

STATEMENT OF APPROVAL

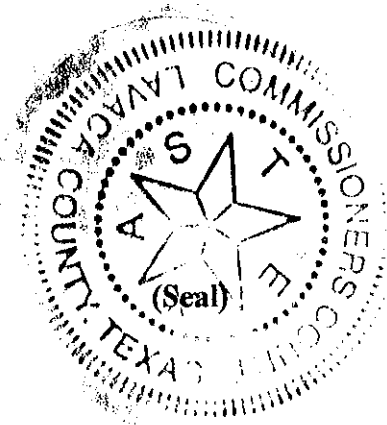
17521

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 October 16, 2018 are this day approved as submitted.

Signed this the 5th day of Nov, 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 October 16, 2018

The Lavaca County Commissioners' Court met in a Regular Called Meeting on Tuesday, October 16, 2018 at 10:04 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.

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. (Judge)

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

"I put that in the form of a motion to continue that declaration."

Table with 2 columns: Name and Response. Rows include County Judge, Tramer J. Woytek (YES), Edward Pustka, Commissioner Pct.1 (YES), Ronald Berckenhoff, Commissioner Pct. 2 (YES), and R. W. Brown, Commissioner Pct. 3 (YES).

Motion Carried

Court Order: 17503

NO DOCUMENT WAS SUBMITTED TO THE MINUTES OF THE COURT.

2. Public Defender Contract between Lavaca County, Texas and Texas RioGrande Legal Aid, Inc. (Judge)

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

“I make a motion to approve the contract.”

| | |
|---|-----|
| 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: 17504

3. Letter from Festival of Lights Committee requesting approval to continue seasonal display on the Lavaca County Courthouse and grounds for the 2018 season. (Judge)

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

“I move that we approve the letter from the Festival of Lights Committee requesting approval to continue seasonal display on the Lavaca County Courthouse and grounds for the 2018 season.”

| | |
|---|-----|
| 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: 17505

4. Quitclaim Deed from Lavaca County, Texas to Brant Jacobs that portion of County Road 412, approximately 1,823 feet in length, bordered on the east side and north side by Grantee’s 52.98 acre tract, and bordered on the west side by Grantee’s 242.45 acre tract. (Comm. Pct. 4)

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

“I put that in the form of a motion to table item #4.”

| | |
|---|-----|
| 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 -Item TABLED
Court Order: 17506

5. Acknowledge purchase of Estudio 3518A, S/N CZGH10433 in the amount of \$5,600 from Dewitt Poth and Son. (District Clerk)

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

“I make a motion to acknowledge the purchase of Estudio 3518A, S/N CZGH10433 in the amount of \$5,600 from Dewitt Poth and Son.”

| | |
|---|-----|
| 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: 17507

6. Budget Amendment in the amount of \$5,112.00 from budget line item 100-5512-6230 to budget line item 100-5560-1040 (\$2,581.00) and budget line item 100-5560-1060 (\$2,531.00). (Sheriff)

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

“I make a motion that we do a Budget Amendment in the amount of \$5,112.00 from the line items listed that I read out to the line items that I described for the purpose of wage quartile increases.”
“My motion shall include that the wage in quartile increases will start the very next pay period which is, start on, October 20th.”

| | |
|---|-----|
| 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: 17508

7. Resolution Authorizing County Grant Program Year 2019 for Texas Department of Agriculture Texans Feeding Texans: Home Delivered Meal Grant Program. (Senior Services Coordinator)

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

“I make a motion to approve the Resolution Authorizing County Grant Program Year 2019 for the Texas Department of Agriculture Texans Feeding Texans: Home Delivered Meal Grant Program for Senior Citizens for one year.”

| | |
|---|-----|
| 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: 17509

8. Declare as surplus property: 2006 Ford Escape, VIN #1FMCU031X6KA39337 with 103,038 Miles.
(Probation Department)

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

“I make a motion to declare as surplus property: 1 - 2006 Ford Escape, VIN #1FMCU031X6KA39337 with 103,038 Miles for Probation Department.”

| | |
|---|-----|
| 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: 17510

9. Receipt of \$27,660.00 from Penn Virginia Oil & Gas, L.P. for lease of County Road 293. (County Judge)

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

“I make a motion to approve the receipt of \$27,660.00 from Penn Virginia Oil & Gas, L.P. for lease of County Road 293.”

| | |
|---|-----|
| 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: 17511

10. Approve 2018 Levy Roll. (Tax Assessor)

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

“I make a motion to approve the 2018 Levy Roll.”

| | |
|---|-----|
| 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: 17512

11. Accept resignation of BreAnn Clinton as Correctional Officer effective October 16, 2018. (Sheriff)

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

“I make a motion to accept the resignation of BreAnn Clinton as Correctional Officer effective October 16, 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: 17513

Consent Agenda

12. Minutes of October 2, 2018 Regular Called Commissioners Court Meeting.

13. Lavaca County Road Special Use Agreement between Trio Consulting & Management, LLC and Precinct #4 to include LCR #456 458.

14. Lavaca County Road Special Use Agreement between Penn Virginia Oil & Gas LP and Precinct #2 to include LCR #292, #293 and #291.

15. Lavaca County Road Special Use Agreement between American Midstream (Lavaca) and Precinct #3 to include LCR #339 and #340.

16. Application for Pipeline Permit between American Midstream (Lavaca), LLC and Precinct #3 to include LCR #339 (crossing #1).

17. Application for Pipeline Permit between American Midstream (Lavaca), LLC and Precinct #3 to include LCR #339 (crossing #2).

18. Application for Pipeline Permit between American Midstream (Lavaca), LLC and Precinct #3 to include LCR #340 (crossing #1).

19. Application for Pipeline Permit between American Midstream (Lavaca), LLC and Precinct #3 to include LCR #340 (crossing #2).

20. Jason Ulrich granting Lavaca County Precinct #2 permission to enter property along LCR #229 for the purpose of staging coverstone in order to pave road.

21. Jason Ulrich granting Lavaca County Precinct #2 permission to enter property along LCR #229 for the purpose of obtaining water for setting road for paving.

22. Paul Simper granting Lavaca County Precinct #2 permission to enter property along FM 1295 for the purpose of buying water to set LCR #247 at price of \$0.25 per barrel (42 gallons).

23. Tax Assessor Collector Report as per 31.10 of the Property Tax Code.

24. County Auditor Monthly Report

25. Monthly County Treasurer Report, Quarterly Investment Report and Public Financial Report

26. County Officials Reports:

- a. Auditor's Cash Balance Report – September 2018 Report
- b. Constable Pct 1 – August 2018 Report
- c. Constable Pct 1 – September 2018 Report
- d. Constable Pct 2 – August 2018 Report
- e. Constable Pct 3 – August 2018 Report
- f. Constable Pct 4 – September 2018 Report
- g. County Attorney – August 2018 Hot Check Report
- h. County Clerk – LGS – August 2018 Report
- i. County Clerk – Tyler – August 2018 Report
- j. County Clerk – LGS – September 2018 Report
- k. County Clerk – Tyler – September 2018 Report
- l. County Clerk – LGS – August 2018 Total Collections Report – Approved by Auditor
- m. County Clerk – Tyler – August 2018 Total Collections Report – Approved by Auditor
- n. County Clerk – LGS – September 2018 Total Collections Report – Approved by Auditor
- o. County Clerk – Tyler – September 2018 Total Collections Report – Approved by Auditor
- p. District Clerk – July 2018 Report
- q. District Clerk – August 2018 Report
- r. J.P. Pct 1 – August 2018 Report
- s. J.P. Pct 1 – September 2018 Report
- t. J.P. Pct 2 – September 2018 Report
- u. J.P. Pct 3 – August 2018 Report

- v. J.P. Pct 3 – September 2018 Report
- w. J.P. Pct 4 – August 2018 Report
- x. J.P. Pct 4 – September 2018

27. Budget Amendments, if any.

NO DOCUMENT WAS SUBMITTED TO THE MINUTES OF THE COURT.

28. Claims and/or Payroll.

Approved as Amended.

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

Judge Tramer J. Woytek indicated that due to a typographical error, Item #13 should be corrected to LCR 458 instead of 456.

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

| | |
|---|-----|
| 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: 17514

Court members signing of paperwork related to items above.

Adjournment by Presiding Officer at 10:25 A.M.

Signature Roster

Attendance at Commissioner's Court Meeting

October 16, 2018

Regular Called

Sign Here

Print Name Here

1 *Frankie Bates*

FRANKIE BATES

2 *Becky Janak*

Becky Janak

3 *Cleve Handley*

Cleve Handley

4 *Eugene Vinick*

Eugene Vinick

5 *Deborah A. Sevcik*

Deborah A Sevcik

6 *Audrey Barrera*

Audrey Barrera

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Signature Roster

Attendance at Commissioner's Court Meeting

October 16, 2018

Regular Called

Sign Here

Print Name Here

| | | |
|----|---------------------|---------------------|
| 1 | <i>Shana Opela</i> | <i>Shana Opela</i> |
| 2 | <i>Karen Budau</i> | <i>Karen Budau</i> |
| 3 | <i>Jim Appelt</i> | <i>Jim Appelt</i> |
| 4 | <i>Dana Johnson</i> | <i>Dana Johnson</i> |
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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 October 16, 2018.

ATTEST

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



Signed this 29 day of October, 2018

Elizabeth A. Kouba, County Clerk
Elizabeth A. Kouba