

STATEMENT OF APPROVAL

THE STATE OF TEXAS]

COUNTY OF LAVACA]

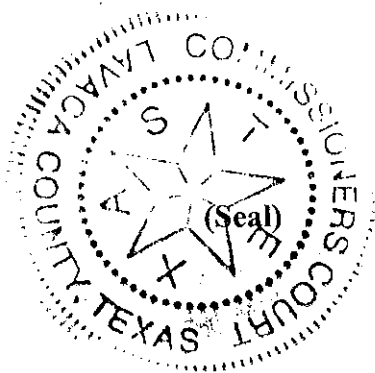
We, the County Judge, and Commissioners of Lavaca County, Texas, majority being present, do hereby certify that the above and foregoing Minutes of the Commissioners' Court Meeting dated November 22, 2021. are this day approved as submitted.

Signed this the 13th day of December, 2021, A.D.

[Signature], County Judge
Mark Myers

ATTEST:

[Signature], County Clerk
Elizabeth A. Kouba



THE STATE OF TEXAS)(
COUNTY OF LAVACA)(

Regular Meeting Monday, November 22, 2021

Lavaca County Commissioners' Court met in a Regular Called Meeting on Monday, November 22, 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
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 with exception of Ronald Berckenhoff, Commissioner Pct. 2.

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

***** PUBLIC HEARING-Discuss, consideration and take possible action regarding one or more alternative plans for the redistricting of County Commissioners Court precincts, pursuant to Chapter 552 of the Texas Government Code.**

The Public Hearing was called to Order at 10:03 am by County Judge Mark Myers.

Edward Pustka, Commissioner Pct. 1, spoke on the area from First Street and the way to the Lavaca River all the way down Stevens Drive, North on Farm to Market 957 and to County Road 200, and to Highway 77.

Dennis W. Kocian, Commissioner Pct. 4, spoke on the area from South-West of Lavaca County, Yoakum Street to Capitol Street ties back into Lavaca County.

Kenny W. Siegel, Commissioner Pct. 3, spoke on the area from Airport Road by Eddie Packing on the FM Road down by the Hospital.

County Judge Mark Myers spoke of being between the 7 to 10% - below the 10%.

Marie Day spoke to Commissioner Court on the Public Hearing.

County Judge Mark Myers called for a motion to close the Public Hearing.

Re-numbering of the Voting Precincts was addressed.

“So Moved.”

Moved by Commissioner Edward Pustka, seconded by Commissioner Kenny W. Siegel.

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

Motion Carried

Court Order: 18407

County Judge Mark Myers closed the Public Hearing at 10:15 A.M.

The Regular Called Commissioners Court Meeting was called to Order at 10:15 am by County Judge Mark Myers.

Discussion and/or action agenda:

1. Possible action or adoption of Lavaca County redistricting plan for Commissioner Court Precincts and renumbering of voting precincts. (Commissioners Court)

“Your Honor, I move that we accept the Redistricting plan and Voting Plan as presented and the Voting Precincts as presented.”

Moved by Commissioner Edward Pustka, seconded by Commissioner Kenny W. Siegel.

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

Motion Carried

Court Order: 18408

2. Pass Resolution out of respect of the passing of Lavaca County Justice of the Peace Precinct 1, Mark Ivey. (Commissioners Court)

Kenny W. Siegel, Commissioner Pct. 3, read the resolution.

“I make a motion to pass Resolution out of respect of the passing of Lavaca County Justice of the Peace Precinct 1, Mark Ivey.”

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

Motion Carried

Court Order: 18409

3. Discuss and/or take appropriate action on appointment of Justice of the Peace Precinct 1 for the duration of the term ending December 31, 2022. (Commissioners Court)

Kevin Bright and Geraldine L. Ivey spoke to Commissioners Court on the agenda item.

“Your Honor, I move that we appoint of Jeri Ivey as our Justice of the Peace Precinct 1 until the November Election in November.”

Moved by Commissioner Edward Pustka, seconded by Commissioner Kenny W. Siegel.

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

Motion Carried

Court Order: 18410

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

4. Discuss and/or approve the resolution approving the financing by New Hope Cultural Education Facilities Finance Corporation of the health facilities located withing Lavaca County pursuant to section 147(f) of the Internal Revenue Code. (Judge)

Frank Fishar addressed Commissioner Court on the agenda item.

County Judge Mark Myers placed on speaker phone, Abraham Benavides from McCall, Parkhurst & Horton L.L.P., to address questions in Commissioners Court on the agenda item.

“I will vote or I will make a motion to Table this and to seek outside counsel with Allison, Bass and McGhee. Take a look at this contract and make sure that we don’t incur any liability what-so-ever from this and make sure this is in the best interest for Lavaca County.”

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

Motion Carried

Court Order: 18411

DOCUMENTATION RETURNED TO JUDGE'S OFFICE FOR FUTURE MEETING.

5. Discuss and/or approve Resolution to approve Lavaca County's participation in the Texas SmartBuy Cooperative Purchasing Program. (County Clerk)

Elizabeth A. Kouba, County Clerk, addressed the Commissioners Court on this agenda item.

“I do make a motion to approve Resolution to approve Lavaca County's participation in the Texas SmartBuy Cooperative Purchasing Program.”

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

Motion Carried

Court Order: 18412

6. Discuss and/or approve purchase of Kofile preservation and restoration of Lavaca County Clerk's Deed Records. (County Clerk)

Elizabeth A. Kouba, County Clerk, addressed the Commissioners Court on Kofile’s preservation and restoration of Deed Records Vol 1-50 at a cost of \$143,208.00 and using Record Archives Fee.

“Your Honor, I make a motion to approve purchase of Kofile preservation and restoration of Lavaca County Clerk’s Deed Records.”

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

Motion Carried

Court Order: 18413

7. Approve TxDot request for proposed plan to widen CR 413 20ft and rework the intersection at US Highway 77. (Commissioner, Pct. 4)

“Basically, just make a motion that we concurrence related to the attached request from Dan Bertoni, that is the owner, of the intersection to widen County Road 413 20ft and rework the intersection at US 77. And if we need any documents signed by the Judge then let him sign it. Just want to bring it to court to understand what is happening.”

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

Motion Carried

Court Order: 18414

8. Accept the monetary donation of \$1,000.00 from Mcfarlin Tower Construction to the Lavaca County Sheriff’s Office as unbudgeted revenue. (Sheriff’s Office)

Sheriff Micah Harmon wanted to recognize and thank Mcfarlin Tower Construction for their generosity.

“I make a motion to accept the monetary donation of \$1,000.00 from Mcfarlin Tower Construction to the Lavaca County Sheriff’s Office as unbudgeted revenue.”

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

Motion Carried

Court Order: 18415

9. Accept the resignation of Gwen Schaefer as Elections Administrator, effective November 19, 2021. (Judge)

County Judge Mark Myers thanked Gwen Schaefer for her hard work and dedication.

“Your Honor, I move to accept the resignation of Gwen Schaefer as Elections Administrator, effective November 19, 2021 and we wish you luck.”

Moved by Commissioner Edward Pustka, seconded by Commissioner Kenny W. Siegel.

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

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

Motion Carried
Court Order: 18416

Dennis W. Kocian, Commissioner Pct. 4, thank Gwen Schaefer for her great service.

10. Approve advertisement for hiring of Elections Administrator in all local papers, the Victoria Advocate and online. (Judge)

“I make a motion to approve advertisement for hiring of Elections Administrator in all local papers, the Victoria Advocate and online.”

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

Motion Carried
Court Order: 18417

11. Accept the retirement of Diana Goodall as Chief Deputy of the Election Administrator's office, effective December 31, 2021. (Judge)

County Judge Mark Myers congratulated Diana Goodall on her retirement.

“Your Honor, I move we to accept the retirement of Diana Goodall as Chief Deputy of the Election Administrator's office, effective December 31, 2021.”

Moved by Commissioner Edward Pustka, seconded by Commissioner Kenny W. Siegel.

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

Motion Carried
Court Order: 18418

Kenny W. Siegel, Commissioner Pct. 3, Dennis W. Kocian, Commissioner Pct. 4, and County Judge Mark Myers thanked Diana Goodall for her service.

12. Consider candidates and approve Resolution of nominees to the Lavaca County Appraisal District Board of Directors in accordance with Section 6.03(1) of the Texas Property Tax Code. (Judge)

County Judge Mark Myers called for a roll call for votes.

“I would like to move 400 votes to Mr. Renger and 1267 votes to Mr. Montgomery.” Per Edward Pustka, Commissioner Pct. 1.

“I will do the same.” Per County Judge Mark Myers.

“I will do the same.” Per Dennis W. Kocian, Commissioner Pct. 4

“I will do the same.” Per Kenny W. Siegel, Commissioner Pct. 3

“My motion put 400 votes to Mr. Renger and the remaining 1267 votes to Mr. Montgomery.”

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

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

Motion Carried

Court Order: 18419

13. Discuss and/or approve an increase for the Pauper's Burial fund. (Judge)

“I make a motion to approve an increase for the Pauper's Burial fund from \$600.00 to \$1,500.00.

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

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

Motion Carried

Court Order: 18420

14. ~~Board of Directors for 2020-2021.~~ (Judge) EMS Update (EMSDirector)

**As per County Judge Mark Myers, Item #14 has a typo. Strike through Board of Directors for 2020-2021.
The actual Item is “EMS Update.

Michael Furrh, EMS Director gave the update as follows:

Calles for service: 155
 Patient Transported: 98
 Call Volume/911 Emergencies 105, Transfers 34
 3 Life Flights
 Monthly Collections: \$ 91,999.32.
 Call Volume by Shift: A Shift - 56, B Shift – 60, C Shift – 39.
 Miles per unit/Loaded PT: Medic 1 - 643.10 miles, Medic 3 – 1012.50 miles, Medic – 5 1194.30 miles
 District Response Breakdowns: Hallettsville – 68, Shiner – 49, Moulton – 34
 Most popular call response was Lavaca Medical Center – 19.
 December 7th from 6-8 pm, Moulton Community Center, CPR Class.
 Non-Emergency number out on signs.
 Employees in Austin for training for CE hours.

15. Update on Hazard Mitigation Plan. (Emergency Management Coordinator)

County Judge Mark Myers read the Hazard Mitigation Plan.

On Tuesday, November 16, 2021, Judge Myers; Egon Barthels, EMC; Maynard Wagner, Moulton EMC; Grace Ward, City of Hallettsville; Michael Furrh, City of Shiner, Kevin Coleman, City of Yoakum; Mark Herchek, Yoakum EMC met to review and score two proposals submitted for the Lavaca County Hazard Mitigation Plan.

Prior to this, permission was granted by commissioner's court, to post an RFP. The RFP was posted at the Lavaca County Courthouse, Courthouse Annex, and online, however, it DID NOT run in the local paper. Due to this oversight, a proposal has not been accepted.

I would like to ask commissioners approval to repost the RFP for the Hazard Mitigation Plan Update, with permission to place the request in the local paper.

Consent Agenda

County Judge Mark Myers called for a motion to approve the Consent Agenda.

“So moved”

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

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

Motion Carried

Court Order: 18421

16. Ratify and enter of record the Proclamation signed on November 12, 2021 by Judge Mark Myers proclaiming November 2021 as National Hospice and Palliative Care Month.

17. Completed TIPS Interlocal Agreement between Region 8 education Service Center and Lavaca County.

18. Claims and/or Payroll

19. Budget Amendments, if any

20. County Officials Reports.

Deborah A. Sevcik, Tax Assessor-Collector Report for September, 2021.
 Mike Buchanek, Constable Pct. #1 Process Service Report October 2021.
 Elizabeth A. Kouba, County Clerk, LGS Total Collections, October 2021.
 Elizabeth A. Kouba, County Clerk, Tyler Total Collections, October 2021.
 Hallie Hall, JP PCT #4, Money Distribution Report, October 2021.
 Mark Ivey, JP PCT #1 Money Distribution Report, October 2021.
 Wayne Denson, JP PCT #3 Money Distribution Report, October 2021.
 Travis Hill, JP PCT #2 Money Distribution Report, October 2021.

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 Edward Pustka.

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

Motion Carried

Court Order: 18422

Adjournment by Presiding Officer at 11:14 AM.



Signature Roster
Attendance at Commissioner's Court Meeting

November 22, 2021

Regular Called MTG

Sign Here	Print Name Here
1 Kristi Cline	Kristi Cline
2 Shana R Opela	Shana R Opela
3 Egon	EGON BARTHELS
4 Jeri Ivy	JERI IVY
5 Frank Fisher	FRANK FISHER
6 Keria B Bright	Keria B Bright
7 Nailene Ruppert	Nailene Ruppert
8 Keith Mudd	Keith Mudd
10 Doug Kubicek	Doug Kubicek
11 Wayne Faircloth	Wayne Faircloth
12 Diana Cordell	Diana Cordell
13 Ann Miller	Ann Miller
14 Gwen Schaefer	Gwen Schaefer
15 Marilyn Berger	
16 Cheryl Draper	Cheryl Draper
17 Jeanette S Henke	Jeanette S. Henke
18 Jim Appelt	Jim Appelt
19 Matt	Matt Sirkovskiy
20 Deborah A Servick	Deborah A Servick
21 Karen Bludau	Karen Bludau
22 TENIA HUDSON	Tenia



Signature Roster
Attendance at Commissioner's Court Meeting
November 22, 2021
Regular Called MTG

23	Jonathan Gluckman	Jonathan Gluckman
24	Kyle A. Denney	Kyle A. Denney
25	Kerry L. Peterson	Kerry L. Peterson
26	Patti Washner	Patti Washner
27	Michael Harper	Michael Harper
28	John Stuart Fryer	JOHN STUART FRYER
29	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 November 22, 2021.

ATTEST

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

Signed this 2 day of Dec, 2021

Elizabeth A. Kouba, County Clerk
Elizabeth A. Kouba

