Pilchick made a motion to receive the FY2021 Budget and the FY2021 Order Setting Salaries of the commissioners and employees of DeWitt County Drainage District No. 1. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Texas Water Development Board Flood Infrastructure Fund (No. 3)

Court heard a presentation from Doug Sethness regarding DeWitt County Drainage District No. 1's submission to obtain a grant from the Flood Infrastructure Fund. Court did not take any action on this agenda item.

Letter of Support (No. 1)

MOTION: Mr. Randle made a motion to authorize County Judge to submit letter of support on behalf of the Commissioners Court encouraging the Texas Historical Commission to accept the Stagecoach Inn into their Historic Sites Program. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

2020 DeWitt County Tax Roll (No. 5)

MOTION: Mr. Randle made a motion to receive the 2020 DeWitt County tax roll from the County Tax Assessor pursuant to Tax Code, Title 1 Property Tax Code, Section D, and Chapter 26.09(e). Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

2020 DeWitt County Road and Bridge Tax Roll (No. 6)

MOTION: Mr. Randle made a motion to receive the 2020 DeWitt County Road and Bridge tax roll from the County Tax Assessor pursuant to Tax Code, Title 1 Property Tax Code, Section D, and Chapter 26.09(e). Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Resolution on Texas Indigent Defense Formula Grant Program (No. 7)

MOTION: Mr. Kaiser made a motion to adopt a resolution designating the county judge as the Authorized Official, authorizing the county judge to apply for and manage the Indigent Defense Formula Grant, Court Order Number 2020-058, and designate the county auditor as the Financial Officer for the FY2021 grant. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Proclamation for German-American Day (No. 8)

MOTION: Mr. Kaiser made a motion to ratify a proclamation designating October 6, 2020 as German-American Day in DeWitt County. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Pipeline Crossing Permit (No. 9)

MOTION: Mr. Afflerbach made a motion to approve pipeline crossing permit application of Goodnight Midstream LLC 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. 10)

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

Pipeline Crossing Permit (No. 11)

Court passed on this agenda item.

Pipeline Crossing Permit (No. 12)

Court passed on this agenda item.

County Auditor's Annual Report (No. 13)

MOTION: Mr. Kaiser made a motion to receive county auditor's report on Fiscal Year 2020. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

County Auditor's Fourth Quarter 2020 Cash Count Report (No. 14)

MOTION: Mr. Afflerbach made a motion to receive County Auditor's Fourth Quarter 2020 Cash Count Report. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

DeWitt County Investment Policy and Investment Strategies (No. 15)

Court passed on this agenda item.

List of Qualified Brokers/Dealers (No. 16)

Court passed on this agenda item.

County Treasurer's Annual Report (No. 18)

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

County Treasurer's Quarterly Investment Report (No. 17)

MOTION: Mr. Randle made a motion to receive the report and consider approval of the County Treasurer's Quarterly Investment Report. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

County Treasurer's Monthly Report (No. 24)

MOTION: Mr. Kaiser made a motion to approve Order Approving Treasurer's Monthly Report. Mr. Randle seconded the motion. Motion carried on a vote of 5-0. [Court Order Number 2020-057]

Records and Proceeds from the Sale of Salvage or Surplus Property (No. 19)

MOTION: Mr. Randle made a motion to receive the report from Auditor showing records and proceeds from the sale of salvage or surplus property pursuant to Local Government Code §263, Subchapter D. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Declare Fixed Assets as Salvage (No. 20)

MOTION: Mr. Kaiser made a motion to declare certain inventory items as salvage pursuant to Local Government Code §263.152(A). Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Renewal Applications for Insurance Policies (No. 21)

MOTION: Mr. Kaiser made a motion to approve the renewal applications for crime, auto physical damage, auto liability, general liability, public officials' liability and law enforcement liability. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

Monthly Report of Officials (No. 22)

County Auditor Carrie Rea reported that her office had received monthly reports from all officials except Elections Administration, Constable Precinct No. 2, Sheriff, Flood Plain Administrator (August and September).

Mr. Randle discussed his concerns with the continual non-compliance of the Flood Plain Administrator with the submission of the monthly reports as required by statute.

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

County Auditor's Monthly Report (No. 23)

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.

Minutes (No. 25)

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

Accounts Payable (No. 26)

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. 27)

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. 28)

None

Personnel Changes (No. 29)

Zachary Mraz, Jailer, Sheriff Office; rehired effective September 21, 2020; Category 12 Step 2; rate of pay to be \$18.99 hourly; next possible step increase April 8, 2022

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. 30)

Renewal of Blanket Bond of 1st Assistant Treasurer and Assistant Treasurer.

MOTION: Mr. Kaiser made a motion to receive blanket bond renewal for 1st Assistant Treasurer and Assistant Treasurer. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

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

Judge Fowler reported on the construction zone around the courthouse.

Judge Fowler and Natalie Carson assisted Melissa Alcazar with an ingress and egress plan for the early voting. Judge Fowler worked on Saturday cleaning the external portion of the annex building and sidewalk.

Legislative Update (No. 32)

Judge Fowler reported that the Texas Oil and Gas Association President and STEER Executive are still scheduled to be at the courthouse on October 22, 2020 at 9:00 a.m. and then will proceed with a tour of some of the county roads on the way to Kenedy for a luncheon with Steve Holzhauser and surrounding county judges.

Motorola Update (No. 34)

No Motorola Project update.

County Building Workshop (No. 35)

Mr. Randle gave an update on the construction work of the new annex building.

MOTION: Mr. Randle made a motion approve Option #2 for a new transformer to serve both the old annex and new annex and authorize the County Judge to submit a requisition for the cost of \$10,571.61. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

COVID-19 Disaster Update (No. 36)

Court received update regarding COVID-19 virus from Emergency Management Coordinator Cyndi Smith.

Judge Fowler reported on the CARES ACT grant information and deadline.

Discussion of Commissioner Precinct Operations (No. 33)

Commissioner Precinct No. 1 - Cyndi Smith reported on an incident that occurred in Precinct No. 1 last week on Hahn Road, which occurred while an employee was trimming trees. A tree branch fell on the electrical line and backhoe.

Commissioner Precinct No. 2 - reported that Matthew-Adams Road has been finished.

Commissioner Precinct No. 3 - reported normal precinct operations.

Commissioner Precinct No. 4 - reported normal precinct operations

Recess

Court recessed until 1:30 p.m.

Reconvene

Court reconvened at 1:30 p.m.

Workshop on Competitive Procurement Processes & Contracting (No. 37)

Court held a workshop on competitive procurement processes and contracting. Karnes County Road and Bridge Engineer Wayne Gisler spoke to the court on Karnes County's competitive procurement processes and contracting procedures.

Adjourn (No. 38)

MOTION: Mr. Afflerbach made a motion to adjourn. [Adjourned at 3:30 p.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – OCTOBER 26, 2020**

DeWitt County Commissioners Court met in regular session October 26, 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:

Cares Act/CRF Grant (No. 1)

MOTION: Mr. Kaiser made a motion to adopt a ratification of resolution Court Order No. 2020-063 approving an application to TDEM for CARES Act/CRF Grant and authorization for the county judge to execute the necessary documents; and adopt a budget amendment. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Center for Tech and Civic Life COVID-19 Response Grant (No. 2)

MOTION: Mr. Randle made a motion to ratify submission of grant application by Elections Administrator Melissa Alcazar and award of \$15,560 for the purpose of ensuring that the Elections Department has the staffing, training, and equipment necessary for the upcoming November election; and for voters to be able to participate in a safe and timely way; and that the budget be amended to reflect the receipt of the grant. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

MG & Lillian Johnson Foundation Grant (No. 3)

MOTION: Mr. Afflerbach made a motion to authorize EMC Cyndi Smith to apply for the MG & Lillian Johnson Foundation grant for \$55,000 for AEDs, Stop the Bleed Kits and First Aid Kits, fire extinguisher training for first responders. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

County Clerk Records (No. 4)

County Clerk Natalie Carson requested permission from the court for her office to make the Official Public Record indexes and images and only the index of criminal, civil and probate records available online. The criminal, civil and probate images have sensitive (confidential) information that cannot be made available online. Guardianship cases will not be included with records that are made available online.

Ms. Carson advised that her office was still working on back indexing and scanning of the birth, death and marriage records; therefore, the indexes would not be made available online at this time.

MOTION: Mr. Afflerbach made a motion to authorize County Clerk to make certain public records available online. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Agreement for Assessment and Collection Services (No. 5)

MOTION: Mr. Kaiser made a motion to approve an Agreement between the DeWitt County Drainage District #1 and the County of DeWitt for consolidating the assessment and collection of property taxes into one agency, the Assessor-Collector of the County of DeWitt. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Agreement for Assessment and Collection Services (No. 6)

MOTION: Mr. Kaiser made a motion to approve an Agreement between the Ecletto Watershed District and the County of DeWitt for consolidating the assessment and collection of property taxes into one agency, the Assessor-Collector of the County of DeWitt. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Motorola Update (No. 26)

Court receive update from DeWitt County Sheriff Chief Deputy John Garoni regarding Motorola project. Mr. Garoni reported that one (1) set of frequencies is up and active, five (5) patrol units and five (5) hand held radios have been programed and are currently being field-tested. Once the field-testing is completed, then work will start on setting up the programming of all law enforcement radios and then the Sheriff's Department will send out notices to other departments that need to have their equipment programed.

Pipeline Crossing Permit (No. 7)

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

Pipeline Crossing Permit (No. 8)

Court passed on taking any action on this agenda item.

Pipeline Crossing Permit (No. 9)

Court passed on taking any action on this agenda item.

Temporary Right of Way (No. 10)

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

Temporary Right of Way (No. 11)

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

Temporary Right of Way (No. 12)

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

Temporary Right of Way (No. 13)

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

Temporary Right of Way (No. 14)

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

DeWitt County Investment Policy and Investment Strategies (No. 15)

MOTION: Mr. Randle made a motion that pursuant to Local Government Code 116.112 and the Public Funds Investment Act 2256.005(e) which requires annual review of investment policy and investment strategies; adopt of Resolution to Adopt Investment Policy (Attachment A) under Court Order Number 2020-060; adopt Resolution to Adopt Investment Strategies (Attachment B)

under Court Order Number 2020-061 and adoption of Certification (Attachment C). Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

List of Qualified Brokers/Dealers (No. 16)

Joan Alexander, Funds Management Group Inc.
Michael Kalina, Cuero National Bank Branch of First National Bank of Shiner
Tony Sekaly, Texas Cooperative Liquid Assets Securities System (Texas CLASS)

MOTION: Mr. Kaiser made a motion to adopt Resolution to Adopt List of Qualified Brokers/Dealers, Court Order Number 2020-062. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

Trade-in of Tractor/Truck for Precinct 1 (No. 17)

MOTION: Mr. Afflerbach made a motion to approve request from Commissioner Pct. 1 for trade-in of a 2006 Tractor/Truck toward purchase of a new piece of equipment in FY2021 budget per LGC 263.152(a) (2). Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

Accounts Payable (No. 19)

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. Pilchick 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. 20)

None

Personnel Changes (No. 21)

Tyler Bressler, Jailer, Sheriff's Office; stepped down from Corporal to Jailer effective October, 3, 2020; Category 12 Step 3; 4 years 5 months of employment; rate of pay to be \$19.62/hour; next possible step increase April 20, 2021

Shelly Parker, IT Support Specialist, IT; step increase effective November 19, 2020; Category 2 Step 4; 5 years of employment; rate of pay to be \$21.25/hourly; next possible step increase November 19, 2022

Kristine Oglesby, Deputy, County Clerk; step increase effective November 22, 2020; Category 1 Step 6; 10 years of employment; rate of pay to be \$19.23/hour; next possible step increase November 22, 2022

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

Bonds (No. 22)

None

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

Judge Fowler reported that the work was progressing around the exterior of the courthouse. The construction company will soon be seeking for the closure of the west side door.

Judge Fowler reported on electronic communication issues that have been occurring ever since Trane installed the chiller.

Judge Fowler reported the roofing company was going to be looking at a roof leak in the annex courtroom (election's office).

Mr. Randle reported on the work at the DeWitt County Historical Museum building. Komatsu Architecture submitted a letter outlining the scope of work at the DeWitt County Historical Museum Bates-Sheppard House and requesting authorization from the county to proceed with work.

MOTION: Mr. Randle made a motion to authorize Komatsu Architecture and subcontractors to proceed with repairs at the DeWitt County Historical Museum as describe in the letter. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

Legislative Update (No. 24)

Judge Fowler reported on the 2-hour rural tour of county roads with Texas Oil & Gas Association President Todd Staples, Executive Director of South Texas Energy and Economic Roundtable Stephanie Morales, David Underbrink with Hanson Professional Services, and Steve Holzheasuer. This tour consisted of some improved roads and roads that still need some work within DeWitt County. Judge Fowler then reported on the productive lunch/meeting held in Karnes County that included Karnes County Judge Wade Hedtke, McMullen County Judge Jim Teal, Atascosa County Judge Robert Hurley, Bee County Judge George Morrill III and Liveoak County Judge Jim Huff.

Discussion of Commissioner Precinct Operations (No. 25)

Commissioner Precinct No. 1 reported on work being done on Kubala Store Road in Pct. 1, Lincke Road in Pct. 3 and preparing Hahn Road by removing brush in order to get this road ready for roadwork thru the grant program.

Commissioner Precinct No. 2 reported on normal precinct operations.

Commissioner Precinct No. 3 reported on normal precinct operations.

Commissioner Precinct No. 4 reported that he has a company wanting to put in a gravel pit in the floodplain area on Thomaston River Road.

Mr. Randle also discussed an invoice that he received from Hanson Engineering and he will be reaching out to David Underbrink to discuss the charges. David Underbrink came to meet with several commissioners on the same day and each commissioner was charged for four (4) hours travel time.

County Building Workshop (No. 27)

Mr. Randle reported that the construction company was hoping to have had the slab poured by now but has been unable to due to the scattered showers.

COVID-19 Disaster Update (No. 28)

Judge Fowler reported that he released a press release on Friday to the newspapers to correct an erroneous statement previously provided.

Emergency Management Coordinator Cyndi Smith reported that the 14-day count is 42 new cases as of October 23, 2020.

Workshop on Competitive Procurement Processes & Contracting (No. 29)

Court held a workshop on competitive procurement process and contracting.

Recess

Court recessed until 1:30 p.m.

Reconvene

Court reconvened at 1:30 p.m.

Workshop on Competitive Procurement Processes & Contracting (No. 29)

Court continued the workshop on competitive procurement process and contracting.

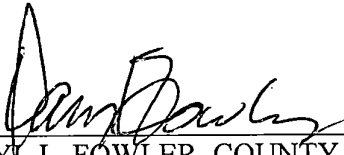
Authorize Auditor to Advertise for Bids (No. 18)

MOTION: Mr. Randle made a motion to authorize the county auditor to advertise for bids for drainage and dirt work, and asphalt maintenance and improvements. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

Adjourn (No. 30)

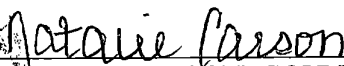
MOTION: Mr. Kaiser made a motion to adjourn. [Adjourned at 3:22 p.m.]

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



DARYL L. FOWLER, COUNTY JUDGE





NATALIE CARSON, COUNTY CLERK