

STATEMENT OF APPROVAL

2018

THE STATE OF TEXAS ]

COUNTY OF LAVACA ]

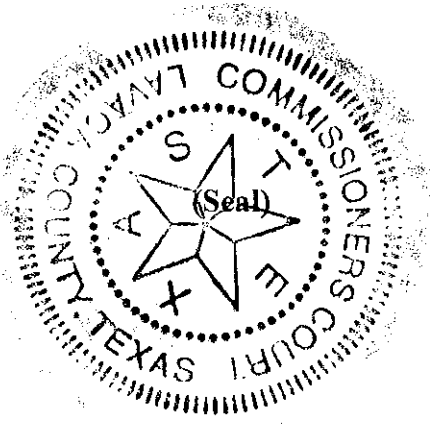
We, the County Judge, and Commissioners of Lavaca County, Texas, majority being present, do hereby certify that the above and foregoing Minutes of the Commissioners' Court Meeting dated February 12, 2018 are this day approved as submitted.

Signed this the 26<sup>th</sup> day of Feb, 2018, A.D.

[Signature], County Judge  
Tramer J. Woytek

ATTEST:

[Signature], County Clerk  
Elizabeth A. Kouba



**THE STATE OF TEXAS )(**  
**COUNTY OF LAVACA )(**

**Regular Meeting February 12, 2018**

The Lavaca County Commissioners' Court met in a Regular Called Meeting on Monday, February 12, 2018 at 10:00 A. M. in the Lavaca County Commissioners' Courtroom, 1<sup>st</sup> Floor, in Hallettsville, Texas.

**Present:**

County Judge Tramer J. Woytek  
 Edward Pustka, Commissioner Pct. 1  
 Ronald Berckenhoff, Commissioner Pct. 2  
 R. W. Brown, Commissioner Pct. 3  
 Dennis W. Kocian, Commissioner Pct. 4.  
 Elizabeth A. Kouba, County Clerk

The attached sheets contain the names of the citizens and officials that were in attendance.

**Roll Call:**

All members of the court were present.

The meeting was called to order by Judge Tramer J. Woytek followed by the Pledge of Allegiance and Pledge to the Texas Flag by Commissioner Dennis W. Kocian.

**Public Communications:**

None.

**Discussion and/or Action Agenda:**

**1. Order continuing Declaration of Disaster Proclamation made by County Judge on August 25, 2017 and still currently in effect. (County Judge)**

Moved by Judge Tramer J. Woytek, seconded by Commissioner R.W. Brown.

"I'll put that in the form of a motion."

County Judge Tramer J. Woytek	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
R. W. Brown, Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4.	YES

**Motion Carried**

**Court Order: 17276**

**NO DOCUMENT WAS SUBMITTED TO THE MINUTES OF THE COURT.**

**2. Discuss changes to permit fees for On Site Sewage Facility Program from \$200.00 to \$250.00. (County Judge)**

Moved by Judge Tramer J. Woytek, seconded by Commissioner Ronald Berckenhoff.

“I put that in the form of a motion.”

County Judge Tramer J. Woytek	YES
Edward Pustka, Commissioner Pct.1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
R. W. Brown, Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4.	YES

**Motion Carried**

**Court Order: 17277**

**3. Approve Racial Profiling Report from the Lavaca County Sheriff's Office that was filed with the Texas Commission on Law Enforcement. (Sheriff)**

Moved by Commissioner Ronald Berckenhoff, seconded by Commissioner Edward Pustka.

“I make a motion to approve the Racial Profiling Report from the Lavaca County Sheriff's Office that was filed with the Texas Commission on Law Enforcement.”

County Judge Tramer J. Woytek	YES
Edward Pustka, Commissioner Pct.1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
R. W. Brown, Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4.	YES

**Motion Carried**

**Court Order: 17278**

**4. Acknowledge donation in the amount of \$1,500.00 from Capital Star Oil & Gas, Inc. (Sheriff)**

Moved by Commissioner Ronald Berckenhoff, seconded by Commissioner Edward Pustka.

“I make a motion to acknowledge the donation in the amount of \$1,500.00 from Capital Star Oil & Gas, Inc.”

The Micah Harmon, Lavaca County Sheriff addressed the court by stating that this donation will be used to purchase equipment. The Sheriff and Commissioner Ronald Berckenhoff openly thanked Capital Star Oil & Gas, Inc. for their donation.

County Judge Tramer J. Woytek	YES
Edward Pustka, Commissioner Pct.1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
R. W. Brown, Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried****Court Order: 17279****NO DOCUMENT WAS SUBMITTED TO THE MINUTES OF THE COURT.****5. Memorandum of Understanding Agreement between Lavaca County and Corporation Service Company (CSC) for the purpose of E-Recording in the Lavaca County Clerk's Office. (County Clerk)**Moved by Commissioner Dennis W. Kocian, seconded by Commissioner R.W. Brown.

"I make a motion to accept the Memorandum of Understanding Agreement between Lavaca County and Corporation Service Company (CSC) for the purpose of E-Recording in the Lavaca County Clerk's Office.

County Judge Tramer J. Woytek	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
R. W. Brown, Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried****Court Order: 17280****6. SIMPLIFILE LC Electronic Recording Procedures for the purpose of E-Recording in the Lavaca County Clerk's Office. (County Clerk)**Moved by Commissioner Dennis W. Kocian, seconded by Commissioner R.W. Brown.

"I make a motion to accept the SIMPLIFILE LC Electronic Recording Procedures for the purpose of E-Recording in the Lavaca County Clerk's Office."

County Judge Tramer J. Woytek	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
R. W. Brown, Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried****Court Order: 17281****Consent Agenda:**

7. Minutes from Regular Meeting on January 22, 2018.
8. Minutes from Regular Meeting on January 30, 2018.
9. Minutes from Regular Meeting on February 6, 2018.
10. Lavaca County Road Special Use Agreement between Penn Virginia Oil & Gas LP and Precinct 2 to include LCR #259.

11. Enter of record the fully executed Memorandum of Understanding between the Office of the Attorney General and Lavaca County as approved in Commissioners Court on January 30, 2018.
12. Certification of Completion for Sherry Henke, Lavaca County District Clerk for completing the required 20 hours of Continuing Education for 2017 as prescribed in Section 51.605 of the Texas Government Code.
13. County Auditor Monthly Report.
14. County Treasurer Monthly and Public Financial Report.
15. Tax Assessor-Collector Report as per 31.10 of the Property Tax Code.
16. County Officials Reports:
  - a. Constable Pct 1 – December 2017 Report
  - b. Constable Pct 1 – January 2018 Report
  - c. Constable Pct 3 – December 2017 Report
  - d. Constable Pct 3 – January 2018 Report
  - e. Constable Pct 3 – January 2018 Report UPDATED
  - f. County Attorney Hot Check Collection – December 2017 Report
  - g. County Clerk – LGS – January 2018 Monthly Distribution Report
  - h. County Clerk – LGS – December 2017 Total Collections Report – Approved by Auditor
  - i. County Clerk – Tyler – January 2018 Monthly Report
  - j. County Clerk – Tyler – December 2017 Total Collections Report – Approved by Auditor
  - k. District Clerk – November 2017 Report
  - l. J.P. Pct 1 – December 2017 Report
  - m. J.P. Pct 1 – January 2018 Report
  - n. J.P. Pct 2 – December 2017 Report
  - o. J.P. Pct 3 – December 2017 Report
  - p. J.P. Pct 3 – January 2018 Report
  - q. J.P. Pct 4 – December 2017 Report
17. Budget Amendments, if any.  
NO DOCUMENT WAS SUBMITTED TO THE MINUTES OF THE COURT.
18. Claims and/or Payroll.

**Approved.**

Moved by Commissioner Dennis W. Kocian, seconded by Commissioner R.W. Brown.

“I make a motion to accept the consent agenda.”

Shana Opela, County Auditor, commended regarding the Auditor’s Report asking that her comment be part of the official record: “To keep Commissioners’ Court informed, during the review of the December 2017 monthly report for JP 2, it was discovered that JP is issuing manual receipts but not always turning those receipts in to our office.

The particular instance that I am referring to is a receipt that is issued in June 2017 that we did not discover had been issued until December and we did not...He turned in a copy of the receipt from a copier not the yellow copy, that comes out of the triplicate and we cannot cross reference that receipt to a system generated receipt nor could we cross reference it to a deposit made for May, so I inquired him of it via email and he did not respond. I then discovered that it had been deposited through the County Clerk, Justice Court Registry Account because it was related to an eviction. At that point he should not have issued that receipt through his office. They should have gotten a receipt from the County Clerk from that check. I believe this information is worth citing because any department that processes county funds, that department, they all need to know, that our office monitors those receipts, we keep track of them and if they do not respond back to me and to our office regards to an inquiry, that just draws up questions and red flags and if they cannot communicate with our office, I mean, all we are asking for is a simple explanation for missing receipts and if they don’t respond it draws up red flags.”

County Judge Tramer J. Woytek	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
R. W. Brown, Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**  
**Court Order: 17282**

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

**Adjournment by Presiding Officer at 10:18 A.M.**

Signature Roster

Attendance at Commissioner's Court Meeting

February 12, 2018

Called

Sign Here

Print Name Here

1 *Shana R Opela* *Shana R Opela*

2 *Deborah A Sewik* *Deborah A Sewik*

3 *Dana Johnson* *Dana Johnson*

4 *Karen Bludau* *Karen Bludau*

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Signature Roster

Attendance at Commissioner's Court Meeting

February 12, 2018

Called

Sign Here

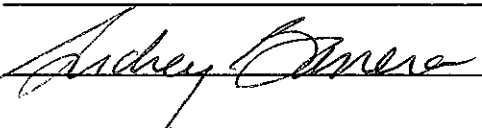
Print Name Here

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MICAH HARMON

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Audrey Barrera

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Minutes of Elizabeth A. Kouba, County Clerk, Lavaca County:

I, Elizabeth A. Kouba, County Clerk of Lavaca County, Texas, do hereby certify that the following Commissioners' Court Minutes are a true and correct record of the proceedings from the Commissioners Court Meeting on February 12, 2018.

ATTEST

Elizabeth A. Kouba, County Clerk  
& Ex-Officio Clerk of  
Commissioners' Court of Lavaca County, Texas



Signed this 13 day of February, 2018

Elizabeth A. Kouba, County Clerk  
Elizabeth A. Kouba