

## MINUTES OF COMMISSIONERS' COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **January 31, 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**  
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; David Beyer, Lt. Deputy Sheriff; Shelley Redding, Deputy County Auditor; Kathy Kleiber, County Auditor; Sharon Muzny, EMS Director; Malissa Meith, EMS Assistant Director; Janet Carrigan, Emergency Management Coordinator; Gale Mersiovsky, Deputy County Auditor; Harold Streicher, Assistant County Attorney; Cassie Austin, Court Administrator; Randy Noviskie, Chief Deputy Sheriff; Lorri Grabowski, Assistant County Attorney;**

V.

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

VI.

Meeting opened at **1 p.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: Consider, discuss, and take appropriate action, including determining and requesting the amount of road repair materials, concerning the County Assistance Program administered by TxDOT, based on Transportation Code §201.706, and Local Government Assistance rules, whereby TxDOT assists counties with material to repair and maintain county roads damaged by the impact of the 2060 Weight Tolerance permits.**

**ACTION: Allowed Judge to write a letter requesting some changes. See attachment hereto marked "Agenda Action 1 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 \_\_\_

2. **SUBJECT: Consider and discuss matters involving the architect firm of Brown Reynolds Watford Architects, and take appropriate action regarding Architect's fees and general timeline issues for the construction of the EMS Headquarters and Station One.**

**ACTION: Accepted all comments. See attachment hereto marked "Agenda Action 2 Exhibit".**

**PERSONS APPEARING BEFORE THE COURT: Ray Holliday, Brown Reynolds Watford Architects;**

**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 \_\_\_

3. **SUBJECT: Consider and discuss possible improvement placement, property layout, and interior/exterior plans for the EMS Headquarters and Station One with the architect firm of Brown Reynolds Watford Architects, and take any appropriate action.**

**ACTION: Accepted all comments.**

**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 \_\_\_

4. **SUBJECT: Consider, discuss, and take appropriate action on proposed Law Enforcement Appreciation Dinner scheduled for March 7, 2017.**

**ACTION: Accepted all comments.**

**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 \_\_\_

5. **SUBJECT:** Consider and take appropriate action concerning Fayette County purchasing for Precinct 2 a used 2012 Dynapac CP142 Compaction Asphalt Roller (VIN 10000500C0B002107), with 455 hours, presently located at Rhino Machinery, 5830 Hwy 71 West, La Grange, Texas 78945, said machine to be delivered by Rhino to the Precinct 2 warehouse, for \$49,500.00 payable to Rhino Machinery, using Precinct 2 Road and Bridge funds that are available and in the 2017 Precinct 2 budget, and authorizing County personnel to sign all necessary and required paperwork.

**ACTION:** Allowed Fayette County to purchase for Precinct 2 a used 2012 Dynapac CP142 Compaction Asphalt Roller (VIN 10000500C0B002107), with 455 hours, presently located at Rhino Machinery, 5830 Hwy 71 West, La Grange, Texas 78945, said machine to be delivered by Rhino to the Precinct 2 warehouse, for \$49,500.00 payable to Rhino Machinery, using Precinct 2 Road and Bridge funds that are available and in the 2017 Precinct 2 budget, and authorizing County personnel to sign all necessary and required paperwork. See attachment hereto marked "Agenda Action 5 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 \_\_\_

6. **SUBJECT: Consider and take appropriate action in approving a Paid-Up Oil, Gas and Mineral Lease and a Memorandum of Oil, Gas and Mineral Lease of a tract of land comprising a total of one (1) acre, more or less, owned by Fayette County, Texas, in the Mary Phelps Survey, A-82, Fayette County, Texas, said Lease being between Fayette County and EnerVest Energy Institutional Fund XI-A, LP, et al, for a bonus of \$350.00 per acre, a 1/5<sup>th</sup> royalty interest, and a Primary Term of three (3) years, with a two (2) year option for an additional \$250.00.**

**ACTION: Approved a Paid-Up Oil, Gas and Mineral Lease and a Memorandum of Oil, Gas and Mineral Lease of a tract of land comprising a total of one (1) acre, more or less, owned by Fayette County, Texas, in the Mary Phelps Survey, A-82, Fayette County, Texas, said Lease being between Fayette County and EnerVest Energy Institutional Fund XI-A, LP, et al, for a bonus of \$350.00 per acre, a 1/5<sup>th</sup> royalty interest, and a Primary Term of three (3) years, with a two (2) year option for an additional \$250.00. See attachment hereto marked "Agenda Action 6 Exhibit".**

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

**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 \_\_\_

7. **SUBJECT: Consider and take appropriate action on County Information Resources Agency (CIRA) Services Agreement between Texas Association of Counties and Fayette County to provide certain technology services.**

**ACTION: Approved County Information Resources Agency (CIRA) Services Agreement between Texas Association of Counties and Fayette County to provide certain technology services. 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 authorizing County Judge Edward Janecka to attend the Texas College of Probate Judges 2-Day Regional Workshop March 2-3, 2017, in San Marcos, Texas.**

**ACTION: Allowed authorizing County Judge Edward Janecka to attend the Texas College of Probate Judges 2-Day Regional Workshop March 2-3, 2017, in San Marcos, Texas.**

**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: Review, consider, and take appropriate action regarding all proposed changes to the Fayette County Employee Personnel Policy Manual, and subsequently, consider and take appropriate action regarding the adoption of the newly revised Fayette County Employee Personnel Policy Manual.**

**ACTION: Signed resolution to approve the newly revised Fayette County Employee Personnel Policy Manual. To include revision language per the discussion of The Commissioners' Court regarding EMS Employee Holidays and Employees with light duty during a Holiday, covered in section 4.04, number 3. See attachment hereto marked "Agenda Action 9 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 \_\_\_

VIII.

Meeting adjourned at **3:15 p.m., January 31, 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