

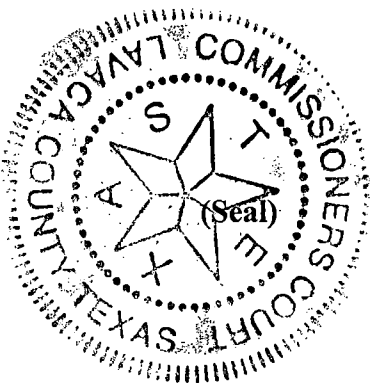
THE STATE OF TEXAS]

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 November 23, 2020 are this day approved as submitted.

Signed this the 14th day of December, 2020, A.D.

Myers, County Judge
Mark Myers



ATTEST:

Elizabeth A. Kouba, County Clerk
Elizabeth A. Kouba
by: Jana Steffert
Deputy Clerk

THE STATE OF TEXAS)(
COUNTY OF LAVACA)(

Regular Meeting Monday, November 23, 2020

Lavaca County Commissioners’ Court met in a Regular Called Meeting on Monday, November 23, 2020, at 10:00 AM, in the Lavaca County Commissioners’ Courtroom, 1st Floor, in Hallettsville, Texas,

Present:

- County Judge Mark Myers
- Edward Pustka, Commissioner Pct. 1
- Ronald Berckenhoff, Commissioner Pct. 2
- Neil F. Bates, Jr., Commissioner Pct. 3
- Dennis W. Kocian, Commissioner Pct. 4
- Elizabeth A. Kouba, Lavaca County Clerk

The attached sheets contain the names of the citizens and officials that were in attendance.

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 Judge Mark Myers

Michael Furrh, EMS Director spoke to the Commissioners’ Court updating on the inspection of the ambulances recently purchased, 3 support EMS vehicles recently purchased by grants and donations, and the draft of office protocols.

Discussion and/or action agenda:

1. Lavaca County DOT Drug & Alcohol Policy, and General Consent for Limited Queries of the FMCSA. (Auditor)

Moved by Commissioner Dennis Kocian, seconded by Commissioner Edward Pustka.

“I make a motion to accept the Lavaca County DOT Drug & Alcohol Policy, and General Consent for Limited Queries of the FMCSA.”

County Judge Mark Myers	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried
Court Order: 18100

2. Approve the Hiring of Crystal Varela as Communications Operator with a salary of \$34,697.00, effective November 17, 2020. (Sheriff)

Moved by Commissioner Edward Pustka, seconded by Commissioner Ronald Berckenhoff.

“Your Honor, I move we approve the Hiring of Crystal Varela as Communications Operator with a salary of \$34,697.00, effective November 17, 2020.”

County Judge Mark Myers	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried

Court Order: 18101

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

3. Proclamation proclaiming November 2020 as National Hospice and Palliative Care Month. (Judge)

County Judge Mark Myers read aloud the Proclamation as presented to Commissioner’s Court.

Moved by Commissioner Neil F. Bates Jr., seconded by Commissioner Dennis Kocian.

“Your Honor, I make a motion to approve Proclamation proclaiming November 2020 as National Hospice and Palliative Care Month.”

County Judge Mark Myers	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried

Court Order: 18102

4. Field agreement between U.S. Department of Agriculture, Animal and Plant Health Inspection Service, Texas AgriLife Extension- Wild life Services, Texas Wildlife Damage Management Association, Inc. and Lavaca County for Wildlife Damage Management and Predator Control. January 1, 2021 through March 31, 2021. (Judge)

Moved by Commissioner Ronald Berckenhoff, seconded by Commissioner Edward Pustka.

“I make a motion to approve Field agreement between U.S. Department of Agriculture, Animal and Plant Health Inspection Service, Texas AgriLife Extension- Wild life Services, Texas Wildlife Damage Management Association, Inc. and Lavaca County for Wildlife Damage Management and Predator Control. January 1, 2021 through March 31, 2021.”

County Judge Mark Myers	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried

Court Order: 18103

5. Accept the Certificate of Compliance awarded to Lavaca County Jail on October 27, 2020. From the Texas Commission on Jail Standards. (Sheriff)

Moved by Commissioner Ronald Berckenhoff, seconded by Commissioner Edward Pustka.

“I make a motion to approve Accept the Certificate of Compliance awarded to Lavaca County Jail on October 27, 2020. From the Texas Commission on Jail Standards.”

County Judge Mark Myers	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried
Court Order: 18104

6. Discuss and/or take action on County Burn Ban and/or restrictions on certain types of fireworks. (Judge)

Moved by Commissioner Neil F. Bates Jr., seconded by Commissioner Ronald Berckenhoff.

“I make a motion that we impose a Burn Ban based on my research for my area and I make an motion that we take action and initiate a burn ban until weather permits and we get rain and is there a possibility that we can always retract prior to a meeting and as for the certain types fireworks I take into recommendation of the attachment.”

County Judge Mark Myers	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried
Court Order: 18105

7. 2020 County Transportation Infrastructure Fund Grant Program Agreement. Certification forms 1 & 2 for all road projects, and Judges Signature on Prioritized Road List. (Auditor)

Moved by Commissioner Dennis Kocian, seconded by Commissioner Neil F. Bates Jr.

“I make a motion to approve 2020 County Transportation Infrastructure Fund Grant Program Agreement. Certification forms 1 & 2 for all road projects, and Judges Signature on Prioritized Road List and the Judge’s signature is required on all of the certification the #2 project which can be done at a later project.”

County Judge Mark Myers	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried
Court Order: 18106

8. Discuss and/or take action on the approval of the Shiner Hillside Development Plat with provisions. (Judge)

Moved by Commissioner Neil F. Bates Jr., seconded by Commissioner Dennis Kocian.

“I would like to move that we accept and approve the Shiner Hillside Development Plat with all signatures accordingly.”

County Judge Mark Myers	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried

Court Order: 18107

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

9. Take up for consideration and possible action regarding:

a. First reading of draft Subdivision Regulation for land, including Manufactured Home Rental Communities.

Bob Bass of Allison, Bass and McGee read some of the items from the first draft Subdivision Regulation for land, including Manufactured Home Rental Communities. Taking Impact Assessment as required by law giving notice where the regulation may be found by public notice, and on December 28, 2020 this matter will be on the agenda for final approval or possible action.

b. Consideration of approval of a Taking Impact Analysis of such a proposed Subdivision Regulation, as required by 2007 of the Texas Government Code.

c. Authorizations for publication of notice of public hearing on Subdivision Regulation, including Manufactured Home Rental Communities, not less than 30 days prior to said public hearing as required by 232 of the Texas Local Government Code, and 2007 of the Texas Government Code.

d. Retain the law firm of Allison, Bass & Magee to represent Lavaca County in Cause No. 2020-11-24607CV, Dornak V. Lavaca County, Texas.

e. Executive Session regarding pending or contemplated litigation to discuss Cause No. 2020-11-24607CV, Dornak V. Lavaca County with legal counsel.

Judge Mark Myers called an Executive Session at 10:30 A.M. Judge Mark Myers, Edward Pustka, Commissioner Pct. 1, Ronald Berckenhoff, Commissioner Pct. 2, Neil F. Bates, Jr., Commissioner Pct. 3, Dennis W. Kocian, Commissioner Pct. 4 and Bob Bass of Allison, Bass and McGee were in attendance in Judges’ Chambers.

f. Close Executive Session and take any appropriate action regarding Cause No. 2020-11-24607Cv, Dornak V. Lavaca County, Texas. (Attorney)

Judge Mark Myers closed an Executive Session at 10:53 A.M.

“I make a motion to approving the Taking Impact Analysis of such a proposed Subdivision Regulation, as required by 2007 of the Texas Government Code.”

Moved by Commissioner Dennis Kocian, seconded by Commissioner Edward Pustka.

County Judge Mark Myers	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried
Court Order: 18108

“I make a motion to Retain the law firm of Allison, Bass & Magee to represent Lavaca County in Cause No. 2020-11-24607CV, Dornak V. Lavaca County, Texas.

Moved by Commissioner Edward Pustka, seconded by Commissioner Ronald Berckenhoff.

County Judge Mark Myers	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried
Court Order 18109

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

Consent Agenda

“Your Honor, I would like to pull out items 1 & 2 on the consent agenda, I make a motion to pass on item #1. And also, on that same motion, I would like to insert on item #2 Lavaca County Precinct 2, add Teal Operating, LLC., and that should be it.”

Moved by Commissioner Ronald Berckenhoff, seconded by Commissioner Edward Pustka.

County Judge Mark Myers	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried
Court Order: 18100

~~1. Lavaca County Road Special Use Agreement between Capital Star Oil & Gas, LLC and Lavaca County Precinct #1 to include LCR #1 #1A, #1B, #1D.~~

2. Lavaca County Road Special Use Agreement between and Lavaca County Precinct #2 to include LCR #265, #265A. Amend to add Teal Operating LLC.

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

4. County Official’s Report.

- a. Wayne Denson, JP #3 Money Distribution Report, October 2020.
- b. John Stuart Fryer, County Attorney, Hot Check Collection & Trust Fund, August 2020.
- c. John Stuart Fryer, County Attorney, Hot Check Collection & Trust Fund, September 2020.
- d. Hallie Hall, JP #4 Money Distribution Report, October 2020.
- e. Elizabeth A. Kouba, County Clerk, LGS Total Collections, October 2020.
- f. Elizabeth A. Kouba, County Clerk, Tyler Total Collections, October 2020.
- h. Mark Ivey, JP #1 Money Distribution Report, October 2020.
- i. Deborah A. Sevcik, Tax Assessor-Collector Monthly Tax Report, September 2020.
- j. Charles Greive, Constable #2 Money Distribution Report, October 2020.

5. Claims and/or Payroll.

6. Budget Amendments, if any.

Approved.

Moved by Commissioner Dennis Kocian, seconded by Commissioner Neil F. Bates Jr.

“I make a motion to approve the Consent Agenda as amended.”

County Judge Mark Myers	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried
Court Order: 18110A

Court members signing of paperwork related to items above.

County Judge Mark Myers called for a motion to adjourn.

“So moved.”

Moved by Commissioner Ronald Berckenhoff, seconded by Commissioner Edward Pustka.

County Judge Mark Myers	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried
Court Order: 18111
Adjournment by Presiding Officer at 11:35 AM.

Signature Roster

Attendance at Commissioner's Court Meeting

11-23-, 2020

Regular Called

Sign Here

Print Name Here

1 Mary Lee Berger

MARY Lee Berger

2 ~~Aubrey Clark II~~

Aubrey Clark II

3 Nipper

4 Tom Foyt

Tom Foyt

5 Cheryl Drager \leftrightarrow Cheryl Chapman-Drager

6 ~~CS Patton~~

CS Patton

7 ~~M.D.~~

Maria F. Hermes

8 ~~Joe Chrastek~~

Joe Chrastek

9 Rebecca Luna Perez

~~JK~~

10 Krystle R

Krystle R

11 J.R. Peters

JR PETERS

12 Nailene Ruppert

Nailene Ruppert

13 Kenny Siegel

Kenny Siegel

14 Deborah A. Sevcik

Deborah A. Sevcik

15 ~~Mat Warner~~

Mat Warner

16 Karen Budau

Karen Budau

17 T. Pawlik

Tim Pawlik

18 ~~Anthony~~

Anthony

19 ~~K~~

20 Barbara Drabek

Barbara Drabek

Signature Roster


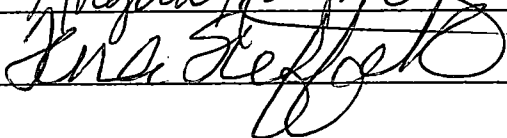
Attendance at Commissioner's Court Meeting

11/23, 2020

Regular Called

Sign Here

Print Name Here

	Sign Here	Print Name Here
1		Angela Harper
2		Tena Stettin
3		
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Minutes of Elizabeth A. Kouba, County Clerk, Lavaca County:

I, Elizabeth A. Kouba, County Clerk of Lavaca County, Texas, do hereby certify that the following Commissioners' Court Minutes are a true and correct record of the proceedings from the Commissioners Court Meeting on November 23 , 2020 .

ATTEST

**Elizabeth A. Kouba, County Clerk
& Ex-Officio Clerk of
Commissioners' Court of
Lavaca County, Texas**

Signed this 9 day of Dec, 2020

E. Kouba, County Clerk
Elizabeth A. Kouba

