

THE STATE OF TEXAS )(

COUNTY OF LAVACA )(

The Lavaca County Commissioners' Court met in a Regular Called Meeting on Monday, August 12th, 2013 at 10:00 A. M. in the Lavaca County Commissioners' Courtroom, 1<sup>st</sup> 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: Alton E. Brown Sr., Vicki T. Vogel, Micah Harmon, Charles Greive, Karen Bludau, Sandra Hoelter, Paulette Osburn, Susan Nollkamper, Sherry T. Henke, Dana Pohler, J. R. Peters, Pam Lathrop, Clyde Buley, Deborah A Sevcik, Elizabeth A. Kouba, Carl W. Hobbs, Shana Opela, Jim Appelt 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 and discussed the budget. He asked if any individual officeholder wished to address the court about their individual budget. No one addressed the court. County Auditor, Shana Opela addressed the issue of compensation for the District Judges Supplement. The court needed to set the Juvenile Board Pay given to each Juvenile Board member. According to the Human Resource Code, Commissioners Court shall pay the Juvenile Board Members additional monthly compensation set by the Commissioners Court at not less than \$100 nor more than \$400. The county is at the max of \$400 per month. The Judges are not at the max of \$4800 they are currently being paid \$3400 a month. The court decided to keep the District Judges supplement pay at \$3400.

\*\*\*\*\*

**2. Energy Savings proposal from Andy MacDonald with Way Service Ltd. (County Judge)**

Andy MacDonald gave his presentation on Energy Savings proposal. The company would improve the indoor conditions; lighting, cooling, humidity & temperature and at the same time lower the owners operating costs.

\*\*\*\*\*

**3. 2013 Certified Values. (Tax Assessor-Collector)**

Deborah Sevcik, Tax Assessor Collector read the 2013 Certified Values. The County total taxable value certified by the Appraisal District is \$1,687,411,732 and the Farm to Market taxable value certified by the Appraisal District is \$1,678,311,542.

Moved by Commissioner Dennis W. 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 FMR and Lavaca County Certified Values.

\*\*\*\*\*

**4. 2013 Effective Tax Rate and Roll Back Rates. (Tax Assessor-Collector)**

Deborah Sevcik, Tax Assessor Collector calculated the Effective Tax Rate at .4098 including the General Fund and the FMR and calculated the Rollback Rate at .4419 which includes the General Fund and the FMR.

Moved by Judge Tramer Woytek, Seconded by Commissioner Dennis Kocian, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to accept the Effective Tax Rate and the Rollback Rate as presented by the Tax Assessor Collector.

\*\*\*\*\*

**5. Discuss and/or propose 2013 Tax Rate. (Tax Assessor-Collector)**

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 propose the 2013 Tax Rate to be set at the Rollback Rate as presented at .4419. That number will fund in its entirety the budget that you have before you.

\*\*\*\*\*

**6. Set date for public hearing on 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 set the dates for public hearing on the tax rate to be August 22, 2013 and on August 26, 2013 in the Commissioner's Courtroom at 10:00 a.m.

\*\*\*\*\*

**7. Set date for public hearing for the 2013-2014 Budget Adoption. (County Judge)**

Moved by Judge Tramer Woytek, Seconded by Commissioner Dennis Kocian, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to set the date for the public hearing for the 2013-2014 Budget Adoption to be August 26, 2013 at 10:00 a.m.

\*\*\*\*\*

**8. Clyde Buley with Gulf Coast Utility Services for utility bill review. (County Judge)**

Clyde Buley with Gulf Coast Utility Services gave his presentation about utility bill review. The company audits electric, telephone, gas and water bills. They work with the Texas Public Utility Regulatory Act which dictates the rules how the utility companies can and should bill in the state of Texas. Whatever amount they recover from the utility company they send to the county. The company does charge half of what they collect.

\*\*\*\*\*

**9. Interlocal Agreement for E9-1-1 Services between the Golden Crescent Regional Planning Commission and the Lavaca County Sheriff's Office and authorize County Judge to sign agreement. (County Judge)**

Moved by Commissioner Dennis W. 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 Interlocal Agreement for E9-1-1 Services between the Golden Crescent Regional Planning Commission and the Lavaca County Sheriff's Office and authorize the County Judge to sign agreement.

10. Accept retirement of Kenneth Janecek effective August 31, 2013. (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 accept the retirement of Kenneth Janecek effective August 31, 2013 and show his letter as part of records.

\*\*\*\*\*

11. Acknowledge the receipt of 473.69 tons of 1 ½” limestone base from Penn Virginia for repairs on LCR #285. (Comm. Pct. 2)

Moved by Commissioner Ronald Berckenhoff, Seconded by Commissioner R. W. Brown, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to acknowledge the receipt of 473.69 tons of 1 ½" limestone base from Penn Virginia for repairs on LCR #285.

\*\*\*\*\*

12. Consolidate Polling Precincts for November 5, 2013 Amendment Election. (Elections Administrator)

Moved by Commissioner Dennis W. Kocian, Seconded by Commissioner Ronald Berckenhoff, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to consolidate Polling Precincts for November 5, 2013 Amendment Election.

\*\*\*\*\*

13. Appoint Ann Moseley as Assistant Tabulation Supervisor. (Elections Administrator)

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 appoint Ann Moseley, as Assistant Tabulation Supervisor for the Elections Administrator in the Elections Department.

\*\*\*\*\*

14. New legislation concerning Voter ID. (Elections Administrator)

Elections Administrator, Vicki Vogel stated that Texas voters are required to show photo ID when voting in person. The Secretary of State is suggesting that your voter registration and your Texas ID match. They wanted the Election Administrator’s, County Clerk’s and Voter Registrar’s to get the information out to the voters.

\*\*\*\*\*

**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.

**\*\*SEE ITEM #20 & ITEM #21 FOR ACTION ON THOSE 2 AGENDA ITEMS.**

Moved by Commissioner Dennis W. 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 consent agenda.

15. Minutes of July 22, 2013 Regular Meeting.

16. Continuing Education Certificates for Constable Alton E. Brown, Constable Larry W. Hlavac for completing 40 hours of continuing education.

17. Application for Lavaca County Waterline Permit between City of Hallettsville and Lavaca County Precinct #1 to include LCR #200.

18. Application for Lavaca County Waterline Permit between City of Hallettsville and Lavaca County Precinct #1 to include LCR #130.

19. Continuing Education Certificates for Commissioners Edward A. Pustka Pct. 1, Ronald Berckenhoff Pct. 2, R. W. Brown Pct. 3, and Dennis W. Kocian Pct. 4 thru the 79<sup>th</sup> Annual South Texas County Judges' and Commissioners' Association Conference, June 10-13, 2013.

\*\*20. Lavaca County Road Special Use Agreement/Permit and Addendum between Penn Virginia and Lavaca County Precinct #3 to include LCR #353 and LCR #351.

\*\*21. Lavaca County Road Special Use Agreement/Permit and Addendum between Penn Virginia and Lavaca County Precinct #3 to include LCR #352 and LCR #352A.

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 attach the addendums to Item #20 & Item #21 in reference to CR #351 & CR 352A respectively.

22. County Auditor Monthly Report

23. County Treasurer Monthly and Public Financial Reports

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

25. County Officials' Reports.

26. Budget Amendments, if any

27. 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 12th, 2013 are  
this day approved as submitted.**

**Signed this the 26th day of August, A.D. 2013.**

  
**TRAMER J. WOYTEK, COUNTY JUDGE**

**ACKNOWLEDGED:**

  
**ELIZABETH A. KOUBA, COUNTY CLERK**

