

THE STATE OF TEXAS)(

COUNTY OF LAVACA)(

The Lavaca County Commissioners' Court met in a Regular Called Meeting on Tuesday, October 14, 2014 at 10:00 A. M. in the Lavaca County Commissioners' Courtroom, 1st Floor, in Hallettsville, Texas with Judge Tramer J. Woytek presiding and with Commissioner Edward Pustka, Pct. 1, Commissioner Ronald Berckenhoff, Pct. 2, Commissioner R. W. Brown, Pct. 3, and Commissioner Dennis W. Kocian, Pct. 4 all being present. Others in attendance were: Larry Jones, Steve Scott, Shana Opela, Deborah A. Sevcik, Jim Appelt, Andy Taylor, Elizabeth A. Kouba, Dana Pohler, Alton E. Brown Sr., Patty Grahmann, Kerry C. Peterson, Micah Harmon, Danielle Beasley, Vicki T. Vogel, Karen Bludau, Debbie Fishbeck and Barbara Steffek.

The meeting was called to order by Judge Tramer J. Woytek. Reverend Andy Taylor gave the invocation followed by the Pledge of Allegiance to the U.S. and Texas Flags.

Under Public Communications County Clerk, Elizabeth A. Kouba reminded everyone that her office is getting new software. The office will be closed for lunch the week of October 20 through October 24. Also, the office will be closed Wednesday, October 22 and half a day on October 30 and all day on October 31.

Sheriff Micah Harmon introduced Sergeant Danielle Beasley.

1. As per Local Government Code 154.022, enter into record, county and precinct official's compensation on a salary basis. (County Judge)

Moved by Judge Tramer Woytek, Seconded by Commissioner R. W. Brown, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to pay county and precinct official's compensation on a salary basis and enter into the record of the court.

2. 2015 Proposed Holidays for Lavaca County. (County Judge)

Moved by Commissioner Dennis Kocian, Seconded by Commissioner R. W. Brown, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to accept the 2015 Proposed Holidays for Lavaca County.

3. Select independent engineering firm to perform review of Investment Grade Energy Audit performed by Way Companies. (County Judge)

Moved by Commissioner R. W. Brown, Seconded by Commissioner Dennis Kocian, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to select the independent engineering firm, Reihl Engineering, to perform review of Investment Grade Energy Audit performed by Way Companies.

4. Award bids for Labor and Equipment only for Road Construction Services for Lavaca County. (Commissioners)

Moved by Commissioner Ronald Berckenhoff, Seconded by Commissioner R. W. Brown, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to table this item because they are waiting on a legal opinion from Allison & Bass.

5. Resolution authorizing Lavaca County Senior Citizens Program to apply for grant to the Texas Department of Agriculture Home Delivered Meal Grant Program. (Program Coordinator)

Moved by Commissioner Dennis Kocian, Seconded by Commissioner R. W. Brown, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to accept the resolution authorizing Lavaca County Senior Citizens Program to apply for grant to the Texas Department of Agriculture Home Delivered Meal Grant Program.

6. Letter of request from the Festival of Lights Chairpersons to continue the seasonal display on the Lavaca County Courthouse grounds for the 2014 season. (County Judge)

Moved by Judge Tramer Woytek, Seconded by Commissioner Ronald Berckenhoff, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to allow the Festival of Lights Chairpersons to continue the seasonal display on the Lavaca County Courthouse grounds for the 2014 season.

7. Approve 2014 Levy Roll for Collections. (Tax Assessor)

Moved by Commissioner Ronald Berckenhoff, Seconded by Commissioner Edward Pustka, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to approve the 2014 Levy Roll for Collections for the Tax Assessor Collector.

8. Appointments to the Golden Crescent Regional Planning Commission Advisory Committees. (County Judge)

Moved by Commissioner R. W. Brown, Seconded by Commissioner Dennis Kocian, and adopted with Commissioner Edward Pustka, Judge Tramer Woytek, Commissioner R. W. Brown and Commissioner Dennis Kocian voting AYE and none voting NO and with Commissioner Ronald Berckenhoff ABSTAINING, IT IS HEREBY ORDERED to appoint as submitted to the Golden Crescent Regional Planning Commission Advisory Committees.

9. Appoint director to the Golden Crescent Regional Planning Commission Board of Directors due to Judge Woytek now being on the Executive Board. (County Judge)kris

Moved by Judge Tramer Woytek, Seconded by Commissioner Ronald Berckenhoff, and adopted with Commissioner Edward Pustka, Commissioner Ronald Berckenhoff, Judge Tramer Woytek and Commissioner R. W. Brown voting AYE and none voting NO and with Dennis Kocian ABSTAINING, IT IS HEREBY ORDERED to appoint Commissioner Dennis Kocian to serve on the Golden Crescent Regional Planning Commission Board of Directors at this time.

10. Proclamation designating October 5-11, 2014 as National 4-H Week in Texas. (County Judge)

Moved by Commissioner Ronald Berckenhoff, Seconded by Commissioner Edward Pustka, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to approve the Proclamation designating October 5-11, 2014 as National 4-H Week in Texas.

11. 2015 Lavaca County Indigent Defense Grant Program Resolution. (Auditor)

Moved by Commissioner Dennis Kocian, Seconded by Commissioner Ronald Berckenhoff, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to accept the 2015 Lavaca County Indigent Defense Grant Program Resolution.

12. Approve bond for Deputy Elections Administrator, Gwen Holt. (Elections Administrator)

Moved by Commissioner Dennis Kocian, Seconded by Commissioner R. W. Brown, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to approve the bond for Deputy Elections Administrator, Gwen Holt.

13. Ratify Proclamation signed by the Lavaca County Judge proclaiming October 6, 2014 as German-American Day. (County Judge)

Moved by Commissioner Ronald Berckenhoff, Seconded by Commissioner Edward Pustka, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to ratify the Proclamation signed by the Lavaca County Judge proclaiming October 6, 2014 as German-American Day.

14. Hire Audrey Barrera, as temporary part-time, in the Tax Assessor-Collector office effective October 14, 2014 at an hourly wage of \$10.00 per hour. (Tax Assessor)

Moved by Commissioner Dennis Kocian, Seconded by Commissioner R. W. Brown, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to hire Audrey Barrera, as temporary part-time, in the Tax Assessor-Collector office effective October 14, 2014 at an hourly wage of \$10.00 per hour.

15. Hire Daniel Bravine as a patrol deputy and approve his deputation bond, effective September 29, 2014, with a starting salary of \$39,824.46. (Sheriff)

Moved by Commissioner Edward Pustka, Seconded by Commissioner Ronald Berckenhoff, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to hire Daniel Bravine as a patrol deputy and approve his deputation bond, effective September 29, 2014, at a starting salary of \$39,824.46.

16. Declare the items listed on Exhibit "A" attached hereto as surplus for the Elections Department. (Elections Administrator)

Moved by Commissioner Edward Pustka, Seconded by Commissioner Ronald Berckenhoff, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to declare the items listed on Exhibit "A" attached hereto as surplus for the Elections Department.

17. Declare the items listed on Exhibit "B" attached hereto as surplus for the County Clerk's Office. (County Clerk)

Moved by Commissioner R. W. Brown, Seconded by Commissioner Edward Pustka, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to declare the items listed on Exhibit "B" with the attachment the County Clerk added as surplus for the County Clerk's Office.

18. Declare the items listed on Exhibit "C" attached hereto as surplus for Precinct #1. (Comm. Pct. 1)

Moved by Commissioner Edward Pustka, Seconded by Commissioner Ronald Berckenhoff, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to declare the items listed on Exhibit "C" attached hereto as surplus property from Precinct #1.

19. Declare the items listed on Exhibit "D" attached hereto as surplus for Precinct #3. (Comm. Pct. 3)

Moved by Commissioner R. W. Brown, Seconded by Commissioner Dennis Kocian, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to declare the items listed on Exhibit "D" attached hereto as surplus for Precinct #3.

Consent Agenda – Unless a member of the Court requests a separate consideration of any items, all under the Consent Agenda are considered to be of routine nature or have been previously deliberated by the Court in an open meeting and therefore may be approved by one motion, second and vote.

Moved by Commissioner Edward Pustka, Seconded by Commissioner Ronald Berckenhoff, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to approve the consent agenda.

20. Minutes of September 22, 2014 Regular Meeting.
21. Lavaca County Rescue Service EMS Payroll for 2014-2015 Budget year.
22. Lavaca County Road Special Use Agreement/Permit between Tidal Petroleum and Lavaca County Precinct #2 to include LCR #292, LCR #293, LCR #291, LCR #294 and LCR #290.
23. Lavaca County Road Special Use Agreement/Permit between Trio Consulting & Management, LLC and Lavaca County Precinct #4 to include LCR #458 and LCR #1.
24. Lavaca County Road Special Use Agreement/Permit between Devon Energy Production Company, L.P. and Lavaca County Precinct #3 to include LCR #338.
25. Lavaca County Road Special Use Agreement/Permit between Devon Energy Production Company, L.P. and Lavaca County Precinct #3 to include LCR #341 and LCR #342.
26. Lavaca County Road Special Use Agreement/Permit between Penn Virginia Oil & Gas LP and Lavaca County Precinct #2 to include LCR #289. (Kudu 6H, 7H, 8H & 9H)
27. Lavaca County Road Special Use Agreement/Permit between Penn Virginia Oil & Gas LP and Lavaca County Precinct #2 to include LCR #289. (Kudu 3H, 4H & 5H)
28. Lavaca County Road Special Use Agreement/Permit between SN Operating, LLC and Lavaca County Precinct #2 to include LCR #248, LCR #249 and LCR #250.
29. Amend Lavaca County Road Special Use Agreement/Permit between Penn Virginia Oil & Gas, LP and Lavaca County Precinct #3 to add crossing to LCR #299. (Commissioners Court dated September 8, 2014)
30. Lavaca County Application for Pipeline Permit between Devon Energy Production Company LP and Lavaca County Precinct #3 for Deedra Lateral Pipeline to include LCR #335.

31. Lavaca County Application for Pipeline Permit between Devon Energy Production Company LP and Lavaca County Precinct #3 for Lillian Lateral Pipeline to include LCR #333.

32. Lavaca County Application for Pipeline Permit between Devon Energy Production Company LP and Lavaca County Precinct #3 for Robin 1H Pipeline to include LCR #335.

33. Lavaca County Application for Pipeline Permit between Devon Energy Production Company LP and Lavaca County Precinct #3 for Lillian Lateral Pipeline to include LCR #332.

34. Lavaca County Road Special Use Agreement/Permit between GeoSouthern Energy Corporation and Lavaca County Precinct #4 to include LCR #12.

35. Lavaca County Road Special Use Agreement/Permit between Firststrike Energy Corporation and Lavaca County Precinct #4 to include LCR #424 and LCR #425.

36. Tax Assessor-Collector Report as per 31.10 of the Property Tax Code.

37. County Auditor Monthly Report and Quarterly Reports.

38. Monthly County Treasurer Report, Quarterly County Report, Quarterly Investment Report and Public Financial Report.

39. County Officials' reports.

40. Budget Amendments, if any

41. Claims

Court members signing of paperwork related to items above

Adjournment by Presiding Officer

STATEMENT OF APPROVAL

THE STATE OF TEXAS]

COUNTY OF LAVACA]

**WE, the COUNTY JUDGE, and COMMISSIONERS of
LAVACA COUNTY, TEXAS, majority being present, do hereby certify that the above and
foregoing Minutes of the Commissioners' Court Meeting dated October 14, 2014 are
this day approved as submitted.**

Signed this the 27th day of October, A.D. 2014.


TRAMER J. WOYTEK, COUNTY JUDGE

ACKNOWLEDGED:


ELIZABETH A. KOUBA, COUNTY CLERK

