

MINUTES OF COMMISSIONERS' COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **August 14, 2017**.

II.

The minutes of the Regular Meeting of Fayette County, Texas, Commissioners' Court held in the Commissioners' Courtroom (3rd floor – Room 303) at the Fayette County Courthouse located at 151 North Washington Street, La Grange, Texas

III.

Attendance: County Judge Ed Janecka, **Present**
County Commissioner Precinct No. 1, Jason McBroom, **Present**
County Commissioner Precinct No. 2, Gary Weishuhn, **Present**
County Commissioner Precinct No. 3, Harvey Berckenhoff, **Present**
County Commissioner Precinct No. 4, Tom Muras, **Present**

IV.

County Officials/County Personnel present during all or any part of the meeting: **Julie Karstedt, County Clerk; Mandy Kasper, Deputy County Clerk; Cassie Austin, Court Administrator; Cheri Herbrich, County Judge Assistant Part Time; Randy Noviskie, Chief Deputy Sheriff; Janet Carrigan, Emergency Management Coordinator; Kathy Kleiber, County Auditor; Harold Streicher, Assistant County Attorney; Sharon Muzny, EMS Director;**

V.

Persons in attendance during all of any part of the meeting: **See attached "Exhibit A"**.

VI.

Meeting opened at **8:59 a.m.** on motion by Commissioner **Weishuhn**, seconded by Commissioner **Berckenhoff**, votes for **5**, votes against **0**.

VII.

PLEDGE OF ALLEGIANCE

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG

“Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.”

INVOCATION

AGENDA ACTION:

1. **SUBJECT: Open public comments – petitions, requests or statements by the public. Close.**

ACTION: Accepted all comments from Rodney Read who thanked Commissioners Court for their support to the Fire Department and asked how the redistricting lines and bridge works. Janet Carrigan, Emergency Management Coordinator, spoke of closing 4223 Disaster Recovery, and warned that cell phones might be out during the eclipse. Judge Janecka introduced Cheri Herbrich his new part time helper.

PERSONS APPEARING BEFORE THE COURT: Rodney Read, Janet Carrigan, Emergency Management Coordinator; Judge Janecka

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Berckenhoff.

Commr. McBroom, vote for **X**, vote against.

Commr. Weishuhn, vote for **X**, vote against

Commr. Berckenhoff, vote for **X**, vote against ___

Commr. Muras, vote for **X**, vote against ___

Judge Janecka, vote for **X**, vote against

2. **SUBJECT: Consider and take appropriate action on a Resolution Authorizing County Grant to Combined Community Action, Inc., for the Texas Department of Agriculture Texas Feeding Texas: Home Delivered Meal Grant Program.**

ACTION: Signed Resolution Authorizing County Grant to Combined Community Action, Inc., for the Texas Department of Agriculture Texas Feeding Texas: Home Delivered Meal Grant Program. See attachment hereto marked "Agenda Action 2 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Julie Karstedt, County Clerk

MOVED BY COMMR. Muras, SECONDED BY COMMR. McBroom.

Commr. McBroom, vote for **X**, vote against.

Commr. Weishuhn, vote for **X**, vote against

Commr. Berckenhoff, vote for **X**, vote against

Commr. Muras, vote for **X**, vote against

Judge Janecka, vote for **X**, vote against

3. **SUBJECT: Consider and take appropriate action concerning Order of Special Election regarding The Texas Constitutional Amendment Election to be held on November 7, 2017.**

ACTION: Signed order of Special Election regarding The Texas Constitutional Amendment Election to be held on November 7, 2017. See attachment hereto marked "Agenda Action 3 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Muras, SECONDED BY COMMR. Weishuhn.

Commr. McBroom, vote for **X**, vote against.

Commr. Weishuhn, vote for **X**, vote against

Commr. Berckenhoff, vote for **X**, vote against ___

Commr. Muras, vote for **X**, vote against ___

Judge Janecka, vote for **X**, vote against ___

4. **SUBJECT: Consider and take appropriate action on approving consolidating precincts for the November 7, 2017 Special Amendment Election.**

ACTION: Approved consolidating precincts for November 7, 2017 Special Amendment Election. See attachment hereto marked "Agenda Action 4 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. McBroom.

Commr. McBroom, vote for **X**, vote against.

Commr. Weishuhn, vote for **X**, vote against

Commr. Berckenhoff, vote for **X**, vote against

Commr. Muras, vote for **X**, vote against

Judge Janecka, vote for **X**, vote against

5. **SUBJECT: Consider and take appropriate action in appointing Presiding Election Judges and Alternate Election Judges for 2017-2018.**

ACTION: Appointed Presiding Election Judges and Alternate Election Judges for 2017-2018. See attachment hereto marked "Agenda Action 5 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. **McBroom**, SECONDED BY COMMR. **Berckenhoff**.

Commr. McBroom, vote for **X**, vote against.

Commr. Weishuhn, vote for **X**, vote against

Commr. Berckenhoff, vote for **X**, vote against

Commr. Muras, vote for **X**, vote against

Judge Janecka, vote for **X**, vote against ___

6. **SUBJECT: Consider and take appropriate action concerning gravel pits.**

ACTION: Judge Janecka who referred Commissioners to call TXDOT to report anything within 200 feet of road pit, tank, etc. Janet Carrigan added that they could also call TCEQ.

PERSONS APPEARING BEFORE THE COURT: **Janet Carrigan; Emergency Management Coordinator**

MOVED BY COMMR. **Berckenhoff**, SECONDED BY COMMR. **Weishuhn**.

Commr. McBroom, vote for **X**, vote against.

Commr. Weishuhn, vote for **X**, vote against

Commr. Berckenhoff, vote for **X**, vote against

Commr. Muras, vote for **X**, vote against ___

Judge Janecka, vote for **X**, vote against

7. **SUBJECT: Consider and take appropriate action to revise and amend the Fayette County Road Map, which was originally adopted August 1, 2005, to include Forest Way as a public road on the Map, said Forest Way being in Fayette County, Precinct 2, said Forest Way having been dedicated to use by the public as a then un-named 60.00 foot wide road easement as shown on the Plat of Forest Hills East, recorded in Volume 2, Page 26, Map or Plat Records of Fayette County, Texas, said Forest Way having been in error omitted from the originally adopted Map, and to take action to acknowledge and declare said Forest Way is a public road.**

ACTION: Added Forest Way to be dedicated to use by the public. See attachment hereto marked "Agenda Action 7 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Weishuhn, SECONDED BY COMMR. McBroom.

Commr. McBroom, vote for **X**, vote against.

Commr. Weishuhn, vote for **X**, vote against

Commr. Berckenhoff, vote for **X**, vote against

Commr. Muras, vote for **X**, vote against ___

Judge Janecka, vote for **X**, vote against ___

8. **SUBJECT: Consider and take appropriate action concerning the plan of Colorado Valley Telephone Cooperative, Inc (CVTC) to install new buried fiber optic cables within the corridors of the following road: Krause Rd (Precinct 2), with CVTC being required to make repairs of direct or collateral damage, if any, caused by CVTC on the county road listed above.**

ACTION: Allowed Colorado Valley Telephone Cooperative, Inc (CVTC) to install new buried fiber optic cables within the corridors of the following road: Krause Rd (Precinct 2), with CVTC being required to make repairs of direct or collateral damage, if any, caused by CVTC on the county road listed above. See attachment hereto marked "Agenda Action 8 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Weishuhn, SECONDED BY COMMR. Berckenhoff.

Commr. McBroom, vote for **X**, vote against.

Commr. Weishuhn, vote for **X**, vote against

Commr. Berckenhoff, vote for **X**, vote against

Commr. Muras, vote for **X**, vote against

Judge Janecka, vote for **X**, vote against

9. **SUBJECT: Consider and take appropriate action concerning the plan of Colorado Valley Telephone Cooperative, Inc (CVTC) to install new buried copper telephone lines within the corridors of the following roads: Anders Daniels Road (Precinct 1), Krebsville Road, Floyd Lane, N. Weyand Road, Laird Road (Precinct 2), Mensik Road and Wolters Road (Precinct 4) with CVTC being required to make repairs of direct or collateral damage, if any, caused by CVTC on the county road listed above.**

ACTION: Allowed Colorado Valley Telephone Cooperative, Inc (CVTC) to install new buried copper telephone lines within the corridors of the following roads: Anders Daniels Road (Precinct 1), Krebsville Road, Floyd Lane, N. Weyand Road, Laird Road (Precinct 2), Mensik Road and Wolters Road (Precinct 4) with CVTC being required to make repairs of direct or collateral damage, if any, caused by CVTC on the county road listed above. See attachment hereto marked "Agenda Action 9 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Muras.

Commr. McBroom, vote for **X**, vote against.

Commr. Weishuhn, vote for **X**, vote against

Commr. Berckenhoff, vote for **X**, vote against

Commr. Muras, vote for **X**, vote against

Judge Janecka, vote for **X**, vote against

10. **SUBJECT: Discussion with appropriate action setting the date of September 11, 2017, at 9:00 a.m., for a public hearing concerning setting a speed limit for the entire road of North Von Minden Road (Precinct 1), and for authorization to publish notice of said hearing in the newspaper.**

ACTION: Set public hearing for September 11, 2017, at 9:00 a.m. concerning setting a speed limit for the entire road of North Von Minden Road (Precinct 1)

PERSONS APPEARING BEFORE THE COURT: Harold Streicher, Assistant County Attorney

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Berckenhoff.

Commr. McBroom, vote for **X**, vote against.

Commr. Weishuhn, vote for **X**, vote against

Commr. Berckenhoff, vote for **X**, vote against ___

Commr. Muras, vote for **X**, vote against

Judge Janecka, vote for **X**, vote against

11. **SUBJECT: Consider and take appropriate action authorizing the County Auditor to advertise for Lease Purchase Financing bids for the purchase of a Chip Spreader to be used by all Road & Bridge Precincts.**

ACTION: Authorized County Auditor to advertise for Lease Purchase Financing bids for the purchase of a Chip Spreader to be used by all Road & Bridge Precincts.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. Weishuhn.

Commr. McBroom, vote for **X**, vote against.

Commr. Weishuhn, vote for **X**, vote against

Commr. Berckenhoff, vote for **X**, vote against ___

Commr. Muras, vote for **X**, vote against

Judge Janecka, vote for **X**, vote against

12. **SUBJECT: Consider and take appropriate action authorizing the County Auditor to advertise for Lease Purchase Financing bids, for up to 5 years, for the purchase, at State-Approved pricing, of a John Deere 6110M Cab Tractor and DBM-C-N 22' Diamond rear cradle boom mower with DBR050-H 50" rotary cutter.**

ACTION: Approved the County Auditor to advertise for Lease Purchase Financing bids, for up to 5 years, for the purchase, at State-Approved pricing, of a John Deere 6110M Cab Tractor and DBM-C-N 22' Diamond rear cradle boom mower with DBR050-H 50" rotary cutter.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Weishuhn.

Commr. McBroom, vote for **X**, vote against.

Commr. Weishuhn, vote for **X**, vote against

Commr. Berckenhoff, vote for **X**, vote against

Commr. Muras, vote for **X**, vote against

Judge Janecka, vote for **X**, vote against

13. **SUBJECT: Consider and take appropriate action concerning the Application for Pipeline Public Road Crossing Permit, submitted by GeoSouthern Energy Partners, LP, for said pipeline to cross under Mazoch Road (Precinct 4), a public county road located in Fayette County, Texas.**

ACTION: Allowed the County Auditor to advertise for Lease Purchase Financing bids, for up to 5 years, for the purchase, at State-Approved pricing, of a John Deere 6110M Cab Tractor and DBM-C-N 22' Diamond rear cradle boom mower with DBR050-H 50" rotary cutter. See attachment hereto marked "Agenda Action 13 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Muras, SECONDED BY COMMR. Weishuhn.

Commr. McBroom, vote for **X**, vote against. __

Commr. Weishuhn, vote for **X**, vote against

Commr. Berckenhoff, vote for **X**, vote against __

Commr. Muras, vote for **X**, vote against __

Judge Janecka, vote for **X**, vote against

14. **SUBJECT: Consider and take notice of the subdivision of real property applications that have been acknowledged as exempt from the Fayette County Subdivision Regulations by statute, as provided to the Fayette County Commissioners' Court by the Fayette County Inspector.**

ACTION: Approved the subdivision of real property applications that have been acknowledged as exempt from the Fayette County Subdivision Regulations by statute, as provided to the Fayette County Commissioners' Court by the Fayette County Inspector. See attachment hereto marked "Agenda Action 14 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Weishuhn, SECONDED BY COMMR. McBroom.

Commr. McBroom, vote for **X**, vote against.

Commr. Weishuhn, vote for **X**, vote against

Commr. Berckenhoff, vote for **X**, vote against

Commr. Muras, vote for **X**, vote against

Judge Janecka, vote for **X**, vote against

15. **SUBJECT: Consider and take appropriate action in authorizing Jackie Wessels, Veterans Service Officer, to attend the 70th Annual Statewide Texas Veterans Commission Fall Training Conference, September 18-21, 2017, in Galveston, TX.**

ACTION: Allowed Jackie Wessels, Veterans Service Officer, to attend the 70th Annual Statewide Texas Veterans Commission Fall Training Conference, September 18-21, 2017, in Galveston, TX. See attachment hereto marked "Agenda Action 15 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Muras, SECONDED BY COMMR. Weishuhn.

Commr. McBroom, vote for **X**, vote against.

Commr. Weishuhn, vote for **X**, vote against

Commr. Berckenhoff, vote for **X**, vote against

Commr. Muras, vote for **X**, vote against

Judge Janecka, vote for **X**, vote against

16. **SUBJECT: Consider and take appropriate action in authorizing Rosalinda Adamcik, Tax Assessor-Collector, to attend the V.G. Young Institute 35th Annual School for County Tax Assessor-Collectors, November 14-16, 2017, in San Marcos, TX.**

ACTION: Allowed Rosalinda Adamcik, Tax Assessor-Collector, to attend the V.G. Young Institute 35th Annual School for County Tax Assessor-Collectors, November 14-16, 2017, in San Marcos, TX. See attachment hereto marked "Agenda Action 16 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. **Berckenhoff**, SECONDED BY COMMR. **McBroom**.

Commr. McBroom, vote for **X**, vote against.

Commr. Weishuhn, vote for **X**, vote against

Commr. Berckenhoff, vote for **X**, vote against ___

Commr. Muras, vote for **X**, vote against ___

Judge Janecka, vote for **X**, vote against ___

17. **SUBJECT: Consider and take appropriate action in approving the payment of currently due Fayette County bills and expenses.**

ACTION: Approved payment of currently due Fayette County bills and expenses. See attachment hereto marked "Agenda Action 17 Exhibit".

PERSONS APPEARING BEFORE THE COURT: **Kathy Kleiber, Auditor;**

MOVED BY COMMR. **Berckenhoff**, SECONDED BY COMMR. **McBroom**.

Commr. McBroom, vote for **X**, vote against.

Commr. Weishuhn, vote for **X**, vote against

Commr. Berckenhoff, vote for **X**, vote against ___

Commr. Muras, vote for **X**, vote against

Judge Janecka, vote for **X**, vote against

18. SUBJECT: Budget Workshop to discuss all revenues/expenditures and tax rate for 2018 budget and take any action the Commissioners' Court deems necessary.

ACTION: Accepted all comments.

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor;

MOVED BY COMMR. Muras, SECONDED BY COMMR. Weishuhn.

Commr. McBroom, vote for **X**, vote against.

Commr. Weishuhn, vote for **X**, vote against

Commr. Berckenhoff, vote for **X**, vote against

Commr. Muras, vote for **X**, vote against ___

Judge Janecka, vote for **X**, vote against ___

19. SUBJECT: Discuss, consider, and take appropriate action concerning the EMS Headquarters and Station One Construction Project.

ACTION: Accepted all comments from Judge Janecka and from Sharon Muzny.

PERSONS APPEARING BEFORE THE COURT: Sharon Muzny, EMS Director;

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. Weishuhn.

Commr. McBroom, vote for **X**, vote against.

Commr. Weishuhn, vote for **X**, vote against

Commr. Berckenhoff, vote for **X**, vote against

Commr. Muras, vote for **X**, vote against

Judge Janecka, vote for **X**, vote against

VIII.

Meeting adjourned at **9:37 a.m., August 14, 2017**, on motion by Commissioner **McBroom**, seconded by Commissioner **Berckenhoff**, votes for **5**, votes against **0**.

APPROVED this _____ day of _____, 2017.

Edward F. Janecka
Fayette County Judge

Jason McBroom
Commissioner, Precinct 1

Gary Weishuhn
Commissioner, Precinct 2

Harvey Berckenhoff
Commissioner, Precinct 3

Tom Muras
Commissioner, Precinct 4

ATTEST:

Julie Karstedt
County Clerk