

STATEMENT OF APPROVAL

THE STATE OF TEXAS]

COUNTY OF LAVACA]

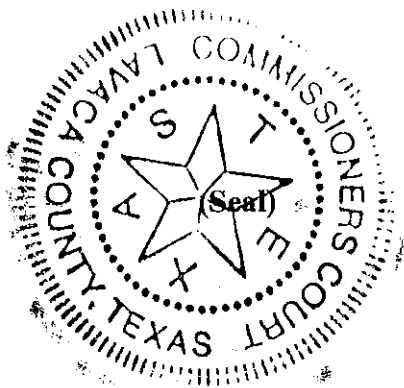
We, the County Judge, and Commissioners of Lavaca County, Texas, majority being present, do hereby certify that the above and foregoing Minutes of the Commissioners' Court Meeting dated May 10, 2021. are this day approved as submitted.

Signed this the 14 day of June, 2021, A.D.

Mark Myers, County Judge
Mark Myers

ATTEST:

Mizabeth A. Kouba, County Clerk
Mizabeth A. Kouba



THE STATE OF TEXAS)(
COUNTY OF LAVACA)(

Regular Meeting Monday, May 10, 2021

Lavaca County Commissioners' Court met in a Regular Called Meeting on Monday, May 10, 2021 at 10:00 AM, in the Lavaca County Commissioners' Courtroom, 1st 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

The meeting was called to order by County Judge Mark Myers.

Invocation

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

Kathleen Lininger spoke on agenda items 1, 2 & 3, Frank Fishar spoke on agenda item 9 and Jennifer Machacek spoke on agenda item 5.

Discussion and/or action agenda:

1. Review Disaster Declaration on Illegal Immigration, discuss and/or take appropriate action, including immediate action, due to the imminent threat to public health and safety as a result of illegal immigration. (Judge)

Sgt. Anthony Vacarro and Lt. Tim Pawlik from the Lavaca County Sheriff's Office spoke to Commissioners' Court on the Bail Outs and High-Speed Chases that has been occurring in Lavaca County since January 2021.

Judge Mark Myers read the Declaration.

DECLARATION OF LOCAL STATE OF DISASTER

Whereas, the health, life, and property of the residents of Lavaca County is under imminent threat of disaster from the human trafficking occurring on our border with Mexico. The on-going border crisis has resulted in vast numbers of illegal aliens invading Lavaca County and overwhelming our local, state, and federal law enforcement. Lavaca County will no longer tolerate the sovereignty and territorial integrity of our borders to be violated by illegal immigration.

Whereas, the public health and safety of the residents of Lavaca County is under imminent threat of disaster from an elevated risk of exposure to unknown variants of COVID-19 resulting from the human trafficking occurring on our border with Mexico. The limited resources of Lavaca County cannot adequately furnish the necessary procedures and facilities set forth by the Centers for Disease Control and Prevention for testing and quarantining of thousands of illegal aliens who may be infected with unknown variants of COVID-19 or other infectious diseases that residents have not been vaccinated for; and

Whereas, the County Judge of Lavaca County, Texas, has determined that extraordinary measures must be taken to ensure the protection of the health, safety, and welfare of county residents.

NOW, THEREFORE, BE IT PROCLAIMED BY THE COUNTY JUDGE OF Lavaca County, Texas:

- 1. That a local state of disaster is hereby declared for Lavaca County, Texas, pursuant to Section 418.108(a) of the Texas Government Code.
- 2. Pursuant to Section 418.108(b) of the Texas Government Code, the state of disaster shall continue for a period of not more than seven days from the date of this declaration unless renewed by the County Judge or continued by the Commissioners' Court of Lavaca County, Texas:
- 3. Pursuant to Section 418.108(c) of the Texas Government Code, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the County Clerk of Lavaca County, Texas.
- 4. Pursuant to Section 418.108(d) of the Texas Government Code, this declaration of a local state of disaster activates the Lavaca County Emergency Management Plan.
- 5. Pursuant to Section 362.002(a) of the Texas Local Government Code, this local state of disaster is intended to authorize, and does hereby declare, that a state of civil emergency exists in Lavaca County, Texas, and requests the assistance of additional law enforcement to uphold the sovereignty and territorial integrity of the county.
- 6. Pursuant to Section 433.005(a) of the Texas Government Code, this local state of disaster is intended to request, and does hereby request, that the Governor of Texas provide state military forces to aid in controlling conditions in the county by assisting the County Sheriff in the enforcement of law and the preservation of the sovereignty and territorial integrity of the county;
- 7. That this declaration hereby authorizes the use of all lawfully available resources and authority granted under both the Constitution of Texas and the Constitution of the United States.
- 8. That this declaration shall take effect immediately from and after its issuance and, upon approval by the Lavaca County Commissioners' Court, shall continue effect until terminated by the County Judge. Pursuant to this declaration, addition directive may be issued by the County Judge at any time deemed necessary.

Declared this 10th day of May 2021.”

“I make a motion that we declare a State of Disaster in Lavaca County on Illegal Immigration.”

Moved by 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: 18258

2. Discuss/Consider action to financially assist the Texas Association of the Church of God in paying for transportation cost of a Mobile Food Distribution Program. (Alton Pohl)

Alton Pohl addressed the Commissioners’ Court on the Mobile Food Distribution Program.

Commissioners Court did not take action on the agenda item.

3. Presentation of Lavaca County Annual Financial Report for Fiscal Year Ending September 30, 2020. (Wayne Beyer and Company)

Mr. Wayne Beyer of Beyer and Company spoke on the Annual Financial Report for the year ending September 30, 2020.

“I make a motion to accept the audit.”

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: 18259

4. Discuss and take action on nominating two new delegates for the Golden Crescent Regional Planning Commission. (Judge)

“Your Honor, would you like to be our voting delegate for the Golden Crescent Regional Planning Commission, I nominate Judge for Voting Delegate.”

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: 18260A

“I make a motion to make Mr. Kocian the Alternate Delegate.”

Moved by Commissioner Kenny W. Siegel, 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: 18260B

5. Approve quit claim deed for St Charles St. (Precinct 3)

“I make a motion to amend the agenda to say a road abandonment rather than a quit claim deed for St Charles St.”

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

Motion did not carry due to no vote.

“I make a motion that we table this agenda item until the next meeting.”

Moved by 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: 18261

6. Acknowledge Purchase of 2010 Caterpillar 140m Motor Grader S/N: B9D02522 for the amount of \$158,947.00. (Precinct 3)

“I would like to make a motion to purchase of 2010 Caterpillar 140m Motor Grader S/N: B9D02522 for the amount of \$158,947.00 and it is a Buy Board price.”

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: 18262

7. Colorado Valley Telephone Cooperative Inc requests approval for the installation of new burial fiber optic cable with the corridors of Lavaca County Road 223 and 226. (Precinct 2)

“Yes, Your Honor, I make a motion to approve the request for Colorado Valley Telephone Cooperative Inc. for the installation of new burial fiber optic cable with the corridors of Lavaca County Road 223 and 226.”

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: 18263

8. Approve the Proclamation declaring the week of May 16th through May 22nd, 2021 as Emergency Medical Services Week. (EMS Director)

Judge Mark Myers read the Proclamation.

“Whereas, emergency medical services is a vital public service; and

Whereas, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

Whereas, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

Whereas, emergency medical services has grown to fill a gap by providing important, out of hospital care, including preventative medicine, follow-up care, and access to telemedicine; and

Whereas, the emergency medical services system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre- hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; and

Whereas, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

Whereas, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; now

Now, Therefore, I, Mark Myers, Judge of Lavaca County, Texas, do hereby proclaim the Week of May 16th – May 22nd, 2021 as Emergency Medical Services Week.

Emergency Medical Services Week

With the EMS Strong theme, THIS IS EMS: Caring for Our Communities, I encourage the community to observe this week with appropriate programs, ceremonies, and activities.”

“I’d like to make a motion to approve the Proclamation declaring the week of May 16th through May 22nd, 2021 as Emergency Medical Services Week.”

Moved by Commissioner Dennis W. Kocian, 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: 18264**

*Judge Mark Myers and Commissioner Dennis W. Kocian thanked the EMS crews for their hard work.

9. EMS Update. (EMS Director)

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

Tim Decker, Assistant EMS Director, spoke to Commissioners Court on the following:

- a) Wishing everyone a Happy Mother's Day.
- b) Thanked the Law Enforcement in Lavaca County for their dedicated work.
- c) April - 150 calls for service.
- d) Cardiac arrests – 3, Inabations - 2.
- e) Transport 105 patients.
- f) Transport by destinations.
- g) Loaded Mileage.
- h) Air Medical Transport – 2;
- i) Local Transports.
- j) QAQI Program.
- k) On scene times.
- l. Collections of \$85,215.06 for the month of April.
- m) Thanked the EMS crews for their continued hard work.

10. Announcement that Lavaca County is seeking qualified applicants for a position in maintenance department.

"I make a motion that Lavaca County seeks qualified applicants for a position in maintenance department."

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: 18265**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

Consent Agenda

"Your Honor, I make a motion to approve the Consent Agenda as it is."

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: 18266**

11. Minutes of April 29, 2021 Special Called Commissioners Court Meeting.

- 12. Tax Assessor-Collector Report as per Section 31.10 of the Property Tax Code
- 13. Monthly Auditor’s Report.
- 14. Monthly Treasurer’s Report.
- 15. Claims and/or Payroll
- 16. Budget Amendments, if any
- 17. County Officials Reports.

- Deborah A. Sevcik, Tax Assessor-Collector Report for March, 2021.
- Lori Wenske, District Clerk, Money Distribution Report, March 2021.
- Charles Greive, Constable Pct. #2 Process Service Report April 2021.
- Elizabeth A. Kouba, County Clerk, LGS Total Collections, April 2021.
- Elizabeth A. Kouba, County Clerk, Tyler Total Collections, April 2021.
- Larry Hlavac, Constable Pct. #3 Process Service Report March 2021.
- Larry Hlavac, Constable Pct. #3 Process Service Report April 2021.
- Shana R. Opela, County Auditor’s Monthly Reports, April 2021.

Court members signing of paperwork related to items above.

County Judge Mark Myers called for a motion to adjourn.

“Motion to adjourn”

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: 18267

Adjournment by Presiding Officer at 11:30 AM.

Signature Roster

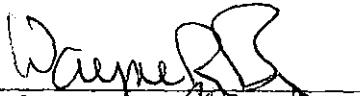
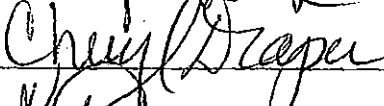
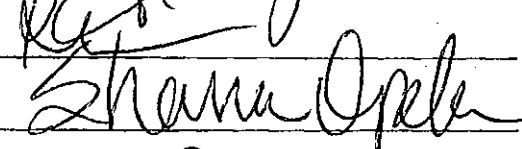
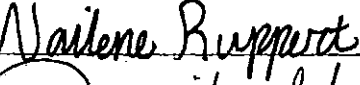

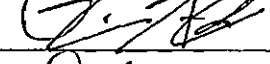
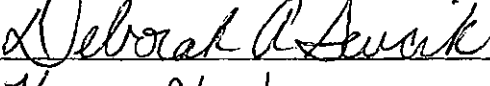
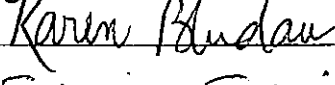


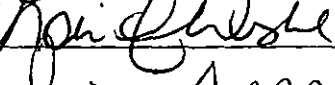

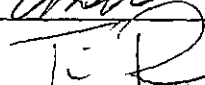
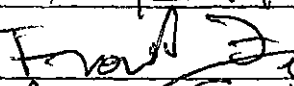
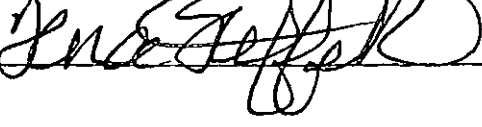
Attendance at Commissioner's Court Meeting

May 10, 2021

Regular Called

Sign Here

Print Name Here

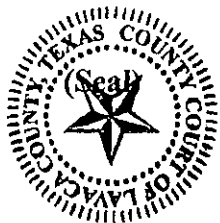
1		WAYNE Byer
2		Cheryl Draper
3		Sharna Opela
4		Nailene Ruppert
5		Jennifer Machacek
6		Travis Henderson
7		Deborah A Sevcik
8		Karen Bludan
9		Sabrina Salcines
10		STEPHEN Garcia EMT-A
11		Lori A. Wenske
12		Jim Appelt
13		Anthony Vercan
14		Tim Pawlik
15		Tena Stetler
16		
17		
18		
19		
20		

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 May 10, 2021.

ATTEST

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



Signed this 12 day of May, 2021

Elizabeth A. Kouba, County Clerk
Elizabeth A. Kouba

County of Lavaca



OFFICE OF THE

COUNTY JUDGE

REQUEST TO BE PLACED ON THE LAVACA COUNTY COMMISSIONERS' COURT AGENDA

DATE OF COMMISSIONERS' COURT MEETING: June 14, 2021

This form, along with any related information that needs to be included in the Commissioners Court agenda packet, is to be submitted to Kristi Cline, in the County Judge's office, **no later than 2 p.m. on WEDNESDAY** prior to the Commissioners Court date. Commissioners Court will meet on the second and fourth Mondays of each month. All contracts should be submitted after the county attorney's review and approval.

Please place each agenda item on a separate request form. The request form and all accompanying paperwork may be submitted in hard copy or electronically.

All agenda item requests **must** be signed by the county judge or by one of the commissioners.

=====

Agenda Item Request:

Minutes of April 29, 2021 Special Called Commissioners Court Meeting.

Judge/Commissioner Approval for Inclusion on Agenda:

Judge/Commissioner Signature

Date

Date of Request: 05-26-2021

Action Consent

Name of Person Making Request: Elizabeth Kouba, County Clerk

Will anyone else be addressing this item? Yes No

If so, who? _____

Additional Instructions: