

## MINUTES OF COMMISSIONERS' COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **July 10, 2017**.

II.

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

III.

Attendance: County Judge Ed Janecka, **Present left at 9:30 a.m.**  
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: **Kathy Kleiber, County Auditor; Julie Karstedt, County Clerk, Cassie Austin, Court Administrator; Mandy Kasper, Deputy County Clerk; Malissa Mieth, EMS Assistant Director; Harold Streicher, Assistant County Attorney; Randy Noviskie, Chief Deputy Sheriff; Shelly Redding Deputy County Auditor;**

V.

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

VI.

Meeting opened at **9 a.m.** on motion by Commissioner **Berckenhoff**, seconded by Commissioner **McBroom**, 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: Closed public comments.**

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 \_\_

- 2. SUBJECT: Consider and take appropriate action concerning the application from Mikul Realty LLC, requesting a variance of the subdivision of real property.**

**ACTION: Granted variance of subdivision of real property. See attachment hereto marked "Agenda Action 2 Exhibit".**

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. **Weishuhn**, 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: Consider and take appropriate action concerning acknowledging and signing a letter from TXDOT regarding the bridge replacement project and roadway closure on Herzik Rd. at Middle Creek (Precinct 4), beginning October 2017.**

**ACTION: Signed letter from TXDOT regarding the bridge replacement project and roadway closure on Herzik Rd. at Middle Creek (Precinct 4), beginning October 2017. See attachment hereto marked "Agenda Action 3 Exhibit".**

**PERSONS APPEARING BEFORE THE COURT:**

**MOVED BY COMMR. Muras, 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 \_\_

4. **SUBJECT: Consider and take appropriate action concerning Memorandum of Agreement between the Capital Area Trauma Regional Advisory Council (CATRAC) and Fayette County, Texas, on behalf of Fayette County EMS, for Emergency Medical Task Force Resources.**

**ACTION: Signed memo concerning Memorandum of Agreement between the Capital Area Trauma Regional Advisory Council (CATRAC) and Fayette County, Texas, on behalf of Fayette County EMS, for Emergency Medical Task Force Resources. See attachment hereto marked "Agenda Action 4 Exhibit".**

**PERSONS APPEARING BEFORE THE COURT: Malissa Mieth, EMS Assistant Director;**

**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 approving the written plan of Fayette Water Supply Corporation to bore under Cozy Corner Road (Precinct 4), and place and install a new water service line for a new customer located at property ID number R35567, and for Fayette Water Supply Corporation to make repairs of any resultant damage done to Cozy Corner Road.

**ACTION:** Allowed the written plan of Fayette Water Supply Corporation to bore under Cozy Corner Road (Precinct 4), and place and install a new water service line for a new customer located at property ID number R35567, and for Fayette Water Supply Corporation to make repairs of any resultant damage done to Cozy Corner Road. See attachment hereto marked "Agenda Action 5 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

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

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

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 approving the written plan of Fayette Water Supply Corporation to bore under West Point Loop Road (Precinct 1), and place and install a new water service line for a new customer located at 1217 West Point Loop, and for Fayette Water Supply Corporation to make repairs of any resultant damage done to West Point Loop Road.**

**ACTION: Allowed the written plan of Fayette Water Supply Corporation to bore under West Point Loop Road (Precinct 1), and place and install a new water service line for a new customer located at 1217 West Point Loop, and for Fayette Water Supply Corporation to make repairs of any resultant damage done to West Point Loop Road. See attachment hereto marked "Agenda Action 6 Exhibit".**

PERSONS APPEARING BEFORE THE COURT:

MOVED BY JUDGE **Janecka**, 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

7. **SUBJECT: Consider and take appropriate action concerning the plan provided by Fayette Electric Cooperative, Inc., to set three (3) primary poles in the County right-of-way of Jurecka Road (Precinct 2) to extend service to a new customer located at 4134 Leslie Road, Fayetteville, TX.**

**ACTION: Allowed the plan provided by Fayette Electric Cooperative, Inc., to set three (3) primary poles in the County right-of-way of Jurecka Road (Precinct 2) to extend service to a new customer located at 4134 Leslie Road, Fayetteville, TX. 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 , 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

8. **SUBJECT: Consider and take appropriate action concerning the Dewitt, Poth and Son Maintenance and Supply agreement for the Veterans Service Office copier.**

**ACTION: Entered into agreement with Dewitt, Poth and Son Maintenance and Supply for the Veterans Service Office copier. See attachment hereto marked "Agenda Action 8 Exhibit".**

PERSONS APPEARING BEFORE THE COURT:

MOVED BY JUDGE **Janecka**, 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 approving the Catapult Health Report from the Fayette County Checkups that were held June 06, 2017 to June 09, 2017.**

**ACTION: Accepted Catapult Health Report from the Fayette County Checkups that were held June 06, 2017 to June 09, 2017.**

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

MOVED BY JUDGE **Janecka**, 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 \_\_

10. **SUBJECT: Consider and take appropriate action in authorizing Sheriff Keith Korenek to attend the 139th Annual Sheriff Training Conference, July 29 thru August 1, 2017, in Grapevine, TX.**

**ACTION: Allowed Sheriff Keith Korenek to attend the 139th Annual Sheriff Training Conference, July 29 thru August 1, 2017, in Grapevine, TX. See attachment hereto marked "Agenda Action 10 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 \_\_

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

**ACTION: Accepted fines and fees collected for the period of May 01, 2017 through May 31, 2017. See attachment hereto marked "Agenda Action 11 Exhibit".**

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

**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 \_\_

12. **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 12 Exhibit".**

**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 \_\_

13. **SUBJECT: Hear presentation from representatives with Tyler Technologies regarding the electronic time-keeping software and devices for the recordation of time and attendance, and for other benefits and scheduling needs.**

**ACTION: Accepted presentation and comments from representatives with Tyler Technologies regarding the electronic time-keeping software and devices for the recordation of time and attendance, and for other benefits and scheduling needs.**

**PERSONS APPEARING BEFORE THE COURT: Tami Bates, Tyler Technologies;**

**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 \_\_, vote against **Absent left at 9:30 a.m.**

14. **SUBJECT: Consider and take appropriate action concerning adopting an Order to authorize the issuance of Fayette County Certificates of Obligation, payable from County ad valorem taxes, in the amount of \$1,400,000.00, to finance the construction and equipping of the new EMS Headquarters and Station One Project.**

**ACTION: Adopted an Order to authorize the issuance of Fayette County Certificates of Obligation, payable from County ad valorem taxes, in the amount of \$1,400,000.00, to finance the construction and equipping of the new EMS Headquarters and Station One Project. See attachment hereto marked "Agenda Action 14 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 \_\_

15. **SUBJECT: Discuss, consider, and take appropriate action concerning the EMS Headquarters and Station One new building project.**

**ACTION: Accepted all comments concerning the EMS Headquarters and Station One new building project.**

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 \_\_

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

**ACTION: Accepted all comments. See attachment hereto marked "Agenda Action 16 Exhibit".**

**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

VIII.

Meeting adjourned at **10:16 a.m., July 10, 2017**, on motion by Commissioner **Berckenhoff**, seconded by Commissioner **McBroom**, votes for **4**, 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