

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS  
REGULAR MEETING – MAY 8, 2017**

DeWitt County Commissioners Court met in regular session May 8, 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. Randle gave the invocation.

**PUBLIC HEARING (No 1)**

Public hearing held to provide opportunity for public comments on the implementation of Vote Centers in DeWitt County for the November 2017 General Election. Approximately 12 citizens were present for the public hearing. Election Administrator Blanca McBride answered questions from the citizens concerning the Vote Centers.

**CLOSE PUBLIC HEARING (No. 2)**

Judge Fowler closed the public hearing.

**RULE ON PUBLIC HEARING (No. 3)**

MOTION: Mr. Randle made a motion to authorize the creation and implementation of Vote Centers in DeWitt County for the November 2017 General Election time frame and other elections. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**PROGRAM UPDATE (No 4)**

Passed

**LOCAL GOVERNMENT SOLUTIONS (LGS) LICENSE AGREEMENT (No. 9)**

MOTION: Mr. Afflerbach made a motion to approve the Non-Exclusive License and Service Agreement between DeWitt County and Local Government Solutions (LGS) for use in the County Attorney Office. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**LOCAL GOVERNMENT SOLUTIONS (LGS) LICENSE AGREEMENT (No. 10)**

MOTION: Mr. Afflerbach made a motion to approve the Non-Exclusive License and Service Agreement between DeWitt County and Local Government Solutions (LGS) for use in the County Clerk Office. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**REQUEST FOR PART-TIME DEPUTY (No. 7)**

MOTION: Mr. Kaiser made a motion to approve the amendment of the FY2017 Salary Order to create a part-time deputy position in the DeWitt County Sheriff's Office due to an unforeseen emergency, Court Order #2017-039. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**ESTIMATE OF NET TAXABLE PROPERTY (No. 8)**

MOTION: Mr. Pilchick made a motion to receive Estimate of Net Taxable Value for 2017 from the DeWitt County Appraisal District pursuant to Section 26.01 (e) of the Texas Property Tax Code. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**AIR CONDITIONING PROPOSAL (No. 6)**

MOTION: Mr. Kaiser made a motion to approve the HVAC proposal from Jahn Refrigeration for the DeWitt County Elections Office in the Courthouse Annex at the price of \$5,700.00. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**TOBACCO SETTLEMENT DISTRIBUTION PAYMENT (No. 11)**

MOTION: Mr. Pilchick made a motion to receive 2017 Texas Department of State Health Services payment from Tobacco Settlement Distribution for \$14,255.50. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

**CERTIFICATION OF FUNDS/MEMORANDUM OF DONATION (No. 12)**

MOTION: Mr. Kaiser made a motion to receive letter from county auditor certifying the receipt of \$3,000.00 from GIGO Transport, Inc. for Cuero Volunteer Fire Department, City of Cuero Fire Department, and DeWitt County EMC budget and approve Memorandum of Donation. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**DISTRICT ATTORNEY LAW LIBRARY CONTRACT RENEWAL (No. 5)**

MOTION: Mr. Kaiser made a motion to approve the renewal contract with Westlaw for the District Attorney's portion of the law library budget ID # Q-00023417. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

**AUDIT REPORTS (No. 13)**

MOTION: Mr. Randle made a motion to receive audit report from the county auditor of the Sheriff's Commissary and Inmate Trust Accounts. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**AWARD OF BID AND CONTRACT APPROVAL (No. 14)**

MOTION: Mr. Randle made a motion to receive bids and award a contract for bulk cement to Martin Marietta with contract #2017-040. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**AT&T CONTRACT DISPUTE UPDATE (No. 15)**

Commissioners Court received an update from State of Texas Communications, LLC regarding the contract dispute between DeWitt County and AT&T. No action taken.

**CERTIFICATE OF COMPLETION (No. 16)**

MOTION: Mr. Afflerbach made a motion to receive certificate from Texas State University, Texas Justice Court Training Center certifying that George W. Robinson has completed a 20-hour Justice of the Peace Seminar. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**PIPELINE PERMITS (No. 17)**

MOTION: Mr. Kaiser made a motion to approve pipeline application with Burlington Resources Oil and Gas, LP to cross Haase Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**TEMPORARY RIGHT OF WAY REQUEST AND AGREEMENT (No. 18)**

MOTION: Mr. Kaiser made a motion to approve temporary right of way request and agreement with Burlington Resources Oil & Gas, L.P. for installation of a water line along Gruenau Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**DECLARE FIXED ASSETS AS SALVAGE (No. 19)**

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

**ACCOUNTS PAYABLE (No. 20)**

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. 21)**

MOTION: Mr. Kaiser made a motion to approve budget request and strike journal entries line items #23-173-402 and #23-173-405 from Commissioner Precinct No. 2. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

**MONTHLY REPORT OF OFFICIALS (No. 22)**

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

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

**COUNTY TREASURER'S MONTHLY REPORT (No. 23)**

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

## **PERSONNEL CHANGES (No. 24)**

Andrea Washington, Call Taker, Sheriff Office; hired effective April 20, 2017; Category 1 Step 1; rate of pay to be \$1,146.60/bi-weekly \$14.33/hour; next possible step increase April 20, 2018

Charlotte Anderson, Clerk, JP #2; step increase effective May 11, 2017; 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 May 11, 2020; comp time will be paid out at time of step

Leonides Vasquez, Deputy, District Clerk; step increase effective May 16, 2017; Category 1 Step 2; 1 year of employment; rate of pay to be \$1,190.70/bi-weekly \$14.88/hour; next possible step increase May 16, 2018; comp time will be paid at time of step

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

## **MINUTES (No. 25)**

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. 26)**

Deputation of Jode Zavesky as Deputy Sheriff

MOTION: Judge Fowler made a motion to authorize Sheriff Carl Bowen to deputize Joe C. "Jode Zavesky for the position of Deputy Sheriff effective today. Mr. Afflerbach seconded the motion. Motion carried on a vote of 5-0.

## **COURTHOUSE/ANNEX EXPENDITURES/MAINTENANCE/IMPROVEMENTS (No. 27)**

Trane – last week did semi-annual check on the HVAC; problem with chiller 1 not bouncing to chiller 2; 1 compressor is causing it to trip and not bouncing back and forth; recommended a dedicating computer and traffic data line which would allow Trane to look at the same information that David Slovacek could see here.

Historical Building – leveling of the building will need to be done;

## **LEGISLATIVE UPDATE (No. 28)**

Judge Fowler gave a legislative update.

## **DISCUSSION OF COMMISSIONER PRECINCT OPERATIONS (No. 29)**

Commissioner Precinct No. 1 – spraying brush on county roadside

Commissioner Precinct No. 2 – finished E. Blank Road

Commissioners discussed routine precinct operations.

## **PUBLIC COMMENT**

Eddie Pfeifer spoke to the court with his concerns on Cemetery Road.

Carol Martin spoke to the court concerning the Healthy County Program; must have 25 participants.

## **ADJOURN (No. 30)**

MOTION: Mr. Kaiser made a motion to adjourn. Mr. Pilchick 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 – MAY 22, 2017**

DeWitt County Commissioners Court met in regular session May 22, 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:**

### **PUBLIC HEARING (No. 1)**

Public hearing held to provide opportunity for public comments on a proposal to establish a 45-mph speed limit on the entire length of Emil Blank Road in Commissioner Precinct No. 2. No one was present to speak for or against.

### **CLOSE PUBLIC HEARING (No. 2)**

Judge Fowler closed the public hearing.

### **RULE ON PUBLIC HEARING (No. 3)**

MOTION: Mr. Pilchick made a motion establishing a 45-mph speed limit on the entire length of Emil Blank Road in Commissioner Precinct No. 2 effective today. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**PUBLIC HEARING (No. 4)**

Public hearing held to provide opportunity for public comments on a proposal to establish a 40-mph speed limit on the entire length of Kaiser-Adams Road in Commissioner Precinct No. 2. No one was present to speak for or against.

**CLOSE PUBLIC HEARING (No. 5)**

Judge Fowler closed the public hearing.

**RULE ON PUBLIC HEARING (No. 6)**

MOTION; Mr. Pilchick made a motion establishing a 40-mph speed limit on the entire length of Kaiser-Adams Road in Commissioner Precinct No. 2 effective as of today. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**BURN BAN (No. 7)**

No action taken

**AERIAL FIREWORKS BAN (No. 8)**

No action taken

**INTERLOCAL COOPERATIVE AGREEMENT FOR HOUSING INMATES (No. 10)**

MOTION: Mr. Afflerbach made a motion to approve agreement order #2017-041 between DeWitt County, Texas and Gonzales County, Texas to provide housing and care of certain inmates at a rate of \$40 per day. Mr. Kaiser seconded the motion. Motion carried on a vote of 5-0.

**LEGISLATIVE UPDATE: HB3614, HB4231, and others. (No. 23)**

Judge Fowler gave a legislative update on SB1747, HB3614 and HB4231.

**COUNTY LICENSE AND WEIGHT DEPARTMENT (No. 9)**

No action taken

**AT&T UPDATE (No. 11)**

County Auditor Carrie Rea gave an AT&T update. No action taken

**CATAPULT HEALTH ONSITE SERVICES AGREEMENT AMENDMENT & SCHEDULING ADDENDUM (No. 12)**

MOTION: Mr. Kaiser made a motion to adopt agreement with Catapult Health Onsite Services. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

## **COMMISSIONERS COURT MEETING SCHEDULE (No. 13)**

No action taken

### **PIPELINE PERMIT (No. 14)**

MOTION: Mr. Afflerbach made a motion to approve application from EOG Resources, Inc. to cross Baker Road in Commissioner Precinct No. 1 for a pipeline permit. Mr. Randle seconded the motion. Motion carried on a vote of 5-0.

### **TEMPORARY RIGHT OF WAY REQUEST AND AGREEMENT (No. 15)**

MOTION: Mr. Kaiser made a motion to approve temporary right of way agreement request from Burlington Resources Oil & Gas, L.P. to cross Gruenau Road in Commissioner Precinct No. 3. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

### **DECLARE FIXED ASSETS AS SALVAGE (No. 16)**

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

### **GOVDEALS AUCTION REPORT (No. 17)**

MOTION: Mr. Randle made a motion to receive report from Auditor regarding the April 2017 GovDeals online action. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0.

### **ACCOUNTS PAYABLE (No. 18)**

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. 19)**

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

### **PERSONNEL CHANGES (No. 20)**

Joe C. "Jode" Zavesky, Part Time Deputy, Sheriff Office; hired effective May 8, 2017; rate of pay to be \$19.45/hour

Chyann Sammons, Executive Secretary, District Attorney; step increase effective June 4, 2017; Category 3 Step 4; 5 years of employment; rate of pay to be \$1,573.49/bi-weekly \$19.67/hour; next possible step increase June 4, 2019; comp time will be paid out at time of step

Erin Gregorcyk, Jailer, Sheriff Office; step increase effective June 8, 2017; 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 8, 2020; comp time will be paid at time of step

Rachael Hernandez, Deputy, District Clerk; step increase effective June 10, 2017; Category 1 Step 8; 15 years of employment; rate of pay to be \$1,455.30/bi-weekly \$18.19/hour; next possible step increase June 10, 2019; comp time will be paid out at time of step

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. 21)**

None

**COURTHOUSE/ANNEX EXPENDITURES/MAINTENANCE/IMPROVEMENTS (No. 22)**

Judge Fowler reported on the following items:

Trane did an extensive semi-annual inspection of the HVAC system;  
County is seeking bids for insulation in the archive room at the annex;  
Sprinkler valve failed to shut off and flooded the yard and street.

Mr. Afflerbach discussed the bird issue at the annex near the election room; Mr. Afflerbach will check into options

**DISCUSSION OF COMMISSIONER PRECINCT OPERATIONS (No. 24)**

Commissioners discussed routine precinct operations.

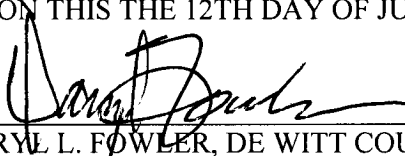
**PUBLIC COMMENT**

None

**ADJOURN (No. 25)**

MOTION: Mr. Kaiser made a motion to adjourn. Mr. Pilchick seconded the motion. Motion carried on a vote of 5-0. [Adjourned at 10:20 a.m.]

THE FOREGOING MINUTES FOR THE MONTH OF MAY A.D. 2017 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 12TH DAY OF JUNE, A.D. 2017.

  
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DARYL L. FOWLER, DE WITT COUNTY JUDGE

ATTEST

  
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NATALIE CARSON, DE WITT COUNTY CLERK

