

**NOTICE OF SPECIAL CALLED MEETING  
COMMISSIONERS' COURT OF LAVACA COUNTY**

Notice is hereby given that a Special Called Meeting of the Lavaca County Commissioners' Court will be held on the 31st day of August, 2020 @ 10:00 AM, Lavaca County Commissioners' Courtroom, 1<sup>st</sup> Floor, Lavaca County Courthouse. This meeting will be streamed live via [www.facebook.com/LavacaTX/](http://www.facebook.com/LavacaTX/). If any member of the public would like to submit a question regarding an Agenda Item, a Public Participation Form can be found on our website at <https://www.co.lavaca.tx.us/page/lavaca.Commissioners.Court> and submitted via email to [comm@co.lavaca.tx.us](mailto:comm@co.lavaca.tx.us). No electronic forms will be accepted after 9AM on the day of the meeting.

Pursuant to the authority granted under Government Code, Chapter 551, the Commissioners' Court may convene in a closed meeting to discuss any of the agenda items listed below. Immediately before any closed session, the specific section or sections of Government Code, Chapter 551, which provide statutory authority will be announced.

**Confirm Quorum with Roll Call** (please turn off cell phones and sign in)

**Call to Order and Welcome**

**Invocation, Pledge of Allegiance and Pledge to the Texas Flag by Commissioner Ronald Berkenhoff**

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\*\*\* **PUBLIC HEARING to continue the collection of the \$10.00 District Court Records Archive Fee for the preservation and restoration services performed by the District Clerk.**

\*\*\* **PUBLIC HEARING to continue the collection of the \$10.00 Records Management and Preservation Fee for filing documents in the office of the County Clerk.**

\*\*\* **PUBLIC HEARING on Proposed Lavaca County 2020-2021 Budget.**

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**Discussion and/or action agenda:**

1. Approve plan for collecting the District Clerk's Technology Fee to fund preservation and restoration of the District Clerk's Office. (District Clerk)
2. Approve plan for collecting the Records Management and Preservation Fee for filing documents in the office of the County Clerk. (County Clerk)
3. Per Local Government Code 152.013(a), set the salary, expenses and other allowances of elected county or precinct officers. (Judge)
4. Adopt the 2020-2021 Budget. (Judge)
5. Adopt the 2020-2021 Tax Rate. (Judge)
6. Executive Session to discuss pending and/or potential litigation. (Judge)

Court members signing of paperwork related to items above

Adjournment by Presiding Officer

COMMISSIONERS' COURT OF  
LAVACA COUNTY, TEXAS



Keith Mudd  
Lavaca County Judge

I, the undersigned, do hereby certify this notice was posted at 9:40 o'clock A M on the 28<sup>th</sup> day of August, 2020, which is at least 72 hours prior to the scheduled meeting.

Elizabeth A Kouba by Jana Steffel, Deputy Clerk  
Elizabeth A. Kouba  
Lavaca County Clerk



FILED FOR RECORD  
At 9:40 o'clock A M

AUG 28 2020

ELIZABETH A. KOUBA, CLERK  
COUNTY COURT LAVACA CO, TEXAS  
By Jana Steffel Deputy

**DISTRICT CLERK – LAVACA COUNTY, TEXAS**  
**PRESERVATION AND RESTORATION RECORDS PLAN**

Pursuant to Section 51.305 of the Texas Government Code, Lavaca County and more specifically the Office of the District Clerk set forth the following as the document preservation plan for District Court records as contemplated by the statute. The purpose of the plan is to set forth the process by which records will be preserved and made available to the public.

**EXECUTIVE SUMMARY**

The purpose of this document is to define the restoration and preservation, digital capture, storage, retention and management of archived records belonging to the District Clerk's Office. Records maintained in the District Clerk's Office have been identified to fall under the category of "Preservation and Restoration Plan" that will provide reproduction and archiving of such records for space availability purposes. It is the intent of the District Clerk to follow guidelines set by the Texas State Library and Archives Commissioner.

**GOAL**

The goal is to reproduce and archive all documents, regardless of type, as efficiently as possible. The District Clerk's office is also looking at restoring records, suspending or reducing deterioration of public records, improving the public access to these documents in a manner that reduces the risk of deterioration, and possible reducing or eliminating paper documents.

**SCOPE**

The scope of this document includes the following:

- \*All District Clerk records filed at the Lavaca County Courthouse
- \*Plans to restore and preserve records with significant historical value
- \*Future plans are to improve public and governmental access and provide an archive for records that have or will be imaged.

This document addresses the restoration and preservation needs of the District Clerk Records Archive. No other departments are addressed.

## **SECTION ONE: RECORDS CURRENTLY IN REPOSITORY**

### **INVENTORY**

The office of the District Clerk maintains the records of the 25<sup>th</sup> and 2<sup>nd</sup> 25<sup>th</sup> Judicial District Court of Law. Currently the District Clerk's office currently holds 24,527 Civil Files, 10,273 Criminal Files, 63 Civil Index Books and 21 Criminal Index Books that are related to civil and criminal actions which have occurred in Lavaca County from 1847 to present.

## **SECTION TWO: RESTORATION AND PRESERVATION**

### **PERMANENT RECORDS**

After reducing and/or reproducing these records, the District Clerk plans to utilize the space for the growing number of cases occurring daily. The extra space will allow better access to the records by the public. The District Clerk's office has two public view stations for viewing of court records by the public.

## **SECTION THREE: FUTURE PLANS**

The intention is to attempt to preserve civil records 3361-3785 depending on the cost. The Clerk's office is utilizing the Lavaca County Historical Volunteer Group to help in the process of restoring these files by preparing the files, thereby helping to keep the cost of the restoration down.

# Lavaca County Clerk

## Record Archive Fee Plan 2020-2021

### **Background (Statutory History)**

The 77<sup>th</sup> Texas Legislature passed HB 370 in 2001 to allow *Border County's* to assess a \$5.00 Records Management and Preservation Fee for the preservation of older records filed with the County Clerk. The 78<sup>th</sup> Legislature passed SB 1744 amending the original legislation allowing *all County's* to collect this fee with Commissioner's Court approval. The 79<sup>th</sup> Legislature (2005) is the amendment to the original legislation allowing all County Clerk's to use this fee for records management purposes regardless of the year filed (removes the pre- 1991 stipulation). The new legislation also removes 2008 as the end date for the collection of the fee.

This legislation amends Local Government Code; Section 118.011 (f), to enable the Commissioner's Court to adopt a Records Archive Fee for the preservation and automation of previously filed and recorded real property and vital statistics records as part of their regularly adopted annual budget.

The 83<sup>rd</sup> Legislature (2013) HB 1513 is the most recent amendment that allows the Commissioner's Court to adopt a records archive fee of not more than \$10.00.

The 86<sup>th</sup> Legislature (2019) HB686 amendment County Clerk may collect Records Archive fee not more than \$10.

### **Bill Summary**

- ***Begins*** on approval of the County of Lavaca Annual Budget. The fee must be set and itemized in the county's budget as part of the budget preparation process.
- ***Can be terminated*** upon completion of preservation projects.
- HB 1513-Effective Jan 1, 2014 the fee will be assessed at \$10.00 through Aug 31, 2019 with Commissioner's approval. Sept 1, 2019 fee returns to \$5.00.
- HB686 Effective Sept 1, 2019 Making Permanent the former temporary increase in records archive fees to not more than \$10.
- The \$10.00 fee is assessed on any instrument, document, paper, or other record that the County Clerk is authorized to accept for filing or recording (deed or official public records, assumed names, marriage licenses, civil case filings and brands)
- The fee may be used ***only*** to provide funds for specific records management and preservation, ***including*** for automation purposes – **in accordance with this written plan.**
- Changes to the plan must be approved by Commissioner's Court

### **Records Management and Archive Plan**

- Modernize and upgrade old record systems in the office.
- Scan documents to provide required backup of records
- Continue to add records and information to existing computer system.
- Eliminate or reduce manual lookups and searches.
- Expedite record searching by having more records available for electronic retrieval.
- Preserving original records by reducing daily usage.
- Restore and preserve documents and books

## **Project plans**

Film/Image and or index documents (Deed, Oil Lease, Deed of Trust, Official Public Record, Vital Records, Commissioners Court, etc.) to provide state required back up of records and index for means of searching. Microfilm was found to be in poor condition.

Clean and scan records in Archives.

Restore old books and historical documents.

Purchase Archival supplies.

Update or purchase equipment for archival purposes or preservation.

## **Record of past revenue income**

2004- \$28,005.00  
2005- \$27,766.00  
2006 \$31,386.00  
2007 \$30,162.00  
2008 \$40,228.00  
2009 \$26,486.00  
2010 \$28,737.00  
2011 \$38,899.00  
2012 \$33,346.00  
2013 \$37,715.00  
2014 \$64,345.00  
2015 \$57,010.00  
2016 \$58,270.00  
2017 \$61,610.00  
2018 \$59,080.00  
2019 \$54,330.00

## **Estimated Cost for Projects**

Scan/Image/Microfilm	\$500,000
Purchase of Acid free materials, supplies and equipment	\$50,000
Professional services for restoring books, maps, and documents	\$500,000
Temporary Part time to perform archival projects, index and scanning	\$30,000

## **Fees will be assessed against the following records.**

All records filed in the clerk's OPR (Official public records) such as deed records, liens, releases, powers of attorney, etc.

Assumed Names

Map Plats

Probate and Civil Recordings

Beer and wine recording

Marriage licenses

Brands

## **Summary**

The Legislature has provided a means to raise revenue for the records management and preservation of county clerk property and other records. This “user” fee is an alternative to raising taxes or spending general fund monies to accomplish these projects. This plan will be executed as money is accrued and deposited into a special revenue account. Any outsourcing and/or purchase of equipment will be done through standard purchasing processes.

This fee will be very instrumental in providing funds to index, scan, digitize and microfilm county records. It will be beneficial in providing the state required backup of records. Records and Books can be restored. Lavaca County ‘s history and vital records can be preserved.

**Shana R. Opela**  
**Lavaca County Auditor**  
**P.O. Box 283**  
**Hallettsville, Texas 77964**  
**Phone: (361)798-2711**  
**Fax: (361)798-5046**

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**Date:** 08/28/2020  
**To:** Lavaca County Commissioners Court  
  
**From:** Shana R. Opela  
Lavaca County Auditor  
  
**Re:** Changes to FY 2020/2021 Proposed Budget

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The following is a list of changes made to the Proposed Budget for FY 2020/2021:

**General Fund (100):**

- Additional \$500,000 transfer to Fund 121 for the EMS Department to cover budgeted expenditures.
- Transfer budget of employee from County Judge to Precinct 2-Road and Bridge Fund 202 to cover payroll for commissioner's assistant.

**Ambulance Dept. (121):**

- Increase in budget of \$579,998 to cover payroll and other general operating expenditures.

**Ambulance Service Grant (176):**

- Increase in budget of \$345,000 to cover purchase of EMS vehicles and various of EMS equipment.

**Special Reserve (199)**

- Additional \$200,000 in budget to cover cost of Election Equipment.

**Road and Bridge and FMR Funds:**

- Rollover of funds/budget as directed by Commissioners.
  - Pct.1: R&B – Total Budget \$1,236,462
  - Pct.2: R&B – Total Budget \$1,150,727
  - Pct.3: R&B – Total Budget \$1,079,930
  - Pct.4: R&B – Total Budget \$1,172,691
  
  - Pct.1: FMR – Total Budget \$2,120,100
  - Pct.2: FMR – Total Budget \$1,470,998
  - Pct.3: FMR – Total Budget \$ 981,000
  - Pct.4: FMR – Total Budget \$1,842,474
  
  - Pct. 1: R&B Equip - Total Budget \$100,000
  - Pct. 2: R&B Equip – Total Budget \$100,000
  - Pct. 3: R&B Equip – Total Budget \$111,500



*Shana R. Opela  
Lavaca County Auditor  
P.O. Box 283  
Hallettsville, Texas 77964  
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- Pct. 4: R&B Equip – Total Budget \$ 90,000
  
- Pct. 1: Lateral – Total Budget \$12,400
- Pct. 2: Lateral – Total Budget \$39,500
- Pct. 3: Lateral – Total Budget \$24,030
- Pct. 4: Lateral – Total Budget \$ 8,500

Please feel free to contact me with any questions you may have regarding the above changes.

Sincerely,



Shana R. Opela  
Lavaca County Auditor

**DEBORAH A. SEVCIK**

Tax Assessor-Collector

Lavaca County

PO Box 293 \* 404 N. Texana St.

Hallettsville, TX 77964

Phone: 361-798-3601 \* Fax: 361-798-5229

[dsevcik@co.lavaca.tx.us](mailto:dsevcik@co.lavaca.tx.us)

**2020 TAX STATEMENT INFORMATION MEMO**

DATE: August 20, 2020

TO: Judge Keith Mudd  
Lavaca County/Farm-Market Rd

MESSAGE:

Please find attached a "2020 Tax Statement Information Form" for the County and Farm-Market Rd to be completed and returned following the adoption of the taxing unit's 2020 Tax Rate.

Please provide the early payment discount information, as well as a breakdown of the rate: Maintenance & Operations, Interest & Sinking and the Total Rate.

Also, please attach a copy of the order, ordinance or resolution in which the tax rate was adopted by your governing body.

If you have any questions please don't hesitate to call, email or come by my office.

Thank you.

**DEBORAH A. SEVCIK**

Tax Assessor-Collector

Lavaca County

PO Box 293 \* 404 N. Texana St.

Hallettsville, TX 77964

Phone: 361-798-3601 \* Fax: 361-798-5229

dsevcik@co.lavaca.tx.us

**2020 TAX STATEMENT INFORMATION FORM**

STATEMENT INFORMATION:

Entity Name:

Lavaca County

EARLY PAYMENT DISCOUNTS:

October:

\_\_\_\_\_

November:

\_\_\_\_\_

December:

\_\_\_\_\_

TAX RATE:

M & O:

\_\_\_\_\_

I & S:

\_\_\_\_\_

TOTAL RATE:

\_\_\_\_\_

Thank you.

Submitted by: \_\_\_\_\_

Date: \_\_\_\_\_

**DEBORAH A. SEVCIK**

Tax Assessor-Collector

Lavaca County

PO Box 293 \* 404 N. Texana St.

Hallettsville, TX 77964

Phone: 361-798-3601 \* Fax: 361-798-5229

dsevcik@co.lavaca.tx.us

**2020 TAX STATEMENT INFORMATION FORM**

STATEMENT INFORMATION:

Entity Name: Farm-Market Rd

EARLY PAYMENT DISCOUNTS:

October: \_\_\_\_\_

November: \_\_\_\_\_

December: \_\_\_\_\_

TAX RATE:

M & O: \_\_\_\_\_

I & S: \_\_\_\_\_

TOTAL RATE: \_\_\_\_\_

Thank you.

Submitted by: \_\_\_\_\_

Date: \_\_\_\_\_