

STATEMENT OF APPROVAL

18224

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 March 8, 2021. are this day approved as submitted.

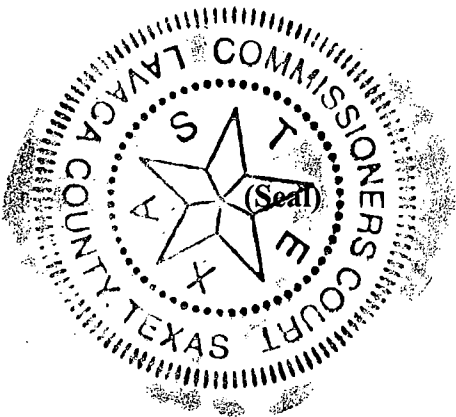
Signed this the 22<sup>nd</sup> day of March, 2021, A.D.

[Signature], County Judge  
Mark Myers

ATTEST:

Elizabeth A. Kouba, County Clerk  
Elizabeth A. Kouba

by: [Signature],  
Deputy Clerk



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

**Regular Meeting Monday, March 8, 2021**

Lavaca County Commissioners' Court met in a Regular Called Meeting on Monday, March 8, 2021 at 10:00 AM, in the Lavaca County Commissioners' Courtroom, 1<sup>st</sup> Floor, in Hallettsville, Texas,

**Present:**

County Judge Mark Myers  
Edward Pustka, Commissioner Pct. 1  
Ronald Berckenhoff, Commissioner Pct. 2  
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.

**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**

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**Discussion and/or action agenda:**

**1. Ratification on action of renewal of the service and warranty extension of the computer network for the Sheriff's Department.** (Judge)

"I make a motion that we ratify the action of renewal of the service and warranty extension of the computer network for the Sheriff's Department."

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	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**

**Court Order: 18186**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**2. Approve the Proclamation proclaiming April 2020 as Autism Awareness Month. (Judge)**

County Judge Mark Myers read the Proclamation proclaiming April 2021 as Autism Awareness Month.

“Proclamation – Lavaca County, Texas

Whereas, Turtle Wing Foundation was founded in 2011 by DeeAnn Hooper in memory of her son Jackson Allan Hooper who passed away on April 5, 2011 of a viral-like syndrome of unknown origin. Jackson was diagnosed with high functioning autism at the age of six and due to various academic and social skill supplemental services, was able to find success as an elementary student. Inspired by his life, Turtle Wing received its 501c3 status on September 12, 2012.

Whereas, the mission of Turtle Wing Foundation is to help children with learning challenges in rural areas achieve their full potential. Turtle Wing programming strives to help children “grow wings and fly.”

Whereas, the service area of Turtle Wing Foundation is Fayette, Lavaca, Colorado and surrounding counties with over 500 children presently receiving direct services due to Turtle Wing programming, Key programming areas for Turtle Wing includes Early Intervention, Supplemental Services and Community Education & Advocacy.

Whereas, April is Autism Awareness month. Autism is a general term used to describe a group of complex developmental brain disorder – autism spectrum disorder – caused by a combination of genes and environmental influences. These disorders are characterized, in varying degrees, by communication difficulties, social and behavioral challenges, and repetitive behaviors. An estimated 1 in 68 children in the U.S. is on the autism spectrum.

Whereas, nearly a quarter century ago, the Autism Society launched a nationwide effort to promote autism awareness, inclusion and self-determination for all, and assure that each person with ASD is provided the opportunity to achieve the highest possible quality of life.

Whereas, this year we want to go beyond simple promoting autism awareness to encouraging friends and collaborators to become partners in movement toward acceptance and appreciation; to embrace a new perspective to ensure acceptance and inclusion in schools and communities that result in true appreciation of the unique aspects of all people; and to get one step closer to a society where those with ASDs are truly valued for their unique talents and gifts.

Now, Therefore, I, Mark Myers, Judge of Lavaca County, Texas, do hereby proclaim the month of April 2021. Autism Awareness Month which represents an excellent opportunity to promote autism awareness, autism acceptance and to draw attention to the tens of thousands facing an autism diagnosis each year.”

Kevin Chance spoke on Agenda Item #2.

“I enter a motion to accept to approve the Proclamation proclaiming April 2021 as Autism Awareness Month.”

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

**Motion Carried**  
**Court Order: 18187**

**3. Discuss and approve opposition to S.B. 234/H.B. 749 and its attempts to silence the combined voices of the County Officials and local communities of the State of Texas.**

County Judge Mark Myers addressed the court by explaining the agenda item.

Kathleen Lininger and Paul Yamarick spoke on the agenda item.

“I will make a motion at this point let’s table this till the next meeting. I’d like to make a motion to table this motion or table this action item until the next meeting until I can do some further research.”

Commissioner Dennis Kocian commented how Texas Association of Counties is helpful to small counties.

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	YES
Dennis W. Kocian, Commissioner Pct. 4	OPPOSED

**Motion Carried**

**Court Order: 18188**

DOCUMENTATION RETURNED TO JUDGE'S OFFICE FOR FUTURE MEETING.

**4. Discuss and take action on Covid-19 Sub-Hub Vaccination Memorandum of Understanding between Lavaca County and Colorado County. (Judge/EMS Director)**

Mike Furrh, EMS Director, addressed the Commissioner Court on the Covid-19 Sub Hub Vaccination Memorandum of Understanding between Colorado and Lavaca County.

“I make a motion to accept the Covid-19 Sub-Hub Vaccination Memorandum of Understanding between Lavaca County and Colorado County.”

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	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**

**Court Order: 18189**

**5. Discuss and take action on adopting the Lumenare software for more efficient processing of required documentation for Covid-19 Sub Hub operations. (EMS Director)**

“Your Honor, I make a motion to approve adopting the Lumenare software for more efficient processing of required documentation for Covid-19 Sub Hub operations add Colorado county as per our Sub Hub Agreement.”

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	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried  
Court Order: 18190**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**6. Option to extend current contract with Prosperity Bank for depository accounts for an additional two years July 14, 2021 through July 13, 2023 and authorize County Judge to sign contract. (Treasurer)**

Karen Bludau, Treasurer, addressed the Commissioners Court on the extending of the current contract.

“I make a motion to extend the current contract with Prosperity Bank for depository accounts for an additional two years July 14, 2021 through July 13, 2023 and authorize County Judge to sign contract.”

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

**Motion Carried  
Court Order: 18191**

**7. Approve the hiring of Ariana C. Vavrusa as Deputy Sheriff with a starting salary of \$45,207, effective March 8, 2021, and approve her bond. (Sheriff)**

“I make the motion to approve the hiring of Ariana C. Vavrusa as Deputy Sheriff with a starting salary of \$45,207, effective March 8, 2021, and approve her bond.

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	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried  
Court Order: 18192**

**8. Request for approval to surplus – Toshiba e-Studio 600 copy machine #COG511173 and Toshiba e-Studio 520 copy machine #CZB721951 for Trade In. (County Clerk)**

Elizabeth A. Kouba, County Clerk, address the Commissioners Court of the status on both copiers and each having a copy count of million copies.

“I request for approval to surplus – Toshiba e-Studio 600 copy machine #COG511173 and Toshiba e-Studio 520 copy machine #CZB721951 for Trade In.”

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

**Motion Carried**  
**Court Order: 18193**

**9. Request for approval to purchase from Dewitt Poth & Son a Toshiba e-Studio 3518A copy machine for the County Clerk's office, 3<sup>rd</sup> floor. Price #6,000.00, less trade in of \$1,050.00, for a Purchase price of \$\$4,950.00. (County Clerk)**

"Your Honor, I wish to make a motion to approve the purchase from Dewitt Poth & Son a Toshiba e-Studio 3518A copy machine for the County Clerk's office, 3<sup>rd</sup> floor for price #6,000.00, less trade in of \$1,050.00, for a Purchase price of \$4,950.00."

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	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**  
**Court Order: 18194**

**10. Acknowledge the purchase of a 2017 Bomag Padfoot Roller through the Buy board from Anderson Machinery for the amount of \$74,805.00. S/N 101586101015. (Pct.3)**

"I make a motion to acknowledge the purchase of a 2017 and I do have a notification from our Treasurer that shows we do have the funds available then I acknowledge the purchase of the 2017 Bomag Padfoot Roller through the Buy board from Anderson Machinery for the amount of \$74,805.00 S/N 101586101015."

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

**Motion Carried**  
**Court Order: 18195**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**11. Declare the following as Surplus Property: 1979 Rexnord Road Roller asset # 3041. (Pct.3)**

"I would like to declare the following as Surplus Property: 1979 Rexnord Road Roller asset # 3041."

Moved by Commissioner Kenny W. Siegel, 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	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**

**Court Order: 18196**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**12. EMS Update. (EMS Director)**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

Michael Furrh, EMS Director, thanked all who showed to help with the Sub Hub Vaccinations Clinic. Mr. Furrh introduced Katherine Torrence of MVBA Collections. She spoke of the offices that currently use their services.

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

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

Egon Barthels, OEM, spoke to Commissioners Court on the recent Covid clinic from the past week, directed the public to the county web page for the Covid drop down, and Region 8 vaccine clinic around March 31 at the KC Hall in Shiner, Egon Barthels thanked Kasper Wire Works, Scott Deirlam at State Farm Insurance, and Allison Mozisek for the donations of pens at the recent clinic from the past week. Recognized both Hallettsville and Shiner KC for the use of both facilities. Recovery efforts from the recent ice storms. Governor Abbott recent removal of the mask mandate.

Katherine Lininger spoke on the Consent Agenda.

**Consent Agenda**

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

Moved by County Judge Mark Myers, seconded by Commissioner Kenny W. Siegel.

“Your Honor, I make a motion to amend the Consent Agenda Item #34 Colorado Valley Cooperative, Inc, requests approval for the installation of new buried copper cable within the corridors of LCR #221, and should be #226, not 225.”

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	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**

**Court Order: 18197**

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

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	YES
Dennis W. Kocian, Commissioner Pct. 4	YES

**Motion Carried**  
**Court Order: 18198**

- 14. Minutes of February 8, 2021 Regular Called Commissioners Court Meeting.
- 15. Minutes of February 22, 2021 Regular Called Commissioners Court Meeting.
- 16. Certification of Continuing Education for County Clerk, Elizabeth Kouba, for successfully completing the required 20 hours of Continuing Education for 2020 as prescribed in Section 51.605 of the Texas Government Code.
- 17. Acknowledge the completion of the Community Development & Revitalization Depository/Authorized Signatories Designation Form for submittal to the GLO.
- 18. County Special Road Use Agreement between NGL Crude Transportation and Lavaca County Precinct #2 to include LCR #261.
- 19. Lavaca County Special Road Use Agreement between NGL Crude Transportation and Lavaca County Precinct #2 to include LCR #264 and #262.
- 20. Lavaca County Special Road Use Agreement between NGL Crude Transportation and Lavaca County Precinct #2 to include LCR #285.
- 21. Lavaca County Special Road Use Agreement between NGL Crude Transportation and Lavaca County Precinct #2 to include LCR #266 and #265.
- 22. Lavaca County Special Road Use Agreement between NGL Crude Transportation and Lavaca County Precinct #2 to include LCR #261.
- 23. Lavaca County Special Road Use Agreement between NGL Crude Transportation and Lavaca County Precinct #2 to include LCR #258.
- 24. Lavaca County Special Road Use Agreement between NGL Crude Transportation and Lavaca County Precinct #2 to include LCR #265 and #265A.
- 25. Lavaca County Special Road Use Agreement between NGL Crude Transportation and Lavaca County Precinct #2 to include LCR #271
- 26. Lavaca County Special Road Use Agreement between NGL Crude Transportation and Lavaca County Precinct #2 to include LCR #262
- 27. Lavaca County Special Road Use Agreement between NGL Crude Transportation and Lavaca County Precinct #2 to include LCR #271 and #271B
- 28. Lavaca County Special Road Use Agreement between NGL Crude Transportation and Lavaca County Precinct #3 to include LCR #329A.



- 29. Lavaca County Special Road Use Agreement between NGL Crude Transportation and Lavaca County Precinct #3 to include LCR #335.
- 30. Lavaca County Special Road Use Agreement between NGL Crude Transportation and Lavaca County Precinct #3 to include LCR #329A.
- 31. Lavaca County Special Road Use Agreement between NGL Crude Transportation and Lavaca County Precinct #3 to include LCR #351 and #351A.
- 32. Lavaca County Special Road Use Agreement between NGL Crude Transportation and Lavaca County Precinct #3 to include LCR #353 and #351.
- 33. Lavaca County Special Road Use Agreement between NGL Crude Transportation and Lavaca County Precinct #4 to include LCR #12.
- 34. Colorado Valley Cooperative, Inc. requests approval for the installation of new buried copper cable within the corridors of LCR # 221, #225 #226. (Pct. 2)
- 35. County Officials Reports.
  - Elizabeth A. Kouba, County Clerk, LGS Total Collections, January 2021.
  - Elizabeth A. Kouba, County Clerk, Tyler Total Collections, January 2021.
  - Kyle Denney, County Attorney Hot Check Collection & Trust Fund Report January 2021.
  - Lori Wenske, District Clerk, Money Distribution Report, January 2021.
  - Elizabeth A. Kouba, County Clerk, LGS Monthly Report, February 2021.
  - Elizabeth A. Kouba, County Clerk, Tyler Monthly Report, February 2021.
  - Kerry L. Peterson, Constable Pct. #2 Process Service Report February 2021.
  - Travis Hill, JP PCT #2 Money Distribution Report, February 2021.
  - Shana R. Opela, County Auditor’s Monthly Report, February 2021.
- 36. County Auditor Monthly Report.
- 37. Claims and/or Payroll.
- 38. Budget Amendments, if any.

**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 Kenny W. Siegel.

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

**Motion Carried**

**Court Order: 18199**

**Adjournment by Presiding Officer at 11:33 AM.**



Signature Roster  
Attendance at Commissioner's Court Meeting  
March 8, 2021  
Regular Called

	Sign Here	Print Name Here
1	<i>Aubrey Clark II</i>	Aubrey Clark II
2	<i>Shana Opela</i>	Shana Opela
3	<del><i>Egon</i></del>	EGON BARTHELS
4	<i>Mary Lee Berger</i>	MARY Lee Berger
5	<i>Kevin Chance</i>	<del><i>Kell</i></del>
6	<i>Kristi Cline</i>	Kristi Cline
7	<i>K. Linniger</i>	
8	<i>Cheryl Draper</i>	Cheryl Thompson-Draper
9	<i>Nailene Ruppert</i>	Nailene Ruppert
10	<i>Paul Yamarick</i>	PAUL YAMARICK
11	<del><i>Katherine</i></del>	Katherine Torrence <sup>MURBA</sup>
12	<i>Deborah A Sevcik</i>	Deborah A Sevcik
13	<i>Jim Appelt</i>	Jim Appelt
14	<del><i>Kyle A Demsey</i></del>	Kyle A Demsey
15	<i>Lori A. Wenske</i>	Lori A. Wenske
16	<del><i>Kevin L. Peterson</i></del>	Kevin L. Peterson
17	<i>Tena Steffek</i>	Tena Steffek
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 March 8, 2021.**

**ATTEST**

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



Signed this 16 day of March, 2021

Elizabeth A. Kouba, County Clerk  
Elizabeth A. Kouba