

STATEMENT OF APPROVAL

18391

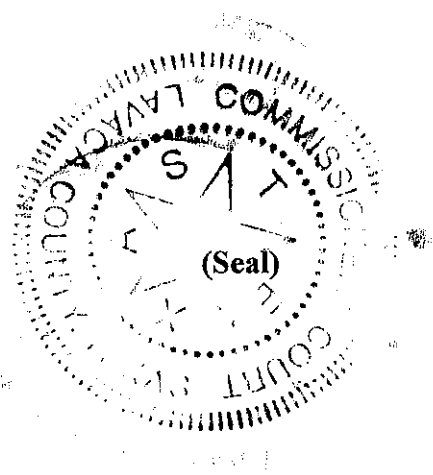
THE STATE OF TEXAS]

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 September 27, 2021, are this day approved as submitted.

Signed this the 25th day of October, 2021, A.D.

Mark Myers, County Judge
Mark Myers



ATTEST:

Elizabeth A. Kouba, County Clerk
Elizabeth A. Kouba

by: Jenna Steffen
Deputy Clerk

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

Regular Meeting Monday, September 27, 2021

Lavaca County Commissioners' Court met in a Regular Called Meeting on Monday, September 27, 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
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 with exception of Kenny W. Siegel, Commissioner Pct. 3.

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 County Judge Mark Myers

Discussion and/or action agenda:

1. Proclamation declaring the week of October 3rd through 9th 2021 as National 4H Week. (Ag. Ext Office)

Natalie Kneseck addressed the Commissioners Court.

County Judge Mark Myers read the proclamation.

“WHEREAS, The Lavaca County Commissioners Court is proud to honor the 4-H Youth Development Program of the Texas A&M AgriLife Extension Service for 114 years of providing experience-based education to youngsters throughout the Lone State; and

WHEREAS, This admirable program, which seeks to provide a learning experience for the whole child, including head, heart, hands, and health, helps young Texans to acquire knowledge, develop life skills, and form attitudes to enable them to become self-directed, productive, and contributing members of our society; and

WHEREAS, It's more than 550,000 urban, suburban, and rural youth participants, ranging in age from eight to nineteen, hail from diverse ethnic and socioeconomic backgrounds and truly represent a cross-section of the state; and

WHEREAS, The program undoubtedly could not have achieved the success that it has today were it not for the service of its more than 22,000 volunteers, who have given generously of their time, talents, energies, and resources to the youth of Texas; and

WHEREAS, Throughout its proud history, the 4-H program has developed positive role models for countless Texans and through its innovative and inspiring programs, continues to build character and to instill the values that have made our state strong and great; now, therefore, be it

RESOLVED, The Lavaca County Commissioners Court, hereby designates October 3-9, 2021 as National 4-H Week in Texas and commend the 4-H Youth Development Program of the Texas A&M AgriLife Extension Service and the many men and women who have made the program a success.”

“I make a motion to approve Proclamation declaring the week of October 3rd through 9th 2021 as National 4H 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	ABSENT
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried

Court Order: 18354

2. Proclamation declaring October 6th, 2021 as Children's Health Day. (Ag. Ext Office)

Natalie Knesek addressed the Commissioners Court.

County Judge Mark Myers read the proclamation.

“Whereas, with the growing epidemic of childhood overweight/obesity, local businesses and agencies are hosting a "Kids' Health Party" for 5th grade students, with a primary focus on nutrition and physical activity;

Whereas, the rate of overweight children is at an all-time high in the United States. During the last three decades, the number of children who have become overweight has doubled; the increases occur across all ages, races, and gender groups. It is well documented that overweight children become overweight adults, and overweight individuals are at risk for numerous diseases;

Whereas, the Kids' Health Party will supplement the requirement in the State of Texas that all public schools systems incorporate a healthy nutrition program in their curriculum;

Whereas, the overall objectives of the event include helping students identify healthy eating and physical activity behaviors, increasing students physical activity levels and improving their nutritional practices, and educating students about adopting these healthy practices into their lifestyle;

THEREFORE I, Lavaca County Judge Mark Myers hereby proclaim October 6, 2021 as Childrens Health Day in Lavaca County and commended this observance to all our citizens.”

“I make a motion to approve Proclamation declaring October 6th, 2021 as Children's Health Day.”

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	ABSENT
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried
Court Order: 18355

3. Discussion and/or approval of the request of the Hallettsville Festival of Lights Committee to continue the use of the Lavaca County Courthouse grounds for the seasonal display. (County Judge)

County Judge Mark Myers spoke on the agenda item. Judge spoke on item #8 on the need of additional cones and signs, Precinct #1 would provide. Judge also addressed items 1, 8, 9, 10, 12, 13, 14, 15, 16, 17, 20 and 24 would be pertain to Lavaca County.

Shana R. Opela, Auditor, addressed the Commissioners Court of the Key Policy.

“Your Honor, I make a motion to approve the request of the Hallettsville Festival of Lights Committee to continue the use of the Lavaca County Courthouse grounds for the seasonal display. I would like to add, if they do need any additional signs either contact myself or Egon Barthels.”

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	ABSENT
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried
Court Order: 18356

4. Amend Court Order 18345 Adoption of 2021 Sheriffs and Constable's Fees per Texas Local Government Code, Section 118.131, to Adoption of 2022 Sheriffs and Constable's Fees per Texas Local Government Code, Section 118.131. (County Judge)

“I will make that in the form of a motion”

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	ABSENT
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried
Court Order: 18357

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

5. Discussion and/or approval of the rescheduling of the regular first October Term Meeting of the Lavaca County Commissioners Court for fiscal year 2021-2022. (Judge)

“Due to a conference, that we, I make a suggestion that we move to Friday, October 8, 2021 at 10:00 am, I put that in the form of a motion.”

Moved by Commissioner Dennis W. Kocian, 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	ABSENT
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried**Court Order: 18358**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

6. Lavaca County nomination for selection of Lavaca County Appraisal District Board of Directors for 2022-2023 term. (County Judge)

“And with that, in that, I like to nominate, in the form of a motion, to nominate Lonnie Montgomery for the Lavaca County Appraisal District Board of Directors for 2022-2023 term.”

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	ABSENT
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried**Court Order: 18359****7. Discussion and/or approval of the FY 2022 Statement of Grant Award for the public defender. (Auditor)**

Shana R. Opela, Auditor, addressed the Commissioners Court.

“I make a motion to approve the FY 2022 Statement of Grant Award for the public defender.”

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	ABSENT
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried**Court Order: 18360****8. Certification of salaries for Lavaca County Officials and Employees and Lavaca County EMS employees for the 2021-2022 fiscal year. (Auditor)**

Shana R. Opela, Auditor, addressed the Commissioners Court

“I make a motion to accept the Certification of salaries for Lavaca County Officials and Employees and Lavaca County EMS employees for the 2021-2022 fiscal year.”

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	ABSENT
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried**Court Order: 18361****9. Discussion and/or approval of Tyler Technologies Software as a Service Agreement for Lavaca County Auditor's Office. (Auditor)**

Shana R. Opela, Auditor, addressed the Commissioners Court on the cost being around \$7,000.00 a year in addition to the maintenance.

"I make a motion to approve Tyler Technologies Software as a Service Agreement for Lavaca County Auditor's Office."

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	ABSENT
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried

Court Order: 18362

10. Discussion and/or approval of Texas County and District Retirement System (TCDRS) Plan Assessment for Lavaca County Plan Year 2022. (Auditor)

Shana R. Opela, Auditor, addressed the Commissioners Court.

"Your Honor, I make a motion to approve of Texas County and District Retirement System (TCDRS) Plan Assessment for Lavaca County Plan Year 2022, the Elected Rate is 17% and the Total Contribution Rate 17.39."

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	ABSENT
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried

Court Order: 18363

11. Accept the resignation of Leighton Kacir Precinct 4 effective September 23, 2021. (Precinct 4)

"I would like to make a motion to accept the resignation of Leighton Kacir Precinct 4 effective September 23, 2021."

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	ABSENT
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried

Court Order: 18364

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

12. Discussion and/or approval of the Order for the November 2, 2021 Constitutional Amendment Election. (Elections Administrator)

Gwen Schaefer, Elections Administrator, addressed Commissioners Court.

"I'd like to make a motion to order the special election for the November 2, 2021 Constitutional Amendment Election."

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	ABSENT
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried

Court Order: 18365

13. Discussion and/or approval of the Lavaca County Consolidated Voting Precinct Locations for the November 2, 2021 Constitutional Amendment Election. (Elections Administrator)

Gwen Schaefer, Elections Administrator, addressed Commissioners Court.

“I’ll put that into a form of a motion for Lavaca County to consolidate Voting Precinct Locations for the November 2, 2021 Constitutional Amendment Election.”

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	ABSENT
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried

Court Order: 18366

14. Declare items as surplus property. (County Treasurer)

HP Laser Jet 600 M603 with extra-legal drawer - SIN CNDCG7POP7
Brother IntelliFax Model: Fax127e - SIN U60302HOK705788
LaserJet Pro M203dw- SIN VND3B98172

“To declare items as surplus, I put that in the form of a motion to HP Laser Jet 600 M603 with extra-legal drawer - SIN CNDCG7POP7, Brother IntelliFax Model: Fax127e - SIN U60302HOK705788, LaserJet Pro M203dw- SIN VND3B98172.”

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	ABSENT
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried

Court Order: 18367

15. Declare all items in Exhibit A as surplus property. (District Clerk)

Lori Wenske, District Clerk, addressed Commissioners Court.

“Your Honor, I move we declare all items in Exhibit A as surplus property.”

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	ABSENT
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried

Court Order: 18368

16. Discussion and/or approval allowing Jurors to donate their daily reimbursement for Jury Service to the Lavaca County Veterans Service Office. (District Clerk)

“I will put that in the form of a motion to approve allowing Jurors to donate their daily reimbursement for Jury Service to the Lavaca County Veterans Service Office.”

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	ABSENT
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried

Court Order: 19369

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

17. Discussion and/or approval of Emergency Management's request for permission to post a Request for Proposal and Request for Qualifications to update the Lavaca County and Municipalities Inter-jurisdictional hazard mitigation plan. (Emergency Management Coordinator)

Egon Barthels, Emergency Management Coordinator, addressed Commissioners Court.

“I’ll put that in the form of a motion to approve of Emergency Management's request for permission to post a Request for Proposal and Request for Qualifications to update the Lavaca County and Municipalities Inter-jurisdictional hazard mitigation plan.”

Moved by County Judge Mark Myers, 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	ABSENT
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried

Court Order: 18370

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

18. EMS Update (EMS Director)

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

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

Calls for service: Total 170, Transported: 136 Chute time hit 98%.

Total 911 Emergencies: 94, Transfers: 51.

Mileage: Medic 1 - 852.4, Medic 3 -970.5, & Medic 5 – 1,123.6.

District Response Breakdown: Hallettsville – 72, Shiner – 56 & Moulton – 38.

Transport by Destination: Lavaca Medical 39, Yoakum Community Hospital 30, Citizens 10 & DeTar 11.

Collections: \$92,589.01

Operations: On time scene time improving.

3 Life Flights by PHL.

2 CPR calls.
51 Transfers last month.
Finish out the month on 150 calls for service.

19. Emergency Management Update (Emergency Management Coordinator)

Egon Barthels, Emergency Management Coordinator, updated Commissioners Court with the following:
Covid -19 Response/Recovery.
3 Disaster Declarations: USDA, Border Security, and Covid -19 Disaster Declaration.
Hazzard Monitoring: Heavy Rain – Flooding and Gulf Storms.
Event Monitoring: Shiner GASP and Shiner Music Fest.
Covid – 19 Infusion Center in Victoria.
Region 8 Covid-19 Response.
Lavaca County Covid -19 Numbers.
Hospital Bed Status.
DSHS Flu Surveillance.
Fire Departments responding to grass fires.
Burn Bans on area counties.
Golden Crescent Meeting.

Consent Agenda

“Your Honor, I make a motion to accept the Consent Agenda.”

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	ABSENT
Dennis W. Kocian, Commissioner Pct. 4	YES

Motion Carried
Court Order: 18371

20. Completed Attachment D of the FY22-26 State Case Registry (SCR) Contract.

21. Claims and/or Payroll

22. Budget Amendments, if any

23. County Officials Reports.

Charles Greive, Constable Pct. #2 Process Service Report August 2021.
Larry Hlavac, Constable Pct. #3 Process Service Report August 2021.
Mark Ivey, JP PCT #1 Money Distribution Report, August 2021.
Elizabeth A. Kouba, County Clerk, LGS Total Collections, August 2021.
Elizabeth A. Kouba, County Clerk, Tyler Total Collections, August 2021.

Court members signing of paperwork related to items above.

County Judge Mark Myers called for a motion to adjourn.

“I move we adjourn.”

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

Edward Pustka, Commissioner Pct. 1
Ronald Berckenhoff, Commissioner Pct. 2
Kenny W. Siegel, Commissioner Pct. 3
Dennis W. Kocian, Commissioner Pct. 4

YES
YES
ABSENT
YES

Motion Carried
Court Order: 18372

Adjournment by Presiding Officer at 10:20 AM.



Signature Roster
Attendance at Commissioner's Court Meeting
September 27, 2021
Regular Call

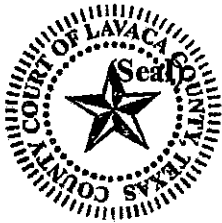
	Sign Here	Print Name Here
1		
2		Shannon R DeForest
3		Natalie Knesek
4		Nailene Ruppert
5		Shana Opden
6		Karen Pengler
7		Jim Appelt
8		Lori A. Wenske
9		Doug Kubicek
10		Gwen Schaefer
11		Michael Lanni
12		Michelle Lanni
13		Linda Smith
14		Mary Lee Berger
15		Kristi Cline
16		Tena Stetter
17		
18		
19		
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22		

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 September 27, 2021.

ATTEST

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



Signed this 6 day of Oct, 2021

Elizabeth A. Kouba, County Clerk
Elizabeth A. Kouba