

THE STATE OF TEXAS )(

COUNTY OF LAVACA )(

The Lavaca County Commissioners' Court met in a Regular Called Meeting on Monday, September 8, 2014 at 10:00 A. M. in the Lavaca County Commissioners' Courtroom, 1<sup>st</sup> 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: Elizabeth A. Kouba, Shana Opela, Jim Appelt, Dana Pohler, Alton E. Brown Sr., Sherry T. Henke, Micah Harmon, Charles Greive and Barbara Steffek.

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

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No one addressed the court under Public Communications.

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1. Adopt 2014 Tax Rate. (County Judge)

Moved by Judge Tramer J. Woytek, Seconded by Commissioner Edward Pustka, and adopted by Commissioner Edward Pustka, Commissioner Ronald Berckenhoff, Judge Tramer Woytek, Commissioner R. W. Brown and Commissioner Dennis Kocian raising their right hand voting AYE and none voting NO, IT IS HEREBY ORDERED that the property tax rate be increased by the adoption of a tax rate of .2927 for M&O, .0128 for Debt and .0929 for FMR, totaling .3984 which is effectively a 5.26 percent increase in the tax rate.

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2. Separate vote required according to Local Government Code 111.008(c) that the budget will raise more total property taxes than last year's budget by \$711,299 and of that amount 9.35% is tax revenue to be raised from new property added to the tax roll this year. (County Judge)

Moved by Judge Tramer J. Woytek, Seconded by Commissioner Ronald Berckenhoff, and adopted by Commissioner Edward Pustka, Commissioner Ronald Berckenhoff, Judge Tramer Woytek, Commissioner R. W. Brown and Commissioner Dennis Kocian raising their right hand voting AYE and none voting NO, IT IS HEREBY ORDERED that a separate vote required according to Local Government Code 111.008(c) that the budget will raise more total property taxes than last year's budget by \$711,299 and of that amount 9.35% is tax revenue to be raised from new property added to the tax roll this year.

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3. Select meeting date for first October meeting due to October 13, 2014 being Columbus Day Holiday. (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 the meeting date to Tuesday, October 14 at 10:00 a.m. in the Commissioner Court Room.

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4. Approval of Lavaca County Sheriff Seizure Budget as per Chapter 59, Article 59.06 of the Code of Criminal Procedure. (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 Lavaca County Sheriff Seizure Budget as per Chapter 59, Article 59.06 of the Code of Criminal Procedure.

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5. 2015 Sheriffs' and Constables' Fees. (County Judge)

Moved by Judge Tramer Woytek, Seconded by Commissioner Dennis Kocian, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to approve the new 2015 Sheriffs' & Constables' Fees as recommended by Constable Pct. 2. They are marked at Item #2 under this discussion.

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6. Per Local Government Code 111.108 Certification of Unanticipated Revenue: Penn Virginia – construction signs for county roads for Precinct #3 - \$4,380.00. (Auditor)

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 accept the construction signs in the amount of \$4,380.00 from Penn Virginia.

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7. Advertise for a Road and Bridge employee for Precinct #2. (Comm. Pct. 2)

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 advertise for a Road and Bridge employee for Lavaca County Precinct #2. An ad will be run in the papers from September 10, 2014 until September 24, 2014. All applications are to be returned to the Commissioner's Office or the County Treasurer's Office by the closing date September 30, 2014 at 3:00 p.m.

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8. Promotion of Danielle Beasley from jailer to patrol sergeant, effective August 30, 2014 and increase her base salary to \$41,088.00, and the additional 5% COLA increase on October 1, 2014. (Sheriff)

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 promotion of Danielle Beasley from jailer to patrol sergeant,

effective August 30, 2014 and increase her base salary to \$41,088.00, and the additional 5% COLA increase on October 1, 2014.

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9. Hire Timothy Pawlik as a patrol deputy and approve his deputation bond, effective September 15, 2014, with a starting salary of \$37,928.00, and the additional 5% COLA increase on October 1, 2014. (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 Timothy Pawlik as a patrol deputy and approve his deputation bond, effective September 15, 2014, with a starting salary of \$37,928.00, and the additional 5% COLA increase on October 1, 2014.

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10. Hire Travis Mixon as a jailer, effective September 15, 2014, with a starting salary of \$31,498.00, and the additional 5% COLA increase on October 1, 2014. (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 Travis Mixon as a jailer, effective September 15, 2014, with a starting salary of \$31,498.00, and the additional 5% COLA increase on October 1, 2014.

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11. Hire Russell Eckhardt as a jailer, effective September 15, 2014, with a starting salary of \$31,498.00 and the additional 5% COLA increase on October 1, 2014. (Sheriff)

Moved by Commissioner Ronald Berckenhoff, Seconded by Commissioner Edward Pustka Berckenhoff, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to approve the hiring of Russell Eckhardt as a jailer, effective September 15, 2014, with a starting salary of \$31,498.00 and the additional 5% COLA increase on October 1, 2014.

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**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 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 consent agenda as presented.

12. Minutes of August 21, 2014 Special Called Meeting.

13. Minutes of August 25, 2014 Regular Meeting.

14. Application for Lavaca County Pipeline Permit between Penn Virginia Oil & Gas, L.P. and Lavaca County Precinct #3 to include LCR #299.

**15. Application for Lavaca County Waterline Permit between City of Hallettsville and Lavaca County Precinct #1 to include LCR #1.**

**16. Lavaca County Road Special Use Agreement/Permit between Magnum Producing, LP and Lavaca County Precinct #4 to include LCR #1.**

**17. Application for Lavaca County Pipeline Permit between American Midstream and Lavaca County Precinct #3 to include LCR #281.**

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

**19. Application for Lavaca County Pipeline Permit between American Midstream and Lavaca County Precinct #2 to include LCR #284.**

**20. Application for Lavaca County Pipeline Permit between American Midstream and Lavaca County Precinct #2 to include LCR #285. (2<sup>nd</sup> crossing)**

**21. County Treasurer Monthly and Public Financial Reports**

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

**23. County Officials' Reports**

**24. Budget Amendments, if any**

**25. Claims**

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**Court members signing of paperwork related to items above**

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**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 8, 2014 are  
this day approved as submitted.**

**Signed this the 22nd day of September, A.D. 2014.**

  
**TRAMER J. WOYTEK, COUNTY JUDGE**

**ACKNOWLEDGED:**

  
**ELIZABETH A. KOCBA, COUNTY CLERK**

