

STATEMENT OF APPROVAL

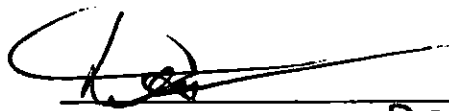
18256

THE STATE OF TEXAS ]

COUNTY OF LAVACA ]

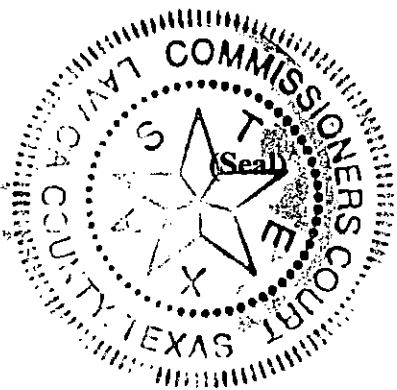
We, the County Judge, and Commissioners of Lavaca County, Texas, majority being present, do hereby certify that the above and foregoing Minutes of the Commissioners' Court Meeting dated April 12, 2021, are this day approved as submitted.

Signed this the 29 day of April, 2021, A.D.

  
~~Mark Myers~~ Dennis W. Kocian, County Judge  
Judge Pro-Tem

ATTEST:

  
Elizabeth A. Kouba, County Clerk



**THE STATE OF TEXAS )(**  
**COUNTY OF LAVACA )(**

**Regular Meeting Monday, April 12, 2021**

Lavaca County Commissioners' Court met in a Regular Called Meeting on Monday, April 12, 2021 at 10:00 AM, in the Lavaca County Commissioners' Courtroom, 1<sup>st</sup> Floor, in Hallettsville, Texas,

**Present:**

Mark Myers, County Judge  
Edward Pustka, Commissioner Pct. 1  
Ronald Berckenhoff, Commissioner Pct. 2  
Kenny W. Siegel, 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):

All members of the court were present.

**Call to Order and Welcome**

**Invocation**

**Pledge of Allegiance and Pledge to the Texas Flag by Judge Mark Myers**

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**Discussion and/or action agenda:**

**1. Rectify the VIN number for surplus property on the 2017 Ford F450 Ambulance VIN number 1FDUF4GT9HEC98629.**

"I make a motion to rectify the VIN number for surplus property on the 2017 Ford F450 Ambulance VIN number 1FDUF4GT9HEC98629."

Moved by Commissioner Dennis W. Kocian, seconded by Commissioner Kenny W. Siegel.

County Judge Mark Myers	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Kenny W. Siegel, Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**

**Court Order 18231**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**2. Award Certificates of Appreciation for service to Lavaca County. (Judge)**

Certificate of Appreciations for service to Lavaca County, Texas 2020 are as follows:

5 Years of Service: Ruth Steffek, Chris A. Hermes.

10 Years of Service: Karen E. Shimek, Michael Buchanek

15 Years of Service: Amanda L. Orsak, Darlene F. Stacy, Donald R. Muehr.  
 20 Years of Service: Rebeca D. Perez, Jennifer L. Steffek.  
 25 Years of Service: Daniel W. Peters, Jr.  
 30 Years of Service: Dennis R. Tousek.  
 35 Years of Service: Patrick J. Pilat.  
 40 Years of Service: Elizabeth A. Kouba.

**3. Approval to purchase hot mix cold lay from second vendor. (Pct. 1)**

“We do have a vendor right now, Quality Hot Mix, for a price of \$69.00 a ton. I’d like to also add Brauntex Material for \$70.00 a ton. The material we get from Brauntex is a better quality material for the road, it is easier to put out and could add that to the buyer list I would appreciate that Commissioners, and the bid number is 1633 for Hot Mix Cold Lay.”

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
Kenny W. Siegel, Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**

**Court Order: 18232**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**4. Discuss and/or approve Lease Agreement between Debra Halling and Lavaca County Pct. #2. (Pct. 2)**

“I make a motion to approve Lease Agreement between Debra Halling and Lavaca County Pct. #2.

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
Kenny W. Siegel, Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**

**Court Order: 18233**

**5. Approve the hiring of Lane Lahodny, Heavy Equipment Operator Pct. 2 Grade 5 1<sup>st</sup> Quartile, effective April 12, 2021. (Pct. 2)**

“I make a motion to approve the hiring of Lane Lahodny, Heavy Equipment Operator for Lavaca County Pct. 2 at Grade 5 1<sup>st</sup> Quartile, effective April 12, 2021.”

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
Kenny W. Siegel, Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**

**Court Order: 18234**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**6. Approve the classification/status change of Dwayne Michna from Heavy Equipment Operator Grade 5, 1<sup>st</sup> Quartile to Truck Driver/Heavy Equipment operator Grade 5 Mid-Point effective April 17, 2021.**  
(Pct. 2)

“Your Honor, I make a motion to approve the classification/status change of Dwayne Michna from Heavy Equipment Operator Grade 5, 1<sup>st</sup> Quartile to Truck Driver/Heavy Equipment operator Grade 5 Mid-Point effective April 17, 2021.”

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
Kenny W. Siegel, Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**

**Court Order: 18235**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**7. Discuss and/or approve No Rig Traffic/No 18-Wheeler Traffic for the following: From rig location on CR. 342 .5 tenths of a mile to CR. 340. From the intersection of Cr. 342 & 341, 1.3 miles to FM 533. From FM 533 on CR. 344 .6 tenths of a mile to Shiner City limits.** (Pct. 3)

“Discuss and approve no rig traffic, no 18-Wheeler traffic signs, this is all going to be all on the West Side of Shiner, I am just trying to keep them all on FM 533 behind Beran’s. So this will be from rig location on County Road 342, .5 tenths of a mile to County Road 340 and then down here from the intersection of County Road 342 & 341, 1.3 miles to FM 533, it a weak bridge, from FM 533 on County Road 344, .6 tenths of a mile to Shiner City limits. I make a motion.”

Moved by Commissioner Kenny W. Siegel., seconded by Commissioner Dennis W. Kocian.

County Judge Mark Myers	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Kenny W. Siegel, Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**

**Court Order: 18236**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**8. Discuss and/or take action on combining voting precincts from 19 to 11 per Election Code 42.031.**  
(Commissioners)

Carroll J. Scogin-Brincefield, Democratic Party Chair, Marie Day, Cheryl Thompson-Draper, Republican Party Chair, Kathleen Leininger, and Keith Mudd addressed the Commissioners Court on this Agenda Item.

“I make a motion that we combine voting precincts from 19 to 11 per Election Code 42.031 and also we have the proposed new voting precincts for the Clerk’s Office.”

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

County Judge Mark Myers	ABSTAIN
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	NO
Kenny W. Siegel, Commissioner Pct. 3	ABSTAIN

Dennis W. Kocian, Commissioner Pct. 4 YES

**Motion Carried**

**Court Order: 18237**

**9. Accept resignation of Donald McAfee as Veterans Services Coordinator as of April 30, 2021. (Judge)**

“My motion is to accept resignation of Donald McAfee as Veterans Services Coordinator as of April 30, 2021.”

Moved by County Judge Mark Myers, seconded by Commissioner Ronald Berckenhoff.

County Judge Mark Myers	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Kenny W. Siegel, Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**

**Court Order: 18238**

**10. Approve advertising for a Veterans Services Coordinator. (Judge)**

“I make a motion to approve advertising for a Veterans Services Coordinator.”

Moved by County Judge Mark Myers, seconded by Commissioner Ronald Berckenhoff.

County Judge Mark Myers	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Kenny W. Siegel, Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**

**Court Order 18239**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**11. Approve contract for Short-Term Detention of Juvenile Offenders between Lavaca County Juvenile Probation and the Fort Bend County Detention Center. (Keith Garner)**

“Motion to approve contract for Short-Term Detention of Juvenile Offenders between Lavaca County Juvenile Probation and the Fort Bend County Detention Center.”

Moved by County Judge Mark Myers., seconded by Commissioner Dennis W. Kocian.

County Judge Mark Myers	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Kenny W. Siegel, Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**

**Court Order: 18240**

**12. Audit/review of Jail Commissary for October 1, 2019 through September 30, 2020, in accordance with Local Government Code 351.0415(d). (Auditor)**

“Your Honor, I make a motion to approve Audit/review of Jail Commissary for October 1, 2019 through September 30, 2020, in accordance with Local Government Code 351.0415(d).”

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
Kenny W. Siegel, Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**

**Court Order: 18241**

**13. Declare the following as Surplus Property for Constable Precinct 2: 2007 Ford Crown Victoria VIN 2FAFP71W77X111602.** (Judge)

“Your Honor, I make a motion to declare the following as Surplus Property for Constable Precinct 2: 2007 Ford Crown Victoria VIN 2FAFP71W77X111602.”

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
Kenny W. Siegel, Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**

**Court Order: 18242**

**14. GLO Appointment of Officers/Section 3 Coordinator: Nailene Ruppert as Civil Rights Officer, Shana Opela as Labor and Standards Officer, Kristi Cline as Section 3 Coordinator**

“I put that in the form of a motion to adopt the GLO Appointment of Officers/Section 3 Coordinator: Nailene Ruppert as Civil Rights Officer, Shana Opela as Labor and Standards Officer, Kristi Cline as Section 3 Coordinator and to add Kristi Cline as alternate to those.”

Moved by County Judge Mark Myers, seconded by Commissioner Ronald Berckenhoff.

County Judge Mark Myers	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Kenny W. Siegel, Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**

**Court Order: 18243**

**15. Discuss and take action on the MVBA contract that was approved on March 22, 2021 for EMS collections for past due balances for EMS transfers.** (Judge)

Marie Day and Kathleen Leininger addressed the Commissioners Court on this Agenda Item.

“The action I would like to take at this time is to introduce a motion to go ahead and execute, do final execution on the contract that was approved on March 22, 2021 for EMS collections for past due balances for EMS transfers.”

Moved by County Judge Mark Myers, seconded by Commissioner Kenny W. Siegel.

County Judge Mark Myers	YES
Edward Pustka, Commissioner Pct. 1	YES

Ronald Berckenhoff, Commissioner Pct. 2	YES
Kenny W. Siegel, Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**  
**Court Order: 18244**

**16. EMS Update. (EMS Director)**

Michael Furrh, EMS Director, updated the Commissioners Court on the following:

- Updates will be once a month.
- Calls on Easter Weekend.
- Operations Reports – Volume by month.
- Financials Reports – November 2020 through March 2021.
- Lavaca County EMS Scores.
- Will have numbers for outstanding amounts on next Commissioner Meeting.

**Consent Agenda**

“I make a motion to accept the Consent Agenda and strike item one (1) on the Consent Agenda

Moved by Commissioner Dennis W. Kocian, seconded by Commissioner Kenny W. Siegel.

County Judge Mark Myers	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Kenny W. Siegel, Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**  
**Court Order: 18245**

1. ~~Minutes of March 8, 2021 Regular Called Commissioners Court Meeting.~~ Revisit March 29, 2021 minutes.
2. Minutes of March 22, 2021 Regular Called Commissioners Court Meeting.
3. Acknowledge Texas A&M AgriLife Extension Service extension activity report and future plans report from March, 2021.
4. Acknowledge Texas A&M AgriLife Extension Service extension activity report and future plans report from February, 2021
5. Lavaca County Special Road Use Agreement between Penn Virginia Oil and Gas LP and Pct.#2 to include LCR #288. (Pct.2)
6. County Officials Reports, if any.
  - Charles Greive, Constable Pct. #2 Process Service Report February 2021.
  - Charles Greive, Constable Pct. #2 Process Service Report March 2021.
  - Kerry L. Peterson, Constable Pct. #4 Process Service Report March 2021.
  - Mike Buchanek, Constable Pct. #1 Process Service Report March 2021.
  - Lori Wenske, District Clerk, Money Distribution Report, February 2021.
  - Elizabeth A. Kouba, County Clerk, LGS Total Collections, March 2021.
  - Elizabeth A. Kouba, County Clerk, Tyler Total Collections, March 2021.

Shana R. Opela, County Auditor’s Monthly Reports, March 2021.  
Wayne Denson, JP PCT #3 Money Distribution Report, March 2021.  
Travis Hill, JP PCT #2 Money Distribution Report, March 2021.

- 7. County Treasurer Monthly Report for March, 2021
- 8. Monthly County Treasurer Report, Quarterly Investment Report and Public Financial Report.
- 9. Claims and/or Payroll
- 10. Tax Assessor-Collector Report as per Section 31.10 of the Property Tax Code
- 11. Budget Amendments, if any
- 12. Monthly County Auditor Report.

**Court members signing of paperwork related to items above.**

County Judge Mark Myers called for a motion to adjourn.

“So moved.”

Moved by Commissioner Dennis W. Kocian, seconded by Commissioner Kenny W. Siegel.

County Judge Mark Myers	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Kenny W. Siegel, Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**

**Court Order: 18246**

**Adjournment by Presiding Officer at 11:21 AM.**





Signature Roster  
 Attendance at Commissioner's Court Meeting  
 April 12, 2021

Regular Called

Sign Here	Print Name Here
1 <i>Cheryl Thompson-Draper</i>	Cheryl Thompson-Draper
2 <i>Kristi Cline</i>	Kristi Cline
3 <i>Tom Foyt</i>	Tom Foyt
4 <i>Shana Opel</i>	Shana Opel
5 <i>Ky</i>	
6 <i>Della</i>	
7 <i>Kevin</i>	Kevin Myers
8 <i>Paul Yarnick</i>	Paul Yarnick
9 <i>Doug Kubicek</i>	Doug Kubicek
10 <i>Carroll J Scogin</i>	Carroll J Scogin-Brincefield
11 <i>Nailene Ruppert</i>	Nailene Ruppert
12 <i>Chris Hermes</i>	Chris Hermes
13 <i>Karen Renger</i>	Karen Renger
14 <i>Keith Madel</i>	Keith Madel
15 <i>Kathleen Chourmetz</i>	KATHLEEN CHOURMETZ
16 <i>Jennifer Steffek</i>	Jennifer Steffek
17 <i>Natalie Knesek</i>	Natalie Knesek
18 <i>Shannon R DeForest</i>	Shannon R DeForest
19 <i>Janis Muehr</i>	Janis Muehr
20 <i>Sandra Tustka</i>	Sandra Tustka
<i>Jeanette S Henke</i>	Jeanette S. Henke
22 <i>Beverly Arnair</i>	Beverly Arnair



Signature Roster  
Attendance at Commissioner's Court Meeting  
April 12, 2021  
Regular Called

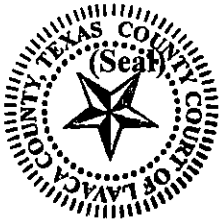
23	Jim Appet	Jim Appet
24	Mona Danyard	Mona Danyard
25	Jim Tarr	Jim Tarr
26	Steve Lee	<del>Steve Lee</del>
27	Karen Shimek	Karen Shimek
28	Lori A. Wenske	Lori A. Wenske
29	Karen Bludaw	Karen Bludaw
30	Diana Casdell	Diana Casdell
31	Ruth Steffek	Ruth Steffek
32	Deborah A. Servik	Deborah A. Servik
33	Peter Cerotti	Peter Cerotti
34	Amanda Asok	Amanda Asok
35	Linda Smith	Linda Smith
36	Maureen Steffek	
37	Tena Steffek	Tena Steffek
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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 April 12, 2021.

ATTEST

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



Signed this 20 day of April, 2021

Elizabeth A. Kouba, County Clerk  
Elizabeth A. Kouba