

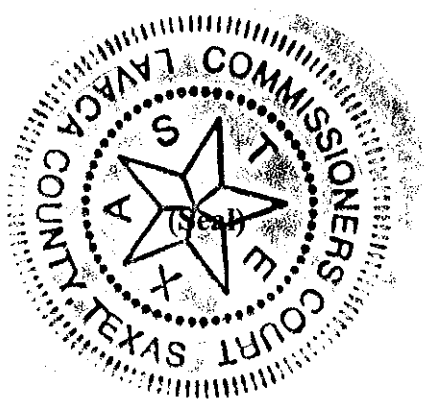
THE STATE OF TEXAS ]

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 14, 2020 are this day approved as submitted.

Signed this the 28<sup>th</sup> day of September, 2020, A.D.

Keith Mudd, County Judge  
Keith Mudd



ATTEST:

Elizabeth A. Kouba, County Clerk  
Elizabeth A. Kouba

**Regular Meeting September 14, 2020**

Lavaca County Commissioners' Court met in a Regular Called Meeting on Monday, September 14, 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 Neil F. Bates.

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Dr. Jo Ann Bludau, Hallettsville ISD Superintendent, addressed the court about the funding opportunity available to the school district as well to Lavaca County.  
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**Discussion and/or Action Agenda:**

**1. Resolution authorizing County Grant Program Year 2021 from Texas Department of Agriculture, Texans Feeding Texans: Home-Delivered Meal Grant Program.**

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

"I make a motion to accept the Resolution authorizing County Grant Program Year 2021 Texas Department of Agriculture, Texans Feeding Texans: Home-Delivered Meal Grant Program."

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: 18030**

**2. Discuss Senior Center Updates.**

Becky Janak, Program Manager Community Connections of Lavaca County, addressed the court with updates on the Community Connections Program.

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**3. Presentation of Service Awards.**

Service Awards were given to Lavaca County Employees for 5 years, 10 years, 15 years, 20 years, 25 years, and 35 years.

Service Awards were given to Lavaca County Ambulance Employees for 20 years.

**4. Acknowledge the retirement of Sandra Migl from the Tax-Assessor-Collector’s office after 10 years of dedicated service, effective December 31, 2020.**

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

“Your Honor, I make a motion to acknowledge the retirement of Sandra Migl from the Tax-Assessor-Collector’s office after 11 years of dedicated service effective December 31, 2020.”

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: 18031**

**5. Advertise for part-time Deputy Clerk – Grade 4 position in the Tax Assessor-Collector’s office.**

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

“Your Honor, I move that we let our Tax Assessor-Collector advertise for part-time Deputy Clerk – Grade 4 position in the Tax Assessor-Collector’s office.”

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: 18032**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**6. Discuss and/or approve Deferral of Payroll Tax Obligations in Light of the Ongoing COVID 19 Disaster.**

Lavaca County Auditor, Shana Opela recommended that the county to not to approve the Deferral of Payroll Tax Obligations in Light of the Ongoing COVID 19 Disaster.

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

“Your Honor, I make a motion to deny Deferral of Payroll Tax Obligations in Light of the Ongoing COVID 19 Disaster.”

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: 18033**

**7. Certify County Auditor’s salary per Local Government Code 152.031(b).**

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

“Your Honor, I make a motion to Certify County Auditor’s salary per Local Government Code 152.031(b).”

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: 18034**

**8. County Auditor’s Assistants salary per Local Government Code 84.021.**

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

“Your Honor, I make a motion to County Auditor’s Assistants salary per Local Government Code 84.021.”

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

**9. EMS Update.**

Michael Furrh, Lavaca County EMS Director address the court with updates.

- Cleanliness
- Structural issues with Admin. Building
- November 1, 2020 Electronic billing
- Uniforms
- 2006 Chevy Blazer updating
- Working on response time
- E-mail for employees
- On-line scheduling
- Applications for Full Time Employees
- Up-dating computers
- Operational procedures
- Out of county transfers
- Cares Act

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**10. Adoption of EMS department policies.**

Michael Furrh, Lavaca County EMS Director address the court with department policies.

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

“I make a motion to adopt the EMS Department Policies”

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: 18036**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**11. Signing of the contract for the purchase of the new ES&S Equipment.**

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

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

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: 18037**

**12. Acknowledge the purchase of a 2020 Ford F250 VIN# 1FT7W2BN1LEC50713 from Caldwell Country Ford, LLC for \$40,079.00 using Buy Board Quote and Price.**

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

“Your Honor, I make a motion to approve the purchase of a 2020 Ford F250 VIN# 1FT7W2BN1LEC50713 from Caldwell Country Ford, LLC for \$40,079.00 using and that was using Buy Board Quote and Price.”

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: 18038**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**13. Declare as surplus property: (1) 2006 model Ford 250 VIN#1FTSW205X6EC53711 Asset Inventory #2027, 171,985 miles. (1) 3-ton Hydraulic Floor Jack tag #009427 “inoperable”.**

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

“Yes, Your Honor, I make a motion to declare as surplus property: (1) 2006 model Ford 250 VIN#1FTSW205X6EC53711 Asset Inventory #2027, 171,985 miles and also to declare surplus property (1) 3-ton Hydraulic Floor Jack tag #009427 is inoperable.”

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: 18039**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**14. To put of record the employment of Blair Blaschke as Deputy County Clerk, Grade 4 minimum quartile, effective September 8, 2020.**

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

“Your Honor, I make a motion to put of record the employment of Blair Blaschke as Deputy County Clerk, Grade 4 minimum quartile, effective September 8, 2020.

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: 18040**

**15. Award the Grants Administrator for the CDBG-MIT Hurricane Harvey State Mitigation Competition.**

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

“So moved, I make a motion to hire Sirius Engineering, award the Grants Administrator Sirius Engineering for the CDBG-MIT Hurricane Harvey State Mitigation Competition.”

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: 18041**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**16. Lavaca County Public Information Act (PIA) Policy.**

Stuart Fryer, Lavaca County Attorney, addressed the court on Lavaca County Public Information Act (PIA) Policy.

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**17. Executive Session to discuss pending and/or potential litigation if necessary.**

Judge Keith Mudd, Commissioner Edward Pustka, Commissioner Ronald Berckenhoff, Commissioner Neil F. Bates, Commissioner Dennis Kocian, Auditor Shana Opela, Chief Deputy Jr. Peters, and County Attorney Stuart Fryer entered an Executive Session in Judge’s Chamber at 11:10 AM.  
Executive Session closed at 11:52 AM

**Consent Agenda**

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

"Your Honor, I make a motion to approve to add Item #11 to the Consent Agenda."

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: 18042**

- 18. Minutes of August 24, 2020 Regular Called Commissioners Court Meeting.**
- 19. Minutes of August 31, 2020 Regular Called Commissioners Court Meeting.**
- 20. Plan Agreement for Plan Year 2021.**
- 21. Application for Pipeline Permit between Lavaca County and Rocky Creek Resources, LLC to include LCR #261.**
- 22. Approve installation of new Buried Fiber within the corridors of LCR #957B and #232 (2 locations) by Colorado Valley Telephone Cooperative, Inc.**
- 23. County Auditor Monthly Report.**
- 24. County Treasurer Monthly and Public Financial Reports.**
- 25. Tax Assessor/Collector Report as per 31.10 of the Property Tax Code.**
- 26. County Officials Reports.**
  - Larry Hlavac, Constable Pct.# 3 Monthly Process Service Report, July 2020.
  - Larry Hlavac, Constable Pct.# 3 Monthly Process Service Report, August 2020.
  - Kerry Peterson, Constable Pct.# 4 Monthly Process Service Report, August 2020.
  - Deborah A. Sevcik, Tax Assessor-Collector Tax Department, July 2020.
  - Elizabeth A. Kouba, Lavaca County Clerk LGS Report, August 2020.
  - Elizabeth A. Kouba, Lavaca County Clerk Tyler Report, August 2020.
  - Travis Hill, JP #2 Money Distribution Report, August 2020.
  - Mark Ivey, JP #1 Money Distribution Report, August 2020.
  - Wayne Denson, JP #3 Money Distribution Report, August 2020.
  - Lori Wenske, District Clerk Monthly Distribution Report (Summary Report) June 2020.
  - Lori Wenske, District Clerk Monthly Distribution Report (Summary Report) July 2020.
  - Shana R. Opela, County Auditor Monthly Report, August 31 2020.
  - Michael Buchanek, Constable Pct.# 1 Monthly Process Service Report, August 2020.

**27. Claims and/or Payroll.**

**28. Budget Amendments, if any.**

**Approved.**



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

“Your Honor, I make a motion to approve the Consent Agenda as amended.”

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: 18043**

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

County Judge Keith Mudd called for a motion to adjourn.

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

“So be it, I move we adjourn”

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: 18044**

**Adjournment by Presiding Officer at 12:00 PM.**

Signature Roster

Attendance at Commissioner's Court Meeting

September 14, 2020

Regular Called

Sign Here

Print Name Here

1	<i>Mark My</i>	Mark Myers
2	<i>William Petra</i>	William Petra
3	<i>James Blaschke</i>	JAMES BLASCHKE
4	<i>Greg Janik</i>	Greg Janik
5	<i>Jo Ann Blud</i>	Jo Ann Blud
6	<i>Farrah Jennigan</i>	Farrah Jennigan
7	<i>Charles Lewis</i>	Charles Lewis
8	<i>Timell North</i>	Timell North
9	<i>Hallie Hall</i>	Hallie Hall
10	<i>Lindsay Ruppert</i>	Lindsay Ruppert
11	<i>Nailene Ruppert</i>	Nailene Ruppert
12	<i>Shannon R DeForest</i>	Shannon R DeForest
13	<i>Doug Kubicek</i>	Doug Kubicek
14	<i>Diane Goodall</i>	Diane Goodall
15	<i>Kenny Stapel</i>	Kenny Stapel
16	<i>Gwen Holt</i>	Gwen Holt
17	<i>Becky Janak</i>	Becky Janak
18	<i>Lori A. Wenske</i>	Lori A. Wenske
19	<i>Donna Harrell</i>	Donna Harrell
20	<i>Cheryl Draper</i>	Cheryl Draper

Signature Roster

Attendance at Commissioner's Court Meeting

September 14, 2020

Regular Called

Sign Here

Print Name Here

1 *Blair Blaschke*

Blair Blaschke

2 *Jim Appelt*

Jim Appelt

3 *Deborah A. Sercik*

Deborah A. Sercik

4 *Shana Opelu*

Shana Opelu

5 *Karen Bluday*

Karen Bluday

6 *Tena Settek*

Tena Settek

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Signature Roster

Attendance at Commissioner's Court Meeting

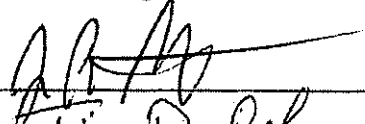
September 14, 2020

Regular Called

Sign Here

Print Name Here

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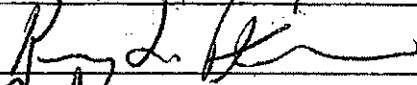
JR PETERS

2



Tim Pawlik

3



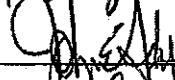
Kerry L. Peterson

4



Raudy Dorank

5



John E. Slote

6



Melissa Leopold

7



Bob Worsing

8



STUART FRYER

9



Peter Cerotti

10

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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 September 14, 2020.**



**ATTEST**

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

Signed this 16 day of Sept, 2020

Elizabeth A. Kouba, County Clerk  
Elizabeth A. Kouba