

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – JUNE 12, 2017**

DeWitt County Commissioners Court met in regular session June 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 & INOVOCATION

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

NEW BUSINESS:

SMART PHONE APPLICATION FOR DCSO (No. 4)

Court received informational update from Sheriff Bowen regarding the Smart Phone application the sheriff's office uses to inform the public on certain topics. No action taken.

PUBLIC COMMENT

Gulf Bend Center Executive Director Jeffrey Tunnell spoke to the court concerning the services that Gulf Bend Center has provided and budget request for FY 2018.

CONTRACT FOR RESIDENTIAL SERVICES (No. 1)

MOTION: Mr. Kaiser made a motion to approve the contract for residential services between DeWitt County Juvenile Probation Department and Gulf Coast Trades Center, Court Order No. 2017-043. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

CONTRACT AND AGREEMENT FOR SECURE, RESIDENTIAL, POST-ADJUDICATION TREATMENT SERVICES FOR ADJUDICATED JUVENILE OFFENDERS – SPACE AVAILABLE (No. 2)

MOTION: Mr. Kaiser made a motion to approve a contract for residential services between DeWitt County Juvenile Probation Department and G4S Youth Services, LLC, Court Order No. 2017-044. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

COUNTYWIDE PRECINCT POLLING (No. 10)

MOTION: Mr. Kaiser made a motion to receive letter from the Secretary of the State of Texas accepting DeWitt County's application to participate in the countywide precinct-polling program for the November 7, 2017 constitutional amendment election date. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

AERIAL FIREWORKS BAN (No. 6)

No action taken.

DeWITT COUNTY APPRAISAL DISTRICT (No. 8)

MOTION: Mr. Randle made a motion receive DeWitt County Appraisal District Proposed 2018 Budget and file for public inspection. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

EMERGENCY RESPONDER VEHICLE DESIGNATION (No. 5)

MOTION: Mr. Pilchiek made a motion designating the 2017 Chevrolet Tahoe (purchased through TCEQ grant program no. 582-17-71524) as an authorized emergency vehicle for emergency management purposes pursuant to Transportation Code §541.201 (1) (E). Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

PRE-TRIAL DIVERSION PROGRAM (No. 3)

MOTION: Mr. Kaiser made a motion to authorize the auditor to create expense line item for the District Attorney's FY2018 budget for Pre-Trial Diversion Program. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

INTERLOCAL AGREEMENT (No. 9)

MOTION: Mr. Kaiser made a motion to approve the Interlocal Agreement between the County of Atascosa and the County of DeWitt for sharing the expense of legislative consulting services with Steve Holzheuser through September 30, 2017, Court Order No. 2017-045. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

DeWITT COUNTY HISTORICAL MUSEUM (No. 7)

Commissioner Randle gave an update on the museum building repairs that are needing to be done. Repairs are leveling, roof, air conditioning system, porch and electrical. No action taken.

CINTAS STANDARD RENTAL SERVICE AGREEMENT (No. 11)

MOTION: Mr. Kaiser made a motion to approve the Cintas Standard Rental Service Agreement. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

CODE RED AGREEMENT (No. 12)

MOTION: Mr. Pilchiek made a motion ratifying a correction to the effective date of the Code Red Agreement. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

STATE OF TEXAS RETAIL FUEL CARD (No. 13)

MOTION: Mr. Pilchiek made a motion for the approval to participate in the State of Texas Retail Fuel Card program. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

INDEPENDENT EXTERNAL AUDIT (No. 14)

Passed

INDEPENDENT EXTERNAL AUDIT (No. 15)

Passed

CERTIFICATION OF FUNDS (No. 16)

MOTION: Mr. Randle made a motion to receive letter from county auditor certifying the receipt of funds pursuant to section 111.0108 of the Texas Local Government Code for \$92,650.72 from LEPC Grant Program 582-17-71524. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

PIPELINE PERMIT (No. 17)

MOTION: Mr. Kaiser made a motion to approve pipeline permit with Burlington Resources Oil & Gas Company, LP to cross Jaeger Road in Commissioner Precinct No. 3. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

TEMPORARY RIGHT OF WAY REQUEST (No. 18)

MOTION: Mr. Afflerbach made a motion to approve temporary right of way request application from Burlington Resources Oil & Gas, LP for placement of a frac water line in the right of way of Respondek Road in Commissioner Precinct No. 1. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

DECLARE FIXED ASSETS AS SALVAGE (No. 21)

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

ACCOUNTS PAYABLE (No. 22)

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. 23)

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

MONTHLY REPORT OF OFFICIALS (No. 24)

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

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

COUNTY TREASURER'S MONTHLY REPORT (No. 25)

MOTION: Mr. Kaiser made a motion to receive and approve the Order Approving Treasurer's Monthly Report. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

PERSONNEL CHANGES (No. 26)

Herman Hernandez, Jr., Deputy, Sheriff Office; transfer from Jailer to Deputy effective May 22, 2017; Category 15 Step 3; 2 years 11 months of employment; rate of pay to be \$1,719.94 bi-weekly \$20.00/hour \$16.16 bi-weekly cell phone; next possible step increase June 23, 2019; comp time will be paid out on next check

Celina Rodriguez, Deputy, Sheriff Office; hired effective May 22, 2017; Category 15 Step 1; rate of pay to be \$1,625.12 bi-weekly \$18.90/hour \$16.16 bi-weekly cell phone

Jose Tamayo, Deputy, Sheriff Office; transfer from Jailer to Deputy effective May 22, 2017; Category 15 Step 2; 1 year 5 months of employment; rate of pay to be \$1,672.53 bi-weekly \$19.45/hour \$16.16 bi-weekly cell phone; next possible step increase December 2, 2017; comp time will be paid out on next check

Bonnie Kaiser, Clerk, Juvenile Probation; resignation effective June 1, 2017; 3 months of employment; no comp and vacation time to pay out

Ronny D. Beldin, Jailer, Sheriff Office; step increase effective June 24, 2017; Category 12 Step 2; 1 year of employment; rate of pay to be \$1,451.62 bi-weekly \$16.88/hour; next possible step increase June 24, 2018; comp time will be paid out at time of step

MOTION: Mr. Pilchiek made a motion to approve personnel changes. Mr. Afflerbach seconded the motion. Motion carried on a vote of 4-0 with Mr. Kaiser abstaining.

MINUTES (No. 27)

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

BONDS AND/OR DEPUTATIONS (No. 28)

Bond of Beth A. Chang Parker – Drainage District No. 1 General Manager

Deputation of Herman Hernandez, Jr. – Deputy Sheriff

Deputation of Celina Rodriguez – Deputy Sheriff

Deputation of Jose Tamayo – Deputy Sheriff

MOTION: Mr. Kaiser made a motion to approve bonds and deputations. Mr. Afflerbach 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 judge to approve the DeWitt County Courthouse regulator & meters project with Trane and project named DeWitt County Courthouse coil cleaning chilled water and hot water coil project. Mr. Pilchiek seconded the motion. Motion carried on a vote of 5-0.

IT project – Naismith Engineering submitted an addendum to bid package; bids due June 15, 2017 at 2:00 p.m.

Mr. Pilchiek questioned when the wireless internet connection was going to be established in the courtrooms.

LEGISLATIVE UPDATE (No. 30)

No update

DISCUSSION OF COMMISSIONER PRECINCT OPERATIONS (No. 31)

Commissioner Precinct No. 1, 3 & 4 – normal precinct operations

Commissioner Precinct No. 2 – paving almost 3.8 miles of Kaiser-Adams Road; someone stole a roller machine and took down about 300 ft. of fence; Precinct No. 2 is fixing the fence

WORKSHOP ON 2018 BUDGET (No. 32)

Judge Fowler and Commissioners were given budget worksheets to review.

EXECUTIVE/CLOSED SESSION (No. 19)

Court did not go into executive/closed session.

DISCUSSION AND POTENTIAL ACTION (No. 20)

No action taken

ADJOURN (No. 33)

MOTION: Mr. Pilchiek made a motion to adjourn. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0. [Adjourned at 11:05 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS
REGULAR MEETING – JUNE 26, 2017**

DeWitt County Commissioners Court met in regular session June 26, 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 & INOVOCATION

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

NEW BUSINESS:**INDEPENDENT EXTERNAL AUDIT (No. 1)**

MOTION: Mr. Pilchiek made a motion to authorize the annual external audit of DeWitt County Juvenile Probation funds for the year ending August 31, 2017 and nominate Certified Public Accountant Harrison, Waldrop & Uherek to conduct audit. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

INDEPENDENT EXTERNAL AUDIT (No. 2)

MOTION: Mr. Kaiser made a motion to authorize the annual external audit of DeWitt County financial statements for the year ending September 30, 2017 and nominate Harrison, Waldrop & Uherek to conduct the audit at a price of approximately \$29,750.00. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

MEMORANDUM OF AGREEMENT (No. 3)

MOTION: Mr. Pilchiek made a motion to approve the Memorandum of Agreement between U.S. Immigration and Customs Enforcement (ICE) a component of the Department of Homeland Security (DHS) and the DeWitt County Sheriff's Office delegating certain immigration enforcement functions as specified, contingent of amendment on page 11. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

COMMISSIONERS ANNUAL ROAD REPORT 2017 (No. 5)

MOTION: Mr. Afflerbach made a motion to receive the Commissioner's Road Reports for 2017 for DeWitt County Precinct No. 1, Precinct No. 2, Precinct No. 3 and Precinct No. 4 and forward them to the grand jury pursuant to the provisions outlined in the Texas Transportation Code Chapter 251.005 and 251.018. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

CINTAS STANDARD RENTAL SERVICE AGREEMENT (No. 6)

MOTION: Mr. Randle made a motion to rescind the contract dated May 24, 2017 and approve amended contract dated June 26, 2017 for a twelve (12) month term. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

BUDGET AMENDMENT (No. 8)

Passed

EMERGENCY ACTION PLAN (No. 7)

No action

PERSONNEL POLICY AMENDMENT (No. 9)

No action taken

PUBLIC COMMENT

Keith Loeffler – Medical Transport Solutions (MASA) –supplemental benefit for employees for in air and ground transportation

Ross Smith – Momar Solutions for the World – pavement, prime oil products, roads dust suppression

TEMPORARY RIGHT OF WAY REQUEST (No. 12)

MOTION: Mr. Afflerbach made a motion to approve the temporary right of way request applications of Burlington Resources Oil & Gas, L.P. for placement of frac water lines in the right of way of Dubose Ranch Road, Schulle Road, and Seidel Road in Commissioner Precinct No. 1, and in the right of way of Gruenau Road and Interstate 13 in Commissioner Precinct No. 3. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

TEMPORARY RIGHT OF WAY REQUEST (No. 13)

MOTION: Mr. Afflerbach made a motion to approve the right of way request application from Select Energy Services, LLC for placement of a frac water line in the right of way of Walter Mueller and Dubose Ranch Roads in Commissioner Precinct No. 1. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

ACCOUNTS PAYABLE (No. 14)

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

BUDGET AMENDMENT REQUESTS (No. 15)

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

PERSONNEL CHANGES (No. 16)

Jace Balderaz, Jailer, Sheriff Office; termination effective June 8, 2017; 1 year 7 months of employment; comp & vacation time will be paid out on last check

Nikole Nelson, Clerk, Juvenile Probation; hired effective June 19, 2017; Category 1 Step 2; rate of pay to be \$1,190.70/bi-weekly \$14.88/hour; next possible step increase June 19, 2019

David Slovacek, Building Supervisor, Building Maintenance; step increase effective June 27, 2017; Category 4 Step 7; 12 years of employment; rate of pay to be \$1,705.79/bi-weekly \$21.32/hourly; next possible step increase June 27, 2020; comp time will be paid at time of step

Shane Carver, Patrol Sergeant, Sheriff Office; step increase effective July 2, 2017; Category 14 Step 4; 5 years of employment; rate of pay to be \$1,853.61/bi-weekly \$21.55/hour; next possible step increase July 2, 2019; comp time will be paid out at time of step

Jacob Villanueva, Equipment Operator, Precinct 4; step increase effective July 6, 2017; 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 due July 6, 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.

BONDS AND/OR DEPUTATIONS (No. 17)

None

COURTHOUSE/ANNEX EXPENDITURES/MAINTENANCE/IMPROVEMENTS (No. 18)

Mr. Afflerbach advised that he would be meeting with Mr. Robert Oliver next Wednesday to discuss the bird issues at the annex.

LEGISLATIVE UPDATE (No. 19)

No update

DISCUSSION OF COMMISSIONER PRECINCT OPERATIONS (No. 20)

Passed

EXECUTIVE/CLOSED SESSION (No. 10)

Court did not go into executive/closed session.

DISCUSSION AND POTENTIAL ACTION (No. 11)

No action taken

AWARD OF BID AND CONTRACT APPROVAL (No. 4)

Passed

WORKSHOP ON FY2018 BUDGET (No. 21)

Court discussed health insurance changes and choices.

A workshop on the FY2018 budget was held.

Budgets discussed were the following:

1. County Judge
2. County Court
3. Non-Departmental
4. County Buildings and Equipment (Fund 88)
5. District Clerk
6. Justice of the Peace Precinct No. 1
7. Justice of the Peace Precinct No. 2
8. IT
9. Elections
10. County Auditor
11. Tax Assessor Collector
12. County Attorney
13. Courthouse & Annex Buildings
14. Jail Building (Sheriff)
14. Constable Precinct No. 1
15. Constable Precinct No. 2
16. Sheriff, Operations of Jail & Corrections
17. Other Protection - Flood Plain Coordinator & Emergency Management
18. Health & Welfare Services
19. Agricultural Extension Service
20. Road & Bridge General
21. Commissioner Precinct No. 1
22. Commissioner Precinct No. 2
23. Commissioner Precinct No. 3
24. Commissioner Precinct No. 4
25. Justice Court Security Fund
26. Courthouse Project (Fund 29)
27. Law Library
28. County Records Management
29. County Clerk Records Management

- 30. Justice Court Technology Fund
- 31. Health Department
- 32. Construction Fund (Fund 44)
- 33. County Clerk Archive Fund
- 34. District Clerk Tech Fund/Archive Fund
- 35. District Clerk Records Management
- 36. County & District Court Technology Fund
- 37. District Attorney
- 38. Juvenile Probation (Fund 83 & Fund 84)
- 38. County Attorney Pre-Trial Intervention Program

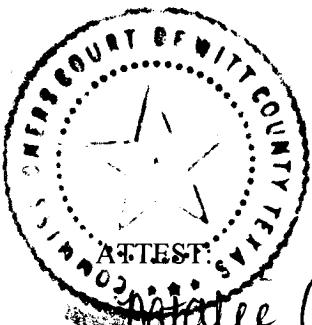
ADJOURN (No. 22)

MOTION: Mr. Kaiser made a motion to adjourn. Mr. Pilchiek seconded the motion. Motion carried on a vote of 4-0 with Judge Fowler absent. [Adjourned at 3:40 p.m.]

THE FOREGOING MINUTES FOR THE MONTH OF JUNE A.D. 2017 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 24TH DAY OF JULY, A.D. 2017.



Daryl L. Fowler
DARYL L. FOWLER, COUNTY JUDGE



Natalie Carson
NATALIE CARSON, DE WITT COUNTY CLERK