

THE STATE OF TEXAS )(

COUNTY OF LAVACA )(

The Lavaca County Commissioners' Court met in a Regular Called Meeting on Monday, December 10, 2012 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 Charles A. Netardus, Pct. 1, Commissioner Ronald Berckenhoff, Pct. 2, Commissioner David Wagner, Pct. 3, and Commissioner Dennis W. Kocian, Pct. 4, all being present. Others in attendance were: Elizabeth A. Kouba, Shana Opela, Margaret Kallus, Dana Pohler, Vicki T. Vogel, Jim Appelt, R. W. Brown, Kathy Shepard, Alton E. Brown Sr., Patty Grahmann, Sherry T. Henke, Karen Bludau, Stuart Fryer 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 Margaret Kallus, Tax Assessor Collector stated that her office now has a public web site which enables the public to check your taxes and also pay your taxes. The web site address is [www.lavacacountytax.com](http://www.lavacacountytax.com).

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1. Per Local Government code 111.0108 certification of unanticipated revenue: Lillie A. Johnson Foundation Grant for Lavaca County Senior Citizens - \$10,000. (Auditor)

Moved by Commissioner David Wagner, Seconded by Commissioner Dennis Kocian, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to pass the resolution Per Local Government Code 111.0108 certification of unanticipated revenue: Lillie A. Johnson Foundation Grant for Lavaca County Senior Citizens in the amount of \$10,000.

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2. Quitclaim Deed to David Ross regarding all that part of land being 0.86 acres of land situated in the W. F. Rogers Survey (Abstract Number 706) in Lavaca County, Texas and being a portion of a 8.82 acre tract. (County Judge)

Moved by Commissioner Charles A. Netardus, Seconded by Commissioner Ronald Berckenhoff, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to approve a Quitclaim Deed to David Ross regarding all that part of land being 0.86 acres of land situated in the W.F. Rogers Survey (Abstract Number 706) in Lavaca County, Texas and being a portion of a 8.82 acre tract.

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3. Hire Melissa Ann Holub as a Deputy in the Tax Office, Grade 3 Minimum at a salary of \$24, 461.00 effective December 10, 2012. (Tax Assessor Collector)

Moved by Commissioner Ronald Berckenhoff, Seconded by Commissioner Charles A. Netardus, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to hire Melissa Ann Holub as a Deputy in the Tax Office, Grade 3 Minimum at a salary of \$24,461.00 effective December 10, 2012.

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4. Declare the following as surplus property: Acer AL17111 Monitor, Red Tag #6717, Serial #ETL120804441800; Wyse 160 Dual Port Terminal w/keyboard, Red Tag #6739, Serial #00011A03691; Wyse Hard Drive, No Tag, Serial #00011C03690: KTL cctv Color Monitor, Red Tag #6751, Serial #518114102878; APC Battery Module Cartridge, No tag, Serial #7H1217F10596. (Tax Assessor Collector)

Moved by Commissioner Dennis Kocian, Seconded by Commissioner David Wagner, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to declare the following as surplus property for the Tax Assessor Collector's Office as per list provided.

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5. Standard Form of Agreement Between Owner and Contractor. (County Judge)

Moved by Commissioner Charles A. Netardus, Seconded by Commissioner Ronald Berckenhoff, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to approve the AIA Document A101 - 2007 Standard Form of Agreement Between Lavaca County and Bass Construction Co. Inc.

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6. Appointment of Elections Administrator, Vicki T. Vogel and approve her bond, effective, December 1, 2012. (Elections)

Moved by Commissioner Dennis Kocian, Seconded by Commissioner David Wagner, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to appoint Elections Administrator, Vicki T. Vogel and approve her bond, effective, December 1, 2012.

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7. Appointment of Kathy Shepard as Emergency Management Coordinator effective, December 8, 2012 (\*)

Moved by Commissioner David Wagner, Seconded by Commissioner Charles A. Netardus, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to approve the appointment of Kathy Shepard as Emergency Management Coordinator effective, December 8, 2012.

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8. Appoint Lavaca County Historical Commission Members for a two year term January 1, 2013 thru December 31, 2014, as per Local Government Code 318.002 and 318.003. (County Judge)

Moved by Commissioner Ronald Berckenhoff, Seconded by Commissioner Charles A. Netardus, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to appoint Lavaca County Historical Commission Members for a two year term beginning January 1, 2013 through December 31, 2014 as per Local Government Code 318.002 and 318.003 as per the list as provided and enter the document as part of the record.

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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 Ronald Berckenhoff, Seconded by Commissioner Charles A. Netardus, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to approve the consent agenda as presented.

9. Minutes of the November 26, 2012 Regular Meeting.
10. Certificate of Liability Insurance for H&C Construction Co. Inc.
11. Lavaca County Road Special Use Agreement/Permit between H&P Exploration Company and Lavaca County Precinct #4 to include LCR #1.
12. Application for Lavaca County Pipeline Permit between Penn Virginia Oil & Gas, LP and Lavaca County Precinct #2 to include LCR #272.
13. Lavaca County Road Special Use Agreement/Permit between Marathon Oil Company and Lavaca County Precinct #3 to include LCR #341.
14. Donald Muehr, granting Lavaca County Precinct #2 permission to enter property on LCR #211 for the purpose of clearing the Right-of-Way and correcting drainage problems along said roadway.
15. Lavaca County Road Special Use Agreement/Permit between Geiser Operating Inc. And Lavaca County Precinct #4 to include LCR #441.
16. County Auditor Monthly Report
17. County Treasurer Monthly and Public Financial Reports
18. Tax Assessor Collector Report as per 31.10 of the Property Tax Code
19. County Officials' Reports
20. Budget Amendments, if any

**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 December 10th, 2012 are  
this day approved as submitted.**

**Signed this the 26th day of December, A.D. 2012.**

  
**TRAMER J. WOYTEK, COUNTY JUDGE**

**ACKNOWLEDGED:**

  
**ELIZABETH A. KOUBA, COUNTY CLERK**

