

MINUTES OF COMMISSIONERS' COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **August 28, 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: **Harold Streicher; Assistant County Attorney, Cassie Austin, Court Administrator, Julie Karstedt, County Clerk;**

V.

Persons in attendance during all of any part of the meeting: **Andy Behlen, Fayette County Record;**

VI.

Meeting opened at **9:00 a.m.**, on motion by Commissioner **Berckenhoff**, seconded by Commissioner **Weishuhn**, 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 and hold Public Hearing to consider the proposed 2018 Fayette County Budget, and to hear, consider, and accept comments. Close Public Hearing on the County Budget.**

ACTION: Opened Public Hearing to consider the proposed 2018 Fayette County Budget, and to hear, consider, and accept comments. Close Public Hearing on the County Budget.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY JUDGE Janecka, 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 ___

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

ACTION: Closed public hearing no comments.

PERSONS APPEAR NG 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

3. **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: Harold Steicher, Assistant County Attorney

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 in setting salaries, expenses and allowances of elected county and precinct officers for the year 2018.**

ACTION: Set as published salaries, expenses and allowances of elected county and precinct officers for the year 2018. See attachment hereto marked "Agenda Action 4 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

5. **SUBJECT: Consider and take appropriate action in the adoption of the 2018 County Budget, which will include approving and signing the Budget Certificate, and approving and signing the Order Adopting the Budget for Fiscal Year 2018.**

ACTION: Adopted the 2018 County Budget. See attachment hereto marked "Agenda Action 5 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

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

6. **SUBJECT: Consider and take appropriate action in the adoption of, and setting by written order, the Debt Service Tax Rate of \$0.0101/\$100 for Tax Year 2017.**

ACTION: Adopted the Debt Service Tax Rate of \$0.0101/\$100 for Tax Year 2017. See attachment hereto marked "Agenda Action 6 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

MOVED BY JUDGE Janecka, 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

7. **SUBJECT: Consider and take appropriate action in the adoption of, and setting by written order, the Maintenance and Operations Tax Rate of \$0.4363/\$100 for the Tax Year 2017.**

ACTION: Adopted the Maintenance and Operations Tax Rate of \$0.4363/\$100 for the Tax Year 2017. See attachment hereto marked "Agenda Action 7 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 ___

8. **SUBJECT: Consider and take appropriate action in the adoption of a Tax Rate of \$0.4464/\$100 for the Tax Year 2017.**

ACTION: Adopted a Tax Rate of \$0.4464/\$100 for the Tax Year 2017. See attachment hereto marked "Agenda Action 8 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

9. **SUBJECT: Consider and take appropriate action in signing proclamation proclaiming September as "Childhood Cancer Awareness Month".**

ACTION: Deferred Agenda Items #9- #24 and #26

PERSONS APPEARING BEFORE THE COURT:

MOVED BY JUDGE Janecka, 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: Consider and take appropriate action on request from Jackie Wessels to place a single gold ribbon on an oak tree on the Courthouse lawn, along with a sign recognizing September as Childhood Cancer Awareness Month in Fayette County.**

ACTION: Deferred.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. _____, SECONDED BY COMMR. _____

Commr. McBroom, vote for ___, vote against. ___

Commr. Weishuhn, vote for ___, vote against ___

Commr. Berckenhoff, vote for ___, vote against ___

Commr. Muras, vote for ___, vote against ___

Judge Janecka, vote for ___, vote against ___

11. **SUBJECT: Consider and take appropriate action in signing proclamation proclaiming September as "National Preparedness Month".**

ACTION: Deferred.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. _____, SECONDED BY COMMR. _____
Commr. McBroom, vote for ____, vote against ____
Commr. Weishuhn, vote for ____, vote against ____
Commr. Berckenhoff, vote for ____, vote against ____
Commr. Muras, vote for ____, vote against ____
Judge Janecka, vote for ____, vote against ____

12. **SUBJECT: Consider and take appropriate action in signing proclamation proclaiming September 16, 2017 as Texas Heroes Day in Fayette County.**

ACTION: Deferred

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. _____, SECONDED BY COMMR. _____
Commr. McBroom, vote for ____, vote against ____
Commr. Weishuhn, vote for ____, vote against ____
Commr. Berckenhoff, vote for ____, vote against ____
Commr. Muras, vote for ____, vote against ____
Judge Janecka, vote for ____, vote against ____

13. **SUBJECT: Consider and take appropriate action concerning the application from Kevin and Donna Ustynik, requesting a variance of the subdivision of real property.**

ACTION: Deferred.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. _____, SECONDED BY COMMR. _____
Commr. McBroom, vote for ____, vote against.
Commr. Weishuhn, vote for ____, vote against
Commr. Berckenhoff, vote for ____, vote against
Commr. Muras, vote for ____, vote against
Judge Janecka, vote for ____, vote against __

14. **SUBJECT: Hear Presentation for Greg Trlicek & Co., P.C. concerning the 2016 Financial Audit.**

ACTION: Deferred.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. _____, SECONDED BY COMMR. _____
Commr. McBroom, vote for ____, vote against.
Commr. Weishuhn, vote for ____, vote against
Commr. Berckenhoff, vote for ____, vote against __
Commr. Muras, vote for ____, vote against __
Judge Janecka, vote for ____, vote against

15. **SUBJECT: Consider and take appropriate action in amending the appointment of Presiding Election Judges and Alternate Election Judges for 2017-2018.**

ACTION: Deffered.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. _____, SECONDED BY COMMR. _____
Commr. McBroom, vote for ____, vote against. __
Commr. Weishuhn, vote for ____, vote against
Commr. Berckenhoff, vote for ____, vote against
Commr. Muras, vote for ____, vote against __
Judge Janecka, vote for ____, vote against

16. **SUBJECT: Hear monthly report from Janet Carrigan, Emergency Management Coordinator/Floodplain Administrator.**

ACTION: Deferred.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. _____, SECONDED BY COMMR. _____
Commr. McBroom, vote for ____, vote against.
Commr. Weishuhn, vote for ____, vote against
Commr. Berckenhoff, vote for ____, vote against
Commr. Muras, vote for ____, vote against __
Judge Janecka, vote for ____, vote against __

17. SUBJECT: Acknowledge monthly call, collections, and financial report from EMS Director, Sharon Muzny.

ACTION: Deferred.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. _____, SECONDED BY COMMR. _____

Commr. McBroom, vote for ____, vote against.

Commr. Weishuhn, vote for ____, vote against

Commr. Berckenhoff, vote for ____, vote against

Commr. Muras, vote for ____, vote against

Judge Janecka, vote for ____, vote against __

18. SUBJECT: Consider and take appropriate action to renew Fayette County's membership to Preservation Texas.

ACTION: Deferred.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. _____, SECONDED BY COMMR. _____

Commr. McBroom, vote for ____, vote against.

Commr. Weishuhn, vote for ____, vote against

Commr. Berckenhoff, vote for ____, vote against

Commr. Muras, vote for ____, vote against

Judge Janecka, vote for ____, vote against

19. 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: Deferred.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. _____, SECONDED BY COMMR. _____
Commr. McBroom, vote for ____, vote against ____
Commr. Weishuhn, vote for ____, vote against ____
Commr. Berckenhoff, vote for ____, vote against ____
Commr. Muras, vote for ____, vote against ____
Judge Janecka, vote for ____, vote against ____

20. SUBJECT: Consider and take appropriate action in authorizing Scott Willey, County Extension Agent, to travel with the Fayette County 4-H Horse Judging Contest to attend the World Congress Contest, October 16-19, 2017, in Columbus Ohio.

ACTION: Deferred.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. _____, SECONDED BY COMMR. _____
Commr. McBroom, vote for ____, vote against ____
Commr. Weishuhn, vote for ____, vote against ____
Commr. Berckenhoff, vote for ____, vote against ____
Commr. Muras, vote for ____, vote against ____
Judge Janecka, vote for ____, vote against ____

21. **SUBJECT: Consider and take appropriate action in authorizing Scott Willey, County Extension Agent, to travel with the District 11 Texas County Agricultural Agents Association (TCAAA) on a professional development trip to Georgia, Alabama, Mississippi, and Louisiana to see row crop, beef cattle, turf/horticulture, and variety of other stops, May 6-11, 2018; Funding is primarily through grants and sponsorships through TCAAA and National Association County Agricultural Agents (NACAA).**

ACTION: Deferred.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. _____, SECONDED BY COMMR. _____
Commr. McBroom, vote for ____, vote against. __
Commr. Weishuhn, vote for ____, vote against
Commr. Berckenhoff, vote for ____, vote against __
Commr. Muras, vote for ____, vote against
Judge Janecka, vote for ____, vote against __

22. **SUBJECT: Consider and take appropriate action in authorizing Sharon Muzny, EMS Director, Malissa Mieth, Assistant EMS Director and 4 EMS employees to attend the Texas EMS Conference, November 19-22, 2017, in Fort Worth, Texas.**

ACTION: Deferred.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. _____, SECONDED BY COMMR. _____
Commr. McBroom, vote for ____, vote against. __
Commr. Weishuhn, vote for ____, vote against
Commr. Berckenhoff, vote for ____, vote against __
Commr. Muras, vote for ____, vote against
Judge Janecka, vote for ____, vote against

23. **SUBJECT: Consider and take appropriate action concerning salary changes, if any, made during the period of July 24, 2017 through August 27, 2017.**

ACTION: Deferred.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. _____, SECONDED BY COMMR. _____
Commr. McBroom, vote for ____, vote against ____
Commr. Weishuhn, vote for ____, vote against ____
Commr. Berckenhoff, vote for ____, vote against ____
Commr. Muras, vote for ____, vote against ____
Judge Janecka, vote for ____, vote against ____

24. **SUBJECT: Consider and take appropriate action concerning the fines and fees collected for the period of July 01, 2017 through July 31, 2017.**

ACTION: Deferred.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. _____, SECONDED BY COMMR. _____
Commr. McBroom, vote for ____, vote against ____
Commr. Weishuhn, vote for ____, vote against ____
Commr. Berckenhoff, vote for ____, vote against ____
Commr. Muras, vote for ____, vote against ____
Judge Janecka, vote for ____, vote against ____

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

ACTION: Approved paying currently due Fayette County bills and expenses.

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

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

ACTION: Deferred.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. _____, SECONDED BY COMMR. _____

Commr. McBroom, vote for ____, vote against.

Commr. Weishuhn, vote for ____, vote against

Commr. Berckenhoff, vote for ____, vote against

Commr. Muras, vote for ____, vote against

Judge Janecka, vote for ____, vote against

27. **SUBJECT: Consider and take appropriate action in approving the following minutes from previous meetings:**

- I. July 3, 2017 Special Meeting
- II. July 10, 2017 Regular Meeting
- III. July 20, 2017 Special Meeting
- IV. July 24, 2017 Regular Meeting
- V. July 26, 2017 Special Meeting
- VI. July 31, 2017 Special Meeting

ACTION: Approved the following minutes from previous meeting.

PERSONS APPEARING BEFORE THE COURT: Julie Karstedt, County Clerk;

MOVED BY JUDGE Janecka, 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 ___

28. **SUBJECT: Consider and take appropriate action in possibly lifting the burn ban.**

ACTION: Lifted burn ban. See attachment hereto marked "Agenda Action 28 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

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

Commr. McBroom, vote for ___, vote against. ___

Commr. Weishuhn, vote for ___, vote against

Commr. Berckenhoff, vote for ___, vote against

Commr. Muras, vote for ___, vote against ___

Judge Janecka, vote for ___, vote against ___

VIII.

Meeting adjourned at **9:15 a.m., August 28, 2017**, on motion by Commissioner **Berckenhoff**, seconded by Commissioner **McBroom**, 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