

MINUTES OF COMMISSIONERS' COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **March 13, 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: **Kathy Kleiber, County Auditor; Julie Karstedt, County Clerk; Mandy Kasper, Deputy County Clerk; Cassie Austin, Court Administrator; Judge Jeff Steinhauser, District Judge; Janet Carrigan, Emergency Management Coordinator; Randy Noviskie, Chief Deputy Sheriff; Lorri Grabowski, Assistant County Attorney; Harold Streicher, Assistant County Attorney; Malissa Mieth, Assistant EMS Director;**

V.

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

VI.

Meeting opened at **9:01 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: Accepted Rodney Reed and Judge Janecka comments. Rodney Reed thanked Commissioners' Court for money approved for fire department and shared what Ledbetter has purchased. Judge Janecka thanked everyone for Law Enforcement Dinner. See attachment hereto marked "Agenda Action 1 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Rodney Reed, Ledbetter Fire Department; Judge Janecka, County Judge;

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 take appropriate action proclaiming the week of March 27 through March 31, 2017 as Boys' and Girls' Club Week in Fayette County.**

ACTION: Proclaimed the week of March 27 through March 31, 2017 as Boys' and Girls' Club Week in Fayette County. See attachment hereto marked "Agenda Action 2 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Mariette Bellamy, Boys and Girls Club; Allen Bellamy, Boys and Girls Club; Nikita Speed, Boys and Girls Club; Jazmine Nelson, Boys and Girls Club, Hailey Kahlden, Boys and Girls Club;

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 take appropriate action concerning whether to enter into an employer self-pay agreement with Medical Transport Solutions (MASA), or into an employer benefit payroll deduction agreement with MASA .**

ACTION: Allowed Fayette County to enter into agreement with Medical Transport Solutions (MASA), or into an employer benefit payroll deduction agreement with MASA . See attachment hereto marked "Agenda Action 3 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 ___

4. **SUBJECT: Consider and take appropriate action in authorizing the County Auditor to advertise for bids for roof repairs/replacement to the County Clerk's Office located at 246 West Colorado Street, La Grange, Texas.**

ACTION: Authorized the County Auditor to advertise for bids for roof repairs/replacement to the County Clerk's Office located at 246 West Colorado Street, La Grange, Texas.

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 ___

5. **SUBJECT: Consider and take notice of the subdivision of real property application 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 application 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 5 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 ___

6. **SUBJECT: Consider and take appropriate action in Sheriff Keith Korenek and Sergeant Randy Thumann to attend the 2017 National Interdiction Conference, April 30, 2017 through May 5, 2017, in Philadelphia, PA; Sergeant Randy Thumann and Investigation David Smith will be the proud recipients of a national award for their Criminal Interdiction efforts in 2016.**

ACTION: Allowed Sheriff Keith Korenek and Sergeant Randy Thumann to attend the 2017 National Interdiction Conference, April 30, 2017 through May 5, 2017, in Philadelphia, PA; Sergeant Randy Thumann and Investigation David Smith will be the proud recipients of a national award for their Criminal Interdiction efforts in 2016. See attachment hereto marked "Agenda Action 6 Exhibit".

PERSONS APPEARING BEFORE THE COURT: **Randy Noviskie, Chief Deputy Sheriff;**

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 ___

7. **SUBJECT: Consider and take appropriate action authorizing Lorri Grabowski and Harold Streicher to attend the 2017 TDCAA Civil Law Seminar, May 10, 2017 through May 12, 2017, in San Antonio, Texas.**

ACTION: Approved Lorri Grabowski and Harold Streicher to attend the 2017 TDCAA Civil Law Seminar, May 10, 2017 through May 12, 2017, in San Antonio, Texas.

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 ___

8. **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 8 Exhibit".

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

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 ___

9. **SUBJECT: Discuss, consider and take appropriate action concerning the EMS Headquarters and Station One.**

ACTION: Accepted all comments.

PERSONS APPEARING BEFORE THE COURT: Malissa Mieth, EMS Assistant Director; Janet Carrigan, Emergency Management Coordinator;

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 ___

10. **SUBJECT: Enter into closed (executive) session pursuant to V. T. C. A. Government Code, Section 551.071 (1), to seek and hear the advice of its legal counsel about: (A) pending or contemplated litigation; and pursuant to V. T. C. A. Government Code, Section 551.074 (a)(1), to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, with final action to be taken in open session.**

ACTION: Entered into executive session at 9:41 a.m..

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: Return to reconvene to open meeting.**

ACTION: Reconvened at 10:28 a.m..

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 deemed necessary, including a final action, decision or vote on the matters deliberated in closed session.**

ACTION: EMS field employees who worked the "holiday shift" which began at 7:00 a.m. on January 1, 2017, New Year's Day, the "actual" holiday, are to be compensated in accordance with the adopted Section 4.04 Policy and are to be considered to have accrued one holiday hour, in addition to their regular pay, for every hour worked.

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 **10:29 a.m.**, **March 13, 2017**, on motion by Commissioner **Berckenhoff**, seconded by Commissioner **Weishuhn.**, 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

COMMISSIONERS' COURT OF FAYETTE COUNTY, TEXAS

NOTICE

OF

PUBLIC MEETING

FILED
4:55pm
MAR 09 2017

Julie Karstedt
JULIE KARSTEDT *mk*
CO. CLERK, FAYETTE CO., TEXAS

WHEREAS, The Texas Government Code, Chapter 551, as amended, stipulates posting and notice requirements for public meetings;

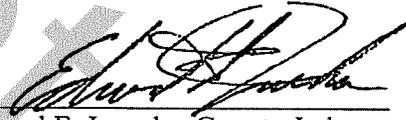
WHEREAS, the Commissioners' Court of Fayette County, Texas, is required to comply with the provisions of said law;

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS: The Commissioners' Court of Fayette County, Texas, will meet in **REGULAR MEETING** on **Monday, March 13, 2017**, at **9:00 a.m.**, in the Commissioners' Courtroom (3rd floor - Room 303) at the Fayette County Courthouse located at 151 North Washington Street, La Grange, Texas.

Matters to be discussed that are subject to vote by the Commissioners' Court are as follows:

1. Open public comments – petitions, requests or statements by the public. Close. *(Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting. No formal action, discussion, deliberation, nor comment will be made by the members of the Commissioners' Court.)*
2. Consider and take appropriate action proclaiming the week of March 27 through March 31, 2017 as Boys' and Girls' Club Week in Fayette County.
3. Consider and take appropriate action concerning whether to enter into an employer self-pay agreement with Medical Transport Solutions (MASA), or into an employer benefit payroll deduction agreement with MASA.
4. Consider and take appropriate action in authorizing the County Auditor to advertise for bids for roof repairs/replacement to the County Clerk's Office located at 246 West Colorado Street, La Grange, Texas.
5. 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.
6. Consider and take appropriate action in authorizing Sheriff Keith Korenek and Sergeant Randy Thumann to attend the 2017 National Interdiction Conference, April 30, 2017 through May 5, 2017, in Philadelphia, PA; Sergeant Randy Thumann and Investigator David Smith will be the proud recipients of a national award for their Criminal Interdiction efforts in 2016.

7. Consider and take appropriate action in authorizing Lorri Grabowski and Harold Streicher to attend the 2017 TDCAA Civil Law Seminar, May 10, 2017 through May 12, 2017, in San Antonio, Texas.
8. Consider and take appropriate action in approving the payment of currently due Fayette County bills and expenses.
9. Discuss, consider and take appropriate action concerning the EMS Headquarters and Station One.
10. Enter into closed (executive) session pursuant to V.T.C.A. Government Code, Section 551.071 (1), to seek and hear the advice of its legal counsel about: (A) pending or contemplated litigation; and pursuant to V.T.C.A. Government Code, Section 551.074 (a)(1), to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, with final action to be taken in open session.
11. Return and reconvene to open meeting.
12. Consider and take appropriate action deemed necessary, including a final action, decision or vote on the matters deliberated in closed session.

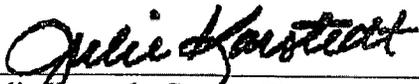

 Edward F. Janecka, County Judge
 By: Nelda Rubio
 Court Administrator

FILED
 4:55 PM
 MAR 09 2017


 JULIE KARSTEDT **mk**
 CO. CLERK, FAYETTE CO., TEXAS

CLERK'S CERTIFICATE

I, Julie Karstedt, County Clerk of Fayette County, Texas, certify that the Notice of Public Meeting was posted on the official courthouse posting board located on the stone wall enclosure appurtenant to the Fayette County Courthouse located on the northwest portion of the Fayette County Courthouse Square, (stone wall enclosure facing West Colorado Street near its intersection with North Main Street), on the 9 th day of March, 2017 at 4:55 P .m., and is to remain posted continuously for at least 72 hours preceding the scheduled time of meeting.


 Julie Karstedt, County Clerk
 By: Mandy Casper
 Deputy County Clerk