

THE STATE OF TEXAS)(

COUNTY OF LAVACA)(

The Lavaca County Commissioners' Court met in a Regular Called Meeting on Monday, August 11, 2014 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 all being present. Others in attendance were: Larry Jones, Deborah A. Sevcik, Shana Opela, Dana Pohler, Charles Greive, Ronald J. Rebecsek, Kerry L. Peterson, Micah C. Harmon, Sherry T. Henke, Karen Bludau, 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.

No one addressed the court under Public Communications.

1. Budget Workshop. (County Judge)

Judge Woytek opened the Budget Workshop at 10:02 a.m. Discussion was held on the appraised values and other items of interest in the budget. The Budget Workshop was closed at 10:17 a.m.

2. 2014 Effective Tax Rate and Rollback Rate. (Tax Assessor)

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 presentation of the 2014 Effective Tax Rate of .3785 and the Rollback Rate of .3984.

3. Discuss and/or propose 2014 Tax Rate. (County Judge)

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 propose the rate of .3984.

4. Set date for public hearing on 2014 tax rate. (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 have a Special Called Meeting for the purpose of a public hearing on the tax rate on August 21 at 10:00 a.m. in the Commissioner's Courtroom.

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 have a second public hearing on the Regular Commissioner's Court Meeting on August 25 at 10:00 a.m. in the Commissioner's Courtroom.

5. Set date for public hearing on the 2014-2015 budget adoption. (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 have the public hearing for the budget adoption on our Regular Meeting on August 25, 2014 at 10:00 a.m.

6. Authorize execution of a Professional Services Agreement with Way Service Ltd. (A Way Company) for an Energy Savings Performance Contract pending a 3rd Party Technical Review and Acceptance of the Investment Grade Audit (IGA). (County Judge)

Larry Jones gave a short presentation on the execution of a Professional Services Agreement.

Moved by Commissioner R. W. Brown, Seconded by Commissioner Ronald Berckenhoff, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to authorize the execution of a Professional Services Agreement with Way Service Ltd.

7. Enter into a Financing Agreement for the Energy Savings Performance Contract. (County Judge)

Moved by Commissioner R. W. Brown, Seconded by Commissioner Ronald Berckenhoff, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to enter into a Financing Agreement for the Energy Savings Performance Contract.

8. Budget increase for Abandoned Motor Vehicle Fund 117: 117-5560-8000 - \$50.00 and 117-5552-8000 - \$218.00. (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 budget increase for the Abandoned Motor Vehicle Fund 117: 117-5560-8000 for \$50.00 and 117-5552-8000 in the amount of \$218.00.

9. Hire Robert Lewis as a Road and Bridge Employee Grade 3-1st Quartile effective August 18, 2014. (Comm. Pct. 3)

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 hire Robert Lewis as a Road and Bridge Employee Grade 3-1st Quartile effective August 18, 2014.

10. Lease Agreement between Lavaca County Precinct #2 and Thomas A. Halling for 2 acres of land on FM 532 and authorize County Judge to sign said lease. (Comm. Pct. 2)

Moved by Commissioner Ronald Berckenhoff, Seconded by Commissioner Dennis Kocian, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to approve the Lease Agreement between Lavaca County Precinct #2 and Thomas A. Halling for 2 acres of land on FM 532 and authorize County Judge to sign said lease for an annual payment of \$1,200.00 to be paid by the 15th day of each January. A payment of \$600.00 to be paid to cover the period of July 1, 2014 through December 31, 2014, said payment to be due August 31, 2014.

11. Purchase a used vehicle from Texas Facilities Commission and Federal Surplus. (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 pass on Item #11.

12. Declare as surplus property for Lavaca County Precinct #2: Asset #2044 – 1985 Caterpillar 916 Loader, Serial #2XB00967 and Asset Red Tag #010423 – 1,200 gallon metal water storage tank with spray bar. (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 declare as surplus property for Lavaca County Precinct #2: Asset #2044 - 1985 Caterpillar 916 Loader, Serial #2XB00967 and Asset Red Tag #010423 - 1,200 gallon metal water storage tank with spray bar.

13. Acknowledge receipt of materials and culvert pipe from Sabine Oil & Gas, LLC for LCR #265 and LCR #266. (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 acknowledge the receipt of materials which includes culvert pipe and road materials in the amount of \$3,350.21 for repairs on LCR #265 and LCR #266.

14. State Case Registry Cooperative Agreement between The Office of the Attorney General of the State of Texas and Lavaca County, Texas. (District Clerk)

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 State Case Registry Cooperative Agreement between The Office of the Attorney General of the State of Texas and Lavaca County, Texas.

15. Accept the resignation of Deputy Christopher Rosales effective July 29, 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 accept the resignation of Deputy Christopher Rosales effective July 29, 2014.

16. Per Local Government Code 111.108 Certification of Unanticipated Revenue: Quarterly longevity for Assistant County Attorney from Texas Comptroller - \$1,250.00. (Auditor)

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 Per Local Government Code 111.108 Certification of Unanticipated Revenue: Quarterly longevity for Assistant County Attorney from the Texas Comptroller in the amount of \$1,250.00.

17. Increase hourly pay for part-time deputies in the District Clerk's Office to \$10.00 per hour. (District Clerk)

Moved by Commissioner Ronald Berckenhoff, Seconded by Commissioner Dennis Kocian, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to increase the hourly pay for part-time deputies in the District Clerk's Office to \$10.00 per hour effective September 1, 2014.

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 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 consent agenda.

18. Minutes of July 28, 2014 Regular Meeting.

19. Amend Lavaca County Road Special Use Agreement/Permit between Alta Mesa Services, LP and Lavaca County Precinct #1 to include LCR #1, LCR #1A and LCR #1B to extend the ending date on permit to August 29, 2014. (Comm. Court dated May 12, 2014)

20. Application for Lavaca County Pipeline Permit between SN Operating, LLC (Sabine Oil & Gas) and Lavaca County Precinct #2 to include LCR #290.
21. Application for Lavaca County Pipeline Permit between SN Operating, LLC (Sabine Oil & Gas) and Lavaca County Precinct #2 to include LCR #296.
22. Continuing Education Certificates through the 80th Annual South Texas County Judges' and Commissioners' Association Conference, dated June 10-12, 2014 for Precinct #1 Commissioner Edward Pustka, Precinct #2 Commissioner Ronald Berckenhoff and Precinct #4 Commissioner Dennis W. Kocian.
23. Amend Lavaca County Road Special Use Agreement/Permit between Sanchez Oil & Gas Corp. and Lavaca County Precinct #2 to include LCR #290 to add additional contractors to permit. (Comm. Court dated February 24, 2014)
24. Amend Lavaca County Road Special Use Agreement/Permit between Sanchez Oil & Gas Corp. and Lavaca County Precinct #2 to include LCR #292, LCR #293 and LCR #291 to add additional contractors to permit. (Comm. Court dated February 24, 2014)
25. Amend Lavaca County Road Special Use Agreement/Permit between Sanchez Oil & Gas Corp. and Lavaca County Precinct #2 to include LCR #258 and LCR #256 to add additional contractors to permit. (Comm. Court dated February 24, 2014)
26. Application for Lavaca County Pipeline Permit between Penn Virginia and Lavaca County Precinct #2 to include LCR #294.
27. Application for Lavaca County Pipeline Permit between Penn Virginia and Lavaca County Precinct #3 to include LCR #354.
28. Application for Lavaca County Pipeline Permit between Penn Virginia and Lavaca County Precinct #3 to include LCR #298, LCR #353 and LCR #351.
29. Lavaca County Road Special Use Agreement/Permit between Penn Virginia and Lavaca County Precinct #3 to include LCR #356. (Garbanzo 1H)
30. Lavaca County Road Special Use Agreement/Permit between Penn Virginia and Lavaca County Precinct #3 to include LCR #359, LCR #357 and LCR #357B. (Othold-Martinsen 4H & 5H)
31. County Auditor Monthly Report
32. County Treasurer Monthly and Public Financial Reports

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

34. County Officials' Reports

35. Budget Amendments, if any

36. Claims

Court members signing of paperwork related to items above

Adjournment by Presiding Officer

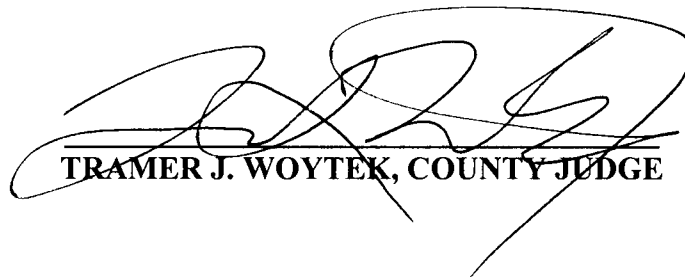
STATEMENT OF APPROVAL

THE STATE OF TEXAS]

COUNTY OF LAVACA]

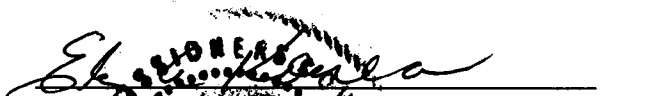
WE, the COUNTY JUDGE, and COMMISSIONERS of
LAVACA COUNTY, TEXAS, majority being present, do hereby certify that the above and
foregoing Minutes of the Commissioners' Court Meeting dated August 11, 2014 are
this day approved as submitted.

Signed this the 25th day of August, A.D. 2014.



TRAMER J. WOYTEK, COUNTY JUDGE

ACKNOWLEDGED:



ELIZABETH A. KOUBA, COUNTY CLERK

