

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – JULY 10, 2017**

DeWitt County Commissioners Court met in regular session July 10, 2017 at 9:00 a.m. in the County Courtroom at the DeWitt County Courthouse in Cuero, Texas, with the following members present:

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

Mr. Afflerbach called the meeting to order and led everyone in the pledge of allegiance. Mr. Randle gave the invocation.

NEW BUSINESS:

HEALTH INSURANCE RENEWAL (No. 1)

Commissioners Court consulted with TAC-HEBP representative Lorie Floyd consulted regarding the group health insurance benefits and rates provided through Texas Association of Counties Risk Pool.

MOTION: Mr. Randle made a motion to approve the renewal of the employee health insurance benefit plan keeping the 100-G plan at \$940.20 per employee. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

EXECUTIVE/CLOSED SESSION (No. 2)

Court did not go into executive/closed session.

DISCUSSION AND POTENTIAL ACTION (No. 3)

Passed

DECLARE FIXED ASSETS AS SALVAGE (No. 4)

MOTION: Mr. Kaiser made a motion to declare fixed assets as salvage pursuant to Local Government Code 263.152(A). Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

COUNTY AUDITOR'S THIRD QUARTER 2017 CASH COUNT REPORT (No. 5)

MOTION: Mr. Randle made a motion to receive County Auditor's third quarter 2017 cash count report. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

ACCOUNTS PAYABLE (No. 6)

MOTION: Mr. Kaiser made a motion to approve accounts payable. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

BUDGET AMENDMENT REQUESTS (No. 7)

MOTION: Mr. Pilchick made a motion to approve budget amendment requests. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

MONTHLY REPORT OF OFFICIALS (No. 8)

County Auditor Carrie Rea reported that her office had received monthly reports from all officials except elections.

MOTION: Mr. Kaiser made a motion to approve monthly reports of officials. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

COUNTY TREASURER’S MONTHLY REPORT (No. 9)

MOTION: Mr. Randle made a motion to receive County Treasurer’s Monthly Report and approve Order Approving Treasurer’s Monthly Report #2017-046. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

COUNTY TREASURER’S QUARTERLY INVESTMENT REPORT (No. 10)

MOTION: Mr. Kaiser made a motion to receive County Treasurer’s Quarterly Investment Report. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

PERSONNEL CHANGES (No. 11)

None

MINUTES (No. 12)

Passed

BONDS AND/OR DEPUTATIONS (No. 13)

None

COURTHOUSE/ANNEX EXPENDITURES/MAINTENANCE/IMPROVEMENTS (No. 14)

MOTION: Mr. Randle made a motion to receive local estimates of repair work, insulation, and modifications to the County Archives Building at the Courthouse Annex and authorize the work to be done by East End Builders for \$14,039.00. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

Mr. Afflerbach advised the court that his precinct removed the crepe myrtle trees at the annex because of the birds. The birds have now moved to the oak trees in the parking lot.

LEGISLATIVE UPDATE (No. 15)

None

DISCUSSION OF COMMISSIONER PRECINCT OPERATIONS (No. 16)

Commissioners discussed normal precinct operations.

WORKSHOP ON 2018 BUDGET (No. 17)

County Auditor Carrie Rea provided the court with payroll costs.

PUBLIC COMMENT

Emergency Management Coordinator Cindi Smith informed the court of the fire at the Pyote Salt Water Disposal Plant located between Yorktown and Nordheim.

ADJOURN (No. 18)

MOTION: Mr. Kaiser made a motion to adjourn. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0. [Adjourned at 11:00 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – JULY 24, 2017**

DeWitt County Commissioners Court met in regular session July 24, 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. 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:

**TEXAS HISTORICAL COMMISSION 2016 DISTINGUISHED SERVICE AWARD
CERTIFICATE (No. 1)**

DeWitt County Historical Commission was presented a certificate of award in recognition of its active and well-balanced preservation program.

DE WITT COUNTY HISTORICAL COMMISSION APPOINTMENT (No. 2)

MOTION: Mr. Kaiser made a motion to approve the appointment of additional member Julie Gips Buenger to the DeWitt County Historical Commission for the remaining 2017-2018 term. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

JUVENILE PROBATION GRANT AWARD (No. 3)

MOTION: Mr. Kaiser made a motion to approve grant award No. 3335801 made available under the Truancy Prevention Grant Program funded by the Office of the Governor for \$59,598 for use by the DeWitt County Juvenile Probation department for implementation of a Truancy Prevention and Intervention Program. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

MASA-MEDICAL TRANSPORT SOLUTIONS (No. 5)

No action taken

WEST PROFLEX (No. 6)

Passed

PAYMENT CONSIDERATION (No. 8)

MOTION: Mr. Afflerbach made a motion to honor the request for extraordinary charge for “traffic control” submitted by Westhoff Volunteer Fire Department for \$200.00 and that the county pay it in full with funds to be taken out of line item for fire calls. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

AFFORDABLE CARE ACT REPORTING AND TRACKING SERVICE (ARTS) RENEWAL INFORMATION (No. 9)

MOTION: Mr. Kaiser made a motion to approve the ACA Reporting and Tracking Service (ARTS) 2017 Renewal Confirmation Program Agreement; ACA Reporting and Tracking Service (ARTS) Contract Designation Form and the ACA Reporting and Tracking Service (ARTS) HEBP Member (Fully Insured or ASO) 2017 Fee Schedule (Renewal). Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

CONTINUING EDUCATION (No. 10)

MOTION: Mr. Kaiser made a motion to receive certificate of training for Hon. Daryl Fowler for completing 7.0 hours of training provided by the V. G. Young Institute at the South Texas CJACT conference. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

CONTINUING EDUCATION (No. 11)

MOTION: Mr. Randle made a motion to receive certificate of attendance from County Treasurer Carol Ann Martin for completion of 20 hours of educational instruction during the 45th Annual County Treasurer’s Continuing Education Seminar. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

CONTINUING EDUCATION (No. 12)

MOTION: Mr. Kaiser made a motion to receive certificate of attendance from County Treasurer Carol Ann Martin for completion of 5 hours of instruction to the statutory requirements of the Texas Government Code Chapter 2256.008 of the Public Funds Investment Act during the 45th Annual County Treasurer’s Continuing Education Seminar. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

CONTINUING EDUCATION (No. 13)

MOTION: Mr. Afflerbach made a motion to receive certificate of completion from Steven A. Wehlmann, Sr. for completion of the forty-hour course in Continuing Education for Constables conducted under the auspices of the Sam Houston State University Criminal Justice Center. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

BUDGET AMENDMENT (No. 14)

MOTION: Mr. Kaiser made a motion to approve a request from the Emergency Management Coordinator for a budget amendment to purchase TV monitor mounting brackets and install two televisions in the EOC and a request for FY2018 budget to share the cost of two cable TV services boxes for the EOC under the DCSO Jail Operations budget. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

SCHEDULE PUBLIC HEARING DATE (No. 15)

MOTION: Mr. Afflerbach made a motion to schedule a public hearing date of August 14, 2017 at 9:00 a.m. in the County Courtroom to consider the annual written archive plan for funding the preservation and restoration of the county clerk's records archive pursuant to Local Government Code 118.025. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

SCHEDULE PUBLIC HEARING DATE (No. 16)

MOTION: Mr. Afflerbach made a motion to schedule a public hearing date of August 14, 2017 at 9:00 a.m. in the County Courtroom to consider the annual written plan for the preservation and restoration of the district court records archive pursuant to Government Code 51.305. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

SHERIFFS' AND CONSTABLES' FEES (No. 17)

MOTION: Mr. Kaiser made a motion to adopt the official fees of the sheriff and constables for calendar year 2018 (effective January 1, 2018) as required by Local Government Code 118.131. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

OPTIONAL VEHICLE REGISTRATION FEES FOR 2018 (No. 18)

MOTION: Mr. Kaiser made a motion for the continuation of the County Road and Bridge fee for calendar year 2018 (effective January 1, 2018) pursuant to Transportation Code 502.401. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

EMERGENCY ACTION PLAN (No. 19)

Passed until October

EXECUTIVE/CLOSED SESSION (No. 20)

Commissioners Court did not go into executive/closed session.

DISCUSSION AND POTENTIAL ACTION (No. 21)

MOTION: Mr. Afflerbach made a motion to approve the Third Letter of Understanding with Closing Date Extension to August 18, 2017 on the Union Pacific Railroad property. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

PIPELINE PERMIT(S) (No. 22)

MOTION: Mr. Afflerbach made a motion to approve eight pipeline permit applications of EOG Resources, Inc. to cross Hahn Road in Commissioner Precinct No. 1. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

CERTIFIED APPRAISED VALUES (No. 4)

MOTION: Mr. Randle made a motion to receive the certified appraised values for DeWitt County from the DeWitt County Appraisal District pursuant to Tax Code § 26.01. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

PUBLIC COMMENT

Jean Herwig addressed the court with her concerns on the county roads located near her property in Commissioner Precinct No. 1.

CONTRACTOR INTERVIEWS, AWARD OF BID, AND CONTRACT APPROVAL (No. 7)

MOTION: Mr. Randle made a motion to award bid to the lowest bidder Vertex LLC for \$196,500 for the base bid and authorize the county to enter into a contract for the same, Contract No. 2017-047. Mr. Kaiser 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.

BUDGET AMENDMENT REQUESTS (No. 24)

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

PERSONNEL CHANGES (No. 25)

Alejandro Alvarez, Deputy Sheriff, Sheriff Office; hired effective July 17, 2017; Category 15 Step 1; rate of pay to be \$1,625.12/bi-weekly \$18.90/hour; cell phone \$16.16/bi-weekly; next possible step increase July 17, 2018

Luis Gonzales, Juvenile Probation Officer, Juvenile Probation; step increase effective August 6, 2017; Category 19 Step 4; 5 years of employment; rate of pay to be \$1,608.77/bi-weekly \$20.11/hour; next possible step increase August 6, 2019; comp time will be paid at time of step

Junius Johnson, Equipment Operator, Precinct 1; resignation effective July 13, 2017; 3 years 11 months of employment; comp & vacation time will be paid out on last check

Leslie Von Haefen, Equipment Operator, Precinct 1; update next possible step increase to March 10, 2029; 15 years of service from hire date of March 10, 2014

Elvis Ruiz, Equipment Operator-Foreman, Precinct 4; step increase effective August 5, 2017; Category 16 Step 9; 17 years of employment; rate of pay to be \$1,793.99/bi-weekly \$22.42/hour; next possible step increase August 5, 2020; comp time will be paid out at time of step

James E. Timpone, Jr., Deputy, Sheriff Office; update next possible step increase to September 12, 2021; 5 years of service from hire date of September 12, 2016

Brandon Mays, Deputy, Sheriff Office; update next possible step increase to March 3, 2021; 5 years of service from hire date of March 3, 2016

Terry Schmidt, Jailer, Sheriff Office; hired effective July 11, 2017; Category 12 Step 1; rate of pay to be \$1,404.21/bi-weekly \$16.33/hour; next possible step increase July 11, 2018

Keith Payne, Jailer, Sheriff Office; hired effective July 10, 2017; Category 12 Step 1; rate of pay to be \$1,404.21/bi-weekly \$16.33/hour; next possible step increase July 10, 2018

Taylor Henneke, Call Taker-Dispatch, Sheriff Office; hired effective July 10, 2017; Category 1 Step 1; rate of pay to be \$1,146.60/bi-weekly \$14.33/hour; next possible step increase July 10, 2018

Christopher Pothoff, Patrol Deputy, Sheriff Office; resignation effective July 10, 2017; 1 year 8 months of employment; no comp or vacation time to pay out

Andrea Washington, Call Taker, Sheriff Office; termination effective July 5, 2017; 2 months 2 weeks of employment; no comp or vacation to pay out

Debora Glover, Clerk, Precinct 2; correction to status form dated October 1, 2015; next possible step increase October 1, 2018

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

MINUTES (No. 26)

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

BONDS AND/OR DEPUTATIONS (No. 27)

Deputation of Alejandro Alvarez, Deputy Sheriff

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

COURTHOUSE/ANNEX EXPENDITURES/MAINTENANCE/IMPROVEMENTS (No. 28)

Judge Fowler reported on the following:

The semi-annual inspection of the boilers in the basement of the courthouse was done; boilers are beginning to leak; expecting bids.

The clock has been serviced.

Election Administrator Blanca McBride would like to install signs and flag banners on the outside of the elections office.

LEGISLATIVE UPDATE (No. 29)

Judge Fowler gave a legislative update.

DISCUSSION OF COMMISSIONER PRECINCT OPERATIONS (No. 30)

Commissioners discussed routine precinct operations.

WORKSHOP ON 2018 BUDGET (No. 31)

Budget workshop held with the court reviewing all budgets.

RECESS

Court recessed until July 25, 2017 at 1:30 p.m.

RECONVENE

Court reconvened on July 25, 2017 at 1:30 p.m.

WORKSHOP ON 2018 BUDGET (No. 31)

Budget workshop held with the court reviewing all budgets.

MOTION: Judge Fowler made a motion to receive the corrected proposed budget dated July 24, 2017 of the DeWitt County Appraisal District. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

ADJOURN (No. 32)

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

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
SPECIAL MEETING – JULY 31, 2017**

DeWitt County Commissioners Court met in special session July 31, 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. 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:

APPRAISAL DISTRICT BUDGET (No. 1)

MOTION: Mr. Afflerbach made a motion to receive the Corrected Proposed FY2018 Budget of the DeWitt County Appraisal District pursuant to Property Tax Code §6.06 and file it with the county clerk for public inspection before the 5:00 p.m., August 15, 2017 public hearing on the Appraisal District's budget. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

2017 ANTICIPATED TAX COLLECTION RATE (No. 2)

MOTION: Mr. Kaiser made a motion to receive the 2017 Tax Assessor/Collector's certification of the anticipated tax collection rate. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

2017 TAX RATE CALCULATION (No. 3)

MOTION: Mr. Randle made a motion to receive the 2017 tax rate calculations required by Property Tax Code §26.04 as prepared by Susie Dreyer. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

SCHEDULE A PUBLIC HEARING (No. 4)

MOTION: Judge Fowler made a motion to adopt the budget calendar: on August 14, 2017, the court will discuss the proposed 2017 tax rate and take a record vote on the proposed tax rate; on August 28, 2017, the court will hold a public hearing on the FY 2018 proposed budget, adopt the tax rate and possibly adopt the budget. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

BURN BAN (No. 5)

MOTION: Mr. Kaiser made a motion to put into effect a countywide outdoor burn ban in the unincorporated areas of the county effective at 12:01 a.m. on August 1, 2017, Court Order No. 2017-048. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

WORKSHOP ON 2018 BUDGET (No 6)

A workshop on 2018 budget held with the court reviewing all budgets.

PUBLIC COMMENT

None

ADJOURN (No. 7)

MOTION: Mr. Kaiser made a motion to adjourn. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

THE FOREGOING MINUTES FOR THE MONTH OF JULY A.D. 2017 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 14TH DAY OF AUGUST, A.D. 2017.



ATTEST:

Natalie Carson

NATALIE CARSON, DE WITT COUNTY CLERK

DARYL L. FOWLER, COUNTY JUDGE