

THE STATE OF TEXAS )(

COUNTY OF LAVACA )(

The Lavaca County Commissioners' Court met in a Regular Called Meeting on Monday, October 28th, 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 Ronald Berckenhoff, Pct. 2 and Commissioner Dennis Kocian, Pct. 4 being absent and Commissioner Edward Pustka, Pct. 1, Commissioner R. W. Brown, Pct. 3 being present. Others in attendance were: Micah C. Harmon, Sherry T. Henke, Chris Rivera, Deborah A. Sevcik, Sophie Teltschik, Tiffany Janak, Jo Ann Bludau, Elizabeth A. Kouba, Karen Bludau, Jim Appelt, Dana Pohler 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, Jo Ann Bludau, Sophie Teltschik and Tiffany Janak gave a presentation on the upcoming Bond Proposition being considered for the Hallettsville Elementary Campus and the Hallettsville Junior High Campus.

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1. Chris Rivera with MHSC Energy Management presentation of LED light survey. (County Judge)

Chris Rivera gave a presentation on the efficiency of the LED lights.

Moved by Commissioner R. W. Brown, Seconded by Commissioner Edward Pustka, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to allow MHSC Energy Management to due the survey.

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2. Amendment to Lavaca County Personnel Policy, Section 16.05 Meal making effective October 1, 2013. (County Judge)

Moved by Judge Tramer Woytek, Seconded by Commissioner Edward Pustka, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to make it retro effective October 1, 2013.

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3. Acknowledge the payment of \$5,091.68 from Sabine Oil & Gas LLC for damages to County Road 265 in Lavaca County. (Comm. Pct. 2)

Moved by Commissioner R. W. Brown, Seconded by Commissioner Edward Pustka, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to acknowledge payment of \$5091.68 from Sabine Oil & Gas LLC for damages to County Road 265 in Lavaca County.

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4. Per Local Government Code Section 111.0108, certification of unanticipated revenue:

- \* Texas Farm Bureau Casualty Insurance Co. \$61,000.00 – Pct. 2
- \* Sabine Oil – reimburse for road damage CR #265 - \$5,091.68 – Pct. 2
- \* Texas Association of Counties - \$2,650.00 – 2013 Employer Rewards. (Auditor)

Moved by Commissioner R. W. Brown, Seconded by Commissioner Edward Pustka, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to accept as Per Local Government Code Section 111.0108 certification of unanticipated revenue:

- Texas Farm Bureau Casualty Insurance Co. \$61,000.00 - Pct. 2
- Sabine Oil - reimburse for road damage CR #265 - \$5091.68 - Pct. 2
- Texas Association of Counties - \$2,650.00 - 2013 Employer Rewards

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5. Declare as surplus property all items listed on the attached Exhibit "A" for Commissioner Precinct #2. (Comm. Pct. 2)

Moved by Commissioner Edward Pustka, Seconded by Commissioner R. W. Brown, 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 Commissioner Precinct #2: Tag #002055 - (1) 2011 John Deere Tractor Serial #LV5093E340690 with a John Deere 563 Loader Serial #P00563X061736 - Wrecked on 09/23/13. Totaled by insurance company & Tag #002059 - (1) John Deere H X 15 Rotary Cutter serial #P0HX15E040890 - Wrecked on 09/23/13. Totaled by insurance company.

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6. Commissioner's Court request for County Auditor to conduct audit of FY13 Chapter 59 Asset Forfeiture Fund as per Article 59.06 of the Code of Criminal Procedure. (Auditor)

Moved by Judge Tramer Woytek, Seconded by Commissioner Edward Pustka, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to allow the Auditor to conduct the Audit of FY13 Chapter 59 Asset Forfeiture Fund as per Article 59.06 of the Code of Criminal Procedure.

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7. Certification of Nunc Pro Tunc Order Regarding Fee Appeal granting Appellant an additional \$1,766.00 as reasonable attorney fees. (District Clerk)

Moved by Commissioner Edward Pustka, 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 Certification of Nunc Pro Tunc Order Regarding Fee Appeal granting Appellant an additional \$1,766.00 for attorney fees paid to Christopher Janak.

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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 R. W. Brown, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to accept the consent agenda as presented.

8. Minutes of October 11, 2013 Special Called Meeting.

9. Minutes of October 15, 2013 Regular Meeting.

10. Lavaca County Road Special Use Agreement/Permit between Enterprise Texas Pipeline LLC and Lavaca County Precinct #3 to include LCR #326.

11. Application for Lavaca County Pipeline Permit between Enterprise Texas Pipeline LLC and Lavaca County Precinct #3 to include LCR #326.

12. Lavaca County Road Special Use Agreement/Permit between Penn Virginia and Lavaca County Precinct #3 to include LCR #353.

13. James Steffek, granting Lavaca County Precinct #2 permission to enter property on LCR #205 for the purpose of clearing the Right-Of-Way and correcting drainage problems along said roadway.

14. Application for Lavaca County Pipeline Permit between Penn Virginia Oil & Gas LP and Lavaca County Precinct #2 to include LCR #294.

15. Budget Amendments, if any

16. 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 ]**

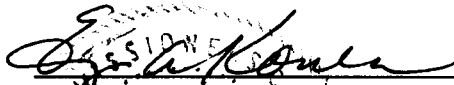
**COUNTY OF LAVACA ]**

**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 28th, 2013 are  
this day approved as submitted.**

**Signed this the 12th day of November, A.D. 2013.**

  
**TRAMER J. WOYTEK, COUNTY JUDGE**

**ACKNOWLEDGED:**

  
**ELIZABETH A. KOUBA, COUNTY CLERK**

