

MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS

SPECIAL MEETING – JUNE 7, 2016

DeWitt County Commissioners Court met in special session June 7, 2016, 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
County Clerk Natalie Carson

CALL TO ORDER; PLEDGE OF ALLEGIANCE & INVOCATION

Judge Fowler called the meeting to order and let everyone in the pledge of allegiance. Mr. Afflerbach gave the invocation.

NEW BUSINESS:

WORKSHOP ON FY 2016 BUDGET (No. 1)

A workshop on 2017 budget was held.

Budgets discussed were the following:

1. Justice of the Peace Precinct No. 2; Technology Fund; Security Fund
2. Tax Assessor Collector
3. Annex, Courthouse, Lawn & Yard
4. County Buildings & Equipment (Fund 88)
5. Health Department
6. Agriculture Extension Service
7. Veterans Service Officer
8. Indigent Health
9. District Clerk; Technology Fund/Archive Fee; Records Management; Co. & Dist. Court Technology Fund
10. Treasurer
11. County Clerk; Archive Fee; Records Management; Co. & Dist. Court Technology Fund
12. County Judge
13. Commissioner Precinct No. 2
14. Commissioner Precinct No. 1
15. Commissioner Precinct No. 3

RECESS

Court recessed until June 8, 2016 at 9:00 a.m.

RECONVENED

Court reconvened on June 8, 2016 at 9:00 a.m.

WORKSHOP ON FY 2016 BUDGET (No. 1)

Court continued the workshop on FY 2016 budget.

Budgets discussed were the following:

1. Juvenile Probation ; State Aid A Grant
2. Constable Precinct 1
3. Justice of the Peace Pct. 1; Technology Fund; Security Fund
4. Jail Building
5. Sheriff
6. Operation of Jail
7. Courthouse Security
8. Elections; Voting Equipment
9. County Attorney; Pre-Trial Intervention Services
10. District Attorney

RECESS

Court recessed until 1:30 p.m.

RECONVENED

Court reconvened at 1:30 p.m.

Budgets discussed were the following:

1. Information Technology
2. Commissioner Precinct 4
3. Special Road & Bridge Maintenance
4. County Road Repair & Flood
5. Non-Departmental
6. County Court
7. District Court
8. Auditor
9. Constable Precinct 2
10. Corrections
11. Other Protection
12. Health & Welfare Services
13. Road & Bridge General
14. Courthouse Projects
15. Construction Fund
16. Debt Service Fund

PUBLIC COMMENT

None

ADJOURN (No. 2)

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

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – JUNE 13, 2016**

DeWitt County Commissioners Court met in regular session June 13, 2016, 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 Fowler (arrived late)
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
County Clerk Natalie Carson

CALL TO ORDER; PLEDGE OF ALLEGIANCE & INVOCATION

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

NEW BUSINESS:

CONTRACT AND AGREEMENT FOR JUVENILE DETENTION SERVICES (No. 1)

MOTION: Mr. Kaiser made a motion to approve the Contract and Agreement for Secure Short-Term Detention of Juvenile Offenders Space Available contract between DeWitt County and the Victoria County Juvenile Board for the provision of juvenile detention services (with effective date of September 1, 2016 through August 31, 2017). Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

CONTRACT AND AGREEMENT FOR JUVENILE RESIDENTIAL SERVICES (No. 2)

MOTION: Mr. Randle made a motion for the approval of the Contract and Agreement for Secure Long-Term Residential Service of Juvenile Offenders Space Available contract between DeWitt County and the Victoria County Juvenile Board for the provision of juvenile residential care services (effective date of September 1, 2016 through August 31, 2017). Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

CHILD WELFARE BOARD MEMBER RESIGNATION (No. 3)

MOTION: Mr. Kaiser made a motion to approve the resignation of member, Linda Coppedge, of the DeWitt County Child Welfare Board. Mr. Pilchick seconded the motion. Motion carried on vote of 4-0 with Judge Fowler absent.

CHILD WELFARE BOARD MEMBER APPOINTMENT (No. 4)

MOTION: Mr. Randle made a motion to approve the appointment of Ramona Hotman as a member to the DeWitt County Child Welfare Board. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

CHILD WELFARE BOARD (No. 5)

MOTION: Mr. Randle made a motion to approve DeWitt County Child Welfare Board the authority to get their own Tax ID and open a separate checking account for county contributed funds. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

MEMORANDUM OF DONATION FOR COUNTY PURPOSES (No. 6)

MOTION: Mr. Randle made a motion to approve a memorandum of donation from Weaver & Jacobs Construction for \$3,221.00 to be used for the purpose of copper pipes, fittings, valves, expensive tanks and labor to repair plumbing defects in the DeWitt County Jail facilities pursuant to Local Government Code section 81.032. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

DONATION OF LAND FOR RIGHT OF WAY (No. 8)

No action

INDEPENDENT EXTERNAL AUDIT (No. 9)

MOTION: Mr. Kaiser made a motion to authorize the annual external audit of DeWitt County Juvenile Probation Funds for the year ending August 31, 2015 and nominate Harrison, Waldrop & Uhrerek LLP as a Certified Public Accountant to conduct the audit at a cost of \$6,000. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

INDEPENDENT EXTERNAL AUDIT (No. 10)

MOTION: Mr. Kaiser made a motion to authorize the annual external audit of DeWitt County financial statements for the year ending September 30, 2015 and nominate Harrison, Waldrop & Uhrerek LLP at a cost to the county of \$29,750. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

HISTORICAL MUSEUM REPAIRS (No. 12)

MOTION: Mr. Kaiser made a motion to receive damage assessment letter from a property/casualty insurance adjuster and authorize repairs to the roof of the DeWitt County Historical Museum building and appoint a Commissioner James Pilchick to oversee the satisfactory completion of the finished work. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

ROAD CLOSURE (No. 13)

No action

SCHEDULE PUBLIC HEARING DATE (No. 14)

MOTION; Mr. Pilchick made a motion to schedule a public hearing date to establish a 40 mile per hour speed limit on Lone Tree Road in Commissioner Precinct No. 2, date being July 11, 2016 at 9:00 a.m. at the county courthouse. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

SCHEDULE PUBLIC HEARING DATE (No. 15)

MOTION: Mr. Pilchick made a motion to schedule a public hearing date of July 11, 2016 at 9:00 a.m. in the county courthouse to consider establishing a 40 mile per hour speed limit on Rathkamp-Dreyer Road in Commissioner Precinct No. 2. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

SCHEDULE PUBLIC HEARING DATE (No. 16)

MOTION: Mr. Pilchick made a motion to schedule a public hearing date of July 11, 2016 at 9:00 a.m. in the county courthouse to consider establishing a 40 mile per hour speed limit on Schmidt Road in Commissioner Precinct No. 2. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

SCHEDULE PUBLIC HEARING DATE (No. 17)

MOTION: Mr. Pilchick made a motion to schedule a public hearing date of July 11, 2016 at 9:00 a.m. in the county courthouse to consider establishing a 45 mile per hour speed limit on Bootlegger Lane in Commissioner Precinct No. 2. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

SCHEDULE PUBLIC HEARING DATE (No. 18)

MOTION: Mr. Pilchick made a motion to schedule a public hearing date of July 11, 2016 at 9:00 a.m. in the county courthouse to consider establishing a 45 mile per hour speed limit on Morris Community Road in Commissioner Precinct No. 2. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

TEMPORARY RIGHT OF WAY REQUEST AND AGREEMENT (No. 19)

MOTION: Mr. Afflerbach made a motion to approve temporary right of way request and agreement permit application from Burlington Resources Oil & Gas, L.P. for installation of water lines along Seidel Road in Commissioner Precinct No. 1. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

TEMPORARY RIGHT OF WAY REQUESTS AND AGREEMENTS (No. 20)

MOTION: Mr. Afflerbach made a motion to approve temporary right of way request and agreement for permit application from Select Energy Services, for installation of water lines along Bellevue Cemetery Road, Elder Road and Oliver Road in Commissioner Precinct No. 1. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

TEMPORARY RIGHT OF WAY REQUEST AND AGREEMENT (No. 21)

MOTION: Mr. Afflerbach made a motion to approve temporary right of way request and agreement permit application from Wolverine Enterprises, L.L.C. for installation of a water line along Schlenstedt Road and Westhoff Cemetery Road in Commissioner Precinct No. 1. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

AUDIT REPORT (No. 22)

MOTION: Mr. Pilchick made a motion to receive an audit report of the DeWitt County Sheriff's Commissary and the Inmate Trust Accounts from the county auditor. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

(TAC) COUNTY BEST PRACTICES AWARD PROGRAM (No. 23)

MOTION: Mr. Kaiser made a motion to authorize the county judge to prepare and submit an application to the Texas Association of Counties 2016 County Best Practices Award Program in the category of Outstanding Achievement for landmark legislative changes supporting county operations. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

ACCOUNTS PAYABLE (No. 24)

MOTION: Mr. Pilchick made a motion to accept accounts payable. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

BUDGET AMENDMENT REQUESTS (No. 25)

MOTION: Mr. Kaiser made a motion to approve budget amendment request. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

MONTHLY REPORT OF OFFICIALS (No. 26)

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

MOTION: Mr. Kaiser made a motion to approve monthly report of officials. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

PERSONNEL CHANGES (No. 28)

Otto Koliba, Foreman, Precinct 2; step increase effective June 28, 2016; Category 16 Step 4; 5 years of employment; rate of pay to be \$1,573.49/bi-weekly \$19.67/hour; next possible step increase June 28, 2018; comp time will be paid out at time of step

Robert Armstrong, Patrol Deputy, Sheriff Office; step increase effective June 15, 2016; Category 15 Step 2; 1 year of employment; rate of pay to be \$1,672.53/bi-weekly \$19.45/hour; next possible step increase June 15, 2017; comp time will be paid out at time of step

Herman Hernandez Jr., Jailer, Sheriff Office; step increase effective June 23, 2016; Category 12 Step 3; 2 years of employment; rate of pay to be \$1,499.03/bi-weekly \$17.43/hour; next possible step increase June 23, 2019; comp time will be paid out at time of step

Steven Nelson, Patrol Deputy, Sheriff Office; step increase effective June 23 2016; Category 15 Step 3; 2 years of employment; rate of pay to be \$1,719.94/bi-weekly \$20.00/hour; next possible step increase June 23, 2019; comp time will be paid out at time of step

Keith Gohlke Sr., Equipment Operator, Precinct 1; step increase effective June 20, 2016; Category 17 Step 4; 5 years of employment; rate of pay to be \$1,509.98/bi-weekly \$18.87/hour; next possible step increase June 20, 2018; comp time will be paid out at time of step

Philip Cisneros Jr., Equipment Operator, Precinct 1; step increase effective June 23, 2016; Category 17 Step 3; 2 years of employment; rate of pay to be \$1,465.88/bi-weekly \$18.32/hour; next possible step increase June 23, 2019; comp time will be paid out at time of step

Mary Villanueva, Assistant Treasurer, Treasurer Office; step increase effective June 23, 2016; Category 2 Step 3; 2 years of employment; rate of pay to be \$1,465.88/bi-weekly \$18.32/hour; next possible step increase June 23, 2019; comp time will be paid out at time of step

Amanda Gonzales, Dispatch Clerk; Sheriff Office; resignation effective June 10, 2016; 1 year 8 months of employment; comp time and vacation will be paid out on last check

Evangelina Sanchez, Part Time Secretary, District Attorney Office; hired effective June 21, 2016; rate of pay to be \$14.00/hour

MOTION: Mr. Kaiser made a motion to approve personnel changes. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

COUNTY TREASURER'S MONTHLY REPORT (No. 27)

MOTION: Mr. Pilchick made a motion to receive and approve County Treasurer's Monthly Report. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

MINUTES (No. 29)

MOTION: Mr. Kaiser 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 4-0 with Judge Fowler absent.

BONDS AND/OR DEPUTATIONS (No. 30)

None

DISCUSSION OF COMMISSIONER PRECINCT OPERATIONS (No. 32)

Commissioners discussed routine precinct operations.

WORKSHOP ON FY 2016 BUDGET (No. 34)

No budgets discussed

DeWITT COUNTY APPRAISAL DISTRICT (No. 11)

MOTION: Mr. Randle made a motion to receive minutes of the May 17, 2016 board of directors meeting of DeWitt County Appraisal District; also receive the proposed 2017 budget; also receive the estimated allocation of operating expenses for the 2017 proposed budget. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

COMPUTING SERVICES CONTRACT (No. 7)

MOTION: Mr. Randle made a motion to approve a contract between NET Data and DeWitt County for "Cloud Computing" service for the office of the DeWitt County Tax Assessor/Collector. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

OLD BUSINESS:

PROFESSIONAL SERVICE AGREEMENT (No. 1)

MOTION: Mr. Randle made a motion to approve an agreement between DeWitt County and Komatsu/Rangel, Inc. dba Komatsu Architecture for professional services involving the DeWitt County Courthouse and other facilities. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

NEW BUSINESS:

COURTHOUSE/ANNEX EXPENDITURES/MAINTENANCE/IMPROVEMENTS (No. 31)

David Slovacek showed Judge Fowler some pictures taken by the roof repairman of the annex roof where the leaks were and he believes the leaks were from bullet holes.

LEGISLATIVE UPDATE (No. 32)

Steve Holzheuser was in Victoria last week for the TxDOT meeting.

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 11:30 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – JUNE 30 2016**

DeWitt County Commissioners Court met in regular session June 30, 2016, 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 Fowler
Commissioner Curtis Afflerbach, Precinct No. 1
Commissioner James B. Pilchick Sr., Precinct No. 2 (arrived late)
Commissioner James Kaiser, Precinct No. 3
Commissioner Richard Randle, Precinct No. 4
Deputy County Clerk Pam Brandstetter (arrived late)

CALL TO ORDER; PLEDGE OF ALLEGIANCE & INVOCATION

Judge Fowler called the meeting to order and let everyone in the pledge of allegiance. Mr. Afflerbach gave the invocation.

NEW BUSINESS:

PRESENTATION OF THE TEXAS HISTORICAL COMMISSION 2015 DISTINGUISHED SERVICE AWARD CERTIFICATE TO THE DeWITT COUNTY HISTORICAL COMMISSION (No. 1)

County Clerk staff not present during this agenda item.

COMMISSIONERS ANNUAL ROAD REPORT 2016 (No. 2)

County Clerk staff not present during this agenda item.

DeWITT COUNTY DRAINAGE DISTRICT NO. 1 (No. 3)

County Clerk staff not present during this agenda item.

DECLARE FIXED ASSETS AS SALVAGE (No. 4)

MOTION: Mr. Kaiser made a motion to declare inventory items as salvage pursuant to Local Government Code § 263.152(A). Mr. Afflerbach seconded the motion. Motion carried on a vote of 4-0 with Mr. Pilchick absent.

CERTIFICATION OF FUNDS (No. 5)

MOTION: Mr. Afflerbach made a motion to receive letter from the county auditor certifying the receipt of funds from Weaver and Jacobs Constructors, Inc. for labor and materials to repair plumbing defects in the DeWitt County Law Enforcement Center. Mr. Randle seconded the motion. Motion carried on a vote of 4-0 with Mr. Pilchick absent.

GOVDEALS AUCTION REPORT (No. 6)

MOTION: Mr. Afflerbach made a motion to receive report from auditor regarding the May 26 – June 6, 2016 GovDeals Online Auction. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0 with Mr. Pilchick absent.

ACCOUNTS PAYABLE (No. 7)

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

BUDGET AMENDMENT REQUESTS (No. 8)

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

PERSONNEL CHANGES (No. 9)

Jacob Villanueva, Equipment Operator, Precinct 4; step increase effective July 6, 2016; Category 17 Step 2; 1 year of employment; rate of pay to be \$1,421.78/bi-weekly \$17.77/hour; next possible step increase July 6, 2017; comp time will be paid out at time of step

Justin Ruiz, Clerk, Tax Assessor; step increase effective July 1, 2016; Category 1 Step 3; 2 years of employment; rate of pay to be \$1,234.80/bi-weekly \$15.44/hour; next possible step increase July 1, 2019; comp time will be paid out at time of step

Ronny D. Beldin, Jailer, Sheriff Office; hired effective June 24, 2016; Category 12 Step 1; rate of pay to be \$1,404.21/bi-weekly \$16.33/hour; next possible step increase June 24, 2017

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

BONDS AND/OR DEPUTATIONS (No. 10)

None

COURTHOUSE/ANNEX EXPENDITURES/MAINTENANCE/IMPROVEMENTS (No. 11)

Judge Fowler reported that there have been some issues with the boilers after they were inspected. There have been some conflicting software with the Trane HVAC system and Trane is trying to remedy the problem.

LEGISLATIVE UPDATE (No. 12)

Steve Holzheuser is visiting the county today at Judge Fowler’s request. Mr. Holzheuser spoke concerning the 2013 Legislature Session and the upcoming session. Judge Fowler and Steve Holzheuser will later travel to speak with Karnes County Judge to encourage Karnes County with continuing participation with the coalition with the fight for the responsibility of damage of the county roads.

DISCUSSION OF COMMISSIONER PRECINCT OPERATIONS (No. 13)

Commissioners discussed routine precinct operations.

WORKSHOP ON FY 2017 BUDGET (No. 14)

County Treasurer Carol Martin provided health insurance renewal Information

Tax Assessor Collector – software problems; IT department has the computer system locked and will not allow vendor to go within the system without a code from the IT department; no coordination between IT department and software vendor

PUBLIC COMMENT

None

ADJOURN (No. 15)

MOTION: Mr. Randle made a motion to adjourn. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent.

THE FOREGOING MINUTES FOR THE MONTH OF JUNE A.D. 2016 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 11TH DAY OF JULY, A.D. 2016



Natalie Carson

NATALIE CARSON, DE WITT COUNTY CLERK

Daryl L. Fowler

DARYL L. FOWLER, DE WITT COUNTY JUDGE