

HE STATE OF TEXAS)(

COUNTY OF LAVACA)(

The Lavaca County Commissioners' Court met in a Regular Called Meeting on Monday, September 22, 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: Charles Greive, Vicki T. Vogel, Patty Grahmann, Gayle Bludau, Sheila Jansky, Pat Zabransky, Elizabeth A. Kouba, Rev. Andy Taylor, Jim Appelt, Deborah A. Sevcik, Shana Opela & Dana Pohler.

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 Judge Tramer Woytek announced that the County will have a Flu Shot Clinic for County Employees. The first session will be from 10:00 to 12:00 noon in the Commissioner's Courtroom tomorrow and the second session will be from 4:00 p.m. to 5:30 p.m. at the Lavaca County Sheriff's Office.

1. Pass order designating day of week which Commissioner's Court will convene in regular term, as per Local Government Code Section 81.005(a). (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 conduct the Commissioner Court Meetings on the second and fourth Monday of each month at 10:00 a.m.

2. General Order Regarding Disbursements From County Energy Transportation Reinvestment Zone Increment Fund. (County Judge)

Moved by Commissioner Dennis Kocian, Seconded by Commissioner Edward Pustka, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to accept the General Order Regarding Disbursements from County Energy Transportation Reinvestment Zone Increment Fund.

3. Engagement letter from Floyd and Gindler, PC for the annual audit of Lavaca County for the year ending September 30, 2014. (County Judge)

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 accept the Engagement Letter from Floyd and Gindler, PC for the annual audit of Lavaca County for the year ending September 30, 2014.

4. Certification of salaries for Lavaca County Officials and Employees for the 2014-2015 budget year. (Auditor)

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 Certification of salaries for Lavaca County Officials and Employees for the 2014-2015 budget year.

5. Certification of salaries for the Lavaca County Rescue Service employees for the 2014-2015 budget year. (Auditor)

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 accept the Certification of salaries for the Lavaca County Rescue Service employees for the 2014-2015 budget year.

6. Certification of salaries for the Lavaca County Senior Citizens Program employees for the 2014-2015 budget year. (Program Coordinator)

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 accept the Certification of salaries for the Lavaca County Senior Citizens Program employees for the 2014-2015 budget year.

7. Amend 2015 Sheriffs' and Constables' Fees that were approved on September 8, 2014. (Constable Pct. 2)

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 accept the 2015 Sheriffs' and Constables' Fees that were approved on September 8, 2014 meeting plus the three writs that were added. Also, that the addresses of the Justice of Peace and Constable's be added to the state website.

8. Actuarial Valuation Report as prepared by Gabriel Roeder Smith & Company as of December 31, 2013. (Auditor)

*** See Commissioner Court Folder to view the Actuarial Valuation Report.**

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 accept the Actuarial Valuation Report as prepared by Gabriel Roeder Smith & Company as of December 31, 2013.

9. Per Local Government Code 111.108 Certification of Unanticipated Revenue: Texas Comptroller of Public Accounts-CERTZ Grand Administrative Reimbursement \$4,000.00. (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 Per Local Government Code 111.108 Certification of Unanticipated Revenue: Texas Comptroller of Public Accounts-CERTZ Grand Administrative Reimbursement \$4,000.00.

10. Budget Increase for Abandoned Motor Vehicle Fund 117: 117-5560-8000 \$39.00. (Auditor)

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 accept the Budget Increase for Abandoned Motor Vehicle Fund 117: 117-5560-8000 for \$39.00.

11. Environmental Public Health Services Agreement between Lavaca County, Texas and Lori McLennan, OSSF Licensed Designated Representative. (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 Environmental Public Health Services Agreement between Lavaca County and Lori McLennan, OSSF Licensed Designated Representative.

12. Ratify Children's Health Day 2014 Proclamation signed by the Lavaca County Judge. (County Judge)

Moved by Commissioner Dennis Kocian, Seconded by Commissioner Edward Pustka, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to ratify Children's Health Day 2014 Proclamation signed by the Lavaca County Judge.

13. Advertise for bids to provide Labor and Equipment Only for Road Construction for Lavaca County. (Commissioners)

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 advertise for bids to provide Labor and Equipment Only for Road Construction for Lavaca County. The deadline for submission of the bids is 9:30 a.m on Wednesday, October 8th, 2014. The bids will be opened in the Commissioner's Courtroom on Wednesday, October 8th, 2014 at 10:00 a.m. and awarded at Commissioner Court meeting on October 14, 2014.

14. Cancel outstanding accounts payable checks for Fiscal Year 2012-2013 per Local Government Code 116.116(c). (Treasurer)

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 cancel outstanding accounts payable checks for Fiscal Year 2012-2013 per Local Government Code 116.116(c).

15. Permission to lease property for 90 days to display surplus property equipment for Precinct #3 not to exceed \$150.00 per month. (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 give permission to lease Welhausen Property for 90 days to display surplus property equipment for Lavaca County Precinct #1, #2, #3 and #4 not to exceed \$150.00 per month.

16. Temporary road closure of Lavaca County Road #333 to improve low water crossing during the week of September 22, 2014 for approximately 10-12 hours. (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 temporarily close CR #333 for approximately a week to improve low water crossing for a period to be determined in the future.

17. Temporary road closure of LCR #12 for replacement of the Lavaca River Bridge beginning October 6, 2014. (Comm. Pct. 4)

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 temporary road closure on LCR #12 for replacement of the Lavaca River Bridge beginning October 6, 2014. The closure will be for approximately 6 months.

18. Declare as surplus property: Black secretarial chair tag #012367. (Commissioner Office)

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 declare as surplus property one black chair tag #012367.

19. Hire Gwen Holt as Part-Time Deputy Elections Administrator effective October 14, 2014 at the rate of \$9.00 per hour. (Elections Administrator)

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 hire Gwen Holt as Part-Time Deputy Elections Administrator effective October 14, 2014 at the rate of \$9.00 per hour.

20. Move Lisa Lowe from part-time to full time Deputy Clerk, Grade 3, 1st Quartile at a salary of \$26,528.00 effective October 1, 2014. (County Clerk)

Moved by Commissioner Edward Pustka, Seconded by Commissioner Ronald Berckenhoff, and adopted by Commissioner Edward Pustka, Commissioner Ronald Berckenhoff, Commissioner R. W. Brown and Commissioner Dennis Kocian voting AYE and none voting NO and with Judge Tramer Woytek ABSTAINING, IT IS HEREBY ORDERED to approve moving Lisa Lowe from part-time to full time Deputy Clerk, Grade 3, 1st Quartile at a salary of \$26,528.00 effective October 1, 2014.

21. Hire Sophie Perry as Deputy Clerk, Grade 3, minimum quartile at a salary of \$25,684.00 effective October 1, 2014. (County Clerk)

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 hire Sophie Perry as Deputy Clerk, Grade 3, minimum quartile at a salary of \$25,684.00 effective October 1, 2014.

22. Accept resignation of the County Records Management Officer. (County Clerk)

The court thanked County Clerk Liz Kouba for the job she did as the Records Management Officer.

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 resignation of the County Records Management Officer.

23. Appoint new County Records Management Officer. (County Clerk)

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 appoint Lisa Lowe as the County Records Management Officer.

24. Move Paula Patterson-Walker from part-time to full time assistant to the County Judge/Commissioner's Court assistant, Grade 4, 1st Quartile at a salary of \$26,698.54 effective October 1, 2014. (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 move Paula Patterson-Walker from part-time to full time assistant to the County Judge/Commissioner's Court assistant, Grade 4, 1st Quartile at a salary of \$26,698.54 effective October 1, 2014.

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 as presented.

25. Minutes of September 8, 2014 Regular Meeting.

26. County Auditor Monthly Report.

27. Application for Lavaca County Pipeline Permit between Alta Mesa Services, LP and Lavaca County Precinct #1 to include LCR #1.

28. Lavaca County Road Special Use Agreement/Permit between Alta Mesa Services, LP and Lavaca County Precinct #1 to include LCR #1A, LCR #1B and LCR #1.

29. Amend Lavaca County Pipeline Permit between American Midstream and Lavaca County Precinct #2 to include 4 pages for 2nd crossing on LCR #284. (Comm. Court dated 9/8/14)

30. Lavaca County Road Special Use Agreement/Permit between Penn Virginia and Lavaca County Precinct #3 to include LCR #298 and LCR #351. (HeFe 2H, 3H and 4H)

31. Lavaca County Road Special Use Agreement/Permit between Penn Virginia and Lavaca County Precinct #3 to include LCR #298 and LCR #351. (HeFe 5H, 6H and 7H)

32. Application for Lavaca County Pipeline Permit between Devon Energy Production Company, L.P. and Lavaca County Precinct #3 to include LCR #335A.

33. Application for Lavaca County Pipeline Permit between Devon Energy Production Company, L.P. and Lavaca County Precinct #3 to include LCR #333.

34. Application for Lavaca County Pipeline Permit between Devon Energy Production Company, L.P. and Lavaca County Precinct #3 to include LCR #333. (2nd crossing)

35. Application for Lavaca County Pipeline Permit between Devon Energy Production Company, L.P. and Lavaca County Precinct #3 to include LCR #336.

36. Application for Lavaca County Pipeline Permit between American Midstream and Lavaca County Precinct #2 to include LCR #285.

37. Application for Lavaca County Pipeline Permit between American Midstream and Lavaca County Precinct #3 to include LCR #356.

38. Application for Lavaca County Pipeline Permit between American Midstream and Lavaca County Precinct #3 to include LCR #357.

39. Application for Lavaca County Pipeline Permit between American Midstream and Lavaca County Precinct #3 to include LCR #357A.

40. Budget Amendments, if any

41. Claims

Court members signing of paperwork related to items above

Adjournment by Presiding Officer

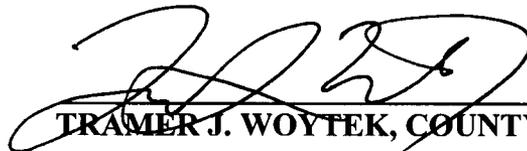
STATEMENT OF APPROVAL

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 September 22, 2014 are
this day approved as submitted.

Signed this the 14th day of October, A.D. 2014.


TRAMER J. WOYTEK, COUNTY JUDGE

ACKNOWLEDGED:


ELIZABETH A. KOUBA, COUNTY CLERK

