

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 January 11, 2021. are this day approved as submitted.

Signed this the _____ day of _____, 2021, A.D.

_____, County Judge
Mark Myers

ATTEST:

(Seal)

_____, County Clerk
Elizabeth A. Kouba

THE STATE OF TEXAS)(
COUNTY OF LAVACA)(

Regular Meeting Monday, January 11, 2021

Lavaca County Commissioners' Court met in a Regular Called Meeting on Monday, January 11, 2021 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
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 Commissioner Pct. 2, Ronald Berckenhoff.

***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:

Take up for consideration and possible action:

Bob Bass of Allison McGee and Bass read the 2nd reading of the Proposed Regulation of the Subdivision.

1. 2nd reading of Proposed Regulation of Subdivisions of Land, including Manufactured Home Rental Communities pursuant to § 232 of the Texas Local Government Code. (Judge)
2. Recess Regular Meeting of Commissioners Court. (Judge)

"I make a motion that we recess this current commissioner court meeting and enter into public hearing where we can hear public comments on the proposed regulations."

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

Motion Carried**Court Order: 18145**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

- a. Open Public Hearing on the topic of Subdivision Regulation, receive public comment.

County Judge Mark Myers opened the public hearing at 10:30 AM. Marie Day and Frank Fishar addressed Commissioners Court.

- b. Close Public Hearing on the topic of Subdivision Regulation.

County Judge Mark Myers closed the public hearing at 10:50 AM.

“I would like to make a motion that we close the public hearing on subdivision regulations; that is in the form of a motion”

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

Motion Carried**Court Order: 18146**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

3. Reconvene Regular meeting of the Commissioners Court. (Judge)

“And at this time, we reconvene the Commissioners Court meeting; I put that in the form of a motion”

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

Motion Carried**Court Order: 18147**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

- 4. Consider and take possible action on the topic of Subdivision Regulation, including Regulation of Manufactured Home Rental Communities pursuant to § 232 Texas Local Government Code. (Judge)**

“At this point, I make a motion that we adopt the said policy along with the amended definition of a Travel Trailer to include industry standard, the current industry standard”

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

“So that being said, I will amend my motion to consider if possible, we’re going to, my motion is to adopt the subdivision policy as we have set forth by Mr. Bass, our final copy to include the amendment defining Travel Trailers which will be according to what ever the industry is as far as National Transportation Association.”

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

Motion Carried
Court Order: 18148

5. Discuss and approve 2021 Cybersecurity Course Enrollment Form for the Counties to comply with State Law, Texas Government Code 2054.5191. (Auditor)

“I make a motion to adopt the 2021 Cybersecurity Course Enrollment Form for the Counties to comply with State Law, Texas Government Code 2054.5191.”

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: 18149

6. Discuss and/or take action on FFCRA for extension in FY 2021. (Auditor)

“I make a motion to accept the extension from FFCRA for the year 2021 that we follow the same rules and guidelines from the year 2020”

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: 18150

7. Accept monetary donation from Glenda Klimitchek to Lavaca County EMS in the amount of \$1,000 for the outstanding care provided to her husband by retired EMT Mike Hammer. (EMS Director)

“I’d like to make a motion to accept monetary donation from Glenda Klimitchek to Lavaca County EMS in the amount of \$1,000 for the outstanding care provided to her husband by retired EMT Mike Hammer.”

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: 18151

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

8. EMS Update. (EMS Director)

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

Michael Furrh, EMS Director, updated Commissioners Court on the training and testing of employees, the attending of the City Counsel of Shiner meeting, last month’s collections, cleaning and organizing for upcoming open house of all stations in May, phone calls to the EMS office inquiring the offering CPR classes, and the recent successful intubation of a patient.

9. Emergency Management Update. (Emergency Management Coordinator)

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

Egon Barthels, Emergency Management Coordinator, updated Commissioners Court on recent Covid numbers and updating the county website, high hospitalizations numbers in Lavaca County, DSHS state data, Dewitt County Emergency Management, along with the City of Yoakum and Lavaca County Emergency Management will be handing out mask behind the Yoakum Fire Department Station on Thursday. Golden Crescent Regional Planning Commission, 911 Communications along with Homeland Security will be meeting on Thursday. Egon recommended to Commissioners Court to take a look into the radio communications for Lavaca County, thanked all first responders that worked the accident on Sunday due to the weather conditions, updated Commissioners Court on the 18-wheeler accident that happened on Friday in the City of Hallettsville, the local schools delayed the start of classes because of the recent weather conditions and working with a local nursing home with Covid cases.

10. Accept updated contact list for the Lavaca County Historical Commission. (Doug Kubicek)

“I make a motion to accept updated contact list for the Lavaca County Historical Commission.”

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: 18152

11. Acknowledge the retirement of Dennis Tousek from Pct. 2 Road and Bridge Dept. after 31 years of dedicated service to Lavaca County, effective February 5, 2021. (Commissioner Pct.2)

“I would like to acknowledge the retirement of Dennis Tousek, Pct. 2 Road and Bridge Dept. after 31 years of dedicated service to Lavaca County, effective February 5, 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: 18153

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

12. Acknowledge Updated Job Description for Lavaca County Commissioners Assistant. (Commissioner Pct.2)

“I would like to make a motion to approve the Updated Job Description for Lavaca County Commissioners Assistant, Nailene.”

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

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: 18154

13. Acknowledge Updated Job Description for Lavaca County Judges Court Coordinator. (Judge)

“All those I would also bring that into acknowledgement as in a form of a motion.”

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

**Shana Opela, Lavaca County Auditor, recommended amending the job description to the court.

“On the E-mail Coordinator, she will be maintaining a record of the names of each email user and a copy of each E-mail User’s Agreement, but only the HR Department will be responsible for cancelling the e-mail accounts.”

Amendment 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	ABSENT
Kenny W. Siegel, Commissioner Pct. 3	YES

Dennis W. Kocian, Commissioner Pct. 4 YES

Motion Carried
Court Order: 18155

14. Discuss and/or take action regarding the Office assignments on the 3rd floor of the Lavaca County Court House.

Discussion on the County Clerk moving from the current room #305 to room #308 and assigning the County Attorney room #305 and room #304 due to the need for additional space.

“At that point, I would make a motion then to adopt or to approve the movement as we’ve just discussed”

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: 18157

15. Discuss and/or take action on Election Equipment Leasing to Lavaca County Entities. (Elections Administrator)

Marie Day chose not to speak on Item #15.

“I make a motion that we take action to raise the Election Equipment Leasing to Lavaca County Entities from 1% to 2%.”

Moved by Commissioner Kenny W. Siegel, seconded by Commissioner Dennis 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: 18157

16. 2021 Lavaca County Investment Policy. (Treasurer)

“So then, I guess we need to make a motion to accept 2021 Lavaca County Investment Policy; I will put that in the form of a motion.”

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

Motion Carried
Court Order: 18158

17. Request that Item# 8 on the December 14th agenda be amended. This is to Clarify the location of the Pitney Bowes Postage Equipment. It will be move to a secure area in the Courthouse Annex located in Corridor 055 not the Clerk’s Office. (County Clerk)

“I’d like to make a motion on Item# 8 on the December 14th that the minutes be amended to clarify the location of the Pitney Bowes Postage Equipment, it will be move to a secure area in the Courthouse Annex located in the corridor, not the Clerk’s Office.”

Moved by Commissioner Dennis 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: 18159

Consent Agenda

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

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

Motion Carried
Court Order: 18160

1. Minutes from December 14, 2020 Regular Called Commissioners Court Meeting.
2. Minutes from December 28, 2020 Regular Called Commissioners Court Meeting.
3. Lavaca County Special Road Use Agreement between Penn Virginia Oil & Gas, and Lavaca County Precinct #2 to include LCR# 290, #291, #292, #293, #294. (Pct. 2)
4. Lavaca County Special Road Use Agreement between Microwave Transmission System and Lavaca County Precinct #1 to include LCR# 188. (Pct.1)
5. Monthly County Treasurers Monthly Report, Quarterly Investment Report, and Public Financial Reports.

- 6. Tax Assessor-Collector Report as per Section 31.10 of the Property Tax Code.
- 7. Monthly Auditor Report.
- 8. County Officials Reports.
- 9. Claims and/or Payroll.
- 10. Budget Amendments, if any.

Court members signing of paperwork related to items above.

Adjournment by Presiding Officer

County Judge Mark Myers called for a motion to adjourn.

“So moved”

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

Motion Carried

Court Order: 18162

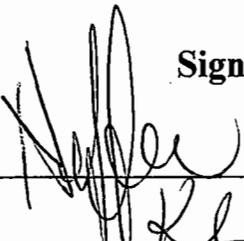
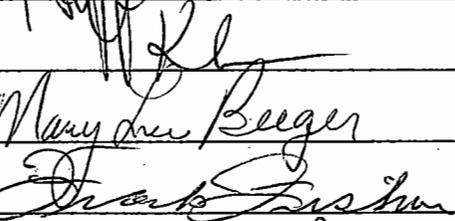
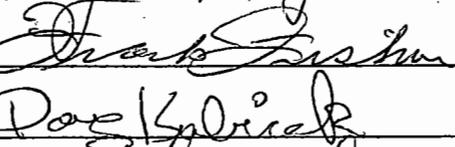
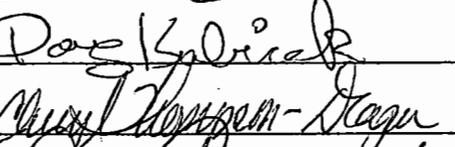
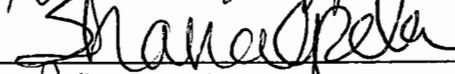
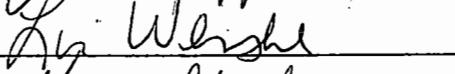
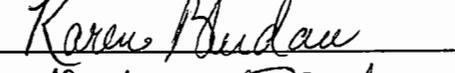
Adjournment by Presiding Officer at 11:39 AM.

Signature Roster

Attendance at Commissioner's Court Meeting

11 January, 2020/2021

Regular Called

	Sign Here	Print Name Here
1		MARLE BERGER
2		FRANK FISITAR
3	Mary Lee Berger	Mary Lee Berger
4		FRANK FISITAR
5		Doug Kubicek
6	Cheryl Thompson-Draper	Cheryl Thompson-Draper
7		Ke-Mi Mudd
8		Nailene Ruppert
9		Shana Opela
10		Jimi Appel
11		Lori Wenske
12		Karen Budau
13		Deborah A Sevcik
14		MICHAEL LAMAR
15		Dana Rodolph
16		Tena Settek
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 January 11, 2021.

ATTEST

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

Signed this 1 day of Feb, 2021

Elizabeth A. Kouba, County Clerk
Elizabeth A. Kouba

