

MINUTES OF COMMISSIONERS' COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **June 11, 2018**.

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, **Absent**

IV.

County Officials/County Personnel present during all or any part of the meeting: **Mandy Kasper, Deputy County Clerk; Jennifer Berger, Deputy County Clerk; Cassie Austin, Court Administrator; Emma Leppard, County Judge Assistant Part Time; Randy Noviskie, Chief Deputy Sheriff; Kathy Kleiber, County Auditor; Sharon Muzny, EMS Director; 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 **8:59 a.m.** on motion by Commissioner **Berckenhoff**, seconded by Commissioner **Weishuhn**, votes for **4**, 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 comments from Kathy Kleiber reminding everyone about Catapult Screens to be held in July.

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

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 __, vote against **Absent**
Judge Janecka, vote for **X**, vote against __

2. **SUBJECT: Consider and take appropriate action on proclamation proclaiming June, 2018, as “Dairy Month” in Fayette County.**

ACTION: Signed proclamation proclaiming June, 2018, as "Dairy Month" in Fayette County. See attachment hereto marked "Agenda Action 2 Exhibit".

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 __, vote against **Absent**
Judge Janecka, vote for **X**, vote against __

3. **SUBJECT: Presentation of Cooperative Teamwork & Recycling Assistance's (CTRA) Certificate of Recognition for Outstanding Recycling Efforts in 2017 to Fayette County; award to be presented by Rachel Hering, Executive Director.**

ACTION: Accepted Certificate of Recognition for Outstanding Recycling Efforts in 2017. See attachment hereto marked "Agenda Action 3 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Rachel Hering, CTRA;

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 __, vote against **Absent**

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

4. **SUBJECT: Presentation of Texas Historical Commission's 2017 Distinguished Service Award to Fayette County Historical Commission in recognition of its active and well-balanced preservation program; award to be accepted by Bobbie Nash, Chairperson of the Fayette County Historical Commission.**

ACTION: Presented Texas Historical Commission's 2017 Distinguished Service Award to Fayette County Historical Commission. See attachment hereto marked "Agenda Action 4 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Bobbie Nash, Historical Commission; Sylvia Hebert, Historical Commission; Charles Hebert, Historical Commission; Bobbie Houston, Historical Commission; Shirley Scheaffer, Historical Commission; John Scheaffer, Historical Commission; W. O. Wood, Historical Commission;

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 __, vote against **Absent**

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

5. **SUBJECT: Consider and take appropriate action approving, entering into, and signing the Master Subscription and License Agreement, between Fayette County, Texas and ESO Solutions, Inc., relating to the previously executed AMB Service Agreement, and authorizing the County Judge to sign any additional documents connected with the Agreement.**

ACTION: Approved entering into, and signing the Master Subscription and License Agreement, between Fayette County, Texas and ESO Solutions, Inc., for new software for EMS billing and authorize County Judge to sign any additional documents. See attachment hereto marked "Agenda Action 5 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Harold Streicher, Assistant County Attorney; Sharon Muzny, EMS 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 __, vote against **Absent**
Judge Janecka, vote for **X**, vote against __

6. **SUBJECT:** Consider and take appropriate action in acknowledging the plat of Big Sky Ranch, which lies in Bastrop County, Texas, with a portion of Lot 6, said portion being approximately 9 acres, lying in Fayette County, Texas; and authorizing the Fayette County Judge to sign all documents pertaining to the division allowing Bastrop County to give the variance to subdivide the property into the tracts specified and giving Bastrop County notice that if there is any future development on the Fayette County portion, said owner needs to follow any and all Fayette County rules and regulations.

ACTION: Acknowledged plat of Big Sky Ranch, which lies in Bastrop County, Texas, with a portion of Lot 6, said portion being approximately 9 acres, lying in Fayette County, Texas; and authorized the Fayette County Judge to sign all documents pertaining to the division allowing Bastrop County to give the variance to subdivide the property into the tracts specified and giving Bastrop County notice that if there is any future development on the Fayette County portion, said owner needs to follow any and all Fayette County rules and regulations. See attachment hereto marked "Agenda Action 6 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 __, vote against **Absent**

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

7. **SUBJECT:** Consider and take appropriate action in entering into a Contract with the Department of State Health Services, Vital Statistics Unit (Section), for the purposes stated therein, including to access the Texas Electronic Registration Remote System for the purpose of issuing individual birth certificates, and authorizing the County Judge to sign any additional documents connected with the Contract.

ACTION: Signed Contract with the Department of State Health Services, Vital Statistics Unit (Section), for the purposes stated therein, including to access the Texas Electronic Registration Remote System for the purpose of issuing individual birth certificates in the County Clerk's Office, and authoring the County Judge to sign any additional documents connected with the Contract. See attachment hereto marked "Agenda Action 7 Exhibit".

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 ___, vote against **Absent**
Judge Janecka, vote for **X**, vote against ___

8. **SUBJECT: Consider and take appropriate action concerning the request from Fayette Electric Cooperative, Inc., to set one secondary pole in the county right-of-way along Schuster Road (Precinct 2), to extend electric service to Colorado Valley Telephone Cooperative, Inc. for new buried fiber optic cables and services.**

ACTION: Approved request from Fayette Electric Cooperative, Inc. to set secondary pole in the county right-of-way along Schuster Road (Precinct 2), to extend service to Colorado Valley Telephone Cooperative, Inc. for new buried fiber optic cables and services. Request was made to set them as close to fences as possible and have reflective material on them. See attachment hereto marked "Agenda Action 8 Exhibit".

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

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 __, vote against **Absent**
Judge Janecka, vote for **X**, vote against __

9. **SUBJECT: Consider and take appropriate action in approving the written plan of Fayette Water Supply Corporation to bore under Petter Rainosek Loop (Precinct 4), and place and install a new water service line for a new customer located at Property ID R32651, and for Fayette Water Supply Corporation to make repairs of any resultant damage done to Petter Rainosek Loop.**

ACTION: Allowed written plan of Fayette Water Supply Corporation to bore under Petter Rainosek Loop (Precinct 4), and place and install a new water service line for a new customer located at Property ID R32651, and for Fayette Water Supply Corporation to make repairs of any resultant damage done to Petter Rainosek Loop. See attachment hereto marked "Agenda Action 9 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 ___, vote against **Absent**
Judge Janecka, vote for **X**, vote against ___

10. **SUBJECT: Consider and take appropriate action accepting authorizing the Disposition of Salvage and Surplus Property, in accordance with Local Government Code 263.152-158, of three (3) Dodge Chargers, Fayette County Sheriff, that will be traded-in with the purchase of new Sheriff vehicles.**

ACTION: Allowed Disposition of Salvage and Surplus Property, in accordance with Local Government Code 263.152-158, of three (3) Dodge Chargers, Fayette County Sheriff, that will be traded-in with the purchase of new Sheriff Vehicles. See attachment hereto marked "Agenda Action 10 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 ___, vote against **Absent**
Judge Janecka, vote for **X**, vote against ___

11. **SUBJECT: Discussion with possible action concerning information to be posted on the Fayette County website.**

ACTION: Accepted all comments concerning information to be posted on Fayette County website.

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

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 __, vote against **Absent**

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

12. **SUBJECT: Consider and take appropriate action in authorizing Bethany Martell, Court Coordinator, to attend the 42nd Annual TACA Conference October 2-5, 2018, in San Antonio, Texas.**

ACTION: Allowed Bethany Martell, Court Coordinator, to attend the 42nd Annual TACA Conference October 2-5, 2018, in San Antonio. See attachment hereto marked "Agenda Action 12 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

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 __, vote against **Absent**

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

13. **SUBJECT: Consider and take appropriate action in authorizing William Roensch, Constable Precinct 1, and Havard Macik, Deputy Constable Precinct 1, to attend the 74th Annual Justices of the Peace and Constables Association Education Conference, June 25-29, 2018, in Bryan-College Station, Texas.**

ACTION: Allowed William Roensch, Constable Precinct 1, and Havard Macik, Deputy Constable Precinct 1, to attend the 74th Annual Justices of the Peace and Constables Association Education Conference, June 25-29, 2018, in Bryan-College Station, Texas. See attachment hereto marked "Agenda Action 13 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 ___, vote against **Absent**

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

14. **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 14 Exhibit".

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

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 ___, vote against **Absent**

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

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

ACTION: Accepted all comments concerning the EMS Headquarters and Station One Construction Project.

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 __, vote against **Absent**

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

16. **SUBJECT: Budget Workshop to discuss all revenues/expenditures and tax rate, for 2019 budget, and take any action the Commissioners' Court deems necessary.**

ACTION: Accepted all comments on 2019 Budget Workshop. See attachment hereto marked "Agenda Action 16 Exhibit".

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

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 __, vote against **Absent**

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

17. **SUBJECT: Discuss, consider, and review the entire proposed insurance report on damage of Fayette County buildings due to Hurricane Harvey and take appropriate action concerning the repairs that need to made to Fayette County Buildings.**

ACTION: Accepted all comments on proposed insurance report on damage of Fayette County buildings due to Hurricane Harvey and take appropriate action concerning the repairs that need to made to Fayette County Buildings.

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

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 __, vote against **Absent**
Judge Janecka, vote for **X**, vote against __

VIII.

Meeting adjourned at **9:38 a.m., June 11, 2018**, on motion by Commissioner **McBroom**, seconded by Commissioner **Weishuhn**, votes for **4**, votes against **0**.

APPROVED this _____ day of _____, 2018.

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