

STATEMENT OF APPROVAL

18129

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 November 9, 2020

are this day approved as submitted.

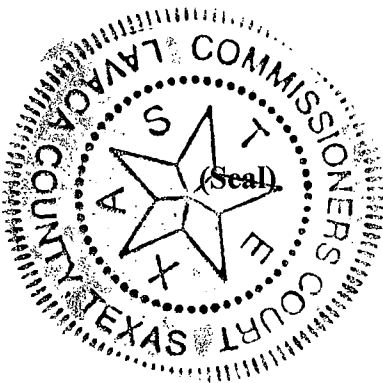
Signed this the 14<sup>th</sup> day of December, 2020, A.D.

Mark Myers, 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, November 9, 2020**

Lavaca County Commissioners’ Court met in a Regular Called Meeting on Monday, November 9, 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.

**Confirm Quorum with Roll Call** (please turn off cell phones and sign in)

**Call to Order and Welcome**

**Invocation**

**Pledge of Allegiance and Pledge to the Texas Flag by Judge Keith Mudd**

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**Discussion and/or action agenda:**

**1. Approve Revised Job descriptions for the County Clerk’s office to reflect the Health and Safety Code 191.071 new fingerprint-based criminal background check requirement. (County Clerk)**

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

“I make a motion to approve the Revised Job descriptions for the County Clerk’s office to reflect the Health and Safety Code 191.071 new fingerprint-based criminal background check requirement.”

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: 18083**

**2. Set date for Canvass of November 3, 2020 General Election for Friday November 13, 2020 9:00 AM.**  
**(Elections Administrator)**

Moved by County Judge Keith Mudd, seconded by Commissioner Edward Pustka.

“I would like to appointed the two commissioners that weren’t involved with elections to that canvassing of the votes and I would ask Ronald Berckenhoff from Precinct #2 and Dennis Kocian from Precinct #4 to be our court appointed officers for the canvassing at Friday, November 13, 2020, 9:00 AM at the Annex.”

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

**Motion Carried**

**Court Order: 18084**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

\*\*Judge Keith Mudd called a Special Meeting this Friday, November 13, 2020 at 10:00 A.M. to discuss the subdivisions that have been proposed that need due process of the two subdivisions Whispering Oaks and Werner’s Project in the Commissioners Courtroom.

**3. Discuss and/or approve Bond for Judge Elect Mark Myers. (Judge)**

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

“Your Honor, I make a motion to approve Discuss and/or approve Bond for Judge Elect Mark Myers.”

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: 18085**

**4. Declare as surplus property: 2009 Chevrolet 4500 Ambulance Vin# 1GBKG316791133410 Tag #000889 (EMS)**

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

“Yes, Your Honor, I make a motion to approve Declare as surplus property: 2009 Chevrolet 4500 Ambulance Vin# 1GBKG316791133410 Tag #000889.”

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: 18086**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**5. Transfer Ambulance to Pct.#2 2011 Chevrolet 3500 Ambulance Cab & Chassis Vin # 1GB3C0CLXBF107622 Tag#000869 (EMS)**

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

“Your Honor, I make a motion to approve Transfer Ambulance to Pct.#2 2011 Chevrolet 3500 Ambulance Cab & Chassis Vin # 1GB3C0CLXBF107622 Tag#000869.”

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: 18087**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**6. Resolution to rename Lavaca County Rescue Service to Lavaca County EMS. (EMS)**

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

“I make a motion to accept the Resolution to rename Lavaca County Rescue Service to Lavaca County EMS.”

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:18088**

**7. Accept the monetary donation of \$2,000.000 from Annabelle Furrh to Lavaca County EMS. (EMS)**

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

“Your Honor, I make a motion to accept the monetary donation of \$2,000.00 from Annabelle Furrh to Lavaca County EMS.”

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: 18089**

**8. Accept the monetary donation of \$100.00 from Millie Selzer to Lavaca County EMS. (EMS)**

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

“Your Honor, I make a motion to accept the monetary donation of \$100.00 from Millie Selzer to Lavaca County EMS.”

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: 18090**

**9. Accept proposed charges for EMS Billing. (EMS)**

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

“I make a motion to accept proposed charges for EMS Billing.”

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: 18091**

**10. EMS/ Update. (EMS)**

Timothy Decker, Assistant EMS Director, updated the Commissioners Court on uniforms and patches ordered, Electronic reports are in-use since October 19 thru October 30, and current 18 part-time paramedics employees.

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**11. EMC/ Communications Director update. (Emergency Management Coordinator)**

Egon Barthels, EMC/Communications Director updated the Commissioners Court on working with TXDEM on training 1<sup>st</sup> responders, Teaks pipeline safety, Covid response and the Executive GA-29, and Covid-19 numbers for Lavaca County.

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**12. Approve contract with Fort Bend County Medical Examiner. (County Attorney)**

Hallie Hall, JP #4 updated the court on the fees:

Travis County \$2,900 per Autopsy to \$3,335.

Fort Bend County \$2,600 per Autopsy

Transportation Service: Travis County mileage 127 as Fort Bend County 80.

Contract/agreement is non-inclusive.

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

“I will go ahead and make a motion to approve contract with Fort Bend County Medical Examiner.”

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: 18092**

**13. Move Nailene Ruppert from Grade 3 Minimum Quartile to Grade 4 1<sup>st</sup> Quartile and Approve Bond.**  
(Pct. 2)

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

“Yes, Your Honor, I make a motion to approve Move Nailene Ruppert from Grade 3 Minimum Quartile to Grade 4 1<sup>st</sup> Quartile and Approve her bond.”

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: 18093**

**14. Option to extend Oil and Gas Lease between Lavaca County Texas (Lessor) and Rosewood Resources, Inc. (Lessee) with expiration date of December 1, 2022.** (County Judge)

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

“Your Honor, I make a motion to extend the Oil and Gas Lease between Lavaca County Texas (Lessor) and Rosewood Resources, Inc. (Lessee) with expiration date of December 1, 2022.”

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: 18094**

\*\*Commissioner Dennis Kocian Pct.#4 took the chance to thank Judge Keith Mudd for all he has taken for all he as done as County Judge.  
Elizabeth A. Kouba, County Clerk, presented Judge Keith Mudd with a certificate from the Governor Gregg Abbott.  
Judge Keith Mudd thanked the Commissioners, Elizabeth A. Kouba, County Clerk and Shana R. Opela, County Auditor, for their hard work.

**15. Executive Session to discuss Court House/Annex Security Plan including Keys and Cameras.**

At 10:50 A.M., County Judge Keith Mudd called an Executive Session to the Law Library on the 3<sup>rd</sup> floor with 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, County Clerk, Karen Bludau, County Treasurer, Debbie Sevcik, County Tax Assessor/Collector, Lori Wenske, District Clerk, Shana R. Opela, County Auditor, John Stuart Fryer, District/County Attorney, Kyle Denney, Assisstant District/County Attorney to discuss Court House/Annex Security Plan including Keys and Cameras with Peter J. Cenotti, Jr., County Attorney Investigator as bailiff.

At 12:00 P.M., County Judge Keith Mudd called the Executive Session to a close.

**16. Take Action on Court House/Annex Security Plan including Key and Camera Policy.**

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

“I make a motion to accept the Take Action on Court House/Annex Security Plan including Key and Camera Policy with noted changes.”

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: 18095**

NO DOCUMENTATION SUBMITTED TO THE MINUTES OF THE COURT.

**Consent Agenda**

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

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

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: 18096**

**17. Minutes of October 26, 2020 Regular Called Commissioners Court Meeting.**

**18. County Treasurer Monthly and Public Financial Reports.**

**19. Lavaca County Treasurer’s Annual Report for fiscal year 2019-2020.**

**20. County Auditor Monthly Report.**

**21. County Official’s Report.**

- a. Charles Grieve, Constable # 2 Process Service Report, September 2020.
- b. Larry Hlavac, Constable # 3 Process Service Report, September 2020.
- c. Larry Hlavac, Constable # 3 Process Service Report, October 2020.
- d. Kerry Peterson, Constable # 4 Process Service Report, October 2020.
- e. Lori Wenske, District Clerk, Monthly Distribution September 2020.
- f. Shana R. Opela, Auditor, Monthly Report October 2020.
- g. Travis Hill, JP#2 Monthly Report October 2020.
- h. Elizabeth A. Kouba, County Clerk LGS Monthly Report, October 2020.
- i. Elizabeth A. Kouba, County Clerk Tyer Monthly Report, October 2020.

**22. Claims and/or Payroll.**

**23. Budget Amendments, if any.**

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

County Judge Keith Mudd called for a motion to adjourn.

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

“So moved”

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: 18097**

**Adjournment by Presiding Officer at 12:10 AM.**



Signature Roster

Attendance at Commissioner's Court Meeting

11/9, 2020

Regular Called

Sign Here

Print Name Here

	Sign Here	Print Name Here
1	<i>Shana Opela</i>	Shana Opela
2	<i>MM</i>	MARK MYERS
3	<i>Hallie Hall</i>	Hallie Hall
4	<i>Sandy Wilson</i>	Sandy Wilson
5	<i>Lanita Debord</i>	Lanita Debord
6	<i>Deborah A. Sewcik</i>	Deborah A. Sewcik
7	<i>Karen Bludau</i>	Karen Bludau
8	<i>Lori A. Wenske</i>	Lori A. Wenske
9	<i>Kenny Sigel</i>	Kenny Sigel
10	<i>Frank Fisher</i>	Frank Fisher
11	<i>Cheryl Draper</i>	Cheryl Draper
12	<i>Kelly L. Petersen</i>	Kelly L. Petersen
13	<i>Kyle A. Zerk</i>	Kyle A. Zerk
14	<i>Nailene Ruppert</i>	Nailene Ruppert
15	<i>Stuart Fryer</i>	STUART FRYER
16	<i>Lindsay Ruppert</i>	Lindsay Ruppert
17	<i>Sarah Fisher</i>	Sarah Fisher
18	<i>Peter Cesotti</i>	Peter Cesotti
19	<i>JR Peters</i>	JR PETERS
20	<i>Denise Binnoch</i>	Denise Binnoch
	<i>Tena Stetter</i>	TENA STETTER

**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 November 9, 2020.**

**ATTEST**

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

**Commissioners' Court of**

Signed this 30 day of Nov, 2020

Elizabeth A. Kouba, County Clerk  
**Elizabeth A. Kouba**

