

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – DECEMBER 6, 2017**

DeWitt County Commissioners Court met in regular session December 6, 2017 at 1:30 p.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:

ACCOUNTS PAYABLE (NO. 1)

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

PAYROLL DISBURSEMENTS (NO. 2)

MOTION: Mr. Randle made a motion to approve payroll accounting for December 8, 2017 and authorize the release of \$372,670.68 plus a supplement payroll distribution in the amount of \$310.49 due to Julius C. Hull in this pay period. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Randle made a motion to rescind the motion on the approval of payroll. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Randle made a motion to authorize the treasurer to pay \$372,670.68 and supplement of payroll to Julius C. Hull in the amount of \$332.53. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

HURRICANE HARVEY INFORMATION UPDATE AND ACCOUNTS PAYABLE (NO. 3)

Judge Fowler gave an update on the meeting that was held on Monday, December 4, 2017.

County Treasurer reported that Department of Labor posters need to go up immediately.

County Treasurer advised the court of the changes in time sheets. An electronic version will be emailed to each elected official/supervisor; each employee will complete the time sheet electronically, print it out at the end of the pay period, sign it and submit to the elected official for approval.

Emergency Management Officer Cyndi Smith gave a FEMA update.

PUBLIC COMMENT

ADJOURN (NO. 4)

MOTION: Mr. Afflerbach made a motion to adjourn. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0. [Adjourned at 2:15 p.m.]

MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS REGULAR MEETING – DECEMBER 11, 2017

DeWitt County Commissioners Court met in regular session December 11, 2017 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. Pilchiek 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.

PUBLIC HEARING (NO. 1)

Public Hearing held to provide opportunity for public comments on a proposal to establish a 30 MPH speed limit on Lockhart Cemetery Road from Hwy. 183 to Hwy. 77A and Hwy. 77A to Old Yoakum Road in Precinct No. 2. No one was present to speak for or against establishing a speed limit.

CLOSE PUBLIC HEARING (NO. 2)

Judge Fowler closed the public hearing.

RULE ON PUBLIC HEARING (NO. 3)

MOTION: Mr. Pilchiek made a motion establishing a 30 MPH speed limit on Lockhart Cemetery Road from Hwy. 183 to Hwy. 77A and Hwy. 77A to Old Yoakum Road in Precinct No. 2 effective when the signs go up. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

JOINT PRIMARY ELECTION RESOLUTION (NO. 4)

MOTION: Mr. Randle made a motion to adopt a Court Order Number 2017-092 which is the Primary Joint Resolution proposing a joint Primary Election between the DeWitt County Democratic Party and the DeWitt County Republican Party to be conducted by the DeWitt County Elections Administrator and authorizing the 2018 Joint Primary Election Services Contract. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

EXEMPTION FROM INSCRIPTION REQUIREMENTS COUNTY-OWNED VEHICLES (NO. 5)

MOTION: Mr. Pilchiek made a motion to approve exempting vehicles of the DeWitt County Juvenile Probation Department, from inscription requirements of Transportation Code 721.004 pursuant to the exception contained in Transportation Code 721.005(b)(2). Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

TRUANCY PREVENTION AND INTERVENTION (NO. 6)

Chief Juvenile Probation Officer Terri Rogers gave an update on the status regarding specialized juvenile counseling for truancy prevention. No action taken.

SAFETY TRAINING (NO. 7)

Safety Officer Cyndi Smith discussed monthly or quarterly safety training for county employees. Ms. Smith will get topics together and submit them to the elected officials for their opinion. No action taken.

BURN BAN (NO. 9)

No action taken.

AERIAL FIREWORKS BAN (NO. 10)

No action taken.

PERSONNEL POLICY AND PROCEDURE MANUAL (NO. 8)

Court reviewed the section on political involvement with respect to county employees and elected officials. No action taken.

DeWITT COUNTY HISTORICAL COMMISSION APPOINTMENT (NO. 11)

MOTION: Mr. Afflerbach made a motion to approve appointment Sarah Green Waldrop as a member of the DeWitt County Historical Commission for the remaining 2017-2018 term. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

DeWITT COUNTY HISTORICAL COMMISSION FY2017 ANNUAL TREASURER'S REPORT (NO. 12)

MOTION: Mr. Kaiser made a motion to receive from the DeWitt County Historical Commission FY2017 treasurer's report. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

CERTIFICATION OF RECEIPT OF INVESTMENT POLICY (NO. 13)

MOTION: Mr. Randle made a motion to receive, and file for record, the Certification from Mike Kalina with First National Bank of Shiner/Cuero National Bank Branch, acknowledging receipt of the updated DeWitt County Investment Policy and Investment Strategies as pursuant to Texas Government Code 2256.005(k). Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

ANNUAL REPORT OF EMINENT DOMAIN AUTHORITY (NO. 14)

MOTION: Mr. Randle made a motion to submit the annual report of eminent domain authority and authorize the County Judge to make 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. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

HVAC SERVICE CONTRACT RENEWAL (NO. 15)

MOTION: Mr. Kaiser made a motion to approve the renewal of the Trane Scheduled Service Agreement for the courthouse HVAC system at an annual cost of \$10,426.36 minus the 3% for a one-time single payment discount. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

EXTENDED WARRANTY (NO. 16)

MOTION: Mr. Kaiser made a motion to approve the Proposal for the Extended Warranty Agreement coverage costs from Guardian Security Solutions, LC, and the cost would be \$7,588.92. Mr. Afflerbach 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 Burlington Resources Oil & Gas Company, L.P. to cross Interstate 13 Rd. in Commissioner Precinct No. 3. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

PIPELINE CROSSING PERMIT (NO. 19)

MOTION: Mr. Kaiser made a motion to approve pipeline crossing permit with Burlington Resources Oil & Gas Company, L.P. to cross Gus Meyer Rd. in Commissioner Precinct No. 3. Mr. Pilchiek 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 Burlington Resources Oil & Gas Company, L.P. to cross Interstate 13 Rd. in Commissioner Precinct No. 3. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

PIPELINE CROSSING PERMIT (NO. 20)

MOTION: Mr. Kaiser made a motion to approve pipeline crossing permit with Burlington Resources Oil & Gas Company, L.P. to cross Gus Meyer Rd. in Commissioner Precinct No. 3. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

AUTHORIZE AUDITOR TO SELL SURPLUS PROPERTY (NO. 21)

MOTION: Mr. Kaiser made a motion to authorize Auditor to sell surplus property, three vehicles in possession of Sheriff; Inventory #3555 – 2008 Ford Crown Victoria, Inventory #4415 – 2013 Ford Explorer, and Inventory #4554 – 2014 Chevrolet Tahoe, pursuant to Local Government Code 263, Subchapter D by means of an online auction. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

CERTIFICATION OF FUNDS/MEMORANDUM OF DONATION (NO. 22)

MOTION: Mr. Afflerbach made a motion to receive letter and approve a memorandum of donation certifying the receipt of a \$24,500.00 donation from Devon Energy to be expended from the Emergency Management Department in the sum of \$22,000.00 and from the Sheriff's Office in the sum of \$2,500. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

GOVDEALS CONTRACT AMENDMENT (NO. 23)

MOTION: Mr. Afflerbach made a motion to approve the GovDeals Contract Amendment to the existing contract with client choosing to pay \$0 and the bidder to pay 12.50%. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

DECLARE FIXED ASSETS AS SALVAGE (NO. 24)

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

MONTHLY REPORT OF OFFICIALS (NO. 25)

County Auditor Carrie Rea reported that her office had received reports from officials except Justice of the Peace Pct. 2 and Flood Plain.

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

COUNTY TREASURER'S MONTHLY REPORT (NO. 26)

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

MINUTES (NO. 27)

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

ACCOUNTS PAYABLE (NO. 28)

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

BUDGET AMENDMENT REQUESTS (NO. 29)

MOTION: Mr. Randle made a motion to amend the county budget to accommodate changes in the Local Government Code, specifically section 140.0045, regarding Legal Notices and authorize the creation of new line item(s) and authorize budget transfers deemed necessary to comply with the amended statute(s). Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

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

PERSONNEL CHANGES (NO. 30)

April Henneke, LVN, Health Department; step increase effective December 5, 2017; Category 3 Step 2; 1 year of employment; rate of pay to be \$1,529.85/bi-weekly \$19.12/hour; next possible step increase December 5, 2018; comp time will be paid out at time of step

Jose Tamayo, Deputy, Sheriff Office; step increase effective December 2, 2017; Category 15 Step 3; 2 years of employment; rate of pay to be \$1,771.54/bi-weekly \$20.60/hour; next possible step increase December 2, 2020; comp time will be paid out at time of step

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

HURRICANE HARVEY INFORMATION UPDATE AND ACCOUNTS PAYABLE (NO. 31)

MOTION: Mr. Kaiser made a motion to authorize County Judge to sign the closure document with FEMA. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

COURTHOUSE/ANNEX EXPENDITURES/MAINTENANCE/IMPROVEMENTS (NO. 32)

MOTION: Mr. Kaiser made a motion to approve to replacement courthouse chiller #1 at a cost of \$68,525.00 and add a 5-year part and labor warranty of \$5,985.00. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

LEGISLATIVE UPDATE (NO. 33)

Judge Fowler reported that tomorrow in Midland the House Energy Committee was holding a hearing on the interim study charge regarding a need for funding sources for damaged energy sector state and county roads. Geanie Morrison advised Judge Fowler that her committee would also hold a hearing on this same matter later in our area.

DISCUSSION OF COMMISSIONER PRECINCT OPERATIONS (NO. 34)

Commissioners discussed normal precinct operations.

PUBLIC COMMENT

None

ADJOURN (NO. 35)

MOTION: Mr. Afflerbach made a motion to adjourn. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0. [Adjourned at 10:37 a.m.]

MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS REGULAR MEETING – DECEMBER 13, 2017

DeWitt County Commissioners Court met in regular session December 13, 2017 at 1:30 p.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. Pilchiek 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:

ACCOUNTS PAYABLE (NO. 1)

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

PAYROLL DISBURSEMENTS (NO. 2)

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

RECEIVE AND AWARD BID (NO. 3)

MOTION: Mr. Kaiser made a motion to award bid to Performance Truck for a used haul truck-tractor combination for Precinct No. 3 and pay amount of \$65,089.97. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

GULF BEND DIRECTOR NOMINEES (NO. 4)

No action taken.

HURRICANE HARVEY INFORMATION UPDATE AND ACCOUNTS PAYABLE (NO. 3)

No update.

PUBLIC COMMENT

None

ADJOURN (No. 6)

MOTION: Mr. Kaiser made a motion to adjourn. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0. [Adjourned 1:31 p.m.]

MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS REGULAR MEETING – DECEMBER 20, 2017

DeWitt County Commissioners Court met in regular session December 20, 2017 at 1:30 p.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. Pilchiek 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:

New Business:

PAYROLL DISBURSEMENTS (NO. 3)

MOTION: Mr. Kaiser made a motion to approve payroll disbursements of \$366,808.32. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

MOTION: Mr. Kaiser made a motion to approve payroll disbursements of \$1,953.43 for bad weather. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

ACCOUNTS PAYABLE (NO. 2)

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

COMMISSIONERS COURT MEETING SCHEDULE (NO. 1)

MOTION: Mr. Afflerbach made a motion to cancel the regularly scheduled meeting Wednesday Commissioners Court Meeting of December 27, 2017. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

HURRICANE HARVEY INFORMATION UPDATE AND ACCOUNTS PAYABLE (NO. 4)

Judge Fowler reported that he had received emails advising that NRCS evaluated the bridge approach on HWY 72A.

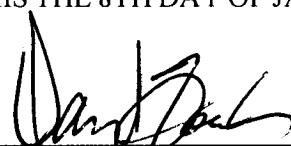
PUBLIC COMMENT

None

ADJOURN (NO. 5)

MOTION: Mr. Kaiser made a motion to adjourn. Mr. Randle seconded the motion. Motion carried on a vote of 5-0. [Adjourned at 1:45 p.m.]

THE FOREGOING MINUTES FOR THE MONTH OF DECEMBER A.D. 2017 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 8TH DAY OF JANUARY, A.D. 2018.



DARYL L. FOWLER, COUNTY JUDGE

ATTEST:

Natalie Carson

NATALIE CARSON, DE WITT COUNTY CLERK

