

STATEMENT OF APPROVAL

18352

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 23, 2021, are this day approved as submitted.

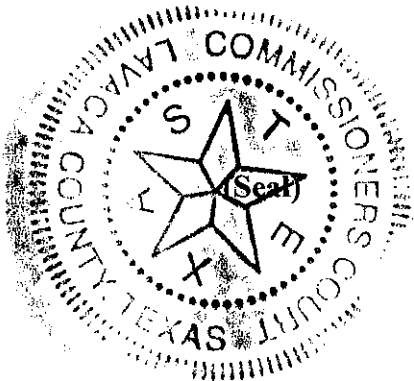
Signed this the 13 day of September, 2021, A.D.

Mark Myers, County Judge  
Mark Myers

ATTEST:

Elizabeth A Kouba County Clerk  
Elizabeth A. Kouba

by: Jena Steffek  
Deputy Clerk



THE STATE OF TEXAS )  
COUNTY OF LAVACA )

**Regular Meeting Monday, August 23, 2021**

Lavaca County Commissioners' Court met in a Regular Called Meeting on Monday, August 23, 2021 at 10:00 AM, in the Lavaca County Commissioners' Courtroom, 1<sup>st</sup> Floor, in Hallettsville, Texas,

**Present:**

- Mark Myers, County Judge
- Edward Pustka, Commissioner Pct. 1
- Ronald Berckenhoff, Commissioner Pct. 2
- Kenny W. Siegel, Commissioner Pct. 3
- Dennis W. Kocian, Commissioner Pct. 4
- Barbara Steffek, Chief Deputy 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):

**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**

Shana Opela, Lavaca County Auditor, addressed the Court.

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**\*\*\* PUBLIC HEARING to continue the collection of the \$10.00 Records Management and Preservation Fee for filing documents in the office of the County Clerk.**

**Opened: 10:03 A.M. - Closed: 10:04 A.M.**

**\*\*\* 2ND PUBLIC HEARING on Proposed Tax Rate**

**Opened: 10:05 A.M. - Closed: 10:11 A.M.**

**\*\*\* PUBLIC HEARING on Proposed Lavaca County 2021-2022 Budget.**

**Opened: 10:12 A.M. - Closed: 10:27 A.M.**

Frank Fishar and Keith Mudd addressed Commissioners Court.

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**Discussion and/or action agenda:**

**1. Approve plan for collecting the Records Management and Preservation Fee for filing documents in the office of the County Clerk. (County Clerk)**

"I make a motion to approve plan for collecting the Records Management and Preservation Fee for filing documents in the office of the County Clerk."

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: 18329**

**2. Approve plan for collecting the District Clerk's Records Management, Archive, Preservation and Technology Fee to fund preservation and restoration of documents in the District Clerk's Office. (District Clerk)**

“Your Honor, I make a motion to approve plan for collecting the District Clerk's Records Management, Archive, Preservation and Technology Fee to fund preservation and restoration of documents in the District Clerk's Office.”

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: 18330**

**3. Certify County Auditor's salary per Local Government Code 152.031 (b). (District Clerk)**

“Your Honor, I make a motion to approve the County Auditor's pay per Local Government Code 152.031. The Auditor's pay is \$68,816.17.”

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: 18331**

**4. Certify County Auditor's Assistants salary per Local Government Code 84.021. (District Clerk)**

“Your Honor, I move that we approve Auditor's Assistants salary per Local Government Code 84.021, First County Assistant salary of \$48,105.16. Assistant County Payroll Auditor for Lavaca County \$40,686.16 and the remaining appointed Assistant County Auditors \$38,238.02 and \$35,271.56.”

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

**Motion Carried**  
**Court Order: 18332**

**5. Per Local Government Code 152.013 (a), set the salary, expenses and other allowances of elected or precinct officers. (Judge)**

“I would like to make a motion to approve the salaries as per code 152.013, salaries, expenses and other allowances for elected or precinct officers.”

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: 18333**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**6. Per Local Government Code 111.008 (c), this budget will raise more revenue from property taxes than last year's budget by and amount of \$645,814, which is a 4.92 percent increase from last year's budget. The property tax to be raised from new property added to the tax roll this year is \$210,874.00.**

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

**Motion Carried****Court Order: 18334**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**7. Adopt the 2021-2022 Budget. (Judge)**

Frank Fishar and Marie Day addressed the Commissioners Court.

"I will make a motion to Adopt the 2021-2022 Budget as presented."

Moved by County Judge Mark Myers, seconded by 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

*Votes were taken with a roll call.*

**Motion Carried****Court Order: 18335****8. Adopt the 2021-2022 Tax Rate. (Judge)**

Marie Day, Kathleen Leininger, and Paul Yamerick addressed the Commissioners Court.

"Your Honor, I move we adopt the Tax Rate of .4468 for M & O, Nothing for Debt Rate, .1211 Farm to Market Road, which totals .5679."

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

County Judge Mark Myers	NO
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

*Votes were taken with a roll call.*

**Motion Carried**  
**Court Order: 18336**

*Judge Mark Myers refused to sign the Tax Rate Order.*

**9. Approve proposal from Kofile Technologies in the amount of \$12,686.25 for a preservation and image project for Civil-Records 3361-3785 and authorize the District Clerk to sign proposal. Project will be paid out of the Dickson Allen Foundation Grant. (Records Management Officer/District Clerk)**

“I make a motion to approve proposal from Kofile Technologies in the amount of \$12,686.25 for a preservation and image project for Civil-Records 3361-3785 and authorize the District Clerk to sign proposal. Project will be paid out of the Dickson Allen Foundation Grant.”

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: 18337**

**10. Declare 1992 Cat Maintainer 120G Serial# 4KD01643 Inventory ID 3023 as Surplus Inventory to be auctioned on Gov Deals. (Precinct 3)**

“I would like to make a motion to declare 1992 Cat Maintainer 120G Serial# 4KD01643 Inventory ID 3023 as Surplus Inventory to be auctioned on Gov Deals.”

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: 18338**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**11. Discuss and/or approve phone contract between Lavaca County EMS and Virtualis. (EMS Director)**

Michael Furrh, EMS Director, spoke to Commissioners Court.

“Your Honor, I would like to approve the phone contract between Lavaca County EMS and Virtualis.”

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

**Motion Carried**  
**Court Order 18339**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**12. Acknowledge the acceptance of a \$50,000.00 grant from the Lillie A. Johnson Foundation. (EMS Director)**

Michael Furrh, EMS Director, spoke to Commissioners Court.

"Your Honor, I make a motion to acknowledge the acceptance of a \$50,000.00 grant from the Lillie A. Johnson Foundation for EMS."

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: 18340**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**13. EMS Update (EMS Director)**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

Michael Furrh, EMS Director, updated the Commissioners Court on the following:

187 calls for service - 145 transferred to a facility.

Less than 60% up to compliance 94%.

Transports: 140 - 3 with lights and sirens, 35 refusals for last month.

Transfers: 54 to Lavaca Medical Center, 31 to Yoakum Community, 1 to Gonzales, 24 Citizens & 13 to DeTar.

Collections: \$ 79,021.29.

51 transfers for July.

Calls for service: Hallettsville – 81, Shiner – 73, Moulton – 32.

CPR calls for July – 2.

CPR Classes held on July 19, 2021.

Grant from Lillie A. Johnson Foundation for \$50,000.00.

Texas EMS Alliance Conference.

EMS Leader of the Year Award was given to Michael Furrh.

Last Paramedic slot filled.

State inspections at 100%.

**Consent Agenda**

"Your Honor, I make a motion to approve the Consent Agenda as presented."

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: 18341**

**14. Minutes of July 26, 2021 Regular Called Commissioners Court Meeting.**

**15. Minutes of August 9, 2021 Regular Called Commissioners Court Meeting.**

**16. Minutes of August 16, 2021 Special Called Commissioners Court Meeting.**

**17. Acknowledge Certificate of Completion for 14 hours of Educational Training for Kenny Seigel.**

**18. Application for Pipeline Permit between Sulphur River Exploration, Inc. and Lavaca County Precinct 2, to include County Road 209.**

19. Application for Pipeline Permit between Marathon Oil EF LLC and Lavaca County Precinct 3, to include County Road 319.

20. FY22-26 State Case Registry (SCR) Contract.

21. Office 365 Service agreement between Lavaca County and TAC CIRA.

22. Tax Assessor-Collector Report as per Section 31.10 of the Property Tax Code

23. Claims and/or Payroll

24. Budget Amendments, if any

25. County Officials Reports.

- Mark Ivey, JP PCT #1 Money Distribution Report, July 2021.
- Wayne Denson, JP PCT #3 Money Distribution Report, July 2021.
- Travis Hill, JP PCT #2 Money Distribution Report, July 2021.
- Hallie Hall, JP PCT #4, Money Distribution Report, July 2021.
- Mike Buchanek, Constable Pct. #1 Process Service Report July 2021.
- Charles Greive, Constable Pct. #2 Process Service Report July 2021.
- Elizabeth A. Kouba, County Clerk, LGS Total Collections, July 2021.
- Elizabeth A. Kouba, County Clerk, Tyler Total Collections, July 2021.
- Deborah A. Sevcik, Tax Assessor-Collector Report for November, 2020.

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

County Judge Mark Myers called for a motion to adjourn.

“So moved.”

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: 18342**

**Adjournment by Presiding Officer at 11:36 AM.**



Signature Roster  
Attendance at Commissioner's Court Meeting

August 23, 2021

Regular Called

	Sign Here	Print Name Here
1	<i>Kristi Clive</i>	Kristi Clive
2	<i>Shana R Opela</i>	Shana R Opela
3	<i>Egon</i>	EGON BARTHELE
4	<i>Nailene Ruppert</i>	Nailene Ruppert
5	<i>Frank Fisher</i>	FRANK FISHER
6	<del><i>[Signature]</i></del>	Rebecca Deluna Peres
7	<i>[Signature]</i>	Charline Garza
8	<i>Linda Batson Baber</i>	Linda BALSON
9	<i>Shirley Sellers</i>	Shirley Sellers
10	<i>June Foyce</i>	JUNE FOYCE
11	<i>Tom Foyt</i>	TOM FOYT
12	<i>Keith Madd</i>	Keith Madd
13	<i>Lori A. Wenske</i>	Lori A. Wenske
14	<i>Rick Balson</i>	RICK BALSON
15	<i>Doag Kubicek</i>	Doag Kubicek
16	<i>Paul Yanzoid</i>	PAUL YANZOID
17	<i>Lisa Lane</i>	Lisa Lane
18	<i>[Signature]</i>	M/D
19	<i>[Signature]</i>	Jerry TANNER
20	<i>Jim Appelt</i>	Jim Appelt
21	<i>Julie Tanner</i>	Julie Tanner
22	<i>Carol Rother</i>	Carol Rother





Signature Roster  
Attendance at Commissioner's Court Meeting  
August 23, 2021

Regular Called

23	Frank Migl	Frank Migl
24	Deborah A. Sercik	Deborah A Sercik
25	K	
26	Vicky Vickers	VICKY VICKERS
27	Michael Harmon	Michael Harmon
28	Karen Bludaw	Karen Bludaw
29	Sandra Justka	Sandra Justka
30	JR Peters	JR PETERS
31	Cynthia Cardiff	Cynthia Cardiff
32	Billy	Billy
33	Tim Pawlik	
34	Anthony Vaccaro	
35	Dianna	
36	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 August 23, 2021.**

**ATTEST**

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



Signed this 31 day of Aug, 2021

Elizabeth A. Kouba, County Clerk  
Elizabeth A. Kouba