

MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **January 28, 2019**.

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 Joe Weber **Present**
County Commissioner – Precinct No. 1, Jason McBroom **Present**
County Commissioner – Precinct No. 2, Luke Sternadel **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: **Mandy Kasper, Deputy County Clerk; Crystal Landry, Deputy County Clerk; Randy Noviskie, Chief Deputy Sheriff; Harold Streicher, Assistant County Attorney; Blake Watson, Assistant County Attorney; Terri Hefner, Elections Administrator; Bernice Svec, Assistant Elections Administrator; Janet Carrigan, Emergency Management Coordinator/Floodplain Administrator; Sharon Muzny, EMS Director; Malissa Mieth, Assistant EMS Director; Kathy Kleiber, Auditor; Clint Sternadel, Designated Representative Subdivision Enforcement; Cassie Austin, Court Administrator; Judge Jeff Steinhauser, District Judge;**

V.

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

VI.

Meeting opened at **9:02 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: Opened public comments. Accepted comments from Rodney Read regarding concerns that large tracts of land are being taken or bought from local farmers and divided into smaller tracts. These tracts are possibly still given ag exemptions. He also expressed concerns that the real estate agents buying/selling these tracts are subdividing them and are anticipating the county to make and fund the improvements such as installing culverts. Closed public comments. See attachment hereto marked "Agenda Action 1 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Rodney Read;

MOVED BY COMMR. Muras, SECONDED BY COMMR. Sternadel.

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

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

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

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

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

2. **SUBJECT: Hear presentation, discuss, consider and take appropriate action concerning request from representatives from the College of Architecture, Construction and Planning, University of Texas at San Antonio, concerning permission to place wireless sensor pens on each floor of the Courthouse for an observation period of twelve months, in order to study the collected data concerning the effectiveness and building performance of the architecturally significant Fayette County Courthouse, one of James Riley Gordon's early designs that support natural lighting and natural ventilation, passive cooling and other features.**

ACTION: Accepted presentation and allowed University of Texas at San Antonio to place wireless sensor pens on each floor of the Courthouse for an observation period of twelve months, in order to study the collected data concerning effectiveness and building performance of the architecturally significant Fayette County Courthouse, one of James Riley Gordon's early designs that support natural lighting and natural ventilation, passive cooling and other features.

PERSONS APPEARING BEFORE THE COURT: Antonio Martinez-Molina, Professor UTSA; Angela Lombardi, Professor UTSA;

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Berckenhoff.
Commr. McBroom, vote for **X**, vote against ___
Commr. Sternadel, vote for **X**, vote against ___
Commr. Berckenhoff, vote for **X**, vote against ___
Commr. Muras, vote for **X**, vote against ___
Judge Weber, vote for **X**, vote against ___

3. **SUBJECT: Hear, discuss and consider presentation from Mary Ann Saenz-Thompson and Lisa McCaig with Texas Association of Counties, and take appropriate action.**

ACTION: Accepted presentation from Mary Ann Saenz-Thompson and Lisa McCaig on training opportunities that Texas Association of Counties offers County Officials.

PERSONS APPEARING BEFORE THE COURT: Mary Ann Saenz-Thompson, Texas Association of Counties; Lisa McCaig, Texas Association of Counties;

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. Sternadel.

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

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

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

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

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

Reopened Public comments by the request of District Judge Jeff Steinhauser. Judge Steinhauser requested permission to address the Court. He introduced Hector Gomez with Texas Office of Court Administration Court Security Division's Director. Judge Steinhauser and Hector Gomez will be going around the Courthouse and County Offices to look at what security measures need to be taken.

PERSONS APPEARING BEFORE THE COURT: **Judge Jeff Steinhauser, District Judge; Hector Gomez, Texas Office of Court Administration Court Security Division's Director;**

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

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

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

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

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

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

4. **SUBJECT: Consider, discuss, and take appropriate action concerning a "One to Four Family Residential Contract" ("the Contract") between Thomas W. Baca, et al ("the Sellers"), and Fayette County, Texas, and take action, accepting and approving the \$240,000 purchase price negotiated between Sellers and Fayette County, to purchase by the County a 1.923 acre tract of land, including all buildings and improvements, located at 1630 N. Jefferson Street, La Grange, Texas, said tract of land being adjacent to property owned by Fayette County on which the Justice Center and Sheriff's Office are located, and authorizing the Contract to be signed by the County.**

ACTION: Denied purchase of 1.923 acre tract of land located at 1630 N. Jefferson Street La Grange, Texas. Commissioner Muras expressed that he is hearing negative comments about the property (why so much money) from people of the County. Commissioners' Berckenhoff and Sternadel went to tour the Justice Center last week. Commissioner Sternadel asked what the design was going to be. Commissioner McBroom likes the idea of trying to think ahead and where the property is located. Judge Weber has been doing research on the Justice Center and feels that there are issues that need to be fixed immediately. He's also concerned about the price and the fact that the County has no reserve fund.

PERSONS APPEARING BEFORE THE COURT: Randy Noviskie, Chief Deputy Sheriff; Kathy Kleiber, Auditor; Janet Carrigan, Emergency Management Coordinator/Floodplain Administrator; Harold Streicher, Assistant County Attorney;

MOVED BY COMMR. Muras, SECONDED BY COMMR. Sternadel.

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

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

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

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

Judge Weber, vote for **X**, vote against __

5. **SUBJECT: Consider and take appropriate action in adopting and executing a Resolution to approve and authorize the purchase by Fayette County, Texas of the 1.923 acre tract of land, including all buildings and improvements, located at 1630 N. Jefferson Street, La Grange, Texas, said tract of land being adjacent to property owned by Fayette County on which the Justice Center and Sheriff's Office are located, and to authorize Joseph F. Weber, Fayette County Judge, to execute on behalf of Fayette County, Texas, all documents necessary to vest in Fayette County, Texas the title to the said 1.923 acre tract of land.**

ACTION: No action taken.

PERSONS APPEARING BEFORE THE COURT:

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

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

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

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

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

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

6. **SUBJECT: Consider and take appropriate action in authorizing the County Auditor to prepare a cashier's check in the amount of \$240,340.00, made payable to "Oeltjen, Schovajsa, and Klesel, Escrow," in order to pay the agreed purchase amount of \$240,000.00 for the 1.923 acre tract of land, including all buildings and improvements, located at 1630 N. Jefferson Street, La Grange, Texas, and in order to also pay all (estimated) closing costs of \$340.00 due from the County.**

ACTION: No action taken.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Muras, SECONDED BY COMMR. Berckenhoff.

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

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

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

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

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

7. **SUBJECT: Consider and take appropriate action concerning entering into a Rental and Services Order and Agreement with Gorman's Laundry, LLC, concerning the supplying of uniforms and uniform cleaning services for County employees at all Road and Bridge Precincts and at the Recycle Center.**

ACTION: Accepted Rental and Services Order and Agreement with Gorman's Laundry, LLC concerning the supplying of uniforms and uniform cleaning services for County employees at all Road and Bridge Precincts and at Recycle Center. See attachment hereto marked "Agenda Action 7 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney; Kathy Kleiber, Auditor;

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

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

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

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

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

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

8. **SUBJECT: Consider and take appropriate action concerning the request from MicroSeismic, Inc., to lay cables across designated county roads in Precincts 1 and 2, to monitor and record real time data of the fracking of an oil and gas well located in Precinct 2.**

ACTION: Approved request from MicroSeismic, Inc. to lay cables across designated county roads in Precincts 1 and 2, to monitor and record real time data of the fracking of an oil and gas well located in Precinct 2. MicroSeismic, Inc. has permission from TxDot. The monitoring should only take about 2 weeks. See attachment hereto marked "Agenda Action 8 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Jake Fadeley, MicroSeismic, Inc.;

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Sternadel.

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

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

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

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

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

9. **SUBJECT: Consider and take appropriate action concerning granting authorization for Fayette County, on behalf of the Fayette County Elections Office, to complete an Application form requesting that a Contract be prepared between Fayette County and the Texas Department of Information Resources (DIR) partnered with AT&T, to participate in an Election Security Assessment, paid for by the Texas SOS, that will focus on voter registration, voter check-in process, vote tabulation system, election result reporting, election management processes, and election team support.**

ACTION: Allowed Terri Hefner, Elections Administrator; to complete an Application form requesting that a Contract be prepared between Fayette County and Texas Department of Information Resources (DIR) partnered with AT&T, to participate in an Election Security Assessment paid for by the Texas SOS, that will focus on voter registration, voter check-in process, vote tabulation system, election result reporting, election management process, and election team support. See attachment hereto marked "Agenda Action 9 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Terri Hefner, Elections Administrator; Janet Carrigan, Emergency Management Coordinator/Floodplain Administrator;

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

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

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

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

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

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

10. **SUBJECT: Acknowledge monthly calls, collection, and financial report from EMS Director Sharon Muzny.**

ACTION: Accepted monthly calls, collections, and financial report from EMS Director Sharon Muzny. Sharon mentioned that the conversion for the billing is not complete yet and that EMS has an ambulance that is being remounted it will be ready in about 8 weeks. See attachment hereto marked "Agenda Action 10 Exhibit".

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

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. Sternadel.

Commr. McBroom, vote for **X**, vote against ___
Commr. Sternadel, vote for **X**, vote against ___
Commr. Berckenhoff, vote for **X**, vote against ___
Commr. Muras, vote for **X**, vote against ___
Judge Weber, vote for **X**, vote against ___

Break at 10:25 a.m..

MOVED BY COMMR. Muras, SECONDED BY COMMR. Sternadel.

Commr. McBroom, vote for **X**, vote against ___
Commr. Sternadel, vote for **X**, vote against ___
Commr. Berckenhoff, vote for **X**, vote against ___
Commr. Muras, vote for **X**, vote against ___
Judge Weber, vote for **X**, vote against ___

Reconvened at 10:33 a.m..

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

Commr. McBroom, vote for **X**, vote against ___
Commr. Sternadel, vote for **X**, vote against ___
Commr. Berckenhoff, vote for **X**, vote against ___
Commr. Muras, vote for **X**, vote against ___
Judge Weber, vote for **X**, vote against ___

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

ACTION: Accepted monthly report from Janet Carrigan, Emergency Management Coordinator and Floodplain Administrator. Janet stated that there are 25 families in New Braunfels that have been affected by the Federal Government shutdown. Fayette County supplied food to these 25 families with the help of Hanks Express.

PERSONS APPEARING BEFORE THE COURT: Janet Carrigan, Emergency Management Coordinator/Floodplain Administrator

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Sternadel.

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

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

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

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

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

12. **SUBJECT: Consider and take appropriate action concerning participating in FEMA's Public Assistance Management Costs Interim Policy, Section 1215 of the Disaster Recovery Reform Act of 2018 (DRRA), regarding the reimbursement from FEMA to Fayette County for management costs associated with DR4332 (Hurricane Harvey Disaster).**

ACTION: Accepted comments from Janet Carrigan and approved participating in FEMA's Public Assistance Management Costs Interim Policy, Section 1215 of the Disaster Recovery Reform Act of 2018 (DRRA), regarding the reimbursement from FEMA to Fayette County for management costs associated with DR4332 (Hurricane Harvey Disaster). See attachment hereto marked "Agenda Action 12 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Janet Carrigan, Emergency Management Coordinator/Floodplain Administrator;

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

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

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

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

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

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

13. **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 roads: Hackemack Rd, Oak Run Ln, Blossom Hill Rd, Roznov Rd, and S. Weyand Rd, (Precinct 2), with CVTC being required to make repairs of direct or collateral damage, if any, caused by CVTC to the county roads listed above.**

ACTION: Accepted plan of Colorado Valley Telephone Cooperative, Inc (CVTC) to install new buried fiber optic cables within the corridors of the following roads: Hackemack Rd, Oak Run Ln, Blossom Hill Rd, Roznov rd, and S. Weyand Rd, (Precinct 2), with CVTC being required to make repairs of direct or collateral damage, if any, caused by CVTC to the county roads listed above. See attachment hereto marked "Agenda Action 13 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Brian Mueller, CVTC;

MOVED BY COMMR. Sternadel, SECONDED BY COMMR. Berckenhoff.

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

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

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

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

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

- 14. **SUBJECT: Consider and take appropriate action concerning the plan of Colorado Valley Telephone Cooperative, Inc (CVTC) to install new buried copper cable within the corridors of the following roads: Parma Rd and Mazurek Rd (Precinct 4), with CVTC being required to make repairs of direct or collateral damage, if any, caused by CVTC to the county roads listed above.**

ACTION: Approved the plan of Colorado Valley Telephone Cooperative, Inc (CVTC) to install new buried copper cable within the corridors of the following roads: Parma Rd. and Mazurek Rd (Precinct 4), with CVTC being required to make repairs of direct or collateral damage, if any, caused CVTC to the county roads listed above. See attachment hereto marked "Agenda Action 14 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Brian Mueller, CVTC;

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

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

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

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

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

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

- 15. **SUBJECT: Consider and take appropriate action concerning the plan of Colorado Valley Telephone Cooperative, Inc (CVTC) to install a Digital Loop Carrier (DLC) housing within the right-of-way of the following road: Hackemack Rd (Precinct 2), and for CVTC to make repairs of any resultant damage to Hackemack Road.**

ACTION: Approved plan of Colorado Valley Telephone Cooperative, Inc (CVTC) to install a Digital Loop Carrier (DLC) housing within the right-of-way of the following road: Hackemack Rd (Precinct 2), and for CVTC to make repairs of any resultant damage to Hackemack Road. See attachment hereto marked "Agenda Action 15 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Brian Mueller, CVTC;

MOVED BY COMMR. Sternadel, SECONDED BY COMMR. Berckenhoff.

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

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

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

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

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

16. **SUBJECT: Consider and take appropriate action on a Lease Agreement between Fayette County, Lessor, owner of the Fayette Regional Air Center Airport, and Eduardo Alvarado, Lessee, for lease of airport hangar #19.**

ACTION: Approved Lease Agreement between Fayette County, Lessor, owner of the Fayette Regional Air Center Airport, and Eduardo Alvarado, Lessee, for lease of airport hangar #19. See attachment hereto marked "Agenda Action 16 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Sternadel.

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

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

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

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

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

17. **SUBJECT: Consider and take appropriate action on Order (Amended) Designating Days of Week and Location of Regular Terms and Setting Schedule of Fayette County Commissioners Court Regular Meetings for 2019.**

ACTION: Approved amending Order Designating Days of Week and Location of Regular Terms and Setting Schedule of Fayette County Commissioners' Court Regular Meetings for 2019. Agreed to change the Commissioners' Court meetings from Monday Mornings to Thursday Mornings. See attachment hereto marked "Agenda Action 17 Exhibit".

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

MOVED BY COMMR. Muras, SECONDED BY COMMR. Sternadel.

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

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

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

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

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

18. **SUBJECT: Consider and take appropriate action in appointing a representative to Capital Area Regional Transportation Planning Organization (CARTPO).**

ACTION: Approved to continue with Commissioner Muras as the only representative to Capital Area Regional Transportation Planning Organization (CARTPO).

PERSONS APPEARING BEFORE THE COURT:

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

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

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

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

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

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

19. **SUBJECT: Consider and take appropriate action concerning the 2019 Forfeiture Fund Budget prepared by the Fayette County Attorney, Peggy Supak.**

ACTION: Accepted 2019 Forfeiture Fund Budget prepared by the Fayette County Attorney, Peggy Supak. See attachment hereto marked "Agenda Action 19 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor; Harold Streicher, Assistant County Attorney

MOVED BY COMMR. Muras, SECONDED BY COMMR. Berckenhoff.

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

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

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

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

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

20. **SUBJECT: Consider and take appropriate action in acknowledging the 2018 Racial Profiling Report as submitted by the Fayette County Constable, Precinct #1.**

ACTION: Acknowledged 2018 Racial Profiling Report as submitted by Fayette County Constable, Precinct #1. See attachment hereto marked "Agenda Action 20 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

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

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

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

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

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

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

21. **SUBJECT: Consider and take appropriate action on request from the City of La Grange, Main Street & Tourism Assistant Manager, to use the exterior grounds and north side of the Courthouse grounds to set-up tables, weather permitting, for the following event: Uncorked Wine and Food Festival - Saturday, February 16, 2019.**

ACTION: Approved request from the City of La Grange, Main Street & Tourism Assistant Manager, to use the exterior grounds and north side of the Courthouse grounds to set-up tables, weather permitting, for the following event: Uncorked Wine and Food Festival-Saturday, February 16, 2019, Courthouse restrooms will not be used. See attachment hereto marked "Agenda Action 21 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

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

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

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

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

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

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

22. **SUBJECT: Consider and take appropriate action concerning the Application for Pipeline Public Road Crossing Permit, submitted by Fayette Service Company, LLC, for said pipeline to cross under Jurecka Road (Precinct 2), a public county road located in Fayette County, Texas.**

ACTION: Accepted Application for Pipeline Public Road Crossing Permit, submitted by Fayette Service Company, LLC for said pipeline to cross under Jurecka Road (Precinct 2), a public county road located in Fayette County, Texas. See attachment hereto marked "Agenda Action 22 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Sternadel, SECONDED BY COMMR. McBroom.
Commr. McBroom, vote for **X**, vote against ___
Commr. Sternadel, vote for **X**, vote against ___
Commr. Berckenhoff, vote for **X**, vote against ___
Commr. Muras, vote for **X**, vote against ___
Judge Weber, vote for **X**, vote against ___

23. **SUBJECT: Consider and take appropriate action approving the Lease Purchase Agreement with Carmine State Bank for the financing of (2) Tractors for Precinct 4, and an Ambulance Chassis/Remount.**

ACTION: Approved Lease Purchase Agreement with Carmine State Bank for financing of (2) Tractors for Precinct 4, and an Ambulance Chassis/Remount. Discussed that the old tractors would be used as trade-in. See attachment hereto marked "Agenda Action 23 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor;

MOVED BY COMMR. Muras, SECONDED BY COMMR. Berckenhoff.
Commr. McBroom, vote for **X**, vote against ___
Commr. Sternadel, vote for **X**, vote against ___
Commr. Berckenhoff, vote for **X**, vote against ___
Commr. Muras, vote for **X**, vote against ___
Judge Weber, vote for **X**, vote against ___

24. SUBJECT: Consider and take appropriate action concerning 2018 Budget Amendments.

ACTION: Approved Amendments to the 2018 Budget. See attachment hereto marked "Agenda Action 24 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor;

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

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

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

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

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

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

25. SUBJECT: Consider and take appropriate action in authorizing the County Judge and County Commissioners to attend the 61st Annual V.G. Young School for County Commissioners Courts, February 19-21, 2019, in College Station, Texas.

ACTION: Approved the County Judge and County Commissioners to attend the 61st Annual V. G. Young School for County Commissioners Courts, February 19-21, in College Station, Texas.

PERSONS APPEARING BEFORE THE COURT:

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

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

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

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

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

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

26. **SUBJECT: Consider and take appropriate action on property not sold at Sheriff's Sale-Cause No. 2122-La Grange ISD.**

ACTION: Rejected property not sold at Sheriff's Sale-Cause No. 2122-La Grange ISD. See attachment hereto marked "Agenda Action 26 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

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

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

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

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

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

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

27. **SUBJECT: Consider and take appropriate action on property not sold at Sheriff's Sale-Cause No. 3501-La Grange ISD.**

ACTION: Rejected property not sold at Sheriff's Sale-Cause No. 3501-La Grange ISD. See attachment hereto marked "Agenda Action 27 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

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

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

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

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

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

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

28. **SUBJECT: Consider and take appropriate action concerning fines and fee collected for the period of October 01, 2018 through December 31, 2018.**

ACTION: Approved fines and fees collected for the period of October 01, 2018 through December 31, 2018. See attachment hereto marked "Agenda Action 28 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor;

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

Commr. McBroom, vote for **X**, vote against ___
Commr. Sternadel, vote for **X**, vote against ___
Commr. Berckenhoff, vote for **X**, vote against ___
Commr. Muras, vote for **X**, vote against ___
Judge Weber, vote for **X**, vote against ___

29. **SUBJECT: Consider and take appropriate action concerning salary changes, if any, made during the period of December 26, 2018 through January 27, 2019.**

ACTION: Approved salary changes, if any, made during the period of December 26, 2018 through January 27, 2019.

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor;

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Sternadel.

Commr. McBroom, vote for **X**, vote against ___
Commr. Sternadel, vote for **X**, vote against ___
Commr. Berckenhoff, vote for **X**, vote against ___
Commr. Muras, vote for **X**, vote against ___
Judge Weber, vote for **X**, vote against ___

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

ACTION: Approved to the payment of currently due Fayette County bills and expenses. See attachment hereto marked "Agenda Action 30 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor;

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. Sternadel

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

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

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

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

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

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

ACTION: Accepted comments concerning the EMS Headquarters and Station One Construction Project. Clint Sternadel informed Commissioners' Court that the roof was being put on today and that the City of La Grange was going to install temporary power tomorrow. Clint and Judge Weber will be touring the construction site tomorrow. Sharon Muzny informed Commissioners' Court that furniture needed to be ordered.

PERSONS APPEARING BEFORE THE COURT: Sharon Muzny, EMS Director; Clint Sternadel; Designated Representative Subdivision Enforcement;

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

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

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

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

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

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

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

- I. **December 10, 2018 – Regular Meeting**
- II. **December 18, 2018 – Special Meeting**
- III. **December 26, 2018 – Regular Meeting**

ACTION: Approved the following minutes from previous meetings.

PERSONS APPEARING BEFORE THE COURT: Mandy Kasper, Deputy County Clerk;

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

Commr. McBroom, vote for **X**, vote against __
Commr. Sternadel, vote for **X**, vote against __
Commr. Berckenhoff, vote for **X**, vote against __
Commr. Muras, vote for **X**, vote against __
Judge Weber, vote for **X**, vote against __

33. **SUBJECT: Enter into closed (executive) session pursuant to Government Code, Section 551.074, to deliberate the duties of a public officer, with final action to be taken in open session.**

ACTION: Entered into closed (executive) session pursuant to Government Code, Section 551.074, to deliberate the duties of a public office, with final action to be taken in open session at 11:38 a.m..

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Sternadel, SECONDED BY COMMR. Berckenhoff.

Commr. McBroom, vote for **X**, vote against __
Commr. Sternadel, vote for **X**, vote against __
Commr. Berckenhoff, vote for **X**, vote against __
Commr. Muras, vote for **X**, vote against __
Judge Weber, vote for **X**, vote against __

34. SUBJECT: Return and reconvene to open meeting.

ACTION: Reconvened into open meeting at 12:07 a.m..

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Sternadel.

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

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

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

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

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

35. SUBJECT: Consider and take appropriate action deemed necessary, including a final action concerning the Designated Employer Representative (DER) regarding Fayette County's Alcohol and Drug Abuse Policy (and testing procedures) for the County's CDL Drivers, including possibly naming a Commissioner as the Designated Employer Representative and setting the compensation for the DER, said matters having been deliberated in closed session.

ACTION: Appointed Commissioner Jason McBroom as the Designated Employer Representative (DER) regarding Fayette County's Alcohol and Drug Abuse Policy, and testing procedures for the County's CDL.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. Muras.

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

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

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

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

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

AMENDED MOTION: Appointed Commissioner Jason McBroom as the Designated Employer Representative (DER) regarding Fayette County's Alcohol and Drug Abuse Policy, and testing procedures for the County's CDL. The Designated Employer Representative salary is \$2,400 annually.

MOVED BY COMMR. **Berckenhoff**, SECONDED BY COMMR. **Sternadel**
Commr. McBroom, vote for ___, vote against **Recused**
Commr. Sternadel, vote for **X**, vote against ___
Commr. Berckenhoff, vote for **X**, vote against ___
Commr. Muras, vote for **X**, vote against ___
Judge Weber, vote for **X**, vote against ___

VIII.

Meeting adjourned at **12:09 p.m., January 28, 2019**, on motion by Commissioner **Muras**, seconded by Commissioner **McBroom**, votes for **5**, votes against **0**.

APPROVED this _____ day of _____, 2019.

Joseph Weber
Fayette County Judge

Jason McBroom
Commissioner, Precinct 1

Luke Sternadel
Commissioner, Precinct 2

Harvey Berckenhoff
Commissioner, Precinct 3

Tom Muras
Commissioner, Precinct 4

ATTEST:

Brenda Fietsam
County Clerk