

STATEMENT OF APPROVAL

THE STATE OF TEXAS ]

COUNTY OF LAVACA ]

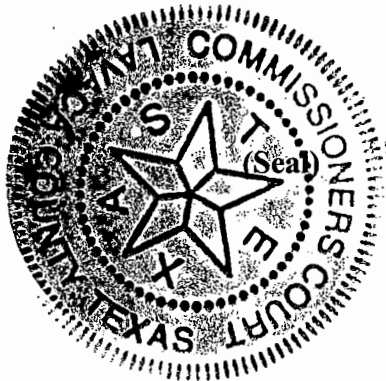
We, the County Judge, and Commissioners of Lavaca County, Texas, majority being present, do hereby certify that the above and foregoing Minutes of the Commissioners' Court Meeting dated August 10, 2020 are this day approved as submitted.

Signed this the 24<sup>th</sup> day of August, 2020, A.D.

Keith Mudd, County Judge  
Keith Mudd

ATTEST:

Elizabeth A. Kouba, County Clerk  
Elizabeth A. Kouba



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

**Regular Meeting August 10, 2020**

Lavaca County Commissioners’ Court met in a Regular Called Meeting on Monday, August 10, 2020 at 10:00 AM, in the Lavaca County Commissioners’ Courtroom, 1<sup>st</sup> Floor, in Hallettsville, Texas,

**Present:**

- County Judge Keith Mudd
- Edward Pustka, Commissioner Pct. 1
- Ronald Berckenhoff, Commissioner Pct. 2
- Neil F. Bates, Jr., 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.

**Roll Call:**

All members of the court were present.

The meeting was called to order by Judge Keith Mudd.

Invocation, Pledge of Allegiance and Pledge to the Texas Flag by Commissioner Dennis Kocian.

**Discussion and/or Action Agenda:**

**1. Approve Budget Amendment/Transfer for and payment of remaining balance of the Series 2012 General Obligation Refunding Bond in the amount of \$475,293.93. (Auditor)**

Moved by Commissioner Dennis Kocian, seconded by Commissioner Neil F. Bates.

“I make a motion to approve pay off the Series 2012 Lavaca County General Obligation Refund Bond cash transfer from General Fund to the Interest & Sinking Fund in the amount of \$431,059.46 pay off balance of \$475,293.93.”

County Judge Keith Mudd	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**

**Court Order: 17997**

Moved by Commissioner Ronald Berckenhoff, seconded by Commissioner Edward Pustka.

“I motion to approve the following budget amendments, budget amendment increasing line item 611-6000-9100 for the cash transfer of \$431,059.46. Budget amendment increasing line item 611-5680-8320 for the principal payment of \$475,000.00. Budget amendment increasing line item 611-5680-8340 for the interest payment of \$293.93.”

County Judge Keith Mudd	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**  
**Court Order: 17997**

**2. Per LGC 111.0108 Certification of Unbudgeted Revenue for Law Enforcement Detection/Counter Terrorism Grant: (Auditor)**

- a) 100-4000-8058: Grant/Sheriff's Department - \$59,392.63
- b) 100-5560-8564: Federal/State Grant - \$59,392.63

Moved by Commissioner Ronald Berckenhoff, seconded by Commissioner Edward Pustka.

"Your Honor, as per LGC 111.0108 Certification of Unbudgeted of Revenue for Law Enforcement Detection/Counter Terrorism Grant on the revenue side a) we will move from account number 100-4000-8058 to the Grant/Sheriff's Department in the amount of \$59,392.63 to the expenditure side which is fund number 100-5560-8564 is for Federal/State Grant in the amount of \$59,392.63."

County Judge Keith Mudd	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**  
**Court Order: 17998**

**3. Discuss and approve Texas County & District Retirement System (TCDRS) Plan Assessment for Lavaca County Plan Year 2021. (Auditor)**

Moved by Commissioner Edward Pustka, seconded by Commissioner Ronald Berckenhoff.

"Your Honor, I move to make a motion to approve Texas County & District Retirement System Plan Assessment for Lavaca County Plan Year 2021 at an elected rate of 17%."

County Judge Keith Mudd	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**  
**Court Order: 17999**

**4. Present 2020 Certified Values for County/Farm to Market Road. (Tax Assessor-Collector)**

Moved by Commissioner Edward Pustka, seconded by Commissioner Ronald Berckenhoff.

"Your Honor, I make a motion to except the Certified County Farm to Market Road value of as to \$ 2,300,567,139."

County Judge Keith Mudd	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

Moved by Commissioner Edward Pustka, seconded by Commissioner Ronald Berckenhoff.

**Motion Carried**

“And we also need to add to that the Lavaca, yes for Lavaca County \$2,309,465,959.”

County Judge Keith Mudd	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**  
**Court Order: 18000**

**5. Present 2020 No-New-Revenue Tax Rate & Voter-Approval Tax Rate. (Tax Assessor-Collector)**

Moved by Commissioner Dennis W. Kocian, seconded by Commissioner Neil F. Bates, Jr.

“I make a motion to accept the Lavaca County Tax Code Tax Calculations Summary.”

County Judge Keith Mudd	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**  
**Court Order: 18001**

**6. Discuss and/or Propose Tax Rate & set public hearing date (if needed). (Tax Assessor-Collector)**

Moved by Commissioner Ronald Berckenhoff, seconded by Commissioner Edward Pustka.

“Your Honor, I make a motion to propose a tax rate of .5679 which is below no new revenue rate with a General Fund of rate of .4468 with FMRA rate of .1211.”

County Judge Keith Mudd	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	NO

**Motion Carried**  
**Court Order: 18002**

Moved by Commissioner Ronald Berckenhoff, seconded by Commissioner Edward Pustka.

“I make a motion to set the meeting date for the Proposed Tax Rate to be on August 31, 2020 at 10:00 O’clock AM at the Commissioner Courtroom.”

County Judge Keith Mudd	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**7. Discuss and/or take action on Sheriff Harmon’s request to declare the items on Exhibit A as surplus. (Sheriff)**

Moved by Commissioner Dennis Kocian, seconded by Commissioner Neil F. Bates.

“I make a motion take action on Sheriff Harmon’s items listed on Exhibit A as surplus property.”

County Judge Keith Mudd	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**

**Court Order: 18004**

**8. Move Mr. Greg Janik and Mr. Jason Migl from Grade 5 MIN., CDL Heavy Equipment Operators, to Grade 5 1st. Quartile, having successfully completed their 90 Day employment probation. (Comm. Pct. 3)**

Moved by Commissioner Neil F. Bates, seconded by Commissioner Dennis W. Kocian.

“Your Honor, I need to amend item #8 to read as follows, move Greg Janik from Grade 5 MIN., CDL Driver Heavy Equipment Operator, to Grade 5 1st. Quartile, having successfully completed his 90 Day employment probation removing name of Mr. Migl until the next meeting effective date August 10, 2020.”

County Judge Keith Mudd	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	NO
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	NO

**Motion Carried**

**Court Order: 18005**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**9. Approve the purchase of a used 2018 Tailift, K25 Motor, LPG Forklift, 5,000 Lift capacity Model #PFG25, Serial # PTA01766, from Southern Field Maintenance of Victoria Texas with a trade in of a 1986 Yale forklift, Tag # 3003, Serial #N428832. Purchase price of \$21,850.00, less \$2,000.00 trade in. Purchase price of \$19,850.00, with \$100.00 delivery fee, Total of \$19,950.00. (Comm. Pct. 3)**

Moved by Commissioner Neil F. Bates, seconded by Commissioner Edward Pustka.

“Your Honor, I would like to make a motion to approve the purchase of a used 2018 Tailift, K25 Motor, LPG Forklift, 5,000 Lift capacity Model #PFG25, Serial # PTA01766, from Southern Field Maintenance of Victoria Texas with a trade in of a 1986 Yale forklift, Tag # 3003, Serial #N428832. Purchase price of \$21,850.00, less \$2,000.00 trade in. Purchase price of \$19,850.00, with \$100.00 delivery fee, Total of \$19,950.00.”

County Judge Keith Mudd	ABSTAINED
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**  
**Court Order: 18006**

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**10. Approve the Service Agreement for Short-Term Detention of Juvenile Offenders between Lavaca County Juvenile Probation Department and the Center for Success and Independence at Rockdale Academy for the term of September 1, 2020-August 31, 2021. (Probation)**

Moved by Commissioner Dennis Kocian, seconded by Commissioner Neil F. Bates.

“I make a motion to approve the Service Agreement for Short-Term Detention of Juvenile Offenders between Lavaca County Juvenile Probation Department and the Center for Success and Independence at Rockdale Academy for the term of September 1, 2020-August 31, 2021.”

County Judge Keith Mudd	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**  
**Court Order: 18007**

**11. Approve the Service Agreement for Short-Term Detention of Juvenile Offenders between Lavaca County Juvenile Probation Department and Guadalupe County Juvenile Detention Center for the term of October 1, 2020 – September 30, 2021. (Probation)**

Moved by Commissioner Ronald Berckenhoff, seconded by Commissioner Edward Pustka.

“Your Honor, I make a motion to approve the Service Agreement for Short-Term Detention of Juvenile Offenders between Lavaca County Juvenile Probation Department and Guadalupe County Juvenile Detention Center for the term of October 1, 2020 – September 30, 2021.”

County Judge Keith Mudd	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**  
**Court Order: 18008**

**12. Review and approve updated personnel policy, drug and alcohol policy, and procurement policy for Community Connections of Lavaca County. (Community Connections)**

Moved by Commissioner Dennis Kocian, seconded by Commissioner Neil F. Bates.

“I make a motion to approve updated personnel policy, drug and alcohol policy, and procurement policy for Community Connections of Lavaca County.”

County Judge Keith Mudd	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**

**13. Discuss the Colorado County Subdivision Plan and/or take action to adopt a similar plan with revisions. (Judge/Commissioners)**

Moved by Commissioner Dennis Kocian, seconded by Commissioner Ronald Berckenhoff.

“I make a motion that we go forward today with the subdivision plan planning processes.”

County Judge Keith Mudd	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**

**Court Order: 18010**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**14. Discussion and/or take action on the draft restrictions and Subdivision Plat for the Whispering Oaks Subdivision. (Judge/Commissioners)**

Pass on Agenda Item

**15. EMS Update. (Judge)**

Lavaca County Judge, Keith Mudd, gave an update on EMS as follows:

- EMS operating budget short fall.
- Encouraging EMS Interim Director, Melissa Leopold, to go back to out of county runs.
- 7 to 9 candidates for EMS Director.

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**16. Emergency Management Update. (OEM)**

Egon Barthels, Lavaca County Emergency Management coordinator, gave an update on COVID-19 as follows:

- Governor Abbott extends State Disaster Declaration for Covid-19.
- Gave update on Lavaca County Covid-19 numbers.
- Communications with the Nursing Home Facilities in Lavaca County on Covid-19 status.
- Reaching out to schools in Lavaca County for unmet needs on such as PPE.

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**Consent Agenda**

1. Minutes of July 21, 2020 Regular Called Commissioners Court Meeting.
2. Minutes of July 27, 2020 Regular Called Commissioners Court Meeting.
3. County Auditor Monthly Report.
4. County Treasurer Monthly and Public Financial Reports.
5. Tax Assessor/Collector Report as per 31.10 of the Property Code.
6. County Officials Reports.
  - Constable-Pct. #1 – June 2020

- Constable-Pct. #2 – June 2020
- Constable-Pct. #2 – July 2020
- Constable-Pct. #3 – June 2020
- Constable-Pct. #4 – July 2020
- Auditor’s Monthly Report – July 2020
- County Clerk Tyler Monthly Report – June 2020
- County Clerk LGS Monthly Report – June 2020
- Tax Assessor-Collector Annual Tax Collection Report
- County Clerk LGS Report June 2020
- County Clerk Tyler Monthly Report June 2020
- County Clerk LGS Report July 2020
- County Clerk Tyler Monthly Report 2020

7. Claims and/or Payroll.

8. Budget Amendments, if any.

**Approved.**

Moved by Commissioner Ronald Berckenhoff, seconded by Commissioner Edward Pustka.

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

County Judge Keith Mudd	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**

**Court Order: 18011**

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

County Judge Keith Mudd called for a motion to adjourn.

“I make a motion to adjourn.”

Moved by Commissioner Edward Pustka, seconded by Commissioner Ronald Berckenhoff.

County Judge Keith Mudd	YES
Edward Pustka, Commissioner Pct. 1	YES
Ronald Berckenhoff, Commissioner Pct. 2	YES
Neil F. Bates, Jr., Commissioner Pct. 3	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**

**Court Order: 18012**

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



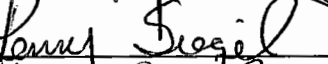
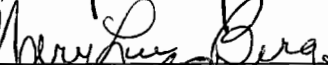

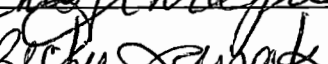
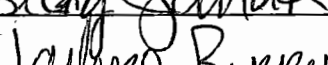

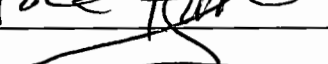

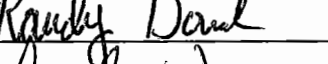
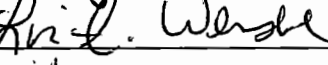


Signature Roster

Attendance at Commissioner's Court Meeting

Aug 10, 2020

Regular Called

	Sign Here	Print Name Here
1		MARY LEE BERGER
2		Aubrey Clark II
3		Kenny Siegel
4		MARY LEE BERGER
5		Cheryl T. Trape
6		Becky Janak
7		Nailene Ruppert
8		PAULA PATTERSON
9		Michael Harmon
10		Randy Dornak
11		Lori A. Wenske
12		
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Signature Roster

Attendance at Commissioner's Court Meeting

Aug 10, 2020

Regular Called

Sign Here

Print Name Here

1 Deborah A Swick Deborah A Swick

2 Jim Appel Jim Appel

3 Shana K Opela Shana K Opela

4 Karen Buday Karen Buday

5 Tena Sttek Tena Sttek

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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 August 10, 2020.**

**ATTEST**

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



Signed this 20 day of August, 2020

Elizabeth A. Kouba, County Clerk  
Elizabeth A. Kouba