

THE STATE OF TEXAS)(

COUNTY OF LAVACA)(

The Lavaca County Commissioners' Court met in a Regular Called Meeting on Monday, July 28, 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, and Commissioner Dennis W. Kocian, Pct. 4 being present and with Commissioner R. W. Brown, Pct. 3, being absent. Others in attendance were: Jim Appelt, Bob Bass, Karen Bludau, Daniel Brown, Elizabeth A. Kouba, J. R. Peters, Carl W. Hobbs, Stuart Fryer, Tamera Carroll, Shana Opela, Deborah A. Sevcik 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.

**** Public Hearing to Consider Creation of one or more Transportation Reinvestment Zone(s)**

Judge Woytek opened the Public Hearing at 10:02. Bob Bass gave a presentation on the creation of a Transportation Reinvestment Zone. The Court has to identify an area for creating the zone and determine the size of the zone. The creation of the zone is designed to capture any growth around Enterprise and Heyco. The captured revenue over the base year would be available to the county. The revenue collected would go into the General Fund and into Transportation. The court would have to decide how the monies would be allocated. The Public Hearing was closed at 10:53 a.m.

No one addressed the court under Public Communications.

1. Set date for public hearing on 2014 tax rate. (County Judge)

Moved by Judge Tramer J. Woytek, Seconded by Commissioner Ronald Berckenhoff, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to table Item #1 until the next meeting on August 11.

2. Set date for public hearing on the 2014-2015 budget adoption. (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 table until the next meeting.

3. 2014 Certified Values. (Tax Assessor-Collector)

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 certify the 2014 Certified Values.

4. After due notice and a public hearing conducted today, the Commissioner's Court of Lavaca County will consider and take possible action regarding the creation of one or more Transportation Reinvestment Zone(s), pursuant to §222.107 of the Texas Transportation Code. (County Judge)

Moved by Judge Tramer Woytek, Seconded by Commissioner Dennis Kocian, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to include the properties of Enterprise and the properties of Heyco in the proposed Transportation Reinvestment Zone.

Moved by Commissioner Dennis Kocian, Seconded by Commissioner Ronald Berckenhoff, and not adopted with Commissioner Ronald Berckenhoff and Commissioner Dennis Kocian voting AYE and with Commissioner Edward Pustka and Judge Tramer voting NO, THE MOTION FAILED TO PASS to put twenty five percent in the General Fund and seventy five percent into the Transportation Fund.

Moved by Commissioner Edward Pustka, Seconded by Judge Tramer Woytek, and not adopted with Commissioner Edward Pustka and Judge Tramer Woytek voting AYE and with Commissioner Ronald Berckenhoff and Commissioner Dennis Kocian voting NO, THE MOTION FAILED TO PASS to put forty percent in the General Fund and sixty percent into the Transportation Fund.

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 put thirty percent in the General Fund and seventy percent in the Transportation Fund.

Moved by Judge Tramer Woytek, Seconded by Commissioner Dennis Kocian, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to create the zone based on the previous two votes as to how it was created.

5. Approve the bond for Justice of the Peace #4 Clerk, Lindsay Ruppert effective July 14, 2014. (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 approve the bond for Justice of the Peace #4 Clerk, Lindsay Ruppert effective July 14, 2014.

6. Appointment of board member to the Gulf Bend Center Board of Trustees for a two year term. (County Judge)

Moved by Judge Tramer J. Woytek, Seconded by Commissioner Ronald Berckenhoff, and adopted by all members present voting AYE and none voting NO, IT IS HEREBY ORDERED to appoint James Vanek as board member to the Gulf Bend Center Board of Trustees for a two year term.

7. Lavaca County's 2014-2015 Health Insurance Renewal with Texas Association of Counties Health and Employee Benefits Pool. (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 renew Plan 700, Option RX-4A.

8. 2015 Texas County and District Retirement System Plan provisions. (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 remain at 16.2% on the County and District Retirement System Plan.

9. Accept the resignation of Sherrie Henke from the Lavaca County Clerk's office effective August 1, 2014. (County 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 accept the resignation of Sherrie Henke from the Lavaca County Clerk's office effective Friday, August 1, 2014.

10. Move Christy Wilson from part time to full time court clerk in the County Clerk's office effective August 2, 2014. (County Clerk)

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 move Christy Wilson from part time to full time court clerk in the County Clerk's office effective August 2, 2014.

11. Acknowledge materials received from Penn Virginia for County Road repairs on LCR #292 and LCR #293. (Comm. Pct. 2)

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 acknowledge materials received from Penn Virginia Oil & Gas Company for road repairs on LCR #292 and LCR #293.

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 approve the consent agenda.

12. Minutes of July 14, 2014 Regular Meeting.

13. Lavaca County Road Special Use Agreement/Permit between Penn Virginia and Lavaca County Precinct #2 to include LCR #285 and LCR #284, LCR #284A to County Line. (Platapus 2H, 3H)

14. Lavaca County Road Special Use Agreement/Permit between Penn Virginia and Lavaca County Precinct #2 to include LCR #292, LCR #293, LCR #291, LCR #294, LCR #290. (Boma Frac Pond)

15. Lavaca County Road Special Use Agreement/Permit between Penn Virginia and Lavaca County and Lavaca County Precinct #3 to include LCR #353 and LCR #299. (Machalik Frac Pond)

16. Lavaca County Road Special Use Agreement/Permit between Penn Virginia and Lavaca County Precinct #3 to include LCR #281 & LCR #366. (D. Raab 2H, 3H)

17. Lavaca County Road Special Use Agreement/Permit between Penn Virginia and Lavaca County Precinct #3 to include LCR #301. (Welhausen B 4H, 5H)

18. Application for Lavaca County Pipeline Permit between Esenjay Oil & Gas, Ltd. and Lavaca County Precinct #1 to include LCR #15AA.

19. Budget Amendments, if any

20. Claims

Court members signing of paperwork related to items above

Adjournment by Presiding Officer

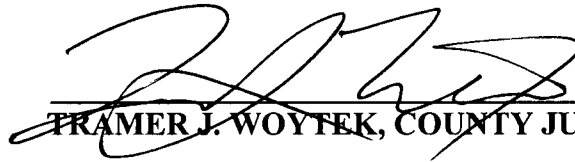
STATEMENT OF APPROVAL

THE STATE OF TEXAS]

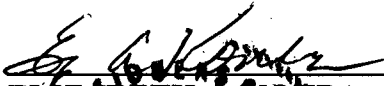
COUNTY OF LAVACA]

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 July 28, 2014 are
this day approved as submitted.

Signed this the 11th day of August, A.D. 2014.


FRAMER J. WOYTEK, COUNTY JUDGE

ACKNOWLEDGED:


ELIZABETH A. KOUBA, COUNTY CLERK

