

THE STATE OF TEXAS)(

COUNTY OF LAVACA)(

The Lavaca County Commissioners' Court met in a Regular Called Meeting on Monday, April 14, 2014 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 W. Kocian, Pct. 4 all being present. Others in attendance were: Roger Chambers, Alton E. Brown Sr., Charles Greive, Jackie Loreda, Sherry T. Henke, Charlotte Collins, Mark Zollitsch, Debbie Fishbeck, Michael Andes, Micah C. Harmon, Richard Garcia, Deborah A. Sevcik, Shana Opela, Charles Grafe, Elizabeth A. Kouba, Karen Bludau, Dana Pohler and Barbara Steffek.

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

No one addressed the court under Public Communications.

1. Healthcare Reform and Healthcare Wellness presentations made by representatives from the Texas Association of Counties. (Auditor)

Moved by Judge Tramer Woytek, Seconded by Commissioner Ronald Berckenhoff, and adopted by all members voting AYE and none voting NO, IT IS ORDERED to move the order of this item to last on the list so we can get other business taken care of.

2. Review and consider Commercial Contract offer of less than asking price for the Old Jail located at 200 N. Main St., Hallettsville, Texas 77964.

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 accept the bid for \$35,000 from Roger Chambers with the stipulation that we do retain the mineral rights and authorize the Judge to sign any and all documents relating to the finalizing of the sale of this property.

3. Request For Qualifications of Energy Service Providers for Self-Funded Energy Efficiency Improvements. (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 request for Qualifications of Energy Service Providers for Self-Funded Energy Efficiency Improvements.

4. Appoint Local Health Authority (County Health Officer). (County Judge)

Moved by Commissioner Ronald Berckenhoff, Seconded by Commissioner Edward Puskta, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to appoint Dr. Ralph A. Wagner M.D. and Dr. Timothy J. Wagner M.D. as Local County Health Officers for Lavaca County.

5. Declare as surplus property: LG Workstation/XP Tag #000411; LG Workstation/XP Tag #000410; and Two (2) Microsoft Keyboards Serial Number 6968202951860 and 6968202951215. (District Clerk)

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 declare as surplus property the list provided by the District Clerk.

6. Oil, Gas & Mineral Lease between Lavaca County and Devon Energy Production Company, L.P. for 1.30 acres of land in the William Taylor Survey, A-55, Lavaca County, Texas. (County Judge)

Moved by Commissioner Ronald Berckenhoff, 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 Oil, Gas & Mineral Lease between Lavaca County and Devon Energy Production Company, L.P. for 1.30 acres of land in the William Taylor Survey, A-55, Lavaca County, Texas.

7. Oil, Gas & Mineral Lease between Lavaca County and Devon Energy Production Company, L.P. for 0.9953 acres of land in the William Chase Survey, A-9, Lavaca County, Texas. (County Judge)

Moved by Commissioner Ronald Berckenhoff, 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 Oil, Gas & Mineral Lease between Lavaca County and Devon Energy Production Company, L.P. for 0.9953 acres of land in the William Chase Survey, A-9, Lavaca County, Texas.

8. Per Local Government Code Section 111.0108, Certification of Unanticipated Revenue: A&S Recycling – scrap metal, \$1,420.40 – Precinct #3; Sale of county building located at 204 E. 4th St., Hallettsville, Texas - \$187,936.00. (County Auditor)

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 as per Local Government Code Section 111.0108, Certification of Unanticipated Revenue: A&S Recycling - scrap metal in the amount of \$1,420.40 for Precinct #3; Sale of county building located at 204 E. 4th St., Hallettsville, Texas in the amount of \$187,936.00.

9. Ratify proclamation signed by the Lavaca County Judge on April 4, 2014 proclaiming the month of April 2014 as Child Abuse Prevention Month. (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 a proclamation signed by the Lavaca County Judge on April 4, 2014 proclaiming the month of April 2014 as Child Abuse Prevention Month.

10. Proclamation designating April 13-19, 2014 as National Telecommunicator’s Week. (Sheriff)

Moved by Commissioner Ronald Berckenhoff, 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 Proclamation designating April 13-19, 2014 as National Telecommunicator's Week as read by County Judge.

11. Declare as surplus property: various used cages, light bars, radios and accessories for patrol units. (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 declare as surplus property: various used cages, light bars, radios and accessories for patrol units.

12. Discuss and approve fees for Flood Plain Management and OSSF Program. (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 fees for Flood Plain Management and OSSF Program.

13. Recognize Judge's appointment of Emergency Management Coordinator and Deputy Emergency Management Coordinator and set compensation for these additional and separate duties. (County Judge)

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 for the court to recognize the appointment of Micah Harmon as the Emergency Management Coordinator and also recognize the appointment of Dirk Moore as Deputy Emergency Management Coordinator and set the fees to be paid to them for additional and separate services; to utilize \$2,961.50 of my remaining budget to compensate Micah Harmon in the amount of \$201.92 per pay period and Dirk Moore at \$67.31 per pay period for the remainder of this budget year. The first pay period of this compensation will start on April 12, 2014. The \$2,961.50 is in my budget it has already been approved through the budget process.

14. Assume liability for the reconstruction of LCR #351. (Comm. Pet. 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 accept their generous offer and assume the liability that requires in Texas Transportation Code 251 and that we also allow a letter to be cut today so stating and Judge can sign.

15. Guidelines and Criteria for Granting Tax Abatement in a Reinvestment Zone Created by 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 accept the Guidelines and Criteria for Granting Tax Abatement in a Reinvestment Zone Created by Lavaca County.

The Court then moved to Item #1 on the Agenda.

Charlotte Collins & Mark Zollitsch gave a presentation on Healthcare Reform and how to control your costs with wellness.

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 Dennis Kocian, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to amend the consent agenda: Item #23 should read Shawn Blaha, granting Lavaca County Precinct #2 permission to enter property on LCR #211 for the purpose of clearing Right of Way and correcting draining problems along said roadway; and also amend Item #30 to read Lavaca County Road Special Use Agreement/Permit between American Midstream, LLC and Lavaca County Precinct #2 for LCR #285 from FM 1680 to the facility site location.

16. Minutes of March 24, 2014 Regular Meeting.

17. Application for Lavaca County Pipeline Permit between Penn Virginia Oil & Gas LP and Lavaca County Precinct #3 to include LCR #347.

18. Application for Lavaca County Pipeline Permit between Penn Virginia Oil & Gas LP and Lavaca County Precinct #3 to include LCR #350.

19. Application for Lavaca County Pipeline Permit between Penn Virginia Oil & Gas LP and Lavaca County Precinct #3 to include LCR #350A.

20. Certificates of Completion for the Commissioners continuing education provisions of Article 81.0025 of the Texas Local Government Code for the year 2013 from the County Judges and Commissioners Association of Texas to: Commissioner Precinct #1 Edward Pustka, Commissioner Precinct #2 Ronald Berckenhoff, Commissioner Precinct #3 R. W. Brown and Commissioner Precinct #4 Dennis W. Kocian.

21. Application for Lavaca County Pipeline Permit between City of Shiner and Lavaca County Precinct #3 to include LCR #346B.

22. Leroy Fishbeck Estate by Aaron Gaertner, granting Lavaca County Precinct #2 permission to enter property on LCR #285 for the purpose of clearing the Right of Way and correcting drainage problems along said roadway.

*23. Shawn Blaha, granting Lavaca County Precinct #2 permission to enter property on LCR #21 for the purpose of clearing the Right of Way and correcting draining problems along said roadway.

24. Lavaca County Road Special Use Agreement/Permit between Ballard Exploration Co. Inc. and Lavaca County Precinct #1 to include LCR #149.

25. Application for Lavaca County Pipeline Permit between Devon Energy Production Co. L.P. and Lavaca County Precinct #3 to include LCR #336.

26. Application for Lavaca County Pipeline Permit between Devon Energy Production Co. L.P. and Lavaca County Precinct #3 to include LCR #338.

27. Application for Lavaca County Pipeline Permit between Trio Consulting & Management, LLC and Lavaca County Precinct #1 to include LCR #1.

28. Application for Lavaca County Pipeline Permit between Sabine Oil & Gas, LLC and Lavaca County Precinct #2 to include LCR #270.

29. Application for Lavaca County Pipeline Permit between Penn Virginia Oil & Gas, LP and Lavaca County Precinct #3 to include LCR #349.

*30. Lavaca County Road Special Use Agreement/Permit between American Midstream, LLC and Lavaca County Precinct #2 to include LCR #285.

31. Lavaca County Road Special Use Agreement/Permit between American Midstream, LLC and Lavaca County Precinct #3 to include Various County Roads.

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

33. County Auditor Monthly and Quarterly Reports.

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

35. County Official's 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 April 14, 2014 are
this day approved as submitted.**

Signed this the 28th day of April, A.D. 2014.


TRAMER J. WOYTEK, COUNTY JUDGE

ACKNOWLEDGED:


ELIZABETH A. KOUBA, COUNTY CLERK

