

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS  
REGULAR MEETING – NOVEMBER 14, 2016**

DeWitt County Commissioners Court met in regular session November 14, 2016, 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. Pilchiek 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 & INOVOCATION**

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

**NEW BUSINESS:**

**PRISON RAPE ELIMINATION ACT (PREA) REPORT (No. 1)**

MOTION: Mr. Pilchiek made a motion to receive the report for the DeWitt County Law Enforcement Center on the Prison Rape Elimination Act. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

**ASSIGNMENT OF AGREEMENT (No. 3)**

MOTION: Mr. Kaiser made a motion to authorize the county judge to consent to the assignment of the existing contract to assignee with Hanson Professional Services Inc. Mr. Pilchiek seconded the motion. Motion carried on a vote of 4-0.

**DIRECTOR NOMINATIONS FOR DRAINAGE DISTRICT NO. 1 (No. 2)**

MOTION: Mr. Randle made a motion to seek nominations for directors to the board of the DeWitt County Water Drainage District No. 1 and have the applicants notify the court by December 20, 2016. Mr. Pilchiek seconded the motion. Motion carried on a vote of 4-0.

**SECURITY PROJECT CHANGE ORDERS (No. 4)**

MOTION: Mr. Randle made a motion to ratify the county judge's decision to modify the previously approved work orders with Guardian Security LLC. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

**TELEPHONE AUDIT SERVICES (No. 5)**

MOTION: Mr. Randle made a motion to contract with State of Texas Communications LLC for the auditing of telecommunication services for DeWitt County. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

## **OUTDOOR BURNING VIOLATIONS (No. 6)**

Emergency Management Coordinator Cyndi Smith discussed with the court the state laws pertaining to outdoor burning and recent violations and enforcement capability.

No action taken

## **BURN BAN (No. 7)**

No action taken

## **COUNTY HOLIDAY SCHEDULE (No. 13)**

New Year's Day	Monday, January 2, 2017
Martin Luther King Jr. Day	Monday, January 16, 2017
President's Day	Monday, February 20, 2017
Good Friday	Friday, April 14, 2017
Memorial Day	Monday, May 29, 2017
Independence Day	Tuesday, July 4, 2017
Labor Day	Monday, September 4, 2017
Veteran's Day	Friday, November 10, 2017
Thanksgiving	Thursday, November 23, 2017
Thanksgiving	Thursday, November 24, 2017
Christmas	Monday, December 25, 2017
Christmas	Tuesday, December 26, 2017

MOTION: Mr. Randle made a motion to adopt the official Holiday schedule for 2017. Mr. Pilchiek seconded the motion. Motion carried on a vote of 4-0.

## **SCHEDULE PUBLIC HEARING DATE (No. 8)**

MOTION: Mr. Randle made a motion to establish a public hearing date of December 12, 2016 at 9:00 a.m. in the DeWitt County Courtroom to consider establishing a 35 mile per hour speed limit on Mission Valley Road in Commissioner Precinct No. 4. Mr. Pilchiek seconded the motion. Motion carried on a vote of 4-0.

## **TEMPORARY RIGHT OF WAY REQUEST AND AGREEMENT (No. 9)**

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

## **EXECUTIVE/CLOSED SESSION (No. 10)**

Passed

## **DISCUSSION AND POTENTIAL ACTION (No. 11)**

Passed

## **PAYROLL DEDUCTION REQUEST (No. 12)**

Passed

## **ACCOUNTS PAYABLE (No. 14)**

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

## **BUDGET AMENDMENT REQUESTS (No 15)**

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

## **MONTHLY REPORT OF OFFICIALS (No. 16)**

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

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

## **COUNTY TREASURER'S MONTHLY REPORT (No. 17)**

MOTION: Mr. Pilchiek 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.

## **PERSONNEL CHANGES (No. 18)**

Shelly Parker, IT Support Specialist, IT; step increase effective November 19, 2016; Category 2 Step 2; 1 year of employment; rate of pay to be \$1,421.78 bi-weekly \$17.77 hourly; next possible step increase November 19, 2017; comp time will be paid at time of step

Randall Mormon, Jailer Maintenance, Sheriff Office; step increase effective November 21, 2016; Category 12 Step 4; 5 years of employment; rate of pay to be \$1,546.43 bi-weekly \$17.98/hour; next possible step increase November 21, 2018; comp time will be paid out at time of step

Chelsea M. Kirkland, Deputy, District Clerk; hired effective October 26, 2016; Category 1 Step 1; rate of pay to be \$1,146.60/bi-weekly \$14.33/hour; next possible step increase October 26, 2017

Kelly Spann, Temp Clerk, Extension Office; hired effective October 26, 2016; rate of pay to be \$8.00

Lisa Campos, Nurse Manager, Health Department; promotion effective November 5, 2016; 1 year 1 month of employment; rate of pay to be \$45,000.00 annual salary; no comp time to pay out

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

## **MINUTES (No. 19)**

MOTION: Mr. Randle 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 4-0

## **BONDS AND/OR DEPUTATIONS (No. 20)**

Deputation of Chelsea M. Kirkland, Deputy District Clerk

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

## **COURTHOUSE/ANNEX EXPENDITURES/MAINTENANCE/IMPROVEMENTS (No. 21)**

None

## **LEGISLATIVE UPDATE (No. 22)**

December 19<sup>th</sup> is scheduled for the TAC award presentation.

## **DISCUSSION OF COMMISSIONER PRECINCT OPERATIONS (No. 23)**

Commissioners discussed routine precinct operations.

Mr. Randle reported that the FEMA grant portion of the Fordtran Road bridge project has been completed.

## **PUBLIC COMMENT**

None

## **ADJOURN**

MOTION: Mr. Pilchiek made a motion to adjourn. Mr. Randle 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  
SPECIAL MEETING – NOVEMBER 21, 2016**

DeWitt County Commissioners Court met in special session November 21, 2016, 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. Pilchiek 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 & INOVOCATION**

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

**NEW BUSINESS:**

**CANVASS OF ELECTION RESULTS (No. 1)**

MOTION: Mr. Kaiser made a motion to receive, approve and adopt the election results of the November 8, 2016 General Election. Mr. Pilchiek seconded the motion. Motion carried on a vote of 4-0.

**PUBLIC COMMENT**

None

**ADJOURN (No. 2)**

MOTION: Mr. Randle made a motion to adjourn. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0. [Adjourned at 10:50 a.m.]

**MINUTES OF THE COMMISSIONERS COURT OF DE WITT COUNTY, TEXAS  
REGULAR MEETING – NOVEMBER 28, 2016**

DeWitt County Commissioners Court met in regular session November 28, 2016, 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  
County Clerk Natalie Carson

**CALL TO ORDER; PLEDGE OF ALLEGIANCE & INOVOCATION**

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

**NEW BUSINESS:**

**PUBLIC HEARING (No. 1)**

Public hearing was held to provide opportunity for public comments on a proposal to establish a 45-MPH speed limit on Meyer Road in Commissioner Precinct No. 1. No one was present to speak for or against.

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

Mr. Afflerbach closed the public hearing.

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

**MOTION:** Mr. Afflerbach made a motion to approve establishing a 45-MPH speed limit on Meyer Road in Commissioner Precinct No. 1 effective when the signs go up. Mr. Pilchick seconded the motion. Motion carried on a vote of 4-0.

**PUBLIC HEARING (No. 4)**

Public hearing held to provide opportunity for public comments on a proposal to establish a 45-MPH speed limit on Schulle Road in Commissioner Precinct No. 1. No one was present to speak for or against.

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

Mr. Afflerbach closed the public hearing.

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

**MOTION:** Mr. Afflerbach made a motion to approve establishing a 45-MPH speed limit on Schulle Road in Commissioner Precinct No. 1 effective when the signs go up. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

## **PROCLAMATION FOR NATIONAL HOSPICE PALLIATIVE CARE MONTH (No. 13)**

Leo Sharon read the proclamation for National Hospice Palliative Care Month.

MOTION: Mr. Randle made a motion that DeWitt County Commissioners Court proclaim November as the 2016 National Hospice Palliative Care Month. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

## **AERIAL FIREWORKS BAN (No. 11)**

No action taken.

## **CLASS ACTION LAWSUIT (No. 12)**

No action taken.

## **RESIDENTIAL SERVICES AGREEMENT (No. 8)**

MOTION: Mr. Kaiser made a motion to approve a contract between the Duval County Juvenile Board and DeWitt County Juvenile Board for residential services for juvenile offenders at the Judge Ricardo H. Garcia Regional Juvenile Detention Facility at San Diego, Texas for the year beginning September 1, 2016 and ending August 31, 2017. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

## **INTERLOCAL CONTRACT FOR JUVENILE INFORMATION SYSTEM (No. 9)**

MOTION: Mr. Kaiser made a motion to approve an Interlocal Cooperation Contract between Texas Juvenile Justice System and DeWitt County Juvenile Probation Department (a Texas Juvenile Probation Department), by and through the County of DeWitt to facilitate cross-jurisdictional sharing of information on juvenile offenders. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

## **INSURANCE RENEWAL APPLICATION (No. 7)**

MOTION: Mr. Kaiser made a motion to approve the professional liability policy of the Cuero-DeWitt County Health Department for period beginning December 1, 2016 and authorize the renewal application for policy number HMA 4032280030-0 issued through Columbia Casualty Company and authorize payment of \$3,806.25 which is the annual premium. Mr. Pilchiek seconded the motion. Motion carried on a vote of 4-0.

## **COMMISSIONERS COURT MEETING SCHEDULE (No. 10)**

MOTION: Mr. Randle made a motion to schedule the regular meeting of the Commissioners Court to December 28, 2016 at 9:00 a.m. at the DeWitt County Courthouse. Mr. Pilchiek seconded the motion. Motion carried on a vote of 4-0.

## **PRESENTATION OF CERTIFICATE (No. 14)**

MOTION: Mr. Kaiser made a motion to receive a Certificate of Award of Financial Reporting Achievement to County Auditor Carrie Rea and her staff on behalf of the Government Finance Officers Association of the United States and Canada. Mr. Pilchiek seconded the motion. Motion carried on a vote of 4-0.

## **CONTINUING EDUCATION TRANSCRIPT (No. 15)**

MOTION: Mr. Kaiser made a motion to receive a continuing education transcript from the Texas Tax Assessor-Collectors Association indicating that the Honorable Susie Dreyer, DeWitt County Tax Assessor-Collector, has completed the required 29 hours of continuing education for reporting period of October 1, 2015 to September 30, 2016. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

## **TEXAS COUNTY AND DISTRICT RETIREMENT SYSTEM (No. 16)**

MOTION: Mr. Pilchiek made a motion to receive the Texas County and District Retirement System plan for year 2017 effective January 1, 2017. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

## **PIPELINE CROSSING PERMITS (No. 17)**

MOTION: Mr. Afflerbach made a motion to approve permit applications of EOG Resources, Inc. to cross Baker Road in Commissioner Precinct No. 1. Mr. Kaiser seconded the motion. Motion carried on a vote of 4-0.

## **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. Pilchiek seconded the motion. Motion carried on a vote of 4-0.

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

MOTION: Mr. Kaiser made a motion to approve temporary right of way request and agreement with Qwik Pipe, Inc. for installation of a water line along Lackey Ranch Road and Klein Road in Commissioner Precinct No. 3. Mr. Randle seconded the motion. Motion carried on a vote of 4-0.

## **DECLARE FIXED ASSETS AS SALVAGE (No. 20)**

MOTION: Mr. Randle made a motion to declare fixed assets as salvage, inventory item #754 Metal Counter, 31" x 103". Mr. Pilchiek seconded the motion. Motion carried on a vote of 4-0.

## **ACCOUNTS PAYABLE (No. 21)**

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

## **BUDGET AMENDMENT REQUESTS (No. 22)**

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

## **PERSONNEL CHANGES (No. 23)**

Chelsea Rickman, Dispatcher, Sheriff Office; resignation effective November 17, 2016; 1 year 9 months of employment; comp and vacation time will be paid out on last check

Louis Guajardo, Equipment Operator, Precinct 1; step increase effective December 30, 2016; Category 17 Step 6; 10 years of employment; rate of pay to be \$1,598.18/bi-weekly \$19.98/hour; next possible step increase December 30, 2018; comp time will be paid out at time of step

Carlos Barrera, Equipment Operator, Precinct 2; step increase effective December 1, 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 December 1, 2019; comp time will be paid out at time of step

Keith Gohlke Jr., Equipment Operator, Precinct 4; step increase effective December 5, 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 December 5, 2018; comp time will be paid out at time of step

Kimberly Jalufka, Administrative Secretary, Sheriff Office; step increase effective December 5, 2016; Category 2 Step 4; 5 years of employment; rate of pay to be \$1,509.98/bi-weekly \$18.87/hour; next possible step increase December 5, 2018; comp time will be paid out at time of step

Eric Ridolph, Jailer, Sheriff Office; step increase effective December 3, 2016; 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 December 3, 2017; comp time will be paid out at time of step

Jose Tamayo Jr., Jailer, Sheriff Office; step increase effective December 2, 2016; 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 December 2, 2017; 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 4-0.

#### **BONDS AND/OR DEPUTATIONS (No. 24)**

None

#### **COURTHOUSE/ANNEX EXPENDITURES/MAINTENANCE/IMPROVEMENTS (No. 25)**

None

#### **LEGISLATIVE UPDATE (No. 26)**

#### **DISCUSSION OF COMMISSIONER PRECINCT OPERATIONS (No. 27)**

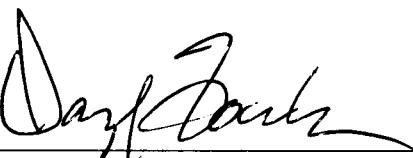
Mr. Pilchiek reported that there are electrical problems with the Distributor Truck and the truck will be taken to Kenworth tomorrow.

Mr. Randle reported that half (1/2) of the bridge is done on Fordtran Road.

#### **PUBLIC COMMENT**

None

THE FOREGOING MINUTES FOR THE MONTH OF NOVEMBER A.D. 2016 WERE READ AND APPROVED IN REGULAR SESSION OF COURT ON THIS THE 12TH DAY OF DECEMBER, A.D. 2016

  
DARYL L. FOWLER, DE WITT COUNTY JUDGE

ATTEST:

  
NATALIE CARSON, DE WITT COUNTY CLERK  
