

MINUTES OF COMMISSIONERS' COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **July 23, 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, **Absent**
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 Pro Tem**

IV.

County Officials/County Personnel present during all or any part of the meeting: **Julie Karstedt, County Clerk; Mandy Kasper, Deputy County Clerk; Sharon Muzny, EMS Director; Cassie Austin, Court Administrator; Janet Carrigan, Emergency Management Coordinator/Floodplain Administrator; Kathy Kleiber, Auditor; Randy Noviskie, Chief Deputy Sheriff; Harold Streicher, Assistant County Attorney; Emma Leppard, County Judge Assistant Part Time;**

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 **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: Opened and closed public comments.

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 ___, vote against **Absent**

2. **SUBJECT: Public hearing to consider and accept comments, both written and oral, from members of the public concerning an appropriate speed limit for the following County Road: Plum Church Road (Precinct 1).**

ACTION: Opened public hearing at 9:02 a.m..

PERSONS APPEARING BEFORE THE COURT:

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**

3. **SUBJECT: Consider and take appropriate action in making a finding and determination that the prima facie speed limit concerning the following named road is unreasonable or unsafe, and in making an order concerning an appropriate speed limit for the following County Road: Plum Church Road (Precinct 1).**

ACTION: Agreed to set prima facie speed limit concerning Plum Church Road (Precinct 1) at 40mph, and closed public hearing at 9:06 a.m.. See attachment hereto marked "Agenda Action 3 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 ___, vote against **Absent**

4. **SUBJECT: Consider and take appropriate action concerning the application from Clayton J. Meyer, requesting a variance of the subdivision of real property.**

ACTION: Granted application from Clayton J. Meyer, requesting a variance of the subdivision of real property. See attachment hereto marked "Agenda Action 4 Exhibit".

PERSONS APPEARING BEFORE THE COURT: **Clayton J. Meyer**

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 ___, vote against **Absent**

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

ACTION: Acknowledged monthly calls, collection, and financial report from EMS Director Sharon Muzny. See attachment hereto marked "Agenda Action 5 Exhibit".

PERSONS APPEARING BEFORE THE COURT: 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 **X**, vote against ___
Judge Janecka, vote for ___, vote against **Absent**

6. **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. See attachment hereto marked "Agenda Action 6 Exhibit".

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

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 ___, vote against **Absent**

7. **SUBJECT: Consider and take appropriate action in approving the written plan of Fayette Water Supply Corporation to bore under Airport Road (Precinct 1), and place and install a new water service line and meter for a customer located at property ID R57166, and requiring Fayette Water Supply Corporation to make repairs of any resultant damage done to Airport Road.**

ACTION: Allowed written plan of Fayette Water Supply Corporation to bore under Airport Road (Precinct 1), and place and install a new water service line and meter for a customer located at property ID R57166, and requiring Fayette Water Supply Corporation to make repairs of any resultant damage done to Airport Road. See attachment hereto marked "Agenda Action 7 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

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**

8. **SUBJECT: 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.**

ACTION: Deferred until Monday, July 30, 2018. See attachment hereto marked "Agenda Action 8 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 ___, vote against **Absent**

9. **SUBJECT: Consider and take appropriate action on property not sold at Sheriff's Sale – Cause No. 3519 – La Grange ISD.**

ACTION: Rejected property not sold at Sheriff's Sale - Cause No. 3519 - La Grange ISD. See attachment hereto marked "Agenda Action 9 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

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**

10. **SUBJECT: Consider and take appropriate action concerning salary changes, if any, made during the period of June 25, 2018 through July 22, 2018.**

ACTION: Approved salary changes made during the period of June 25, 2018 through July 22, 2018. See attachment hereto marked "Agenda Action 10 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, 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 **X**, vote against __
Judge Janecka, vote for __, vote against **Absent**

11. **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 11 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor;

MOVED BY COMMR. McBroom, 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 __, vote against **Absent**

12. **SUBJECT: Consider and take appropriate action approving the Fayette County Liability Renewal Questionnaire with Texas Association of Counties Risk Management Pool renewing November, 2018.**

ACTION: Approved the Fayette County Liability Renewal Questionnaire with Texas Association of Counties Risk Management Pool renewing November, 2018. See attachment hereto marked "Agenda Action 12 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. 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**

13. **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 one (1) 2012 Dodge Charger, VIN 2C3CDXAT0CH206412, that will be traded-in with the purchase of a new Sheriff vehicle.**

ACTION: Authorized the Disposition of Salvage and Surplus Property, in accordance with Local Government Code 263.152-158, of (1) 2012 Dodge Charger, VIN 2C3CDXAT06412, that will be traded-in with the purchase of a new Sheriff vehicle.

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

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 __, vote against **Absent**

14. **SUBJECT: Consider and take appropriate action concerning fines and fees collected for the period of April 01, 2018 through June 30, 2018.**

ACTION: Approved fines and fees collected for the period of April 01, 2018 through June 30, 2018. See attachment hereto marked "Agenda Action 14 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. 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**

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

ACTION: Accepted all comments.

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

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 ____, vote against **Absent**

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.

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 ____, vote against **Absent**

17. **SUBJECT: Consider and take appropriate action to propose salaries, expenses, and allowances of elected county and precinct officers for the year 2019.**

ACTION: Deferred until Monday, July 30, 2018.

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, 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 **X**, vote against ____
Judge Janecka, vote for ____, vote against **Absent**

18. **SUBJECT: Consider and take appropriate action in authorizing the County Auditor to publish proposed salaries, expenses, and allowances of elected county and precinct officers for the year 2019.**

ACTION: Deferred until Monday, July 30, 2018.

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor;

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 ____, vote against **Absent**

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

- I. June 11, 2018 - Regular Meeting**
- II. June 18, 2018 – Special Meeting**
- III. June 25, 2018 – Regular Meeting**

ACTION: Approved the following minutes from previous meetings.

PERSONS APPEARING BEFORE THE COURT: Julie Karstedt, County Clerk;

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 ___, vote against **Absent**

VIII.

Meeting adjourned at **9:49 a.m., July 23, 2018**, on motion by Commissioner **Weishuhn**, seconded by Commissioner **McBroom**, 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