

THE STATE OF TEXAS )(

COUNTY OF LAVACA )(

The Lavaca County Commissioners' Court met in a Regular Called Meeting on Tuesday, October 15th, 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., Gayle Bludau, Charles Greive, Sherry T. Henke, Patty Grahmann, Vicki T. Vogel, Dana Pohler, Karen Bludau, Micah C. Harmon, Stuart Fryer, Shana R. Opela, Deborah A. Sevcik, Elizabeth A. Kouba, Jim Appelt and Barbara Steffek.

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The meeting was called to order by Judge Tramer J. Woytek followed by the Pledge of Allegiance to the U.S. and Texas Flags.

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Under Public Communications Debi Sevcik, Tax Assessor Collector stated that all the 2013 Tax Statements have been mailed. She also reminded everyone that the Tax Assessor's Office took over the collections from the appraisal office back in March. This included the 3 cities: Hallettsville, Shiner and Moulton; 6 schools: Hallettsville, Moulton, Ezzell, Shiner, Sweet Home and Vysehrad; and also the Moulton Clinic District. All of the entities will be listed on one statement. Your statement should include all the taxing units associated with your property listed on that statement. You will receive one statement per property. It will be very convenient for the taxpayers to pay in one location.

She also stated that since April they have been in their new office located at 404 N. Texana, on the south side of Subway. If any property owners have any questions, please contact her office at 361-798-3601.

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1. As per Local Government Code 154.022, enter into record county and precinct official's compensation on a salary basis. (County Judge)

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 as per Local Government Code 154.022, enter into record county and precinct official's compensation on a salary basis.

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2. Approve 2013 Levy Roll for Collections. (Tax Assessor)

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 approve the 2013 Levy Roll for Collections.

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3. Determine date for November 11, 2013 meeting due to that date being Veterans Day holiday for Lavaca County. (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 move the meeting to Tuesday, November 12 at 10:00 a.m. in the Commissioner Courtroom.

**4. Amendment to Lavaca County Personnel Policy, Section 16.05 Meals. (County Judge)**

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 amendment to Lavaca County Personnel Policy, Section 16.05 Meal to be \$30 per day, the day you are leaving to go to conference you get \$30, for every day you are there you get \$30 and the day you are leaving the conference you get \$30, unless the program agenda states that you will get a full meal for breakfast, lunch or dinner and then you would be reduced to \$22.50.

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**5. Ratify Proclamation signed by the County Judge on September 26, 2013 proclaiming October 6-12, 2013 as National 4-H week in Texas. (County Judge)**

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 ratify the proclamation signed by the County Judge on September 26, 2013 proclaiming October 6-12, 2013 as National 4-H week in Texas.

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**6. Ratify Proclamation signed by the County Judge on September 26, 2013 proclaiming October 9, 2013 as Children's Health Day in Lavaca County. (County Judge)**

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 ratify the Proclamation signed by the County Judge on September 26, 2013 proclaiming October 9, 2013 as Children's Health Day in Lavaca County.

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**7. Acknowledge Certificate of Compliance presented to the Lavaca County Jail after inspection on September 20, 2013. (Sheriff)**

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 acknowledge Certificate of Compliance presented to the Lavaca County Jail after inspection on September 20, 2013.

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**8. Declare as surplus property for the Treasurer's office/Commissioner's office: HP Laserjet P3005dn, Tag #305; Tripp-Lite Battery Backup; Toshiba eStudio System #6117 copier, Tag #714; 1 computer tower, Tag #301 and HP scanjet, Tag #7020. (Treasurer)**

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 declare as surplus property for the Treasurer's office/Commissioner's office: HP Laserjet P3005dn, Tag #305; Tripp-Lite Battery Backup; Toshiba eStudio System #6117 copier, Tag #714; 1 computer tower, Tag #301 and HP scanjet, Tag #7020.

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**9. Approve 2014 Holiday Schedule. (County Judge)**

Moved by Commissioner Dennis Kocian, Seconded by Commissioner Edward Pustka, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to approve the 2014 Holiday Schedule as follows:

**2014 PROPOSED HOLIDAYS**

Monday	January 20, 2014	Martin Luther King Jr. Day
Monday	February 17, 2014	President's Day
Monday	March 3, 2014	Texas Independence Day
Friday	April 18, 2014	Good Friday
Monday	May 26, 2014	Memorial Day
Friday	July 4, 2014	Independence Day
Monday	September 1, 2014	Labor Day
Monday	October 13, 2014	Columbus Day
Tuesday	November 11, 2014	Veteran's Day
Thursday	November 27, 2014	Thanksgiving Day
Friday	November 28, 2014	Day After Thanksgiving
Wednesday	December 24, 2014	Christmas Eve
Thursday	December 25, 2014	Christmas Day
Friday	December 26, 2014	
Thursday	January 1, 2015	New Year's Day

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10. Letter of request from the Festival of Lights Chairpersons to continue the seasonal display on the Lavaca County Courthouse grounds for the 2013 season. (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 let the Festival of Lights Chairpersons continue the seasonal display on the Lavaca County Courthouse grounds for the 2013 season.

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11. Declare as surplus property for Justice of the Peace Pct. 2: Two 4 drawer filing cabinets – Asset ID 1622; IBM Computer System – Asset ID 2334; Dell Optiplex GX 280 Monitor – Asset ID 2498. (JP Pct. 2)

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 declare as surplus property for Justice of the Peace Pct. 2: Two 4 drawer filing cabinets – Asset ID 1622; IBM Computer System – Asset ID 2334; Dell Optiplex GX 280 Monitor – Asset ID 2498.

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12. Resolution authorizing Lavaca County Senior Citizens Program to apply for Grant to the Texas Department of Agriculture Home Delivered Meal Grant Program. (Senior Citizens Coordinator)

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 resolution authorizing Lavaca County Senior Citizens Program to apply for Grant to the Texas Department of Agriculture Home Delivered Meal Grant Program.

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13. Annual computer network maintenance and support agreement from Infinity Communications Technologies. (Elections Administrator)

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 annual computer network maintenance and support agreement from Infinity Communications Technologies for the Elections Administrator.

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14. 2014 Lavaca County Indigent Defense Grant Program Resolution. (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 approve the 2014 Lavaca County Indigent Defense Grant Program Resolution.

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15. Hire Debra Berger in the Lavaca County Auditor's Office as an Assistant County Auditor effective October 15, 2013, with a starting salary of \$26,264.94. (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 hire Debra Berger in the Lavaca County Auditor's Office as an Assistant County Auditor effective October 15, 2013, with a starting salary of \$26,264.94.

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16. Acknowledge the appointment of Mary Sklar as the Chief Deputy in the Tax Assessor-Collector office, Grade 5, 1<sup>st</sup> Quartile, at a salary of \$30,881.00, effective October 1, 2013. (Tax Assessor-Collector)

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 acknowledge the appointment of Mary Sklar as the Chief Deputy in the the Tax Assessor-Collector Office, Grade 5, 1<sup>st</sup> Quartile, at a salary of \$30,881.00, effective October 1, 2013.

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17. Declare as surplus property all items listed on the attached Exhibit "A" for the Tax Assessor-Collector office. (Tax Assessor-Collector)

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 declare as surplus property all items listed on the attached Exhibit "A" for the Tax Assessor-Collector Office.

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18. Promotion of Dirk Moore to Communications Supervisor, effective October 1, 2013, with a base salary of \$30,213.00. (Sheriff)

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 promotion of Dirk Moore to Communications Supervisor, effective October 1, 2013, with a base salary of \$30,213.00 for the Lavaca County Sheriff's Office.

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19. Transfer of Darlene Stacy from DPS Secretary to LCSO Records Clerk, effective October 1, 2013 with a base salary of \$28,806.46. (Sheriff)

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 transfer Darlene Stacy from DPS Secretary to LCSO Records Clerk, effective October 1, 2013 with a base salary of \$28,806.46.

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20. Hiring of Danielle Beasley as a jailer, effective October 15, 2013, with a starting salary of \$31,498.48. (Sheriff)

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 hiring of Danielle Beasley as a jailer, effective October 15, 2013, with a starting salary of \$31,498.48 and also approve a deputy sheriff bond. All the Jailer Positions are now filled and one dispatcher needs to be hired.

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21. Acknowledge payment of \$16,437.50 from Lower Colorado River Authority for damages to resurface County Road 260 in Lavaca County. (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 payment of \$16,437.50 from Lower Colorado River Authority for damages to resurface County Road 260 in Lavaca County.

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22. Per Local Government Code 111.0108 certification of unanticipated revenue – LCRA reimbursement for damages to County Road 260 for Precinct #2 in the amount of \$6,437.50. (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 Per Local Government Code 111.0108 certification of unanticipated revenue - LCRA reimbursement for damages to County Road 260 for Precinct #2 in the amount of \$16,437.50 with a correction to dollar amount.

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23. Justice of the Peace and County Clerk Resolution to Consolidate Local Registrar and time table for transfer of duties. (County 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 ratify the Justice of the Peace and County Clerk Resolution to Consolidate Local Registrar and time table for transfer of duties.

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**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 with the exception of Item #28 which was pulled from the agenda.

24. Minutes of September 23, 2013 Regular Meeting.

25. Lavaca County Road Special Use Agreement/Permit between Cantera Energy LLC (formerly E P Energy E&P Co) and Lavaca County Precinct #1 to include LCR #152, LCR #158, LCR #14, LCR #1, LCR #15A and LCR #15AA.

26. Lavaca County Road Special Use Agreement/Permit between Cantera Energy LLC (formerly E P Energy E&P Co) and Lavaca County Precinct #4 to include LCR #14, LCR #438, LCR #440, LCR #441, LCR #444 and LCR #1.

27. Lavaca County Road Special Use Agreement/Permit between Trio Consulting & Management, LLC and Lavaca County Precinct #1 to include LCR #1A, LCR #1B and LCR #1.

28. Application to lay Fiber-Optic Cable between Fiberlight LLC and Lavaca County Precinct #4 to include LCR #441.

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

30. County Auditor Monthly and Quarterly Reports.

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

32. County Officials' reports

33. Budget Amendments, if any

34. Claims

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Court members signing of paperwork related to items above

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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 October 15, 2013 are this  
day approved as submitted.**

**Signed this the 28th day of October, A.D. 2013.**

  
**TRAMER J. WOYTEK, COUNTY JUDGE**

**ACKNOWLEDGED:**

  
**ELIZABETH A. KOUBA, COUNTY CLERK**

