

THE STATE OF TEXAS)(

COUNTY OF LAVACA)(

The Lavaca County Commissioners' Court met in a Regular Called Meeting on Monday, March 24, 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: Shana Opela, Kathy Shepard, Karen Bludau, Elizabeth A. Kouba, Jim Appelt, Dana Pohler, Debbie Fishbeck, Maddie Boone, Emma Grahmann, Miranda Shimek, Corrina Lackey, Jessica Christ, Hannah Bludau, Madison Etzler, Delaney Etzler, Annie Boone, Hailey Steffek, Kingsley Kahanek, Trey Ridgeway, Luke Bludau, Mary Jo Christ, Shannon R. DeForest, Gayle Bludau, Micah Harmon, Sherry T. Henke, Stuart Fryer 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.

Under Public Communication Shannon DeForest recognized Madison Etzler for winning the Grand Champion Pen of Broilers at the Austin Rodeo. Her sister Delaney Etzler was also recognized.

Gayle Bludau recognized the Consumer Decision Making Teams. The Senior Division team consisting of Hailey Steffek, Kingsley Kahanek and Hannah Bludau placed 8th place out of 47 teams. The Intermediate team won Grand Champion out of 29 teams and the team consisted of Madie Boone, Annie Boone, Miranda Shimek and Corrina Lackey. Corrina Lackey was the high point individual out of 99 children. Madie Boone was number 7 and Miranda Shimek was 11th high point individual. The Junior Team won third place out of 25 teams. Emma Grahmann tied for high point individual but lost in the tie breaker and came out with 2nd high point individual. The team consisted of Emma Grahmann, Luke Bludau, Trey Ridgeway and Jessica Christ.

Shana Opela, County Auditor announced that on Monday, April 14 Lavaca County will be hosting a Health & Wellness presentation which all the employees are invited to attend. She highly encouraged each department to have their employees come to one of the two presentations. The first one will be at 8:00 a.m. and the second one will be at 1:30 p.m. This presentation will be put on by Texas Association of Counties. It will be geared around health and wellness and health insurance. They will also be presenting to Commissioner's Court on that day.

Debbie Fishbeck with EMS reminded everyone that they have 1 week to complete the Health Risk Assessment. She said if anyone needs help they are available just give them a call.

Sherry Henke, District Clerk stated that her office will be closed tomorrow for upgrading their computer system. They are installing new servers which is leading in to the e-filing project which will be implemented the latter part of the year. Notice was put in the local newspapers and it was on the counties website for the past two weeks.

1. Presentation of retirement plaque to Kathleen Shepard for 15 years, 5 months of dedicated service to Lavaca County. (County Judge)

Judge Woytek thanked Kathy Shepard for her dedication to Lavaca County for the past 15 years and 5 months of service.

2. Approve bond for Justice of the Peace Precinct #2, Travis Hill. (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 approve the bond for Justice of the Peace Precinct #2, Travis Hill.

3. Award bids for the purchase of:

- a. Seal Coating, Resealing and Fogseal
- b. Post Oak Pit Run Gravel with Red Binder and Post Oak Screened 1 ½ and down Gravel with Red Binder
- c. HMAC Regular D Hot Mix Asphalt. (Commissioners)

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 award bids for the purchase of Seal Coating, Resealing and Fogseal to Bid #1392 to H&C Construction, Inc. out of Shiner, TX for:

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|------------------------|------------------------|
| Option #1 - \$1.10 psy | Option #5 - \$1.20 psy |
| Option #2 - \$0.36 psy | Option #6 - \$3.81 psy |
| Option #3 - \$2.20 psy | Option #7 - \$0.42 psy |
| Option #4 - \$0.72 psy | Option #8 - NO BID |

Reject any and all other bids.

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 award bid for the purchase of Post Oak Pit Run Gravel with Red Binder and Post Oak Screened 1 ½ and down Gravel with Red Binder to Bid #1389 Prihoda Gravel Company, 1210 Meadow Creek Dr., El Campo, TX for Gravel Post Oak Pit Run with Red Binder at a cost of \$3.75 per ton and for Gravel Post Oak Screened 1 ½ inch and down with Red Binder for \$4.75 per ton. Reject any and all other bids.

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 award bid for the purchase of HMAC Regular D Hot Mix Asphalt to Bid #1390 to Brauntex Minerals, Inc., 1504 Wald Rd., New Braunfels, TX for Pct 1 - \$65.50 per ton, Pct. 2 - \$65.00 per ton, Pct. 3 - \$64.50 per ton and Plant Price - \$48.50 per ton. Reject any and all other bids. Award Bid #1391 to Quality Hot Mix Inc., P.O. Box 1244, El Campo, TX for Pct. 4 - \$70.00 per ton.

4. 2014-2015 Property Renewal Coverage with Texas Association of Counties Risk Management Pool. (County Auditor)

County Auditor, Shana Opela commented that any departments that do not send her any kind of communication to update the content from the EDP Values that the values will be trended either upwards for contents by 4% or they will be trended downwards for EDP or depreciated by 4%. The Auditor's Office will not be responsible for these values in the event a claim on that department on building where the values are under insured. The department head will have to justify the under insured amount.

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 2014-2015 Property Renewal Coverage with Texas Association of Counties Risk Management pool and the auditor's comments be made of record.

5. Proclamation – National County Government Month – April 2014 “Ready and Resilient Counties: Prepare. Respond. Thrive.” (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 accept the Proclamation - National County Government Month - April 2014 “Ready and Resilient Counties: Prepare. Respond. Thrive.” as read by the County Judge.

6. Approve salary quartile increase for Amanda Orsak at Grade 4, 4th Quartile at \$30,548.00 effective March 17, 2014 with increase to be paid from Judiciary Apportionment Fund. (County 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 the salary quartile increase for Amanda Orsak at Grade 4, 4th Quartile at \$30,548.00 effective March 17, 2014 with the increase to be paid from the Judiciary Apportionment Fund.

7. Contract for Grant of Construction Use and Permanent Right of Way Easement for Lavaca County Road 124. (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 accept the Contract for Grant of Construction Use and Permanent Right of Way Easement for Lavaca County Road 124.

8. Renew Medical Director Agreement with Dr. Timothy J. Wagner for 2 years with agreement to coincide with Lavaca County Rescue Service's Provider License. (LCRS)

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 renew the Medical Director Agreement with Dr. Timothy J. Wagner for 2 years with the agreement to coincide with Lavaca County Rescue Service's Provider License.

9. Advertise to hire Road & Bridge personnel for Precinct #4. (Comm. Pct. 4)

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 advertise to hire Road & Bridge personnel for Lavaca County Precinct #4.

10. Give the Shiner Volunteer Fire Department permission to use LCR #348 and LCR #350 for 5K Run/Walk on April 12, 2014. (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 give the Shiner Volunteer Fire Department permission to use LCR #348 and LCR #350 for 5K Run/Walk on April 12, 2014.

11. Service Contract renewal for Fujitsu Scanner in the County Clerk's office to be paid out of County Clerk's Records Management. (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 renew the Service Contract for Fujitsu Scanner in the County Clerk's office to be paid out of County Clerk's Records Management.

12. Environmental Public Health Services Agreement between Lavaca County and Lori McLennan. (County Judge)

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 enter into Environmental Public Health Services Agreement between Lavaca County and Lori McLennan. Her contract states that she will provide this service at the rate of \$175 per inspection and \$75 for re-inspection plus the mileage set at the 2014 IRS Standard Mileage Rate of .56 cents per mile.

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.

Commissioner Berckenhoff stated that the CR listed in Item #14 lies within the CETRZ.

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 consent agenda as listed.

13. Minutes of March 10, 2014 Regular Meeting.

14. Lavaca County Road Special Use Agreement/Permit between Sabine Oil & Gas, LLC and Lavaca County Precinct #2 to include LCR #278. (Anderle 1H)

15. Lavaca County Road Special Use Agreement/Permit between Sabine Oil & Gas, LLC and Lavaca County Precinct #2 to include LCR #265 and LCR #266. (Kubenka 1H)

16. Lavaca County Road Special Use Agreement/Permit between Cantera and Lavaca County Precinct #1 to include LCR #152, LCR #158, LCR #14, LCR #1, ****LCR #15 ONLY GRAVEL SECTION****, LCR #15A and LCR #15AA.

17. Lavaca County Road Special Use Agreement/Permit between Cantera and Lavaca County Precinct #4 to include LCR #14, ****LCR #438 ONLY GRAVEL SECTION****, LCR #440, LCR #441, and ****LCR #1 ONLY GRAVEL SECTION****.

18. Vic Smajstrla, granting Lavaca County Precinct #2 permission to enter property on LCR #220 for the purpose of clearing the Right of Way and correcting drainage problems along said roadway.

19. County Auditor Monthly Report

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

21. Budget Amendments, if any

22. Claims

Court members signing of paperwork related to items above

Adjournment by Presiding Officer

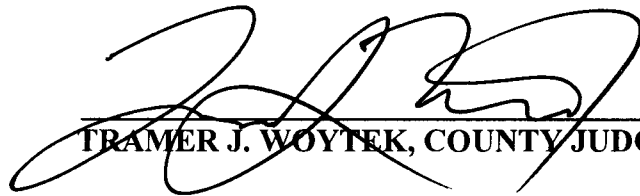
STATEMENT OF APPROVAL

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 March 24, 2014 are
this day approved as submitted.**

Signed this the 14th day of April, A.D. 2014.


TRAMER J. WOYTEK, COUNTY JUDGE

ACKNOWLEDGED:


ELIZABETH A. KOUBA, COUNTY CLERK

