

THE STATE OF TEXAS)(

COUNTY OF LAVACA)(

The Lavaca County Commissioners' Court met in a Regular Called Meeting on Monday, September 14, 2015 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 Kocian, Pct. 4 being present. Others in attendance were: Elizabeth A. Kouba, Deborah A. Sevcik, Dana Johnson, Matt Wilson, Jim Appelt, Sophie Perry, Patty Grahmann, Lisa Lowe, Charles Greive, Roseann Mikes, Diana Goodall, Karen Bludau, Sherry T. Henke, and Stuart Fryer.

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

Tax Assessor-Collector Deborah A. Sevcik addressed the court to state that the tax office would be closed on Thursday, September 17, 2015 from 10 AM until 1 PM for legislative updates.

1. Appoint Lavaca County Judge Tramer Woytek to the Gulf Bend Center Board of Trustees to replace James Vanek, who has resigned from the board. **(Judge Woytek)**

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 appoint Lavaca County Judge Tramer Woytek to the Gulf Bend Center Board of Trustees to replace James Vanek, who has resigned from the board.

2. Adopt Lavaca County 2015-2016 Budget. **(County Judge)**

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 adopt Lavaca County 2015-2016 budget.

3. Adopt 2015 Tax Rate. **(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 adopt a property tax rate of .3210 for M&O, .0117 for Debt, .1011 for FMR, which is a total of .4338 as the tax rate for the 2015-2016 cycle.

4. Separate vote required according to Local Government Code 111.008(c) that the budget will raise more total property taxes than last year's budget by \$412,064.00 and of that amount 4.94% is tax revenue to be raised from new property added to the tax roll this year. **(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 as per Local Government Code 111.008 this the budget will raise more total property taxes than last year's budget by \$412,064.00 and of that 4.94% is a tax revenue to be raised from new property added to the tax roll this year.

5. Select meeting date for first October meeting due to October 12, 2015 being Columbus Day Holiday. **(County Judge)**

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 have the next meeting on October 13, 2015 which is a Tuesday.

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

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

7. Appoint Voting Precinct Presiding Judges as follows:

- a. Leon Steinocher, Jr. as Presiding Judge for Precinct #1, Lavaca County Courthouse, to fill the unexpired term of Jerry Janak;
- b. Rebecca Polasek as Presiding Judge for Precinct #20, Speaks Community Center, to fill the unexpired term of Janice M. Horton;

- c. John Cinadr as Presiding Judge for Precinct #23, Moulton Community Center, to fill the unexpired term of Tom Dupler.
(Elections Administrator)

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 appoint Voting Precinct Presiding Judges as follows:

- a. Leon Steinocher, Jr. as Presiding Judge for Precinct #1, Lavaca County Courthouse, to fill the unexpired term of Jerry Janak;
- b. Rebecca Polasek as Presiding Judge for Precinct #20, Speaks Community Center, to fill the unexpired term of Janice M. Horton;
- c. John Cinadr as Presiding Judge for Precinct #23, Moulton Community Center, to fill the unexpired term of Tom Dupler.

- 8. Engagement letter from Beyer & Co. Certified Public Accountants for the annual audit of Lavaca County for the year ending September 30, 2015.
(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 engagement letter from Beyer & Co. Certified Public Accountants for the annual audit of Lavaca County for the year ending September 30, 2015.

- 9. Engagement letter from Beyer & Co. Certified Public Accountants for the annual audit of the Lavaca County Community Supervision and Corrections Department for the year ending September 30, 2015.
(Probation Department)

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 engagement letter from Beyer & Co. Certified Public Accountants for the annual audit of the Lavaca County Community Supervision and Corrections Department for the year ending September 30, 2015.

- 10. Remove Tracy Spoor, former Assistant County Attorney, from payroll effective August 27, 2015. **(County Attorney)**

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 remove Tracy Spoor, former Assistant County Attorney, from payroll effective August 27, 2015.

11. Approval of Lavaca County Sheriff Seizure Budget as per Chapter 59, Article 59.06 of the Code of Criminal Procedure. **(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 of Lavaca County Sheriff Seizure Budget as per Chapter 59, Article 59.06 of the Code of Criminal Procedure.

12. Approve the Audit Requirements and Controls and Objectives on GASB 68 – Accounting and Financial Reporting for Pensions. **(Auditor)**

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 approve the Audit Requirements and Controls and Objectives on GASB 68 – Accounting and Financial Reporting for Pensions.

13. Certification of County Auditor's Salary per LGC 152.031. **(District Clerk)**

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 certify County Auditor's Salary per LGC 152.031.

14. Ratify proclamation declaring Tuesday, September 2, 2015 as Victory Over Japan Day. **(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 declaring Tuesday, September 2, 2015 as Victory Over Japan Day.

15. County Boat Agreement between Lavaca County Tax Assessor-Collector and Texas Parks and Wildlife Department. **(Tax Assessor Collector)**

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 County Boat Agreement between Lavaca County Tax Assessor-Collector and Texas Parks and Wildlife Department.

16. Authorize payment from escrow for Invoice #J022-3 to Way Service Ltd. in the amount of \$181,250.00 as authorized by agreement in Commissioner's Court February 26, 2015. **(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 authorize payment from escrow for Invoice #J022-3 to Way Service Ltd. in the amount of \$181,250.00 as authorized by the agreement in Commissioner's Court February 26, 2015.

17. Authorize payment from escrow for Invoice #J022-4 to Way Service Ltd. in the amount of \$88,750.00 as authorized by agreement in Commissioner's Court February 26, 2015. **(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 authorize payment from escrow for Invoice #J022-4 to Way Service Ltd. in the amount of \$88,750.00 as authorized by agreement in Commissioner's Court February 26, 2015.

18. Quitclaim Deed from Lavaca County, Texas to Diamond H Manufacturing & Distributing of 0.26 acres of land in the E.R. Kellett Survey, Abstract No. 275, located within the City of Shiner, Lavaca County, Texas. **(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 approve quitclaim Deed from Lavaca County, Texas to Diamond H Manufacturing & Distributing of 0.26 acres of land in the E.R. Kellett Survey, Abstract No. 275, located within the city limits of Shiner, Lavaca County, Texas.

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 correct items 20 and 21 to change the ending date from 3-15-15 to 3-15-16.

Moved by Commissioner Edward Pustka, Seconded by Commissioner Dennis Kocian and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to approve the remainder of consent agenda.

19. Minutes of August 24, 2015 Regular Meeting.
20. Lavaca County Road Special Use Agreement between Mascot Oil Company (Migl #3) and Lavaca County Precinct #1 to include LCR #196, 197 and 200.
21. Lavaca County Road Special Use Agreement between Mascot Oil Company (Menking #1) and Lavaca County Precinct #1 to include LCR #196 and 200.
22. Lavaca County Road Special Use Agreement between Devon Energy Production Company, L.P. and Lavaca County Precinct #2 to include LCR #265 (Capstick).
23. Lavaca County Road Special Use Agreement between Devon Energy Production Company, L.P. and Lavaca County Precinct #3 to include LCR #335 (Nancy).
24. Lavaca County Road Special Use Agreement between Devon Energy Production Company, L.P. and Lavaca County Precinct #3 to include LCR #335 (Robin).
25. Lavaca County Road Special Use Agreement between Devon Energy Production Company, L.P. and Lavaca County Precinct #3 to include LCR #335 (Lacy).
26. Lavaca County Road Special Use Agreement between Devon Energy Production Company, L.P. and Lavaca County Precinct #3 to include LCR #335 (Deedra).
27. Lavaca County Road Special Use Agreement between Devon Energy Production Company, L.P. and Lavaca County Precinct #3 to include LCR #335 (Angela).
28. Lavaca County Road Special Use Agreement between American Midstream (Lavaca) LLC and Lavaca County Precinct #2 to include various Lavaca County Roads.

29. Lavaca County Road Special Use Agreement between American Midstream (Lavaca) LLC and Lavaca County Precinct #3 to include various Lavaca County Roads.
30. Lavaca County Pipeline Permit between American Midstream (Lavaca) LLC and Precinct #2 to include LCR #283 (Crossing #1).
31. Lavaca County Pipeline Permit between American Midstream (Lavaca) LLC and Precinct #2 to include LCR #283 (Crossing #2).
32. County Auditor Monthly Report.
33. County Treasurer Monthly and Public Financial Reports.
34. Tax Assessor-Collector Report as per 31.10 of the Property Tax Code.
35. County Officials' Reports.
36. Budget Amendments, if any.
37. Claims.

Court members signing of paperwork related to items above.

Adjournment by Presiding Officer.

STATEMENT OF APPROVAL

THE STATE OF TEXAS]

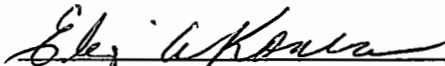
COUNTY OF LAVACA]

**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 September 14, 2015 are
this day approved as submitted.**

Signed this the 28th day of September, A.D. 2015.


TRAMER J. WOYTEK, COUNTY JUDGE

ACKNOWLEDGED:


ELIZABETH A. KOUBA, COUNTY CLERK

