

THE STATE OF TEXAS)(

COUNTY OF LAVACA)(

The Lavaca County Commissioners' Court met in a Regular Called Meeting on Monday, January 11, 2016 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 being present. Others in attendance were: Shana Opela, Jim Appelt, Dana Johnson, Paula Walker, Deborah A. Sevcik, Carol Courville, Charles Greive, Roseann Mikes, Karen Bludau, Lisa Lowe, Sherry T. Henke, Micah Harmon, Stuart Fryer, Alton E. Brown Sr., Elizabeth A. Kouba and Barbara Steffek.

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

Under public communications Elizabeth A. Kouba stated that she has been working with Doug Kubicek and Roger Raney from the Historical Society. Some of the Historical Society materials were stored in a closet that was put into her custody when she was the Records Management Officer. They are working on cataloging the items, so they can view them at the next meeting the Historical Society holds.

**** PUBLIC HEARING on Order Adopting Rules of Lavaca County, Texas for On-Site Sewage Facilities Preamble.

The Public Hearing was opened. No one had any comments and the Public Hearing was closed.

1. Executive session with the Lavaca County Attorney regarding a personnel matter. (County Attorney)

The Commissioner's Court went into Executive session with the Lavaca County Attorney.

2. Adoption of Order Adopting Rules of Lavaca County, Texas for On-Site Sewage Facilities Preamble. (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 Order Adopting Rules of Lavaca County, Texas for On-Site Sewage Facilities Preamble.

3. Procedure and policy for distributing copies of Road Special Use Agreements and Pipeline Permits. (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 table Item #3.

4. Appoint Judge Pro-tem for 2016. (County Judge)

Moved by Commissioner Edward Pustka, Seconded by Commissioner Ronald Berckenhoff, and adopted with Commissioner Edward Pustka, Commissioner Ronald Berckenhoff, Judge Tramer J. Woytek and Commissioner R. W. Brown voting AYE and none voting NO, and with Commissioner Dennis Kocian, ABSTAINING, IT IS HEREBY ORDERED to appoint Pct. 4 Dennis Kocian as Judge Pro-tem.

5. Order for reoccurring claims for 2016. (County Judge)

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 order for reoccurring claims for 2016.

6. Service and Safety awards for the year ending 2015 and set policy for qualifications for safety award recipients. (County Judge)

Moved by Judge Tramer J. Woytek, Seconded by Commissioner Ronald Berckenhoff, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED for the safety awards to be given to full time employees only, those with no injuries and they must be full time from January 1 through December 31 and still be employed at the time the safety awards are ordered. This is for full time employees only not including the Ambulance Service or the Senior Citizen Program. This order is effective immediately.

7. Approve lateral transfer of Becky Janak as the Lavaca County Senior Citizens Program Coordinator effective January 11, 2016, as a Grade 5, Minimum Quartile. (County Judge)

Moved by Judge Tramer J. Woytek, Seconded by Commissioner Edward Pustka, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to accept the transfer of Becky Janak from the Lavaca County Sheriff's Department to the Lavaca County Senior Citizens Program and to name her as the coordinator of that program effective January 11, 2016. The salary for that position will be set as a Grade 5, Minimum Quartile. Also, this position will be made a full time county employee position with all the benefits and entitlements thereof. The Lavaca County Senior Citizens Program will reimburse the county for the salary from this day on forward for the rest of this fiscal year. This position will be paid out of the Public Welfare Department. Mrs. Janak will have to do a time sheet and it will be turned in to the County Judge's Office. She will be paid as a non-exempt employee.

8. Accept resignation of Becky Janak as Administrative Assistant effective January 8, 2016 from the Lavaca County Sheriff's Office. (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 accept the resignation of Becky Janak as Administrative Assistant effective January 8, 2016 from the Lavaca County Sheriff's Office.

9. Advertise for the position of Administrative Assistant for the Lavaca County Sheriff's Office. (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 advertise for the position of Administrative Assistant for the Lavaca County Sheriff's Office.

10. Adopt rules for Courtroom usage. (County Judge)

Moved by Judge Tramer J. Woytek, Seconded by Commissioner Dennis Kocian, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED for the District Courtroom on the second floor of the Lavaca County Courthouse be used for the primary use of District Court. The County Courtroom located at the Annex be used as the exclusive and primary use of County Court. The Commissioner Courtroom be used primarily for the use of Commissioner's Court but a secondary use of Justice of Peace Court. Any special use or arrangements of the District Courtroom should be coordinated through the District Clerks office. The County Courtroom and Commissioner Courtroom usage should be coordinated through the County Judge's Office.

11. Clarify rules for keys to interior Courthouse offices. (County Judge)

Moved by Judge Tramer J. Woytek, Seconded by Commissioner R. W. Brown, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED for no locks on any county buildings to be changed without permission from this body from here on out.

12. Designate suite 312 South LaGrange of the Lavaca County Building #1 for use by the Lavaca County Historical Commission. (County Judge)

Moved by Judge Tramer J. Woytek, Seconded by Commissioner R. W. Brown, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to designate suite 312 South LaGrange of the Lavaca County Building #1 for use by the Lavaca County Historical Commission.

13. Acknowledge receipt of financial assistance from Dickson-Allen Foundation to Lavaca County Records Management in the amount of \$30,000.00. (Records Mgmt.)

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 receipt of financial assistance from Dickson-Allen Foundation to Lavaca County Records Management in the amount of \$30,000.

14. Quitclaim Deed from Lavaca County to Greg Miers and Cheryl Miers d/b/a G & C Enterprises being 0.644 of an acre (28,071 square feet) of land situated within the corporate limits of the City of Yoakum in the Patrick Ryan League in Lavaca County, Texas and being a part of Lot 21 of the Lee Kahanek 30 Acre Subdivision. (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 Quitclaim Deed from Lavaca County to Greg Miers and Cheryl Miers d/b/a G & C Enterprises being 0.644 of an acre (28,071 square feet) of land situated within the corporate limits of the City of Yoakum in the Patrick Ryan League in Lavaca County, Texas and being a part of Lot 21 of the Lee Kahanek 30 Acre Subdivision.

15. Approve Percentage of Uncollectible Per Statement on Auditing Standards No. 122 for the following: (1) Taxes Receivable-40% and (2) GASB 34 Receivable (Justices of the Peace, County Clerk, District Clerk, EMS, etc.)-50%. (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 approve Percentage of Uncollectible Per Statement on Auditing Standards No. 122 for the following: (1) Taxes Receivable-40% and (2) GASB 34 Receivable (Justices of the Peace, County Clerk, District Clerk, EMS, etc.)-50%.

16. Fixed Asset Methodology: Property, plant and equipment of Lavaca County are depreciated using the straight line method over the following estimated useful life:

- **Building – 40 years**
- **Building Improvements – 20 years**
- **Vehicles – 7 years**
- **Law Enforcement/EMS Vehicles – 3 years**
- **Older/Used Equipment – 15 years**
- **New Equipment – 20 years**
- **Paved Roads/Bridges – 30 years**
- **Graveled Roads – 20 years**
- **Office Equipment/Furniture – 10 years. (Auditor)**

Moved by Judge Tramer J. Woytek, Seconded by Commissioner Edward Pustka, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to approve the Fixed Asset Methodology: Property, plant and equipment of Lavaca County are depreciated using the straight line method over the following estimated useful life:

- Building – 40 years
- Building Improvements – 20 years
- Vehicles – 7 years
- Law Enforcement/EMS Vehicles – 3 years
- Older/Used Equipment – 15 years
- New Equipment – 20 years
- Paved Roads/Bridges – 30 years
- Graveled Roads – 20 years
- Office Equipment/Furniture – 10 years. (Auditor)

17. Transfer Kerry Peterson from unpaid reserve deputy to full-time paid deputy effective January 19, 2016 with a starting salary of \$39,824.00. (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 for the transfer of Kerry Peterson from unpaid reserve deputy to full-time paid deputy effective January 19, 2016 with a starting salary of \$39,824.00.

18. Hiring of Joslyn Williams as a dispatcher effective January 19, 2016 with a starting salary of \$30,554.00. (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 Joslyn Williams as a dispatcher effective January 19, 2016 with a starting salary of \$30,554.00.

19. 2015 Racial Profiling Report. (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 approve the 2015 Racial Profiling Report as presented by the Sheriff.

20. Pre-Adjudication Detention Services Agreement between Lavaca County and Guadalupe County Juvenile Services for 2016. (Probation Department)

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 approve the Pre-Adjudication Detention Services Agreement between Lavaca County and Guadalupe County Juvenile Services for 2016.

21. Approve estimate for rear parking lot repair at Courthouse Annex and authorize construction. (County Judge)

Moved by Judge Tramer J. Woytek, Seconded by Commissioner Ronald Berckenhoff, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to approve the estimate for the work on Courthouse Annex Parking Lot for \$48,500.00. H & C Construction to reclaim and add additional material if needed, cement stabilize, water, compact, set to grade and apply 1 ½ inch HMAC. They will furnish all equipment and labor for completion of project. Lavaca County will furnish all material (cement, limestone and hotmix) and freight to jobsite.

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 listed.

22. Minutes of December 28, 2015 Regular Meeting.

23. Lavaca County Road Special Use Agreement between Evers and Sons Inc. and Lavaca County Precinct #2 to include LCR #284.

24. Lavaca County Road Special Use Agreement between Evers and Sons Inc. and Lavaca County Precinct #2 to include LCR #285.

25. Lavaca County Road Special Use Agreement between Evers and Sons Inc. and Lavaca County Precinct #2 to include LCR #287.

26. Lavaca County Road Special Use Agreement between Evers and Sons Inc. and Lavaca County Precinct #2 to include LCR #288.

27. Lavaca County Road Special Use Agreement between Evers and Sons Inc. and Lavaca County Precinct #2 to include LCR #290.

28. **Lavaca County Road Special Use Agreement between Evers and Sons Inc. and Lavaca County Precinct #2 to include LCR #290 via FM 532.**
29. **Lavaca County Road Special Use Agreement between Evers and Sons Inc. and Lavaca County Precinct #2 to include LCR #290A.**
30. **Lavaca County Road Special Use Agreement between Evers and Sons Inc. and Lavaca County Precinct #2 to include LCR #290A via FM 532.**
31. **Lavaca County Road Special Use Agreement between Evers and Sons Inc. and Lavaca County Precinct #2 to include LCR #291.**
32. **Lavaca County Road Special Use Agreement between Evers and Sons Inc. and Lavaca County Precinct #2 to include LCR #292.**
33. **Lavaca County Road Special Use Agreement between Evers and Sons Inc. and Lavaca County Precinct #2 to include LCR #293.**
34. **Lavaca County Road Special Use Agreement between Evers and Sons Inc. and Lavaca County Precinct #2 to include LCR #294.**
35. **Lavaca County Road Special Use Agreement between Evers and Sons Inc. and Lavaca County Precinct #2 to include LCR #296.**
36. **Lavaca County Road Special Use Agreement between Evers and Sons Inc. and Lavaca County Precinct #3 to include LCR #354.**
37. **Lavaca County Road Special Use Agreement between Evers and Sons Inc. and Lavaca County Precinct #3 to include LCR #298.**
38. **Lavaca County Road Special Use Agreement between Evers and Sons Inc. and Lavaca County Precinct #3 to include LCR #301.**
39. **Lavaca County Road Special Use Agreement between Evers and Sons Inc. and Lavaca County Precinct #3 to include LCR #302.**
40. **Lavaca County Road Special Use Agreement between Evers and Sons Inc. and Lavaca County Precinct #3 to include LCR #322.**
41. **Lavaca County Road Special Use Agreement between Evers and Sons Inc. and Lavaca County Precinct #3 to include LCR #326.**

42. **Lavaca County Road Special Use Agreement between Evers and Sons Inc. and Lavaca County Precinct #3 to include LCR #333.**
43. **Lavaca County Road Special Use Agreement between Evers and Sons Inc. and Lavaca County Precinct #3 to include LCR #338.**
44. **Lavaca County Road Special Use Agreement between Evers and Sons Inc. and Lavaca County Precinct #3 to include LCR #339.**
45. **Lavaca County Road Special Use Agreement between Evers and Sons Inc. and Lavaca County Precinct #3 to include LCR #340.**
46. **Lavaca County Road Special Use Agreement between Evers and Sons Inc. and Lavaca County Precinct #3 to include LCR #351 via FM 3435.**
47. **Lavaca County Road Special Use Agreement between Evers and Sons Inc. and Lavaca County Precinct #3 to include LCR #351 via HWY 95.**
48. **Lavaca County Road Special Use Agreement between Evers and Sons Inc. and Lavaca County Precinct #3 to include LCR #351A.**
49. **Lavaca County Road Special Use Agreement between Evers and Sons Inc. and Lavaca County Precinct #3 to include LCR #353.**
50. **Lavaca County Road Special Use Agreement between Trio Consulting & Management, LLC and Lavaca County Precinct #3 to include LCR #380.**
51. **Tax Assessor-Collector, Deborah A. Sevcik, continuing education transcript for the year 2015.**
52. **Tax Assessor-Collector Report as per 31.10 of the Property Tax Code.**
53. **County Auditor Monthly Report and Quarterly Reports.**
54. **Monthly County Treasurer Report, Quarterly County Report, Quarterly Investment Report and Public Financial Report.**
55. **Amended Monthly County Treasurer Report for November 2015.**
56. **County Officials' reports.**
57. **Budget Amendments, if any.**

58. Claims.

Court members signing of paperwork related to items above

The court took a five minute recess.

BID WORKSHOP

- 1. Discuss bid process and coordinate schedules for all bids.**

The workshop was held and then closed.

Adjournment by Presiding Officer

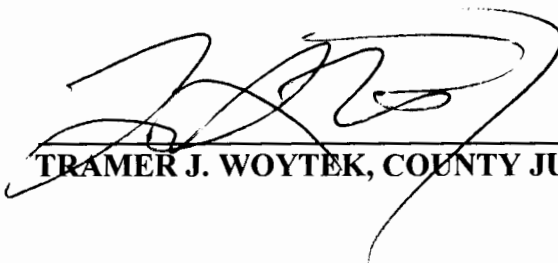
STATEMENT OF APPROVAL

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 January 11th, 2015 are
this day approved as submitted.**

Signed this the 25th day of January, A.D. 2016.


TRAMER J. WOYTEK, COUNTY JUDGE

ACKNOWLEDGED:


ELIZABETH A. KOUBA, COUNTY CLERK

