

MINUTES OF COMMISSIONERS' COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **September 24, 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, **Present**

IV.

County Officials/County Personnel present during all or any part of the meeting: **Cassie Austin, Court Administrator; Julie Karstedt, County Clerk; Mandy Kasper, Deputy County Clerk; Sharon Muzny, EMS Director; Terri Hefner, Elections Administrator; Bernice Svec, Assistant Elections Administrator; Luke Sternadel, Road and Bridge Precinct #2; Clint Sternadel, Designated Representative Subdivision Enforcement; Kathy Kleiber, County Auditor; Malissa Mieth, EMS Assistant Director; Harold Streicher, Assistant County Attorney; Janet Carrigan Emergency Management Coordinator/Floodplain Administrator;**

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 **Muras**, seconded by Commissioner **Weishuhn**, 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.”

I N V O C A T I O N

AGENDA ACTION:

- 1. SUBJECT: Open public comments – petitions, requests or statements by the public. Close.**

ACTION: Closed Public 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 __

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

ACTION: Accepted Janet Carrigan's report. See attachment hereto marked "Agenda Action 2 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Janet Carrigan, Emergency Management Coordinator and Floodplain Administrator; Daniella Scott; Kevin Goodleft, Texas Management Public Assistance Recovery Program;

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 approval by the Commissioners' Court of Early Voting dates and times, including approval of a temporary branch location.**

ACTION: Approved temporary branch locations for Early Voting. See attachment hereto marked "Agenda Action 3 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Terri Hefner, Elections Administrator;

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 **X**, vote against __

4. **SUBJECT: Consider and take appropriate action concerning review and approval of the purchase of additional software for the Electronic CentralPoint pollbooks, that will allow the Elections Office to monitor voter turnout, update voter information, and prevent duplicate voting during Early Voting and on Election Day.**

ACTION: Approved purchase of additional software for the Electronic CentralPoint pollbooks, that will allow the Elections Office to monitor voter turnout, update voter information, and prevent duplicate voting during Early Voting and on Election Day. See attachment hereto marked "Agenda Action 4 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Terri Hefner, Elections 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 **X**, vote against __

5. **SUBJECT: Consider and take appropriate action concerning Interlocal Contract between Capital Area Emergency Communications District (CAECD) and Fayette County, Texas regarding the Fayette County 700 MHZ Overlay Project.**

ACTION: Approved Interlocal Contract between Capital Area Emergency Communications District (CAECD) and Fayette County, Texas regarding the Fayette County 700 MHZ Overlay Project. See attachment hereto marked "Agenda Action 5 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 ___

6. **SUBJECT: Consider and take appropriate action concerning the request from EMS Director, Sharon Muzny, to increase the standby rate charged for the following services: Dedicated Ambulance, Command Vehicle with a Paramedic, and All-Terrain Vehicle with a Paramedic or EMT.**

ACTION: Approved increase in fees for ALS Unit \$125 personnel \$300/football game night, Single Person to \$75, ATV to \$75, additional person \$50 and a new \$100 setup fee. See attachment hereto marked "Agenda Action 6 Exhibit".

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

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 **X**, vote against ___

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

7. **SUBJECT: Consider and take appropriate action in authorizing the County Auditor to advertise for bids for a 2019 ambulance chassis.**

ACTION: Authorized Auditor to advertise for bids for 2019 ambulance chassis.

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 __

8. **SUBJECT: Consider and take appropriate action in possibly awarding bids for (2) Tractors to be used for shredding, Road & Bridge No. 4, said bids were accepted at the September 10, 2018 meeting.**

ACTION: Awarded bid to Kleiber Tractor & Equipment for (2) Tractors to be used for shredding, Road & Bridge No. 4, said bids were accepted at the September 10, 2018 meeting. See attachment hereto marked "Agenda Action 8 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

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 __

9. **SUBJECT: Consider and take appropriate action approving the Fayette County Workers' Compensation Questionnaire with Texas Association of Counties Risk Management Pool for the coverage period of January 01, 2019 through December 31, 2019.**

ACTION: Approved completion of Fayette County Workers' Compensation Questionnaire with Texas Association of Counties Risk Management Pool for the coverage period of January 01, 2019 through December 31, 2019. See attachment hereto marked "Agenda Action 9 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

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 **X**, vote against ___

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

10. **SUBJECT: Consider and take appropriate action in approving the Fayette County FY2019 VINE Service Agreement Renewal.**

ACTION: Accepted the VINE Service Agreement Renewal. See attachment hereto marked "Agenda Action 10 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 **X**, vote against ___

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

11. **SUBJECT: Consider and take appropriate action concerning the Maintenance and Supplies Contract with Dewitt, Poth and Son for the copier for the County Judge's Office.**

ACTION: Renewed Maintenance and Supplies Contract with Dewitt, Poth and Sons for the copier for the County Judge's Office. See attachment hereto marked "Agenda Action 11 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 **X**, vote against ___
Judge Janecka, vote for **X**, vote against ___

12. **SUBJECT: Consider and take appropriate action in appointing Joe Weber as a representative to the Capital Area Council of Governments' General Assembly.**

ACTION: Appointed Joe Weber as a representative to the Capital Area Council of Governments' General Assembly. See attachment hereto marked "Agenda Action 12 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

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 ___

13. **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: Allowed the Application for Pipeline Public Road Crossing Permit, submitted by Fayette Service Company, LLC, for the said pipeline to cross under Jurecka Road (Precinct 2), a public county road located in Fayette County, Texas. See attachment hereto marked "Agenda Action 13 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 **X**, vote against ___

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

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

ACTION: Allowed the Application for Pipeline Public Road Crossing Permit, submitted by ETC Texas Pipeline, LTD, for said pipeline to cross under Joiner Road (Precinct 2), a public county road located in Fayette County, Texas. See attachment hereto marked "Agenda Action 14 Exhibit".

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 ___

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

ACTION: Allowed the Application for Pipeline Public Road Crossing Permit, submitted by ETC Texas Pipeline, LTD, for said pipeline to cross under Zapalac Road (Precinct 2), a public county road located in Fayette County, Texas. See attachment hereto marked "Agenda Action 15 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 **X**, vote against ___

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

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

ACTION: Allowed the Application for Pipeline Public Road Crossing Permit, submitted by ETC Texas Pipeline, LTD, for said pipeline to cross under Hatterman Road (Precinct 2), a public county road located in Fayette County, Texas. See attachment hereto marked "Agenda Action 16 Exhibit".

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 ___

17. **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: Approved subdivision of real property applications that have been acknowledged as exempt from 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 17 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

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 __

18. **SUBJECT: Consider and take appropriate action on a request from Keilers & Keilers LLC, forwarded by the City of La Grange, requesting to receive a variance and a replat of real property located at 254 W Milam Street and 223 S. Main Street, which property lies within a 200' radius of Fayette County real property.**

ACTION: Approved request from Keilers & Keilers LLC, to receive a variance and a replat of real property located at 254 W Milam Street and 223 S. Main Street, which property lies within a 200' radius of Fayette County real property. See attachment hereto marked "Agenda Action 18 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 **X**, vote against __

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

ACTION: Accepted bid on property not sold at Sheriff's Sale-Cause No. 3519-La Grange ISD. See attachment hereto marked "Agenda Action 19 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

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 ___

20. **SUBJECT: Consider and take appropriate action in authorizing Terri Hefner, Elections Administrator, and Bernice Svec, Elections Assistant, to attend the 30th Annual Election Law Seminar, November 28-30, 2018, in Austin, Texas.**

ACTION: Approved Terri Hefner, Elections Administrator, and Bernice Svec, Elections Assistant, to attend the 30th Annual Election Law Seminar, November 28-30, 2018, in Austin, Texas.

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 ___

21. **SUBJECT: Consider and take appropriate action in authorizing the Rosalinda Adamcik, Tax Assessor-Collector, to attend the Texas Department of Motor Vehicles Fraud Awareness and Prevention Training, September 26-27, 2018 in Austin, Texas.**

ACTION: Approved Rosalinda Adamcik, Tax Assessor-Collector, to attend the Texas Department of Motor Vehicles Fraud Awareness and Prevention Training, September 26-17, 2018 in Austin, Texas.

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 **X**, vote against ___

22. **SUBJECT: Consider and take appropriate action concerning salary changes, if any, made during the period of August 27, 2018 through September 23, 2018.**

ACTION: Approved salary changes made during the period of August 27, 2018 through September 23, 2018. See attachment hereto marked "Agenda Action 22 Exhibit".

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 **X**, vote against ___

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

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

ACTION: Approved the payment of currently due Fayette County bills and expenses. See attachment hereto marked "Agenda Action 23 Exhibit".

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

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 __

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

ACTION: Accepted comments and thanked Clint Sternadel for taking care of this project.

PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, Designated Representative Subdivision Enforcement;

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 __

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

- I. August 13, 2018 - Regular Meeting**
- II. August 17, 2018 – Special Meeting**
- III. August 27, 2018 – Regular Meeting**

ACTION: Approved minutes from the previous meetings.

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

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 **X**, vote against ___

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

VIII.

Meeting adjourned at **10:01 a.m., September 24, 2018**, on motion by Commissioner **McBroom**, seconded by Commissioner **Berckenhoff**, votes for **5**, 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