

STATEMENT OF APPROVAL

2018

THE STATE OF TEXAS]

COUNTY OF LAVACA]

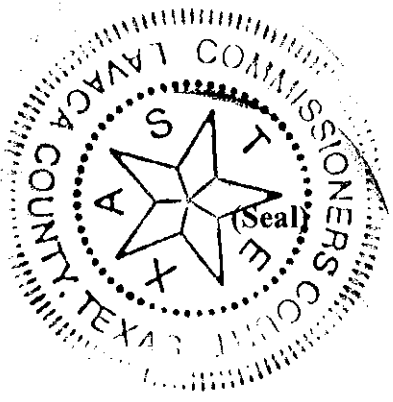
We, the County Judge, and Commissioners of Lavaca County, Texas, majority being present, do hereby certify that the above and foregoing Minutes of the Commissioners' Court Meeting dated March 12, 2018 are this day approved as submitted.

Signed this the 20th day of March, 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 March 12, 2018

The Lavaca County Commissioners' Court met in a Regular Called Meeting on Monday, March 12, 2018 at 10:00 A. M. in the Lavaca County Commissioners' Courtroom, 1st 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
 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 with the exception of Dennis W. Kocian, Commissioner Pct. 4.

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 Edward Pustka.

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 Edward Pustka.

"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

Motion Carried

Court Order: 17301

NO DOCUMENT WAS SUBMITTED TO THE MINUTES OF THE COURT.

2. Order Authorizing San Jacinto Day Fireworks Sale. (County Judge)

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

“I make a motion to approve the order for authorizing San Jacinto Day Fireworks Sale.”

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

Motion Carried

Court Order: 17302

3. Precinct 2 Justice of the Peace regarding monthly report addressed in Commissioners Court on February 12, 2018. (County Judge)

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

“I make a motion to accept the report as given by Justice of the Peace, Pct 2.”

Travis Hill, Justice of the Peace Pct. 2, addressed the court with the following comments requesting that his comments be made part of the official record:

“I want to thank the Commissioners for the opportunity to respond to comments made by the Auditor back on the February 12th meeting regarding an alleged missing receipt. This all got started over a case that was appealed from Justice Court Pct. 2 to the County Court. A check was tendered to me for a bond. The check was issued, manual receipt no.42706A, that receipt, all the other receipts, and all the other official papers of that case were transferred to the County Clerk’s office on June the 5th of last year. All those were transferred to the County Clerk’s office because I am required under rule 506.2 of the Texas Rules of Civil Procedure to transfer all original papers including that alleged missing receipt to the County Clerk’s Office. I went over to the County Clerk’s office, requested to see that record, found the receipt in that record. A certified copy of it, is provided in court. As you can see, it is file stamped into the Clerk’s office June the 5th. The receipt was never missing. It was always in the County Clerk’s file where it sits right now to this day. There is also an allegation that I did not respond to an alleged email. I can’t speak to whether that email was sent or not, I can speak to the fact that I did not receive an email. If I received an email, I would have responded to the Auditor’s office by email. However, I did receive a phone call about this receipt from a representative of the Auditor’s office, which I responded to, that requested a photocopy of that receipt that I had in my records. I provide that receipt to them. For act of a letter in regard to this matter to both district judges asking for them to review this and taking the action they so desire. I think it is very important that I have rules to follow, and I follow those rules. The receipt was never missing. Was in County Clerk’s file, still in County Clerk’s file. The people of Lavaca County got to know that they are being represented properly and there are no nefarious actions that are going on in any court, and I am sure that there are not nefarious actions or anything improperly that has happened in Justice Court Pct. 2. I will answer any questions that Commissioners have, if not, that is all I have to report to you.”

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

Motion Carried

Court Order: 17303

4. Accept the resignation of Detention Officer Aaron Holley, effective February 22, 2018.
(Sheriff)

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

“I make a motion to accept the resignation of Detention Officer Aaron Holley, effective February 22, 2018.”

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

Motion Carried

Court Order: 17304

5. Accept the resignation of Detention Office Silvino D. Cruces, Jr., effective January 9, 2018. (Sheriff)

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

“I make a motion to accept the resignation of Detention Office Silvino D. Cruces, Jr., effective January 9, 2018.”

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

Motion Carried

Court Order: 17305

6. Accept quote from Red Eye Safety, LLC for DOT Drug Testing, Non-DOT Drug Testing and Breath Alcohol tests and appoint a Designated Employee Representative. (County Judge)

Moved by Commissioner R.W. Brown, seconded by Commissioner Edward Pustka.

“I make a motion to accept the quote from Red Eye Safety, LLC for DOT Drug Testing, Non-DOT Drug Testing and Breath Alcohol tests and appoint the Commissioners’ Secretary as point of contact.” (Paula Walker as Employee Representative.)

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

Motion Carried

Court Order: 17306

7. Resolution for County of Lavaca Approval of Hazard Mitigation Plan Update. (Emergency Mgmt.)

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

“I make a motion to pass the Resolution for County of Lavaca Approval of Hazard Mitigation Plan Update.”

Dana Johnson, County Judge Administrative Assistant, stated that the approximate 200 page Hazard Mitigation Plan is available via email from the Judge’s office as well as the Sheriff’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

Motion Carried

Court Order: 17307

8. Advertise for bids for the purchase of the following items:

- a. **Purchase of HMAC Regular D Hot Mix Asphalt;**
- b. **Purchase and delivery of gravel post oak pit run with red binder and gravel post oak screened 1 1/2” and down with red binder for various Lavaca County Roads;**
- c. **Purchase of seal coating, resealing and fogseal for Lavaca County Roads;**
- d. **Fuel.** (Commissioners)

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

“I make a motion to advertise for bids for the purchase of the following items:

- a. Purchase of HMAC Regular D Hot Mix Asphalt;
- b. Purchase and delivery of gravel post oak pit run with red binder and gravel post oak screened 1 1/2” and down with red binder for various Lavaca County Roads;
- c. Purchase of seal coating, resealing and fogseal for Lavaca County Roads; and for the purchase of
- d. Fuel.”

“Bids shall be received by Shana Opela by 10 o’clock am on Thursday, March 29, 2018; and bids will be opened and read aloud by County Judge Woytek for his designee in Commissioners’

courtroom on Thursday, March 29, 2018 at 10:30 am. The bids will be discussed and/or awarded at Commissioners' Court at the regular meeting on Monday, April 9, 2018, at 10 am."

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

Motion Carried
Court Order: 17308

9. Statement of Work from DataBank for Lavaca County Scanning Project. (County Clerk)

Moved by Commissioner R.W. Brown, seconded by Commissioner Ronald Berckenhoff.

"I move that we accept the Statement of Work from DataBank for Lavaca County Scanning Project."

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

Motion Carried
Court Order: 17309

10. Appoint Committee Members to the Golden Crescent Regional Planning Commission Advisory Committees. (County Judge)

Moved by Judge Tramer J. Woytek, seconded by Commissioner Edward Pustka.

"I make a motion that we appoint committee members on the attached list to the Golden Crescent Regional Planning Commission Advisory Committees."

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

Motion Carried
Court Order: 17310

11. Approve bond for Constable Kerry L. Peterson. (County Judge)

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

"I make a motion to approve the bond for Constable Kerry L. Peterson."

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

Motion Carried
Court Order: 17311

12. Acknowledge orders appointing and approving bond for the Lavaca County Auditor.
 (County Auditor)

Moved by Commissioner R.W. Brown, seconded by Commissioner Edward Pustka.

“I move that we acknowledge orders appointing and approving bond for the Lavaca County Auditor.”

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

Motion Carried
Court Order: 17312

13. Amend Section 9.03.03, Vacation Leave Policy, in the Personnel Policies for County of Lavaca. (Auditor)

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

“I put that amendment 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

Motion Carried
Court Order: 17313

Consent Agenda:

- 14. Minutes from Regular Meeting on February 26, 2018.
- 15. Minutes from Regular Meeting on March 5, 2018.
- 16. Certificate of Compliance for Karen Bludau, Lavaca County Treasurer, for successfully completing the require hours of continuing education as per Section 83.0003 of the Texas Local Government Code.
- 17. Lavaca County Pipeline Permit between Trio Consulting & Management, LLC and Precinct #3 to include LCR #380.

18. Ratify Proclamation signed by Lavaca County Judge on March 7, 2018 proclaiming the month of April 2018 as Autism Awareness Month.
19. Lavaca County Pipeline Agreement between Texas Lavaca and Precinct #2 to include LCR #243.
20. County Auditor Monthly Report.
21. County Treasurer Monthly and Public Financial Report.
22. Tax Assessor-Collector Report as per 31.10 of the Property Tax Code.
23. County Officials Reports:
 - a. Auditor's Cash Balance Report – February 2018 Report
 - b. Constable Pct 1 – February 2018 Report
 - c. Constable Pct 2 – January 2018 Report
 - d. Constable Pct 3 – February 2018 Report
 - e. County Attorney Hot Check Collection – January 2018 Report
 - f. County Clerk – LGS – January 2018 Total Collections Report – Approved by Auditor
 - g. County Clerk – Tyler – January 2018 Total Collections Report – Approved by Auditor
 - h. J.P. Pct 1 – February 2018 Report
 - i. J.P. Pct 2 – January 2018 Report
 - j. J.P. Pct 2 – February 2018 Report
 - k. J.P. Pct 3 – February 2018 Report
 - l. J.P. Pct 4 – January 2018 Report

24. Budget Amendments, if any.

25. Claims and/or Payroll.

Approved.

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

“I make a motion to approve the consent agenda as it is.”

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

Motion Carried

Court Order: 17314

Court members signing of paperwork related to items above.

Adjournment by Presiding Officer at 10:34 A.M.

Signature Roster

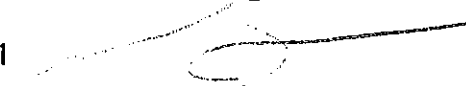
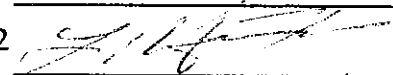
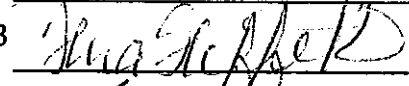

Attendance at Commissioner's Court Meeting

March 12, 2018

Called

Sign Here

Print Name Here

1		Mitch Ferguson
2		TRAVIS HILL
3		Tena Skiffek
4		Audrey Barrera
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Signature Roster

Attendance at Commissioner's Court Meeting

March 12, 2018

Called

Sign Here

Print Name Here

1 *Shana R Opela* Shana R Opela

2 *Jimi Appel* Jimi Appel

3 *Karen Blidau* Karen Blidau

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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 March 12, 2018.



ATTEST

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

Signed this 13 day of March, 2018

Elizabeth A. Kouba, County Clerk
Elizabeth A. Kouba